

JCMS Code Book

Mediation/Restorative Justice Definitions

August 25, 2021



Intake – Mediation/Restorative Justice

Mediation/Restorative Justice is a form of conflict resolution in which trained leaders help the victim(s) and offender work together to resolve disputes. Mediators do not make judgments or offer advice, and they have no power to force decisions. Victims are able to have input into an offender's sentence. Includes victim impact statements, defining the restitution owed, or other forms of affecting resolution of a juvenile justice case. Other stakeholders may participate in the process as well.

Gender: characteristics of femininity and masculinity based on social constructs.

- **Female** – identifies with feminine characteristics and constructs.
- **Male** – identifies with masculine characteristics and constructs.
- **Non-binary** – does not identify as male or female.
- **Prefer not to say** – youth chose not to answer.
- **Unspecified** – information was not gathered.

Race: per the American Sociological Association, ““Race” refers to physical differences that groups and cultures consider socially significant, while “ethnicity” refers to shared culture, such as language, ancestry, practices, and beliefs.” (Explanation of the Standards - The Office of Minority Health (hhs.gov))

School Enrollment/Status: The youth's school enrollment status at the time of their initial involvement in the program that indicates the type of enrollment in school.

School Name: The name of the primary school the youth is enrolled, indicating they are entered as a participant of that school, at the time of their initial involvement in the program.

Current Grade: Position (K-12) in a primary school of a youth to identify academic progress at the time of enrollment.

Youth Employed: Youth actively engages in and maintains a job position at a credible place of employment.

Family Size: Number of people living within the youth's place of legal residence.

Family Income: The combined incomes of all people living within the youth's place of legal residence. This includes all forms of income such as salaries and wages, retirement funds, government assistance, child support, and pensions (\$0000.00).

Interpreter Needed: Indicates whether the youth and/or parents need an interpreter if English is not a primary language.

If Yes, what Language: Free text field to indicate what language the youth and/or parents indicate as their primary language spoken.

Eligible for Free/Reduced Lunch: Based on reported household income, the youth receives or could receive free or reduced lunch at their primary school.

Custody/Guardianship: Indicates who has legal responsibility for the youth. May be different than who the youth resides with.

- **Single Parent** – one parent has custody of the youth.
- **Both Parents** – two parents have custody of the youth.

- **Guardian** – an adult who is a non-biological parent who is legally responsible for the youth.
- **State Ward/Ward of Tribal Court** – a youth who the state or tribe has legal custody over, and the state or tribe is legally responsible for.
- **Lives on Own** – a youth who is legally responsible for themselves, including emancipated youth.

File Number: The identifier of the youth for program purposes.

Grant County: The originating county associated with the grant authorization for program funding.

Grant Number: The series of numbers and/or letters identifying the authorized grant associated with the program.

Person Referring: The name and title of the person that directed or requested the youth to the program for participation.

Referral Source: The agency, organization, or entity that directed or requested the youth to the program for participation.

Referral Date: The two-digit month, two-digit day, and four-digit year of the received request to review the youth's case for consideration into the program.

Enrollment Date: The two-digit month, two-digit day, and four-digit year the youth participated in the program.

Reason for Enrollment: The purpose for the youth to participate in the program indicating the reason the youth required the services of the program. Note that these are offense categories and not the name of specific offense.

- **Assault** – intentionally, knowingly, recklessly causes bodily injury to another person with or without a weapon and/or injury.
- **Vandalism/Property Damage** – purposefully or deliberate destruction or damaging the property of another.
- **Disturbing the Peace** – intentionally disturbs the peace and quiet of any person, family or neighborhood.
- **Criminal Mischief** – damages the property of another intentionally or recklessly, tampers with the property of another which endangers the person or their property, or intentionally or maliciously causes another to suffer monetary loss by deception or threat.
- **Theft** – takes movable property of another with the intent to deprive that person of that property. Includes shoplifting, motor vehicle theft, obtaining property by deception or threat of injury, theft of services, and larceny.
- **Disorderly Conduct** – purposefully or knowingly cause inconvenience, annoyance, or alarm to any person. Includes fighting, threatening conduct, and using abusive, threatening or fighting language or gestures.
- **Trespassing** – knowingly entering or going on or into a property or structure they are not permitted to.
- **Mutual Assault** – a fight or scuffle entered into by mutual consent or agreed to by those involved.
- **Harassment** – knowingly and willingly engaging in conduct directed at a specific person which terrifies, threatens, or intimidates the person and serves no legitimate purpose. Can be over any length of time; includes stalking.
- **Other** – please specify - any other reason for enrollment that does not fit into one of these categories.

Reason for Enrollment, if Other: If the “other” option is selected as the reason for enrollment, please enter the reason in the text box.

Victim: The relationship of the victim of the youth’s offense to the youth.

- **Youth Under Age 19** – any person under the age of 19.
- **School Staff (Includes Teachers)** – any staff or faculty member employed by the school.
- **Family Member (Includes Parents)** – any person who is a member of the youth’s family.
- **Community Member 19 Years and Over** – any person over the age of 19.
- **Business/Organization/Public Institution/Other** – the victim of the offense is not a single person but rather a group as a whole, or not listed above.

Juvenile Case Status: The point of the juvenile justice system that the youth’s case is at during the time of intake into the program.

- **Pre-filing Diversion** – law enforcement citation or referral has been made to the county/city attorney, but there has not yet been a formal filing made in court, and the youth is on diversion for this citation or referral.
- **Post-filing and Pre-adjudication** – there has been a formal filing with the court that has not been adjudicated.
- **Post-adjudication/Probation** – the youth has been adjudicated in court and is currently on probation.
- **Post-adjudication/Non-probation** – the youth has been adjudicated in court and the disposition was anything other than probation.

Prior Law Violations: Notes all violations of statute or ordinance resulting in a petition filed and subsequent adjudication which occurred before participation in the program.

History of Aggressive Behavior: The youth’s actions or behaviors are reported to be hostile or violent toward others or things.

High Risk Environment: The youth’s living situation or surroundings exposes them to identifiable danger.

Contact

Date of Contact: The day (two-digit month, two-digit day, and four-digit year) the program staff saw and/or communicated with the youth and/or family.

Type of Contact: The method program staff or mentor used to communicate with or see the youth, victim and/or youth’s family.

- **Face to Face** – program staff met with the youth, victim, and/or youth’s family in person.
- **Phone** – program staff contacted the youth, victim, and/or youth’s family via phone.
- **Email** – program staff contacted the youth, victim, and/or youth’s family in via email.
- **Text** – program staff contacted the youth, victim, and/or youth’s family via text message.
- **Letter** – program staff sent the youth, victim, and/or youth’s family a letter via postal mail.

Contact with: The person/people that program staff had or attempted contact with.

- **Youth Individual Private Session** – program staff had contact with only the youth.
- **Youth and Parent/Guardian** – program staff had contact with the youth and his or her parent/guardian.
- **Youth’s Parent/Guardian** – program staff had contact with the youth’s parent/guardian without the youth present.

- **Victim Individual Private Session** – program staff had contact with only the victim.
- **Victim and Parent/Guardian** – program staff had contact with the victim and his or her parent/guardian (if victim is a minor).
- **Victim’s Parent/Guardian** - program staff had contact with the victim’s parent/guardian without the victim present (if victim is a minor).

Hours of Contact: The hours spent (60-minute intervals) where program staff communicated with the youth and/or youth’s family.

Youth/Victim Conference

Conference Date: The two-digit month, two-digit day, and four-digit year the conference between the youth and the victim/surrogate took place.

Type of Conference: Notes the type of conference that was held with regard to victim or surrogate.

- **Victim/Youth Conference** – youth meets with the actual victim of the offense.
- **Youth Conference with Adult Victim Surrogate** – youth meets with an adult (19 or Older) substituting for the actual victim.
- **Youth Conference with Youth Victim Surrogate** – youth meets with a youth (Under 19 Years Old) substituting for the actual victim.
- **Victim Relay Hybrid** – youth meets with a victim substitute/surrogate but the actual victim’s information and/or reparation agreement requests are relayed to the facilitator or program staff.
- **Informal Meeting** – youth meets with staff to discuss behaviors in a less structured meeting format. The victim may or may not be present.
- **NA – no conference** – no conference was held.

Attendees: The individuals or entities who attended/participated in the youth’s conference.

- **Parent(s) of Youth** – one or more of the youth’s parents.
- **Parent(s) of Minor Victim** – if the victim is a minor, one or more of the victim’s parents.
- **Community Members** – member(s) of the community impacted by the youth’s offense.
- **Other** – anyone else who attended outside of these options, please specify. You can list more than one person in this box, separate with commas.
- **No Additional Attendees** – select this option if the conference had no other people in attendance outside of the youth and the victim/surrogate.

Reparation Agreement

Date Agreement Signed: Two-digit month, two-digit day, and four-digit year that the reparation agreement was signed.

Time Frame for Completion (days): The length of time (in days) that the youth was given to complete the goal listed in the reparation agreement.

Goals: The goal/objective of the reparation agreement for the youth to complete.

- **Service to Victim** – youth is required to perform a service directly to the victim.
- **Service to Community** – youth is required to perform a service to the community.
- **Apology** – youth is required to write and/or deliver an apology to the victim(s) of the offense.
- **Financial Restitution** – youth is required to pay restitution to the victim(s) of the offense.
- **Services for the Youth** – youth is required to participate in recommended services.

- **Other** – any other goal not included in this list, please specify in the narrative.
- **Reflection Statement** – youth is required to write a statement that explains why they made the decision they did and any feelings about the process of the mediation.

Financial Restitution to be Paid: If the goal is financial restitution, enter the amount to be paid.

Total Hours of Service: If the goal is a service measurable by amount of time, enter the amount of time to be completed for the goal to be achieved.

Goal completed prior to case closure?: Indicates yes/no whether this goal was completed prior to the case being closed.

Follow-Up

Follow-up Completed: Indicates whether a follow-up survey was completed for this case (yes/no).

Date of Follow-up: Two-digit month, two-digit day, and four-digit year that the follow-up survey was conducted.

Who is Follow-up with: Notes who staff completed the follow-up survey with.

Overall, how satisfied are you with the conference?: Notes the answer to the question on the follow-up survey (range from extremely satisfied to extremely dissatisfied).

How satisfied are you with the reparation agreement made during the meeting?: Notes the answer to the question on the follow-up survey (range from extremely satisfied to extremely dissatisfied).

Youth Only – It was helpful for me to meet with the person who was affected by my behavior:
Notes the answer to the question on the follow-up survey asked only to the youth (range from strongly agree to strongly disagree).

Victim Only – It was helpful to talk directly with the person who was responsible for the harm:
Notes the answer to the question on the follow-up survey asked only to the victim (range from strongly agree to strongly disagree).

Youth with Surrogate Only – It was helpful for me to meet with a person representing those harmed: Notes the answer to the question on the follow-up survey asked only to the youth if a surrogate was utilized in place of the victim (range from strongly agree to strongly disagree).

Discharge

Date of Discharge: The two-digit day, two-digit month, and four-digit year the youth either completed all conditions of the reparation agreement, the conditions of the agreement were deemed unsuccessful, or the date the case was closed if there was no reparation agreement (can be closed due to return to referral source or no contact as well).

Reparation Agreement Reached: Notes yes/no whether a reparation agreement was reached as part of the contacts and conferences.

Outcome if Agreement was Reached: If there was an agreement reached, indicate to what degree the agreement was fulfilled.

- **Successful Fulfillment (All Conditions Met)** – all required conditions of the agreement were completed.
- **Partial Fulfillment (More than Half Conditions Met)** – more than half of the required conditions of the agreement were completed and there is intent to continue to finish the remaining conditions.
- **Unsuccessful Fulfillment (Less than Half Conditions Met with Low Intent to Fulfill Agreement)** – less than half of the required conditions of the agreement were completed and the youth shows low to no intent to finish the remaining conditions.

Reason Agreement was Not Reached: If there was not an agreement reached, please indicate why.

- **Youth Unreachable** – program staff was unable to reach the youth to set up conferencing.
- **Youth Did Not Agree** – the youth did not agree to participate in the program.
- **Youth Not Appropriate for Program** – the youth was determined to not be a good fit for the program based on the offense or their attitude toward the offense and/or process.
- **Withdrawn by Referral Source** – the referral source withdrew the referral for the youth to participate in the program.
- **N/A – No Reparation Needed** – no reparation agreement was made as one was not needed in the case.