

**Community Justice Center Community Conversation**  
**Question and Answers**  
**October 29, 2020**

*Community members submitted questions about the community justice center. Many of these questions were discussed live during the community conversation. In this document, national and local criminal justice policy experts respond to all submitted community questions. Answers in blue were written by representatives from the Center for Court Innovation, Dane County's national partner. Answers in purple were written by Dane County local criminal justice representatives.*

**Q: The savings for the county to start restorative justice conferencing would be that hopefully the offender/respondent would not reoffend after being through this program. Thus savings in the future for jail beds days, court dates, prison cost, etc could be calculated. Instead of looking at it this way which could be transformed into dollars, what about a “victim centered” approach. This seems to be an approach how some directors of victim centered programs that have been operating successfully for many years. How is this program sold (shown in dollars/testimony, etc) to the county board and county executive that it will be a benefit to invest county dollars in the startup of restorative justice program? -- Lisa Hanneman, Outreach & Enrollment Specialist, Partnership Community Health Center**

*A: Using the results from the Red Hook Community Justice Center's independent evaluation, it showed that the city saved \$2 for every \$1 spent. The RHCJC does focus on victim's and seeks their input when proposing to use restorative justice as a way to resolve the case. It should be noted that many people who are called defendants were previously victimized at some point in their lives. By treating both sides of the conflict, it is believed that the chance for future harm is minimized.*

*A: Locally, Dane County has created and further invested in the Dane County Community Restorative Court (CRC). The Dane County Board of Supervisors, Criminal Justice Council-Racial Disparities Subcommittee, CRC Advisory Board, CRC Peacemakers and Peacemakers Coalition have all been supporters of the CRC. In that the CRC has just passed its five year mark, the Dane County CJC is actively seeking research and evaluation partnerships to fully evaluate the CRC. This evaluation would include: overall success rate, voice of respondent and victim, stakeholder engagement and policy change implications.*

**Q: What are current plans/efforts for individuals with disabilities and/or chronic mental health conditions that become involved in the criminal justice system? -- David Fuccillo**

*A: Locally, the Dane County Criminal Justice Council (CJC) endorsed planning and development of a triage and restoration center designed to address the intersection of behavioral health and criminal justice systems. In the 2021 budget, 300K is budgeted for planning and development of the triage and restoration center. The Criminal Justice Council-Behavioral Health subcommittee is charged with oversight of the development. In 2021 a Request for Proposals will be developed to engage a national expert in the planning and design of a triage and restoration center for Dane County.*

**Q: How does this play out both from the perspective of when they commit criminal acts as well when these individuals are victims of criminal actions. -- David Fuccillo**

*A: Understanding and developing fully integrated services for consumers will be central to both the Community Justice Center and the Triage and Restoration Center. The Community Justice Center development will be guided by the Criminal Justice Council-Racial Disparities Subcommittee. The Triage and Restoration Center development will be guided by the Criminal Justice Council-Behavioral Health Subcommittee. Both subcommittees will report to the Dane County Criminal Justice Council.*

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**Q: Will the people involved in these community justice centers be trained to understand these issues and access resources to deal with questions that arise? -- David Fuccillo**

A: Comprehensive training and integrated services will be a goal for the future development of a Community Justice Center and will be guided by the national expert(s) chosen via the Request for Proposal process.

**Q: In what way(s) can college students and/or recent college graduates be a part of and contribute to the processes of establishing the Madison Community Justice Center? -- Michael Maguire, SoHE Faculty Associate, UW-Madison Teaching Academy Fellow**

A: There are many opportunities for students and community members to be involved in a community justice center. Volunteering to be part of their community programming and if a restorative justice program is part of your Community Justice Center, circles always need community members from all demographics and walks of life. If you are in college, depending on your major, there may be opportunities to work with the Community Justice Center clinic and data collection/research as well.

A: Locally, Dane County has partnered with many community residents as peacemakers in the Dane County Community Restorative Court. The Criminal Justice Council has also partnered with the University of Wisconsin – Madison developing research, as well as hosting interns.

**Q: The Dane County DAs office has often taken a hard line position in prosecuting what the DAs office classifies as domestic violence or other violent offenses, which are most often intertwined with drug, alcohol and mental health related issues. In many of those cases, and the DAs corresponding prosecution and sentencing recommendations, there is a rejection of alternatives to incarceration even when the ultimate solution best and most appropriate for the offender and the family involves addiction and mental health treatment rather than punishment and incarceration. With race, poverty, addiction and mental health issues underlying many offenses and the cycle of incarceration, often including offenses which are considered domestic violence or violent crimes, how will this program and the DAs office change the policy and practice of historically pursuing punitive remedies and incarceration to promote treatment and alternatives to incarceration in matters involving violent crimes? -- Angie Black**

A: How to handle DV cases has long been a very politically charged matter. The Red Hook Peacemaking program was undertaking a process of trying to send some DV cases to its circles. Our RJ mentors, numerous indigenous communities across the US, have told us they have had success at using the circle process for DV cases. I believe it is long overdue to try this approach as most of what has been tried has not been successful. This has to be a victim-centered approach when determining which DV cases could be eligible.

**Q: Do you do peacemaking pre-charge so it is not on a public record? i.e. carried for life in the public. -- Lisa Hanneman**

A: Peacemaking generally is hearing cases already filed by the prosecutor but nearly all of them are dismissed after the successful completion of the circles. The program does accept walk-ins and has heard many cases via that process.

A: Locally, the peacemakers are a critical partner in the restorative justice process at the Community Restorative Court. Once an individual completes working with the CRC (through the peacemaking

process) there is no public record of the potential charge. The CRC is a pre-charge alternative to incarceration and municipal violations.

**Q: At pretrial stage were services merely offered to defendants? Or were participation in the services conditions of pretrial release? What is your definition of recidivism? Is it new arrests? New criminal charges? Or new criminal convictions? How long after participation in your program did they follow defendants to determine if the definition of recidivism was met? -- Rhonda Frank-Loron**

A: For the RHCJC evaluation, they used conviction as the marker for recidivism. They used a 2-year longitudinal approach in regard to the cases they followed. In pretrial, some defendants were offered services and others were mandated – but this was also from 2008. Fewer mandates are used pretrial than previously. Also, it should be noted the evaluation occurred prior to the peacemaking program starting.

**Q: I am wondering how crime victims are involved in this process? -- Amy Brown**

A: For RJ/Peacemaking cases, victims are notified and must agree to the process. They can choose to take part in the circle or choose to allow the community members to be their ‘voice’ during the sessions.

**Q: How successful are you in gaining victim participation in the restorative circles? I.e., do you have data on that participation? What is the significance of that participation? -- Barbie Jackson**

A: We do not have data regarding the percentage of victims who participate. However, we are fairly successful in getting their buy-in to the process and most victims see it as a meaningful way of engaging the defendant with the hope that their behavior will change and cease victimizing others. It is very significant to include victims in the process as it shows the victim that they are being supported and included in the resolution of the matter.

**Q: How important is it to have everything all together in one building? -- Eric Howland**

A: If you cannot have everything in one building, efforts should be made to at least have social service and other service representatives present during portions of the calendar call. What is important is figuring out how to identify the needs of the individual before the court and connect them to those services as quickly as possible. Do not worry if everything is not in one place initially, the key is connecting the people in need as soon as possible.

**Q: How does the New York program differ from the Dane County Restorative Justice Court that currently is very active? -- Mary Marshall**

A: The RHCJC (the New York program) hears all misdemeanors in three police precincts that serve about 225,000 people. Also, our peacemaking program takes cases already charged and filed in court.

**Q: Any advice on how best to influence power people (e.g. legislators, or anyone we need to move restorative justice forward in place of the criminal system)? Emails? Letters? Personal meetings? Other? And who else might benefit from hearing more about this? -- Tania Banak**

A: The currency of elected officials is the vote. Remind them that their constituents want this type of program in their justice system. Reach out to your local media, especially small local outlets that are always looking for original content. Showing results is always an effective way to promote this type of work.

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**Q: Their community justice center also includes civil cases. Of course civil cases also are very impactful on peoples' lives, as well, and many of these issues are very intertwined. Do local leaders envision more than involving just criminal court in Dane County? How do the CJ courts support and not undermine the need for procedural justice throughout the court system and not just in special settings? -- Heidi Wegleitner**

A: In Dane County, a Request for Proposal will be developed for the Community Justice Center. Criminal and civil case review and impact will be a part of the planning process. Regarding procedural justice, it should not just be used in special settings EVERY COURT in EVERY CITY and EVERY COUNTY should be trained in PJ theory and should promote and demand its use.

**Q: How can we start? What would be our first real step to move in this direction? -- Ron Diamond**

A: Start with a community-based needs assessment that looks at data such as calls for service, case filings and dispositions, conducts focus groups, stakeholder interviews and community surveys. This way planners know what the local community is saying the greatest needs are regarding the criminal justice system.

**Q: It appears that one judge hears the cases and disposes of them with resources available. How many judges are involved? In addition, the presentations focused on youth, not adults. Is this a youth/young person initiative? -- Greg Jones**

A: Red Hook only has one judge assigned. The peacemaking program serves adults and young people. Like many jurisdictions, the criminal justice system has a disproportionate number of young people who get into the system and that was why the stories we shared tended to be about young people.

**Q: Can the panelists expound on the interplay between the proposed criminal justice center and mental health treatment, specifically whether involuntary treatment is ordered in cases where appropriate? -- Signe Mbainai**

A: We do not know enough about your state laws to opine on the involuntary commitment of individuals, but community justice centers are ideal for identifying people who are in need of mental health services whether they are just emerging or have been neglected for years. The CJC approach is to ask those types of questions which allow them to identify people in need of services much quicker in the court process than regular courts tend to discover this information.

**Q: The youth court sounds promising, will there be partnerships with local school districts to promote/implement that program? Will it be utilized as an alternative to the current juvenile system where appropriate? -- Signe Mbainai**

A: There are a number of different approaches in youth justice in Dane County. The Criminal Justice Council-Racial Disparities subcommittee may review the Red Hook Youth Justice Court, as well as other restorative justice peacemaking models across the country.

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**Q: While there are long term savings, it seems that this would take upfront investment. How did Brooklyn find funding for this upfront investment? -- Kathleen Fullin**

A: Initially it was small grants from the housing authority and DA office that helped launch the planning process. A federal grant helped rehab the building. The city supported this project from the beginning. Today, there are foundations seeking to be involved in criminal justice reform – there may be some opportunities among private funders.

**Q: How do we convince people we're listening to them and treating them as people when our current arrests and prisons have such racial disparity? -- Dan Fitch**

A: This will not change overnight. It will take time to build the trust. Start with small wins and use those to show that the planners are listening to the community. Small wins will emerge from the needs assessment process, especially during the interviews/focus groups. Many of the hallmarks of the Red Hook program resulted in the planners listening to the requests that the community made during the outreach process.

**Q: Peace Maker in Verona WI. Working on getting support from community members. I would like information on the Bridging the Gap program for youth and police. -- Jo Anne Lindberg**

A: Contact the Red Hook Community Justice Center Project Director, Amanda Berman at [bermana@courttinnovation.org](mailto:bermana@courttinnovation.org) She will be able to connect you to the people who started that program.

**Q: What programs/services would be in the building? i.e. victim/witness, deferred prosecution/1st offender, offender re-entry, restorative justice, restitution, etc. -- Greg Jones**

A: In Dane County, a Request for Proposal will be developed for the Community Justice Center. Criminal and civil case review and impact will be a part of the planning process. It should be determined by accurate data, community needs, and community accessibility. The Dane County Criminal Justice Council-Racial Disparities subcommittee will oversee this effort.