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Restorative Circles

Handbook

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# SECTION 1: Introduction

Restorative Community Building Circles Protocol

Introduction**:** The Juvenile Justice Reinvestment Act (JJRA), Raise the Age, established new age limits on juvenile court jurisdiction for juveniles adjudicated delinquent for offenses committed at age 16 and 17—for adjudicated juveniles who commit offenses at age 16, juvenile jurisdiction may be retained until the juvenile turns 19; for adjudicated juveniles who commit offenses at age 17, juvenile jurisdiction may be retained until the juvenile reaches the age of 20.\*

## Purpose and Intent:

To establish minimum standards for the design, implementation, and operation of a Restorative Circle/Teen Court Program funded by Juvenile Crime Prevention Council (JCPC). To involve young people in taking responsibility for their actions, and to give the community an active role in dealing with juvenile offenders, in the hopes of reducing recidivism rates of youth in the county.

The Mission Statement: Circles are to fairly and efficiently address the offense and offender properly brought before them, discharging their judicial duties and responsibilities in accordance with the program manual and customs. Restorative Community Building Circles will be independent, impartial, well-managed, and respected, providing justice to all who come before them.

The Vision: We envision widespread use of restorative practices which collaboratively engage those who were most affected, youth, families and communities in addressing the harms created by wrongdoing in ways that focus equally on the needs of those who were most affected, community safety, as well as youth accountability and growth.

Policy Statement**:**

All Restorative Circle/Teen Court programs funded by JCPC shall operate as community resources for the diversion of juveniles pursuant to N.C.G.S. § 7B-1706 (c)-Diversion plans and referral.

The main program goal is to **reduce the number** of juveniles (ages 11-17) who are referred to juvenile court. Successful outcomes are achieved by providing consequences (sanctions or sentence), education, and other life skills development for the involved youth.

### **What is a Restorative Circle**?

Restorative Circles are an **alternative system of restorative justice**. It is a program where low-level offenses are adjudicated, and defendants/authors of harm admit responsibility for their actions. Adult and student volunteers sit in the circle to listen and provide positive feedback and community view on the harm caused by the referred youth.

Restorative Circles are a **diversion program** designed to intercept the process of sending certain juveniles through the traditional juvenile justice system.

The Circle **does not determine the guilt or innocence**; admission of guilt is a requirement for admission to this voluntary program.

The Circle’s mission is **to deliver a fair, reasonable, and meaningful consequence** based on the incident or crime committed.

The focus is on separating “the deed from the person”, and to implement restorative practices that will provide a **safe and meaningful environment** for all participants, families’, and volunteers.

# SECTION 2: Overall Goal of the Program

Restorative Community Building Circles Protocol

The goal of the Restorative Community Building Circles is to provide an alternative to Juvenile Court for youthful offenders; provides a more-timely response to inappropriate behavior and minor violations of the law; promotes accountability and responsibility; reduces subsequent involvement in delinquent or undisciplined behavior; and facilitates peer mentoring.

Restorative Community Building Circles provides necessary guidance, structure, accountability, and measures to ensure the youth meets minimum program standards and has every opportunity to successfully complete the circle member’s choice of consequence(s).

Restorative Circles/Teen Court effectively coordinates the local resources (including the school systems, law enforcement, juvenile justice, district court, and the community) to provide a diversion program.

Restorative Community Building Circles assists youth in gaining knowledge of the restorative justice process, both as defendants and volunteers, to build respect for our legal processes, and to be associated with positive adult role models who exemplify the values and respect for authority.

# SECTION 3: Rules for Circle Participants

Restorative Community Building Circles Protocol

Detailed outline of program rules, regulations and general conduct expectations for juveniles. Conduct procedures should include disciplinary procedures as well as any reward/merit system.

## Training for Circle Volunteers

Volunteers must complete an initial 1.5 hours of introductory training covering restorative practices and the Circle Process. Additional annual in-service training as deemed appropriate and necessary for the position may also be required and as job task dictates in areas related to juvenile delinquency, at-risk youth, and family issues.

The in-service training will also cover, Standard of Conduct, Confidentiality, Professional Conduct and Responsibilities, Code of Ethics, Dress Code, Disciplinary Action or Review, Conflict of Interests, Safety Plans and Restorative Practices as set out below.

Standard of Conduct: All participants involved in the Circle program shall follow the program rules, regulations, and general conduct expectations. The conduct procedures are set out in more detail below.

The following values form the basis for the Mission Statement of Teen Court.

Youth and adults involved in Circles will hold the following values and desires to operate in a manner that is, and will be perceived as:

Independent, Fair and impartial, Efficient, Accountable, Accessible, Competent, Consistent, Respectful, Service-oriented, and Valuing custom and tradition

Participants shall not have weapons of any kind, illegal drugs or paraphernalia of any kind while participating in Teen Court service. Violation of this is immediately reported to DPS per policy and procedures and is a ground for dismissal of service and participation in the program.

Program staff, interns, contractors, and volunteers are prohibited from providing or making available any alcoholic beverages, tobacco products or controlled substances to any referred youth or members of the referred youth’s family. Violation of this is immediately reported to DPS per policy and procedures and is a ground for dismissal of service and participation in the program. *(critical standard)*

The Teen Court session will be suspended if it appears that a participant is under the influence of alcohol or any controlled substance without a prescription or has alcohol or a controlled substance in their possession. *(critical standard)*

All Teen Court participants shall maintain good standing at school, while participating on athletic teams or while serving in other community organizations.

All adult and youth volunteers shall be respectful to others at all times, and follow the code of ethics guidelines as set out more specifically below.

Confidentiality: Restorative Circle Volunteers (adult or youth) fully accepts the obligation to not disclose to unauthorized persons any information concerning matters involved with the program.

Volunteers (adults or youth) do not seek to benefit personally by any confidential information which has come to him/her by virtue of his/her assignment.

All volunteers must agree to keep secret all information discussed in a Circle session and fully understand that any disclosure of confidential information is cause for dismissal from the Restorative Circle Program and a breach of the fiduciary duty assigned by the position.

## Professional Conduct and Responsibilities:

a. Standard of Conduct: Adults and youth will conduct their private and professional lives in such a manner as to avoid bringing the Circle into disrepute or embarrassment.

b. Loyalty: Loyalty to the Circle and its associates is an important factor in morale and efficiency.

c. Performance of Duty: Adults and youth shall perform their duties as required or directed, performed promptly, and using the values of the Circle as a guideline. Failure to comply may result in dismissal from service or disciplinary action.

d. Extended Action: Repetitious violations by participants of any rule or rules shall be considered grounds for dismissal. Three or more violations for which disciplinary action is imposed within a span of twelve months is considered “repetitious” for disciplinary purposes.

e. Samples of Rule Violations: impaired through substances, use of physical force, personal preferment, commission of any criminal act, gifts received, falsification of records, conduct other than respect, sleeping, impartial attitude, overbearing conduct, absences, conduct toward the public, criticism of orders, failure to follow rules of courtroom behavior and disclosing confidential information.

Code of Ethics:Restorative Community Building Circle are an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status, and devotion to serve above self, are the motives which impel a Restorative Community Building Circle adult or youth to discharge this responsibility in full measure.

He/she is faithful and loyal to his/her organization; constantly striving to cooperate with and to promote better relations with all associated agencies and their representatives in matters of mutual interest and obligation. He/she is respectful and courteous to all persons.

Volunteers (adult or youth) fully accepts the obligation to serve in a Circle without bias or display of emotion, and to consider all information coming to his/her knowledge by virtue of his/her position, as a sacred trust, to be used for official purposes only. He/she performs the functions of his/her position without favor or prejudice and does not engage in unlawful or improper practices. They do not disclose to unauthorized persons any information concerning matters involved with Restorative Community Building Circles.

Within the Restorative Community Building Circle an adult or youth does not seek to benefit personally by any confidential information which has come to them by virtue of this assignment. They are respectful and courteous to all persons. They are faithful and loyal to this organization; constantly striving to cooperate with and to promote better relations with all associated agencies and their representatives in matters of mutual interest and obligation.

Rigid adherence to the principles set out above is mandatory for anyone accepting a position in Restorative Circles. Any failure to comply with the duties or responsibilities set out herein may subject the participant to disciplinary review, dismissal from service and/or consequences.

Restorative Community Building Circle adults or youth are selected by the Restorative Community Building Circle Program and should understand that they will represent not only the CRC’s Community Building Circle’s Program, but they will also represent the court. Selection should include but is not limited to the following criteria:

1. The ability to work as a team member.
2. Demonstrate high levels of self-motivation and initiative.
3. Excellent verbal communication skills.
4. Good writing skills.
5. The ability to work within adult supervision.
6. The ability to interact positively with community members.
7. Minimal discipline history.
8. Strives to keep all confidential information from unauthorized persons.

All Restorative Community Building Circle adults or youth will report for duty at their designated time. They will be clean and well groomed, and will follow the Restorative Community Building Circle dress code.

## Dress Code for Staff and Participants:

Our description of appropriate and inappropriate attire for youth participants, staff, and volunteers is set out below:

* 1. Youth volunteers should be dressed in modest, casual business attire. This will be discussed by program staff during the Teen Court training process and enforced by the program staff.
	2. Casual business attire is expected for all adults, both staff and volunteer.
	3. Referred youth should be dressed in modest, casual business attire.

### Guide for Disciplinary Action or Review for Volunteers:

The Circle Program has an established set of operational rules set out above. If a volunteer should violate any rule or regulation of the program. The program staff will determine by a preponderance of evidence and establish that there has been violation of rule or regulation by a participant. The violation shall be sufficient to justify the implementation of disciplinary action or review under these rules.

* Minimum Action – suspension for 2 Restorative Community Building Circle
* Maximum Action – dismissal from service
* Written Reprimand – used when action needed is less than the Minimum Action
* Other action – as deemed appropriate by program staff

Restorative Practices: Volunteers and participants shall be given an overview on restorative practices with their initial volunteer training. This will explain the differences between restorative consequences and punitive punishments.

Conflict of Interest: If participants know each other or have a working relationship with each, this may create a conflict of interest. There is agreement to adhere to all department standards, policies, and procedures related to the provision of the program’s service type by all adults and youth involved with Teen Court. There will be immediate identification of potential or realized conflicts of interest to the JCPC Program Manager.

Transportation to and From Circle Locations: All Staff, contracted mediators, interns, volunteers, visitors, and participants provide their own transportation to and from any Circle session. **The program staff do not transport volunteers, referred youth or their family member to or from any event.**

Conclusion of Circle Duties**:** All parties are reminded of their oath of confidentiality before being dismissed from a Circle Session. Program staff are responsible for collecting all the notes and case files from all participants for safekeeping. Program Staff then follow-up with the offending youth and their parent(s)/legal guardian(s) once the Circle is concluded. All other participants are excused until their next assigned date of service.

In the event of a **no-show** for a Circle session, Program Staff will advise the participants accordingly during that Circle Session. If an offender withdraws their consent to participate in the Circle process, the Program Staff will instruct everyone on the next steps for the session.

If the offending youth fails to Comply with the sanctions imposed by the Circle, the Program Staff will contact the referral source and file reports as necessary to comply with established CRC policy for the program.

Safety/Emergency Action Plan: *(Critical Standard) Agency Emergency Action Plan-Revised 10/25/2021 and reviewed with Staff on 10/20/21.*

Addresses the safety and well-being of juveniles, staff, and volunteers within the program in the event of fire, natural disasters, hostile situations, pandemic, or other situations that pose a threat or danger while participating in a Teen Court session.

In case of an emergency in the office or program site, personnel/youth/parents are to stay in the building, they will be sheltered in an area away from windows.

* A fire-escape plan is posted
* First Aid Kit is onsite
* Staff trained in First Aid
	+ Emergency telephone numbers are included in this handbook, see Appendix J.

**Emergency plan**: *(Critical Standard)*

* 1. Distributed to staff and review with volunteers during initial training.
	2. Includes names and phone numbers of individuals to be notified
	3. Provides specific procedures to follow in event of serious injury or death or staff, participant, visitor, or volunteer
	4. Department of Public Safety must be notified *(mandated)*
	5. After-hours department contacts are identified (Appendix J)

Should a situation arise under this policy, the JCPC Representative will be notified as soon as feasible.

Staff, contractors, volunteers, and interns who work with program-involved youth will undergo training on an annual (or more frequent) basis to review these safety procedures and update training as deemed appropriate.

Supervision of participants by program staff is required for every Teen Court event. Staff should arrive early to greet participants and stay until the last participant is picked-up from an event.

In case of pandemic, the staff, participants, and volunteers will follow agency (CRC) masking, temperature check, and social distancing guidelines in place at the time.

**Appendix J**

In Case of Emergency Contact:

 911

DPS – Catawba Juvenile Justice Office

 1175 South Brady Avenue, Newton, NC 28658

 Ronn Abernathy, Chief CC (828)228-9987 -State Cell

 Chris Norman, CC Supervisor (828)448-4031-State Cell

DPS – Western Area Office

 2090 US Hwy 70, Swannanoa, NC 28778

 Regina Arrowood, Lead Consultant (828)296-4745 – Office

 (828)231-4719 – Cell

 Megan Webster, Area Consultant (828)296-4744 – Office

 (828)231-1621 – Cell

CRC Office – (828)397-2566 – M-F 8 a.m. – 4:30 p.m.

CRC – Director Cell– (828)781-9191-Cathy Starnes

Program Director Cell – (828)308-4673-Patti Ferree

Program Manager Cell– (336)340-2456 – Chris White

Program Assistant & Educator Cell (704-)648-7691- Chloe Martin