

COMMUNITY JUSTICE BOARD PROGRAM

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Abstract

Community Justice Boards are comprised of specially-trained volunteers from communities throughout Pima County. With guidance, training, and support from the Pima County Attorney's Office and based on a balanced and restorative justice, these volunteers hold Family Conferences designed to hold first and second time juvenile offenders accountable to the victim(s) and the community and to learn more about the youth, their families, and the circumstances surrounding the offense. The Board subsequently assigns consequences designed to hold youth accountable for their actions and decisions; build problem-solving, decision-making, and life skills; motivate youth through education; and promote successful futures. Boards also conduct follow-up conferences to monitor progress, encourage and motivate participants, and help youth feel connected to their communities.

Introduction

In a proactive stance against crime, Pima County Attorney Barbara LaWall created the Community Justice Unit in January of 1997 with a vision to include volunteers from the community to assist in crime prevention and intervention efforts. On July 21, 1997, Senate Bill 1446, "Stop Juvenile Crime Bill" became law. Among the many provisions of the law are those establishing community based alternative programs. County Attorney LaWall directed the Community Justice Unit to create a community based alternative program focusing on 1st or 2nd time juvenile misdemeanor offenders and to utilize the Balanced and Restorative Justice process. The Unit studied programs in New Zealand, Maricopa County, Arizona and Thurston County, Washington. Subsequently, the Community Justice Unit created the Community Justice Board Program (CJB) and began volunteer recruitment in three neighbors highly supported by a strong neighborhood association and community policing. Several volunteers from these three respective neighborhoods applied and were trained to become Community Justice Board members. The first of the Family Conferences was conducted in May of 1998.

Program Summary

The Community Justice Board Program (CJB) is designed to pro-actively deal with juvenile crime. The program, as part of the restorative justice movement, enables people in neighborhoods to have an impact on first and second time misdemeanor juvenile offenders. The goal of the Community Justice Board is to require juvenile offenders to accept responsibility for their conduct through interaction with victims and neighborhood residents. The Community Justice Board Program provides a way for victims to have a voice in the restorative process while enabling juveniles to be held accountable and provide them opportunity to give back to their community and become a positive and productive member of society.

Unlike traditional methods of intervention in which courts assume the decision-making process, the Community Justice Board draws the juvenile, his/her family and community into the process. This approach is critical to the prevention and intervention goals that underlie the program. Such intervention provides swift

and meaningful community response to minor delinquent behavior and is aimed at ending a juvenile's illegal activity.

Through this program, the Pima County Attorney's Office hopes to divert a significant portion of overburdened juvenile court system case loads. Community Justice Boards allow prosecutors, courts, and treatment personnel to concentrate efforts on the more serious juvenile offenders. Equally important is that juvenile offenders and their victims will receive the necessary attention to create the potential for positive change.

Neighborhoods, which include community associations and coalitions, business owners and employees, faith community, and civic and service organizations, are the key to successfully implementing Community Justice Boards. The County Attorney's Office can provide neighborhoods with legal authority and technical assistance. The neighborhood residents have a unique knowledge and understanding of the people who live in the neighborhood. Through a collaborative partnership between neighborhoods and the Pima County Attorney's Office, we can make a difference in the lives of juveniles.

Program Goals

- Teaching youth that their actions have caused harm and created an obligation to the victim and the community;
- Creating the opportunity for the victim and community to express how they have been harmed;
- Holding the youth accountable by assigning consequences which help repair the harm caused by his or her behavior; and
- Involving the juveniles in programs and activities that increase their ability to make positive life choices.

Program Operations and Procedures

A Community Justice Board (CJB) is made up of 5 to 10 volunteers who live in the neighborhood which houses the Board. The application process for each of the volunteer is as follows:

1. The application is submitted to the Volunteer Recruitment Coordinator.
2. The applicant is fingerprinted and a background investigation is performed.
3. If the applicant passes the background, she or he is interviewed by the Volunteer Coordinator and another member of the Community Justice Unit.
4. The applicant then observes at least two Justice Boards conduct family conferences and follow-ups.
5. The volunteer must attend a CJB Orientation and one (1) all day training session.
6. Once the volunteer is accepted, he or she is given an Identification card, a CJB shirt Operations Manual.

Community Justice Board Roles

CHAIRPERSON: The CJB chairperson is responsible for scheduling family conferences, group facilitation and ensuring that other members of the board responsibly perform various duties. The chairperson will also work with the Director of Volunteer Services to recruit new members as needed.

CO-CHAIR: The co-chair is responsible for assisting the chairperson with the above duties and will conduct the family conferences and meetings in the absence of the Chairperson.

SECRETARY: It is the responsibility of the secretary to maintain all required forms and paperwork. The secretary will keep a record of all family conferences including any and all agreed upon consequences for the juveniles. Once the CJB has closed a case, the secretary will finalize the records, fill out documentation, and send them to the CJB Coordinator.

VICTIM LIAISON: The victim liaison will contact the victim to notify them of the date and time of the family conference and extend an invitation to the victim to attend. The victim liaison will be the contact person for the victim if the victim has any concerns or questions and will represent the victim if he/she decides not to participate.

GREETER: The Greeter welcomes the family to the conference immediately establishing the community connection.

OBSERVER: The Observer sits in the gallery and observes the performance of the Board. During the debriefing, the Observer gives an evaluation of how the Board did in the Conference.

Case Referral Process and The Family Conference

First, the juvenile is arrested and referred to the Pima County Juvenile Court. The case is assigned to an evaluation (Diversion Unit) probation officer who conducts a Risk/Needs assessment interview. The probation officer will focus on misdemeanor crimes such as:

- Shoplifting
- Graffiti
- Theft
- Alcohol possession
- Curfew violations
- Disorderly conduct
- Simple assault
- Damaged property
- Marijuana possession
- False information to police

The probation officer refers the case to the CJB Program based on the following criteria:

- Juvenile admits to the charges.
- Parent and juvenile agree to participate.
- Juvenile is not entrenched in gang activity
- Juvenile does not present serious mental health issues

The case is referred to the CJB Chair. The CJB Chair will facilitate a case briefing, going over the police report and any other pertinent information prior to the Family Conference. Family Conferencing is a family-based decision-making process in which families are actively involved in the discovery of the offense, circumstance clarification surrounding the offense, and the affirmation and accountability of the crime before the Community Justice Board, parent and/or guardian.

The Chair facilitates and guides a balanced dialog of fact finding with regard to an offense. In collaboration with the Community Justice Board members, the juvenile, parent and/or guardian engage in a cooperative setting that fosters a unique opportunity for the juvenile to express their views, intrepidity, and concerns regarding the offense and restitution process in a positive support-based environment.

The Family Conference basically consists of four phases:

1. The greeting and welcome phase
2. The accountability phase
3. The social phase
4. The consequence phase

In the first phase, the family and victim are welcomed and introduced to the process and to the volunteers. This is the responsibility of the greeter or the CJB Chair. The effective element of a CJB Program is the community connection. We begin this immediately. Each member is introduced and gives a brief empowering statement. The Board then moves into the accountability phase.

The accountability phase involves the juvenile admitting to the offense and giving an account of the arrest. The admission must be genuine and the juvenile must take responsibility for their actions. If they do not, the case is referred back to the probation department for further court action. In this phase, the volunteers are listening carefully to the story the juvenile tells and begins to define their character. The Board questions the parent(s) to determine how they felt about the arrest and how they disciplined their child. The Board then moves to the victim statement. If the victim is present, the Board will ask how they felt when they were harmed by the juvenile. The victim is given time to express their thoughts and feelings. They are seated directly across from the juvenile. It is important that the juvenile understands that it is a human being they harmed. If the victim is not present, the victim liaison will represent them at the table. After everyone has had an opportunity to express themselves, the volunteers then proceed to the social phase.

In the social phase, the volunteers will focus on the following areas of influence and the risk and protective factors:

Individual: Does the juvenile present a lack of bonding to society, rebelliousness, early initiation of problem behaviors, alienation and substance abuse?

Home/Family: Has there been a history of physical or sexual abuse, inadequate parental supervision, lack of support and encouragement?

School: Is there early academic failure, lack of commitment to school and high rates of truancy and drop out?

Community: Are there high crime rates in the neighborhood, low socio-economic conditions, low community attachment and the norms and attitudes favor drug use, firearms and crime?

Peers: Does the juvenile associate with older peers, friends who exhibit problem behaviors, gang activity, etc.

The volunteers will also identify juvenile asset gaps utilizing the Search Institute's 40 Developmental Assets Program. Using the "iceberg" metaphor, the volunteers know that the arrest is the tip of the iceberg. They will seek to find out what is below the surface. Through open-ended questions, the volunteers will try to identify the core issues and begin formulating ideas about what consequences would be effective. During this phase, the members will identify the hobbies, skills and positive assets possessed by the juvenile.

After finding out as much as they can about the social aspects of the juvenile, the Board will then move to the consequence phase. Here the Board asks the juvenile what he/she thinks they should do to repair the harm. The same question is asked of the parent. At this point, the Board is exploring what the juvenile is willing to do to make it right and what responsibility the juvenile is willing to take. After this, the Board asks the juvenile and parents to step out of the room. The Board then convenes to determine the consequences.

The Board will assign the following consequences:

- Apology letters
- Community service work
- Graffiti Abatement
- Education Programs
- Restitution

Based on the skills of the juvenile, the Board will creatively come up with a consequence that repairs the harm and enhances the juvenile's potential to live a healthier life style.

The juvenile and parent(s) then return to the room at which time that Board assigns the consequences. The Board, juvenile and parent(s) review the contract. If the participants agree to the consequences, then the contract is signed by all parties. The Board then sets the date and time of the follow-up conference to assess the juvenile's progress. The Board then takes time to give the juvenile and parents/guardians a positive send off.

The follow-ups are conducted until the juvenile completes the assigned consequences. The Board has 90 days from the time they receive the case to completion. If the juvenile fails to complete the consequences, the case is returned to the probation officer for further court action.

Program Outcomes

- Twenty-two percent recidivism rate after 12 months from completion of the program
- Ninety-three percent compliance rate
- Ninety-eight percent satisfaction rate for both parent and youth

Discussion

The experience of the Community Justice Board Program has revealed the following:

- The community is an important partner in changing the lives of youthful offenders.
- Through non-adversarial means, the members of the board can identify core issues and effectively guide youth towards healthy life styles.
- Through this program, the youth and parents are accountable not only to the Justice System but most importantly, to the community itself.
- It is of utmost importance that criminal justice systems move funds to the entry level of the system and include the community in dealing with juvenile crime.

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