



Legislation Text

File #: 2021-1163, **Version:** 2

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): Probation Department
Staff Name and Phone Number: Brad Michnevich, 707-565-6310
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:

Juvenile Restorative Justice Professional Services Agreements

Recommended Action:

Authorize the Chief Probation Officer to execute agreements for Juvenile Restorative Justice Programs with terms beginning January 1, 2022, and ending December 31, 2024, with options to extend to June 30, 2028. Included are two agreements to provide various Restorative Justice services for youthful offenders, victims, family members and other parties impacted by juvenile offenses:

- i) Restorative Resources in the amount of \$583,882; and
- ii) Redwood Empire Conflict Resolution Service DBA RECOURSE Mediation Services in the amount of \$165,125.

Executive Summary:

The Probation Department is requesting the Board approve a Professional Services Agreement with Restorative Resources in the amount of \$583,882 and with RECOURSE Mediation Services in the amount of \$165,125 to provide restorative justice programming for justice involved youth and other impacted parties.

Juvenile Restorative Justice Services will be provided to youth being diverted from delinquency court and those who are on some form of probation supervision. Services will be delivered in the Juvenile Hall, at Probation Camp (if/when reoccupied), and in the community funded by the Juvenile Justice Crime Prevention Act (JJCPA) realignment revenue.

Discussion:

Background:

The Juvenile Justice Crime Prevention Act (JJCPA) involves a partnership between the State of California, counties, and community-based organizations to enhance public safety by funding programs that have proved effective in reducing crime and delinquency among at-risk youth and young offenders, and addressing recidivism. The Sonoma County Probation Department is responsible for oversight and delivery of JJCPA funded programs.

Research dictates that for the best results, youth programming should target criminogenic needs (needs that,

if addressed, are correlated with a reduction in recidivism) of each juvenile based on his/her individual needs assessment. Criminogenic needs of Probation's delinquency population (justice-involved youth) are targeted through the use of Restorative Justice Services as well as other programs and strategies identified in the Juvenile Justice Coordinating Council's Comprehensive Multi-Agency Juvenile Justice Plan (on file and available online:

<https://sonomacounty.ca.gov/Probation/Planning-Implementation-and-Evaluation/Research-and-Reports/Public-Reports/>).

Restorative Justice is a way of responding to criminal behavior by balancing the needs of the community, victims and youth who have committed criminal offenses. Restorative programs address accountability, competency development and community safety and have the following common features or goals:

- Focus on repair of harm to the victim;
- Provide a process for making amends to the community;
- Provide a process for greater understanding of how the incident affected others;
- Repair damaged relationships between the youth and their community that resulted from the offense;
- Offer a meaningful way for the juvenile to take responsibility for their actions;
- Encourage apology or expressions of remorse; and
- Involve the victim and the community in determining the accountability measures.

The criminal behavior of youth involved in the justice system have a negative effect on their victim(s) as well as their immediate supports (family, friends, etc.). Accountability, acknowledging those impacts, and making amends are an important part of moving past delinquent behavior and reducing the possibility to reoffend. Too often youth make poor choices that lead to harming others when they may not have given the impact on others any consideration; Restorative Justice helps connect an offense to the impact on others.

Desired Outcomes:

- Victims are helped to recover in a meaningful way.
- Youth take responsibility for their actions and work to repair harm.
- The youth's connection to the community is restored.
- Youth referred to the juvenile justice system receive restorative interventions that reduce and eliminate further involvement in the juvenile justice.

Description:

Restorative Justice services include one or more of the following components:

- Restorative Conferencing: conferences between the offending youth(s), the victim(s), and supports for either party. The victim and supports have the opportunity to convey how they were impacted by the offense, and the goal is an agreement of reparation and an apology.
- Restorative Mediation: facilitation of groups of offending youth and their family, or groups of several youth and their supports, to converse on harm caused and how to make amends and prevent harm in the future.
- Accountability Circles: facilitated peer support group of offenders going through the restorative process

concurrently.

- **Restorative Dialogue:** facilitated groups of primarily youth in custody who are not yet in restorative conferencing with victims; begins the process of understanding and engaging in conversations about conflict and impacts on relationships and harm.

Restorative Conferencing: Restorative Conferencing is a program based on community restorative justice principles. It involves a face-to-face, facilitated meeting between the victim and the offender with the goal of repairing harm and restoring the community to the state of well-being it enjoyed before the crime occurred. During the meeting, participants are encouraged to tell their stories of the crime-what led to the crime and the aftermath. Participants ask questions about the crime and get answers to help them understand what happened and why it happened. Cases are referred to trained facilitators who conduct meetings between the victims, offenders, and their families. The group, which includes the Probation Officer, works together to develop a contract that will determine restitution to affected parties and address the offender's competency development. The family component aides discovery of underlying issues that may be contributing to criminal behavior and provides a support network for offenders to help them be successful in meeting their agreements and developing healthy community skills. Probation Officers provide up to 5 months of follow-up to ensure that the minor completes their goals as set forth in the contract.

Restorative Mediation: This includes the preparation and facilitation of mediation with a smaller group of participants, typically the youth and his or her family but it may also be between several youth or between Probation staff and a youth. This will include conversations about harm caused and some agreement on how the youth can make amends or prevent future wrongdoing. Typically, this service will be used for youth in Probation Camp or Juvenile Hall.

Restorative Mediation prepares young offenders for a mediation session where they hear from their victims the impact of their actions and then work to repair the harm done. Rooted in the principles of restorative justice, the model is similar in nature to Restorative Conferencing but is intended for less complicated cases that can likely be resolved quickly, perhaps even in one session.

Accountability Circles (groups):

- **Peer support groups:** This is a facilitated peer support group made up of youth who are going through a restorative conference. The group helps each youth to prepare for the conference and supports them while they complete their plan for amends. Facilitators should foster a culture of support and accountability to enable youth to take responsibility. Typically, this service will be used for youth on probation supervision in the community or those being diverted from the system.
- **Facilitated Restorative peer groups (Dialog Groups):** This is also a facilitated group but youth may not be participating in a conference and it need not be a series of meetings. Discussions will focus on restorative conversations, and learning conversations (understanding when conflict is affecting relationships with someone). Typically, this service will be used for youth in Probation Camp or

Juvenile Hall.

RFP Process:

The Probation Department issued a Request for Proposal (RFP) in July 2021 from community-based organizations who could provide services to address criminogenic needs of Probation's delinquency population (justice-involved youth) through the use of Restorative Justice Services. Critical components of the RFP included Qualifications and Experience, and Program Services and Strategies; the RFP process and contracts are consistent with Board adopted contracting principles.

A panel of representatives from the Probation Department rated proposals from three submissions: Restorative Resources, RECOURSE Mediation, and Petaluma People Services. Panel members rated the Restorative Resources and RECOURSE Mediation as the most qualified, experienced, and prepared to deliver services.

Both RECOURSE Mediation and Restorative Resources are well qualified and experienced community-based organizations, with Restorative Resources offering more programming for a higher level of need. Contracting with both vendors allows for a more complete array of services for a diverse population. RECOURSE Mediation will be providing Mediation Services with Restorative Resources providing Restorative Conferencing, Accountability Circles, and Restorative Dialog Groups.

Restorative Resources has 20 years' experience providing services to high-risk and at-risk youth, various schools, law enforcement agencies, business and community members. RECOURSE Mediation has been a restorative justice mediator since 1993 serving Probation involved youth, Sonoma County Superior Court, other agencies, and community members.

As caseloads have declined in recent years, including prior to COVID, the fee schedules for both vendors is changed to fee for service. The prior fee schedule required minimum service targets that can no longer be met; using the same method would result in penalizing vendors due to declining referrals. Using the vendor proposals as submitted, the new fee structure is in line with actual service costs, and are in alignment with existing contracts.

In fiscal year 2018-2019 there were a total of 83 unique clients referred to or enrolled in Restorative Justice Programs, not including those served in Juvenile Hall dialog groups. Fiscal year 2019-2020 had 73 unique clients, and in fiscal year 2020-2021 there were 67 clients referred to or enrolled in Restorative Justice programs. The decline in the number of youth either referred to or enrolled in Restorative Justice programs is the same downward trend in overall caseloads for justice involved youth.

Due to Covid-19 restrictions and protocols, Dialog Groups in the Hall had been temporarily suspended, thus current, relevant, or comparable data is not available. Dialog Groups have recently resumed and therefore

the Department expects enrollment to rebound to pre-pandemic levels.

Strategic Plan:

N/A

Prior Board Actions:

June 8, 2021 the Board authorized six-month contract extensions with Restorative Resources and RECOURSE Mediation, to allow time for the RFP process.

December 11, 2018 - the Board approved Amendment #1 for Restorative Resources to increase the payment rates and maximum amount.

June 11, 2018 -Board approved contracts with Restorative Justice and RECOURSE Mediation for Restorative Justice services.

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	\$125,000	\$125,000	\$125,000
Additional Appropriation Requested			
Total Expenditures	\$125,000	\$125,000	\$125,000
Funding Sources			
General Fund/WA GF			
State/Federal	\$125,000	\$125,000	\$125,000
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	\$125,000	\$125,000	\$125,000

Narrative Explanation of Fiscal Impacts:

Restorative Justice program services costs are included the Fiscal Year 2021-22 adopted budget, and are reimbursed with JJPCA funds.

The amounts included in the table above reflect anticipated contract utilization (based on fee for services) over the next several years. Annually, utilization will be reviewed as part of the recommended budget submitted to the Board. The not-to-exceed amounts cited in the recommended action are inclusive of the option to extend an additional 3.5 years beyond the initial 3-year term, at which time the contracts will align with the fiscal year period, terminating on June 30, 2028. The total value also includes the allowance to increase the rates adjusting for CPI up to 3% for the duration of the contracts after the first 3-year term.

Staffing Impacts:

Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

There are no staffing impacts for Restorative Justice programs.

Attachments:

Restorative Justice RJ PSA 123124 v G 102621

RECOURSE Mediation RJ PSA 123124 v G 102621

Related Items "On File" with the Clerk of the Board:

N/A