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Neighborhood Planning for Community Revitalization

RESTORATIVE JUSTICE IN THE CONTEXT OF COMMUNITY

by Gena Gerard

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An Analysis for the
Central City Neighborhoods Partnership

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INTRODUCTION

The Central Communities Neighborhood Partnership (CCNP) is engaged in a cooperative effort to identify systemic shortcomings in the criminal justice system and to develop an action plan for change. This collaborative project, begun in 1994, involves the Stevens Square, Elliot Park, Loring Park, and Downtown neighborhoods of Minneapolis in the examination of local criminal justice issues. Viewing the combination of street crime and recidivism as an ongoing threat to the livability of their community, CCNP is engaging local institutions, both public and private, in the application of restorative justice principles to a pro-active, innovative method of holding wrong-doers accountable for their behavior.[1]

The purpose of this research is to explore restorative justice as a means of reducing street crime and recidivism by promoting accountability for criminal activity. Restorative justice engages a process which not only demonstrates to the offender the impact of his or her behavior on others, but also provides an opportunity to make amends to the community through a positive social contribution. If successful, "Community Conferencing" as envisioned by CCNP could serve as a model for others who recognize the merits of restorative justice in a neighborhood or community setting.

[1] This research is sponsored by the Neighborhood Partnership for Community Revitalization (NPCR).

WHAT IS RESTORATIVE JUSTICE?

Definition

Restorative justice is a new philosophical framework which identifies crime as harm done to victims and the community. It values the participation of both victims and community in resolving crime, and it prioritizes restoration as a goal of the justice process.[2] In the most basic sense, restorative justice is about dealing with crime in terms of the relationship between offender, victim, and community.

With its emphasis on mending and strengthening the social fabric of communities, restorative justice is more concerned with "making things right" than with fixing blame or meting punishment. In this way, restorative justice is dramatically different from retributive justice, which focuses on legal infringements, penalties, and deterrence. Through the restorative lens, the most important function of justice is to ensure that the harm is repaired.[3]

To meet this end, restorative justice uses informal processes to mediate and reduce conflict through negotiation. Such processes focus on the objective of reaching a mutually satisfactory agreement based on the active input of victims, offender and the community.[4]

Changing Roles

Since restorative justice is based on the assumption that crime results in injuries to victims, communities, and offenders, it follows that all parties should be included in the response to crime.[5] This requires a redefinition of roles within the justice process.

The victim and the community both have an essential role to play in holding offenders accountable. They do this by defining the harm and identifying ways to repair the damage. Victims are given a central part in this process, although participation is voluntary, not forced. Community members may assist in communicating the negative impact of crime and in defining appropriate solutions.[6]

The offender's role is not a passive, but an active one.[7] As Ada observes, "to repair relationships, it is essential for the offender to make amends through apology; asking

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[2] Bazemore, Gordon and Mark Umbreit. *Balanced and Restorative Justice for Juveniles: A National Strategy for Juvenile Justice in the 21st Century.* (Fort Lauderdale, Florida: Florida Atlantic University, 1995), 10.
[3] Ibid.
[4] Ibid, 19.
[5] McLagan, J. "Committee Recommendations of Restorative Justice" working paper presented to the Minnesota Planning Group (1992).
[6] Kay Pranis, CCNP presentation, 9/3/96.
[7] Ibid.

forgiveness, making restitution, and engaging in acts that demonstrate a sincerity to make things right."[8] These obligations stem from the fact that accountability is fundamental to victims rather than to the state; the offender has a responsibility to actively restore those that have been harmed or wronged. To the extent the community is an indirect victim, work service or other contributions are also fitting.[9]

The role of community in restorative justice is especially important, because its active participation in the process is necessary for justice to be served; for public safety to be promoted; for behavioral standards to be communicated; and for human bonds to be fortified. The community must make a concerted effort to see that justice is done, if significant improvements in community life are to be realized. Bazemore and Umbreit emphasize that protection, sanctioning, and rehabilitation will be incomplete if the community is on the sideline.[10]

Public safety is promoted by the community's participation in a restorative approach to the crime problem. This pro-active role in resolving crime, which develops preventative capacity, is a prerequisite for both security and ease in the community. "Achieving safe and secure communities," Bazemore and Umbreit assert, "will require attention to victims' needs and ultimately the adoption of effective community dispute resolution and mediation processes."[11]

According to restorative justice principles, notes Pranis, the community has an obligation to its members. As the "owner" of both the victim and offender, it is responsible for these individuals and for helping to resolve conflict. Every crime harms the community fabric. Rather than passively expecting the formal system to respond to the damage, the community itself should respond by rallying around the victims, facilitating a process for resolution, making amends possible, paying attention to patterns, and examining the underlying community issues."[12]

Pranis also suggests that intervening mechanisms are needed at the community level because the professional system is not the primary source of power and effectiveness at managing individual behavior.[13] Informal social control more effectively maintains the community's moral standards. "Through reparative sanctions and processes such as restitution, victim offender mediation, and community service," says Umbreit, restorative justice "fulfills a fundamental need of communities to denounce criminal behavior, provide meaningful consequences, and send a message to the offender and others than such behaviors are unacceptable.[14]

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[8] Melton, Ada. "Indigenous justice systems and tribal society" (*Judicature*, volume 79, 3), 127.
[9] Bazemore and Umbreit (1995), 16.
[10] Ibid., 31.
[11] Ibid., 13.
[12] Kay Pranis, CCNP presentation 9/3/96.
[13] Ibid.
[14] Bazemore and Umbreit (1995), 14.

Restorative justice can be used to articulate community standards in a positive way, by providing an opportunity for the offender to be reconnected without minimizing behavior.[15] A process known as "reintegrative shaming" is an essential ingredient of conflict resolution that aims to be restorative. Braithwaite explains that shame plays a key role in the regulation of social behavior. Rather than being stigmatic or humiliating, it "offers a way back for the offender while at the same time denouncing his behavior as unacceptable and holding him accountable for the consequences of crime."[16] Community members should create conditions to facilitate the offender's reentry into the community, recognizing that an individual who is socially connected or invested is much less likely to harm the community.[17]

Within the restorative justice framework, government plays a complementary, rather than a central, role in dealing with crime. Although the formal procedures of the justice system provide important safeguards for rights, says Tavuchis, "these formal procedures deprive people of opportunities to practice skills of apology and forgiveness, of reconciliation, restitution, and reparation."[18] Classen maintains[19] that if the primary focus in a restorative justice system is on the human violations and need for healing of individuals and relationships, then focusing on the violation of law should be a backup for those unwilling to be cooperative.[20]

Marshall sums up the community's role thus:

> While individuals should be held to have, and be expected to exercise, responsibility for their behavior, it must be recognized that society generally must also share such responsibility, for it is society that helps shape such behavior, and it is society that has the resources for altering it. It is important to a restorative justice system that those involved with it, formally and informally, are aware of, and adhere to, this conception and the principles underlying the system, that the basic orientation towards crime should not be one principally of "blaming" and coercion, or of punishment, but one of collaborative problem-solving and helping individuals to reform by listening, discussion, persuasion and enabling.[21]

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[15] Kay Pranis, CCNP presentation 9/3/96.
[16] "Circle Sentencing and Family Group Conferencing" (author unknown), 7. Furnished by Kay Pranis.
[17] Kay Pranis, CCNP presentation 9/3/96.
[18] Tavuchis, N. *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford, CA: Stanford UP, 1991).
[19] Classen, Ron. *Restorative Justice 1.* (http://www.fresno.edu/pacs/restj1.html) (1996).
[20] Note: Restorative justice does not imply that serious and violent offenders who present significant risks to themselves or others should be released into the community (Bazemore and Umbreit, 1995, 14).
[21] Marshall, Tony. "Grassroots Initiatives Towards Restorative Justice: the New Paradigm?" (Paper for Fulbright Colloquium 1992, "Penal Theory and Penal Practice," University of Stirling, 9/92).

WHAT DOES IT LOOK LIKE?

Restorative Justice in action is surprisingly varied, yet there are noticeable common characteristics. The following are programmatic examples from Minnesota and elsewhere:

Chaska, Minnesota - STS Plus: A community service program for juvenile offenders run by Carver County Court Services, in collaboration with the state Department of Corrections and a local educational cooperative, combines competency-building objectives with service to the community.

Elkhart, Indiana: The Center for Community Justice operates a program in which older juveniles, who may have previously failed in the system and risk continuing their negative behavior into adulthood, develop a contract for making amends. This may involve restitution, voluntary service, self-improvement activities, and face-to-face mediation with the victim.

Deschutes County, Oregon: Juvenile offenders work to provide wood for fuel for seniors and help construct shelters for those in need as a way of making amends to the community, enhancing competencies, and building connections to conventional community members. Businesses and civic organizations help raise money and provide work opportunities. Volunteers often work alongside offenders.

Dakota County, Minnesota - Crime Repair Crews: Juvenile and adult offenders may be sentenced to work service with an instructional component. Crews respond quickly to a crime scene and help with repairs (such as damage to the homes of senior citizens). Service and accountability are combined with positive learning and some competency development.

Red Lake, Minnesota - Red Lake Nation Rebirth/New Beginnings Program: Respected elders and community members of the Red Lake Nation Band of Ojibwe determine appropriate interventions with juvenile offenders and work directly with the offenders. The program is as an alternative to the established court process for delinquent youth.

Yukon Territory, Canada - Sentencing Circles: Adult offenders from an aboriginal tribe sit in a circle with the judge, prosecutor, defense attorney, offender and support system, victims and support system, and any community member who wishes to attend. There are no formal titles or roles; each person speaks in turn; and consensus is reached on a reparative plan for offender. Initiated in 1991, this process has been used for assault, manslaughter, and sexual abuse cases, as well as for offenders with long records.

Waterbury, Vermont - Reparative Probation: Following conviction, non-violent adult offenders are given a suspended sentence and ordered to appear before the reparative

board. The board consists of five citizens, who determine the specifics of the sentence after discussing the offense and its impact. The Vermont Department of Corrections piloted this in 1994 and implemented it statewide in 1995.

Bemidji, Minnesota - "Community Response to Crime" program: Community boards modeled after Vermont's Reparative Probation (see above) meet with adult property offenders who are sentenced to "Reparative Probation" as a condition of probation. The program was piloted in May, 1995.

New Zealand - Family Group Conferencing: All juvenile cases are referred to conferences which are facilitated by a youth justice worker and include the victim and the victim's family, offender and offender's family, other advocates, and a police representative. The group comes to a consensus on the entire outcome for the case. This process began in 1989 as a way to address the failures of traditional juvenile justice and to incorporate indigenous Maori values, which emphasize the role of family and community in addressing wrongdoing.

Wagga Wagga, Australia - Family Group Conferencing: Conferences for non-violent juvenile offenders (and some adults) are arranged and facilitated by police officers, usually in uniform, or by school officials. Patterned after the New Zealand example, this model has existed since 1991 and is now promoted heavily in the United States.

Anoka, Minnesota - Police Accountability Program: Based on the Wagga Wagga model of Family Group Conferencing, the Police Department has trained numerous officers to facilitate conferences concerning minor or first-time juvenile offenses. Restitution, apology, and/or community service are all determined by the victim and agreed to by the offender in a written contract

Carver County, Minnesota - Family Group Conferencing: A deputy conducts conferences for juvenile offenders (in a process also modeled on Wagga Wagga's program). Conferences may be conducted by volunteers in the future, with law enforcement continuing to screen and oversee the process.

Dakota County, Minnesota - Family Group Conferencing: Organizations have submitted proposals for Family Group Conferencing pilot programs which will work with juveniles who have committed misdemeanors or a first-time offense. This county experiment will implement and evaluate 7-10 diverse conferencing programs which will be used to open up dialogue, negotiate reparation, and build community capital.

DOES IT WORK?

Measuring Success

It is difficult to measure the success of restorative justice, since so few of its objectives are quantifiable. Of course, organizations do collect empirical data on such things as recidivism rates, restitution payment, and victim satisfaction -- and the evidence is presented below. But these measures are only related, secondary indicators of accomplishment, for true success in restorative justice terms occurs when an offender realizes the impact of his or her behavior on other people; when relationships are healed or newly created; and when something taken from the community is given back.

The benefits of restorative justice are enormous, and mostly intangible. How can the enhanced vitality of a community be measured? Is there some way to point to pro-social behavior or positive life changes? How is it possible to count crimes prevented in the future? The recidivism rates offer no glimpse at the long-term impact. These and other successes -- reconciled groups, community development, and security -- simply cannot be quantified.

Evidence of Success

- Family Group Conferencing: Australia

The empirical data on the effectiveness of family group conferencing is limited, due to its rather recent development in Australia (1991). Nonetheless, the "Wagga Report" from Wagga Wagga, New South Wales, Australia, provides positive evidence of the model's success: the research reveals a 50% reduction of the juvenile recidivism rate compared with offenders who are dealt with in court; 90% completion of restitution; and nearly universal victim satisfaction. Additional research on its effectiveness is underway in the Australian Capital Territory, sponsored by Australia National University, and in Pennsylvania, where a National Institute of Justice (NIJ) grant has been applied to a two-year study of family group conferencing coordinated by the Bethlehem Police Department.[22]

- Family Group Conferencing: Anoka

In 110 cases in two years, only one juvenile has re-offended.[23] The director takes great satisfaction in having "a window of opportunity for police to make a difference -- before kids get into the system." This process replaces the warning letter a juvenile would

[22] *Real Justice Forum*, Issue II, 3.
[23] Allen Campbell, Anoka Police Department, interview 7/8/96.

ordinarily receive -- a consequence which, unlike conferencing, sends the message that "you can get away with it."

- Sentencing Circles: Yukon, Canada

Of 70 adult offenders, the average number of offenses per person before Circle Sentencing was 20. An analysis of crime activity on an individual basis, comparing the three years following Circle Sentencing to the three years prior, revealed an 80% reduction overall. Decreases in the seriousness and frequency of offenses committed were also discovered. The Judge who established this program remarks that these findings underrepresent the true impact of the process, since individuals were incarcerated beforehand, with no opportunity to commit a crime, and freedom following Circle Sentencing increases that likelihood. Moreover, these results only reveal short-term trends; the long-term effects may be even greater.[24]

- Reparative Boards: Waterbury, Vermont

Although implementation is too new for conclusive empirical results, the following benefits are noted by the Vermont Department of Corrections:

1. Victims and communities are adequately compensated and express confidence in the purpose and process of the Reparative Program.
2. Offenders are held accountable, have realized the impact of their crime on others, and do not return as repeat offenders.
3. Citizens and volunteers play an active and substantial role in the Reparative Probation Program.
4. Reparative Probation is a cost-effective sanction for the targeted offender population.
5. Overcrowding is reduced by diverting short term "jail-bound" offenders to Reparative Probation.
6. Resources are focused on dangerous and higher-risk offenders.
7. Court workload is expedited and reduced.[25]

- Victim-Offender Mediation

Victim-offender mediation, which has occurred in numerous settings for over twenty years, demonstrates that conflict resolution is successful in many ways:

1. Mediation in juvenile proceedings results in very high levels of client satisfaction (victims, 79 percent; offenders, 87 percent) and perceptions of fairness (victims, 83 percent; offenders, 89 percent).

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[24] Judge Barry Stuart, Territorial Court, interview 8/28/96.
[25] Dooley, Michael. *Reparative Probation Program* (Waterbury, VT: State of Vermont Department of Corrections, 1995).

2. The process has a strong effect for both victims and juvenile offenders in humanizing the justice system response to crime.
3. Mediation reduces fear and anxiety among victims. Prior to mediation, nearly 25 percent of victims were afraid of being victimized again by the same offender. After mediation, only 10 percent were afraid of being revictimized.
4. Mediation has a significant impact on the likelihood that offenders will complete their restitution obligation (81 percent) to the victim, when compared with similar offenders in court administered programs without mediation (58 percent).
5. Juvenile offenders do not perceive mediation as a significantly less demanding response to their criminal behavior than other options available to the court. Mediation is consistent with efforts to hold young offenders accountable for their crimes.
6. Mediation has strong support from court officials, including both judges and probation staff, and is increasingly becoming institutionalized in juvenile courts.
7. Mediation is perceived to be voluntary by the vast majority (81 percent) of juvenile offenders who participated.
8. Mediation is perceived to be voluntary by the vast majority (93 percent) of victims who participated.
9. Victims in mediation were far more likely to experience the justice system as fair, when compared with similar victims who went through the normal court process.
10. Considerably fewer and less serious additional crimes were committed within a one-year follow-up period by juvenile participants in mediation programs, when compared with similar offenders who did not participated. Although consistent with two recent English studies, this important finding was not statistically significant because of the size of program samples. [26]

[26] Umbreit, Mark and Robert Coates. "Cross-Site Analysis of Victim Offender Mediation in Four States" (*Crime and Delinquency*, 39: 565-85 (1993)) as summarized in Mark Umbreit, *"The Effects of Victim-Offender Mediation"* (1994).

DO WE NEED IT?

The US is moving toward a retributive justice philosophy which gives top priority to punishment. A deemphasis on rehabilitation coincides with greater national attention to "get tough" responses to crime."[27] The problem is that "both punitive approaches and those focused solely on treatment have failed to satisfy basic needs of crime victims, the community, and offenders themselves."[28]

The US now imprisons seven times more people, as a proportion of the population, than do European countries, on average. Meanwhile, there is no strong evidence that prison significantly reduces the crime level. Considering the demographics, what is especially notable is that with the swelling of the US prison population -- from 200,000 to 1.1 million since the early 1970s -- the biggest increase is represented by *non-violent drug offenders* (now over one-third of those sentenced to prison). There are more than 6 million violent crimes committed each year, yet only 100,000 people responsible for these are actually sent to prison. As *The Economist* puts it, "The system is not getting the bad guys. What it is getting is a great many drug-taking, drug-dealing, small-time thieves."[29]

Given these considerations, especially when prison is the one of the costliest means of dealing with crime, it is wise to explore the alternatives, with restorative justice among them. Not only would a community response to low-level offenses be cheaper and possibly more effective, but it would likewise offer the prospect of more available jail space and system resources in general for the most dangerous of criminals.

Integral to a community approach should be a special emphasis on juvenile crime prevention and intervention. National data show that today's teenagers are more prone to crime than their elders were at the same age. The crime rate is actually dropping for adults; however, it is soaring for teens. Youths between the ages of 14 and 17, now more crime-prone than 18- to 24-year-olds, are the age group that will be booming in the next decade.[30] The imperative of youth intervention by the community becomes even more apparent with the realization that, as noted in *Time*, "nearly all the factors that contribute to youth crime -- single-parent households, child abuse, deteriorating inner-city schools -- are getting worse. At the same time, government is becoming less, not more, interested in spending money to help break the cycle of poverty and crime."[31]

What is the situation here in Minnesota? Minnesota's own adult prison population has more than doubled over the last 10 years, expanding from 2, 244 in 1985 to 4, 591 in

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[27] Bazemore, Gordon and Dennis Maloney. "Rehabilitating Community Service: Toward Restorative Service Sanctions in a Balanced Justice System" (*Federal Probation*, Vol. 58, No. 1), 24-35.
[28] Bazemore, Gordon and Mark Umbreit. *Balanced and Restorative Justice for Juveniles: A National Strategy for Juvenile Justice in the 21st Century.* (Fort Lauderdale, FL: Florida Atlantic University, 1995).
[29] Ed., "Crime and Punishment" (*The Economist*, 6/8/96), 18-25.
[30] Lacayo, Richard. "Crime: Law and Order" (*Time*, 1/15/96), 50-3.
[31] Ibid.

1995. In the next 10 years, this number is projected to grow by another 2,100, reaching 6,671 by 2005. The increase in cost has been enormous; spending for state adult and juvenile correctional facilities leaped from $37 million in 1980 to $162 million in 1995, growing more than twice the rate of inflation. It is anticipated that this public expenditure will reach $234 million by 1999, not including the costs of prison construction. Despite its increased prison capacity, these trends in Minnesota have caused a deficiency of about 300 prison beds, a shortfall that is expected to rise to 1,200 by the year 2000."[32]

A restorative justice community intervention could help relieve this burden in ways which are in line with the state's own recommendations. As laid out by the Minnesota Planning Department in its recent report, the four major ways to cope with the mounting prison bed shortage include:

- Adjusting sentencing and reducing prison time served by some offenders.
- Expanding use of nonprison, community-based penalties.
- Acquiring more short-term and long-term prison space.
- Investing in strategies to prevent young people from entering the criminal justice system.[33]

It should also be noted that Minnesota offenders serve more time for drug and property crimes compared with the national median.[34] As mentioned earlier, diverting low-level offenders from the courts through a community intervention would help relieve stress on the formal system, as the state faces the dual challenge of dealing adequately with violent crime and managing its limited resources.

In terms of the crime problem facing the CCNP neighborhoods in particular, the following data reveal the nature of criminal activity in this area, with narcotics and prostitution highlighted for their significance in terms of community interest:

Neighborhood Crime Statistics From January 1993 to June 1996

	BURGLARY OF DWELLING, ROBBERY OF PERSON, AUTO THEFT, THEFT FROM AUTO, PROPERTY DAMAGE, ASSAULT, RAPE, CSC OTHER		NARCOTICS		PROSTITUTION	
NEIGHBORHOOD	TOTAL	MONTHLY AVERAGE	TOTAL	MONTHLY AVERAGE	TOTAL	MONTHLY AVERAGE
Elliot Park Neighborhood	2564	61	176	4	5	0.1
Loring Park Neighborhood	2029	48	--	--	--	--
Stevens Sq./Loring Heights	1701	41	286	7	103	2
Downtown	--	--	--	--	--	--

Compiled from statistics in "Crimes Against Persons and Property" from January 1993 to June 1996. Furnished by Luther Krueger, Community Crime Prevention/SAFE, Minneapolis Police Department. For complete information on these and other crimes in the CCNP neighborhoods, see Appendix 1.

[32] Eds. *Paying the Price: The Rising cost of Prison* (St. Paul, MN: Minnesota Planning Department, 1996), 1.
[33] Ibid., 11.
[34] Ibid., 12.

These figures suggest that a minor percentage of crime in the CCNP region is drug- or prostitution-related. In the last three and a half years, Narcotics crimes in Elliot Park occurred at 7% the rate of these combined offenses: Burglary of Dwelling, Robbery of Person, Auto Theft, Theft from Auto, Property Damage, Assault, Rape, and Other Crimes of Sexual Conduct.[35] For Stevens Square, this proportion was 2%. Prostitution offenses in Elliot Park over the same period of time accounted for 0.1% of these combined categories; the ratio for Stevens Square was 6%.

It should be noted that the incidents recorded minimize actual drug activity in the neighborhoods. As one crime prevention specialist from the Minneapolis Police Department explains, many crimes are drug-related despite being non-narcotics offenses; he cites Theft as an example.[36] The implication is not only that drug-related crime is more widespread than it appears, but also that it can be addressed through crime that is related.

Information is unavailable to show how these crimes are broken down by age (juvenile versus adult) in the four neighborhoods. However, the most recent Hennepin County data show that juveniles commit 26% of all offenses; 40% of Part I Offenses, which are high level; and 20% of Part II Offenses, which are low level (including narcotics and prostitution).[37]

Is an alternative response to crime in the CCNP community needed? The general feeling of residents and leaders seems to be that street crime -- drug-related and prostitution-related activity in particular -- is especially detrimental to community life. Neighborhood leaders, in describing what they perceive to be the "revolving door" of the court system, articulate their concern that the system as it currently operates fails to hold offenders accountable for their actions. It is commonly felt that the system returns many drug and prostitution offenders to the streets with minimal or no consequences.

A neighborhood-based justice system is merited not only by these sentiments and the problems they reflect, but also by the more basic need for citizen involvement in community life. In a special article in *Mediation Quarterly* on neighborhood justice systems, Shonholtz makes several relevant points on this topic: [38]

- Building and maintaining a neighborhood justice service is a democratic activity that directly relates to the capacity of a community to manage its conflicts, train its residents, and maintain its own conflict resolution service.

- Citizens in their civic capacity have a primary responsibility to manage conflicts at the family, school, and neighborhood levels. Failing to perform this civic justice

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[35] This is not an exhaustive list of crimes. Refer to Appendix 1 for additional crime data.
[36] Luther Krueger, Minneapolis Police Department, interview 7/26/96.
[37] Additional Hennepin County crime data is listed in Appendix 1.
[38] Shonholtz, Raymond. "Neighborhood Justice Systems: Work, Structure, and Guiding Principles" (*Mediation Quarterly*, issue unknown), 3-17.

function creates individual and community dependency on professional agencies and services. This form of dependency weakens the rights and responsibilities of citizens in a democratic society, thwarts the preventive capacity of residents to effectively de-escalate conflicts, and places an unreasonable and unmet burden on the formal justice system.

- The myth is that the courts are overburdened. The reality is that the courts are misused. Few civil or criminal cases require the highly complex, formal process of court in which lawyers argue over their clients' problems in front of a judge.

- The greater the reliance on police and agency coercion and fear mechanisms, the more likely it is that neighborhoods will suffer a decrease in social responsibility (that is, neighborhood atrophy) and an increase in the levels of fear and insecurity (that is, unacceptable behavior). It is not possible for law enforcement or the justice system to model the neighborhood's expected standard of behavior. This is not the function of law enforcement in a democratic society. Those who enforce the law are not intended to keep the peace as much as they are expected to enforce the minimal social behavior set out in laws.

- The effort to empower neighborhoods to resolve their day-to-day conflicts is complementary to but separate from the traditional justice system. The primary task of the neighborhood delivery system is to reach cases before they enter the traditional justice system.

A neighborhood justice system is also attractive in that it addresses a major shortcoming in the existing system: victim frustration and alienation. Bazemore points out, "While victim needs are sometimes met in the current system, often they are not because they are not a priority of retributive justice. A restorative justice model would thus devote primary attention to ensuring that the needs of victims are acknowledged, and that victim be allowed to participate in the criminal justice process and to be given a decision-making role within this process."[39]

Restorative justice in the context of the CCNP community, therefore, would not allow offenders to be distanced from real people. As an alternative to the court system, a neighborhood-based conferencing option would personalize crime by reconnecting the offender to the victim or victimized group and communicating to the individual the human consequences of his or her act. The justice system would no longer be dealing with consequences in abstract legal terms.

While it is likely that many who work in the formal system would be hesitant to advocate this level of neighborhood involvement in criminal justice, there are many organizations and individuals who recognize the merits of restorative justice philosophy and welcome

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[39] Bazemore, Gordon. *Developing a Victim Orientation for Community Corrections: A Restorative Justice Paradigm and a Balanced Mission* (Florida Atlantic University, Special Issue, 1994), 22.

its application at the community level.[40] One corrections professional who enthusiastically supports the neighborhood concept considers the adoption of restorative justice principles at his own agency "a breath of fresh air." He appreciates the fact that under restorative justice principles, the community has more power and healing is encouraged. "This is the most positive approach we've taken in the twenty years I've been in the field," he says.[41] Hennepin County's Chief Judge, despite some apprehension about community accountability, likes the idea of eliminating anonymity and comments that "the beauty of it is its face-to-faceness."[42]

According to Minnesota's Commissioner of Corrections, the Department of Corrections "is very encouraged by the statewide interest in and commitment to restorative justice." He cites the involvement of the Minnesota Corrections Association, the Minnesota Community Corrections Association, the Minnesota Bureau of Criminal Apprehension, the Minnesota Association of Women Police, the Minnesota Association of Restitution Services, the Minnesota Citizens Council on Crime and Justice, the Minnesota Association of Women in Criminal Justice, and the Minnesota Association of County Probation Officers. Says the Commissioner:

> We can take pride in the fact that Minnesota is on the cutting edge of facilitating restorative justice initiatives. Minnesota has the potential of becoming a national model, leading and influencing enlightened criminal justice policy which restores the victim and the community while enhancing the offender's acceptance of responsibility for the crime and improving the offender's potential to return to full law-abiding and productive citizenship in the community.[43]

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[40] Mike Dooley (Dooley, 1995, 5) remarks on the Vermont program: "At the onset there was resistance and concern on the part of traditional corrections staff with the notion of working with volunteers and doing correctional business through community boards."

[41] Carey, Mark, Dakota County Community Corrections, interviews 7/18/96, 7/31/96.

[42] Mabley, Daniel, Hennepin County District Court, interview 8/8/96.

[43] Wood, Frank. "Restorative Justice Implementation in Minnesota is a Key Focus of State Department of Corrections" (*Restorative Justice Newsletter*, 11/95).

HOW WOULD WE DO IT?

The Model

CCNP has employed the expertise of restorative justice practitioners in the United States and Canada in developing what would be the first-ever neighborhood-driven conferencing model.[44] As indicated above ("What Does it Look Like?"), restorative justice in practice can take shape in an almost limitless number of ways. While there is yet no reason to believe that any one restorative justice model is superior to another, research and consultation have suggested that the best fit for the objectives, circumstances, and resources of CCNP would be a variation of Family Group Conferencing, a dispute resolution mechanism built on the traditions of the Maori people of New Zealand which has been implemented in cities from Wagga Wagga, Australia to Anoka, Minnesota.[45]

In Family Group Conferencing, the victim and his/her supporters are given the opportunity to explain how they have been affected by the crime and to denounce the behavior in a context which affirms the inherent value of the individual. A trained mediator facilitates the dialogue, which involves the victim, victim's supporters, offender, and offender's supporters. The conference gives the victim a voice in the justice process; humanizes the crime by confronting the offender with the impact of his/her behavior; condemns the destructive behavior while affirming the value of the individual; assists in the healing of relationships; and results in a negotiated contract which defines how the offender will make amends to the victim and community.[46] This begins a reintegrative process for the offender in which supporters and the community take responsibility for monitoring compliance and facilitating victim and community healing.

An adaptation of this model for CCNP -- a concept I will refer to as "Community Conferencing" - would involve these same processes yet remain distinct in three important ways: an emphasis on the impact of crime upon the community as a whole (with the participation of one or more non-family community members to frame

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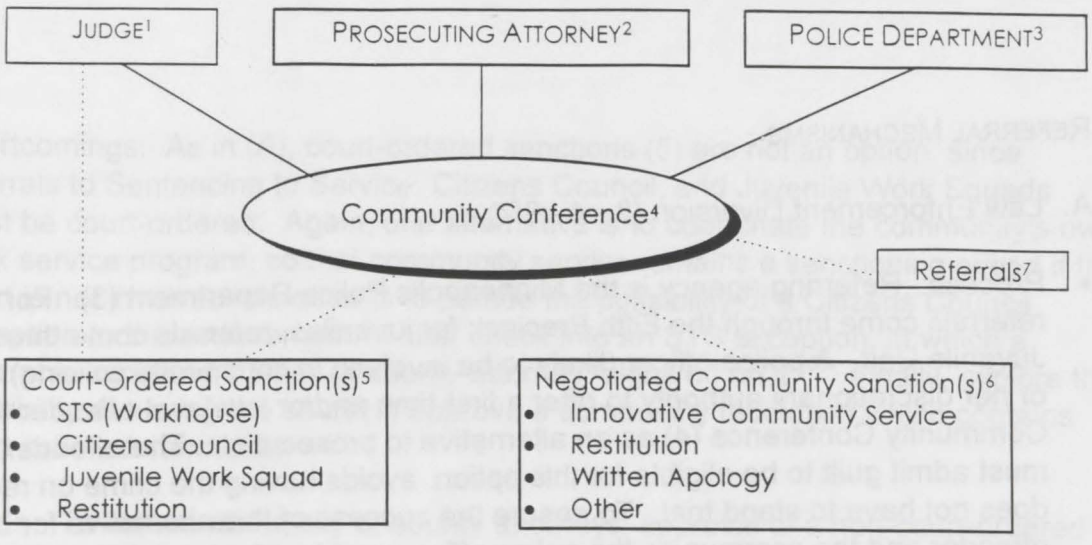
[44] The following individuals have made significant contributions in this area: Kay Pranis (Minnesota Department of Corrections), Mark Umbreit (University of Minnesota Center for Restorative Justice and Mediation), Ted Wachtel (Philadelphia's Real Justice program), Mike Dooley (Vermont Department of Corrections Reparative Probation program), Sergeant Al Campbell (Anoka Police Accountability program), Mark Carey (Dakota County Community Corrections), and Judge Barry Stuart (Yukon Territorial Court).

[45] Family group conferencing has these main advantages over community boards, a restorative justice model which has also received significant attention: negotiated resolution, rather than meted punishment; victims and offenders both engaged in the process; dialogue versus court-like procedure.

[46] Reparative activities typically include, but are in no way limited to, community service, restitution to victims, and a verbal or written apology. Reparative terms can be very creative; an offender might be required to do public speaking or work with other offenders, for example. In the Yukon, aboriginal conferencing (Circle Sentencing) capitalizes on the strengths of the individual and emphasizes gift-giving. There, offenders have made reparations by catching fish for the elders or by teaching a craft to children.

consequences in this larger sense)[47]; development and implementation by grass-roots, community-based organizations; and suitability for "victimless" crimes, such as drug- and prostitution-related offenses. This basic format, described in more detail below, is just one blueprint available to CCNP for the implementation of a restorative justice program. As conceived here, Community Conferencing is a work in progress, an idea which calls for additional input from the neighborhoods, collaborating agencies, and practitioners. Further development of the preliminary sketch would help to produce the optimal and most feasible "fit" in programmatic terms.

[47] Mark Umbreit and Susan Stacey define the community members' role more broadly: "In FGC the community's involvement is in the form of individual people other than the primary victim and offender, who participate in the meeting to help resolve the offense. Those people come to the meeting because they are part of a community of care for the victim or the offender, because they are or represent additional (secondary) victims, or because they are willing to become a new resource for the victim or offender. Once there they can offer reactions to the crime, restitution ideas, and opportunities for implementation." (from "Family Group Conferencing Comes to the US: A Comparison with Victim-Offender Mediation" (*Juvenile and Family Court Journal*, 1996, issue unknown), 33).



Operationalization

Although the mechanics of Community Conferencing remain to be determined, various options have been identified in the course of this research, and support in principle has been obtained from several of the organizations who could be key players in this scenario. Thus, operationalization is quite flexible; it largely depends on the referral mechanism(s) and partnerships which are included in the process.

Existing alternative sentencing programs for both adults and juveniles are resources for community service which could be engaged in the reparative process of conferencing (see "The Role of Community Service").[48] Potential relationships could likewise be forged with community policing, mentoring programs, job placement services, counseling services, and educational institutions.[49]

In terms of procedure, there are a number of different ways to move from the initial stage -- the identification or apprehension of an offender -- to a restorative outcome through conferencing. Although it may be sufficient to employ just one of the following procedures, a more effective approach would incorporate two or more as complements, for reasons described later.

[48] However, community service is just one of the reparative activities which might be required of an offender as an outcome of the conference resolution or contract; the sanctions are flexible and might include, for example, restitution, a written apology, or public speaking.

[49] To date, CCNP has obtained a commitment in concept from the following people: John Donohue, Hennepin County Juvenile Work Squads; Bob Hunter, Minnesota Department of Corrections Sentencing to Service program; Mike Davis, Ex-offender Program; Chief Judge Dan Mabley, Hennepin County District Court; Dennis Avery, Hennepin County District Court; Lucy Garrold, Minneapolis Police Department; Brad Johnson, Minneapolis Police Department; and Tim Boraas, Citizens Council Community Work Service program.

REFERRAL MECHANISMS

A. Law Enforcement Diversion (3 - 4 - 6/7)

- Process: Referring agency is the Minneapolis Police Department (3). For adults, referrals come through the Fifth Precinct; for juveniles, referrals come through the Juvenile Unit. A police officer (likely to be involved in community policing) uses his or her discretionary authority to offer a first-time and/or low-level offender the Community Conference (4) as an alternative to prosecution. The offender, who must admit guilt to be eligible for this option, avoids having the crime on record and does not have to stand trial. To ensure the success of this alternative for both the offender and the community, the police officer avoids referring "street-savvy" offenders who might just skip town; these individuals are left for the courts to handle. For the purpose of enforcement, officers can "tag" the appropriate cases (in lieu of making an arrest), setting a court date subsequent to the conference; at this appearance, the "tag" is dismissed by the City Attorney if the offender has participated as agreed.[50] In the conference, participants develop a reparative contract which includes any sanctions except those which must be court-ordered (6). Referrals to job placement, treatment, counseling, mentoring, or other programs are made where appropriate (7).

- Shortcomings: Court-ordered sanctions (5) are not an option, since referrals to Sentencing to Service, Citizens Council, and Juvenile Work Squads must be court-ordered. An alternative is to coordinate the community's own work service program, so that community service remains a sanctioning option if the court is not involved. The Citizens Council may also be able to make diversionary exceptions to the court-order requirement.[51]

- Action: The Fifth Precinct of the Minneapolis Police Department has expressed initial willingness to act as a referring agency (with a few appropriate cases at a time). Discuss this process further, and contact Lt. Ike DeLugo, Juvenile Unit, to explore the possibility of juvenile referrals. Consider community work service option; explore Citizens Council exception.

B. Prosecuting Attorney Diversion (2 - 4 - 6/7)

- Process: Referring agent is the prosecuting attorney (2), who utilizes this diversionary option for appropriate cases by directing them out of the court system and into the community program (4). The offender must admit guilt and voluntarily choose to participate. Sanctions are negotiated through Community Conferencing (6). Referrals to job placement, treatment, counseling, mentoring, or other programs are made where appropriate (7).

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[50] Brad Johnson, Minneapolis Police Department, interview 8/26/96.
[51] Tim Boraas, Citizens Council, interview 8/18/96.

- Shortcomings: As in (A), court-ordered sanctions (5) are not an option, since referrals to Sentencing to Service, Citizens Council, and Juvenile Work Squads must be court-ordered. Again, one alternative is to coordinate the community's own work service program, so that community service remains a sanctioning option if the court is not involved. Another is to pursue the possibility of a Citizens Council exception to this requirement. Third, check into an STS exception, in which a referral is accepted if a city or county attorney "signs off on it."[52] Finally, explore the possibility of having the court (1) approve a community resolution which contains court-ordered sanctions.

- Action: To inquire about city or county attorneys' approval of a non-court-ordered referral to STS, start with Allison Baskfield at the City Attorney's Office and Janet Waig at Probation.[53] Educate attorneys about this diversion option and encourage their support. Explore the possibilities of community work service, the Citizens Council exception, and court approval of a conferencing resolution.

C. Pre-sentencing Requirement (1 - 4 - 5/6/7 - 1)

- Process: The referring agent is the judge (1), who requires that the offender participate in Community Conferencing (4) within a specific time frame. The offender must admit guilt and voluntarily choose this option over court prosecution. Both court-ordered sanctions (5) and negotiated community sanctions (6) are available for the resolution. Referrals to job placement, treatment, counseling, mentoring, or other programs are made where appropriate (7). The offender reports back to the judge (1) with the recommended sanctions from the community; the resolution is approved as a court sentence. The community could operate its own community service program in addition to utilizing existing options.

- Shortcomings: Judges may be wary of community accountability. They would have to be convinced that the Community Conference is a viable alternative to formal prosecution. However, this hurdle can be overcome with the involvement of Judges Mabley and Stanoch in drafting the parameters of the reparative activities which would be included as conferencing sanctions.[54]

- Action: Formulate a list of reparative activities which includes descriptions, objectives, contact person, location, and duration; get input and approval from Judges Mabley and Stanoch.[55] Educate judges about the conferencing option and encourage them to use it. Explore the possibility of community work service, if desired.

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[52] Per Bob Hunter, Sentencing to Service.
[53] Referred by Bob Hunter, Sentencing to Service.
[54] The Vermont Reparative Boards followed this procedure, coming up with their own requirements based on five categories of offenses: felony, non-felony, 1st, 2nd, and 3rd appearances. Activities serving as sanction options were objectified by their duration (e.g., written apology = 1 hour), and limits were established (i.e., "Total duration for a non-felony shall not exceed 40 hours").
[55] Recommended by Mike Dooley, Vermont Department of Corrections, 8/19/96.

D. Sentencing Option (1 - 4/5/7)[56]

- Process: Judge (1) sentences guilty offender to a court-ordered sanction such as STS, Citizens Council, or Juvenile Work Squad (5), at the same time requiring the offender's participation in a Community Conference (4); the latter requirement might be phrased something like "Complete CCNP conference to the full satisfaction of CCNP." The number of service hours are predetermined by the sentence. In the conference, referrals could be made to job placement, treatment, counseling, mentoring, or other programs (7). Note that the offender does not willingly choose to participate in conferencing.

- Shortcomings: Although the victim, offender, and community members meet to discuss the crime, the involvement of the community and/or victim in resolving crime is minimized. The conference can still result in community sanctions (6), as well as referrals to community resources (7).

- Action: Influence judges to utilize community service sanctions more frequently. Explore the possibility of STS, Citizens Council, or Juvenile Work Squad placements in the CCNP area (which would facilitate a positive contribution to the community harmed),

Evaluation/Recommendation

In a restorative justice framework, a community intervention should (1) occur as early as possible (2) avoid the formal system, and (3) involve the victim, offender, and supporters in resolving crime through dialogue. The referral mechanism which best meets these three criteria is (A), the law enforcement diversion. Although (B), diversion through the prosecuting attorney, engages the formal system, it nonetheless moves toward a community-negotiated resolution. Referral to Community Conferencing as a pre-sentencing requirement (C) may be the most workable referral option in the sense that the court is assured its status as formal authority while the community is given maximum involvement and flexibility in resolving crime. It promotes the accountability of offender and community both, and it permits court-ordered sanctions to be included in a community resolution without undue hassle. Community Conferencing as a sentencing option (D) is least desirable, according to restorative justice standards, because it does not do as satisfactory a job meeting the three criteria. Nor does it involve a choice on the part of the offender concerning participation.

[56] A variation of this could be similar to Vermont's Reparative Boards: Reparative Board is added to the probation warrant, with two conditions: no new offenses, and completion of conditions. A violation of either is considered a violation of probation, and the case is referred back to court. For CCNP, this might mean the judge "signs off" on conditions of the conferencing resolution, including those which require court-order. (Also similar to option C.)

Given the advantages of mechanisms (A), (B), and (C), the most effective solution might be a referral system with employs all three. Assuming these sources are indeed available to the community for conferencing, a combination of options offers a flexible, catch-all system in which a referral can happen before or after the formal process is engaged. It broadens the scope of offenders who are given the opportunity to participate in conferencing, as police officers are more likely to divert first-time offenders (refer to (A) above), while the courts could refer the tougher offenders.

Suitability

What type of offender is appropriate and eligible for this innovation? Although Family Group Conferencing has traditionally focused on juveniles, its applications are expanding. The Vermont Department of Corrections is in the process of training members of its Reparative Boards, which work with adult offenders, in the techniques of Family Group Conferencing. In Toronto, the John Howard Society has acquired judicial and municipal police support for community-based interventions implementing Family Group Conferencing for adult offenders. Ted Wachtel, who trains facilitators in Pennsylvania and around the country, maintains that "the Family Group Conferencing dynamic works with anyone who needs to take responsibility for what they've done to other human beings." Circle Sentencing, which engages a similar process, has had tremendous success with adult offenders (see "Does it Work?").

An offender's eligibility for conferencing, whether adult or juvenile, is simply a matter of his or her acceptance of responsibility for the offense. Participation must be voluntary. Coerced involvement in Restorative Justice programs is rare because it does not facilitate the processes of dialogue, healing, reparation, and reintegration.[57]

What type of crime can be addressed with this innovation? Family Group Conferencing usually deals with low-level, nonviolent crime, and is therefore suitable for addressing much of the illegal activity in the CCNP area. (Refer to "Crime Stats," Appendix 1.) However, there are some important considerations to be made concerning drug-related cases. Al Campbell, who runs the Police Accountability Conferencing program in Anoka, Minnesota, elects not to handle drug cases, since he is not able to mandate treatment and knows that other organizations are better equipped to address chemical dependency issues.[58] This is a sensible policy. At the same time, not all drug-related offenses (such as dealing) involve individuals with addictions. For those offenders who are not in need of chemical treatment -- with the exception of serious drug dealers who should be incarcerated and/or handled by the courts -- there is no reason to believe that conferencing would be a poor means of addressing their detrimental actions. On the contrary, accountability to the community for their behavior, which is injurious not only

[57] However, New Zealand mandates that all juvenile offenses be processed through Family Group Conferencing.
[58] Sergeant Allen Campbell, Anoka Police Department, 8/19/96.

to the individuals involved but also to the community at large, could be quite beneficial.[59]

As of yet, conferencing programs have not addressed crimes of prostitution. Here again, however, this new approach is still being developed and may offer effective solutions in this regard. For solicitors, as with drug dealers, it is important to emphasize the negative effects their actions have on the community and to hold them accountable. It has been pointed out that the case may be quite different for prostitutes themselves, who commonly have serious mental health issues. For this reason, it is critical that services be accessible to individuals who need counseling or more serious treatment. If a conference does occur, referrals could be made to community resources at that time; it could also be beneficial to have a social worker present for the conference.

Community Conferencing run by CCNP would have to be sensitive to the possibility of dealing with an especially needy offender population. Thus, as recommended by Mark Carey, CCNP should consider combining the conference process with service delivery.[60] The model presented in this section incorporates referrals as an option, because conferencing creates a valuable opportunity to strengthen the individual and the community both by building connections to community resources such as counseling, job placement, and mentorship. As Sherry Koch points out, if an offender emerges from the process with serious needs unmet, then the community's attempt to prevent future crime is likely to prove futile.[61]

Is this model appropriate for serious crimes? Although many people emphasize the flexibility and applicability of Family Group Conferencing, it is rare for serious-level offenses to be handled in this manner. Circle Sentencing (in Canada), which is also a conferencing process, is the only program known to address very serious crime, including sexual offenses and manslaughter. The answer to this question may depend on how "serious" is defined. Some high-level offenses are non-violent, and some violent incidents are considered low-level. Although the claim is made that conferencing is an appropriate response to both of these,[62] others urge CCNP to focus on low-level crime and to avoid dealing with serious incidents.[63] Judge Barry Stuart, who operates the Circle Sentencing program, says that the important criterion is not the character of the offense, but the character of the offender; he determines the suitability of a particular case by asking, "Is this the type of individual who would benefit from restorative justice?"[64]

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[59] Vermont Reparative Boards have handled drug cases "quite a bit", according to Mike Dooley, Vermont Department of Corrections (interview, 8/19/96).
[60] Mark Carey, Dakota County Community Corrections, interviews 7/8/96 and 7/31/96.
[61] Sherry Koch. "About Face: A Strategy for Community Involvement in Reducing Violence" (Minnesota Bureau of Criminal Apprehension, 1996) (under revision).
[62] Ted Wachtel, interview 8/96.
[63] Kay Pranis, interview 7/18/96.
[64] Barry Stuart, interview, 8/26/96.

Because of CCNP's location in a major city, another question arises: will conferencing work in urban areas? Confronted with this same query about Circle Sentencing, which is very similar in process, Judge Barry Stuart "offers an unequivocal yes to that question, without discounting the challenges to fit 'circles into square systems.' He reminds skeptics that circles in cities would have access to considerably more resources and services which are so valuable to any plan for offenders and victims." Stuart stresses the importance of adaptation to particular circumstances; to try an innovation, he says, an organization should reject the "cookie cutter" approach.[65]

The Keys to Success

To make its own restorative justice program a success, CCNP can learn from those who have been breaking ground in this area over the last several years.

Mike Dooley offers the following helpful hints:

- Marketing the program effectively to the criminal justice system (judges, prosecutors and defense attorneys)
- Having strong staff commitment and understanding
- Making case processing expeditious and simple to understand
- Facilitating a positive experience for participants
- Quality training for the facilitators
- Adequate resources (space, time, staff, etc.) with reparative activities well organized, scheduled and planned
- Ensuring that there are initial successes for both offenders and victims/community in the restorative process
- Getting support from judges in limiting the time the offender is in the program and/or on probation
- A well organized and executed public information initiative[66]

Judge Barry Stuart makes these suggestions:

- Be flexible in design. There is no one way to do restorative justice. The program must fit the community.
- Emphasize "resolving" over "settling," because the former takes the parties forward and avoids repeating the crisis. Resolving conflict is making progress in relationships.
- Volunteers recruited for conferencing should be matched for their availability, given adequate opportunities to be involved without being overloaded or distracted from other personal matters.

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[65] Judge Barry Stuart quoted in "Circle Sentencing and Family Group Conferencing," 5. (Furnished by Kay Pranis.)
[66] Dooley, Michael. *Reparative Probation Program* (Waterbury, Vt: State of Vermont Department of Corrections, 1995).

- Pre- and post-conference work should receive as much attention as the conference itself; if follow-up gets short shrift, then the contract fails and the process loses its credibility.
- Do not formulate restorative justice as an add-on to the formal system, but recognize it as an important way of doing justice that is valuable in its own right.[67]

[67] Judge Barry Stuart, Yukon Territorial Court, interview 8/28/96.

THE ROLE OF COMMUNITY SERVICE

The Value of Service

In Vermont law, reparation of injury to victims and community dates back to 1791:

> To *deter more effectually* from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be *employed for the benefit of the public*, or the *reparation* of injuries done to private persons: and all persons at proper times ought to be permitted to *see them at their labor* (emphasis added).[68]

In restorative justice, redress of a wrong often involves a tangible contribution to the community. Community service is not viewed primarily as a punishment, although it does serve the purpose of holding the offender accountable for his or her actions. In the sense that crime harms the community, service is the principal way an offender can repair the damage done to its members. Providing the chance to serve is an important responsibility of the community:

> Crime reflects a failure of responsibility -- a failure of the individual offender's responsibility to the community, but often it also represents the community's failure to give opportunities for the offender to be a connected, productive member of the community. When the community provides service (unpaid work) opportunities to offenders so they can make amends to their victims, the community is being actively "restorative" by helping offenders gain skills and a connection to others.[69]

According to the Center for Restorative Justice and Mediation, there are five guiding principles for community service that is restorative: the work must be worthwhile so that offenders feel their contribution is significant; the offender is treated as an essential resource for the project; attention is given to skills and competencies that are transferable to paid work; the focus is on helping the disadvantaged, which strengthens empathy and commitment; and closure and recognition provide the offender with a sense of accomplishment.[70] CCNP would do well to keep these objectives in mind as it determines how to incorporate work service into a restorative justice strategy for resolving and reducing crime.

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[68] Quoted in Michael Dooley (1995); from Vermont Constitution, Chapter II, Section 64, 1791.
[69] Center for Restorative Justice & Mediation. "Restorative Justice for Victims, Communities, and Offenders: How is Community Service Restorative?" (St. Paul, MN: University of Minnesota, 1996).
[70] Ibid.

In terms of restorative justice, the benefits of community service are manifold:

- Provides an opportunity for the offender to make amends to the community.
- Adds value to the community through the work contribution of the offender.
- Places offender in a place where the community can see that person's capacity to contribute. Changes the community's perception of the potential in the offender.
- Increases offender's investment in the community. The more invested community members are, the less likely they are to cause harm.
- Develops job skills for offender.
- Provides positive role models for the offender.
- Creates relationships which strengthen the fabric of the community.[71]

In conferencing, the victim has the most say in determining the total hours of service to be worked. However, parameters are usually defined and/or limited by legal or institutional constraints. When the service is completed, it is important to update the victim with this information.

The summaries which follow provide an inventory of available alternative sentencing programs that could be used to apply restorative justice principles to service in the community.

Sentencing to Service

The Minnesota Department of Corrections operates five supervised work crews year-round in the Twin Cities area through its Sentencing to Service (STS) program. Each crew is comprised of five or six adult offenders who are referred to STS from the "Work House," where they have been sentenced by the court. Placements are court-ordered, and STS can only accept referrals which come this route.[72]

STS provides an opportunity for Work House offenders to meet their "productive day" requirements. Examples of projects include cleaning up parks and warehouses, shoveling snow, laying sod, chipping wood, weeding, planting, harvesting, posting signs, removing graffiti, and maintaining hockey rinks. The normal cost to "purchase" a crew is $25,000 a year (which requires enough participants to form a crew that works four days a week).

STS is currently under-utilized, with the capacity to manage a sixth crew. An increase in referrals to STS could require that one or more of the following conditions be met:

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[71] Ibid.

[72] Bob Hunter, STS Regional Supervisor, thinks it may be possible for special accommodations to be made if the County Attorney or City Attorney "signs off" on the referral (interview 8/5/96).

- Judges and probation agents are better informed about this sentencing option.
- Judges have STS as a direct sentencing option.
- STS is considered as viable an alternative as others for meeting "productive day" levels.
- The Work House is convinced to refer more of its clients to STS.
- Standards for STS eligibility (no assaults, no escape record) are relaxed.
- The Court is authorized to handle the administration of referrals.
- Alcohol and drug non-compliance cases are approved for STS referrals.
- A monthly quota of STS candidates be mandated.[73]

CCNP may wish to advocate greater use of STS as a means of promoting offender accountability and positive contributions to the community.[74] To meet more specific restorative justice goals, however, an offender would consciously link this work to repairing the damage caused by the crime; he would also make that contribution in the community where the crime was committed. Ideally, these opportunities would also be available to female offenders.

If CCNP intends to integrate STS into a conferencing program which utilizes community service as a reparative activity, there are several options available. In terms of accessing STS for local offenders, the possibilities depend on which referral mechanism is employed (see "How Would We Do It?"). If the offender's placement is court-ordered or otherwise approved, then Regional Supervisor Bob Hunter is willing to place a few (one to three) individuals per month in the CCNP area specifically; he would simply forward these cases to the North Minneapolis STS office.[75] The neighborhoods, with the possible assistance of Minneapolis Community College work study students, could help identify work projects in the CCNP area.

Juvenile Work Squads

Hennepin County runs a program for juveniles which is similar to STS: the Juvenile Probation Work Squad Program. There are usually six to seven supervised crews in operation on any given day, and the program functions at full capacity year-round. The average sentence is 24 combined hours of service. Examples of projects include litter pickup, recycling, assistance at community events, flyer delivery, yard work, snow removal, and painting. In addition to doing manual, labor-intensive work, offenders

[73] Discussion among John O'Sullivan, Dennis Avery, Bob Miller, Bob Hunter, and others on 6/26/96, plus interview with Hennepin County Chief Judge Dan Mabley, 8/8/96.

[74] Per John O'Sullivan, Bureau of Community Corrections Administrative Services Manager, it would be premature to send letters to prosecuting attorneys, probation officers, and judges without the support of their department heads. (Interview 6/27/96).

[75] Interview 8/5/96. Note that it is not feasible to request that more than a few cases per month be handled this way, as it would become a "logistical nightmare" for STS. Also note that STS has tried to form crews for specific areas comprised of offenders from those areas, and it has not been successful; for CCNP to have its "own" crew comprised entirely of offenders from CCNP neighborhoods and working only in our area is next to impossible.

often participate in an educational program for gun users which is run in conjunction with the work squads.

Eligibility is not as restrictive as STS. Offenders with any record (excepting murder and first degree sexual offenses) can be placed in the program. For CCNP's purposes, however, the Juvenile Work Squads present a comparable procedural challenge: the program accepts only court-ordered referrals. Here again, CCNP can advocate this program as a method for holding youthful offenders accountable for their actions, as well as for contributing tangible benefits to the community at large. CCNP can also consider requesting a work squad for neighborhood projects.[76]

It is possible to incorporate the Juvenile Work Squads into a conferencing process as well. The referral procedures, outlined in "How Would We Do It?", would occur in the same way for juveniles as for adults; a judge would approve the community's work service recommendation, or would sentence offenders to conferencing and work squads simultaneously. John Donohue, the Juvenile Correctional Supervisor, has indicated that he is willing to take "a handful" of special requests each month to have local offenders complete their service in the CCNP area.[77]

Citizens Council

The Citizens Council, a local non-profit organization, runs a community service program for individual adult offenders who are convicted of lower-level crimes and do not require supervision as they complete their hours. Referrals are received from Hennepin County Courts, which have a contract with the Citizens Council, or from other sources, in which case a $50 client fee is assessed. The program handles placements at non-profit organizations and monitors offenders' progress.

Offenders complete the community service in lieu of a fine or jail time, or as a condition of probation. The average participant completes 40-60 hours of work. Projects include auto repair, animal care, bulk mailing, carpentry, carpet laying, child care, data entry, fundraising, painting, research, sign language, tutoring, and wallpapering. Although the typical offense is a DWI, the program accepts several hundred drug offenses and approximately 100 property/person offenses in a given year. The Citizens Council also works with individuals convicted of prostitution offenses and accepts offenders who have committed almost any serious crime.

The Citizens Council is set up for juvenile referrals and handles them just as they would adults; however, Hennepin County is not in the practice of referring youths because they do not have a contract with the Citizens Council, as other counties do. CCNP could advocate Hennepin County's participation in this program as another way for youths to complete community service requirements.

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[76] Additional projects are needed in the fall and winter, when the work squads are short on work.
[77] John Donohue, Bureau of Community Corrections, interview 8/14/96.

In terms of partnering with CCNP in a restorative justice conferencing program (wherein Citizens Council participation could be incorporated as a reparative activity), Tim Boraas feels that placements in the CCNP area would be manageable. Procedurally, a court-ordered placement in Citizens Council is the simplest route for an offender from the CCNP community to get into the program. It is possible for CCNP itself to refer adult offenders, but it would have to provide medical coverage and payment (approximately $50). There is also a chance that the Citizens Council would accept juveniles without the court order.[78]

Collaboration between the two organizations, above and beyond a joint conferencing effort, can involve the design and supervision of projects in the CCNP community. Any non-profit can identify service opportunities. Supervision is minimal; it simply requires verification that the job was completed.

[78] Tim Boraas, Citizens Council Community Work Service Program, interview 8/18/96.

ACTION PLAN

A. Decide!

- Decide whether Community Conferencing or some other community-based restorative justice program is merited, desired, and feasible. If the conferencing option is to be pursued, complete tasks described below.

B. Acquire funding[79]

- Acquire funding for project development:
    1. Salary for .5-1.0 FTE Coordinator[80]
    2. Conference facilitators' training ($75/person through Minnesota Department of Corrections, $250 through Real Justice)[81]
    3. Conference refreshments
- Acquire funding for technical assistance: NIC Technical Assistance Grant[82] for Mike Dooley; airfare (and compensation?) for Ted Wachtel; compensation for Mark Umbreit(?)

C. Develop program

Create Coordinator Position

- Designate one person whose primary role is to lead program development, program implementation, or both. For conference coordination in particular, this person would have the following responsibilities:

1. Act as liaison between referring agencies and CCNP.
2. Contact victims to hear story, refer to victim support services, explain program, and invite participation.
3. Schedule conference.
4. Invite individuals the offender would like to have at the conference.[83]

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[79] Per Al Campbell (7/8), Community Policing Consortium (1726 M St. NW, Suite 801, 20036) takes requests from states all over the country; see article from Community Policing Exchange (1/2 1996, Washington, DC). Vermont Reparative Probation acquired a Correctional Options Grant from the Bureau of Justice Assistance to fund eight Reparative Coordinator positions.

[80] Vermont Reparative Boards have a full-time coordinator in each district whose job is to organize, recruit, train, market, manage logistics, act as liaison, and handle follow-up; job descriptions available from Mike Dooley.

[81] Estimates furnished by Kay Pranis, 8/7/96.

[82] Apply for technical assistance funding by calling Ed Barajas at National Institute of Corrections (800/995-6423 or 800/995-6429) for information on grants. Minnesota Department of Corrections person would need to write a request letter for up to $6000. Mike Dooley can be requested specifically and would be very happy to help in this area.

5. Schedule one or two community volunteers for each conference and/or involve other community members (i.e., neighbors, family down the street) whose participation would be helpful.
6. Invite police officer to join the conference (if referral came from law enforcement).
7. Invite appropriate community agencies (or social services).
8. Facilitate conference, or arrange for trained facilitator to lead.
9. Write up resolution (reparative contract); process according to guidelines established in program development stage.
10. Refer offender to community work service or other programs to be engaged in the reparative process.
11. Make sure that the terms of the agreement are complied with.
12. When reparative activities are satisfactorily completed, recommend discharge (if necessary) or notify referring agency.
13. If reparative activities are not completed, recommend prosecution or follow course of action determined in program development stage: maintain offender accountability.
14. Conduct follow-up with victims, notifying them of offender's progress, compliance with conferencing agreement; invite victim to participate in community activities.

Facilitate Change

- If the pre-sentencing procedure (C) is preferred, meet with Judge Mabley and Judge Stanoch to determine whether it is a workable option.
- If the sentencing sanction (D) is desired, facilitate Judge Mabley's efforts to secure an act of the Bench pertaining to such, as well as Department of Corrections support to make it available. Develop a time table. (Do the same for Juvenile Court.)
- Advocate Hennepin County's referral of juvenile offenders to the Citizens Council.
- Influence the process of City Attorney selection if possible.
- Advocate expanded use of Sentencing to Service.

Educate

- If diversion via prosecuting attorneys is desired, educate attorneys on conferencing option and advocate its usage.
- Educate probation agents on court-ordered work service programs for adults and juveniles.
- Educate residents on the project; keep them updated as work progresses.

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[83] Per Kay Pranis (7/18/96), the key is to get people who are close and important in the lives of offenders. People who will (a) disapprove behavior and (b) care for the person. (For those with only negative networks, utilize people in the system to find someone who cares about the offender.) It is also important to include people who are non-blood-relatives b/c the family may be so shamed that they only have negative things to say. Keep in mind that the process needs to reinforce the goodness of the offender. Note that the victim may discount positive things the family says about the offender, so having an outsider on the offender's side may help.

- Circulate restorative justice videos as widely as possible.
- Educate the general public about restorative justice and CCNP efforts.

Build Relationships

- Confirm that department heads of agencies who have expressed initial support remain favorably disposed.[84] Inform them of the intention to go forward and catch them up to speed.
- Continue building institutional support via personal meetings with key players:

1. Judge Stanoch, Juvenile Court: referrals through sanction or approved conference resolution
2. Jan Smabey, Department of Corrections: discuss hurdles, objections, budget issues.
3. Chief Olson, Minneapolis Police Department: discuss ideas, procedures, objections, resources.
4. Lieutenant Governor Benson: discuss ideas, state resources, Governor's support.
5. County Board, Community Corrections Board: discuss ideas, resources.
6. Minneapolis Police Department Precincts: referrals via community policing, other law enforcement.
7. Amicus and Allen Page mentoring programs: availability to provide resources for offenders who could benefit from such services.
8. Whisper or Pride prostitution intervention programs: same as 4.
9. Victim support services: same as 4.
10. Other community resources: same as 4.

- Consider involving City Council members, the mayor, and other elected officials in ongoing discussions.
- Build communication with other Minneapolis neighborhoods exploring restorative justice.
- Involve the Association of Minnesota Counties Corrections Subcommittee, a powerful group of seven county commissioners.[85]

Fine-tune the Model

- Review and revise this report with feedback from Kay Pranis, Mark Umbreit, and others.
- Continue research: interview people in Minnesota and elsewhere who are involved in similar endeavors to inquire about their programs, recommendations.
- Organize a Planning Conference to include Kay Pranis, Sue Stacy, Mark Umbreit, Mike Dooley, Ted Wachtel (and others?) for technical assistance and training, plus

[84] i.e., Mabley, Hunter, Donohue, Johnson, Boraas, Davis.
[85] Carol Smith of Minnesota Corrections Association recommends contacting Pat Connoly (224-3344).

agency contacts (referral sources or community service options), other practitioners, community conference volunteers, and neighborhood leaders. Purpose: flesh out the basic plan with the input of all involved, negotiate mechanics, draw up contracts or agreements, and conduct training of one or more conference facilitators.

- Develop parameters of the reparative activities to be included as conferencing sanctions with input from Judge Mabley and Mike Dooley.
- Put Minneapolis Police Department in touch with Anoka, Woodbury, or Carver County police department conferencing coordinators. Consider having Al Campbell, Paul Schnell, or Dave Hines meet with key players in Minneapolis Police Department to discuss referral procedures, resources, and law enforcement participation in conferencing.
- Depending upon the referral mechanism(s) desired, complete the "Action" tasks identified in "How Would We Do It?"
- Put Chief Judge Dan Mabley in touch with Judge Barry Stuart of Canada to discuss conference sentencing sanction, alternatives, recommendations.
- Discuss the possibility of an exception for Citizens Council juvenile referrals (for which court-ordered placement is unavailable.)
- Contact CCNP attorney (if there is one) to research the legal implications, as well as the availability, of professional liability and medical insurance to cover offenders referred to Citizens Council without a court order.

D. Implement Program

Recruit and Train

- Recruit 5 to 10 community volunteers who would participate as a "victim" in the conference.
- If the Coordinator is not a trained facilitator, recruit one to three volunteers to be trained facilitators. [86]

Begin

- Start conservatively with 2-3 conferences per month. Discuss strengths and weaknesses with participants and practitioners; adapt procedures.

[86] Training is available through the State of Minnesota Department of Corrections, the University of Minnesota Center for Restorative Justice and Mediation, Real Justice in Philadelphia, the Anoka Police Department, and several other organizations.

New Research

- Conduct evaluations with conference participants. (See Anoka evaluations as a reference point and develop with input from others.) Use feedback for assessment on a regular basis.
- Make information available to the public about the CCNP program as it matures.

APPENDIX 1
CRIME STATS

Elliot Park Neighborhood
Crimes against persons and property
January, 1993 to present

Elliot Park	Burgl Dwell	Robbery of Person	Auto Theft	Theft fr Auto	Property Damage	Assault	Rape	CSC Other	Month TOTAL	12-MO	YTD Vs Prev	MO Vs MO Yr-	Narco	Prostit	Robber of Biz	Burglar of Biz
Jan-93	2	9	6	5	9	18	2	0	51	603	-17%	16%	0	0	0	1
Feb-93	0	2	2	6	7	9	2	4	32	598	-19%	-14%	0	0	0	3
Mar-93	3	7	5	8	13	18	1	0	55	607	-18%	20%	1	0	0	1
Apr-93	2	8	7	5	8	19	1	2	52	596	-22%	-17%	3	0	1	2
May-93	6	4	7	11	14	32	3	2	79	618	-18%	39%	4	0	0	0
Jun-93	6	5	6	10	13	19	3	2	64	632	-14%	28%	3	0	0	2
Jul-93	6	12	5	12	15	16	1	0	67	638	-11%	10%	4	0	0	3
Aug-93	19	9	5	22	16	21	0	1	93	693	8%	145%	3	0	0	8
Sep-93	4	11	6	16	15	20	2	1	75	708	10%	25%	6	1	0	0
Oct-93	3	6	12	7	12	16	2	1	59	707	11%	-2%	6	1	1	1
Nov-93	1	9	4	15	9	17	1	0	56	727	19%	56%	2	0	0	4
Dec-93	4	5	5	8	10	14	2	0	48	731	23%	9%	2	0	0	0
Jan-94	5	2	4	5	6	17	1	0	40	720	19%	-22%	1	0	0	3
Feb-94	2	6	6	14	9	11	1	1	50	738	23%	56%	5	0	0	3
Mar-94	7	6	7	11	5	15	3	3	57	740	22%	4%	3	0	1	2
Apr-94	5	7	6	17	14	13	0	2	64	752	26%	23%	2	0	0	2
May-94	3	9	0	13	9	25	0	1	60	733	19%	-24%	3	0	0	3
Jun-94	4	9	4	14	16	23	3	1	74	743	18%	16%	3	0	1	4
Jul-94	8	11	3	15	14	17	0	0	68	744	17%	1%	4	0	1	4
Aug-94	10	13	2	4	15	20	0	2	66	717	3%	-29%	7	0	0	4
Sep-94	8	13	4	10	5	15	0	0	55	697	-2%	-27%	5	0	0	7
Oct-94	7	7	5	7	14	17	0	0	57	695	-2%	-3%	4	0	0	3
Nov-94	6	8	3	11	5	11	0	0	44	683	-6%	-21%	3	0	0	3
Dec-94	6	8	2	14	13	23	2	0	68	703	-4%	42%	7	0	1	0
Jan-95	0	10	2	22	7	17	4	1	63	726	1%	58%	2	0	0	1
Feb-95	5	8	2	8	7	8	0	1	39	715	-3%	-22%	10	0	0	1
Mar-95	6	5	11	6	7	24	2	1	62	720	-3%	9%	1	0	2	3
Apr-95	0	6	6	2	8	11	6	0	39	695	-8%	-39%	3	0	0	2
May-95	10	13	5	14	11	15	3	2	73	708	-3%	22%	9	0	0	1
Jun-95	11	9	5	9	9	17	1	1	62	696	-6%	-16%	3	0	1	2
Jul-95	5	11	4	17	5	24	1	4	71	699	-6%	4%	5	0	0	2
Aug-95	5	13	10	20	16	21	2	0	87	720	0%	32%	3	0	0	3
Sep-95	13	7	8	21	18	20	3	0	90	755	8%	64%	0	2	0	3
Oct-95	9	6	5	36	17	11	0	0	84	782	13%	47%	5	1	1	6
Nov-95	9	9	3	22	11	10	3	0	67	805	18%	52%	12	0	1	0
Dec-95	7	9	4	11	5	14	2	0	52	789	12%	-24%	13	0	1	1
Jan-96	4	10	7	6	3	10	3	1	44	770	6%	-30%	11	0	0	1
Feb-96	4	7	9	5	15	8	1	1	50	781	9%	28%	6	0	0	1
Mar-96	4	7	2	4	5	13	1	1	37	756	5%	-40%	4	0	1	0
Apr-96	10	3	7	25	12	21	0	1	79	796	15%	103%	2	0	1	1
May-96	6	10	6	17	14	18	2	2	75	798	13%	3%	3	0	0	1
Jun-96	5	5	6	14	10	12	2	2	56	792	14%	-10%	3	0	0	4

Loring Park Neighborhood
Crimes against persons and property
Jan 1993 to Present

	Burglary	Robb	Auto	Theft fr	Prop		CSC	CSC		12-month	Y-1 to date
	Dwelling	Person	Theft	Auto	Damg	Assault	Rape	Other	Total	Running	Vs YTD
Jan-93	5	2	4	8	18	2	0	1	40	590	48%
Feb-93	5	1	4	8	11	7	1	1	38	591	42%
Mar-93	1	0	3	14	9	6	1	1	35	572	29%
Apr-93	5	7	2	9	13	7	0	3	46	570	23%
May-93	9	2	5	13	8	15	2	0	54	575	20%
Jun-93	7	5	6	20	16	7	2	2	65	598	23%
Jul-93	4	6	6	36	27	6	0	0	85	627	24%
Aug-93	13	5	4	31	18	16	2	0	89	660	27%
Sep-93	13	5	5	14	12	5	1	1	56	655	19%
Oct-93	6	3	4	12	14	6	0	0	45	642	15%
Nov-93	2	4	7	8	9	4	2	0	36	630	10%
Dec-93	0	2	3	10	11	12	0	0	38	627	7%
Jan-94	5	2	7	4	6	6	0	1	31	618	5%
Feb-94	2	1	6	7	6	4	0	0	26	606	3%
Mar-94	1	2	7	12	11	9	1	1	44	615	8%
Apr-94	4	4	6	12	14	5	0	1	46	615	8%
May-94	9	2	0	14	23	1	0	1	50	611	6%
Jun-94	9	3	3	10	7	3	1	0	36	582	-3%
Jul-94	8	6	4	24	10	4	1	1	58	555	-11%
Aug-94	8	8	8	21	19	3	1	0	68	534	-19%
Sep-94	11	3	4	23	11	4	1	0	57	535	-18%
Oct-94	9	6	12	12	10	6	0	0	55	545	-15%
Nov-94	2	5	4	20	11	3	1	1	47	556	-12%
Dec-94	5	5	6	12	7	4	1	0	40	558	-11%
Jan-95	12	4	6	13	5	5	0	0	45	572	-7%
Feb-95	6	1	2	13	4	5	0	0	31	577	-5%
Mar-95	6	3	2	15	5	5	0	0	36	569	-7%
Apr-95	5	4	3	19	5	6	0	0	42	565	-8%
May-95	5	2	2	14	6	1	0	0	30	545	-11%
Jun-95	4	7	3	7	4	0	1	0	26	535	-8%
Jul-95	10	8	7	26	9	1	0	0	61	538	-3%
Aug-95	7	10	3	31	11	2	0	0	64	534	0%
Sep-95	4	5	6	16	11	0	0	0	42	519	-3%
Oct-95	6	10	8	39	14	6	1	0	84	548	1%
Nov-95	15	3	4	31	18	9	1	0	81	582	5%
Dec-95	6	5	6	15	6	9	0	0	47	589	6%
Jan-96	4	5	9	12	3	10	1	0	44	588	3%
Feb-96	4	2	2	11	4	11	0	0	34	591	2%
Mar-96	6	0	8	7	7	7	0	1	36	591	4%
Apr-96	6	1	2	19	10	7	0	1	46	595	5%
May-96	10	1	4	7	6	7	1	0	36	601	10%
Jun-96	9	6	6	13	12	11	2	0	59	634	19%

Stevens Square/Loring Heights
Crime Statistics, January 1993 to present

	Burglary	Robbery	Auto	Theft	Property		CSC	CSC	Month	Rng 12	RYTD	Mo vs	Business:		Narc-	Prosti-	Domes				Damg	Disord		
	Dwelling	of Person	Theft	fr Auto	Damage	Assault	Rape	Other	Total	Mos.	v Prev	Yr-1	Robb	Burgl	otics	tution	Assault	Warnts	Arson	heft	to MV	Cond	Moly	
Jan-93	3	4	5	0	11	7	2	1	33	714	49%	57%	0	1	2	1	8	3	0	12	3	2	32	772
Feb-93	2	0	6	8	4	8	1	0	29	699	43%	-34%	0	0	4	3	8	2	0	9	2	1	29	766
Mar-93	7	4	1	2	13	5	2	1	35	688	42%	-24%	0	1	5	3	15	7	0	12	5	1	49	782
Apr-93	4	4	1	8	14	7	1	0	39	*680*	38%	-17%	0	3	1	4	18	9	0	7	8	3	53	795
May-93	3	5	2	4	5	9	1	1	30	640	24%	-57%	0	0	7	2	15	7	0	9	3	2	45	773
Jun-93	6	4	1	12	18	12	1	1	55	639	20%	-2%	1	2	7	2	14	8	0	7	8	6	55	748
Jul-93	12	7	5	9	14	14	0	0	61	630	13%	-13%	0	3	4	11	12	5	0	7	6	4	52	705
Aug-93	15	1	1	4	6	6	1	0	34	593	0%	-52%	0	2	4	9	11	5	0	16	4	4	55	656
Sep-93	5	9	2	10	10	10	1	0	47	568	-7%	-35%	0	1	3	6	9	7	0	13	4	4	47	613
Oct-93	2	4	3	4	6	4	0	1	24	508	-21%	-71%	0	2	1	2	10	8	0	8	4	2	37	561
Nov-93	4	2	5	6	13	10	1	0	41	480	-30%	-41%	0	0	1	3	13	8	0	6	6	5	42	543
Dec-93	6	6	2	10	13	10	1	0	48	476	-32%	-8%	2	3	5	2	6	6	0	10	6	2	42	538
Jan-94	11	7	6	6	10	8	1	0	49	492	-31%	48%	0	0	4	0	15	8	1	12	6	2	48	554
Feb-94	13	4	5	3	3	8	1	0	37	500	-28%	28%	0	1	0	0	8	6	0	8	4	1	28	553
Mar-94	6	6	3	6	13	17	0	0	51	516	-25%	46%	0	1	0	1	15	3	1	19	10	2	52	556
Apr-94	14	3	1	13	9	11	0	1	52	529	-22%	33%	0	2	3	0	18	6	0	9	2	1	41	544
May-94	11	2	1	2	10	9	0	0	35	534	-17%	17%	0	1	7	1	15	10	1	9	3	2	49	548
Jun-94	15	5	6	3	7	7	2	0	45	524	-18%	-18%	0	2	21	1	17	9	0	13	4	2	69	562
Jul-94	8	4	1	6	9	9	0	0	37	500	-21%	-39%	1	2	27	0	15	17	0	14	4	1	81	591
Aug-94	10	7	5	3	15	13	0	1	54	520	-12%	59%	0	0	13	0	15	17	0	15	7	5	72	608
Sep-94	14	3	2	8	14	10	0	0	51	524	-8%	9%	0	4	11	1	10	6	0	11	5	2	50	611
Oct-94	10	11	5	6	24	9	0	0	65	565	11%	171%	0	1	20	1	8	22	1	15	5	4	77	651
Nov-94	5	6	4	12	7	7	1	0	42	566	18%	2%	0	4	20	1	18	18	0	12	3	5	81	690
Dec-94	3	11	7	7	12	8	1	0	49	567	19%	2%	0	1	10	1	10	20	1	13	6	1	63	711
Jan-95	10	8	4	5	2	6	1	0	36	554	13%	-27%	0	1	9	3	15	7	0	2	0	2	39	702
Feb-95	5	3	4	3	4	4	1	2	26	543	9%	-30%	0	0	3	0	12	9	0	7	0	0	31	705
Mar-95	22	3	2	3	0	6	1	0	37	529	3%	-27%	1	1	6	3	10	10	3	5	1	1	41	694
Apr-95	6	3	4	4	4	10	0	1	32	509	-4%	-38%	0	1	5	1	10	8	1	7	0	2	35	688
May-95	9	2	2	11	5	3	0	1	33	507	-5%	-6%	0	2	2	0	13	11	1	14	2	5	50	689
Jun-95	7	6	3	6	10	1	0	0	33	495	-6%	-27%	0	2	6	1	7	9	0	3	5	1	34	654
Jul-95	13	8	7	6	4	7	0	0	45	503	1%	22%	0	1	6	0	17	8	0	5	6	2	45	618
Aug-95	4	6	3	11	1	5	3	1	34	483	-7%	-37%	0	0	10	6	14	8	0	8	4	1	51	597
Sep-95	5	8	3	13	6	8	0	1	44	476	-9%	-14%	0	0	3	1	7	11	0	15	7	4	48	595
Oct-95	5	11	1	3	7	6	1	1	35	446	-21%	-46%	0	0	4	1	12	9	0	7	5	3	41	559
Nov-95	2	4	6	4	9	7	1	0	33	437	-23%	-21%	0	1	12	0	13	13	0	4	7	1	51	529
Dec-95	5	5	3	4	2	12	1	1	33	421	-26%	-33%	0	0	5	1	4	1	0	7	1	5	24	490
Jan-96	6	2	1	8	2	7	2	1	29	414	-25%	-19%	0	0	9	3	12	8	0	5	1	2	40	491
Feb-96	5	4	2	2	1	8	0	0	22	410	-24%	-15%	0	2	10	1	10	8	1	2	1	3	38	498
Mar-96	9	2	6	6	9	6	0	1	39	412	-22%	5%	0	4	0	7	10	6	0	4	4	0	35	492
Apr-96	3	3	1	5	5	9	2	2	30	410	-19%	-6%	1	0	7	2	5	16	2	6	5	1	45	502
May-96	3	9	1	14	4	3	2	0	36	413	-19%	9%	0	0	4	3	7	6	0	8	1	1	30	482
Jun-96	2	4	5	4	8	7	3	1	34	414	-16%	3%	0	1	3	10	12	12	1	3	5	1	48	496
Jul-96	5	8	3	6	6	8	0	0	*47*	*416*	-17%	*4%*	0	1	2	5	14	12	0	1	3	1	*54*	*505*

* Partial month stats, extrapolated.

STATS	Burgl	Robb	Auto	Theft	Prop					12-M	YTD Vs
Jan-94	2	11	16	13	18	39	2	1	102	1669	
Feb-94	1	10	9	32	17	43	1	4	117	1691	
Mar-94	1	14	10	19	31	59	2	2	138	1693	
Apr-94	1	7	7	24	36	28	1	0	104	1683	
May-94	3	13	4	23	15	23	0	2	83	1637	
Jun-94	4	11	11	23	17	29	0	1	96	1585	
Jul-94	3	18	6	30	29	29	2	0	117	1490	
Aug-94	2	17	15	37	40	23	2	1	137	1435	
Sep-94	2	19	10	45	32	29	0	3	140	1434	
Oct-94	0	16	23	12	47	34	0	2	134	1425	
Nov-94	1	15	5	44	17	29	0	2	113	1398	
Dec-94	1	17	20	61	22	30	1	0	152	1433	-15%
Jan-95	1	7	4	41	26	40	1	0	120	1451	-13%
Feb-95	2	6	10	41	25	38	0	0	122	1456	-14%
Mar-95	11	10	16	32	22	35	0	1	127	1445	-15%
Apr-95	3	6	10	27	22	32	2	3	105	1446	-14%
May-95	1	11	14	49	16	32	0	3	126	1489	-9%
Jun-95	2	13	11	28	18	33	1	0	106	1499	-5%
Jul-95	1	17	10	83	10	33	0	4	158	1540	3%
Aug-95	0	17	12	50	23	29	0	0	131	1534	7%
Sep-95	1	11	8	72	20	27	0	0	139	1533	7%
Oct-95	1	20	8	68	18	30	0	0	145	1544	8%
Nov-95	4	8	12	100	27	24	2	0	177	1608	15%
Dec-95	4	12	16	61	24	32	2	1	152	1608	12%

* Partial month stats, extrapolated.

APPENDIX 2
A RESTORATIVE JUSTICE YARDSTICK

1. Do victims experience justice?

- Do victims have sufficient opportunities to tell their truth to relevant listeners?
- Do victims receive needed compensation or restitution?
- Is the injustice adequately acknowledged?
- Are victims sufficiently protected against further violation?
- Does the outcome adequately reflect the severity of the offense?
- Do victims receive adequate information about the crime, the offender, and the legal process?
- Do victims have a voice in the legal process?
- Is the experience of justice adequately public?
- Do victims' families receive adequate assistance and support?
- Are other needs -- material, psychological, and spiritual -- being addressed?

2. Do offenders experience justice?

- Are offenders encouraged to understand and take responsibility for what they have done?
- Are misattributions challenged?
- Are offenders given encouragement and opportunities to make things right?
- Are offenders given opportunities to participate in the process?
- Are offenders encouraged to change their behavior?
- Is there a mechanism for monitoring or verifying changes?
- Are offenders' needs being addressed?
- Do offenders' families receive support and assistance

3. Is the victim-offender relationship addressed:

- Is there an opportunity for victims and offenders to meet, if appropriate?
- Is there an opportunity for victims and offenders to exchange information about the event and about one another?

4. Are community concerns being taken into account?

- Is the process and the outcome sufficiently public?
- Is community protection being addressed?
- Is there a need for restitution or a symbolic action for the community?
- Is the community represented in some way in the legal process?

5. Is the future addressed?

- Is there provision for solving the problems that led to this event?
- Is there provision for solving problems caused by this event?
- Have future intentions been addressed?
- Are there provisions for monitoring and verifying outcomes and for problem solving?

Source: Howard Zehr, *Changing Lenses* (Scottsdale, Pennsylvania: Herald Press, 1990).

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