

Community Engagement through Restorative Justice in Manhattan, KS

A recent report by the Council of State Governments highlighted several problems with the juvenile justice system in Kansas (Carpenter, 2015). This report demonstrates a significant need to investigate ways to improve the state's juvenile justice responses and strengthen the social well-being of Kansans of all ages. This pilot project, involving a full collaboration between Greg Paul, who is with the Department of Communication Studies, and Thea Nietfeld, who is with the Salina Initiative for Restorative Justice (SIRJ), seeks to address this need. Our project aims to (a) investigate attitudes and beliefs about juvenile justice, and (b) develop the framework for statewide public deliberations on juvenile and restorative justice. It also provides the basis for a grant proposal to the National Science Foundation's Law and Social Sciences Division (solicitation 15-154). Our project addresses a significant public need regarding juvenile justice, benefits the involved researcher and practitioner, generates new knowledge, and facilitates the growth of a sustainable juvenile justice initiative rooted in restorative justice that research has demonstrated can be more effective than conventional justice responses.

Review of Literature

Conventionally, states respond to youth offending like they do with situations of adult offending: with trials or trial-like procedures leading to punitive outcomes for youths found guilty of violating the law. Even youth courts, such as those used by Riley County in cases of misdemeanor offenses, still maintain the veneer of trials and rely on sanctions research has shown have limited effectiveness. Critics have identified several deficiencies with such procedures and outcomes. First, trials tend to marginalize victims, who have little ability to play a meaningful role in the trial, ask their questions, or tell their story directly and safely (Borton, 2009). Second, trials tend to discourage offenders from taking responsibility, even if they feel genuine remorse, thereby hurting both the victim and the offender. Third, punitive outcomes given by conventional responses are ineffective and counterproductive. Aside from the lack of redeeming qualities of simply punishing the offender to "get justice" (Zehr, 2002), sanctions such as community service are seen by youth as a waste of time (Gray, 2005). Fourth, if youth become repeat offenders, they run a higher risk of being incarcerated, thereby driving up state costs while failing to lower recidivism. Justice researchers and practitioners have asserted the need for a juvenile justice response that promotes accountability and growth for offenders, healing and safety for victims, and engagement and sound spending for communities.

One such response, particularly in instances of low-level offenses committed by youth for the first time, is the victim-offender conference (VOC). VOCs bring victims, offenders, and community members together in a facilitated meeting to dialogue about the offense, negotiate reparation (e.g., apology, restitution), and decide together if they wish to maintain a relationship with each other (Paul, in-press 2015). VOCs are rooted in the theory of restorative justice, which emphasizes the use of dialogic communication to achieve material, emotional, and relational restoration of the parties and their communities (Paul; Paul & Borton, 2013; Paul & Dunlop, 2014). Research suggests that youth who participate in VOCs are less likely to recidivate than youth who go through conventional trials (Bradshaw, Roseborough, & Umbreit, 2006), thereby leading to lowered state costs (Gabbay, 2005), positive personal outcomes for offenders (Bergseth & Bouffard, 2007), and greater security and satisfaction for victims (Van Ness & Strong, 2010).

Given the relative recency with which VOCs have emerged, researchers and practitioners have begun to explore factors that influence desire to participate in VOCs and support for

restorative justice programming in home communities. While we are learning more about why victims choose to participate in a VOC (Borton, 2009; Paul, in press-2015; Rugge & Cormier, 2013), we lack a community-level evaluation of attitudes and beliefs regarding restorative justice programming. These attitudes and beliefs influence the extent to which community members would support practices such as VOCs occurring in their own communities.

Project Description and Budget

We propose to examine those attitudes and beliefs toward juvenile and restorative justice processes in Manhattan, KS, as a pilot study. This pilot examination, in turn, will lead to the development of a National Issues Form-style “issue guide” on those processes that will be used to engage communities statewide to deliberate on appropriate juvenile justice practices in Kansas. Community involvement is important because community members are impacted by juvenile justice responses as victims or as relatives of victims or youth offenders. Our goal is to promote community engagement and deliberation that explores the effectiveness and suitability of alternative responses to youth offending such as VOCs.

Data collection as will occur in two phases. First, we will interview public officials, individuals connected to juvenile justice (e.g., law enforcement officers, attorneys, and school officials), and members of the Manhattan community. This phase allows for the development of the issue guide discussed above, which seeks to “name” and “frame” issues “in ways that are rooted in what people hold deeply valuable, [thereby helping] citizens to work together in addressing shared problems” (Rourke, 2014). This issue guide, to be developed by the collaborators and other interested community members, provides the foundation for the second phase, which involves hosting a public deliberation in which members of the Manhattan community will deliberate about juvenile and restorative justice responses to youth offending. The deliberation will be facilitated by trained facilitators. We will be on hand to observe and manage the deliberation. Interviews and deliberations will be recorded and transcribed. Collaborators will work together to analyze the data and draw conclusions for both theory and practice.

This two-phase approach produces achievable benchmarks for tracking progress toward project completion. During the summer (July and August), the researcher will obtain IRB approval and conduct interviews. These interviews will lay the groundwork for the public deliberation to occur in November, when student and resident community members are largely present. By December, all transcripts will be generated, providing sufficient time for data analysis, manuscript preparation, and grant proposal preparation. We will use these findings and feedback to improve future statewide deliberations and to demonstrate the efficacy of this type of project for the NSF grant proposal identified above. We also will use the findings to co-author manuscripts submitted to the 2016 conventions of the National Communication Association (due in March) and/or the International Association of Conflict Management (due in February).

Total costs related to investigator stipend, transcription, and deliberation hosting, come to \$9,934.03. Given the goal of supporting SIRJ’s work in the community to promote more constructive juvenile justice responses, our proposal includes compensation for Thea’s work as a full and equal collaborator. The Department of Communication Studies has agreed to provide \$500 in matching funds, which can cover transcription costs for almost half of the interviews. With current matching funds, this proposal requests \$9,434.03.

Conclusion

In our first discussion about this grant proposal, we were struck by the overlap in our visions for integrating our interests in public deliberation and restorative justice. This

collaboration uses applied participatory research to extend the long-term work of SIRJ and supports personal well-being and community engagement within Manhattan. Its phased design provides for accomplishment benchmarks and grant product that will support a multi-year NSF grant proposal, generate new knowledge, lay the groundwork for future community engagement, and help SIRJ articulate its mission and address community concerns clearly. In short, this project meets the grant's stated criteria and vision, promoting community engagement that "enriches scholarship [and] research, enhances learning, strengthens democratic values and civic responsibility, addresses critical societal issues, and contributes to the public good" (Center for Engagement and Community Development, 2015).

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