A COUNTY'S ROLE IN CREATING A SUCCESSFUL JUVENILE JUSTICE LEGACY

Reese Frederickson
Pine County Attorney

Terry Fawcett
Pine County Probation Director
OVERVIEW

Why?

The Approach

Implementing Change With Your Help
WHEN THE VICTIM IS LEFT OUT
The Immaturity Gap

[Graph showing the development of intellectual ability and maturity across different age groups.]

- Intellectual ability reaches adult levels at age 16

Steinberg, Cauffman, Woolard, Graham, & Banich (2009)
LONG-TERM EFFECTS
“When did making adults mad become a crime?

- Judge Steven C. Teske
“3 GENERATIONS ON PROBATION”

Why this is also a county problem:

Skyrocketing out-of-home placement costs

Disproportionate representation (MLBO)
Insanity: doing the same thing over and over again and expecting different results.

- Albert Einstein
THE APPROACH
TRADITIONAL SYSTEM SHORTCOMINGS

- Stigma
- Low self-esteem
- No internalization
- No connection with community
SHORTCOMINGS

- Punitive
- Accountability
WHAT IS RESTORATIVE JUSTICE?

A process through which parties with a stake in a specific offense collectively resolve how to deal with the aftermath of the offense and its implications for the future.
**BASIC PRINCIPLES**

Focus on the harm done and repairing harm

Engage and empower victims, offenders, and communities

Uses communication processes that restore trust and relationships

*Ted Lewis, Center for Restorative Justice & Peacemaking, University of Minnesota*
Elements

Victims and community voicing impacts

Offenders voicing ownership, empathy, apology

Agreements for reparation and reintegration

*Ted Lewis, Center for Restorative Justice & Peacemaking, University of Minnesota
BALANCED ATTENTION

Victims

Offenders

Community
THIS ISN’T “HUG-A-THUG”!
90 STUDIES IN 7 COUNTRIES

Victims and offenders satisfied with the process

Lower recidivism

Less costly

Endorsed worldwide
“[T]he prosecutor shall refer [an eligible juvenile] to a restorative justice program.”
• Minnesota Statutes section 609.092 subdivision 1

“A community-based organization, in collaboration with a local governmental unit, may establish a restorative justice program.”
• Minnesota Statutes section 611A.775
IMPLEMENTING CHANGE WITH YOUR HELP
THE “F” TEAM
PARTNERSHIPS

County Departments

Law Enforcement

Community

Schools
PARTNERSHIPS - MLBO

• MLBO facilitators and elders
  • “There are few things more powerful than watching a Mille Lacs Band elder speaking Ojibwe to a Band juvenile during victim offender conferencing. The impact on that juvenile is significant.”
    • Terry Fawcett

• Culturally specific homework
  • “The Mille Lacs Band of Ojibwe has community values that are rooted in our history and in our culture. These values form the foundation of our lives and are predicated on our language.”
  • “Manaadendamowin (respect): respect others, their beliefs. Respect yourself. When you practice respect, respect will be given back to you.”
PARTNERSHIPS
Savings

Justice reinvestment
SEEKING EXPERTISE
RECRUITMENT 9/15
PROGRAMMING

Contract

Deliverables

Type

Training
PROGRAMMING

Pre-charge default or condition of probation

Victim Offender Conferencing

No homicides or sex crimes
PERSONNEL

A program coordinator/champion

Many professionals in criminal justice know about restorative justice and want to be involved!
ADVERTISING

Social Media

Newspaper articles

Schools

Churches
A POLITICAL HOMERUN

Community visibility

Stakeholders/leaders

Recognition

Working smarter with resources!
PINE COUNTY CASE STUDY

- School sexting case
- Victim offender conference
- Agreements: apology letters, apologies in person, continued therapy, volunteer work, work on sociogram.

“The process has changed J**** for the better, as she has had less discipline issues since.”

-Principal
Dear Mr. Frederickson,

I am writing to thank you for the opportunity to help myself. For you and everyone at your office have helped me become a better person and also help the people around me. Since I was given the opportunity to learn from what I did, rather than be punished, I have become a much more healthy, respectful and responsible member of society.

Over the summer of 2016 I committed a crime. It is something I’m not proud of but it was also a pivotal moment in my life. Shortly after I received a letter from the probation office of pine county regarding restorative justice. A few weeks later I met with a man who would change who I am and how I interact with people around me. Mr. Terry Fawcett was his name, and I sat down with him and we talked. He made me realize how my actions affected not just myself, but everyone around me. Since then I have repeatedly met with him and his staff to pursue the goal of making myself a better person and to try and repay the debts I have struck with my community.

I hurt my school, my friends, my family, but also my community. What I have done since then amazes even myself. I tutor multiple children in my school district. I am much more responsible, and every day of my life I take pride in who I have become. I owe it to everyone who has helped me become a better person. I am incredibly sorry for what I have done, but I also know that cannot change. What I am committed to now is helping everyone I can. I don’t want anyone to repeat the choices I made and I believe that since I made the choice to be a better person that I have impacted people’s lives for the better. So I deeply thank you for taking a chance on me, I can make a promise that you won’t regret it.

Sincerely,
“Amazing... thank you so much for sharing. This letter had me in tears and I am so happy to see this young person turn their life around. Thank you to everyone involved and for this young person making a commitment in themselves.”

- Community member

“Wish they had that when I was young.”

- Former offender
“My experience was very positive in this program, and I recommend it be used for people all the way up to age 21. Some kids deserve a break.”
   • C-5 victim participant (Felony Auto Theft)

“J*** just gave his brother J**** a very heartfelt and amazing apology. He took accountability for his crime, and really made a difference in telling him he is here for him. I can’t tell you how proud I am of my son!”
   • Mother of C-5 participant

“My experience was good. I appreciate the opportunity to be this program, to learn from it, and that I would never do anything like this again.”
   • C-5 participant (Felony Auto Theft, age 13, pre-charge diversion)
“The kids have done a great job on their own recognizing what they can do to make things right, versus legal professionals recommending what they should do. It has been great to see how some of the parents work hard to balance being a support person for their child and helping the child take responsibility.”

- C-5 Co-Facilitator
# By the Numbers

## C-5 Restorative Justice Program

*Community – Collaboration – Culture – Change - Choices*

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<th>Goal</th>
<th>Strategy</th>
<th>Outcomes</th>
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| Serving Victims, Youth Offenders, and Community Members who come together to repair the harm caused by crime. | 1) Conferencing to allow victims, offenders and community members to come together, after preparation, for safe dialogue.  
2) Panel consensus for appropriate consequences for youth’s illegal behavior | 1) Reduce recidivism rates for juvenile offenders.  
2) Victims will feel satisfied with the process and a sense of trust restored.  
3) Youth will repair harm to their victim and community by successful completion of their panel contract.  
4) Youth will feel that the community is interested in him/her. |

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**Summary of cases 2016 to 5/1/2017**

- **Total juveniles served:** 27
- **Precharge referrals:** 14 (52%) participated voluntarily without being formally charged with an offense
- **Court referrals:** 13 (48%) were court ordered to participate as a condition of probation
- **Successful completions:** 10 (10 cases in process)
- **Terminations from the program:** 7 (one re-offense, six failure to participate/could not locate)
- **Average age of juveniles:** 14.5
- **Percentage of minority referrals:** 44%
RECOGNITION
Mille Lacs Band will hire cultural coach to help at-risk youth

By KELLY SMITH
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Pine County and the Mille Lacs Band of Ojibwe are teaming up to hire a new cultural community coach to work with American Indian youth.

The new contract position, one of the few of its kind in Minnesota, starts Jan. 1 and is funded with grants of $25,000 each from the tribe and the county.

The coach, likely to be a tribal member, will work with boys and girls under age 18 who are in probation or restorative justice programs. The goal is to bridge gaps in the system by boosting support for kids through culturally sensitive programs.

“Before we reinvest in children differently,” Pine County probation director Terry Fawcett said, “If we spend a little more time with the kids, they will have a better chance to...”

By doing more to reduce truancy rates, Fawcett said he hopes kids will be more likely to graduate from high school and less likely to end up in the corrections system and in foster care or an out-of-home placement.

“Truancy — that’s the entry point to the system,” he said. “It’s a symptom of something larger going on.”

As of now, the new position is only funded for 2018, but Fawcett said the county hopes to continue it beyond then. He got the idea in his previous job in northern Minnesota, where an American Indian cultural community coach for youth on probation in Duluth made a difference, he said.

“There’s sometimes mistrust in government officials with people of color, and for good reason,” Fawcett said, adding that the coach could help address historical trauma. “We can try to break down those barriers.”
EXPANDING HORIZONS

Center for Juvenile Justice Reform
- working across systems of care - georgetown university -
TYING IT TOGETHER: CJJR

The CJJR Experience

Restorative justice in schools

Crossover youth model
QUESTIONS?

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