

Community Restorative Court

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CRC Mission

REPAIR HARM

REDUCE RISK

REBUILD COMMUNITY

CRC's Response To Crime

- Victim Based
- Respondent Focused
- Community Driven

What is CRC?

- Pre-Charge Diversion Program for 17-25 year olds
- Eligible referrals include Municipal and Misdemeanor crimes
- Provides a voluntary alternative to the traditional justice system by using a restorative justice model that includes victims and community members (trained Peacemakers)
- Upon completion of the program, respondents do not receive a formal charge or CCAP entry
- If unsuccessful, the respondent returns to the traditional criminal justice system for charging

Who is Eligible?

- Eligible crimes include:
 - 1. Battery
 - 2. Disorderly Conduct
 - 3. Obstructing an Officer
 - 4. Theft
 - 5. Criminal Damage to Property

GOALS OF CRC

1. Provide victims with a voice in the restorative process.
2. Promote community driven solutions.
3. Reduce burden on criminal courts and agencies through efficient case resolution.
4. Reduce discriminatory barriers and future recidivism.
5. Reduce crime and racial disparity.

Benefits of CRC

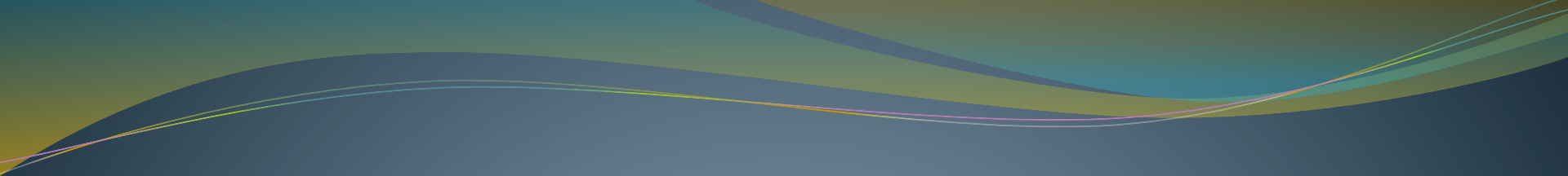
- Generates greater satisfaction for victims because they're included
- Cost effective per case
- Resolve cases more quickly
- Higher percentage of respondents make full restitution payments
- Reduces recidivism
- Respondent held accountable by the victim and community members
- Eliminates formal charge and CCAP entry
- Social work response to criminogenic factors and stabilization needs



EMMA



BREAKFAST



What Is Restorative Justice?

Traditional Justice vs. Restorative Justice

Traditional Justice

Restorative Justice

focus on offender; victim ignored

victim's needs central

victims lack information

information provided by & to victims

offender seen in fragments (offense central)

offender viewed holistically

ignores social, economic, and moral context

total context relevant

offender denounced

harmful act denounced

response based on offender's past behavior

response based on effects of offender's behavior

harm by offender balanced by harm to offender

harm by offender balance by making right

action from state to offender; offender passive

offender given role in solution

offender has no responsibility for resolution

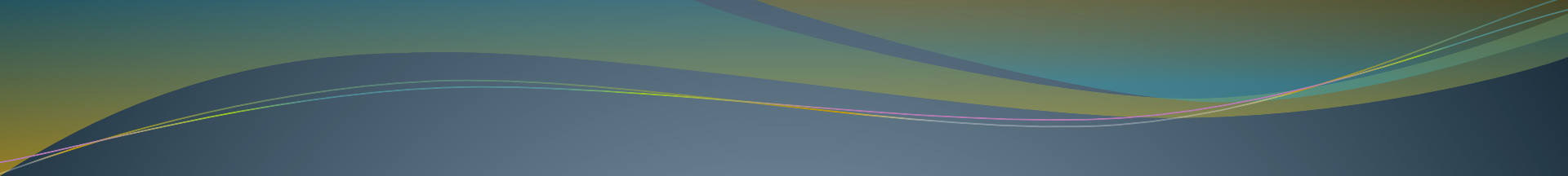
offender has responsibility in resolution

Key Concepts

- Crime is fundamentally a violation of people and interpersonal relationships (crime is a violation against the victim/community)
- These violations create obligations and liabilities
- Restorative justice seeks to heal and right these wrongs

Traditional Questions in the criminal justice framework:

- 1. What law was violated?
- 2. Who violated that law?
- 3. What is the appropriate punishment?

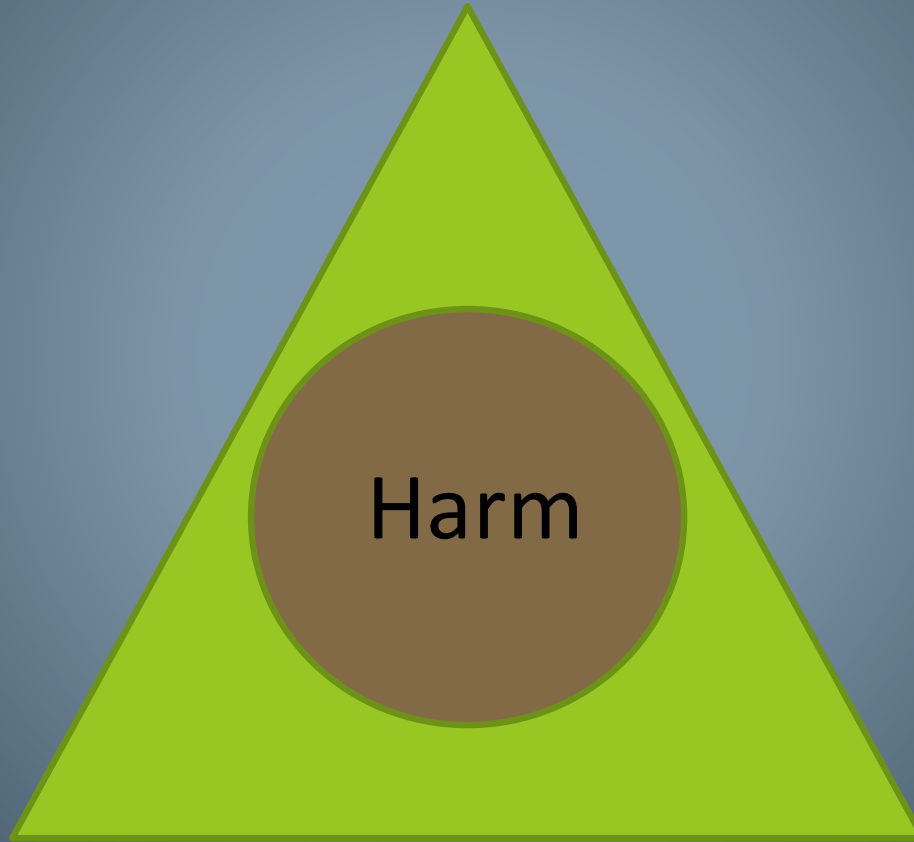


Who is missing
from these
questions?

Questions asked in the restorative justice framework:

- Who was harmed?
- How were they harmed?
- What can be done to repair that harm?
- Who is responsible for repairing that harm?

Victim



Harm

Respondent

Community

“Ripple-Effect”

- Harm spreads
 - Direct victims
 - Indirect/Secondary victims
 - Vicarious Trauma
- Ripples around respondents

Guiding Questions

- Facts/Perspective
 - “From your perspective, what happened?”
- Impact
 - Who has been affected or harmed by what happened?
 - In what way?
- Empathy/Trust
 - What were you thinking about at the time? What were you hoping would happen?
 - What were your thoughts when you realized what happened?
 - How are you feeling about what happened OR
 - How do you relate to or identify with what happened?

Effectiveness of Restorative Justice

- Recidivism
- Restitution
- Satisfaction and Fairness
- Psychological Metrics & Long-Term Effects

To Experience Justice Crime Victims Need...

- Compensation for losses
- Answers:
 - What happened?
 - Why did it happen to me?
 - What if it happens again?
 - What does it mean for me and my outlook on (life, my future, my faith, my view of the world)?

To Experience Justice Crime Victims Need...

- An opportunity for expression of feelings
- Empowerment
- Safety
- Access to services and resources

To Experience Justice Respondents Need To...

- Be accountable for their actions
- Understand impact
- Be an active participant in repairing harm
- Have support & inclusion

Benefits to respondent

- **Direct accountability can be really hard!**
- Why would a respondent participate?
 - CCAP
 - Collateral consequences
 - Genuine desire to make things right

Peacemaker Role

1. Take part in holding the respondent accountable.
2. Speak to how the community is affected by the type of conduct and behavior displayed by the respondent.
3. Take responsibility for supporting completion of outcomes/ agreements.
4. Identify resources to contribute to the Repair Harm Agreement
5. Help respondents understand the broader impact.
6. Support the victim. Mentor the respondent.

Training Peacemakers

- Community volunteers participate in 16 hours of Peacemaker Training presented by UW Law Professor Jonathan Scharrer.
- CRC conducts 3-4 trainings a year
- All Peacemakers have a criminal background check performed by Human Services
- CRC has trained over 250 hundred Peacemakers in Dane County.

CRC Participation

- CRC is a voluntary program for Respondents and Victims
- Respondents must accept responsibility for their actions and the harm committed or they will be referred back to the traditional system
- Victims do not have to participate in the circle process
 - Options include: Restitution request, statement about how the crime affected them, send a surrogate, and/or any other request including community service, essay questions or letter of apology.
 - Where victim is not present, an additional peacemaker is added to the process to stand in for victim role and speak from that perspective

Who is Eligible?

- 17-25 year olds in Dane County
- Municipal and Misdemeanor/ Felony crimes
 - 1. Battery
 - 2. Disorderly Conduct
 - 3. Obstructing an Officer
 - 4. Theft
 - 5. Criminal Damage to Property
- Lack of severe or violent criminal record
- Respondent must accept responsibility for the offense

Who is NOT Eligible?

- Criminal traffic violations
- Drug offenses
- Child abuse and child neglect charges
- Sexual assault offenses
- Crimes involving weapons

Referral Process

- CRC receives the referral from Law Enforcement

Referral Form includes basic information:

- Referral Date
- Case Number
- Name
- Gender
- Race
- Date of Birth and Age
- Address, phone number and/or email address
- Charge Type
- Court Date
- Ticket Number

Intake Process with Respondent

1. CRC receives Referral from Agency
2. CRC Program Leader, Jackie Hammond, contacts Respondent through phone, text and letter to schedule Intake appointment with CRC staff.
3. Intake scheduled with CRC staff.
 - a. Social history interview to gather information to gain a full perspective of what lead the respondent to commit a crime
 - b. Risk/ Need Assessment- identifies criminal record, behavioral needs, AODA experience, employment and housing history
 - c. Identify underlying needs to address basic stabilization such as housing, employment, mental health, education

OVERLAPPING RISK FACTORS

- TRAUMA HISTORY
- LACK OF A FAMILY CONNECTION
- CHRONIC ABUSE AND NEGLECT
- NOT CONNECTED TO COMMUNITY RESOURCES
- SUBSTANCE ABUSE AND MENTAL HEALTH

Intake Process with Victim

1. CRC contacts victim once the respondent has scheduled an Intake appointment
2. Phone Intake and/or Physical Intake to prepare victim for the circle and gain their perspective
3. Victim is offered participation options:
 - a. Participation in the Circle (including a support person)
 - b. Send a Surrogate to the circle to represent them
 - c. Provide a written or verbal statement to be presented at the circle
 - d. Provide needs/ wishes for harm to be repaired

Circle Members

- 1. CRC Staff- Circle Facilitator responsible for guiding the circle
- 2. Respondent (Support Person)
- 3. Victim (Support Person)
- 4. Peacemakers- 2-4 trained community members
- 5. Primary Officer in specific cases- Resisting/
Obstructing

Circle Process

- The circle is a safe environment that includes respect and confidentiality
- Everyone in the circle has a chance to participate and ask questions
- Length of the circle depends on the needs of the respondent and victim
- Each circle member contributes to crafting the Repair Harm Agreement

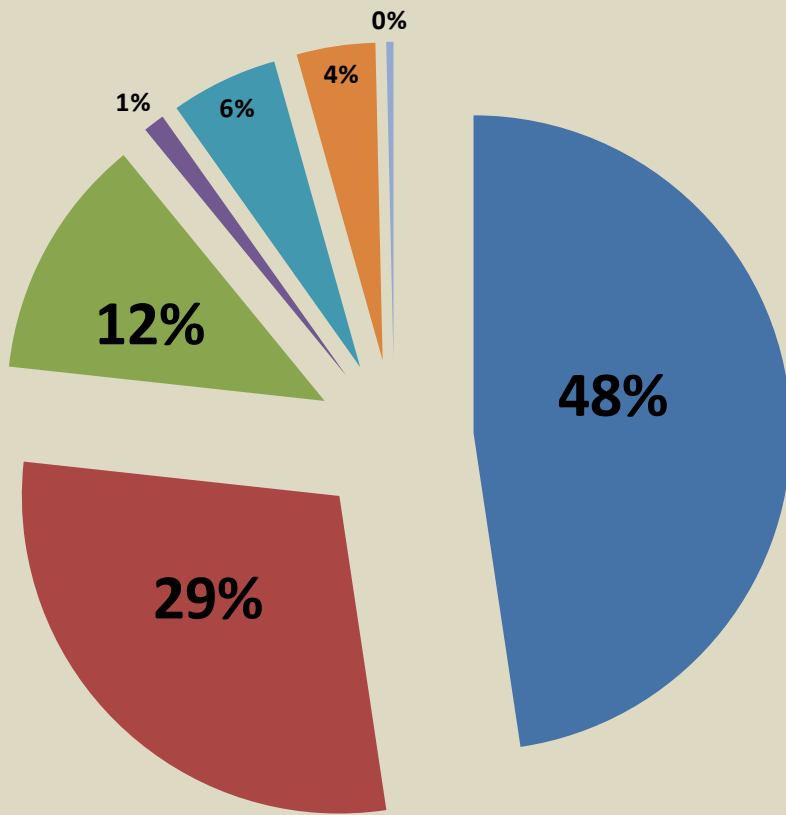
Repair Harm Agreement

- Contract stating what the respondent needs to accomplish in order to complete the program successfully.
- The agreement is specific, measurable, attainable and relevant with end dates.
- **Conditions have included:** AODA assessment, individual and family therapy, community service, restitution, meetings with officers, retail theft group, AA Meetings, employment search, reflection papers, letters of apology, school registration, mentorship with peacemaker
- Average agreement length is 3-6 months.

Closing Process

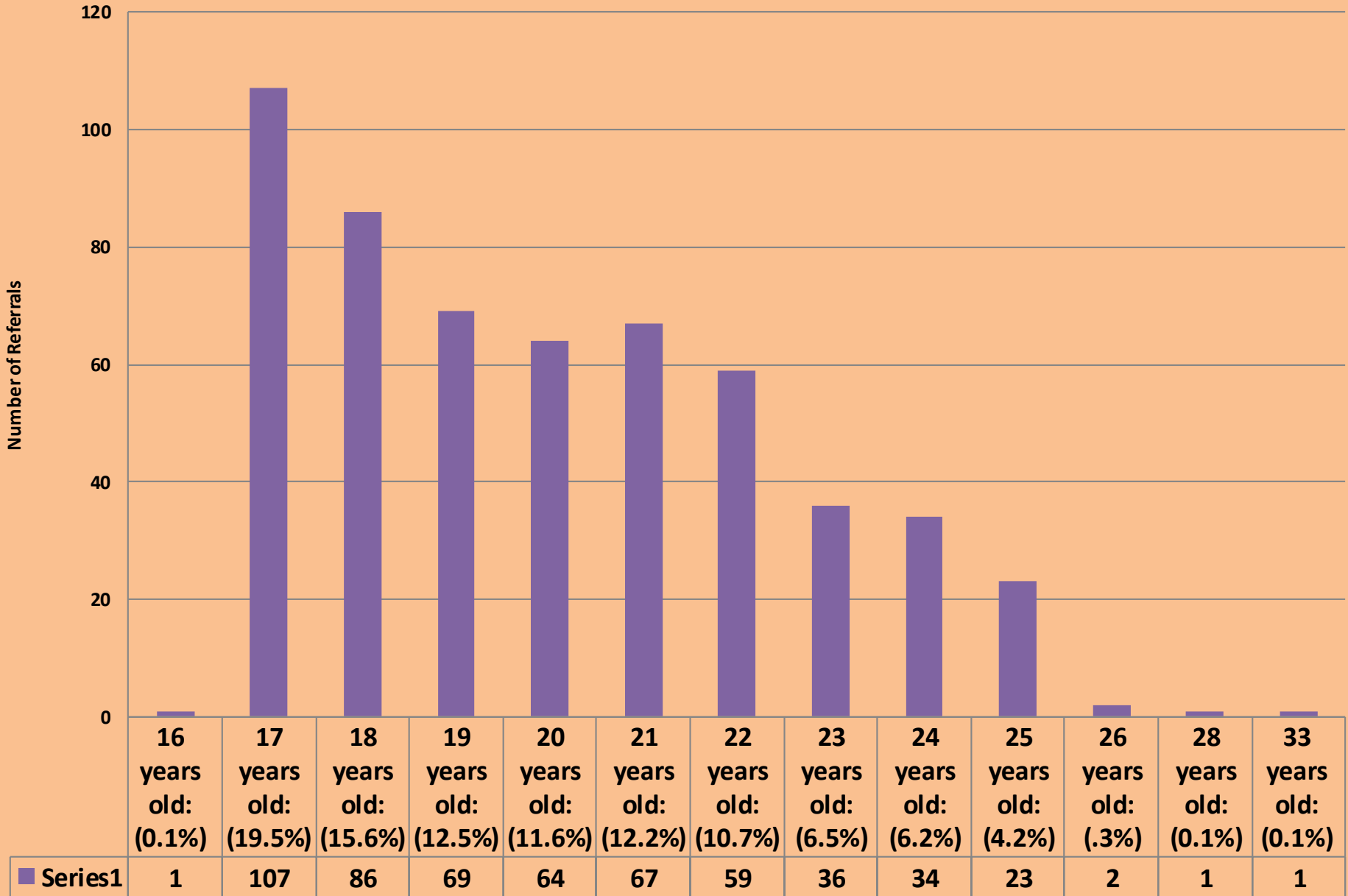
- CRC Staff conducts individual debriefings with respondents, victims and peacemakers
- Confidential Surveys are sent to everyone involved in the circle
- Closure letter is sent to the Referral Agency and Primary Officers
- The Respondent does not receive a formal charge or CCAP entry

Total Referral Source: July 2015- August 2019

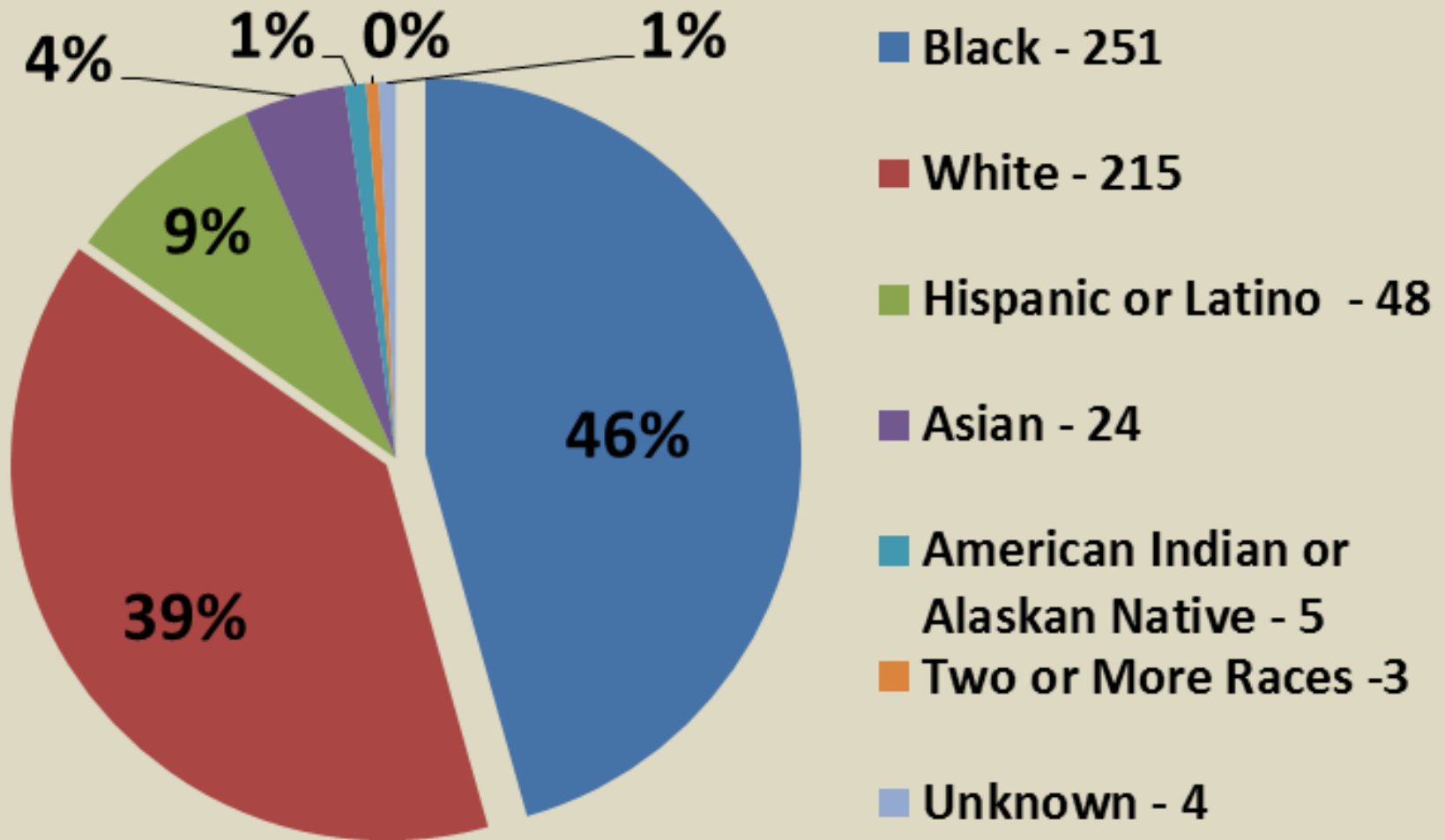


- **City of Madison Police Department -262**
- **District Attorney's Office - 160**
- **City of Fitchburg Police Department - 68**
- **Town of Madison Police Department - 6**
- **University of Madison Police Department - 30**
- **Sun Prairie Police Department – 22**
- **Middleton Police Department – 2**

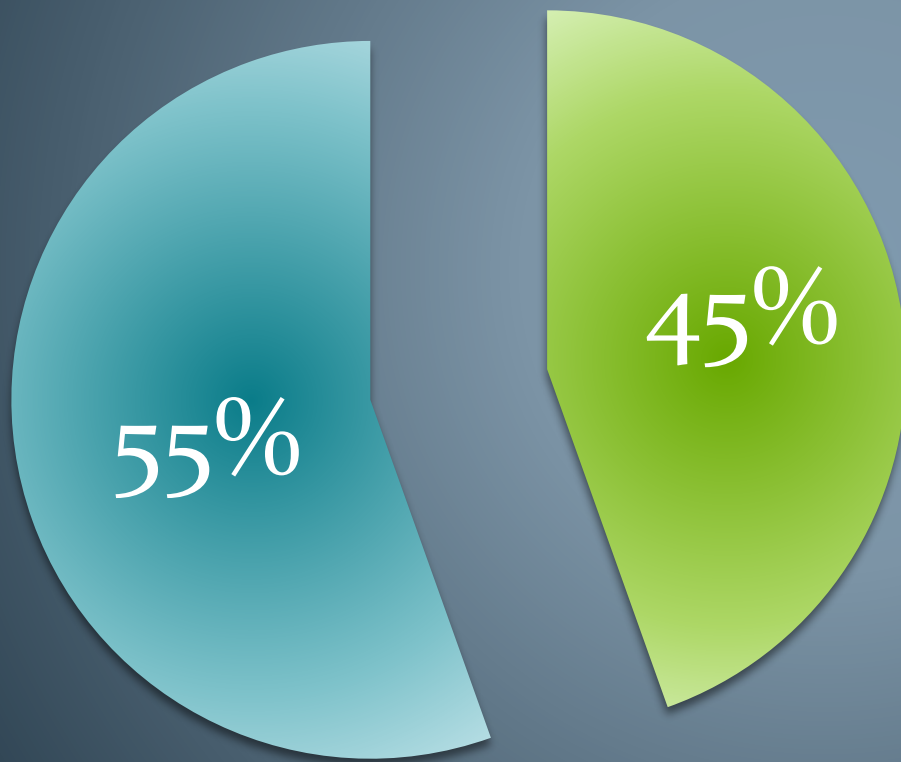
July 2015- August 2019 Age Breakdown



Total Race: July 2015 – August 2019



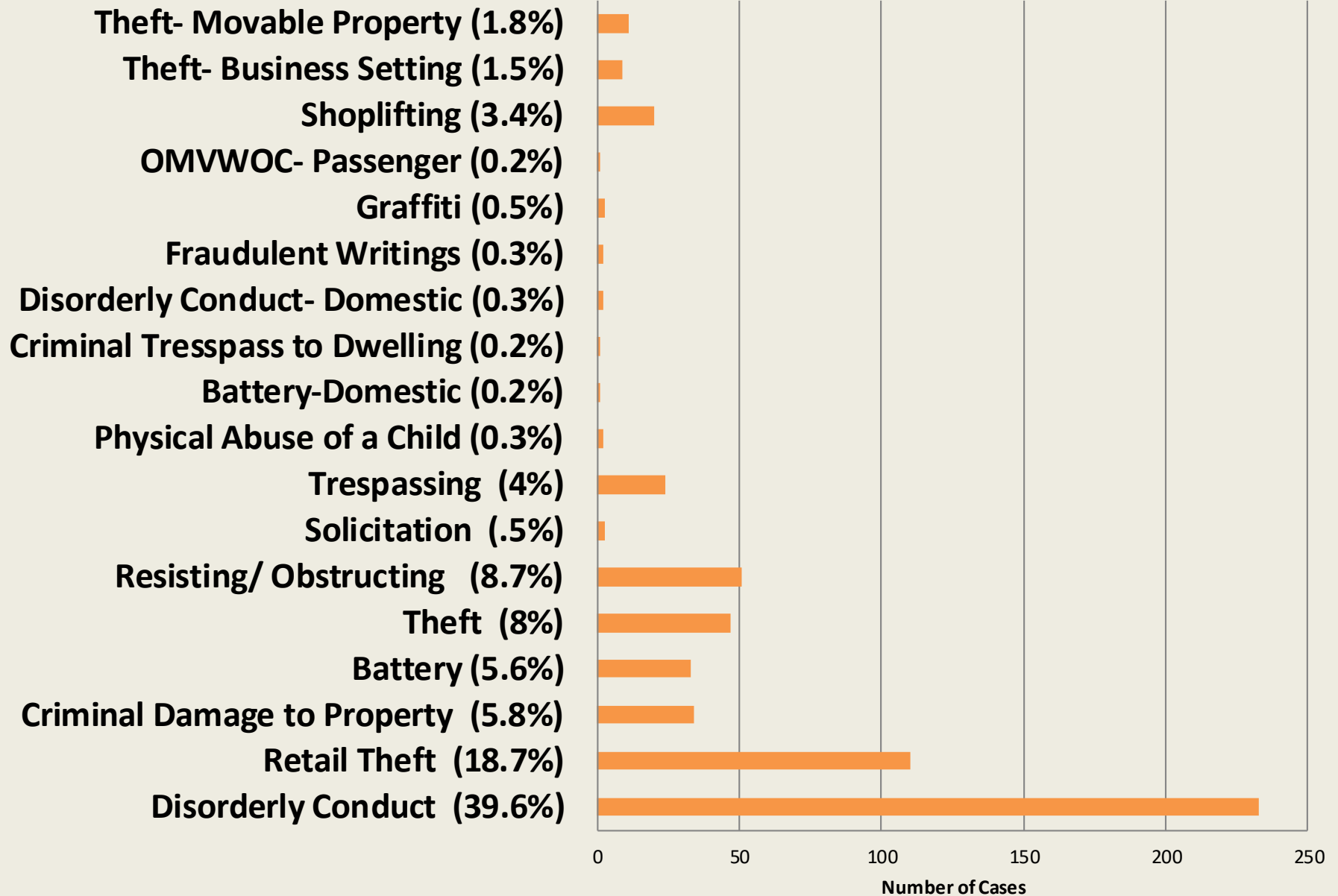
Total Gender: July 2015- August 2019



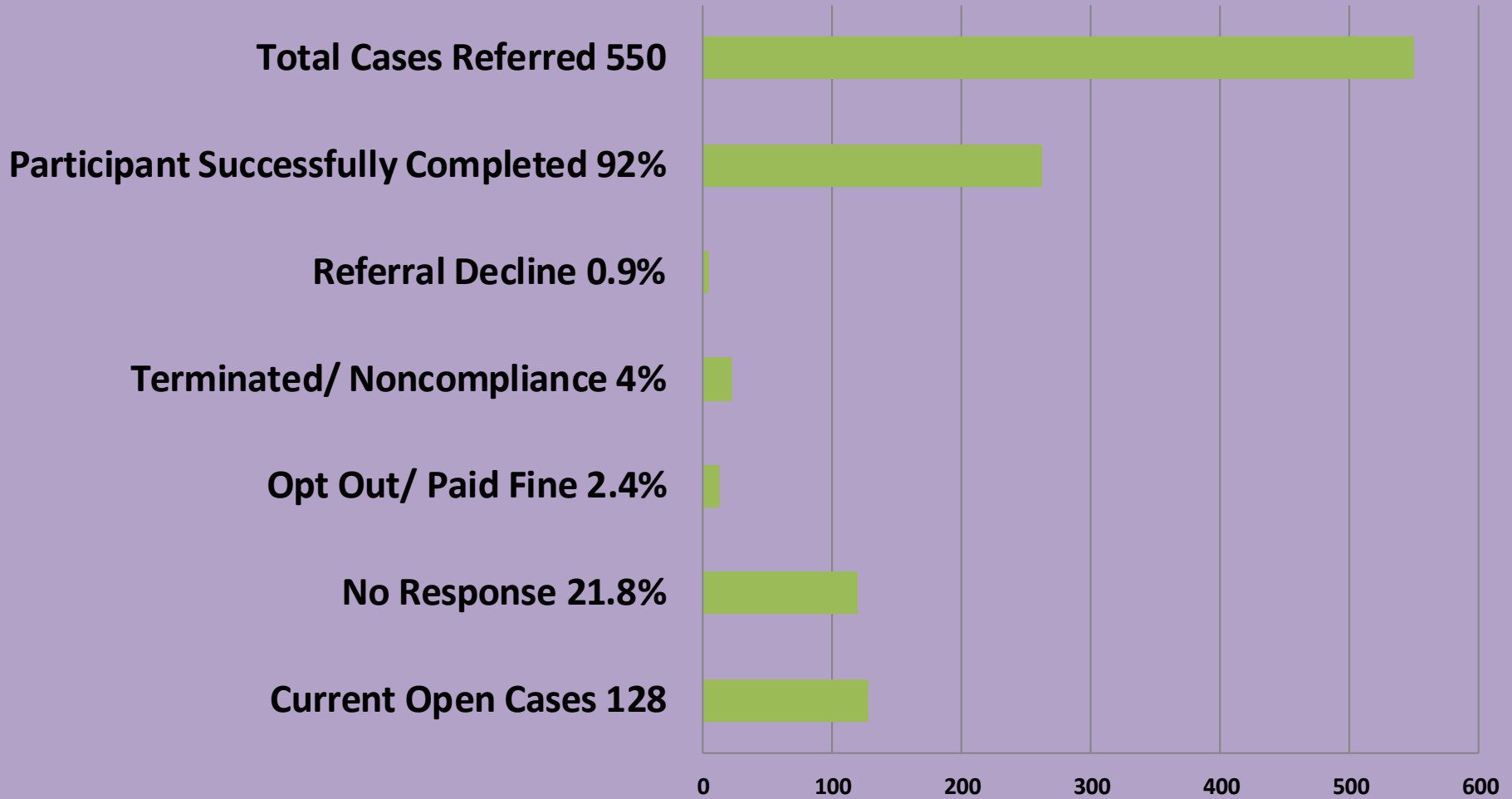
■ Female: 245

■ Male: 305

Total Offenses: July 2015 – August 2019



Success Rate: July 2015- August 2019



	Current Open Cases 128	No Response 21.8%	Opt Out/ Paid Fine 2.4%	Terminated/ Noncompliance 4%	Referral Decline 0.9%	Participant Successfully Completed 92%	Total Cases Referred 550
■ Series1	128	120	13	22	5	262	550

“Each of us is more than
the worst thing we’ve ever
done.”

— Bryan Stevenson, *Just Mercy: A
Story of Justice and Redemption*

DANE COUNTY HUMAN SERVICES

