

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— present
Perrie McMillen, Restorative Justice Services Program Director, City of Ft. Collins (Immediate Past Chair)-LAST MEETING present
Spiro Koinis, Division of Youth Corrections Victim and Restorative Justice Services Coordinator (Past Chair)—present by phone
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 by phone
Robb Miller, Deputy District Attorney, Nineteenth Judicial District- not present
Mary Mc Ghee, Colorado Organization for Victim Assistance Board Member— present
Robin Singer, Colorado Department of Education-- present
Christine Harms, Juvenile Justice Delinquency Prevention Council— not present (resigning)
Rebecca Oakes, Adult Parole Board— present
Pat Kelly, Juvenile Parole Board— present by phone
Monica Chambers, Department of Corrections—present by phone
Melissa Westover, Practitioner/RJ Directors—present
Alice Price, Practitioner, Center for Restorative Programs— present
Martin Gonzales, Judge, 12th Judicial District— present
Elizabeth Porter-Merrill, Public Defender State of Colorado—present
Benito Garcia, Chief of Police Milliken, CO- not present

Facilitation by: Deb Witzel (RJ Coordinator SCAO)

Minutes taken by: Jack Hubbard

Guests- Dr. Shannon Sliva-DU, Chris D. VT., Martin F.DYC, Allison M. Padres, Ceema, DU, Molly S. UCD, Larry C.. RJ Practitioner , Steven Vasconcellos SCAO

RJ COUNCIL Minutes

Regular Meeting

October 28th 2016, 9a-3p

Hosted by The Conflict Center 4140 Tejon St. Denver, CO 80211

parking lot entrance on the south side of building

Quorum- 9:03a

1. Welcome and Introductions: The Council members and guests introduced themselves and were welcomed to the meeting.
2. Additions:
 - The December meeting will be the annual project site visit and will be to Boulder, at the Boulder Justice Center on the corner of 6th and Canyon in the east training room on the second floor (1777 6th St.).
 - Update from Padres y Jovenes: Allison Meyer- about 18 months ago, Padres initiated a partnership with public schools in order to achieve a goal of getting more high quality restorative justice practices implemented in the schools. As part of that mentorship program, the DU graduate school and Professor Anyon are working with them, including developing a report on the three schools and using this school year to develop a tool that can be used to measure positive impacts that restorative justice is having in the schools. This collaboration includes having research assistants observe the schools on a long term basis and the idea is to use the observations to develop a solid survey tool that can be used in tandem with suspension and expulsion data to get solid information about RJ Impacts.
3. RJ COUNCIL Business:
 - SCAO- Budget issues-Steven V. attended the meeting on behalf of SCAO and spoke about the discrepancy in spending authority and the budget. He reported that David Kribs feels confident that the \$400k difference will be

addressed with the supplemental process at some point in the future; it should be at some point in FY17 for both FY17 and FY18 that this decision will happen. In addition, he provided an overview of the overall budget situation and upcoming concerns. He indicated that it would be a good idea for the Council to begin to evaluate what the budget request for fiscal year 2019 (7/1/18-6/30/19) should be in order to get the request into the budget consideration process. In response to Greg's inquiry about the spending rate, Steven indicated that the Council should continue to spend and should plan to spend at the \$1 million budget level.

- Review Retreat Notes from August: the minutes from the August retreat were reviewed by the Council members prior to the meeting. A motion was made to adopt the minutes which was seconded and passed unanimously with one abstention. The abstention was Mary and was due to her not being in attendance at the retreat.
- Adopt August minutes from the regularly scheduled meeting. A motion was made to adopt the minutes and seconded, which passed unanimously with one abstention. Mary again abstained due to not being present at the August meeting.
- Travel reimbursements have all been repaid. As part of the discussion, both Meg and Mary raised the issue of attempting to pursue a legislative correction that will enable the Council to support reimbursement for attendance at Council functions. When this question was raised at the August meeting, Representative Lee indicated that doing so would be possible but that it would be more appropriate if a legislator other than himself carried the request due to the perceptions created by his wife currently serving on the Council. As reimbursement for these expenses are something that other boards and commissions enabled by legislation seem to support, the Council determined that it would pursue this fix. Perrie indicated that she will open communication with Rep Jennie Arndt, and Mary will keep her eyes open to determine who would be an appropriate co-sponsor (ideally someone who is also on the Joint Budget Committee). In order to advance the request, the Council will need to develop a calculation/assessment/cost projection for these expenditures. Meg and Mary agreed to draft a proposal that will be provided to the Council for review and that Perrie will open a dialogue with Representative Arndt about advancing.
- Lynn Lee – Resignation as Vice Chair for RJ Council: Lynn Lee has resigned as the vice chair and from the executive committee due to concerns about the perceptions created by her role on the Council and her relationship with Representative Lee. The RJ Council clarified for the record that Lynn has recused herself from any decision making that might benefit her and there is no conflict of interest that has occurred. This creates a vacancy in the Vice Chair position which will now need to be filled. In order to support this transition, Matt has volunteered to serve as chair through next year (calendar year 2017) to avoid the expectation that the newly selected vice chair quickly transition into the chair. Mary volunteered to fill that seat for 2017 if needed. The Council feels that it is a high priority to maintain the practitioner perspective and representation in the leadership of the Council, and determined that that objective justifies requesting that the CCRJD reconsider their appointment term limits to be a minimum of 4 years and preferably 5 allowing for an appointee to have a year to grasp all that is happening with the RJ Council and that the CCRJD rep serve on the Executive Committee within that term.. The Council will raise this concern at the joint meeting portion of today's meeting. Mary proposed that the Council defer the decision on the vice chair appointment until the December meeting in order to give the CCRJD enough time to consider and respond to the Council's request. A motion was made that the bylaws be amended to add a seat to the executive committee for the purposes of providing a means for a consistent practitioner voice. There was discussion of this motion and a concern was raised that as currently constituted (chair, vice chair, treasurer, immediate past chair, and a non-assigned officer seat) gives five members so there is never a tie in any necessary vote. This might not be necessary this year: Perrie is leaving at the end of the year and Matt will not be vacating his chair position to move into the immediate past chair role; therefore, for the coming year, Spiro would be the past chair (due to Matt staying on), Matt the current chair, whoever is selected for the vice chair, Greg the treasurer, and then that fifth space would be the designated practitioner slot. The Council tabled consideration of the motion until the December meeting in order for a discussion to happen that is informed by the response of the CCRJD to the Council's request. Since it is important for future decisions to address and clarify the terms of the practitioner members, the Council forms a bylaws modification and drafting work group that will be led by Deb and comprised of Alice, Mary, Melissa, and Spiro to begin drafting language to clarify these issues.
As a secondary part of this discussion, the Council requested the feedback of the CCRJD regarding the practitioner seats on the Council and the application process for new practitioner members generally. The council has an application process that was used in 2013, and now has a newly vacant seat. A committee of RJ members has

been formed, but the Council would like the Directors to provide some help identifying what the Council should look for in a new practitioner member.

In response to the issues raised in the discussion, the CCRJD placed an issue on their agenda to evaluate their appointment protocols and report back to the Council.

- Living Documents: The Council opens certain documents for community comment on a periodic basis. The website will be updated to note that these documents are now open for comment and the announcement will be supported by a blog post and an email blast. A discussion group in the forum will be set up to provide an additional means to receive community response. Lynn asked that the open comment forum for the training guide also include comments/responses/feedback for HRVOD. A motion was made, seconded, and passed unanimously for these documents to be opened for comment in the month of November.
- Molly Sifers is the Council's current intern and she is working on a project focused on developing a prototype for surveying high schools. The next steps for the project are that the survey closed on 11/1 with a final paper due date of 11/29 and presentation on 12/8/16. She will provide the paper to the Council and Deb will be attending the presentation. Deb will also provide a copy of the survey to the Council.
- Bulgarian Delegation- Meg and Spiro updated the Council that we have received a request to provide an in-depth longer training or technical assistance session for three or four hours utilizing some form of remote technology (such as Skype. Lynn offered to have Pete available after the election for part of the training.
- NACRJ memberships and Conference 2017—the RJ Council is not a member of the NACRJ, and we cannot be a member because we can't have membership and subscription expenses in this current fiscal year under the terms of the budget and fiscal rules. Council members need to be aware of this so that they can choose to become individual members if they so desire. In addition, if Council members are interested in attending the conference they will receive a discount if they are members.
- 2017 Meeting Calendar-- Traditionally the Council has been meeting in even months on the fourth Friday with an additional annual retreat in August. There was a suggestion that the Council schedule the retreat early in 2017 given the information that Steven presented regarding budget and fiscal time frames. In addition to the regular meetings, the Council also schedules a joint meeting with the CCRJD and a site visit to one of the pilot projects. The Council determined that it would keep the schedule the same as previous years and that Deb would send out a doodle for determining a date for the retreat earlier in the year to accommodate Judicial's needs. April might be a good month for a retreat, though February might be necessary given Steven's information.
- Deb at WY RJ Conference (present &/or facilitate) in 2017. The conference organizers for the RJ Conference in Wyoming have asked Deb if she would consider being available as a co-presenter with Professor Sliva and have also asked Deb to facilitate a community action session like the one she provided at the Colorado conference. After discussion, the Council determined that this is not official business of the RJ Council commitments and responsibilities of her position. In addition, the Council also acknowledged that Deb is an employee of the Colorado Judicial Department with Paid Time Off rights and that the individual decision as a consultant of how to utilize her PTO and for what purposes is up to her and outside the purview of the Council to regulate.

2016 Action Plan:

4. Funded Programs, Data Collection & Evaluation – Meg Chair

- Funded Programs
 - Request for monthly reimbursements RJCC in Loveland. Greg's feedback is that this might be the kind of question/flexibility the Council might want to consider building into the funding process as a practical matter instead of requiring full Council approval. A motion was made and seconded to approve this request, which was approved with one abstention by Perrie.
 - LPYS budget amendment request was sent to the Council for review. A motion was made and seconded: Given that the Council has already approved another funded program's request for attendance at this out of state conference, and given that the funds are currently available, the Council will approve the request for supplemental funding with the caveat that this is not a commitment or policy for future funded program requests and that the Council will create a policy for out of state travel funding request. The motion was seconded and passed unanimously with no abstentions.
- Omni – ETO challenges. Meg is working with Omni as they are still working on getting data from the funded programs, which has been made more complicated due to some issues with the ETO database. A committee is

formed to put together the 2017 funding application, forms, announcement, schedule and generally start that funding cycle process. That committee is Meg, Mary, and Rebecca.

- A second committee is formed to develop an application process for practitioners to sit on the RJ Council, that committee is Perrie, Melissa, Spiro, Matt, and Lynn.
- The EARSS staff in the schools have issued an RFP for a grant award that is designated for the planning and implementation of restorative justice programs in schools.

5. **Training and Resource Development – Greg Chair (Deb)**

- Online Training Modules- Perrie and Melissa, and discussed at the joint session with the CCRJD.
- Outreach/Education Presentations/trainings for 2016
 - Judicial Conference: Greg reported that this was attended by approximately 30 or so judges.
 - Public Defenders Conference: Liz reported that this presentation was well attended by around 100 people,
 - The Judge reported on the presentation to the Bar on October 24th. It seemed to go very well and was attended by about 40 people who had good questions, in particular about the interplay of the sentence and how RJ might impact sentences and sentencing decisions.
 - COVA: Deb and Matt presented at COVA on Tuesday, to about 25 attendees,
 - COVA: Monica and Kerri did a presentation on HRVOD at COVA,
 - Pilots presenting at National Symposium on Juvenile Services with Deb next week.
 - Legislature: Matt is trying to coordinate with Representative Lee to present to the legislature early in the session regarding RJ.
 - Monica reported on training at the Fremont DYC facility last Friday, which she provided with Shannon, Lynn, and Liz assisting. 327 inmates volunteered to come to this presentation and there was incredible support for RJ in the room.
 - Larimer Probation has invited Greg and Joanne to come to their district and provide a training on November 8th at 10:00 a.m.
 - Lynn notified the council of a presentation in February; Kay Pranis will be doing 2 sessions of Circles training.
 - Deb thanked the Council members and pilots for their presentations and work at the Conference.

6. ***Budget and Funds: Greg and Deb**

- FY '17- updates from retreat
 - Expansion- HRVOD: Professor Sliva: At the last Council meeting, Professor Sliva had notified the Council that DU had applied for a NIJ grant, in collaboration with state agencies which are offering HRVOD, to research victim impacts related to HRVOD processes. Professor Sliva has been notified that DU has been awarded the grant, and as a result of that award she has come to update the Council on the project. She provided a one page summary of the grant project which includes an abstract and a summary of the steering committee and the timeline for the grant activities. For Council discussion is determining what the Council's role will be in the research and the process with this grant and what will the role of Deb be in terms of providing support to the grant activities. What will the impact/change in her workload be as a result of this funding? The Council needs to be clear about the next steps and assumptions that are being made with respect to this activity and Mary suggested that a set of short term next steps be developed as the research starts on these dialogues. In particular, the Council needs to discuss/address:
 - Can we get an agreement on the training and programmatic side of things in terms of expectations and what will actually be happening and a timeframe?
 - The steering committee might need to reconvene and put together what the training and expectations should be.

--Currently attempting to get training scheduled and in place in the first full week of December-- is that too fast/should it be bumped out?

--Mary, Greg, Matt, Monica, Spiro are on the steering committee from the Council. They were asked to commit to coordinating with Deb regarding the curriculum, expectations around Deb's position, and roles and responsibilities.

--Melissa asked if there has been any thought or expectation laid out regarding the qualifications of the facilitators of these processes. Professor Sliva indicated that the grant application indicated that we would require that facilitators have received advanced 40 hour training in victim-offender dialogue. From there, the Council's or Practitioners' decision as to what those 40 hours contain and consists of will control who is qualified. The anticipation is that an application and screening processes already in place in the agencies will provide the major part of the framework for making these decisions.

--Matt asked if there was an expectation that the agencies pay for the cost of the dialogues. The grant itself provides \$500 per facilitation. From there, agencies may supplement if they choose and feel it is appropriate to do so.

Next meeting of the steering committee is Nov 18th 8:30-10:30 at COVA

7. 2017 Legislation

- Confidentiality-- Liz and Alice have provided the confidentiality information to Pete for drafting.
- Sunset /Renewal update was provided by Deb. The legislative sunset for the Council was 2017, and DORA has created a report of their findings after their sunset review. DORA's recommendation after the review as that the RJ Council be continued indefinitely.

8. 2016 RJ Conference

- Feedback and Debrief—the returned feedback forms were reviewed, and if someone did a session they are available for review. the Council will consider the following factors when planning the next conference:
 - Accessibility issues and concerns—doing everything non-paper but assumes access to technology.
 - Restrooms, consider gender neutral/single stall option.
 - Advanced vs. entry level tracks, including the repetition of sessions if possible.
 - When is next conference/can it be more frequent?
 - Why can't you provide handouts from PowerPoint slides?
 - What about getting the training sessions registered for CLE/continuing education credit?
 - Is there a way to provide access to the presentations online if someone returned the survey/can we generally increase access to the sessions otherwise?
 - Law enforcement seemed underrepresented, can that be fixed?
 - Course descriptions could match the sessions a bit better.
 - Details about the agenda and meals could be clearer before the conference starts.
 - Is it possible that there is too much going on and there are too many different sessions?

2017 Action Plan Items and Committees:

- Legislation
- Training, Education,
- Awareness, Outreach
- Resource Development
- Policy Development
 - Internal

- External
- Funded Programs, Data Collection
- Research Projects
- Exec-
 - internal affairs
 - Budget and Funding
 - sustainability

Mission:

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