

Juvenile Probation with Restorative Justice practices in REGIONS Treatment

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1. Introduction:

OJJDP defines a delinquent act as “An act committed by a juvenile for which an adult could be prosecuted in a criminal court, but when committed by a juvenile is within the jurisdiction of the juvenile court. Delinquent acts include crimes against persons, crimes against property, drug offenses, and crimes against public order, when juveniles commit such acts.”

The State of Connecticut’s response to addressing delinquent acts is often with offender focused interventions. These evidenced based therapeutic interventions, target motivational changes in behavior, group treatment and wrap around services are provided in many settings, but all focus on the child’s specific criminogenic risks. What is often overlooked and rarely part of treatment models are the victims and communities impacted by these acts.

Following restorative principals and utilizing restorative practices allows for restorative justice responses. Restorative justice is “an approach to justice that seeks to repair harm by providing an opportunity for those harmed and those who take responsibility for the harm to communicate about and address their needs in the aftermath of a crime.” Restorative practices are processes that help build relationships among victims of crimes, their community, and the offender to help restore and heal while addressing the harm caused. By further integrating restorative justice practices using circles and victim impact statements with youth in the juvenile detention centers, it will allow juvenile offenders to better understand and take responsibility for the impact of their negative behaviors towards others.

2. Definition of Problem:

The REGIONS Secure treatment program is a secure residential treatment program within a larger detention center. A unique opportunity to the barriers secure setting natural present. The program utilizes Dialectical Behavior Therapy, DBT, as the foundation for treatment in their milieu. The youth learn emotional regulation skills, improving impulse control, and reducing aggressive behaviors. Youth placed in Regions program have a variety of family structures, criminogenic needs, personal backgrounds, and futures. With few personal commonalities other than current placement, building a sense of community is difficult, and even more challenging is having youth restore and heal actions with a victim and community.

Connecticut victims' rights statutes give victims of juvenile delinquency the right to speak or submit a written victim impact statement at the youth's disposition hearing. Victim impact statements and participation, help juvenile courts understand the full extent of harm the offender's behavior has caused the victim. However, following the disposition hearing, the harm caused to the victim, community, and family is often not further addressed with the juvenile offender. Some victim advocates, in many states,

believe impact statements may benefit the rehabilitative goals of juvenile justice system by inspiring compassion, empathy, and remorse in the offender. By implementing restorative circle practices in Regions programs that incorporate victim impact statements and family/community participation, it will allow the juvenile to start to understand how their behavior impacted others while increasing empathy and accepting accountability.

Restorative circles can include significant people in a youth's life, such as immediate and extended family, past service providers, teachers, probation officers, social workers, elders, friends, and sometimes victims, or for the purposes of this capstone, instead of victims, a victim statement can be gathered to represent the victim. Circles are currently held in the Regions programs to strengthen the programs sense of community. The circle provides a safe space to express support, discuss difficult issues, understand family dynamics, discuss the impact the youth's behavior had on the victim and the community, and plan for discharge.

By focus on healing and restoring trust and relationships rather than focusing on consequences, restorative circles offer restoration and bring to the conversation all who have been affected and who need to reconcile and rebuild. Restorative practices will assist the youth in understanding the incident and what led to it. It will also offer the forum to explain and discuss the dynamic of an incident. Discussing the reasoning and emotions related to an incident will contribute to address the occurrence and to aid in reducing recidivism.

Like restorative circles, there are other types of restorative practices, victim-offender mediation, family group conferencing, and peacemaking circles, similar to restorative circles. Victim-offender mediation (VOM) is the most established intervention model of the restorative justice movement, with more than 1300 VOM programs in 18 countries (Umbreit & Greenwood, 1999). The practice of VOM is grounded in restorative justice theory that emphasizes that crime first should be perceived as an act against individuals within the context of community. Nugent, Umbreit, Winamaki, and Paddock (2001) conducted a rigorous reanalysis of recidivism data reported in four previous well-designed studies. The sample consisted of 1,298 juvenile offenders (619 participated in VOM and 679 did not). Results of the logistic regression showed that VOM youth recidivated at a statistically significant rate, 32 percent lower than non-VOM youth. In addition, when VOM youth did re-offend, they did so for less serious offenses than non-VOM youth.

3. Concept or Idea to address the problem:

Addressing the impact of the juvenile's behavior on the victims and community has been shown to build an offender's connection with their community and reduced future delinquency acts. By implementing restorative principals with victim impact statements and family/community participation, will provide an opportunity to start understanding how their behavior impacted others while increasing empathy and accepting accountability.

Currently, restorative values and practices (Forensic CBT, Child and Family Partnership, and Wrap Around Services) are folded into all youth and family contacts. All youth are empowered, respected, and held accountable. The process is inclusive and collaborative throughout the course of probation supervision.

For high-risk youth on Probation with Residential Supervision, placed in a REGIONS program for treatment restorative practices can be implemented. Having a restorative circle utilizing a victim impact

statement provides opportunities for repair work. The circle would be post adjudication and in the early stage of placement. Having this circle in the early stage of treatment, yet after adjudication, allows for the child to be honest about intent, feelings, and actions, without the fear of self-incrimination. This will also allow provide a more comprehensive idea of the level of repair which maybe needed. When a face and emotions are placed to an incident, it is humanized for all involved. Hearing from the victim makes it personal and specific. It is no longer just an incident or a victim less delinquent act.

The following is our course of action:

1. Meet with Meghan Korn, the Juvenile Probation Supervisor of the JB-CSSD Training Academy to roll out of the Restorative Practice trainings to Juvenile probation officers and REGIONS staff working in the REGIONS programs within the two state residential centers.
2. Identified trainers to co-facilitate Restorative Circles at REGIONS secure in Bridgeport and Hartford.
3. Develop in person and virtual trainings for JPOs and REGIONS staff with attention paid to the unique needs of implementation of RP circles within REGIONS treatment environment.
4. Work with the REGIONS program and JPO on a process to identify which clients maybe appropriate for restorative circle intervention given where the child is at in treatment process.
5. Identify the victim statement that will be utilized in the restorative circle and discuss with REGIONS clinicians on how to incorporate the victim statement into the restorative circle intervention while maintaining confidentiality.
6. Conduct the first training by April 1, 2022.
7. Gather feedback from staff, clients, JPOs, and victims, if appropriate/applicable, regarding restorative circle intervention with victim impact statements.

4. Resources Needed:

The major resource needed for this capstone project is time. Much of this work outside of training staff does not require supplies but rather the time to collect the victim impact statement and conduct the restorative circle. Time will be needed for staff to make phone calls to follow up with victims to complete and obtain the statements.

Translation/Interpreter services or assistance in completing the statement is also required.

Technology in the REGIONS Secure programs may be another required resource. New or existing technology will need to be set up so multiple people in one space can join a virtual circle without requiring an individual computer.

Funds needed to implement this project are already allocated for through CSSD. Interpreter services are already available for Probation and training has begun and a plan for training staff is scheduled through CSSD training academy.

5. Estimated Timeline:

April 2022 – ongoing.

The train the trainer Restorative Justice training has been completed with select JPOs, and REGIONS Staff. The training academy has begun to develop a restorative practice training specific to

implementation in a secure treatment environment with ever changing visitor restrictions due to the ongoing pandemic. By mid-February an implementation plan on how victim's statement will added to a child's treatment will be solidified. The initial Restorative Practice in a secure environment training will be begin by April 1, 2022. Groups will begin on June 1, 2022, with feedback collection starting quickly after. Groups and feedback will be collected for six months, ending in December 2022 when it will be reviewed, and changes can be made if needed.

Resources:

Bradshaw, W., & Roseborough, D. (2005). Restorative Justice Dialogue: The Impact of Mediation and Conferencing on Juvenile Recidivism. *Federal Probation*, 69(2), 15–21.

Henning, K. (2009). What's Wrong with Victims' Rights in Juvenile Court?: Retributive Versus Rehabilitative Systems of Justice. *California Law Review*, 97(4), 1107–1170.

Office of Juvenile Justice and Delinquency Prevention. (n.d.). *Www.Ojjdp.Gov*. Retrieved February 8, 2022, from <https://www.ojjdp.gov/ojstatbb/glossary.html>