

Community Justice: An Essay

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So much of what is now underway as "community justice," however laudable or interesting, is not much more than a "special project" attached to the everyday, burgeoning operations of the formal justice system. What we mean by the use of the term is not a set of add-on projects to the justice system, but a much more fundamental rethinking of the justice model. Our desire is to challenge traditional justice to be more responsive to and more inviting of the community being served. In this article, we describe the kind of fundamental change to which we are attracted.

Key words: community involvement, community justice, ideal community justice model, supervision

There is disquiet in America about what is happening to community life. Americans seem to have a sense that the quality of community life is diminishing and that family life is deteriorating. There is widespread talk about the need to "restore" community and family values, and many feel that something of a crisis of values has occurred in American life. Some of this feeling is almost certainly nostalgia and sentimentalism. To the degree that today's community life movement is a romantic appeal to an inaccurate recollection of the past, it is an interlude with a short destiny.

But there are numerous indications that community life is changing in America and that the concerns of many citizens are not merely nostalgia. Some of these changes involve distance and technology. As a result of computers and international markets, the world is increasingly everyone's neighborhood. Other changes appear more rooted in economic trends. Increasing inequality and structural distance between social groups, combined with fewer intact families for children, worry many observers that the infrastructure of good citizenship is deteriorating. People move from place to place, and their children grow up faced with the ubiquity of technical, social, and interpersonal change. In the face of a transforming society, people worry if the foundation of democratic life is sufficient to take us very far into the future.

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This atmosphere is having enormous implications for criminal justice. As people begin to feel and express their alienation from institutional life, including political institutions, this feeling cannot help but spill over into the formal mechanisms of social control. In a quarter century, the size, cost, and potency of the justice apparatus have grown three to five times over, depending on how one counts the growth. Public confidence in the justice system is, if anything, less than when the growth began. Surely if the justice system were put to a vote of confidence, the prospects would be dim.

The disquiet about community life has translated into a community movement in criminal justice. To date, this movement has been a sporadic set of experiences and initiatives, lacking a philosophy, a strategic model, and an ideal. Criminal justice officials, sensing that confidence in their actions is slipping away, have sought a closer alignment with community members partly as a vehicle for increasing faith in justice practices. It must also be remembered that criminal justice practitioners are also members of the community. They feel some of the same disillusionment in official policies, and they experience the same type of yearning for a better quality of community life.

In an earlier report, we attempted to fill that void by laying out a practical and philosophical case for greater community involvement in criminal justice.¹ In discussing these questions, we did not argue for a particular idealized model of community justice; rather we made the case for a point of view about what community justice ought to be and aspire to become. Our firm belief is that community justice solutions must fit particular local justice/crime problems, and so it follows that as these problems vary, solutions will vary.

Yet so much of what is now underway as "community justice," however laudable or interesting, is not much more than a "special project" attached to the everyday, burgeoning operations of the formal justice system. What we mean by the use of the term is not a set of add-on projects to the justice system, but a much more fundamental rethinking of the justice model. Our desire is to challenge traditional justice to be more responsive to and more inviting of the community being served. In this article, we describe the kind of fundamental change to which we are attracted. Our approach is to describe what commu-

nity justice might look like in one particular, hypothetical community. Our description should evoke in the reader a sense of the profound kind of change that is envisioned by the "ideal" of community justice.

Community Justice: An Illustration in Jackson Heights

Jackson Heights (JH) is an old, inner-city neighborhood in the city of Megalopolis. Comprised of roughly 100 square blocks, JH has three multi-story public housing complexes, a small business section, and a public school complex named Jackson Heights School. The income level of one half of the residents is near the poverty line, and rates on indicators of disorganization, such as single parent families, high school drop-outs, unemployment, vacant dwellings, and public assistance are high. The area also has a high arrest rate for drugs and street crimes.

The JH Community Justice Center (CJC) is located in a renovated building across the street from the police precinct. An old storefront now serves as an office for Miriam Bledsoe, the center director, her staff of two, and a regular assortment of volunteers and interns. Bledsoe is a lawyer and community activist. Her staff members are Jethro McDowell, a social worker and former probation officer, and Luke Wallace, a paraprofessional and ex-offender. The office has a \$250,000 annual budget and is a nonprofit organization funded by fees.

The CJC runs a number of projects, but the following are the most popular:

- *Crimestop.* Working with the local police, the CJC convenes meetings of local residents to discuss crime problems in their areas. They then lead a crime prevention analysis of these problems and develop mechanisms for reducing the incidence of targeted crimes.
- *Victims' Awareness (VA).* Local residents who are victims of crime are brought together to talk about how victimization has affected their lives. The nature and extent of crime in JH are discussed, as well as the programs in existence to reduce crime. Opportunities are given for victim-offender mediation. Methods for preventing repeat victimization are described, and individuals are assisted in taking steps to secure their living areas from crime. The VA sessions help CJC refer victims to a range of services.

- *Too Legit To Quit (TLQ)*. This group is a recreational club that meets two nights a week and on Sunday afternoons in the local school. It is open to male teenage children whose fathers or mothers are incarcerated; each child is paired with two adults and another child. Adult offenders under a community justice sentence attend with one of their children, and they are teamed with another adult who is a mentor for the child whose parent is in prison. The TLQ team attends workshops on parent-child relationships and engages in organized, supervised recreation with other teams. The structure is designed to strengthen ties between offenders and their children and to establish supports between offenders and other local adults.
- *JH Habitat*. Squads of offenders under community justice sentences rehabilitate local buildings, which become used by the homeless or become available for small businesses at advantageous rates. JH Habitat employs local residents, who are paid wages at near prevailing rates, as well as offenders, who receive minimum wages. Private contractors for renovation must agree to employ local residents and be willing to supervise offenders as part of the crew. Offenders are required to abide by the same regulations as full-pay employees.
- *Senior care*. Offenders are paired with older residents who are otherwise without services. Each offender is required to pay weekly social visits to their partner and keep him or her company. Deeper relationships are encouraged, however, including having the offender accompany the senior citizen to health appointments and community social clubs. In some cases, the TLQ teams visit senior citizens on a regular basis, too.
- *After School*. Local adults supervise a series of after-school activities for youngsters, ranging from recreation to creative arts. The activities are age relevant, and some of the volunteers are offenders and ex-offenders, who are always paired with other residents in the supervisory capacity.
- *Resolve*. Citizens in this neighborhood who have a dispute are typically unable to afford legal assistance and certainly avoid the municipal civil justice system. Resolve is a dispute resolution program that provides mediation to local resi-

dents who have a conflict they cannot resolve on their own.

These projects are all made possible through partnerships with existing organizations and citizen volunteers. The local probation department assigns a unit of its staff to a special team caseload involving the approximately 1,000 probationers living in Jackson Heights. The state's parole department assigns two parole officers to the area, as well, and they are housed in an office adjacent to the CJC. They both work in close partnership with the CJC, paying attention to clients they have in common. By "partnership" is meant not only cooperation and information sharing, but also pursuit of mutual goals involving community safety and offender adjustment. The CJC shares the official agency goals and interests and stays aware of client behavior to serve as another check on client adjustment. Indications of alcohol or drug abuse are immediately reported to the appropriate justice agencies, and there is attentiveness to signals of new problems in an offender's circumstances; these signs are immediately made known to authorities. The two correctional agencies rely on the expertise and sympathetic involvement of the CJC in their clients' lives.

To further support the work of the CJC, the court system specializes its assignments. An assistant district attorney (DA) handles all but the capital cases against residents (the city DA office has a homicide division), and most criminal cases are heard by a judge whose jurisdiction is Jackson Heights. This geographic specialization is seen as an essential foundation for the cooperative working environment sought by the CJC, but cooperation is actively pursued by Bledsoe's regular formal and informal contact with stakeholders in the community and the justice system.

The CJC uses a network of volunteers as well. Every offender in a CJC program must have a community sponsor, and finding and maintaining these sponsors require a substantial effort. The most common sponsorships come from three of the local churches

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and the local mosque, but the CJC also receives assistance from a few local businesses that have hired offenders or sponsored them. The most important volunteers are the program associates, the citizens who participate in each of the three programs—teaching building renovation skills, joining in the TLQ teams as foster mentors, or contacting and supporting seniors who participate in Senior Care.

Supervision: The Centerpiece of Community Justice

The Jackson Heights CJC provides assessment and supervision services for all offenders under sanction of the state who live in Jackson Heights. Traditional supervision strategies are used: risk assessment, supervision planning, and compliance monitoring. What makes the CJC model different is two aspects of the supervision function. First, supervision is not seen as a mere relationship between the offender and the supervision agent. Rather, discrete supervision

tasks also are assigned to the victim of the crime and the community in which the offender and victim live. That is, crime is not seen as simply a “case” to be processed, but instead as a “problem” to be solved. All the principals involved in the problem—the offender, the victim, and the community—must take an active role in problem identification and solving. The second difference is how the supervision tasks are developed. The CJC convenes a series of meetings attended by the victim, offender, and community representatives during which a mutually agreed plan is developed. Indeed, the CJC feels that a plan is not developed until all three parties agree to support it.

The supervision plan is structured as a series of tasks that each party must undertake. The tasks can be roughly classified by three determining goals of the justice process: an affirmation of the community’s normative (and legal) standards, restoration of the victim and community members, and the preservation of public safety. Figure 1 summarizes the tasks of the key parties.

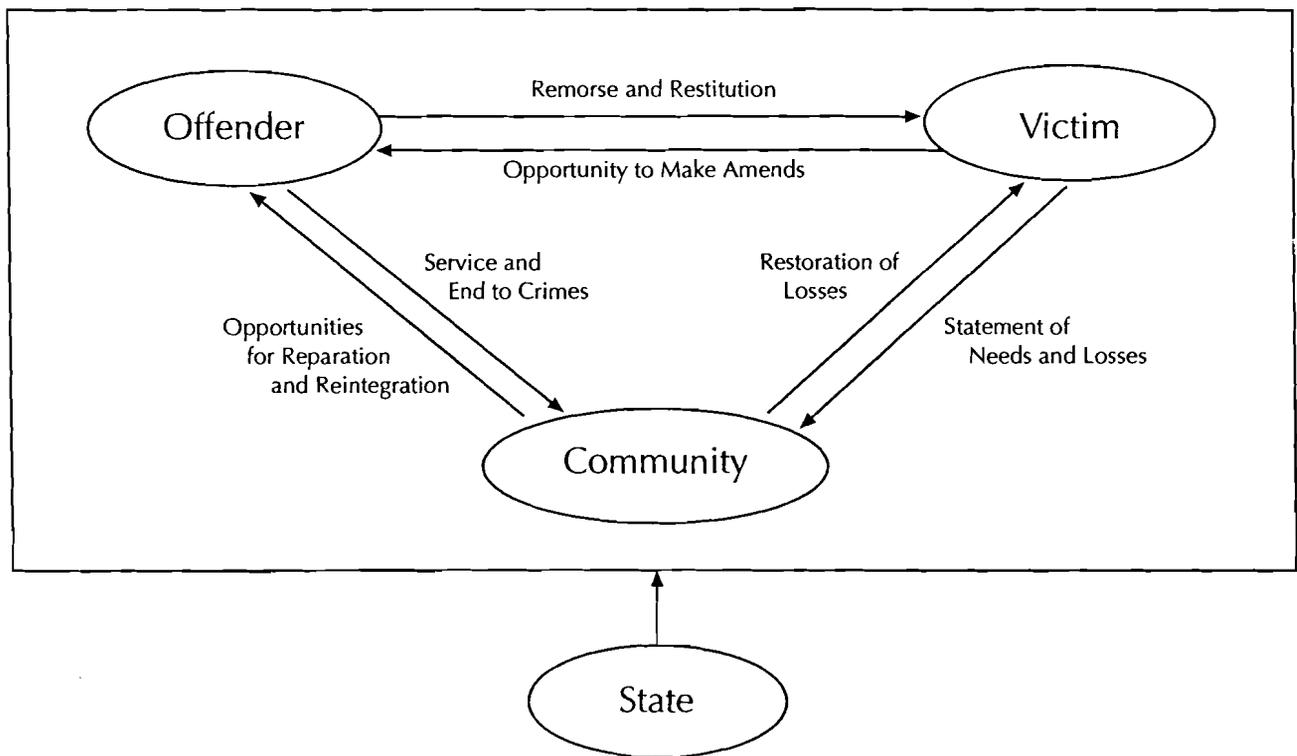


Figure 1. Core Responsibilities of Parties to the Sanctioning Process

The tasks of the offender

The offender's tasks are threefold. First, the offender must take responsibility for the offense. The offender must admit not only the behavior but also that the behavior was wrong. This admission is an acknowledgment of the conventional moral order. It is a reassurance that the community's normative standards are not, in principle or understanding, rejected by the offender.

Second, the offender must take responsibility for undoing the effects of the offense on the victim and on the community. The effects on the victim include tangible costs that may be reimbursed through financial or labor restitution. There are also less tangible victim effects that can only be addressed through symbolic acts. These same acts will be a means of addressing the community, which has lost confidence in the offender's citizenship. Responsibility for these effects can be taken through symbolic acts of restitution to the community, such as community service.

The offender's third task is one of community assurance (i.e., affirmative acts that give fellow citizens a reason to have confidence the offender's crimes will not recur). The offender promises involvement in activities that will reduce the likelihood of future offending such as participation in a residential drug program or a commitment to a set of limits on behavior, such as a curfew. These activities also will increase the likelihood of success in conventional living, such as entry into educational or job-training programs. These steps are taken to assure the victim and the community that the risk of new crimes is minimal.

These tasks may seem like a "Pollyanna" view of what an offender must do to make the amends necessary to restore community. Many people might wonder what brand of offender might be in mind in describing these tasks. Notably, when the Vermont Department of Corrections commissioned a series of focus groups to obtain a better understanding of what goals ordinary citizens as consumers of corrections want to achieve in punishing offenders, the following list of priorities was compiled:

- The offender must take responsibility for the crime.
- The offender must make restitution to the victim.

- The offender must contribute something back to the community as a symbol of remorse.
- The offender must take steps to ensure that the crime will not happen again.
- The offender must learn something from the experience.

The tasks of the victim

The victim plays a key role in repairing community, but naturally has less burdensome tasks than the offender. The victim's tasks are related to the end aim of the sanctioning process: restoring fully the victim's capacity to function as a member of the community. A return to full sharing in community life can be impeded in any (or all) of several ways. The victim may be disabled physically, emotionally, or both by the offense. The victim may feel guilty about the offense or may wonder what he or she did (if anything) to warrant being victimized. The victim may harbor deep malice toward the offender because of the crime and its effects. All of these responses are common and understandable.

To overcome these obstacles, the victim first must be able to state the scope of losses, tangible and intangible, that has resulted from the crime. This task is vital to the norm affirmation process for it both vindicates the victim's suffering and establishes the offender's act as morally wrong. Then the victim must determine the types of resources, financial and otherwise, that are necessary to restore, as much as possible, the losses suffered. Last, the victim must lay out the conditions under which any fear of and/or resentment toward the offender may be diminished.

These objectives are, for most victims, enormously difficult. They may also be so complex that a simple statement is impossible. Thus, the victim is not required to achieve these ends, but instead is obliged to participate in a process in which these aims are addressed. Whether that process is successful is dependent not just on the strengths of the victim, but also on both offender and community responses to the process.

The tasks of the community

The community is obligated to clarify local normative standards, expressing to the offender in particular what is and is not acceptable behavior. Certainly, there is room here for both moral education and democratic discourse about the legitimacy of a given

standard. Most important, however, is the collective process that reminds all of the meaning and importance of the standards in the face of a concrete manifestation of harm wrought by transgression.

The community has a responsibility to the victim. This responsibility involves recognition of the importance of losses resulting from victimization and a commitment to provide supports necessary for the victim to achieve the optimal recovery. This responsibility may include a willingness on the part of the community to accept as normal the anger, frustration, withdrawal, and alienation that often accompany victimization experiences, not just to provide financial supports that help restore the victim.

The community has two responsibilities to the offender: (1) allowing the offender to perform reparative tasks for the victim and the community and (2) enabling the offender to obtain the assistance, supervision, and supports (including treatment intervention programs) necessary to live in the community crime-free. The first responsibility sets the stage for the offender to make amends for the offense; the second allows both the offender and the community to have confidence in the future of offender risk control.

Thus the obligations of the community are to its members—to provide the possibility of recovery and restoration for victims and offenders alike. The community is responsible for building and maintaining the supports necessary for victims and offenders to carry out their tasks. It includes a readiness to support victims through their process and assist offenders with their tasks, so that both may resume their places as community members.

The Role of the CJC

The tasks of victims, offenders, and communities are formidable. In fact, they will not be able to carry them out without assistance. It is the responsibility of the CJC to assist these parties in performing their tasks. From this perspective, the state is not the principal defender of law and order, rather it is a consultant and manager to the community, the ultimate bearer of responsibility for the justice process. CJC officials are responsible for designing and managing a process that makes feasible the accomplishment of victim, offender, and community tasks.

A difficulty of a community justice ideal is obvious from this simple statement of its tasks. What happens

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when one or more of the parties fails to perform assigned tasks? This failure will occur, at least occasionally. When it does, the CJC must enact a process designed maximally to promote community, with different dilemmas depending on which party to crime is failing.

When the offender fails

Offenders' tasks are complex and numerous, and they may fail for several reasons. The various reasons why an offender fails lead to differing responses by justice officials.

The most basic challenge to community justice occurs when an offender (who is guilty) denies responsibility for the transgression by refusing to admit guilt. There can be no escaping the fact that an offender who protests innocence loses status in the community after a conviction, compared to a person who, once having offended, owns up to the wrong and proceeds to make amends. Nonetheless, the struggle faced by community justice is to find a way to allow individuals who have unsuccessfully asserted their innocence to be able to return to full community.

Whether or not the offender takes steps of responsibility for the offense, the system must be concerned about his or her risk to the community. Risk management programs are more effective when the offender is motivated to stay out of trouble, but regardless of motivation, the community must be assured the offender will refrain from new crimes. Treatment and other risk-reduction programs may have to be imposed coercively rather than developed in joint interaction with the offender, but designing and implementing these programs will be essential when offenders are resistant to their citizenship responsibilities.

Thus, when the offender fails, there is a need to provide ameliorative interventions, such as victim-offender mediation or cognitive skills programs, that may lead to a realization of responsibility for offend-

ing and its consequences. There will also be a need for an effective risk assessment and risk management program that is sufficiently rigorous to stimulate community confidence in its effects. But these initiatives need to operate in a way that does not thwart the ultimate aim of recovery to the community.

When the victim fails

Victims will fail when they are unable or unwilling to entertain the offender's eventual full return to community life. They also will fail when they cannot overcome the losses they have suffered due to the crime. Their inability to overcome losses is often a prime reason they are unwilling to accept an offender's reintegration.

In the face of victim failure, justice officials must be patient. It may take time and trial and error to achieve the goal of victim restoration, and it certainly cannot be done if actions of justice officials deny the validity of the deep and often complex feelings that can result from victimization. Instead, these feelings and reactions must be worked with carefully.

The process begins with supportive counseling. The victim is encouraged to confront losses by articulating them. Justice officials then begin to identify ways in which the tangible losses may be restored. This process may eventually open up the discussion of symbolic harms resulting from being a victim, the kind far more difficult to alleviate. By opening them up, a process may occur in which they are ultimately overcome.

In the end, the victim must be seen as having a special status in the community recovery process. Until the victim returns to a sense of full citizenship, the shattering of community cannot be overcome. Thus, when a victim refrains from receiving the assurances of the offender or any restitution, then the offender may not yet be through developing these social and moral gestures in a way that suffices. In this sense, the victim's ability to be restored controls the recovery process for the community.

When the community fails

Most community failure will result from one of two reasons: lack of resources (particularly institutional capacity) or being closed to the process. The response of justice officials to the first problem is community development activity. The response to the second is insistence on community involvement in justice processes.

Community development is necessary in several instances such as when the types of treatment intervention programs needed by offenders are not available or when the concrete supports needed by victims are lacking. It requires the allocation of resources—in many cases, the production of resources—to meet these needs.

The requirement that communities involve themselves in their crime problems is a different matter. There is a long list of reasons that ranges from traditional reluctance to be involved to fear of the consequences of involvement. Each community will possess a different array of reasons why involvement may not be easy to achieve. These reasons must be overcome on a community-by-community basis.

How the Program Works

Mission

On the wall facing the front door, a 4-foot sign declares the mission of the CJC of Jackson Heights. It reads:

The Jackson Heights Community Justice Center seeks to strengthen the capacity of residents of this community to manage their own affairs, solve their own problems, and live together effectively and safely. This goal is best achieved by giving everyone a stake in the quality of community life. Our specific focus is on people who have violated the law. We seek to reestablish their community ties and reawaken their connection to community life.

We recognize that our clients are among the most important to our community harmony, because they have disturbed it in the past. Therefore we are dedicated to improving the quality of community life by assisting those who have damaged this community in the past. We believe in a basic truth: Every member of our community—including offenders—has a stake in maintaining a safe neighborhood.

Our commitment to the community is:

To ensure that offenders coming into this community are offered an opportunity to compensate the community for the costs of their crimes; and

To ensure that offenders coming into this community receive interventions or controls that will guard against recurrence of their crimes.

Our commitment to victims of crime is:

- To ensure some compensation and reparation for the losses caused by crime and to involve offenders in making that compensation; and

- To promise that no offenders return to this community through the CJC without a complete evaluation of their risk and the establishment of programs to control it.

Our commitment to the offender is:

- To provide the best set of opportunities for making reparations to the community; and
- To help create and strengthen ties to community life.

Approach

The CJC thinks of itself as having three distinct client groups: community, victim, and offender. It operates with a community advisory board, but it maintains numerous ties to influential members of the community. The director, is a dependable presence at local meetings, often speaking in support of a safer community and higher quality community life. As a steady voice for community justice, the director is not only an advocate, but also an educator and conciliator. The facts speak for themselves: while nearly every JH resident convicted of a felony spends some time incarcerated—in jail awaiting trial and/or in prison terms averaging about 2 years—nearly all will return to live in Jackson Heights. The problem of community safety is not dependent on the length of confinement nearly so much as it is dependent on what happens upon return to the streets.

The director sees victims of crime as the most important allies in this effort, for they are often the most neglected. The CJC staff try to contact victims as soon after the offense as possible, to prepare them for what occurs after the crime. The focus of their efforts is on the various aspects of injury suffered by victims of crime—concrete losses as well as emotional damage. The CJC builds its efforts with victims to restore their faith in community life and in the potential for community safety.

With offenders, the foremost objective is to situate them in community activities and restrictions that control their risk, but this goal cannot be fully accomplished without the offender making reparation to

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the community and the victim. Thus the CJC opens the community to a stronger and more effective connection to the offender, and it operates opportunities for the offender to compensate for the offense.

The CJC recognizes that it is not the only agency carrying out these responsibilities. Elected leaders are responsible for community development, victims services agencies assist victims of crime, and correctional agencies manage the offender's risk to the community. What makes the CJC unique is its concentrated focus on Jackson Heights—the neighborhood is its ultimate client. The CJC can use its strategic location in the community to strengthen the way existing agencies carry out their functions, but this role is only possible if the CJC works in partnership with those agencies. By the same token, the existing agencies see the CJC as helpful in accomplishing their mission in this difficult neighborhood.

Practicing community justice

There are four main elements of community justice practice for the CJC:

1. risk assessment and control
2. victim restoration plan
3. community contract
4. cost sharing

Risk assessment and control

Because the CJC practices its correctional program within the environs of Jackson Heights, it can engage in risk management more holistically than office-bound correctional agencies. Most traditional community correctional practice focuses on the problems of the offender and how those problems contribute to risk.

The CJC also considers opportunities for crime and seeks to increase the environmental controls on opportunities for repeat offending. By "opportunities" is meant the factors that are essential to crime, based on the routine activities concept. This model asserts that for a crime to occur, two factors must be present and two must be absent. The factors present must be a motivated offender (a crime is committed by a person and that person must want to gain the benefits of the criminal act) and a suitable target (there must be a place or person that is desirable as a target for the offender). The factors absent must be a capable guardian (targets, no matter how suitable, can be made safe from crime by the presence of a person or system that

guards them against the offender) and an intimate handler (a person with a strong emotional tie to the potential offender inhibits the offender from criminality for fear of damaging the emotional tie).

Crime prevention programs, such as the CJC's Crimestop, focus on targets and guardians, seeking to strengthen their anti-criminal potentials. Normally, these approaches have little to do with offenders. The community focus of the CJC enables it to work on the opportunity set in ways that include the offender as well. The relationship between the male offender and his children is strengthened through the TLQ program, thereby increasing the presence of inhibitors in the offender's life. People who live in contact with the offender, when properly involved in the community safety agenda, serve the role of guardian as well. They can observe the offender's conduct, with concern for behavioral irregularities (often thought of as "signals") that suggest a return to criminality, and this activity supports preemptive interventions.

Thus, the CJC conducts a comprehensive risk assessment, not only of the risk factors that are present in the offender's life, creating risk problems that need to be controlled, but also of the risk-abating factors that are absent from the offender's situation. The ultimate result is a risk management plan that details the tasks of offenders, family members and associates, and formal service delivery agencies, which will comprise a strategy for maintaining the offender in the community, not only at a reduced level of risk, but also with sufficient promise that the community can anticipate a positive, crime-free lifestyle from the offender.

Victim restoration plan

The establishment of a realistic risk management plan is a necessary, but not sufficient, condition for the CJC to accept a case. There must also be a victim restoration plan that adequately provides for the alleviation of the damage suffered by the victim of the crime. An adequate plan to restore the victim has three elements:

1. a full accounting of the costs of the crime, both in tangible losses of property, services, and income and in emotional costs that are thought of as quality of life costs;
2. a strategy for addressing those losses to which the victim assents; and
3. offender contribution to the overall strategy.

A full accounting is necessary because too often victim compensation is thought of as only applicable to property losses. Going beyond property costs recognizes the way that crime damages the victim's sense of personal security as well as community quality of life for all residents. The CJC subscribes to the belief that there are very few truly victimless crimes. Even in cases where there is no specific person to be restored, there is still a burden to speak to the community's expectation that it will be recompensed for criminality in its midst.

Victim assent to the restoration strategy is also important. Making the plan contingent on victim approval is a fundamental way to elevate the status of the victim to that of a full player in the process. It also confronts the offender with the very real presence of a fellow citizen who has been harmed by the crime and must be considered in response to the crime.

It explains why the offender contribution to the strategy is essential. The offender's contribution, in time, financial resources, or services, symbolizes the offender's resolve to treat fellow citizens as people who have rights to live free of victimization.

The CJC meets with victims (or in the case of victimless offenses, its community board) and develops an assessment of the full costs of the crime. The CJC describes the offender's risk assessment and outlines what might be done to manage the offender under a sentence to the CJC. The alternative—what the criminal justice system will do if the offender is not accepted in the CJC—is also described for the victim. The CJC works with the victim to develop a restorative package that might repay some of those costs of the crime. Until the victim is satisfied, the offender cannot expect to be accepted into the CJC's programs.

The elements of a compensation plan are also negotiated with the offender. There will often be several options for "paying" the community—labor, money, services, and so on. The CJC sees its goals as compiling a plan that the offender finds superior to what will happen as a result of the normal justice process. By incorporating a series of supports, positive activities, risk-reduction services (such as employment and job training), and a reduction in the punitiveness of sanctions, the CJC attempts to assemble a plan the offender would prefer to "straight punishment."

This negotiation happens more frequently with offenders accused of more serious offenses, because the potential responses of the justice system are

more severe for these crimes. The harms suffered by victims of more serious offenses also give the CJC a longer list of services that victims find attractive as an alternative to the traditional justice system.

Of course, extremely serious crimes are virtually exempt from the CJC, if only due to practical constraints. Victims of serious crimes typically find it impossible to construct a scenario that leads to their restoration. Offenders are often of such a risk that a satisfactory risk management plan is not feasible. Moreover, the community typically resists participation with offenders guilty of the most serious offenses.

Community justice is a three-way proposition, and each party must feel the CJC's proposal is wise before accepting it. When the stakes are small for any of the actors, little basis exists for a CJC-initiated accommodation. As the stakes get larger, the room the CJC has to develop an alternative to the justice process also grows. Because of these inherent pressures, the CJC makes no blanket exclusions based on prior record or current conviction; any case may be pursued if there is a chance of working out agreements. This process is not as chaotic as it might seem; over time, the CJC staff have developed realistic expectations about which cases they will be able to work out.

Community contract

The community contract is an agreement wherein the community agrees to accept the offender into the CJC under the terms described in the risk management plan and the victim restoration arrangement. When a CJC plan is accepted, the community also accepts the reasonable risks the plan involves and sanctions the arrangements in the risk and restoration plans as consistent with community values. The main body CJC uses for community actions is its board, which meets biweekly. In some cases, other community members are also involved, especially when the crime infers a class of victims, such as occurs in family violence offenses. The CJC often finds it helpful to include advocacy groups for the class of victims in its planning—victims support groups, family violence service agencies, and the like can often provide valuable voice and helpful input as the board considers certain cases.

It is the community contract that obligates the various parties to their tasks. Under this agreement the offender receives permission to join in a community-sponsored justice initiative and is obligated to

certain actions that earn this permission. The victim has accepted the offender's presence in the community as a part of a broader restorative possibility. The CJC, in order to make the complex arrangement sensible, agrees to monitor all parties' progress through the agreement and to report to the community board any problems in the system of agreements.

Cost sharing

The CJC receives offender referrals from three sources: the department of corrections, the court, and the public defender's office. The first two sources refer traditional offenders—those released from prison and those referred by probation respectively. The third source is important, because these referrals are used to calculate cost sharing, which funds the CJC.

Cost sharing is both a conceptual and practical essential to community justice. The conceptual basis for cost sharing is that offenders referred by the public defender face prison terms if they are not accepted into the CJC. Prison sentences, which average about 28 months for offenders from Metropolis, cost the state's taxpayers an average of \$45,000 in correctional costs per offender. These taxes come from communities wealthier than Jackson Heights, and they are used to pay for the incarceration of JH residents in state prisons. Once one of these offenders is accepted into a CJC program, it in effect means that the savings are being created by JH citizen willingness to assume a risk. The CJC believes the neighborhood's citizens should accrue some of the benefit.

The CJC recognizes that none of the existing criminal justice agencies can absorb its operating cost, and it also sees programmatic value to being fiscally independent of traditional justice agencies. Yet unless a system can be devised that allows the existing agencies to get a benefit from community justice (and the benefits of support services described previously for traditional agencies are paramount) then community justice will be at odds with criminal justice. Creating a separate funding stream for community justice helps alleviate this problem.

The CJC must guarantee that the clients it accepts are taken from prison-bound offenders. It is assured through inquiries about the prosecutor's sentencing recommendation as well as studies of past sentencing practices. For each prison-bound offender accepted by the CJC, \$15,000—a third of the savings—is

set aside for the CJC to use on program development. For each offender who completes a year under CJC supervision, the full amount is credited to CJC's account. (A year's success is required in order to avoid credit for offenders who quickly fail and end up in prison anyway).

The math, then, is straightforward. Jackson Heights sends 500 residents a year to the state's prison system. Fifteen successful offenders a year fully pays the cost of the office; each additional offender helps to fund crime prevention in Jackson Heights. One successful offender each week generates \$500,000 a year in excess of the CJC's operating budget. They can match this figure. And when they do, the community board has an operating budget to spend on various crime prevention projects.

Spend they do. In the Crimestop program, \$150,000 a year is spent on targeting locations that suffer from serious crime problems, and this project has been extremely successful at reducing crime. Victims' Awareness gets \$80,000 a year. The rest is used for neighborhood reclamation projects and "banking" for a rainy day—some victims may require expensive services, and this fund will make them available.

The Traditional Justice System

The CJC works closely with the criminal justice system. The fundamental requirement is that the system have confidence in the CJC's work. This goal is accomplished by hard work and attention to detail. The detail involves attending to the interests of the system (i.e., making sure that the judge is informed of the progress of the offender under CJC, especially immediate information if there are problems).

That is why the CJC works in close partnership with the probation, parole, and police agencies. It is the secret to credibility with the justice system. Judges, after all, sentence. Their willingness to send offenders to the CJC is dependent on their perception that the CJC is a responsible agency, and this perception depends on the CJC's willingness to take judges' interests seriously. Therefore, the CJC caters to the system's needs. It wants probation to know that probation's clients are being monitored; it wants parole to know that the progress of its clients is being followed. Most important, it wants the system to know that CJC will develop reasonable plans for of-

fenders and that these plans will have a chance to succeed.

The linkage to the criminal justice system becomes most significant when the CJC experiences failure. There are two types of failure: (1) the inability to develop a three-way agreement and (2) the inability of an offender to live up to the terms of the agreement.

The first type of failure has important implications for the criminal justice system, for the case goes forward as usual in that system. The CJC takes care to ensure that the failure to accept a case does not undermine an offender's processing by the criminal justice system. Studies of the nonacceptances provide the CJC with a basis for estimating the costs that might have been avoided had the case been accepted.

The second type of failure—offender program failure—is a far more serious matter. The CJC draws a distinction between two versions of offender non-compliance with agreements: (1) new criminality or other behavior that indicates a significant risk of new criminality and (2) the failure to live up to one of the requirements of an agreement (such as victim compensation or attendance at JH Habitat). Though either program failure will result in return to court for sentencing, the CJC is particularly strict about risk-related failure. It defines community safety as a central concern for all of its programs, and it stakes organizational credibility on its zealous adherence to an ethic of community safety. When the offender fails to abide by elements of the agreements, reasonable efforts are made to support the offender's need to comply. If these attempts do not work, the offender is terminated from the CJC and returned to court.

Community Justice: Can It Work?

The scenario described herein is not a blueprint; it lays out one way that a community justice model might work, but it is not the only possibility. Myriad models seem plausible, and a particular community might need to consider several options before it finds the arrangement that works best for its unique needs. The essential elements are a professional organization that sets up and operates community programs, a participating community, a sympathetic justice system, and sufficient crime to make the arrangement financially feasible. The rest entails imagination and a willingness to experiment by making the cost sharing possible for poorer communities.

There are obvious problems with a community justice model. Citizens will not be eager to participate and justice officials may be resistant as well. The field of community organization and development has a history of lukewarm experiences to match its successes; it is well known that community programs present sometimes complicated operational difficulties. Of course, offenders will fail—sometimes dramatically so. What reason do we have to think that community justice will turn out to be a good idea? There are three such reasons. First, the criminal justice system, in its current form, has lost credibility with the public. It is a bureaucracy whose methods and perspectives seem peculiarly at odds with common sense. Any call to preserve the current criminal justice system without any alternatives seems blind to foundational discontent with justice today. If there is to be a rebirth of community credibility in criminal justice, it will be based in greater community involvement in justice activities.

Second, there is much to be gained from a community ideal. Victims may be more central consumers of justice outcomes, offenders may find a way to repay

the community for the costs of the crime, and the community could have projects that improve community life. The parties accept risks in pursuit of these gains, and the risks become part of the incentive structure for the approach to work.

Third, it is already beginning to happen. Across the United States, criminal justice agencies are finding it helpful to reach out more aggressively to the community, to bring community groups more actively into the justice process, and to form partnerships with individuals and groups representing community interests. The fact that a movement is already afoot to bring the community back into justice, and that it is a bottom-up pursuit, is immensely meaningful. What remains is for those interested in advancing the aims of community justice to harvest the results by guiding the development forward.

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QUARTERLY

Volume 2 Issue 3
SUMMER 1998

A New Paradigm in Community Supervision

Public Confidence in Community Supervision and the Future of the Prison Crisis

JONATHAN SIMON

What if Corrections Were Serious about Public Safety?

MICHAEL E. SMITH

WALTER J. DICKEY

The Promise (and Perils) of Probation-Police Partnerships

RONALD P. CORBETT, JR.

Restorative Justice, Public Safety, and the Supervision of Juvenile Offenders

EDWARD E. RHINE

ALBERT R. NEFF

GENO NATALUCCI-PERSICHETTI

Community Justice: An Essay

TODD R. CLEAR

DAVID R. KARP

Probation and Public Safety: Using Performance Measures To Demonstrate Public Value

WILLIAM D. BURRELL

Impact of "Get Tough" Policies on Community Corrections

KENNETH MCGINNIS

Developing and Implementing Performance-Based Standards for Juvenile Justice Agencies

EDWARD LOUGHRAN

RESEARCH REVIEW

The Prison Litigation Reform Act and Frivolous Section 1983 Suits

JEFFREY R. MAAHS

CRAIG HEMMENS

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