

The opportunity to make things right: initial findings from the Youth Restorative Justice Disposition Program

Executive Summary

Restorative Justice disposition ensures all youth are surrounded by supportive relationships to help them make right harm, identify and address underlying needs, and restore their good standing in community. In Hennepin County, Minnesota, the Youth Restorative Justice Disposition Program completed work with 19 young people who had been adjudicated as delinquent between May 2020 and June 2021. Evaluation findings from these initial cases indicate that the program is feasible, meaningful, and a satisfactory alternative to traditional probation processes. Emerging evidence also indicates the program may produce positive impact due to practices that better address key aspects of youth development, which are necessary for young people to learn and grow after they make mistakes.

Prepared For

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Introduction

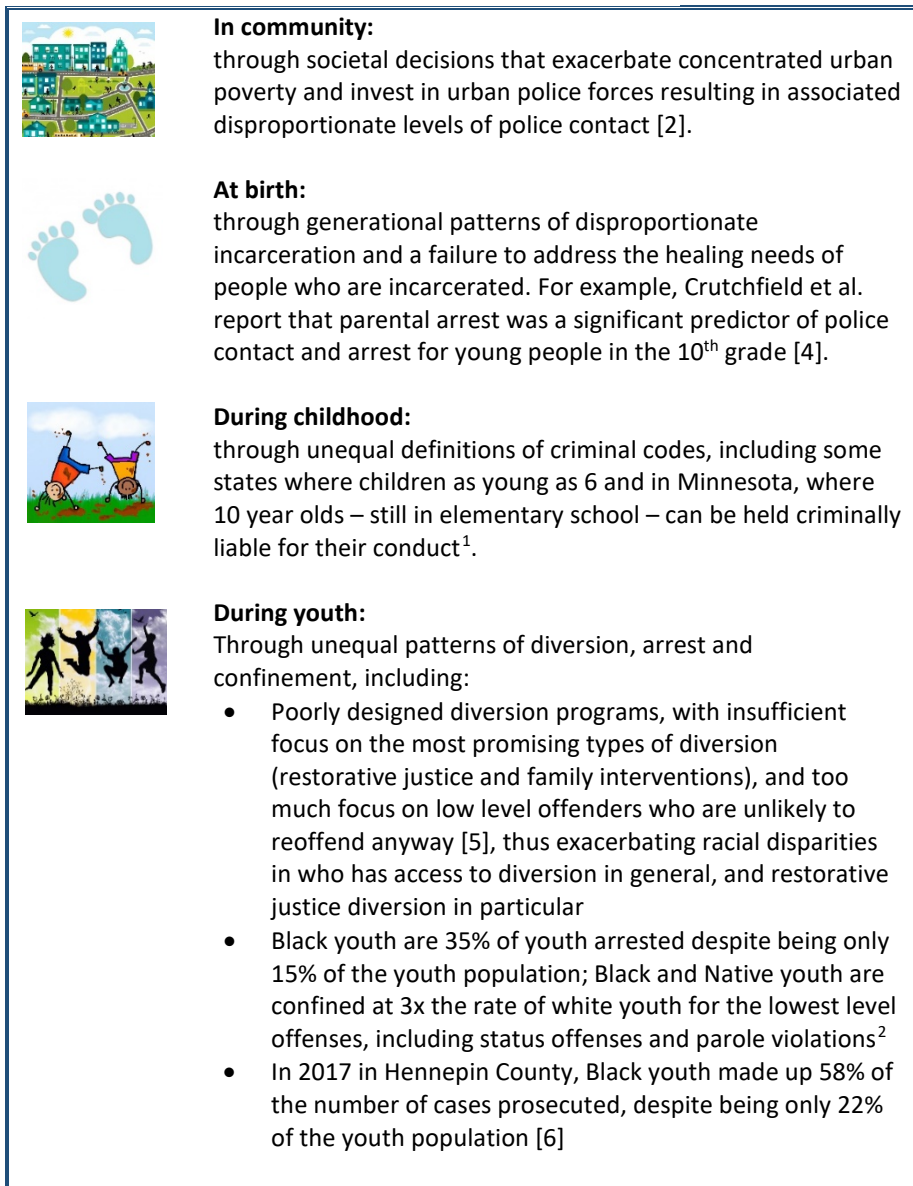
In January 2020, the Juvenile Probation Division of Hennepin County's Department of Community Corrections and Rehabilitation (DOCCR) formalized a partnership with community-based restorative justice providers from Koinonia Leadership Academy, Restorative Justice Community Action, and the Legal Rights Center to pilot the Youth Restorative Justice Disposition Program (YRJDP). The collaboration emerged from long-standing community relationships and shared desires to address racial inequities in the juvenile criminal legal system.

This interim evaluation report summarizes findings from the first 19 completed cases of the YRJDP, with an initial analysis focused on feasibility, acceptability and preliminary impacts. We interpret findings in relationship to a growing national conversation that seeks to reimagine probation in light of the science of youth development, and we share recommendations for next steps. We also note that the entirety of cases occurred within the context of the COVID-19 pandemic, and interpret findings accordingly.

Background

A separate juvenile criminal legal system exists to recognize children are afforded a special place in society as vulnerable beings that require continued support. As such, juvenile court was established specifically to focus on the rehabilitation of youth within the scope of their unique needs as children.³ Yet, this system has failed to incorporate an understanding of children's developmental stages and needs [1], instead largely adopting policies and practices from the adult system that have perpetuated both racial disparities and led to criminogenic effects [3].

Figure 1. Patterns and practices of unequal justice



¹ OJJDP. https://www.ojjdp.gov/ojstatbb/structure_process/qa04102.asp?qaDate=2012

² Summary and original research citations at <https://www.prisonpolicy.org/blog/2020/07/27/disparities/>

³ Minnesota Statutes 260B.001. Title, Intent, and Construction. Subdivision 2. Delinquency.

While far from comprehensive, indicators shown in Figure 1 demonstrate that continued reliance on failed policies and practices within the criminal legal system compound disadvantage for youth and communities of color.

Taken together, these patterns and practices of unequal justice call into question a status quo that ignores how society is organized to perpetuate unequal patterns of opportunity - without even including similar educational and economic indicators.

The Youth Restorative Justice Disposition Program

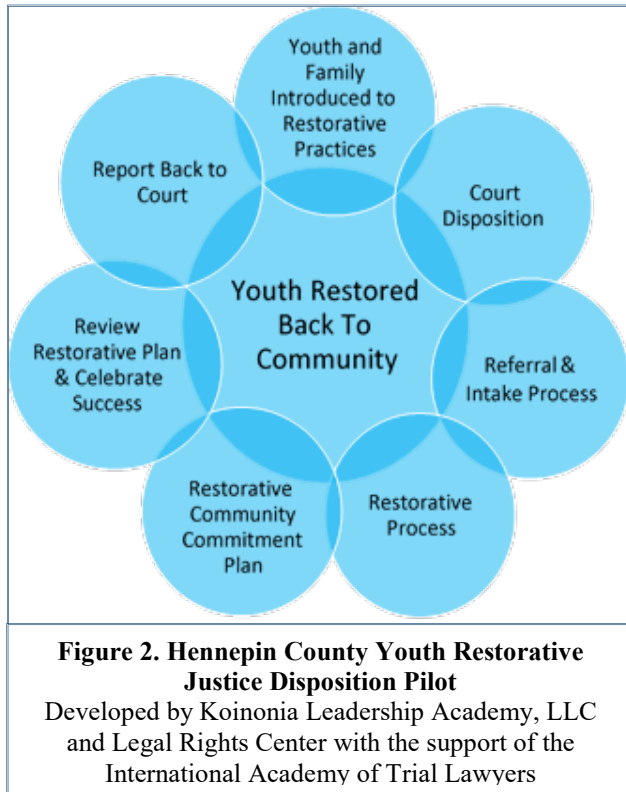
The purpose of the YRJDP is to begin to shift the status quo for one aspect of this traditional system – the probation process – to meaningfully engage youth and families in decision-making through a restorative justice framework. A primary focus is race equity and taking meaningful action to address racial disparities. The YRJDP centers the needs of youth by giving them autonomy in making decisions that bring about empathy, healing, repair of harm, and transformation. The process gives youth opportunity and access to build meaningful relationships and repair harm with family, community, systems and Circle Keepers. While this process is youth-centered, it is important to factor in the restoration of all humanity as youth are supported in examining and building relationships with peers and adults in community and in systems throughout the process [7].

The methodology of the YRJDP is grounded in restorative justice. Restorative justice is a theory of justice that focuses on building relationships, collective problem solving and repairing harm, with a particular focus on transformation of people, relationships and communities. Accountability, when understood as the process of making right any harm caused to relationships and people, is fundamental to restorative justice. Deeply experienced people who embody a restorative mindset implement restorative justice theory through restorative practices such as Circles, mediation, community conferencing and family group conferencing. These practices are restorative when they focus on racial equity, building relationships, creating trust, supporting accountability and repairing harm – including historical harm [7].

The program seeks to build a system which ensures every youth is:

- 1) surrounded by *relationships* that provide support and accountability for growth and development,
- 2) given the opportunity to *make right harm* they caused,
- 3) *included* in deciding how to make right the harm, whether there are specific underlying causes of their behavior stemming from unmet needs that need to be addressed to prevent similar behavior in the future, and
- 3) reconnected to their future hopes and *restored* to good standing in the community.

The work requires focusing on youth strengths, centering the voices of youth and of supportive adults to create plans, and including people who can speak to needs, harms, and obligations from the perspective of community while still having empathy and connection for the youth and family.



The process for the YRJDP is shown in Figure 2. First, court personnel determine eligibility and invite program coordinators to court hearings to introduce eligible youth to the program. When they express interest, the judge orders only the restorative justice disposition, leaving other pieces of accountability to the process. The referral and intake process is completed for those who choose to participate.

After this court proceeding, the community agency that coordinates the program assigns two community Circle Keepers to each case, and they work with the youth, family, and assigned DOCCR probation officer to begin the restorative process. While the process is designed for in-person convenings, during COVID-19 all group convenings happened using virtual meeting software, such as Zoom. The process typically begins with individual

conversations that begin the trust building process by asking all involved to share their truth in what happened, what the causes and contexts were, and what might be needed to lead to healing.

The process then proceeds to convenings, during which Circle Keepers hold space by offering prompts and processes that ask all participants to give input on:

- **Values** for coming together
- **Agreements** grounded in their values to guide their time together
- Youth **strengths** to begin building relationships and trust that the process will support, not belittle youth
- Youth **goals** to remind all, including the youth, that they are defined by far more than the incident that caused them to be on probation
- **Concerns** to acknowledge what happened that brought them together, what kind of root causes might be underneath the behavior, what needs to happen to make things right, and the extent to which community and family share some responsibility for the harm or healing needs
- Development of a **commitment plan** comprised of action steps that build on the youth strengths to address concerns, repair harm, and move youth towards accomplishment of their short and long-term goals. All participants in the Circle have actions. Action steps often include:
 - **Actions to make things right with the person harmed and community impacts**
 - **Actions to get back on track for a positive future**
 - **Actions to address underlying needs that may have contributed to causing harm**

Once Circle participants arrive at agreement on the commitment plan, the Circle Keepers convene future Circles to follow-up and check-in. When all action steps are completed, participants come together for a final celebration Circle to honor the movement towards healing that has occurred. When young people are successful in completing their obligations, the Circle makes a recommendation to court that they be immediately discharged from probation.

Insights

We gathered and analyzed extensive data during the YRJDP as detailed in Appendix A. While learning will continue, this section highlights the key insights which emerged from the initial cases.

1) High rates of engagement indicate that the YRJDP is a feasible alternative to traditional probation processes

Results from analysis of 19 cases closed between August of 2020 and June of 2021 are shared in Table 1, which shows available indicators of participation and engagement of each of primary components of the accountability process and commitment plan fulfillment.

Table 1. Participation and Engagement in Core Program Components	
YRJDP Core Component	Indicator of participation and/or engagement
Decision to participate in YRJDP	<ul style="list-style-type: none"> No data indicating number who declined to participate when introduced at court to YRJDP 19 of 19 (100%) who chose to participate completed intake with YRJDP program staff
Youth self-identify support system	<ul style="list-style-type: none"> 21 family members and 5 additional youth support persons joined 15 youth in ongoing Circles, in addition to 15 probation officers and 30 Circle Keepers.
Attend and engage in each Circle	<ul style="list-style-type: none"> 16 of 19 (84%) participated in at least one Circle 15 of 19 (79%) participated in at least two Circles and developed a commitment plan Combined, youth participated in 65 Circles.
Build and maintain positive relationships	<ul style="list-style-type: none"> Youth maintained and repaired relationships with 26 people in their lives within Circle; youth built relationships with 45 additional community members through Circle (e.g., POs and Circle Keepers) Youth experienced a process grounded in shared values and agreements, and youth strengths and hopes Commitment plan forms showed values, agreements and strengths were repeated each time Circle convened to remind youth of their inherent dignity and potential
Identify and acknowledge concerns and underlying causes	<p>Concerns are named with support of adults who have demonstrated care for and commitment to supporting the youth in succeeding. Concerns documented in commitment plans were related to root and ongoing causes, not necessarily specific incidents. They fell into two primary categories:</p> <ul style="list-style-type: none"> The need to develop key skills to better confront typical challenges such as making poor choices, being impulsive, and not having positive ways to address complex feelings like being overwhelmed, bored, and balancing short term rewards with long term goals Needs related to difficult family and peer dynamics that influenced the environment for youth in ways they struggled to navigate

<p>Achieve short/long term goals made with the support of the Circle</p>	<ul style="list-style-type: none"> • 86 short term goals identified (e.g., improve grades, attendance and decision-making; make amends; help at home; get a job) • 67 long term goals identified (e.g., graduate, pursue a career, family) • 61 goals documented as completed • 91 specific actions documented as completed
<p>Develop a plan to repair harm and address other concerns or underlying needs</p>	<ul style="list-style-type: none"> • Youth participants developed empathy for people harmed through hearing their stories or similar stories; youth expanded on understanding of impacted people through hearing from their parents and other community members about broader impact of actions • Ten of 13 youth wrote apology letters or spoke to victims to express remorse and share their plan to avoid similar behavior • Four others whose behavior that did not result in documentation of a harmed person had actions in plans to address root causes of behavior • All commitment plans included multiple actions on part of family, probation officers, Circle Keepers and others in Circle to collectively support youth in making things right and address shared responsibility for harm, such as accessing supportive family services
<p>Follow through with plans developed by the Circle</p>	<p>13 of 19 (68%) completed their commitment plan and were returned to court with a recommendation they be discharged from court supervision</p>

The following data further illuminate what the engagement and accountability processes entailed.

Figure 3. Common Circle values



Hope, trust, and respect were among the **twenty most common values** named in Circle (Figure 3).

Typical Circle **agreements** included:

- Speak from Your Heart
- Speak with Respect
- Listen With Respect
- Remain In The Circle
- Honor Confidentiality
- You May Pass
- Show Up On Time

Youth strengths, as shown in Figure 4, are named to begin building relationships and trust that the process will support youth and treat them with dignity, and show the young people involved are defined by far more than the harmful actions being addressed by court.

Figure 4. Youth Strengths



Finally, the **development of a commitment plan** comprised of action steps that build on the youth strengths to repair harm or make things right, to address concerns and underlying needs, and to help youth get back on track by providing support for youth to accomplish short-term goals and make progress on long-term goals. All participants in the Circle have action steps.

Table 2 shows examples of action steps within each category by different stakeholders.

Table 2. Common accountability steps in commitment plans by different stakeholders

	Make things right	Address underlying needs	Get back on track for positive future
<i>Youth</i>	Repair trust in family relationships Complete written reflection Write apology letter Address ongoing issue in new way Positive actions in community	Build skills for addressing concerns (time management, staying focused, making better choices) Change peer group Communicate or write about needs and feelings Attend groups like Link’s POWER program Refrain from using drugs and alcohol	Keep working on school, sports, career goals Research careers, internships, etc. Connect to people who can help – school counselors, managers, parents, etc. Contribute at home Recognize own strengths and develop positive sense of self
<i>Family/ Youth Support</i>	Attending therapy with child Stop doing for child what they can do for themselves Recognize when pressure is too much	Name underlying needs, acknowledge own role in harm (too high or not enough expectations, need therapy) Provide support and accountability for youth to development needed skills	Help network for employment, get enrolled in school or activities, complete school work
<i>POs/Community Navigators</i>	Connect with victim Deliver apology letter to victim when needed Check-in with youth Accompany youth to court Help parents understand legal process	Provide resources such as gift cards, support groups or therapy Connect to resources to address issues like needed ID cards, wifi or driver’s ed classes	Connect to resources, such as for jobs, career assessments, or navigate school issues Connect to mentors Attend youth’s sports or community events
<i>Circle Keepers</i>	Hold space, schedule Circles Coordinate follow-up on actions, check-in with youth and family	Ensure space address broader issues and context (including issues like COVID impacts, police-involved killings, etc.)	Represent community belief in youth

2) Participant feedback indicates that the YRJDP is a meaningful and satisfactory alternative to traditional probation processes

Data from participant surveys and notes from a reflection Circle between probation officers and Circle Keepers were analyzed to assess the extent to which restorative justice Circles met key indicators of program quality (e.g., feeling safe and heard; perceiving action plans as fair) and satisfaction (e.g., commitment to fulfill actions, recommend to others).

Response rates for the survey were lower than desired, likely due to the limitations of conducting surveys during virtual gatherings. As of August 22, 2021, 24 people completed the survey, including 11 who were invited to complete the survey after ending the program (due to timing of launching the evaluation) and 16 who completed the survey at the Circle in which the commitment plan was developed. Survey collection was anonymous so data cannot be linked to specific cases. Six of the respondents did not identify their role in the Circle, while 2 identified as being the young person in the program, 5 were the parent or other support for youth, 9 were probation officers, and 2 were other community members. Due to these small numbers for each type of role, we are unable to report responses based on role at this time.

Table 3 shows extremely high levels of endorsement for all elements of program quality and satisfaction, ranging from 88% of respondents knowing what to expect prior to participating in Circle to 96% of respondents agreeing the commitment plan was fair to both themselves as individuals and to the community.

Table 3. Program quality and satisfaction indicators	Agree / Strongly Agree	Disagree/ Strongly Disagree	% Strongly agree or agree
I knew what to expect prior to participating in Circle	21	3	88%
I had the opportunity to say what I needed to say during Circle.	22	2	92%
I felt heard during Circle.	22	2	92%
I felt safe during Circle.	22	2	92%
The commitment plan reached by the group was fair to me, personally.	23	1	96%
The commitment plan reached by the group was fair to the community.	23	1	96%
I plan to or have fulfilled my action steps in the commitment plan.	23	1	96%
Based on my experience so far, I would recommend Circle to others.	22	2	92%

Survey respondents were also asked about their feelings prior to and after participating in Circle that day. Responses, shared in Table 4, are about one Circle and are not meant to be interpreted as how respondents felt about the program overall. Twenty participants responded. The evaluator coded responses as either neutral/negative (N) or positive (P). Most comments moved from neutral or negative to positive (50%) or stayed positive (40%), with one respondent moving from positive to concerned (5%) and one continuing to feel apprehensive (5%).

Table 4. Feelings before and after participating in Circle		
Feelings prior to participating in Circle	Feelings after participating in Circle	Direction
<i>i didn't know much about Circle.</i>	<i>It is really good and helpful program for the young people, their family and the society at large.</i>	<i>N → P</i>
<i>i thought that it was gonna be boring</i>	<i>happy</i>	<i>N → P</i>
<i>I was open minded about the Circle</i>	<i>I felt my client had a great experience and has learned a lot about himself and how his actions impact others.</i>	<i>N → P</i>
<i>I wondered if this would be any different than in the past and if it may duplicate services in place.</i>	<i>It was a great experience for my client, her family and myself. The outcome could not have been more wonderful.</i>	<i>N → P</i>
<i>I had no idea how the program will be.</i>	<i>Very good program</i>	<i>N → P</i>
<i>I just didn't know what to expect.</i>	<i>I think Circle is a great place to understand one another.</i>	<i>N → P</i>
<i>[My child] was not so happy about meeting with new people about something he felt he had done was right.</i>	<i>[My child] and I both appreciate everyone involved in the Circle and what they bring to the table. No complaints at all. [the] Circle lifts him up, gives him hope, positive advice, and how to deal with people outside of his home. This is his mother filling out this survey and I just read a post he put up on Facebook today. He wrote he came a long way from aggression and depression. So this Circle of meetings is really working for him.</i>	<i>N → P</i>
<i>curious</i>	<i>hopeful</i>	<i>N → P</i>
<i>bad</i>	<i>Good</i>	<i>N → P</i>
<i>Curious to how the meeting with [sic] go</i>	<i>Hopeful</i>	<i>N → P</i>
<i>I felt the Circle was extremely helpful!</i>	<i>I feel very hopeful!</i>	<i>P → P</i>
<i>I felt great through the social worker</i>	<i>Everybody in the Circle became part of my family, thank God for that</i>	<i>P → P</i>
<i>I was well prepared for the Circle and felt ready</i>	<i>This client responded well to the Circle and the Circle Keepers. It was a great opportunity to be part of it.</i>	<i>P → P</i>
<i>It was good to know that the youth and family would have the opportunity to resolve this issue together.</i>	<i>It was a very positive experience for the youth and family as well as the Circle Keepers and PO's it demonstrated that when you create the space community can solve their own problems.</i>	<i>P → P</i>
<i>I felt great</i>	<i>I feel even better now.</i>	<i>P → P</i>
<i>Great</i>	<i>Great</i>	<i>P → P</i>
<i>INSPIRED</i>	<i>HOPEFUL</i>	<i>P → P</i>
<i>Excited that the youth kept his commitment to the Circle process.</i>	<i>I feel very good about the process and encouraged by the level of engagement the youth, PO and other Circle Keeper had during the process.</i>	<i>P → P</i>
<i>Felt hopeful but apprehensive</i>	<i>Hopeful but apprehensive--important context about youth's life and experiences helped to identify places of growth, yet unsure if youth will own their opportunity.</i>	<i>N → N</i>
<i>hopeful</i>	<i>Concerned</i>	<i>P → N</i>

Participants were invited to add any other opened ended comments that would help us in understanding their experience and feedback. Comments from different stakeholders included:

- From youth and families
 - *Circle is really good.*
 - *Me and my kids will give a big thanks to the Circle*
 - *Its very good program*
 - *We were told just how the Circle would operate and it's going great.*
 - *i don't have much to say but every body was very help full, and thank you all.*
 - *I will be always sharing my experience from the Circle*
- From POs, community members and other participants
 - *The youth and family were very cooperative and grateful to have an opportunity to be a part of the process. They expressed feelings of being empowered to manage this disruption that happened in their lives. They had a great level of empathy for one another and approached the whole process with humility and gratitude.*
 - *Very good Circle. The youth was very engaging and attentive. We establishing relationship very well. The youth has already completed one of his actions steps toward a goal.*
 - *Staff were committed and engaged. Great connection*
 - *[Circle Keepers] are awesome*
 - *Youth had a lot of repressed emotion. This will be a hard case or one that has a remarkable transformation. It is really up to the youth.*
 - *Youth has a lot of grit to get what he needs done for himself. I feel that there is great opportunity and he will follow through.*
 - *This was a great choice for the youth involved. We are expecting he will do well throughout this process.*

Notes from a virtual reflection Circle of probation officers and Circle Keepers illuminated another level of value program stakeholders found in this program. Comments from POs in particular indicated many had moved from being skeptical to seeing new ways of holding youth accountable. When asked to share a highlight, several POs commented on:

- **the collaborative nature of the program**
 - *"I appreciate [Circle Keeper] and [Circle Keeper] and the way they calmly handle things...They give assignments. I really appreciate this group and how you all work with our youth."*
 - *"Every Circle can be different. [Circle Keepers] are good at going with the flow and making it work."*
 - *"CK's do a great job of engaging the youth, you give appropriate assignments and I don't know if there is anymore you can do. I want to say thank you and you do a great job working with our clients."*
- **what they are learning about effectively working with youth and families**
 - *"I am working with [CK] and [CK] with this kid that we couldn't get him do anything at first. Now he is extremely powerful of how responsive he is. I love the way we can put our humor in the process."*
 - *"What I have learned from [CK] is that this is youth centered. We want parents to be involved but if the youth is staying accountable we can continue with the program."*

- *“I think it is important that they choose who is their support system. I like that there is no limits and whoever they feel supported by are welcome to the process.”*
- *“I told a judge this is so much more meaningful than having a kid pick up garbage on the side of the road on the weekend.”*
- *“You get to know more about what they need. When you put them in the Circle you can get more out of them and they become more engaged. You can get a lot out of them and they are really engaged and listening.”*
- **how the process humanizes everyone, including POs**
 - *“I think the youth are experiencing a different side of their PO’s...I think they are more in tune to us and we are more in tune with them. It’s taken my anxiety and stress level down in these groups. I don’t feel like I have to be in control of this I feel like I am there to listen and build a case plan for my youth.”*
 - *“I don’t have to be the big bad guy in these Circles. It can be relaxing and challenging and it drives me to do more for them.”*
 - *“It humanizes us and the roles that we play in the Circles. It is a neat process...it takes some of the authority off us and puts it back on the kid and family.”*

Further insights into the value stakeholders found in the YRJDP comes from qualitative data analysis of program documents (Table 5). These data show young people who completed the program and their family members had largely positive feelings of growth and pride; and that probation officers were a key sources of support and resources.

Table 5. Codes, Themes, and Example Quotes about Program Satisfaction from different Stakeholders			
Stakeholder	Codes	Theme	Example Quotes
Youth	<ul style="list-style-type: none"> ● Transformed into a different person ● From reserved to engaged ● People care about me ● Proud of accomplishments in Circle ● Confident in path forward ● Growing sense of accountability and responsibility, and making things right 	<p>Young people had positive feelings, including pride, confidence, and a sense of connection, after participating in YRJDP. For some, the surprise at being successful in this program was evident.</p>	<p><i>“I have transformed into a different person and I can also see people changing. As my mom, brother and sister helped me through this.”</i></p> <p><i>“I really get it now, I didn’t at first.”</i></p>
Family / Caregivers	<p>Feelings:</p> <ul style="list-style-type: none"> ● Insight into having created too much or not enough structure/pressure for youth ● Grateful ● Proud, see growth ● Want this program for all kids ● Relief, feelings of alignment (culturally, with values of approach) <p>Roles</p> <ul style="list-style-type: none"> ● Provide support to youth in Circle ● Provide structure and accountability to youth within family 	<p>Comments families shared during Circle as recorded by Circle Keepers indicate largely positive feelings about participating in YRJDP.</p> <p>Families have important roles to play in YRJDP, especially helping to name and meet needs underlying behavior, and to provide support for accountability process that encourages growth and learning.</p>	<p><i>I am so grateful for this program and how everyone helped our family. – parent in closing Circle</i></p> <p><i>The importance of the youth’s father being involved helped him to be present in the process and learned that he had the strength to meet this emotional challenge. It was very obvious that he was</i></p>

	<ul style="list-style-type: none"> • Acknowledge when they were “saving” youth or taking too much of the accountability on themselves • Helping name needs and determine actions (including those addressing family needs) 		<p><i>feeling shame about how he affected his family. Therefore, having his family with him was very helpful for him to take responsibility and move forward. - CK in closing reflection</i></p>
<p>Probation Officers</p>	<p>Feelings</p> <ul style="list-style-type: none"> • Happy, encouraged at process / grateful for how group can collaborate to help youth • Proud of youth, naming their strengths <p>Roles</p> <ul style="list-style-type: none"> • Disconnected / communicating court decisions • Increasing buy-in of process over time • Helping to reconnect with family if communication became a barrier 	<p>PO comfort and participation grew over time. There were several instances where PO were valuable resources and their involvement was key to staying connected to the family.</p>	<p><i>“Community benefited from this not because you spent a Saturday and Sunday walking around picking up garbage, you actually did something productive and learned about yourself, learned about community and learned about victims.”</i></p>

3) Preliminary impact data indicate that YRJDP better addresses key aspects of youth development that are necessary for young people to learn and grow after they make mistakes

From these initial cases, evidence is beginning to emerge about what kinds of impact the program could have if implemented on a larger scale. Circle Keepers documented on reflection forms comments made by youth and their families during closing Circles, and reflected themselves on where they saw change and growth occur. Themes from these reflections are shared next.

Trajectory of Engagement. In all but one case, CKs noted during intake and initial Circles that youth appeared shy, apprehensive, to be going through the motions, or some other description that indicates a very typical youth response to having to discuss hard topics.

Circle Keepers then describe turning points that occur at different times and contexts for each youth. For some youth, it is at the first or second Circle; for others it is a few months into the process. Contexts that Circle Keepers perceived as influencing the turning point included when one young person observed their parents engaged and trusting the process. For another, it is when they participated in a Circle without their parents and were able to work through the shame of disappointing them. For a few others, it was when they tested the process and learned the Circle would not just let them go through the motions but would hold them accountable to authentic engagement in an effort to address issues. Once these turning points happened, youth were able to let go of their apprehension and share something vulnerable about what they had been navigating or feeling. Every Circle reflection shared a story of a breakthrough moment, but each was under unique circumstances. For all, the process of

building trust in the people and the process came before the type of vulnerability that could lead to healing. Once this breakthrough had occurred, the Circle was able to better understand the incident, as any unmet needs that may have led to the incident became clearer. It was at this time that the Circle participants created or finalized a tailored commitment plan to address the issue.

It is worth noting that the trajectory of cases appeared not just for youth, but also families. Engagement looked different for each family, as did their history with and trust in the criminal legal system. Given the unique circumstances of each case and the low number of cases overall, however, it is harder to extract learning about family engagement. Meaningful involvement of youths' families would be worthy of exploring over time with more cases, especially in comparison to how families are typically engaged in the traditional probation process.

Learning and Growth. Reflections and comments from celebration Circles provided many indicators that the Circle process created meaningful accountability that helped the young person learn and grow. Specifically, Circle Keeper reflections noted that youth were able to:

- Stay connected while practicing independence
- Gain perspective and grow empathy
- Recognize what their personal coping mechanisms were and whether they were more helpful or harmful
- Heal and make things right
- Set goals and accomplish them
- Believe in and hear caring adults' belief in their positive future
- Learn to be open, vulnerable, and trusting with existing and new adults in their lives
- Work through hard feelings of shame or being overwhelmed and see the growth in relationships and respect that can come by doing so
- Reflect on and practice what accountability and responsibility mean
- Be accountable and experience increases in feelings of self-worth and better relationships

Taken together, these data begin to indicate how and why YRJDP may be a more developmentally appropriate and racially equitable approach. The trajectory data indicate that space is made for needed trust and relationship building, something youth should bring to new adult relationships. Rather than coming with an expectation that youth “comply with the conditions” of their disposition, Circle Keepers and Circle practices work with youth until engagement and trust exist. Once that trust exists, then a full range of developmentally typical and necessary growth and learning occur.

Summary of Insights

Despite happening almost entirely during a global pandemic and an era in Hennepin County that included the police-involved murder of George Floyd and killing of Daunte Wright, initial results indicate high levels of feasibility of the YRJDP. There was a high level of program participation (79%) and success (68%). The program demonstrated remarkable success in mobilizing community and family to support youth in engaging in a meaningful accountability process.

Further, there is clear indication that a strong majority of participants found value in and expressed satisfaction with the program. Despite being offered in virtual settings, the YRJDP program is meeting RJ program quality indicators for a) engaging people closest to the harm, b) preparing people to come

together in Circle, and c) ensuring all participants feel heard, safe, and able to come to agreement about a fair accountability plan. It is also evident that families and youth feel supported and find value in accountability practices that engage them as full participants. It also appears that many probation officers see value and notice differences in how this program engages youth and families compared to typical practices.

Finally, it is clear that the program offers a supportive environment in which youth and families can work through apprehension to become fully engaged partners in the accountability process. While there remains much to be learned about overall impact, for these initial successful cases, the result was always some kind of learning and growth directly related to the needs of the youth and/or the incident that led to court involvement.

Interpretation

In this section, we consider evaluation findings in light of existing evidence about youth behavior. When considering behavior of children and adolescents, it is essential to seek to understand the behavior and potential effectiveness of responses to that behavior in light of what is known about development. Further, it is essential to acknowledge when biases, especially biases based on race, have been employed to undermine effective practice. Thus, key tenets for considering behavior of adolescents include:

- Understand behavior as coherent and adaptive
- Understand meaningful accountability as creating the conditions for growth and learning
- Understand and apply responses that create connections rather than responses that create defiance and disconnection
- Name the intersections and implications of race, racist ideas, and race-equity practices

Key tenets for understanding behavior

Behavior as coherent. Behavior is influenced by many things. To name a few, the child's developmental stage, circumstances, social setting, personality characteristics, novelty of a situation, and relational influences can all affect a given moment. Any given moment is complex and is driven by an internal logic to that moment that emerges when the full experience of a child is considered. The developmental stage of adolescence has its own coherence, in which young people enter into the second most intense period of development prior to adulthood. In this stage, they are expected to learn, practice and adopt the skills necessary to become adults with their own value system, identity, conflict resolution skills, abstract thinking skills, ability to be in long-term chosen relationships, and express complex emotional experiences. Because we don't often name these processes of development and the way past trauma can influence them, it can be hard to look at a young person's behavior and see the coherence and adaptability in it. But very often, challenging behavior is contextually coherent and can be understood as helping adolescents develop key skills. It is also adaptive, in that adolescents find opportunities to engage in behavior based on their unique circumstances. Too often, young people of color are denied the opportunity for their behavior to be seen with such innocence.

Meaningful accountability. As young people seek to learn and practice these key skills through adolescence, behavioral mistakes are common. These behavioral mistakes, including ones that are very risky or cause harm to others, are driven by the same developmental needs that drive behavioral successes. Developmental needs behind the behaviors include the needs for testing boundaries,

assumptions and identities to see what is possible and what lessons can be learned about how the world works. High risk situations come with high adrenaline and sit on a spectrum from dangerous to highly beneficial (such as the difference between stealing a car and hitting a game winning shot.) What differs drastically are opportunities: whether a child's life is filled with, or lacking in, opportunities to test their potential and boundaries in safer ways such as on an athletic field, a drama club or choir, etc.

Taken one step further, it is not only the high adrenaline experience that is a valuable life lesson but the performance in, and opportunity to learn from, that moment. For the young person who misses the game winning shot or sings off key in a solo performance, we expect adult to provide –as often as necessary –comfort, encouragement, and coaching around how to do better next time. And to offer perspective on meaningful accountability: don't walk away, show up, take responsibility, and work hard so you are more likely to meet the moment next time. Distinguish that scenario with what happens if a young person makes the wrong decision when expressing the same need via problematic behavior. In contrast to what we know young people need in these kinds of moments, we instead often respond with punishment and an implicit expectation that a lesson is learned via that punishment that prevents the mistake being repeated.

Meaningful accountability means engaging in the kind of response that helps a young person learn and grow when they make a mistake. When the mistake does not create harm to another person, it means offering ongoing encouragement and coaching for how to do better until they develop those skills. When a young person harms another person during the behavioral mistake, accountability includes taking responsibility for that harm and figuring out with that person and the community what is needed to make amends.

Further, evidence emerged from this study that this process creates an opportunity for meaningful accountability for a system that has caused harm. The finding that probation officers realize this process humanizes not only the youth, but themselves, is a way of demonstrating accountability to youth/community through a restorative process. Thus, the participation of system actors in restorative processes becomes a way for the system to begin to make things right with communities who have been disproportionately negatively impacted by existing processes.

Responses that create connection. Beyond understanding behavior as influenced by development, we must also understand how our responses to behavior interact with development. The ability to handle complex emotions and apply abstract thinking skills increases during adolescence but is not fully developed until early adulthood. Thus, for young people to learn and grow from a situation in which there are heightened emotions, they must feel safe and cared for so they can reflect on those emotions once they are calm. For these and other reasons, accountability practices are more effective when they take place within the context of caring and connected relationships. Accountability practices that dispense conditions or consequences from an adult unknown to the adolescent are likely to engender defiance and disconnection. This is because the adolescent is unable to focus on the abstract “message” being sent and instead is left to process their feelings on their own, which may include shame and unfairness. When accountability includes the youth being able to safely express the complexity of what may have been happening at the time, hearing the impact of those actions on people they love, seeing the expectation that they make things right, and experiencing the belief from people they love that they can do better, it becomes an opportunity to discharge shame and redeem themselves.

Race equity. Since the times of active settler colonialism and slavery, as a society we have justified our treatment of Black and Indigenous people – and later other people of color - with patently false and intentionally created narratives that the behavior and behavioral traits of people of color are somehow different and more dangerous than those of white people. We have denied the children of BIPOC people the same innocence we have assumed of white children in seeking to see the coherence of their behavior. We have justified and accepted an ineffective and harmful system which disproportionately criminalized and punished developmentally typical behavior of Black and Indigenous children more than white children. We have not acknowledged this system of punishment effectively led to further defiance and disconnection, and thus propagated a self-fulfilling prophecy that allowed the ineffective system to grow and strengthen even as it becomes more and more harmful and dangerous.

Interpretation of YRJDP Findings

With these principles of youth development and race equity in mind, we turn to interpreting the YRJDP findings. Taken together, the direct positive findings from YRJDP evaluation data and the theoretical fit with developmental science that help us understand young people’s behavior begin to indicate why the YRJDP may be a much more effective approach for probation.

The process of YRJDP is one that is aligned with the key tenets for understanding youth behavior. It grounds the process in holding the idea of behavioral coherence at the center because young people are humanized through storytelling and acknowledgement of any unjust social contexts they may have had to face and may be a contributing factor in their behavior. Further, both because of having multiple perspectives present and through intentional matching of at least one Circle Keepers to family cultural backgrounds, implicit biases are avoided or are called out if they emerge. While the initial process is similar for every young person, the experience of Circle and the emerging commitment plan and support pieces are tailored to the needs of the youth, their family and other impacted persons. When it comes to addressing behavioral mistakes, YRJDP offered the key elements of caring adults providing comfort, encouragement, coaching and the opportunity to define and engage in meaningful accountability.

Given this alignment, it makes sense that the descriptions of what young people learned through the YRJDP include important tasks of healthy youth development. They and their family members discussed learning key skills young people need to practice in adolescence as they approach emerging adulthood. These skills included taking responsibility for their actions, growing their empathy and perspective-taking skills, staying connected while practicing independence and learning healthy coping mechanisms for dealing with complex and difficult feelings.

Recommendations

Given these promising findings, we recommend continued expansion and use of the YRJDP in the Hennepin County court system. Further, we recommend continued evaluation of impact, and especially recommend the inclusion of comparison data of similarly situated youth who participated in traditional probation services rather than the YRJDP program. Key outcomes that should be included in such a comparison include program participation and satisfaction, stakeholder engagement, success rates, and longer-term impact on recidivism. This comparison must also include an equity lens, disaggregating data to illuminate for whom and under what conditions past and new practices work best.

An important additional area for further study is to understand the extent to which probation officers observe differences in traditional versus restorative approaches. From this study, we found beginning

the engagement of youth and families by naming values, agreements, strengths and goals may have set the stage for more positive relationships than focusing on court conditions and expectations. However, without more inquiry into how youth, families, and probation officers perceive traditional approaches, we are unable to compare current and past practices. In general, what remains unexplored in this report is the extent to which important growth, learning, connection, and restoration happens more frequently through YRJDP as compared to through other probation practices.

Conclusion

The call to create a racially equitable system of probation that better aligns with the concepts of positive youth development has been an urgent cry from communities of color across the country and locally in Hennepin County for decades. Over the past twenty years, national groups such as the Annie E. Case Foundation [8], the National Research Council [1], and the Center for Juvenile Justice Reform [9] have added their voices to the conversation.

The Annie E. Casey report, in particular, calls probation agencies to task for not holding themselves accountable for approaches that are effective with young people. They propose to “use probation only as a purposeful intervention to support growth, behavior change and long-term success for youth with serious and repeat offenses” [8]. Their proposed model for probation includes:

- expectations and goals for youth, not court conditions
- positive relationship building
- family-engaged case planning
- improve decision making and build skills
- incentives and opportunities

We note the alignment between this call and the YRJDP program. We further emphasize a specific opportunity – the opportunity to make things right after a serious behavioral mistake – should be a part of this probation model. It is not just positive opportunities such as job placements or getting paid to go to school that are important, but the opportunity to engage in meaningful accountability practices must not be denied to youth if we want them to learn and grow from their mistakes.

Appendix A: Evaluation Methods

In evaluating the initial YRJDP, our aim is to contribute evidence to the question of whether a restorative approach to probation results in young people who are more successful, more engaged, develop more meaningful and still verifiable plans, and emerge with more learning and growth. In seeking to learn from the initial cases, the evaluation plan for the pilot stage of the YRJDP includes assessing information to illuminate:

- 1) whether key program components, including the program processes in addition to the inclusion of key stakeholders, were delivered as planned (feasibility),
- 2) the value stakeholders found in the program, especially as compared to existing probation practices (acceptability), and
- 3) the extent to which there are early indicators that YRJDP practices may increase racially equitable and effective probation policies and practices (initial impact).

To gather data related to these learning goals, Circle Keepers tracked engagement with youth and families, kept extensive documentation on Circles, and documented the commitment plan created with Circle participants. Circle Keepers also invited participants to complete an anonymous, online participant satisfaction survey either after their participation in the program was complete or at the Circle in which the commitment plan was developed. When a case closed, Circle Keepers completed a report back to court for each referred youth, which summarized the program participation and included the commitment plan for participating youth. Circle Keepers also submitted a written reflection for each case with any additional information that was important for understanding and learning from the case. A structured reflection template was developed that included guiding prompts about what stood out as meaningful at different stages of Circle keeping. Specific prompts invite reflection about: 1) building trust and inviting participants to Circle; 2) holding the initial Circle; 3) creating the commitment plan; 4) follow-up and closing; 5) final reflections on meaning, impact, and fit for the youth and family. Finally, Circle Keepers and Probation Officers participated in a virtual Circle together to reflect on lessons learned and opportunities for improvement. Program directors provided notes from that Circle as well as all de-identified copies of all documents to the external program evaluator.

To summarize learning from the qualitative data, the program evaluator conducted a qualitative data analysis of all documents provided for each case (i.e., report back to court, commitment plan, Circle Keeper reflection.) An initial codebook was first developed that included classifications for stakeholder (e.g., youth, Circle Keeper, youth support, community), success in program (recommended for probation discharge or not), and stage of program (invitation stage, initial Circles through plan creation, follow-up and closing, reflection.) Documents were first coded based on these stages. Then a secondary level of analysis of qualitative analysis occurred, with the evaluator reading within these stages for further understanding. Using a practical model for analysis [10], the evaluator then creates conceptual subcodes within each stage, identified relationships between coded concepts, noted whether the participant experienced the specific stage of the program more positively or negatively, noted the setting of participation, and coded participant characteristic. Conceptual subcodes included what happened at different stages, indicators of participation, engagement, and program satisfaction, and types of learning, impact, or meaning. Then the evaluator used the list of codes and subcodes to reflect on the overall structure of categories, more general and specific interpretation of the categories into themes,

and to then interpret the meaning of repeated categories and connections between them. The program evaluator also produced descriptive statistics from the participant satisfaction survey.

Appendix B: References

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