

# Community Justice

*An Emerging Field*

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### The Community Justice Movement

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In recent years, there has been a rapid growth in justice approaches that turn their attention toward the community. There are literally hundreds of examples of this trend, from offender-victim reconciliation projects in Vermont and Minneapolis to "beat probation" in Madison, Wisconsin; from neighborhood-based prosecution centers in Portland, Oregon, and New York City, to community probation in Massachusetts. Of course, the most well-known version of community justice is community policing, but localized projects involving all components of the justice system have been widely promoted (see National Institute of Justice 1996).

The community-oriented models of criminal justice are also becoming emphasized in other countries. Family group conferencing for juvenile offenders is a prominent method in New Zealand and Australia—juvenile offenders and their families meet in conferences with community members and discuss strategies for victim restitution and personal interventions to prevent further delinquency (Alder and Wundersitz 1994). Native American groups in Canada use sentencing circles—tribal members meet together with the offender and the victim to discuss a resolution to the criminal conduct (Stuart 1996).

All indications are that we are in the early stages of a Western movement to make the criminal justice system more responsive to the community. The initiatives that accompany this trend are idiosyncratic, too varied to be characterized in a simple manner. They have come about not as a part of a grand plan, but as a disjointed product of local problem-



solving efforts. However diverse, these initiatives all have in common (to some degree or another) a new perspective on crime and justice. They share an ideal that the justice system ought to be made relevant (or, perhaps, more relevant) to the quality of community life, and that it ought to make better use of a community's individual and institutional resources in dealing with crime.

At first blush, this seems a simple, unremarkable concept: "community justice." There also seems to be little to find disturbing in the idea—who could object to a call for our justice system to more actively improve community life? A deeper investigation of the idea reveals considerable complexity and no small degree of controversy: What exactly *is* "community"? How can the justice system be made relevant to all the various communities out there; indeed, should it? What is the relationship between the ideal of "equal protection under the law" and the movement toward innovation and variation at the community level? These and other questions illustrate that a community justice program, for all its apparent appeal, is a potentially profound shift away from traditional conceptions of criminal justice.

Recently, a working group at the Department of Justice began to clarify the underpinnings of the wide variety of "community justice" programs. In one of the working group's early drafts, it listed as "principles" the following:

- The community is the ultimate customer and the full partner of the system.
- The primary goal is harmony of system components and the community.
- Community-based sanctions are worthy responses to the problem of crime.
- Work efforts must focus on the underlying causes of *crime* rather than only responding to *criminal behavior*. (Working Group on Restorative Justice 1996)

These principles are offered as more than glib public relations sentiments; they are meant to guide the design and implementation of community justice initiatives. They help define a new approach to the establishment of justice that makes the community and its members figure prominently. What is suggested by these changes is what we refer to as a "community justice ideal." This is the vision of a justice system that links its actions to the quality and safety of community life. It redefines the justice objectives away from traditional, disinterested law enforcement toward an activist, involved system that treats crime as a community problem to be unraveled. In short, *the ideal of community justice is that the agents of criminal justice should tailor their work so*

*that its main purpose is to enhance community living, especially through reducing the paralysis of fear, the indignities of disorder, and the agony of criminal victimization.*

## Recent Innovations

Without making explicit claims, the new interest in community embraces, to at least some degree, the community justice ideal. These initiatives shift the focus of the justice process from the accused and convicted to the resident and the neighbor. While there are many examples of this new interest in the community, it is helpful to review a few to illustrate how traditional criminal justice functions of policing, adjudication, and correcting are being reinterpreted to embrace a community emphasis by innovations currently under way. Our purpose in this initial review is not a comprehensive critique of community justice or its antecedent programs, but rather to show how community-driven changes are redefining the work of the main, traditional justice functions.

### Policing

The push for community justice in many ways derives from the community-oriented and problem-solving policing experience. In a very short time, policing has shifted from a detached professional model to an involved community model. Because *community policing* has gained widespread popularity across the nation (for example, Peak and Glensor [1996, p. 68] report that the majority of America's police departments have adopted a community policing approach), there has been much variation to both the definition and practice of community policing. Underlying the various approaches are the dual strategies of problem-solving and community involvement (Goldstein 1990; Skogan 1997; Skolnick and Bayley 1986; Sparrow et al. 1990; Trojanwicz and Bucqueroux 1990).

Problem-solving is a conceptual shift that focuses on the identification and resolution of underlying causes to criminal incidents rather than on quick reaction to a particular incident. This has not been an easy reassignment of priorities. There is a certain tension between the dedication of resources to 911 calls for service and the commitment of officers to a variety of in-depth problem-solving efforts. The hypothesis guiding community policing is that prevention efforts will better address the



inadequacies of "911 policing" than more aggressive cops, more sophisticated 911 technology, or shorter response times. The shift in focus has necessitated wide-ranging organizational changes in police departments from new recruitment policies that seek well-educated self-starters to greater autonomy and authority for line officers. The paradigmatic shift is best reflected in the seeming common sense of everyday activities that characterize the approach:

In Aurora, Colorado, on the eastern edge of Denver, a popular bar catering to hordes of young people was hit with a rash of purse thefts from customers' cars. Community police officers working with the bar owner and patrons determined that young women left their purses in their cars because they liked to dance and feared their purses would be stolen off tables while they danced. Police got the bar owner to install lockers where women could lock their purses; the incidents went from hundreds per month to virtually none. (Peak and Glensor 1996, p. 332)

In addition to problem-solving, community policing is typified by a concern for community involvement. At minimum, this involves a sincere effort to identify and address community concerns. One major outcome of this effort has been an increased emphasis on addressing social disorder—public drinking, panhandling, graffiti, prostitution, and so on—because of widespread community concern over these problems (Kelling and Coles 1996; Skogan 1990). More profoundly, community involvement means sharing the responsibility for social control with community members. Rather than being simply the "eyes and ears" of the police, the community is the more powerful agent of social control, if for no other reason than the fact that parents, teachers, or neighbors provide a level of surveillance that can never be matched by the police (at least in a free, democratic society).

Community involvement can encompass a broad range of activities. Efforts range from police participation in community anticrime campaigns through citizen patrols (Davis and Lurigio 1996) to the creation of police "mini-stations" in local areas that foster greater police-community contact and long-term relationships (Skolnick and Bayley 1986).

There is now a broad experience with these policing initiatives, though only a small evaluation record exists to support the experience. A few patterns seem to emerge from studies to date (Police Executive Research Forum 1995). First, community policing strategies encounter significant resistance from line workers, especially in initial stages. Line workers define police work as crime-fighting labor, and they are often

tempted to see the community/problem strategies as "soft," giving up hard-won authority for uncertain gains. Second, no standard, proven procedure exists for the design and implementation of the idea; rather, effective community policing appears to be a product of idiosyncratic efforts to mobilize the community. Because the mobilization objective has to do with quality-of-life issues, the techniques police often use are "problem-solving" in nature. Third, the move to community policing is a long-term effort that cannot be fully accomplished in a few months—or even a year or two. Fourth, the long-term relationship between the community approaches and serious crime is unclear, though promising reductions in some forms of "street" crime have occurred in some cities (Bratton 1995; Kelling and Coles 1996).

Community strategies are redefining police work. Line officers are less and less seen as bureaucrats caught in autocratic organizations; they are more and more seen as innovators whose knowledge of the world at the line level gives them a special expertise in problem-solving. Arrest rates and 911 calls are decreasingly used as indicators of success; they are being replaced by citizen satisfaction with police services and direct solutions to citizen-articulated problems—and even reductions in victimizations based on victim surveys. Police are learning to divest themselves of the "we-they" syndrome that dominates the "thin blue line" tradition and instead to see residents as potential partners in making localities better places to live.

### Adjudicating

There are five examples of the community movement in case adjudication: victim impact statements, victim-offender mediation, neighborhood defense, community prosecution, and community courts.

The victims' movement has called for ways to give the victim "a voice" in the criminal justice system, for the state to provide services such as legal advice, therapeutic counseling, and security enhancement assistance, and for offenders to receive tougher punishments and/or to make restitution. With regard to the victim's role, the movement to date has been rather circumscribed. At formal decision points, such as sentencing or parole, the system's officials provide an opportunity through *victim impact statements* for victims to speak about the crime's impact and voice an opinion as to the most appropriate decision. Almost nobody disputes the value of allowing victims to voice their feelings about crime and justice, but some critics of the victims' movement point out that this is a very narrow type of involvement (Elias 1983).



function would have a long tradition in corrections. This is not entirely the case. While it is true that for most of this century the number of offenders under active supervision in the community has well outnumbered those in prison, at times by multipliers, that still does not amount to a community corrections. Merely because some offenders happen to reside in the community does not mean that a corrections exists that considers itself a community function. For the most part, community corrections refers to mechanisms for dealing with convicted offenders who happen to reside in the community. Corrections enters the community, but the community never makes it into corrections.

But there is extraordinary promise for community corrections from the point of view of community development. It is known that previously active offenders contribute disproportionately to the amount of crime in a community (Wolfgang et al. 1972); it is also believed that nearly all offenders removed from a community for incarceration will return—usually to that same community. It would seem that substantial benefits would occur if corrections could make its priority improving community life through effective offender reintegration.

Some new projects have emerged. In Vermont, a series of “consumer studies”—focus group interviews with citizen groups—led to a major overhaul of the relationship between correctional practice and the community. Community advisory boards now play an active role in the process of restoring offenders to community life after having been sanctioned for their offenses (Dooley 1995). They are charged with the task of making the offender fully aware of the damage caused by the crime, for negotiating a sanction with the offender that will make up for this damage, and for charting a course for the offender to become better integrated into the community. This strategy is not used exclusively by rural Vermonters; a similar approach is taken by the district attorney’s office in Philadelphia for juvenile offenders (DiIulio and Palubinsky 1997). In countless other community corrections systems, citizens are called upon to serve as volunteers, advisors, paraprofessionals, and the like. A recent publication highlights nearly twenty examples of community/citizen partnerships with correctional agencies (American Probation and Parole Association 1996). These range in focus from offenders to victims to coalitions oriented toward neighborhood problems.

Yet in contrast to policing and prosecution, the community movement in corrections is nascent—perhaps in part because the term “community” gives false comfort that the issues of local residents are already taken into account. In reality, most community corrections agencies act as though they are somehow afraid of the residents who live in the areas

they serve. Historically, many local leaders, far from being supportive of community corrections, have been hostile to the agency that manages what many citizens consider to be a threat: the former offender who lives among them.

The isolated examples in which correctional leaders have reached out to community members reveal a different potential reality. Citizens can learn to understand and support the necessity—even appropriateness—of the correctional worker’s job. Local leaders can take responsible roles in assisting in the supervision and reintegration of convicted offenders.

Yet it seems so much more should be possible. A major impediment to offender readjustment is the suspicion and hostility of community members. A community yearning for public safety is an opportunity for justice professionals to help offenders and reduce public fears by creating supportive and supervisory links between community members and offenders. The point is not to dismiss or diminish public fears in the absence of other changes; it is to forge realistic links to community members and institutions when facing the problem of reducing risk through effective reintegration. The community agenda, as it moves into the correctional realm, will increasingly find itself concerned with these questions.

There is, of course, one area where the community has entered the correctional world—the victims’ movement. Correctional personnel, from probation officers to parole boards, are increasingly called upon to consider the implications of the victim’s needs and experiences for day-to-day correctional work. For the most part to date, this has been seen as a problem of “managing” victims and their input, but the promise of a much more active concern for victims and offenders both remains on the horizon (Galaway and Hudson 1996; Van Ness and Strong 1997). Incarcerated offenders may engage in community service and, more radically, volunteer community boards may orchestrate reparative agreements between victims (often broadly conceived) and offenders (Dooley 1995). Such approaches combine formal social control with informal control by forcing offenders to confront the consequences of their behaviors before their community peers and assume responsibility by writing letters of apology, making restitution, and performing community service. A number of other innovative approaches now call for offenders to repair the damage of their criminal acts and to otherwise demonstrate why fellow citizens ought to have enough faith in the possibility of a crime-free life that former offenders may reclaim their status as citizens.



## Beyond the Criminal Justice System

Community justice is not the exclusive domain of the criminal justice system. When the focus shifts from crime control to the quality of community life, the antecedents of crime become central: the activities of community justice become oriented toward prevention in complement to crime response. Broadly, community justice may be concerned with neighborhood stability, the quality and nature of community social networks, and the community's institutional capacity from families to schools to housing to churches and other voluntary organizations. A community-building orientation blurs the boundaries that have traditionally compartmentalized various social welfare and public safety functions.

A recent approach, particularly among private foundations, that is consistent with the community justice perspective is to support *comprehensive community initiatives* (Connell et al. 1995; Kennedy 1996; Schorr 1997). These initiatives try to address multiple problems of a neighborhood at once, focusing as much on coordination and collaboration as on individual program development. Projects that focus on social or economic conditions of a neighborhood often intersect with criminal justice concerns. For example, projects with a central focus on improving public housing must also consider the criminal activities almost endemic to large, urban public housing projects (Chavis et al. 1997; Sampson 1995).

Community justice activities are also reflected in various efforts taken by communities to prevent crime that do not formally involve the criminal justice system. One example of this is the assortment of practices that fall under the heading *situational crime prevention* (Clarke 1995; Ekblom 1995; Taylor and Harrell 1996). Private security, burglar alarms, street lighting, steering wheel locks, surveillance cameras, and so on are all direct efforts to reduce crime by private citizens, businesses, and municipal governments. Another recent trend has been the mobilization of the business community to form *business improvement districts* (BIDs). Such entities levy their own taxes to fund crime prevention and disorder reduction activities to enhance community conditions for the protections of both employees and customers (MacDonald 1996).

## Summary

In many respects, the community justice movement reflects a radical departure from the past of criminal justice activity. Localized, dynamic,

variable strategies replace the centralized, standardized, expert model that has been the object of most professional development of recent years. The new frontier of community justice is thus a cutting edge in the way it uses information, organizes staff, plans its activities, and is accountable to its environment. These are the outer boundaries of community justice; what now exists may be thought of as interim stages of the general shift toward a more community-relevant justice strategy.

Taken collectively, current innovations reflect a sporadic, uncoordinated movement toward the community by the justice system. The experience with these changes has been promising. Justice officials involved in these programs report that they successfully transform the justice worker into much more of a community worker. Satisfaction with these new approaches is based upon a sense of greater citizen involvement and, as a consequence, support of the justice work.

But it is important to emphasize that these changes are something of a spontaneous adaptation of the system to its lack of credibility and effectiveness, undertaken by some elements of the justice system, often in isolation from others. What has not occurred is a systematic, overarching conceptualization of the potential of community justice and its design and implementation. Until an encompassing notion of community justice is established, the piecemeal and idiosyncratic manner of these changes will continue to predominate. It is our aim to contribute to community justice by providing a broader, more encompassing conceptualization of its meaning and value—a "community justice ideal." We begin with a listing of the basic elements of community justice practice.

## Elements of Community Justice

These recent innovations are widely varied versions of the effort to move justice into the community. In some ways, they are appropriately seen as essentially unrelated initiatives. But the surface dissimilarities obscure a foundational set of corresponding assumptions and tactics that place these initiatives within a loosely articulated common framework of the community justice ideal.

## Definition

Community justice broadly refers to all variants of crime prevention and justice activities that explicitly include the community in their



processes and set the enhancement of community quality of life as an explicit goal. Community justice is rooted in the actions that citizens, community organizations, and the criminal justice system can take to control crime and social disorder. Its central focus is community-level outcomes, shifting the emphasis from individual incidents to systemic patterns, from individual conscience to social mores, and from individual goods to the common good. Typically, community justice is conceived as a partnership between the formal criminal justice system and the community, but often communities autonomously engage in activities that directly or indirectly address crime.

Community justice is an emerging perspective that is gaining attention partly as a result of setbacks in other arenas and partly on the promise of the community concept. It is not yet a coherent practice, a systematic theory, nor is it grounded in a particular tradition of cumulative empirical research. As we look at the various trends in crime prevention and criminal justice, we see common concerns across spheres, common goals being articulated, and common strategies amid the experiments.

Community justice may be identified by four core elements that distinguish the emerging community justice activities from prior policies and practices. These characteristic elements are not disclosed on the basis of abstract theory. Rather, they seem to be born of the frustrations of implementation, the practical necessities of attempts to improve community life by reducing disorder and crime, and by a desire to increase the public trust.

First, there is an explicit attention to the coordination of activities at the *neighborhood level*. The meaning of the term "community" in community justice requires some extended consideration, but without doubt one of its core features is the sense of belonging that a neighborhood provides. This membership in a place-based community is grounded in the important set of relationships and institutions that help create standards and expectations of behavior. Community justice relies in large part on these local institutions. Second, explicit attention is given to both short- and long-term *problem-solving*. Community justice activities are proactive, based on identified problems. This is a conceptual shift from traditional reactive approaches that address incidents as they occur, without attention to underlying causes. Third, community justice practices require *decentralization of authority and accountability* that empowers communities and local agencies. In the criminal justice system, organizational changes are necessary to give line workers more decision-making autonomy and facilitate collaboration across law

enforcement and social service agencies. Fourth, *citizen participation* is central. Not only do citizens participate to ensure local concerns are addressed, but such participation is strategic for building community capacity so that informal mechanisms of control can gradually share or even replace much of the formal justice apparatus. Below we describe these four elements and illustrate their importance in existing programs.

### Community Justice Operates at the Neighborhood Level

Community justice is experienced by members of a community. Recently, James Q. Wilson observed, in the introduction to Kelling and Coles' (1996) book, *Fixing Broken Windows*, that judges view a crime quite differently than does a community. Where judges see an isolated incident, as a snapshot to use his metaphor, the community views the event as one frame in a filmed documentary of community life. The crime takes place in real time and space, in a context of local relationships and institutions. Community justice takes this moving-picture view of crime, attempting to expand the partial traditional outlook to a holistic community perspective. To do so requires consideration of natural areas and indigenous definitions of community boundaries instead of relying on jurisdictional or political boundaries.

Criminal law jurisdictions are defined by political boundaries—states, municipalities, and governments—but from the point of view of community life, these legal perimeters are often without meaning. Both Lubbock and El Paso implement Texas criminal law, but the nature of community life in these towns, hundreds of miles apart, is quite different when it comes to crime and its control. Indeed, within Lubbock and El Paso, there will be local variations that have a major impact on the way crime is addressed in those areas. Differences among communities are the facts that lead to a desire for greater community-level justice, but it is the disjointed relationship between legal categories and neighborhoods that poses the biggest problem for community justice ideals. Some way must be found to identify and mobilize more geographically confined versions of justice system activities. Operationally, this means thinking in terms of *blocks* of space, not cities, counties, or states. Under a community justice ideal, criminal justice activities will be tied to these delimited localities and will be free to adapt to particular manifestations of community life there.

New York City is experimenting with this conceptual shift in its creation of the Midtown Community Court (Anderson 1996). Unlike other courts which tend to represent much larger geographic areas, the



Midtown Court is located in the center of a well-defined neighborhood—Times Square, Clinton, and Chelsea—in this case, a highly commercial area and bordering residential neighborhoods well known for their high levels of disorder (prostitution, panhandling, illegal vending, graffiti, shoplifting, fare-beating, vandalism, etc.). The neighborhood focus is not simply a matter of relocation or redrawing boundaries. The purpose is to respond to specific problems in a comprehensive, context-specific manner. The Midtown Court does this by coordinating justice activities so that efforts are supported and multiplied. It works with police in disorder enforcement strategies. It works with local residents, businesses, and social service agencies to forge creative, collaborative solutions to quality-of-life issues. It develops individualized sanctions for offenders that bring restitution to victims, community service to the neighborhood, and education and treatment programs for offenders.<sup>1</sup>

The focus of community justice is not individuals or individual criminal incidents. Nor is the focus on a citywide, statewide, or nationwide crime problem. Community justice is explicitly concerned with a pattern of relations and institutions that effectively operate at the neighborhood level. These loom large enough to affect crime and disorder rates over time (why, for example, does a particular neighborhood remain criminogenic long after a cohort of delinquents has moved on or passed away?), but also small enough to be relevant to the behavior of particular individuals. At the same time, community justice is not myopic with regard to neighborhood boundaries. Neighborhoods are understood in the context of larger economic, political, and social systems, subject to forces beyond neighborhood control. Thus community justice begins with a focus on solving neighborhood problems, first by drawing on local resources and initiatives, but additionally by bolstering them with extra-local resources often necessary to create viable local institutions and practices.

### Community Justice Is Problem-Solving

In the public discourse about crime, "war" terminology dominates. Offenders are talked about as "them," victims are "us." Policy to deal with crime is described in terms of "combating" crime, and strategies are thought to be effective when they make the offender, thought to be an unusual miscreant, into an "enemy" of the people. This type of imagery distorts the reality of criminality and victimization. Young males are predominately the offenders brought into the system, and they are also overrepresented among victims. Almost a third of all males will experi-

ence a felony arrest (Wolfgang et al. 1972) and self-report studies show that most citizens have both committed an offense and been victim of one (Dunford and Elliott 1984; Huizinga and Elliot 1987). In short, domestic tranquillity is not a problem of warfare; it is a general problem of citizenship.

The war metaphor is inadequate in another way. It seeks to attack an external foe, but in crime there is seldom an external threat; usually the offender is a fellow citizen. Combat enemies can be "vanquished," whereas offenders who are arrested and convicted may be removed from the community for a period, but they nearly always return to their neighborhoods.

An alternative to the "war" metaphor is to treat crime as a societal problem. Under this approach, the people affected by crime—offenders, victims and their families, and neighbors—are seen as afflicted by the precursors and consequences of crime. Each of these factors can be defined not as an "enemy" to be conquered, but as posing problems to be solved. In community justice, a much greater emphasis is placed on both the priority of public safety problems that need to be solved in order to improve community life and on the potential consequences of the means taken to solve those problems.

Problem-solving approaches are different from the conflict paradigm in that they rely upon information, deliberation, and mutual interest for a resolution. The belief is that citizens share a set of values and concerns, and with proper information and order, a way out of the problem can be found. When crime is approached as a problem, solutions can take various forms, from rearranging public space to providing oversight of youths. Prosecution and punishment need not be the only ways to approach a crime problem. Indeed, the search for a creative solution derived from community members' own ideas is one of the hallmarks of community justice approaches.

Information is a key to solving problems. Local areas conduct crime analyses to determine the type and nature of public safety problems that residents want to establish as a priority. The uniqueness of these crime problems to the specific area will set the substantive foundation for the community justice initiatives. Actual strategies will emanate from interactions between citizens and justice system officials as they try to determine the most productive means to solve crime problems.

Kelling and Coles (1996) describe an excellent example of the problem-solving approach. The New York subway system was once well known for its high levels of disorder—one manifestation being the graffiti that covered train cars from top to bottom, inside and out. Today,



the more than 5,000 train cars are virtually graffiti-free. Critical components of the successful strategy involved interviews with subway passengers, transit officials, and graffiti artists. It was discovered that a major motivation behind the graffiti was the knowledge that others would see the artists' "tags." The strategy called for entering the trains, one by one, into a program that required each car be completely cleaned and returned to service. If graffiti appeared on a "clean car," it was immediately taken out of service and cleaned again. In time, the graffiti artists stopped their tagging because their motivation was taken away: they never saw their tags. The end result of this and other efforts was a reduction in disorder and crime and a renewed public trust in the safety of the subways.

Information is used in three ways. First, geo-specific information organizes places into priorities (Taylor and Harrell 1996). High crime locations receive greater attention, greater investment of local resources, for not only is the problem more difficult, but the potential payoff in improved quality of life is greater. Second, resident concerns and desires are a source of program information. They tell the justice system actors what factors residents see as most closely tied to quality of community life problems (Kelling 1992). Third, information translates into targets that can be used to evaluate the successfulness of a given strategy for confronting crime (Sherman et al. 1997).

The new age of community justice is made possible by the power of information. Using geo-coded data, crime control services are organized around locations of crime events, offenders, and victims. Data, both official data about crimes and offenders and qualitative data that come from interaction with offenders, victims, and neighborhood residents, drive problem-solving and action. Information will also provide evaluative feedback about the successes of strategies. The imaginative use (and production) of information is one of the factors that sets aggressive community safety strategies apart from the more mundane concept of the local constable.

### **Community Justice Decentralizes Authority and Accountability**

Moving toward community justice requires a rethinking of the line-authority relations within criminal justice organizations. Traditionally, criminal justice management is hierarchical: at each level of the organization, a worker reports to an immediate superior, who in turn reports to the next level. All positions have one "boss," and each manager has a span of control. Under community justice, this traditional manner of

organizing is complicated by the advent of community involvement, and agencies are experimenting with ways to formalize the relationship between residents and the professional justice workers.

Community justice approaches have nontraditional organizational alignments. Staff may report to citizen groups in addition to professional superiors. Managers in one organization (say, policing) may be "matrixed" with managers of another (say, probation or prosecution) in order to improve coordination and increase cross-fertilization of ideas and action. For example, in Wisconsin, "Beat Probation" links probation officers to police officers with shared, localized workloads involving offenders on probation. In Boston, "Operation Night Light" (Corbett et al. 1996) uses a similar teaming approach with the police and probation officers to facilitate monitoring and supervision of offenders in their neighborhoods, particularly at night. In each of these illustrations, multiple lines of authority exist and some involve roles played by nonemployees such as volunteer mentors.

The communication channels under such inventive organizational structures are complicated. Lateral information sharing and short-term, ad hoc problem-solving groups may be a dominant mode of work. Community justice approaches have dynamic organizational models that shift and are reconstituted, based upon the problem being encountered. Community justice calls for more authority and accountability at lower organizational levels as well as for community members and community organizations.

The decentralization of authority and accountability encourages innovative problem-solving. Processes of change are based on a foundation of interaction with citizens in which new ideas are valued and new solutions encouraged. In order to be effective, new methods and strategies have to replace the old. Since the new ideas are grounded in the problem-solving process, they tend to be creative and reflect the particular experiences and priorities of the locality. The spirit of innovation requires a transformation of the justice profession from hidebound antagonisms among citizens and across agencies to interconnected processes of problem identification, information gathering, intervention design, and evaluation.

This innovation is not only a transformation for staff, many of whom are used to a traditional "command" model of their profession, it is also a remarkably different way of identifying accountability criteria. Instead of accountability for operational standards of practice (as is the case today for most criminal justice workers) accountability operates at the strategic level, requiring of staff the implementation of a vision more so than



concrete preordained actions. Moving away from the comfort of operational standards is one of the major challenges of community justice approaches, since workers tend to be more comfortable being accountable for their actions but not for the impact of those actions on broader measures of public safety.

The point, of course, is not to reduce or diffuse responsibility, but to enable stakeholders to deliver on promises to solve problems even when they fall outside the traditional purview of the particular stakeholder. For example, new line authority in community policing often enables the cop on the beat to do much more than exercise enforcement powers. He or she is often able to organize community anticrime campaigns, mediate ongoing disputes, and coordinate the solution to problems by collaborating with workers from other agencies. Whether a social worker places an at-risk youth in a drug treatment program or a transportation planner alters traffic flow through a highly visible drug market or "bazaar," the solution to any particular public safety problem will nearly always require inter-organizational integration.

### Community Justice Involves Citizens in the Justice Process

A variety of roles exist for citizens in community justice initiatives, but every role involves the capacity of the citizen to influence the local practice of justice. The least involved role may influence practices by attending and participating in meetings in which issues of crime and order are discussed. Others may volunteer their time to work on particular projects, provide support to victims, assist offenders in their reintegration back into the community, and carry out community crime prevention activities. Still others will take more formal roles as member of advisory boards, providing more structured input into community justice practices.

In the traditional model, the system of justice performs as a professional service system of state agents who work in response to criminal events. This model can be detached and impersonal. It is accountable for a set of professional standards that apply uniformly to all who are engaged in the practice of justice. While this helps create a set of universal ideals, it often mitigates responsiveness at the neighborhood-level. By contrast, the community model involves professionals who work in response to problems articulated by citizens. The worker is accountable to those citizens for the types of service responses taken to correct problems. Because of the heavy dosage of citizen input and activity in the latter model, professional effort tends to be judged on the

basis of citizen satisfaction with justice services.

Even though this is a seemingly minor shift—criminal justice professionals will say they were *always* concerned with public satisfaction—the shift from professional to community accountability is a profound difference for the justice system. The participation of local residents in justice shifts priorities toward local problems and refocuses the attention of justice officials to take on more of the viewpoints of local residents.

The shift toward citizen participation is grounded in two important insights. First, formal social control by police and the courts is a thin layer in a much thicker foundation of institutions and cultural practices that produce social order. The "thin blue line" is buttressed by the important work of families, schools, churches, civic organizations, and so on in the creation of law-abiding citizens and safe public spaces. Community justice is an attempt to recognize, support, and expand the partnership between the community and the criminal justice system in their shared common goal of improving community life. Second, the shift toward citizen participation is grounded in the basic recognition that community members are citizens in a democratic society. Each community member is to be treated with dignity and respect and provided with the autonomy necessary for creating competent, self-reliant, civically oriented selves. This commitment to individuals extends to crime victims as well as to offenders. At the same time, it is assumed that citizens in a democracy must actively work toward the welfare of the whole society and not just look out for themselves. Thus, they are morally obligated to fulfill whatever tasks are necessary to sustain a good society. Our past failures, in part, result from a false assumption that the onus of public safety falls entirely on the criminal justice system.

### Questions About Community Justice

There are considerable problems in realizing a community justice ideal. The illustrations in this chapter provide an intriguing glimpse of what might occur if community justice were the dominant paradigm rather than traditional criminal justice. But it must be stressed that these programs currently operate within the existing adversarial model, and in some ways they strain against that model in order to be responsive to the community. When a citizen advises a law enforcement official about priorities, it changes the accountability pattern of this function; when local residential preferences for social control help to determine alloca-



tion of time and other resources, requirements of practice become different from one area of a city to the next. Shifts such as these raise fundamental questions about the rationale and practicality of community justice ideals under traditional criminal law. Because the movement toward community justice has been haphazard, some of these questions have not surfaced very clearly. But any attempt to systematically embrace the community justice ideal will inevitably raise these issues to a visible and controversial reality.

### What About Community Justice and Individual Rights?

If community justice takes the improvement of community life as its central aim, we must quickly wonder how much consensus exists over what constitutes improvement. While we would expect nearly universal agreement that a reduction of crime is desirable, we can also expect much disagreement over the price. For some, to obtain a high level of security, it would be permissible to build high walls to separate those who pose some risk from those who pose little. They will not only willingly sacrifice the rights of others to ensure their protection, but even many of their own rights—encouraging universal curfews, drug-tests, identification cards; enhancing the surveillance of public spaces, workplace computers, and private bank accounts; creating and toughening punishments for a wider array of nonconforming behaviors; legislating new regulations on permissible practices in the manufacture and sale of goods. For others, these are all signs of Orwellian state tyranny and if the price of freedom must be a high level of social disorder, then the bargain may be tragic, but tolerable.

We argue that the Hobbesian exchange of freedom for security is a mischaracterization of the problem. First of all, the contest is not merely between the individual and state, much of civil society stands between the two. As such, we see that freedom is made possible not only by the protections from state power, but also by the cultivation of cultural conditions that enable and encourage the growth of competent individuals who can make positive contributions both to their own lives and to the general welfare. Second, it is not clear that only increases in social order reduce freedom. It is also the case that movements toward disorder do the same. City air may make men (and women) free, but it also paralyzes many behind dead-bolted doors. Individuals need a substantial baseline of security in order to pursue their own happiness.

In a democratic community justice model, there may be variation in the way different communities adjudicate between twin desires for social

order and individual autonomy. For example, if localities are allowed to determine justice (and crime) priorities, then it follows that services such as policing and prosecution may operate with differences in resource allocation and even practical action, even though they operate under identical criminal codes. How far may these differences be taken before they are deemed to violate our belief in equality under the law? To what extent may a locality exert its unique vision of social control without infringing upon freedoms of "deviant" members who are in the minority? Will a neighborhood justice movement take on some characteristics of vigilantism; if not, what is to stop it in the future?

As citizens become more active in various aspects of the justice process, the state's role in presiding over that process can be undercut. The adversarial ideal assumes that the state accuses a citizen and brings to bear evidence that supports the accusation. The dispute is between the state and the accused. Inserting other citizens—neighbors and residents—into that arrangement muddies the water by creating a third party to the dispute. It is unclear precisely what that third party's role ought to be—it could be observational, participatory, advisory, or even advocacy—but the presence of that party means that the state and its adversary can no longer be concerned only about each other. The concern for rights protections extends beyond those of the accused: to the rights of victims and to indirectly affected community members.

While it seems natural for the state and the accused to seek full vindication—a declaration of guilt or innocence—as an outcome of a contest, a third party interest may press for alternative outcomes. For instance, the community may want assurance of future protection, some restoration of the victim, assurance that the accused family will not suffer from punishments, and so forth. Creative resolutions of the dispute reshape the contest as well, suggesting that it is less about blaming and more about restoring peace in the community.

We must be uneasy about the implications of any developments that undermine the protection of rights. Perhaps the finest contribution of Western civilization to modern civil life is the idea of the sanctity and dignity of the individual. This idea is given life in the form of legal rights, in which citizens stand equal to one another as well as to the state. Any movement toward community justice taken at the expense of this priceless heritage would impose a cultural cost of profound dimensions. Community justice ideals *will* alter established practices of substantive and procedural criminal law. The test will be to devise the changes in ways that protect precious civil liberties.



### What About Community Justice and Social Inequality?

Neighborhoods not only differ in their crime control priorities, they differ in their capacities, resources, and resilience in meeting crime problems. The same inequality that characterizes America at the individual level plays out as a community dynamic. The justice system operates really as two different systems, one for people with financial resources and another for the poor. Is there any assurance that the same kind of inequality will not come to characterize community justice?

This is not a small concern. Research shows that poor communities, particularly those hit hard by crime, tend also to lack resources to regulate neighborhood problems and pursue social control (Bursik and Gasmick 1993). These communities do not come together to solve problems, and they have low rates of citizen participation in official business. One of the lessons of community policing has been that in troubled neighborhoods, it is often difficult to get citizens to take responsible action in response to their crime problems (Rosenbaum 1988; Skogan 1990).

More prosperous localities will also have disproportionate political influence in many city and county governments. They will be better at organizing to influence the crime priorities, directing the funding decisions, and protecting their residents from negative impacts of change. A community justice model that enables localities to pursue interests and preferences will inevitably raise the potential for these more successful communities to strengthen their position in relation to other localities. The community justice ideal, therefore, cannot treat all communities as of equal importance or as independent from one another. Communities exist within larger social and political systems and local problems and public policies to address them must be understood within this broader context.

Inequality breeds crime. It would be a dismal irony if community justice, advanced to help places deal more effectively with their crime problems, contributed to the very dynamics that make those problems worse. If the problem of inequality is to be avoided, some local areas will likely require differential resource investment in order to take advantage of the promise of community justice.

### What About Community Justice and the Increasing Costs of Criminal Justice?

We spend nearly \$100 billion on official criminal justice in America

every year (Bureau of Justice Statistics 1995).<sup>2</sup> The cost of justice is increasing, and the burden it places on the resources of local areas (through tax revenues) interferes with the capacity to fund schools, provide child health care, and maintain basic services. A community justice model calls for criminal justice organizations to augment current services. How will these be paid for?

The disparity between community resources and crime rates means that local revenues cannot be the basis for funding community justice capacity. As indicated above, the very communities that suffer most from crime are least able to pay to combat it. Some mechanism for moving financial support of community justice from affluent communities to impoverished ones will be needed. This will obviously raise sensitive political issues—American taxpayers are leery of spending for services from which they do not directly benefit.

Moreover, some way of shifting costs *within* the existing justice budget will be needed. New money for new programs is scarce, and a proposal to greatly increase funding of justice work will be met with skepticism. Instead, community justice needs to be based upon a shifting of resources within existing justice functions. The overall dollar costs of justice cannot be expected to rise too much; what can occur is a change in the allocation of justice dollars to provide support for new activities in place of previous functions no longer supported by the same level of revenues. Community justice advocates for collaboration between criminal justice agencies and other governmental and community social welfare agencies and services. Coordinated efforts will enhance effectiveness by combining the resources of different agencies using similar strategies to obtain different ends. For example, while one agency's objective may be increasing employment within a neighborhood, this goal may also reduce criminal activity.

### Will Community Justice Improve Community Life in America?

The principles outlined above and the illustrations of them in today's justice practices represent responses to changes in crime and community life. They are a call for a justice system that is more attuned to the need to improve the quality of community life in America. They also contain the seeds of safer communities and more responsible community members. The vision promoted by these changes is of an increasingly relevant, increasingly purposeful set of justice practices carried out in close cooperation with citizens affected by those practices.

This is of course an attractive vision. A justice apparatus that had as



its aim the sustaining of community would indeed be precious. But the potential perils are also important: community justice must also protect individual rights and autonomy, reduce social inequalities, and be cost-effective.

### Notes

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1. We note in passing that many of the offenders in the Midtown Court are not local residents since the court serves a largely commercial area. This makes for a unique version of community adjudication and sets the Midtown Court apart from more prototypical community justice, as we would define the term.

2. Another \$52 billion is spent on private security annually (Cunningham et al. 1991).

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## II. Community Action