
ACTION NOTES

FAMILY GROUP CONFERENCING FOR QUALITY-OF-LIFE CRIMES: The Minneapolis Experience

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Soliciting prostitutes, vandalism, public urination, driving with a suspended license—when these offenses occur in high numbers, they leave residents of city neighborhoods feeling harassed and victimized. However, in some large cities it is difficult to dedicate criminal justice system resources to these quality-of-life offenses because of the overwhelming number of more serious offenses the system faces.

Four downtown neighborhoods in Minneapolis joined together to demand a more effective response to these behaviors. Members of Central Cities Neighborhood Partnership began by educating themselves about the criminal justice system, so they could engage in a dialogue with the system on a more even footing. They gained some understanding of the limitations and enormous expense of the traditional process of prosecution and sentencing. This understanding prompted them to look for a more community-based solution.

Partnership members were willing to become more involved as citizens, but were frustrated that block watches and patrols didn't seem to make enough difference. They began to explore the philosophy of restorative justice and research restorative program models for an approach which would provide a more meaningful intervention in these offenses, while strengthening the fabric of the neighborhood.

They secured a grant for a summer intern through the University of Minnesota's Center for Urban and Regional Affairs to study restorative justice models and develop a proposal for these neighborhoods to use in response to quality of life crimes. After comprehensive research and discussions with individuals at the local and national level, a community conferencing model was developed, based largely on the family group conferencing process.

Family group conferencing originated in New Zealand from Maori tradition, was then adapted by police in Australia in the early 1990s as a diversion process, and brought to the United States in 1994. Family group conferencing involves the community of people most affected by the crime—the family and friends of the victim and family and friends of the offender—along with the victim and the offender in deciding the resolution of a criminal incident. These affected parties are brought

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together by a trained facilitator to discuss how people have been impacted or harmed by the incident and how that harm might be repaired. Offenders must admit to the offense. Participation by all involved is voluntary.

In many of the offenses residents of these neighborhoods were concerned about, there is no individual victim, but the community as a whole is affected by the offense. Because there are not individual victims, many of these offenders are unaware of affecting the lives of other people. It seemed highly probable to the Partnership planners that it might have a significant impact on these offenders if neighborhood residents described, face-to-face, how they felt about the behavior and how it affects them—especially, if at the same time, the neighborhood extended a helping hand to the offender.

The community conferencing process brings neighborhood residents together with the offender and his or her support persons to discuss the behavior, express feelings about that behavior and decide what the offender needs to do to make amends. Individual victims and their support systems may also participate if they wish. The process emphasizes the importance of finding a resolution which is good for everyone, including the offender.

The path to implementation has been a rocky one for the neighborhoods. The city attorney's office, which handles these misdemeanor level cases, was not cooperative in the initial stages. Several times the contact person the neighborhood was working with changed. Just as the neighborhood would get someone educated and hopefully on board, that person would be gone. At one point the neighborhoods had to exercise a little community organizing muscle to get the city attorney's office to take them seriously. They hosted a community forum on community prosecution and invited several state leaders to speak. In that process they made it clear to the city attorney's office that there is strong support for more neighborhood involvement and that the city attorney's office needs to be more responsive to neighborhood initiatives.

It took nearly a year to engage the support of the city attorney's office and work out the referral mechanisms and paper flow among the police department, the city attorney's office, and the collaborative neighborhood organization. The pilot project, funded by a foundation grant, began taking cases in the fall of 1997. All of the cases to date have involved adult offenders.

The project has had strong support in some of the neighborhoods and sufficient community volunteers from the beginning. Less enthusiastic neighborhoods have become more interested over time. Community volunteers are used as facilitators for the conferencing

process or as volunteer advocates for offenders who may not have a strong support system, or are hesitant to bring their [support system] friends and families into the process. To facilitate connecting offenders to community resources for specific needs, the neighborhood group has compiled a list of services available in the neighborhood.

Early results are very promising on several dimensions. Offenders are encouraged to address underlying problems, thus reducing the likelihood of reoffense. The neighborhoods are learning about themselves. Individual residents are experiencing a sense of efficacy and hope.

The first two cases required translators, one Spanish and one Somali. The community activists, who are mostly white, learned about the diversity of their neighborhood in a deeper way. In order to work effectively with the Somali offender, they needed to find out more about services for Somali immigrants in Minneapolis. The Somali offender agreed to educate his community about differences in U.S. laws regarding prostitution and assisted the neighborhood organization in [door knocking] door-to-door outreach in an area with a large number of Somali residents.

In a case involving an individual who was driving with a suspended license, an open bottle of liquor and a crack pipe in the car, a community member whose workplace was near the point of arrest confronted the offender's excuses and then later in the conference offered assistance with driving lessons. All the community members were more concerned with getting this person to be a legal driver than with some form of punishment. They focused on how to get this offender out of the hole he was in with unpaid tickets in Chicago which caused the license suspension and precluded getting a license in Minnesota. Working together they devised a plan for solving the problem which will reduce the likelihood of reoffense. The offender will also do community service with the volunteer from Catholic Charities, who initially confronted him on his excuses. The Central Cities Neighborhood Partnership will soon be hosting the first "completion ceremony" to celebrate success with an offender.

This approach to quality-of-life crimes, based on restorative values, has several advantages over the highly touted efforts in New York City and other metropolitan areas which focus on a 'crackdown' but don't address underlying problems. Those approaches typically suppress the behavior in one area but don't necessarily interrupt the behavior. Individuals often move to another location, so there is no improvement in the larger picture. The other advantages of this process are even more important: This conferencing process builds a stronger community and a sense of community norms whose enforcement is the everyone's

responsibility. It also provides direct benefits to victims and communities which the New York model does not.

When citizens participate in the process of condemning the behavior, they strengthen the norming process for the entire community. When they reach out to an offender, they weave that person into the community fabric and reduce the distance which made offending easier. The 'crackdown' process, conducted by the police, does nothing to strengthen the neighborhood. It allows the community to see the problem of the offense and the offender as belonging to someone else. The community conferencing process sees the offense and the offender as belonging to the community and thus requiring community involvement in crafting an effective solution.

Community involvement in effective solutions also breaks the cycle of helplessness common in urban neighborhoods. Over the past thirty years communities have handed more and more responsibility for managing behavior over to professional systems, particularly the criminal justice system. Originally, community members expected the system to solve those problems. Now they have no confidence that the system can solve the problems, but they themselves have lost the skills of managing behavior in the community, and feel helpless and fearful. When citizens are given a meaningful role in creating their own safety and quality of life, their sense of efficacy grows and fear subsides.

Grassroots organizers in partnership with supportive criminal justice professionals are creating other neighborhood approaches to crime based on restorative values. Each community develops its own unique program adaptation or combination of strategies consistent with the principles of restorative justice.

Powderhorn Park, a diverse urban neighborhood in Minneapolis, is beginning a pilot project to use community panels, similar to the Vermont reparative boards, to determine expectations for offenders who are on probation. A local church is also beginning a family group conferencing program for juvenile offenders. The Hennepin County Community Corrections Department is locating a probation officer in the neighborhood who will work with the neighborhood to address underlying problems related to crime.

The African-American community in North Minneapolis is developing the peacemaking circle process to involve community members in deciding the disposition of selected juvenile cases. Based on traditional North American native talking circles, peacemaking circles create a respectful space in which the victim, victim supporters, offender, offender supporters, judge, prosecutor, defense counsel, police, court workers and all interested community member can speak from the heart in a shared search for understanding of the event. The participants identify

the steps necessary to address the harm caused by the offense, to prevent future occurrences, and to design a sentence that helps the offender to move toward those goals.

Peacemaking circles are a problem-solving process involving those with the greatest stake in the outcome in determining the best path forward. Decisions in the circle process are made by consensus and everyone involved—victim, offender, judge, prosecutor, community members—must agree to the decision.

The North Minneapolis group received training in mid 1997 and has been meeting every other week since then to educate itself about the criminal justice process and community resources and to develop case processing protocol and criteria. Participants in this group form the Community Justice Committee which will decide which applicants to accept into the circle process and which will coordinate the circles for each case accepted. A case may involve separate healing circles for the victim and the offender, the sentencing circle, and follow-up circles to monitor the offender's progress. The Community Justice Committee includes community members and representatives from probation, the prosecutor's office and the public defender's office.

The Hawthorne neighborhood of North Minneapolis is beginning a pilot project to use circles in some child abuse and neglect cases. The Hawthorne neighborhood has very high rates of poverty, unemployment and out-of-home placement of children. Grassroots organizing has drawn churches, citizens, and non-profit agencies into a collaborative effort with county social services to use the circle process to assist families and break the isolation which is such a common risk factor for abuse and neglect.

Applications of restorative justice principles are being developed in schools, neighborhoods, social services, police, courts, corrections and prisons. The fundamental values of restorative justice—honoring individual human dignity, respecting relationships, promoting healing for all, allowing those most affected to have a voice in decision making and focusing on problem solving for a good path forward—apply wherever humans gather. These values can be applied in thousands of different ways depending upon individual circumstances. Movement toward the greater use of these values can be initiated by anyone who has the passion to make a difference and the willingness to first apply these principles in his/her own work.

Democracy and caring are the foundations for building a society in which safety is a product of harmony rather than hardware. Restorative justice principles provide a framework for creating processes which increase the opportunities to express and experience democracy and caring. Individuals, communities, and professional systems across the continent are finding their own unique pathways toward that vision.