Community Justice Boards

Mary E. White

Deputy Yuma County Attorney
Yuma County Attorney’s Office
Yuma, Arizona
OUTLINE

• Early Intervention for at risk juveniles
• Applying Restorative Justice
• Details of Yuma County Program
• Community Volunteers
• Individual Attention
What are Community Justice Boards?

- Volunteers from your community who meet face to face in conferences with the victim, juvenile and parents or guardians.

- These community members decide what consequences the juvenile will face.
Community Justice Boards

Law

§ ARS 8-321

(C) “…the county attorney has sole discretion to decide whether to divert or defer prosecution of a juvenile offender...directly to a community based alternative program.”
Community Justice Boards

Purpose:

• To give the victim a voice and, to the extent possible, allow a juvenile to make amends to those who were harmed

• To enable the juvenile to make better choices
Community Justice Boards

Early intervention for young juveniles who are in trouble with the law for the first time

We can make a difference one child at a time!

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Planting the seeds ...
Challenges Faced by Juveniles Today

- Drug Abuse
- Assault / Rape
- Robbery
- Violence at Home
- Homicide
- Suicide

- Alcohol Abuse/Underage Drinking
- Gangs
- Teen Pregnancy / STDs
Risk factors:

- Bad Companions
- Drug/Alcohol availability
- Lack of education
  (ditching school, learning difficulties)
- Low self-esteem
- Parents with DV, drug or alcohol problems
- Absent parent(s)
- Lack of positive activities/interests
Law breaking often starts with

- Truancy
- Tobacco
- Runaway
- Curfew
- Fighting
- Gang threats
- Shoplifting
- Theft
- Damaging others’ property
- Alcohol or Marijuana abuse
- Bringing weapon to school
Restorative Justice is a balanced approach...

Balanced attention to the needs of:

- Victims
- Community
- Offender
What is Restorative Justice?

Imposed vs. Restorative Justice

**Imposed/Retributive Justice:**

Focus on the state - crime is an offense against the state.

Imposes punishment on the offender while giving the victim at best indirect recognition.

Embraces a model of justice which is "pre-occupied with the past to the detriment of the future".

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**Restorative justice:**

(1) Repair harm to victims, family & community

(2) Accountability & amends by offenders

Bring both victim & offender back into the community
BALANCED APPROACH TO JUVENILE JUSTICE

- APRI (American Prosecutors’ Research Institute):

- Three (3) Goals:
  - Community Safety
  - Offender Accountability
  - Competency Development
Balanced/ Restorative Juvenile Justice

- Crime is harm, not just the breaking of the law

- Crime hurts individual **victims**, **communities**, and juvenile **offenders** (and their **families**) and it creates an obligation to make things right
All parties should be a part of the response to a juvenile’s crime, including the victim if he or she wishes, the community and the offender, and the families affected.
The victim’s perspective is central to deciding how to repair the harm caused by the crime.

Accountability means accepting responsibility coupled with action to repair the harm done.

Crime control cannot be achieved without active involvement of the community.
Restorative Justice:

- Community Justice Board (CJB) volunteers apply the principles of Balanced & Restorative Juvenile Justice

- Each Conference gives victims, children, parents & community an opportunity to be heard
CJB Volunteers:

- Make decisions about remedies & consequences
- Restore relationships within the community by
  - 1. Giving the juvenile, the parents and the victim
  - sense of belonging & being cared for
  - 2. Holding the juvenile accountable.
Collaboration

Working as a team toward a common goal!

- The County Attorney:
  - Coordinates Program
  - Recruits & trains volunteers

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Collaboration

CJB Members provide:

- Time and energy
- Knowledge
- Problem solving
- Consequences that fit individual needs of juvenile, family and victim
- Positive and caring attitude
Collaboration with Juvenile Court:

- Juv. Ct. Diversion Officers screen and refer juveniles to CJB.
- Explain the program to juvenile and parent/guardian at intake interview.
- The juvenile signs admission of guilt.
- Advice and information for CJBs (Juvenile Diversion Officer attends every CJB Conference).
For a juvenile to be considered for CJB

- Admission of guilt - ARS 8- 321 (H) & (P)
- Voluntary participation by juvenile and parent/guardian - ARS 8- 321(H)
- No deep therapeutic needs (severe family and/or mental health problems)
- First offender
- No serious physical injury to victim
- Small dollar amount of restitution if any
Examples of Charges

- Shoplifting
- Simple Assault
- Disorderly Conduct
- Graffiti
- Theft
- Threats

- Criminal Damage
- Alcohol Charges
- Curfew violations
- Truancy
- Bringing weapon to school
- Endangerment
PREPARATION FOR FIRST CONFERENCE

- Date/time/place set by Program staff in consultation with CJB Chair
- Conferences take place at 5:30 pm, M-Th, to minimize loss of school/work time for juvenile/family/victim & volunteers
Victim Preparation

- Victim is contacted by trained CJB volunteer or staff.
- If victim agrees, CJB Volunteer and Program staff member meet with victim at time/place chosen by victim.
- The CJB process is explained, including what will happen at each Conference.
- The victim’s needs are ascertained.
- The victim is invited to attend the Conferences.
Conducting The Conference

- Greet participants; establish positive, caring mood
- Ensure victim is comfortable

- Seat participants and gallery observers
- Chair determines participants
- Other attendees sit in gallery
- Only participants engage in questioning of child and parent
Conducting the Conference

- Introductions
  - Chair & Board members
  - Victim
  - Juvenile & family
  - Gallery observers
Chair’s Opening Statement

- **Purpose of Community Justice Board:**
  - Board members are all volunteers giving their time for free
  - To help the victim, the juvenile & the juvenile’s family
  - To enable the child to make amends to victim and others wronged, including family & community
  - To help the juvenile learn: about future consequences, new skills, learn positive things about themselves, learn about community resources;
  - To address problems and needs (tutoring, counselling)
  - Community importance: to repair the harm of crime and to help the child to learn so that the child does not ever again get in trouble with the law
Non-Board members who assist at each Conference

• Program Coordinator (Mary White)
• Assistant Coordinator (Jessica Rodriguez)
• Juvenile Court Diversion Officer
(1) Admission of charges

(2) Personal statement
   - Juvenile
   - Parent/Guardian
   - Victim or Victim Liaison (victim is given choice on whether to speak first or after juvenile & parent)

(3) The Board asks questions designed to learn about the child & family and what led up to the incident:
   - Individual (child’s needs, strengths & interests)
   - Home and Family
   - School
   - Community
   - Peers
Get to know the child & family

- The Board should ask questions in a friendly and caring way.
- They are getting to know the child – to discover needs, strengths & interests
- They are finding out what is going on within the family
Tips for Questioning

• Open ended questions (do not suggest the answer)

• Silence is OK. After asking a question, wait, give the child a chance to think.

• Respect = Respect. If you give respect, you will receive it.
Tips for Questioning

- Ask, what do you like to do?
  Not -- What are you good at?

- “Circle” format for questioning is often best:

  Chair allows each Bd member to ask questions in turn, without interruption from other Bd members
Consequencing Phase

• **Suggestion of consequences**

• Juvenile, Parent/Guardian, Victim or Victim Liaison

• Juvenile & family are requested to wait outside (This is voluntary – if they wish, they can remain to participate in discussion but waiting outside is recommended)

• Victim is invited to remain in the room and participate with the Board in “brainstorming” as to Consequences
Board (& victim) consider and discuss all information

- Board determines consequences
  - Be creative! We want to get the child to think.
  - To understand impact of the incident
  - To recognize & address problems they may have
  - To learn to make better choices
  - To see their own strengths/ self worth.
How does the juvenile learn to make better choices?

- Understanding what caused the problem and the impact on the victim.
- Building self esteem
- Learning life skills: education, job training, positive activities, counselling and more
- Restore relationships (family/ community)
Consequence Agreement

• Recorder writes this up at the Conference
• To be explained to child & parent(s)
• To be signed by child, parent & Chair
Tools we employ to teach juveniles resiliency

What are the consequences that the Community Justice Boards can use?

Consequences are the opportunities that the CJB can offer the juvenile

* To make things right with the victim and community
* To understand impact of the incident
* To recognize & address problems they may have
* To learn to make better choices
* To see their own strengths/ self worth.
Build competencies in the juvenile:

• Hold young lawbreakers accountable in a positive way to teach responsibility for their actions

• Self esteem

• Problem solving skills

• Life skills such as GED, school completion, job training
Examples of Consequences

• Apology letter to victim (mandatory)
• Restitution (if juvenile has or can get a job)
• Personalized project to make amends to victim:
  * Art/craft gift for victim
  * Community service for organization recommended by the victim
Learn the consequences of crime:

- Report on how a criminal record can make it hard to get the job you want
- Interview with attorney to learn the possible sentences if convicted as an adult
- Tour of adult jail or juvenile detention center
Make amends to family & community:

- Make amends to family
- Apology letter to parents/family
- Report to Board on something nice you can do for your mother/father/sibling
- Project to help teach others such as create a poster or song lyrics
- Community Service (at a school, non-profit or other approved & safe location)
Learn to make better choices

Report or essay (to get the child to think):

• What can happen if you get into a car where the driver has been drinking
• Dangers of being in a gang
• Bad things that can happen if you bring a knife to school
• What to do if someone wants to fight you
• Where I want to be in five/10 years
• Why I am important – Five things that are good about me
• Essay on the good things about each family member
Build life skills/competencies:

- Education and career planning
  - Family or individual counseling
  - Sign up for tutoring to get help with school
  - Bring up grades/attend school
  - Sign up for GED classes
Concluding The Conference

- Escort juvenile & family back to room
- Review Consequences with juvenile & family
- Address any concerns regarding consequences
- Sign Consequence Agreement
  - Juvenile, Parent/Guardian, Chair
- Closing statement by Chair
Concluding The Conference

• Positive send-off for juvenile, family, & victim by all Board members.

• Some Boards have each member speak in turn, to each give a positive comment to the child & parent.
Follow-Up Conferences

- Dates/Times set at Family Conference and recorded on Consequence Agreement
  - Victim is invited
- Monitor progress
- Provide feedback & encouragement
- Maintain standards of excellence
FOLLOW-UP
CONFERENCE

• Child & family bring in completed Consequences/documentation

• Show progress on Consequences not yet completed

• Child must stand and read aloud all apology letters, essays & reports
The victim is invited to each Follow-Up Conference.

If the victim chose not to attend or send input at the First Conf, the victim may address the juvenile and/or send input to a Follow-Up Conf.
FOLLOW-UP CONFERENCE

• Child and family are asked to wait outside while the Board deliberates as to their progress. (The victim may stay for this deliberation.)

• The Board may modify or add Consequences
Example:

- Juvenile was required to do a job search.
- He found a job and earned some money but spent it all on himself instead of helping Mom with Juv Ct Fees.
- The Board may require him to earn some more money and pay back his Mom before graduating him.
More examples:

- At a Follow-Up Conference, the Board realized that the juvenile had a serious problem with anger.
- Anger Management Counselling was required.
FOLLOW-UP CONFERENCE

• Each Conference should end with a Positive Send-Off

• Find something encouraging or good to say.
It is important to hold juveniles accountable.

It is equally important to instill in them a sense of community and belonging.
Final Conference

Review remaining consequences / assess overall performance

- Celebrate Success!!
  - Certificate of Achievement (documents successful completion with police report/case #)
  - Certificate for self-esteem (positive meanings of child’s name & birthday)
  - Invite juvenile to continue community participation
  - Parent/guardian – potential CJB member??
Evaluations

- Evaluation surveys are mailed to juvenile, parents and victim
- Telephone contact with parent by Program coordinator/staff re: evaluation
- If a juvenile is non-compliant, the case is returned to the Juvenile Court and reviewed by the Juvenile Prosecutor for filing of charges
Program Evaluation & Development

- Monthly recidivism checks
- Analysis of each incident of recidivism
- Monthly Reports
- Annual Report
- Annual public “Retreat” to review each year’s progress
- Quarterly meetings of Community Justice Board Advisory Committee (Board Chairs, Co-Chairs & Program Staff)
- Attendance of every CJB Conference by Program Coordinator or staff

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Community Justice Boards apply Restorative Justice to juveniles who are in trouble with the law for the first time.
Community Justice Boards

- Repair the harm done to the community
- Give the juvenile, family & victim a sense of belonging to a caring community
- Enhance public safety by keeping the child from returning to crime
- Involve community members in applying criminal justice
Crime Prevention:

- People who finish school, hold a job and have good life skills are far less likely to commit crimes or become involved with substance abuse.

- Juveniles who learn self-esteem & how to make better choices will become law abiding adults.
For a better world
Community Justice Board Program

Mary White
Yuma County Attorney’s Office
250 W. 2nd St, Suite G
Yuma, AZ 85364

(928) 817-4300 or mary.white@co.yuma.az.us

More program information:
www.co.yuma.az.us/atty
www.snap211.com

Jon R. Smith
Yuma County Attorney
Sources (chronological)

1st: Community Justice Boards Program Pima County Attorney’s Office Tucson, Arizona

2nd: Arizona National Guard Drug Demand Reduction Team

3rd: Leslynne Jackson, experienced volunteer from New Zealand Restorative Justice Programs.


Advantages of involving community volunteers

• Community participation in the juvenile justice system

• Give the juvenile, family & victim a sense of belonging to a caring community

• Involve community members in applying criminal justice

• Large pool of volunteers & public recruitment makes community aware of Restorative Justice
Trained volunteers add to the family group conference:

- Victim liaison to support/assist victim
- Community volunteers also support/assist both juvenile & parent in positive way
- Trained volunteers know how to ask questions, to follow outline of conference, to craft appropriate consequences
- Knowledge of community resources
Volunteers help the juvenile to understand how the crime/act affects the community neighborhood.

- This helps the juvenile to realize that there are no "victimless" crimes.
Who can start & coordinate a CJB program?

• County Attorney (District Attorney, County Prosecutor, etc.)

• Juvenile Court (Diversion or after a court finding of guilt)

• Law enforcement agency (Police Dept, Sheriff’s Office, etc.)

• Schools
Anyone else?

- Adult Probation Departments (Post-conviction)
- Non-profits who can partner with any of these agencies/departments
- Maybe more........