

DATE: February 23, 2010
STAFF: Perrie McMillen

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

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SUBJECT

First Reading of Ordinance No. 009, 2010, Appropriating Unanticipated Grant Revenue in the General Fund for the Restorative Justice Program.

EXECUTIVE SUMMARY

A grant in the amount of \$15,000 has been received from the Bohemian Foundation for salaries associated with the continued operation of the RESTORE Program within Restorative Justice Services that deals with shoplifting offenses. RESTORE is an alternative method of holding a young offender accountable by facilitating a meeting with the young offender, parents/guardians, a victim/merchant representative and members of the community to determine the harm done by the crime, and what should be done to repair the harm. In a RESTORE session, participants are educated about how shoplifting harms not only the merchant, but many other parts of the community. The objective in a RESTORE session is to help the young offenders understand how their actions affect others, and make them accountable for the harm caused by their actions. By addressing all concerns in an open circle, it is hoped that offenders' awareness of how their actions impact others will increase, and they will make better future decisions. Community volunteers help the young people understand the harm caused and encourage them to become more productive members of the community. The young offenders then have 30 to 60 days to complete contract obligations designed to repair the harm to victim, community, family and self, after which they return for a completion interview with community volunteers. Upon program completion, charges against an offender may be dismissed or not filed.

BACKGROUND / DISCUSSION

The RESTORE program, which is one of two programs offered through Restorative Justice Services (RJS), has been grant funded since its inception in 2002. The Council yearly accepts grant funds from Bohemian Foundation, and other grant funding agencies, to support RJS and RESTORE. The RJS programs are supported by three grants and some money from the City. Bohemian Foundation is one of those grants. Since it began, the RESTORE Program has provided restorative justice services to 962 young people.

FINANCIAL IMPACT

The grant in the amount of \$15,000 from The Bohemian Foundation, Pharos Fund, provides funding for the continuation of The RESTORE Program. The funds will be used to pay salaries associated with the RESTORE Program. No cash match is required. The grant period is from December 1, 2009 to November 31, 2010.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

Environment:

There is no known or measurable impact on the environment. The RESTORE sessions are held at Plymouth Congregational Church once per month. The use of the space is donated by the church. Education about the impact of shoplifting on the environment (excess packaging to prevent theft that ends up in the landfill) is part of the program, so there may be some future positive impact on the environment if fewer youth continue to shoplift.

Social:

The objective of the RESTORE Program is to educate young people who have shoplifted about how others are impacted by shoplifting (the merchants, employees, customers, law enforcement, courts, parents, friends and the

general community). The intent is that young people will understand how they, their families, friends and community are harmed by shoplifting, and will make better future decisions and not shoplift or commit other thefts again. Reducing future thefts and keeping young people out of the justice system contributes positively to a safer and healthier community.

Without grant funding and the support of the City, Restorative Justice Services would not be a service available to young people and their families, the courts, law enforcement and the community.

Economic:

Diverting youth and young adults from the justice system relieves pressure on the Municipal Court and the District Court and saves courts personnel time and money. Reducing future thefts by young people who have shoplifted will have a long-term positive impact on community businesses.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

ATTACHMENTS

1. RESTORE Information sheet

RESTORE

A Restorative Justice Program for Merchants, Community and Young Shoplifters

WHAT IS IT?

The RESTORE Program provides a voluntary opportunity for youth and young adults who have shoplifted to deal with their charge in a way that is meaningful to them and the community.

HOW DOES IT WORK?

When a youth is referred by the Fort Collins Municipal Court or Larimer County District Attorney's Office, a RESTORE intake form is completed. The youth and a parent or guardian (if youth is under age 18) attend an arraignment, two RESTORE sessions and complete a contract, as described below. A pre and post survey is also administered as part of the program.

RESTORE Session #1 has three parts and will take approximately 3 hours.

Part 1 - Speakers discuss the impact of shoplifting on the merchant community, law enforcement, the court system, families, and the larger community. They will also hear other youth speak about how shoplifting has affected them, their peers, and their families.

Part 2 - The youth and their parents will meet in smaller groups to talk about the incidents they were involved with and how they have been affected by this incident. This group will also include other young shoplifters, their parents, community members, and merchant representatives, and will be facilitated by RESTORE Volunteers.

Part 3 - When the group sessions are complete, each youth and with his/her parent or guardian develop and sign a contract to repair the harm to the victim, the community, their family and themselves, including eight hours community service. They will also sign up for a contract completion date and time to return to Session #2.

RESTORE Session #2 will take approximately one hour.

About one month after Session #1, the youth will return to the RESTORE program with all of their completed contract items. They will meet with a small group of volunteers who will review the contract and verification of items completed.

BY PARTICIPATING IN THE RESTORE PROGRAM, YOUTH CAN:

- learn more about shoplifting and how it affects merchants, community, families, peers
- repair the harm done by the incident in a meaningful way
- make choices about the consequences for their actions
- have their theft charge dismissed upon successful completion of the program

FEE: Cost is \$50 (cash or money order made out to City of Fort Collins: Restorative Justice). A reduced fee is available for families who qualify. A \$25 administrative fee is added for rescheduling a session.

ATTENDANCE AT BOTH SESSIONS IS MANDATORY. IF YOU DO NOT ATTEND YOUR SCHEDULED SESSIONS, YOU WILL BE EXPELLED FROM THE PROGRAM AND REFERRED BACK TO COURT.

FOR MORE INFORMATION about the RESTORE Program, contact:

Bernadette Martinez (Probation Department)
Perrie McMillen (Restorative Justice Services)

970-498-5844 x1
970-566-8160

ORDINANCE NO. 009, 2010
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED GRANT REVENUE IN THE GENERAL FUND
FOR THE RESTORATIVE JUSTICE PROGRAM

WHEREAS, the Bohemian Foundation has awarded the City of Fort Collins Police Services a grant in the amount of \$15,000 (the "Grant") for the salaries associated with the operation of the Restorative Justice Restore Program ("RESTORE"); and

WHEREAS, RESTORE is an alternative method of holding young offenders charged with shoplifting offenses accountable for their actions; and

WHEREAS, RESTORE facilitates conferences with the offender, the victim, and community members to identify the harm caused by the incident and to find meaningful ways for the offender to repair that harm; and

WHEREAS, the Grant requires no cash match and the term of the Grant is from December 1, 2009, to November 20, 2010; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, City staff has determined that the appropriation of the Bohemian grant funds as described herein will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during the fiscal year; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from unanticipated revenue in the General Fund the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for expenditure in the General Fund for continuance of the Fort Collins Police Services grant project for the Restorative Justice RESTORE Program.

Introduced, considered favorably on first reading, and ordered published this 23rd day of February, A.D. 2010, and to be presented for final passage on the 2nd day of March, A.D. 2010.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 2nd day of March, A.D. 2010.

Mayor

ATTEST:

City Clerk