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Contra Costa explores an alternative to sending kids to juvenile hall

It is the fourth county in the state to adopt a restorative justice program

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RICHMOND — To give juvenile offenders a chance to redeem themselves, the Contra Costa County District Attorney's Office is rolling out a new program that aims to help them avoid getting locked up.

Under the "restorative justice" program, a youth arrested for a serious misdemeanor or felony crime such as robbery, burglary or assault could catch a break. Instead of being sent to court and a likely stay in juvenile hall, the youth may be referred by prosecutors to the county's nonprofit partner and given a chance to make amends.

Similar programs have been instituted in other California counties, including Alameda, San Francisco and Los Angeles.

Contra Costa County's program would be operated by the RYSE Youth Center in Richmond, which is adopting a model of restorative justice developed by Oakland-based nonprofit Impact Justice.

Under the program, facilitators at the RYSE Center will hold a series of meetings

“If you go through the traditional process, there is really never an opportunity for the person harmed to have their needs met. They’re often asked invasive questions, put in an adversarial place, and the person responsible never really gets a chance to own it and make it up to the person,” said Ashlee George, associate director of Impact Justice’s Restorative Justice Project. The goal is to help the crime victim find some peace and the perpetrator to take accountability and hopefully reform.

In the traditional criminal legal system, a judge determines whether a juvenile charged with a crime is guilty and what the punishment should be.

Through the restorative justice approach, anywhere from three to 10 conversations involving all the interested parties typically take place, George said. Facilitators try to find out what crime victims feel they need, then host a restorative “circle” with everyone to settle on a plan to make things right.

The plan hinges on the nature of the crime and the people involved. For example, George said, one woman who was assaulted on the street worried about how that affected her daughter, who watched it happen. In that case, the young man who hit the woman apologized and talked through it with her daughter.

Only those crimes in which someone was harmed are subject to restorative justice.

Contra Costa District Attorney Diana Becton said attorneys supervising the juvenile division will choose who’s referred to RYSE. She expects that out of the 400 or so juvenile cases her office sees each year, about 20 initially will be eligible for restorative justice. The program will begin in Richmond, but Becton said she hopes soon to secure funding to roll it across the county.

Becton said that in addition to letting young people atone for their crimes, the program will help victims find peace.

Alameda County has been operating a restorative justice program with partner Community Works West for more than six years. A [report](#) by Impact Justice showed that young people who participated were 44 percent less likely to repeat crimes than those who went through the traditional criminal legal system. Of 102 young people who completed the program, 18.4 percent were determined by the court to have committed another “delinquent” act a year after the program, compared to 32.1 percent who entered the traditional system, according to data collected between January 2012 and December 2014.

For Stephanie Medley, director of education and justice at RYSE who grew up in Richmond, the implementation of restorative justice at the district attorney's office is "historic."

"We are seeing that the criminalization that we've been doing in the country as a whole has had such a negative effect on people's lives — on people directly and indirectly," Medley said. "A lot of people are seeing we need to do something different."

The criminal legal system has impacted young people of color more than their white peers in Contra Costa County. In 2014, black youths were 14 times more likely to be sent to juvenile detention compared to white kids.

"It's allowing them an opportunity to take full accountability for the harm they have caused outside the punitive nature of the criminal legal system," Medley said. "It creates a pathway for them to take responsibility and think of themselves not just as the problem but that they are part of the solution."

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