

Introduction to Restorative Conferencing

States: **California, Colorado, Delaware, Georgia, Kansas, Maine, Maryland, Michigan, Minnesota, Nebraska, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, Wisconsin, Wyoming**

Estimate of Active Community Programs: **32**

Estimated Cases per Year: **2,500-3,200**

Case Types: **Criminal misdemeanors**

Unlike mediation, which arose in the United States primarily as a response to court inefficiencies and racial unrest, restorative conferencing resulted from implementing indigenous practices in New Zealand's youth justice system, and didn't spread to the United States until the early 1990's.

A restorative conference is a structured meeting between victims, offenders, and both parties' family and friends, in which they discuss the consequences of a crime and decide together how to address the harm.⁷⁹ It is managed by a facilitator who contacts both parties after an offense, arranges the conference, and facilitates the parties through each stage. Towards the end of the conference, the parties sign a restorative contract, an agreement that outlines specific things the offender will do to repair the harm caused.

There are three primary restorative conferencing models, including Family Group Conferencing, the Wagga Wagga model, and the Real Justice model, which differ slightly from each other.

The Family Group Conferencing model, developed in New Zealand after the Maori "whanau," or family conference, invites the families to make the decision about how to deal with the offense separate from the facilitator. In the Wagga Wagga model, developed by the Wagga Wagga Police Service in Australia, a public official, such as a police officer, facilitates the conference and is present for the agreement discus-

sion. The Real Justice model, named after the Pennsylvania nonprofit that pioneered it, is a modified Wagga Wagga model that includes specific restorative principles and a specific script to get the victim, offender, and other participants to understand and repair the harm caused.

Conferencing represents a promising solution for more serious crimes than community mediation usually addresses, and is often shown to reduce recidivism, primarily for youth offenders. Like mediation, all parties often express higher satisfaction with this approach than traditional court processes. The main drawbacks of conferencing are that it may provide limited benefits to the most distressed victims and suffers from the same criticisms over confidentiality and the lack of due process protections as community mediation.

Use of conferencing in the United States today is likely still widespread. We were able to identify 32 active restorative conferencing programs in 19 states, with an estimated annual caseload of 2,500-3,200.

History of Restorative Conferencing

Unlike community mediation, which emerged in the United States primarily to meet the needs of victims and the overwhelmed court system, restorative conferencing originated as a youth justice reform

- on the opposite side of the world.

79 Wachtel, T. (2016). *Restorative Conference. Defining Restorative*. International Institute for Restorative Practices. <https://www.iirp.edu/defining-restorative/restorative-conference>.

Three Primary Restorative Conferencing Models



Family Group Conferencing

Facilitated by the family, potentially with social worker assistance.



Wagga Wagga Conferencing

Facilitated by a law enforcement officer who brings the parties to agreement.



Facilitated by an individual trained in restorative justice and follows a specific script

Facilitated is trained in restorative justice and follows a specific script.

Family Group Conferencing

Despite numerous reform efforts from the 1960s to the early 1980s, New Zealand's youth justice system was under heavy criticism. A Working Party committee report criticized the reforms, which centered around welfare and rehabilitative youth justice, as broadly ineffective and unnecessary:

“Many young people who commit offences do not have any special family or social problems. Any problems they or their families have are more likely to be exacerbated than improved by official intervention triggered by the young person's prosecution.”⁸⁰

Diversion programs introduced in 1974 that had initially excited the public were viewed by police officers as widely ineffective.⁸¹ Perhaps most importantly, the indigenous Maori, who saw their children arrested at over 6 times the rates of their white counterparts, heavily criticized the justice system for ignoring indigenous traditions and culture.⁸² A report by the Minister of Justice titled ‘Te Whaingā I Te Tika’ (“In Search of Justice”) did not mince words:

“The present system is based wholly on the British system of law and justice, completely ignoring the cultural systems of the Māori and breaking down completely that system, completely alienating the Māori, leaving them in a simple state of confusion and at the whim of the existing system.”⁸³

80 Rep. New Zealand Department of Social Welfare. (1984) *Review of Children and Young Persons Legislation: Public Discussion Paper*. 1.

81 Morris, A., & Young, W. (1987). *Juvenile Justice in New Zealand: Policy and Practice*. Study Series 1. Institute of Criminology, Wellington.

82 Wittman, M.R. (1995). *Juvenile Justice Legislation in New Zealand 1974 –1989: the process of lawmaking*. Unpublished LLM dissertation. Victoria University of Wellington, Wellington., p. 82.

83 Rep. New Zealand Government Printing Office. (1986). *Te Whaingā I Te Tika*. 4. <https://www.ojp.gov/>

In response, the New Zealand Parliament passed the Children, Young Persons and their Families (Oranga Tamariki) Legislation Act in 1989. This act laid out several new approaches for the youth justice system, but the most fundamental shift was in making the Maori tradition of the “whanau,” or family conference, the standard approach to youth justice proceedings, which it remains in New Zealand today.⁸⁴

Wagga Wagga Conferencing

At the core of family group conferencing is the family caucus, or a private meeting between members of the family to decide the best remedy for the offense. However, as family group conferencing spread to Australia, there was some criticism of the family making the ultimate decisions for the youth offender. In 1991, Terry O’Connell, a sergeant with the Wagga Wagga Police Service, developed a modified version called the Wagga Wagga model.⁸⁵ In this approach, a police officer or other public official leads the conference, and encourages the family and youth to come to an

agreement for restitution and reparation. After showing some success in Wagga Wagga, the model was piloted in 5 other communities by the New South Wales Police Service, but ultimately Australia’s parliament decided to adopt the family group conferencing model pioneered in New Zealand.⁸⁶

Despite being rejected by its home, Wagga Wagga conferencing started to spread internationally. In Sparwood, British Columbia, the Royal Canadian Mounted Police initiated Canada’s first restorative conferencing programs. The Thames Valley Police Service in the United Kingdom adopted the Wagga Wagga Model in their community.⁸⁷ The biggest boost for restorative conferencing, however, came from the modifications brought by Real Justice conferencing.

Real Justice Conferencing

Real Justice Conferencing, named after the Pennsylvania nonprofit that pioneered the model, structures the Wagga Wagga approach around specific restorative

pdf/files1/Digitization/108668NCJRS.pdf.

84 *Youth Justice Family Group Conferences*. Oranga Tamariki, March 13, 2017. <https://www.orangatamariki.govt.nz/youth-justice/family-group-conferences/>.

85 McDonald, J & Moore, D. (1999). Community Conferencing as a Special Case of Conflict Transformation. Paper presented to Restorative Justice and Civil Society, Australian National University, Canberra, 16–18 February 1999.

86 O’Connell, Terry. *From Wagga Wagga to Minnesota*. IIRP. First North American Conference on Conferencing, August 8, 1998. <https://www.iirp.edu/news/from-Wagga-Wagga-to-minnesota>.

87 *Ibid.*

justice principles.⁸⁸ Otherwise known as community group conferencing, Real Justice conferencing focuses the conference on a specific incident instead of using conferences to uncover needs for rehabilitative or social services. Real Justice conferencing also follows a specific script. The facilitator starts by reading a preamble setting the focus of the conference, asks a specific series of questions to the victim, offender, and any of their support persons or representatives at the conference, negotiates a reparation agreement between the victim and offender, and ends by reintegrating the members of the conference with each other.

Early implementations of the Real Justice model in the United States included a Minnesota state-funded pilot program, efforts in Vermont⁸⁹, and the Honolulu Police Department.⁹⁰

Today, restorative conferencing has taken root in dozens of communities around the United States. Our research identified 32 active restorative conferencing programs in 19 states, with an estimated annual caseload of 2,500-3,200.

How Restorative Conferencing Works

Restorative conferencing programs receive referrals, often criminal, from police, judges, and other members of the criminal justice system. In some cases, the offender has already been charged and is offered the option of conferencing. If the offender completes the conferencing program, which includes the items in the restorative contract they sign at the end of the conference, then the case is dropped. In other cases, police officers direct a victim-offender pair to conference in lieu of issuing a citation.

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88 McCold, Paul. *Primary Restorative Justice Practices*. In *Restorative Justice for Juveniles: Conferencing, Mediation and Circles*, edited by Allison Morris and Gabrielle Maxwell, 59. London: Hart Publishing, 2001. Accessed May 12, 2022. <http://dx.doi.org/10.5040/9781472559111.ch-003>.

89 O'Connell, Terry. *From Wagga Wagga to Minnesota. IIRP*. First North American Conference on Conferencing, August 8, 1998. <https://www.iirp.edu/news/from-Wagga-Wagga-to-minnesota>.

90 Walker, L. (2002). *Conferencing: A New Approach for Juvenile Justice in Honolulu*. *Federal Probation Journal*, 66(1), June 2002.

How Restorative Conferencing Works

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Before setting up a conference, victim-offender pairs are typically screened by the type of offense. Different programs have different ways to categorize offenses, and most programs have limits to the kinds of cases they will facilitate. Once screening is complete, the pair are referred to a trained facilitator. Once the conference facilitator reviews the case, they will contact the victim and offender to arrange the conference. While there are three different models of re-



storative conferencing, each follows a similar process and primarily differs based on who holds the conference and how structured the facilitator role is.⁹¹ The typical conference process is as follows:⁹²

1. Outreach - The facilitator contacts the offender and victim or, in the case of a youth, their families to explain the conference and invite them to the process. The facilitator also asks the victim and offender to identify key support members to come with them to the conference.

2. Preparation - The facilitator holds conversations with the offender and victim about the specifics of the conference and schedules the conference with the victim, offender, and their support persons.

3. Conference - In the conference, the facilitator asks both the victim and offender to share their experience of the situation and its impact on their lives. The facilitator will then ask the offender and victims' support persons to share their reaction to each of the stories.

4. Restorative Contract - After a thorough discussion of the impacts, the victim is asked

to outline their desired outcomes from a restorative contract. The offender and victim closely negotiate the terms of the contract, often in a way that stresses the strengths of the offender to benefit both parties in the contract. The restorative contract is then signed by both victim and offender.

5. Reintegration - After the restorative contract is agreed upon, at the end of the conference, the victim, offender, and their support persons go through a casual period of reintegration. Sometimes food is served. This informal social period allows the victim and offender to recognize each other's humanity and interact in a normal setting.

After the conference is over, the facilitator will track the progress of the restorative contract and report the progress of the contract to the police, courts, or other agencies that referred the offender. If the contract is completed, the offender has their case dismissed or charges are never filed. If the contract is broken, the victim still has the opportunity to seek justice in court.

91 McCold, Paul. *Primary Restorative Justice Practices*. In *Restorative Justice for Juveniles: Conferencing, Mediation and Circles*, edited by Allison Morris and Gabrielle Maxwell, 59. London: Hart Publishing, 2001. Accessed May 12, 2022. <http://dx.doi.org/10.5040/9781472559111.ch-003>.

92 Bazemore, Gordon and Mark S. Umbreit. *A Comparison of Four Restorative Conferencing Models*. Page 5. (2001). <https://www.ojp.gov/pdffiles1/ojjdp/184738.pdf>.

Restorative conferencing, because it often deals with greater harms and more criminal cases than community mediation, may take longer and be more expensive than community mediation, but it may still be less expensive and faster than court.⁹³ In addition, it brings with it major additional benefits, such as increased party satisfaction, greater likelihood of apologies and restitution for victims of crime, reduced recidivism, and may even reduce the overall cost of crime to a community.

93 Bazemore, Gordon and Mark S. Umbreit. *A Comparison of Four Restorative Conferencing Models*. Page 5. (2001). <https://www.ojp.gov/pdffiles1/ojjdp/184738.pdf>.

Benefits of Restorative Conferencing over Traditional Justice Approaches

Short-term Benefits

Party Satisfaction

Like community mediation, one of the most important indicators of the benefits of restorative conferencing is the high satisfaction rates with the process. Several studies have looked at victim satisfaction with conferencing. An evaluation of 12 different conferencing sites in Minnesota found that victim satisfaction with the process and outcome hovered between 93% and 95%.⁹⁴ A preliminary report of conferencing in Washington County, MN found that 100% of the victims were satisfied with the process, and 80% thought it was fair for offenders as well.⁹⁵

A majority of studies have found that victims overwhelmingly recommend the process to others.⁹⁶ While less research has been done on offender perception of the process, one Australian study found that 72% of offenders were satisfied with the conferencing process,

as opposed to 54% of offenders that went through the court system.⁹⁷

Long-term Benefits

Offenders are More Likely to Repair Harm

In what is again a somewhat surprising outcome, community conferencing seems to lead to more restitution and reparation for victims. In at least some preliminary findings from a comparison of conferencing to traditional court, Strang, Barnes, Braithwaite and Sherman found that while only 8% of victims reported getting an apology and restitution from offenders in court, 83% of victims in conference cases reported getting an apology and restitution.⁹⁸

Reduced Mental Issues for Victims

94 Umbreit, M., Fercello, C., & Umbreit, J. (1998). *National survey of victim offender mediation programs in the US. Draft prepared for the Office for Victims of Crime*. U.S. Department of Justice. Center for Restorative Justice & Mediation, School of Social Work, University of Minnesota.

95 Umbreit, M., & Fercello, C. (1997). *Interim report: Client evaluation of the victim/offender conferencing program in Washington County (MN)*. Center for Restorative Justice & Mediation, School of Social Work, University of Minnesota.

96 Latimer, Jeff., & Kleinknecht, Steven. (2000, January). *The Effects of Restorative Justice Programming: A Review of the Empirical*. Department of Justice Canada, Research and Statistics Division. 12. Retrieved May 2022, from https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr00_16/.

97 Strang, H., Barnes, G., Braithwaite, J., & Sherman, L. (1999). *Experiments in restorative policing: A progress report on the Canberra Reintegrative Shaming Experiments (RISE)*. Australian Federal Police and Australian National University.

98 Ibid.

Conferencing also appears to have long term mental health benefits for victims. In London, two randomized, controlled trials were performed to test the effects of conferencing on victim Post-Traumatic Stress Symptoms (PTSS) after experiencing a robbery or burglary. Restorative conferences resulted in 49% less victims with instances of clinical PTSS symptoms than victims who went through traditional court processes.⁹⁹

Community Benefits

Reduced Recidivism

By far the most promising, and well researched, area of restorative conferencing is its effects on recidivism. A meta-analysis of 25 restorative conferencing programs, including nearly 12,000 youth offenders, found that restorative conferencing reduced recidivism among youth offenders by an average of 26%.¹⁰⁰ A study of the Australian Capital Territory juvenile offender conferencing program

found a decrease in matched-case re-offenses of over 30%.¹⁰¹ Individual program studies include an Alameda County, California program that reduced one-year recidivism rates for juveniles to 18.4% compared to the county average of 32.1%,¹⁰² and a National Research Center report on the Longmont Community Justice Partnership's conferencing programs that found a recidivism rate of only 10% for program participants.¹⁰³

Reduced Long-term Costs of Crime

While comparative research of the costs of restorative conferences as opposed to court are difficult to find, some studies have found that the cost savings of crimes prevented far outweighs the traditional justice system. One meta-review of 7 restorative conferencing studies in the UK found that the reduced recidivism caused by restorative conferencing reduced the costs of crime to those commu-

99 Angel, Caroline. M., Sherman, L. W., Strang, H., Ariel, B., Bennett, S., Inkpen, N., Keane, A., & Richmond, T. S. (2014). Short-term effects of restorative justice conferences on post-traumatic stress symptoms among robbery and burglary victims: A randomized controlled trial. *Journal of Experimental Criminology*, 10(3), 291–307. <https://doi.org/10.1007/s11292-014-9200-0>.

100 Bradshaw, B., Roseborough, D. (2005). *Restorative Justice Dialogue: The impact of mediation and conferencing on juvenile recidivism*. *Federal Probation*, 69 (2), 18. https://ir.stthomas.edu/cgi/viewcontent.cgi?article=1028&context=ssw_pub.

101 Broadhurst, Roderic & Morgan, Anthony & Payne, Jason & Maller, Ross. (2018). *Restorative Justice: An Observational Outcome Evaluation of the Australian Capital Territory (ACT) Program*. 10.13140/RG.2.2.11625.44643.

102 Baliga, Sujatha, Henry, Sia, & Valentine, Georgia. (2017). *Restorative Community Conferencing. A study of Community Works West's restorative justice youth diversion program in Alameda County*. Impact Justice. 7. https://impactjustice.org/wp-content/uploads/CWW_RJreport.pdf.

103 Rep. National Research Center. *Analysis of Longmont Community Justice Partnership Database 2007-2009*. May, 2010

nities by between 3.7x and 8.1x more than the cost of the conferences.¹⁰⁴

Better Community Policing

Some minimal research also indicates that conferencing can result in more community-oriented policing. A study of the Bethlehem, PA Police Department's conferencing program found that officers said that they had a more community-oriented and problem-solving approach to their work after attending the conferences.¹⁰⁵

104 Sherman, L.W., Strang, H., Mayo-Wilson, E. et al. *Are Restorative Justice Conferences Effective in Reducing Repeat Offending? Findings from a Campbell Systematic Review*. *J Quant Criminol* 31, 1–24 (2015). <https://doi.org/10.1007/s10940-014-9222-9>.

105 McCold, P., & Wachtel, B. (1998). *Restorative policing experiment: The Bethlehem Pennsylvania Police family group conferencing project - summary*. Community Service Foundation, Pipersville, Pennsylvania. <https://www.iirp.edu/images/2022/Restorative-Policing-Experiment-Report.pdf>.

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Drawbacks of Restorative Conferencing

Restorative conferencing carries similar drawbacks to mediation, in that it may be limited in which victims it can help and there is a lack of due-process protections and transparency in the process.

Limited Benefits for the Most Distressed Victims

One drawback of restorative conferencing is that, even though it does typically address greater harms than community mediation, it may still be limited in the types of victims it can serve. Some research indicates that the victims who experienced the most distress from a crime may not experience recovery through the restorative conferencing process. One study of 89 conferences in South Australia found that while after one year, 95% of the no-distress, 78% of the low-distress, and 63% of the moderately-distressed victims had recovered, only 29% of the high-distress victims had recovered.¹⁰⁶ This implies that “victims who are affected negatively and deeply by crime need more than [restorative justice] (or court) to recover from their victimization.”¹⁰⁷

Can't be Used for Fact-Finding

Conferencing, like mediation, is primarily a collaborative process for parties that have agreed that a harm occurred and where the offender has taken responsibility for at least some of the harm. Restorative conference facilitators are not attempting to address whether or not a crime occurred, or if the offender is guilty, but how to address the harm caused by that crime, meaning restorative conferencing can likely not be used for fact finding and determining guilt or innocence.¹⁰⁸

Lack of Public Transparency

Similar to community mediation, restorative conferencing is a private process that is kept confidential between the parties. The criticisms that apply to mediation in this way may also apply to restorative conferencing.

106 Daly, Kathleen, Michele Venables, Mary McKenna, Liz Mumford, and Jane Christie-Johnston (1998) South Australia Juvenile Justice (SAJJ) *Research on Conferencing, Technical Report No. 1: Project Overview and Research Instruments*. School of Criminology and Criminal Justice, Griffith University, Queensland. https://www.griffith.edu.au/__data/assets/pdf_file/0023/223736/1998-Daly-SAJJ-CJ-Tech-report-1-Project-overview.pdf.

107 Daly, Kathleen. *The Limits of Restorative Justice*. In *Handbook of Restorative Justice: A Global Perspective* (2006), edited by Dennis Sullivan and Larry Tiftt (pp. 134-45). Pre-print available at https://www.griffith.edu.au/__data/assets/pdf_file/0025/223774/2006-Daly-The-limits-of-RJ-preprint.pdf.

108 Daly, Kathleen. *The Limits of Restorative Justice*. In *Handbook of Restorative Justice: A Global Perspective* (2006), edited by Dennis Sullivan and Larry Tiftt (pp. 134-45). Pre-print available at https://www.griffith.edu.au/__data/assets/pdf_file/0025/223774/2006-Daly-The-limits-of-RJ-preprint.pdf.

Community Group Conferencing Programs

Summary

Organization: Longmont Community Justice Partnership (LCJP)

- Program: **Community Group Conferencing (CGC), RESTORE**
- Location: **Longmont, CO**
- Established: **Community Group Conferencing: 1997, RESTORE: 2015**
- Cases per year: **80-100**
- Average case length: **Under 60 days**
- Average cost: **\$1,125/case**
- Caseload: **7-9% of misdemeanor violations in Boulder County - Longmont, CO**
- Impact: **Over 90% of contracts completed, 10% recidivism rate, and 95% of participants satisfied with the conferencing process**

Operations

- Staff: **3**
- Volunteers: **65**

Support

- Community: **65%**
- Government: **35%**

Impact Story - Welding Justice

“Mike” was an employee of a major corporation with stores in Longmont, CO. He was caught embezzling money from the store he worked at, and was promptly fired. His case was diverted to Longmont Community Justice Partnership’s community group conferencing program.

When he entered the program, LCJP staff used their “strengths-based” approach to learn more about who he was as a person outside of the crime he had committed. It turned out that he was an aspiring welder, and his dream was to weld pipes in Alaska. He told LCJP staff he noticed when he was working at his store that there were several cart corrals that had fallen into disrepair, and there was no one to fix them.

In the conference, Mike and his employer agreed that he could restore them in a way that would use his new skills to help the corporation he harmed.

Instead of being charged with embezzlement, Mike fixed all the cart corrals at the corporation’s stores in the area, restoring some of the money he took and helping him train for the career he wanted.

History of the LCJP’s Community Group Conferencing Programs

The Longmont Community Justice Partnership began as Teaching Peace, a national educational program focused on school bullying and violence prevention. However, after a few years, they felt like they were “expending our energy with this national effort and neglecting our own community,” wrote Beverly Title, Teaching Peace’s founder.¹⁰⁹ In 1997, Teaching Peace received a grant from the Colorado Office of the Governor and formed a partnership with the Longmont, CO police department, probation department, and school system to start implementing restorative conferences.

109 Title, B. B. (2009, March 24). *History: Our Founder’s Story History &; Operational Values Of Teaching Peace*. Longmont Community Justice Partnership. Retrieved May 2022, from https://static1.squarespace.com/static/5b43b-22d266c074e470c4796/t/5e93ba3e21219916190b68f9/1586739776906/LCJP_Founder_Beverly+History.pdf

From these humble beginnings, Teaching Peace, now renamed the Longmont Community Justice Partnership (LCJP), has grown their community conferencing program from a small pilot in Colorado to national and international acclaim, presenting their model at international conferences including in the Netherlands, Canada, and Chile. To date, LCJP's programs have diverted 2,600 offenders from Longmont's municipal courts and Boulder County's criminal courts. Today, Longmont Police divert 80-100 offenders per year into LCJP's conferencing programs, just under 10% of Boulder County's misdemeanor criminal caseload.¹¹⁰

How LCJP's Community Group Conferencing Programs Work

LCJP has two community conferencing programs, community group conferencing, which is a facilitated dialogue between victims or victim surrogates and offenders, and RESTORE, a program that focuses specifically on reducing shoplifting. However, offenders for both programs come in about the same way.

Both store owners and the police refer offenders, what LCJP staff calls "responsible

persons," to LCJP through a referral form. If the police are referring the offender, LCJP also receives a copy of the police report. The first thing LCJP staff do is reach out to the victim. "We share with the victim all the options for participating," Dana Henderson, LCJP's Community Programs Director, says. Victims can choose to send the case directly to court, nominate a friend or family member to participate in their stead, or participate in the process themselves.

Then, LCJP staff reach out to the responsible person. "We're listening for what happened, and what responsibility they take," says Dana. Based on the level of offense, they'll determine which of LCJPs programs to send them to.

After LCJP staff screen the case, they hand it off to one of their 38 volunteer facilitators for the pre-conferencing process. The pre-conferencing process involves several separate calls with the victim and offender, and they look different for each.

Calls to the victim are primarily focused around what they need, how the process works, and what they are looking for to restore the harm. Calls to the offender focus on the process, but also who they are outside of just the crime. "During the time that we're

110 Rep. *Colorado Judicial Branch Annual Statistical Report Fiscal Year 2019*. 78. Colorado Courts, 2020. <https://spl.cde.state.co.us/artemis/scserials/sc112internet/sc1122019internet.pdf>.

working with that responsible person, the volunteers in that pre-conference meeting are finding out, like, who are you? Who do you love? What do you think of, you know, what, what are your strengths and skills?” “That’s supporting this idea of ‘hey, we know that you are more than the decision you made.’”

When LCJP’s volunteer facilitators believe both parties are ready to reach an agreement, they will schedule a conference. At this conference, victims and offenders are encouraged to bring support persons, such as a relative or friend. Community members are invited to bring insight and voice impact, and the responding officer is often invited as well. “Most conferences include 2 facilitators, 2 community members, a responsible person, their support person, a police officer and a harmed party (victim) for a total of 8 people,” Jessica Goldberg, LCJP’s Training Institute Manager, says.

During the conference, everyone takes turns exploring what happened, who was affected and how, and what needs to be done to repair the harm. The victim shares how the crime impacted them, and the officers and community members give their perspective on how it affected the larger community. The responsible person answers questions the victim and community members want to ask. “The thing [victims] want most to understand is ‘why did this happen?’, ‘what did I do to cause harm to come my way?’ ‘Why did the

person decide to do this?’” Jessica says.

At this point in the process, the responsible person will take responsibility for the harm they’ve caused, and often offer an apology to the victim. Then, the victim and responsible person work together to create a “restorative contract,” an agreement on what the responsible person will do to repair the harm. This typically includes an apology letter, educating others on the harm they’ve caused, and may include some kind of restitution. At the end of the conference, they set a contract deadline, typically under 6 months, by which that harm will be repaired. “And then hopefully, there’s some work that follows and a celebration at the completion of that process.” says Dana.

Impact

\$1,125 Per Case	Under 60 Days to disposition	10% Recidivism Rate
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LCJP offers more than hope, however, that offenders will complete the process. Since 2007, LCJP has partnered with PenLink - a Colorado-based data analysis company - to track the completion rates of their contracts. Both youth and adults complete over 80% of their contracts, and their completion rate in the past 5 years is even higher, hovering at between 90% and 95%, Jessica says.¹¹¹

¹¹¹ Restorative Justice: An Evidence Based Approach. LCJP. Penlink, 2020. <https://www.lcjp.org/data-penlink>.

More importantly, LCJP's responsible persons are less likely to reoffend after the contract is completed. According to an independent study by the National Research Center of LCJP's programs from 2007-2009, only 10% percent of responsible persons reoffended within one year, over three times less than that of the Colorado Division of Youth Services' 32% average recidivism rate in the same period.¹¹²

Satisfaction rates with the process for victims, responsible persons, and even community members hover around 95% as well. "I was afraid we were all going to be like holding hands and, you know, hitting the tambourine and singing and, and stuff," one of LCJP's police liaisons, Commander James Brown, says. "I can tell you, from a firsthand account, that the accountability that comes out of these conferences, especially for lower level offenses, is often much greater than what comes out of the criminal justice system. It would be much easier just to pay a fine than it would be to take the steps that often come out of these contracts in order to actually repair that harm and make a meaningful impact."

Another specific impact for victims, and even the responding officers who participate, is that they get to hear the responsible person actually take responsibility for their actions.

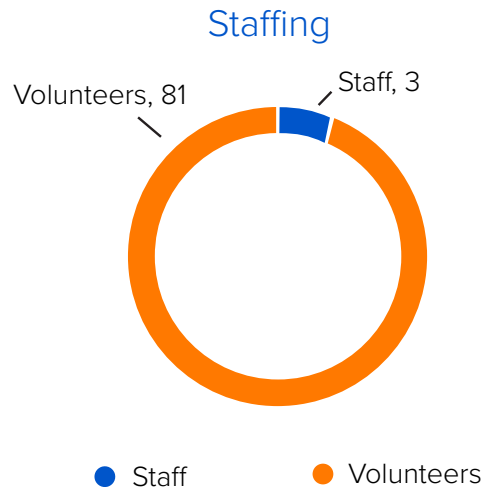
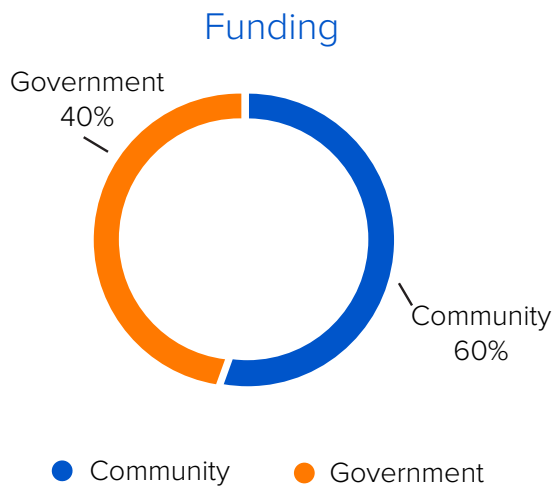
"One of the reasons why police officers have bought into restorative justice and have agreed to participate is because they go to trial often as witnesses, and they don't hear anyone taking responsibility. But when they come to restorative justice, they hear it," Jessica says.

Finally, Jessica says, their program helps preserve future agency for the responsible person. "If the responsible person gained a criminal record, they "wouldn't be able to choose the job they want, get the loan for school that they need, or be seen by their family in the same way. By having an alternative process, we've preserved that agency in their life for them." LCJP charges the responsible person a \$125 fee to participate in their conferencing programs, and the average cost of each case to LCJP is \$1,125.

Why They Work

Dana says the most important thing that makes LCJP's programs work is their relationship with the Longmont Police Department (LPD). LCJP trains each of LPD's incoming officers in restorative justice principles. "They're the ones out there doing the screening," she says, referring to the two criteria officers use to evaluate for potential diversion to LCJP's programs. LCJP has a

112 Rep. *Colorado Judicial Branch Annual Statistical Report Fiscal Year 2019*. 78. Colorado Courts, 2020. <https://spl.cde.state.co.us/artemis/scserials/sc112internet/sc1122019internet.pdf>.



liaison team of 11 officers, and officers are invited to participate in the conferences themselves. “When police officers participate, their engagement in the process is what fuels their excitement and willingness to refer” Dana says.

Another thing that makes the program work is the dialogue between victims and responsible persons. “A court proceeding is set up to protect the rights of the people accused of a crime, so they don’t have dialogue with the people they harmed,” Jessica says. To avoid incriminating themselves, responsible people will often take little or no responsibility in a courtroom. However, the conference provides a safe space for the responsible

person to admit and apologize for harm. “The beautiful thing about it is that with greater understanding, with a feeling of safety there’s a willingness to be vulnerable, and accountability requires vulnerability,” she says.

Finally, Dana cites LCJP’s strengths-based approach as key to their success. When volunteer facilitators speak to the responsible person about the case, they look to learn more about who they are outside of just the harm they’ve caused. They identify that person’s strengths and skills, not just to make the responsible person feel better about themselves, but to create a meaningful restorative contract. “We integrate those strengths into meaningful repair items that can go on the contracts, because that makes a big difference” Dana says.

Funding and Support

LCJP’s community conferencing programs are 60% community supported, including voluntary donations and volunteer hours, and receive 40% of their income from the city of Longmont.

At a minimum, our programs require two full-time staff, but ideally 3 full-time,” Jessica says. LCJP staff do all the intake, assessment, case management, and volunteer coordination, as well as building relationships, maintaining relationships, and training with justice system partners like the police and courts. LCJP has 65 total volunteers, most of whom serve as either community surrogates, who represent the victim when they don’t want to attend a conference, or conference facilitators. The rest serve the program through administration, board, and committee work.

How to Implement a Restorative Conferencing Program in Your Community

The first thing LCJP recommends for starting a similar program in another community is patience. “It takes a lot of diligence to win over [justice] system-involved stakeholders,” Jessica says. LCJP uses implementation science in their training institute, which helps train other organizations and leaders how to implement LCJP’s model in their community. They estimate it will take about 3 years to get something like this moving in a community. “Having time is really necessary.”

For advice on implementing a similar program in your community, contact LCJP at <https://www.lcjp.org/>.