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Study: Novel sentencing program really works

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By Wilson Ring Associated Press

MONTPELIER - A woman who stole from a patient in a nursing home where she works was sentenced to making potpourri-filled vases for a senior center.

A man convicted of driving with a suspended license agrees to carve a cane for an elderly person.

An artist convicted of driving under the influence had to paint a painting for an organization whose lawn she drove over.

Those are some of the examples of the unusual sentences crafted by Vermont's ground-breaking Reparative Probation system, under which criminals meet with community volunteers - and in some cases victims - to craft their sentences instead of taking them from a judge.

The system works, according to a new survey.

The survey by three college professors that was paid for with a grant from the Justice Department, found that in 9,078 cases handled between 1998 and 2005, offenders were 23 percent less likely to commit another crime while on probation than those sentenced to traditional probation.

And they were 12 percent less likely to commit another crime after probation ended.

"This is a bit of a vindication for Vermont's reparative boards," said Gale Burford, a professor of social work at the University of Vermont and one of the authors of the yet-to-be published survey. He said that in some circles, Vermont was perceived as being soft on crime.

"The people who go to these boards don't regard them as soft, because they are emotional and they are getting faced by people in their community," Burford said. "It is not a soft option."

The people who work with the system every day say its successes go beyond just reducing recidivism.

"Those numbers are important, but I can tell you it works on so many other levels, in terms of the relationships built and the conversations that are had and the new perspectives that people have about their own lives and other peoples' lives," said Cara Gleason, the Community Justice Coordinator for the City of Burlington.

The Corrections Department set up the pioneering program in 1995, when the state was looking for alternatives to traditional corrections.

Reparative probation was part of a package of sentencing alternatives - such

as requiring offenders to complete intensive substance-abuse programs or closely supervised furlough in the community - made available to Vermont judges.

A number of communities across the country now use some form of reparative justice.

What makes Vermont unusual is that the system was conceived by the Department of Corrections, said Kay Pranis, of St. Paul, Minn., who has worked with restorative justice programs across the country.

"Out of a state agency came an effort that has become a community-based effort and really belongs to the community," said Pranis. "That is a huge accomplishment."

In the reparative probation system, the offender meets with community members and they try to craft a sentence that builds on the interests of the offender and the needs of the victim and the community.

In some cases the victims participate, in some cases they don't.

"I think across the board, almost everyone says that's when it's most transformational is when the person who has been the most affected gets to meet with the person who caused them harm," said Rain Banberg, of the Greater Barre Community Justice Center.

Now, there are 12 community justice centers across the state and many more volunteer boards that meet with the offenders. The volunteer boards are chosen from interested members of the community.

By design, the hearings lack the structured formality of a court appearance.

And that's how a single mother working in a nursing home comes to see how stealing a ring from a patient affects the victim. So the board builds on the offender's interest in crafts and has her make vases for the senior center.

Or why the man who was driving with a suspended license could agree to use his passion for carving to create a carved cane for a senior citizen. Or the artist convicted a second time for driving under the influence could create a painting for the lawn of, coincidentally, the substance abuse center she drove over, said Lori Baker, the executive director of the Barre Justice Center.

The solutions, by design, are as varied as the crimes.

"It shows that we can involve community volunteers, lay people, in processing a large percentage of our low-level crimes rather than dealing with them more formally either in government supervised probation or the even more expensive option in court," said Burford.