



Center for Restorative Justice & Peacemaking

An International Resource Center in Support of Restorative Justice Dialogue, Research and Training

Executive Summary

SYSTEMIC CHANGE TOWARD RESTORATIVE JUSTICE: *WASHINGTON COUNTY IN MINNESOTA*

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I. INTRODUCTION

Planned systemic change in any organization can be difficult, if not nearly impossible. Correctional systems, often entrenched in ideology, established ways of doing things, and political agendas, are frequently regarded as among those organizations most impervious to substantial change.

Nested within an overall criminal justice response to crime, correctional policies have bent and shifted throughout the past century. Focus has gone back and forth among competing purposes: public safety, punishment, deterrence, offender rehabilitation, responding to victim needs, and prevention. Large prisons were built, followed by cottage based institutions and training schools. Group homes and other community-based components were added. Parole and probation were beefed up to provide services and then stripped to provide surveillance. In some jurisdictions parole was abolished. Offenders were provided religion, education, training, and treatment – sometimes mandatory, occasionally voluntary. Inmates remained institutionalized until someone determined that they were "fixed." Newer – possibly older – policies established set a time to be served, fitting time to the crime.

For much of the past century victims were largely ignored by corrections and by the larger justice system. They might have played an important role as witnesses, but beyond that they were often forgotten or thought of as being in the way, bringing unwanted emotion to a deliberation of facts and the meting out of justice. Since the 1980s the victim voice has been increasingly heard and states, counties and cities have responded in a variety of ways: victim compensation, victim impact statements, victim services, hot lines, and so on.

To a large extent the desire to involve the victim and to involve local citizens in an overall response to crime has brought about a change in the dialogue concerning the scope and purposes of corrections specifically and criminal justice generally. Part of that dialogue has centered on an evolving paradigm of justice called variously "restorative justice," "community justice," and "balanced approach to justice" (Morris and Maxwell, 2001).

In the fall of 1997, Howard Zehr conducted a training session sponsored by the Washington County Department of Court Services where he highlighted "restorative justice signposts" or principles.

We are working toward restorative justice when we ...

1. ... focus on the harms of wrongdoing more than the rules that have been broken,
2. ... show equal concern and commitment to victims and offenders, involving both in the process of justice,
3. ... work toward the restoration of victims and offenders, involving both in the process of justice,
4. ... support offenders while encouraging them to understand, accept and carry out their obligations.
5. ... recognize that while obligations may be difficult for offenders, they should not be intended as harms and they must be achievable,
6. ... provide opportunities for dialogue, direct or indirect, between victims and offenders as appropriate,
7. ... involve and empower the affected community through the justice process, and increase its capacity to recognize and respond to community bases of crime,
8. ... encourage collaboration and reintegration, rather than coercion and isolation,
9. ... give attention to the unintended consequences of our actions and programs, and
- 10... show respect to all parties, including victims, offenders and justice colleagues.

---Harry Mika and Howard Zehr

Numerous programs across the United States and the world have been developed which adopt at least some of these principles. For example, there are more than 1, 400 victim offender mediation programs in North America and Europe. (Umbreit and Greenwood, 1999; Coates, Umbreit and Vos, 2000; Umbreit and Coates, 2001).

Frequently, these programs provide significant additional resources for serving offenders and victims and for involving local community members in the justice process. Often, however, these "restorative" programs may be little more than showcase programs which have minimal impact on a jurisdiction's total response to crime. Thus there is sharpening interest within the justice arena for documenting efforts of systems, of whatever size, to integrate restorative justice processes into the overall response of a correctional department—hence bringing about significant, planned systematic change.

In Minnesota, Washington County Community Corrections has taken steps to adapt restorative justice principles as the basis for shaping their responses to crime, involving offenders, victims, and communities. The Center for Restorative Justice and Peacemaking at the University of Minnesota was asked to document this ongoing change process, to ferret out the key change elements, barriers and resistance to change, to outline the immediate impact as perceived by staff, justice officials, and community members, and to address issues surrounding continuing progress toward integrating restorative justice policies and practices into the department's responses to crime.

Washington County stretches from the Minneapolis Saint Paul Metropolitan Area on the west to the Wisconsin border on its east. While bedroom communities are emerging from farmers' fields near the metro area, the county has several long established communities and has a rural flavor about it. Although the county has experienced significant growth in recent years, planners suggest it is ten or more years behind some counties that are reeling under the influx of new populations and fledgling communities. With its more old time, established communities, Washington County has a less fluid base with which to develop and experiment with community based services. This relative constancy has shaped, in part, the county's approach to restorative justice. Resting on a cusp of even more rapid growth, administrators are challenged to stay ahead of the inevitable pressure on resources as population and citizen needs increase.

Data for this study included both existing records and extensive in-person interviews with key individuals. Record data including annual reports, program descriptions, and relevant memos were also reviewed. A total of sixteen individuals were interviewed: five community corrections staff [termed Court Services in Washington County], five other justice system staff, and six community members. System players included a judge, the county attorney, the county administrator, a public defender, and the victim witness coordinator from the county attorney's office. Interview length ranged from half an hour to an hour and a half, with most taking forty-five minutes to an hour.

Although the reform effort in Washington County described here began in the mid-nineties, it has roots that can be traced back at least into the seventies. It should be clear, then, that this study will not be able to fully describe the rich dynamics of the change process. We interviewed individuals about events which transpired years earlier. Often individuals have forgotten important details and there are frequent conflicts in what is recalled between two or more persons. While much of the specific dynamics of the change process cannot be captured, participants are able to identify those factors and elements which fostered or impeded restorative justice policies and practices, and to describe at least in broad strokes how the system attempted to move forward in the face of enthusiasm and resistance.

We expect that administrators and staff in other jurisdictions, private providers, and community interest groups contemplating this kind of planned systemic change will benefit from these reflections on bringing restorative justice policies and practices to fruition.

II. WASHINGTON COUNTY SNAPSHOT

The movement toward adopting restorative justice policies and principles in Washington County Court Services has evolved over time. Participants do not point to a crisis or set of crises which stimulated the reform effort. They point to a shared history of progressive philosophies toward justice dating back to at least the mid-seventies. Over 13 years the director of Court Services provided strong leadership and support for these reform efforts. He is seen as one among many leaders within Court Services, the criminal justice system and the community who have helped shape and direct this movement toward restorative justice.

Partnership is the key word mentioned by almost all of the participants in this study. Partnership among community justice decision-makers, county administrators, and citizens/community groups is seen as necessary for such a change effort to succeed and also as an important byproduct of such change. This commitment to a broad-based partnership is a value and strategy nurtured by the director over many years.

Some of the key precursors to restorative justice reform in Washington County include:

1. Longstanding Community Corrections Act County. Washington County chose to participate in the Community Corrections Act in 1978. That choice reflected a corrections philosophy oriented toward providing services at the local level and in ways that were as community based as feasible.

In Minnesota, correctional services are managed within two primary different organizational structures. Prior to the mid-seventies, corrections was the domain of the state; probation usually fell under the jurisdiction of local courts. In 1973, enabling legislation was passed giving the counties an option to organize and manage their own correctional services with the belief that channeling state monies to the counties would provide for more "community based" services. Institutions would still be managed for statewide services, but it was hoped that Community Corrections Act counties would handle most offenders within their counties, keeping offenders and their families closer to each other and to needed services. Thirty-one counties out of eighty-seven are now operating as Community Corrections Act counties.

In Washington County, the department charged with providing probation and parole services for adults and juveniles, as well as out of home placements, kept the name "Court Services." Other similar county departments are often named "Community Corrections." Some study participants believe that the choice to stay with the name Court Services is important because it underscored a "social work service orientation," rather than a more traditional "lock'em-up" corrections philosophy. Today, terms, "court services" and "community corrections" are used rather interchangeably both in the department's official documents and as participants refer to the department. The agency provides pre-sentence investigations to the court for adults as well as post sentence services. County Jail services are the responsibility of the County Sheriff. Court Services also provides direct or contract service to youth and adults referred to it by the County Attorney's Office as diversion cases. Much of the department's effort over the years has been forging links with community groups and resources which could assist in early intervention efforts within local communities. Early on, the focus of such undertakings was the offender; later, that focus would broaden to include the victim, and even the community not only as resource, but also as victim.

An immediate and enduring result of Washington County becoming a Community Corrections Act County was the establishment of a Community Corrections Advisory Board which "actively participates in the formulation of the comprehensive plan for the development, implementation, and operation of the correctional programs and services as prescribed by statute." (Comprehensive Plan 2000-2001). The Board is currently composed of seven citizen members, seven judges, the County Attorney, the County Sheriff, and representatives from Probation, Community Services, Public Defenders, and Law Enforcement. Ex-officio members include a County Board Commissioner, the District Supervisor from the Minnesota State Department of Corrections, and the Director of Washington County Court Services. Many of the participants in this study point to the advisory board as being one of the key places where broad based philosophies and policies are discussed. It is also a forum for trying out new ideas, assessing ongoing programs, and enlisting support for seeking funds. The Board would become one of the natural forums for discussion of restorative justice ideas.

2. Established Community-based Service Providers and Interest Groups. Washington County has a long tradition of local communities providing prevention and early intervention services to youth through Youth Service Bureaus. During the period when restorative justice ideas were emerging there were five such bureaus. The Forest Lake Youth Service Bureau is currently celebrating its twenty-fifth anniversary. These organizations range in size and scope, but their existence meant not only that there was a core of service providers, but also that these providers tapped into their local communities for volunteers for their own boards, committees, tutors, mentors and so on. They also would provide natural settings for dialogue about restorative justice and potential partners for a broad range of programs.

Other private groups existed and more would emerge during the nineties with mental health, domestic abuse and victims. An important factor to realize here is that Washington County had communities and community groups that had considerable experience in dealing with justice issues before restorative justice became a popular banner for community participation.

3. Key Staff Interest in Community-based Corrections and System Change. Washington County administrators see themselves as striving to be progressive in their attempt at carrying out criminal justice responsibilities. The Director of Court Services has been in that position for fourteen years and with the department for nearly thirty years. He claims that "the department had a strong social work emphasis, much into change, helping people change, so that foundation was there before I became director." In the seventies and eighties the department, enabled in part by outside grants, developed restitution programs. The department wrote a grant with the five Youth Service Bureaus to develop and strengthen restitution programs, community service, and victim-offender mediation. After the three year federal grant ended in the early nineties, victim-offender mediation was the first to be cut because of its small numbers. But four of the six key staff supported under that grant remained with the department and were supporters in a change in philosophy and directions, which would be responsive to restorative justice principles and practices.

Key staff were already inclined toward working with community groups. Natural alliances had already emerged in the seventies and eighties and a degree of trust had been established. The new reform would offer new opportunities for collaboration. Some strain would develop, as even community providers would have to reconsider how their service delivery fit restorative principles. And new community players would step forward offering more options and at times calling into question the suitability of the system's commitment to restorative justice and community collaboration.

Thus Court Services in Washington County has a long tradition of desiring to do what is best to help offenders and thereby enhance community safety. It has a very long commitment to involving local community groups able to provide community based service and support to offenders. And it has a longstanding interest in systemic change that evolves over time. With these interests, it seems quite reasonable to discover that the department with its community partners would be more than willing to explore the implications of restorative justice principles.

At least for the purposes of this study, it was important to establish a focal point in the change process that participants could agree upon as the turning point, or pivot point for adapting restorative justice policies and practices in a significant way. Without exception, participants pointed to the department's decision to hire a person to develop and coordinate victim offender mediation / conferencing programs as that turning point because it was

the primary vehicle that brought community members into the operation of the agency. Elements of the ongoing change process are highlighted in Section Three.

The movement toward inculcating restorative justice principles into policy and practice in Washington County has its roots embedded deeply within the justice system's long-standing commitment to community-based services. This is the single most distinctive factor in Washington County's commitment to working toward restorative justice on a system-wide basis. For some study participants, it seemed a naturally evolving process for Court Services staff and others to embrace restorative justice as a framework for advancing system change. For others it seemed a much more radical and wrenching step for the department to not simply want to have access to community resources but to actually invite communities to share a voice and a partnership in attempting to meet the needs of victims, offenders and communities.

Outcomes of this reform effort have impacted not only victims and offenders, but also the larger community and the way in which staff conduct routine business. Approximately 200 offenders participate in victim offender mediation and conferencing within a year. Typically victim and offender meet face to face affording the victim with an opportunity to ask questions about the crime, for the offender to answer questions and talk about his or her experience, and for the possibility of working out arrangements whereby the offender and victim can agree upon some kind of restoration plan. While these conferences are often small including a volunteer or staff mediator, a victim, and an offender, they can involve additional family and support members. And on occasion, they can be quite huge involving neighbors or other community members, depending on the nature of the case. Offenders are fairly evenly split among juveniles and adults. Fifty-eight volunteers are currently involved in this program and many more have gone through the victim offender mediation training.

Also, sixteen cases have been referred to community justice circles during their initial development phase. Circles are the result of a distinctively community partnership or collaboration. Individual cases may be referred by probation officers or other criminal justice decision-makers to a Community Circle. The circle will hold an application circle to determine whether it will accept the case. If so, additional circles are held, usually but not always involving both victim and offender. These may include healing circles, support circles, and sentencing circles. Typically cases referred to circles involve adult offenders who have been in trouble repeatedly and who have indicated a desire to change their behavior.

And nearly 1,500 adults go through the Sentence to Service project each year. This longstanding program which focuses on community service and restitution has been retooled. Rather than simply assigning an adult offender with a number of hours, there is more thought given to the nature of service to be carried out and its appropriateness to the offender's crime. How can the service be tied back in meaningfully as a way for the offender to pay back to the victim and community rather than simply the offender working so many hours because the system ordered it?

This movement toward adapting restorative justice principles to retool old programs and shape new ones has at the very least brought about the involvement of more citizens into the justice process as service providers, as volunteers, as advocates. Many judges and county attorneys are supportive of various aspects of restorative justice while some remain skeptical about other elements. Court Services staff continue to wrestle with how to best incorporate restorative justice principles into the department's routine day-to-day work.

Initial research on victim satisfaction with Washington County victim offender mediation, conferencing and circles has yielded positive responses. That database will grow as the numbers of participants grow. And the long run impact of these particular approaches will likely be measured by assessing changes in offender behavior, including recidivism.

The process of change in Washington County has been fluid and broad based, with a particular focus on the process being community-owned and not just system-driven. Clearly, the feeling of pride and ownership in this restorative justice movement stretches across community groups, system decision-makers and department staff. In that sense alone, this reform effort has been quite successful. There is strong sentiment among those interviewed for this study that restorative justice does not depend upon one leader, and that it is here to stay, perhaps in ever- changing forms, but nonetheless, here to stay.

Continuing issues identified by study participants include:

1. Developing and Maintaining a Continuum of Community-based Options. Staying open to new ideas and continuing to consider where restorative justice principles might lead practice remains a challenge. Reform efforts of any kind can suffer from trying to institutionalize the outcomes. A number of study participants worried that some individuals felt they had found the "one true model," be it circles or victim offender conferencing or some other approach. "It's been rather discouraging, but I suppose part of the human condition," says a supervisor. "There is a continuum here which expands the resources we have to work with victims and offenders."

A youth service provider comments on the importance of thinking outside the box: "I think that people need to look at restorative justice as a philosophy and principles rather than starting out by looking at it as a packaged program. Because when we first heard about restorative justice we heard about victim offender mediation and we would say, 'We can't do that.' Our agency is not equipped to be able to do that for three hundred kids a year! And so we set the idea aside, but once we started to think of restorative justice as a philosophy and how we can make that philosophy match and shape our programming, then it started to make a lot more sense."

According to the director, "We will always need more seed planters. This is an evolving process. We cannot afford to get locked into one way of thinking or doing things."

With the development of a continuum of service available to offenders and victims a major task becomes matching appropriate cases with the limited available resources. Some individuals or cases will be most appropriate for circles, others for mediation conferencing, and others for casework which applies restorative principles. Some cases may be appropriate for more than one option. The more the continuum can be expanded, the more options become available for repairing the harm to victims and communities and the more alternatives become available for helping offenders.

Expanding the continuum may focus on program development and/or on applying existing approaches to other areas of the justice process. An example of the former would be the establishment of community or neighborhood victim panels, which could provide "surrogate victims" willing to engage in dialogue with offenders. An example of the latter would be using community justice circles to help offenders transitioning from residential living back into independent living in local neighborhoods.

2. Integration of Restorative Justice Principles Across the Department. Court Services administrators acknowledge that integration of restorative justice principles across the department's response to offenders and victims is an ongoing undertaking. The director points out that from the beginning they have wanted to be "non-threatening" and "invitational." He also indicates that some supervisors are making more progress than others. The work on policy and procedure has been onerous but helpful. A supervisor notes that handling a couple hundred cases through victim offender conferencing, while important, "doesn't mean that's it."

It is the pre-sentence investigation, casework and supervision which is the bulk of the probation effort and it is there where restorative principles must have a positive impact if restorative justice is to be more than "special programs." Progress is being made within some probation units as supervisors and staff sort out how to build the three components of offender, victim, and community into case plans in explicit, concrete ways.

Some members of the judiciary are pressing for pre-sentence investigations that incorporate restorative measures. This has generated considerable enthusiasm within Court Services. An ad hoc group of judges, public defenders, county attorneys, court administration and probation officers are looking at this issue for adult criminal cases. A judge indicated that, "judges on felony cases use these pre-sentence investigations as a resource for sentencing. And I thought that if we could organize it and ask those questions that restorative justice asks about what's the harm caused, how can it be healed, it would focus the whole sentencing process in a restorative fashion."

Others point out that integration of restorative justice principles has to be tied closely to performance measures and staff incentives, that is, career advancement and salary increases. Even the hiring process is influenced somewhat by potential staff compatibility with restorative justice philosophies. Current staff report being called by job candidates to answer questions about what restorative justice is.

3. Pre-disposition Assessment for Juveniles With Victim Input. Several study participants from the department and outside raised questions regarding the processing of juveniles. Unlike adult court hearings, juveniles court hearings typically move directly from adjudication to disposition in the same court hearing without pause for risk level assessment or case planning options developed by Court Services. It is suggested that pre-disposition assessments, like pre-sentence investigations, would provide more opportunity for victim input and more efficient use of limited resources for youth and their families. There would be opportunities to develop assessments taking into account again the three target areas of offender needs, victim needs and community needs. Conferencing with victims and offenders, for instance, could be used to feed information into some of those reports. And judges would have a clearer understanding of what would happen to a particular youth post-adjudication.

4. Leadership Transition. As in any organization, individuals in Court Services will retire or move to other positions. The question of what is likely to happen when key leaders leave is a question we typically ask when studying organizational or system change. The retirement of the director in Washington County in the very near future, after many years in that position, and his replacement will no doubt impact the network of relationships which shape restorative justice in Washington County. It should be clear that the same would be said if other key department staff were retiring or otherwise leaving, or if key judicial or county attorney supporters retired, or if key community members moved on to other locations. No one individual is indispensable in this reform effort, yet the departure of any key player will alter the dynamics of the undertaking.

One participant indicated that the reform effort is a "marathon, not a sprint" and also added that inevitable leadership transitions at whatever level within the system involve "passing the baton to committed runners."

III. A FRAMEWORK FOR DOING ADVOCACY/ORGANIZATIONAL CHANGE

This Washington County case study provides a sketch of how efforts were undertaken to move toward adopting restorative justice policies and practices. It contains participant perceptions of the impact of such reform efforts on each department, the broader justice systems, the communities, the victims and the offenders. And it also highlights perceived obstacles and opportunities for additional reform.

Restorative justice has provided a conceptual framework to justify the need for reform and the shape of the reform in these Washington County. The director brought a strong background in community-based corrections and organizational change to his position and a desire to strengthen their department's commitment to community-based corrections. The restorative justice framework and its associated principles provided a conceptual opportunity that made common sense to many individuals, that offered justification for what needed to change, and that even imparted inspiration.

From this case study, we now want to tease out suggestions regarding how to go about systemic change which hopefully are of use to individuals working in Washington county as their reform effort continue with changing players and resources, and to people working in other jurisdictions who may be contemplating how to go about instituting change processes with a restorative justice objective.

To do that we draw upon an advocacy or organizational change framework which has evolved out of research and practice within juvenile corrections and delinquency prevention agencies. Grist for this framework comes from work on deinstitutionalization reform in youth corrections in Massachusetts and Vermont (Miller, Ohlin and Coates, 1977; Coates, Miller and Ohlin, 1978) and Utah (Jensen and Coates, 1991); on the process of handling resistance establishing group homes in communities (Coates and Miller, 1973); on providing a change-oriented planning tool for juvenile delinquency prevention agencies; and on developing a generic advocacy framework for social workers (Coates, 1989). We have recently applied this advocacy framework to an analysis of setting up victim offender mediation programs in six Oregon counties (Coates, Vos, Umbreit, 2001).

While the advocacy framework describes the three types of individual case, community, and class, the primary focus of the present study is on class advocacy: organizational change directed at changing ways of dealing with a class of individuals -- in this instance offenders and victims -- and generating more resources for their benefit across multiple communities or within a sizeable jurisdiction such as a county. Movement toward those goals will

also necessarily include community advocacy involving community/interest group organizing and individual case advocacy focusing on linking victims and offenders to available resources.

Seven action steps are identified which cut across each type of advocacy: 1) identifying and justifying a need; 2) identifying desired change; 3) identifying the targets for change; 4) assessing the available resources; 5) assessing the political scene; 6) developing and implementing advocacy strategies taking into consideration leverage, negotiating stance, use of power, timing, and selection of tactics and strategies; and 7) follow-up.

We will now use this advocacy framework to explore and highlight how elements of the reform efforts in this study fit the framework and how the framework may be used to guide further systematic planning. While these steps are presented in a linear fashion, in practice there is considerable feedback and retracing the process with new information in hand or as the resources available or the political scene shifts. This tool should be used in a dynamic way mirroring what is occurring in the advocacy arena.

1. Identifying and justifying a need. The philosophy and direction of community corrections in Washington County were committed to strengthening community-based corrections in their respective counties. The department hoped to tap existing resources in local communities in order that offenders might be served closer to where they lived and to enlarge the range of services available by increasing community involvement particularly in prevention, diversion and reintegration efforts.

A restorative justice philosophy had appeal because it served to justify what was already regarded as desirable and it broadened the scope of action by incorporating the needs of victims. The county embraced a balanced approach to justice which sought to lift up the needs of offenders, victims and communities. Commitment to this balanced restorative approach for justifying needs remains strong.

2. Identifying desired change. A restorative justice framework can lead to widely diverse desired changes. As many of the participants report, restorative justice should be viewed first as a philosophy, as a way of thinking, as a way of being. Thus, there is the desire to change the mindset of individuals working with offenders and victims and also with community members. How does one think about case planning, or pre-investigation with the three components firmly in mind? How does one think about accountability—of offender to victim, of staff implementing this philosophy, of department to community volunteers and vice versa? What kinds of research are needed to assure that new programming efforts yield results that are consistent with best practice?

Or a desired change may simply be strengthening the department's commitment to restorative justice principles. Training and education forums were pivotal in early efforts in Washington County to disseminate and promote restorative justice ideas. The county continues its extensive training and education efforts.

Another desired change was and continues to be the involvement of more community members and groups in community corrections. A continuing struggle remains concerning how to maintain a continuum of responses to offenders and victims without falling into the trap that a particular program or approach is the "best or right way." There is no reason to believe that there will not be additional creative restorative approaches developed over the years which will augment those currently in vogue. The question remains whether policymakers and practitioners will remain open to new ideas. The values and principles of a restorative justice framework can be used to evaluate the fit of any new approach, and such a framework should also promote openness toward and encourage innovation.

3. Identifying targets for change. Given the broad system changes required if restorative justice is to have any impact beyond the cosmetic, it is not surprising that identified targets for change included departmental staff, criminal justice decision-makers, and community members. As has been noted by many observers, the criminal justice system is somewhat like a beanbag chair. If you change the outline of the chair by pushing with the hand on one side of the chair, the consequence will be the expansion of the chair on the other side. Any significant change regarding the system's response to victims of crime and offenders will lead to change or at least reaction in other parts of the system. As one judge indicated, judges have to buy in at some level in order for restorative justice to work. Judges and county attorneys are sources of referrals. Likewise, for services to actually be community-based, community members need to be involved often in policy setting at the local level and in delivery of service. And of

course, it's difficult to move forward with any kind of departmental change without a significant number of staff on board.

Depending upon the objective, the targets for change can be narrowed. For example, if as in Washington County, there is a continued desire to make the pre-sentencing investigation reports more restorative in nature, the primary individuals who will need to change their thinking and what they do are staff preparing the reports and the judges who request them and use them. One could walk through each of these advocacy steps with that particular need in mind.

4. Assessing Available Resources. What kinds of resources are available to help shape the direction of the reform effort? Resources here are intangible and tangible, including culture and history as well as monies and hardware. Staff in Washington County had for years experimented with restorative justice type programs, particularly with some form of victim offender mediation and with community service. The county had nearly two decades of experience with attempting to engage local community providers and community groups. It had a Community Corrections Advisory Board which had demonstrated strong commitment to progressive corrections policies and provided a base within which key decision-makers could talk about restorative justice and its implications.

While Washington County participants talked about the pressures that restorative changes placed on staff – particularly by adding victim needs to the mix – there was not the same sense of desperation that one often hears from administrators in counties that believe their systems are overwhelmed by the sheer number of cases coming through the system. County administrators are working diligently across the justice system to plan for the continuing population growth expected within the county and the resultant increased pressure on the system. Many look to the communities to help strengthen the options available to increasing numbers of victims and offenders.

The county made good use of outside monies and grants to support training and education efforts regarding restorative justice as well as specific program alternatives. National Institute of Corrections grants made available some of the training. The state department of corrections sponsored some. And it participated as an exemplary site in the national Balanced and Restorative Justice (BARJ) project, funded by the Office of Juvenile Justice & Delinquency Prevention of the U.S. Department of Justice.

Advocates need to do a thorough and continuous assessment of resources including people, experience, history, available monies, presence or lack of crises, and coalitions. What strengths do these resources bring to bear on desired change? What resource areas need to be strengthened? In Washington County, many study participants expressed concern about leadership changes that would face the department over the next few years and wanted to be certain that adequate attention was being devoted to the processes of transition and preparing future leaders. Having a large enough pool of individuals capable of leading a department is a critical resource. Again, one could take this entire advocacy framework and lay it out with that specific objective of leadership transition in mind. In this instance, one would ask what kinds of resources could be brought to bear on a leadership transition to ensure a process that is relatively smooth and positive.

5. Assessing the Political Scene. Change takes place within the context of a political arena. Individuals and groups have a stake or vested interest in the status quo, in particular ways of doing things, in professions, in criminal justice philosophies, in worldviews. Individuals and groups resist or promote change based on all of the above and more. It behooves those who seek restorative justice reform not only to know the players within the department, the criminal justice system, and the community, but also to know what kinds of issues have generated conflict in the past and how various individuals and groups engage in conflict and resolve conflict. This knowledge provides clues for how to go about presenting reform ideas, suggesting programs, anticipating obstacles, and handling resistance.

This information can be gathered by listening to people who have attempted to institute change in the past, by culling documents, and by reading old newspaper accounts. Two major words of caution are needed here. First, it is important not to rely on a single source for information. Any individual is likely to have some sort of bias. Talking with several or many individuals should provide a more balanced overview. Likewise, a single document or newspaper account will provide one slice of information. Multiple sources will usually provide a more accurate picture of what happened and who was lined up pro and con. Second, it should not be assumed that just because an

individual or group was opposed to or supportive of a given action in the past that they will necessarily take the same position this time around. Information regarding the political scene provides a clue to tendencies, not absolutes. Individuals and groups do themselves change.

An often-overlooked group of individuals are those we describe as "formal decision-makers" who do not have a particular stake or orientation regarding the proposed change but do have strong stake in process and procedures. For example, a city treasurer may not be moved one way or the other by the philosophical arguments underpinning a Youth Service Bureau's expansion into victim offender conferencing, but may have firm beliefs regarding how the organization is to go about getting funding for the expansion. If staff alienates this individual by going outside the proscribed ways of seeking support for funding, the treasurer could very likely become a swing force opposing the expansion. "Formal decision-makers" may not take public positions on the value of a particular reform effort, but they can be powerful opponents when their role is perceived as not being respected.

6. Developing and Implementing Advocacy/Change Strategies. Up to this point, change agents have assembled critical information for guiding the development and implementation of change strategies. Now they must take that information and make decisions on how best to go about bringing about desired change. The assessment period does not have to go on for a long time. The time required depends in part on the complexity of the change one desires and the number of persons centrally involved in planning. Some advocates will lay the information out in a grid, move back and forth from one step to another, and use the grid to process information with those involved in the reform. Other advocates are abhorred to think that such information could be laid out on paper; these folks prefer the "seat of the pants" approach – yet when interviewed about how they went about organizing a change effort, it is clear that the successful advocates have the same kinds of information in their heads. Some are less willing than others to share that information.

Close attention should be given to five components of implementing change strategies.

a. Leverage. Getting the message across and garnering support for restorative justice measures involves developing leverage over time. A charismatic leader gains leverage by inspiring individuals to consider trying to do things in new ways they previously either had not thought of or thought impossible. Leverage may be amassed by working on task forces and committees where one's work and voice becomes respected. In Community Corrections Act counties with Community Advisory Boards, through citizen representation, communities are provided with some leverage vis-à-vis criminal justice decision-makers. Relationships provide the basis for leverage. Too often proponents or opponents of a particular reform demonize one another. That is much more difficult to do where individuals have worked together and developed working, if not personal relationships. Study participants counties talked about the importance of participating in training seminars and conferences as a way of developing relationships with individuals they may have only heard of before or perhaps had only known within the context of formal roles. Repeatedly, participants indicated that a key to making restorative justice philosophies work is relationships built upon respect and trust. And it is through relationship that we have the opportunity to influence, to debate with, to cajole.

b. Negotiating. There are the purists who believe that negotiating or the art of compromise is a sellout, and they play an important role in many reforms. Yet those individuals who are most adept at negotiating do much of the nitty gritty advocacy work. These individuals will listen to the concerns of those who question a program and try to discover a natural stake for those who are opposed. For instance, in a previous study of neutralizing resistance to group homes, a small town librarian was initially opposed to the idea of a home for juvenile delinquents moving into the neighborhood of the library. She became a supporter when staff developed a plan whereby youth from the home would work with her to improve the library. The plan proved good for the youth and for the librarian who felt like she'd been taken for granted by the community for years.

Being willing to negotiate leads to a certain tolerance of disagreement. There is no judgment that those who disagree are necessarily life long adversaries. They are simply folks who disagree on a given facet of an issue. Good negotiators are able to take the role of the other and look at the proposed change through the eyes of the other. This process allows one to develop stake or ownership for the person who is skeptical. Together by listening and looking at things through the eyes of the other, individuals from the community and staff seem to have

developed relationships which in the long run benefit the youth, the victims they've harmed, and the communities in which they live..

c. Use of power. An individual may have formal power because of the official role he/she fills, such as a supervisor, or informal power attributed to him or her by a group. In either case, change advocates need to use power efficiently. To wield it haphazardly or heavy-handedly will typically lead to disenchantment and ultimately disengagement of supporters. The director in Washington County strove for a balance between over and under-utilizing the formal and informal power available to him.

Community groups, like groups within the formal system, struggle with sorting out their own power sources and how to use them in this new alignment of players which can bring community members into uneasy partnerships with criminal justice decision-makers. How can they influence policy and practice? What kinds of power do they wield? Will that power be diluted if they don't use it? Will they simply be ignored if they do use it? Will they become part of the system if they don't?

There is little to be gained by using more power than necessary to achieve a change. Lasting change is best brought about as everyone develops some stake in the proposed reform. And in any case, today's adversary may be tomorrow's ally.

d. Timing. An advocate can move too slowly or too quickly. Often the timing needs of those inside the reform coalition do not fit those on the outside. A judge may want to re-examine a proposed change in types of cases referred to victim offender conferencing. A study group or task force may be proposed. Is this an effort to obtain more information for really clarifying the referral process or is it a classic stalling tactic? In this instance, advocates will have to decide if they are moving too rapidly and what the costs and benefits might be of slowing their pace. A leader will pay close attention to those heavily invested in the reform for they often want to see action and results, perhaps even before the leader is ready to move. In Washington County, some community advocates indicated that they believed the county was moving too slowly toward implementing restorative policies on the one hand, yet they did not want their own efforts to be overwhelmed by a large volume of cases.

Sometimes the timing is just not right. Finally convincing a principal of a junior high school to enroll students from a group home in the month of May does little for the youth involved.

e. Selection of tactics and strategies. Advocates must know their supporters well to select appropriate tactics and strategies. Some individuals will be likely candidates to work on task forces and study groups; others may prefer one-on-one conversations with key decision-makers, while others will be letter writers. Some will testify in public hearings and others will organize the refreshments for a community meeting. Each individual can contribute to bringing restorative justice issues before staff, decision-makers, and the public. But it is important to identify individuals with various skills and match skills with tasks rather than expect everyone to be comfortable doing the same things.

Tactics and strategies will also vary depending upon the individual or group one is trying to influence. Some potential supporters are going to be moved to action by hearing the human interest stories, that is, how victims and offenders have changed by entering into dialogue. To others, such stories, while possibly heartwarming, don't speak to the question of recidivism or costs to the county. Advocates will be expected to speak to a wide range of concerns and to know when to emphasize particular kinds of information. Research statistics may put some listeners to sleep and be the heart of the matter for others.

Tactics and strategies are framed by the use of language. Language is at the core of miscommunication. Many involved in the justice system utilize specialized training and language. Be they lawyers, social workers, or psychologists, each comes with a common understanding within their respective disciplines, which may not be widely shared outside it. Volunteers sometimes complain about having to try to translate all the jargon thrown at them. Some advocates claim that it is better to have judges present restorative justice philosophies to judges and social workers to social workers because of language and because each group tends to trust its own members more than outsiders. Others take the position that it is critical to be able to translate what is done in the name of justice so anyone can understand.

Development and implementation of change strategies, then, takes into consideration each of the assessment steps as well as leverage, negotiation, use of power, timing, and appropriateness of tactics. There is no "right" strategy. The best strategy will be determined by analyzing the information one is able to glean about the players and groups involved or impacted upon by any given proposed change. In a recent study of establishing victim offender mediation programs in six Oregon counties it was discovered that what individuals from one county saw as an obstacle, persons in another county regarded as an opportunity. The resulting victim offender mediation programs represented "the unique characteristics of each county and that county's expectations regarding victims and juvenile offenders." (Coates, Vos, Umbreit, 2001).

An assessment of a department's history, culture and stakes of the various criminal justice and community players will lead to selection of "best" tactics and strategies for change. In a system where there has been much staff drift and considerable resistance to change, the "best" tactic may involve extensive training and staff development efforts. It may include identifying key staff open to new ideas and building internal staff coalitions. It may involve bringing in a charismatic leader from the outside. It may focus on defining and commitment to a new mission. In this instance, the staff are regarded as a primary initial target for change in order to achieve longer range programmatic goals.

In Washington County with a staff with considerable experience in managing community corrections and a long term director, a pivotal change strategy from the beginning was giving local community groups more stake and responsibility in offering restorative justice responses to victims and offenders. The department needed to continue undergoing a shift, but did not require a severe wrenching.

Strategies will vary in jurisdictions where judges or county attorneys are more vocally opposed to restorative justice practices compared to counties where much of the support emerges from those groups. Likewise, strategies will vary according to the level of support available from community groups. It should be noted that significant previous community involvement in justice matters may not naturally lead to support for restorative practices as the community providers, local boards, and volunteers can become just as entrenched in given ways of doing things as other groups.

7. Follow-up. Perhaps the most overlooked step of advocacy is follow-up. Maybe procedures have been ironed out regarding referrals to victim offender conferencing. Two or three months later, are the referrals actually coming? Or have good intentions been overwhelmed by paperwork or some other unexpected consequence? If so, additional change likely needs to be made.

Through follow-up one can report back to supporters about the successes of a program. And it is important to have some successes. Leadership is often aware of events, changes that have made a difference, and fails to share that information broadly. Even in the current study, it was clear that individuals working in one part of the department or system or community were often not aware of positive things going on elsewhere.

Careful attention to follow-up will help prevent leadership from exhausting supporters by ignoring the pace of reform. Too many change attempts in a short time frame can lead to a loss of support as people are simply worn out or develop the impression that change is more important than lasting results that matter. And paying close attention to follow-up means that any new information regarding changes in available resources or political scene or experience with a particular change strategy can inform and shape plans for further innovation. Whether the change effort was completely successful or not, follow-up is a time for saying, "thank you" to those supporters who have given of their time, skills and energy for a shared goal. It may also be a time for celebration, but it is not a time for gloating. Whatever has been achieved is no doubt only one step in an evolving process of change.

Thus we have presented a tool to assist in planning organization change. It is a scheme that is fluid and allows for distilling disparate information in a timely fashion. It can be used by individuals or by groups. It does not lead to right or wrong answers, but hopefully it can help advocates weigh optimal choices.

V. CONCLUSION

During the last decade or so Washington County has undertaken reform efforts within community corrections to adopt restorative justice policies and practices which bring a tripartite focus on needs of the offender, victim and community. Encouraging the offender to repair in some way the harm caused increases the offender's accountability to the victim, may spark change in the offender's attitudes and behaviors, and gives the victim and the broader community a voice in matters of justice.

Changes within the department's ways of handling offenders and dealing with victims have been aided by other decision-makers in the criminal justice system and by community members and groups. Likewise, changes within the department have impacted ways of thinking about and of processing offenders in the courtroom and in diversion programs. And those changes have also led to increased activity within the local community around justice issues and in developing community-based responses to victims and offenders.

Community service and victim offender mediation/conferencing programs, and peacemaking/community justice circles have been formed in several local communities. Departmental staff acknowledge that restorative justice is a philosophy rather than a specific program, and there are some creative ongoing efforts to integrate that philosophy into the day-to-day workings including casework and supervision

Although restorative justice programming has seemed to have impacted the lives of many offenders and victims as well as community volunteers, the number of individuals going through these programs remains small when compared with the total number of persons going through the system. Referrals to restorative justice alternatives may very well increase as more probation staff, judges, county attorneys and public defenders gain more confidence in how these approaches hold offenders accountable while addressing directly the needs of victims. Still, the time involved in these processes and the continuing debates regarding what kinds of persons are appropriate for referral suggest that the key for having restorative justice practices impact a widespread number of offender and victims will be integrating restorative approaches into casework and supervision.

Those interviewed for this study believed that the movement toward adopting restorative justice policies and practices was not finished. The change process is ongoing and draws on support from within the department, the broader justice system, and the local communities. Depending upon the moment, support may appear to be strengthening in places and wavering in others. That is to be expected in any reform effort. The question remains whether coalitions supportive of restorative justice, will be able to manage the cross-currents of limited resources, political tussles, leadership transitions, and competing interests of those within the coalitions.

We hold no crystal ball regarding this question. That Washington County has been able to maintain restorative justice reform efforts over a good number of years already suggests that the staying power of such coalitions is strong. We suspect that in the long run the "successful" implementation of restorative justice policies and practices rests as much upon how the change effort is managed and how inevitable conflicts are resolved as on a widely shared philosophy.

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