

STATE OF COLORADO



Restorative Justice Council 2012

Greg Brown, Chief Probation Officer, Twentieth Judicial District (Chair)--Present
Debbie Wilde, Youth Zone Executive Director--Present
Jamin Alabiso, Deputy District Attorney, First Judicial District—Not Present
Spiro Koinis, Division of Youth Corrections Victim and Restorative Justice Services Coordinator (Vice Chair)—Not Present
Matt Riede, 1st Judicial District Victim Advocate—Present
Amanda Nagl, Estes Valley RJ Partnership Executive Director --Present
Michael Ramirez, Department of Education Senior Consultant—Not Present
Beverly Title, Ph.D., Teaching Peace Founder and Director of RJ in Schools—Present
Meg Williams, Department of Public Safety, Division of Criminal Justice, Manager—Present
Ben Emery—Present
Deb Wetzel--Present

Friday, February 10, 2012 9:00 A.M. - 11:00 A.M.
Boulder Justice Center, Mt. Sanitas Conference Room

1. Membership—Deb Wilde and Meg Williams:

There were some decisions made regarding membership during the previous conference call meeting. After the meeting, implementation of those decisions was delayed to allow for further discussion at this meeting. For this meeting, Deb provided a summary sheet which detailed her understanding and some corresponding issues that she felt required further discussion. This sheet is attached to these minutes, and was discussed by the Council. As a result of this discussion, the Council determined there are concerns about how the Council should set limits on the total number of members, maintain flexibility and responsiveness, while still honoring the ability of individuals/organizations to provide input and share their expertise. As a result of that initial discussion, the Council determined that there are two entities which currently do not have representation at the Council which are important to the process of restorative justice: the victim's community and the defense bar. In light of the concern about maintaining a manageable size, the Council decided to limit the discussion about new membership to these two areas and consider other possibilities at a later time.

A discussion followed regarding representation from the victims' community and if COVA appropriately fills this role in the state. After this discussion, a MOTION was forwarded and seconded that: the State RJ Council acknowledges that the victim community recognizes and views COVA as their voice in Colorado. Therefore, the Council views it is important to add a COVA representative as a voting member of the State RJ Council. The motion was voted on and passed.

Following the discussion and vote on COVA membership, the Council proceeded to a discussion regarding the legal defense community. In particular, the Council discussed if representation from the criminal defense community was appropriate and which entity could best be identified as the appropriate source for that

representation. After this discussion, a MOTION was forwarded and seconded that: the State RJ Council acknowledges that on statewide councils the District Attorney's representation is balanced by a representative from the criminal defense community. Therefore, a motion is put forward to add a voting member of the criminal defense community to the RJ Council. The motion was voted on and passed.

As a result of the passed motions, Nancy Lewis will be contacted for her thoughts on an appropriate representative from COVA and Meg Williams will contact Doug Wilson for suggestions of an appropriate representative from the criminal defense community.

For future action, the Council will spend more time considering the recent developments in civil restorative justice and how those concerns are best addressed in the Council's work.

2. JAG Grant: LCJP

LCJP presented the draft of the JAG continuation grant application for review and requested that the Council review the document prior to the final submission. The application's sections were reviewed and feedback provided.

*In the project plan section, where LCJP indicates a question, the Council stated that that line was accurate, and to add a slash with "/independent evaluator".

*In the Goals and Objectives section, #2.2, delete the question marks.

*The project abstracts appear to be accurate.

*The problem statement, the Council gave the feedback that there is a lot of good information in this narrative. Suggestions were made to make a direct connection from this section to the goals. For example, in paragraph four where evidence based practices are referenced in the problem statement we should use the same words that are in the goals. In other words, have the language in the goals section parallel the problem statement, and organize them in the same sequence they are discussed in the problem statement.

The idea is to create clear links between the problem statement and the goals of the activity under the grant.

There were some grammatical corrections made to this section.

*Project plan:

In the first paragraph, "opinionated" was replaced by "opinion based".

At the bottom of page 4, there were suggested grammar corrections, and a suggestion to separate the grant project from the legislation.

In the fourth paragraph on page 5, there's a discussion of establishing RJ as evidence based and defining best practices. The number of 20 for the number of evaluated programs was randomly chosen, and LCJP asked how many should be evaluated. There was a discussion that

determined that 20 seems reasonable given that there are approximately 150 RJ programs in Colorado. There will be flexibility to go above 20 if this works really well and we are able to, but 20 is a good number to fully commit to at the planning stage. There was more discussion on including the development of a data collection form in this section of the grant application. The Council decided that it would commit to developing and using a standardized data collection instrument for the 20 programs selected for evaluation. Amanda Nagl volunteered herself as a resource and will be added to the grant application as a graduate student who is planning to work on this data collection and analysis as her capstone project.

On page 5, around the middle, there is reference to “the association” and it seems to be an unclear reference that should be made clear.

On page 4, where the language states “participating in restorative processed recidivated.” is somewhat unclear/confusing, and it might be helpful to clarify this as criminal process.

Once all of the edits and changes are completed, the application will be submitted and also sent to Meg to include in her documentation of the three year plan for the JJJ.

3. Conference Update: LCJP:

A copy of the flier announcing the conference was handed out to the Council. LCJP inquired if a logo or other label from the JJJ should be added to it. Meg responded that due to the new guidelines on expenditure of funds, it would be more appropriate to indicate that the JJJ made it possible for students to attend the conference through grants. Youth registration was \$100 and JJJ picked up the registration cost for 49 student attendees and set aside \$2000 to assist with their travel and lodging. For other students interested in attending, a reduced rate student fee was adopted at the last meeting.

At this point, the majority of the conference planning is coming in the design team meetings. The design team is currently attempting to develop a way to do the planning in such a way that the gap between the participants and the planning of the conference is crossed/narrowed. That includes working with some social network mapping to try to get participant involvement and build a model that will obtain buy in from key stakeholders. Keith and his group are bringing some interesting approaches to the planning and LCJP needs the Council to help it figure out the balance between unique ideas and what will work for what the Council wants the Summit to be look like. Keith’s position is that once these ways of running meetings and doing presentations are learned that they then belong to the Council. Once the

initial knowledge is present, the Council members can then take them, use them, and thus develop an understanding of the deeper nuances and ways they can be utilized. The goal of the design team is to learn these tools and approaches and then figure out how they can be used in the conference at various stages and people. LCJP will send out the power-point presentations and mapping information from these meetings to the Council. One concern is how this model and approach will be perceived by individuals who are coming to this conference who are not used to non-traditional ways of presenting information, in particular systems participants from law enforcement and district attorneys' offices. LCJP acknowledged that the means of presentation will be a challenge for some attendees, and is planning to also have alternative tracks with more traditional exchanges of information. In the process of the planning, the Council indicated that it wanted to ensure that the separate tracks should avoid creating a split of "this is the cool part" and "this is the not cool part." As such, the language used to describe the approaches in the various tracks should be very carefully considered. The objective is to make sure that there is not a split of everyone who is excited, energetic and engaged in one track and everyone else in another; that some cross over between tracks and participant groups naturally occurs.

Budgetary issues were discussed. Greg has committed to support the cost of Dominic Bartar's attendance. He'll be available to do liberating structures work through the conference and be available to talk with people and participants if/when issues come up. Greg will also have him for some time prior to the conference, with some possibility of using his time for something resembling a preconference. Greg raised the possibility that Robin Will (who does circles of accountability for sex offenders as an RJ model of community reintegration) could also be a resource for the conference through a DOJ technical assistance request. He will be in Colorado on 3/13 at the SOMB meeting and Greg will report back to the Council on his impressions of his presentation.

4. Standards of Practice: Presented by LCJP, Discussion of Whole Council:

The proposed standards developed by the RJ Directors and presented at their last meeting were provided to the Council. They are presented in two separate sections, standards for training and practice and a more comprehensive code of conduct document modeled after the mediation code of conduct. LCJP recommended that the documents be reviewed and merged into a single document.

The documents were reviewed and discussed. Fundamentally, the questions at the heart of the discussion were what the Directors were planning for how these documents would be utilized and how the Council would plan to implement these standards. Ultimately, if a professional association does develop out of the Council's work, ideally there would be some way it would attempt to hold people accountable to these standards. At this point, however, these standards would have to be more

aspirational as the Council does not have authority or manpower to enforce them. The Council noted that one critical consideration in reaching this point is that, under the new legislation, district attorneys want to know what qualifies someone to be a facilitator, what should be expected from them, and what should be expected in their credentials. As a result of this process, the Council hopes that setting the standards and guidelines will encourage practitioners in the RJ community to do some self-policing. While not an answer for the situation of every RJ program or location, the Council views that this is a solid start and the next steps from here are to pursue the creation of some form of professional organization.

No set qualifications are designated in these guidelines for certain levels of cases and facilitations, the expectation is that an individual practitioner needs to know, practice, and develop their competency with the model that they are using. There is an expectation that an RJ professional will continue to develop their skills as a facilitator, and a strong encouragement to practice with experienced mentors first. Competency is a very big component of these standards and the code of conduct, the competence standard was set to intentionally mean that if a practitioner does not have training in a particular RJ approach that they should not do it. It also states that a practitioner should be able to provide proof of their competency in the particular area. Discussion followed regarding making sure that these standards are clear enough that someone who does not personally work in RJ could tell if the individual practitioner is qualified to perform these services. The Council determined that it would suggest providing it to individuals who are not RJ professionals to get their feedback on if the standards are understandable and clear. There is the possibility that a checklist similar to the one developed by Colorado Springs uses may be needed. One other issue is that there may be some need for grandfathering, particularly for programs which have been in existence for a significant length of time. Finally, the Council believes that there will be a need to provide training and outreach to judges and criminal justice professionals about what this looks like in their respective judicial districts.

The current plan is that these will be put up on the CCRJD website before the 24th, and Deb Wetzel asked that the Council review these documents in more detail and let them know if anything is missing, things are too vague, or more detail is necessary by the 17th. Finally, she emailed these standards and code of conduct documents to the Council members.

MOTION: A motion was made and approved that the following statement be read into the minutes and communicated to the RJ Directors by Greg in writing:

“The State Restorative Justice Council extends its sincere appreciation for the work that the Restorative Justice Directors have done to develop these professional standards.”

7. Updating Contact Information:

The Council member's roster and contact information was updated.

The next meeting is a meeting via conference call on March 9th, 2012 from 10:00 a.m. to 12:00 p.m.

2012 RJ Council Meeting Dates - from 10:00 AM -12:00 PM by Conference Call

March 9, 2012
May 11, 2012
July 13, 2012
September 14, 2012
November 9, 2012

2012 RJ Council Meeting Dates, Boulder Justice Center, 9 AM - Noon

April 13, 2012
June 8, 2012
RJ Conference: August 9, 10, and 11, 2012
October 12, 2012
December 14, 2012

Items for Future Agendas:

1. How do we have the balance of the 3 entities in our process i.e. community, victim, offender
2. Sustainability
3. Bev and Greg do the True Colors training with us
4. Keeping repository current, including LCJP utilizing the repository to develop a community network of practitioners.
5. Spiro will pursue information about VINE and possible VINE support.

6. Accreditation, including standards discussion from this meeting. Follow up at next meeting
7. Addressing gaps in representation or collaboration—may need to revisit
8. Strategic plan items
9. Adoption of membership addition procedures and appointment of COVA member to the RJ Council—may need to revisit
10. Discussion about maximum council membership numbers and other appropriate entities to extend membership invitations to, including civil restorative justice.
11. Continue to keep an eye on professional development and expansion of knowledge of RJ possibilities for the members of the Council. E.G., RJ for bullying in schools.
12. Update on Robin Will, circles of accountability--Greg