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Restoring Justice: An Analysis of the North Lawndale Restorative Justice Community Court

**Project description**

In August of 2017, a new court called the North Lawndale Restorative Justice Community Court (NLRJCC) opened in North Lawndale, Chicago. Unlike traditional criminal courts, the NLRJCC is predicated on the theory of restorative justice, which is a philosophy for repairing harm that seeks to rehabilitate the offender while reconciling them to their victim and the community. Using a combination of participation, ethnography, stakeholder interviews, and document review, this thesis argues that the NLRJCC is challenging our country's inequitable social order, and the criminal justice system that upholds it. As the NLRJCC is demonstrating, justice need not be what it has always been — if we have the courage and willingness to think differently.

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# RESTORING JUSTICE

An Analysis of the North Lawndale  
Restorative Justice Community Court

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## **Abstract**

In August of 2017, a new court called the North Lawndale Restorative Justice Community Court (NLRJCC) opened in North Lawndale, Chicago. Unlike traditional criminal courts, the NLRJCC is predicated on the theory of restorative justice, which is a philosophy for repairing harm that seeks to rehabilitate the offender while reconciling them to their victim and the community. Using a combination of participation, ethnography, stakeholder interviews, and document review, this thesis argues that the NLRJCC is challenging our country's inequitable social order, and the criminal justice system that upholds it. As the NLRJCC is demonstrating, justice need not be what it has always been — if we have the courage and willingness to think differently.

## Notes

Data and analysis from this thesis has been contributed to the North Lawndale Restorative Justice Community Court (NLRJCC), the North Lawndale Community Restorative Justice Hub (North Lawndale RJ Hub), as well as Adler University, which has been contracted to conduct a comprehensive, three-year outcome evaluation of the NLRJCC. Sections of this thesis may appear in their original and modified forms throughout documents issued by all of these entities, as well as their partner agencies. The NLRJCC has already included portions of this thesis in the “Restorative Justice Community Court Community Needs Assessment Report,” which was submitted to the Center for Court Innovation, on February 1, 2018.

**To Residents of North Lawndale**

*Who find the courage to think differently,*

*Because they can,*

*Because they must.*

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I want to say thank you all. Thank you for just the sheriffs being compassionate. I have personal experience with 26th and California through my bloodline and I had experience through some case management work and I want to tell you it's a shift. Having sheriffs to say good morning. Having sheriffs to see young men as men and not paperwork.

Thank you. Having people at the table to say good morning, I am Nancy. Good morning, I am this person. We don't get that at 26th and California. So I want to say thank you so much for you being cognizant of the fact this is different. It's very different. It's restorative. It's healing. It's therapeutic. It's love in all of its essence and I want to say thank you.

**Official NLRJCC Court Transcript**

February 1, 2018

*An individual who participated in the NLRJCC goes on the public court record to say thank you to the NLRJCC staff for creating an environment that is different than the traditional courts located at 26<sup>th</sup> and California.*

## Introduction

I'll never forget the first time I visited a traditional criminal courtroom in Cook County. It was a small room, nestled deep within the Leighton Criminal Court Building at 26<sup>th</sup> and California on Chicago's West Side. The room was poorly lit, the mood was somber, and the judge, who was a white man with thin, silvery hair, was so far elevated above the main floor that I could hardly see his face. When the court call began, defendants were ushered out of custody, one by one, in chains. Of the approximately 15 individuals on the court call, all but two were black.

Toward the end of the call, a black man who I will call Wilson, who appeared to be in his mid-thirties, was brought in front of the judge. "You've been charged with delivery to an undercover police officer," the judge said. He sounded bored. He proceeded to review Wilson's criminal history. According to the judge, Wilson had been convicted of a felony six years ago, but he couldn't remember the charge. No one on the court staff felt the need to investigate. If Wilson knew what the charge was, he didn't say anything.

My unease began to grow.

Within seconds, the judge proceeded to sentencing. "You must understand," he said slowly, pausing to peer over his glasses at Wilson, "You are young. Losing your liberty was not worth this. But you know that better than I do, so I am going to give you a sentence that is both *rehabilitative* and *restorative*."

Four years in the state penitentiary.

With no further ado, Wilson was escorted back into custody, shackles dragging on the floor, sheriffs flanking him on either side.

That was the day when I learned what justice wasn't.

The traditional criminal justice system described above is often not fair to individuals like Wilson. In the United States, certain minority populations are all too often marginalized by the status quo, leading to a social order that tends to privilege wealth and whiteness (Alexander, 2010). Although there are many ways in which discrimination against these populations is manifest, the criminal justice system is one of primary means through which the inequitable social order is maintained. For example, as will be explored in the following section, African Americans are disproportionately criminalized and incarcerated for the same behaviors as whites, which creates systemic barriers to African Americans' socioeconomic advancement. The net effect is a criminal justice system, and ultimately a society, that systematically marginalizes certain populations. Individuals like Wilson, who are sentenced to years in prison by judges who think they are being "restorative," know this truth all too well.

However, a new court called the North Lawndale Restorative Justice Community Court (NLRJCC) has come to Cook County, and it is offering a different way of doing justice that does not marginalize individuals like Wilson. This new courtroom is advancing a vision of what justice might look like outside the confines of courtrooms and prison cells: where harm is repaired instead of punished, and where community members are empowered to create their own solutions to crime and conflict. The entire courtroom is predicated on the principles of restorative justice, which is a philosophy for resolving conflict that seeks to rehabilitate the offender while reconciling them to their victim and the community. Everything about the NLRJCC— from the way the sheriffs comport themselves during security checks, to the physical layout of the courtroom itself — is specifically designed to heal and restore.

In order to participate in the NLRJCC, an individual must have been charged with a non-violent felony or misdemeanor, have a non-violent criminal history, be 18-26 years old, live in

North Lawndale, and accept responsibility for the harm that they caused. If these five criteria are met, and the defendant is willing to participate, the case will be admitted to the NLRJCC. Then, the defendant participates in a series of “peace circles,” which are conversations wherein the defendant, victim and all other affected parties discuss the harm that was caused and how to repair it. The resulting recommendations are written up in a “Repair of Harm Agreement,” which is approved by court and made legally binding. Then, if the defendant complies with all of the terms of these agreement (which could include provisions such as education, job training, or restitution, among others), their case is dismissed.

As will be argued in this thesis, the NLRJCC is challenging our country’s inequitable social order and the criminal justice system that upholds it. As I demonstrate through participation, ethnography, document review, and ethnographic evidence, this disruption is happening on both a moral and a physical level. On a moral level, I argue that the NLRJCC is disrupting our inequitable social order in three ways. First, the NLRJCC is predicated on a partnership between the Circuit Court of Cook County and the community of North Lawndale, which is challenging the power hierarchy that pervades our current system. In order to make the NLRJCC a reality, North Lawndale residents invited Cook County employees into a working partnership despite a long history of institutional abuse. In turn, Cook County employees accepted North Lawndale residents as moral and intellectual equals, and gave them the decision-making power to prove it. Secondly, I argue that the NLRJCC is challenging the social order on a moral level by simply treating defendants with dignity. Defendants at the NLRJCC are referred to by their name, not a number. They are greeted by the NLRJCC court staff as equals, and the court takes genuine interest in their well-being. Finally, I argue that the NLRJCC is challenging the social order on a moral level by empowering the individuals harmed by crime to find solutions

for *themselves* instead of having them assigned by a judge. Through this structure, power is being redistributed from the government and to the community.

Next, present two ways in which the NLRJCC is challenging the inequitable social order on a physical level. First, I argue that NLRJCC is challenging the social order on a physical level by decreasing the number of individuals with felony convictions. This structure promotes equality by eliminating the barriers to socioeconomic advancement that individuals with felony charges often face. Finally, I argue that NLRJCC is challenging the social order on a physical level through the layout of courtroom itself, which is specifically designed to promote equality and foster relationships between court personnel, defendants, and victims.

Despite several implementation challenges (collaboration, coercion, documentation, and net widening), which I discuss in the following pages, the NLRJCC shows great promise. Not only does it have the potential to challenge our inequitable social order and the criminal justice system that upholds it, but it is providing an exemplary alternative for what “justice” could look like. The NLRJCC is the first courtroom of its kind in the country, and Cook County policy makers, government officials, community members, and philanthropists are actively looking for opportunities to replicate the model. If the NLRJCC model is replicated, law enforcement systems in Cook County, and perhaps throughout the country, will be forced to reconsider their paradigm for crime and punishment. Although it is not a fix-all for the ills of the entire criminal justice system, the NLRJCC is demonstrating that an alternative is indeed possible.

## Literature Review

### Defining the Order

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*“When time reveals the immoral nature of unjust laws we feel righteous in our correction of such wrongs. Yet, new policy and laws are created that while presently palatable, often have the same effect as the laws that enslaved a people and counted them as less than whole...Judicial decisions are not only binding law but contain rationale that can have far reaching consequences.”*

~ NLRJCC Judge Colleen Sheehan, *NLRJCC Vision and Action Plan* (Sheehan, 2015, pg. 2)

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Since our country’s inception, our social order has been defined by a falsified white superiority. Throughout history and into today, African Americans have been consistently and systematically denied equitable resources in housing, employment, education, and health.

Although there are many ways in which discrimination against African Americans is manifest, I argue that the criminal justice system is the primary means through which our modern-day social order is maintained. This argument is basis of Michelle Alexander’s book, *The New Jim Crow*, which claims that slavery did not end but rather evolved, as evidenced by the blatant racial disproportionalities in the United States criminal justice system. These racial disproportionalities are particularly evident for drug crimes. As Alexander points out, as of the year 2000, African Americans constituted over 80% of all incarcerated drug offenders in seven states. Furthermore, African American men are incarcerated for drug offenses at least 25 times more often than white men in at least fifteen states (Human Rights Watch, 2000) (Alexander, 2010). Since it is known that White and Black Americans sell and use drugs at similar rates, these disproportionalities

cannot be explained racial disparities in baseline levels of drug use (The Hamilton Project, 2015). The data suggests that some level of racial discrimination is at play.<sup>1</sup>

Not only does the criminal justice system maintain the social order through physical means such as jail and prison, but through moral means as well. In fact, the very act of law enforcement establishes a moral hierarchy which bifurcates the population into “judgers” (those whom society has elected to judge and to punish) and the “judged” (those whom society has deemed guilty). The most disturbing part of the moral dimension of the social order is that it discriminates against African Americans, and it has since our country instituted slavery. When slavery began, African people were deemed morally and socially inferior. They were enslaved by white men, and then brought to the United States as their “property.” They were policed as morally-inferior “property” by the slave patrols and early iterations of the police, which were groups composed almost exclusively of white men. If slaves were treated humanely at all, it was only to ensure that white men’s “goods” were not damaged (Hadden, 2003). Although our modern-day justice system recognizes African Americans as people, but it still often regulates them bottom of the social caste. This race-based, moral hierarchy is explained very pointedly by Michelle Alexander in “The New Jim Crow.” She states,

The genius of the current caste system, and what most distinguishes it from its predecessors, is that it appears voluntary. People choose to commit crimes, and that’s why they are locked up or locked out, we are told. This feature makes the politics of responsibility particularly tempting, as it appears the system can be avoided with good behavior. But herein lies the trap. All people make mistakes. All of us are sinners. All of us are criminals. All of us violate the law at some point

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<sup>1</sup> Many people contest the claim about racial disproportionality in our jails and prisons by pointing to the fact that African Americans commit more violent crimes than whites. However, as Alexander also demonstrates in *The New Jim Crow*, it is clear that violent crime is not significantly contributing to the rising prison population because violent crime rates do not appear to be linked to overall incarceration rates. (Mauer, 2011) (Alexander, 2010). Moreover, violent offenders compose a very little share of the overall prison population: as of 2009, only 7.9% of federal prisoners were incarcerated for a violent offense (West & Sobol, 2010) (Alexander, 2010).

in our lives. In fact, if the worst thing you have ever done is speed ten miles over the speed limit on the freeway, you have put yourself and others at more risk of harm than someone smoking marijuana in the privacy of his or her living room. Yet there are people in the United States serving life sentences for first-time drug offenses, something virtually unheard of anywhere else in the world (Alexander, 2010).

As Alexander points out, our country's law enforcement system is not one of objective morality, even though privileged members of the social order are able to live quite comfortably under this assumption. With no repercussions, privileged individuals can believe that some people are good and compliant, others are not, and that "deviants" (who the social order insists on being disproportionately black and brown) deserve to be condemned.

In this formulation, those who profit from the social order have no reason to challenge the system itself. They may concede that if some racial bias *does* happen to creep in, it can be fixed with a few minor structural adjustments, such as improved methods for recruiting and training of judges and police officers, or better treatment programs incarcerated individuals. Undoubtedly, these reforms are well-intentioned, and many of greatly improve the lives of marginalized individuals. Interventions such as drug treatment courts, mental health courts, and veteran's courts provide significant and meaningful aid to marginalized populations, yet they fail to address the social structures that create and maintain the power differentials between the judge and the judged. Ultimately, these interventions are still embedded in a criminal justice system that systematically privileges whiteness and wealth at the expense of everyone else. Until these structures are disrupted, and those who have been marginalized by the social order are given opportunities to express and institute their wishes, current social inequities will persist.

As will be argued, I believe that the NLRJCC is designed to be precisely this disruption. On both a physical and moral level, the NLRJCC is challenging the perceived sanctity of the

traditional justice system by offering an alternative method for administering justice, wherein sanctions are not handed down by a judge, but rather created by the people. In order to fully understand how the NLRCC is disturbing the status quo, however, one must first understand the significance of community courts and restorative justice, the two frameworks upon which the NLRJCC is predicated.

## **Alternative Foundations**

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***“We must have the courage to do something bold and different by creating new approaches to reduce crime, incarceration, and to repair harm. We cannot expect change unless we change.”***

~NLRJCC Judge Colleen Sheehan, *NLRJCC Vision and Action Plan* (Sheehan, 2015, pg. 3)

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### ***Community Courts: An Alternative Structure***

The NLRJCC relies on a structural foundation that is dramatically opposed to the punitive, hierarchical nature of the traditional justice system. This alternative structure is a community court, which is a type of problem-solving court that is designed to address and ameliorate the underlying causes of crime within a community (Lee et al., 2013). Instead of relying on traditional theories of retribution and deterrence, community courts use citizen-driven policies to restore and correct offenders and respond to community needs. Ultimately, the goal of community courts (and community justice more generally) is to rehabilitate offenders, victims, and all parties affected by crime (Lanni, 2005).

According to the Center for Court Innovation’s (CCI) most recent literature review of community courts, as of 2011, there had been 19 robust evaluations on a total of 11 different

community courts throughout the world.<sup>2</sup> These evaluations included three cost-benefit analyses, nine process evaluations, and eleven impact evaluations. All nine process evaluations used official court documents to identify and analyze the implementation processes, in addition to participant interviews, stakeholder interviews, focus groups, surveys, staff interviews, and/or courtroom observations (Henry & Kralstein, 2011). All nine of the evaluations demonstrated that the community courts were effectively implementing problem-solving principles.

Another comprehensive survey of community courts was conducted by the Diana Karafin of the Center for Court Innovation in 2008. Her findings indicate that approximately 52 community courts were in operation internationally at the end of 2007, the majority of which were designed to serve criminal offenders (Karafin, 2008). A synthesis of the most relevant data from the 19 robust community court evaluations known by CCI in 2011, and Diana Karafin's global community court survey, can be summarized as follows:

1. **Lack of Rigorous Evaluation:** Karafin's global survey revealed that most community courts aimed to address the root causes of crime in order to prevent recidivism, but very few courts (only 12%) were able to provide recidivism data. The survey further revealed that most courts did not have quantifiable ways to measure their impact, aside from annual caseload measures and community service compliance rates. Similarly, CCI's 2011 report revealed that only the community courts in Midtown, Hennepin County, Liverpool, and Salford had undergone a comprehensive evaluation with a comparison group (Henry &

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<sup>2</sup> (Henry & Kralstein, 2011) Pg. 1; These courts include: the Midtown Community Court in Manhattan, New York (est. 1993); the Hartford Community Court in Hartford, Connecticut (est. 1998); the Hennepin County Community Court in Minneapolis, Minnesota (est. 1999); the Red Hook Community Justice Center in Brooklyn, New York (est. 2000); the Harlem Community Justice Center in Harlem, New York (est. 2001); the Philadelphia Community Court in Philadelphia, Pennsylvania (est. 2002); Bronx Community Solutions, in the Bronx, New York (est. 2005); the Seattle Community Court in Seattle, Washington (est. 2005); the North Liverpool Community Justice Centre in Liverpool, England (opened 2005); the Salford Community Justice Initiative in Salford, England (est. 2005); and Melbourne's Neighbourhood Justice Centre (est. 2007).

Kralstein, 2011). This evaluation of the NLRJCC that will be conducted by Adler University is seeking to increase this body of research.

2. **Use of Alternative Sanctions:** Consistent with community courts' goal to address the root causes of crime, most courts in Karafin's survey (92%) reported regularly sentencing defendants to community service. Furthermore, 84% of courts reported regularly sentencing defendants to social services, 64% reported regularly sentencing defendants to individual counseling, 64% regularly reported regularly sentencing defendants to job skills training programs, 56% reported regularly sentencing defendants to life skills training programs, 52% reported regularly sentencing defendants to anger management classes, and 48% reported regularly sentencing defendants to substance abuse classes (Karafin, 2008). Data on the use of incarceration as a sanction was not available.
  
3. **Community Participation and Community Perception:** Most community court evaluations have focused on individual participants, and not the community at large. Evaluations that have analyzed community-wide effects have yielded very mixed results (Lee et al., 2013). The first evaluation of the Midtown Community court revealed that only 20% of neighborhood residents knew of the court's existence. A study of the community court in North Liverpool showed that although community awareness of the court grew from approximately 25% to 32% between 2005-2007, the increase in knowledge did not yield a greater level of confidence in the justice system (Sviridoff et al., 2002). In Karafin's survey, 46% of courts stated that collaboration with partners and the community was necessary for success. However, only 36% of respondents indicated

that their court staff typically engaged in collaboration with community members (Karafin, 2008).

4. **Recidivism:** The impact of community courts on crime and recidivism is mixed. The 2013 evaluation of Red Hook Community Justice Center in Brooklyn yielded very positive results: there was a 35% reduction in the number of defendants that were serving jail or prison and time as compared to traditional courtrooms. Adult defendants at Red Hook were 10% less likely to recidivate than their peers in traditional court; juveniles were 20% less likely to recidivate (Center for Court Innovation, n.d.). The Midtown Community Court in Midtown, Manhattan, conversely, does not appear to have any effect on recidivism rates (as of 2011) (Henry & Kralstein, 2011). Similarly, evaluations of the community courts in Seattle, Washington and Liverpool England did not produce statistically significant results for recidivism reduction (Lee et al., 2013).

### ***Restorative Justice: An Alternative Theory***

In the same way that community courts serve as the structural foundations of the NLRJCC, restorative justice serves as the theoretical foundation. At its core, restorative justice is a philosophy or way of being more than it is a program or practice, so it can be difficult to explicitly define. However, for the purposes of this research, I define restorative justice as a philosophy for resolving conflict that seeks to rehabilitate the offender while reconciling them to their victim and the community. In many ways, restorative justice is the exact opposite of the punitive justice that is administered by the United States criminal courts. Punitive justice is adversarial. It is predicated on fixed rules. It emphasizes individual culpability and punishes all people who are found guilty.

Restorative justice is markedly different. Instead of an adversarial process, restorative justice relies on consensus. It does not have fixed rules, but rather flexible guiding principles. It emphasizes both individual and corporate responsibility. It seeks to repair the harm, not punish the harmer (Pranis, 2005). Compared to the punitive model upon which traditional courts are predicated, restorative justice is a radical alternative indeed.

Interestingly, restorative justice is not a novel concept, a fact that is addressed in the NLRJCC's founding document, the *NLRJCC Vision and Action Plan* written by NLRJCC presiding judge Hon. Collen F. Sheehan. "...The idea of a Restorative Justice Court is not new," Sheehan states. "In fact, indigenous and Native American communities have relied on non-punitive models to address harm and achieve justice for generations....Many similar elements....are included in the design for the Cook County Restorative Justice Community Court" (Sheehan, 2015, pg. 16)." In the United States, restorative justice is commonly traced back to the Navajo. In Navajo, restorative justice or "peacemaking," is called *hozhooji naat'aanii* (Zion & Yazzie, 2006). It was first integrated into Navajo justice systems in Arizona, New Mexico, and Utah in 1982, after the Navajo had been forced to live for many under an Anglo European justice system (Mirsky, 2004).

For the Navajo, a person who harms others "acts as if he has no relatives," and reconnecting these alienated offenders to their community is the essence of Navajo peacemaking. When a harm occurs, the relatives of the offender are called upon to help the individual understand and take ownership for their behavior. Ultimately, the goal is for the offender and victim to agree about how to repair the harm in a way that accounts for everyone's needs and encourages a healthy community (Sullivan & Tifft, n.d.). As in Navajo peacemaking, the NLRJCC recognizes that harm is not an isolated incident, and that there are many external, community-based factors that

contribute to a person engaging in activities that harm themselves or others. As such, the NLRJCC endeavors to address harm in a restorative, community setting by inviting the defendant, victim, and any other parties who were affected by the harm to take part to the peacemaking process.

Very few restorative justice programs have been formally evaluated, largely because of the difficulty involved in doing so. It is hard to assess the wide variety of restorative justice program models and goals, secure meaningful control groups, or gather data on very subjective outcomes such as forgiveness and healing. According to the United Nations, the lack of evaluative data on restorative justice has “precluded the development of anything more than a tentative list of evidenced-based ‘best practices’ to guide the development and implementation of new programmes” (Dandurand, 2006). A meta-analysis of restorative justice and recidivism conducted by James Bonta in 2006 suggests that court-ordered restorative justice programs do not impact recidivism rates. However, Bonta’s research *does* suggest that programs in “non-coercive” environments that allow for authentic collaboration *can* reduce recidivism. The NLRJCC is court-ordered, but it also involves the collaboration of victims and the community. Hence, it is unclear how, if at all, it will fit into these findings.<sup>3</sup>

Community courts and restorative justice are both fundamentally different than the punitive philosophy that underlies the traditional criminal court system. However, North Lawndale residents and the Circuit Court of Cook County have built a restorative, community-

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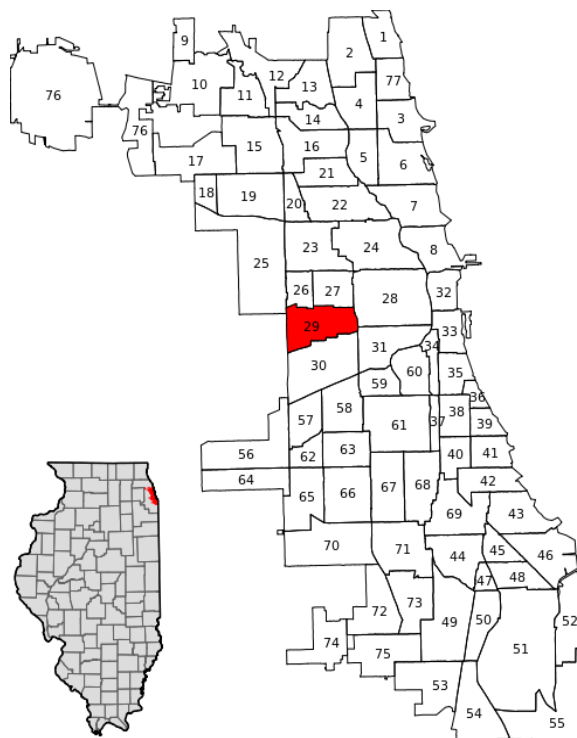
<sup>3</sup> Bonta’s analysis also suggested that restorative justice is most effective with low-risk offenders, likely because they generally have stronger bonds to the community. Moreover, he implies that restorative justice may be inadequate to rehabilitate high-risk offenders; rather, he says treatment programs should be administered alongside the restorative justice programs for maximum success (Bonta et al., 2006). These findings are not universal, however. For example, a 2013 review of restorative justice in criminal justice settings indicated that restorative models *do* decrease recidivism, particularly for violent offenders, as well as reducing the post-traumatic stress and satisfaction with the resolution of the case for victims. The review also found restorative justice programs more economical than traditional approaches, both because they are cheaper to administer and tend to deter future crime (Baliga, Henry, & Valentine, 2017) (Sherman & Strang, 2007).

based court within the County's existing legal system. Primarily, it is the NLRJCC's reliance on these alternative foundations that is disrupting the inequitable social order as it stands.

Interestingly, as NLRJCC presiding Judge Colleen Sheehan eludes to in the *NLRJCC Vision and Action Plan*, disrupting our long-entrenched legal systems through restorative, community-based justice demands a certain measure of audacity. "We must have the courage to do something bold and different by creating new approaches to reduce crime, incarceration, and to repair harm," Sheehan writes. "We cannot expect change unless we change" (Sheehan, 2015, pg. 2). As this thesis will argue, the NLRJCC *is* this fundamental change. It is not a new program, but rather a whole new infrastructure. It is not just a new initiative, but a new way of thinking.

## They Who Must Think Differently: A History of North Lawndale

The radical new infrastructure of the NLRJCC was built specifically for the community of North Lawndale, a historically and presently marginalized community on Chicago's West Side. As the following history of the North Lawndale will demonstrate, this community knows exactly what justice isn't, for they've been suffering the ill-effects of our inequitable social order (and the criminal justice system that upholds it) for decades. In response to long history of marginalization in their community, residents of North Lawndale forged a new idea of what justice could be, and the NLRJCC is in their community as a result. To appreciate North Lawndale's need for an alternative form of justice, however, one must first understand the long history of institutional abuse that has afflicted the community.



North Lawndale is located on Chicago's West Side, approximately 5 miles west of downtown. (Siciliano & Atherton, 2010)

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***“I think the residents (of North Lawndale) are extremely resilient. They are resilient because they have to be.”***

~ Quote from NLRJCC Stakeholder and North Lawndale Resident (Interview, 12/02/2017)

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Before the mid-1900s, North Lawndale was a predominantly Jewish community. In fact, in 1946, it is estimated that North Lawndale had approximately 65,000 Jewish residents (roughly

one-quarter of Chicago's Jewish population at the time). During this period, the Jewish residents North Lawndale made significant contributions to the neighborhood infrastructure, including the establishment of Mt. Sinai Hospital and Herzl Junior College (now known as Malcolm X College). They also made major contributions to the development of North Lawndale's commercial district (Encyclopedia of Chicago, n.d.).

In the early 1950s, however, the racial demographics of North Lawndale began to change. The Great Migration brought many African Americans to Chicago from the Southern States, most of whom settled on the South and West sides of the city. During this period, Chicago was also undergoing urban renewal efforts, meaning that many African Americans living on the South Side were displaced to the West Side to neighborhoods such as North Lawndale. These factors eventually led to a complete shift of the North Lawndale population. By 1960, almost all of the Jewish residents and left the neighborhood, and approximately 91% of the community's roughly 125,000 residents were African American (Encyclopedia of Chicago, n.d.).

Ta-Nehisi Coates adds further commentary on North Lawndale's ethnic succession and marginalization in *The Case for Reparations*. According to Coates, North Lawndale's Jewish People's Institute was actively encouraging African Americans to move into the community in the 1940s in order to start a pilot project in interracial living. However, North Lawndale never realized this utopia because African Americans were consistently blocked from all legitimate housing markets. African American families were sold homes by relators at exorbitant prices and eventually evicted when they could not pay, leaving the realtors to take their initial deposits as profit. According to Coates, "(Contract sellers) would bring in another black family, rinse, and repeat." As African Americans were consistently made victims of predatory lending, the cycle

continued. As such, North Lawndale's discriminatory housing market forced many African Americans in the community to remain marginalized for decades (Coates, 2014).

From the mid- to late-nineties, African Americans in North Lawndale were also denied many local employment opportunities since many of these positions were outsourced to people outside of the community. The resulting unemployment among North Lawndale's African American residents greatly increased levels of poverty within the community and created significant tensions between the wealthy white people who worked in the neighborhood and the impoverished African Americans who lived there.

The animosity between the races was at its peak in 1966, when Martin Luther King Jr. chose North Lawndale as his mid-western base for the Civil Rights Movement. After King's assassination in 1968, massive riots erupted in North Lawndale. Many of the community's white-owned commercial centers were burned, as well as many African American homes. During the riots, many African Americans in North Lawndale were abused by the City of Chicago and the Chicago Police Department. In fact, Chicago's then-mayor Richard Daley publically acknowledged that he was frustrated with then-police chief James Conlisk for not following his orders to "shoot to kill arsonists and main and detain looters" (Abu-Lughod, 2007, pp. 101). After the riots (and ensuing police abuse), most of the community's major industries were forced out of the area by insurance companies, which led to an economic depression and a very significant population decline. By 1990, the population of North Lawndale had fallen to only 42,000 people, down from the 124,000 residents who lived there in 1960 (Encyclopedia of Chicago, n.d.).

William Wilson describes North Lawndale's deterioration during this period in his book, *When Work Disappears*. According to Wilson, the decline of North Lawndale during this period was part of a nationwide crisis for the urban poor that was happening as a result of industrial

restructuring and loss of blue-color jobs. As reported in *When Work Disappears*, between 1960-1970, North Lawndale lost 75% of its business. By 1986, although the population of North Lawndale was over 66,000, the community had only one bank and one supermarket, despite being home to 48 state lottery agents, 50 currency exchanges, and 99 liquor stores and bars. “After more than a quarter century of continuous deterioration, North Lawndale resemble(d) a war zone,” Wilson states. “Since 1960, nearly half of its housing stock has disappeared; the remaining units are mostly run-down or dilapidated” (Wilson, 1996, pp. 34–35).

Today, the population of North Lawndale is even lower than it was after the post-riot population decline. As of 2015, North Lawndale has approximately 39,000 residents, approximately 91% of which are African American. The present-day community is very adversely affected by poverty. The median household income in North Lawndale is approximately \$25,400, which is the sixth lowest of any of Chicago’s 77 neighborhoods. Over half of all North Lawndale households (51.4%) receive food stamps. Educational attainment is mixed. Of residents 25 and older, approximately 70% have a high school diploma, but only 8.6% have a college degree (Statistical Atlas, 2015).

Present-day North Lawndale is also very affected by crime. According to the Chicago Tribune, North Lawndale has the fifth-highest violent crime rate of all of Chicago’s 77 communities, with 3,336 recorded accounts of homicide, assault, robbery, battery and sexual assault in 2016 alone. It has the second-highest shooting rate of any Chicago neighborhood, with 282 recording shootings in 2016, as well as the fifth-highest homicide rate, with 34 recorded homicides in 2016 (Chicago Tribune, 2018). North Lawndale also ranks the fourth-highest of Chicago’s communities for quality-of-life crimes, such as recreational drug use, petty theft, and prostitution. (Chicago Tribune, 2015). Residents’ contact with the criminal justice system is also

vast. According to the most recent study on the residents' involvement with the criminal justice system, over 57% of the community was incarcerated or on parole or probation in 2001 alone (McKean & Raphael, 2002).

Two community needs assessments of the North Lawndale neighborhood conducted by the Mansfield Institute for Social Justice and Transformation at Roosevelt University in 2016 in anticipation of the implementation of the NLRJCC.<sup>4</sup> According to these assessments, 40% of community respondents rated the overall quality of life in North Lawndale as “ok”; 30% percent as “poor” or “very poor;” and 24% as “good” or “very good.” The top-five most commonly cited problems included violent crime, drug use, drug sales, presence of abandoned properties, and lack of employment. Only 40% of respondents claimed to feel safe in North Lawndale, even in the daytime. The report claimed that the “sense of unfairness of the justice system was pervasive among the North Lawndale respondents, and was widely shared across gender, race and age groups” (Maldre & Michaels, 2016, pg. 4-5). Only 25% of respondents reported that their interactions with the justice system were ‘sometimes or mostly positive’ (Maldre & Michaels, 2016, pg. 5).

As this history demonstrates, North Lawndale residents have been marginalized our society's inequitable social order for decades. The community has many reasons not to trust the system as it stands, given the long history discriminatory housing practices, predatory lending, police abuse, and mass incarceration that it has experienced. Hence, it does not come as a surprise that recent survey data suggests that North Lawndale residents still have very little trust in the

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<sup>4</sup> The first assessment consisted of a community survey, and the second consisted of a series of focus groups. The results of these studies were given to the NLRJCC Steering Committee during the implementation process (2016-2017) in order to ensure that the NLRJCC model responded properly to North Lawndale's unique environment and needs. The Community Needs Assessment Survey Report contains data from 250 North Lawndale residents. The survey attempted to assess the quality of life in North Lawndale, as well as the strengths, challenges, and needs of the community.

justice system (Maldre & Michaels, 2017). The feeling of distrust toward government, and specifically the criminal justice system, was also echoed by many of the North Lawndale stakeholders that I spoke with throughout the course of my research.

Ironically, however, North Lawndale residents had to partner with very justice system that has contributed to their marginalization in order to create the NLRJCC. As referenced in the introduction, the mere existence of this system-community partnership challenges the social order as it stands. In order to create a community court that authentically engaged local residents, Cook County ceded some of its long-held power to the residents of North Lawndale. The story of exactly how this unconventional partnership began, how it evolved, and what it looks today, will be discussed in the following pages. As will be shown, the health of this partnership is of critical importance. As well be shown, it is one of the primary means through which the NLRJCC is challenging our country's inequitable social order and the criminal justice system that upholds it.

## **Methodology**

The section details the methods I employed to conduct my analysis of the NLRJCC. At the time this thesis was published, the NLRJCC had only been in operation for eight months, and none of the court's history, along with many of its values, policies, and procedures, had never been written down. As a contribution to the NLRJCC's historical record, one of the goals of my research was to collect and record this history. Secondly, I aimed to develop a sociological understanding of the NLRJCC and its stakeholders in order to make informed policy recommendations that were specific to the particular nature and circumstances of the NLRJCC. Fundamentally, the NLRJCC is a people-centered project. It is predicated entirely on an unlikely collaboration between the Circuit Court of Cook County and the community of North Lawndale. Learning about the court's stakeholders — what they want, what they fear, and what they wish to gain from the NLRJCC — was fundamental to my understanding the court model itself, in addition to how it can be improved and replicated.

To this end, the first research method I employed was participation. From January 2017 to April of 2018, I served as the intern for NLRJCC presiding judge, Hon. Collen F. Sheehan. During my time at the NLRJCC, I provided feedback and recommendations on many of the NLRJCC's internal policies and procedures, many of which are analyzed and discussed in this document. Additionally, I took minutes at NLRJCC implementation meetings for eight months (January – August of 2017), helped design and facilitate several staff trainings about the NLRJCC court procedure. I also authored or co-authored several documents for the NLRJCC, including drafting the informational brochure that is publically distributed and used by the NLRJCC's lawyers to explain the court process to defendants (see Appendix A - B), as well as the NLRJCC's "Community Needs Assessment" that was recently submitted to the court's funder, the Center for

Court Innovation. Finally, I worked with the research team at Adler University, who was contracted to conduct a comprehensive three-year outcome evaluation of the NLRJCC, to develop aspects of their research methodology. I have contributed this thesis, as well as most of my raw data, to the research team at Adler to be incorporated into their comprehensive evaluation.

The second method I employed was ethnography. For the purposes of this research, I regularly attended the NLRJCC court call from when the court opened (August 2017) through the completion of this study (April 2018). Through this process, I was able to get a clearer picture of how North Lawndale residents and the broader public experienced the NLRJCC, as well as how defendants, victims, and community members perceived of and experienced the courtroom. The talking circle, wherein the victim and offender come together to discuss the harm caused and how to repair it, is confidential, so I did not have access to these proceedings. However, I was able to learn about this part of the process through in-depth interviews with the NLRJCC staff members who facilitate the talking circles.

Next, I conducted eleven in-depth interviews with NLRJCC stakeholders, all of whom I had a pre-existing personal and/or professional relationship due to working on the NLRJCC staff (for a complete list of interviewees listed in no particular order, see Appendix C; for a complete interview protocol, see Appendix D). For the purposes of these interviews (and this research more broadly), I defined an NLRJCC stakeholder as any NLRJCC staff member who attends every NLRJCC court call and interacts regularly with NLRJCC participants, or any member of NLRJCC Steering Committee, which was the NLRJCC's formally-convened implementation structure (for a further explanation of the Steering Committee, see "NLRJCC Implementation Structure"). All NLRJCC Stakeholder interviews were conducted between November 2017 - February 2018. The goal of these interviews is to (1) determine how, if at all, NLRJCC procedures have departed from

the original court design, and if so, what has informed these changes, (2) identify and discuss the strengths and weakness of the NLRJCC model, (3) understand the relationships between individual NLRJCC stakeholders, as well as stakeholder groups (i.e., Cook County employees vs. North Lawndale residents). All of the information was de-identified and kept in a secure location. All direct quotes from interviewees in this document are anonymous or listed under a pseudonym.

My fourth and final method was a thorough review of NLRJCC court documents. The documents I analyzed fell into two broad categories: planning and implementation, and court operations (for the full inventory of the documents I reviewed, see Appendix E). First, I reviewed the NLRJCC Vision Action Plan to understand the vision of the court at its inception. Then, I reviewed the remaining process and implementation documents in chronological order to identify and understand the challenges and opportunities the NLRJCC faced during its implementation, and how these challenges and opportunities informed modifications to the original vision for the court. Finally, I conducted a thorough review of documents concerning the operations of the court in order to better understand the legal framework of the court, as well as the mechanics of the NLRJCC process. By juxtaposing the results of my document review to data I garnered through participation, ethnography, and interviews, I was also able to see which parts of NLRJCC procedure were being followed, which were not, and how court stakeholders responded when they confronted with an issue that had not been written into policy.

The methods described above complemented one another in an iterative process. The information I uncovered in my document review informed the nature of my interviews and ethnographic research. Similarly, the data I gained through participation, ethnography and interviews influenced by understanding of the court documents. The variety of my methods allowed me to explore the implementation and operation of the NLRJCC in a holistic way that

accommodated the malleable nature of the implementation process, which was one of the greatest strengths of my methodology. However, one of the limitations of my methodology was that it lacked a substantial quantitative component. Because the NLRJCC had only been in operation for eight months (and less than five individuals had completed the entire NLRJCC process) at the time this thesis was written, there was insufficient quantitative data available for my analysis. Hence, an iterative, qualitative approach was the most effective way for me to contribute to the NLRJCC's current body history, literature, and knowledge. However, the comprehensive evaluation being conducted by Adler University over the next several years will provide a quantitative analysis of the NLRJCC, thereby filling these gaps in the literature.

Finally, my personal and professional relationships with NLRJCC staff, in addition to my visibility and involvement in the project overall, significantly impacted the information that I had access to, as well the things that stakeholders were willing to share with me during interviews. As will be further explored in the following pages, the NLRJCC team is clearly divided into "system" (the Circuit Court of Cook County and its employees) and "community" (the North Lawndale Community Restorative Justice Hub, as well as any and all neighborhood residents). When I joined the NLRJCC in January of 2017 as an intern for Judge Sheehan, I was automatically counted on the "system" side of the personnel divide. However, I was a student, not a Cook County employee (although not everyone on staff realized this), so I was somewhat insulated from the historical and social implications that being part of "the system" implied. Hence, although I was partially removed from the social bifurcation of system and community that had been established, I am still a Caucasian woman who resides outside of North Lawndale, so community stakeholders had no reason to consider me a local, much less an ally. All of the community members that I met were extremely warm and welcoming, but there was an obvious

sociological affinity between me and “the system” and an obvious sociological separation between me and “the community,” which made it difficult for me to fully integrate with North Lawndale residents. Hence, in the early days of my involvement, before I had built relationships with community stakeholders, most of the information I had access to came from the system stakeholders.

Over time, however, I built strong professional and personal relationships with community stakeholders. As trust was established, community stakeholders were significantly more willing to share their perspectives with me. Particularly from September 2017 to April 2018, when I stepped back from my official internship position with Judge Sheehan and more fully assumed the role of a researcher, community members were increasingly willing to engage with me. By April 2018 when this research was completed, I actually had much more regular interaction with community stakeholders than with system stakeholders.

Ultimately, I do not think I was perceived as either system or community by the majority of NLRJCC stakeholders, but rather as a neutral observer (or, at times, an ally) of *both* sides. This identity allowed me to gain a fuller perspective of the NLRJCC, which was an opportunity I believe many stakeholders did not share, given the strictly bifurcated social categories that pervaded the initiative. However, I was by no means seamlessly integrated into both groups. Ultimately, I was an outsider: a woman who shared demographic characteristics with “the system,” but spent a lot of time in the community. I have many personal relationships with members of both groups, and I don’t obviously belong to either. The history and analysis contained herein are as objective as possible, given the information to which I had access, and the stories that people were willing to tell me.

## **Findings**

### **History of the NLRJCC**

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***“This kind of work and system culture shift (that the NLRJCC requires) is slow. It is not about implementing a program, but rather about building relationships and putting processes in place that will help all to live the philosophy that is grounded in true justice.”***

~ NLRJCC Presiding Judge Collen Sheehan (Sheehan, 2015, pg. 2)

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As stated, one of the goals of my research was to discover and record this history of the NLRJCC’s development, since no written history currently exists. However, this task proved to be much more difficult than I previously thought because every person I asked had a different account of the court’s development. In this section, I will give a brief overview of the two primary narratives I gleaned about the NLRJCC’s development: one from the “system”, and one from the “community,” both of which I pieced together through a combination of participation, ethnography, stakeholder interviews, and document review (see “Methodology”). I provide both accounts because I believe that the various interpretations of the NLRJCC’s genesis story are as important as the facts themselves. In fact, these disparate accounts may be *more* important than the facts, for it is in these tales that the fundamental difference between “system” and “community” can be most clearly seen.

#### ***A “System” Story***

During my first several months as the intern for NLRJCC Presiding Judge Colleen Sheehan, I received many informal accounts of the NLRJCC’s genesis from system stakeholders. During this time, the narrative I understood was as follows: Judge Sheehan, former Juvenile Judge for the Circuit Court of Cook County and now a presiding Judge of the NLRJCC, had integrating

elements of restorative justice into her juvenile courtroom for many years. Then, in 2015, members of the North Lawndale community solicited her help in drafting a Vision and Action plan for a community court that would be predicated on the principles of restorative justice. Judge Sheehan consented, and with the help of a few restorative justice practitioners across Chicago, she drafted the 33-page document in just a matter of days. According to my first understanding of the story, Chief Judge Timothy C. Evans was very pleased with the proposal and quickly endorsed it. Judge Sheehan's Vision and Action plan was then translated into a grant proposal for the Center for Court Innovation's 2016 Community Court Grant Program, which awarded \$200,000 of start-up capital to ten community courts across the United States (Center for Court Innovation, 2017).

According to grant application (which was submitted by the Circuit Court of Cook County, Office of the Chief Judge Timothy Evans) crime in Chicago occurs primarily in areas that are racially segregated and economically distressed. The community of North Lawndale — which according to the application, fits both of these descriptions — accounted for more than 10% of arrests for non-violent offenses in Chicago in 2015. The application further states that as of 2014, 4% of the pretrial detainees in Cook County (approximately 400 people) were being held on charges of nonviolent misdemeanors, and that every “low-risk” individual who is detained in jail for more than 24 hours experiences a 40% increase in their risk of reoffending. As a solution to these problems, the application pitches the NLRJCC as an alternative, more efficacious way of holding these offenders accountable. The grant further references that the North Lawndale Community Restorative Justice Hub, which is a network of individuals that “live, work, or worship” in North Lawndale, as the NLRJCC's community partner (Circuit Court of Cook County, 2016) (Lawndale Christian Legal Center, 2014).

This rather truncated version of the story was the only one I knew during my first year of involvement in the NLRJCC. At staff meetings and through informal conversations, I would occasionally hear discussions about the North Lawndale Community Restorative Justice Hub, but I had no knowledge of their involvement, if any, in developing the idea for the NLRJCC. However, community members (most of them from the North Lawndale Community Restorative Justice Hub) made up half of all of stakeholders on the implementation team. Hence, I knew that the community was heavily involved, but I had no explicit knowledge about how or why they had gotten there. However, after building stronger relationships with community members during the latter half of my involvement in the project, this gap in knowledge was quickly corrected.

### *A “Community” Story*

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*“(The North Lawndale Restorative Justice Community Hub) already had a plan (for the NLRJCC) rolled out before (the County and the Center for Court Innovation got involved) which I think is critical because frankly, systems have a way of being overbearing, they resort back to knee jerk habits, the old ways, you know, that is the way that (they) have always done it. Sometimes it is intentional, sometimes it is completely second nature, and you don’t even realize you are just doing business as usual...The (criminal justice system) is a well-oiled machine, and it runs people over, so (community) needed to be ahead of the game...to make sure this is authentically community led”*

~ “Kristina,” NLRJCC Community Stakeholder, (Interview, 12/21/ 2017)

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Although the “community narrative” of the NLRJCC’s development does not conflict with the “system narrative,” it has a markedly different emphasis. As stated, I learned the community’s side of the story primarily during the latter-half of my involvement in the initiative, mostly between December 2017 to April 2018. Most of the information in this account comes from a key community informant whom I will call Kristina, who gave me an unsolicited and

extremely detailed account of the NLRJCC’s development during a stakeholder interview in December of 2017. At the time, Kristina’s version of the story contained so much information about the community’s influence over the NLRJCC that I had never heard before, that I felt the need to corroborate her version of the story with other community stakeholders to ensure its accuracy. All of the community members I spoke to confirmed Kristina’s version of events. However, I never cross-checked the community’s version of events with the system stakeholders. Given my role as a researcher, I did not believe that doing so would have been productive to the state of system-community collaboration at the time.

As relayed by Kristina and corroborated by the community members with whom I spoke, the idea for the NLRJCC was largely owned by the residents of North Lawndale. As they tell the story, in 2015, the community organized itself into a cohort now formally referred to as the “North Lawndale Restorative Justice Hub,” (often referred to as “The Hub”), which is network of individuals who “live, work, or worship” in North Lawndale and are dedicated to advancing the principles of restorative justice in their neighborhood. The Hub was founded as part of a city-wide restorative justice movement, which spurred a network of similar community restorative justice hubs throughout several of Chicago’s neighborhoods.<sup>5</sup> (For a full list of the North Lawndale Community Restorative Justice Hub members, see Appendix F) (Lawndale Christian Legal Center, 2014).

According to the community stakeholders, the Hub began discussing the need for more restorative justice in the court systems shortly after network was formed in 2015. In an effort to

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<sup>5</sup> All of Chicago’s restorative justice hubs are rooted in the notion that youth involved in the criminal justice system should be in community, not jail or prison. Moreover, all hubs are predicated in the same five principles, which are listed on the North Lawndale RJ Hub website as follows: welcoming and hospitality; accompaniment; building relationships with youth and families; relentless engagement of organizations are resources; and collaboration and relationships with other RJ Hubs (Lawndale Christian Legal Center, 2014)

make this dream a reality, the Hub solicited the collaboration of then juvenile court judge and now presiding judge of the NLRJCC, Hon. Colleen F. Sheehan. While the Hub had been discussing the need for more restorative justice in the court systems in their neighborhood, Judge Sheehan was considering what such a court might look like. On August 26, 2015, the Hub invited Judge Sheehan to present her vision for a restorative justice community court at one of the monthly Hub meetings. Shortly thereafter, the Hub voted unanimously to bring a restorative justice community court to their neighborhood, and they issued a letter to Judge Sheehan on December 14, 2015 which relayed this decision (Stakeholder 4, 2017).

Community stakeholders allowed me to review this letter as part of my research. Interestingly, in addition to expressing their unanimous support of creating a restorative justice court in their community, the letter also relays the Hub's unanimous decision to launch a restorative justice pilot project for 20 young adults in anticipation of the new NLRJCC (The North Lawndale Community Restorative Justice Hub, 2015). Before speaking to community members or reviewing this letter, I was not aware of how extensive the community's ownership of the NLRJCC actually was. Without the efforts of the Hub, there still might be a restorative justice community court, but it would most certainly not be in North Lawndale, Chicago.

As relayed by Kristina, the Hub was also responsible for securing the \$200,000 grant from Center for Court Innovation to fund the new court. The Hub was planning to send the grant proposal as their own, independent entity, but four days before the proposal was due, the Office of the Chief Judge notified the Hub that they wished to send the grant proposal out of their office. According to Kristina, the Hub was reticent to engage in this partnership because they were concerned that the Chief Judge might make modifications to the court that they would not agree with. However, they needed a letter of support from the Chief Judge in order to submit the

proposal. Hence, they agreed to allow the Office of the Chief Judge to be the lead on the proposal, but not without some hesitation. Kristina explained her feelings about the transaction this way:

At the time (we agreed to partner with the Chief Judge), I was like ‘this is either going to be really awesome or really bad: really bad if the integrity of the court is going to be sacrificed and (turn into) something (that is) not (the North Lawndale) Restorative Justice Community Court. It is going to be really good if it is basically the court we want, but (Chief Judge Evan’s) name on it, because obviously ‘Chief Judge Timothy Evans, Circuit Court of Cook County’ is a far more compelling application than.... ‘North Lawndale (Community) Restorative Justice Hub (Stakeholder 4, 2017).

After discussing these matters with the Chief Judge, however, Kristina said that she was pleased to find that the Chief wanted to submit the proposal exactly as the Hub wanted it. Hence, the Hub’s grant application for the North Lawndale Restorative Justice Community Court was submitted by the Office of the Chief Judge. The Center for Court Innovation accepted the proposal and awarded \$200,000 to the Circuit Court of Cook County to design and implement the first-ever restorative justice community court.

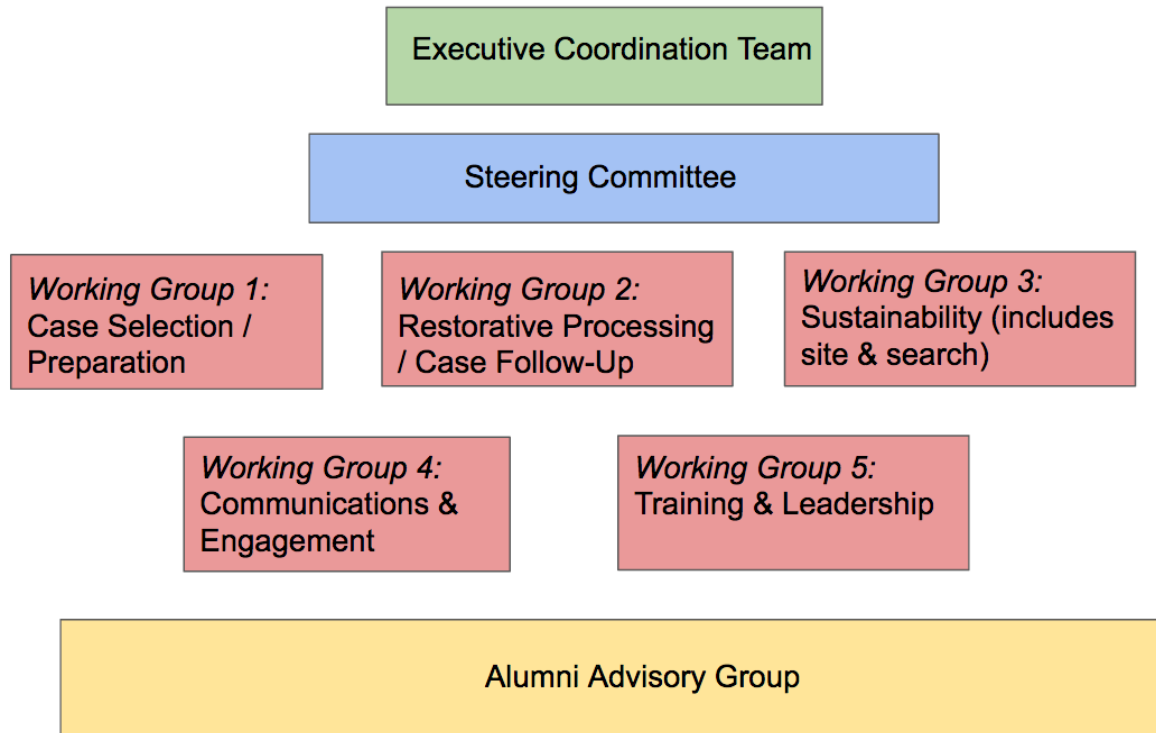
As relayed by Kristina and corroborated by the community stakeholders, the Hub also assumed in leadership role in creating the infrastructure necessary to implement the NLRJCC in their neighborhood. Before Cook County had been invited to be part of the project, the Hub had independently created an implementation structure for the NLRJCC. The Hub was already subdivided into designated working groups for the various projects they were implementing in the neighborhood, so it was natural for them to assume a similar structure to tackle the work demands of the NLRJCC. Hence, the Hub created five new NLRJCC subcommittees within their already existing structure to complete the tasks necessary to design and implement the NLRJCC. The five original sub-committees were entitled as follows: (1) Community Engagement, (2)

Restorative Justice Training, (3) Site Search, (4) Budget, and (5) Strategic Planning Committee (NLRJCC Steering Committee, 2015).

Kristina then described how the Hub had to change this structure after inviting the Circuit Court of Cook County into an official partnership. According to her, the “system players” (i.e. the Cook County employees) were not feeling included when they first joined the NLRJCC since the community had been working on the project independently long before the County ever got involved. Kristina said that the Hub attempted to rectify the power imbalance — which at this juncture, favored the community — by assigning new titles to components of the NLRJCC implementation structure. Specifically, the Hub changed the term “Sub-Committee” to “Working Group,” in order to signify that structure of the project had changed (Stakeholder 4, 2017). The term “Working Group” is still used among NLRJCC personnel today. It is, in fact, the only term I ever knew existed — until I interviewed Kristina.

Below is a full diagram of the final NLRJCC implementation structure, with corresponding explanations of the various sub-components. This diagram represents the final iteration of the implementation structure, after the Circuit Court of Cook County joined the initiative.

## NLRJCC Implementation Structure



*Diagram of the North Lawndale Restorative Justice Community Court Implementation Structure from “Restorative Justice Community Court- Planning Process: Memorandum of Understanding”(NLRJCC Steering Committee, 2015, pp. 3)*

**Executive Coordination Team:** According from the original NLRJCC Memorandum of Understanding issued on June 1, 2016, the Executive Coordination Team is the NLRJCC’s “Decision decision-making body (that) is composed of the assigned court judge, a designated leader from North Lawndale, and the most senior project coordinator on staff” To be a member of the Executive Coordination team, an individual “must consistently exhibit (the following) four selection standards... : the NLRJCC is within their sphere of primary influence, they exhibit and embody restorative justice values, they are capable of regular high-level contributions to the NLRJCC trajectory, and the NLRJCC is a top priority focus in their working life” (NLRJCC

Steering Committee, 2015, pp. 3). Ultimately, the NLRJCC Executive Coordination Team consisted of Judge Colleen Sheehan (NLRJCC presiding judge), Clifford Nellis, Executive Director of the Lawndale Christian Legal Center (the designated leader from North Lawndale), and then-NLRJCC Coordinator Brittany Sprawls (most senior project coordinator on staff).

**Steering Committee:** The Steering Committee served as the ultimate decision-making authority throughout the NLRJCC planning and implementation process. The Steering Committee was designed to authentically and equitably engaged both the Circuit Court of Cook County and the community of North Lawndale in all decisions pertaining to the NLRJCC. Ultimately, the NLRJCC team unanimously decided to create a fourteen-member Steering Committee, with seven members from the Circuit Court of Cook County, and seven members from the community of North Lawndale. Every Steering Committee member was to have one voice and one vote on all planning and implementation decisions (NLRJCC Steering Committee, 2015). Additionally, as stipulated by the original Memorandum of Understanding, every Steering Committee member had to serve in a leadership position on one or more of the working groups throughout the duration of their term, (NLRJCC Steering Committee, 2015).

**Working Groups:** The five NLRJCC working groups were designed to mirror the original sub-committee structure that the North Lawndale Community Restorative Justice Hub had put in place before Cook County joined the partnership. Even under this new collaboration, the original sub-committee structure that the Hub had ideated, designed, and implemented remained the same (Stakeholder 4, 2017). Every working group had at least one representative from the Steering Committee, and additional members were recruited from North Lawndale

residents, the North Lawndale Restorative Justice Hub, and the broader restorative justice community throughout Chicago (NLRJCC Steering Committee, 2015).

### ***Two Stories, One Partnership***

As the stories above demonstrate, system and community place different emphases on the NLRJCC's genesis story. The system stakeholders, while never denying the community's involvement in the ideation and implementation of the court, simply did not emphasize the community's involvement to me, whether through interviews or casual conversations. Some system stakeholders referenced it (typically when praising the community for being "organized," or for "organizing itself around this court"), but it was never the focus of their narrative. Conversely, the community stakeholders, and especially Kristina, gave me unsolicited accounts of the court's genesis, all of which placed primary emphasis on the community's ownership over the initiative. Neither history is wrong, but likewise, neither is complete. There are two separate narratives, and each is missing pieces of the other. However, despite these disparate accounts — and the radically different perspectives that accompany each narrative — system and community stakeholders at the NLRJCC have managed to build and maintain a strong partnership. The partnership, although perhaps one of the court's primary challenges, is also one of its greatest strengths. In fact, as will be discussed in the following section, the system-community partnership at the NLRJCC is one of the primary ways through which the NLRJCC is challenging the moral hierarchy that pervades our traditional criminal justice system.

## Disrupting the Order

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*“Nothing disruptive is ever easy.”*

*~NLRJCC Stakeholder commenting on the challenge that awaits NLRJCC staff (NLRJCC Staff Meeting, 1/18/2018)*

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“Different,” “Innovative,” “Radical” and “Revolutionary” are common vocabulary words at the NLRJCC. Throughout the year and a half that I spent at the court, it became very clear that the NLRJCC stakeholders believe that they have done much more than create “another program” to assist individuals in the criminal justice system. Rather, they believe that the NLRJCC is a true paradigm shift of how justice is administered in traditional criminal courts. For example, one system stakeholder I interviewed explicitly stated that transforming the traditional criminal justice system was part of her vision for the NLRJCC. She states,

“I think also part of the mission is to look at ways we can transform...the criminal justice system in a way that makes it more fair or equitable for everyone and also to find effective solutions, not solutions that feel good, or that are expedient, or that are good for the politics of it, but that are truly effective” (Stakeholder 2, 2017).

As will be argued, I believe that the NLRJCC is disrupting our traditional, inequitable social order — and the criminal justice system that upholds it — on both a moral and a physical level. First, I argue that the NLRJCC is disrupting the social order on a moral level through the system-community partnership underlying the court. As discussed in “History of the NLRJCC,” North Lawndale residents invited Cook County employees into a working partnership despite a long history of institutional abuse in order to make the NLRJCC a reality. In turn, Cook County employees accepted North Lawndale residents as moral and intellectual equals, and gave them

the decision-making power to prove it. The mere existence of this partnership challenges the inequitable social hierarchies that define both our justice system and our society. Secondly, I argue that the NLRJCC is challenging the social order on a moral level by simply treating defendants with dignity. Defendants at the NLRJCC are referred to by their name, not a number. They are greeted by the NLRJCC court staff as equals, and the court takes genuine interest in their well-being. Finally, the NLRJCC challenges the social order on a moral level by empowering the people harmed by crime to find solutions for *themselves* instead of having them assigned by a judge.

On a physical level, I argue that NLRJCC is challenging the current social order by decreasing the number of individuals with felony convictions, thereby eliminating the barriers to socioeconomic advancement that be branded a “felon” often poses. Further, I argue that NLRJCC challenges the social order on a physical level through the layout of courtroom itself, which is specifically designed to promote equality and foster relationships between court personnel, defendants, and victims. Using evidence I gathered through participation, ethnography, interviews, and document review, I show that the NLRJCC is not just another program. Is it a disruption, which — if proven by Adler University’s comprehensive evaluation to be successful — will command significant attention from our government and our society at large.

### ***Disrupting the Moral Order: System-Community Collaboration***

As stated, one of the primary ways that the NLRJCC is challenging the moral hierarchy of the traditional criminal justice system by creating a collaboration between the Circuit Court of Cook County and the North Lawndale community. This collaboration signifies much more than a simple working partnership. Rather, it represents an attempt to unify two historically opposed

interests in pursuit of the common goal of improving the delivery of justice for residents of North Lawndale. The partnership is both unconventional and challenging, a fact that became evident through the disparate accounts that the system and community stakeholders provided me about the NLRJCC's genesis story. Interestingly, some stakeholders (both system and community) explicitly recognized the challenging nature of the partnership in their interviews. In fact, one system stakeholder told me that she thought bringing County and community under the common entity of the NLRJCC was the greatest challenge of the entire initiative. She states,

The primary challenge (of the NLRJCC) is getting what historically seem like diametrically opposed interests together. And on top of it all, you have individual people, individual personalities...it is managing not only people, but it is managing the weaving together of these entities (Stakeholder 2, 2017).

Indeed, the mere existence of a union between these unlikely partners is challenging the social order on a moral level, regardless of how challenging or imperfect it may be. In order to from this partnership, the Circuit Court of Cook County, which has traditionally held ultimate authority both literally and figuratively over the communities that it governs, yielded 50% of its power to North Lawndale residents. The community, which has been historically and presently marginalized by the Circuit Court of Cook County (and public systems more generally), was given the same power and authority as County employees in deciding how to construct all aspects of the NLRJCC model and operations. In a stakeholder interview, one community member gave an interesting account of how the system released control to the community in order to make the NLRJCC possible. He states,

I think the (NLRJCC) is going well – it is an unusual collaboration from community and system. The system is used to doing their programs the way they always do, but we on the community side, we believe there is a better way. The

system is releasing the control that they have had for a long time and listening to the community about how to restore (Stakeholder 7, 2018).

Most stakeholders gave similarly positive accounts of system-community collaboration. One system stakeholder spoke about how the spirit of collaboration at the NLRJCC manifests itself in more than just the court's physical structure and processes. He states:

There is a real collaborative spirit (at the NLRJCC) ... (which) is exceedingly rare (in traditional courtrooms). We collaborate and we share information to try to help reach participants (and) ensure (their) success. And I think it is unique here that the common goal is to ultimately dismiss a case. And I think that is something that is very different (Stakeholder 8, 2018).

When speaking about the system-community collaboration, one community stakeholder said that both system and community were "extremely open" and very intentional about making sure community voices were heard. He states:

I love how the relationship between the system and the community...is being cultivated, and in a very intentional way...Inevitably, conflict is going...to arise because (the NLRJCC) is an unusual partnership between community and system and so you are going to get the stickiness of...departments...feeling like things have to go (a certain) way based upon what they have done for so long....(but it isn't) this thing where we are like 'Oh ok, let's just ... do it that way' but more so 'How can we work to try to figure out ways to make sure that the community is being heard?'....System is extremely open (and) community is extremely open to implementing ideas, concepts (and) policies that we believe will work for the Restorative Justice Community Court (Stakeholder 7, 2018).

During all-staff NLRJCC meeting during January of 2018, stakeholders were asked to share their assessments of the NLRJCC during the first six months of the court's operation, and many of their responses focused on the collaborative spirit of the NLRJCC. "I've been with the county 30 years and have seen a lot of things come and go, this is different," one system stakeholder said. Others said that they felt like they "were a part of something" or that the court

“is like family. “We were all put together for a reason,” one community stakeholder said, “God had something to do with it.”

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*“(The NLRJCC) was definitely, I feel like, a court that was implemented with community and system individuals – which, I don’t know if I love that term [system] to be honest with you.”*

~NLRJCC “System” Stakeholder (Interview, 11/27/2017)

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However, the NLRJCC’s system-community partnership did not come without challenges. As eluded to in previous sections, both the system and community have very strong group identities which did not dissipate, despite the groups’ common identity as NLRJCC stakeholders. For example, according Kristina’s account of the NLRJCC’s development, the system stakeholders did not feel welcome on the NLRJCC when they first joined. One of the system stakeholders corroborated this feeling in her stakeholder interview, using the term “tribal” to describe the salient group identity of the North Lawndale residents at the NLRJCC. She states,

(North Lawndale’s) strength and their weakness, I would say (in the sense that) they are *very* identified with North Lawndale. So if you are from North Lawndale it is definitely tribal (and) if you are not (from North Lawndale) you have to earn them. And I think that can be beneficial and it can hurt in a way... and I understand where that comes from in terms of ‘let’s put all of the resources into North Lawndale and let’s keep it in North Lawndale...’ It is sort of like shopping local if you will...making North Lawndale stronger and stronger is something that (the community) desires to do. (But) sometimes it can feel a little segregated to me. Doing things like that. You know, there may be ... somebody who could come (from a different community) who might be able to provide services (or resources) ... And I’ve heard, you know, this person won’t be accepted because they are not from North Lawndale, or they are going to have to earn their way in. I think you leave a lot of opportunities off the table if you have that mentality. I think there has got to be a balance of it. I think you have to, you know, keep the resources (in the neighborhood) and support the people who are in North Lawndale, for sure, but I also don’t think it has to be completely exclusionary. That’s my perspective, but I am not from North Lawndale. It is almost not my place to say (Stakeholder 2, 2017).

As this quote suggests, community (and system) stakeholders were sometimes more loyal to their individual group identities than to the larger entity of the NLRJCC. Especially during the implementation process, these strong group identities could pose a problem. Whenever a policy decision had to be made, the stakeholders' opinions were often firmly divided along system-community lines, not unlike the United States' two-party political system. Moreover, an additional challenge was added in that whenever an individual stakeholder from one entity did something that an individual from another entity disagreed with, the problem could quickly escalate from an interpersonal disagreement to a larger, metaphysical power struggle between system and community. Collaboration on an individual level would have been challenging enough for the NLRJCC, given the wide variety of individuals and perspectives in the room. However, because each of these individuals was *also* perceived to represent a larger entity, the court was forced to address the additional challenge of marrying two groups that historically have been diametrically opposed.

The race and ethnicity of the system and community stakeholders adds another layer to the power dynamics between system and community. Despite a few exceptions, NLRJCC system stakeholders are predominately white, and NLRJCC community stakeholders are predominately African American. Moreover, the NLRJCC court positions that have historically held the most power and influence in society are occupied by exclusively white individuals: the NLRJCC judge, both NLRJCC prosecutors, and the NLRJCC sheriffs are all white.<sup>6</sup> The current NLRJCC Coordinator, who is in charge of all of the court's executive and administrative function, is also

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<sup>6</sup> There are three NLRJCC sheriffs in total. The NLRJCC sheriff who sits at the table during the public court call (and is therefore most visible to defendants and the broader public), is the one I have included in this count. However, this is the only white individual of the three sheriffs. The other two are non-white.

white. I do not shed light on this fact to claim that these individuals are abusing their racial, judicial, or executive privilege. Indeed, their very involvement in the NLRJCC suggests that they are proponents of racial equity both in this courtroom and in the community of North Lawndale at large. However, I believe that a lack of direct, ongoing dialogue about the structural power and privilege that was conferred to some NLRJCC personnel by virtue of their race and job title has compounded the racial tension in the courtroom.

To my knowledge, the complex racial dynamics at the NLRJCC *have* been acknowledged on by staff and stakeholders since the beginning, and the team has taken steps to ensure that all demographic subgroups on the team feel included. For example, in July of 2017, all NLRJCC personnel participated in a four-day, all-staff training that included a lesson on North Lawndale history, an implicit bias assessment, and an anti-racism training, along with training in restorative justice and NLRJCC court operations. However, as a recipient of this training, I noted that the content was either very general (i.e. information about systemic racism in the United States), or hyper-specific (i.e. each individual staff member sharing about the first time they experienced racism). There was no discussion about how racism or white supremacy has affected —or might affect —the NLRJCC *specifically*. Although such a conversation would have been very challenging and sensitive, I think it should have been undertaken, given the obvious racial segregation between system and community stakeholders at the NLRJCC. Specific recommendations about training for NLRJCC staff can be found in the “Policy Recommendations” section.

### ***Disrupting the Moral Order: Treating Defendants with Dignity***

The second example of how the NLRJCC is disrupting our inequitable social order on a moral level is the way in which defendants are treated by the NLRJCC staff, especially the law enforcement personnel. Whether defendant, victim, or government representative, everyone who enters the NLRJCC is greeted at a welcome table by a community liaison and three deputy sheriffs. Typically, the community liaison and the sheriffs make conversation with whomever is signing in, and the community liaison gives everyone a name tag (including defendants) so that everyone in the courtroom can address one another by name. Although these welcoming gestures may seem small, they leave a profound impression. Once, in open court, a community member testified about how profoundly the sheriffs' warm demeanor had affected her. She stated,

Thank you for just the sheriffs being compassionate. I have personal experience with (the traditional courtrooms) at 26th and California through my bloodline, and I (have) had experience through some case management work, and I can tell you (that the NLRJCC) is a shift (from the way justice is typically administered). Having sheriffs to say good morning. Having sheriffs to see young men as men and not paperwork ... We don't get that at (the traditional courtrooms at) 26<sup>th</sup> and California. (The NLRJCC) is restorative. It's healing. It's therapeutic. It's love in all of its essence and I want to say thank you ("NLRJCC Court Transcript," 2018)

As this quote demonstrates, the NLRJCC is challenging the moral hierarchy of the traditional social order which tends to regulate law enforcement personnel to positions of cold, aloof judgement. By greeting visitors and showing a unified front with community volunteers, the NLRJCC deputy sheriffs are conveying to the public that law enforcement personnel can execute their job in a way that dignifies rather than denigrates the individuals that they are supervising. By offering a warm hello offered across a commonly recognized power differential, the NLRJCC sheriffs are challenging the traditional bifurcation of the judge and the judged.

THE COURT: Good morning, Mr. Steel.

THE DEFENDANT: Good morning.

THE COURT: I am Colleen Sheehan, I'm the judge.

MS. HICKS: Patrice Hicks. I'm the clerk.

MS. MICHAELS: Nancy Michaels, County Clerk  
Coordinator.

MR. YOUNG: David Young, Social Service  
Department.

MS. RIVERS: Coretta Rivers, Community Case  
Manager.

MR. WINFIELD: Jeremy Winfield, Restorative  
Justice Practitioner.

PUBLIC DEFENDER: Assistant Public Defender,  
Brandon un-intelligible), your attorney.

MR. CHAMBERS: John Chambers, Assistant State's  
Attorney.

MS. WINTERS: Patricia Winters, Community Liaison.

THE SHERIFF: Deputy Sheriff Kennedy.

*NLRJCC Court Record, February 1, 2018*  
*NLRJCC Court Personnel Introduce Themselves to the Defendant*

Moreover, the greetings do not stop at the welcome table. The NLRJCC personnel also make a point of introducing themselves by name to every defendant on the court call. Although it may seem small, this gesture imbues the courtroom with a sense of humanness that is conspicuously absent from Cook County's traditional courtrooms at 26<sup>th</sup> and California. At the NLRJCC, defendants often have visibly positive reactions to the warmth and humanness of the

staff's personal introductions, especially compared to the treatment that many of them have received before in Cook County's traditional courtrooms. One of the community stakeholders described the unique environment in this way:

(Defendants come) inside the NLRJCC with a premediated attitude, if you will, based on what they had experienced in (the traditional courtrooms) ... They know (that the NLRJCC) is a court (so) they come into the NLRJCC with this guard up, thinking that we are going to have those sheriffs who are mean and rude and make (them) feel like (they) are less than human; that we are going to have a judge who doesn't talk to (them) and (doesn't make them) feel like (they) are a human being.....(but) after judge opens court and gives her introduction.... And the court personnel go around and literally every (staff member) says 'Good morning' to the participant, (everything changes) .... (For example), I just saw a participant last week in court, literally, he came in there and his case was called, and he sat in the chair with his head down. Like literally powerless....and then we get to the point where we are introducing ourselves. We go around, and (by the third introduction), he (smiled). This sudden (smile). And I interpreted it as ... a sense of relief, a sense of comfort ... the whole energy of the room changed. Everyone at the table saw that ...it was a beautiful thing (Stakeholder 7, 2018).

On the surface, it may seem unlikely that a greeting from court personnel to defendants would do anything to rectify our inequitable social order. However, in the context of the traditional criminal justice system, which can often treat people accused of crimes as less than human, even the smallest gestures can have a big impact. As this stakeholder's quote demonstrates, the implications of a Cook County employee saying an authentic "Good morning" to a defendant at the NLRJCC has implications far greater than traditional greeting. For those accustomed to the traditional criminal justice system, a sincere "How are you doing today?" is not a platitude, but a radical welcome. Especially when court personnel accompany this welcome with genuine care and respect of the defendant, they are challenging the social order as it currently stands. The traditional system draws a bold, defining line between the judge and the judged that

is seldom crossed. At the NLRJCC, however, court personnel are showing that this divide can be bridged in a way that restores dignity and humanity to those who have been marginalized.

### ***Disrupting the Moral Order: Restorative Sentencing***

The third and final way in which the NLRJCC is challenging the inequitable social order on a moral level is through the NLRJCC's unique sentencing mechanism. In a traditional courtroom, the judge dictates what sanctions are assigned to the defendant. Neither the defendant nor the defendant's community will be given an opportunity to influence the sentence. Moreover, the defendant will not be given a meaningful chance to explain, apologize, or offer their own solution regarding how to repair the harm that they caused. Rather, the a will simply be handed down to the defendant by the judge, the person upon whom the social order has conferred civic virtue, moral superiority, and power.

However, this morally-derived power differential is inverted at the NLRJCC. Instead of a judge simply assigning sanctions to defendants, the defendants create the sanctions themselves through the peace circle process, wherein everyone affected by the crime comes together to discuss the harm that was caused and how to repair it. These peace circle conversations are completely confidential, and they are attended only by the defendant, victim, and any support people these parties wish to invite. Government employees and legal professionals are not allowed in the peace circle, so they will never be privy to the conversations that transpire as defendant and victim discuss what they need to heal. Instead, trained community members called "circle keepers" facilitate the conversations. These community facilitators are responsible for ensuring the safety and satisfaction of everyone involved, as well as assisting the peace circle in drafting the defendant's sanctions. The court's community-centered sentencing mechanism was described

as “innovative” and “revolutionary” by one legal professional who lives in North Lawndale, the community in which the NLRJCC is located. He states:

(The NLRJCC) is a massive shift in power from system to community which is very innovative, I'd say, that's the revolutionary part that I still can't quite believe is happening...No court employee...nobody from Circuit Court of Cook County sits in these circles so it is literally trusting community members .... to come together, sit in circle and come to a Repair of Harm Agreement (which is the name of the document that stipulates how members of the peace circle want to repair the harm that was caused). That's innovative. It's just nothing like... any other courthouse I've ever been in.... (The NLRJCC) is really just supervising that which the community says needs to happen (Stakeholder 4, 2017) .

As this community member elucidates, the NLRJCC's community-centered sentencing mechanism represents a significant transfer of power from the system to the community. Power differentials between the privileged (i.e. the “system”) and the marginalized (i.e. communities such as North Lawndale) are the basis of our inequitable social order, so this power shift is very significant. No longer is the system the only entity in charge; the community has a seat at the table as well (NOTE: For a full description of the NLRJCC court process, see Appendix G).

### ***Disrupting the Physical Order: Decreasing Felony Convictions***

The first and most obvious way that the NLRJCC disrupts our inequitable social order on a physical level is by decreasing the number of minority individuals with felony convictions. The NLRJCC's unique sentencing mechanism dismisses all felony charges against any defendant who successfully completes the court's requirements. This structure promises to vastly improve the life outcomes of defendants who successfully complete the NLRJCC process, since a felony record precludes individuals from accessing many resources in education, housing, and employment. Furthermore, the NLRJCC model will be particularly impactful for the North

Lawndale community where the court is located, given the long history of penal control and marginalization that North Lawndale residents have experienced. (As of the year 2000, approximately 57% of North Lawndale's 36,000 residents were in some way involved in the criminal justice system (McKean & Raphael, 2002)). Without the socioeconomic barriers that a felony conviction imposes, successful graduates of the NLRJCC will have a more equitable chance at social and economic advancement. In this way, the new infrastructure of the NLRJCC has the potential not only to improve the life outcomes of individual North Lawndale residents, but also to improve the socioeconomic conditions of the community as a whole.

## *Disrupting the Physical Order: Courtroom Layout*



*NLRJCC Courtroom February 1, 2018 (Photo by Kelsie Harriman)*

The physical layout of the NLRJCC courtroom is another way in which the court is disrupting the inequitable social order on a physical level. In order to appreciate the impact of the NLRJCC courtroom structure, however, one must first understand the layout of a traditional courtroom. In a traditional courtroom, the physical layout of the space is a direct reflection of the hierarchy and power that defines the judicial system. Anyone who enters a traditional courtroom undergoes a rigorous security check with a metal detector and a police pat-down. The judge is elevated above the two parties of the dispute, who face each other in an adversarial manner. Sheriffs stand around the perimeter of the room to ensure security and discipline defendants if necessary. These traditional structures are reminiscent of the social order from which they come, which bifurcates society into the judges and judged. Unfortunately, these classifications all too

often fall along color lines, wherein those who police and judge tend to be more socially privileged than those they are judging. They also tend to have lighter skin.<sup>7</sup>

The NLRJCC, however, inverts the physical structure of traditional courtrooms in a way that implicitly challenges the social order from whence it comes. For example, the NLRJCC courtroom is laid out around a single, square table, situated at ground level. All of the NLRJCC court personnel, including the judge, sit at the same table and on the same level with the defendant, victim, affected community members, and all other NLRJCC staff. This structure is representative of the restorative justice philosophy upon which the NLRJCC is based, which emphasizes the importance of equality, relationship, and restoration. Although simple, the NLRJCC courtroom structure has a profound impact. While traditional courtrooms tend to engender a sense of judgement, solemnity, and fear, the NLRJCC feels welcoming, supportive, and warm. By requiring the “judger” and the “judged” to sit at the same table, the NLRJCC is able to manifest the notion of equality and relationship in a physical dimension. In so doing, the court is disrupting the traditional social order of judger and judged, along with the condescension and ill-treatment that often accompanies this power differential.

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<sup>7</sup> Racial disparities between law enforcement professions and the people they are judging are evident. For example, according to a 2016 study by Chicago Appleseed, African Americans made up approximately 25% of Cook County residents, and yet African Americans represent only 15.11% of all Cook County judges (Monkus, 2016). However, African Americans represents approximately 67% of the Cook County jail inmate population (Demarest, 2015).

**NLRJCC Courtroom Layout**

Door

Court  
Reporter

Judge

Clerk

Sherriff

Community  
Liaison

Victim (if present)

Assistant State's  
Attorney



NLRJCC  
Coordinator

Social Services  
Representative

Case Manager

Circle Keeper

Door

Public  
Defender

Defendant

Private  
Defense  
Attorney

**Public Seating**

## **Implementation Challenges**

Although my data suggests that the NLRJCC has thus far been successful at challenging our inequitable social order and providing a viable alternative for how justice can be administered, the court has experienced a variety of implementation challenges. Given that the NLRJCC is the first courtroom of its kind in the country, and that the implementation team and very few models or best practices to guide their work, these difficulties are to be expected. This section includes an analysis of what I perceive to be the NLRJCC's primary implementation challenges, which include but are not limited to: documentation, coercion of defendants due to a lack of just or restorative alternatives, and net widening, wherein the criminal justice system's "net" of social control is expanded. These difficulties, in addition to the challenges that the court faced in creating a healthy system-community partnership which I have discussed throughout, were the main barriers the NLRJCC faced in creating a truly restorative justice community court. At the time that this thesis was published, the NLRJCC team was still in the process of working through many of these implementation challenges. The recommendations included in the "Policy Recommendations" section have been designed to help the NLRJCC improve its current model and prepare itself for replication, particularly in regard to the implementation highlighted in this section.

### **Documentation**

Most of the routine practices of the NLRJCC have not been recorded or ordered into a coherent set of policies. Before the NLRJCC opened, a consultant was hired to draft a "Policy and Procedure Manual" which was formally submitted to the court on June 26, 2017. However, the Policy and Procedure Manual was never formally reviewed, discussed, or ratified by the

NLRJCC Steering Committee, primarily because NLRJCC was unexpectedly scheduled to open several months earlier than the Steering Committee had anticipated. As such, some of the NLRJCC's final orders of business, including the Policy and Procedure Manual, were rushed or forgotten. Hence, the policies contained within the Policy and Procedure Manual have little influence over actual state of NLRJCC operations. To date, the NLRJCC still has not reviewed, discussed, or ratified a standard set of policies. Moreover, the Steering Committee has been inactive since the NLRJCC's opening date, save for a few sporadic meetings, so there is no convened body which has the formal authority to ratify a formal set of policies.

The lack of formally codified procedure at the NLRJCC has caused confusion and ambiguity in multiple areas. To date, the NLRJCC has not created, released, or publicized a formal mission statement. There is ample descriptive language throughout the NLRJCC's internal and external documents regarding what the court does and how it works, but there is no formally agreed upon statement of purpose. As of February 2018, the NLRJCC team was working to develop this (for a full analysis on the NLRJCC mission statement, see Appendix G).

Furthermore, there is no standard process for recruiting, hiring, or training new employees. There is also no formal procedure in place for conflict resolution or personnel complaints. Additionally, most NLRJCC personnel do not formal job descriptions. Hence, many staff members are essentially defining their roles as go, which is creating ambiguity and confusion among staff. Some positions, such as the NLRJCC Coordinator, have three different drafts of the same job description, none of which were discussed or ratified by the Steering Committee. As such, the NLRJCC Coordinator is currently performing a set of duties that were attributed to their position in one version of the job description that was written over two years ago before the NLRJCC had a working understanding of what the position entailed. Now that the NLRJCC is up

and running, some stakeholders believe that the duties of the NLRJCC Coordinator should actually be assigned to one of the community staff members. However, since there is no formal process in place for recruiting, hiring, training, or drafting job descriptions, the different sides of this dispute have no structure through which they can work through their differences.

The NLRJCC’s lack of formal policy and procedure is problematic for two reasons. First, as stated, it causes unnecessary ambiguity and confusion among the NLRJCC staff and stakeholders, sometimes to the point of staff giving misinformation to defendants because they do not have a clear understanding of the court model and/or their particular role. Secondly, I argue that the lack of documentation significantly (and unnecessarily) contributes to the tension between system and community stakeholders. Because the NLRJCC lacks official policy and procedure for so many critical issues, and there is no formal decision-making process in place, many important matters are being decided by a small group of NLRJCC personnel instead of the larger body of stakeholders.<sup>8</sup> This ad-hoc, hyper-centralized decision-making structure has a tendency to exclude community voices. Not only does this exclude community from their own courtroom, but it significantly deviates from the restorative justice philosophy on which the NLRJCC is predicated. Moreover, as one community member pointed out during a stakeholder interview, this ad-hoc decision-making process is far from sustainable. He argued that decisions at the NLRJCC were being made primarily by system personnel, and that they needed to “draw in some positive energy (from the community) and not lay such a heavy burden on just a core team” (Stakeholder 6, 2018). Recommendations for a new set of policies and procedures that

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<sup>8</sup> During the implementation phase, the NLRJCC had an established decision-making structure, wherein the Steering Committee made decisions based on a majority vote from its seven community and seven system personnel. However, the Steering Committee—and by extension, its decision-making structure—ceased its formal functioning when the NLRJCC opened in August of 2017. To date, a new decision-making process has not yet been formalized.

empower the community, eliminate confusion, and help resolve internal conflict is included in the “Policy Recommendations” section.

## **Coercion: A Lack of Better Options**

*November 9, 2017. NLRJCC. Open Court.*

*Defendant is called to the table. He approaches and takes a seat, slumping. As usual, NLRJCC court personnel introduce themselves one-by-one to the defendant. Defendant does not acknowledge them.*

**Judge:** I wonder if there is a drug issues or a medical issue that is making you appear this way right now.

**Defendant:** I want to go back to 26<sup>th</sup> Street [the traditional courtroom].

**Judge:** I want you to be in your right mind when you make the decision whether or not to participate in the court.

**Defendant:** I want to go back to 26<sup>th</sup> street.

**Judge:** I am going to pass this case to give you time to reconsider your decision.

*[Court Recess – during this time, the defendant is meeting with his public defender and the NLRJCC Community Liaison. I assume they are trying to figure out if he is currently under the influence of drugs. This seemed possible, given his demeanor during court call. The rest of the NLRJCC goes into a brief closed conference, presumably to discuss the same issues].*

The above dialogue, taken from my field notes of a public NLRJCC court call, raises an important concern about the NLRJCC model. The defendant in this case study eventually opted to participate in the NLRJCC after speaking to his attorney and the NLRJCC Community Liaison during the court recess. At least on the public court call, the court never revisited the question of

whether or not the defendant was under the influence when he made the decision to participate in the NLRJCC.

To my knowledge, no defendant who has been eligible for the NLRJCC has declined to participate. In fact, the case relayed above is the only one I ever witnessed wherein the defendant showed any resistance at all. If everyone who is eligible for a “voluntary” program decides to opt in, is it truly voluntary? The NLRJCC is attempting to challenge justice as usual, on both a moral and physical level. However, is it possible that they do so only by encouraging defendants to participate in the program, perhaps against their will? On this surface, it may seem as if there is some amount of coercion at play. However, I argue that if there *is* a coercive element to the NLRJCC at all, it is coming from the structure of the traditional criminal justice system, not from the NLRJCC itself. Simply put, defendants are not likely to receive good outcomes in the traditional system. In terms of legal outcomes, the NLRJCC is their best option in almost all cases.

Currently, all NLRJCC defendants are facing felony charges.<sup>9</sup> In a traditional court, a felony charge is generally accompanied significant prison time, fines, and a felony record. Conversely, the NLRJCC promises to dismiss all felony charges against anyone who successfully completes the program. As compared to the traditional system, this is an incredibly good deal. NLRJCC defendants are recognizing this advantage and invariably accept the offer to participate.

However, even though the NLRJCC will dismiss a defendant’s felony charge when they complete the program, it is still possible that there are reasons that a defendant cannot or should not participate. For example, a defendant’s case may be built upon illegally-obtained evidence. In a traditional court, a lawyer could argue this point during a trial in the hopes of having the defendant’s case thrown out entirely. At the NLRJCC, however, this would not be possible. In

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<sup>9</sup> Currently, the NLRJCC is only hearing felony cases because they are the easiest to divert out of the traditional justice system and into the NLRJCC. It intends to expand to misdemeanor cases in the future.

order to participate in the court, the defendant must “accept responsibility” for the harm that they caused. This omission is not equivalent to a guilty plea in a traditional court, however. Rather, it is a requirement of the restorative justice process: a defendant must accept responsibility for the harm that they caused in order to meaningfully restore that harm with their victim. Hence, even if there is not a legitimate case against them, defendants may be inclined to “accept responsibility” and participate in the NLRJCC if they believe that winning their case in traditional court is low. This phenomenon (if it is occurring) is a greater indictment on the traditional justice system than it is on the NLRJCC, however. If the NLRJCC is processing innocent defendants, it is most likely because *any* alternative is better than receiving an illegitimate conviction in traditional court.

Finally, although the final outcome of their case is likely to be better at the NLRJCC than in a traditional court, the NLRJCC process does not come without a cost. NLRJCC defendants take anywhere from three months to a year to successfully complete the program and have their charge dismissed. Throughout the duration of their case, defendants will be required to partake a significant number of community-based services, which require significant time, energy, and commitment to complete. Moreover, the peace circle process places significant social, emotional, and even spiritual demands on a defendant. For a person who is not guilty — or who has been brought to court for a simple drug possession charge (as the majority of NLRJCC defendants have) — this could seem like a very high price to pay.

## **Net Widening**

According to Matthew Leone in *Encyclopedia of Crime and Punishment*, net widening (or “widening the net” / “widening the net of social control”) is a term used to describe a process of “administrative or practical changes that result in a greater number of individuals being

controlled by the criminal justice system” (Leone, 2002). Restorative justice programs are particularly susceptible to net widening. Often, restorative justice programs give defendants additional, community-based sanctions that are not assigned in traditional courtrooms, such as job training or community service. These “restorative” sanctions are often targeted at low-level offenders who might otherwise have avoided contact with the criminal system if not for existence of the restorative justice program. When executed poorly, restorative justice programs simply pile on additional sanctions that are difficult for defendants to meet. This makes defendants susceptible to failure, because if they cannot meet the additional requirements, they will be transferred back to a traditional courtroom to be prosecuted. In this way, restorative justice programs may actually “widen the net” and *increase* the criminal justice system’s level of social control (“Lesson 5: Implementation Issues, Net Widening or Diversion,” 2018) (Lee et al., 2013).

Interestingly, Kristina, my key community informant, made the argument that *if* the NLRJCC is engaging in net widening, it may not necessarily a bad thing. Net widening is very damaging when it pulls individuals into a system that confers more harm than good. Prison, by many measures, would be one such system: there is little evidence that prison deters future crime, and it may, in fact, encourage crime by virtue of the negative relationships or attitudes to which the inmates could be exposed to inside (National Institute of Justice, 2016). However, if net widening funnels individuals into a system that confers a net benefit instead of a net harm, it may be a very good thing – especially if the system can function in such a way that does not deny participants of their agency. Kristina states:

Net widening is a concern when you have a (bad) system... (For example), our (current) system takes a bad situation and makes it worse, so net-widening in that system is really, really bad because you are bringing them into something that is not working. But if you actually create something that works, net widening may

not be actually all that bad. Contact with the system does not equate to jail and felony record. It is different. If contact with the system is monitoring healing in a restorative way then, well you are not in contact with a system that brings out a sledge hammer and criminal records as punishment. So in some ways we've got to balance that out. I don't know what it looks like. But I can say two factors have got to always be (present): Are fewer people going to jail? And are fewer people getting criminal records? And I would want to weigh positives, too. Like, is there more healing? Is there more sense of community? Does the community trust the system more...? (Stakeholder 4, 2017).

The NLRJCC is an excellent example of a system that confers a net benefit to participants while still allowing them to maintain their agency. Everyone who successfully graduates from the NLRJCC will have all of their felony charges dismissed. In addition, they will be connected to an array of social services, including mentorship, drug treatment, and case management, all of their choosing, and all at no cost to them. Moreover, at the time this thesis was published, an Illinois Supreme Court rule was pending which would make anything defendants disclose during the peace circle process inadmissible in court, which would further insure that the NLRJCC is not setting defendants up for more contact with the criminal justice system by virtue of trying to participate in the restorative justice process.

Finally, based on the data on net widening I gathered throughout the course of my research, I have developed an "NLRJCC Policy Against Net Widening," which can be found in the "Findings and Policy Recommendations" section.

## **Policy Recommendations**

This section contains a list of policy recommendations with accompanying justifications based on the data and analysis contained in this thesis. The goal of these recommendations is to improve the current functioning of the NLRJCC, as well as to prepare the NLRJCC model for replication in other Chicago neighborhoods, and eventually other cities.

### **Formally Reconvene the Steering Committee**

The Steering Committee, which served as the decision-making body throughout the entire NLRJCC implementation process, ceased formal functioning when the court officially opened in August 2017. Since this time, the NLRJCC has been operating without a formally convened decision-making body, which has threatened court's sustainability and commitment to authentic community engagement. I recommend that the NLRJCC Steering Committee be reconvened for regular meetings, effective immediately. Steering Committee members who were involved in the implementation process but can no longer support the NLRJCC may send a representative from their office or agency to participate on their behalf. As always, the Steering Committee must consist of seven Circuit Court employees and seven community members. All individuals have one voice and one vote.

### **Update, Expand, and Ratify a Policy and Procedure Manual**

I recommend that the first task of the newly reconvened Steering Committee is to update, expand, and ratify a Policy and Procedure Manual. Currently, there is a draft of a policy and procedure manual, which was produced by an external consultant in June of 2017 before the NLRJCC opened. However, this Policy and Procedure Manual was never formally discussed, modified, or voted upon by the Steering Committee. In the absence of formally-agreed upon procedure, the

NLRJCC has experienced significant confusion and disagreement. To ameliorate this confusion, I recommend that the Steering Committee publish a Policy and Procedure Manual with specific focus on the following areas:

1. **Mission Statement:** To date, the NLRJCC has not created, released, or publicized a formal mission statement. There is ample descriptive language throughout the NLRJCC’s internal and external documents regarding what the court does and how it works, but there is no clear mission statement, only statements of purpose expressed tangentially in public documents such as the NLRJCC Brochure.<sup>10</sup> Given the radical and restorative court that the NLRJCC is attempting to be, I believe that having a clearly defined mission is essential. I recommend the Steering Committee collaboratively produce this mission statement using a peace circle process. As a starting point, however, I offer my own one-sentence mission statement for the NLRJCC, inspired by the research contained within this thesis:

*“The mission of the North Lawndale Restorative Justice Community Court (NLRJCC) is to provide a restorative, community-led justice system for the residents of North Lawndale that utilizes restorative justice to support, restore, and rehabilitate offenders, victims, and the North Lawndale community at large.”*

2. **Roles and Responsibilities:** I recommend that a job description for every NLRJCC position (both paid and volunteer), be included in the Policy and Procedure Manual.

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<sup>10</sup> The descriptive mission statement in the NLRJCC Brochure reads, “Unlike most criminal courts, the NLRJCC practices restorative justice, which means it empowers the community to create solutions to repair the harm caused by crime and conflict.”

Developing clearly defined roles and responsibilities is not only critical to the current success the NLRJCC, but it is an essential step in preparing the NLRJCC for replication. As a starting point, I recommend that all NLRJCC staff and volunteers draft their own job description, based on the roles and responsibilities they have been performing thus far. Then, the job descriptions should be collectively presented to the Steering Committee for discussion, modification, and ultimately, ratification.

3. **Net-Widening:** I recommend that the NLRJCC Steering Committee ratify an explicit policy against net widening. The Policy and Procedure Manual that was drafted before the NLRJCC opened had a draft of a “Policy to Reduce Net Widening Risk,” but it is more of an ideological statement against net widening than it is a set of rules to ensure that net widening does not take place. As a starting point for the Steering Committee, I have drafted a “NLRJCC Policy Against Net Widening,” which can be found in Appendix I.
4. **Conflict Resolution:** Currently, the NLRJCC has no policies in place to process and resolve employee complaints or address internal staff conflicts. As such, the NLRJCC has been struggling to deal with internal conflict in a restorative, reliable, and effective manner. Hence, I believe it is critical for the NLRJCC Policy and Procedure manual to contain a protocol for employee complaints and conflict resolution. As a starting point for the Steering Committee in creating this policy, I have drafted a “NLRJCC Conflict and Complaint Resolution Policy,” which can be found in Appendix J.
5. **Training:** Although NLRJCC has provided staff and stakeholders with trainings in restorative justice, anti-racism, and the history of North Lawndale, I believe that these trainings lacked the level of specificity that is required to effectively mitigate the

structures and/or individual thinking that allow for punitive justice, racism, and cultural ignorance that can occur in a courtroom. I believe that the NLRJCC personnel would benefit from specific trainings about how to identify and mitigate forces such as racism and implicit bias at the NLRJCC specifically. A full list of proposed NLRCC-specific trainings, coauthored by myself and several NLRJCC stakeholders, can be found in Appendix K.

### **Pilot the NLRJCC for Gun Possession**

Per federal requirements, the NLRJCC is not allowed to admit violent cases as long as it is funded by federal money through the Center for Court Innovation. However, this funding will end in 2018, meaning the NLRJCC will be allowed to choose cases at their discretion. In order to more fully challenge our inequitable social order and the criminal justice system that upholds it, the NLRJCC will have to demonstrate that it can be effective even in (or *especially* in) instances of violence. Given that there will likely be significant political opposition to this endeavor, however, I recommend that the NLRJCC test its ability to process violent cases by running a pilot on handgun possession cases for the population that the court is currently serving (18-26 year olds who reside in North Lawndale and volunteer to participate in the NLRJCC).

## Conclusion

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*“We’re going to figure this stuff out because we have to.”*

~NLRJCC Stakeholder reflecting on the urgent need for a the NLRJCC to be successful  
(NLRJCC Staff Meeting, 1/18/2018)

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In the words of activist, educator, and North Lawndale native Xavier Ramey, “Privilege means just having two good choices” (Ramey, 2018). For residents of North Lawndale, whose choices have been often limited to zero by structural racism, divestment, police violence, and mass incarceration, this statement could not be more true. On the other hand, many privileged members of the social order — whose choices are rarely limited by the flagrant injustices of law enforcement — cannot know the deeply personal urgency of criminal justice reform. Their life and livelihood does not depend on the existence of a humane and restorative criminal system, because the criminal system isn’t looking for them. However, for members of divested communities like North Lawndale, one cannot afford *not* to figure “this stuff” out.

Although the immediate impact of the NLRJCC is hyper-localized, the court’s model, and the restorative justice philosophy upon which it is predicated, has a huge potential to challenge our country’s inequitable social order and the criminal justice system that upholds it. By building a radical system-community partnership, treating defendants with dignity, practicing restorative sentencing, decreasing the number of individuals with felony convictions, and inverting the physical layout of the courtroom, the NLRJCC is challenging the way that our society and law enforcement systems are ordered. Indeed, the NLRJCC is offering a view into what an alternative social order could look like: an order wherein a criminal charge does not permanently regulate a person to the bottom of our society’s social caste, and wherein even the most marginalized individuals are empowered to find their own solutions to crime and conflict.

Given robust community leadership and strong political support surrounding the NLRJCC, the model is a likely candidate for replication, especially if Adler University's comprehensive evaluation can definitively demonstrate the court's efficacy. However, before the NLRJCC model is ready to be replicated in other Chicago neighborhoods and potentially other cities, two major issues need to be addressed. First, the system and community stakeholders at the NLRJCC must establish a healthy collaboration based on a co-created mission statement, a clear set of roles and responsibilities, and a mutual respect for the other expertise of the entity. In order for the system-community collaboration (and by extension, the court) to be successful, the Circuit Court of Cook County and its employees must assume a stance of humility and deference toward community leadership, given that they are entering the partnership from a place of considerable privilege. Moreover, any harm that has occurred between system and community personnel thus far should be resolved using a restorative justice process, as outline in Appendix J. Finally, the NLRJCC model is not sustainable or replicable until a clear set of policies and procedures have been created, discussed, and ratified by the Steering Committee, as outlined in the "Policy Recommendations" section. The impact and potential of the NLRJCC will be limited, so long as the ingenuity and spirit of the model fails to be captured for future use.

Residents of North Lawndale and other divested communities cannot afford to wait for real, restorative justice. The NLRJCC may not be the perfect cure for all of the ills of the current criminal justice system, but it is certainly a step in the right direction. On both a physical and moral level, the NLRJCC is disrupting the inequitable social order of our country and the criminal justice system that upholds it. Against all odds, the NLRJCC is showing that justice *can* be administered differently.

Nothing disruptive is ever easy.

But with a little courage, it is possible.

## **Bibliography**

- Abu-Lughod, J. (2007). *Race, Space and Riots in Chicago, New York and Los Angeles*. Oxford University Press.
- Alexander, M. (2010). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. The New Press.
- Baliga, S., Henry, S., & Valentine, G. (2017). *Restorative Justice Community Conferencing: A Study of Community Work's West's Restorative Justice Youth Diversion Program in Alameda County*. Impact Justice, Community Works.
- Bonta, J., Jesseman, R., Ruge, T., & Cormier, R. (2006). Restorative Justice and Recidivism: Promises Made, Promises Kept? *Handbook of Restorative Justice*, 108–120.
- Center for Court Innovation. (2017). *2016 Community Court Grant Program*. Retrieved from (<https://www.courtinnovation.org/2016-community-court-grantees>)
- Center for Court Innovation. (n.d.). *The Red Hook Community Justice Center: Research Findings*. New York.
- Chicago Tribune. (2015). *Crime in Chicagoland*. Retrieved from <http://www.lb7.uscourts.gov/documents/15c24224.pdf>
- Chicago Tribune. (2018, January 9). Data: North Lawndale Crime and Violence and Demographics. Retrieved from <http://www.chicagotribune.com/news/columnists/glanton/ct-met-0312-north-lawndale-crime-data-photogallery.html>
- Circuit Court of Cook County. (2016, February 18). 2016 Community Court Grant Program Application Form.
- Coates, T.-N. (2014). The Case for Reparations. *The Atlantic*.

- Dandurand, Y. (2006). *Handbook on Restorative Justice Programmes*. United Nations.
- Demarest, E. (2015). *96 Acres, 40 cars, 1,000s of Stories: Residents Reflect on Cook County Jail*. DNA Info.
- Encyclopedia of Chicago. (n.d.). *North Lawndale*. Retrieved from <http://www.encyclopedia.chicagohistory.org/pages/901.html>
- Hadden, S. (2003). *Slave Patrols: Law and Violence in Virginia and the Carolinas*. Harvard University Press.
- Henry, K., & Kralstein, D. (2011). *Community Courts: The Research Literature*. Center for Court Innovation.
- Human Rights Watch. (2000). *Punishment and Prejudice: Racial Disparities in the War on Drugs* (No. 2).
- Karafin, D. (2008). *Community Courts Across the Globe: A Survey of Goals, Performance Measures, and Operations*.
- Lanni, A. (2005). The Future of Community Justice. *Harvard Civil Rights-Civil Liberties Law Review*, 40.
- Lawndale Christian Legal Center. (2014). *Community Restorative Justice Hub*. Retrieved from <http://lclc.net/programs/rjhub/>
- Lee, C., Cheesman, F., Rottman, D., Swaner, R., Lambson, S., Rempel, M., & Curtis, R. (2013). *A Community Court Grows in Brooklyn: A Comprehensive Evaluation of the Red Hook Community Justice Center*. Williamsburg, VA: National Center for State Courts.
- Leone, M. (2002). Net Widening. In *Encyclopedia of Crime and Punishment*.

- Maldre, K., & Michaels, N. (2016). *Community Needs Assessment: The North Lawndale Community in Chicago Illinois Restorative Justice Project* (Community Needs Assessment). Chicago, IL: Roosevelt University.
- Maldre, K., & Michaels, N. (2017). *Community Needs Assessment 2017: The North Lawndale Community in Chicago, Illinois Restorative Justice Community Court Project Focus Group Report* (Focus Group Report). Chicago, IL: Roosevelt University.
- Mauer, M. (2011). Addressing Racial Disparities in Incarceration. *The Prison Journal*. Retrieved from <https://sentencingproject.org/wp-content/uploads/2016/01/Addressing-Racial-Disparities-in-Incarceration.pdf>
- McKean, L., & Raphael, J. (2002). *Drugs, Crime, and Consequences: Arrests and Incarceration in North Lawndale*. North Lawndale Employment Network and Center for Impact Research. Retrieved from <http://www.nlen.org/wp-content/uploads/2014/06/Drugs-Crime-and-Consequences.pdf>
- Mirsky, L. (2004). *Restorative Justice Practices of Native American, First Nation and Other Indigenous People of North America: Part One*. International Institute for Restorative Practices.
- Monkus, E. (2016). *ACS Report on Judicial Diversity*. Chicago Appleseed Fund for Justice.
- National Institute of Justice. (2016). *Five Things About Deterrence*. Retrieved from <https://nij.gov/five-things/pages/deterrence.aspx>
- NLRJCC Steering Committee. (2015). *Restorative Justice Community Court- Planning Process: Memorandum of Understanding*.
- Pranis, K. (2005). *The Little Book of Circle Processes*. Intercourse, Pennsylvania: Good Books.

Ramey, X. (2018, February). *Privilege Just Means Having Two Good Choices*. Presented at the TedXChicago, Chicago, IL.

RJCC Court Transcript. (2018, February 1). Circuit Court of Cook County.

RJCC Eligibility Map. (2018). North Lawndale, Chicago, IL: Cook County State's Attorney.

Sheehan, C. (2015). *Restorative Justice Community Court Vision Action Plan*.

Sherman, L., & Strang, H. (2007). *Restorative Justice: The Evidence*. Retrieved from [http://www.iirp.edu/pdf/RJ\\_full\\_report.pdf](http://www.iirp.edu/pdf/RJ_full_report.pdf)

Stakeholder 1. (2017, November 27). RJCC Stakeholder Interview.

Stakeholder 2. (2017, December 20). RJCC Stakeholder Interview.

Stakeholder 3. (2017, December 21). RJCC Stakeholder Interview.

Stakeholder 4. (2017, December 21). RJCC Stakeholder Interview.

Stakeholder 5. (2017, December 2). RJCC Stakeholder Interview.

Stakeholder 6. (2018, January 3). RJCC Stakeholder Interview.

Stakeholder 7. (2018, January 12). RJCC Stakeholder Interview.

Stakeholder 8. (2018, January 12). RJCC Stakeholder Interview.

Statistical Atlas. (2015). *North Lawndale Chicago, IL (neighborhood)*. Retrieved from

<https://statisticalatlas.com/neighborhood/Illinois/Chicago/North-Lawndale/Race-and-Ethnicity>

Sullivan, D., & Tift, L. (n.d.). Introduction: The Healing Dimension of Restorative Justice: A One-World Body, 1–16.

Sviridoff, M., Rottman, D., Weidner, R., Cheesman, F., Curtis, R., Hansen, R., & Ostrom, B. (2002). *Dispensing Justice Locally: the Impacts, Costs and Benefits of the Midtown Community Court*. Harwood Academic Publishers.

The Hamilton Project. (2015). *Rates of Drug Use and Sales, by Race; Rates of Drug Related Criminal Justice Measures, by Race*.

The MacArthur Foundation Research Network on Law and Neuroscience. (2017). *How Should Justice Policy Treat Young Offenders?* (pp. 1–4).

The North Lawndale Community Restorative Justice Hub. (2015, December 14). The North Lawndale Community Restorative Justice Hub to Honorable Judge Colleen Sheehan.

West, H., & Sobol, W. (2010). *Prisoners in 2009*. Bureau of Justice Statistics.

Wilson, J. (1996). *When Work Disappears*. New York: Alfred A. Knopf.

Zion, J., & Yazzie, R. (2006). Navajo Peacemaking: Original Dispute Resolution and a Life Way. *Handbook of Restorative Justice*, 151–160.

# Appendix

## Appendix A: NLRJCC Brochure Page One

### THE RJCC PROCESS

A person is charged with a non-violent felony or misdemeanor.



Case is found eligible for the RJCC; both the person charged and the person harmed agreed to participate; preliminary hearing is waived.



Pre-Circle: The Circle Keeper contacts all participants and prepares them for the peace circle.



Peace Circle: The Circle Keeper guides a confidential conversation about the harm caused and how to repair it.



All peace circle participants create and agree to the Repair of Harm Agreement. It is submitted to the RJCC.



The person charged completes all of the requirements of the Repair of Harm Agreement.



The case is dismissed.

STATE OF ILLINOIS  
CIRCUIT COURT OF COOK COUNTY



## RESTORATIVE JUSTICE COMMUNITY COURT

A Restorative Approach to  
Crime and Conflict

**RJCC**  
North Lawndale, Chicago

Hon. Timothy C. Evans  
Chief Judge

Hon. Colleen F. Sheehan  
RJCC Judge

Circuit Court of Cook County  
Restorative Justice Community Court  
3605 W. Fillmore St, Chicago, IL 60624

## Appendix B: NLRJCC Brochure Page Two

### WHAT IS THE RJCC?

The Restorative Justice Community Court (RJCC) is a criminal court in North Lawndale, a neighborhood on Chicago's West Side. Unlike most criminal courts, the RJCC practices **restorative justice**, which means it empowers the community to create solutions to repair the harm caused by crime and conflict. For every case, the RJCC brings together the person charged, the person harmed, and relevant community members in a **peace circle**, which is a confidential conversation guided by a trained member of the North Lawndale community. All members of the peace circle work together to write a **Repair of Harm Agreement**, which is a legal document containing the requirements the group deemed necessary to repair the harm from the crime. If the person charged completes all of the requirements of the Repair of Harm Agreement, the case will be dismissed.

#### WHO QUALIFIES?

For a case to be eligible, the person charged must:

1. be 18-26 years old;
2. have been charged with a non-violent felony or misdemeanor;
3. live in North Lawndale;
4. have a non-violent criminal history;
5. accept responsibility for the harm caused;

and

6. the person charged and person harmed must both be willing to participate in the RJCC.

### FREQUENTLY ASKED QUESTIONS

#### What Is Required of the Person Charged?

The person charged must be willing to accept responsibility for the harm caused. He or she must actively participate in all RJCC processes, including pre-circle meetings and one or more peace circles. The person charged must complete all of the requirements of the Repair of Harm Agreement that he or she helped create in the peace circle, which may include things such as community service, job training, counseling, or restitution (paying for damages).

#### How Will the Person Charged Benefit?

The person charged will benefit by having the case dismissed if he or she successfully fulfills the terms of the Repair of Harm Agreement. The person charged will have an opportunity to discuss and understand the causes and consequences of his or her actions through the peace circle process, as well as to repair the relationship with the person harmed and the community.

#### What Is Asked of the Person Harmed?

The person harmed is asked to actively participate in all RJCC processes, including pre-circle meetings and one or more peace circles.

#### How Will the Person Harmed Benefit?

The person harmed will have the opportunity to express how and why he or she was hurt by the crime and directly ask the person charged for what is needed to heal from the incident.

#### How Is the Community Involved?

Members of the community are trained by the RJCC to participate in peace circles and create Repair of Harm Agreements. They also provide support to the person charged and person harmed.

#### How Will North Lawndale Benefit?

- The RJCC aims to reduce crime and incarceration, restore relationships within North Lawndale and help young adults become positive role models in the community.
- North Lawndale residents will have the opportunity to work with the RJCC to determine the root causes of crime in the area and how they should be resolved.

#### What if the Person Charged Does Not Fulfill the RJCC Requirements?

1. If there are circumstances preventing the person charged from cooperating, additional support services will be offered.
2. If the person charged is unwilling to cooperate, the case will be transferred out of the RJCC to the appropriate felony or misdemeanor trial court.

#### How Long Does the Process Last?

The process typically lasts for 6 months to one year, depending on the case.

## **Appendix C: List of Stakeholder Interview Participants**

1. **Amy Campanelli**, Cook County Public Defender
2. **Emily Cole** Cook County Assistant State's Attorney
3. **John Chambers**, Cook County Assistant State's Attorney
4. **Hon. Colleen Sheehan**, NLRJCC Presiding Judge
5. **Cliff Nellis**, Executive Director and Lead Attorney, Lawndale Christian Legal Center
6. **Jose Wilson**, Director of Workforce Programs & Clinical Services, North Lawndale Employment Network
7. **Father Larry Dowling**, Priest, North Lawndale St. Agatha Catholic Church
8. **Jeramey Winfield**, Restorative Justice Community Advocate and Practioner
9. **Coretta Rivers**, Program Manager, North Lawndale Employment Network
10. **Jackie Ingram**, NLRJCC Community Liaison
11. **Patricia Winners**, NLRJCC Community Liaison

## **Appendix D: NLRJCC Stakeholder Interview Protocol**

(Note: The same protocol was used for both system and community stakeholders)

**Protocol:** We are conducting stakeholder interviews as part of the NLRJCC process and outcome evaluation. You will be asked to answer several questions about your experience at the Restorative Justice Community Court, and in the community of North Lawndale. The interview will take approximately 30-45 minutes.

I would like to audio-record this interview to make sure that I accurately remember all the information you provide. I will keep these tapes on a secure data server they will only be used by the NLRJCC evaluation team. If you prefer not to be audio-recorded, please say so now.

Results of this study may be used in publications and presentations. Your study data will be handled as confidentially as possible. If results of this study are published or presented, individual names and other personally identifiable information will not be used. The NLRJCC evaluation team may share the data we collect from you for use in future research studies or with other researchers – if we share the data that we collect about you, we will remove any information that could identify you before we share it.

Participation in this study is voluntary. You do not have to answer any question you do not want to answer. Do you have any questions? Do you consent to participate?

### **Role**

1. Tell me how you become involved in the NLRJCC. What have been your primary roles and responsibilities thus far?

### **Courtroom**

1. How would you describe the goal or mission of the NLRJCC?
2. How well is the RJCC fulfilling this mission so far?
3. How is the RJCC different from other courtrooms? How would you describe the NLRJCC's contribution to court innovation in this country?

### **Community**

4. What would you say are the primary strengths of the North Lawndale Community? The primary challenges?
5. What has been North Lawndale residents' relationship with the criminal justice system? From police, to courts, to jails, and prison?
6. Has the NLRJCC changed this relationship in any way?
7. What is the community's capacity to support the NLRJCC?

- a. What has the NLRJCC been doing to build community capacity? What does it still need to do?
8. How well and in what ways does the NLRJCC collaborate with community? With the system?
  - a. What would a truly collaborative process between system and community entail?
9. What was your perception of North Lawndale before you joined the NLRJCC? What is it now?
  - a. How would you describe perceptions of North Lawndale held by system actors who are not a part of this project?

**Personal Attitudes/Perceptions**

1. Describe your understanding restorative justice prior to your involvement in the NLRJCC.
  - a. How, if at all, has your involvement in the NLRJCC changed your understanding of restorative justice?
2. What was your perception of justice system before you joined the NLRJCC? What is it now?
3. Describe the most challenging and rewarding parts of being a member of the NLRJCC Steering Committee / being involved in the NLRJCC.

## Appendix E: Inventory of Reviewed Documents

The planning and implementation documents which I reviewed for my research include:

- All documentation grant that is funding the NLRJCC, including the original grant proposal, the grant regulation requirements, the grant action plan, and the required quarterly report template
- The NLRJCC Vision Action Plan. Composed by NLRJCC Judge Colleen F. Sheehan in 2015, this document represents the original vision Hon. Colleen F. Sheehan had for creating a restorative justice court in Chicago
- Executive Coordination Team Guidelines
- Invitation to key stakeholders to join the Steering Committee, written by Hon. Colleen F Sheehan and Cliff Nellis, Executive Director and Lead Attorney at the Lawndale Christian Legal Center
- Steering Committee Membership List
- Steering Committee Guidelines
- NLRJCC Planning Process Memorandum of Understanding
- NLRJCC Project Structure Overview
- Agendas and Minutes for all of the NLRJCC working groups and the Steering Committee through August 2017, when the NLRJCC opened
- Stats on 2015 Admissions and Bookings of 18-24 and 18-21 year olds that were used by the implementation team to set the age parameters for the NLRJCC
- List of potential site locations for the NLRJCC
- Description of all 2017 RJCC staff trainings
- List of trained circle keepers in North Lawndale
- List of available locations for circles in North Lawndale
- RJCC Implementation Monthly Tasks and Timeline (2017)

The court operations documents which I reviewed for my research include:

- NLRJCC Case Processing Flow Chart, composed by Sarah Staudt, J.D., Lawndale Christian Legal Center
- List of NLRJCC Eligibility Criteria
- Narrative of Case Flow Processing, used in the facilitation of the RJCC mock-trials for staff trainings in 2017
- The public NLRJCC brochures
- Templates of all acting court documents, including: Circle Confidentiality Agreement, Circle Keeper Referral Form, Circle Pre-Work Form, LSI-R Assessment, Release of Information to Community Partners Agreement, Repair of Harm Agreement, NLRJCC Agreement, and Victim Intake Form

## **Appendix F: List of North Lawndale Community Restorative Justice Hub Members**

- 10th District CAPS, Chicago Police Department
- 24th Ward Alderman Michael Scott Jr.
- Cook County Commissioner Robert Steele
- Deer Rehabilitation Services, Inc.
- Firehouse Community Arts Center
- Hope House Recovery Home
- Lawndale Christian Community Church
- Lawndale Amachi Mentoring Program (LAMP)
- Lawndale Christian Development Center
- Lawndale Christian Legal Center
- North Lawndale College Prep (NLCP)
- North Lawndale Community Coordinating Council
- North Lawndale Employment Network (NLEN)
- Old St. Patrick's Church, North Lawndale Kinship Initiative
- St. Agatha Catholic Church
- Sankofa Safe Child Initiative
- Strategic Human Services
- TR4IM/I AM ABLE
- UCAN
- Young Men's Educational Network (YMEN)

(Lawndale Christian Legal Center, 2014)

## Appendix G: NLRJCC Case Flow and Processing Mechanism

**Author:** Kelsie Harriman

**Date:** April 18, 2018

Below is the step-by-step narrative of the NLRJCC's case flow and processing mechanism. The narrative begins at Cook County Central Bond Court, which is where the majority of RJCC cases originate.

### **Bond Court Hearing**

An NLRJCC Assistant State's Attorney reviews all of the files on the docket at Cook County Central Bond Court. The Assistant State's Attorney has a checklist of NLRJCC eligibility requirements, which they use to determine which cases are eligible for transfer to the NLRJCC. The NLRJCC eligibility requirements and a justification for why each the court selected each criterion are as follows:

- **Be Charged with a Non-Violent Felony, and Have a Non-Violent Criminal History**  
There are two barriers preventing individuals with violent charges and violent criminal histories from entering the NLRJCC. First and foremost, these terms are stipulated by the Center for Court Innovation grant that funds the court. Even in the event that this barrier were removed, however, many individuals with violent charges would still not be eligible to participate because the NLRJCC requires individuals to be released from custody during the RJCC court process because they need to participate in the peace circles and community activities that the court requires. Many individuals with violent charges will be held no bail before their hearing, making participation in the RJCC impossible (Stakeholder 7, 2018).
- **Be 18-26 Years Old**  
Youth who are approximately 18-26 years old are referred to as "Emerging Adults." The NLRJCC chose to focus on this age group specifically because a growing body of research suggests that the brains of emerging adults are not fully formed; they are developmentally distinct from both juveniles and older adults in ways that may affect their criminal behavior, and are therefore relevant to justice policy (for example, the judgement and self-control of emerging adults is less than that of mature adults) (The Macarthur Foundation Research Network on Law and Neuroscience, 2017). However, unlike juveniles, emerging adults receive no legal protections for their age and developmental status. The NLRJCC seeks to fill the gap by providing developmentally appropriate interventions for emerging adults.
- **Be a resident of North Lawndale**  
The NLRJCC is a community court, and by definition, community courts are intended to serve the community in which they are located. In order not to compromise the community focus of the court, the NLRJCC only admits defendants who reside in North Lawndale. Ideally (although this is not a requirement), the crime in question was also committed in

North Lawndale. This ensures that all of the repair and restoration that result from the restorative justice process flow back into the community (Stakeholder 8 (System), 2018)  
NOTE: A map of North Lawndale that is used to determine eligibility based on defendants' residence is included at the end of this narrative.

- **Be released on an I-Bond from Cook County Central Bond Court**

The NLRJCC requires individuals to be released from custody during the NLRJCC court process because they need to participate in the peace circles and community activities that the court requires. Hence, any individuals who are held no bail, or who are unable to pay their bail, will not be eligible to participate (Stakeholder 8 (System), 2018)

AND

- **The person harmed must be willing to participate in the NLRJCC.**

The restorative justice process is designed to repair the harm incurred by the victim, as well as to restore the relationship between the victim and the offender. Hence, in cases with an identifiable victim, the restorative justice process will be most effective if that individual participates in the process. However, there are many cases that do not have an identifiable victim (for example, over 75% of RJCC cases thus far have been felony drug charges which have no identifiable victim). There are other cases that *do* have an identifiable victim, but that individual does not want to participate. In these instances, the victim and/or the NLRJCC staff can elect a surrogate victim to participate on behalf of the person who has been harmed.

If the case is eligible, the ASA screener will speak to the defense council before the Bond Court hearing, asking them to inform the defendant that their case is eligible for transfer to the NLRJCC. The defense council then gives the defendant a brief verbal introduction to the RJCC, as well as an informational brochure (see Appendix A - B). Then, the defendant appears for their hearing at Cook County Central Bond Court. The defense council and the Assistant State's Attorney both recommend an I-Bond. (The defendant must be given an I-Bond to participate in the NLRJCC, and the Bond Court Judge knows this). The Bond Court Judge issues an I-Bond. The case is transferred.

### **Initial Court Date at the RJCC**

The defendant and victim come to the initial hearing at the NLRJCC, and the Judge explains the details of the NLRJCC process to both parties. During the court recess, both defendant and victim will have the opportunity to speak to their attorney about their rights and any questions they may have. When court is reconvened, the judge asks the person charged and the person harmed if they are ready to state their final decision about participating in the NLRJCC, or if they would like more time to decide. At this stage, the following outcomes are possible:

- **Both Parties Agree to Participate:** If both parties decide to participate, the Judge welcomes them to the NLRJCC, and then sets a thirty-day status date.
- **Victim Declines:** If the victim declines (this could happen at any point in the process, not just the initial court date), a surrogate victim will be invited to participate on their behalf.

- **Defendant Declines:** If the defendant declines, the case will be sent back to a traditional courtroom for prosecution.
- **Either of Both Parties are Unsure:** The Judge will set a later court date, which will give each person time to think through the decision.

### The Circle Process

**Pre-Circle Work:** The circle keepers initiate the pre-circle work, which includes all of the preparation that needs to take place before the peace circle happens, such as talking separately with the defendant and victim in order to get more information about the case, the needs of each party, any support people that should participate in the process, what kind of questions need to be asked, and where the circle should be held (gang affiliations may influence the safety of either or both parties in certain locations throughout the neighborhood). During this time, the defendant begins meeting with their community case manager. This relationship will continue throughout the entire NLRJCC process, as well as several months after successful completion of the NLRJCC process.

- The Circle:** All NLRJCC participants will take part in a series of “peace circles,” which is a traditional restorative justice practice wherein offender and victim come together for a guided conversation about the harm that occurred and how to repair it. A North Lawndale resident trained in restorative justice will guide these conversations (they are called “circle keepers”). The only people allowed in the peace circle are the peace keeper, defendant, victim, and the “support people” of the defendant and victim (generally relatives or friends). The peace circles are entirely confidential. No Cook County employee will know the content of the conversations. Nothing that the defendant or victim reveals during the circle process can be used against them in a criminal case (this applies both to the case pending in the NLRJCC, as well as any information they reveal about past criminal behavior. There are several restorative justice values that guide all circle conversations, which NLRJCC Presiding Judge Colleen F. Sheehan identifies in the *NLRJCC Vision Action Plan*:

“Elements of a circle:

- Equal Voice:** Circle members can only speak when holding the talking piece. The talking piece is passed around the circle in one direction. It does not go backwards or across. When a person gets the talking piece they may speak, hold it in silence or pass it without comment. This method helps to ensure that every voice is heard and allows each person to take responsibility for the success of the process. This process fosters leadership among all participants.”
- Shared Values:** The circle participants agree on the values necessary to be followed by all in order to make the circle a safe place for discussion.
- Ritual:** The circle incorporates ritual throughout, but especially at the beginning and end.
- Story Telling:** Sharing individual stories strengthens a sense of connectedness that helps participants work through issues.

- v. The Circle Keeper: The person who keeps the process moving. NOT the leader, just the keeper of the process” (Sheehan, 2015, pp. 10–11)

Circles at the NLRJCC typically last 2-4 hours. Participants will take part in as many circles as are necessary to agree on values (see “ii – Shared Values”), establish a relationship, and come to a consensus about how to repair the harm from the crime. Typically, participants take part in 1-3 circles before the agreement is reached. Multiple circles will be spread over multiple days.

**b. The Repair of Harm Agreement**

Once the group reaches a consensus about how to repair the harm from crime, they record their agreement on an official court document called the “Repair of Harm Agreement.” This document cannot be submitted to the court until *all* of the circle participants are in complete consensus about its content.

Every Repair of Harm Agreement is different because the content of each agreement is uniquely generated only by individuals who were affected by the crime. This is markedly different than the sentencing mechanism in traditional court, wherein judges apply one-size-fits-all sentencing guidelines to every case.<sup>11</sup> However, the Repair of Harm Agreement is still legally binding. If the defendant does not comply with the terms of the agreement, their case will be transferred back to a traditional courtroom for prosecution. Nonetheless, the NLRJCC assumes a different approach to “compliance” than is commonly found in traditional courtrooms. A defendant’s case will not be automatically transferred back to traditional court if they do not comply with the terms of their Repair of Harm Agreement. Rather, the NLRJCC team will seek to understand and ameliorate the root causes of the defendant’s non-compliance.

**Court Reviews and Approves the Repair of Harm Agreement**

Once the Repair of Harm Agreement has been generated, it is submitted to the NLRJCC. All NLRJCC personnel will discuss the content of the Repair of Harm Agreement. Just like the circle participants, they must come to a complete consensus about whether or not to approve the Repair of Harm Agreement or refer it back to the circle participants for modifications. Once a Repair of Harm Agreement is approved, it comes part of the official court record. It is put under restricted access to honor the confidentiality of the circle process and the privacy of the participants.

**Participants Follow the Terms of the Repair of Harm Agreement**

After the NLRJCC approves the Repair of Harm Agreement, the participants start fulfilling all of the terms of the agreement. Every agreement is different, but typically, the majority of the obligations fall of the defendant (community service, job training, etc.). In some cases, the victim

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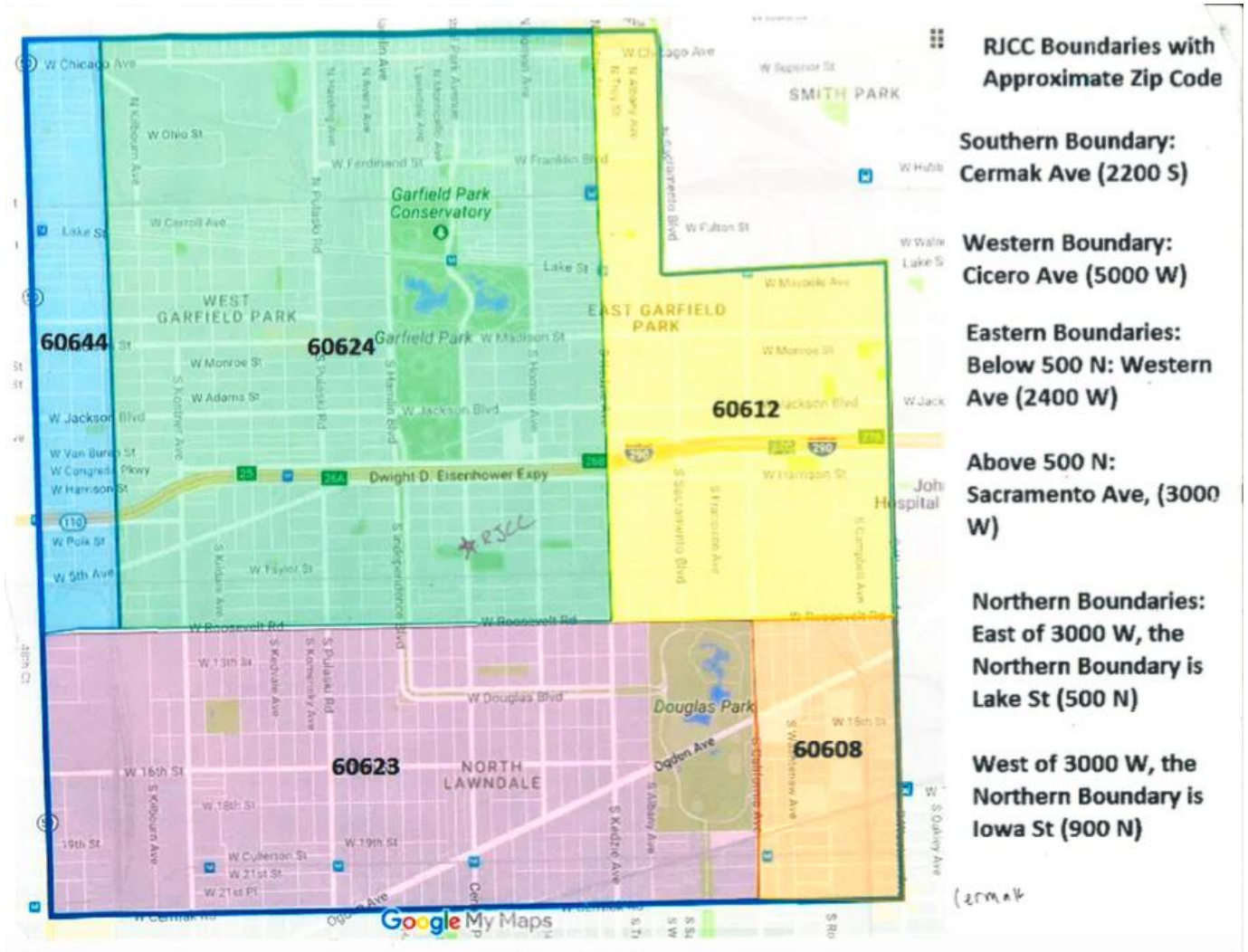
<sup>11</sup>However, the content of the Repair of Harm agreements generally falls into predictable categories, such as: financial restitution, community service, job training, or drug treatment. Some Repair of Harm Agreements may be very personal. For example, one Repair of Harm Agreement submitted in January 2018 required the defendant to use his personal music studio to contribute positive art to the community (Field Note, NLRJCC Court Call, January 11, 2018).

and defendant will participate in activities together. The amount of time required to fulfill the terms a Repair of Harm Agreement depends on the case. The NLRJCC's intention is for the process to last approximately six months (subject to change, as more data and participant feedback becomes available). While the defendant is fulfilling the terms of the agreement, they will remain in close contact with their circle keeper and community case manager. This is intended to build strong relationships between the NLRJCC staff and the defendant, which in turn encourages compliance and successful completion of the program.

**Completion and Dismissal**

Once the defendant has successfully complied with all terms of the Repair of Harm Agreement, their case will be dismissed. They will continue meeting with their community case manager as long as the two parties deem appropriate. They may also be eligible for the ongoing provision of services that they accessed throughout the court process.

**Map of North Lawndale Used to Identify Defendants Who Are Eligible for the NLRJCC**



(“NLRJCC Eligibility Map,” 2018)

## **Appendix H: Analysis of the NLRJCC Mission**

**Author:** Kelsie Harriman

**Date:** February 1, 2018

Submitted to the Center for Court Innovation as part of the “Restorative Justice Community Court Community Needs Assessment Report”

To date, the NLRJCC has not created, released, or publicized a formal mission statement. There is ample descriptive language throughout the NLRJCC’s internal and external documents regarding what the court does and how it works, but there is no formally agreed upon statement of purpose. As of February 2018, the NLRJCC team working to develop this.

In order to get a better understanding of the stakeholders’ vision for the court, I asked the interviewees to describe what they believed to be the mission of the NLRJCC. A representative sample of their responses is below. I classified the various statements by “System Stakeholders,” and “Community Stakeholders,” as this bifurcation best summarized the ideological differences between the responses.

### **System Stakeholder Responses**

- “ To act with a designated area in Chicago that has historically been underserved ... And (to) provide a new, alternative approach, which is in the form of restorative justice, where we are taking non-violent cases and diverting them – really, (the NLRJCC) a differed prosecution program” (Stakeholder 1, 2017)
- “To ultimately repair the harm from crime and conflict. That is the core of it: to repair, to heal...I think also part of the mission is to look at ways we can transform...the criminal justice system in a way that makes it more fair or equitable for everyone and also to find effective solutions, not solutions that feel good, or that are expedient, or that are good for the politics of it, but that are truly effective” (Stakeholder 2, 2017)
- “To repair the harm that has been caused by crime in the community of North Lawndale... When we say repair the harm, that means on both sides: the harm has been caused the victim, but perhaps (also to) look at the harm that was caused the offender which brought the offender into the system” (Stakeholder 3, 2017)
- “.... I think (the mission) is empowerment, really. It is sort of mutual empowerment in the sense that the participants are empowered to...not just take ownership of their behavior, but also to have their case dismissed, which is tremendous. But also, it empowers the community to have a voice rather than to just have (a traditional criminal court) be the ‘be-all-end-all...’” (Stakeholder 8, 2018)

## Community Stakeholder Responses

- “..To create a rather radically different criminal justice system that is community led, community centered, based on relationships (and) healing, and making communities and all affected partners stronger than they were before (they came to) court...which is a natural remedy to public safety...” (Stakeholder 4, 2017)
- “To launch a complete restorative justice community court in the North Lawndale community (and serve) individuals who initially had non-violent felony convictions (and) provide them with the opportunity to avoid receiving their first or second felony conviction” (Stakeholder 5, 2017)
- “To give a healthy and/or just alternative to low level crimes...It is really the community stepping up, you know, obviously with the system partner, to take responsibility for our own...”(Stakeholder 6, 2018)
- “... To create opportunities for participants to come face to face with their victim, admit they were wrong, and go deeper into the root causes of what got them there and get resources to solve it. It is giving (participants) opportunities to repair harm and do that in the context of community where they feel safe and they feel supported and they don't feel like they are feeling judged or dehumanized” (Stakeholder 7, 2018)

Notably, only two of the four system stakeholders used the word "community" in their description of the NLRJCC's mission. In one of these instances, the system stakeholder appeared to be referring more to the geographic location of the neighborhood than the residents themselves. In general, the system stakeholder responses focused less on individual participants, and more on the NLRJCC's innovative approach to repairing harm.

Conversely, all but one of the community stakeholders explicitly used the word “community” when describing the mission of the NLRJCC. To them, “community” seemed to refer to the collection of North Lawndale residents instead of a geographic area. The community stakeholders generally emphasized elements of community leadership and community healing when describing the mission of the NLRJCC. System stakeholders, conversely, generally emphasized specific elements of the court model or the RJCC's attempt to create a more equitable system that court influence the way the traditional system conceives of justice.

The NLRJCC team is currently working on creating and distributing a formal mission statement. The differences in community and system stakeholders' ideology (described above) will be important to identify and discuss with all NLRJCC personnel in order to craft a mission statement that is reflective of all parties' motivations and values.

### **Mission Fulfillment and Metrics**

In addition to articulating a mission statement, stakeholders also shared how well they felt the NLRJCC has fulfilled its mission thus far. Hence, when we inquired as to the NLRJCC's success, many participants said it was "too early to tell" if the NLRJCC was successful, or simply that it "seemed to be going well."

Some interviewees, however, gave more elaborate responses, which illuminate how some stakeholder thought the court's success ought to be gauged, (given the limited outcome data they had at the time).

Interestingly, although many of the system stakeholders gave macro-level, structural accounts of the court's mission (e.g. "transforming the criminal justice system"), very few referenced these larger goals when describing the court's success. The lack of macro-level responses is likely because 1) ideological goals such as "transforming the criminal justice system" are very hard to quantify, and 2) no macro-level data had been made available to stakeholders at the time of the interview.

Depictions of the court's success thus far were quite varied. Responses were generally limited to individual-level data and/or more subjective metrics such as relationship building. Some stakeholders cited qualitative metrics such as good system/community rapport (I believe this court is going well now... I love how the relationship between system and community (stakeholders) is being cultivated in a very intentional way" (Stakeholder 7, 2018)), and the participant experience ("We are getting people connected to community at the earliest possible stage," (Stakeholder 2, 2017)). Other stakeholders referenced quantitative metrics, such as the fact that no NLRJCC participant has yet gone to jail or received a criminal record. ("Nobody has... gone to jail and no one has a criminal record, so I would say it has done very well" (Stakeholder 4, 2017)).

In order for the NLRJCC to have a coherent, unified vision, the stakeholders need to create an official court mission statement. Similarly, the full community of stakeholders would benefit from working with the NLRJCC evaluation team how they would like to measure their performance, and what true "success" would look like.

## Appendix I: Proposed NLRJCC Net Widening Reduction Policy

**Author:** Kelsie Harriman

**Date:** April 18, 2018

- I. **Defendant Presented with All (Deferred Prosecution) Options:** The goal of the NLRJCC is to ensure that defendants, victims, and the community of North Lawndale receive the maximum amount of restoration and rehabilitation possible. The NLRJCC further recognizes that, in some instances, a defendant who is eligible for the NLRJCC may have a chance of receiving a more expedient or individually restorative outcome in another courtroom. The defendant's council is responsible for presenting their client with all possible avenues through which their case could be processed, and support them in choosing the most restorative option.
  
- II. **No Mandatory Case Processing Times:** It is contrary to the principles of restorative justice to set minimum or maximum case processing times. The goal of the NLRJCC is to heal and restore defendants, victims, and communities. The amount of time that is required to heal will vary from case to case. The circle keepers are responsible for guiding the restoration process and ensuring the needs of all parties are met in the manner and time that is required.
  
- III. **No Penalization for Failed Participation:** In keeping with the restorative justice philosophy upon which the NLRJCC is predicated, it is imperative that a defendant is never penalized for participating or attempting to participate in the restorative justice process. Rather, defendants should be awarded for attempting to participate. Hence, in the event that a defendant is unsuccessful in creating or fulfilling the terms of a Repair of Harm agreement, they cannot be punished at a higher rate for failing to complete the NLRJCC in any subsequent sentencing of their case. In the event that a defendant fails to complete the NLRJCC and their case is transferred back to the traditional courtroom, the NLRJCC case file will be suppressed, meaning the traditional court will have no access to original NLRJCC court file. Hence, the traditional court will not know that the defendant was ever recommended to the NLRJCC. Consequently, the traditional court will not be able to penalize the defendant for their unsuccessful participation.

## **Appendix J: Proposed NLRJCC Conflict and Complaint Resolution Policy**

**Author:** Kelsie Harriman

**Date:** April 18, 2018

All employees wishing to file a grievance regarding an issue of concern or internal conflict should adhere to the following protocol:

1. Complainant completes a written complaint form
2. Complainant submits the written complaint either to the NLRJCC Coordinator, or the North Lawndale RJ Hub Coordinator
  - a. Whoever receives the complaint (NLRJCC Coordinator, North Lawndale RJ Hub Coordinator) signs and dates the written complaint to document acknowledgement and receipt. The holder of the complaint keeps all information strictly confidential.
3. Within five days of receipt, the holder of the complaint provides a written notice of the complaint to all of the individuals identified on the original complaint form. Then,
  - a. Where appropriate, the holder of the complaint will convene a peace circle with all affected parties in order to resolve the conflict. Affected parties are not to contact one another until the circle process begins. The circle must be convened within 20 business days of the date that the complaint was filed.
  - b. In certain instances (sexual misconduct, immediate threat to the life and/or livelihood of an NLRJCC personnel) a circle process may not be appropriate. In these instances, the holder of the complaint may use an alternative conflict resolution method:
    - i. Notify all relevant parties of the complaint in writing
    - ii. Conduct a full review of the complaint, including interviews and review of evident (maximum time: 20 business days)
    - iii. Holder of the complaint issues written findings of the investigation to all relevant parties (source of complaint, subject of complaint), including recommended steps to resolve the conflict.
4. Resolution and Follow-Up
  - a. If a circle process was used to resolve the conflict, parties will fall the terms of the Repair of Harm agreement as agreed upon by the circle. The holder of the complaint (North Lawndale RJ Hub Coordinator, NLRJCC Coordinator) will be responsible for ensuring that all parties successfully complete the terms of the Repair of Harm agreement and will hold follow-up circles as necessary.
  - b. If a circle process was not used, the holder of the complaint is responsible for ensuring that the harm is successfully repaired per the terms that the written notice (3biii). Six weeks after the closure of the complaint, the holder of the complaint must conduct a separate case follow-up with all relevant parties (source of complaint, subject of complaint). If all parties are willing, a peace circle may be convened at this time.

## **Appendix K: List of Suggested Training for all NLRJCC Personnel**

**Authors:** Father Larry Dowling (St. Agatha), Jose Wilson (North Lawndale Employment Network), Jeramey Winfield (NLRJCC Restorative Justice Advocate and Practitioner), Mashaun Hendricks (Restorative Justice Consultant), Kelsie Harriman

**Date:** April 18, 2018

Working at the NLRJCC requires a shift away from punitive thinking and practices, and toward restorative thinking and practices. Training is a crucial way in which this mindset shift can be achieved. Below is a proposed list of trainings, with accompanying descriptions, that all paid and volunteer NLRJCC personnel from both system and community would have to complete before working at the NLRJCC.

### **Proposed Training for All NLRJCC Personnel:**

#### **1. NLRJCC RJ 101**

**Purpose:** To build the relationship between Court and community stakeholders, diminish the lines of division, and reach a understanding that all NLRJCC personnel are pursuing the same goal of providing restorative, holistic, community-based legal services to emerging adults in North Lawndale. This training also introduces the basic concepts of and approaches to restorative justice in an experiential way. Finally, it helps participants understand how restorative justice can be a viable and effective way to do justice.

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** 1 Day

#### **2. NLRJCC RJ 102**

**Purpose:** To learn and apply skills for establishing a restorative environment. It introduces key terms, types of circles, restorative conversations and community skill building. This session covers conflict transformation and de-escalation, restorative conversations and messaging, establishing values, and non-discrimination/harassment

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** 1 Day

3. **Prison Industrial Complex, Post Incarceration Complex and Re-Entry Concerns.**  
**Purpose:** To understand the damaging effects of the community-to-prison pipeline by providing an overview of the complex nature of the prison system as it intersects with the current economy, and its ongoing detrimental effects on communities of color.

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** Half Day

4. **ACES, Trauma, Post Traumatic Slavery Syndrome and Resilience.**  
**Purpose:** To provide an awareness of underlying causes and effects of trauma, especially on communities of color, and to understand the power of resilience factors in breaking the trauma cycle.

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community.

**Length of training:** Half Day

5. **North Lawndale Community Training.**  
**Purpose:** To understand key moments in North Lawndale's history and identify how these historical forces influence the present-day community; be able to identify the key assets and challenges in the community, and how they will affect NLRJCC participants; go on a tour of North Lawndale

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** One Day

6. **Racism and Cultural Competency and Implicit Bias.**  
**Purpose:** To engage a self-examination and identification of places where our own personal biases show up and how they have an impact on our decision making and treatment of others. Day one is an overall introduction to the topic. Days two and three are focused on skill building and are not mandatory but strongly recommended for those deemed necessary.

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** 1-3 Days

7. **NLRJCC Courtroom Procedure**

**Purpose:** To walk through the entire court process from entry into the building to exiting from the building, identifying key staff and establishing clear roles of each member of the court and community, identifying and reviewing all pertinent materials and documents needed throughout the NLRJCC. The NLRJCC Courtroom Procedure training will be tailored for each individual role (i.e. community liaisons, public defenders, sheriffs, etc.)

**Participants:** All paid and volunteer NLRJCC personnel from both the County and community

**Length of training:** One Day

## KELSIE HARRIMAN

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### EDUCATION

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#### THE UNIVERSITY OF CHICAGO, Chicago, IL

B.A in Public Policy, expected June 2018

GPA: 3.9

- Student Marshal (2017); Dean's List (2014-2017)
- Carla Newell New Leaders Scholarship (recognizing outstanding women in public service) (2016-2107) (\$10,000)
- Study Abroad Odyssey Scholarship for three months of study in Jerusalem (Spring 2017) (\$5,000)
- Legal Research, Oral Communication, and Writing Seminar (Spring 2016)

### EXPERIENCE

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#### JUSTICE INFORMED, Chicago, IL

Project Manager, October 2017 – Present

- Direct projects across the Justice Informed portfolio, including creating work schedules, delegating tasks to the Justice Informed team, liaising with clients, managing the Justice Informed calendar, and assisting with the productions of client deliverables
- Manage the Justice Informed website and social media platforms (Facebook, LinkedIn, Twitter)
- Pitch editorial topics to the Justice Informed CEO about diversity and inclusion, philanthropy, and corporate social responsibility; write editorial pieces about these topics for the Justice Informed website

#### THE RESTORATIVE JUSTICE COMMUNITY COURT, Chicago, IL

Intern to the Honorable Colleen F. Sheehan, RJCC Presiding Judge, January 2017 – Present

- Support the implementation of the Restorative Justice Community Court (RJCC), the first restorative justice court in Illinois, by drafting internal documents, participating in stakeholder meetings, and providing feedback on the RJCC model
- Conduct an implementation study of the RJCC in partnership with the RJCC's third-party evaluator, Adler University. My part of the research involves interviewing all RJCC stakeholders; reviewing and analyzing all of the RJCC's internal documents; conducting an ethnography of RJCC court proceedings; and compiling, analyzing, and presenting the findings
- Co-authored the RJCC's 2018 "Community Needs Assessment Report" that was submitted to the Center for Court Innovation in February 2018
- Wrote an informational brochure about the RJCC that was approved for official court use and public distribution
- Composed and directed a mock run-through of the RJCC court process from arrest to dismissal; facilitated the run-through three times for RJCC staff trainings

#### CHRISTIAN ACTION FOR RECONCILIATION AND SOCIAL ASSISTANCE (CARSA), Kigali, Rwanda

Intern, June – September 2016

- Interviewed perpetrators and survivors of the Rwandan Genocide and compiled the interviews for CARSA's *Peace and Research Center* archive
- Created a concept map and business plan for CARSA's *Peace and Research Center* archive

#### COOK COUNTY SHERIFF'S JUSTICE INSTITUTE (SJI), Chicago, IL

Intern, January – June 2016

- Proposed a research design for a 2016 evaluation of Cook County Central Bond Court that was adopted by the SJI; conducted data collection and analysis for the final report that was submitted to Cook County Sheriff Tom Dart
- Compiled information for case studies of inmates in the Cook County Jail; co-facilitated inmate interviews

#### WORLD RELIEF CHICAGO, Chicago, IL

Citizenship Assistant, June – August 2015

- Prepared clients' United States citizenship and green card applications; answered clients' application questions
- Prepared and delivered a presentation about the refugee immigration process to a group of approximately 25 refugees

#### UNIVERSITY OF CHICAGO COMMUNITY SERVICE CENTER, Chicago, IL

Intern for the Summer Links and Chicago Bound programs, January – June 2015

- Planned and facilitated ongoing activities for the 2014 Chicago Bound cohort, a service-focused pre-orientation program at the University of Chicago; held weekly office hours for members of the cohort
- Planned content for "Summer Links," a service-focused summer internship program for University of Chicago undergraduates; conducted outreach and follow-up with Summer Links internship host sites

#### CITY OF LIVINGSTON, Livingston, MT

Intern for the City Manager, July 2013 – September 2014

- Proposed and helped coordinate the first-ever "Trails Rx Run," a 15K, 5K, and Kids Run to raise funds for community walking paths
- Proposed, coordinated, and taught a week-long children's science camp and a week-long children's running camp
- Researched and wrote content for a historical sign about a local bridge; wrote press releases for city events