



CCJBH

Council on Criminal Justice and Behavioral Health

20 YEARS

*of building bridges
to prevent incarceration*

Juvenile Justice Workgroup

February 16th, 2024

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Housekeeping

**** Workgroup is being recorded ****

- **Use the “raise hand” feature to make a comment**
- *You will be placed in line to comment in the order in which requests are received by the host.*
- **When it is your turn to comment, the meeting host will unmute your line and announce your name.**
- *Keep public comment to agenda items being discussed.*
- *Members of the public should be prepared to complete their comments within **3 minutes** or less if a different time allotment is needed and announced by the Executive Officer.*

Email:

CCJBH@cdcr.ca.gov



Webinar Policies

PARTICIPATION

We welcome your participation throughout this meeting. Please note that disruptive behavior is not aligned with the purpose of this session and will not be tolerated. Any individuals disrupting the meeting may be removed without warning. In the event of a security incident, this session will end immediately and will not resume. If this occurs, a separate email will be sent to all participants with further instructions.

COMMENTARY

Participant comments in the Q&A do not reflect the views or policies of the presenters, the Council on Criminal Justice and Behavioral Health, the California Department of Corrections and Rehabilitation or its affiliates or contractors. By using the Q&A, you agree to keep comments relevant to the topic of today's event. While a variety of diverse perspectives and opinions is welcome, disruptive comments are not aligned with the purpose of this meeting, and users creating disruption may be removed without warning.



Agenda

Time	Topic:
12:45 PM	Welcome and Introductions
12:50 PM	Update on the California Juvenile Justice Toolkit
12:55 PM	Defining Restorative Justice
1:10 PM	Collaborative Justice Courts Advisory Committee
1:30 PM	Marin Youth Court



Agenda (cont')

Time	Topic:
1:50 PM	Restorative Justice Program
2:10 PM	Q&A with Councilmember Advisors
2:30 PM	Public Comment
2:40 PM	Announcements
2:45 PM	Adjourn



Update on the California Juvenile Justice Toolkit

Emily Mantsch, Associate Governmental Programs Analyst
Council on Criminal Justice and Behavioral Health



Update on the California Juvenile Justice Toolkit

- The [CA Juvenile Justice Compendium | Tableau Public](#) was posted to Tableau in October 2023.
- RAND has completed the draft Implementation Toolkit, which will be an extension of the information in Tableau, and it is currently routing for internal review.
- RAND is in the process of developing the Training and Technical Assistance Plan, which will be complete in April 2024.
- The Office of Youth and Community Restoration is exploring opportunities to fund the training and technical assistance and is in conversation with RAND to develop a strategy to implement the plan.



Defining Restorative Justice

- To anchor CCJBH's efforts, it is important for Juvenile Justice Workgroup Councilmember Advisors to agree upon a working definition of restorative justice for justice-involved children/youth with behavioral health needs.
- The Chief Probation Officers of California's [definition of restorative justice](#) closely aligns with the CCJBH's intended focus, as it discusses restorative justice in relation to the victim, offender, and community.
- This definition will be used in CCJBH's Annual Legislative Report and inform CCJBH's ongoing work with restorative justice.





CHIEF PROBATION OFFICERS
OF CALIFORNIA

Restorative Justice

2000

Restorative Justice is a comprehensive philosophy of justice. Various forms of Restorative Justice have been practiced throughout history in cultures around the world. Restorative Justice offers a complete approach to addressing the needs of all affected parties: victims, offenders, and communities. Restorative Justice acknowledges that crime causes harm and injury to victims and their families, offenders and their families, and communities. The purpose of Restorative Justice is to engage all of the parties affected by crime in processes that work to hold the offenders accountable, repair the harm done to victims, build offender competencies, and engage communities in finding solutions to the problems associated with crime.

DEFINING RESTORATIVE JUSTICE

Crime injures victims, offenders, and communities. Justice processes should work to repair the harm and injuries.

Victims, offenders, and communities should be actively involved in the justice process at the earliest point possible and as fully as possible.

Restorative Justice applies processes that include the affected parties in the work of identifying and repairing the harm caused by crime (the involvement of communities in Restorative Justice processes is central to the process and entirely voluntary. Any encounter-based approach must appropriately screen offenders to make sure they accept responsibility and participate voluntarily).

Victims of crime are those most impacted by crime, both primary and secondary: victims' families, friends, and offenders' families, community, and criminal justice officials.

Restorative Justice takes into account the needs of all the parties. The priority is restoration of the victim and the community. Offenders have personal accountability to victims and to the community and should be held accountable for the crime committed.

Restorative Justice works to see that offenders take responsibility for meeting their obligations and develop improved competencies. Success is measured by the integration, or reintegration of offenders, as productive members of the community. Restorative Justice does not abolish the right of "Due Process" for offenders.

RESTORATIVE JUSTICE APPROACHES

Restorative Justice programs and services focus on working to repair the harm caused by crime. They actively engage the victim, offender and community in the justice process. It is when these parties meet in a safe environment, learn more about each other and their relational context that people are held accountable and take responsibility for their acts. They can then begin the work to repair the harm and broken relationships. Here are some of the existing justice programs that are or tend to be restorative.

A short list:

- Neighborhood Watch
- Community Policing
- Neighborhood Accountability Boards
- Community Courts or Sentencing Councils
- Peer Courts
- Victim Offender Reconciliation Programs
- Family Group Conferencing or Community Justice Conferencing
- Victim Impact Classes
- Victim Services Restitution Programs
- Community Service

MISSION

CPOC strongly supports a Restorative Justice System that will:

- Provide a balanced approach that respects the rights and needs of all the parties affected by crime.
- Hold offenders accountable.
- Actively engage victim, offender, and the community in justice processes.
- Give priority to victims and work to repair the harm caused to all the parties.
- Contributes to the establishment of safe, healthy communities.

GOALS

CPOC will:

- Provide leadership, expertise, and resources to work for the development and implementation of a Restorative Justice System.
- Work for legislative changes that will create a comprehensive justice policy that embraces the principles of Restorative Justice.
- Support evaluation of Restorative Justice programs and services to assure both program integrity and cost effective outcomes. The evaluation of outcome measures will be expanded to include, but not be limited to, other relevant factors; i.e., victim, community, and offender satisfaction.
- Provide or support training for staff, victims, community, and other agencies in the principle and application of Restorative Justice.

Collaborative Justice Courts Advisory Committee

Carrie Zoller, Supervising Attorney, Centers for Families, Children and the Courts, Operations and Programs Division Judicial Council of California



Marin Youth Court

Don Carney, Executive Director, Youth Transforming Justice





CCJBH Juvenile Justice Workgroup Presentation

Restorative Justice
for Juveniles with Behavioral Health Needs

Don Carney, Youth Transforming Justice,
Executive Director & Founder

dcarney@ytjustice.org (415) 686-1356

Marin Youth Court Origin

- Marin's Community Day School was overwhelmed with zero tolerance expulsions.
- Many students were on probation and cycled between Juvenile Hall and the school.
- To the detriment of younger students, the school mixed middle and high school students in this environment.
- To address the impact of zero tolerance expulsions resulting in early criminalization, the Juvenile Justice and Delinquency Prevention Commission launched the Marin Youth Court.
- The Marin Youth Court opened in 2004 and was administered by the YMCA in partnership with the Probation Department and the County Office of Education.

Youth Court PROCESS TRANSITION

- We were taught by the District Attorney & Public Defender to replicate the traditional court model.
- The adversarial trial model often re-traumatized and provided punitive rather than supportive outcomes for youth referred to the program.
- We had a win/lose format. We needed a win/win format.
- Adults and youth worked as a team to incrementally restructure the process and produced a non-adversarial, restorative and trauma-informed model.

TRAUMA-INFORMED LANGUAGE TRANSITION

Youth Court = Peer Solutions

Jurors = Peer Team Members

Attorney = Youth Advocate

Bailiff = Peer Facilitator

Judge = Adult Facilitator

Sentence = Restorative Plan

Marin Youth Court Pandemic Pivot

- The YMCA Marin Youth Court (MYC) went virtual on April 1, 2020.
- MYC was the only functioning program in the state for 6 months.
- We trained other Youth Courts on conducting virtual proceedings.
- MYC expanded its reach to Youth Court students throughout the state.
- We promoted the restorative, trauma-informed model nationwide.
- On July 1, 2020, the MYC left the YMCA and became an independent non-profit.
- Our youth named the new organization *Youth Transforming Justice*.

Youth Transforming Justice (TYJ)

Is a youth lead social justice program that transforms punitive school discipline and juvenile justice systems into restorative, trauma-informed, peer-driven solutions.



YTJ Goals

- Authentic Youth Empowerment & Agency
- Peer Driven Support & Leadership
- Exploring & Developing Transformative Justice
- Ending the School-to-Prison Pipeline

YTJ METHODOLOGY

- Critical Pedagogy:

Students examine power structures, domination and patterns of inequity within the status quo.

- Participatory Action Research:

Students seeks to understand the world by trying to change it, emphasizing collective inquiry and experimentation grounded in lived experience and social history.

- Data-Driven Continuous Program Improvement:

Develops evidenced-based best and promising practices

TYJ Programs

- Probation Diversion & Alternatives to School Suspension
- Substance Safety Skills Harm Reduction Training
- School Based Trauma Resiliency Support Groups
- High School & College Paid BIPOC Internship Program
- YTI Program Replication, Coaching & Consultation

YTJ PEER SOLUTIONS PROCESS

Eligibility To Participate

Accepting Accountability for Causing a Harmful Action

Willingness to Repair the Harm Done

Willingness to Repair the Relationships Impacted

Peer Support Ethic

Curiosity and Support, Not Judgement

Getting to Know the Person Beyond the Violation

Co-creation of Restorative Plan

Provide Strength Based Community Engagement

Transforming School Discipline

Peer Solutions Strength-Based School Discipline Program

- Empowers students to support each other when they have made a mistake.
- School staff partner with students to address school violations through the practice of student driven trauma-informed restorative discipline.
- Punitive, exclusionary and shame-based discipline breaks a child down.
- Strength-based peer discipline builds a child up. Its about working with a student to discover what's blocking their progress, helping them to get back on track, and reminding them of the strengths they possess to address their challenges.

Substance Safety Skills Harm Reduction Training

6-hour Saturday family group session and three additional
2-hour youth-only sessions

- Family session contrasts substance environment that parents navigated in their youth with the environment their teens are navigating today.
- How to be an effective peer first responder. Youth roleplay safety scenario responses that protect each other lives.
- Teen only sessions function as group Brief Interventions.

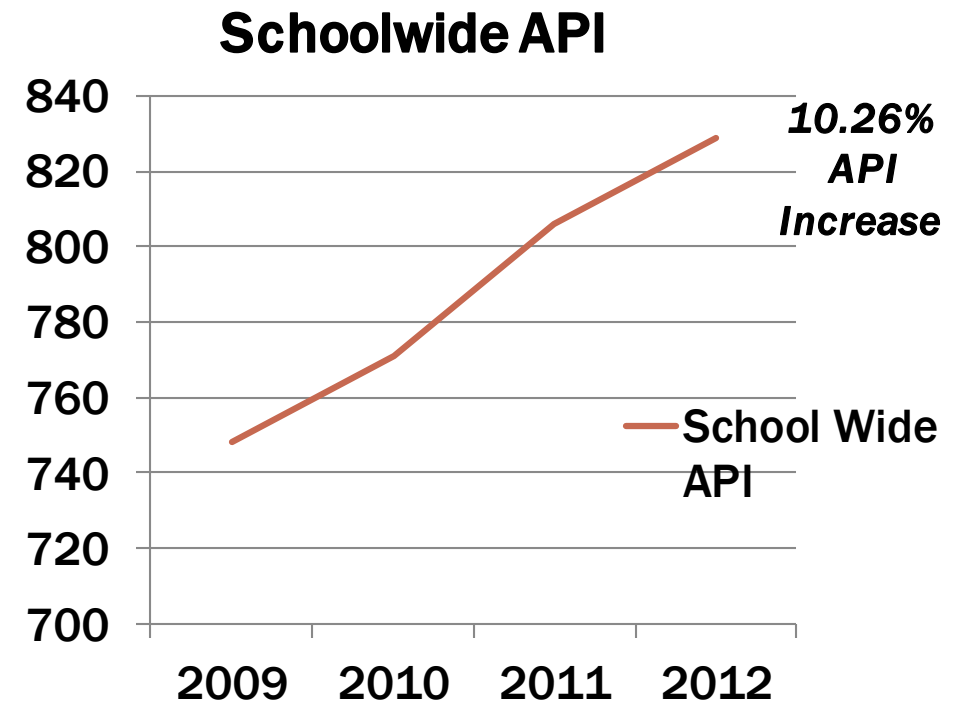
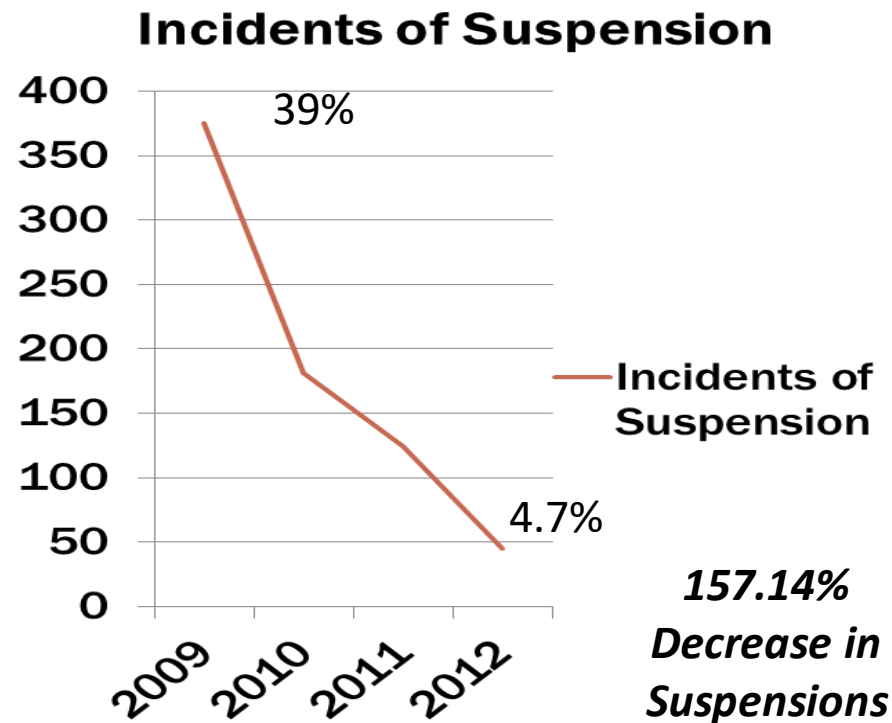
YTJ DATA

- Over the past 20 years, we have kept nearly 2,000 youth out of the juvenile justice system.
- We have 95% program completion rate, and a 4% - 6% recidivism rate within one year of program completion.
- We have diverted thousands of suspension days, keeping kids in school, off the streets and out of mischief.
- At Davidson Middle School, the most impacted school in Marin County, we reduced the suspension rate by 157.14% between 2009 and 2012.
- YTJ clients have provided over 35,000 community engagement hours to enhance their communities based on their strengths and interests.

Davidson Middle School Case Study

955 students - 64% Free/Reduced Lunch
64% Latino - 30% White - 5% Asian/African American

Restorative Alternative to Suspension



YTJ PARTNERS

Marin County Partners

Superior Court, District Attorney's Office, Office of the Public Defender, Probation Department, Bar Association, Health & Human Services, Board of Supervisors, Juvenile Justice and Delinquency Prevention Commission, Office of Education, San Rafael, Miller Creek, and Shoreline School Districts, Marin Prevention Network, West Marin Coalition for Healthy Youth, Marin Healthy Youth Partnerships, OD Free Marin, and Marin County Suicide Prevention Collaborative.

Bay Area & State Partners

Mendocino Probation Department, Redwood Community Services: Mendocino, Sonoma County Office of Education, Piner-Olivet Charter School: Sonoma, Acta Non Verba Urban Farm: Oakland, Elevate Youth California, California Association of Youth Courts.

YTJ Program Recognitions

2014: California Chief Justice, Tani Cantil-Sakauye, keynote speech at Youth Court's 10th anniversary. "The Marin Youth Court holds incredible promise the lack of recidivism and the 95% success rate are unprecedented. This program should be replicated throughout all 58 counties of California."

2016: The Youth Court documentary, *Finding Justice: Ending the School to Prison Pipeline* premiered at the prestigious Mill Valley Film Festival.

2019: Don Carney received the Constellation Behavioral Health Hope Tribute Award: The award honors a professional who has advocated for youth affected by addiction and mental health disorders.

2023: Youth Court's healing capacity was featured in Vivek H. Murthy, MD, Surgeon General of the United States book, *Together: The Healing Power of Human Connection in a Sometimes Lonely World*.

California Chief Justice Calls for Replication of Restorative Youth Courts



Restorative Justice Program

Jake Harder, Kings County Unified School District
John Swenning, Kings County Unified School District



Reedley Peace Building Initiative: Restorative Justice

Partner Organizations:



Reedley Police Department



Kings Canyon Unified School District



Community Youth Ministries

- Marc Ediger – Commander - Reedley Police Department
- Carlos Rizo – Social Worker - Kings Canyon Unified School District
- John Swenning – Restorative Justice Coordinator - Kings Canyon Unified School District
- Jake Harder – Restorative Justice Coordinator - Kings Canyon Unified School District

RPBI History:

- October 2011 – RPBI established with multiple community partners.
- Voluntary pre-arrest restorative justice process (RJ). Addresses low level crimes committed by juvenile offenders.
- July 2012 – RPBI partnered with KCUSD, adding a Reedley RPBI RJ Case Manager.
- 2015 – RPBI Case Manager for Middle School Students added.
- 2017 – RPBI Case Managers began working with offending youth attending KCUSD Orange Cove schools.
- July 2021 – KCUSD hired two RPBI RJ Coordinators (full-time on KCUSD campuses) to provide Evidence-Based RJ Processes for both Reedley and Orange Cove students.
- RPBI continues to maintain our one, full-time middle school RJ Case Manager position through CYM at Reedley KCUSD Middle School Campuses.

Marc Ediger

Why chose a restorative option? Police Perspective

- ❑ System overburdened County-wide for lower level crimes
- ❑ Large number of juvenile misdemeanor cases not filed
- ❑ Incarceration for low-level crimes introduce offenders to other offenders in the system
- ❑ R.J. provides all stakeholders with a voice & opinion
(victim, offender, families)
- ❑ Process provides full accountability and ongoing expectations

Types of Cases Worked

Cases referred by Police Department & School District

- Evading Arrest
- Auto Theft
- Assault & Battery
- Terrorist Threat
- Racial Harassment
- Physical Threat
- Drug Possession & Sales
- Replica Firearm on Campus
- Knife on Campus
- Shoplifting
- Vandalism
- Distributing Child Pornography
- Domestic Violence
- Sexual Harassment & Assault
- Bullying
- Arson

John Swenning: Restorative Justice Coordinator

- RPBI is a community based pre-arrest restorative justice initiative that holds remorseful offenders accountable.
- Restorative justice is about making things right with those who have been harmed – victim and/or community.
- Victim Offender Reconciliation model
- Whole Person Approach

Jake Harder: Restorative Justice Coordinator

- Agreements are made after a 3-Step mediation process
 - 1. What happened?
 - 2. How can things be made right?
 - 3. How can we ensure it doesn't happen again?

RJ Case Flow Process



2011-2023: Total Offender & Post RJ Arrest Data

Hard Numbers

- **1043** Total offenders referred to RPBI
- **78 (7.5%)** Offenders arrested (Post RJ)
- **21** Referred offenders **did not** complete RJ process (most refused)
- **57 (5.5%)** Arrested offenders minus those that did not complete RJ Process
- **94.5%** Success rate of offenders completing RJ process (Were not arrested)

Year	# Offenders	# Arrested (Post RJ)	Arrest %
2011	16	0	0.0%
2012	34	3	8.8%
2013	65	8	12.3%
2014	59	3	5.1%
2015	58	12	20.7%
2016	76	7	9.2%
2017	97	10	10.3%
2018	131	1	0.8%
2019	95	10	10.5%
2020	30	2	6.7%
2021	126	3	2.4%
2022	125	7	5.6%
2023	131	12	9.2%
Total	1043	78	7.5%

Carlos Rizo: School Social Worker

- KCUSD approach to mental and behavioral health

Q&A With Councilmember Advisors



Public Comment



Upcoming Events

[Full Council Meeting](#)

Friday, March 22, 2024, from 2:00-4:30 PM

[Juvenile Justice Workgroup Meeting](#)

April 19, 2024, from 12:45-2:45 PM

[Diversion/ Reentry Workgroup Meeting](#)

April 19, 2024, from 3:00-5:00 PM

Please visit our website at <https://www.cdcr.ca.gov/ccjbh/>

Email us at CCJBH@cdcr.ca.gov

If you would like to be added to CCJBH's listserv, click [HERE](#).

THANK YOU!

