

STATE OF COLORADO



The Colorado Restorative Justice Council engages communities to create lifelong cultures of respect and responsibility.

Matt Riede, Chair, 1st Judicial District Victim Advocate— Present
Lynn Lee, Practitioner, Vice Chair, Pikes Peak Restorative Justice Council—Not Present
Perrie McMillen, Restorative Justice Services Program Director, City of Ft. Collins (Immediate Past Chair)-Present
Spiro Koinis, Division of Youth Corrections Victim and Restorative Justice Services Coordinator (Past Chair)—Present
Greg Brown, Chief Probation Officer, Twentieth Judicial District (Executive Committee)—Present
Meg Williams, Department of Public Safety, Division of Criminal Justice, Manager (Executive Committee)—Present
Robb Miller, Deputy District Attorney, Nineteenth Judicial District- Not Present
Nancy Lewis, Colorado Executive Director, Colorado Organization for Victim Assistance—Not Present
Candace Hawkins, Colorado Department of Education-- Present
Christine Harms, Juvenile Justice Delinquency Prevention Council—Present
Rebecca Oakes, Adult Parole Board— Present
Pat Kelly, Juvenile Parole Board— Not Present
Monica Chambers, Department of Corrections—Present by Phone
Gabrielle Frey, Practitioner/RJ Directors—Present
Alice Price, Practitioner, Center for Restorative Programs—Present
Peggy Evans, Practitioner, 1st and 18th Judicial—Present
Martin Gonzales, Judge, 12th Judicial District— Present
Elizabeth Porter-Merrill, Public Defender State of Colorado—Present
Benito Garcia, Chief of Police Milliken CO Law Enforcement Rep --Present

Facilitation by: Deb Witzel (RJ Coordinator SCAO)

Minutes taken by: Jack Hubbard, 20th Judicial Probation

Guests- Holly Panetta, SCAO, Professor Sliva, Carrie from DU, Robin Singer CDE, Valerie Greenhagen Intern,

RJ COUNCIL Minutes

February 26th, 2016

Regular Meeting

Meeting was Called to Order at 9:10 a.m. by Deb Witzel

- **Welcome and Additions:** Benito Garcia, Robin Singer and Valerie Greenhagen (intern)
- **Approval of minutes-**
 - Minutes from the December, 2015 were adopted.
- **Member Roster Updates-**
 - Chief Benito Garcia from the Milliken PD is the new Council representative for Law Enforcement
 - Robin Singer is the new CO Dept. of Education representative
- **Review of Program Video:** <https://vimeo.com/fivefifty/corj>
Department of Corrections RJ video on the Council's website.
- **Meeting Locations:**
At this time, the October 2016 meeting is schedule as a joint meeting with the RJ Directors' Group at the Conflict Center in Denver and the December meeting is scheduled for a site visit at the Denver RJ pilot project. ALL other MEETINGS WILL BE AT DCJ
- **Legislative Issues Update From Representative Lee:**
If reelected, this will be Representative Lee's last term, and he is asking the Council for ideas about RJ legislation in this term. Ross London is interested in the work being done in Colorado with post-plea

and pre-sentence RJ cases. His feedback is that the language in the Colorado RJ statutes appears to be passive and it seems like it could be modified to require more active decision making and designate forced decision points. He would like feedback from the Council and other RJ system players on his impressions. Mr. London's feedback and request for more information is also placed on the April agenda.

- **Update on LCJP Issues:**

The history of LCJP and the Council is somewhat complicated and was reviewed for the new members. The Council is interested in pursuing further dialogue and, potentially, a restorative process, with LCJP to work through these issues and Deb is given authorization to continue having these groundwork conversations with them.

2016 Action Plan (the Action Plan was Provided to the Council via Email Prior to the Meeting)

- **Funded Programs, Data Collection & Evaluation – Meg**

- FY 17 RJ Program Funding Decisions: The applications are due Monday, February 29th. Meg provided the Council with a draft scoring rubric for the applications for funding for FY 17.
- Appeal Process: Motion was made and seconded that there will be no appeals process in the current funding cycle with detailed feedback provided to non-funded and non-fully funded projects. This motion passed. The creation of an appeals process will be reconsidered as the Council gains experience with making funding award decisions in future fiscal years.
- Cost Benefit Analysis: Professor Shannon Sliva conducted a presentation on her research and the background of that research for the Council. She indicated that she has some resources that she can make available to the Council, but also wants to make sure that what she provides is beneficial and is not duplicative of other Council efforts. In particular, she identified some questions for research or investigation that seem like they might be of interest to the Council:
 - Questions about SB94 diversion, as an effective alternative to formal sentencing. Which data sources exist to inform this question and can they be utilized to address the school to criminal justice system pipeline? That pipeline is an area of concern for many entities and is there any data available from resources like school resource officers?
 - What about capturing a whole story picture of RJ in general and for specific programs, with a more cumulative and general view? When RJ programs are implemented, what are the outcomes of these processes compared to other alternative processes and the regular processes? In other words, a fuller spectrum view of alternative outcomes from diversion to restorative justice to community based supervision models. The outcomes compared to when other things are implemented.
 - Evaluating the systemic level changes happening statewide in Colorado—in particular, how are the districts using RJ and other alternative models performing overall relative to the districts that are not making use of these options? As part of this, identifying which districts and which systems are more integrated versus less integrated, and evaluating how the pilot districts compare to other districts.

The Council concluded that Professor Sliva's ideas would greatly support the Council's current objectives and work. Meg and Spiro will help Professor Sliva set up a meeting with Matt and Deb will touch bases with her after the meeting to start laying this groundwork.

- Omni Preliminary Report: Any other feedback on the report should be forwarded to Deb by Friday March 4th. Finally, Deb asked the Council members to seriously consider if there are

additional questions about pilot programs and the evaluation of those programs, as the RFP for the evaluation services for the next five years will need to be issued in the near future.

- Quality Assurance: Alice indicated that these concerns and issues seem to have already been addressed during the preceding conversations.
- RJ Pilot Project Updates:
 - 20th Judicial District Site Visit: This pilot's data collection and fiscal reporting is extremely clean, and overall the pilot has come a long way in a year.
 - 10th Judicial District Site Visit: As a result of this site visit, Deb has to report that there are continuing issues: with compliance numbers are low and the master file for this pilot is missing data and documents in many of the requested categories.

A motion was made, and seconded, and amended and adopted by the Council: Deb is to continue the process of working with the Pueblo pilot project, of obtaining the necessary program compliance. Should they not be in compliance with the program goals, objectives, and contractual requirements, she is authorized to engage in all necessary steps with SCAO to achieve the termination and shut down of the Pueblo pilot should they not meet the agreed upon target numbers and provide the necessary compliance documentation by mid-March. (6 weeks after their site visit and request for compliance)

- **Training and Resource Development – Greg**

- Confidentiality: Alice and Deb have received some initial responses to the survey issued by the Council on these issues. There is currently a subcommittee meeting on confidentiality issues including non-Council members, their objective with this survey is to create a feedback loop and get a sense of the on the ground concerns and issues. Liz and Alice will work with this group to develop a final analysis of the returned surveys and conduct a phone conference to develop suggestions or ideas to give to Representative Lee for the 2017 legislative session. At this time, there seems to be a patchwork approach to confidentiality protections in RJ processes and it seems the field has arrived at a point where more comprehensive answers to the issue are needed.

- **Conference Sub-Committee – Matt & Greg**

- Student Workshop on Sunday: As a result of the Council's desire to be more youth inclusive, Lynn Lee has been working with a group of students who have gotten together with the idea of putting together a pre-conference workshop on the Sunday afternoon before the conference.
- Progress on 2016 Conference Plan: The RFP for presentations was issues last week,
- Online Training Proposal from CCRJD: Perrie reports that the RJ Directors are currently working on developing a comprehensive, multi-modular online facilitator training which would be supported by local programs providing attendees with mentoring and feedback. This is still in the early stages, but it seems like there will be around 17 online modules. The Council's new website will have the ability to hold/host these modules, and the Council asked if it would be possible for the Directors might have something that they could present at the Conference to show what is coming in the future.

- **Communication Committee – Lynn Chair**
 - Facilitator Grievance Process: A complaint call was received by Deb. The RJ Directors provided feedback that handling it like Deb did seems to be a good solution, with a possibility of a regionalized response, but the same issues of lack of funding and lack of legal authority will be hurdles. They are willing to provide support as needed in the interim. There is agreement that it is problematic that there is this vacuum in professionalizing RJ in the state and the Council feels a responsibility to the community when adding an individual to the directory on the website. In one sense practitioners and the Council might be waiting to see the protocols that the mediators develop for their processes. Next steps in this conversation are to place this on the agenda as an ongoing topic to revisit. It may be helpful to request information from the Judicial Management Advisory Committee regarding what it views as appropriate steps in this area.

- **Media Liaisons –Perrie**
 - No issues reported in this area since the previous meeting.

- **Budget and Funds – Greg and Deb**
 - FY 2016 Budget Update: As of the most recent budget detail, the fund continues to bring in more revenue than anticipated by approximately \$70,000 more per month. This means that the requests for spending authority should not be impacted by issues with the availability of funding.

 - The status of the RJ Cash Fund was reviewed.

Added Agenda Items for Discussion

- **RPS:** Chris and Candie reported that the RPS regarding restorative practices in schools started convening on February 17th. This project has a 50 person capacity and is intended to convene and coordinate professionals in schools who have an impact on implementing restorative practices. In particular, there is an objective of developing standards for implementation, training, and practice of RJ in schools, and each of those subject areas has a team that is putting together draft guidelines for the Council to review at the April meeting.

- **Intern projects**
 - Valerie Greenhagen reported she has been working on completing an update of the RJ Directory and developing a history document for the Council. In the process of updating the Directory, she has been contacting the programs and gathering updated program information and fleshing out the information that is already present. One interesting result of this outreach is that, at the end of the process, she asks if the programs know of anyone else practicing RJ that is not in the directory and is getting a good response but, when the responses are reviewed, those programs and individuals actually are already in the directory. Programs are asking for more training resources, more access to practice documents. Programs are responding that they are aware of the standards and practices documents on the website and that they have reviewed/read them. Valerie's second project has been to develop an historical narrative of how RJ has evolved over time in Colorado. This historical narrative will be the capstone project for her degree and she will probably need to contact Council members for key informant interviews and other connections to connect the information in the documents together.

- **Website Upgrades -- Deb**
 - Deb reports that there is not much new on the plan to upgrade the Council's web presence. The next meeting with the consultant is next week, with the hope that a content list will be updated or written and can be provided to the Council at the next meeting.

- **Expansion and Inclusion Conversation – Greg and Deb**
 - Deb conducted a facilitated conversation about issues regarding looking at issues of expansion and inclusion. Some of the thinking that came out of the subcommittee conversation covered the following areas/issues:
 - Legislation on RJ practices is going to start becoming more of an issue, and the Council needs to develop time horizons for getting requests and needs addressed at the legislative level.
 - How can the Council put structures and processes in place that safeguards the work that has been done so far in developing ground rules, baselines, and credibility with the practitioner community?
 - Once the Council starts moving the field and practice in this or any direction, there needs to be plan to support the move and provide follow through to the completion of the implementation.
 - Is DOC capturing any data or developing any research at this point? While there is a database that is being developed, the results at this point seem similar to what is being done in the non-DOC community at large, but that might be something to figure out with Shannon how to present and report as satisfaction feedback is extremely high across the board. In particular, for the 18 or 19 interviews they have done, every single person says participant satisfaction is through the roof—it is getting collected somehow in the field.
 - Does the Council need to consider setting aside funding for research, paid internships at colleges, and other data collection and evaluation resources? What does the Council research, how does it research it, and to which questions does the Council seek the answers?
 - Overall, in terms of long term planning versus short term planning, how does the Council meet statutory obligations, who does the Council serve and why, and what is fidelity in practice and how is it measured?
 - How does the Council educate and engage the community?

The meeting was adjourned at 3:00 p.m.

Mission:

The State Restorative Justice Council advances restorative justice principles and practices throughout Colorado by providing *gateways* to information, networking and support.