

**CLAY COUNTY COLLABORATIVE GRANT  
Program Report**

**Project/program:** Restorative Justice **Host agency:** Clay County Attorney's Office

**Work group:** Restorative Justice **Today's Date:** 1/10/12

**Person preparing this report:** Charles Kaspari **Dates of Report:** October 1, 2011 – December 31, 2011

**Factor(s) Being Addressed:** Participation in illegal activities

**PART I: DEMOGRAPHIC INFORMATION OF CHILDREN SERVED**

Gender by Quarter		Gender Year-to-Date (unduplicated)	
Male	23	Male	90
Female	6	Female	65
<b>TOTAL</b>	<b>29</b>	<b>TOTAL</b>	<b>135</b>

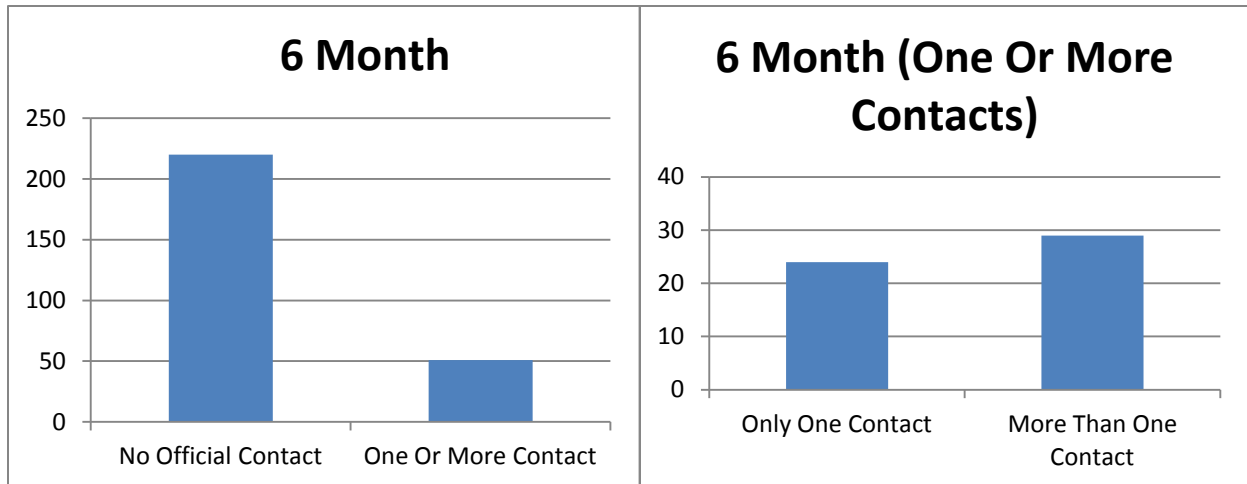
Race by Quarter		Race Year-to-Date (unduplicated)	
Native American	2	Native American	4
Asian	0	Asian	0
Hispanic	4	Hispanic	19
Black	2	Black	8
White	20	White	99
Other	1	Other	5
Missing	0	Missing	0
<b>TOTAL</b>	<b>29</b>	<b>TOTAL</b>	<b>135</b>

Age by Quarter		Age Year-to-Date (unduplicated)	
8-9	2	8-9	10
10	1	10	4
11	4	11	18
12	3	12	8
13	1	13	20
14	3	14	13
15	6	15	17
16	6	16	27
17	2	17	15
18	1	18	3
<b>TOTAL</b>	<b>29</b>	<b>TOTAL</b>	<b>135</b>

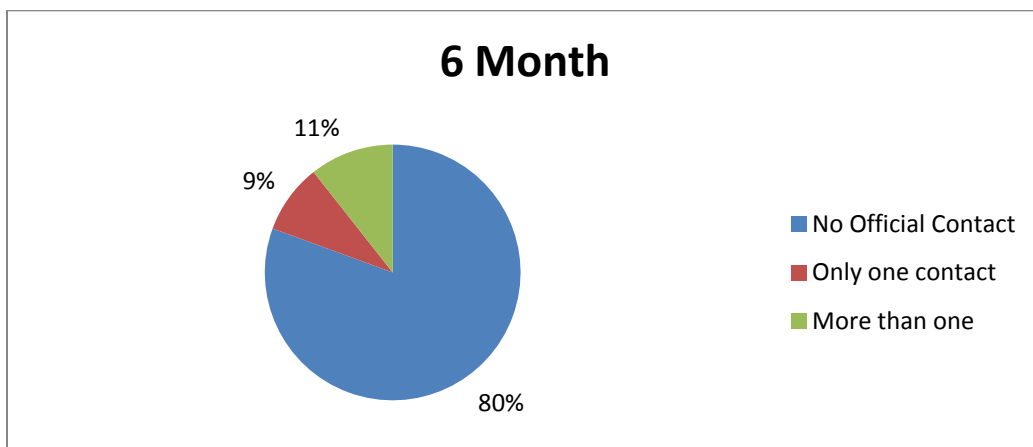
ZIP Codes by Quarter		ZIP Codes Year-to-Date (unduplicated)	
56514 (Barnesville)	0	56514 (Barnesville)	6
56525 (Comstock)	0	56525 (Comstock)	0
56529 (Dilworth)	3	56529 (Dilworth)	15
56536 (Felton)	0	56536 (Felton)	0
56547 (Glyndon)	0	56547 (Glyndon)	5
56546 (Georgetown)	0	56546 (Georgetown)	0
56549 (Hawley, Rollag)	0	56549 (Hawley, Rollag)	1
56552 (Hitterdal)	0	56552 (Hitterdal)	0
56560 (Moorhead)	22	56560 (Moorhead)	99
56580 (Sabin)	0	56580 (Sabin)	0
56585 (Ulen)	0	56585 (Ulen)	0
Other	4	Other	9
<b>TOTAL</b>	<b>29</b>	<b>TOTAL</b>	<b>135</b>

**PART II: OUTCOMES**  
**2009 – 2011 Recidivism Data**

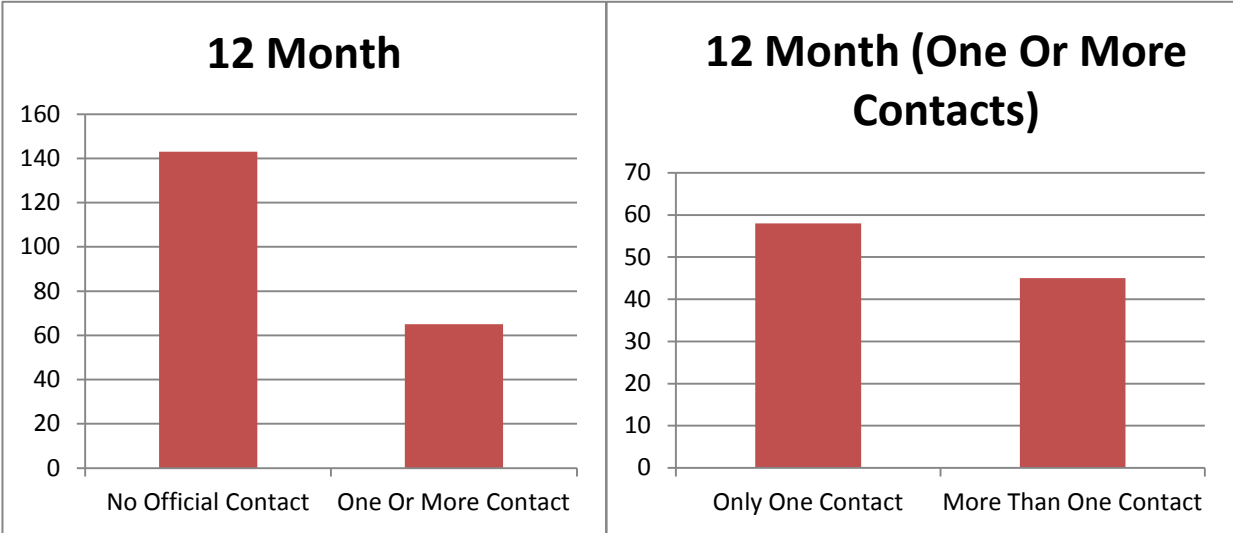
The following data includes the participants from 2009 to the second quarter of 2011 and is a continuance of the information provided in previous reports. Only those individuals who have reached their 6 month and 12 month anniversary of program completion are considered in this data. Contact, or official contact, is defined as conviction (adjudication) within the criminal justice system.



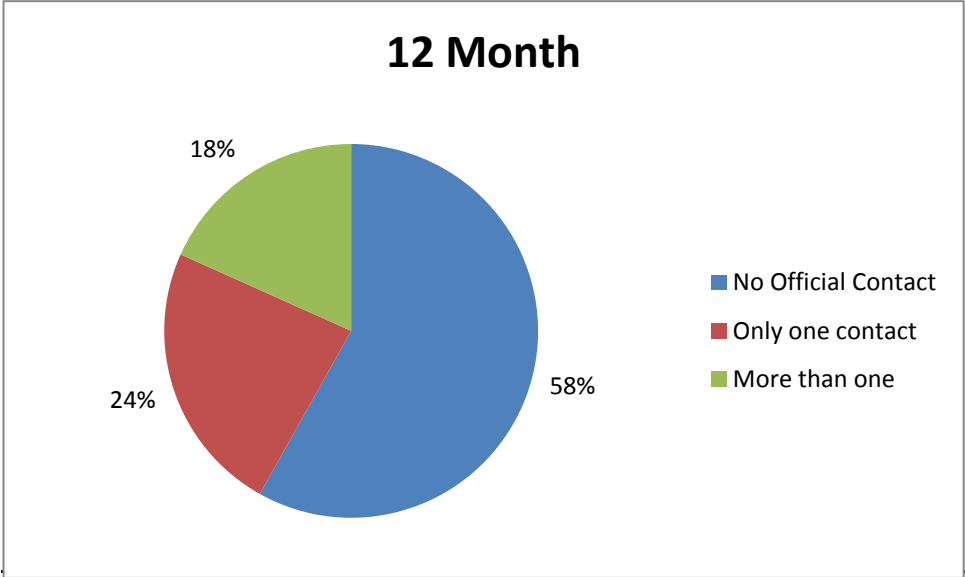
Currently, 271 cases have reached their 6 month anniversary. 220 have not had any additional official contact with the criminal justice system. 24 had only one official contact after 6 months and 29 had more than one official contact after 6 months for a total of 53 cases with one or more official contact.



This graph shows the totals for those individual who have reached their 6 month anniversary. 80% had no official contact with the criminal justice system. 9% had only one contact and 11% had more than one contact.



208 cases have reached their 12 month anniversary. 143 have remained free of official contact after 12 months of completing the program. 65 had only one official contact after 12 months and 45 had more than one official contact after 12 months for a total of 103 cases with one or more official contact.



This graph shows the totals for those individual who have reached their 12 month anniversary. 58% had no official contact with the criminal justice system. 24% had only one contact and 18% had more than one contact.

# Restorative Justice Program Report

October 1, 2011 to December 31, 2011

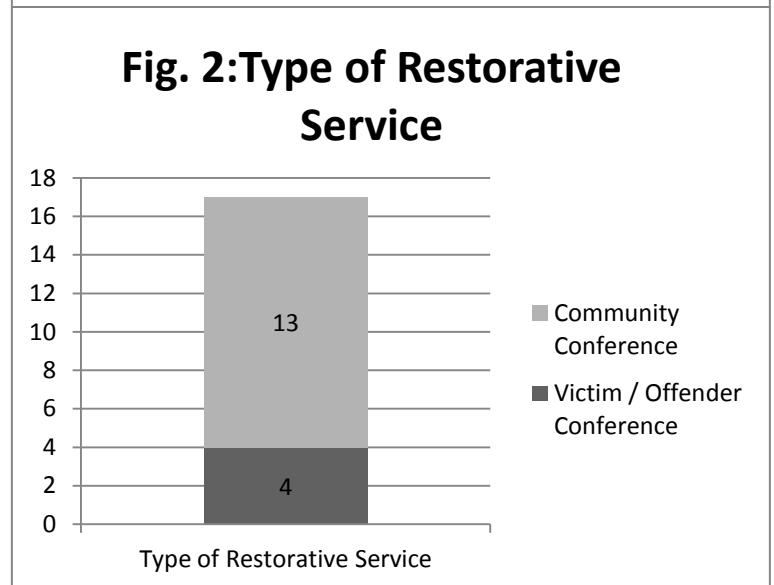
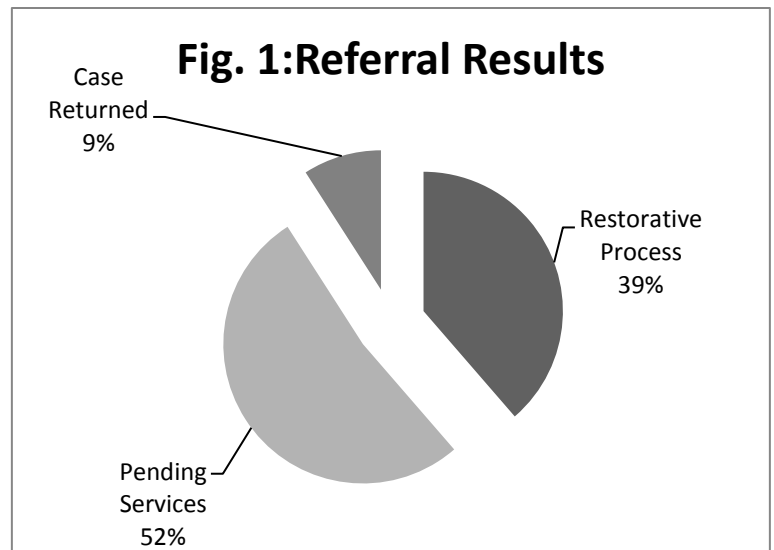
During this quarter the Restorative Justice Program served 44 **Juvenile Cases**. Currently, 23 cases are open and 21 are closed. A total of 155 **Client Contacts** were served including offenders (42), offender supporters (51), victims (12), victim supporters (11), community volunteers (36), and agency representatives (3).

Over half of the juvenile clients were **Male (77%)** and **White (61%)**. The Restorative Justice program also worked with clients of Hispanic/Latino (20%), Black (9%), and other (10%). The mean age of juvenile clients was **13.57 Years**.

Referred offenses were primarily **Petty Misdemeanors (56.8%)**. The majority of incidents occurred in **Moorhead (70%)**. Referred offenses also occurred in Dilworth (16%), and other (14%).

The majority of victims were identified as **Individuals (76%)**. Other victims were identified as Self/Community (11%), or Business (13%).

Referrals to the program were primarily **Diversion (70%)**. Of all the cases provided services this quarter, **48% resulted in a Restorative Process** in which the juvenile met face-to-face with the affected victims and/or community members and came to a formal agreement on how to repair the harm caused by the incident. **9% of cases were returned** to the referring source because the offender was not appropriate for the program, made no attempt to contact the program, the victim was not willing to participate, or the offender did not complete. **See Figure 1.**



**Figure 2** describes the type of restorative services provided. Several cases were processed using the **Community Conferencing (76%)** model. The **Victim / Offender Conferencing (24%)** model was used with the remaining cases.

A total of **155 participants** were involved in a restorative process this quarter. **Figure 3** outlines the breakdown of process participants.

**87% cases successfully completed agreements** out of all the cases receiving one of the two Restorative Justice Services this quarter. Only **13% were returned** to the referral source as unsuccessful/incomplete after receiving a Restorative Justice Service.

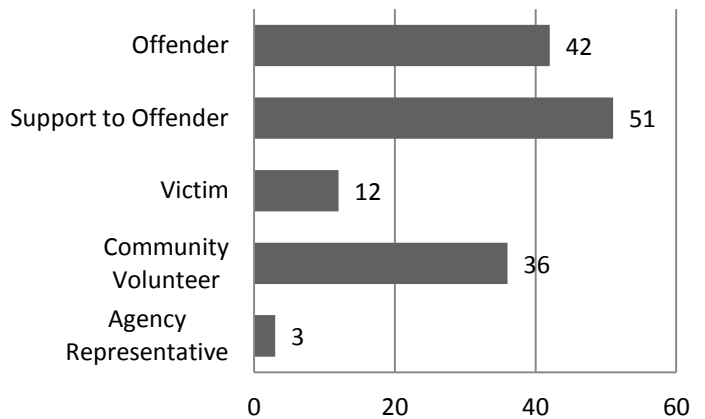
**Figure 4** shows the percentage and level of offense of referrals receiving services this quarter.

**Figure 5** shows participant feedback regarding the restorative justice process.

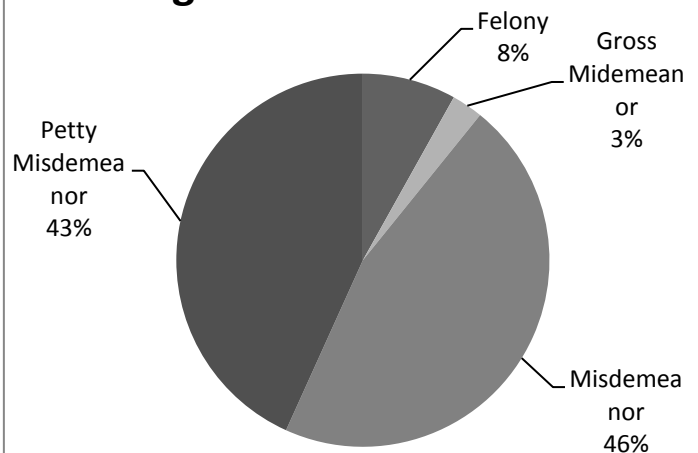
**Victim/Offender Conferencing** – involves direct victims coming together with juvenile offenders to discuss how people have been harmed by an incident and how that harm might be repaired.

**Community Conferencing** – brings together a panel of community volunteers and agency representatives to hold juvenile offenders accountable for harms caused to the community.

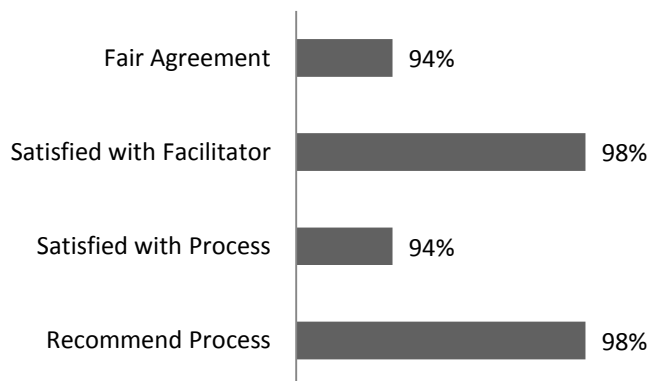
**Fig. 3: Process Participants**



**Fig. 4: Level of Offense**



**Fig. 5: Client Evaluations**



## NARRATIVE

In this section we will examine two cases that were referred to the Restorative Justice Program (RJP) this quarter. Each of these cases involves victims, offenders, community members, and others meeting face-to-face to address the harm caused by an incident of wrongdoing and working together to help repair any relationships that were damaged among the participants. The process in each case explored the harm caused by the Juvenile's actions and worked to repair the harm in a manner satisfactory to everyone involved. As with all of the cases discussed, the names utilized have been changed to conceal the identity of the participants in order to protect their privacy as best as possible.

The first case involves an incident of theft with individuals who were not known to one another. Cathy contacted Law Enforcement to provide additional information on her son, Matt's, stolen bike. She indicated she had reported the stolen bike to Law Enforcement earlier in the week and explained how Matt's friend had observed someone else riding the bike around the neighborhood. Cathy explained Matt's friend knew which house the person riding the bike lived at and gave the information to Cathy. Law Enforcement took the information about the address and left to see if they could locate the stolen bike.

Upon arriving at the address, Law Enforcement observed a bike matching the description given to them by Cathy. Law Enforcement approached the house and spoke with the homeowner. The homeowner indicated it had been his son, Alex, riding the bike. The homeowner went on to explain how Alex told him one of Alex's friends had let Alex borrow their new bike for the week. The homeowner stated he didn't think it was strange because the boys often could be seen riding each other's bikes. Law Enforcement next asked to speak with Alex. The homeowner agreed, went into the house, and came out with Alex. Alex told Law Enforcement his friend, Jeff, had let Alex use his new bike. Law Enforcement asked Alex if he knew where Jeff had gotten the bike. Alex said Jeff's parents had bought it for him. Law Enforcement told Alex's dad they believed the bike was stolen and Law Enforcement was going to take it with them to Jeff's house.

Law Enforcement left and went to Jeff's house where they spoke with Jeff's father. Jeff's father told Law Enforcement neither he, nor his wife, had bought that particular bike for Jeff. Jeff's father called for Jeff and Law Enforcement questioned Jeff as to where he got the bike. At first, Jeff said he found it in the street by the school, but Jeff's dad scolded him. Jeff finally admitted to Law Enforcement he had taken the bike from the front yard of a house. Jeff said he didn't know whose house it was or whose bike it was, but he saw it and took it on his way home from a park. Jeff said he used the bike to get home and didn't plan on keeping it. When his friend Alex asked about the bike, Jeff told him he took it from a house. Alex wanted the bike, and needed a new one because his was broken, so Alex asked if he have take it. Jeff then gave him the bike.

Law Enforcement returned to Alex's home where they informed Alex of what Jeff had said. Alex admitted he knew Jeff stole the bike and he had still asked to have it. Law Enforcement issued tickets to Jeff for theft and Alex for possession of stolen property. Law Enforcement returned the bike to Cathy where they explained what happened. Cathy indicated she was happy to have the bike back and didn't want to press any charges. Law

Enforcement indicated they had written citations to the juveniles but, if Cathy was agreeable, the cases could be diverted to the Restorative Justice Program. Cathy agreed and stated she was interested in learning more about the Restorative Justice Program.

The Restorative Justice Program Facilitator received the referral from Law Enforcement and contacted Alex and Jeff. Jeff's family indicated they would be out of the State until late February 2012. After consulting with the Juvenile Prosecutor for Clay County, the Facilitator chose to wait and include Jeff and his family when they returned, if it was agreeable to Cathy.

The Facilitator next contacted Alex who agreed to meet to discuss the program. Alex and his mother discussed the incident with the Facilitator who, in turn, explained the program to them. Alex and his mother agreed participate in the program.

The Facilitator next contacted Cathy to see if she, along with her son, would be interested in discussing the program. Cathy informed the Facilitator her son was hesitant to meet with the juveniles. The Facilitator explained if her son did not wish to participate, Cathy and her husband, Tim, could still meet with the Alex to discuss the incident and attempt to repair the harm. Cathy agreed, and both her and her husband met with the Facilitator. The Facilitator informed Cathy and Tim that only one of the juveniles would be available to meet and, if Cathy and Tim were in agreement, they could meet with that juvenile now. If they felt the process was productive, they could meet with the second juvenile when he and his family returned. Cathy and Tim agreed to meet with Alex and stated their wish to proceed with the Restorative Justice process.

At the Restorative Justice meeting, the Facilitator explained the ground rules and expectations to the group. Cathy and Tim chose to speak first. Cathy began by explaining the impact the theft had on her son. Cathy informed Alex bike he had stolen was bought by her son using money her son had earned working the previous summer. Cathy said her son was disappointed because this was the second time he had one of his bikes stolen. Cathy explained they did not buy him a new bike, thus, her son had nothing to replace it. The bike was important to her son because he used it get around town, to see friends, go to school, and to go to and from his various sports practices. Having the bike stolen had a huge impact on his ability to get around. Finally, Cathy explained they were thankful to have the bike back, especially since Law Enforcement had told her it was very unlikely it would be recovered.

Tim spoke next and stated he agreed with everything Cathy had said about how the theft had impacted their son. Tim went on to explain the incident has been a learning experience for their family. Tim informed Alex of how his son no longer carelessly leaves his bike in the front yard after he uses it. His son now puts it somewhere out of sight, where it is safe, and where it is out of the way. Tim continued to say their family has since put identification on all of their bikes and filed the identifications with Law Enforcement to better protect them in the future. All of this has arisen from the incident and everyone has learned a great deal because of it.

When it was Alex's turn to speak, the first thing he did was apologize for keeping the bike, knowing his friend had stolen it. Alex explained how he has had his own bike stolen from

him in the past and knows how their son might feel. Alex continued to explain what happened, how he came to possess the bike, and what he has learned from the incident. After Alex concluded, Alex's mother spoke and apologized to the family, scolding Alex, and informing Cathy and Tim that she did not raise Alex to be a thief and he was punished at home for his actions.

Finally, the discussion turned to what needed to be done to repair the harm caused by Alex. Alex told Cathy and Tim he would be happy to do chores for them or help them in whatever way possible. Cathy and Tim thought for a moment and ask if he had apologized to his mother. Alex's mother responded almost instantly with "Oh yes!" and explained when Alex finally admitted to Law Enforcement he knew the bike was stolen, the first thing he said was "Mom, I messed up. I'm really sorry".

Cathy said they were happy with his apology and felt it was genuine. She explained they really just wanted to meet with Alex and talk to him about what happened and to see what kind of person he was. They were pleased he has taken responsibility and apologized for the harm he caused. The meeting ended with everyone agreeing Alex had sufficiently repaired the harm he had caused.

The second case involved a juvenile who made a poor choice with alcohol. Early one morning, Police Officers responded to reports of a suspicious car which was stopped in a park with its lights off. Upon arriving at the scene the Police Officers observed two juvenile occupants (one male and one female) who appeared to be passed out or sleeping. The Police Officers approached and woke the male driver of the vehicle. One of the Officers then proceeded to the passenger's side of the car and attempted to wake the female. At first, the Officer attempted to wake the Juvenile by squeezing her arm, but she did not wake. The Officer then performed a sternal rub to attempt to wake the Juvenile. The Juvenile began to respond and, according to the Officer, appeared to be intoxicated. The Officer could not locate any identification on the female, but was able to question her enough to get her name, which was Amy. After searching his computer, the Officer was able to locate the name and phone number of Amy's mother and called to inform Amy's mother of the situation.

Prior to driving Amy to her mother's home, the Officer administered a portable breath test to Amy which showed an alcohol concentration of .14. When the Officer arrived at Amy's home, he spoke with Amy's mother, Rachel, about what had happened and provided Rachel the results of the breath test. The Officer left Amy in Rachel's care and issued Amy a citation for Minor Consuming Alcohol. Prior to leaving, the Officer stated he would consider referring the case to the Restorative Justice Program.

The Restorative Justice Program received the referral and contacted Rachel to determine if she and Amy would like to meet to discuss the program. Rachel and Amy agreed. At the meeting, Amy explained she was with some of her new friends on the night in which the incident occurred. They were all headed to a party where she knew alcohol was being used. Amy said she didn't want to go, but didn't speak up and went along with her friends anyway. She explained she consumed a few mixed drinks that were red in color. Amy stated more people started to show up at the party and she continued to drink whatever her friends gave her. Amy said her friends wanted to leave the party to smoke marijuana, but she stayed

because she doesn't smoke marijuana. As the night continued, her friends never returned to get her. Amy said she knew she was intoxicated. Her next memory is that of Police Officers waking her up. The Facilitator explained Amy and Rachel would be meeting with a panel of community members to discuss the incident, explore the harm caused, and find ways to repair that harm. Amy and Rachel agreed to participate.

At the Restorative Justice Community Conference Amy began by describing the incident. She explained who she was with at the time, why she chose to go with her friends that night, and what has happened since the incident. Amy identified all of the people she could think of who were affected by her actions that day. One person in particular, was her mother. Amy explained she was most upset about disappointing her mother.

Rachel spoke next, explaining that when the police called her she feared the worst. Rachel continued to say the Police Officer was very concerned for Amy's safety and was glad Amy was found before something terrible happened. Rachel said the incident was disappointing because she had thought she had taught her daughter better. Rachel explained she was an alcoholic who has been sober for 10 years and she has talked with Amy about alcoholism and the dangers of alcohol abuse. Rachel told the Community Members alcoholism runs in their family and she is worried about it being passed on to her children.

The Community Members spoke next and asked Amy and Rachel several questions. Soon, the discussion turned to what Amy could do to repair any harm and show she has learned from the incident. One of the Community Members asked if she has received any professional help. Amy explained she was receiving counseling services as a result of the incident and it has benefited her greatly.

Amy told the Community Members she would like to help others avoid the same mistake, but wasn't sure what to do. One Community Member suggested she write about what happened. She could write about what she has learned and what she is doing now to make better choices. The Community Member suggested Amy could sign it "Anonymous" and share it with the School Resource Officer at her school to use as an example for others. Amy agreed.

Another Community Member said it sounded like the Police Officer was very concerned about Amy's safety that night. The Community Member suggested Amy write to the Officer to explain what happened, what has happened since that night, and thank the Officers for their concern for her safety. Amy agreed to this as well.

Finally, Rachel asked Amy to write an apology to Amy's sister, Sara. Rachel explained when Sara heard about what happened she was very upset. Rachel said Sara knows the difficulties alcohol has caused in their family and was disappointed her little sister would make a choice to use. A Community Member asked if Amy had spoken to Sara about the incident. Amy told everyone her sister was in college, in another state, and they have only seen each other a few times since that night. The Community Members agreed with Rachel and suggested Amy should write a letter to Sara explaining what happened that night, why she made the choices she did, and apologize for disappointing her. Amy agreed to complete all three tasks and the meeting ended.

The Restorative Justice Program aims to include those affected by wrongdoing and explore the harm that was caused by an individual's actions to best repair that harm. It is important, while doing this, to assist in the restorative of relationships between the offenders, the community, and, if possible, the victim. These cases serve as examples of the offender and the process working to restore the relationships between individuals who were harmed by an incident of wrong-doing. In the end, the program hopes to have an outcome that serves to repair the harm to the victim and also help restore the offender and their relationships with those around them to avoid alienation. Deep within the philosophy of Restorative Justice lies the idea that the more connected an offender is within the community and to the people they have harmed the less likely they are to re-offend. These cases show as an example of this philosophy and, hopefully, those involved were able to repair the relationships around them and take steps to move forward and be productive.

### **PART III: COLLABORATION**

The Restorative Justice Program continues to collaborate with agency partners to provide services. The following agency representatives participated in a restorative process at some point during this quarter, or referred a client to the Restorative Justice Program:

- Moorhead Police Department
- Dilworth Police Department
- Clay County Sheriff's Office
- Moorhead High School
- Horizon Middle School
- Robert Asp Elementary
- Clay County Attorney's Office
- Minnesota Department of Corrections

Volunteers contributed 45 hours to the Restorative Justice Program this quarter. According to the industry standard (\$18.77/hour), these hours can be equated to an \$844.65 in-kind donation.

### **PART IV: ADDITIONAL COMMENTS**

The Restorative Justice Program is happy to report the continued involvement of several area businesses in sending representatives to participate on behalf of their respective stores as the victims in several shoplifting cases. These businesses are:

- Wal-Mart
- Herberger's Department Store
- Gordmen's Department Store

This is exceptionally good news as it is often difficult to get these businesses to take time to address Juvenile crime in our community. Hopefully the Restorative Justice Program can continue to solicit their participation as their presence in these processes is important in holding Juvenile offenders accountable for their actions.

Additionally, The Restorative Justice Program has begun charging offenders a small fee of \$25 to participate in the program. The fee is collected before the final Restorative Justice Process and will be used to help sustain the program. A wavier is in place for low-income families who receive governmental assistance.

### **PART V: FINANCIAL REPORT**

Please see the attached "Restorative Justice Quarterly Financial Report" for a detailed financial report of this quarter.