

### Restorative Community Conferencing

Restoring & building relationships



13 NON SZ LW S: 28 OVNEVND ELTED ELTED

# <sup>+</sup> What is Restorative Justice?

A way of thinking

A philosophical framework

A way of responding relationally to wrongdoing





# + Current Justice System Asks:

What rule or law was broken?

Who broke it?

What will their punishment be?











Who was harmed?

What needs have arisen because of the harm?

How will the harm be repaired?

## Restorative Community Conferencing Diversion Program

- This Restorative Justice program run by Community Works has the following components:
- Admit Involvement. Youth are required to admit their role in the crime. We meet with the youth and their support community (parent/guardian, coach, friend anyone who helps them do right in the world) where the youth is required to tell the story of what happened and their involvement. This is necessary for the youth to enroll in the program. We will not allow a meeting with a victim if the youth is back peddling or blaming others.
- Voluntary Participation. The program is voluntary. Youth and their families have to opt in or out. This allows the youth to have some control and additionally requires them to step up and be responsible for their actions.



### Restorative Community Conferencing Diversion Program Cont.

- Meet with Victim. Face to face meeting between the youth and victim(s) of their crime with support and preparation for all who attend. This forces the youth to see the full impact of their crime and be in the presence of the harm their crime caused. This in turn encourages them to view the victim as a person. It also affords the victim the opportunity to have their questions answered, make statements to the youth and participate in determining the best way for the youth to right the wrong they committed.
- Case Management Support. Out of the meeting a "plan" is agreed upon whereby the youth does right by the victim and others harmed. A case manager supports the youth in completion of these tasks. A plan involving an assault at a school might include: Reading of an apology letter to open the meeting, making the victim a bracelet, speaking politely to the victim if they see him/her, doing community service at the school, selling of the youth's CD's or electronic or game devices to help pay any restitution owed.
- Success at something other than criminal behavior. Part of every youth's "plan" includes engaging in something they are interested in. Case management also supports and helps to locate this activity.



## **Restorative Community Conferencing Diversion Program Cont.**

Notification to Referral Agency. Once the youth successfully completes his/her "plan" the DA is notified and charges are not filed. If at any time before completion of the "plan" the youth does not cooperate, Community Works has the right to return the case to the DA. We try not to do this but feel we have an obligation to the victim, the community, the DA and the youth to be honest about the success or failure of the youth.



# <sup>+</sup> Types of Charges/Cases



#### Restorative Community Conferencing Mode

- \* Burglaries
- \* Assaults/Batteries
- $\checkmark$  Weapon possession
- ✤ Vehicle Theft
- ✤ Grand Theft/Theft of Person
- $\bullet$  Robberies
- $\star$  Arson
- \* Theft
- $\boldsymbol{\ast}$  Possession for Sales



# Restorative Community Conferencing (RCC)

- What is it?
- Who is involved?
- What are its goals?
- What are its goals?
- How does it work?





<sup>+</sup> Who is involved?

Victim and support

Responsible youth, their family and support

Community members

District Attorney /Police





۶L L



Hold the youth accountable

Repair the harm

Prevent further offending





# How does an RCC work?



Information sharing

Plan Development

■ Share the plan



#### 

# **Opening Procedure**

- Restorative Community Conferencing
- Pick-up cases from referring agency (Denise)
- Intake Log updated, case assignment, Date: Initial call, file creation (Tuesday)
  - **CCM** completes: Conf Info form
  - Lauren will complete: Task Sheet
- Letters to Youth & Parents (Wednesday)
- Calendar Reminder to CCM on Initial Call Date

# Agreement Plan Plan is monitored for a period of 3-6 months Victim Frequent contact with responsible youth Community \* Connect youth and family with services and referrals Family Identify barriers to completion and address Self

### Parent Letter

Dear Parent,

- The Alameda County District Attorney has referred your child's case to Community Works for a Restorative Community Conference regarding the incident on (Incident Date) on (Location of incident & City).
- Involvement in this diversion program gives your child the opportunity to participate in a restorative conference and develop an agreement as an alternative to the Juvenile Justice System. If the agreement is completed successfully the case will be closed and no further action taken by the authorities.
- The restorative conference will focus on making a plan to put things right with the victim(s) and helping to prevent your child from further involvement in the Juvenile Justice System. The more support you have at the conference the better chance of developing a positive plan that works.
- Included is a brochure that may answer some of your questions. After reading the brochure, please take some time to think of family members or other support people that you would like to have present at the conference. The conference should take place within 6 weeks from the date of this letter.
- Please contact me within three days of receipt of this letter so we can make a time to meet and discuss your role and your child's role in the conference process. This meeting can take place at your home, my office or a place convenient to your family.
- If I don't hear from you, I will give you and (Child Name) a call on Friday (date), 2012 to discuss this opportunity. I look forward to speaking to you and answering any questions you may have.
- Sincerely,
- Conference Coordinator



### Youth Letter

Dear Youth,

÷

- The Alameda County District Attorney has referred your case to Community Works for a Restorative Community Conference regarding the incident on (Incident Date) on (Incident Location & City).
- Involvement in this diversion program gives you the opportunity to participate in a restorative conference and develop an agreement as an alternative to the Juvenile Justice System. If the agreement is completed successfully the case will be closed and no further action taken by the authorities.
- The restorative conference will focus on making a plan to put things right with the victim(s) and helping to prevent you from being further involved in the Juvenile Justice System. The more support you have at the conference the better chance of developing a positive plan that works.
- Included is a brochure that may answer some of your questions. After reading the brochure, please take some time to think of family members or other support people that you would like to have present at the conference. The conference should take place within 6 weeks from the date of this letter.
- Please contact me within three days of receipt of this letter so we can make a time to meet and discuss your role in the conference process. This meeting can take place at your home, my office or a place convenient to you and your family.
- If I don't hear from you, I will give you a call on Friday, (Date), 2012 to discuss this opportunity. I look forward to speaking to you and answering any questions you may have.
- Sincerely,



### Enrollment Packet – Check List

- RCC Enrollment Agreement
- RCC Informed Consent
- RCC Parent Consent
- RCC Parent Intake Questionnaire
- RCC Youth Intake Questionnaire
- RCC Sign-In Sheet

#### RESTORATIVE COMMUNITY CONFERENCING ENROLLMENT AGREEMENT

- **Restorative Community Conferencing is a diversion program that has been explained to me.**
- Participation Criteria

5

- I understand that if I choose to participate in the Restorative Community Conferencing program, but fail to appear at the time and place agreed upon, my case can be referred back to the referring agency (Alameda County DA, HPD, OPD, other).
- I understand that if I fail to complete my plan as agreed to in the conference, my case will be referred back to the referring agency (Alameda County DA, HPD, OPD, other).
- I understand that I will regularly meet with my assigned Conference Coordinator as requested by the coordinator and/or outlined in my plan.
- I agree not to move out of Alameda County until my plan is completed.
- I would like to participate in the Restorative Community Conferencing program.
- Responsible Youth Signature \_\_\_\_\_ Date\_\_\_\_\_
- Printed Name \_\_\_\_\_\_



#### PARENT/GUARDIAN CONSENT

- In order to participate in Community Works Restorative Community Conferencing program, I as Participant and I as Parent/Guardian, and each of us, intending to be bound for each of ourselves, our successors, assigns, legal representatives and or and/or executors and administrators, hereby waive and release any and all rights and claims any of us might have against Community Works and or anyone involved in the Restorative Community Conferencing program, including but not limited to its officers, directors, sponsors, employees, agents, legal representatives, volunteers, for any and all injuries or damages (to person's or property) of any nature, including death, which any of us may suffer as a result of or connection with Participants or Parent/Guardian's participation in Community Works program and any or all of is services
- Each of us further agrees to indemnify and hold harmless Community Works (and or anyone involved in the Community
   Works Restorative Community Conferencing program, including but not limited to its officers, directors, sponsors, employees, agents, legal representatives, volunteers, for any and all losses, damages, liabilities and or expenses (including but not limited to any and all judgments, costs and fees, including reasonable attorney's fees) for any and all claims, injury or damage to person(s) or property, of any kind, arising or of, relating to, or resulting from or in connection with the Participant's or Parent/Guardian's participation in Community Works Restorative Community Conferencing and any and all of its services.
- Notice of Mandated and Other Reporting
- I understand that Community Works staff are mandated reporters required by California state law to report to authorities any kind of suspected or possible child abuse or neglect. I also understand that Community Works staff are required by professional standards to report to relevant authorities or refer for relevant service providers immediately any and all cases of possible harm of any kind to self or others, or child exploitation.
- I have read or had read to me the above authorization for medical treatment; permission for release of confidential information; release of information; notice of mandated and other reporting; and waiver of liability, release of claim and indemnification, and I fully understand, accept and will comply with all terms of the agreement and choose for my youth to participate in Community Works Restorative Community Conferencing program and its services solely at my and my child's risk.

	Youth's Signature	Date
•	Printed Name	,
	Parent/Guardian Signature	Date



Printed Name

### RESTORATIVE COMMUNITY CONFERENCING INFORMED CONSENT Primary Caregiver/ Legal Guardian

- Your signature below gives us your permission to share identifying information about your child including dates and times of services received and the improvements in risk factors and functioning with the following entities: The Federal Title II Formula Block Grant Program, which provides funding for these services, and any other organization providing services to you or your child as agreed to by you. The data will be used to improve case coordination and service delivery to your child. In addition, this data will help us improve and integrate services and systems for all youth in Alameda County. Our goal is to educate policy and decision-makers about the needs, service experiences and outcomes of youth and families served. Note, all records and evaluation reports produced will be kept confidential for research purposes only and will never include any names. All information shared will be kept strictly private, and safeguards will be followed in order to maintain confidentiality.
- Caregiver/Legal Guardian Signature

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

### INTAKE YOUTH PARTICIPANT QUESTIONNAIR

#### <u>GENERAL INFORMATION</u>

- Full Name \_\_\_\_\_\_
- What would you like to be called?
- Street Address

- City State Zip
- **Neighborhood** Date of Birth
- Phone E-mail
- Are you currently on Probation? \_\_\_\_\_ Have you been arrested in the past?

#### EMERGENCY CONTACT

**Name** Telephone #:

-	Youth intake cont.	
	Excellent Good Fair Poor Other	
	If answer is "poor", explain problems/issues	
	<ul> <li>Project What! is a Community Works, paid, youth leadership program that supports youth who have a parent who has been or is currently incarcerated.</li> </ul>	
	Is this a program that is relevant to you? Yes No	
	Who would you like to come with you to the conference?	
	Mother Father Mother and Father Foster Family	
	Another Relative Guardian	
	Other	
	What school do you attend?	
	What grade are you in?	
	Are you involved in any extracurricular/outside activities? If yes, what are they?	
	What do you hope you can/will get out of Restorative Community Conferencing?	
	What type of support do you need to succeed with Restorative Community Conferencing?	

+ Youth intak	e cont.	- 	
Street Address Relation	nship to you:		
: City State	_ Zip		
<ul> <li>Ethnicity (check any that appendix)</li> </ul>	Ethnicity (check any that apply):		
<ul> <li>African American/Black</li> </ul>	Caucasian/White	Native American	
<ul> <li>Latino/Hispanic (specify)</li> </ul>	Asian (specify)	Pacific Islander (specify)	
G	N		
Middle Eastern (specify)	Mixed Race (specify)	Other (specify)	
	,,,,,,,		
<ul> <li>Who do you live with right n</li> </ul>	Who do you live with right now?		
<ul> <li>Single Mother</li> <li>Single</li> </ul>	Father Single N	Nother and her Partner	
<ul> <li>Single Father and his Partner</li> </ul>	Mother and Father	Mother and Stepfather	

<b>Z</b>	Youth intake con	lt.
	Father and Stepmother Aunt/Uncle Grand	parent(s)
æ	Foster Family Group Home Shelter (Home	less)
2	Friend's Place (Homeless) Other relative(s) Othe	r (specify)
12		
	Gender: Female Male Transgender Other	
B	What languages are spoken at home?	
۵	Where were you born?	
Но	w many people total live in your household?	
R	Overall, how would you describe your relationship with your fami	ily members?

-

, \_\_\_\_\_

#### -PARENT/GUARDIAN INTARE QUESTIONNAIRE

C	٠	Relationship to youth			
	-	How long has the youth resided with you?			
		Phone E-mail			
		FAMILY BACKGROUND			
	•	Who else resides in your home (please include their age and relationship to youth			
	۲	What other adults are actively involved in your child's life?			
	۵	Would it be helpful for any of the above mentioned individuals to participate in the conference?			
	•	Yes No If yes, whom?			
	8	Project What! is a Community Works, paid, youth leadership program that supports youth who have a parent who has been or is currently incarcerated.			
	n	Is this a program that is relevant to your child? Yes No			
		Assessment of youth			
		Does your child/child living with you have any medical needs that we need to be aware of? If yes, please specify:			
		Medical condition:			
		Medication:			
	-	Does he/she take medication as prescribed? Yes No			



· · ·



Has your child been arrested in the past? YesNo

۲<u>۲</u>

- Is your child currently on Probation? Yes
   No
- Please list 3 positive things about your child/child living with you that you believe will help him/her in this program:
- Identify 3 challenges/concerns that may make it difficult for you child/child living with you to succeed in this program:
- What is one thing you hope will improve in your child's life as a result RCC



# Media Release

- Restorative Community Conferencing is a new idea that seeks to bring healing instead of further harm to communities and individuals affected by and involved in crimes. The general public is unaware of how the Restorative Community Conference process works or who or what is involved. To further this work we sometimes need to publicize what we do. The best way to do this is by using participants' words and stories. It is in this spirit that we ask your permission to publicize your story in a way that is comfortable for you.
- I give Community Works the right to use for any and all purposes my comments, written and/or oral, about the program so long as my name and identity are kept confidential.
- I hereby authorize Community Works, its agents, and others working for it or on its behalf to use my child's image/likeness/voice in still photos, slides, video productions, radio coverage, television coverage, interviews, testimonials and/or any other media for the purpose of promoting and representing Community Works and its programs, and do hereby grant and convey to Community Works rights, title, and interest in the above media including, but not limited to, any royalties, proceeds, or other benefits derived from such photographs or recordings.

Date

- Parent's/Guardian Signature
- \_\_\_\_\_Date\_\_\_\_
- Youth's Signature

1 1000 (1000)

### **Apology** Letter

#### ╬

- What happened?
- Who did it affect?
- How did it affect the victim, my family, me?
- What was going on just before the incident happened?
- What was I thinking just before and during the time of the incident?
- Why do I think I behaved the way that I did?
- If one of my relatives got hurt in the way I harmed the victim, what would I want the person who hurt my family to do to make up for it?
- Things to include in reflective apology letter:
- How do I feel about my actions now?
- If I had it to do over again, what would I do differently?
- How do I think my actions affected others, the victim and their family, the community, my family?
- What would I like the victim to know now?
- What can or will I do to make up for what I did?



#### \_R\_ \_\_\_

### **Conference Packet – Check List**

- RCC Conference Agenda
- RCC Confidentiality Agreement
- RCC Conference Agreement
- RCC Evaluation
- RCC Restorative Plan
- RCC Sign-In Sheet
- RCC Supply Check List
- RCC Conference Thank You Letter

# **Restorative Conference Agenda**

100 Proc. (194

As people enter room sign confidentiality agreements and have a seat - per discussion w Opening – by offender (if desired)

Logistics

۲ ۲

•Logistics – restrooms, food, stretch

•Mandated reporters

•Confidentiality agreements signed by all

•Facilitators will be only ones taking notes -

•Speak from the heart. Encourage everyone to listen to each other so intently that you aren't thinking about what it is you want to say.

•Emotions may run very high - want everyone to fully express themselves – but require everyone to be respectful and not abusive in their language or tone.

•Questions?

Introductions – Everyone introduce self with name and why here

**S**tatus of why here- Participating in a diversion program of the **O**PD/HPD/DA, could have sent case to juvenile court but instead sent to conferencing. Regular justice system focuses on the law that was broken, while RJ focuses on the needs/harms that were created by the incident and the offender repairing them to the best of their ability. Harms – needs – obligations Review of what will happen tonight:

•Part 1 – Information sharing – what happened, why it happened the impact of harm that was done

•Part 2 - Family deliberations – having heard the impact of what they did – the young person and her family and support people have the option of meeting alone to come up w/a plan to address the harms and what will be done to prevent re-offending.

•Part 3 - Review, Negotiate and finalize the plan



## **Restorative Conference Agenda**

Part 1 Information Sharing (establish communication between victim and offender)

•Police read or summarize facts of the case.

•Ask youth if they understand the charges and ask if admits to charges

•Victim and victim's family explain impact the offense had on them

•Young person explains why they did it

•Victim can ask questions (good if flows to victim and offender discussion)

•Family tells how affected them

•Family can share other information about offender RCC should know

•Professionals can give information to the family



## Sign in Sheet

Date: Responsible Youth: Charges:

FIRST NAME (only)	ROLE
	a series and a series of the s
	,
	Enderstan factor - annexes the annexes in 1, 2, 6, 7 or at advector - 1.
	مندن المحمد ا المحمد المحمد



ц. Т	Volunteer Sign-In	
:	Volunteer Name Name of SignerInitials	
Date	TimeIn TimeOut #of Task	

...



# RESTORATIVE COMMUNITY CONFERENCING

- It is the practice of Community Works (CW), to bring together in a private meeting, called a Restorative Community Conference, people who have done harm, victims and interested community members for a full, honest, comprehensive exposition of what caused the event; who was involved; the event itself; and its consequences. From this shared information, CW will work with all concerned to arrive at a program to repair the damage caused, determine the repair required and the steps taken to prevent a recurrence.
- To ensure that each participant can speak fully and freely, s/he must know that any statements made, document produced, or anything else considered to be potential evidence generated in the meeting can <u>not</u> be disclosed to anyone outside of the meeting or used in any criminal or civil proceeding. In short, what is said here, stays here. Exceptions to this include all matters that fall under Mandated Reporting laws and the Restorative Conference Plan and Plan Updates from CW.
- Those who decide not to participate in this program will be referred back to the referring agency for further processing.
- Now, therefore, to participate in this program, I/we, the undersigned, agree to the following:
- AGREEMENT TO MEDIATE AND MAINTAIN CONFIDENTIALITY
- I/we who have signed below, agree to participate in a mediation process conducted by CW. I/we understand that California Law governs this mediation evidence Code Sections 1115 through 1128.
- I/we further agree that any and all matters produced during the mediation process, and specifically at the Restorative Group Conference is part of the mediation process and can <u>not</u> be disclosed to anyone outside of the meeting or used in any criminal or civil proceeding now pending or subsequently filed.
- I/we agree that the mediator/members of CW are neutral, and are not acting as lawyers, advocates or representatives of any participant. I/we also agree we will not seek to compel mediators or any other participant to give testimony about the mediation or matters discussed therein.
- Signed:\_\_\_\_\_\_ Participant Date Print Name

**Restorative Conference** 



#### Evaluation

- \_ا ا
  - Preparation What was your role in the conference?
  - The Conference and Plan Yes.....No
  - Did the conference process seem fair?
     1 2 3 4 5
  - Was the conference meaningful to you?
     1 2 3 4 5
  - Was the plan fair?
    1 2 3 4 5
  - Did the plan address the impacts of the offense?
  - If no to any question please explain on back
  - The Staff
  - Did you feel prepared by staff for the conference: 1 2 3 4 5 I=Very 5=Not at all
  - Did our staff answer your questions?
     1 2 3 4 5
  - Did our staff address your concerns?
     1 2 3 4 5
  - How would you rate your overall satisfaction with staff?



1 2 3 4 5

#### **Evaluation Cont.**

#### Outcome

High.....Low

- How would you rate your overall satisfaction with the program?
   1 2 3 4 5
- What was the most meaningful part of the program (conference, contact with victim, the plan, contact with staff, etc) why?
- Would you use this process again?
   Yes
   No
- Would you recommend this process to a friend?
   Yes
   No
- What are your ideas for how we can improve our service?
   Please write on the back.
- If you prefer to talk to someone to give your feedback please write your name and number below.



# Part 2 Family Time/Plan development

· Addresses needs of victim,

. -

Addresses needs of family,

• Returns something to the community

Addresses underlying causes of offending

 Ensures adequate support for young person to meet his/her obligations



### **Finalize Agreement**

• Youth presents the plan

- Person harmed is asked if they would like to add or remove anything
- Work out details (time line, support etc.)
- Explore how responsible youths family feels about the plan
- Go through plan with reality check measurable, attainable, adequate support, monitored
- Again ask person harmed if they agree
- Again ask responsible youth and family if they agree
- Ask responsible youth "Do you believe you can complete this plan?"
- Ask police if they agree



### Letter To Referring Agency

To: (DA, HPD, BUSD, etc.)

- Re: Report No. 1111111, name name
- Name Name has completed all of his/her obligations to Community Works Restorative Community Conferencing Program and no charges should be filed against him/her. There is no need for any further investigation, the case is complete.

# RJ RESULTS IN

> Positive Outcomes in Schools

> VICTIM SATISFACTION

> TRUE ACCOUNTABILITY

> INCREASED FAMILY & COMMUNITY INVOLVEMENT

> REDUCED INCARCERATION AND RECIDIVISM



> FISCAL BENEFITS

> IMPACT ON DISPROPORTIONATE MINORITY CONTACT (DMC)



# **Case Closing**



Restorative Community Conferencing

Send Denise e-mail that youth has completed their plan.
 Denise will inform the referral agency and forward you their acknowledgement.

 Complete "Case Summary" and send a copy to Denise and Ruth. Place a copy on the first page of the file on top of Police Report. The case summary should be both technical and give us a true feel for the family.

Arrange date and time to meet w/youth (and family) to acknowledge completion. (optional)

#### **Restorative Community Conferencing**

**Snapshot of Preliminary Results** 

RCC program received 70 cases referred by Alameda County District Attorney

80% of these cases successfully completed the program and had all charges dropped against them

What was the most meaningful part of the program and Why? Participants Response:

- The most meaningful part was the plan, because I set goals for myself to help myself, my family ٠ and the community - Responsible Youth
- Face to face contact that can lead to normalizing relationships in the community we all share -. Guardian
- The kids taking real responsibility and understanding their impact on other people Victim ٠
- I'm just glad we got to talk with the kids before it was too late Victim ٠
- "Youth admitting to the crime and his plan" Law Enforcement ٠

Data Range: January 2012 to June 2013

#### **Cases Referred** Enrolled Successfully ■ Enrolled 1%**Completed Program** 4% <sup>6%</sup> 6% Returned - Non Declined to completion Particpate Requested Back by Referring Agency Moved out of Area

#### Youth inspired by conference wrote the following:

I would like to start off by thanking you for allowing me the opportunity to learn from my mistakes by agreeing to take part in this Restorative program. know I already verbally apologized but I would like to offer this written apology as well.

Although it still hurts to discuss, I'll be honest in telling you that I've been lost for the past 9 months. September 7, 2012 my one and only brother was taken away from me due to gun violence... When he passed so did my soul. I don't care for much anymore. I felt as if nothing else could repair the hurt I was feeling. No one understood. Everyone kept saying "it'll be okay" and still 'til this day I feel like it's not.

I didn't mention this as an excuse, but I wanted to bring a heart beat towards my "cold demeanor." Again, I know that I'm not in any position to play the victim card, and I'm not! I just wanted to be honest about my own personal storm...as everyone has a story. Although, I do regret my poor actions, I don't regret getting caught, because it allowed me the time to self-reflect and I realize that although I lost my brother, I cannot lose myself. There's people, including myself who care a lot about my future and this has restored the faith I once had in myself to be the greatest me! And I thank you for that! I am now a responsible youth.





# Case Closing Cont.

- Make packet to give to youth and family, include: (optional)
  - Fill in certificate of completion and print out. (Lauren)
  - Make sure plan is marked "completed" and print out. This allows the youth and family to have a visual of what was accomplished.
  - Print out copy of forwarded e-mail from Denise to referring agency noting youth's plan is complete and response from referral agency.
  - Anything else you want to bring.

- Meet w/family and present items above.
- Celebrate! And Congratulate yourself!



ц.	<u>Case Summary</u>		
	oonsible (Initials):	Date of	
Service Da	ates- From:	To:	-
Charges: _		School:	
Backgrou	nd and description of incident		
Services I	Provided		
■ <u>Conference</u>	<u>ce/Plan Highlights</u>		
Challenge	es and Celebrations		

--

.

# COLLABORATION

#### Director

- Participate in Conferences
- Practitioners or

- Community Representative(s)
- Surrogate Victim



 Provide services for responsible youth and families

In chi an

- Specific expertise
- Short term opportunities



