

Community Conferencing

AN INTERVIEW WITH GENA GERARD

Gena Gerard is program manager of the Central City Neighborhoods Partnership, Restorative Justice Program (CCNP), Minneapolis, Minnesota, U.S.A. This conferencing program is designed to address livability issues and crimes that affect the quality of life in this urban community. In operation for more than five years, the program has enabled community members to resolve 361 cases out of court. Over 300 community members have been involved as facilitators and conference participants. Gerard was interviewed by journalist Laura Mirsky in August 2002 at IIRP's Third International Conference on Conferencing, Circles and other Restorative Practices.

Q: How did community conferencing come to be used in your area?

A: The neighborhoods of central Minneapolis, which include Downtown, Loring Park, Elliot Park and Stevens Square, are members of the neighborhood partnership, the CCNP. They face chronic problems with street crimes such as prostitution and prostitution-related activity, drug dealing and possession, people buying drugs on street corners, people drinking in public, panhandling and those kinds of things. It deteriorates the neighborhoods and makes people feel unsafe. It gives the neighborhoods a bad image.

These are vital, vibrant, strong communities and people are proud of their neighborhoods. Restorative justice gives them a way to tackle some of these problems and to do



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it in a personal way in conjunction with the criminal justice system, which really doesn't have the resources to address these kinds of matters. They are lower level crimes and the formal justice system does not deal with them in a very effective, constructive or meaningful way.

In 1996, CCNP, in collaboration with the University of Minnesota, conducted a series of studies. A couple of studies showed that there were flaws in the criminal justice system when it came to addressing livability crimes. A real backlog and scarcity of resources meant that a lot of these crimes weren't handled very effectively and in most cases resulted in dismissal, a small fine or a warning.

When I came along as a student for the third part of that research, I was asked to look at restorative justice. It was a new concept at that time and people didn't really know much about it. They said, "There's something out there called 'restorative justice' and we want you to investigate it." I did the research. I looked at various models around the country and around the world. One of those models was conferencing. We felt that conferencing at that time looked to be most promising as a process that would allow us to address community concerns, to recognize the community as victim and to give the community members a seat at the table and a voice in the process. We decided at the end of a year, after having looked at various options and having had discussions with the criminal justice system, that we would begin a pilot program in September 1997.

Q: How does community conferencing work?

A: In partnership with the criminal justice system, we have arranged referral systems that are actually pretty basic. They allow adult offenders who do not have a serious violent history to consider community conferencing as an option for resolving their crime. Usually, it's a diversion option and the person will be able to have a case dismissed from their record if they're successful in the program. In some cases, the person may be on probation for a drug offense and community conferencing is a condition of probation.



CCNP Restorative Justice Program volunteers and staff who presented at IIRP's third international conference, from left, Gena Gerard (program manager), Dee Cotten, Mike Rollin (community organizer), Mari Johnson (program assistant), Mary Turner, Rebecca Miller and Mike Stewart.

We create the space for the offender and the community members to come together, sit down and talk about the impact that their behavior is having on real people, neighborhoods, businesses, churches, children, students—you name it. This educates the person about what their behavior is doing to this neighborhood and gives those people affected a chance to do something more than just calling 911 or participating in a block patrol. They have a more proactive and personal role in the process, meeting face-to-face with offenders to talk about the impact.

The conference process involves repairing the harm. Through consensus, community members meet with a screened offender who's willing to acknowledge what they've done and is willing to talk about how they can make amends to the community. That's a pretty creative process. From start to finish, it's guided by a team of trained facilitators. Ultimately, they come up with a plan that's documented, signed and monitored.

In most cases, community members prefer to have offenders come back to the neighborhood where they offended—even though they may not be from that neighborhood. They may be from a suburban area, they may be from a small town or maybe even further away. We have had people participate who

are from other states. Interestingly enough, most of the time they choose to come back. The community members work out ways for those offenders to participate in community activities like serving the needy through programs that are located in their neighborhoods, helping out with community events and offering their skills and services to contribute something positive to the neighborhood. Sometimes those agreements also include apologies, donations or what we call personal development or enrichment—something that the participant will do for himself or herself that they feel is needed, such as counseling, GED classes, ESL classes and that kind of thing.

Q: Are there some stories you could share about community conferences?

A: One of our first participants had been caught in a sting operation for soliciting prostitution. He participated somewhat reluctantly at first. However, he told us later that when he went to court he chose the conferencing option because he wanted to talk to someone. He wanted to be heard. He wanted an opportunity to tell his story and no one in court seemed to care or have the time to hear what he had to say. When he came to the program and we conducted a pre-meet-

ing orientation with him, as in most cases, he became more comfortable as he learned about what was involved in the process, the ground rules and that this would be respectful.

In that case, we arranged for an advocate for him. We encourage all the participants to bring a supporter or more than one person, someone that they would like to have with them to participate in the discussion, help work out the agreement and offer them moral support. He didn't feel like he had anyone he could bring, so we arranged for a community supporter or advocate to be there. That worked out well. She helped him prepare, and they attended the conference together. The conference went fairly smoothly. I think it was an eye-opening experience for him. That's typically the case. Offenders come to the program not really understanding much about what they've done, and often to the question, "Who have you affected?" will respond either, "I don't know" or "Me. I'm the one who was caught. I'm the one who went to court."

In that case, it was a real awakening for him. He was a cab driver in Minneapolis. He knew that what he was doing was having a

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negative effect on the community and he felt badly about that. He heard from community members about the reputation of their neighborhood, about women being approached on the street, women who felt fearful and uncomfortable walking to and from their apartments. He heard about the associated noise, traffic, litter and just the general kinds of fears and irritations people have associated with the problem of prostitution.

Afterward, as part of his agreement, he agreed to help out with a program that

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serves people who are living with HIV and are homebound. He was able to deliver meals. He took grocery bags with him. I think he used his cab. He was able to deliver those meals in the area where he had been caught for this offense. That was very meaningful, I'm sure, to the people who received the help. It's a tremendous volunteer program that's very

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strong and positive. I think it also helped him a lot because he said afterward that he had gotten so much out of it that he had decided to continue volunteering, which he did. He also served meals to the homeless at a local church in the neighborhood. He wrote a letter of apology that was then shared with community members who had participated.

Another story is about a couple of guys who were visiting the bars downtown. After leaving the bars, they were tagged for disorderly conduct because instead of using a restroom they decided to use the alley. In that case, one of the young men happened to be a barber. It was noted in the community conference that close to the intersection where this occurred is a public housing high-rise where there are people of low income who could really use some free haircuts. It was looked into and arranged that he would provide the haircuts and his friend would provide childcare during that time. It worked out really well.

It's funny because I ended up running into both of them downtown not too long after [the conference]. There was a street-fair going on. When I saw them, they recognized me and we talked briefly. They were joking that they both had a beer in their hand—and this was an open-air festival so that was OK—but they made a point of telling me they knew where the restrooms were. They pointed to the little "Biffies" [portable toilets] down

the street and said, "You don't have to worry about us, we know what to do." I was amused by that.

It makes an impact. Even for minor crimes of that nature, when there are so many people and the problem is so entrenched, the community members that live and work in those neighborhoods face it day in and day out. So in a conference, even these young men who at first thought, "What's the big deal?" learned that this is a big deal to people who live here who don't want to see that, have their kids see that or have to clean it up.

There are other examples of community service. One man adopted a bus shelter and kept it clean. Another man offered his services as a carpenter to construct flower boxes at an intersection where he had been arrested. It was a creative solution and it beautified the area. That particular spot had been a favorite spot for drug dealers. People would loiter on that corner or sit on that little ledge. Since the flower boxes were constructed and placed on that ledge, it's deterred people from hanging out and sitting there. It was a real contribution that he made.

Q: What is the role of the community in this project?

A: Input from the community is, I think, critical to our program. Not just input but also leadership. I think the hallmark of our program is the community-directed and community-based structure of the program. The neighborhoods where we operate appoint people to serve on a board or steering committee that oversees the program and makes decisions about how the program is operated, what kinds of cases we will conference, how we run conferences and what the guidelines will be. They make policy decisions.

They also interact with the criminal justice system. So it's not necessarily staff meeting with judges and attorneys on their own, especially when problems come up or snags need to be worked out. Community members themselves come forward and are able to address the issues that affect them directly as citizens.

In community conferences, we have a primary role for the community member. Their input is direct and real in every con-

ference that we do. They are asked by facilitators, "How are you personally affected by this type of offense? How do you feel your neighborhood is affected? How does that make you feel, and what would you like to see as an outcome?"

That's significant. More than 300 people in our neighborhoods have taken the opportunity to participate in a conference, meet face-to-face with someone, tell them exactly what the impact [of their behavior] is and then to have input as to the outcome. The offender has input too. Everyone has a say, but I think it's important that community members feel empowered to be able to take that real tangible step and directly influence the outcome of a given offense that happened in their neighborhood.

Facilitators are community members. Some people feel called to serve their neighborhood or to be active in addressing crime

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by taking on that role. Maybe they feel that their way of having input is to help others come together and have this kind of discussion and resolution. There are other roles for the community as well.

Q: What are some of those roles?

A: Other community roles include offender supporters or advocates who volunteer their time to support people who would like to have some support in the conference but don't feel that they have someone in their life that they can call upon for that role. We also have some people assisting with outreach. One of our staff members is specifically responsible for conducting outreach and recruiting community members to be involved in the program. He's out there educating the

public, informing local business groups, resident groups, block clubs and church groups about restorative justice and this program in particular, giving them opportunities to be involved.

The best method for involving community members we have found is by word of mouth. When community members are able to step forward, help us get the word out and speak to their friends or business partners about what a positive experience this has been for them, that's when we find the greatest success in involving additional community members. Our goal is to continually build community participation.

Community members help organize events, including the annual recognition dinner. They participate in various committees — the action committee or the policy committee. Action is oriented towards system change and policy is oriented towards the program design.

Some of them also choose to be court liaisons, a new role that we've developed to secure cases in a way that helps offenders in court understand the choice they are making. We weren't in court previously. It was up to judges and attorneys in court to explain restorative justice [options]. Although that was somewhat successful, we've actually found more success having volunteers in court on a daily basis, volunteering their time to be

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available to answer questions that offenders, attorneys, judges or anyone else might have. That has not only more than doubled the referral volume to the program, it's given community members another point of contact with the criminal justice system and vice versa. Now the professionals in court recognize every day that there's a legitimate place



The Restorative Justice Advisory Team, comprised of representatives of the seven CCNP neighborhood associations, meets regularly to discuss program direction, policy and recent developments.

for the community, not just in the process, but physically to be in court and to have an engaged, interactive role with professionals and with the court-referred participants.

Some of those community members just love this learning opportunity. They're excited to have this kind of experience and to be directly involved. Some are law students who are getting practical, hands-on experience in the process.

Q: Has the CCNP Restorative Justice Program been successful?

A: I think the program has had a very positive effect in these neighborhoods. I'm not just saying that as the program manager. I'm saying that backed up by the facts and by the statistics that bear this out. After each conference, we conduct surveys. We ask people if they are satisfied, whether or not they feel justice has been served and whether they prefer this process to the court process and would recommend it to a friend in a similar situation. The satisfaction rate is 99%. That's consistent across roles. Whether you're looking at the responses of community members, offenders or supporters, it's a very high rate.

More important though, I think, is that the program is able to accomplish what it set out to accomplish and to fill a need. In 1996 when we were doing the research and in 1997 when we got started, we recognized that there is a gap in accountability for these low-level offenses. The community stepped forward and said, "Let's take some of the responsibility for resolving these kinds of issues. Instead of having offenders appear in court and have their charges dismissed, pay a fine or receive a warning, let's have some real accountability. Let's make it a positive thing for everybody." I feel in every conference we conduct, we are able to make that happen. Now, the criminal justice system recognizes and appreciates that. They would like us to continue and to expand. I think that it testifies to the effectiveness of the program, that it's able to accomplish something that the system simply isn't able to accomplish on its own, but can in collaboration with the community.

Each year offenders complete on average more than 1,000 hours of service in the neighborhoods that they've harmed. That's a real gift to these neighborhoods. They wouldn't otherwise have all of these hours of volunteer time if someone just went in and

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out of court. Plus, you add on the donations, apologies and the effects that you can't measure. What does it mean when some group, some hotel, some establishment or some person receives this letter saying, "I'm sorry for what I did"? Even for a small offense, or what's perceived to be a small offense, it means a lot to people. We can't exactly put our finger on the full effect.

A final benefit that we didn't expect to see, which was documented through an independent evaluation, was community-building and a sense of personal efficacy where people were finding that through this process they were meeting other people in their community, getting to know their neighbors and feeling more connected. One of the questions on our survey now is, "Do you feel more connected to your community, to this particular neighborhood?" Almost always people say, "Yes," and often comment that they appreciated the chance to get to know this businessperson, this neighbor or this church-member.

In addition, our findings show a sense of empowerment that encourages people to take action in other ways to make their communities safe. Some people have reported that, after attending a community conference, they felt it was OK to speak up when they saw crimes occurring in their neighborhood. Not just OK, it was their responsibility. If they took action, they weren't alone but supported by this system or at least by this system and community working together so that they could be part of the response to crime and really make a difference.

Also, people have reported that they decided to join their neighborhood organization, to join a block patrol in their neighborhood. One person said that even though she chose not to join a block patrol, she identified a problem area in an alley behind her building where there was a lot of suspicious activity going on. She felt motivated or inspired to contact the block patrol, who put it on their route, kept it clean and kept an eye on it. The crime went away. A final example is a couple of business owners who, although they worked across the street from each other, had never met. The conference brought them together, and afterward they decided to conduct

a clean-up activity together to beautify their space as a crime prevention measure.

Q: What's your dream for the future of this program?

A: My dream for the program for restorative justice at the local level would be for the neighborhoods that are affected by crime and for the criminal justice system to continue to work in partnership with each another and to recognize the value of this alternative to the traditional system, recognize that offenders can and should be accountable. That doesn't mean harsh, punitive measures, it doesn't mean more jail space, it doesn't mean fining people and releasing them. It can mean real, positive interaction with other people and real, constructive outcomes for everybody involved. Whether the program we operate continues at a small local level or expands, I'm not sure what is in store, but I'd like to see the professional community involved in the criminal justice system continue to recognize the value of this and continue to allow these kinds of measures. Whether it's our program or other initiatives, I'd like these programs to be legitimately involved in the criminal justice system and to be integrated with the system's everyday way of doing business. ☺

For more information about the CCNP Restorative Justice Program, including an in-depth program evaluation, visit their website at: www.ccnprj.org/left.htm