

## RESEARCH ARTICLE

### Implementing restorative justice in police departments

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Police are first responders to community calls for service, yet traditional responses tend to diminish victim roles significantly. Research has shown that victims and communities can benefit from the use of restorative justice techniques. This study examines how restorative justice can be integrated into some police practices when responding to calls for service involving individuals who are mentally ill and in domestic violence situations. The authors also discuss how police officers can use restorative practices involving family group conferencing and community reparation boards. Organizational impediments to change are identified and ways in which police departments can overcome these barriers are discussed.

**Keywords:** restorative justice; community policing; victim-centered policing; police-based interventions; police management; crime victims

#### Introduction

Traditional criminal justice practices, from police response to calls for service to sentence implementation, tend to diminish a victim's role – weakening case strength, and may ultimately contribute to case dismissal. Police agencies are increasingly absorbing more social problems that were once dealt with informally by the community (McLeod, 2003; Russell & Light, 2006). In some cases, traditional responses may lead to police officer frustration when handling similar repetitive calls, such as being called to the same address for alleged domestic violence, or public concerns with persons who are homeless or mentally ill (Berk & MacDonald, 2010; Reuland, 2010). At best, traditional police responses may reduce immediate harm to victims and the general public.

#### Community policing

In response to concerns about police–community relations, many departments began to implement community policing to promote partnerships with local community entities, proactive problem solving to address crime and disorder, reduce fear of crime, and enhance quality of life (Greene, 2000). Community policing required a decentralized organizational structure and some jurisdictions even shifted to non-partisan elections to reduce political influences and facilitate the community policing philosophy (Morabito, 2008). Community policing efforts in various communities can be effective when community partnerships are sustained. Furthermore, crime and disorder can be reduced through picking up trash in vacant lots, towing abandoned cars, bulldozing unsafe structures, and

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providing after-school activities. Increasing quality of life among the community is important, but distinctly different than repairing the harm done by a particular criminal violation. It may be argued that community policing has an important place in overall prevention of crime, but the victim's role and offender accountability remains minimal.

As communities become more heterogeneous and local policing becomes more globally focused (Andreas & Nadelmann, 2006), police will likely experience *boundary erosion* (Schwartz, Hennessey, & Levitas, 2003, p. 400) that will necessitate a greater focus on preventing victimization. Clark (2005) defines victim-centered policing as 'the undertaking of lawful activities, including law enforcement and community-based practices, which prevent primary or secondary victimization, and which reduce the effects of victimization upon the community' (p. 650). The definition of victim-centered policing is consistent with the call for restorative justice practices in policing. To better understand these differences, Table 1 compares three policing models: traditional law enforcement, community policing, and victim-centered policing using restorative justice philosophies. The main difference between community policing and victim-centered policing is summarized by Bazemore and Griffiths (2003):

... what restorative justice brings to community and problem-oriented policing is a set of tools or levers for building social capital and efficacy around the direct response to specific incidents of crime, conflict, and harm. Whereas generic community policing offers opportunities for citizen participation in determining police priorities and invites community involvement in organized group events (e.g., neighborhood watch, clean-ups), restorative policing provides at the case level a decision-making role for citizens in informal sanctioning and the effective resolution of individual incidents of crime ... (p. 337)

These authors are talking about a fundamental role change in police–community interactions that requires even greater community participation compared to community policing.

### Restorative justice in brief

Restorative justice is based on the theory of collective efficacy of crime as both a cause and effect of weakened relationships, whereby interested parties come together to resolve the situation (Bazemore, 2000). Restorative justice principles emphasize offender accountability for the harm caused, early intervention, compassion and victim empowerment for primary victims, community members as secondary victims, and offenders (Van Ness & Strong, 2006). A *primary victim* includes those harmed by a criminal or human rights violation. A *secondary victim* is metaphorical due to societal negligence of a debilitating disorder, such as persons with severe mental illnesses that come to the attention of the criminal justice system (Clark, 2005). Restorative justice contains elements of indigenous practices from around the world and has expanded its scope as a non-adversarial approach for delinquent youths and non-violent adult offenders (Bazemore & Boba, 2007; Shapland et al., 2006).

In this paper, we explore how restorative justice can be applied to policing and we rely on the community policing literature for considerations for implementing that change. We argue that policies shaped in part by the community can help guide police officer responses to criminal violations with meaningful consideration of both victims and offenders. This context changes the fundamental role of the police from law enforcement and order maintenance, to agents of social change, with the understanding that the community ultimately has the responsibility of maintaining peace and order (Barlow, Barlow, Scandone, & McNeil, 2004; Bazemore & Griffiths, 2003). In the next section, we discuss ways to apply the principles of restorative justice with policing practices.

Table 1. Comparing traditional policing, community policing, and victim-centered policing.

Characteristics	Traditional policing	Community policing	Victim-centered policing
Main goals	Law enforcement; deterrence through increased presence	Community building and crime prevention	To reduce the harm caused to victim and community, and to help offender self-regulate future behavior
Reactive or proactive Behavioral focus	Reactive; procedure or means-driven Crime	Proactive problem solving	Reactive and proactive; values-driven
Police responses to unwanted behavior	Arrest, order maintenance; agencies absorb unwanted community problems	Crime, social, and physical disorder; fear of crime	Harm caused by offender's behavior
Victim involvement	Minimal; state represents the victim	Encouraged; state represents victim	Victim(s) actively meets offender(s) or a similar group of offenders
Type of law imposed	Criminal law	Criminal, civil, and administrative	Civil and administrative
Primary accountability	Police administration	Community members and local police supervisors	Victim(s) or community members
Organizational structure	Centralized	Decentralized within the community	Decentralized within the community
Range of community involvement	Passive, not typically expected	Active; neighborhood watch; citizen patrol initiatives and programming	Heavily reliant on community members; participation in case facilitation, decision-making of formal and informal sanctioning; crime prevention boards; volunteer patrol units; explorers
Measures of police success	Arrest rate; clearance rate; crime rate reduction	Fewer calls for service; citizen quality of life/fear reduction; use of public places; community partnership building	Restoration of harm; victim/community satisfaction; level of social capital and collective resolution of problems

Note: Portions of this table were taken from 'Community Policing in America: Changing the Nature, Structure, and Function of the Police.' *Criminal Justice 2000* (Vol. 3), Washington, DC: US Department of Justice (Greene, 2000, p. 311).

### **Applying restorative justice in policing**

A fundamental idea in police practice is that both law and departmental policies guide officer responses to crime, while at the same time, allowing room for some discretion (Carter, 2006). Discretion is using common sense to decide the best course of action for each situation, with broader discretion in offenses involving less severe behavior and narrowing as alleged defendant behavior increases (Novak, 2009). As key gatekeepers of the justice system (Russell & Light, 2006), police officers are continuously scrutinized for any actions made regarding crime outcomes and must follow specific rules in good faith to achieve fairness in the public's perception (Carter, 2006; Novak, 2009). In addition, street-level policing varies according to the values, ethics, morals, and perceptions of crime by local community members (Thacher, 2001). Policy decision-makers may neutralize the values of local communities to garner support for short-term responses to 'fix' or reduce fear of crime. The process leaves little room for initiatives to have a lasting effect on local community crime concerns. With no immediate incentives to offer community members, policing a community relies heavily on positive community relationships and a workforce of officers who accept the community policing philosophy (Novak, Alarid, & Lucas, 2003).

Restorative justice practices also rely on community networking and officer endorsement to use this option with appropriate cases. Police involvement in restorative justice initially began in New Zealand with an act in 1989 that authorized sworn police officers to recommend eligible offenders for family group conferencing after guilt had been determined (Winfree, 2004). Similar legislative efforts in Australia, Great Britain, and Northern Ireland allowed police to divert delinquent youths from traditional court processing (O'Mahony & Doak, 2004). In Queensland, Australia, initial support for and use of conferencing was low, primarily because many officers had not heard of conferencing as an option (Stewart & Smith, 2004). Once the officers received restorative justice training, they supported the concept. Department-wide expansion took seven years to implement following the passage of legislation.

Existing examples of restorative police techniques in the USA uncovered a small number of studies that detailed group conferencing efforts (Hines & Bazemore, 2003; Hipple & McGarrell, 2008; McCold, 2003; McCold & Wachtel, 1998), officer training at the Kingian Nonviolent Conflict Resolution program (Barlow et al., 2004), and one proactive effort by the San Francisco Sheriff's Department to reintegrate violent offenders, help victims of violent crimes, and engage the community (Schwartz et al., 2003). These restorative justice initiatives will be examined in depth in the next section. On Native American reservations where restorative justice was more integral to the culture, police officers of the Navajo nation experienced 'cultural dissonance' between traditional European-based policing and restorative justice healing practices, precisely because the two philosophies were not fully integrated into the Navajo police academy training (Nielsen & Gould, 2003). This study examines ways in which restorative justice principles can be used by illustrating four situations that police officers routinely encounter and how police organizations can implement restorative policing initiatives.

### **Victim-centered policing with individuals who are mentally ill**

The police are oftentimes the first to respond when individuals with mental illnesses are in crisis or are perceived to be causing a disturbance. Between 7 and 10% of all police officer encounters within the USA involved individuals with mental illnesses, of which one-third of these cases resulted in arrest and detention for minor offenses (Franz &

Borum, 2011). Yet, many police officers felt inadequately trained to respond to calls involving individuals with mental illnesses (Wells & Schafer, 2006).

To complicate the problem, many community mental health care providers deny admission to individuals without insurance, or those who have a history of substance abuse or violence (White, Goldkamp, & Campbell, 2006). Persons with mental illnesses can therefore be identified as *metaphorical victims* of a system that has failed to properly treat them. Given the current situation, there is evidence to support the police perception that arrest and booking through the criminal justice system is a more efficient way of providing the basic necessities such as food and shelter, than the comparatively time-consuming route of going through civil commitment or the community mental health system (Slate & Johnson, 2008). A traditional arrest response for offenders who also have a mental illness has resulted in their acquiring criminal records and jail stays for longer periods of time compared to offenders without a mental illness who have committed similar crimes. As a result, our nation's jails are becoming the largest mental health institutions in the country. Jails are not therapeutic environments equipped to stabilize and treat people with mental health illnesses. Persons with mental illnesses may become victimized by other inmates or may be released before they are stabilized. Contact with the criminal justice system can have lasting negative consequences, exacerbating stress and intensifying the symptoms that initially led to the crisis.

Crisis intervention teams (CITs) and 'co-responder models' evolved in some jurisdictions as a type of specialized police response to handling individuals with mental illnesses (Reuland, Draper, & Norton, 2010; Ritter, Teller, Munetz, & Bonfine, 2010). These programs were created to alleviate crisis situations, promote outpatient treatment over detention, and to mitigate overburdened emergency clinics (Reuland, 2010). Police officers are afforded the opportunity for specialized training with mental health providers. CITs can be classified as a type of restorative justice initiative because they attempt to intervene in the metaphorical victimization cycle of mentally ill offenders, and they simultaneously involve family members as guardians for crisis situations (Slate & Johnson, 2008).

CIT officers are trained to better understand various forms of mental illnesses, trained to establish rapport with people in crisis with mental illnesses, and are more qualified to involve family members in treatment decisions. *After the crisis situation has stabilized, family group conferencing can occur or mediation on a response to any harm that occurred.* The CIT initiative has also resulted in fewer injuries to officers and people with mental illnesses (Ritter et al., 2010). The true success of CITs, however, is related to the availability of facilities that will accept individuals in crisis regardless of income or violence history. This specialized police response model has garnered national attention from a detailed guide for community leaders who wish to design and implement similar initiatives within their community (Reuland et al., 2010).

### **Restorative justice and domestic violence calls**

In the past three decades, domestic violence went from being viewed as a private matter to requiring mandatory arrest of the aggressor. Arrest of the aggressor has mixed outcomes – it can be very effective or it may actually create more problems for all parties involved (Exum, Hartman, Friday, & Lord, 2010). For example, an officer responds to a domestic disturbance call where a father has allegedly battered his wife in the presence of their four dependent children. Assuming the father is the family's sole source of income for food and shelter, it is likely that the victimized mother may decide against

cooperating with prosecutors and with victim advocates, fearing further escalating violence and removal of her only source of income (Camacho & Alarid, 2008; Guzik, 2008). Of course, abuse could also happen within same sex couples, childless couples, and with men or women as the aggressors (Tesch, Bekerian, English, & Harrington, 2010). By virtue of their training in mediation and conflict resolution, police practicing restorative justice techniques may be able to better recognize the true aggressor, which is not always going to be visible through physical injuries.

The San Francisco Sheriff's Department recognized that domestic violence affects the entire community when they began the Resolve to Stop the Violence Program (RSVP) to reach out to violent offenders, victims/survivors of violent crimes, and the community. Prosocial responses within the community include mentoring, prevention education, and mobilization in areas with a high number of service calls to facilitate healing (Schwartz et al., 2003). In view of the nature of the crime, police involvement is essential due to police as first responders (Alarid & Novak, 2008). Thus, any new community initiative for the police to follow should incorporate input from both parties. Family group conferencing can assist this process and can be facilitated by a trained police officer or a community liaison (Hipple & McGarrell, 2008). By simply including victims, community members, and the police, collaborative community-oriented responses to crime are created.

On-scene victim assistance units, like the CITs used with persons with mental illnesses in the earlier example, could be used here. In this case, however, the victim assistance units would be a partnership of the responding police officer and a domestic violence mediation specialist or victim advocate. Following arrest of the aggressor, the victim advocate *is present at the scene* to immediately assess the victim's needs and safety, and to take the victim's statement. Being present at the scene may increase the likelihood of victim cooperation, as opposed to assigning a victim advocate within 24 hours after arrest. One recent study found that victim assistance units existed in only a paucity of US cities (Ekman & Seng, 2009). On-scene victim assistance units were found to be well integrated into the organizational structure, have well-trained staff, and they were accepted by officers in the rest of the department. Each case could also be screened for appropriateness to determine whether a mediator could follow up with victim-offender mediation (VOM) sessions.

A mediator in a VOM session initially listens to both sides in a neutral role and ultimately renders an arrangement or contract by which both parties agree, and ensures compliance of that agreement. Research on VOM sessions suggests that the 'non-directive' and 'unobtrusive' style of the mediator might not provide an emotionally supportive environment that allows for the victim to freely express their pain and offenders to express remorse (Choi & Gilbert, 2010). In addition, many mediators are volunteers or infrequently participate in VOM sessions. Oftentimes their passive style cannot adequately control the tone and direction of sessions involving an aggressive offender. To address these concerns, VOM sessions might benefit from structuring the session in a different manner, such as the additional presence of a victim advocate who joins the mediator to reduce conflict. Choi and Gilbert (2010) suggest professionalizing this important role through certification, minimum standards of practice, increased training, and retaining the same mediator for consistency throughout the sessions.

Increased police officer sensitivity training in needs of domestic violence victims is desirable, especially given the unique and unpredictable situations each domestic violence call presents (Russell & Light, 2006). Officer perceptions on the likelihood of future prosecution have influenced traditional police responses when handling domestic violence calls whether or not new alternatives to police practices have been demonstrated to work (Feder, 1999). The language used in most police reports such as 'the victim claims' or

‘the victim alleges,’ gives the perception that the victim is somehow not being truthful and can be offensive to many victims (Russell & Light, 2006).

The examples above, for the most part, are long-term goals to addressing domestic violence cases. Ideally, police officers should remove the instigator of the domestic violence call to prevent continued victimization to family members. While traditional approaches may be necessary in some cases, others would benefit through the use of victim offender reconciliation programs and victim impact panels (Heath-Thornton, 2010). Research by Guzik (2008) found a significant number of victims were actually less likely to experience further victimization after the initial domestic disturbance call had they the opportunity to drop charges or had their abusive partners been prosecuted without additional involvement by the judicial system.

### **Family group conferencing with young offenders**

Police-facilitated family group conferencing can be used to respond to a wide variety of problems such as minor delinquency, school violence, or bullying problems between two youths. Using an officer as a formal symbol of the law to facilitate (as opposed to a civilian facilitator) is thought to have a different effect on youthful offenders because offenders may take the conferencing more seriously. The goal of the conferencing session is increased understanding and empathy, and for the group to come to a mutual agreement among themselves. The facilitator takes a more passive role and is not to actually impose the stipulations for the group. This presents a conundrum for police officers who are trained to take charge of situations and act as problem solvers for individuals who they perceive to need assistance.

Police-facilitated conferencing was originally adopted by the Royal Canadian Mounted Police in 1997 for dealing with non-violent offenders (Chatterjee & Elliott, 2003). Police conferencing has been tried with juvenile offenders in a small number of jurisdictions in Ireland, Australia, New Zealand, and the USA. We present examples of successfully implemented programs and others that were problematic. The most recent research on using restorative justice techniques to reduce school bullying suggests that restorative justice was a more effective approach to not only significantly reduce bullying, but to do so while retaining student self-esteem (Wong, Cheng, Ngan, & Ma, 2010). Using a restorative justice approach across the entire school can be successful when it affects the school climate, involves teachers, and prevents students from feeling isolated.

Perhaps the most descriptive account of police conferencing practices was a study of 20 police officers in Bethlehem, Pennsylvania who volunteered for family group conferencing training (McCold & Wachtel, 1998). These officers were already supportive of the community policing philosophy. Over an 18-month period, first-time juvenile offenders who were arrested for selected offenses were randomly assigned to either traditional juvenile justice adjudication ( $n=103$ ) or to a diversionary restorative policing family group conference ( $n=189$ ). Of the 189 youths selected for conferencing, 80 volunteered to participate and 109 declined participation, and instead opted for traditional processing, thus creating three groups of youths for comparison. McCold and Wachtel (1998) found that some police officers initially wanted to ‘lecture the offender’ or ‘influence the agreement in conferences’ (p. 3), and that additional training was necessary to reinforce the principles of the restorative justice reintegrative component. In the end, according to their observations, the researchers state that ‘in general, officers did a sufficient but not exemplary job in adhering to principles of restorative justice and ensuring due process’ (p. 3). Officers were less neutral and more likely to lecture youths when compared to civilian

facilitators, but the police officers were also more likely to end the session with a reparation agreement to help the victim than were the civilian-facilitated sessions (Hipple & McGarrell, 2008).

The authors suggested that if lecturing created a stigmatizing effect, the recidivism rate would have been higher for youths in police-led conferences than in civilian-led sessions. However, despite the way the conferences were led, the outcomes for offenders were not affected. Youth recidivism rates after the conferences were not significantly different between civilian and police-led conferences (Hipple & McGarrell, 2008). In McCold and Wachtel's study (1998), a high percentage of youths who participated in the group conferences (92–96%) reported they were satisfied with how their cases were handled and perceived the process as fair. These same offenders had lower recidivism than youths who chose not to participate. This difference was accounted for not by the conferencing, but by the difference in the youths who decided to participate – they were already more inclined to take responsibility than the youths who declined. Surveys were conducted of police officers, victims, youths, and parents. Surveys of police did not find any changes in overall police attitudes or organizational culture as a result of the experiment. This study concluded that there was a high level of satisfaction among victims and parents of the youths participating in the police-facilitated family conferences that was at least as high as other restorative justice programs and traditional court processing (McCold & Wachtel, 1998).

Not all police-facilitated conferences operate exactly as intended. In Ireland, researchers conducted observational fieldwork of police 'cautions' (similar to a warning where the victim was not present) and restorative group conferences (where both the offender and victim were present) over a period of seven months (O'Mahony and Doak, 2004). The restorative conferences were intended to be an *alternative* to cases traditionally processed through formal juvenile justice adjudication. They involved the young offender, his or her parent or guardian, the victim, and the officer who wore regular street clothes. The offenders and their parents were treated with respect and reintegrative shaming did occur in many instances. One concern was the low level of victim participation, which was seemingly not encouraged. Second, the officers were inexperienced in the task as facilitators due to lack of training, and that likely had an impact on the lack of a holistic approach. While some eligible cases were successfully diverted, 'net widening' occurred as many of the cases referred for conferencing would have never received formal adjudication (O'Mahony and Doak, 2004). The concerns identified in this study are shared by others who question the motives that police might have to turn a restorative process into a retributive one (see Young, 2001). With proper training, neutral facilities, follow-up solicited from the victim, and monitoring the cases selected for conferencing, successful police-facilitated conferences are possible (Hipple & McGarrell, 2008; McCold & Wachtel, 1998).

### **Police involvement in community reparation boards**

Community reparation boards (CRBs) are ideal for crime victims and community members where citizen volunteers work with police and probation officers to oversee the reparative agreements of selected non-violent offenders. The most well-known CRBs in Vermont allow prequalified offenses to be directly referred by police: simple possession of marijuana, minor in possession of alcohol, shoplifting or bad checks less than \$300, and school disputes (Katz & Bonham, 2009). Up to 1400 selected offenders are diverted across the state per year to this community-based program to include: community service;

restitution; writing an apology letter to the victim; and/or successfully completing a counseling program or drug/alcohol program if applicable. The key to police participation is allowing the police to have referral discretion and involving them in the entire process so they can see the results. The Vermont CRB is controversial in that police have discretion involving release.

Incidentally, one of the authors was involved as a CRB member in another jurisdiction in which police attended as equal members. The CRB in this jurisdiction was very concerned about the arrest rate and county jail bed space utilization by probation and parole violators, especially in light of the fact that most violators broke a series of rules, but did not commit a crime. Once they fully understood the nature of the problem and the length of time it took to finish a violation hearing, the police, treatment providers, and community supervision officers on the CRB were very approachable and willing to use all possible alternatives (other than arrest) when responding to probation and parole violations of offenders identified by the board. In this way, the principles of restorative justice allowed police a voice in how violations were managed. We discourage the use of reparation boards merely to lodge citizen complaints.

Improving public safety involves policy formulation that considers crime victims and the community, and a long-term commitment to serving on the board. We agree that there are many committed volunteers in these programs and that community volunteers may have less competing interests than individuals in professional roles (Karp, Bazemore, & Chesire, 2004). However, most CRBs that rely heavily on volunteers and outside community involvement have faced a myriad of challenges in institutionalizing a permanent initiative due to deficient funding or a lack of central coordination. According to Bazemore (2000), the main challenge is twofold. First, how can police officers endorse being a part of creating meaningful change in their own roles within the community; second, how can community cooperation and involvement be sustained?

### **Implementing internal departmental change**

Implementing any philosophical change can be quite challenging within any organization. Chris Argyris recognized this when he addressed how organizational learning is a necessary component of change, and how individuals within organizations must change their old ways of thinking, overcome defensive routines, and engage in incremental change (e.g., see Alarid, 2000). Restorative justice emphasizes values, roles, and expectations that are fundamentally different from traditional practices and thinking.

When trying to implement change within police departments, the context of the organizational structure and police subculture should be considered; specifically, the beliefs, values, attitudes, informal rules, and occupational practices police have as they work together (Novak, 2009; Thacher, 2001). Wood, Fleming, and Marks (2008) note that implementing change in police practice undoubtedly hinges on ways of integrating realities and experiences of street cops, and suggest that reducing the power of the subculture must occur to help move away from traditional thinking. A second recommendation is that department chiefs lead by example and implement the change in a piecemeal fashion using participative and open management styles (Alarid, 2000). As change descends by rank, officers should acquire interpersonal characteristics consistent with victim-centered policing such as empathy, courage, kindness, and a sense of humor. Such inner development allows officers to be honest with themselves, to help offenders accept responsibility, and have the courage to intervene when necessary (McDowell, Braswell, & Whitehead, 2008).

In many ways, implementing restorative justice at the local level is very similar to implementing community policing, in that establishing the tone with new recruits starts in the police academy. The most effective method of learning about restorative justice is through using small group dialogues and participation in mock mediation sessions. Related topics that police academy trainers may wish to consider include: introduction to restorative justice practices; facilitating conferences and mediation sessions; conflict resolution; using circles effectively; restorative justice in the school setting; and using restorative justice in your community. While there are isolated examples of departments, such as the Tallahassee Police Department, that have openly supported officer training in restorative approaches (Barlow et al., 2004), achieving department-wide support remains difficult. Lasting change in restorative justice will likely be the most challenging at levels within the organization where one or more conditions, such as officer perceptions of disrespect, may act as a barrier. Similar to acceptance of community policing in the Novak et al. (2003) study, officers who perceived that citizens they served in the community disrespect them were predicted to have a very difficult time with the mindset necessary to achieve empathy and mediation. Activities that bring citizens and officers together in non-confrontational settings may help mitigate this perception. It enables officers, as Meyer, Paul, and Grant (2009) state, 'to transform themselves from officials primarily concerned with keeping the peace to those making it' (p. 331).

A second barrier was related to *boundary erosion* or the possibility that police will be asked to assume more responsibility than they already have (Schwartz et al., 2003). When officers felt they were yielding too much power or control away from 'real' police work, or when the change to the new philosophy was not fully understood, change became more difficult (Novak et al., 2003). As with community policing, a move toward victim-centered policing must not be perceived as removing traditional arrest and peace-keeping functions, or as anti-law enforcement. Rather, it should be viewed as a *tool* for the right situation, and training in this area should allow officers the ability to indistinctively recognize situations that are most appropriate for restorative intervention practices.

A third barrier is an organizational one. Restorative justice is less likely to be pursued by organizational leadership that focuses on means rather than goals. While the true goals of most police organizations are to protect the community, enhance quality of life, and prevent crime, departments that are 'means-driven' emphasize responding to service calls, arrests and clearance rates, and are less apt to pursue alternative means toward the goals themselves (Novak et al., 2003). A 'goals-driven' department is more open to new ideas; thus police officers must be willing to change and be open to alternative responses to criminal violations. Focusing on smart policing techniques and on newer officers may help convince lower ranks to accept change and yield a gradual and more productive use of restorative justice techniques. McLeod (2003) provides a useful guide for police departments in each stage of change.

## Conclusion

As police are being asked to do more with fewer resources, and as police are seeking to develop evidence-based strategies that work, innovative responses are needed to alter the harm caused to victims and, at the same time, address the problem in an economically efficient way. Some may question whether the goals of local police agencies are compatible with the goals of restorative justice. In other words, can law and order be maintained while in the pursuit of justice, or should the pursuit of justice be left to the courts to decide? In the face of research that shows that police officers do not truly understand the

restorative justice philosophy (Abramson, 2003), critics might maintain that we should not bother to educate police.

We have argued in this paper that the concepts of restorative justice can, and should, be practiced by police in pre-defined offense eligible situations and with certain types of offenders. Restorative justice is an innovative response that alters the fundamental role that the police have in the community as agents of social change, and it also requires that the community accept that it must take on a greater role in conflict resolution and long-term problem solving. Allowing police to refer cases directly into the program is the most cost-effective way to defer cases from the prosecutor. Perhaps most police need only be involved in the initial referral of cases, which is similar to the way diversion programs function, while other officers who support and understand this philosophy could conduct restorative sessions and conferences in designated locations, such as using school resource officers as trained facilitators (Hines & Bazemore, 2003). If the intended outcomes of restorative justice are truly desired, implementation practices must be taken seriously with proper training in ways that may be opposite to the traditional academy training and occupational socialization. We support Nielsen and Gould's suggestion (2003) that police academy training fully integrate traditional European-based policing with restorative justice healing practices. We also contend that with neutral facilities, follow-ups solicited from the victim and monitoring the cases selected for conferencing that police involvement is possible.

The community itself must be active in creating the values and norms conducive to restorative justice practices. Hines and Bazemore (2003) found that these values included 'respect, responsibility (accountability), acceptance of others, safety (or security), nonviolence, [and] working together to solve problems' (p. 421). Recruitment and training of community volunteers is equally important to sustain community involvement.

Policies to define those situations and offenders who may be eligible for restorative justice practices likely need to start first at the city and county levels, involving community groups, community police officers, prosecutors, and judges who come together to discuss implementation strategies. Case studies from New Zealand, Australia, and Ireland all share some commonalities regarding how they introduced restorative justice in their communities. They formed collaborations of stakeholders to study the problem and get buy-in from leaders. Legislation was passed to allow police to either divert eligible offenders to restorative programs, participate in restorative programs such as mediation and conferencing after a finding of guilt, or both. Once legislation permitted police to act, officers were educated and trained to promote acceptance of the practice. As was discussed, this process took many years to accomplish even in the most committed jurisdictions. The last stage is sustaining the change and normalizing it as part of everyday organizational practices without contributing to net widening.

This paper draws attention to how prioritizing the healing of persons involved in law violations might transform police practices in situations involving domestic violence, delinquent youths, and persons with mental illnesses. The principles of restorative justice have become an integral part in some criminal justice agencies, and have remained a part of the debate because they have been shown to be effective with certain types of crime and certain types of offenders (Latimer, Dowden, & Muise, 2005; Umbreit, Coates, & Vos, 2004). Restorative justice has also been suggested to work as a policy innovation to routine police practices, particularly in smaller more cohesive communities. Hines and Bazemore (2003) detail how the Woodbury, Minnesota Police Department started with community building to incorporating restorative policing into written policies as ways to solve community problems and create a supportive environment.

Community collaboration and shared leadership is an important step in creating a fair justice system for both now and the future. This is particularly important because of the power inequities that currently exist between law enforcement officers and the larger community in a traditional system. The process of community and police collaboration will help create meaning, particularly in structurally disadvantaged neighborhoods and areas characterized by ethnic diversity (Morabito, 2008). McLeod (2003) suggests that engaging the community may actually be easier with restorative justice than with community policing because restorative justice ‘... offers a more salient role in decision making about real cases that also personalizes involvement (i.e., asks citizens to respond to cases that impact them, their family or neighborhood’ (p. 363). It is recommended that groups with divergent views form alliances early on in the process to overcome implementation obstacles so that the meaning of restorative justice does not become distorted (Schwartz et al., 2003). Implementing meaningful and widespread restorative practices in any aspect of the criminal justice system is time consuming and will likely need the support of local decision-makers prior to beginning a restorative or victim-centered policing initiative.

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