

Director's Note

Reparative Changes and Updates

As you have clearly noticed, your monthly roster of offenders has been decreasing. I have explained the reason for this in two or three of our panels when I have been present as your note taker. At this time, however, I want to lay out the grand scheme of things so everyone has a better idea of just what is going on.

Judge David Suntag rotated into Windham County a year ago. As you may know, Criminal Court Judges are required to move from one county to another on a regular basis. One of the first things

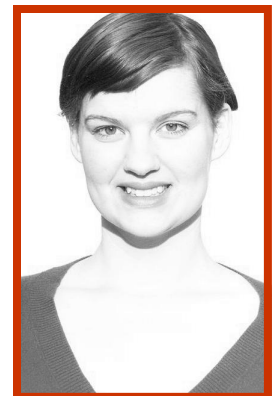
Judge Suntag did was make it known that he was very interested in victim involvement and participation in the criminal justice system. Since this is typically limited, he reached out to our Justice Center to discuss ways in which we might be able to get victims more involved in the delivery of justice. He likes what we do here, but he was very frustrated at the long time lag that occurred between offense and appearance at our panel meetings. At times this could be as long as a year plus. In an effort to design a more effective and

and efficient product, several of my advisory board members (Darah Kehnemuyi and Dan Ridgeway), Jackie and I met with the Judge, State's Attorney Tracy Shriver and Phil Damone, DOC Probation Supervisor. Over the course of several face to face meetings, and numerous emails, we decided on the changes that would allow our Center to better compliment the Court through more timely offender appearances and a higher rate of victim involvement. See *page 2 Changes*.

Meet Eliza Baker

Eliza is the new Americorps VISTA member here at the Justice Center, from Rutland, Vermont. Eliza has a degree in theater from Columbia College Chicago, and spent much of the last year in Oldenberg, Germany working as an au pair. Upon returning from Germany, Eliza was a

Programming Assistant at Farm and Wilderness Summer Camps. She has settled in Vermont for the time being, after a good 3 years of consistent globe-trotting. Eliza is very happy to be at BCJC and is looking forward to a wildly successful year. Stop by and meet Eliza!



The Rescue Project

What prompts one person to act while another stands by? This was one of the many questions addressed on Sunday, October 2, when BCJC co-sponsored **The Rescue Project**. This traveling photo exhibit is a study of by-standers who have refused to remain passive. Participants view photos and stories of people, from various locations around the world, who chose to aid victims of violence and hatred by active engagement. There are many stories of

ordinary citizens who stood up to acts of genocide by protecting the victims of these crimes. After a time of reflection, participants heard from the creator of this exhibit, Leora Kahn. Kahn spoke about her experience meeting rescuers around the world. Larry Hames, the Director of BCJC, outlined the efforts of our local communities in addressing racism through the adoption of the No Bystander resolution. Nora Riley spoke on the idea of finding and activating the

rescue impulse that exists in each of us. These speakers plus Eliza Baker also made a trip to the Putney School the next week, and presented the project to the students. The exhibit was then presented by Kahn and Riley at SIT along with SIT faculty Joseph Sabarenzi. BCJC would like to thank Nora Riley and Leora Kahn for inviting us to participate in this meaningful project. For more information on The Rescue Project, visit <http://proofmsj.com/>.

Changes

The changes are as follows:

1) Discontinue the four meeting process for offenders who are on **Standard Probation**. The biggest group here are the DUI cases. We will (now) very rarely get a DUI case assigned to Reparative Probation. The reasoning for this is fairly straightforward. You have all seen the long list of requirements that go along with standard probation. These do's and don't's are meant to be punitive in nature. The Judge and BCJC staff agreed that by adding a rep panel condition to this list, we also are seen as punitive (even if only by association). Beyond that, all DUI offenders must attend the Victim Impact Panel, which our Center facilitates. Since the message at the VIP is primarily around the victim, we are able to capture the reparative aspect of restoration.

Our referrals from the Court will only involve Corrections in regards to:

2) **Administrative Probation** (previously offenders were on Standard probation or Administrative probation). Administrative probation has only several stipulations, like don't commit a new crime, let your P.O. know if you move, and

meet with the Rep Panel at BCJC. We therefore become the de facto "consequence" at sentencing. Whatever the panel does with the offender is pretty much the sum total of the offender's responsibility to the Court and DOC.

The really big changes are:

3) **Victim Offender Dialogue**. This is a one or two meeting process whereby the offender and the victim sit together to work out a plan of reparations that satisfies the needs of the victim.

The Court is now putting this as a stipulation as one of the standard conditions of probation. In these cases, a Restorative Conference - which is the victim-offender dialogue, is not another punitive add on, but rather a shift in the criminal justice paradigm whereby the victim actually drives the process. As most of you know, our Center has a limited number of volunteers, along with Jackie and myself who have been trained in Restorative Conferences and we are interested in training more volunteers to facilitate the Conference model.

And finally:

4) **Direct Reparative** referrals.

This new process was put into state statute in the 2010 legislative session. This new sentencing option allows a Judge to use our four meeting reparative process as the **ONLY** consequence for an offender. The adjudicated individuals will meet with a panel and the members will work with the offending party and victim to structure a restorative outcome. The huge difference here is that the offender will be given this option at the time of arraignment, which is often within a week or two of the commission of the crime. Jackie and I can do an immediate intake, and assign a panel within several weeks time. Overall, that means we can see individuals who have committed an offense within four to six weeks of the event. We anticipate that victims in these cases will be much more likely to attend the panel meeting.

What this all means is you will be seeing fewer offenders. Those who do come before the panels, will have not waited a year to get in, will more likely have their victim involved, and will work within the restorative justice system as opposed to the corrections system.

Victim Assistance Academy

Program Coordinator, Jackie Trepanier recently completed the Vermont Victim Assistance Academy which is a 42 hour foundation level training intended for a wide range of professionals who are working with persons who may have been victimized by crime. The training addresses a broad range of victim-related issues for all professionals whose lives and work touch victims and survivors.

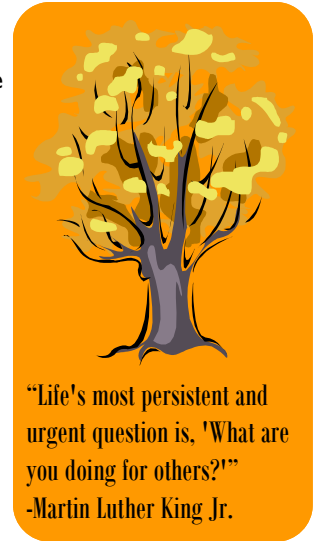
Jackie is the BCJC's victim liaison for the reparative panels and the pre-charge programs. In

the reparative program, victims are always informed of an offender's participation in the program and are invited to learn more about the program and to participate in a variety of ways. For instance, victims may give telephone feedback, fill out a questionnaire, write a letter, be kept informed of progress, attend a reparative panel, or decide not to participate in any way.

Some offenders are given Victim Offender Dialogue (VOD) as a condition of proba-

tion and those meetings are often modeled after Restorative Conferences.

The pre-charge program, Justice Alternatives, results in a meeting called a Restorative Conference in which victims meet with an offender and describe how they were affected, ask questions of the offender and have direct involvement in the outcome of the meeting.



Offender Re-Entry Simulation

Larry, Jackie, and Eliza traveled to Barre on November 9th to facilitate the Offender Re-entry Simulation at Greater Barre Community Justice Center. While Larry ran the show, providing a background of the program and running the simulation, Jackie and Eliza were there to help things run smoothly.

Lori Baker is the director at the

Barre CJC, and she and her staff were extremely committed to running a smooth and successful simulation. There were more than 70 people who attended. 16 of those had "Community Member" roles like The Credit Union, The Parole Office, and The Job Center. Then there were the 60+ who played the role of an offender returning to society after a jail sentence. The

Simulation itself was created by The Madison Area Urban Ministry and was originally designed as a tool for inmates while they were still incarcerated to get an idea of they challenges they would face upon release. Now it is used within non-prison communities, too, such as our event at the Greater Barre Community Justice Center. BCJC has been running this simulation for 4 years.



The Parole Office getting swamped.



Lori and Larry connecting before the simulation starts.



Volunteers busy at the Credit Union.



WRITE ON/SPEAK OUT



A Restorative Justice Coffeehouse

During the November Gallery walk, we held our seventh annual International Restorative Justice Week event. This year we collaborated with Write Action and put on a writing activity and coffeehouse. Thank you to all the volunteers who helped out! Here are some of the responses we got from our writing prompts.

Prompt: Conflict causes tension, and when things get tense, people can act out in unexpected ways. Write about a tense situation you've been in. How did you react? How did others react?

Response: "My husband and I and our two small children went out to eat while traveling and found ourselves in a 'fancy' restaurant- The maître d turned ashen and so did we, when we realized we were in the 'wrong' place- I thought quickly- and came up with an 'out'- do you have a high chair? I asked, knowing it was very unlikely they did- 'Oh no' we were told, at which point we thanked them and with great relief, left.

Prompt: What has the occupation movement brought up for you in terms of justice?

Response: "There needs to be fairness and justice for everyone, not just those who can buy it- just economics, just elections, justice in the halls of justice.

Prompt: Think of a time you were hurt, what would you have liked?

Response: "I felt diminished, 'less than', subjugated. I needed representation, space, respect. Honoring."