

Barron County

Date Visited: June 13, 2006

Interviewed: (* indicates multiple contacts)

Judge Edward Brunner*

Judge James Babler

Assistant District Attorney Ken Berg

Assistant State Public Defender John Hinde*

Assistant State Public Defender Wayne Arnold

Lawrence Liegel, Community Corrections, Regional Chief

Kelly Blechinger, Community Corrections Agent

Polly Wolner, Director, Barron County Restorative Justice Program

Gregg Moore, District Court Administrator, Tenth Judicial District*

Appendix:

Restorative Justice Program materials (www.bcrijp.org)

Restorative Justice Report - 2006



Staff & Board of Directors

BCRJ Programs

- Victim Offender Conferencing
- Victim Impact Panels
- Teen Court
- Restorative Practices for School Communities
- PRIME for Life Under 21
- Restorative School Truancy Intervention
- Youth Educational Shoplifting Program (YES)
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Staff

Polly Wolner-Executive Director
 Linda Hedding-Program Coordinator
 Amy Richter-Office Manager
 Julie Blackaller-Outreach Worker
 Cemil Nuriler-Outreach Worker
 Rose Van Vreede-Outreach Worker
 Jane Demers-Restorative Action Program (RAP) Coordinator

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 Mary Hoeft, **Vice President** (Professor-University of Wisconsin, Barron County)
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 Karolyn Bartlett (Barron County Board Supervisor)
 Edward Brunner (Circuit Court Judge-Barron County)
 David Butler (Minister-United Presbyterian Church)
 Paul Chase (Dean- University of Wisconsin, Barron County)
 Bonnie Erb (Barron County Board Supervisor)
 Jill Koenitzer (Principal-Chetek Elementary)
 Becki Lindeman (Community Representative)
 Linda Mikunda (Guidance Counselor- Barron Area Schools)
 Mark O'Brien (Rice Lake Police Officer-School Liaison)
 Barney Slowey (Business Consultant-Self employed)
 Gary Stinson (Corrections Field Supervisor Unit 504-Department of Corrections)
 Keith Wilk (Chief Operating Officer (COO) of Programs and Services-Goodwill Industries)



Victim Offender Conferencing

Victim Offender Conferencing Links

- [Forms and Letters Used by VOC](#)
- [Restorative Justice Articles and Links](#)
- [Example Case Study](#)
- [Contact BCRJP](#)

BCRJ Programs

- [Victim Impact Panels](#)
- [Teen Court](#)
- [Restorative Practices for School Communities](#)
- [PRIME for Life Under 21](#)
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About Victim Offender Conferencing

Victim Offender Conferencing is a process which provides interested victims of crime the opportunity to meet the offender in a safe and structured setting, with the goal of holding the offender directly accountable for their behavior while providing important assistance and compensation to the victim. With the assistance of a trained facilitator, the victim is able to let the offender know how the crime affected him or her, to receive answers to their questions, and to be directly involved in developing a restitution plan for the offender. The offender is able to take direct responsibility for their behavior, to learn the full impact of what they did, and to develop a plan for making things right with the person(s) they violated.

How Is It Different From Other Mediation?

Mediation is being used in an increasing number of conflict situations, such as divorce and custody, community disputes, commercial disputes, and other civil court related conflicts. In such settings, the parties are called "disputants," with an assumption being made that they both are contributing to the conflict and therefore need to compromise in order to reach a settlement. Often, mediation in this setting is focused heavily upon reaching a settlement, with a lesser emphasis upon a discussion of the full impact of the conflict upon their lives.

In victim offender conferencing, the involved parties are not "disputants." One has clearly committed a criminal offense and has admitted doing so. The other has clearly been victimized. Therefore, the issue of guilt or innocence is not mediated. Nor is there an expectation that crime victims compromise and request less than what they need to address their losses. While many other types of mediation are largely "settlement driven," victim offender conferencing is primarily "dialogue driven," with the emphasis upon victim healing, offender accountability, and restoration of losses. Most victim offender conferencing sessions (frequently over 95 percent) do in fact result in a signed restitution agreement. This agreement, however, is secondary to the importance of the initial dialogue between the parties that addresses emotional and informational needs of victims that are central to their healing and to development of victim empathy in the offender which can lead to less criminal behavior in the future. Research has consistently found the restitution agreement is less important to crime victims than the opportunity to talk directly with the offender about how they felt about the crime.

Are Crime Victims Interested?

Yes. Victim offender conferencing is not appropriate for all crimes. In all cases, it

must be presented as a voluntary choice to the victim. With more than 20 years of facilitating many thousands of cases throughout North America, including in Barron County, experience has shown that the majority of victims presented with the option of conferencing choose to enter the process. A recent statewide public opinion poll in Minnesota found that 82 percent of a random sample of citizens from throughout the state would consider participating in a victim offender conferencing program if they were the victim of a property crime. Interviews with 280 victims who participated in victim offender conferencing programs in four states found that 91 percent felt their participation was totally voluntary.

How Many Programs Exist?

There are more than 290 programs throughout the United States and more than 500 in Europe. The American Bar Association recently endorsed victim offender conferencing and recommends its development in all courts throughout the country. A recent statewide survey of victim service providers in Minnesota found that 91 percent believed that victim offender conferencing should be in every judicial district since it represents an important service.

What Have We Learned From Research?

- 1). Victims of crime who meet with their offender are far more likely to be satisfied with the justice system response than are similar victims who go through the normal court process without Victim-Offender Conference opportunities.
- 2). After meeting the offender, victims are significantly less fearful of being re-victimized.
- 3). Offenders who meet their victim/s are far more likely to successfully complete their restitution obligations and to be directly accountable to the victim for their behavior.
- 4). Considerably fewer and less serious crimes are committed by offenders who meet their victim/s.

Is VOC Part of the Criminal Justice System?

Although many referrals come from courts, police, probation and parole, schools, and human services, victim offender conferencing is a program of the community based, non-profit, organization called Barron County Restorative Justice Programs, Inc. The organization is made up of trained community volunteers who are interested in helping to resolve the problems of crime which affect victims (fear and anger) and offenders (accountability and alienation) and the community as a whole (emotional and financial costs).

Adapted from Fact Sheet: Victim Offender Mediation by Dr. Mark S. Umbreit, the University of Minnesota.

How to Refer a Case

Primarily, referrals in Barron County are received from courts, probation and parole, schools, human services, or law enforcement. Contact the Barron County Restorative Justice Programs, Inc. office for referral forms or to discuss the potential of a case for

victim offender conferencing.



Victim Impact Panels

Giving Victims a Voice

Victim Impact Panel Links

- [Victim Impact Panel Forms and Letters](#)
- [Restorative Justice Articles and Links](#)
- [Contact BCRJP](#)

BCRJ Programs

- [Victim Offender Conferencing](#)
- [Teen Court](#)
- [Restorative Practices for School Communities](#)
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About Victim Impact Panels

Victim Impact Panels (VIPs) consist of a small group of victims of drunk driving tragedies or property crimes who relate how their lives have been affected by the sudden loss of a loved one or the violation of a crime committed against them. The goal of the separate panels is not to blame or judge offenders in the audience but to affect the audience on an emotional level by telling their stories. Further, victim impact panels are designed to change the behavior of offenders. Listening to personal accounts of drunk driving tragedies or property crime helps offenders realize the dangers and consequences of their behavior. At the same time, victims impact panels can be very helpful in the healing process of panel participants.

How we have the Offenders Attend the Panel

All offenders of drinking and driving are referred to the program by a court ordered assessment procedure. Juvenile and young adult offenders are referred to the property crimes panel from the Courts, Human Services, and Department of Corrections.

How we Determine who the Panel Members Will Be

Anyone who has been a victim of drunk driving or property crime is welcome to speak on our panel. We do an interviewing process to help ensure the victim is emotionally ready to participate and is an appropriate panelist. Most victims find that speaking on the panel is a valuable experience. [Contact](#) Barron County Restorative Justice Programs, Inc. if you are interested in having the opportunity to be a panelist.



Barron County Teen Court

Peer Pressure Applied for Positive Results

Teen Court Links

- [Teen Court Forms and Letters](#)
- [Restorative Justice Articles and Links](#)
- [Contact BCRJP](#)

BCRJ Programs

- [Victim Offender Conferencing](#)
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About Teen Court

The mission of Restorative Justice Teen Court is to help juvenile offenders restore their relationships with the community through alternative methods of adjudicating minor juvenile offenses, including programs that teach responsibility and positive decision making and restore a sense of safety in the community.

Barron County Restorative Justice Teen Court is based on the philosophy that a youthful law violator does not continue to be an offender when a peer jury decides punishment. It will provide a way for first offenders to keep their records clean. The program focuses on youth accountability and development. Teen Court is designed to interrupt patterns of criminal behavior by promoting positive feelings of self-esteem, motivating self-improvement, and developing a healthy attitude toward authority.

How Does The Teen Court Work?

Respondent participation in this program is voluntary and requires an advance guilty plea. The program will be available to juvenile offenders from 12 to 18 years of age, and still in school. Respondents must have parental or guardian consent and participation.

In Teen Court, the Judge introduces the respondent to teenage peer jurors who are informed of the charge against the respondent. After hearing the evidence presented by a teenage prosecutor and defense attorney, the jury considers the appropriate sanctions for the offense. The decision is reviewed by the judge and read to the respondent.

Eligible offenses for Teen Court include:

- Minor traffic violations
- Misdemeanors such as public intoxication, theft, retail theft, property damage, vandalism, disorderly conduct
- Possession of alcohol, or small amounts of marijuana
- Simple assault
- Trespassing
- Curfew
- Others

Teen Court sanctions are designed to fit the offense and involve restitution, community service, and prevention education.

A typical sanction could be any of the following:

- Basic Family Communication Seminar ([Successful Families - "Parent Teen Workshop"](#))

- Victim Offender Conference (apology)
- Teen Court jury duty
- Community service
- Research paper
- Prevention or education program (Youth Educational Shoplifting Program) (Prime for Life Under 21) (Victim Impact Panel)
- Tutoring
- Restitution
- Other

Who Serves On The Teen Jury?

When the adult court model is used the clerks, bailiffs, prosecuting and defense attorneys, and jurors will be Barron County high school volunteers. They will receive instruction and guidance from local attorneys, who will also take the role of judge. When the panel court model is used the panelists will also be Barron County high school volunteers. Contact Barron County Restorative Justice Programs, Inc. if you are interested in helping to make a difference in the juvenile justice system.

Why Do We Need A Teen Court?

Teen Court is designed to provide a community based alternative to the formal court process. It represents a more positive and effective alternative to the juvenile justice system, and focuses on youth development and accountability.

Young offenders learn to take responsibility for their actions. The program represents a way for juveniles to keep their records clean and learn from their mistakes. Juvenile cases addressed by these courts will be handled on a timely basis and free up time and funds for the Circuit Court system to handle more serious cases.



Restorative Practices for School Communities

RJ in The School Links

- [Restorative Practices for School Communities Documents](#)
- [Restorative Justice Articles and Links](#)
- [Contact BCRJP](#)

Restorative Practices for School Communities

School discipline is often modeled after a retributive system, where punishment equals accountability. Restorative Practices for School Communities strives to shift how people think about responsibility and accountability. By building a strong community, and allowing all members to take responsibility for the community, discipline takes on a new dimension, where repairing the harm becomes more important than which rule was broken. When the “authority” administers discipline (punishment) the opportunity for the individual and the whole community to take responsibility, and be accountable, is lost. In a restorative setting, building competencies and finding solutions to problems becomes the focus.

Contact Barron County Restorative Justice Programs, Inc. for more information, and training opportunities.

BCRJ Programs

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Youth Educational Shoplifting Program

BCRJ Programs

- Victim
Offender
Conferencing
- Victim Impact
Panels
- Teen Court
- Restorative
Practices for
School
Communities
- PRIME for
Life Under 21
- Restorative
School
Truancy
Intervention
- Community
Service

Youth Educational Shoplifting Program (YES)

As a sanction for our Teen Court program as well as direct referrals from law enforcement and municipal courts we offer the YES program for juvenile shoplifters. The course consists of 5-6 hours of "offense-specific" education with audio CD's and workbook that are for the juvenile to keep after completion of the program. The educational topics include, how shoplifting affects the lives of real people (not just stores), the law and its consequences, security technology used in stores, how much they risk for a small reward, how their personal and social pressures can trigger a shoplifting incident, that shoplifting can become addictive, and how to stop shoplifting now and for the rest of their lives. Recidivism rates are reported between 1.3% and 2.7% nationally, with juveniles giving the YES Program an average grade of 95% regarding its usefulness to them.

<http://www.shopliftingprevention.org>.

BCRJP Links

- Restorative
Justice
Articles and
Links
- BCRJP Forms
and Letters
- Contact
BCRJP
- Home



Restorative Justice Truancy Initiative

BCRJP Links

- [Restorative Justice Articles and Links](#)
- [Contact BCRJP](#)

BCRJP Programs

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Restorative School Truancy Intervention Program

With the assistance of Congressman David Obey, Barron County Restorative Justice Programs, Inc. was given the opportunity to develop and implement a truancy initiative that embraces the philosophy of Restorative Practices. Barron County Restorative Justice Programs, Inc. in partnership with Rice Lake, Cameron, Barron, Chetek, Turtle Lake, and Cumberland School Districts and the Barron County Department of Health and Human Services have hired and trained three Community Outreach Workers to work in those school districts.

Our commitment is to identify and intervene in pre-truancy and truancy issues with students and implement appropriate restorative interventions to resolve the attendance issues and those underlying issues contributing to the attendance problem.



Community Service

BCRJ Programs

- [Victim Offender Conferencing](#)
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- [PRIME for Life Under 21](#)
- [Restorative School Truancy Intervention](#)
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RESTORATIVE ACTION PLAN (RAP)

What is the Restorative Action Plan (RAP)?

Most offenders think that their behavior doesn't matter. The RAP program consists of education and community service as a structure to teach that behavior does matter and does affect the community.

Who refers cases?

Cases are referred to Barron County Restorative Justice Programs by schools, law enforcement and municipal courts and our own Teen Court program. There is an opportunity for a young offender to provide a service to their community in lieu of a citation.

Why Should An Offender Be Interested In This Program?

Community corrections are the wave of the future, and this gives the young offender a chance to participate in the RAP program and in completion of the program the citation will be waived. It will provide a way for first-time offenders to keep their records clean.

How Is RAP a Part of the Barron County Restorative Justice Plan?

Restorative Action Program helps juvenile offenders restore their relationships with the community through alternative methods of adjudicating minor juvenile offenses. This includes programs that teach responsibility and positive decision-making.

