RESTORATIVE POLICING, CONFERENCING AND COMMUNITY

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This paper describes the experience of a police department with the restorative conferencing process in a fast growing urban/suburban city. We describe how conferencing changed the focus of the police response to juvenile offenders and offered an alternative to court and formal processing that allowed a high proportion of moderate to serious offenders to be supervised in the community as a diversion option. In particular, conferencing became a police tool for increasing community participation in youth crime decision making and a technique for successfully building community capacity to resolve conflict and repair harm without recourse to adversarial intervention.

Keywords: Police reform; Restorative justice; Conferencing; Community building

INTRODUCTION

In the mid-1970s when the first author began his career, crime prevention as a policing tool was seen as the new direction for law enforcement. Advocates of this concept encouraged police officers to engage the community and attempt to build partnerships because such partnerships were viewed as essential to the success of any crime prevention effort. As block clubs and citizen patrols, neighborhood watch, and operation ID programs were organized, many recognized intuitively that the best place to find the solutions to preventing crime was in the neighborhoods impacted by crime and that the best crime prevention strategies were most likely to come from those that lived in these neighborhoods.

When community policing became the buzzword for police agencies in the 1990s (Sparrow, Moore and Kennedy, 1990; Rosenbaum, 1994), some agencies took the concept to heart and developed comprehensive reform strategies, and some even developed agency philosophies true to the principles of community policing. While many others did little more than pay lip service to the concept (Taylor, Fritsch and Caeti, 1998), during the 1990s most in the law enforcement community in the USA felt pressure to at least consider the importance of community in policing. Today the consensus seems to be clear, *effective* policing without the active support of the community is all but impossible.

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In the mid-1990s the first author was introduced to yet another concept, restorative justice. When taken seriously, this new philosophical framework seemed to call for systemic change in criminal justice organizations (Bazemore and Walgrave, 1999; Van Ness and Strong, 1997) – including police agencies. Yet, even law enforcement professionals who claimed to agree with the philosophy of restorative justice and appreciate the value of restorative practices tended not to see it as integral to policing, or even relevant to their day-to-day work. However, if police accept crime prevention and community involvement and problem solving as a primary component of policing, restorative justice becomes more salient as a blueprint for effective intervention.

The purpose of this paper is to describe the transition of one local police department from a general focus on crime prevention to a specific agenda for practice grounded in a restorative justice policy framework. As a case study in how the restorative framework can begin to transform the focus of policing, this description emphasizes the importance of a police department's implementation of a restorative conferencing program (Bazemore and Umbreit, 2001) as one part of a strategy for a holistic police response to youth crime. In turn, conferencing led the department to a deeper focus on the importance of direct community involvement in the control and prevention of crime and provided a primary vehicle for engaging meaningful citizen participation in this response. Most importantly, conferencing led ultimately to a focus on strengthening and building community capacity to take on increasing responsibility in these control and prevention tasks. We suggest that the small and often unanticipated positive outcomes of the cases discussed in this paper have broad implications for elevating the role of restorative justice generally, and conferencing specifically as strategic community building tools for those law enforcement agencies committed to community policing (Duffee, Renauer, Scott, Chermak and McGarrell, 2001). The brief background discussion and literature that follows defines restorative justice and *restorative policing* (Nicholl, 1999; McCold and Wachtel, 1998) in context, and highlights the importance of a re-conceptualization of the community and its role in the response to crime as part of the critical learning of police departments moving toward a restorative justice focus.

LITERATURE REVIEW AND STUDY BACKGROUND

Restorative justice is not a program. It is a philosophical framework that recognizes accountability and the need to repair harm caused to victims and communities impacted by crime to the greatest extent possible. To accomplish these objectives, restorative practices bring victims, offenders and the community together in problem-solving responses that go beyond punishment in efforts to prevent crime, increase community safety, and meet the needs of those impacted by the crime.

Restorative justice requires a three-dimensional focus on the needs and interests of victim, offender, and community as primary stakeholders (Zehr, 1990; Bazemore and Schiff, 2001). The lesson of this case study, and of other notable police-initiated restorative practices (McCold and Wachtel, 1998), is that restorative policing relies especially on an increased sensitivity to community needs and accelerated community involvement to move forward in the transition to systemic reform. It is therefore consistent with the values and goals of community policing, and the general historical purpose of policing itself: to stop crime from occurring, and to keep people safe within their own communities.

COMMUNITY FROM A POLICE PERSPECTIVE

In 1829 in London Sir Robert Peel offered an explanation of policing, stating:

> The police are the public; the public are the police. The police are the only members of the public who are paid to give full-time attention to the duties that are incumbent on every citizen in the interest of community welfare.

The first premise of Peel's statement is that citizens have a responsibility to police themselves and that public safety requires that they fulfill this responsibility. Second, in direct contrast to the professional model of law enforcement, the statement recognizes the community's capabilities and suggests police are there to assist the community in policing – not to *provide* it for them.

How true is Peel's premise today, and how relevant is it? The past few decades have brought about an expectation that the police are the sole providers of safety and have ultimate responsibility for reducing crime. In an important sense, restorative policing may be viewed as turning this expectation on its head, and reapplying Peel's definition in a modern context. Is the modern western society of the 21st century still capable of policing itself, and can community really solve issues that have long belonged only to 'the system'?

Community can be experienced and understood from many perspectives. In the inner city the community is often characterized as impotent or in fact so devastated by the crime and disorder around it that it cannot mobilize even the most basic form of informal social control (Skogan, 1990). In a different way, the suburban context is one in which it may be even more difficult to discover signs of a functioning community as the suburban ecology seems designed to allow people to avoid interaction that would create a sense of collective purpose. In rural areas there is nothing to keep young people in the community, few opportunities and little to interest them, and hence developing an identity with the community is even more difficult. Many youth lash out in frustration and even blame their communities for this problem. On reservations, Native Americans may feel trapped in a 'forced' community: there may be no historical tie to the place and often there is a negative attitude toward the community itself as it comes to represent generations of ethnic and racial oppression. In each case, structural and cultural forces associated with modernity have eroded community.

Like most components of modern criminal justice 'systems,' policing has contributed to the weakening of community capacity by trivializing or ignoring the natural resources of social control and support that do exist, while providing 'experts' to address the needs of community members (Bazemore, 1999). Why bother people with taking responsibility for crime in their neighborhood when we can send in a pro? It is all too common for police officers to tell victims and others when they try to offer information on a case, "Don't get involved, we'll handle it, that's what you pay us for." Yet ironically, quite often the most important factor in the successful prosecution and resolution of the case is the information and aid offered by the community in the first place. If only we had listened.

THE CASE FOR COMMUNITY BUILDING

Humans in antiquity recognized that as individuals they were very vulnerable. But, when banded together in communal groups, they were also able to take advantage of each other's skills and resources and were therefore more successful at thwarting outside threats. Everyone benefited and a certain social order grew out of an agreement to live within some defined norms and social boundaries. In communities, individuals no longer

felt as threatened by other individuals and everyone became equally responsible for maintaining social order. Community members and groups policed themselves for the benefit of all.

In restorative policing we are attempting to recreate this shared ownership of responsibility for public safety and community peace. By including victims, offenders, and other citizens in restorative practices, police allow the community to establish norms and social boundaries, to clearly articulate what behavior is not tolerated within the community. Police also provide positive support for those who need understanding and a voice for their victimization as well as for those who wish to curb their offending behaviors. Community members and groups actively 'problem solve,' and also provide resources, skills and talents to help anchor those solutions. Restorative policing thereby helps build community at the same time as it depends on community to achieve its goals (Pranis and Bazemore, 2001).

Yet the viability and reality of community are often called into question by our own experiences. Earlier in his career as a police officer the first author experienced the worst of community breakdown. It was a bright sunny summer day. A man sat looking out his living room window across the street at his neighbor's house. He saw a blue car drive up and two men get out. One stood near the curb looking around. The other went up to the front door and looked in, then knocked. Nobody answered so he went around the house reappearing near the front door where he broke the side light reached in, unlocked the door and entered the house. Soon the garage opened and the other man drove the blue car up to the garage. Both men began to bring items from the house to the car. They soon drove away after shutting the garage door. The man watching all this never called the police nor spoke to his neighbor.

Four days later an officer investigating the burglary spoke to the man during a routine neighborhood canvas. He told the officer the story. The officer asked why he did not call, and the man explained that in the 15 years the neighbor and he had lived in their homes they had never met. He did not know the family, thought maybe it was a son home from college who had forgotten his key, and did not want to embarrass anybody. He also admitted to being very fearful for his own property since learning it was a burglary, and told the officer that he "certainly hoped the police would protect his property better than they had his neighbors."

This story illustrates several points about the reality of existence in many urban and suburban neighborhoods. The sense of community often appears to be nonexistent; rather than people being connected through common geography or any other commonality, our current neighborhoods often appear to be a loose conglomeration of individuals who feel no common bond and may even experience considerable distrust. Because they cannot depend on each other, members of these communities rely on outside professionals (e.g., the police) to provide safety and a general sense of neighborhood well-being. Of course, the police can never provide the sense of security and feeling of belonging that neighbors knowing neighbors produces. This vacuum of human relationships creates uneasiness and allows crime to flourish. In fact, community members often become so concerned about crime they do exactly the wrong thing: they retreat and become even more reclusive, pulling further away from each other and allowing their fear to make way for a climate conducive to crime.

Restorative policing seeks the input of the community, and refuses to accept the idea that there is no community. It forces the community to define or redefine itself by seeking it out and making it matter. In an important sense, crime itself may thereby create a sense of urgency about community. When a burglary occurs neighbors living within several blocks of the victimized home may feel that they are likely to be the next victim. While that common fear can cause members to retreat and further abandon the streets (Skogan, 1990), it can also

create a community as a group of individuals with a common concern. These citizens suddenly have a need to be involved, they want to know what is happening, who did this, and how can we stop them in the future. Crime can therefore become a catalyst for a collective dialogue, or even a community mobilization (Pranis and Bazemore, 2001). With regard to restorative practices, it is in such times that neighbors may welcome the opportunity to meet with a perpetrator and victim because they want to make sure he makes restitution to the victim and that whatever caused him to do this will be addressed so he will not be doing it anymore.

THE WOODBURY EXPERIENCE

In the Woodbury Police Department, the restorative policing philosophy has grown out of our success with the Community Restorative Conferencing program. Based on a policy decision in our community that spending money and resources on juvenile offenders will continue to pay dividends as these youth enter adult life and therefore provide the most 'bang for the buck,' the program is centered on youth crime and delinquency.

Begun in 1995, the *Restorative Community Conferencing Program* in Woodbury was based on an adaptation of the Real Justice model (McDonald, Moore, O'Connell and Thorsborne, 1995) and had as its primary purpose to provide a diversion alternative to court processing that would seek to involve and repair harm caused to victims, hold offenders accountable for this repair, and reduce re-offending. Eligible cases included those involving a variety of offenses – including a high percentage of first-time felony cases and repeat offenders charged with misdemeanor violations in which the offender was willing to admit responsibility and the victim and family agreed to participate.

According to some observers (Bazemore and Schiff, 2002), conferencing programs seem to be most successful in getting cases when they are housed within one agency that has its own decision-making authority, and is allowed by other agencies to maximize this authority in resolving cases in the conferencing program. Police-based conferencing programs at the diversion level do not generally have to work with the court, and need only to convince their own officers to refer cases. They must also persuade the prosecutor to relax what can be unlimited discretion over charging decisions, which may result in sending all but the most trivial cases into court rather than diversion. In this context, the Woodbury conferencing program represents an important case study in the transfer of discretion to a police department. As Program Coordinator, the first author has been allowed to essentially select whatever cases seem appropriate for conferencing.

After juvenile cases are forwarded to the program coordinator, several formal eligibility criteria are considered, but each case is then considered on its own merits. Seriousness and prior record do not necessarily exclude cases from eligibility, but since cases are referred as part of the diversion process, the most serious cases – homicide, sex crimes, and very serious assaults – are not eligible for the program. Unlike screening protocols in some conferencing programs, which limit eligibility to first offenders and misdemeanors (e.g., McGarrell, 2001), however, this policy allows the department to keep a substantial proportion of felony and repeat offender cases in the community. Cases chosen for conferencing are assigned to a facilitator, while others are sent directly to the prosecutor's office.

Once assigned for conferencing, the facilitator makes the final decisions including what process to use and if it is necessary for one reason or another to also send the case to court. Although facilitators occasionally utilize a victim–offender dialogue or circle process, most

cases are facilitated in a family group or community conferencing format (see Bazemore and Umbreit, 2001). Facilitators can also recommend that a case go to circle or victim–offender meeting *after* a conference to help support the agreement or for other reasons pertinent to victim or offender needs. For very minor cases with first-time offenders, officers are now encouraged at the time of the call to utilize a mini-conference process we refer to as a 'street diversion' program – thereby saving conferencing resources for more serious and complex cases. Officers also conduct conferences in schools using school resource officers trained as facilitators. In all at least 50% of all juvenile cases in Woodbury currently are resolved through some type of restorative process.

THE CURRENT SYSTEM AND THE CONVERSION TO RESTORATIVE POLICING

In contrast to this relatively rapid yet comprehensive diversion response, the current system is set up to take care of one incident at a time, to provide a temporary 'quick fix,' and then move on to the next case. Such incident-driven and case-focused policing does not encourage strategic thinking or reactions based on a conceptualization of long-term solutions. In fact, it provides barriers to developing such solutions because the current system generally (and policing specifically) is designed to *remove* problems, not *fix* them.

Personal Transformation

The initiation of restorative reforms is often based upon the conversion of one key professional in a criminal justice agency. This professional is typically an experienced veteran who recognizes the limitations of current approaches, hears about restorative justice as an alternative strategy, and then begins to persuade others of the value of this approach. In the case of the Woodbury Police Department, the first author came to the realization that current practice led to an endless case processing cycle that never truly solved the problems policing strategies were supposed to address.

Because the role of this reform leader is so important, the personal change in the first author's perspective on policing provides an important component of this case study in the transformation of the department as a whole. For the first 18 years of his police career, the incident-based, 'quick fix' response was the dominant mode of operation. Days and weeks consisted of working patrol, answering calls, taking reports, gathering information, making arrests, turning in work product, and waiting for the next crisis to occur. Working in investigations, this author took the work product of other officers and tried to 'solve' cases; in effect, this amounted to trying to find out and 'prove' who did it. After enough information was gathered to cover most of the elements of the crime in question, the case was submitted for prosecution, and everyone moved on to the next incident.

Success was measured by the number of prosecutions that each officer could claim his/her work brought about. For some officers, however, a disturbing trend began to emerge. As we began seeing the same people processed for basically the same behavior over and over again, successful prosecutions seemed to lose their significance. The apparent reality was one of failing to solve the problem creating crime and criminals, but rather trying to displace it. After 18 years in the business, the first author had come to the realization nothing we did or might do could make any difference in breaking this cycle.

In 1994, the first author's introduction to restorative justice was met with a great deal of skepticism. While this was okay for social workers, the idea of 'restorative policing' seemed out of touch with reality. Training in victim–offender mediation seemed extraneous to the real work of policing, and therefore the expectation of the trainer that participants would take a case and mediate it was not fulfilled until 2 months later.

The first author's first case brought a victim of an assault and the offender together along with their families. In contrast to the numerous experiences in court for everything from speeding citations to homicides, the mediation experience was characterized by participants responding with emotion and caring. In the restorative encounter, a tough offender with plenty of past problems broke down, genuinely apologized, and asked forgiveness from his victim. The victim offered forgiveness as a direct result of this perpetrator demonstrating real *accountability*. Participants in the dialogue worked through their own needs in the meeting and decided on an agreement that addressed the 'why' of what happened and the issues of the offender. These were not addressed as an excuse but as something the offender needed to fix and was responsible for correcting if another such incident were to be avoided in the future. Most surprisingly, the victim's family expressed their desire to help the offender accomplish all this. The resulting agreement was fair, made sense in the context of the case, and could be accomplished in a reasonable time with support from everybody in the meeting.

TOWARDS ORGANIZATIONAL REFORM

Shortly after this revelation, the first author was introduced by Australian police officers to family group conferencing (FGC), and then soon assigned the job of coordinating the development of a restorative policing initiative in Woodbury. FGC expanded the number of people viewed as appropriate for a conference from what had been presented as the norm in victim–offender mediation. This new focus also began to suggest the importance of participation of community members beyond victim and offender in a restorative process. This revelation and an introduction to peacemaking circles (Stuart, 1996) as yet another restorative decision-making approach led the department and program volunteers to a broader connection with indigenous processes currently in use – as well as with the routine processes of conflict resolution and core responses to crime once prominent in all human civilizations (Weitekampe, 1999). The common theme in this tradition was reliance on the community, rather than the state, as the driving force in any justice process (Van Ness and Strong, 1997).

The beginning of the transformation of the Woodbury Police Department came in the realization of the critical importance of the community's role and its importance in the restorative justice process. Restorative policing, if it were to be viable, had to have community involvement at its core, and would have to actively seek out community and help to strengthen and build it whenever it could. Restorative policing had to move to a true partnership with community to be fully effective, and had to recognize community as a full and equal partner. In our restorative conferencing effort, we have become convinced that it is this community component that makes the critical difference in our success.

COMMUNITY MEMBERS AND THEIR ROLE IN CONFERENCING

When the conferencing program was begun in the Woodbury Police Department in late 1994, officers discussed our goals and promised to report our progress to the community. To date, the department has kept that promise by devoting a great deal of time and effort keeping the

community advised as to what is being done. The community is also regularly engaged through multiple community volunteer opportunities including a community crime prevention board, a community volunteer park patrol unit, a police reserve unit, and an Explorers post operated by the department. Citizens can also volunteer time in broader community building programs based in neighborhoods and co-sponsored by other organizations in addition to the police department.

It is through the Community Justice Committee, that volunteers become directly involved in restorative justice. Community members can choose to serve as community committee advisors, case facilitators, community board members, or any number of these options. Community board members act as representatives of victims and/or affected community when no one else is available to play that role in the conference. Shoplifting cases at chain stores and alcohol cases are examples of cases where board members are used to help provide a broader perspective to a conference.

The Challenge of Sustaining Community Involvement

To be successful with the restorative justice philosophy requires the input and support of community. But getting community involved, building community, and developing this critical partnership requires much initial work and constant reminders to citizens and community groups of their importance while keeping them involved in a meaningful way. Police must also be willing to share what they are doing and why with the community. While no one would advise departments to share investigative information that can jeopardize cases, our approach is to tell the community how the department operates and why.

Having community volunteers also requires a commitment to recruit, train, and 'maintain' them. In Woodbury, training in different restorative processes is provided free to all community volunteers, and there is an ongoing commitment in the department to sustain volunteer support and participation. There are several reasons why this commitment of time to volunteer skill building and support is critical in the conferencing efforts.

The Contribution of Community Members

First, in a general way, representatives of the community provide a critical perspective in every conference when it is obvious that some entity of the community has been impacted by the incident. Second, in many instances community members make the difference in the success of a conference and often help find the more creative and meaningful parts of the agreement. They also support long-term accountability by offering the offender a job to pay restitution, and deducting payments directly from his paycheck thus ensuring a successful agreement. Third, as might be expected, community members also establish community norms or standards in the conference (Karp and Walther, 2001; Bazemore and Schiff, 2002) and provide support for victims.

In addition, community members often add to the conference in unexpected ways. Sometimes this contribution is unexpected and especially creative, and may ultimately make the greatest impact on a victim or offender in the conference or circle. In one shoplifting case, an offender had agreed to do all that was needed and was using all the right words but somehow it all lacked depth or meaning. A woman from the community who worked for a large discount store chain was at the conference and spoke eloquently about the harm of shoplifting. She worked 50 hours a week just to get enough money to meet basic needs in a job where pay is poor and work conditions often not very good. Her next year's raise was

crucial to her but prospects for receiving it did not look good because her store's loss figures were too high. Her expenses were going up and if there were no raise she would have to get a second job just to make ends meet. Having watched her mother work two jobs when she was younger in what had been a painful time in her life, the offender related closely to this participant's story. Four years later the first author received a letter from that young shoplifter who had just finished college and was starting a job as an accountant for a large bank in Chicago. She said the conference had changed her attitude on life, that the story of the store clerk had stayed with her, and that she credited the conference and that woman with much of her success ever since the encounter.

CONFERENCING, VALUES, AND COMMUNITY BUILDING IN WOODBURY

While community building was never a primary objective of restorative conferencing in Woodbury, it has recently become a noticeable outcome in some cases. We describe several examples below after a brief consideration of the meaning of community and community building in the context of restorative justice decision-making practice.

What is Community and Community Building?

Though scholars have debated the meaning and relevance of community for at least two centuries, restorative justice practitioners typically do not spend a lot of time with definitions. Instead, they seem comfortable with multiple perspectives, and in practice, with multiple understandings of community as a fluid and flexible entity. In other words, for purposes of restorative justice conferencing, 'community is where you find it.' At one extreme, 'community' for purposes of restorative justice intervention can be simply the victim, the offender and their supporters, essentially the set of relationships around a crime. At the other extreme, we can envision an entire neighborhood or small town (or in rare instances an entire city) as the community unit of analysis, and community may include the immediate geographic area around these stakeholders. Although it may be possible in some parts of the world to describe sweeping cultural changes in which entire cities and regions have been impacted by restorative justice values, the context of conferencing programs of most interest in terms of community building is more middle-range and micro.

In between these extremes, the term 'affected community' is a common one in restorative justice circles that signifies that, for purposes of crime and justice, the harm of the offense should define the community of most importance in the response. Austin District Attorney Ronnie Earle's definition of a community as a "*network* of relationships that share joy and pain" (Earle, 1996: 7), provides anchors in which relationships between individuals with common experiences can be seen as a step up from individual victims and offenders to make the vital connection between these micro groups and their supporters, and the potential connection between these supporters and *other support groups*. At this level, broader networks provide bridges between micro and macro that link together multiple relationships that can be conceptualized and practically viewed as targets for community building. Such networks are in turn what make and provide the sense of community in such geographical or financial entities as neighborhoods, city blocks, schools, workplaces, etc. (Bazemore and Schiff, 2002: chap. 7).

Community building is also a term that is often not clearly defined and is often misunderstood. Based on findings from their fieldwork in a national case study of restorative

conferencing, Bazemore and Schiff (2002) argue that community building in the response to youth crime amounts to enhancing informal social control and social support through two primary general strategies: (1) connecting people more closely to existing relationships and to new relationships based on trust and reciprocity which are then connected to networks of social capital (Putnam, 2000); and (2) skill building within these networks. In the conferencing context, this amounts to creating connections that weren't there before the conference process began, and creating community group and citizen competence – specifically in the closely related skill sets of norm affirmation and the provision of informal control and support as collective efficacy (Sampson *et al.*, 1997). These competencies can be best developed within several community *units*. These authors describe four such units that emerged as potential 'targets' of community building relevant to the different meanings of community in the restorative conferencing context. The targets – ranging from micro to middle-range – are as follows: (1) relationships and networks; (2) the community of conferencing volunteers; (3) instrumental communities; and (4) neighborhoods and neighborhood entities. Each target is primarily, though not exclusively, associated with a specific strategy or form of community building – at least in the examples described in these authors' study. In addition, conferencing programs may deliberately or inadvertently pursue multiple targets at each of the primary stages of the conferencing effort and utilize multiple strategies in doing so (Bazemore and Schiff, 2002: chap. 7).

In Woodbury, officers have experienced community building at the neighborhood level, and in addition, we have witnessed growth in the capacity of our volunteers who in turn share and further develop their capacities in other contexts (e.g., schools, workplaces). Through the conferencing program in particular, we have also been able to observe community building at the micro level by virtue of the development of new relationships between individuals and families that grew into networks within and between neighborhoods. The examples below touch on each of these targets, and several strategies – although the community building that occurred was often inadvertent.

Identifying Shared Values and Affirming Norms

The first group of cases that brought the potential of conferencing to support community building to the forefront was a group of incidents of marijuana sales at our high school. Some of the parents who attended those conferences came to the department later saying they believed that these cases represented a bigger problem within the community that needed to be addressed: a lack of shared community norms, expectations, and support created a climate conducive to problems such as drug sales in the high school. When Woodbury officers were asked if they would be willing to work to rectify this situation, they told this small group of parents to gather a larger group of concerned people if they could and we would meet to discuss next steps. They returned with about 35 people and began a project (known as FOCUS) that would result in the development of an agenda for creating a workable, caring community that offered support to all its members grounded in clearly understood community norms. During the next 2 years, a group of nearly 85 people worked to devise a method to measure how Woodbury saw itself in terms of community standards and identified six distinct traits they believed provided the core of a vision for such a community.

After surveys were collected from some 15,000 residents, results suggested that six core values – mentioned by well over 80% of respondents (no others received mention by even 20%) – emerged that defined norms most people clearly wanted for the City of Woodbury.

The six values were: Respect, Responsibility (or accountability), Acceptance of others, Safety (or security), Nonviolence, Working together to solve problems.

Based on these findings of surprising consensus, citizens working with the police department have been able to mobilize support for moving forward with other initiatives. From a police perspective, the Woodbury Police Department has also recently become more sensitive to opportunities for additional community building that may emerge from the impact of crimes as indicated by the example of the burglary described below.

Burglary, its Impact on Neighborhoods, and the Potential for Community Building

Burglary is a crime that has broad impact throughout a neighborhood. Many people feel the affects of fear and apprehension. People several blocks away can become certain they are the next victim and may even change their lives or plans because of this perceived trauma. This extended victimization can be troublesome for the police as it increases people's mistrust and anxiety sometimes creating a positive response to be more careful but sometimes causing people to retrench, 'holing up' away from others and inviting more crime. Calls tend to increase and more 'quality of life' type crimes are committed or become apparent. It's easy for people to start blaming the police for all this too. When a young burglar is caught and admits to his crimes, officers are encouraged to convene residents of the affected neighborhood to relieve anxiety through direct involvement in the outcome.

One such burglary case involved a home in a new development area of the city where about 50 families had lived, all for less than a year. Two young men were interrupted taking stolen items out of the back door of the house. The homeowner ran after them and caught one, resulting in a wrestling match in the backyard. The police arrived, identified, and charged the juvenile burglars. The primary actor in the burglary was 16 years old and lived in another development behind the victim's house on the other side of a creek and woods that ran between the two developments. Though the victim did not know him many of the neighbors did. The victim was scheduled to take her 6-month-old daughter for open-heart surgery the next day. This made the burglary even more difficult for the victim. Most of the neighbors knew of the situation and it made the burglary more difficult to rationalize for them as well.

The offender was invited to a conference with the victim and 10 neighbors. The offender first learned of the daughter's surgery (now successful) in the conference and was deeply impacted. He also faced a very angry neighborhood. After more than an hour of venting, the neighbors heard the offender's story. His mother who became hooked on prescription drugs and ran off with an abuser friend had abandoned him. His father traveled for his job as an international banker. His new stepmother wanted nothing to do with him, as she was busy with her career. He had lived with his grandparents in Ohio where he had become addicted to street drugs at 14, and told the group he was doing burglaries to pay for drugs.

Conference participants decided he needed support and attention. The neighbors arranged to have him do errands and odd jobs for them and they enrolled him at the local YMCA where several were members. They also arranged a schedule for him to attend Sunday afternoon meals at a neighbor's house every week for a year. They further arranged to receive reports on how he was doing in school through his father. Finally, several neighbors agreed to return from work on a route that would take them by his house every weekday. He was required to be in the driveway to wave (with *all* fingers extended) to the neighbors unless he was sick or away on vacation. In short, the neighbors decided to make sure he was never alone, never tempted to commit another burglary or do drugs for the next year. Over the next

year, 15 different families in the community took part in this intensive community effort to support the offender in correcting his behavior. At year's end he returned to Ohio, a sober young man who had seen his grades rise dramatically and had stayed out of trouble for the longest sustained period of time since he was 8 years old. Back with his grandparents he finished high school, remained crime and drug free for another year and enrolled in a local college.

The community had been in a state of near panic after the burglary. They were angry, fearful, and feeling helpless. The offender was almost sure to continue his ways without some miracle to change the direction of his life. The victims felt alone and both depressed about the burglary and happy about their daughter. They could not fully enjoy their daughter's recovery because of all the 'stuff' they carried from the burglary. The police department spent 4 hours putting the conference together. Most of that time was working with the neighbors to ensure their participation. Without community involvement in this case the outcome would never have been what it turned out to be. It is obvious how the community impacted the offender and his behavior. But it is also clear that community members needed to do this to regain the power over their own lives they felt they had lost. This involvement allowed them an outlet for their anger, their fear dissipated and they took direct control of the neighborhood environment. They engaged the victims in a positive way so the victims no longer felt alone and together they celebrated the victims' daughter's recovery.

Today this community remains close and committed to each other. In the 3 years since that conference took place, there have been only two vandalism incidents and one mail theft (neighbors caught the thief). The area holds three gatherings a year that are always well attended and last summer the burglar's father, who still lives in the area, was invited and attended. Was this worth the extra 4 hours the police spent on this situation? We might ask how many hours in crime reports and investigations we saved by spending a few hours to help these people solve their own problems as a community?

Not all cases are so dramatic. Most cases are much more mundane, but that doesn't mean that the process is not impactful. Some cases do not produce ideal outcomes, and some simply fall apart along the way and find their way back to the traditional retributive, adversarial system. Often, however, even cases facilitators think went badly can and often do have positive impacts on those who take part, and some participants (sometimes many participants) tell facilitators how much it meant to them. Community members appear to get what they need from the process, at least to some degree, and as illustrated in the case just described, can take advantage of the opportunity to solve problems facing them in a more long-term fashion – not just 'for the moment.' Restorative policing is all about restoring victims, community, and even offenders.

It is also about restoring order, safety, and power in neighborhoods, and about restoring faith in neighbors' ability to work through even the most difficult problems. Also inherent in restorative justice is the idea of conflict as an opportunity to address fundamental issues that cause crime and threaten peace (Christie, 1977; Stuart, 1996; Pranis and Bazemore, 2001). Restorative policing dictates that facilitators seek solutions directly by engaging those most impacted by the crime and conflict at issue.

Conferencing, Conflict, and the Development of Community Capacity

In the late 1990s Woodbury found itself to be a living laboratory for the question of how capable our community can be in policing itself. In a new housing development in town,

where only about eight houses were occupied within a four-block area, there was a special tree house. Neighborhood children ranging in age from 6 to 15 shared this house as a fortress of play away from prying adults. Even though the tree house was on the property of one family, it truly belonged to all. Woodbury, particularly this part of Woodbury, is fairly well off financially, and the tree house reflected that reality. It had carpeting, a color TV and a stereo system as well as lighting for use after dark.

One night a young man entered the tree house for no particular reason and proceeded to demolish it. He broke the TV and stereo, smashed the lighting, ripped up the carpet, and urinated all over the tree house interior. The family on whose property the tree house sat was on vacation in Florida for 2 weeks. The young man who did the damage was staying with another family because his mother, a Native American, was in Michigan attending an Ojibway ceremony. It took less than a day for the parents to become as upset about the incident as their children were, and blame was beginning to fly everywhere. Some blamed the tree house family while others blamed the family caring for the young man. Still others blamed his mother for not being with him and preventing this. Damage to the tree house was estimated to be $750, legally felony criminal damage to property.

The first author assigned the case to a patrol sergeant who happened to be a particularly gifted conference facilitator. Almost immediately the officer encountered problems in getting people to find a common time they could meet, and in the meantime, the neighborhood mood was becoming increasingly ugly. The family had returned from Florida, and the mother was back from Michigan. Blame focused on the mother had resulted in some racial remarks and general hard feelings. The eight families were now divided into opposing camps and were beginning to call the police on each other with increasing regularity. While patrolling the area one evening, the sergeant assigned to facilitate saw three of the families standing in a driveway. He quickly joined them and got them to agree to a conference in 5 days to deal with this now very contentious issue. He now only needed find a room and let everyone know where they would meet.

After the sergeant left, the others began talking about the idea of a conference. One of the men in this group had attended a conference before and explained it with enthusiasm to the others. The young offender's mother had been reluctant to participate, but upon hearing this man she realized that this sounded a lot like the peacemaking circles that were becoming popular on the nearby Mille Lacs Reservation. She decided this was the thing to do. The man who had explained conferencing to his neighbors then suggested that everyone meet in his large unfinished basement. He facilitated the discussion, which resulted in apologies all around and an appropriate, workable reparative agreement. The mother of the boy agreed that she would be willing to pay $350 in damages. Neighbors donated replacement items including a TV, carpeting, and some of the stereo equipment. All the neighborhood children including the offender along with a group of adult men from the neighborhood agreed to meet that Saturday and repair the tree house. The last issue addressed in the conference was what had happened to them as a community. How had they come to despise each other so quickly? They decided it was because they did not know each other well enough. To rectify this problem they determined to have a neighborhood picnic in 2 weeks. On the second Sunday in February (in Minnesota!) they all met for an outdoor picnic on a snowy 18-degree day.

The sergeant called 3 days after the driveway meeting to advise them of the conference location. He was told they had already taken care of it and then heard the story of this community 'conference' in some detail. They also invited him to the picnic. He reported back that it was a great conference with fabulous results and that we were the only ones who did not attend.

This case, while certainly not typical, is an example of how the community can assume a lead role when system professionals (though caught by surprise in this case) are willing. In this case it is clear that communities can solve their own problems and are often capable of policing themselves. In the three-plus years since that community conferenced their own case, our department has not had one police call to that four-block area of town. Officers have been invited to what is now an annual neighborhood cook-out, held in June. Most importantly, the case is an example of how conferencing can, if employed frequently enough, even inadvertently, build capacity in participants to apply the process on their own. While this story seems unusual, there is no way of knowing how often participants in a conference may apply the skills they have observed and practiced in conferencing in other contexts. We do know however, that many of the volunteers in conferencing programs report using the processes and principles in other aspects of their lives – e.g., in the workplace, in their church, in their families (Bazemore and Schiff, 2002). One of the best resources officers have in policing is indeed the community they are paid to police. The biggest mistake police can make is to ignore that resource. While a weak form of restorative justice can be undertaken with little or no community involvement, without the community any restorative practice is not nearly as effective as it could be. It takes more work sometimes to get the community involved but that work often pays huge dividends later on.

ASSESSING AND EXPLAINING IMPACT

In January 2000 we examined outcome data from the program systematically for the first time, focusing specifically on recidivism. Prior to the formal establishment of the conferencing program, all juvenile cases were sent through the prosecutor's office and worked their way through the traditional criminal justice system. Yet, no one until this time had looked at rates of re-offending locally. For the year 2000, for youth going through the traditional system-processing route [generally including court disposition or a plea agreement], we found a 72% recidivism rate. In cases we conferenced during this year, the rate of recidivism dropped to just over 33%. While these findings are not based on experimental or quasi-experimental controls, the group of conferenced youth included many repeat offenders, a high proportion of felony cases (75%), and a number of cases with gross misdemeanor charges.

What might account for these rather dramatic differences? The conferencing process is obviously different from the traditional process in practically and theoretically important ways. First, the direct involvement of victims cannot be underestimated as a key factor in this success, nor can personal form of accountability of the offender to the victim and others. Second, one of the primary keys to the apparent success of the program can be found in the title of the program itself: *Community Restorative Conferencing*. Having now conducted well over 500 FGCs, circles, and mediations, it is the first author's belief that the most successful cases have been those that have the most involvement of community both in the conference process itself, and in the follow-up phase in support of the agreement. While the conferencing process has a great deal of strength in its own right, when the community is properly engaged outcomes definitely show increased strength. Moreover, when compared with the traditional process, our conferenced cases as a group are exposed to a much stronger and deeper community influence. By definition, community is at the heart of what we are doing with this philosophy and the processes that drive it, and it is most likely the community that supplies the ingredient that makes the mix work so well.

IMPACT ON POLICE ORGANIZATIONAL CULTURE AND COMMUNITY EXPECTATIONS

None of this success could have been achieved were it not for the police offering restorative community conferences, often for cases many thought should have been sent through the regular justice system. Yet, had the community not embraced the idea of defining and affirming shared norms and values, our efforts at restorative policing would not have been as successful. The department's involvement in both the conferencing program and FOCUS helped generate an understanding of the agency as something different from most perceptions of police agencies.

Today the Woodbury Police Department has an expectation born out of a philosophy of restorative policing. This expectation, incorporated in written policy and protocol on community policing that recognizes restorative processes, as a primary means of problem solving in a community-policing context, is that officers will be involved in seeking unique solutions to community problems and crime. They will also work with the community to solve problems and provide services and support that may not resemble traditional policing. Even in traffic complaints officers use the restorative policing approach as the officer assigned to the complaint gathers resources and brings in appropriate community people to determine how to approach the problem. Since implementing this approach, the rate of satisfaction among those who initiate these complaints has increased substantially.

Citizens tend to look for community solutions first, viewing court only as a fallback strategy, and typically want to be involved when they are somehow affected by crimes. As coordinator of the conferencing program, the first author frequently receives calls from parents seeking a conference for their child in trouble long before official reports come to our attention. Crime victims call too, sometimes before they report the crime, and schools are always seeking the department's help in devising ways to utilize these approaches in resolving conflict, low-level offenses, and disciplinary infractions.

Responding to this community expectation changes the way the department polices and also creates a community supportive of the police. All city services and agencies are evaluated yearly. In the last 4 years the police have led all city services for approval ratings by citizens scoring consistently over 90% excellent to very good. The next closest city services are fire and parks that score in the upper 70% to lower 80% range. We believe the difference is the philosophy that has permeated this agency and become the operational guide for what we do.

There is ample evidence that it has made us a better agency. Woodbury is known for being responsive to our community, for going a little further than most agencies and people we serve show high satisfaction with our effort. Yet, restorative policing has not stopped officers from being aggressive in other areas. Arrest rates remain high. Clearance rates and conviction rates often lead the metro area we work in, and traffic enforcement is considered the best in the region. Local judges and prosecutors acknowledge our cases are more complete and accurate than other agencies and view the department as more aggressive in charging and pursuit of convictions.

CONCLUSION

Community can only operate at the grassroots level because that is where community exists. The police in an important sense also exist at the grassroots level and that is where they

should focus their attention. As a grassroots practice, restorative justice is accurately described as a 'bottoms up' process. In the world of the justice system the police are at the bottom of the system hierarchy, but that also makes the police the base upon which all the rest depend. While it is the police who provide the system with cases, it is the community that initiates everything for the police. When looked at in this way a partnership of police and community seems inevitable and it is clearly in the best interest of the police to cultivate this community partnership.

Community building as we have described it here has been one important result of the restorative policing effort in Woodbury. Making this claim in no way suggests that the department should be credited with strengthening the various entities of community at micro, mid-range, and macro levels. Rather, many of the community building outcomes that emerged from our application of restorative policing techniques, especially conferencing processes, were serendipitous, often surprising results that emerged from the connections community members made in conferencing and other collective encounters facilitated by the police. Our contribution to the process was a result of our growing willingness to facilitate and encourage this citizen initiative and to trust community and the restorative process. The organizational learning that the community building examples provide will now hopefully allow the department to become more strategic in recognizing and becoming a catalyst for new opportunities for community building based on these naturally occurring instances of citizen initiative.

Much the success is no doubt linked to the philosophy of restorative policing and the community partnership it has created. As a department, the Woodbury PD have an understanding with citizens: police are willing to go the extra mile because they view themselves as a part of the community sharing equally in the good and the bad with every other member of the community. Today the direct community partnership for the community restorative justice program is expanding and the community justice committee increases the amount of responsibility it assumes for the restorative policing effort. The department is working to expand the role community members play in facilitating conferences and working with victims and offenders both in pre- and post-conference work. The community is the key to our success in restorative policing and the long-term sustainability of that success depends on keeping a strong partnership between the police and the community. The lesson restorative policing has given us is clear, the community has power, the power to produce change, the power to establish parameters of behavior that benefit everyone, a power that resides nowhere else. The greatest failure we could face is the failure to tap that power. Whatever the difficulty in bringing the community along, the costs will be more than worth it.

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