

## AGENDA ITEM SUMMARY

August 18, 2015

City Council

### STAFF

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Perrie McMillen, Restorative Justice Program Coordinator  
Delynn Coldiron, Interim Neighborhood Services Manager

### SUBJECT

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First Reading of Ordinance No. 094, 2015 Appropriating Unanticipated Grant Revenue in the General Fund and Appropriating Funds From the Community Development and Neighborhood Services Operating Budget for the Restorative Justice Program.

### EXECUTIVE SUMMARY

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The purpose of this item is to appropriate grant revenue to fund Restorative Justice Services within Community Development and Neighborhood Services. A grant in the amount of \$56,192 has been received from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund for 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.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinance on First Reading.

### BACKGROUND / DISCUSSION

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Restorative Justice Services and its two programs; RESTORE for shoplifting offenses, and RJCP (Restorative Justice Conferencing Program) for all other offenses, has been partially grant funded since its inception in 2000. The Council yearly accepts grant funds from Colorado Division of Criminal Justice and other grant funding agencies, to support Restorative Justice Services. Since it began, Restorative Justice Services has provided a restorative justice alternative to more than 2,600 young people who committed chargeable offenses in our community.

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.

The programs help young people understand how family, friends, victim and community are harmed by their actions and hold them accountable for the harm they caused. The intention is that these young people 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. Addressing the needs and concerns of crime victims and community members also has a positive effect of the overall health and safety of the 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, crime victims, the courts, law enforcement and our community.

**CITY FINANCIAL IMPACTS**

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The additional grant money in the amount of \$56,192 from Division of Criminal Justice, Juvenile Diversion Grants, provides funding for the continuation of Restorative Justice Services. The match requirement will be met by appropriating \$7,372 from the Neighborhood Services operating budget, designated for restorative justice and a \$11,358 match designated from the City for the restorative justice office space, which is used to provide grant-funded services.

The grant period for is from July 1, 2015 to June 30, 2016. This is the second year in a 3-year cycle for the Juvenile Diversion grant.

**ATTACHMENTS**

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1. RJCP Info Sheet (PDF)
2. RESTORE Info sheet (PDF)



*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 10-22) 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?**

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. If you decide to participate, you will complete forms to sign up for the program. You will also be asked to take a survey. If you are under 18, 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. 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 MAY:**

- 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 only) A reduced fee is available for families who qualify.

**FOR MORE INFORMATION,** contact: Mary-Claire Geiss or Perrie McMillen (970) 416-2290

Restorative Justice does not discriminate on the basis of race, color, national origin, religion, sex, disability or age in the delivery of its services. Interpreter services and documents translated to other languages are available at no cost to Restorative Justice participants.

En la prestación de sus servicios, la Justicia Restaurativa no discrimina por razones de raza, color, origen nacional, religión, sexo, discapacidad o edad. Los servicios de intérpretes y traducción de documentos a otros idiomas están disponibles sin costo alguno para los participantes de la Justicia Restaurativa.

# RESTORE

*A Restorative Justice Program for Merchants, Community and Young Shoplifters*

## WHAT IS IT?

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

## HOW DOES IT WORK?

The Fort Collins Municipal Court or Larimer County District Attorney's Office have referred you to our program. You will attend an arraignment and meet with our staff and/or volunteers, who will explain the RESTORE program to you and your parent/support person. If you decide to participate in the program, you will complete a RESTORE intake form and sign up for Session #1. You will also be asked to take a survey, which is anonymous and used for grant funding purposes. Your parent/support person must attend the sessions with you.

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

Part 1- You and your parent/support person will listen to speakers discuss the impact of shoplifting on the merchant community, law enforcement, the court system, families, and the larger community. You will also hear other youth speak about how shoplifting has affected them, their peers, and their families.

Part 2 – You and your parent/support person then will meet with a small group to talk about the shoplifting incident you were involved in and how you have been affected by this incident. This group will also include other young shoplifters, their parents, a community member, a peer representative, and a merchant representative, and will be facilitated by RESTORE volunteers.

Part 3 - When the small group is complete, you and your parent/support person will review a contract and select from a list ways you can repair the harm to the victim, the community, your family and yourself. The contract includes eight hours community service. You will also sign up for a time to return to Session #2.

**RESTORE Session #2** will take approximately one hour.

About one month after Session #1, you will return to the RESTORE Program with all of your completed contract items. You will meet with a small group of volunteers who will review your contract and verification of items completed. You will also complete the survey taken in the original meeting.

**Not guilty:** If you believe you are not guilty, you do not belong in the RESTORE Program. To participate, you must admit your part in the incident.

## BY PARTICIPATING IN THE RESTORE PROGRAM, YOU CAN:

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

**FEE:** Cost is \$50 (cash or money order only) Reduced fee is available for families who qualify.

## FOR MORE INFORMATION about the RESTORE Program, contact:

Bernadette Martinez (Probation Department)

970-494-3944

Perrie McMillen (RESTORE Program)

970-416-2290

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ORDINANCE NO. 094, 2015  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED GRANT REVENUE IN THE  
GENERAL FUND AND APPROPRIATING FUNDS FROM THE  
COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES  
OPERATING BUDGET FOR THE RESTORATIVE JUSTICE PROGRAM

WHEREAS, the Colorado Division of Criminal Justice has awarded the City of Fort Collins Community Development and Neighborhood Services (“CDNS”) a grant in the amount of \$56,192 for salaries associated with the continued operation of the Restorative Justice Program (the “Program”); and

WHEREAS, the Program is an alternative method to the traditional criminal justice system, providing services to more than 2,600 young people who committed chargeable offenses in the community; and

WHEREAS, the Program facilitates a meeting with the young offender, the victim, and community members to discuss the harm caused by the young offender and to find meaningful ways for the young person to repair that harm; and

WHEREAS, the grant period for this award is from July 1, 2015 to June 30, 2016; and

WHEREAS, the grant requires a 25% grant match of \$18,730 where the City’s cash match of \$7,372 will come from the CDNS operating budget for Restorative Justice and the remaining \$11,358 match requirement will come from the City in the form of office space provided for the grant funded services; 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 Colorado Division of Criminal Justice 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 FIFTY SIX THOUSAND ONE HUNDRED NINETY TWO DOLLARS (\$56,192) for expenditure in the General Fund for continuation of the Restorative Justice Program.

Section 2. That the unexpended appropriated amount of SEVEN THOUSAND THREE HUNDRED SEVENTY TWO DOLLARS (\$7,372) is hereby authorized for transfer from the Community Development and Neighborhood Services operating budget in the General Fund to the grant project for Restorative Justice Services and appropriated herein.

Introduced, considered favorably on first reading, and ordered published this 18th day of August, A.D. 2015, and to be presented for final passage on the 1st day of September, A.D. 2015.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 1st day of September, A.D. 2015.

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Mayor

ATTEST:

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City Clerk