

SUBJECT

First Reading of Ordinance No. 104, 2011, Appropriating Unanticipated Grant Revenues in the General Fund for Police Services and Appropriating Funds from the Police Operating Budget.

EXECUTIVE SUMMARY

A grant in the amount of \$45,000 has been received from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund for salaries associated with the continued operation of Restorative Justice Services, which includes the RESTORE program for shoplifting offenses, and the Restorative Justice Conferencing Program (RJCP) for all other offenses. Restorative Justice is an alternative method of holding a young offender accountable by facilitating a meeting with the offender, the victim/victim representative and members of the community to determine the harm done by the crime, and how to repair the harm. By identifying and repairing the harm caused by the crime, Criminal Justice Officials are optimistic repeat offenses by these youth will be reduced and the needs and concerns of the victims and affected community will be addressed. An \$8,700 cash match is required and will be met by appropriating funds from the police operating budget designated for Restorative Justice Services. Total required match is 25% so an additional \$6,300 in-kind match was included in the grant application from the Eighth Judicial District Probation Department. The grant period is from July 1, 2011 to June 30, 2012.

BACKGROUND / DISCUSSION

Restorative Justice Services and its two programs, RESTORE for shoplifting offenses, and RJCP (Restorative Justice Conferencing Program) for all other offenses, has been grant funded since its inception in 2000. Council yearly accepts grant funds from Colorado Division of Criminal Justice and other grant funding agencies, to support Restorative Justice Services. The RJS programs are supported by three grants and some money from the City. Since it began, Restorative Justice Services has provided a restorative justice alternative to nearly 2,000 young people who committed chargeable offenses in the community.

The objective of the RJS programs is to educate young people who have committed offenses about how others are impacted by their actions, words and behaviors. The intention is that young people, who understand how they, their families, friends and community are harmed by their actions, and who have been held accountable for the harm they caused, will make better future decisions and not commit the same or similar crime again. Reducing future criminal behavior and keeping young people out of the justice system, both contribute 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 our community. The Eighth Judicial District Probation Department donates administrative staff time (its restorative justice specialist) to help coordinate the RESTORE Program, the RJS shoplifting component.

In addition, space to hold the monthly RESTORE sessions is donated by LifePointe Church in Fort Collins.

FINANCIAL / ECONOMIC IMPACTS

The grant money in the amount of \$45,000 from Division of Criminal Justice, Juvenile Diversion Grants, provides funding for the continuation of Restorative Justice Services. The match requirement of \$8,700 will be met by appropriating funds from the Police Services operating budget, designated for Restorative Justice. The total required match is 25% so an additional \$6,300 in-kind match was included in the grant application from the Eighth Judicial District Probation Department.

Diverting youth and young adults from the justice system relieves pressure on Fort Collins Municipal Court and the 8th Judicial District Court and saves courts personnel time and money.

Reducing future shoplifting, theft and other criminal behavior by young people who have participated in the RJS programs will have a long-term positive impact on the economic health of the community by keeping young people out of the justice system, thereby improving their future employment options and encouraging young people to not shoplift or participate in other criminal behavior.

ENVIRONMENTAL IMPACTS

There is no known or measurable impact on the environment. In RESTORE, education about the impact of shoplifting on the environment (excess packaging to prevent theft that ends up in our landfill) is part of the program, so there may be some future positive impact on the environment if fewer youth continue to shoplift. Occasionally there may be a positive impact on the environment when young people are educated about when and how their actions have an environmental impact. The programs have no known negative impact on the environment.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

ATTACHMENTS

1. RESTORE Program Information Sheet
2. RJCP 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 3.5 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



Repairing the harm of crime for victims, young offenders and community

WHAT IS IT?

The Restorative Justice Conferencing Program (RJCP) provides a voluntary opportunity for young people (age 10-20) who have committed misdemeanor offenses to deal with their charge in a way that is meaningful to them and the community.

HOW DOES IT WORK?

The Fort Collins Municipal Court or Larimer County District Attorney's Office has referred you. You will attend a court arraignment and meet with RJCP staff, who will explain the RJCP program. If you decide to participate, you will complete preliminary forms and sign up for the program. You will also be asked to take a survey, which is confidential and used for grant purposes. If you are under 18 years of age, your parent/guardian must attend the arraignment and the RJCP meetings with you.

Restorative Justice Conferencing Program (RJCP)

RJCP consists of three meetings, totaling 4-6 hours, and contract obligations to fulfill in between.

Meeting #1 – (1-1.5 hours) You and your parent/guardian will meet with RJCP facilitators for a preconference meeting. At this meeting you will learn more about the RJCP process and will prepare for the upcoming RJ circle. You will discuss the incident and explore your thoughts and feelings about the incident and who has been impacted by it. Your parent will also discuss how the incident has impacted the family. You will have homework to develop ideas on how to repair the harm caused by the incident.

Meeting #2 – (2-3 hours) You and your parent/guardian will meet with the victim/victim representative, other offenders (if there are any), community representatives and the RJCP facilitators in a face-to-face meeting. The discussion will focus on who has been harmed by the incident, how they have been harmed, and what can be done to repair the harm. The circle will develop a contract to address repairing the harm caused by the incident. The contract will include a minimum of 20 restorative hours for you to fulfill.

Meeting #3 – (1 hour) You and your parent/guardian will return for a follow-up interview with RJCP staff and/or volunteers when your contract obligations are complete (usually about a month). You must bring written verification of all contract items to this interview. You will review your understanding of the harm done by the incident, and any experiences you have had or things you have learned through the process. Other participants from the circle will be invited to attend the interview, and may or may not be present. You will also complete the survey taken at the court arraignment. If all contract items are complete and verified, you will have completed the program.

BY PARTICIPATING IN THE RJCP PROGRAM, YOU CAN:

- learn more about your offense and how it affected the victim, community, your family, yourself
- repair the harm done by the incident in a meaningful way
- make choices about the consequences of your actions
- have your charge dismissed upon successful completion of the program

FEE: Cost is \$50 (cash or money order to: City of Fort Collins – RJ). We do NOT accept checks. A reduced fee is available for families who qualify.

FOR MORE INFORMATION about the RJCP Program, contact:

Mary-Claire Geiss or Perrie McMillen

(970) 416-2290

ORDINANCE NO. 104, 2011
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED GRANT REVENUE IN THE GENERAL FUND
FOR THE RESTORATIVE JUSTICE SERVICES AND AUTHORIZING
THE TRANSFER OF MATCHING FUNDS PREVIOUSLY APPROPRIATED
IN THE POLICE SERVICES OPERATING BUDGET

WHEREAS, the Colorado Division of Criminal Justice has awarded the City of Fort Collins Police Services a grant in the amount of \$45,000 for operating expenses associated with the operation of the Restorative Justice Services for the 2011-12 grant cycle (the "Grant"); and

WHEREAS, the Restorative Justice Service is an alternative to the traditional criminal justice system and the program seeks to hold young offenders accountable by facilitating a meeting with the offender, the victim and members of the community to determine the harm done by the crime, and how to repair the harm; and

WHEREAS, the Grant provides 75% of the total cost of \$60,000 for the 2011-2012 Restorative Justice Services operating expenses; and

WHEREAS, the Grant requires a match of 25% (\$15,000), which will be funded by the City in the amount of \$8,700 through available funds in the General Fund Police Services operating budget, and the remaining required match of \$6,300 will be an in-kind match from the Eighth Judicial District Probation Department; 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 Restorative Justice Services 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

WHEREAS, Article V, Section 10, of the City Charter authorizes the City Council to transfer by ordinance any unexpected and unencumbered amount or portion thereof from one project to another project, provided that the purpose for which the transferred funds are to be expended remains unchanged.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That there is hereby appropriated from unanticipated revenue in the General Fund the sum of FORTY FIVE THOUSAND DOLLARS (\$45,000) for expenditure in the General Fund for Restorative Justice Services.

Section 2. That the unexpended appropriated amount of EIGHT THOUSAND SEVEN HUNDRED DOLLARS (\$8,700) is hereby authorized for transfer from the Police Services operating budget in the General Fund to the Police Services grant project for Restorative Justice Services and appropriated therein.

Introduced, considered favorably on first reading, and ordered published this 16th day of August, A.D. 2011, and to be presented for final passage on the 6th day of September, A.D. 2011.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 6th day of September, A.D. 2011.

Mayor

ATTEST:

City Clerk