

RESTORATIVE JUSTICE IN THE JUVENILE JUSTICE SYSTEM

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Panelists:

- ▶ Carlos Alvarez, MA RJRPP Facilitator, Dean of Students, Bright Star Secondary Charter Academy
- ▶ Ilona Antonyan, CFLS, Partner at the Family Law Firm of AntonyanMiranda
- ▶ Denise Yusuff, Denise Yusuff Mediation, Centinela Youth Services

What is Restorative Justice?

Restorative Justice consists of three main principles:

(1) Encounter with stakeholders and community members,

(2) Repair (includes making amends), and

(3) Transformation of thought and approach by the victim, offender, all stakeholders, and the community.

Restorative justice is a theory of justice that emphasizes repairing the harm caused by criminal behavior. Practices and programs reflecting restorative purposes will respond to crime by 1) identifying and taking steps to repair harm, 2) involving all stakeholders, and 3) transforming the traditional relationship between communities and government in responding to crime.

The goal of restorative justice is to bring together those most affected by the criminal act—the offender, the victim, and community members—in a nonadversarial process to encourage offender accountability and meet the needs of the victims to repair the harms resulting from the crime (Bergseth and Bouffard 2007)

. There are several models of restorative justice...they all share common features, including an emphasis on community based sanctions, a nonadversarial and informal process, and decision making by consensus (Bergseth and Bouffard 2007)

- Development Services Group, Inc. 2010. “Restorative Justice” Literature Review. Washington, DC.: Office of Juvenile Justice and Delinquency Prevention.http://www.ojjdp.gov/mpg/litreviews/Restorative_Justice.pdf

FIGURE 1. The Balanced Approach

Community Safety



Accountability

Competency Development

Clients/Customers	Goals	Values
Victims	Accountability	When an individual commits an offense, the offender incurs an obligation to individual victims and the community.
Youth	Competency Development	Offenders who enter the juvenile justice system should be more capable when they leave than when they entered.
Community	Community Safety	Juvenile justice has a responsibility to protect the public from juveniles in the system.

What is the process?

Restorative Questions

To respond to challenging behavior...

- **What happened?**
- **What were you thinking at the time?**
- **What have you thought about since?**
- **Who has been affected by what you have done?**
 - **In what way?**
- **What do you think you need to do to make things right?**

To help those harmed by other's actions...

- **What did you think when you realized what had happened?**
- **What impact has this incident had on you and others?**
- **What has been the hardest thing for you?**
- **What do you think needs to happen to make things right?**

*Woodlan Jr/Sr High School

Examples of Restorative Justice

The right side of the slide features a decorative graphic composed of several overlapping, semi-transparent green triangles and polygons. The colors range from a light, pale green to a vibrant, medium green. The shapes are arranged in a way that creates a sense of depth and movement, with some shapes appearing to be layered behind others. The overall effect is a modern, abstract design that complements the green text on the left.

Victim-Impact Panels

- ▶ Victim-impact panels are forums for crime victims to explain the real-world impact of crime to offenders.
- ▶ Victim-impact panels do not involve direct personal contact between the offender and his/her victim. Instead, victim-impact panels generally use surrogate victims or family and friends of victims of similar experiences.
- ▶ The purpose of the panel is to help offenders individualize and humanize the consequences of their crimes on victims and the community
- ▶ (Immarigeon 1999)
- ▶ . Development Services Group, Inc. 2010. “Restorative Justice.” Literature Review. Washington, DC.: Office of Juvenile Justice and Delinquency Prevention.
http://www.ojjdp.gov/mpg/litreviews/Restorative_Justice.pdf

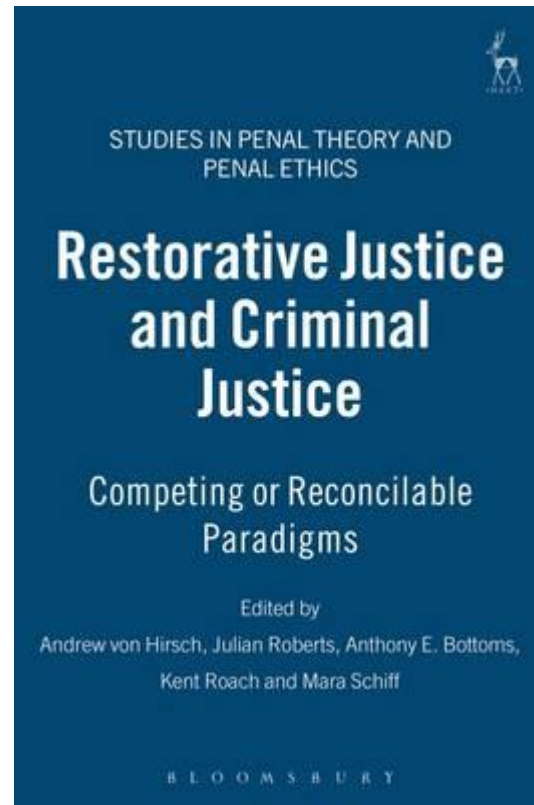
Victim-Offender Mediation

- ▶ Victim-offender mediation is a process that provides victims the opportunity to meet their offenders in a safe and structured setting for dialog, negotiation, and problem solving (Umbreit and Greenwood 2000).

The goal of this process is twofold.

- (1) The first is to hold the offenders directly accountable for their behavior, learn the full impact of their actions, and develop plans for making amends to the person or persons they violated.
- (2) The second goal is to foster a sense of empowerment for the victim. Overall, this process is designed to develop empathy in the offender (which can help prevent future criminal behavior) and address the emotional and informational needs of the victim.

Restorative Justice for Animal Abuse Offenders



The Road to Restorative Justice:

- ▶ How did you come to know restorative justice?
- ▶ What lead YOU to start working in juvenile justice?

What types of backgrounds do youth in the judicial system have?

- Is there a “type”?



<http://www.crystalgraphics.com/powerpictures/images.photos.asp?ss=unity>

What part do you currently play in juvenile justice?
What dispute resolution techniques do you use or do you advocate for your clients to use?

In your experience, what part do families play in a young person's journey inside the criminal justice system?

- Divorce

- One parent moving away from the other

- Foster Care

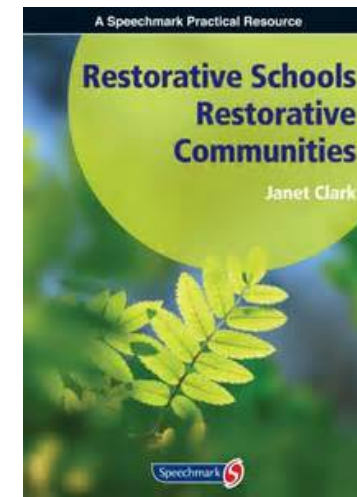
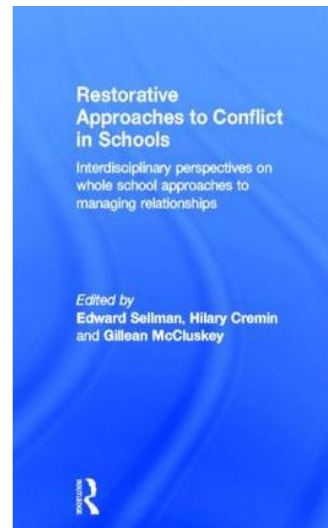
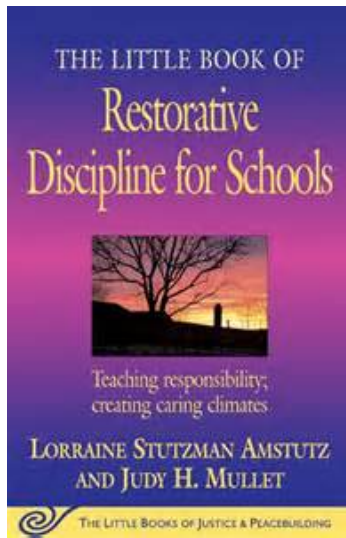
Do parents who are separating often have children who act out?

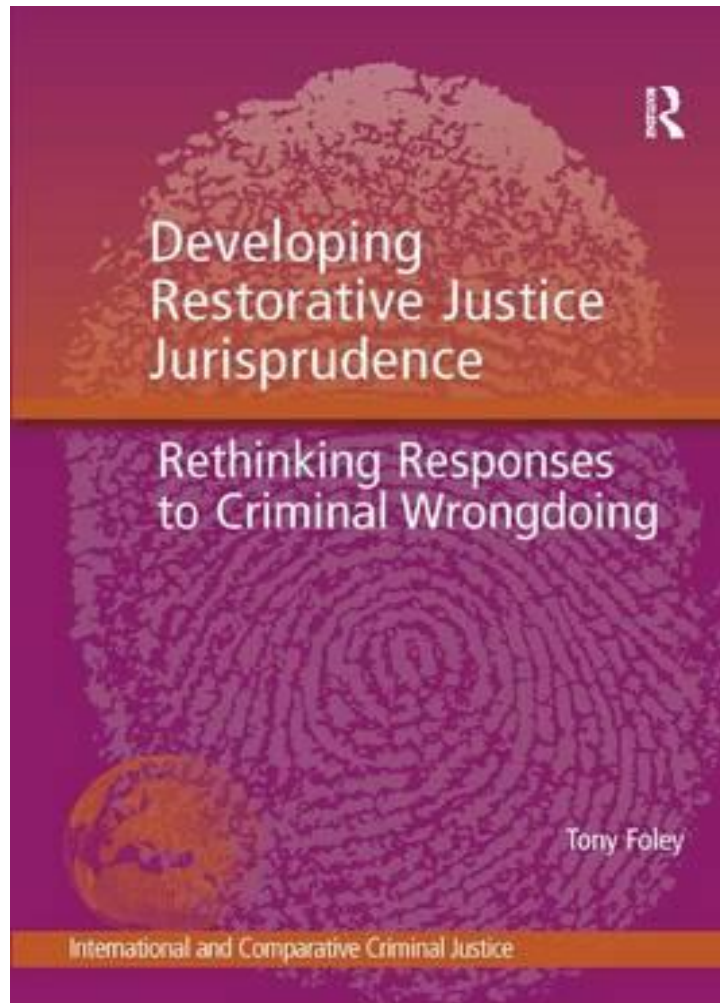
If so, what techniques do you suggest the parents use to prevent their child from entering the justice system?

How can mediators and legal professionals best help juveniles who commit crimes?

- Suggestions for Mediators
- Suggestions for school officials
- Suggestions for law enforcement
- Suggestions for parents
- Suggestions for attorneys

Is this practiced in schools? If so, what is an example?





How do you think the justice system can improve the way it handles rehabilitating juvenile offenders?

Hypo #1:

Rob cheats on tests. This teacher Ms. Suspend has caught Rob looking at his classmates' papers 3 times this year. She wants to suspend him for 2 weeks. Ms. Suspend has never liked Rob. Since day 1, he comes to school late and is always tired. She has called his parents a few times but never gets called back. She wants Rob suspended for 2 weeks to teach him that cheating is wrong.



Thinking about the principles of Restorative Justice, what other punishments could be considered for Rob?



THE END

Questions: email me at
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