

Circles process helps offender, community

Sentencing, healing all part of way to help bolster judicial system

Judge Richard Jessen and others in St. Cloud are promoting the idea of "community circles" to grapple with certain nonviolent offenders.

This is a welcome innovation in our justice system. Anything that diverts nonviolent offenders from the prison system - in a way more meaningful than simple probation - is, worth trying.

Community circles many very old traditions of community justice with the established court system. "An ideal case to introduce the larger St. Cloud community to community circles could have been the case of a 22-year-old woman who filed a false report of a hate crime Oct. 20, then recanted in a signed affidavit. This is a nonviolent offense that has done harm to the community. This is how her case could have worked had she been charged - police have said they won't - with filing a false police report:

The offender would have to appear before a judge and plead guilty. The judge would then suspend sentencing and allow her to go before a community circle.

This usually is a multi-step process: There might be a healing circle for the victims of the crime, a healing circle for the offender and, finally, a sentencing circle to develop consensus on a sentencing agreement. There would be follow-up circles to monitor progress. If she failed to comply with the circle sentence, she'd head back to court for conventional sentencing by the judge.

The community as a whole and St. Cloud State University in particular had their reputations besmirched by the allegation that two men had slashed a young woman's face as they shouted anti-gay epithets. Her false report spread unnecessary fear and anger in the community that two men were at large who had committed a violent hate crime. Her false report also may make people less likely to believe reports of hate crimes in the future.

Healing circles would allow people hurt by the crime to air their outrage; it would provide an opportunity for the offender to get the help she needs to be integrated back into the community. Then a sentencing circle would decide how she should make restitution.

"What the circle process does" notes Seventh District Judge Steven Ruble, who serves in Foley and Milaca, "is recognize the reality that people are not ever rejected from the community!" The idea is to "make right" the harm done and to reconnect the offender with the community in a positive way. It involves more people than are involved in the traditional justice system.

In Central Minnesota, the Mille Lacs Circle Sentencing

Project on the Mille Lacs Indian Reservation began in late 1996. While it's too early to see valid statistical results, there have been successes. In a case involving a juvenile who assaulted a police officer, for example, a healing circle for the police officer began a dialogue that is altering hostile relations between community and police.

Judge Ruble says, to succeed, circle sentencing has to be "community driven and community created?" You need to have a core of people throughout the community willing to serve on sentencing circles. You need to have people committed to thinking creatively about how to repair harm done to the community by an offender's crime and how to change the offender and reconnect him or her to the community.

So far, 20 people have met and expressed support at a recent meeting in St. Cloud. That's a start.

As Stearns County corrections officer Don Belmont, a supporter of community circles, has said, "We've tried all sorts of different kinds of punishment and it's clear they don't always work. Why not try this?"

WHAT YOU CAN DO

-Those interested in community circles may attend a meeting at 7 p.m. Jan. 21 at Salem Lutheran Church, 90 Riverside Drive SE, or call Don Belmont at Stearns County Community Corrections at 656-6167.