



Auto Theft Accountability

A VICTIM-OFFENDER MEDIATION PROGRAM

Restorative Justice Concept

- ▶ Traditional criminal justice
 - ▶ What law was broken?
 - ▶ Who broke it?
 - ▶ What punishment is warranted
- ▶ Restorative Justice
 - ▶ Make the victim whole
 - ▶ Accountability
 - ▶ Social Skill building

From New Zealand to Oakland

- ▶ Program based on a Family Group Conferencing (FGC) model
 - ▶ Young person, family, facilitators, victim, volunteers meet and talk about how the youth can own up to what they have done
 - ▶ Participants agree upon a plan through which the young person can repair the harm which has been done
 - ▶ Plan is legally binding and is monitored by staff
 - ▶ New Zealand has found FGC's reduce recidivism, increase victim satisfaction, and promote a sense of responsibility in offenders
 - ▶ Oakland provides Restorative Community Conferencing (RCC) program – based on FGC model

Oakland, CA (Restorative Community Counseling Program)

- ▶ Has been operating in Oakland for 9 years
- ▶ Implemented as a pre-adjudication diversion program
- ▶ Evidenced-based Program
 - ▶ Outcomes were studied by the national Council on Crime and Delinquency
- ▶ Traditional 12 month recidivism rate= 32.1%, RCC 12 month recidivism rate was 18.4%
- ▶ Within 12 months of completing RCC program, youth were 44% less likely to get a new sustained charge than youth who were processed through the juvenile legal system

Eligible Youth

- ▶ First time auto theft offenders (Theft 1, Theft 2, OMVWOC)
- ▶ Clearly identified victim
- ▶ Youth will be given opportunity to avoid court and adjudication by participating
- ▶ Youth has 3 months to complete program
- ▶ Youth can have charge dismissed after completion

Proposed Process

- ▶ Youth Charged with auto theft crime- police forward charge to JCS intake
- ▶ Juvenile Court Intake officer makes referral to ATA program based on criteria
- ▶ Court proceedings put “on hold”
- ▶ Program staff engage victim and offender within 48 hours of referral
- ▶ Offender has 3 months to complete program
- ▶ ATA program staff inform JCS/County Attorney of progress
- ▶ At any point- if the offender fails to progress- they will revert to court proceedings- move toward adjudication

ATA Program facilitators tasks

- ▶ contacts child/family explains program/benefits
- ▶ contacts victim- explains program/benefits
- ▶ Schedules date, time, place of meeting
- ▶ Engages volunteers to participate in circle discussion
- ▶ Facilitates meeting- problem solve ideas to repair harm- creates a plan and contract
- ▶ Monitors progress and supports victim and offender thru completion of program
- ▶ Reports progress and completion to Juvenile Court

Financial Aspect

- ▶ Contract with DECAT to reimburse for staff time and supplies for program (\$118k cap)
- ▶ Utilize Juvenile Diversion Programs space for meetings

Anticipated Outcomes

- ▶ Engages offenders promptly (within days of charge)
- ▶ Holds youth accountable for crime- puts a "face" to the charge
- ▶ Repairs harm that has been done
- ▶ Lower recidivism
- ▶ Higher Victim Satisfaction
- ▶ Promotes connection to community for offender and victim
- ▶ Lower juvenile crime, lower detainments
- ▶ Less court hearings- improve court times for more serious cases

Questions?

