

# CROSSING BRIDGES



**A SEQUEL TO BUILDING BRIDGES  
BETWEEN YOUR COURT AND  
YOUR COMMUNITY**



**A HANDBOOK FOR  
COMMUNITY INVOLVEMENT IN JUVENILE JUSTICE  
THROUGH RESTORATIVE PRACTICES**

*COURT AND COMMUNITY COLLABORATION WITHIN  
PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM*

# SPECIAL THANKS AND ACKNOWLEDGMENT

## Court and Community Collaboration Committee of the Pennsylvania Council of Chief Juvenile Probation Officers (PCCJPO)

The Court and Community Collaboration Committee represents a cross-section of community agencies, juvenile court professionals, victim advocates, and individual community members who discuss ways juvenile courts and communities across Pennsylvania can launch meaningful, ongoing alliances. The mission of the Collaboration Initiative is to encourage and empower a legitimate role for our communities to engage in ongoing and open dialogue for effective, fair, and restorative practices of justice for all.

The PCCJPO is grateful to the members of the committee who brought their unique views and expertise to the creation of this document.



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2

# TABLE OF CONTENTS



■ Introduction	4
■ Overview of Pennsylvania’s Juvenile Justice System: Balanced and Restorative Justice	6
• What is Restorative Justice?	7
• Restorative Justice Principles	8
• Benefits of Restorative Practices	9
■ Restorative Practices in Communities	11
■ An Overview of Restorative Practices	12
• Restorative Group Conferencing	13
• Victim Offender Dialogue	15
• Community Dialogues	17
• Family Group Decision Making	19
• Community Justice Panels	22
• Community Circles	24
• Victim Impact panels	27
■ Restorative Justice Practice Models at a glance	29
■ Common Restorative Responses	30
• Victim Community Awareness Classes	30
• Restorative Community Service	30
• Restitution	31
• Apology letters	32
• Competency Development/Skill Enhancement Supports	32
■ Restorative Practices in the Community/Participant Involvement Grid	33
■ How to build Collaborations with PA’s Juvenile Justice System within your Community	36
■ References	37
■ Additional Resources	38

# INTRODUCTION



Welcome to Crossing Bridges: A Handbook for Community Involvement in Juvenile Justice through Restorative Practices. This handbook is a guide for people concerned about juvenile justice and those in local communities who want to learn more about restorative practices. The publication describes a range of restorative justice practices that can be used throughout Pennsylvania to ensure that victims' needs are heard and met, that juveniles are held accountable and learn from their negative actions, and that community members are actively engaged in making decisions which build relationships and prevent violence.

As restorative justice spreads, new programs take on different names and may use different language to describe their work, causing some confusion in the field. As each practice is addressed in this handbook it will be introduced by the Pennsylvania - specific designation to provide continuity throughout the PA juvenile justice system, its practitioners and community volunteers. Each practice also references the variation of titles used throughout the literature.

The Court and Community Collaboration Committee has prepared this handbook under the direction of the Pennsylvania Council of Chief Juvenile Probation Officers and the Juvenile Court Judges' Commission to fulfill the vision that communities and juvenile courts throughout the Commonwealth will work together to achieve the goals of Balanced and Restorative Justice.

Restorative justice is built on a framework of values as opposed to a specific program model. Brief program descriptions and definitions on the following pages provide consistent language and understanding of restorative practices used in Pennsylvania.

## **Children grow up in communities NOT systems.**

Community organizations, churches, and schools have intensive long-term contact with children and can have positive influences on them. A child develops not only through the services they receive but also through the support and opportunities for restorative practices provided by their community.

The solution to crime prevention and response does not lie solely with the police, the courts or the probation offices. Communities must step forward to assist those parties in carrying out their duties in order to prevent and intervene in deviant behavior. Communities can also help support victims and can help victims to define the harm and to identify the appropriate responses to repair the harm. By showing youth how to actively repair the harm they have caused, community members support youth to reintegrate into positive roles.

Adeline (Addie) Beighley  
*Chairperson, Court and Community Collaboration Committee*

# Schools

VICTIM SERVICE AGENCIES

Faith Communities  
businesses

**COMMUNITIES  
ARE MADE  
UP OF:**

Courts/Law  
enforcement

Children, Youth  
& families

AFTER-SCHOOL PROGRAMS

**TUTORING PROGRAMS**

mentoring programs

SOCIAL SERVICES ORGANIZATIONS

SPORTS ORGANIZATIONS

CULTURAL ORGANIZATIONS

# OVERVIEW OF PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM:

## Balanced and Restorative Justice



In the past, when a crime occurred, the court system was concerned mostly with who committed the crime, which laws were broken, and how to punish the offender. Research has shown that the tough on crime policies of the 1980's, and the punishment and incarceration associated with them, are not successful in reducing crime or recidivism. (Pew Center on the States, *State of Recidivism: The Revolving Door of America's Prisons* (Washington, DC: The Pew Charitable Trusts, April 2011).

Today, juvenile justice practitioners want to ensure that in addition to not committing more crimes, offenders learn to take responsibility for their actions, repair the harm caused by their behavior, and become connected, productive, and law-abiding citizens.

Comparison of Traditional and Restorative Justice		
	Traditional Justice	Restorative Justice
A crime is a violation of...	Law & the State	People, relationships, communities
The process involves...	The offender & the State	A collaboration between the victim, the offender, & the community
Offender Accountability is defined as . . .	Taking the punishment	Understanding the harm done to others and taking steps to repair this harm
Victims are . . .	Outside of the process	Central to the process
Justice is...	The determination of guilt & the administration of punishment	Repairing the harm and meeting the needs of the victim, the community & the offender

In 1995, the Pennsylvania juvenile justice system adopted a “balanced and restorative” approach for responding to crime by ensuring the courts recognize and meet the needs of the juvenile, the victim, and the community. This approach provides the framework for restorative justice.

Goals of Balanced and Restorative Justice	
Accountability	The process of helping juveniles who commit offenses understand and acknowledge: <ul style="list-style-type: none"><li>• The wrongfulness of their actions,</li><li>• The impact of the crime on the victim and community, and</li><li>• Their responsibility for causing and repairing harm.</li></ul>
Community Protection	The process of contributing to safe communities through prevention, supervision and risk management.
Competency Development	The process by which juveniles who have committed offenses acquire the knowledge and skills that make it possible for them to become productive, connected and law-abiding members of their communities.

**What is Restorative Justice?**

Restorative Justice is an approach to dealing with crime and conflict which focuses on identifying and repairing the harm caused to individuals and communities. Historically, the juvenile justice system has not been a healing or satisfying experience for victims, offenders or their families. Restorative Justice seeks to provide a more satisfying experience by engaging the people directly involved to have a say in the decisions which will affect them.



# RESTORATIVE JUSTICE PRINCIPLES

Restorative justice practices come in many different forms. Throughout Pennsylvania many communities have developed restorative justice programs based on the needs and resources in their area. What unites each of these is a commitment to core restorative principles.

At the foundation, restorative practices are rooted in relationships and therefore:

## 1. Focus on the identifying and repairing harms related to the offense

- This includes all needs resulting from the offense (such as physical, emotional, financial relationship damage done to the victim, etc.) and may also include needs related to the cause of the offense (such as the offender's addictions, lack of skills, resources or understanding, etc.)
- Accountability requires understanding the harms and taking steps to make things right

## 2. Include participation of those who are most directly involved in what happened

- Participation is voluntary and will vary depending on the program and the needs of the people involved
- Care is taken to show respect for all people at all times
- Collaborative decision-making ensures that those most affected have a say in what happens
- Relationship-building is essential to reduce future risk and to make communities stronger

**"[This is a] great chance to allow children to correct mistakes without dealing with courts."**

*- Father of victim who participated in a restorative justice process*

**"It helped [me] work through the pain and suffering of the crime committed against me. This session was very helpful."**

*- Victim of assault who participated in Victim Offender Dialogue*

Relationships  
Repairing Harm  
Participation

# BENEFITS OF RESTORATIVE PRACTICES



## For Victims of Juvenile Crime

Victims have the opportunity to:

- Participate in the justice process
- Speak directly about the harm against them
- Ask questions and receive answers about what happened to them and why
- See offenders taking responsibility for their actions and actively repairing the harm they have caused
- Experience increased satisfaction with the process
- Receive offers of support from their community
- Have an increased likelihood of financial and emotional restoration

## For Youthful Offenders:

Youthful offenders have the opportunity to:

- Acknowledge the harm done to the victim(s) and the community
- Gain a greater understanding of the harm they have caused and offer genuine ways to repair that harm
- Show remorse and/or offer an apology
- Pay back their victims and communities for the harm they have caused
- Develop empathy for the victims of their offenses and for all victims
- Develop positive and appropriate relationships with others in their communities
- Learn competency skills, e.g. social, educational, and employment skills
- Repair their reputation and rebuild trust
- Reintegrate into their communities as contributing, responsible and law-abiding citizens
- Avoid the negative stigma that can be associated with traditional court

## For Families/Parents

Families/Parents have the opportunity to:

- Actively engage in the process
- Express their own needs
- Assert their own values and intentions for their child's future behavior
- Encourage and support their child to 'do the right thing' in a safe environment
- Assist and witness their child learning to be accountable in a meaningful way

**"I liked it a lot. It gives offenders the chance to face problems and let the victim get an understanding of what happened and why."**

*- Parent of juvenile who committed assault and participated in a Victim Offender Dialogue*

## For Communities

Communities have the opportunity to:

- Participate in and enhance the juvenile justice system
- Become more connected and experience a stronger sense of community, including increased safety
- Support victims and heal the harm to the community
- Assist juvenile offenders to become contributing, law-abiding citizens and integrate into their community
- Improve community relationships
- Reduce costs and negative consequences associated with juvenile detention or supervision
- Increase community members' participation in their community at large.

## For Schools

Schools have the opportunity to:

- Promote an effective method to reduce misbehavior, bullying, violence and offending behavior within the school
- Improve the climate for learning
- Assure that everyone understands a decision and knows what is expected from them
- Decrease suspensions, expulsions and dropout rates

## For Juvenile Justice System Stakeholders

Justice Stakeholders have the opportunity to:

- Create an avenue for youthful offenders to build competencies and repair the harm that they have caused
- Allow an opportunity for youthful offenders to view themselves as part of a community
- Offer a cost effective method of addressing delinquent behaviors through diversion or under supervision
- Increase the completion of court obligations including restitution
- Reduce rates of reoffending

**"From more than 20 years of experience in many thousands of cases and more than 52 empirical studies, it has clearly been found to be a practical and time tested approach that results in many positive outcomes for victims, offenders, family members, and the larger community."**

*- Mark Umbreit (IBARJ)*

# RESTORATIVE PRACTICES IN COMMUNITIES



In addition to supporting community-based practices, restorative principles can also inform and supplement more traditional community work.

Community of Interest	Examples
Schools	Schools can offer processes that proactively build healthy relationships, foster a sense of community, and both prevent and address conflict and wrongdoing (such as talking circles, peer mediation, etc.)
Faith Communities	Faith Communities, often based on teachings that closely match the restorative justice philosophy, can educate faith leaders and congregations about how to apply these principles to better serve their community and ensure each member’s safety.
Police Departments	Police Departments can develop policing strategies based on these principles to resolve community problems and juvenile delinquency. This can be done instead of, or in addition to, a station adjustment or arrest. Police can also partner with existing Restorative Justice programs to ensure that youth are held accountable with the minimal amount of involvement in the court system.
Businesses	Businesses can train employees with skills and techniques to strengthen and build colleague relationships, share ideas, and respond constructively when conflicts arise.
Community Members	Community Members can participate in restorative justice processes, volunteer with victim-serving and youth-serving agencies, participate in neighborhood crime watches, and look for ways to support neighborhood youth and families.

# AN OVERVIEW OF RESTORATIVE PRACTICES

Restorative practices can be used by any community seeking to improve their ability to restore victims, protect the greater community, and redeem their youthful offenders. Many individuals, families and organizations already embrace the values of restorative justice and practice these concepts in their personal relationships, discipline practices and in organizational policies. These practices may or may not use a formal title. In this publication are brief descriptions and definitions of the specific practices which are formally used in Pennsylvania.

Restorative group conferences, victim offender dialogues, family group decision making, community justice panels, circles and victim impact panels are common practices to use at any stage in the justice process or as a means of moving away from the traditional justice system. These practices can be used both to determine appropriate responses to an offense and to prepare each of the people involved for future interactions. For instance, if a young person has been removed from school or community due to the offense, a restorative conversation with members of the community can help them to reintegrate in a way that is as comfortable as possible for everyone. Each practice can lead to any or all of the benefits discussed earlier.

**Three boys, ages 15-17**, were arrested for trespassing in an empty building in their neighborhood. The building had been a recreation center where the boys had played when they were little, but it had been closed for several years because it needed repairs. The boys had crawled in through a broken window and explored the building, using paint to write on some of the walls. Neighbors across the street had seen their flashlights and called the police. The boys immediately admitted what they had done. Instead of going to court, the boys and their parents met for a restorative group conference with the owner of the building (the victim) and two people from the neighborhood association. At the conference, the boys described what happened and took responsibility for what they had done. The building owner talked about her concerns that the boys could have been hurt and about how the incident affected the property's reputation. The members of the neighborhood association talked about how numerous neighbors had been worried that something dangerous was happening inside the building given that there had been several recent burglaries in the area. And the boys' parents expressed their concerns and their hopes for their children. Each boy sincerely apologized and came up with ideas for how to make things right. Then together, the group decided that the boys would take part in a neighborhood cleanup day and that they would each work to pay for the damages caused by the paint.

# RESTORATIVE GROUP CONFERENCES

Also referred to as Community Group Conferences, Family Group Conferences or Community Accountability Conferences



A Restorative Group Conference (RGC) is a meeting for the youthful offender along with the community of people most affected by the offense—the victim, family, friends, and key supporters of both, and selected community members—to decide the resolution of a specific incident or delinquent act. A conference can be used as a diversion from the court system or after adjudication. In schools, it can be used as an alternative to suspension and/or expulsion.

At a meeting with a trained facilitator the participants discuss:

- ✓ the actual offense
- ✓ how they and others have been harmed
- ✓ how that harm might be repaired
- ✓ what may be needed to prevent future offending behavior

The purpose of this process is for the offender to face the human impact of his or her crime. Participation by all involved is voluntary. The focus of this process is not punishment but how to make things right.

To participate, the youthful offender must first admit to the offense. The facilitator contacts the youthful offender first. If the conference is possible, then the facilitator contacts the harmed person and community members to explain the process and invite them to the conference. The facilitator also asks them to identify key members of their support systems, who will be invited to participate as well.

The conference begins with the facilitator describing the incident, and each participant describing the impact of the incident on his or her life. The victim(s) are presented with the opportunity to express feelings, ask questions about the offense, and express how they have been affected

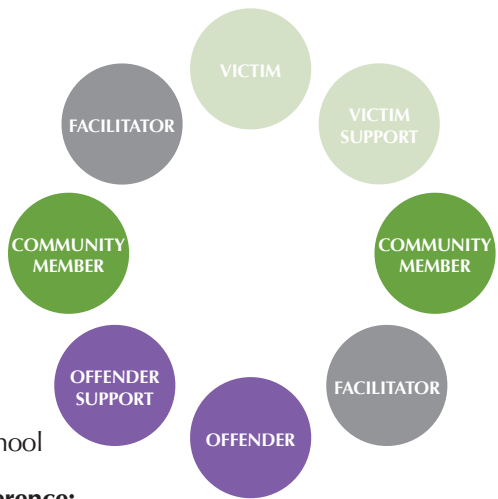
physically, emotionally and financially. The juvenile who committed the offense has the opportunity to directly take responsibility by listening to the impacts of their actions, answering the victims' questions, and taking steps to address the request(s) made by the victim. All participants may contribute to the process of determining how the offender might best repair the harm. By the end of the conference, the participants must reach an agreement on how the youth can make amends to the victim and sign a reparation agreement.

**"It was a good program and a great learning experience."**

*-16 yr old charged with assault & harassment, handled through a restorative justice process*

The agreement often includes:

- ✓ an apology
- ✓ a requirement that some type of restitution be made to the victim
- ✓ a requirement of the youth to perform community service and/or
- ✓ call for other actions such as improving school attendance, completing homework, or performing chores at home or school



**Goals of the Restorative Group Conference:**

- Hold offenders accountable and encourage their acceptance of responsibility for their actions and the repair of the resulting harm
- Provide an opportunity for the victim, the youth and their family, and interested community members to be directly involved in the discussion of the offense and in decisions regarding the repair of harm
- Increase the offender’s awareness of the human impact of his or her behavior and provide an opportunity to take full responsibility for it
- Provide an opportunity for diverting offenders away from the courts and the consequences that can result from being “in the system”

Restorative Group Conference				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Facilitator talks with the victim and offending youth to identify the appropriate combination of family member and community supporters.	Participation is voluntary. Victim expresses feelings about crime, its impact, and gives input into the restorative plan.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and provide input into the restorative plan.	Community Representatives express their feelings about crime, its impact and provide input into the restorative plan. Community resources can be provided to participants and may be incorporated in the agreed upon items.

# VICTIM OFFENDER DIALOGUE

**Also called Victim Offender Mediation, Victim Offender Conferencing, Victim Offender Reconciliation or Victim Offender Meeting.**



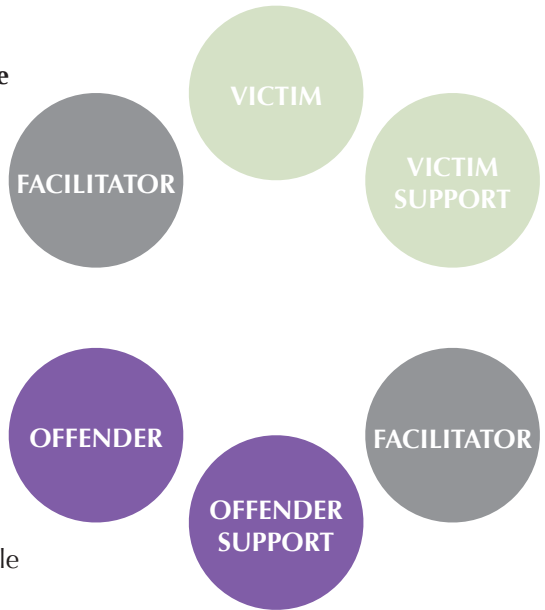
A Victim Offender Dialogue (VOD) can be used as a diversion from the court system, after the case has been decided or later in the supervision of the youth, when and if the victim is interested. Victim offender dialogue is a process that provides interested victims an opportunity to meet the offender in their case, in a safe and structured setting for dialogue, facilitated by a trained facilitator. Inherent in the process is the opportunity for the victim to tell the offender about the crime's physical, emotional, and financial impacts, to receive answers to lingering questions about the crime and the offender, and to be directly involved in developing a mutually acceptable agreement for the offender to repair the harm he/she caused.

The process is similar to the Restorative Group Conference, however the participants may be limited and this process may be used for more serious offenses with advanced facilitator training.

Research has consistently found that crime victims who have the opportunity to express their feelings about the offense directly to offenders have a more satisfying justice experience. Additionally, research shows that both parties in Victim Offender Dialogue programs are consistently satisfied with the process.

## Goals of Victim Offender Dialogue

- Support the healing process of victims by providing a safe and controlled setting for them to meet and speak with the offender on a strictly voluntary basis.
- Allow the offender to learn about the impact of crime on the victim and to take direct responsibility for their behavior.
- Provide an opportunity for the victim and offender to develop a mutually acceptable plan that addresses the harm caused by the crime.





**As with so many harmful encounters,** *this one happened very quickly. Jay was provoked by another student and flew off the handle, charging the other student with the intent to hit. Following school protocol, the two classroom teachers positioned themselves between the students in an attempt to de-escalate. Jay was not to be deterred, however, and his first strike hit Ms. Tana in the face. It was immediately clear that some damage had been done. Months later, Jay was living in a juvenile placement facility, far removed from his family and friends. Ms. Tana continued regular medical follow-up as a result of the assault and also continued to wonder how things were going for Jay. Prior to the incident, Ms. Tana had had a close relationship with this student and it troubled her to think that his court appearance and subsequent placement might have created animosity between her and Jay and worse yet, sent him down a negative path. When she learned about the VOD program and she was very interested in this option.*

*After the usual assessments and pre-dialogues, the two eventually came face to face. The encounter immediately felt comfortable as the two reconnected and caught up. Fortunately, Jay had been doing well in placement and had come to see the necessity of getting out of his past environment in order to make positive changes for himself. Eventually, the conversation became more serious as Ms. Tana shared some of the ways her life has been changed by the injury. Jay was able to hear this, to apologize, and to take responsibility for his part, rather than blaming her for getting in the way, as he had done when it first happened. The remaining conversation focused on encouragement for Jay to continue his life in a positive direction. Both expressed appreciation for the opportunity to talk to one another.*

Victim Offender Dialogue Participant Roles				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Facilitator talks with victim and offending youth to identify the support people who will attend with them.	Victims express feelings about crime, its impact, ask questions to the offending youth, & give input into the restorative plan.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact and provide input into the restorative plan.	Community resources can be provided to participants and may be incorporated in the agreed upon items.

# COMMUNITY DIALOGUES

Community Dialogues can be used as a diversion from the court system as a way for youthful offenders to learn about the impacts of their violation and to take responsibility directly with community members. In a Community Dialogue, facilitators support conversation between trained community members and juvenile offenders, along with their parents, focusing on the offense that happened, who was impacted, and how the harm can be repaired. Community Dialogues work well in situations where there is no direct victim, or where directly impacted people support the dialogue process but are not available to participate. This process is similar to Victim Offender Dialogue, with community representatives participating rather than direct victims.

## Cheyenne made a split second-decision to shoplift.

*She hadn't planned to do it but the idea popped into her head when she realized that she couldn't afford to get the school clothes that she wanted. When security confronted her she was so startled that she raised her hands to them, adding assault to her charges of shoplifting. Probation made a decision that this situation might be appropriate for a restorative justice process. Staff talked with employees at the store and they agreed that it would be good for Cheyenne to talk about her decisions and to think through how this might have affected others. Because of demands on their time, the store employees were not able to attend a meeting but supported community representatives to meet with Cheyenne. Two community representatives were assigned, and they listened carefully as Cheyenne described what that day was like for her. They empathized with her desire to have school clothes and with the fear she felt when she was confronted. They also affirmed her awareness that shoplifting was not a good choice and appreciated her awareness that her actions had brought shame and disappointment to her family. The representatives talked with Cheyenne about what it might have been like for the employees in the store that night. She realized that even though they were 'doing their job' that her actions probably made them uncomfortable. Cheyenne agreed that in the future she would talk with her parents about her need for new clothes and would work out a plan to do additional chores to increase her allowance. She also agreed to type an apology to be shared with the employees at the store. At the meeting, and in her apology, Cheyenne was clear that she would never steal anything from anyone again.*

Community Dialogue				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Facilitators talk with the offending youth to identify both their support people and potential community participants. If no directly impacted community members are available, community representatives will be assigned.	Victims (if there are victims) express their preference for a dialogue to be held and have the option of providing a statement or input to the restorative plan for the youth.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and provide input into the restorative plan.	Community Representatives express their feelings about crime & its impact, and provide input into the restorative plan.  Community resources can be provided to participants and may be incorporated in the agreed upon items.



**"I think it was very helpful and a way to work through problems without having to go to court or get a record."**  
*- Mother of offending juvenile in an assault case handled through a restorative justice process*

# FAMILY GROUP DECISION MAKING

Also referred to as Family Group Conferencing

Family Group Decision Making (FGDM) recognizes the importance of involving family members in decision making about youth who commit offenses as well as children who need protection or care. FGDM processes actively seek the collaboration and leadership of family groups in crafting and implementing plans that support the safety, permanency and well-being of their children. The process can be initiated by child welfare agencies whenever a critical decision about a child is required. These can include

a change in placement, reunification with a parent, structuring a safety plan or plan for permanence, stabilization in the home, and prevention of placement. FGDM can be used at any time in the pathway of a case.

The FGDM conference involves a meeting which includes immediate and extended family, support people, community members and service providers. FGDM is a voluntary process that draws on each individual family's experiences, knowledge and resources to create plans that provide for the safety and well-being of a family. FGDM focuses on the strengths of a family to address an extensive range of circumstances. It gives the families the chance to be the decision makers, so they will invest in a plan toward positive change that promotes a future of decreased involvement in formal systems

FGDM in Pennsylvania is primarily based on aspects of the Family Unity Model and the Family Group Conferencing process established in New Zealand. FGDM conferences in Pennsylvania generally include extensive preparation; an opening and sharing of the family's strengths, concerns, and resources; private family time; family presentation of the plan and plan acceptance by the referring agency; and plan implementation and monitoring.

With nearly half of Pennsylvania's sixty-seven counties actively implementing FGDM, it signals a significant shift in how families are engaged in decision-making to resolve concerns. Many Pennsylvania counties report collaborations between providers, government, families, and communities to implement strength-based, family-centered practices such as FGDM.



## Goals of Family Group Decision-Making

- Strengthen families and children
- Increase safety for children and families
- Empower families and children to use their own expertise in developing a plan
- Provide customized services that meet a family's specific needs
- Minimize trauma and maximize healing
- Increase and improve a family's treatment and support options
- Identify, build-upon, and utilize existing family resources
- Balance the power between "authorities" and family/community members

## Lucas was referred to the Restorative Reporting Center (RRC)

*by the local juvenile court following a physical altercation between him and his stepfather. Lucas is a 17-year-old whose mother was separated and divorced from his biological father when he was six years old. Lucas has two younger half-siblings who were also in the home on the night of the incident. Lucas's mother and stepfather were in a heated argument. Lucas intervened during the escalating event and struck his stepfather with a five-pound hand weight. Lucas was detained, and the courts began their involvement.*

*Lucas and his stepfather agreed to work on their relationship while Lucas participated in CSF's RRC program. The program was designed as an alternative to out-of-home placements. Lucas and his family began to attend the RRC family night each week while one of the RRC counselors began to work with Lucas and his stepfather over the course of the next nine weeks. Lucas identified those who may have been harmed through his actions, and he gained a better understanding of how his actions affected others in his home and community.*

*During his involvement at the RRC, an FGDM was held to help plan for Lucas's successful release from the RRC program, including how the family will continue to work through conflict in a safer, healthier way. Lucas, his biological mother and stepfather, younger siblings, maternal grandparents, extended family members and a teacher with whom Lucas was close at school attended the conference — 15 people in all. His probation officer participated and helped identify the bottom line, which included Lucas and his family continuing to peacefully coexist and participate in family counseling. A plan was constructed during private family time, after the professionals laid the groundwork and left the room. After about an hour of family-alone time, the plan was presented to the professionals and approved by Lucas's probation officer.*

*Lucas successfully graduated from the RRC program shortly after the conference. Follow-up contacts over the next 90 days revealed that the family was continuing to follow the plan and was involved in family counseling. They admitted that things aren't perfect but are much improved. There hasn't been any additional physical confrontation. Lucas's family was appreciative of the court's involvement and everyone felt the program and the conference had been highly beneficial.*

<b>Family Group Decision Making</b>				
<b>Who Participates</b>	<b>Victim Role</b>	<b>Offending Youth Role</b>	<b>Family / Personal Supporters</b>	<b>Community Supporters</b>
Facilitators identify a broad range of family support to participate in this process with the offending youth.	Participation is voluntary. Victim expresses feelings about crime and its impact (either in person or in a Victim Impact Statement).	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and independently develop a restorative plan, after hearing about impact and community resources.	Community providers may share information about relevant resources with the youth and family.

**"Family Group Decision Making brings the collective voice of children, families, and communities into the dependency courtroom in an unprecedented manner. It encourages and supports children safely remaining in their own homes/ communities and, when placement is needed to protect a child's safety, is encourages and supports the use of kinship resources thereby reducing any potential emotional trauma associated with placement."**

*- Honorable Max Baer, Pennsylvania Supreme Court Justice*

# COMMUNITY JUSTICE PANELS

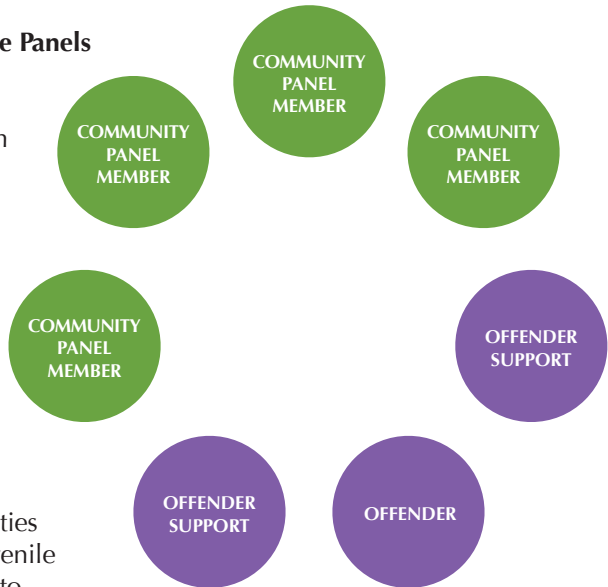
Also referred to as **Community Restorative Boards, Youth Commissions, Youth Aid Panels, Youth Accountability Boards**



A Community Justice Panel is an informal process that empowers a small group of trained community members to conduct face-to-face meetings with referred youthful offenders and their families as an alternative to the traditional court process. Crime victims are given the opportunity to participate and/or provide a statement reflecting the impact the crime had upon them. During the meeting, panel members talk with the youthful offender and their family about the nature of the offense and the harm caused as a result. The panel members then develop a contract for how the youthful offender will repair the harm caused to the victim and the community. They then discuss the contract with the youthful offender and their parents and the specific actions the offender will take to make reparation for the crime. The youthful offender must document their progress in completing the agreement by the due date. At the end of this process, the panel has an exit meeting to review the youth's progress with the contract. Once the youth has successfully completed the contract his or her record can be expunged.

## Goals of Community Justice Panels

- Promote community ownership of the juvenile justice system by involving them directly in the justice process
- Provide opportunities for offenders to take personal responsibility and be held directly accountable for the harm they caused to victims and communities
- Provide victims of juvenile crime an opportunity to provide input into the justice process.
- Swiftly address juvenile's actions without formal court intervention
- Encourage and support responsible youth behavior



Community Justice Panels				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Panel members talk with the offending youth and family about the offense and the harm caused by the offending behavior.	Participation is voluntary. Victim can express feelings about crime, its impact (either in person or in a Victim Impact Statement).	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They talk with the panelists and abide by the agreed upon restorative commitments.	Family members support the offending youth to attend and comply with the expectations of the panel.	Trained and committed community members conduct panels and monitor youth compliance with agreements.



# **Tamika believed the boy standing before her on the youth aid panel was a good kid.**

*He was an A student with dreams of becoming a police officer, but a careless mistake threatened to deter those dreams before they could take flight.*

*The boy had come to school with a multi-tool clipped to his belt. He didn't think of it as a weapon, but the school did, and expelled him under a zero-tolerance policy for bringing weapons to school.*

*Sent to an alternative learning center following his expulsion, the boy told the panel he only wanted to return to his former school and graduate with his classmates. He has since completed the youth aid panel's intervention program, and through the advocacy of Tamika and the rest of his panel was allowed to return to his former class. He is doing well in his classes and works part-time at a local library, Tamika said.*

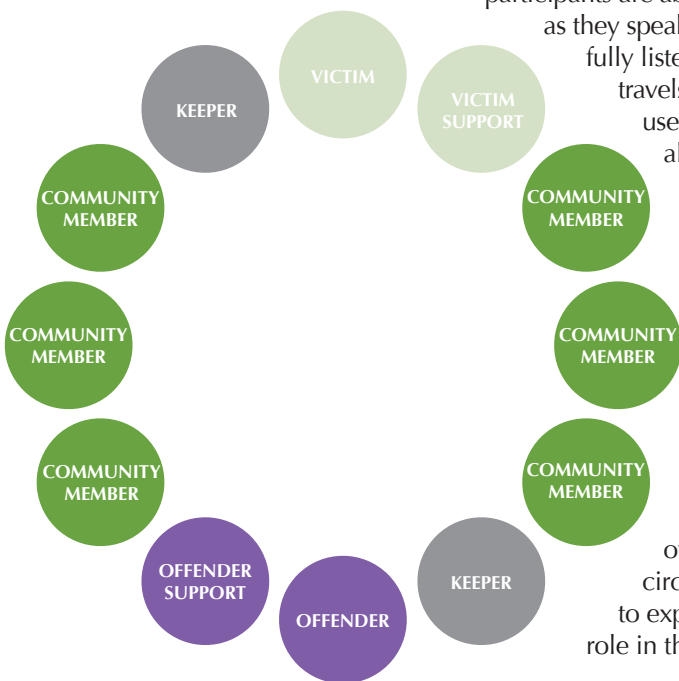




[illegible]

Circles use an object called a 'talking piece' which is passed around the group and determines who has the group's undivided attention. The person holding the talking piece can speak without interruption. By using a talking piece, participants are able to be fully heard

In response to offending behaviors, circles allow for a means to explore the community's role in the situation, understand



*-Participant in restorative process in response to an assault*

the full range of impacts, identify ways to repair the harm, and reintegrate offending youth back into the community in a positive way. In schools and other groups, circles can also be used for creating culture change and reducing violence and bullying through proactive strengthening of relationships and communication capacity.

The field of Restorative Justice has learned much about Circles from various indigenous populations whose cultures are built around this format for community gatherings and deliberations.

**Goals of Circles**

- Build a sense of community and its capacity for resolving conflict
- Promote and share community values
- Promote healing for all affected parties
- Provide an opportunity for the offender to make amends
- Empower victims, community members, families, and offenders by giving them a voice and a shared responsibility in finding constructive resolutions
- Address the underlying causes of criminal behavior

Community Circles				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Keeper(s) talks with the people involved to identify the appropriate combination of participants.	Victims (if there are victims) can directly participate or share a Victim Impact Statement.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and provide input into the restorative plan.	Community members express their feelings about crime, its impact, and provide input into the restorative plan.



**Dion, a 15 year old high school student,** *made a threat to kill three of his classmates. The school resource officer was informed and investigated the incident. He immediately considered a restorative process as the youth was a good student who did not usually get into trouble (although that is not a criteria for participation).*

*The resource officer spoke with the three victims who did not want their classmate to have charges filed against him. They also did not feel threatened by Dion. They approved handling this matter with a circle process. The resource officer spoke with Dion who explained that he was committed to learning at school and was angry when the three victims were misbehaving and disrupting class, thereby distracting him from hearing the teacher. He admitted to stating that he was going to kill them because he was so frustrated. He was willing to talk with other students about this and agreed to participate in a restorative circle.*

*The student, the resource officer, the school counselor, and the restorative justice team were present at the circle, which consists of 10th, 11th and 12th graders trained to utilize restorative questions to address harm. The victims did not wish to participate in the circle. The student's peers led a circle focusing on repairing the harm. They learned of Dion's frustration and were able to accept him and help him formulate a plan about how to repair the harm. He acknowledged that his behavior probably impacted the school's image, created a hostile environment, and took away from others' learning. Dion verbally apologized to the three victims. He also wrote an apology letter to the teacher who was a substitute at the time. He did community service in the library (and enjoyed it). He was invited to turn to all those in the circle if he needed additional support.*

*All participants attended a follow-up circle. They were pleased with the outcome and described it as a useful experience in compassion and understanding. Dion was thankful that he did not have a juvenile record and did not have to go to court, and he has had no further disciplinary referrals.*



# VICTIM IMPACT PANELS



Victim Impact Panels (VIPs) provide a forum for crime victims to tell a group of offenders about how a previous crime impacted their lives and those of their families, friends, and neighbors. Panels typically involve three or four victim speakers, each of whom spends about 15 minutes telling their story in a nonjudgmental, non-blaming manner. The offenders of the victim presenters are not present. While some time is usually dedicated to questions and answers, the purpose of the panel is for the victims to speak, rather than for the victims and offenders to engage in a dialogue with each other.

VIPs were first initiated in 1982 by Mothers Against Drunk Driving (MADD). Attendance by offenders at a panel is usually court-ordered in juvenile and criminal cases, as part of a probation sentence. Panels have also been used in prison and jail settings, with parolees, and in treatment programs, defensive driving schools, and youth education programs. Additionally, victim impact panels are often presented at training forums for juvenile justice professionals to help them better understand the scope and trauma of victimization.

## Goals of Victim Impact Panels

- Provide a forum for victims to present information and participate in the criminal and juvenile justice system.
- Provide a forum for victims to experience healing by sharing their stories.
- Provide an opportunity for those who have committed offenses to build empathy and to reflect on the full range of the impacts which result from crime.

Victim Impact Panels				
Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Victims volunteer to share with groups of offending youth and/or community members.	Victims are supported to share as much or as little as they feel comfortable with about their experience.	Offending youth may be expected to attend a Victim Impact Panel as part of a program or placement site.	Victim supporters attend as needed and youth family attendance is determined by the program.	Community members' attendance is determined by the program.

## Clyde's life was changed forever the day of the shooting.

*He was attending a community event with his family when members of two rival gangs opened fire on one another. Clyde was in the 'wrong place at the wrong time' and took a bullet in his back. After more surgeries than he can count, Clyde still lives with daily pain and will never be able to return to full-time work. Clyde has a supportive family but still suffers daily losses and hardships that only he can fully grasp.*

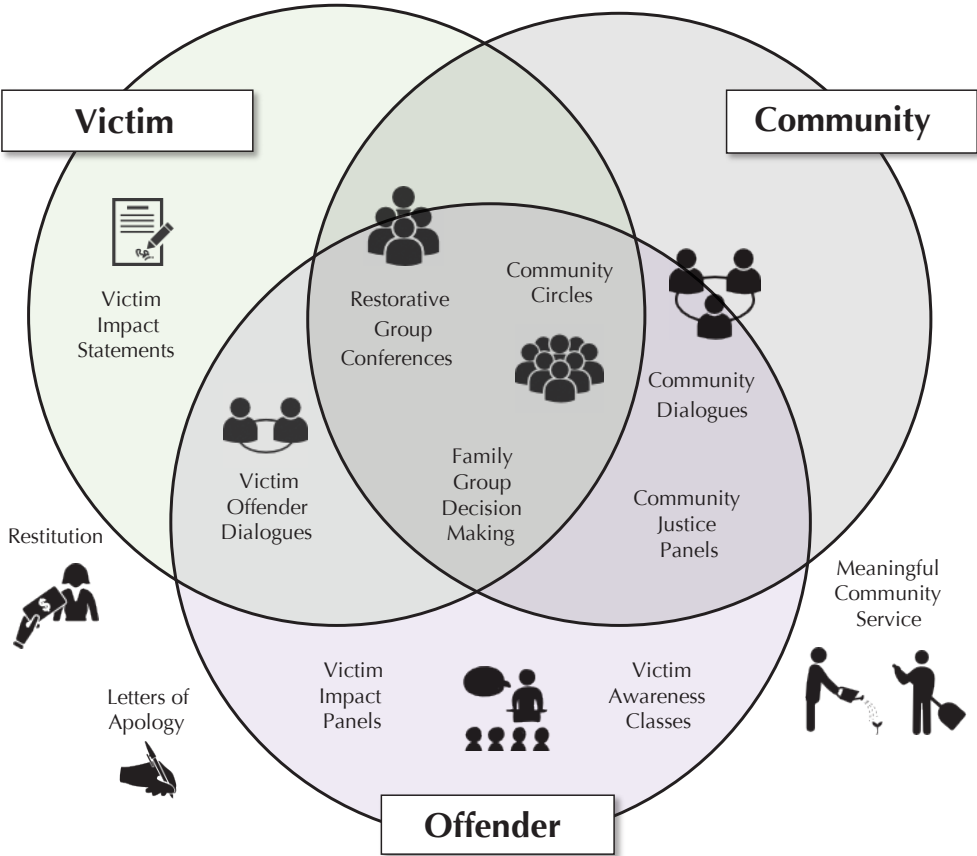
*It took courage for Clyde to share his experience with a group of strangers but it also felt good to know that he might make a difference. The youth and their families at the probation-sponsored program gave their full attention. Clyde shared about what it was like to be the provider for his family one day and completely dependent on others the next. Some of the participants had been at the same event where Clyde had been shot. Others remembered hearing about the event or knowing some of the people who were involved. For them, that day was far in the past and they were moved to hear that, for Clyde, that event has redefined his whole life.*



# RESTORATIVE PRACTICES AT A GLANCE



-Adapted from: Paul McCold and Ted Wachtel, International Institute for Restorative Practices, Available at <http://www.iirp.org/library/paradigm.html>.



### Encouragement/Cautions

There is no question that the promise of restorative justice is worth the demands and challenges involved. Putting its principles into practice can help victims feel more supported and satisfied, lead offenders to greater awareness and responsibility and strengthen communities in many ways.

The program descriptions in this publication provide only a brief overview of complex processes. These portrayals will not equip someone to carry out these practices without specific training, careful preparation, and the incorporation of a victim-centered approach. This publication provides a starting point in the journey toward restorative justice; a journey which can take many paths with each community finding its own way.

Susan Sharpe . *"Restorative Justice: A Vision for Healing and Change"*  
Published by the Edmonton Victim Offender Mediation Society, 1998

## Carlos wasn't planning to steal anything that day, but when another student's purse was left unattended in the

# COMMON RESTORATIVE RESPONSES



Restorative practices often result in restorative agreements which repair harm to the victim and community, as well as address root causes of the problematic behavior. Because these practices invite participation from those involved and focus on identifying specific harms, each process has a unique outcome. Creativity and exploration can be important in making sure that each person's needs are met. Programs can support these individual responses while at the same time preparing to offer some of the typical responses which are likely to come up in most communities.

## Victim Awareness Class

Also referred to as the Victim/Community Awareness of Crime for Juveniles (VCAC) or Impact of Crime Classes.

Educational programs designed to teach offenders about the human consequences of crime. Youthful offenders learn how crime affects victims and their families, friends, and communities, and how it also affects them and their own families, friends, and communities. These programs vary in duration depending on the risk level of the youth. They can be offered in the community as a four hour class which focuses on the actual offense and harm, or they can consist of numerous sessions which review a wide range of offenses with an emphasis on the general impact of crime based on the specific offense.

## Restorative Community Service

Community Service is often used as a response in Restorative Practices and involves work performed by an offender for the benefit of the community. Just as neighborhoods and communities are harmed by crime, they can be at least partially restored by meaningful service that contributes to their improvement. Community service offers one way a youthful offender can understand the harm they have caused to the community and to give them the opportunity to repair that harm in some way.

Community service should be of value to the community and should benefit the person providing the service. The service should address the harm that was created by the crime, and wherever possible should restore victims in some tangible ways and offer redemptive opportunities. Community service projects are more meaningful when they involve the community, help people, and encourage youth to be active in the community, increase the youthful offender's empathy towards victims, facilitate changes in community perceptions of the youthful offender, and help youthful offenders develop a more positive sense of self. Community service is more meaningful for youthful offenders when it creates opportunities for volunteer community members to work side-by-side with community volunteers, and when those



volunteers assist with the identification, development, and completion of community service projects.

Community service is used in all 67 Pennsylvania counties as part of juvenile supervision. Community service has also been used in provider facilities to assist the youth in completing their court-assigned hours or as a repair for violations that have a detrimental impact on the community of the facility. Examples of community service include public work programs that beautify a neighborhood or park; roadside cleanup efforts, or graffiti removal.

## **Goals of Restorative Community Service**

- Hold offenders accountable for repairing the harm they have caused to the community.
- Provide communities with human resources that can improve the quality of life in public environments, business, and even individual residences.
- Help offenders develop new skills through supervised work activities.
- Address negative perceptions of the youthful offender.
- Allow victims a voice and occasionally some direct benefit by recommending the type of community service performed.

## **Restitution**

Restitution is a process by which youthful offenders are held accountable for the financial damages they have caused to the victims of their crimes. A restitution payment is the money paid by the offender to the victim for financial losses which may include: out-of-pocket expenses for medical or mental health treatment, property loss or damage, or costs associated with the victim's participation in justice processes.

Receiving a restitution payment can make a victim feel that the justice system is working on their behalf to fairly compensate them for their losses. Restitution can be used as a part of a diversion or supervision process and is an important part of holding offenders accountable and repairing the harm created by their violations.

When possible, restitution should be paid directly to the victim instead of through court so that the juvenile shows direct accountability. This is only appropriate to do with the victim's consent.

## **Goals of Restitution**

- Provide compensation to victims who suffer financial losses as a result of crime.
- Hold offenders accountable for their actions, specifically those that cause financial harm to victims.
- Research indicates that successful completion of a restitution obligation is generally one of the strongest predictors of reduced rearrests (Ervin and Sneider 1990).

## Apology Letters

Whether or not victims are present in a restorative process, they may find value in receiving a written apology letter. Apology letters are an opportunity for a juvenile to directly express their thoughts about their choices, understanding of impacts, concern for the victim, and intentions for the future. This can increase victims' sense of safety, understanding of the crime and knowledge about the offender's level of remorse and responsibility.

Victims have the choice of viewing the apology letter, or not. An apology letter should only be delivered if the offender has a sincere desire to share the letter, either a Victim Advocate or Juvenile Probation Officer has screened the letter for appropriateness, and the victim has agreed to receive it.

Apology letters should include the following elements:

1. Personal responsibility for the offense(s).
2. Understanding of the harm done to the victim and/or the community.
3. Commitment to not repeat the offending behavior(s).
4. Commitment to be a productive citizen.

If a victim initially does not wish to receive the apology letter it should be kept in a safe place by the Victim Advocate or JPO, until such a time as the victim decides they do wish to receive it.

## Competency Development / Skill Enhancement Supports

Along with repairing harm to the victim, restorative practices also provide an opportunity to address needs, and build on strengths, in the offender's life. This includes supporting positive reintegration of the young person into the community. Facilitators and participants keep focus on opportunities for youth to build relationships and resiliency, during and after the process.

Restorative programs are strongest when they partner with community resources who can offer services such as counseling, anger management, drug and alcohol assessments, mentoring, and other social services. Skill enhancement involves teaching, role-playing and the provision of feedback both positive and instructional. These services are not limited to traditional or clinical treatments, however, and can also provide opportunities for youth to build on their existing skills, strengthen positive relationships and contribute to the betterment of their community. As youth engage in positive social activities and demonstrate personal skills, they feel more competent, are less likely to engage in activities which may have put them at risk in the past and can be assets to the community.

# RESTORATIVE PRACTICES IN THE COMMUNITY

Individuals, businesses, schools, faith-based groups, and community law enforcement agencies can participate in most restorative practice models. Many programs train community members to serve as facilitators or participants. Many programs also offer opportunities for community providers to work with juveniles to meet the terms of the restorative agreement, which resulted from a restorative practice.

**Community roles and involvement are summarized in the following chart.**

Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
Community Dialogue				
Facilitators talk with the offending youth to identify both their support people and potential community participants. If no directly impacted community members are available, community representatives will be assigned.	Victims (if there are victims) express their preference for a dialogue to be held and have the option of providing a statement or input to the restorative plan for the youth.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and provide input into the restorative plan.	Community Representatives express their feelings about crime, its impact, and provide input into the restorative plan.  Community resources can be provided to participants and may be incorporated in the agreed upon items.
Family Group Decision Making				
Facilitators identify a broad range of family support to participate in this process with the offending youth.	Participation is voluntary. Victim expresses feelings about crime, its impact (either in person or in a Victim Impact Statement).	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and independently develop a restorative plan, after hearing about impact and community resources.	Community providers may share information about relevant resources to the youth and family.

"The volunteers opened discussion that hadn't been done before. I am very happy that there are people to care and volunteer their time to help others."

- Mother/victim assault case handled through a restorative justice process

**Community roles and involvement are summarized in the following chart.**

Who Participates	Victim Role	Offending Youth Role	Family / Personal Supporters	Community Supporters
<b>Community Circles</b>				
Keeper talks with the people involved to identify the appropriate combination of participants.	Victims (if there are victims) can directly participate or share a Victim Impact Statement.	Offending youth must take responsibility for their part in the offense and be willing to hear how it impacted others. They take part in developing a restorative plan and abide by the agreed upon commitments.	Family members express their feelings about crime, its impact, and provide input into the restorative plan.	Community members express their feelings about crime, its impact, and provide input into the restorative plan.
<b>Victim Impact Panels</b>				
Victims volunteer to share with groups of offending youth and/or community members.	Victims are supported to share as much or as little as they feel comfortable with about their experience.	Offending youth may be expected to attend a Victim Impact Panel as part of a program or placement site.	Victim supporters attend as needed and youth family attendance is determined by the program.	Community members' attendance is determined by the program.

**"[VOD was a] very positive process. All child victims and offenders should get involved in this program."**

*- Parent of assault victim who participated in a Victim Offender Dialogue*

**"I believe [the VOD] gave the offenders a chance to see what they did was wrong, and a chance to apologize to the respected parties."**

*- Father of offending juvenile in theft case handled through a Victim Offender Dialogue*

# HOW TO BUILD COLLABORATIONS BETWEEN PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM AND YOUR COMMUNITY



## Where to begin?

### Community Collaboration

Building restorative practices is a community endeavor. The restorative justice value on inclusive and respectful communication forms the basis of getting started. Whether initiated by the courts, an individual, or an existing community group, it is essential to talk with all of the groups who care about this issue in your community to assess needs and resources, and to develop working relationships for ongoing development and oversight.

## What can you do?

### Start with yourself

Restorative Practice offers a set of values and principles that can benefit all relationships. It helps to take an honest look at how you deal with conflict and communication in your own relationships, family and community. Modeling restorative principles brings integrity to your work with others.

### Make Connections

Seek out others who are already doing restorative justice work. Within your community, build relationships with agencies working with all aspect of victimization, youth services and justice issues.

### Talk with others

Start conversations in your community about what is already working well and what more is needed. Engaging in community dialogue is an important way to gauge the priorities and interests in your county, neighborhood or organization. Following are some questions to consider:

- What are the range of offenses that happen in your community?
- What are the trends/patterns regarding offending behavior?
- What services/responses exist for supporting victims/people who are harmed? How can these be improved? What are the gaps in services to victims?
- What services/responses exist for supporting offending juveniles? How can these be improved? What are the gaps in services to these youth?
- What opportunities exist for community members to volunteer with prevention of and response to offending behavior? What more is needed?
- What skills need to be developed in order to increase your community's capacity for responding to offending behavior? What skills might prevent harmful behavior from occurring?

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## ADDITIONAL RESOURCES

### LEARN MORE



Restorative Justice is a growing field and lots of information is available to get you started. Check out our resource list and educate yourself about the possibilities for restorative practices in your community. As you come across new ideas, share these with others and keep the momentum building.

## WEB-BASED RESOURCES

### **Building Bridges: Between Your Court & Your Community**

#### **A Handbook for Juvenile Court Professionals**

<http://www.jcjc.pa.gov/Publications/Documents/Building%20Bridges%20Between%20Your%20Court%20and%20Your%20Community%20a%20Handbook%20for%20Juvenile%20Court%20Professionals.pdf>

**Juvenile Court Judges' Commission**, Balanced and Restorative Justice Resources and Publications  
<http://www.jcjc.pa.gov/BalancedRestorativeMission/Pages/default.aspx#.Vpf8KPrKUK>

**Pennsylvania Council of Chief Juvenile Probation Officers**, Balanced and Restorative Justice Resources and Publications  
<http://www.pachiefprobationofficers.org/library.php>

***Restorative Justice: Principles, Practices, and Implementation (Training Broadcast) and curriculum***  
<http://nicic.gov/library/nictopic/489-restorative-justice>  
<http://nicic.gov/downloads/zip/017207.zip>

**Guide for Implementing the Balanced and Restorative Justice Model**, Office of Juvenile Justice and Delinquency Prevention. NCJ 167887  
<http://www.ojjdp.gov/pubs/implementing/contents.html>

***Promising Victim Related Practices In Probation And Parole***  
<http://www.appa-net.org/eWeb/docs/APPA/pubs/PVRPPP-FACTSHEET-7.pdf>

**Center for Justice & Reconciliation**; *Program of Prison Fellowship International offering and RJ library.*  
[www.restorativejustice.org](http://www.restorativejustice.org)

**International Institute of Restorative Practices Library**:  
<http://www.iirp.org/library.php>

**National Association of Community and Restorative Justice Library**;  
<http://www.nacrj.org/>

**Restorative Justice on the Rise**: *Public forum for restorative justice dialogue including weekly broadcasts and archived resources.*  
<http://restorativejusticeontherise.org/>

**Zehr Institute for Restorative Justice**; *series of live and archived webinars on Restorative Justice.*  
[www.emu.edu/cjp/restorative-justice/](http://www.emu.edu/cjp/restorative-justice/)

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Contact CJJT&R at 717.477.1709

# TO FIND RESOURCES IN YOUR AREA



## **A Directory of Juvenile Probation Departments in your county:**

<http://www.jcjc.pa.gov/About/directories/Pages/default.aspx#.VvlhSSHd-70>

## **A Directory of Victim Services and Resources in your county:**

<http://pcv.pccd.pa.gov/available-services/Pages/Interactive-Map.aspx#.VvlhtyHD-72>

## **A Directory of local mediation/peacemaking centers:**

<http://www.pamediation.org/searchmembers8.cfm>

**Contact Susan Blackburn** [sblackburn@pa.gov](mailto:sblackburn@pa.gov) or 717.477.1411

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# MISSION STATEMENT FOR PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM



## **“JUVENILE JUSTICE: COMMUNITY PROTECTION; VICTIM RESTORATION; YOUTH REDEMPTION.”**

**Community Protection** refers to the right of all Pennsylvania citizens to be and feel safe from crime.

**Victim Restoration** emphasizes that, in Pennsylvania, a juvenile who commits a crime harms the victim of the crime and the community, and thereby incurs an obligation to repair that harm to the greatest extent possible.

**Youth Redemption** embodies the belief that juvenile offenders in Pennsylvania have strengths, are capable of change, can earn redemption, and can become responsible and productive members of their communities.

### **Juvenile Justice System Enhancement Strategy Statement of Purpose**

We dedicate ourselves to working in partnership to enhance the capacity of Pennsylvania's juvenile justice system to achieve its balanced and restorative justice mission by:

- Employing evidence-based practices, with fidelity, at every stage of the juvenile justice process;
- Collecting and analyzing the data necessary to measure the results of these efforts; and, with this knowledge,
- Striving to continuously improve the quality of our decisions, services and programs.

Furthermore, all of the services designed and implemented to achieve this mission and all hearings and decisions under the Juvenile Act—indeed all aspects of the juvenile justice system—must be provided in a fair and unbiased manner. The Constitutions of both the United States and Pennsylvania guarantee rights and privileges to all citizens, regardless of race, color, creed, gender, national origin or handicap.