

# Kaleidoscope

# JUSTICE



## Highlighting Restorative Juvenile Justice

*A publication of the Balanced and Restorative Justice Project  
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The question is asked in many different venues, in a variety of formats, but the implication is clear: Why should we move to using restorative justice practices in our juvenile justice system if it is not going to - save money - reduce recidivism rates - help the crime victims - make us all safer in our communities?

## Evaluations and Measurements

Far too many restorative justice practitioners are hard pressed to answer this question with hard facts that restorative

justice is not a fad, but can actually produce the results we all want from the juvenile justice system.

Evaluations of the practices and programs are needed if restorative justice is to be viewed as a legitimate justice system, not simply an add-on or occasional program. A good evaluation can check a program's impact on all its constituents as it identifies the strong points to build on and the weaknesses to be addressed. Evaluations are best when planned into the program from the beginning, but it is never too late to begin the evaluation process.

In this issue, we look at Pennsylvania and the work they have done to document both statewide and local planning and development efforts, and measure outcomes of the balanced and restorative justice initiative in their 67 county juvenile justice systems. Since they have completed their second survey, they are able to document the spread of restorative justice throughout the commonwealth.

For those wondering how to begin the

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evaluation process, BARJ is partnering in a national demonstration project which has developed a set of performance measures. Upon completion of the demonstration project in September, software and an instruction manual for data collection and report card production, a monograph on the viability of the "balanced approach" as a philosophy for all juvenile justice systems, and implementation guidance for use of the "balanced" philosophy and report card will be made available. ●

### Balanced and Restorative Justice Project

As a model of "community justice," BARJ seeks to involve and meet the needs of three co-participants in the justice process—victims, offenders, and communities. In doing so, the BARJ model guides juvenile justice systems toward "balance" in meeting the sanctioning, public safety, and rehabilitative needs of communities. The aspects of the balanced approach are: values, clients, decision-making processes, performance outcomes, program priorities, and new roles for juvenile justice professionals. The BARJ project focuses on the way jurisdictions are addressing the reintegrative (competency development), sanctioning (accountability), and public safety goals of the Balanced Approach mission and restorative justice principles.





Spotlight on

# Pennsylvania

## Balanced and Restorative Justice implementation making significant progress

by Susan Blackburn  
Assistant Director of Training at the Center  
for Juvenile Justice Training and Research

### Introduction

*In 1995 Pennsylvania's Juvenile Act radically changed with the passage of Act 33 under the administration of Governor Tom Ridge. Act 33 amended the Juvenile Act to provide that, consistent with the protection of the public interest, the purpose of the Juvenile Act is "to provide for children committing delinquent acts programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community." These amendments to the Juvenile Act essentially redefined the purpose of juvenile justice intervention in Pennsylvania and are based on principles that envision new roles in the juvenile justice process for victims of juvenile crime, for juvenile offenders, and for the community.*

*Since the passage of Act 33, the Pennsylvania Juvenile Court Judges' Commission, in conjunction with the Pennsylvania Council of Chief Juvenile Probation Officers, has taken lead responsibility for orchestrating the implementation of the principles of Balanced and Restorative Justice within the 67 county juvenile justice systems of the Commonwealth. The Pennsylvania Commission on Crime and Delinquency awarded funding enabling the Chiefs' Council to partner with the National Center for Juvenile Justice to begin work to document both statewide and local planning and development efforts, and measure outcomes of the balanced and restorative justice initiative in Pennsylvania. One method utilized for documenting the progress of Pennsylvania's statewide implementation initiative was to periodically survey the 67 Chief Juvenile Probation Officers. The original survey was conducted in March 2000 by Douglas Thomas, Research Associate at the National Center for Juvenile Justice (NCJJ) based in Pittsburgh, Pennsylvania. Under the coordination of Susan Blackburn, the Balanced and Restorative Justice Specialist with the Pennsylvania Juvenile Court Judges' Commission, Mr. Thomas modified the original questions to collect updated information in a second survey of the 67 Chief Juvenile Probation Officers. The second survey was conducted in May 2002.*

*This report presents the findings of that second survey, along with comparative information from the first survey. The continuing purpose of these surveys is to assess progress in the implementation of Balanced and Restorative Justice principles in each county's juvenile justice system. In addition to Mr. Thomas and Ms. Blackburn, Jerry Berardi, a graduate-level student intern with the Center for Juvenile Justice Training and Research based at Shippensburg University, conducted the survey.*

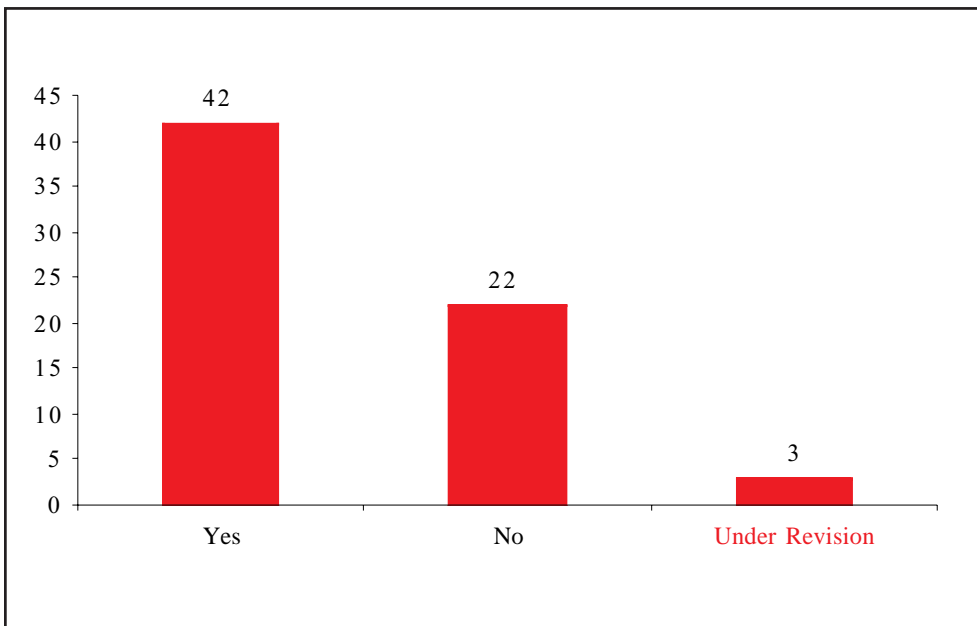
### Survey design

Forty-two Chief Juvenile Probation Officers, five Deputy Chief Probation Officers, 10 Probation Supervisors, and 10 Balanced and Restorative Justice Coordinators responded to the survey. The survey was a combination of closed and open-ended questions, along with several contingency questions. Specific information was collected about each juvenile probation department's mission statement, formal planning group and members, staff training, and updated plans for Balanced and Restorative Justice implementation. Other questions were designed to elicit information regarding the development of policies and/or procedures by each county department to incorporate the values and principles of Balanced and Restorative Justice, new positions or old positions redefined, and Balanced and Restorative Justice program availability within the county. The final survey question solicited open-ended feedback

from each respondent about state and county assistance with programs, progression of policy implementation, barriers to meeting full implementation of Balanced and Restorative Justice, and participant suggestions concerning additional training and/or assistance. The following represents a summary of the findings.

### Survey results

As Figure 1 illustrates, 63% (42) of the juvenile probation departments in Pennsylvania reported a change in department mission statement to reflect the principles of Balanced and Restorative Justice. Survey results in 2000 indicated that only 22 departments (33%) reported a change in department mission statement; this represents an increase of 91% from 2000 to 2002.



**Figure 1:**

**Has your department developed a new mission or changed its existing policies to reflect the principles of Balanced and Restorative Justice?**

### Other highlights from the survey include

- ❖ Fifty-three percent of the probation departments (35) reported that a formal planning group was established to facilitate the implementation of Balanced and Restorative Justice initiatives. This figure remains unchanged from the 2000 survey results. Of these 35 departments, 20 (57%) report meeting on a quarterly basis. Five counties reported no longer holding formal planning group meetings.
- ❖ All 67 respondents (100%) reported that their department developed policies and/or procedures incorporating the principles of Balanced and Restorative Justice. In the 2000 survey, 56 departments (84%) reported they had accomplished this task.

In terms of specific policies that have been developed within the county probation departments, the survey respondents provided the following information:

- ❖ 79% (53) have developed restorative diversion programs; an increase of 51.4% over the 35 departments (53%) reporting on this in 2000.
- ❖ 85% (57) reported using Balanced and Restorative criteria to guide intake decisions; an increase of 18.7% over the 48 departments (72%) reporting on this in 2000.
- ❖ 94% (63) reported having case plans that reflect Balanced and Restorative Justice principles; an increase of 46.5% over the 43 departments (65%) reporting on this in 2000.

- ❖ 63% (42) reported they require probation staff to take victim impact statements; a decrease of 16% over the 50 departments (75%) reporting on this in 2000.
- ❖ 96% (64) reported that their required forms and other paperwork reflect specific Balanced and Restorative Justice conditions; an increase of 73% over the 37 departments (56%) reporting on this in 2000.
- ❖ 51% (34) reported they require service providers to demonstrate adherence to Balanced and Restorative Justice goals; a decrease of 19% from the 42 departments (63%) reporting on this in 2000.
- ❖ 72% (48) reported that their case closing forms address Balanced and Restorative Justice goals; an increase of 100% over the 26 departments (39%) reporting on this in 2000.
- ❖ 63% (42) reported they require probation staff to engage in community outreach; an increase of 10% over the 38 departments (57%) reporting on this in 2000.

### Discussion

Of particular note are the 25 respondents that indicated their agencies do not require staff to engage in community outreach. Among this group of 25 agencies, 18 qualified their responses by stating that although community outreach is not a requirement, it is “expected” that staff will engage/interact

*Continued on Page 4*

## Pennsylvania - continued from page 3

with the community. With regard to the 25 respondents that indicated their agencies do not require staff to take victim impact statements, 93% of this group qualified their responses by stating that the Victim/Witness Coordinator in the District Attorney's office is responsible for all victim impact statements within the county.

The 33 respondents reporting they do not require service providers to demonstrate adherence to Balanced and Restorative Justice goals and progress qualified their responses by stating that the service providers indicate and demonstrate adherence to the goals and progress of Balanced and Restorative Justice without being required. It is important to note that the Pennsylvania Council of Children, Youth and Family Services (the professional association of private treatment provider facilities in the Commonwealth) has been awarded grant funds to develop a training program to assist the private residential treatment facilities with the integration of Balanced and Restorative Justice principles into their daily operations.

Seventy-five percent of the respondents (50) indicated specific programming they have developed which reflects Balanced and Restorative Justice principles; including, drug/alcohol prevention awareness, anger management, life skills courses, juvenile drug courts, cognitive thinking therapy for parents and teens, after-school youth activities, and healing circles. With one exception, all respondents reported that their staff members have received training in Balanced and Restorative Justice.

Ninety one percent of the respondents (61) indicated that new positions have been created or old positions have been redefined as a result of their efforts to integrate the principles of Balanced and Restorative Justice in their department operations. Survey results in 2000 showed that 58 respondents reported making such a change; this represents a 5% increase in this task from 2000 to 2002.

On the following page, Figure 2 indicates the titles of the new positions. Six respondents reported they had neither created new positions nor redefined existing positions, but explained this was due to the size of their departments. Fewer juvenile cases to process in the county, translates into a smaller staff complement for the probation department. In these departments, the juvenile probation officers have attempted to incorporate the implementation tasks with their other responsibilities.

### **Program Development**

As reported in the survey, the following are the most prevalent Restorative Justice programs being developed within the county probation departments:

- ❖ Community Service Projects: Reported in 66 departments (98.5%).
- ❖ Victim Notification Projects: Reported in 65 departments (97%).
- ❖ Competency Development Projects: Reported in 64 departments (95.5%).
- ❖ Collection of Victim Impact Statements: Reported in 65 departments (97%).
- ❖ Restitution Projects: Reported in 63 departments (94%).

Nearly 42% of the respondents (28) indicated an interest in additional training and technical assistance. The most frequent requests were for the following:

- ❖ Updated trainings for juvenile probation staff (13 requests/46%)
- ❖ Follow up training on Balanced and Restorative Justice principles (10 requests/36%)
- ❖ Grant assistance with implementing Balanced and Restorative Justice policies (8 requests/29%).

### **Conclusion**

The implementation initiative continues to advance under the leadership of the Pennsylvania Council of Chief Juvenile Probation Officers, the Juvenile Court Judges' Commission, and the Pennsylvania Commission on Crime and Delinquency. While the goals of this initiative have yet to be fully attained, the accomplishments to date are many. In terms of effecting a change in the general attitudes, perceptions, and even definitions among juvenile probation practitioners, Pennsylvania has experienced some measure of success. That is, 95% of the respondents believe that victims should have opportunities to be active participants in the juvenile justice process; 98% believe accountability is best described as assuming responsibility for and taking action to repair harm; 97% believe that punishment alone is not an effective means to deter crime or change the behavior of juvenile offenders; 91% believe the community should be an active participant in the juvenile justice process, serving as a conduit for restoration; 84% believe juvenile crime is best defined as an act against a person or the community; and 95% believe the focus of juvenile court activities should be on the future, as in restoring victims and preventing further delinquency.

Pennsylvania will continue its initiative to fully implement and integrate the principles of Balanced and Restorative Justice into the daily operations and guiding missions of our 67 county juvenile justice systems. We will continue to assess our progress on the county level and within our statewide structure. ●



# Balanced and Restorative Justice Project Update:

## BARJ has new website and new newsletter policy



### The Balanced and Restorative Justice Project now has its own, easy to remember website.

Go to <http://www.barjproject.org> to keep up-to-date with the work of the BARJ Project. Since its inception in 1993, the project has worked with communities and criminal justice agencies in over 50 jurisdictions and 35 states to provide training, education, technical assistance, evaluation and research on emerging law enforcement and restorative justice practices.

In the current grant year, the BARJ project has worked in 39 states and provided training and technical assistance to more than 15,000 justice professionals. Additional project activities are focusing on national outcome measures for juvenile justice and a new strategy for juvenile re-entry into communities that is based in the concept of service in the interest of others.

The new website includes the BARJ mission and philosophy as well as news of upcoming trainings and links to restorative justice websites of interest.

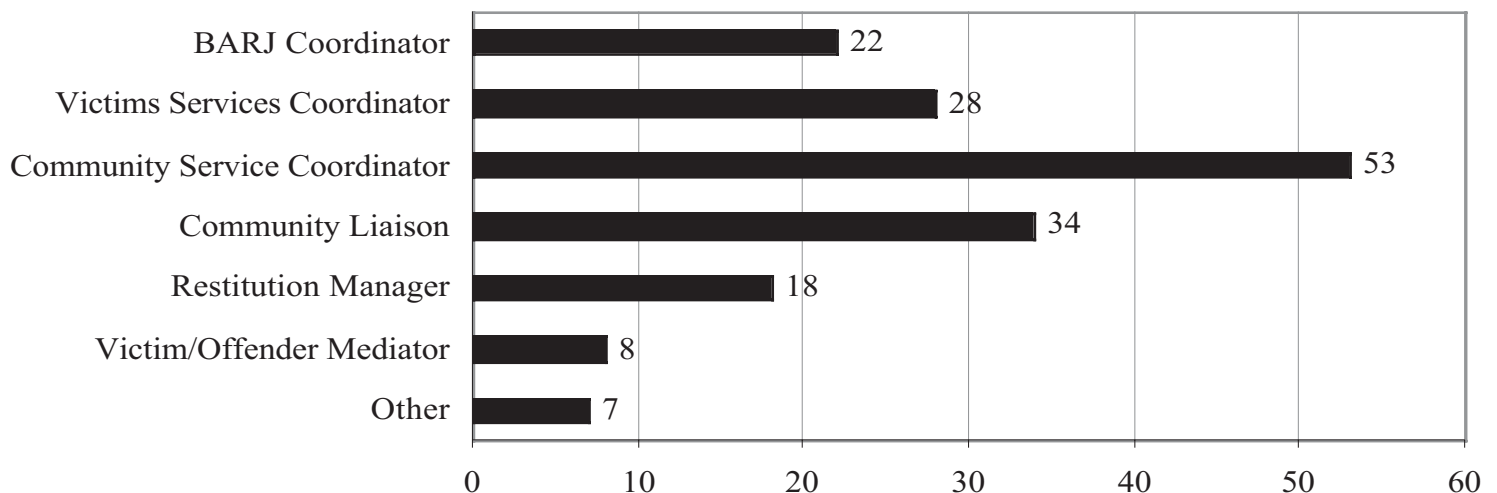
#### New place to find *Kaleidoscope of Justice*

Beginning with the next issue, *Kaleidoscope of Justice* will be found only on the BARJ website. Rising printing and postage costs necessitate this change in policy. Postcards will be sent out to the current mailing list when the next issue is posting on the website. In the future, you will need to check the BARJ site periodically to keep up with the new issues.

In addition, back issues of *Kaleidoscope of Justice* will also be found on the BARJ site. ●

**Figure 2.**

**New positions created or old positions redefined to assist in Balanced and Restorative Justice Initiatives.**



# Balanced and Restorative Justice Policy and Practice in the United States

A growing number of states are incorporating a restorative philosophy into justice policy, legislation, and practice. A national assessment confirms that virtually every state is implementing some aspect of the restorative justice principles at various levels (e.g., state, regional, or local) and in its programs and policies. A majority of the states have crafted or revised their statutes and codes to reflect restorative justice principles and have encouraged the use of restorative justice practices in their juvenile justice systems.

A significant finding of a national assessment on balanced and restorative justice (O'Brien 2000) was that the majority of states articulate restorative justice principles in one or more policy documents. This chart represents the latest summary of restorative justice policy and practices in the states. Those not listed do not have either policy or practices.

State	Statute/code	Policy	Remarks
Alabama	Section 12-15-1.1	Yes	The Division of Youth Services has incorporated BARJ language into its mission and goals. The BARJ project has recently been contacted by the Division of Youth Services with a request for training and technical assistance.
Alaska	HB47: effective 7-1-99: Restorative Community Justice Study AS 47.12.010	Yes	Alaska has had a BARJ initiative in the Alaska Division of Juvenile Justice. They have had a few staff trained as RJ Trainers, provided basic RJ training to all Division staff, and established some Restorative Group Conferencing and Circle Initiatives. In February, 2004, BARJ staff provided a RJ Training for Trainers for 24 DJJ staff in partnership with NNTAC.
Arizona	ARS 8-230 (referrals, diversions, conditions, community based alternative programs) ARS 8-341 (disposition and commitment) ARS 8-201-291	Yes	Under the leadership of the Arizona Administrative Office of the Courts, Arizona Juvenile Probation has developed a wide network of restorative initiatives with the state-wide network of Community Accountability Boards being the most developed initiative. Additionally, BARJ has been a focus of both the AOC's Strategic Plans since 2002 and BARJ is a primary component of the Building Blocks Initiative and the Commission on Minorities efforts. Maricopa County/Phoenix is a BARJ Model Implementation site.
Arkansas	Legislation proposed in 2003 Legislative Session- will be voted on in 2004 Legislative Session	Yes	The Division of Youth Services in the Arkansas Department of Human Services has established a Restorative Justice effort beginning in 2002. This fledgling effort is a starting point and is currently focused on residential services.

State	Statute/code	Policy	Remarks
California	A637 Section 1700	Yes	
Colorado	H1156 C.S. 19-2-102,19-2-303,24-32-2801	Yes	Under the guidance of the Probation Division of the Administrative Office of the Courts, Colorado began establishing Balanced and Restorative Justice in 1995-1996. This effort led to the establishment of the Colorado Forum. The BARJ Project has been involved with Colorado since their initial efforts began. Colorado has been one of the Special Emphasis States and is now a BARJ Model Implementation Site.
Connecticut	Sec. 46b-121h. Goals of Juvenile Justice System (1999)	Yes	Policy is on record but no progress towards development of implementation
Florida	985.303 Neighborhood Restorative Justice 944.026 Community Based Facilities and Programs 948.51 (prior to 1987) Community Control Programs 948.51 (1991) Community Corrections Assistance S 1178	Yes	Florida has been working towards statewide BARJ Implementation since 1997 through the Department of Juvenile Justice and numerous local initiatives. The BARJ Project has been fully involved in this process. In recent years, the Project assisted in the development of Neighborhood Accountability Boards and Victim Impact Class curriculums. Currently a Special Emphasis State, the Project is now working with DJJ to fully implement BARJ in the probation division.
Georgia	GA Code 15-11-66.	Yes	The Georgia Department of Juvenile Justice has been working on BARJ implementation for the past 3 years. The Project completed a system study in 2002 and provided training and technical assistance to all divisions in 2003. Additionally, the agency has a BARJ Implementation Senior Management Team and is requesting continuing technical assistance and training from the BARJ Project.
Hawaii	House Resolution No. 11 (2000): Relating to Restorative Justice	Yes	The Family Court of Hawaii has been working on BARJ Implementation in both Juvenile Justice and Child Welfare since 1999. Honolulu was a local technical assistance site for the Project in 1999-2002. In this time period, training and technical assistance were provided. Hawaii continues to work towards full implementation as funding allows.
Idaho	H0032 (1999) Juvenile Offenders, Placement Options ID Code 20-501	Yes	The mission of the Idaho Department of Juvenile Corrections cites Balanced and Restorative Justice as its mission as directed by the Juvenile Corrections Act of 1995. Idaho has received training from the BARJ Project and has recently requested additional technical assistance with community implementation and facility development.
Illinois	S363 (1998) Juvenile Justice Act of 1998 Sec. 5-115: Rights of Victims	Yes	Illinois has been involved in BARJ since <b>the Cook County District Attorney became interested in the model in 1996. After adopting BARJ as the mis-</b>

State	Statute/code	Policy	Remarks
Illinois <i>Cont'd</i>	Sec. 5-130 Part 2: Administration of Juvenile Justice Continuum for Delinquency Prevention Sec. 5-310: Community Mediation Program 705 ILCS 405/5		sion for the DA's office, the court and probation in Cook County soon followed suit. Under the leadership of the prosecutor's office, state legislation incorporating BARJ into the juvenile code was approved by the legislature in 1998. The state and key counties (e.g., Cook) are at a place in which training, ta and evaluation focused on sustainability are needed.
Indiana	S 203 (1999)	Yes	Indianapolis is home to one of the most successful and rigorously evaluated Family Group Conferencing programs in the country (OJJDP Bulletin, 2001).
Iowa			Iowa has a number of restorative justice programs and at least one trained trainer, but apparently no legislation.
Kansas	H2092		The University of Kansas hosted one of the first statewide restorative justice trainings in 1996 and in recent years Wichita and other cities have initiated restorative justice conferencing programs.
Louisiana	RS46:1841-1844: Chapter 21- B. Rights of crime victims RS46:1905 La RS 46:1840-1844		Louisiana features strong faith community support for restorative justice in several parishes including New Orleans and Baton Rouge. A recent conference co-hosted by Interfaith ministries and the NCJFCJ featured training on national and state efforts—with much emphasis on work in juvenile facilities. A few small programs provide training albeit in the absence of a statewide effort.
Maine	LD1727, Public Law 421: An act to establish and implement a pilot program for restorative justice 17A S1205	Yes	Maine has held at least two statewide trainings and has trained trainers in the BARJ model. There has been strong faith community leadership for restorative justice for juveniles in this state. The state currently lacks resources to support more intensive training efforts.
Maryland	Code 3-802	Yes	Maryland passed it's BARJ legislation and policy through the leadership of a local prosecutor who became director the state's new Department of Juvenile Justice. The state now has published policy manuals and training materials that feature BARJ and features a 3 year plan, "A Safer MD: A Balanced and Restorative Justice Approach, for the department. With a few programmatic exceptions, the state is in need of training and assistance in implementing principle-based programs.
Massachusetts			Both DYS and DCS have requested and received system-wide training in circle sentencing being provided currently by a local youth development program trained by BARJ consultants. Interest in broader and deeper training efforts are limited by a decline in state and BARJ project resources.



State	Statute/code	Policy	Remarks
Minnesota	Crime Victims: Rights, Programs, Agencies: Section 611A.775-Restorative Justice Programs Section 388.24: County Attorney Subdivision 2: Establishment of programs Section 609.125: Criminal Code subdivision 1. Sentences available upon the conviction of a misdemeanor or gross misdemeanor Section 609.135: Criminal Code SF 184 (1999)		<b>Minnesota is recognized internationally as a leader in innovative restorative practice. Most of this early practice innovation preceded any policy development and was initiative by a small group of DOC employees who worked directly with communities to develop a wide range of neighborhood-based restorative conferencing models (much of this effort is documented in an NIJ report on restorative conferencing, Schiff and Bazemore, as well as in several BARJ publications. The department also helped to develop use of conferencing within juvenile correctional facilities and as a reentry approach. Two of the strongest probation-based, systemic restorative justice initiatives can be found in Washington and Dakota counties in the Minneapolis/St. Paul area. Funding cuts in DOC have recently dampened efforts to develop highly sustainable BARJ approaches in much of this state.</b>
Missouri	HB823: Local sentencing alternatives for offenders (1997) SB0430 MO S.217.777	Yes	<b>Missouri juvenile justice officials in 1998 contracted with FAU's Community Justice Institute to develop a statewide distance learning course on BARJ for probation staff. The state's two largest cities, St. Louis and Kansas City, feature a range of restorative programs that have been tentatively fitted into a graduated sanctions model. While supported with evaluation and data management by UM St. Louis, the state is in need of new training to support multiple program efforts in both cities.</b>
Montana	Title 4, ch.5, 41-5-102		<b>Montana was an early leader among western mountain states in targeting all juvenile justice statewide funds to support BARJ programming, training, and policy development. In the late 1990s, the state featured one of the most innovative statewide community service efforts that matched young Americorps volunteers with work crews of juvenile offenders responsible for environmental restoration work throughout the state. The state one or more trained trainers but requires more training to move forward with new initiatives focused on policy development and new practices such as restorative conferencing.</b>
Nebraska	LB 594 (1999)		
Nevada	S 77 (1999)		
New Mexico	House Bill 219: (2000)	Yes	<b>This state featured strong leadership from its Department of Human Services under the leadership of Heather Wilson (currently a Congresswoman) and its new Department of Juvenile Justice. Statewide development on BARJ was followed by</b>

State	Statute/code	Policy	Remarks
New Mexico <i>Cont'd</i>			initial training, which was followed by a hiatus subsequent to a change in leadership in both agencies. Indigenous leadership has always been strong and new statewide trainings initiated by Native American leadership are again featuring RJ—though without resources for ongoing training.
Ohio	Amended Sub. House Bill 3: Section 2151.355 of the Ohio revised Code (1999) H3: Victims	Yes	Leadership in the early 1990s endorsed the Balanced Approach mission for juvenile corrections and sought to move more toward a full BARJ model in the later part of the decade using pass-through funds. There is a need for additional assistance to deepen the latter commitment building on strong urban pilots in some cities.
Oregon	OR 419C.001	Yes	
Pennsylvania	42PA.C.S.A., Sec. 6301	Yes	
South Carolina	Section 20-7-20, 20-7-6840	Yes	
Utah	Utah Code section 78-3a-102: Establishment of Juvenile court 78-3a-118 H 64: (1999) 78-3a-102		
Vermont		Yes	Vermont's Department of Social and Rehabilitative Services adopted the BARJ model as its juvenile justice mission in 1998 and used JAIBG funds to initiate new programs—including a juvenile version of VT's reparative boards known as "restorative panels." This effort has shown some initial success (according to initial evaluation results by the CJI) but the loss of funding threatens sustainability in the absence of ongoing training and assistance.
Virginia	VA 16.1-309.2-309.10	Yes	The state featured a BARJ mission and strong, systemic implementation in Norfolk and a few other jurisdictions in the late 1990s.
Washington	Title 13 RCW 13.40.5000 (1997) RCW 13.40.510 Community Juvenile accountability programs Title 13 RCW 13.40.500		Washington featured a statewide and relatively well-funded BARJ initiative in the late 1990s and also initially supported one of the most comprehensive evaluations of this effort in the country.
West Virginia		Yes	
Wisconsin	Assembly Bill 533 (1999)	Yes	The former director of juvenile probation in Dane County (Madison) has been director of juvenile corrections in this state since last year and seeks to institutionalize BARJ as the state's correctional mission.



# Conferencing and Law Enforcement

## WOODBURY COMMUNITY JUSTICE PROGRAM

*By Lt. David Hines  
Woodbury Public Safety Department*

Woodbury is a suburb of St. Paul, Minnesota. It is a rapidly growing city with over 50,000 citizens, an abundance of retail outlets and several substantial business centers and industrial areas. It is ten minutes from downtown St. Paul, twenty minutes from Minneapolis, thirty from the airport and the Mall of America, part of a metro area of approximately three million people. Three school districts serve our city and we have three medical facility centers and a hospital. In 1994 when we began our program the juvenile crime rate was increasing 80% per year while the population increased 60%. We needed to find a better way to do business. The Woodbury Police Department decided to try community restorative justice along with other community policing strategies we were already incorporating.

The Woodbury Community Justice Program is a police based program using restorative practices to deal mostly with juvenile crime and delinquency. The cases typically handled by this program include incidents of juveniles acting out at home or school to felony assaults and nearly everything in between. Alcohol and drug cases are also done utilizing these processes. Formal process is used in many cases and can include traditional victim-offender mediation, restorative conferencing or circle process, although the majority of our formal process is conducted using restorative group conferencing. In the past our program relied on police officers to facilitate conferences but we are relying more on community volunteers as we progress into the future.

Today our program is a partnership of police and community volunteers. Facilitators are trained in the various processes and are responsible to follow a case assigned to them to the conclusion of any contract or agreement. The program coordinator assigns cases and is responsible for tracking the progress throughout, including where people are in completion of their agreements. The coordinator is a member of the police department assigned to that position and must be educated in all aspects of restorative justice and experienced in facilitating those processes. The coordinator must also develop and maintain a community volunteer base and provide for the training of all persons involved in the program.

The program acts as a diversion from the regular system allowing victims and affected community members to meet

face to face with young offenders and decide how to repair the harm done and prevent future incidents. This allows us to quickly deal with issues. Cases are assigned with an expected completion of the meeting in two weeks. We are able to average completion within three weeks of the incident in most cases. Participants engage in the process voluntarily and offenders must complete all requirements from a contract arrived at by consensus of the group involved in the conference process. Failure to complete the agreement or any other part of the process in a timely manner will result in the case being referred to court. Court prosecution remains an option until the contract is completed.

Juveniles qualify for the conferencing alternative on a case-by-case basis, based on criteria established for the program. The criteria include: 1. Seriousness of the offense; 2. Past record of the offender; 3. Attitude of the offender; and 4. Attitude of the offender parents. The offender must admit to the offense and if a victim requests a conference, even though we would not have done one otherwise, we will respond to the victim's wishes. In fact, victim wishes/needs are the most significant factor in deciding how a case will be handled.

Today many low level thefts (i.e. shoplifting) and damage to property crimes are handled by utilizing a "street diversion" process using restorative philosophy as a guiding principle for officers on the street taking a complaint of the above described incidents. The officer is expected to meet briefly with the offender, victim and parents develop a plan to repair harm and address preventing future behavior, put the plan in writing and make all necessary referrals. It takes officers some extra time at the call but saves us hours later and immediately addresses the needs of all parties involved in the incident. This is particularly useful in misdemeanor shoplifting cases.

Our school resource officer (SRO) program also utilizes this program and the processes of restorative justice. All SRO's must be trained facilitators and are expected to utilize these kinds of processes whenever they can in the schools. Between the school programs and the community program nearly two-thirds of all juvenile matters are done through a community restorative process prior to prosecutorial intervention.

Our community justice program has more than proven itself in many ways. To date in nearly ten years of conducting these processes we have completed over a

thousand cases and tracked approximately six hundred of those. We find assigned conference cases are successfully completed at a rate exceeding 85% and of those reaching an agreement the completion rate is in the mid 90% range. Restitution payments are still at a remarkable rate of over 97% paid in full. Recidivism rates have fallen from 72% prior to our utilizing these processes to 33% today where we can use these practices. Satisfaction rates are high with all participants. Victims report a 90% satisfaction rate over nine years of the program, offenders 86% and parents 91%. This is a cost effective alternative as well. Our cases are generally

completed at one-fourth the cost of court or less.

Community restorative justice works. It works best at the grass-roots community level, where the police already do their work. It therefore makes perfect sense for the police to be involved and lead the way in community justice. It is a natural partner for community policing and it accomplishes the goals we all seek from our justice system. In Woodbury we have made it a significant part of the policing tradition of our agency, not because it is different or makes us unique but because it works and adds value to our agency and our community. ●

## WOODBURY COMMUNITY CONFERENCING PROGRAM

### Statistics

May 1995 to January 2003

#### Types and number of violations conferenced

Arson— 6  
 Assault— 40 (Includes both felonies and misdemeanors)  
 Auto/Vehicle Theft— 7  
 Bomb Threat/Possess Explosive Device— 2  
 Burglary— 15  
 Controlled Substance— 18  
 Criminal Sexual Conduct— 1  
 Criminal Vehicular Operation— 1  
 Curfew— 9  
 Damage to Property— 19  
 Disorderly Conduct— 17  
 Harassment—10  
 False info to police—3  
 Forgery/Fraud (including credit card fraud)— 10  
 Intent to escape tax—1  
 Illegal sale of lottery ticket— 1  
 Juvenile Alcohol Offender— 122  
 Littering— 1  
 Obstructing Legal Process— 1  
 Possession of Stolen Property— 2

Robbery— 2  
 Runaway— 3  
 Sale of alcohol to a minor—5  
 Sale of tobacco to a juvenile—3  
 Shoplifting— 61  
 Theft— 50  
 Theft From Vehicle— 13  
 Threats— 4  
 Traffic— 13  
 Trespassing— 2  
 Weapons— 6

#### **Total Conferences— 448**

- Successfully completed conferences\*— 392
- Percent successfully completed— 87.5%
- Percent restitution paid to date— 98% (several cases pending)

\*Successful conferences are defined as conferences that reach an agreement and have that agreement fulfilled within specified parameters, thus avoiding referral to court. School resource Officer at the high school runs many conferences per year which currently are not fully reflected in these statistics. Street diversion cases are not reflected in these statistics.



# WOODBURY POLICE COMMUNITY JUSTICE

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## Street Diversion Program Officer Training Guidelines

The purpose of this document is to provide guidelines for training officers to conduct street diversions within the parameters of the community justice program. These diversions are to be conducted within the basic restorative principles embodied by the community justice program. That means officers are to allow victims, offenders, parents and other people affected by an incident to have direct involvement in deciding the outcome. These people will be allowed to get their questions answered, their feelings and needs, as it relates to the incident, heard. Officers will not dictate outcomes or lecture offenders and parents but facilitate a short meeting where those affected decide the outcomes based on repairing harm and preventing future incidents.

I. Officers are expected to handle all juvenile cases that qualify for this process at the time of the initial investigation of the incident. Supervisors will be responsible for insuring this requirement is met.

II. Officers shall address the juvenile case criteria, as in all juvenile matters, on the written reports.

- Seriousness of offense
- Past record of juvenile
- Attitude of juvenile
- Attitude of juvenile's parents

III. The following criteria will be used to decide if this process is appropriate:

- Is the offense a minor (misdemeanor) property crime. (i.e., shoplifting, DTP, etc.)
- Has the juvenile offender admitted to the offense
- Are the parents there or have they given permission for their child to participate ( it is highly preferable to have at least one parent there)
- The victim must be in attendance.
- Are the victim, offender and parent(s) agreeable to this process
- Is the attitude of the offender and parent(s) appropriate (This process would be wrong only if the attitudes were very poor. It should not be stopped simply because the officer believes there should be greater remorse.)
- If the offender has a long history of violations, is on probation or has recently been involved in similar incidents he/she is not a candidate for this process. Submit the reports as usual.

IV. This is a problem solving process. Once the affected parties decide on an appropriate outcome officers can and should take an active role in finding a way to accomplish that desired outcome. Often that would require officers to make referrals to YSB, HSI and other resource providers. Officers must understand that most citizens will not have knowledge of available resources and should be prepared to offer the needed resources in these cases.

V. Officers must complete reports on these incidents. The reports should explain what happened, who was involved, who was on scene for the meeting and what was the outcome of the meeting. All referrals should accompany this report. Each case requires juvenile warnings be issued to the offender(s). These must also accompany the report. All reports must address the four juvenile criteria and give the officer's reasons for diverting this case. ●

# Upcoming BARJ training events

## Training for Trainers of Restorative Justice

Phoenix , Arizona • July 14-23, 2004

•• FULL ••

The Arizonans came out in full force for this train the trainer event. They asked us to come train because they had a class full of people. Unfortunately for the rest of you, they did have a class FULL and the training is full before we can even request additional registrations.

The good news is that this same training is being offered in August in Ft. Lauderdale! If we don't see you in Arizona , we hope to see you in Ft. Lauderdale a month later.

## Training for Trainers of Restorative Group Conferencing

Florida Atlantic University, Ft. Lauderdale , Florida • August 18-24, 2004

The T4T-RGC is a 7-day training, ending on the 24 th. Registration for this training will be \$200.00 per person.

## Training for Trainers of Restorative Justice

Florida Atlantic University, Ft. Lauderdale , Florida • August 18-27, 2004

The T4T-RJ is a 10-day training, ending on the 27 th. Registration for this training will be \$250.00 per person.

## Facilitating Restorative Group Conferences Training

Florida Atlantic University, Ft. Lauderdale , Florida • August 25-27, 2004

This 3-day training will be \$75.00 per person.

Please contact Amy Anstee (954-762-5107 or [aanstee@fau.edu](mailto:aanstee@fau.edu)) with questions on any of these trainings.

## *BARJ training components include:*

Curriculum Development including topics such as Strategic Management and Leadership for Corrections Administrators; Restorative Justice; Tools for Schools.

The National Annual Restorative Justice Academy , which provides an annual opportunity for criminal justice practitioners, policy makers, and community members to participate in a forum that offers general skills building training in restorative justice policy and practice.

The Restorative Justice Clearinghouse that matches experienced practitioner/trainers with agencies and organizations which require restorative justice or community justice training. ●

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### Change in VOMA Conference plans

In 2004, VOMA is getting its new Training and Technical Assistance Program off the ground. You can expect a range of workshops and trainings in a variety of locations this year through this program. The workshops and trainings will also be co-sponsored by some of VOMA's partners to make them rich and rewarding for all participants.

VOMA's Board of Directors has decided not to hold an independent VOMA annual conference in 2004. Several reasons are behind this decisions:

1. Wanting to organize an outstanding first year for the T & TA program whose purpose is to get VOMA supported training into local communities for greater access at lower costs than our national conference,
2. The general financial constraints of VOMA members has made it harder in the last two years for them to afford travel to a national conference, and
3. The continuing drag of the US economy has prevented government entities from traveling out of state or receiving funds to attend VOMA trainings.

The international VOMA Conference WILL be back in 2005! In the meantime, VOMA WILL be holding the annual membership meeting (as required by their bylaws) at the Fellowship of Reconciliation conference, an organization with which VOMA feels a real affinity.

## Upcoming Events

To have your event listed, send information to:

*Kaleidoscope*, 718 Peranna Place, Charlotte, NC 28211  
or email - [evelynhrj@carolina.rr.com](mailto:evelynhrj@carolina.rr.com)

**Training for Trainers of Restorative Group Conferencing**, BARJ, Florida Atlantic University, Ft. Lauderdale , FL. August 18-24, 2004. A 7-day training. Registration: \$200 per person. Contact Amy Anstee at 954-762-5107 or [aanstee@fau.edu](mailto:aanstee@fau.edu).

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In addition, FOR will make space for a track of VOMA sponsored workshops and a VOMA pre-conference training at their conference. The FOR conference is to be held August 5-8 at Occidental College in Los Angeles, California. The VOMA membership meeting will be held at that location immediately preceding or following the FOR conference. More details on the VOMA meeting and workshops will be forthcoming at [www.voma.org](http://www.voma.org). Meantime, check out the info on FOR's conference at [www.FORusa.org](http://www.FORusa.org). ●