

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—
Alice Price, Practitioner, Vice Chair—
Spiro Koinis, Division of Youth Corrections Victim and Restorative Justice Services Coordinator (Past Chair)—
Greg Brown, Chief Probation Officer, Twentieth Judicial District (Executive Committee)— not present
Melissa Westover, Practitioner/CCRJ Director (Executive Committee)—
Meg Williams, Department of Public Safety, Division of Criminal Justice, Manager – not present
Robb Miller, Deputy District Attorney, Nineteenth Judicial District-
Mary Mc Ghee, Colorado Organization for Victim Assistance Board Member—
Robin Singer, Colorado Department of Education--
Stacy Davis, Juvenile Justice Delinquency Prevention Council—
Rebecca Oakes, Adult Parole Board—
Pat Kelly, Juvenile Parole Board—
Monica Chambers, Department of Corrections—not present
Lynn Lee , Practitioner Pikes Peak Restorative Justice Council —
Martin Gonzales, Judge, 12th Judicial District—
Elizabeth Porter-Merrill, Public Defender State of Colorado—not present
Benito Garcia, Chief of Police Milliken, CO-
Luke Yoder, Executive Director Center for Restorative Programs, CCRJ Director-
Jennifer Gallegos- Practitioner member, The RJ Solution-

Facilitation by: Matt Riede

Minutes taken by: Jack Hubbard

Guests-

RJ COUNCIL MINUTES

Regular Meeting

April 28th 2017, 9a-3p

Jefferson County Courts Building, 100 Jefferson County Parkway, Golden CO 80401
Lookout Mountain Conference Room

Call in Info (720) 625-5050 code 76435600#

1. Welcome and Introductions-
 - The Council recognizes Deb's service and appreciates her contributions to the growth of RJ and the Council in the state.
 - Special welcome to new members of the RJ Council – Stacy Davis and Jen Gallegos.
2. RJ Council Business:
 - A motion was made to adopt the February minutes which was seconded and passed.
3. Hugh Wilson: Hugh is the new SCAO budget manager and came to the meeting to discuss the management of the RJ cash fund. The FY18 appropriation is a bit more than \$1 million which is in line with the budget requested by the Council. The details of the fund, including expenditures and revenues, were reviewed with the Council as well as a discussion regarding the need for spending authority to expend money in a fund in the course of a particular fiscal year. Currently, SCAO is in the process of putting the starting work into developing the budget request for FY19 as we are wrapping up the FY 18 allocation process. As Deb handled these issues for the Council in the past as part of her duties, her departure created a need to meet with the Council to start the outreach between SCAO and Council members regarding budget concerns and

issues. Since RJ funding is received from a designated cash fund, the revenues can only be used to fund RJ and thus the budgetary requests do not compete for funds against budgetary requests from other state agencies. Finally, Mr. Wilson provided a brief outline of the requirements of TABOR in terms of the allocation and expenditure of funds; in particular TABOR controls all revenue and limits growth of funding allocations based on inflation and revenues.

4. Brenidy Rice- SCAO Criminal Justice Programs Unit Manager:

- Brenidy was welcomed to the meeting and discussed working together with the Council moving forward after Deb's departure.
- New Hire Process and Transition to New Staff: Brenidy would like to have some conversations with the Council regarding the process to replace Deb and to identify the characteristics, needs, and skill set that might meet the Council's needs in the future. Of particular concern are figuring out how to identify a candidate to take on that is role who will not be set up for failure because they cannot be Deb 2.0. Brenidy asked the Council for patience during the transition, as there are currently time sensitive priorities for the funding of the RJ projects in the state and then there will be time to work on getting the new person onboard. Since the position is a Judicial FTE, the hiring process will be a Judicial hiring process; the position will be posted on Monday and will be kept open two to three weeks to obtain a robust candidate pool. Council members expressed a desire to make sure that their voices were heard and considered as part of the hiring process. Part of that discussion identified the following needed/desired skills: a grant management and budget skill set; an ability to get along, converse, and promote the ability of people to get along and reach consensus; emotional intelligence; an ability to think outside the box; and a temperament that fits in with the Council's established culture. In addition, the Council would like to make sure that there is some provision to keep the process open enough for a wild card type candidate that doesn't fit well with a rigid screening process but might have excellent skills that are not captured by the formal process. Members of the Council were encouraged to give feedback to Spiro, the executive committee and Brenidy. In addition, Melissa, Spiro, and Pat volunteered to support Brenidy in the hiring process and to help make sure the Council's concerns were articulated through the process.

5. Joanne Esch- RJ Implementation Research project for Ph.D. :

Joanne reported to the Council that she is in the process of finalizing the interview schedules and making sure that the questions she had were the questions that the Council wants/needs to have answered. It seems that the two main questions are how the Council takes the information it has gathered in order to learn from experience in order to identify barriers and issues in achieving implementation and how can the Council develop an understanding of the program development, implementation, and evaluation process in the state. A second goal is to obtain data that will be effective in developing RJ as an intervention medium. Due to the constraints of the research process, the focus has been narrowed to looking at the criminal justice context at this time. Joanne wants to develop a way of being informed by the field of the various ways in which these questions can be answered and at what point is a particular process or mode no longer considered to be an RJ process. What are the important activities that bring the core components or an RJ process to life, how do RJ goals fit with criminal justice goals, and what are the core components that define a practice as RJ. Ultimately, the project hopes to get a sense of what an ideal practice informed policy for RJ would include. Additional questions that the research project is attempting to get answered are:

How confidentiality is handled, how do confidentiality issues arise?

How do projects achieve and maintain sustainability?

Are there institutional or systemic definitions and if there are differences what are they and where are they? How Have programs/professionals standardized and applied these?

How are the processes driven?

How do RJ practitioners and processes interface with other agencies and systems? (A related issue Joanne is Working on is how to phrase this particular inquiry to avoid desirability bias in any responses)

After these questions are finalized, she will be setting up interviews and would like to interview someone from Omni as part of this process. Ana seems like she would be a good resource for Joanne, as would staff in the pilot districts, RJ Council members, and service providers to the pilots.

6. CCRJD Outline for Modules for Online Training- Abby Whipple, Tyler Kenworth , Catherine Childs and Joanne Esch:

This document was provided to the Council a couple of weeks ago via email, and the training plan was printed and copies made available to the Council at the meeting. This committee has been working for two years on putting together this

document and is greatly appreciative of the Council's support and interest in forwarding RJ education in the state. Abby's own experience in developing and implementing her new program highlighted the issue that there are not a lot of resources beyond a lot of paid training and consultants to train her new volunteers. Those resources did not address the underlying/basic problem of how to get a program off the ground and established with an ongoing recruitment and training process and the trainings that were available were not consistent in quality of information. At this point, CCRJD became aware that a number of new programs were starting to appear around the state in isolated and/or remote locations that did not have contact with established practitioners or the Directors' group and thus did not have a grounding or ability to get training. This document is intended to provide learning outcomes for facilitators and is intended to provide training to facilitators (not specialized to a school or a judicial system) and is conceptualized as providing a 20 hour basic training. At this point in the process, there needs to be some language or conceptualization added regarding program self-determination and individual client self-determination. Deb had previously discussed the potential for training modules to be available through the Council's website once we now have this document in place/developed. There's also the potential for those modules to be used beyond Colorado as RJ expands. We are the first state to have a document like this, and we hope that it can be a model document for other states. The Council reviewed the document with the CCRJD representatives.

*Label the document as a working document and include the publication date.

*Self-determination discussion—page 7 of the document. There doesn't seem to be language on this that is present in the standards. In reality, this term is language that we seem to dance around a bit, typically through the use of language like "voluntary participation, respect, impartiality". Those three concepts on their face can mean self-determination, but on their own they do not get all the way for the purposes of the document. For the CCRJD's purposes, this is defined as the act of coming to a voluntary and un-coerced determination of where a process is going/process objectives as long as it does not interfere with the self-determination of other participants in the process. The important point is that the facilitator provides the space for the process and for the participants to be present, but not to inject themselves and their views of the world/situation. It does seem like that this is an important clarification and discussion to have, and maybe individuals who work for COVA should be consulted and discuss the crafting of this language. The Council suggested that this should be done in the context of a relationship with COVA and getting them involved in the discussion as partners. There does need to be discussion here about the injection of the facilitator into the process relative to how the victim community approaches these kinds of issues.

After review, a suggestion was made that the document will be forwarded to the education subcommittee for review and commentary/feedback by the end of the day on May 19th for some potential pre-meeting discussion. In turn, the document would then be reviewed and opened for further discussion and a possible adoption vote at the meeting June 2nd. The Council designates Pat as the point person for that information to go through with respect to this document.

7. Omni Updates--Ana Nunes:

Omni has submitted a proposed budget and prospective scope of work for the coming year. These documents continue to focus on the questions the Council previously identified. One issue that was raised for this year was to evaluate the cost effectiveness of RJ process and to establish a research/data collection groundwork for doing that analysis. The level of funding is about the same as it was for this year. Omni has added a per agency add on fee for adding on additional agencies to be on-boarded and supported in the data collection and database support in light of the prospect of adding new projects. This onboarding and support will include the current technical assistance, documents, and other support that they provide to the current projects. The evaluation is a living process in that we are always getting new data and we can use it to potentially see new links and connections.

- Database
- Cost analysis
- Evaluation (prevention/intervention and schools/justice system consistency)—snapshot of the numbers?
Recidivism data is always a year behind because of the process, the data will be provided to the council in draft form at the end of July. So far, things are looking pretty consistent with last year.

8. Funded Programs, Data Collection & Evaluation –Chair Greg Brown (Committee Members- Rebecca Oaks, Mary Mc Ghee, Melissa Westover, Spiro Koinis):

THE COUNCIL IS CALLED INTO EXECUTIVE SESSION FOR THE PORTION OF THE AGENDA THAT INVOLVES REVIEW OF PROGRAM BUDGETARY AND PROPRIETARY INFORMATION, AND THEN CALLED OUT OF EXECUTIVE SESSION FOR REVIEW OF THE SUBCOMMITTEES RECOMMENDATIONS AND DECISION MAKING ON FUNDING AWARDS.

- Funded Programs Decisions/Recommendations. The Council discussed the new applications that were received and approved the ones in executive session that will be brought to the larger Council for final decision. There was a review process by a subcommittee of these 10 applications. In addition, Deb reviewed the already existing program applications which included 6 continuation requests with the requested amounts in the 80%/60% guidelines from the announcement and to ensure that all of the required documentation was in place (the applicants answered all of the questions that were asked, letters of agreement are in place, and the org charts and goals and objectives met the Council's designated goals and priorities. Deb recommended to the committee that all of the continuation requests be funded at the requested level.
 - Application Information-Deb
 - Continuation Grants
 - Newly funded (Melissa, Greg, Spiro reviewed). The subcommittee discussed each of the funding requests and gave a more critical look at the funding the programs were asking for and the nature of the particular programs. Initially, there were six programs being reviewed. As part of this process, a concern was raised of what will happen if the money isn't completely allocated and spent. Then, this was followed by the discussion of a two-step process: First step would be to fund the programs, get the information out and the money allocated by July 1st. Then the second step would be the new Council Coordinator getting on-boarded with about a 3 month learning and orientation phase followed by outreach to the new projects to provide training and technical assistance. This year the Council might consider not spending as much as it normally would due to the transition of the coordinator staff. In terms of the formal decision of funding allocations, the Council is making a recommendation to the Chief Justice and State Court Administrator; they in turn decide the funding allocations. Instead of not issuing the funding, the possibility of reopening later in the year through a supplemental process was discussed since there is a potential issue with the Council's capacity to support the new programs, the staff assigned is changing, and a lot of decisions and decision makers seem to be up in the air. This was followed with a discussion about why the programs that get funded get funded, and then have a clear idea as to why the decisions were made so that good information could be consistently communicated. In FY18, the purpose of the funding was designated publicly as supporting RJ programs that will help to prevent/reduce juvenile involvement in the criminal justice system. The announcement included the expectation that the selected applicants would participate in regional trainings and the webinar with funding recommendations made by the start of the month of May. There is a total of \$800,000 available for FY18, and as the Council is committed to implementation science guidelines it will first consider requests for continued funding. After those requests are funded, there is approximately \$300,000 in funds available for pre-filing restorative justice efforts that divert juveniles from entry into the criminal justice system. Priority will be given to programs that are victim centered in restorative practices with collaborations and partnerships encouraged. Geographic diversity and community readiness to receive the funds will be considered.

In light of these guidelines, the subcommittee met and made the following recommendations:

- Rise Up (Denver): do not fund
- Canyon City/Fremont: do not fund
- Boulder County Sheriff: possibly fund
- Heroes (Pueblo): do not fund
- Padres (Denver): consider reduced funding
- LCJP (Longmont): consider reduced funding. Reconsidered and determined to not fund.
- Teens, Inc.: fully fund
- MESA: request more information on outcome measures and clarify the budget, but With those amendments fully fund.

--Youthzone (Glenwood): fully fund.

--Youth Transformation Center (Colorado Springs): fully fund after further inquiries answered by applicant.

After those reviews, Deb reviewed the applications with the executive committee which determined that adding two programs to the current projects is realistic at this time. The programs selected are:

Teens, Inc in Nederland

Youth Transformation Center in Colorado Springs

After the new Coordinator is on board with the Council, the Council will consider potentially funding additional programs. The subcommittee asked for feedback about the process and the end results. Council members indicated that, with Deb leaving, it was very eye opening to see all of the behind the scenes work and activity that is necessary to support the current programs and the amount of work that it will take to support the projects. In particular, it highlighted the need for some discussions about the capacity of the Council in this area going forward. This led to a discussion about how the Council functions in this role, what Council members should expect to take on, and what the role of the assigned SCAO staff should be with respect to the pilots and how to communicate that information to the stakeholders and field. In addition, there was discussion about the time the process requires; VALE takes 4-5 months in these processes, and these decisions appear to require quicker turnarounds.

A motion was made and seconded to fully fund the new programs Teens, Inc. and Youth Transformation Center in FY18. This motion passed with one abstention due to conflict.

A motion was made and seconded to fully fund the ongoing six programs that filed requests for renewals. This motion passed with two abstentions due to conflicts.

The Council added an ongoing agenda item to resume discussions regarding the other applications at a later time. There are also some remaining issues in the areas of support for the pilots and funded projects: one issue is the communication of the process and transparency in expectations and the second is an ongoing issue of developing capacity to support the programs in a longer term context. Due to the transition to a new coordinator, it might become necessary to change the meeting frequency to every month until the transition is completed and the new person on board and comfortable in their roles.

Contracts will be in place for the funded programs by June 30th.

- Database: the Council and Omni are exploring options for a new database that will be more user friendly for the projects as the end users but still meet the data collection needs/interests of the Council. Progress is being made in this area, but more development of the options is needed. In the new fiscal year (2018), the Council will continue to use the current Omni database and Brenidy will continue to work on developing the new alternative.
- Updates On Currently Funded Projects: Deb reports that all site visits have been completed except for the 12th Judicial District. That will be done around the end of June, and volunteers were asked to let Brenidy know if they could do assist her on that visit. In terms of expenditures, all of the programs have budgets that indicate that they are on track to spend down their funding by the end of the fiscal year, except for the 8th which is reporting a projected \$10,000 under –spent status. In terms of progress towards project goals, all programs are reporting progress towards their objectives, with some delays due to personnel changes and turnover. Melissa will follow up with the 8th Judicial District to provide some assistance/thoughts/technical assistance regarding possibly spending down the \$10,000.

- Executive Committee
 - Bylaws: Alice forwarded draft updates to the bylaws to the Council a couple of weeks ago for review. Several changes have been incorporated into the bylaws which have been discussed in previous meetings. A motion was made and seconded to adopt the revised bylaws. The motion was passed unanimously.
 - The Executive Committee is investigating finding someone to provide support to the Council about how to assess Council needs and capacity, as well as managing the transition from Deb.
 - Complaints Guidelines: Matt and Alice developed these guidelines in order to provide clarity about the role of the Council in situations that come up regarding the standards in light of the fact that the Council is not a regulatory agency. A motion to adopt these guidelines was made, seconded, and the guidelines adopted.
 - For the next meeting, an agenda item is added to discuss how the Council will approach situations in which a member of the RJ Directory says they comply with the standards in their practice but information is forwarded to the Council that they do not.
- 2017 Retreat Planning
 - The retreat is scheduled for August 24th in Jefferson County. There will be a facilitator, and the executive committee is looking at a few possibilities for that. There will also be extensive pre-retreat work to get a sense of priorities and perception of what is going on and to assess internal and external capacities.
- 2017 Action Plan
 - NACRJ 2019 Conference Local Planning Committee: Deb reports that this meeting will be held in Colorado and that the Council committed to support this group. Some members of CCRJD and the Council's executive committee are on board to provide that support, and are asking for additional members/volunteers to assist with the conference planning since that process will start immediately after this year's conference in June.
 - An updated version of the 2017 action plan was provided to the Council for review and discussion. The primary updates to the plan are in the training, resource development and action and awareness subcommittee areas. That would be item 10 on the document, and the change is that the action plan in these areas are now in the executive committee for action and everything else in the rest of the Council's subcommittees. A big issue for the Council to consider moving forward is how to manage the priorities of the Council in these subcommittees/working groups. In a nutshell, anything that is not assigned to a current working group are currently being held in limbo.
- 9. Budget and Funds: These issues appear to have been addressed previously by the Council discussion with Hugh. Deb was trying to get all of the expenditure information into the spreadsheets for the Council's review before her departure, but the reality is that that does not look like it will happen now due to the timing of the information. SCAO staff will be working with Deb and hopefully there will be a system that will be put in place for the new coordinator in 2018 to get this updated more efficiently. The FY18 budget and the updated FY19 budget proposal will be forwarded to the Council with information changed based on the changes from the discussions in the meeting earlier today.
- 10. Training And Resource Development /Education and Awareness: These two committees were merged at the last meeting.
 - HRVOD Training and Curriculum Development Update: This discussion is relative to the research project that the Council is currently engaged in with Dr. Sliva. At this point, we are still in the information gathering stage with an objective creating a public domain curriculum as a result of the research process. Currently, the project is working on clarifying roles, expectations, and desires from the stakeholders. COVA has hired their staff member who will be the victim outreach and publicity staff for the project. The objective is to receive 20 case referrals this year (year 1) and 40 in the second year, with an ultimate goal of having 80 cases total by the end of the project. In

addition, there has been some discussion about how to describe these processes: High Risk, High Impact, or Victim-Offender Dialogue. The literature that does exist calls these High Risk Victim-Offender Dialogue, but maybe Victim-Offender Dialogue. At some point, perhaps the project should consider doing an HRVOD at COVA. There was a meeting with Probation stakeholders on Wednesday that Greg did a great job presenting at, and Spiro is looking for talking points from a set of discussions about trauma to assist with outreach.

- Liz talking to Doug, and neither she or Mike have heard from him, they will both follow up and continue contacting him.
- 5 Regional Trainings were provided with a total of 106 participants statewide.
- A webinar for the funding process was held on February 23rd which had 19 participants. From those participants we received a total of 16 funding applications.
- Education Initiatives were discussed for the coming year. At the retreat, individuals with connections to the following groups should come with ideas about people to contact/do outreach for to start this process.
 - DAs
 - Defense Bar
 - Probation
 - Judges
 - Law Enforcement
 - Victim Services
 - Schools Communities

11. Communications and 2017 Legislative Watch: The current session will close on 5/11/17.

- Sunset Review/Enabling Legislation Renewal (SB-220) has been signed by the governor and there is no sunset date for the Council in the legislation.
 - Rep Arndt had been working on a reimbursement provision that looked like it might go to the governor. However, it was pulled from the bill and did not move forward at this time.
- Communications issues and Confidentiality: The confidentiality piece was removed from this term's legislation but the language did include information regarding the presentence process and restorative justice incorporation into that stage of the criminal justice system. Frequently with legislation you can work very hard on a provision, but once it gets into the process it can be changed by many stakeholders. We learned valuable information from this process about the stakeholders who had objections with the confidentiality changes, and we will do outreach in the future in an attempt to address these concerns if we choose to pursue this in the future.

12. Loose ends/Issues to Place on the Council's Radar as Deb Transitions Away from the Council:

- Funded programs and notification and contracts are written and sent out.
- FY18 small adjustments needed to be made to budgets based on those programs.
- What can the Council do to improve/facilitate communication?
- Lots of other contracts are currently in place to support the Council's operations (such as with Omni); the Council should review them and make sure that there are no glitches in its basic business processes.
- Contracting for the retreat.
- If things bubble up/come up on a case by case basis, Brenidy does have some resources, and is open to any Council member contacting her for assistance. Matt and Ann will be her primary points of contact.
- PBS' Kids' Funstuff might provide an option for community outreach for the Council.

Mission:

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