



## Yolo County Neighborhood Court



## VOLUNTEER COMMITMENT



- 1-3 nights per month 6-9 pm
- Willingness to learn and use Restorative Justice
- Three year residency in city
- Criminal background check
  - No felonies or recent misdemeanors
- Complete the training program



## VOLUNTEER TRAINING



### West Sacramento Training Schedule

**Saturday, March 7th** 8:45am - 5:00pm at the West Sacramento Community Center (Panelists & Facilitators)  
**Saturday, March 14th** 8:45am - 5:00pm at the West Sacramento Police Department (Facilitators only)  
**Wednesday, March 18th** 6:00pm - 8:30pm at the West Sacramento Civic Center (Panelists & Facilitators)

### Davis Training Schedule

**Saturday, April 25th** 8:45am - 5:00pm at the Davis Police Department (Panelists & Facilitators)  
**Saturday, May 2nd** 8:45am - 5:00pm at the 600 A St (Facilitators only)  
**Thursday, May 7th** 6:00pm - 8:30pm at 600 A St (Panelists & Facilitators)



## THE PROBLEM



- Quality of life crimes: a major issue for residents and merchants (Petty theft, vandalism, graffiti, disorderly conduct, alcohol, etc)
- Impact of low level crime on communities does not always translate in the traditional courtroom
- Uneven results: many case dismissals, drawn out process, juries often reluctant to hold young defendants accountable
- Strong community sentiment that “nothing is ever done” about low level crime
- Fiscal crisis = shrinking resources for criminal justice system agencies



## Legal Authority



- Penal Code (PC) Sections 14150 - 14156
- The District Attorney authorized to contract with a private entity to provide Alternative Dispute Resolution (PC section 14151)
- Excludes child abuse, sexual assault and domestic violence (PC section 14152(b))
- Both offender and victim must consent (PC section 14153)
- Authorizes other pre-complaint diversion programs (PC section 14156)



## Current Criminal Justice System



- Interprets crime as breaking the law or offending against the state
  - State v. Defendant
- Formal process with judge, jury, prosecutor and defense attorney
- Jury trials costly and time consuming
  - Jury Duty (economic loss), Police, Court Staff
- **Limited victim/community participation**
  - Defendant’s rights prioritized



## Current Criminal Justice System



- Focused on culpability of the offender
  - What laws were broken?
  - Who did it?
- Exact an appropriate punishment
  - How should the offender be punished?
  - Incarceration, fines, and restitution
- Alienates the defendant from society
- Convicted criminal is perceived as a bad person



## Restorative Justice



Restorative justice is an approach to justice that focuses on repairing the harm caused by crime while holding the offender responsible for his or her actions, by providing an opportunity for the parties directly affected by a crime (victim, offender, and community) to identify and address their needs in the aftermath of a crime, and seek a resolution that affords healing, reparation and reintegration, and prevents future harm.



## Restorative Justice Principles



- Crime is viewed as a violation of relationships among people. Crime results in harm to victims, offenders and communities and they are included among the key stakeholders in justice.
- All those affected by crime have roles and responsibilities to address the harm.
- Affected parties should be actively and equally involved in the justice process and collectively deal with the impacts of crime.
- There is an emphasis on restoration, problem solving and prevention of future harms.



## Restorative Justice Principles



- Focused on the harm caused by the crime
  - What harm was caused and to whom?
  - Who is accountable or responsible for the harm?
  - What will it take to set it right and repair the harm?
- Emphasis on restoring the victim and repairing the harm to the community
- *Offender is involved in repair of the harm insofar as possible. Offender reintegrated into the community*



## Comparison



### Traditional Court

- Adversarial justice approach
- Prosecutor v. Defense Attorney
- State v. Offender
- What law has been broken
- Who broke the law?
- How much punishment should the law breaker get?
- Process is guided by evidentiary rules and statutory mandates.
- Emphasis on Defendant's rights.
- Victim and community exclusion

### Restorative Justice

- Who has been hurt
- How has the victim and community been harmed?
- What is needed to repair the harm?
- Who is obligated to repair the harm?
- How can we involve the offender in repairing the harm?
- Process is guided by dialogue among all parties to understand harm, uncover drivers, and make parties whole
- Increased victim/community participation

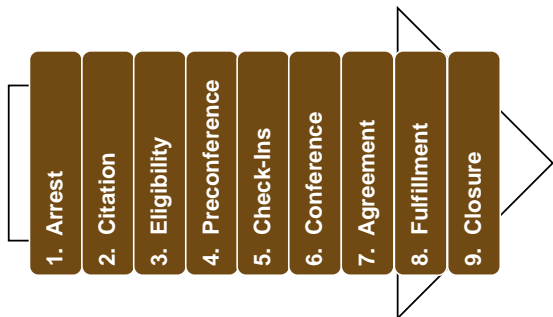


## OFFENDER COMMENT

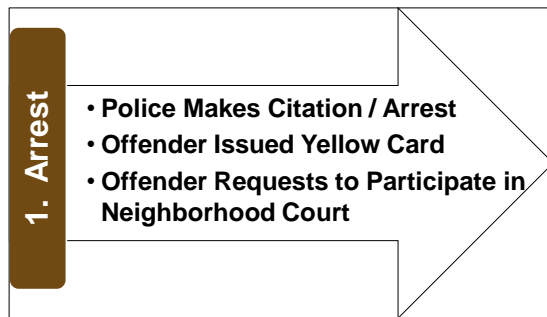


"Initially, I was skeptical of this program. I believed it was an atmosphere for offenders to 'atone' for their crimes while being ridiculed by members of the community. The panel remained objective throughout my conference and made me feel that we were all participants in bettering our community. I would recommend some form of this program throughout the judicial system."

**Neighborhood Court Process**



**Neighborhood Court Process – Step 1**



**Neighborhood Court “Yellow Card”**

Neighborhood Court May Work for You

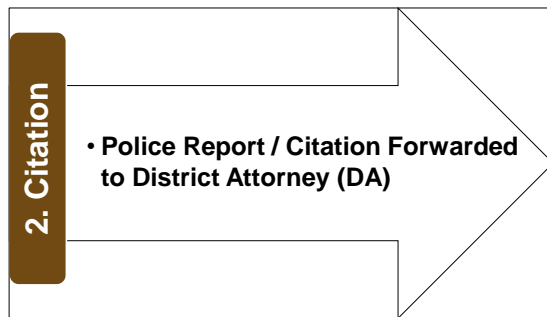
**INSTANT HEARING**  
QUICK RESOLUTION  
NO CONVICTION

NOTICE! You only have two weeks from the date of arrest/citation to request Neighborhood Court! You have two weeks from the date of arrest/citation to determine your eligibility and request Neighborhood Court by contacting the Tenth Circuit District Attorney's Office. You may be eligible to qualify through your representation or otherwise seek admission to Criminal Court or Traffic Court. If you are eligible and you fully participate, your case will be closed and you will have a conviction.

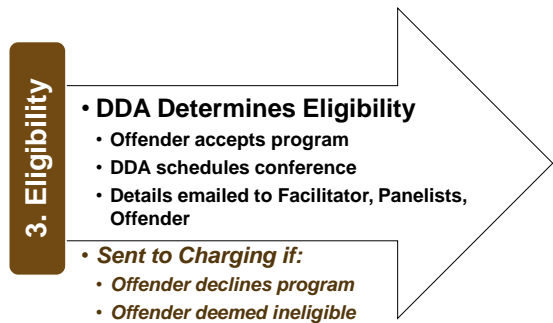
To determine your eligibility:  
EMAIL: [neighborhoodcourt@tencircuits.org](mailto:neighborhoodcourt@tencircuits.org)  
Or CALL: (303) 891-6325  
(Please leave a phone number if you get voicemail)  
For more information, go to [tencircuits.org](http://tencircuits.org)

You MUST appear at the court date on your citation if you do NOT fully participate in Neighborhood Court. Neighborhood Court is a product of the Tenth Circuit District Attorney's Office.

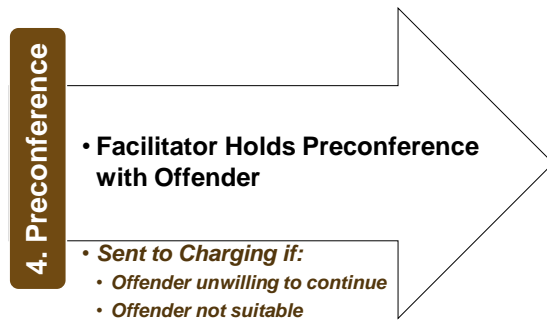
**Neighborhood Court Process - Step 2**



**Neighborhood Court Process - Step 3**



**Neighborhood Court Process - Step 4**



 **Neighborhood Court  
Process - Step 5** 

**5. Check-Ins**

- **Check-Ins Between:**
  - Center for Intervention (CFI) and Offender
  - Facilitator and Panelists
- *Sent to Charging if:*
  - *Offender is No Show*

 **Neighborhood Court  
Process - Step 6** 

**6. Conference**

- **Conference between Panelists and Offenders Led by Facilitator**
  - Step 1 – Recognize the Injustice
  - Step 2 – Restore Equity
  - Step 3 – Clarify Future Intentions
- *Sent to Charging if:*
  - *No Agreement Reached*

 **Neighborhood Court  
Process - Step 7** 

**7. Agreement**

- **Panelists and Offenders Develop SMARRT-R Agreement**

 **Neighborhood Court  
Process - Step 8** 

**8. Fulfillment**

- **Agreement (Fee and Actions) Fulfilled**
  - CFI Monitors Agreement
  - CFI Notifies DDA When Agreement Completed
- *Sent to Charging if:*
  - *Agreement Not Fulfilled*

 **Neighborhood Court  
Process - Step 9** 

**9. Closure**

- **Case Closed**
  - **Offender Has No Conviction Recorded**

 **Neighborhood  
Court Participants** 

- **Panelists (Community Representatives)**
- **Facilitator**
- Offender
- Police Department (DPD, UCDPD, WSPD, WPD, & YCSO)
- District Attorney
- Center for Intervention (CFI)



## Neighborhood Court Roles



ROLES	RESPONSIBILITIES
District Attorney / Deputy DA	<ul style="list-style-type: none"> <li>• Manages Program</li> <li>• Determines Eligibility</li> <li>• Schedules Conferences</li> <li>• Collaborates with Police</li> </ul>
Center For Intervention (CFI)	<ul style="list-style-type: none"> <li>• Provides Educational Services</li> <li>• Monitors Agreements</li> </ul>
Police	<ul style="list-style-type: none"> <li>• Makes Arrests</li> <li>• Documents Offenses</li> <li>• Hands Out Yellow Cards to Offenders</li> </ul>



## Neighborhood Court Roles



ROLES	RESPONSIBILITIES
Facilitator	<ul style="list-style-type: none"> <li>• Keeps Process Safe and Respectful</li> <li>• In Pre-conferences, Prepares and Empowers Offenders and Panelists for restorative dialogue</li> <li>• In Conference, Guides and Assists Face-to-Face Dialogues</li> <li>• Ensures Agreement is Specific, Measurable, Attainable, Reasonable, Respectful, Timely, and Restorative – SMARTT-R</li> </ul>



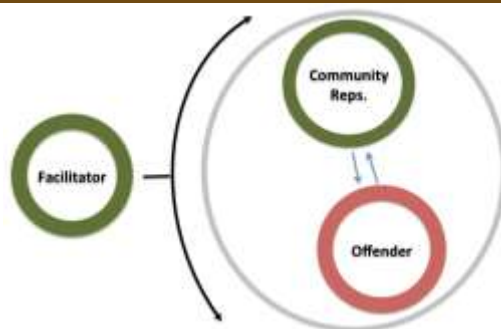
## Neighborhood Court Roles



ROLES	RESPONSIBILITIES
Panelists	<ul style="list-style-type: none"> <li>• Engage in Facilitated Face-to-Face Conference with an Offender</li> <li>• Listen to the Offender's Experience of Offense and Share their Experiences of the Offense and Its Harms to Them</li> <li>• Search for Agreement with the Offender about:                             <ul style="list-style-type: none"> <li>• How to Make Things Right</li> <li>• How to Make Assurances and Clarify Intentions for the Future</li> </ul> </li> </ul>



## Neighborhood Court Conference Participants



## Neighborhood Court Conference Steps



- Pre-Conference
- Introductions and ground rules
- Step 1 – Recognize the Injustice (Share Experiences)
- Step 2 – Restoring Equity (Making Things Right)
- Step 3 – Declaring Future Intentions



## Neighborhood Court Conference Steps



- **Step 1 – Recognize the Injustice (Share Experiences)**
- Offender tells their story.
- Clarifying questions by the Panelists.
- Panelists summarize the offender's story to demonstrate understanding.
- Discussion of the harms.
  - Panelists tell their story ( 1 stories)
  - All harms identified



## Neighborhood Court Conference Steps



- **Step 2 – Restoring Equity (Making Things Right)**
- Facilitator invites offender to share ideas about making things right
- Panelists listen and then share their ideas about making things right
- Offender & Panelists create agreement



## Neighborhood Court Conference Steps



- **Step 3 – Declaring Future Intentions**
- How the offender intends to prevent re-offending
- Importance of completing the agreement
- Failure to complete the Agreement
- Confirm and sign the Agreement



## Neighborhood Court SMART-R Agreements



**Specific**  
**Measurable**  
**Attainable**  
**Reasonable**  
**Respectful**  
**Timely**  
**--Restorative**



## DEEP THOUGHTS



Empathy for the offending Participant does not imply forgiveness nor mean the Panel is excusing offending behavior.

**VOLUNTEER**  
 It is a way to separate out the person from the problem.

If the Participants feel more visible to us as individuals rather than as citation numbers, they can open up their story, and our understanding of what happened.



## VOLUNTEER RULES



- Do not let the perfect be the enemy of the good
- Willing to learn and use Restorative Justice
- Cannot be like Congress (need problem solving skills)
- Must turn in application to participate
- Respect the confidentiality of the process