

Between Agency and Accountability: An Ethnographic Study of Volunteers

Participating in a Juvenile Diversion Program

By

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## **ABSTRACT**

Since the 1970s, the United States has witnessed a great expansion of community-based restorative justice programs. These programs serve as alternatives to the traditional court and probation system. Unlike the traditional justice system, restorative justice focuses on repairing harm done by an offense and works toward restoring the offenders to good standing in the community. While there is a significant amount of research which has examined the effectiveness of community-based programs, relatively little research has focused on the community volunteers who participate in these programs. I conducted an ethnographic study (observations and interviews) of community volunteers participating in a juvenile diversion program called.

My research shows that NAB members encourage offending youths to make better choices in the future. They explain to the teens that with every choice one makes comes a reward or punishment. Specifically, NAB members encourage youths to obey the law, work hard, and have a good attitude. Yet my findings also indicate that NAB members are aware of environmental factors, such as family and schools, which may limit the choices actually available to youths and influence their decision making. Ultimately, these findings represent a contradiction in which NAB members encourage youths to subscribe to middle-class values despite the fact that there may be structural obstacles which impede youths from doing so.

## **CHAPTER 1: INTRODUCTION**

The American juvenile justice system was created in Chicago as the 19<sup>th</sup> Century came to a close. It began when Jane Adams and other members of the Child Savers movement sought reforms to protect children. The first Juvenile Court was established in Chicago on July 1, 1899 and operated “to create a special, separate place for children in crisis, away from adult courts and the horrors of adult jails and poor houses” (Ayers 1997:24).

Throughout last 100 years, the juvenile justice system has grown exponentially. What began with one courtroom in Chicago has expanded across the nation with most states and jurisdictions maintaining juvenile courts. In addition to juvenile courts, most states also have specialized probation and residential correction facilities for juvenile offenders. The Federal Department of Justice also operates the Office of Juvenile Justice and Delinquency Prevention (OJJDP) which provides national leadership, coordination, and resources needed to respond to juvenile delinquency.

In 2009, OJJDP released data from their 2004 Census of Juvenile Residential Facilities. In the report, the OJJDP estimated that there were 2.18 million arrests involving juvenile suspects in 2004. At the time of the study, there were 2,809 facilities nationwide which housed a total of 94,875 juvenile offenders (OJJDP 2009). According to the OJJDP (2009), these finding represented an overall seven percent decrease in youth placed in residential facilities compared to 2002. Additionally, in the fiscal year (FY) 2007-2008, the Florida Department of Juvenile Justice (FL-DJJ) handled a total of

144,705 delinquency arrests for 89,776 youths state-wide (2009). Also in FY 2007-2008, almost 37,447 Florida youth were placed on probation, and 6,616 Florida youths were sentenced to residential facilities (FL-DJJ 2009). As the data indicates, thousands of youth each year come in contact with the juvenile justice system. These institutions have lasting effects on both the youth and the communities they serve; and thus it is important to examine the ways in which such institutions operate.

The term “restorative justice” can be defined in many ways. Restorative justice programs generally focus on the harms caused to the victim, the community, and the offender and seek to repair these harms (Zehr 1990). As Bazemore and Walgrave (1998:48) write: “restorative justice is every action that is primarily oriented toward doing justice by repairing the harm that has been caused by a crime.” Essentially, restorative justice differs from the traditional justice system because it focuses on the harm of an offense rather than the offense itself.

The restorative justice movement, which began in the 1960’s, was born out of critiques of the traditional justice system. In their critiques, restorative justice advocates argued that traditional forms of justice failed to meet the needs of victims, and ultimately fail to rehabilitate offenders (Daly 2008). Beginning in the 1970s, and continuing through the present, many jurisdictions throughout the U.S. and beyond have begun implementing restorative justice programs (Daly 2008, Zehr 1990). Today, restorative justice programs can be found throughout the world in nations such as the U.S., Canada, England, South Africa, Australia, and New Zealand. In fact, in 1989, New Zealand was the first nation to adopt restorative justice as its primary form of juvenile justice (Zehr 1990).

Restorative justice programs can take several forms and have been used in both adult and juvenile systems. Some of the more common forms are victim-offender mediation, family group conferencing, and community reparative boards (Bazemore & Umbreit 2001). Each of these models represents a decision making process in which harm (to the victim, community, and offender) is identified and a plan is developed to repair the harm, and to restore the offender to good standing in the community (Bazemore & Umbreit 2001, Zehr 1990). Typically, during victim-offender mediation, a trained professional or volunteer will meet with both the victim and the offender (together or separately) and will negotiate a plan or contract between the two parties. Family group conferences are also moderated by a trained volunteer or professional, and victims are also present. In addition to the offender and the victim, family members such as parents, siblings, and partners are included in the conference.

This thesis examines Neighborhood Accountability Boards (NAB) as an example of community reparative boards. The community reparative board model, as the name implies, is perhaps the most inclusive model of restorative justice. In a community conference, victims, offenders, family members, and community volunteers come together to discuss the harm the offense has caused to the victim, the community, and even to the offender. Generally, all parties are involved in the development of the case plan, or contract. Decisions are made by community stakeholders rather than professional “strangers”, as is typical in the traditional judicial system. It should be noted that the examples given (victim-offender mediation, family conferences, and community reparative boards) are just a few of the many restorative justice models currently in use.



More specifically, this thesis focuses on the community members who volunteer on NABs in a metropolitan county in Florida. I have observed hearings of a total of 19 cases at three NABs in varying community types throughout the county. Additionally, I have interviewed seven NAB volunteers about their participation in the program with the hope of better understanding the ways in which community members participate in restorative justice programs, their attitudes about crime, and their feelings about their participation.

My analysis centers on questions of what volunteers do, how they communicate with the offenders they serve, and how they feel about the work they do. Specifically, I examined the values that NAB volunteers communicate to youths participating in the program, about making choices and about the consequences of those choices.

My thesis is organized in seven chapters. This chapter serves as an introduction. Chapter two reviews relevant research related to restorative justice programs like NAB and also explores research on community volunteers in justice programs. Chapter three provides an explanation of the research methods. Chapter four provides a detailed explanation of the NAB program, as well as background information about the research sites and participants. The thesis includes two analytical chapters. In chapter five, I explore what volunteers do, and how they communicate with the young offenders in the NAB program. I identify and explore the ways in which NAB members discuss decision making and consequences with teens, as well as the ways in which NAB members hold teens accountable to program standards.

In chapter six, I explore NAB members' views about the environmental influences which may limit the choices of some youths in the program. Of these

influences, NAB members point to family environment as well as schools and school policies. Finally, chapter seven offers concluding remarks and recommendations for further research and program development.

## **CHAPTER 2: LITERATURE REVIEW**

In this chapter, I review relevant academic literature related to restorative justice and community-based volunteer programs, and also about the roles of volunteers in the criminal justice system. My review establishes a gap in the academic literature concerning community volunteers in community-based restorative justice programs. Although community-based restorative justice programs like NAB have increased in popularity, relatively little is known about the community members who serve on these boards. Ultimately, this research will contribute to the limited knowledge about community member participation in restorative justice programs.

As noted in the previous chapter, restorative justice is any process which examines the harm that a particular offense has inflicted on victims and communities, and which seeks to repair these harms. Restorative justice differs from traditional forms of justice in that the emphasis is on the harm done rather than the law which has been broken. For the purpose of this thesis, community-based programs are those which utilize community volunteers or resources to manage or rehabilitate offenders.

Community volunteers have long been associated with the justice system. Goddard and Jacobson (1967), directors of Lane County Juvenile Court Services in Eugene, Oregon, discussed the benefits of community participation in the justice system. In many jurisdictions volunteers served as probation officers for youth and adults long before the fields became professionalized. Goddard and Jacobson also argue that volunteer involvement in the juvenile justice system has many benefits for both the youth

involved and the volunteers who serve. They explain that volunteers have roots in the community which may provide resources for the programs and the youth they serve. Additionally, Goddard and Jacobson explain that volunteers offer a different perspective than professional staff. They write (1967, p. 340) that in many cases “volunteers who have actually experienced the same situations as clients may have first-hand familiarity with their folkways, values and languages.”

In order to obtain a better picture of the community members who volunteer in criminal justice programs and their motivations for volunteering, Souza and Dhami (2009) surveyed 76 volunteers from twelve community-based restorative justice programs in British Columbia, Canada. Souza and Dhami (2009:48) found that the majority of volunteers participating in the restorative justice programs were White women in their 50s, and that most had a college education. Additionally, volunteers in their study reported being dissatisfied with the traditional justice system and its inability to rehabilitate offenders, which Souza and Dhami (2009:50) suggest may be what leads them to volunteering with restorative justice programs.

Community-based restorative justice programs have proved to be influential in reducing recidivism, or reoffending, among juvenile offenders. In a recent study of a community-based program for youth, Rodriguez (2007) concludes that youth participating in the program were less likely to recidivate than youth who participated in the traditional juvenile court system. Using official juvenile justice data obtained from an urban county in Arizona, Rodriguez compared the outcomes of youth who participated in a community-based restorative justice program rather than the traditional juvenile court system. Rodriguez (2007:366) reports that after 24 months, “juveniles in the restorative

justice program were less likely than offenders in the comparison group to have reoffended.” Rodriguez (2007) further reports that boys were slightly more likely to recidivate than girls, yet that race and ethnicity did not have significant effects on recidivism.

Bergseth and Bouffard (2007) also examined the effects of community-based restorative justice programs on juvenile recidivism. They compared recidivism rates between youth assigned to a diversion program to those who participated in traditional juvenile probation. Bergseth and Bouffard’s study differed from Rodriguez in that their study looked beyond the 24-month time frame and followed youth up to four years after their participation in the diversion program. Their findings were similar to Rodriguez in that youth who participated in the program were less likely to reoffend than those who participated in traditional court and probation programs.

In another recidivism study, McGarell and Hipple (2007) examined the effects of family-group conferencing compared to other forms of community-based diversion programs. Using survival analysis, McGarell and Hipple measured the difference in time until recidivism between youth participating in a family group conference program compared to youth participating in other diversion programs. Findings from their study indicate that youth who participated in family group conferences had longer time periods between their initial and subsequent arrests (McGarell & Hipple 2007:233). In sum, as seen in the previous studies, research on recidivism indicates that community-based programs are more effective than traditional programming.

Even though we know that some restorative justice programs reduce recidivism, we do not fully understand how they work. The work of community volunteers is central

to the success of community-based restorative justice efforts. In spite of this, little research has specifically examined the roles of volunteers in such programs. Aside from a series of studies published by David R. Karp and his colleagues (Cheshire & Karp 2007, Karp et al 2004, Karp & Drakulich 2004, Karp 2001), there is little academic knowledge of the roles and values of community volunteers.

Karp's publications focus on reparative probation boards in Vermont. The Vermont reparative probation program is a program for first time offending adults, which is based on restorative principles. In his research Karp employed a variety of research methods, including surveys (Karp et al. 2004, Karp & Drakulich 2004, Cheshire & Karp 2001), content analysis of video-taped hearings (Karp 2001), and content analysis of case files (Karp & Drakulich 2004).

Karp (2001) reported that overall, community volunteers are able to research restorative outcomes. In other words, Karp found that community volunteers are able to develop contracts with program participants which focus on repairing the harms of the offense. This confirms that community members are capable of reaching program goals.

Focusing on the types of people who volunteer, Karp et al. (2004) found that overall, volunteers tended to be demographically different than the offender population. Karp et al. (2004) reveals that volunteers differed from offenders in all categories except for race. For instance, volunteers in Karp's studies tended to be of higher socio-economic status than the offenders they served (Karp et al. 2004). Reparative board volunteers also tended to be somewhat older than the adult offender population (Karp et al. 2004).

In regards to volunteer attitudes, Chesire and Karp (2007) found that volunteers who had served a long time, or managed many cases, tended to have less retributive attitudes toward offenders. Their study also found a positive relationship between conservative political ideologies and retributive attitudes toward offenders, rather than restorative ones (Chesire & Karp 2007). Additionally, volunteers with conservative political affiliations were strongly associated with beliefs that offenders were “not better off” after participating in the program (Chesire & Karp 2007:87). And yet they also found that volunteers reporting greater religiosity or spirituality were more likely to believe that offenders were “better off” after participating in the program. These findings seem to contradict themselves as conservative political attitudes and religiosity are often associated with each other, however, the study did not differentiate between “conservative” and “liberal” religious denominations. Politically conservative attitudes were also negatively associated with variables measuring the belief that communities benefitted from commitment to restorative justice principles (Chesire & Karp 2007). These and other findings are most useful to my present research. Because my project explores the ways in which volunteers talk about choices and decision making, it is important to understand how political ideology and spirituality may influence their attitudes and values.

In summary, although community volunteers have long been associated with the criminal justice system, relatively little research has been done to explore who volunteers and what their relationship to the justice system is. Although Karp and his colleagues have begun to explore the contributions volunteers bring to restorative justice programs, there is still much to learn. My project will contribute to the understanding of restorative

justice programs. Using Neighborhood Accountability Boards as an example of community conferencing, or community-based restorative justice, my project will add to the growing research on community volunteers by answering the following three questions: First, what do community volunteers do? Second, which values do they communicate to offenders? And third, how do they understand and explain structural influences in the lives of teenagers?



### **CHAPTER 3: METHODS**

In this chapter I discuss my research methodology. Specifically, I explain the process through which I obtained access to the NAB program and then discuss my methods of data collection and analysis.

#### *Access*

Prior to entering graduate school, I worked as a program assistant for the office of Juvenile Court Alternative Programs (JCAP, renamed for anonymity) in the county in which I conducted my research. This previous employment was key in my ability to gain access to the county's NAB program which is administered by JCAP. After discussing my project with the JCAP Administrator, I developed a proposal which was presented to the Court Administrator who oversees JCAP. After reviewing my proposal, the Court Administration approved my research under the condition that all NAB participants (this included adult NAB volunteers, NAB case managers, youth and family members) at each research site agreed to participate. This condition was in line with the requirements of receiving approval from the University of South Florida Institutional Review Board (IRB) and I was thus willing to comply.

#### *Methods & Data*

My research uses a qualitative design, utilizing a combination of ethnographic observations and in-depth interviews, to explore the research questions.

Between February and November, 2009, I conducted four field visits at three research sites, which I call Bay View, Cypress Terrace, and Plantation Oaks (each site

will be described in detail later), for a total of twelve visits. Each visit lasted about two hours during which I usually observed two or three cases, although this varied somewhat between sites. Altogether, I spent 21 hours in the field and observed a total of 19 cases. Although I only observed 19 cases total, I observed many of the cases several times. I wrote up fieldnotes on each visit that came out to a total of 48 single-spaced pages.

Appendix A provides a table which presents the cases I observed during field visits. The table includes information about the child's age, race, offense, the number of times I observed the case, and the outcome of the case (if known). The majority of cases I observed were misdemeanor theft charges, however, a few teens were also charged with assault or battery, drug possession, or criminal mischief. There are three cases in which the crimes are unknown to me; these are cases which I began observing after their initial hearing. A total of seven youths completed the NAB program during my observation, whereas only two failed. The remaining ten cases were extended, or continued, beyond my time in the field and I do not know the outcome of these cases. Due to IRB regulations, I was unable to observe youth under the age of 12, therefore the teens present during my observations were between 12 and 17-years-old. Unfortunately because of this rule, I was unable to enroll several youths into my study, especially at the Plantation Oaks NAB site.

Prior to all observations, I thoroughly explained the study objectives and methods to all participants, as well as any benefits or harms they might receive from participation. All persons present understood that their participation was voluntary and that they could end participation at any time. In the case of children and parents, I made it clear that their

participation in the study will not affect their status in the diversion program; meaning that if they decline participation they can continue with diversion.

I managed to obtain consent from all volunteers and all case managers which I approached. I also obtained written consent to be observed from most other adults present at the time of observation, including parents and family members of youth. Additionally, I obtained written consent from parents and guardians allowing their children to be observed. I also obtained written assent from all youth present who were over the age of 12. During my time in the field, there was only one family who did not wish to participate in my study. In this instance, I left the room for the duration of the hearing.

During my field visits, I observed NAB hearings and I also engaged in informal conversations with NAB volunteers and case managers. While observing NAB hearings, I generally sat out of the way; in the back of the room, or at the far end of the conference table. While I could not audio-record NAB hearings due to confidentiality restrictions, I took detailed jottings, including as much information as possible about the conversations and interactions that occurred between volunteers, offenders, victims, and family members (Emerson et al. 1996). In many instances, these notes resembled rough transcripts of conversations. The notes were later typed up in the form of fieldnotes and secured on a password protected drive; original handwritten notes are stored in a locked file cabinet. To ensure confidentiality, I use pseudonyms to refer to all study participants and locations at all times.

I should also note that the NAB volunteers at all three research sites were extremely welcoming and excited to participate in my research. Often NAB members

thanked me for coming to their hearings and expressed gratitude for taking interest in the work that they do. Without their enthusiasm, and their willingness to be observed, this project would have failed. My second method of data collection involved formal in-depth interviews with a number of NAB volunteers.

The use of interviewing allows for a deeper exploration of research questions with participants (Weiss 1994). Specific to my research, the interviews allowed me to explore NAB members' feelings about their participation in the program. A copy of my interview guide can be found in Appendix B.

The interview sample was derived from NAB volunteers at the three sites I visited among those who expressed interest in being interviewed. I should note that at one of the sites, many more volunteers wished to be interviewed than I was able to accommodate for this study. I initially planned to interview four volunteers from each of my sites, for a total of twelve interviews. Unfortunately, I had difficulties contacting many of the volunteers who had agreed to participate in interviews. After weeks and months of making phone calls and leaving answering machine messages, I was left with only seven interviews. Although my attempts to interview twelve NAB members fell short, those I was able to interview shared valuable information.

Of the seven interviews I conducted, four were with volunteers from the Plantation Oaks group, two with volunteers from Bay View, and one volunteer from Cypress Terrace. Interviews ranged in length from just under 30 minutes to just over an hour. All interviews were audio-recorded and have been transcribed in full. Interviews were conducted at a time and place most convenient for participants. The interviews for the Plantations Oaks NAB members were conducted at the Plantation Oaks Chamber of

Commerce on a NAB meeting day. Two of the participants met with me prior to beginning their volunteer duties, while two others met with me while hearings were taking place. The Bay View and Cypress Terrace NAB interviews were conducted by telephone at the participants' request. I have included a detailed description of interview participants in Appendix C. Now that I have discussed my methods of data collection, I will discuss my analytical strategy.

### *Analysis*

I approached analysis of fieldnotes and interview transcripts using an interpretive or “grounded theory” method. That is to say that rather than approaching the data with fixed “codes” or expectations in mind, the researcher should start with individual cases and events and then build their theoretical analysis from the data (Charmaz 2001).

Following this tradition, rather than forcing my thoughts upon my data, I have allowed the data to speak to me. I began by reading printed copies of fieldnotes and interviews and taking hand written notations to develop a list of initial codes. After several rounds of readings and line-by line coding, several major themes began to emerge from within the data. These themes were further developed through memo-writing, through which I began to better understand the processes and assumptions made in my initial coding (Charmaz 2001).

Although I have taken a grounded theory approach to my analysis, I cannot ignore that my dataset is rich with “accounts”. As defined by Scott and Lyman, accounts are “linguistic devices employed whenever an action is subjected to a valuative inquiry,” (1968:46). Additionally, while accounts may offer insights to the lives and experiences of individuals, Scott and Lyman caution that, “accounts are "situated" according to the

statuses of the interactants, and are standardized within cultures so that certain accounts are terminologically stabilized and routinely expected when activity falls outside the domain of expectations,” (1968:46). From this we see that accounts are subject to change within different contexts and that accounts are generally given to explain one’s actions. This is important to my project because the accounts I have observed during NAB hearings may have been different in different situations. For instance, the teens may offer different accounts of their behavior, or future goals to NAB members than they would to their friends or family members. Additionally, the stories and accounts of NAB members may also be different depending on their audiences.

### *Limitations*

While at times, this study felt very large and overwhelming to me, it is extremely small compared to the scope of research that still needs to be done. Currently, in the county where I conducted my research, there are eleven active NABs; my study only examined a quarter of them. And of that quarter, I only observed each group less than a handful of times. While the groups I observed overall were more similar than they were different, it would be impossible to generalize my findings to the other groups operating in the county. That being said however, it may not be unreasonable to assume that the conversations which take place at other NAB throughout the county (and perhaps across the country) are similar to those which I observed at Bay View, Cypress Terrace, and Plantation Oaks.

In this chapter, I have outlined the process through which I obtained access to my research sites and participants. I have also explained the methods I have employed to collect and analyze the data. In the following chapter I provide some more important

background information about my research sites and participants, as well as information about NAB processes and procedures in general.

## **CHAPTER 4: SETTINGS AND BACKGROUND INFORMATION**

This chapter provides important background information about the research sites and participants and it also outlines the NAB referral process and procedures in general. This information provides context to help understand the analysis which follows in later chapters.

Currently, there are eleven NABs in operation throughout the county. Due to time constraints and resources, it would have been impossible to conduct observations at each group. Therefore, I wanted to assemble the most diverse sample of boards and participants as possible. I selected three NABs from different community types (urban, suburban, and rural) for my sample.

The first NAB I observed is called “Cypress Terrace”. The Cypress Terrace NAB meets at the Cypress Terrace Community Center. The center is situated in a residential community not far from downtown. The neighborhood is mostly single family homes; however, the community center is located about two blocks from a public housing complex. The community center is a large multi-purpose building with meeting rooms and social service offices. There are several playing fields and a community pool located on the property of the community center. The Cypress Terrace NAB meets in a large multi-purpose room inside the center. The room is reminiscent of late 1970’s design, with exposed brick walls and blue carpet.

Usually, there are between four and six volunteers present at the Cypress Terrace NAB. The group consists of mostly women with only one male volunteer present during



my time in the field. The majority of NAB volunteers at Cypress Terrace are Black. They range in age from their 40s to 80s. They are usually casually dressed, wearing khaki pants or slacks and blouses or polo shirts.

I call my second observational site “Plantation Oaks”. Plantation Oaks is a large sub-urbanized area which is home to a diverse population of families of different races and socioeconomic statuses. The Plantation Oaks NAB is facilitated by the Plantation Oaks Chamber of Commerce. From my understanding, in order to volunteer, one must be a member of the chamber or at least employed by a business that is currently affiliated with the chamber. This NAB is the largest in the county. In most months, the group consists of 12 or more volunteers. Volunteers display a mix of ages, however it appears that most are in their mid 30s to early 50s. Many of the volunteers appear to be White and were usually dressed in business attire.

Due to the large number of volunteers, the Plantation Oaks NAB operates three smaller “teams” with three or four members serving on each team. Volunteers usually serve on the same team from month to month; however, there is some variation over time. For consistency, I observed the same team throughout my research. The team I observed meets in the Chamber Board Room, a large meeting room with an expansive conference table in the center. The oversized dark wood table is surrounded by high-back leather chairs and the walls are decorated with photos of chamber members; all White and mostly men. The room has an official and serious feel to it.

“Bay View” is the third research site. Bay View is located in a rural residential area located about 30 miles from the city center. The Bay View NAB meets at a county service center. Several agencies have local offices here, including, child and family

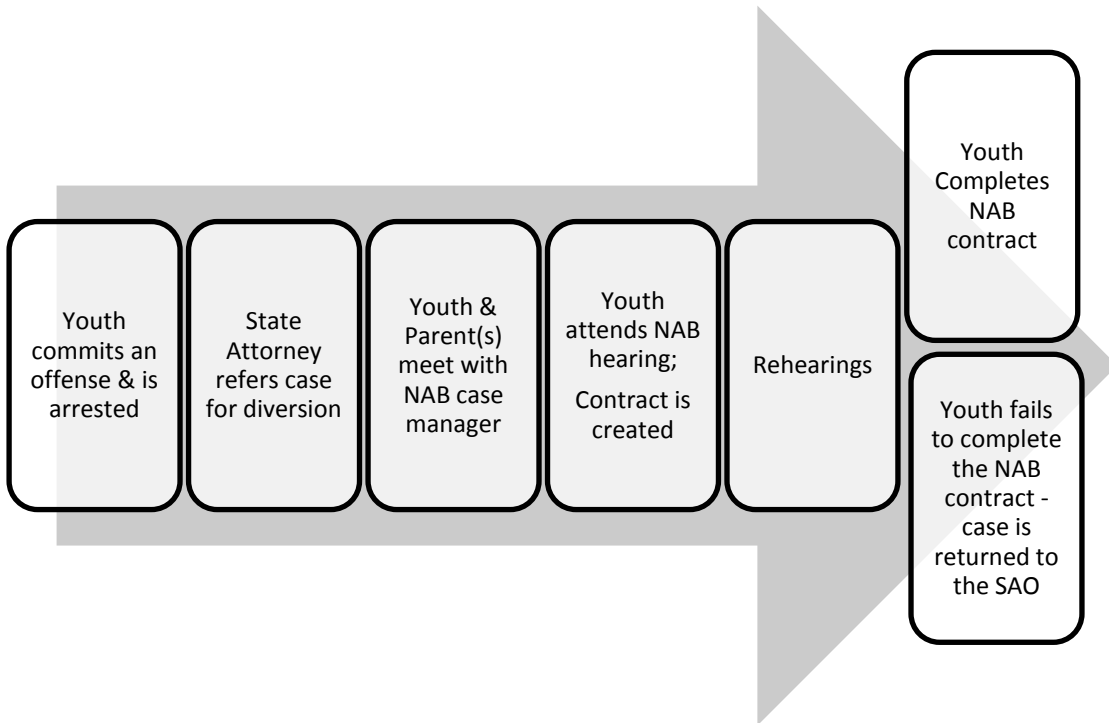
services, health and social services, and what appears to be a non-profit medical clinic. The building looks like any other modern office plaza. The complex has a large and active parking lot, with a diverse mix of families and individuals hustling in and out all the time.

The NAB meets in a large multi-purpose meeting room adjacent to the County Health and Social Services agency lobby. The lobby, which is shared by a county agency and a local non-profit social service agency, is warm and inviting. With tile floors, comfortable couches, and a children's play area; the lobby feels more like a living room than a waiting room. The meeting room in which the group meets is laid out like a classroom with two rows of tables facing the front of the room where another smaller table is located. The volunteers sit at the first row of tables and ask youth and parents to sit at the table in the front of the room. Bay View is the smallest group I observed. In total there are four active volunteers, each month there are usually only two or three present. The majority of the volunteers at Bay View are White. Of the four volunteers I met, three are women. The Bay View NAB members range in age from 40s to 70s. NAB members at Bay View generally dress casually, often wearing polo shirts with NAB logos on them.

Taken together, these sites reflect the diversity of communities within the county. Cypress Terrace represents the urban heart of the county, Plantation Oaks represents suburban neighborhoods, and finally Bay View represents the county's less developed fringes. The groups include a wide range of individuals from a diversity of races, ethnicities, age, classes, and walks of life. Although each of the NABs is unique in its demographic make-up and geographic location, they are part of a larger program

operated by the county and follow the same procedures. The NAB program is administered by the Office of Juvenile Court Alternative Programs (JCAP), a division of the Court Administrator's Office.

The following figure presents a basic trajectory of a typical case referred to the NAB program. Following the figure, I explain this trajectory in detail.



**Figure 4.1 Trajectory of a NAB Case**

The State Attorney's Office (SAO) reviews all juvenile arrests in the county and determines whether or not a case is eligible for diversion. Cases eligible for diversion are generally cases involving a youth who has no prior arrests, and offenses which are misdemeanors or non-violent third degree felonies. Once referred to JCAP, the case is evaluated by the program coordinator and assigned to a case manager.

Next, the offending child and his/her parent(s) or guardian(s) will meet with the case manager to discuss the diversion program and their case. In order to participate in the NAB program, youth must admit guilt to the offense and their parents must agree to their participation. In the event that a youth does not admit guilt, or is unwilling to participate in NAB, the case will be returned to the SAO and may be filed in court. When the youth admits guilt and agrees to participate in NAB, the case manager then conducts a brief interview with the family documenting information, such as, the youth's explanation of the offense, his or her hobbies and interests, school performance, and parental reaction to the offense. At the end of the meeting, the youth is scheduled for a NAB hearing in his or her community.

At the start of a hearing, NAB members introduce themselves and explain the purpose of the hearing, the guidelines of the meeting, and they ask youth and family members to introduce themselves. During the hearing, NAB members discuss the offense with the youth, and inquire about various interests and strengths the youth may have. Volunteers may also engage the child's parent(s) or guardian(s) to determine if there are any other issues which need to be addressed. At the conclusion of the hearing, NAB members negotiate a contract with the youth (and the victim, if present). Available sanctions include: writing assignments (apology letters, reflection essays, etc), educational programs, drug testing/treatment, anger management counseling, general family counseling, school progress reports, financial restitution, and community service. NAB members are also able to "create" other sanctions which they feel might be appropriate for the situation. The child and parent(s) or guardian(s) review and sign the

contract if they agree to the sanctions. After the contract is signed, the family is provided with a “rehearing” date for the following month.

At the rehearing, the youth will present evidence of the completed sanctions, and NAB members discuss the sanctions with the youth and his/her parents. Ultimately, if the youth fails to complete all sanctions, they will be terminated from the program and the case will be sent back to the SAO. If the board members believe the youth needs more time in the program, board members may schedule another rehearing. Usually, when all of the assigned sanctions are turned in the case will be “completed”. Finally, upon completion, youth are able to apply for expunction of their record. Expunction is a process outside of NAB and requires parents to complete and submit forms to the Florida Department of Law Enforcement. Expunction limits the ability of outside parties to learn of the offense. From my understanding, youths terminated from NAB do not have the opportunity to expunge their records.

This chapter includes background information important for understanding the context and processes of the NAB program and my research. I first provided additional detailed information about the research sites and participants. Additionally, I have provided information about the general NAB referral process and procedures.

## **CHAPTER 5: CHOICES AND CONSEQUENCES**

In their conversations with youth and family members, NAB members emphasize agency, or the ability of individuals to make their own choices. In these conversations, it becomes clear that one can choose to conform to social norms and be rewarded, or conversely, one can choose not to conform and be punished. NAB volunteers discuss life in terms of a series of choices; one good or bad choice will lead to other choices, and so on. In many ways, this series of choices reflects a larger system of choices and consequences through which one must navigate in life.

Early in my observations, it became apparent that NAB members spent a considerable amount of time discussing the importance of obeying the law, working hard, and having a good attitude. To NAB members, these represent important skills or qualities which are necessary for individuals to lead successful and productive lives. I begin this chapter by introducing NAB members' views of the major purpose of the program. During interviews, many NAB members expressed the purpose of the NAB program as giving kids a second chance. Secondly, in this chapter I explore three ways in which NAB members present choices and consequences to the teens, and how they emphasize individual agency and accountability specifically in regards to obeying the law, working hard, and having a good attitude.

Many NAB members describe the major purpose of the program as giving kids a "second chance". During my interviews with NAB members, they often acknowledge that the reason why many of the youths were participating in the program was simply that

they had made bad decisions. As James, a volunteer at the Plantation Oaks states, “I think NAB identifies good kids that made a stupid mistake and gives them a second chance”. Frank, another volunteer from Plantation Oaks also believes that NAB serves as a second chance for kids, and he elaborates on the idea of good kids making bad decisions. As he jokingly put it:

If there was a charge of stupidity, either felony or misdemeanor level, they would be charged with that too. Outside of a few vicious ones that should be sent away...the majority of them don't have a clue.

Like James, Frank acknowledges that many of the youth in the program have simply made a bad decision. Furthermore he states, “the majority of them don't have a clue”. This implies that many of the youth referred to the program are referred for crimes which represent an error in judgment, or a bad choice. As I will show in this chapter, NAB members spend much of their time discussing choices and consequences with youth and their family members. They emphasize to the youth that they have the ability to make choices and that they will be held accountable for their decisions in life.

Through my interviews with NAB members, it became apparent that NAB members understand that many of the youth in the program are not necessarily “bad apples” but simply children needing guidance. As Sally, a volunteer from Bay View explained:

I think the major purpose of the program is to have young people examine [pauses] their actions, and take responsibility for their actions, and in some way learn enough about themselves and the world so that they don't repeat their offense.

Sally's interpretation takes the statements of Frank and James a step further. More than simply giving kids a second chance, Sally emphasizes the importance of teaching youth about themselves and the world, and ultimately of giving them knowledge to make better

decisions. Through these excerpts it becomes clear that NAB members acknowledge that the reason why many of the youths enter the program is simply because they have not had enough experience in life to be able to make decisions which will keep them out of trouble. Going beyond simply providing youth with a “second chance,” it is evident that NAB members also try to educate youth and help them to make better decisions in the future. In the following sections, I explain the ways in which NAB members encourage children to obey the law, work hard, and have a good attitude.

### *Obeying the Law*

Perhaps the most important choice youths have, as emphasized by NAB members, is obeying the law. After all, youth are referred to the program for a law violation. Although not formally charged, the youth in the program are considered “criminals.” Additionally, a new arrest constitutes a violation of the program and may result in the case being returned to the State Attorney’s Office. Because of this, NAB members encourage youth, and in some cases their family members, to follow the law and to avoid future fighting, stealing and drug use. In so doing, NAB members convey messages that encourage law abiding and discourage law breaking. Typically, law abiding messages are conveyed by giving youth alternatives to anti-social or illegal behaviors. Additionally, NAB members use “cautionary tales” of incarceration, or other unpleasant outcomes, in an attempt to discourage anti-social or illegal behaviors.

The first example of a NAB member emphasizing individual agency and alternatives to law breaking, comes from an exchange between Gloria, a middle age Latina NAB volunteer at Bay View, Nora, the NAB case manager, and Jeff, a 14-year-old White teen who was referred to NAB for battery. Often, NAB members will ask a child



what they would do if they were in a situation similar to the one which led to their arrest. In this instance, Gloria and Nora respond to Jeff's prediction that if he were in a similar situation again, he might fight again.

Gloria: What would happen next time? Would you get into a fight again?

Jeff: I don't know, maybe [pauses] if they hit me. Yeah, probably.

Gloria: You will get suspended again. You know I have a boy too, and I tell him don't hit back.

Nora: I used to work with girls in jail and, you know, sometimes they would get aggressive but I couldn't hit them back. We could only redirect or restrain them, but couldn't fight. You're an athletic looking guy; you could probably get away if someone tried to fight you.

Gloria's comment suggests that there are undesirable consequences for continued fighting: Jeff will get suspended again. Building on Gloria's statement, Nora emphasizes Jeff's agency in deciding whether or not to fight. Nora borrows from her experience as a juvenile probation officer to explain to Jeff that he can choose to avoid fighting. In this situation Nora encourages Jeff to think of alternatives to fighting. Her statement emphasizes that he has the ability to avoid troubling situations. In this quote, the message is clear: Jeff can choose whether or not to fight. Although Nora's comments emphasize Jeff's agency, they do not explain consequences for making the wrong choice. However, combined with Gloria's previous statement, the message to Jeff is clear: if you choose to fight again, you will get in trouble.

In another case, Gloria, the same volunteer, asked Ashley, a 15-year-old White teen referred to NAB for shoplifting, what she would do in a similar situation. Ashley's response was much different from Jeff's:

Gloria: What have you learned?

Ashley: I've learned that stealing is bad and you shouldn't steal.

Gloria: What if you are with your friends and something like this happens again?

Ashley: I'll go tell someone that works there. I don't want to be involved.

Gloria: That's great! I'm glad to hear that you've learned your lesson. You need to make your own decisions – go your own way.

In this example, Ashley tells Gloria and the other NAB members that she has learned that stealing is wrong, and she implicitly acknowledges the negative consequences of stealing. Gloria praises Ashley's response and explains that she needs to "make her own decisions" and "go her own way." Much like in the example with Jeff, Gloria's comments to Ashley emphasize her ability to make her own choices. As Nora explained to Jeff that he can choose to avoid fighting and possibly escape from an attack, Gloria encourages Ashley that she does not have to shoplift just because her friends do.

Perhaps one of the most extreme examples of encouraging youth to make good choices and obey the law also came from the Bay View NAB. Jasmine, a Black 16-year-old, was referred to NAB on charges of criminal mischief. As retold by Jasmine and her mother during her hearing, after several incidents in which her younger brother was bullied at school, Jasmine's mother instructed her to take a bat and "go down there [to the school] and bust out their windows and bust their heads". When Jasmine arrived at the school, the boys who had bullied her brother were in the gym, so she did not confront them. Instead, she smashed one of the boy's car windows. In the following quote, Nora, the case manager, explains to a Jasmine and her mother that they cannot take the law into their own hands.

From now on you have to turn things around. If you see a wrong, instead of handling it yourself and causing trouble, turn it around so that the other people get in trouble. It's a cultural thing, I know. People in my culture [referencing her Cuban heritage] don't like to call the police either. But we live in a different culture, even if we were raised different. In the system we're in, you can't take the law into your own hands.

In this excerpt, Nora explains that in the US, one must rely on the police and the legal system to handle problems one may encounter. She emphasizes that although some individuals do not like to get the police involved, there is no alternative. The message to Jasmine and her mother is clear: “you can’t take the law into your own hands,” and doing so will only lead to more trouble.

In the above examples, Nora and Gloria demonstrate to Jeff, Ashley, and Jasmine that they have the ability to make choices that will keep them out of trouble. In the case of Jasmine and Jeff, the teens are encouraged not to fight and to get authorities involved in disputes they may have with others. Although Ashley demonstrates that she understands that stealing is wrong and that there are consequences for stealing, Gloria still encourages her to make her own choices and to do the right thing.

In the three previous examples, NAB members emphasized agency, or the ability of youths to make their own decisions. In the cases of Jeff and Jasmine, NAB members also explained that there are consequences for making the wrong choices. These accounts of potential consequences represent “cautionary tales” which provide implicit and explicit examples of unpleasant consequences for those who break the law. These cautionary tales emphasize that one is responsible, and will be held accountable for one’s actions.

Throughout my observations, there were many examples of such cautionary tales. Through these tales, NAB members generally emphasized that continued run-ins with the law will lead to bigger problems in the end. These cautionary tales ask youth to imagine their futures. As Randy, a volunteer from Plantation Oaks, once asked during an initial hearing, “how do you look in orange?” In another example, David, a White volunteer from the Plantation Oaks NAB, cautions Dominique, a 17-year-old Black teen not to steal

again, explaining: “this is a one-time program. You can’t keep stealing. Next time you’re toast.” In another case, David explains to Antonio, a 14 year-old Latino boy, also referred to Plantation Oaks for theft, “[the offense] may seem minor to you. But it leads to bigger things...this program is to stop you from being a statistic.” These accounts allude to the fact that there are more consequences for criminal behavior than being referred to NAB. David for instance, implies that repeat offenses will lead the youth through the court system and into the jail house. While each of these examples focuses on formal consequences of crime, some of the most vivid examples of cautionary tales that I observed focused on informal consequences of criminal behavior.

One such example comes from Cypress Terrace, Rosetta is a Black woman volunteering in Cypress Terrace. She addresses James, a 16 year-old Black male who will end up failing the program for continued drug use:

I’ll tell you from my own experience – I didn’t use but I was with someone who did. He started out just like you, started with marijuana. It makes me really sad, I don’t want to see you on the corner too; you have to make a choice.

In this example Rosetta uses a personal account of a former partner’s life to explain that continued drug use will lead to an undesirable future. As Rosetta points out, James can choose to quit using drugs now or end up living his life “on the corner.” In this narrative, James is shown that although marijuana use may seem harmless or fun now, there may be long term consequences for continued use. Rather than telling James that he will end up in a jail cell, Rosetta’s example emphasizes an extreme but informal consequence, homelessness. Another interpretation of Rosetta’s account may conclude that Rosetta does not want to see James become a drug dealer, working the corner to make a living and feed his addiction.

Another example that emphasizes informal consequences to criminal behavior comes from the Bay View NAB. Below, I quote an exchange between Sally, a White volunteer, and Angel, a Latino teen who was referred for a theft charge:

Sally: Why won't you do it again?

Angel: Because of the consequences.

Sally: Which consequence was the worst?

Angel: The community hours.

Sally: What else?

Angel: I don't know...the hours, they were the worst.

Sally: Embarrassing your family isn't bad? Looking at your mom, I can see you really hurt your family.

In his account, Angel tells the NAB members that he understands that there are negative consequences for committing crimes. Furthermore, he acknowledges that there are official sanctions for criminal behavior (in his case having to complete community service hours) and explains that the possibility of future sanctions might deter him from reoffending. Sally, however, redirects his focus to the indirect or informal consequences of his action, the fact that he embarrassed his family and hurt his mother. This example illustrates that in addition to official sanctions and direct consequences of crime, there are also indirect and informal consequences which may be just as bad, if not worse than official court ordered sanctions.

Not only do NAB members encourage youths to make good choices and stay out of trouble with the law, NAB members also have checks in place to make sure that youth are in fact staying out of trouble. NAB members regularly review results from drug screening to make sure that youth are staying drug free and teens are often terminated from the program for continued drug use.

In the same way that NAB members can "check" to make sure youth are staying drug-free, they can also "check" to make sure that youth are not getting in trouble with

the law again. Case managers have access to state and local juvenile arrest records and can check up on youth to make sure they have not been arrested for any new offenses. Of all the cases I observed, only one youth (Carter, Cypress Terrace NAB) received a new charge (possession of marijuana) while being in the program. Unfortunately, I left the field before I could learn the final outcome of his case. However, the NAB volunteers explained that they would be willing to keep him in the NAB program if the State Attorney's Office agrees.

In summary, NAB members expect youths who are in the program to stay out of trouble. This means that they expect that youth will abstain from drug use and not be arrested for new criminal offenses. NAB members emphasize the long-term importance of avoiding legal trouble. They express these expectations in two ways. First, NAB volunteers encourage making good choices and avoiding bad choices. They encourage youth and their families to avoid fighting, contact authorities and "make their own decisions," thus reminding them of the agency they possess. Second, NAB members tell cautionary tales which relate the consequences of bad choices, such as continued illegal and anti-social behavior. Whether the consequences are official or informal, such as pain and embarrassment caused to family members, NAB volunteers make it clear to teens that they can and should be avoided. Through this NAB members create an array of choices and consequences for youth. They can choose to stay out of trouble and remain crime-free and proud of their lives, or they can choose to break the law and lose their freedom and other valued privileges.

### *Working Hard*

Aside from encouraging youth to obey the law, NAB members often emphasize the importance of hard work and education. In my observations, NAB members often gave examples from their lives about the importance of hard work. Most often the examples are of people who have gone to school, worked hard, and are now successful. Through their examples, NAB members reinforce the meritocratic ideal of the “American Dream”, emphasizing that those who work hard in school and in their careers are rewarded with material goods and high social status.

Many examples of working hard focus on education and emphasize the importance of doing well in high school in order to be admitted into a prestigious university. The following is an example from my fieldnotes taken at the Plantation Oaks NAB. Dominique is a Black 17 year-old referred to NAB for a theft charge. She is in her junior year of high school. She recently returned to a traditional high school after spending a year in an alternative school to make up academic credits. Dominique wants to attend the Georgia Institute of Technology to become a veterinarian; however, her current grades are low. David and Randy, two White volunteers, attempt to motivate Dominique to improve her grades by giving examples from their own lives.

David: What’s your GPA?

Dominique: 2.7.

David: 2.7? How do you expect to get into Georgia Tech with a GPA like that?

You know, college admissions is very competitive – they want the best of the best. I’ll tell you, last year I attended a graduation. There were kids with 7.8 GPAs. That’s just crazy! How will you compete with that?

Randy: David is right, it’s hard to get in, and even harder to get financial aid. I have a son. He plays football for his school. It costs \$30,000 a year to go there. Do you know how much I pay? Nothing. He’s got scholarships for academics as well as for football. He got \$13,000 just for his grades alone. You’re going to have to work harder.

Through their stories, David and Randy demonstrate to Dominique that it is important to make good grades in school. David's story emphasizes the competitive nature of college admissions whereas Randy takes the story one step further, explaining how good grades will bring much needed financial aid. Together these accounts emphasize that Dominique must work harder in high school if she wants to achieve her goal of attending Georgia Tech.

In a different example, volunteers at Bay View NAB spent time discussing the importance of education with Jeff, a 14 year-old white male, who disclosed during his rehearing that he is considering dropping out of high school to get a GED. Jeff's case is different from Dominique's. Whereas Dominique plans to finish high school and go to college, Jeff plans to get his GED and enter the workforce early. In this example, Jane a White volunteer who also works as a librarian, and Nora the case manager, encourage Jeff to stay in school. The following is an excerpt from my fieldnotes taken at Jeff's rehearing.

Jeff: I'm not sure if I'm going to stay at that school. I want to get my GED. I talked to my counselor.

Nora: Well, we can't keep you from getting your GED if that's what you want to do.

Jane: Why do you want to drop out?

Jeff: I messed up last year and I'm missing a lot of credits. My counselor said I probably won't graduate on time.

Jane: You can't just quit in life. That's not how adults handle things. We've all had struggles. You can't just quit – you won't amount to much if you quit.

Nora: You know, you can make up credits in virtual school. My nephew did it last summer. They were going to hold him back. But he took class over the summer, on the computer you know, and now he's all caught up. You should ask your counselor about it, maybe your mom can. [Nora pauses] I feel like you've given up.

Jeff: I want to get a job - do my own thing.

Jane: What job?

Jeff: I don't know.



Jane: There's not many jobs right now. Your best bet is to graduate. Please do that.

Nora: So many people these days can't get a job.

Jane: Think about whatever job you might get without a high school diploma. Can you see yourself doing that job for 20 or 30 years? Don't think about right now – think about the future. What you do now affects your future. You're here for your future. By coming to NAB instead of going to court you won't have a criminal record. That's very important. If you get in trouble for something else you can't come back – forever. Do us a favor. Think about your future and what you want to do. Take some time – things can be worked out but we can't force you.

In this excerpt, Jane and Nora deliver two messages to Jeff. First, quitting is not the best option, and second, without a high school diploma, Jeff's future is bleak. This reinforces the expectation that one must obtain an education in order to have a successful life. Jane and Nora set up a choice for Jeff; he can choose to work hard to finish his high school education and have better career choices, or he can choose to drop out and be limited to low paying jobs or no job at all. Either way, Nora and Jane make it clear that the choice is his to make. Ultimately, they cannot force him to finish high school.

In another example from Bay View NAB, Sally, a retired school teacher, and Nora also try to motivate Jose, a 17-year-old Latino, referred for possession of marijuana, to stay in school. The following quotes are excerpts from my fieldnotes. The first note shows Sally explaining that without an education, Jose will be limited in the work he can do. In the second note, Nora discusses her brother as an example of someone who has finished his education and has a comfortable life:

Sally: As an educator, school is important to me. Without an education you won't be able to do anything. Without an education you'll be out in the fields picking tomatoes, and oranges, and strawberries. Maybe you need to go to a career center. You need to talk to your parents and figure out what is best for you...

*Moments later Nora adds the following:*

Nora: You know, my brother went to tech school, now he's an electrician. That was 22 years ago. He wasn't always into school, when he was about your age. Though I had a talk with him to see what he wanted

to do. He wanted to be a mechanic, so I set him up to work over the summer with a friend of mine. He worked a few weeks and said it was too hot working in the shop; he didn't want to be a mechanic anymore. But, anyway, he went to tech school and now he's an electrician. He makes a good living and has a nice house.

While Sally and Nora's examples are different, they both emphasize the importance of education to Jose's future. Whereas Nora's story about her brother relates a positive outcome for someone who completed his education, Sally's predictions offer a darker outcome for Jose if he does not complete his education. Sally's tale is contextualized within the Bay View community. Her statement that "without an education you'll be out in the fields," reflects the agricultural industry which is supported largely by migrant Latino laborers in the Bay View area. Ultimately, Sally's message to Jose is that without an education, his career choices will be limited and thus his future will be unhappy.

A final example of limited career choices due to a lack of education comes from David, a volunteer at Plantation Oaks NAB. During a rehearing, he explained to Dominique, the Black teen described earlier:

*[David is moving his hand like he is flipping a hamburger]* "You need to stay in school or do you know what you'll be doing? You'll be asking 'want fries with that?'"

It is a bit ironic that David chooses to make such a statement to Dominique. She has expressed to the board members that she plans to finish high school and continue on to college, an account which usually fits in with what board members want to hear.

However, David, similar to many other NAB members, reminds Dominique that without an education she will be limited in her career choices.

Throughout the examples in this section, we see the ways in which NAB members create a choice for youths participating in the program. They can choose to work hard in school and obtain a degree that will result in higher paying careers and a successful life;

or they can choose to drop out of school and be left with low status jobs such as picking fruit or flipping burgers, thus perpetuating a socially constructed hierarchy of job statuses.

NAB members do not only tell stories of the benefits of hard work and education, they also expect youth to prove that they are working hard. In the words of David, a volunteer from Plantation Oaks NAB:

This program is about earning. Earning the right to have your case dismissed and have the charge removed from your record. This program is about earning; not getting by.

As part of the sanctioning process, most youth are required to complete community service hours and obtain weekly progress reports from their teachers. Through these sanctions, volunteers can judge the improvement of youth as they progress through the program and determine how hard they are working. During my observations, there were several instances in which school progress reports and community service work records influenced the outcomes of cases.

At all three NABs, youth who showed improvement in school were praised and congratulated. In some cases, school improvement seemed to count more than other sanctions which the youth may not have completed. In the case of Antonio a Latino teen, about 14 years old, referred to Plantation Oaks NAB for theft, volunteers overlooked the fact that he did not complete any community service hours because of his improvements in school. The following is an excerpt from my fieldnotes.

*David works through the sanction contract as if it as check list, item by item he asks Antonio to present the sanctions he has completed.*

David: Community hours – we asked you to do 20.

Antonio: I didn't do my community hours.

Kathy: You didn't do any?

Antonio: No, right now we only have one car and my dad needs it to get to work.

David: I know it's tough right now, but it's your responsibility. You have to do your community hours. What about your school progress reports?

*Antonio presents the board with his progress report forms. At first the board members seem outraged that he has Fs in science and world history. They read comments from his teachers aloud: "needs to complete assignments", "great to have in class" "doesn't turn in work". As they sort through the forms however, they realize realize that the Fs were on the first weeks reports and that the other 3 weeks have shown improvements in his grades and attendance. He now has Cs where he once had Fs. They begin to praise him for his hard work:*

Kathy: This is outstanding for just three weeks!

David: There was improvement – I like that. You know, usually we fail kids who don't do their community hours. But you've shown some improvements and I think we can give you another chance. If you don't do it though, I fail you.

James: Whose responsibility is it?

Antonio: Mine.

James: Good answer.

In this instance, the NAB members decided not to fail Antonio for not completing his community service hours. Instead, they explain that because he has shown "improvements" in school they will give him a second chance to finish the hours. It is possible that the NAB members also gave Antonio a second chance because of his family's current hardship. However, they do not refer the hardship in their reasoning. In this case, it is Antonio's improvement in school which has allowed him a second chance at completing his community service hours. In this excerpt, we also see the recurring theme of choices and consequences. David makes it clear to Antonio that if he does not complete his community service hours, he will fail the program. Finally, James, another volunteer, makes it clear to Antonio that it is his responsibility to complete the hours.

Although school progress reports are an important tool used by NAB members to determine whether or not youth are working hard and improving, the boards ultimately cannot consider grades in their decisions making. This may seem confusing after my previous example; after all Antonio was given an extension because of his improved grades. However, while NAB members may choose to reward a child whose grades have

improved, they cannot officially punish students who do not improve. Nora, the case manager, once pointed out to the members of the Cypress Terrace NAB, “We’re concerned with behavior, ladies. It would be nice if he had straight As but we can’t require it!” Because of this, board members typically focus on whether or not the youth has accrued any absences since their last meeting, as well as comments left by teachers. While a child cannot be terminated from NAB because of bad grades, board members can hold youth accountable for poor attendance, and at times they do confront a youth about their poor grades.

An example of how a teen may be held accountable for his or her poor attendance and declining grades can be seen in an exchange between Dominique and board members during her rehearing at the Plantation Oaks NAB. Interestingly, the rehearing began with Dominique proudly stating that her grades had improved, however once she provided board members with her progress reports it was obvious that not all of her grades had improved.

David, *while reviewing the progress report, exclaims:* Absent eight times in algebra? What is going on?

Dominique: I was sick.

Randy: So you got signed out?

Dominique: Yes.

Mom: The school calls me and says that Dominique is sick and I need to come get her.

Randy: What’s the problem?

Dominique: Like, I’ll have a headache or my stomach will hurt.

David: She’s just sick of school.

Randy: You went from a B to an F in Algebra. Maybe if you were in class you’d still have a B!

This example is interesting in that Dominique’s absences are considered excused by her school. Generally, board members do not focus much on excused absences because they are considered legitimate by the school and do not necessarily present a behavioral

concern. Here, the board members reject Dominique's account that she has been ill and instead appear to focus on a perceived lack of motivation and hard work. The board members seem to believe that her declining grades in Algebra were linked to her absences. As discussed in the previous section, the Plantation Oaks NAB members spent a considerable amount of time discussing grades with Dominique. Specifically, NAB members emphasized that with her current GPA she would not get accepted to the college she claims to want to go to. Because the NAB members already considered Dominique's GPA to be low, anything that might reduce her GPA further may be seen as problematic. In Dominique's case, although her absences are excused, they still represent a behavioral problem, indicating that Dominique has no interest in going to school. In the following quote, Kevin, another volunteer, challenges Dominique's accounts:

You say that you know that you need to go to school, but you missed classes. The purpose [of this program] is not just to get you think. We want you to put those thoughts into action.

In Dominique's case, the NAB members are looking for evidence that she is working hard to improve, in school, and overall. As Kevin's statement points out however, it does not appear that Dominique is working to meet the expectations of the board members. Kevin's comments, when combined with the comment that Dominique is "sick of school," relates to the issue of having a "good attitude" which will be discussed later in this chapter. In many ways, attitude and action are linked and it can at times be difficult to separate the two.

Without the school progress reports, volunteers would have to rely solely on the accounts of youth and their parents. It would be impossible for them to determine whether or not a particular youth is working hard and attending school regularly or not. As Kevin points out, the purpose of the program is not only to get youths to think

differently but also to act differently. Through reviewing school progress reports NAB volunteers are able to see evidence of thoughts transformed into actions. Although NAB members cannot punish students who do not achieve grades at the level they expect, they certainly rewards the ones who do.

Additionally, volunteers also use evidence of community service as a tool to measure whether or not a child is working hard in the program. One very emotional case I observed was Casey's in Plantation Oaks. Before Casey entered the room for her rehearing, there was much discussion about what the board members should do about her case. David, the group leader, explained to the other members:

David: She's very smart, very active in her school, with student government and the dance team... She's very involved at school, maybe too much. She wants to go to college but isn't taking responsibility – she needs to take responsibility for herself. She came back last month – did a half-ass job. I cut her some slack and I was wrong – She isn't getting her community hours done. I've got some text messages here from Jesse, I'll read them to you (*I was told that Jesse is a youth pastor at a local church where the board told her she could do her community service hours*).

*David reads several text messages between Jesse and Casey in which Jesse offers Casey opportunities to complete her community service hours, but Casey is always busy with something else.*

Casey to Jesse: You don't understand my situation.

Jesse to Casey: You're right, I don't understand. But you have to finish your community service to finish the program.

Casey to Jesse: This whole process has been very hard for me. The last time I went in, they told me I was a failure.

David: I never called her a failure. But anyway, what do you all want to do? Do we violate her?

James: How about we give her one more week to finish the community hours?

David: No – I'm not doing that.

Kathy: How is she doing in school?

David: The report says she's got a few more tardies and unexcused absences.

*(David is referencing a summary the case manager prepared using data from the school board truancy system).*

Kathy: She isn't improving – if anything she's trending worse.

David: I want to fail her.

Kathy: It would be a consequence.

David: Well, I wanted to run it by you all.

Kathy: I think so. You know, dance doesn't take up that much time.

Here, we see that not only will Casey be "failed" for not completing her community service hours, but also because she has accrued new unexcused absences and tardies. The NAB members made their decision to fail her before Casey and her mother even entered the room. After greeting Casey and her mother, David gets straight to the point:

David: What's with the unexcused absences?

Casey: I was school business. I was working on the float for the home coming parade.

David: What I'm seeing is a lack of responsibility.

Casey: I talked to my Administrator, he said the days should be cleared up.

David: The report says otherwise. What about your community hours?

*[This was an interesting circumstance – Casey claimed the absences were excused but the report NAB members had listed them as unexcused. It was never made clear if Casey was lying or if the report was incorrect.]*

Casey: I've been doing a lot of service for my school. (Casey gives David her community service form and he passes it along to the other members)

David: Community work has to be for a non-profit.

Casey: I collected food and books, and I made posters.

David: But for who?

Casey: Fire Fighters and [her response was unclear]

*While the NAB members discuss the form I notice that Casey and her mother look tired. Their faces are blank, without expression.*

David: You know, Bill sent me some text messages.

James: Community work for a business is unacceptable; it looks like you did these at a business.

Kathy: It looks like you're back dating, when did you do these?

James: Only 12 hours.

Casey: No, there should be 14 on there.

David: Unacceptable.

James: You had a second chance to do all this – your effort is not improving.

David: In my opinion, this is not acceptable. You need to take responsibility for yourself. You need to figure out what your priorities are.

*At this point Casey begins to show emotion. Her eyes begin to water and she rests her head in her hands.*

David: Look at me – you're not trying.

Casey *crying*: Yes – I am trying.

David: This program is about earning. Earning the right to have your case dismissed and have the charge removed from your record. This program is about earning; not getting by. *David continues to tell Casey that her priorities are not in the right place.*

David: This is a violation, you are going to court!



Although David describes Casey as “smart” and “very active in school,” these qualities do not excuse her from completing the required community service hours. In spite of her attempts to defend herself and explain the unexcused absences and the lack of community service hours, the board members have already made up their mind. They decided that Casey was not working hard enough, and thus they terminated her from the program.

While youths who fail to complete their community service are held accountable, and at times are terminated from the program, youth who complete their hours are often praised for their hard work. In one example, Angel, a Latino teen, recounts his experience of working at a local church to the Bay View NAB members:

Angel: I helped with picking up furniture donations and cleaning the class rooms.

Sally: Wow, you really worked hard! Is that something you would do for a living?

Angel: Maybe if I got paid.

*The board members laugh*

Nora: You know, he was only supposed to do twenty hours. He did twenty-one. That’s an extra hour!

Sally: That’s wonderful!

Joe: Outstanding, that’s great!

Angel is praised by the board members of his work completing his community service hours. Although it may seem trivial, this praise shows Angel that there are rewards for hard work. Although he only worked one extra hour, he has earned the respect of the NAB members. Through their praise, Angel experiences first hand that there are rewards for work that are not only monetary.

A similar case in which a youth went above and beyond the service requirement was Carter at the Cypress Terrace NAB. Carter (introduced earlier in this chapter) was also assigned twenty hours of service to complete. Instead of twenty, Carter completed forty hours working with children at a local church.

Rosetta: Where did you do the hours at?

Carter: A summer program with my church. I helped with the younger kids.

Rosetta: How did you like it?

Carter: It was okay. I mean I wouldn't do it for fun.

Rosetta: What was it like working with the kids?

Carter: It showed me that I have to grow up; it was a lot of responsibility.

Olivia: This says you did 40 hours, that's twice as many as you had to. That's really wonderful! This shows that you are a hard worker.

As in the case of Angel, Carter was rewarded for his hard work with praise from the board members. Rather than treating the sanction as just another requirement, the board members use the completion of the sanction as an opportunity to show Carter that hard work will earn him praise and respect. Although Angel and Carter are just two examples, I saw many examples of NAB members praising youth for completing their sanctions as a reward for making good choices.

In the previous section I have demonstrated the ways in which NAB members express the values of hard work and education. In communicating these values, NAB members use examples from their own lives of individuals who have work hard, finished school and are now successful. Additionally, they caution youth that without an education they will be limited to low status jobs; they will be “picking fruit” or “flipping burgers.” In this they create a dichotomous choice for the youth. They can choose to work hard and be successful, or they can drop out or do poorly in school and live a hard life. In essence, their tales recreate the “carrot and the stick” metaphor. Youth can work hard and study hard and be rewarded with good jobs, scholarships and other luxuries; otherwise they will face “the stick”. In many ways, their emphasis on hard work ties back to the meritocratic notions of the American Dream; the idea that if one works hard and does the right thing, he or she will be successful. Unfortunately however, these promises of the good life may fall short for some. As we know, not everyone who works hard is rewarded, especially not in our current economy.

NAB members do not simply preach the value of hard work, they also enforce it. Through assigning school progress reports and requiring youth to complete community service hours, NAB members are able to gauge whether or not youth are working hard and making academic improvements. When youth fail to complete their community service hours or present progress reports that do not show improvement, they are held accountable. While Casey's was one of the few cases I observed in which a youth was terminated from the program, board members often criticized youth harshly for not completing their service hours on time, and were generally reluctant to give extensions, thus directly illustrating the consequences for not working hard enough.

### *Having a Good Attitude*

Going beyond the importance of hard work, NAB members also consider attitude to be important. In many instances, hard work and good attitudes are inseparable. As James, a volunteer from Plantation Oaks explained during an interview.

Attitude is huge. Um, just you know, you can pretty much tell a kid's demeanor in the first few seconds of them coming into the room. [Pause] You pretty much know what kind of case, [pause] you know how this is gonna go.

From James' statement it's clear that NAB members rely on their perceptions of attitudes presented by kids during hearings. From these perceptions, NAB members make judgments as to handle the case. As I will show later in this section, teens who are perceived by NAB members to have a "bad attitude" are sometimes confronted. NAB members do not rely solely on their perceptions of attitudes. In the same ways that volunteers rely on school progress reports to measure academic improvement, NAB members rely on accounts from parents and family members to determine whether or not youth have good attitudes. Such accounts give NAB members a glimpse of the youth's behavior and attitude at home. Through these accounts from parents and family

members, board members also determine whether or not the youth is improving. Positive accounts are usually greeted with praise, while accounts of disrespect or not following parents rules result in confrontations from board members.

A strong example of parents' accounts influencing NAB members' opinions took place during a rehearing at Bay View. Larry, the father of Cole, a White teen charged with theft, offers several accounts of his son's improvement. In the following example, Larry explains how he believes participating in NAB and counseling has helped his son:

It's a great turn around for one month. He listens to me now [and] doesn't argue. I told him we needed to make a folder for his paper work – usually he would yell and scream about; he didn't say anything, [he] just went and got a folder.

Not only does Larry attest to his son's improvement, but he also provides a specific example of how Cole's attitude and behavior has changed. The Bay View volunteers were very pleased with the positive accounts which Larry provided. After the rehearing the volunteers talked among themselves about how great it was to hear of Cole's improvement. Apparently, one of them had considered him a "lost cause" the previous month. Larry's accounts helped her to change her opinion of Cole.

Additionally, during his rehearing at Plantation Oaks, Antonio's older sister explained to the board that he has been very helpful around the house. He helps take care of his younger siblings and also helps her with her infant child. As in Bay View, the board members at Plantation Oaks were glad to hear Antonio's sister's account. They congratulated him for his work and emphasized the importance of helping his family. For Cole, Antonio, and many other youth who participate in the NAB program, their parents' or family members' accounts were beneficial to the outcomes of their cases.

This however, is not always the case. I have discussed Dominique's case several times in this chapter. Dominique is a 17-year-old Black teen who had been referred to

the Plantation Oaks NAB for a theft charge. During her initial hearing and subsequent rehearings, NAB members often accused Dominique of having a “bad attitude”. In fact, at two points during her initial hearing, NAB members directly confronted her about her attitude. The first instance was from Randy, a White male volunteer at Plantation Oaks NAB:

*For the last few minutes David has been trying to get Dominique to give details about her shoplifting offense. Dominique however has been indirect in her answers; in some ways she seems nervous. She stutters and speaks in a quiet voice while sitting with her arms crossed.*

Randy interrupts: I don’t see you getting anywhere with her. All I’ve seen from you is disrespect. Your arms are crossed, you don’t care. Mr. David is asking you simple questions and you don’t know the answers - this is crazy. Do you want to be here?

Dominique [beginning to cry]: Yes

Randy: I like to hear “Yes, sir” or “No, sir”; Are you understanding what Mr. David is trying to do?

*At this point Dominique seems confused, disconnected, and overwhelmed. She sits quietly, sobbing.*

Randy: He’s trying to get you to open your eyes!

*Again, David asks Dominique to explain what happened – still crying, she explains the event to the board members.*

In this instance, Randy judged and confronted Dominique on what he interpreted as a “bad attitude”. In this case, Dominique’s tone, posture, and reluctance to answer questions was interpreted as disrespectful rather than nervous or even frightened.

Randy’s perception of Dominique’s attitude may have been influenced by Dominique’s mother Raquel. Throughout the hearing, Raquel has made statements which framed Dominique as having a bad attitude.

At the beginning of her daughter’s initial hearing, Raquel explained that Dominique was sent to an alternative school because “she didn’t want to listen or do her work, that’s why they sent her to the academy. Her last school didn’t want her there no more.” This characterizes Dominique as a lazy and disobedient child. Later, while

Dominique was recounting the story of her arrest for shoplifting Raquel added, “she was supposed to be at home babysitting. I told her no one was supposed to leave the house.” Moments later, Raquel explains that Dominique is lazy around the house, “she don’t want to work. I have to tell her over and over.” Raquel also adds that Dominique often argues with her younger siblings. Although it is not uncommon for a teenager to ignore their parent’s rules, these accounts construct Dominique as an unruly teen with a bad attitude.

In Dominique’s case, parental accounts were more damaging than in other cases. Raquel’s accounts demonstrated to the board that Dominique is uncooperative and has a poor attitude. The following statement was made by Carol, a Plantation Oaks volunteer, during Dominique’s first appearance at NAB. It shows the link between Raquel’s statements and the board’s perception of Dominique:

My mother had to work hard too. She was on her own and I had five sisters. My mother worked two jobs to support us and when I was your age I appreciated what she did for us. I love my family and I would do anything to help them. I wish you had that attitude.

Carol begins by placing herself in relation to Dominique’s situation. She explains to Dominique that she had a similar childhood, with a single mother who worked a lot and maybe was not always home. Carol recognizes Raquel as a hard working mother, worthy of respect and cooperation from her children. Carol’s story however, differs from Dominique’s, in that Carol does not believe that Dominique appreciates all that her mother is doing for her.

In the case of Dominique, it seems as though her mother’s characterizations reinforced the board members’ perception of Dominique’s attitude. Board members criticized Dominique for not following her mother’s rules and for not working hard enough at school. This case demonstrates the importance of a youth’s attitude during

NAB hearings. Youths who are perceived to have good attitudes, or at least improving attitudes, are praised whereas youths who are perceived to have bad attitudes are at times chided. In many ways, hard work and good attitudes go hand in hand. Youths who work hard are often perceived to also have good attitudes. But hard work and a good attitude is not all that NAB members expect from youth participating in the program. As seen in the beginning of this chapter, they also expect that youth will stay out of trouble and obey the law.

### *Summary*

In this chapter I examined the research questions “what do volunteers do” and “which values do they communicate.” Through their conversations and via stories told during hearings, NAB members emphasize the importance of hard work, having a good attitude, and most importantly, obeying the law. It is clear that NAB members expect that the teens participating in the program will comply with their sanctions, work hard to complete community service hours and also show improvement in their grades and school attendance. NAB members often tell success stories of individuals who have worked hard and finished their educations to entice the youths. Additionally, NAB members expect that youths will have good attitudes; they rely on parents’ accounts of behavior at home to assess this issue. Finally, NAB members expect teens to stay out of legal trouble or face a violation of the program and have their case sent back to court. NAB members frequently tell cautionary tales of incarceration in attempts to deter youth from re-offending. However, they also give examples of model behaviors, in order to encourage youth to make better decisions.

Hard work, an education, a good attitude, and obeying the law are important cultural values in our society. In fact, Albert Cohen (1955) argues that children in US society are judged by what he calls the “middle-class measuring rod.” According to Cohen, this measuring rod consists of nine principles: 1) ambition is a virtue, 2) the ethic of individual responsibility, 3) achievement and success at work and in the classroom, 4) the willingness to postpone immediate gratification for future gain, 5) long-ranging planning and budgeting, 6) exercising courtesy and self-control 7) controlling violence and aggression, 8) constructive leisure time, 9) respect for other’s and their property (Cohen 1955, Shoemaker 2010).

Although Cohen’s theory is dated, more recent research has echoed his position. Ann Ferguson (2001) found a similar pattern in her study of an inner city elementary school. In her study, Ferguson found that school personnel frequently punished “unruly” Black male students whom they believed did not subscribe to middle-class values. Additionally, Laub and Sampson (2003) argue that lower and working class delinquent boys who adopt middle-class values significantly reduce their recidivism. Specifically, they argue that over the life course, lower class men who obtain an education, hold a steady job and establish strong personal relationships, are less likely to commit new crimes than their counter parts who do not. While these studies do not directly cite Cohen’s theory, they appear to reflect his position that the omnipresence of middle-class values and the impact they have on individuals lives.

Throughout this chapter, we have seen examples of NAB members comparing teens to the middle-class measuring rod. Because of the existence of the measuring rod, it is difficult for individuals to succeed without working hard and having an education.



While hard work and an education do not guarantee success, it can be argued that without either of these, individuals are much less likely to own a nice house, or get a decent job that can support a family. Similarly, staying out of trouble and having a good attitude are also important to achieving “success” in our society. A criminal record is nearly as crippling as a drug addiction. A criminal record closes many doors and opportunities. An individual with a criminal record may have difficulty finding employment or education, as many colleges and universities are reticent to admit students with criminal histories.

In many ways, NAB members construct life as a series of choices that individuals are faced with. Depending on the choice one makes, one will face different consequences; some good and some bad. This system could be visualized as a hallway with a series of doors, with each door representing a choice. As one opens a particular door, it will lead to different rooms, with more doors and choices. Through their conversations with the teens, NAB members make it obvious that some doors lead to rewards, while others lead to misfortune. If one chooses correctly, he or she will have a satisfying life; however if one makes the wrong choices, he or she may find him or herself in a jail cell or out on the street.

## CHAPTER 6: ENVIRONMENTAL OBSTACLES AND DECISION MAKING

*“We just don’t have the power to change a kid’s environment.”  
-Frank, Plantation Oaks NAB Volunteer*

As seen in the previous chapter, NAB members spend much of their time emphasizing that every decision an individual makes has consequences. They explain to youths that individuals who make good choices are rewarded, while others who make bad choices are punished. This dichotomy however, may be oversimplified. By oversimplified, I mean that saying that individuals who make good choices are rewarded, and individuals who make bad choices are punished, does not take into account the influence social structures might have on decision making or consequences.

From what I have observed, NAB members often make it sound easy to do the right thing. NAB members rarely acknowledge, in their conversations with teens, the limitations one might face due to social forces. However, during my interviews with NAB members, they often spoke more openly about structural or environmental limitations that some youth do face. In this chapter, I will discuss the ways in which NAB members interpret structural and environmental barriers they perceive to be standing in the way of teens in the NAB program. Specifically, I will discuss NAB members’ views of parental influence on children. Additionally, I will discuss the ways in which NAB members perceive schools and school policies, such as zero tolerance, as limiting choices for many children.

The first section of this chapter will focus on issues related to parents and parenting. As I will discuss, NAB members expressed the view that some teens do not

receive support from their parents, and that lack of family support will be detrimental in the long term. In cases where NAB members perceive that parental support or guidance is lacking, they often expressed feeling constrained and unable to truly help the child at hand. In addition to a lack of support, NAB members also discussed instances in which a parent actively encouraged their child to break the law. For NAB members, such parents represent the greatest environmental burden that a teen may face. Although it may seem as if NAB members are simply “blaming the parents”, they also acknowledge that some parents are doing the best they can in difficult situations. This is especially true in the case of single parents. Ultimately however, all of the NAB members I have interviewed express that they wish they could do more to help families, and some members wish that they could sanction parents as well as youths.

The second section of this chapter will discuss NAB members’ views about structural limitations outside of the home. Specifically, I will present NAB members opinions about zero tolerance policies and unsupportive school personnel. As I will show, some NAB members find schools to be unsupportive environments because of these zero tolerance policies, which require schools to suspend, or even have children arrested, for fighting or other “minor” offenses. Thus, as I discuss later, school personnel and policies are viewed as limiting teens’ choices.

### *Family Obstacles*

Through interviewing NAB members, it became clear to me that NAB members view family environments to be extremely important to children. This is not entirely surprising considering the discourse in the US surrounding families and parenting in which it is assumed that “good kids” come from “good homes” and “bad kids” come

from “bad homes”. For instance, Ferguson (2001) found that school personnel blame home environment for the production of “bad kids”. The notion of bad kids coming from bad homes is something that many of the NAB members support and express.

The following quote is taken from my interview with James, a White volunteer from Plantation Oaks NAB. In this quote, James is elaborating on an early comment he made about parents he views as problematic:

It’s sad in the long run though... you can usually tell a good kid, and sometimes great kids come from homes like that. Unfortunately that’s not the norm. So you know that even though you’ve done your best to do corrective action for this child; you know that because of the environment that they’re in, their chances are pretty slim.

In James’ opinion, which was echoed by several other NAB members, good kids rarely come from bad environments. Thus, his statement reflects the popular discourse that bad kids usually come from bad homes. Through James’ statement, and those of other NAB members which I will discuss later, it becomes clear that NAB members view family environment and parental influences as problematic for some teens. Ultimately, bad home environments will influence and limit the choices even good kids can make.

I have categorized the comments of NAB members about family environments into three categories, or three types of obstacles, which may limit the choices of teens. The first, criminal influences, refers to parents whom NAB members appear to find the most problematic. These parents actively encourage their children to break the law. In many ways, criminal influences pose the biggest hurdle to the teens participating in NAB. If NAB members have the goal of teaching children to make better decisions in the future, the influence of their parents may affect their decision-making in the future. I call the second obstacle uncooperative parents. These parents are characterized as “bullies” and as making it difficult for their children to complete the NAB program successfully.

Finally, there are overwhelmed parents. This category represents a wide range of parents who may have problems of their own, such as alcoholism, or mental or physical health issues. The NAB members I have interviewed consider this to be problematic because these parents are willing yet unable to help their children make good decisions.

One of my earliest interviews was with John, a White volunteer from the Plantation Oaks NAB. Like James, John also commented on the influence of parents, however John offered a more specific view point. When I asked John why he continues to volunteer with NAB, he responded:

Um, I guess, that uh, the appreciation, well many things, [pauses] but I think one of the impactful things is that you walk away thanking your parents.

His response caught me off guard. I pushed John further, asking him to clarify what he meant.

Interviewer: What do you mean by that?

James: Many times, the kids that end up here end up here for a lack of parenting.

Interviewer: Lack of parenting how?

John: Poor examples, the parents provide. [pause] Poor judgment, that the parents provide or execute. Um, you know, I would say that that fifty-percent of the kids that come through the doors, come through our doors because their parents. You know, it's the stopping of a cycle. [chuckles] You know, and they haven't done that. They've carried through the cycle, and the parents don't get it. Uh, they don't get that. For instance, we had a young lady here not long ago who came through for petit theft. And uh, she was a co-defendant, but the other defendant was her mother, and she was in criminal court, grown up court and she had. You know - [pauses] How do you work with a parent on that when they're the ones that brought their kids into it? [laughs]

John's statement is very complex. Initially, it appears that he is implying that many youth are part of a "cycle"; a cycle that begins with parents who perhaps have made bad decisions of their own, and have been arrested themselves. As he continues, he references a case he recently worked on, in this case a mother and daughter who had been arrested for petit theft together. Through John's statements, it becomes clear that it is very

difficult for NAB members to work with teens whose parents encouraged them to break the law. John also makes a bold statement, “fifty-percent of the kids...come through our doors because of their parents”. If we take this to mean that fifty-percent of the children who participate in NAB were encouraged by their parents to break that law, then his claim may be incorrect. On the other hand, John may be referring to problematic family environments in general, which in the opinions of some NAB members, lead kids to make bad decisions.

During my field observations I only encountered one case in which a parent actually encouraged their child to break the law. The fact that, during all of my time in the field, I only encountered one such case may emphasize the rare occurrence of such influences. Although these cases are outliers, it is clear that they leave lasting impressions on NAB members.

During both my interviews with Sally and Joe, both White NAB volunteers from Bay View, Jasmine’s case was referenced. When I asked Sally to describe one of the most disappointing cases that she has worked on, she referenced Jasmine’s case, stating:

There was a young woman who came to us. I think she was 14 or 15, and um [pause] her mom was actually the instigator in the crime that the young person committed. She instigated it. [Pause] She uh, was the one who, uh, practically talked the young girl into doing it. Then, um, as we, you know, tried to work with her, um, the mom was not engaged and was not supportive.

Joe also referenced Jasmine’s case in response to a question I asked about the role of parents in NAB. After spending some time discussing what he believes the parents’ roles to be, he spoke of Jasmine:

...I’m thinking of a young lady we saw a couple months ago I guess...this group of kids in school were beating up her brother... And uh they, they were pickin’ on him...and mother gave her a baseball bat and said ‘get down there and take care of that’. [Pause] And so she went back and banged up his car and [pause] uh she’s a lovely little girl... But her mother, [pause] it was her mother’s idea. It wasn’t an

eye for an eye and a tooth for a tooth. It was an eye, ear, nose and throat for an eye [laughs] yeah, real overkill. [Pause] And mother never changed her mind on that, uh, you know, we had her back twice to see us and uh mother never changed her mind...

Although Sally and Joe referenced Jasmine's case in response to different prompts, they both clearly identify her mother as the ultimate source of the problem. Without her mother's encouragement, Jasmine would have never been arrested – in fact, Joe noted that “she's a lovely little girl”. In Jasmine's case, according to NAB volunteers, her mother represents an extremely negative influence. Additionally, as Sally points out, her mother was not engaged and was not supportive of her daughter. Finally, Joe adds that she never changed her mind about what happened. These accounts exemplify the obstacle of criminal influences with which some teens have to contend. For NAB members, parents such as Jasmine's mother, who encouraged her to break the law, will most likely continue to influence their children in negative ways. Their influence may lead children to make bad choices again in the future, thus leading the children into more trouble in the long run.

For NAB members, it seems that criminal influences represent the most extreme case of bad parenting: a parent who openly encourages his or her child to commit a crime. While such influences appear to represent a small minority of NAB cases, NAB members also expressed frustration about parents whom they believe are unsupportive, or possibly unable to help their children.

Next, I will discuss the category which I call “uncooperative parents.” As the name implies, these parents are characterized by NAB members as being uncooperative and unwilling to help their children. Finally, I will discuss “overwhelmed parents.”

These parents are characterized by NAB members as being unable to help their children due to being overwhelmed by their own problems.

James, a White volunteer from Plantation Oaks NAB, is one of the NAB members who expressed his frustration with parents who are not supportive. When I asked James to describe what he would call the most disappointing case he referenced cases in which parents have presented problems. While he initially referenced parents who are also their child's co-defendant, he later also referenced parents who have bad attitudes:

...[Some parents] come in with tremendous attitudes you know that their gonna come in here and bully us around and get their kids off the hook and that kind of thing, and that usually doesn't turn out so well.

In his response, James constructs some parents as bullies – parents who disregard, and as James implies, disrespects NAB volunteers during hearings. Later James goes on to comment:

“We can't force the parents to do anything that they don't want to do. But um, [pause] ultimately you know, if a child is underage, and they don't have a drivers license then somebody's got to get them to these appearances...”

In his elaboration, James expresses the frustrating fact that NAB members must rely on parents to bring their children to NAB hearings and other places such as Teen Court jury duty, counseling or community service sites. A parent's refusal to cooperate in this manner can be extremely problematic for NAB members. If they are unwilling to help their children through the process, it is not possible for the teen to complete NAB successfully. Ultimately, a parent's refusal to cooperate eliminates a teen's ability to choose whether or not to complete the NAB sanctions.

In one case that I observed, one boy's mother confronted NAB members at the Cypress Terrace NAB because she felt that the board was disrespecting her both as a parent and as a person. I already discussed Carter's case in chapter five. The board



ordered him to complete a substance use evaluation and to comply with any recommendations which resulted from the evaluation. As result, Carter was ordered to complete a substance abuse education program; his mother on the other hand was adamantly opposed to this requirement. During one of Carter's rehearings she argued against the drug treatment program. She argued, first, that her son did not have a substance abuse problem and, secondly, that her son's participation in the program was a burden on her organizationally and financially because she was out of work at the time and did not have a car.

A few months later, I interviewed Louise, a Black volunteer from Cypress Terrace. During the interview, I asked her if she has ever encountered any difficult parents while working in NAB. It was not surprising that she referenced Carter's mother:

“Well, they don't always give us problems. [Pause] But you know, sometimes we get a mother who is just tired. She might be sick, or over worked, she's just tired. [Pause] You know its hard raising children alone, especially when they get into trouble. [Pause] And sometimes we get a mother who thinks she knows best and wants to tell us what's what, you know – we had a case like that a few months ago. We told her she had to take her son to drug counseling and she didn't want to, she fought us hard. In the end the boy got a new charge for marijuana, [pause] and she knew we were right all along. [Pause] You know, it's not that we know better than the parents, we don't, we just have more experience with this stuff, you know...”

Carter's mother was perhaps the only mother whom I observed who might fit James' “bully category.”, Yet ultimately, as Louise seems to understand, Carter's mother may have only been doing what she thought was the best for herself and her son.

In another interview, John, a Plantations Oaks volunteer, also talked about parents whom he called a “pain in the butt.” I asked him to elaborate on what he meant by this:

Interviewer: What were the sort of things the parents were doing? Was it an attitude or the parent refused to take them? Or?

John: An attitude, giving excuses for everything not taking responsibility. You know all of the things we try to teach our children [laughs] that the parents

haven't learned. [Ok] Entitlement, you name it. It's not my fault it's somebody else's fault.

Again, in John's example it becomes clear that NAB members sometimes have to work with parents who are uncooperative with board members efforts. John's example, however, may be different from Carter's mother in that the parent's he is referencing are refusing to take responsibility altogether. In this case, John argues that some parents choose to blame someone else in order to avoid taking responsibility for their child.

While I did not encounter such parents during my time in the field, it is clear that NAB members perceive these parents as providing bad example for their children. Rather than supporting their children and encouraging them to take responsibility for their actions, they demonstrate that one should blame others for their problems. For NAB members, this "blame the other" mentality directly contrasts with the world view that they try to teach to the teens, that one must take responsibility for one's actions.

In sum, whether they are "bullies" or "pains in the butt", these parents are generally uncooperative and unsupportive of NAB members' efforts to help their children. In the eyes of NAB members, these parents fail to take responsibility for their children and are unwilling to help their children complete NAB.

There is however a third type of parent which was also discussed by NAB members. These parents are characterized by NAB members as those who have problems of their own which limit their ability to help their children. I call this type the "overwhelmed parent." During my interviews with NAB members, I learned that there are parents who themselves have serious issues which prevent them from helping their children. As James commented during our conversation about difficult parents:

You've got all of their factors coming in you know like alcoholism. I mean, we've had parents that where, [pause] you could smell the alcohol on their breath as they sat across the table from us.

It goes without saying that any parent who shows up to their child's NAB meeting smelling like alcohol has problems of their own which might prevent them from being able to assist their children in making good decisions. For NAB members, it appears that alcohol abusing parents represent a problem that is entirely different from a "bully" or an uncooperative parent. Rather than defying and opposing board members, a parent with substance use issues may be unable to understand the severity of their child's situation, and thus may be unable to guide them through life and help them make good choices.

An example from my observations of this problem is Casey from Plantation Oaks NAB. As I discussed in the previous chapter, Casey was terminated from the program because board members felt that she was not being compliant with their requests. However, prior to Casey's rehearing David, a Plantation Oaks board leader, explained to his fellow members:

She's very smart, very active in her school, student government, dance team... Her mother is an English teacher at the school too. Mom's an alcoholic though – I guess as soon as she gets home, she starts drinking... The child [Casey] doesn't feel like she can go home because mom is always drunk.

During my observation the rehearing, I made a few notes on Casey's mother:

*Casey's mother was silent. Even while Casey sat crying, desperately trying to defend herself against accusations from board members that she was not trying hard enough to complete her sanctions, Casey's mother did not intervene. She sat quietly and expressionless as she listened to the case unfold.*

There may have been plenty of reasons why her mother chose not to intervene and defend her daughter – and even if she had, the case may have resulted in the same way.

However, according to David's comments to the board, Casey's mother's alcoholism has alienated her from her daughter. Thus the NAB members perceive her excessive alcohol

use to be problematic for her relationship with her daughter. It is this perception which is key to my argument. NAB members who perceive parents to have their own problems, such as alcoholism, also perceive those parents as unable to help their children. Specifically, it appears that NAB members believe that overwhelmed parents will be unable to help their children to make better choices in the future.

Thus far, I have shown the ways in which NAB members identify several types of family environments which they view as obstacles to children making good decisions in the future. First, I introduced NAB members' views about parents who have encouraged their child to commit crimes. Through the criminal influences of their parents, children are encouraged to break the law. It is not unreasonable to assume that these parents will continue to lead their children down the wrong path. Secondly, I have discussed uncooperative parents. These parents are unwilling to accept responsibility for their children, and often refuse to participate in the NAB process. In refusing to cooperate, these parents make it nearly impossible for their children to complete NAB successfully. Finally, I have discussed overwhelmed parents. Whether they are overwhelmed by their own problems, or unable to recognize their children's problems, NAB members view these parents as being unable to help their children make good decisions in the future. Together these obstacles present environmental factors which NAB members believe will limit children's opportunities in the future.

#### *School Personnel and Policies*

During interviews, several NAB members identified school personnel and policies, such as zero tolerance, as environmental obstacles which they believe can lead otherwise good kids into trouble. Although not all NAB members pointed to schools as

problematic environments, about half of them voiced concerns regarding schools. I should note, that while volunteers disclosed these concerns during their interviews, I never witnessed anyone expressing these concerns directly to the teens participating in the NAB hearings

Sally, a volunteer from Bay View NAB, explained that she does not believe that schools are supportive environments. Sally places some blame on school personnel who do not do enough when children ask for help.

Sally: ... You know the schools, from what the kids say, and maybe I'm just hearing one side – I don't think our schools are supportive at all. I think that when kids go to adults in a school setting and complain about being picked on or bullied, and there's no response, the kids take it in to their own hands. [pause] um, so I think the school system has to do better.

Interviewer: What sort of things do -

Sally: Now like I, like I said I'm just looking at it through the eyes of the kids, I don't know the other side of it.

Interviewer: But what sort of things do you think would make schools more supportive environments?

Sally: I think that, I think that schools, that school personnel need to be engaged in every avenue of what happens during the school day. I think that if a kid is brave enough to approach an adult with a problem, that adult needs to handle that problem. That kid needs to know, that when they ask for an adult to intervene, they can be sure that that will happen. And it doesn't, in many of these cases.

Interviewer: So have you seen a lot of cases that have originated from the school?

Sally: Um, I'm not gonna say a lot, but we've seen many.

Interviewer: And are those usually fights or theft or?

Sally: It's usually fights.

Interviewer: So a conflict that started and wasn't resolved?

Sally: It's a physical conflict of what, you know, that I think could have been resolved way, way, before it became physical.

Here Sally describes school personnel as unsupportive. Although she admits that she has only heard one side of the story, she feels as though schools, specifically school employees, do not do enough to prevent or resolve fights and bullying. Through her comments, Sally creates an image of a teen who initially tried to do the right thing and tell an adult about a problem, however, because of the adult's failure to take action, the

child was forced to defend itself and later arrested. Additionally, through her statement, Sally acknowledges that some of the kids referred to NAB may have had no other way out of their situation than to fight back. Interestingly, this is in contradiction to the messages which NAB members provide youths during hearings; i.e. that there is always a right choice and a wrong choice available; and that one can always run away. Here, through Sally's account, we see that at times children are left without a choice and instead are forced into fighting, or into defending themselves.

Frank and James, both volunteers from Plantation Oaks NAB, also viewed schools as problematic environments for teens. While they do not directly accuse school of being unsupportive, they focus on zero tolerance rules as problematic and limiting options. In their view, it becomes clear that zero tolerance rules often put good kids into bad situations, and as James notes, this makes his job difficult.

Probably the hardest thing though, Marc, is when you have a kid that is being punished for trying to do the right thing and helping somebody. Take a fight at school for example; they might have gotten in the middle of it to try to help. And, low and behold they're the one that got pinched. And that's the hardest thing to deal with because you're punishing a kid that was doing the right thing, and you can't say to them you know, "when you leave here never do that again" because that would be wrong. But still, the way our system works is that they still need to get punished.

As seen in the previous chapter, NAB members often encourage kids to avoid fighting. They tell kids to get adults or the authorities involved, but as Sally stated, the authorities may not be helpful. The situation described by James however creates a troubling contradiction. James implies that there are times when fighting, or perhaps breaking up a fight, is justifiable. James actually describes breaking up a fight as being the "right thing to do." Unfortunately however, school policies do not agree with James' perspective. Through James' statement, we see that people who do the right thing are sometimes

punished rather than rewarded, which contradicts the messages NAB members convey to the youths in the program.

Frank also condemned zero tolerance policies. In his view, oftentimes the cases that are referred to NAB from schools could have been resolved without the police being called. When I asked Frank to describe some of the most satisfying cases he has worked on, he provided the following response:

Well, we have one going right now, an 11 year old kid, who took a, um, steak knife to school and he showed it to a girl to impress her. I think I was probably 17 years old before I started worrying about impressing girls. But anyway here's this little itty-bitty kid, and the school system, because they have these plans, don't accept fingernail files, they don't accept anything. You know, it's just stupid. All you have to do is take a little more effort and look at each case individually, and if they'd done this, they would have smacked the kid and said "this was stupid, you ever do it again and we'll do something terrible to you" but they didn't. They've got a record on him and they've got this that and the other. I don't know if he's been suspended or not. But we're not gonna do squat. We're gonna have him write an essay on um, uh, basically on stupidity and uh we're not even gonna see him again. The case manager is going to see him.

Frank's commentary on zero tolerance is interesting. Certainly, a knife at school is extremely dangerous. However, Frank emphasizes that schools do not do enough to understand specific situations. Frank seems to view this particular case as an example of a poor decisions rather than a situation where any students were seriously in danger. Because of zero tolerance policies however, the young offender now faces criminal charges.

This was not the first time I heard Frank voice his dissatisfaction with zero tolerance rules. During one of my first observations at Plantation Oaks NAB, he also expressed his disapproval:

Lisa, the case manager is briefing the NAB members on some of the cases they will hear today. She explains that one case is interesting because the girl was arrested at school for bringing her mother's prescription strength ibuprofen to school. Frank responds "Well, one of the reasons we're here is to protect kids

from schools!” He jokingly comments about how schools take things too seriously these days; but also mentions that he understands why they do it. He pulls a pocket knife from his coat pocket and jokes “See, even I’d get arrested!”

This fieldnote, combined with Frank’s comments above, shows that some NAB members views schools as, at best, difficult environments for young people. Frank even goes as far as to joke that one of NABs purposes is to “protect kids from schools” which have seem to have polices that create, instead of solve, trouble. Ultimately, some NAB members believe that schools have policies in place which act as structural barriers with which kids must contend. Whether it is a lack of support by school personnel, or inflexible zero tolerance policies, schools present a different set of structural limitations on the choices kids can make. While there is certainly a difference between a boy who breaks up a fight and another one who brings a knife to school to impress a girl, and yet another difference between the above and a girl who brings a bat to school to hit another student, rigid school policies lead all of them to the NAB program.

In many ways, Sally, Frank and James portray children as victims of uncaring school personnel and punitive school policies. In viewing these youths as victims, rather than serious offenders, these NAB members acknowledge the environmental and structural barriers are present in schools. Their accounts echo the arguments of Laurie Schaffner. In her book, *Girls in Trouble with the Law*, Schaffner (2006) argues that school policies lead many young women into jail cells. While Schaffner’s argument is centered around the experiences of young women accused of violent crimes, it may also be applied to the teens referred to the NAB program. Schaffner reports that during her research she encountered several young women who were incarcerated because of zero-tolerance policies in schools. Typically, these young women were arrested after violently reacting to repeated sexual advances from male students. For these girls, as in the case of



teens participating in NAB, it is the inability of school personnel to ask “why did this happen?,” and to display reason and flexibility, which results in their arrest.

### *Summary*

In this chapter, I discussed the environmental factors that NAB members perceive as problematic for children, specifically with respect to making good decisions. First, I discussed family environment issues. For many NAB members, parents represent external factors which may prohibit children from making better decisions in the future. Whether they are parents who encourage their children to break the law, or parents who refuse to or are unable to support their children through the NAB program, these parents represent environmental factors which, in the eyes of NAB members, ultimately will limit the opportunities available to their children and the choices they will make in the future.

Secondly, I discussed the ways in which some NAB members view schools to be problematic environments. In some cases, NAB members encounter children who have asked for help from school personnel but were ignored. In these cases the children tried to do the right thing, i.e. ask for help, but they were let down by the adults in charge. In other cases, students fell victim to zero tolerance policies. Such policies represent a structural element that, while meant to protect all students, at times criminalizes the innocent.

As I discussed in the previous chapter, NAB members spend much of their time discussing choices and consequences with youth. They present life as a series of choices and consequences which one will face. In their discussion with youths however, they make the choices seem simple, despite the many forces which may complicate a young person’s decision.

If we return to the hallway metaphor I used in the previous chapter, we now see that NAB members acknowledge structural and environmental influences which may limit a child's ability to make good choices. In some situations, these influences are extreme, such as cases in which parents encourage them to steal or damage other people's property, or school personnel who ignore reports of bullying. In other cases, kids may have parents who are struggling with alcoholism or other illness, or they have fallen victim to zero tolerance policies. However, when NAB members account for these external influences, they acknowledge that some of the doors in a particular child's hallway have been locked. These locked doors represent the choices they have lost due to limitations in their environment. These locked doors contradict the messages which volunteers convey to the youths they serve. In their conversations, NAB members create a world for youths in which a real choice exists. While this may be true for many of the teens who are called before the NABs I have observed, unfortunately however, some evidently face a much different reality.

## **CHAPTER 7: CONCLUSION**

In this chapter I first, summarize my research findings and discuss contradictions within my findings. Secondly, I provide recommendations for future research. Finally, I discuss some policy implications of this study and make recommendations as to how the Neighborhood Accountability Boards may be improved.

I began this project with three simple questions: what do NAB volunteers do, which values do they communicate, and how do they feel about their participation in the NAB program? Simple answers to these questions could be given as follows. NAB members encourage youths to make better choices in the future. They explain to the teens participating in NAB that with every choice one makes comes a reward or a punishment. Specifically, NAB members encourage youths to obey the law, work hard, and have a good attitude. If the youths adhere to these principles, NAB members assure them that their lives will be happy and prosperous. Finally, through my interviews with NAB members I have learned that NAB members enjoy participating in the program. Many have volunteered for several years and expressed feelings of fulfillment and gratification. However, NAB members also feel frustrated that some of the teens may be unable to overcome environmental obstacles, such as parental influences or school policies, which may ultimately limit their ability to make good choice in the future.

Through my observations of NAB hearings, I found that NAB members are determined to help the teens participating in the program make better decisions in the future. During their conversations with youths, NAB members emphasized the

importance of obeying the law, working and studying hard, and having a good attitude. Ultimately, NAB members emphasize that life is a series of choices, and for each choice one makes, he or she will be punished or rewarded. NAB members make it clear to youth that the values of hard work and obeying the law are important in order for them to lead rewarding lives.

NAB members understand there are many environmental factors which may influence children's lives and decisions making. Primarily, NAB members acknowledge parental influence as an important factor which many children will not be able to overcome. Although they are only a very small percentage of the cases NAB members see, there are parents who have encouraged their children to break the law. Additionally, NAB members acknowledge that some parents have troubles of their own, whether they are related to mental health or economic issues which may have negative effects on their children. Finally, NAB members acknowledge that school environments and policies leave children in difficult positions. Lack of support from school personnel may leave students feeling isolated and helpless after being bullied. Finally, in the eyes of NAB members, school policies such as zero tolerance create criminals out of innocent kids.

Herein lays a contradiction: although NAB members acknowledge certain environmental factors which may influence or limit the choices teens make, they do not express this to the teens participating in the program. Unfortunately, I did not ask NAB members why they do not discuss these environmental barriers with the teens participating in the program. Additionally, this contradiction may be left unresolved due to the limited number of cases I have observed. However, the source of this contradiction may be found within Cohen's middle-class measuring rod.

In describing the ethic of individual responsibility, Cohen writes, “this means that a person should make his own way in the world by dint of his own efforts” (1955:92). The ethic of individual responsibility is perhaps one of the most celebrated middle-class values in our society today. This is evident in research on entitlement policies such as welfare and healthcare reform. Specifically, arguments against welfare and healthcare reform reflect individualistic ideals that individuals should essentially “pull themselves up by their bootstraps” (Hays 2003, Quadango 2005). Additionally, almost daily, we read and hear news stories of individuals who have overcome incredible obstacles to become successful. This ethic of individualism is one which, as we have seen in chapter five, NAB members emphasize repeatedly. In my observations, NAB members consistently reminded teens that individual actors make choices in life and are rewarded or punished for those choices. In this paradigm, the individual is paramount. It may be the case that in order to solidify this lesson that NAB members must ignore structural factors and instead focus on individual agency.

This study fills an important gap within the existing research on restorative justice programs, especially those which rely on community member participation. While many jurisdictions across the U.S. have resorted to programs such as NAB to alleviate juvenile courts dockets and keep children out of residential facilities, little is known about the people who make these programs possible: the community volunteers. While this study only gives a brief glimpse of the people involved in the NAB program, it shows that those who volunteer care about their communities and the children who live in them.

While my study provides new insights into the interactions between NAB members and the teens and families participating in the program, there is still much left

that needs to be understood. For instance, future research should further explore the contradiction which I have identified. By including more cases and interviewing NAB members about this contradiction, we may better understand why NAB members do not discuss structural or environmental burdens with teens. Additionally, as seen in chapter five, having a good attitude is very important to NAB members. Board members who perceived a particular youth to have a “bad attitude” often confront the child. Future research into community based programs should explore this issue further. For example, do different groups appear to perceive attitudes differently? To which degree are perceptions of a bad attitude rooted in miscommunications or cultural misunderstandings? Furthermore, while I was in the field, I often wondered “what are these kids thinking right now? Are they really buying into this?” For example, the “cautionary tales” or threats, in which NAB members tell teens that using drugs and stealing will ultimately lead them to into a jail cell or a life on the streets, may not reflect a teen’s experience. Certainly, there are teens who participate in NAB who know people who regularly use marijuana or shoplift and have never been in trouble. Additionally, the other teens they may know who steal or use drugs may hold high social status in their peer groups. In future research, it would be beneficial to interview the children and families who have participated in NAB. Specifically, these interviews could explore the ways in which children interpret and react to their interactions with volunteers. Ultimately, understanding the reactions and interpretations of youths participating in programs like NAB is important to develop better sanctions and training for NAB volunteers.

It goes without saying that future studies must be much larger than mine. To do so would require a team of researchers exploring a larger number of research sites and interviewing a larger number of participants. Although the task may seem daunting, future research into programs such as NAB should not be avoided. There is still much to be learned about the people who volunteer in such programs and the attitudes and values they bring to the table.

When interviewing NAB members, I asked if there was anything they would change about the program. It is important to share and comment on their suggestions within this thesis. Overwhelmingly, volunteers responded that the program, as it is now, is fine. However, most made recommendations as to how the program could be enhanced. Several expressed frustration that there are limited locations for low-income families to attend counseling, stating that at times families have to travel great distances just to fulfill NAB counseling requirements. Others stated that they wished there were more locations for kids to do their community service hours. Additionally, some volunteers felt as though there were more kids they could be helping and would like to see the program expand to allow more children the opportunity to participate. Overall I agree with the NAB members' sentiments and support their recommendations. From my observations, the program is very well organized, the case managers are very knowledgeable, and the volunteers overall are well trained regarding program policies and procedures, and generally adhere to the principles of restorative justice.

However, I am concerned that some board members may have lost sight of the restorative justice focus. During interviews, several Plantation Oaks NAB members spoke of "punishment". As a restorative justice program, the focus of NAB should not be

to punish youth but rather to “restore the youth to good standing in the community” and repair the harms caused by their offense. Although many of the sanctions in NAB may be considered as punishment by the teens themselves, the overall goal of the program is to educate youths so that they do not reoffend. However, especially in the Plantation Oaks NAB, things seem to take a more punitive tone. The following is a reflection I wrote after Dominique’s (a teen whom I have discussed several times throughout this thesis) initial hearing:

During tonight’s hearing I felt uncomfortable. At times it felt like David and Randy were being combative with Dominique. They expected her to have her entire life planned and an answer for every question. This seems unfair to me. Although she is 17-years-old she is behind academically. She spent the last school year in an alternative school, and from my experience as a case manager probably did not receive much counseling about getting into college. At times I felt as if the two men were badgering her. Essentially they were telling her that she won’t get into college and that she will end up in jail. They didn’t do much to build her up, only to break her down. It was hard to ignore the dynamics of race and class today. Two upper-middle-class white men scolding a lower class Black teenage girl. One of the most uncomfortable comments was when David explained “you may not listen to your mother but you will listen to us.” Overall, the conversation focused on Dominique and her attitude. Not once did the board members discuss the community or the effects of crime on the community. This hearing felt punitive rather than restorative.

If NAB is to remain a successful program, all of the volunteers must understand that it is a restorative program; i.e. that the focus is not to punish but to educate and repair the harms done. Dominique’s experience at NAB may add up to just one more negative experience with White people in authority. Rather than helping her to reach her goals, volunteers simply reminded her of all her flaws. Although Dominique’s was the only case to inspire such a critical reflection, I am concerned that similar situations may also take place elsewhere, now and in the future. While I cannot assume to know why Randy



and David took such an aggressive position while working with Dominique, I do know that it does not fit the program's restorative goals.

It is my understanding that JCAP coordinates new NAB member training once a year. Most of the time however, NAB members are trained on the job. They join a NAB, are given a handbook, observe a few hearings, and then begin to participate. For many volunteers this seems to be an effective training strategy. However, in order to overcome issues like the one I noted above, all NAB members should be required to complete annual training, not only on program policies and procedures, but also with respect to issues of diversity and communication issues. Although they are volunteers, NAB members function essentially as members of the judiciary. Each year, judges, lawyers, and other court employees are required to complete continuing education course and educational seminars. In order to stay true to the goals of NAB, it may not be unreasonable to require the same of NAB volunteers.

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## **APPENDICIES**

## **APPENDIX A: INTERVIEW GUIDE**

### **Section 1 - Background & History**

1. Please tell me a little bit about yourself...Where were you were born, where did you grow up? When did you move here, and why? What do/did you do in terms of work? Where do you currently live/work?
2. How did you first hear about NAB?
3. How did you first decide to get involved? How long have you been volunteering?
4. When you first started volunteering, what expectations did you have about the program, and your work in it?
5. Have those ideas changed since you began working? In which way?

### **Section 2 - Current NAB Participation**

1. Please describe what you consider the major purpose of this program to be.
2. Could you please tell me about a recent case that you remember very well?
3. How come you remembered this case?
4. Tell me about one of the “worst” or most difficult cases you’ve ever seen since you began volunteering.
5. Tell me about one of the “best” or most satisfying cases you’ve worked with?
6. What do you consider important when making decisions about a case?
7. How does your life experience influence your views on issues that arise during hearings?
8. What do you consider the parents’ role to be in this process?
9. What do you find most rewarding about your volunteer work?
10. Is there anything about the program that bothers you?

### **Section 3 - Miscellaneous**

1. Are you doing any other kind of volunteer work? Are there any other ways in which you engage in your neighborhood, in the larger community?
2. What are your future plans? Generally, and with regards to your work with NAB?
3. Is there anything else you’d like to share about your work that I haven’t asked you?
4. Do you have any questions for me?

## APPENDIX B: TABLE OF CASES OBSERVED

Pseudonym	NAB	Age	Gender	Race	Charge	# of Obs	Outcome
Angel	Bay View	15	Male	Latino	Theft	1	Pass
Ashley	Bay View	15	Female	White	Theft	2	Pass
Cole	Bay View	15	Male	White	Theft	1	Extended
Jasmine	Bay View	16	Female	Black	Criminal Mischief	1	Extended
Jeff	Bay View	14	Male	White	Battery	2	Extended
Jose	Bay View	17	Male	Latino	Marijuana	1	Pass
Kimberly	Bay View	15	Female	White	Theft	1	Extended
Shannon	Bay View	15	Female	Black	Unknown	1	Extended
Andy	Cypress Terrace	15	Male	Latino	Unknown	1	Pass
Carter	Cypress Terrace	14	Male	Black	Theft	3	Extended
James	Cypress Terrace	15	Male	Black	Unknown	1	Fail
Joe	Cypress Terrace	15	Male	Black	Theft	1	Pass
Karina	Cypress Terrace	14	Female	Latino	Theft	1	Pass
Marcus	Cypress Terrace	16	Male	Black	Theft	3	Extended
Carlos	Cypress Terrace	15	Male	Latino	Assault	1	Extended
Erica	Cypress Terrace	14	Female	Black	Theft	1	Extended
Antonio	Plantation Oaks	14	Male	Latino	Theft	1	Extended
Casey	Plantation Oaks	16	Female	White	Domestic Violence	1	Fail
Dominique	Plantation Oaks	17	Female	Black	Theft	3	Pass



## APPENDIX C: INTERVIEW PARTICIPANT PROFILES BY NAB

### *Bay View*

**Joe** is a White male volunteer from the Bay View NAB. He is one of the original Bay View NAB members and has been volunteering for about five years. Joe is in his late seventies and is a retired Social Worker. Aside from his volunteer work with NAB, he also volunteers at a local women's prison. Joe currently lives in Bay View with his wife.

**Sally** is a White female volunteer from the Bay View NAB. Sally is in her sixties. Sally is a native New Yorker, but spent most of her life living in Maryland, right outside of Washington, DC. Although she is currently retired, Sally has had many careers in her life. She spent many years working as a school teacher, but also owned a restaurant and catering company. Sally lives in Bay View with her husband. She is one of the original members of the Bay View NAB and has been volunteering for about five years.

### *Cypress Terrace*

**Louise** is a Black female volunteer from the Cypress Terrace NAB. Louise is in her seventies and has lived in the Cypress Terrace neighborhood her entire life. She is one of the original NAB volunteers from Cypress Terrace and has been volunteering for about six years.

### *Plantation Oaks*

**Frank** is a White male volunteer from the Plantation Oaks NAB. Frank is 65 years old. Frank was one of the original volunteers at the Plantation Oaks NAB and has been volunteering for about six years. He is currently retired, but spent many years working as a Major in Sheriff's Office; primarily working in the jails. Aside from his work with NAB and the Chamber of Commerce, Frank volunteers with the Boy Scouts and currently serves as Scout Master. Frank lives in Plantation Oaks with his wife who also volunteers with NAB.

**James** is a White male volunteer from the Plantation Oaks NAB. He is in his forties. James has volunteered with NAB for several years. He lives in Plantation Oaks with his wife and daughter. He owns an IT service company in the area and actively participates in Plantation Oaks Chamber of Commerce events.

**John** is a White male volunteer from the Plantation Oaks NAB. John is in his forties. John described himself as an “Air Force Brat,” noting that he lived in many places while he was young. John works for a technology company in a neighboring county, but lives in Plantation Oaks with his wife. John has been volunteering with NAB for about two years.

**Sam** is a White male volunteer from the Plantation Oaks NAB. He is in his sixties is and works for the sheriff’s office; currently as the Commander of the local jail. Although Sam works in corrections now, he has had several careers throughout his life including service in the Air Force and fourteen years as a high school teacher. Sam has volunteered with NAB for just six months.