



Office of Juvenile Justice and Delinquency Prevention

Shay Bilchik, Administrator

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Balanced and Restorative Justice Project (BARJ)

by Peter Freivalds

What Is Balanced and Restorative Justice?

The venerable concept of restorative justice¹ holds that when a crime is committed the offender incurs an obligation to restore the victim—and by extension the community—to the state of well-being that existed before the offense. The principle of balance in connection with restorative justice derives from the balanced approach concept,² which suggests that the juvenile justice system should give equal weight to (1) ensuring community safety, (2) holding offenders accountable to victims, and (3) providing competency development for offenders in the system so they can pursue legitimate endeavors after release.

As a program concept or model, Balanced and Restorative Justice (BARJ) has advantages over traditional justice system models such as the treatment (or medical) and the punishment (or retributive) models, which remain in constant conflict with one another. Unlike these other models, BARJ underscores the importance of the victim (individual or community) in the justice process and requires the offender to actively pursue restoration of the victim by paying restitution, performing community service, or both. As envisioned and practiced by one of its creators, Dennis Maloney, the balanced approach can improve the quality of life in communities by engaging offenders to work on community improvement projects as part of the accountability and competency development components of the BARJ model. The BARJ model also restructures juvenile justice staff roles from largely office-based functions to community involvement work and supervision of offenders in competency development endeavors. In addition, appropriately trained staff can involve the offenders in victim-offender mediation as part of the restoration process.

What Is the BARJ Project?

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has supported development and improvement of juvenile restitution programs since 1977, based on research showing that properly structured restitution programs can reduce recidivism.³ The BARJ Project sprang from OJJDP's RESTTA (Restitution, Education, Specialized Training, and

Technical Assistance) Project. In fiscal year 1992, based partially on recommendations of a working group of experts, Florida Atlantic University (FAU) was awarded a competitive grant to enhance further development of restitution programs as part of systemwide juvenile justice improvement in accordance with balanced approach concepts and restorative justice principles. The coprincipal investigators of BARJ are Dr. Gordon Bazemore of FAU (305-760-5663) and Dr. Mark Umbreit of the University of Minnesota School of Social Work (612-624-4923). Other senior staff on the project are Dennis Maloney, Director of Community Corrections, Deschutes County, Oregon (503-383-0041), and Andrew Klein, Chief Probation Officer, Quincy, Massachusetts (617-471-1650).

The BARJ Project provides intensive training, technical assistance, and guideline materials to three selected sites that are implementing major systemic change in accordance with the BARJ model.⁴ The three BARJ sites are Dakota County, Minnesota; West Palm Beach County, Florida; and Allegheny County, Pennsylvania. In addition, the BARJ Project offers technical assistance and training to other jurisdictions nationwide. Project staff provide training at regional roundtables and at professional conferences dealing with juvenile justice system improvement. The BARJ Project produces the *Balanced and Restorative Justice Update* newsletter and a technical assistance packet. The Project's office at the Center for Restorative Justice and Mediation, University of Minnesota, serves as the BARJ national resource center. Staff also publish articles and develop monographs. (See *Balanced and Restorative Justice, OJJDP Program Summary*, 1994, available from the Juvenile Justice Clearinghouse by calling toll-free 800-638-8736.)

The Future of Balanced and Restorative Justice

By the end of 1995, at least 24 States had adopted, or were examining, juvenile codes or administrative procedures that include the balanced approach or restorative justice concept. This may signal a realization among State policymakers that the balanced and restorative justice model offers a basis for

preserving the juvenile court.⁵ For example, in November 1995 BARJ provided onsite technical assistance to a blue ribbon taskforce appointed by California's legislature and governor. After considering abolition of the juvenile court, the taskforce adopted the balanced approach as a conceptual guide for juvenile justice reform in the State. BARJ Project staff recently trained juvenile justice personnel in Arizona, California, Kansas, Nevada, Pennsylvania, and Tennessee. Personnel from other States have received BARJ training at various juvenile justice conferences. The BARJ Project has influenced juvenile justice reform around the country. Balanced and restorative justice provisions currently are included in the juvenile codes of Alabama, Connecticut, Florida, Idaho, Indiana, Maine, Maryland, Montana, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, and Vermont. Other States considering BARJ are Arizona, California, Hawaii, Minnesota, Nevada, New Hampshire, New Mexico, Oregon, Wisconsin, and Wyoming.

There is a growing national interest in restorative justice. Restorative justice concepts are being explored in the criminal justice system, by the victims' rights movement, and in the development of many community justice models. These developments suggest that important future tasks for the BARJ Project will be to continue the development of the model, including an implementation guide, a structured BARJ curriculum, and additional trainers and technical assistance providers on the BARJ model.

Endnotes

1. H. Zehr. *Changing Lenses* (Scottsdale, Pennsylvania: Herald Press, 1990).
2. D. Maloney, D. Romig, and T. Armstrong. "Juvenile Probation: The Balanced Approach," *Juvenile and Family Court Journal* 39 (3) (1988).
3. A. Schneider. "Restitution and Recidivism Rates of Juvenile Offenders: Results from Four Experimental Studies," *Criminology* 24 (3): 533-552 (1986).
J. Butts and H. Snyder. "Restitution and Recidivism," *OJJDP Juvenile Justice Bulletin* (1992).
4. M. Umbreit and M. Carey. "Restorative Justice Implications for Organizational Change," *Federal Probation* 59 (1): 47-54 (1995).
5. G. Bazemore and M. Umbreit. "Rethinking the Sanctioning Function in Juvenile Court: Retributive or Restorative Responses to Youth Crime," *Crime and Delinquency* 41 (3): 296-316 (1995).
G. Bazemore and C. Washington. "Charting the Future of the Juvenile Justice System: Reinventing Mission and Management," *Spectrum: the Journal of State Government* 68 (2): 51-66 (1995).

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