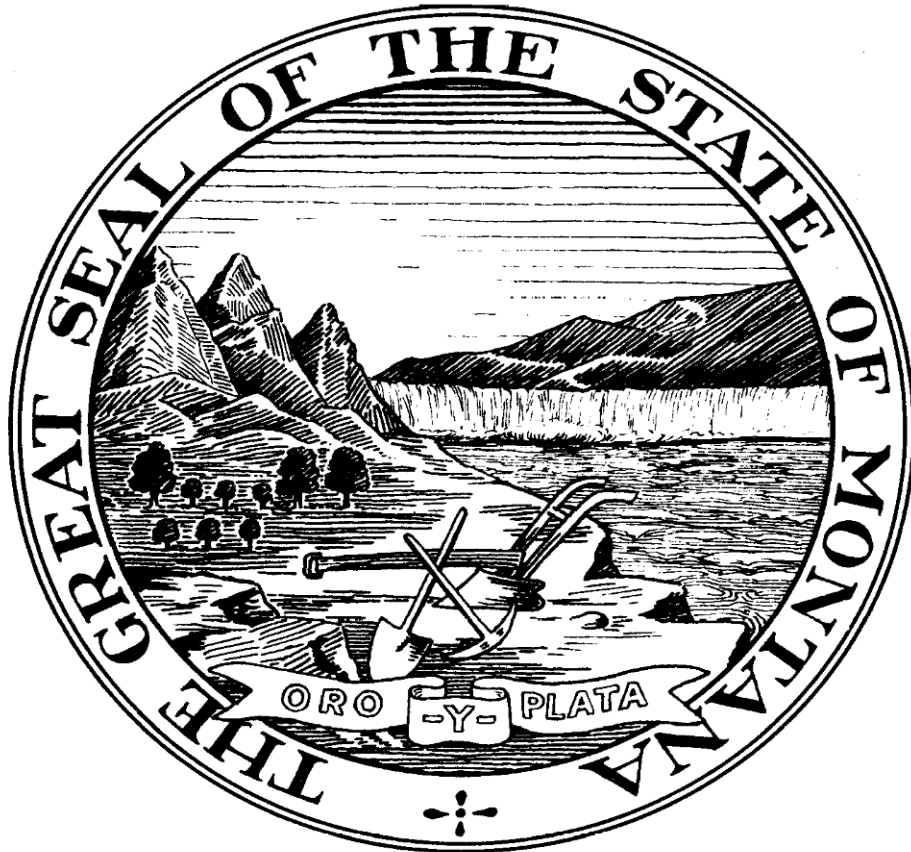


# Flathead County Youth Court



## Leadership Agenda

2010

## **CONTENTS**

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|  |                |
|--|----------------|
| <input type="checkbox"/> <b>Message from the Chief Juvenile Probation Officer</b>              | <b>Page 3</b>  |
| <input type="checkbox"/> <b>Mission - Vision – Values</b>                                      | <b>Page 5</b>  |
| <input type="checkbox"/> <b>Introduction</b>   | <b>Page 6</b>  |
| <input type="checkbox"/> <b>The Leadership Agenda</b>  | <b>Page 6</b>  |
| <input type="checkbox"/> <b>Stewardship</b>  | <b>Page 7</b>  |
| <input type="checkbox"/> <b>Community Safety</b>   | <b>Page 7</b>  |
| <input type="checkbox"/> <b>Accountability</b>   | <b>Page 8</b>  |
| <input type="checkbox"/> <b>Competency Development</b>   | <b>Page 9</b>  |
| <input type="checkbox"/> <b>Relationship Between the Leadership Agenda and Performance</b>     | <b>Page 10</b> |
| <input type="checkbox"/> <b>Measuring Leadership Agenda Outcomes – Issues &amp; Challenges</b> | <b>Page 10</b> |

## MESSAGE FROM THE CHIEF JUVENILE PROBATION OFFICER

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I am pleased to present the Flathead County Youth Court Leadership Agenda. This Agenda, the first ever of its kind for the Youth Court, sets forth our mission, guiding principles, and vision for how we will work today and into the future. It articulates the kinds of actions required for achieving this future. It provides a foundation for our ongoing efforts to improve the performance of our programs, and share in creating the safe and healthy homes and neighborhoods that we all desire as members of the Flathead County community.

Over the past several years, Youth Court Services within Flathead County's 11<sup>th</sup> Judicial District, has made considerable advances toward implementing the philosophy and practices of a Balanced and Restorative system of juvenile justice. Toward that end, emphasis has been placed on obtaining restitution for victims, tracking compliance with consequences assigned to youth and providing a system of accountability, supervision and services consistent with the expressed legislative purpose of the Youth Court Act.

It is now our intention to build upon, intensify and broaden our use of Restorative Justice principles and practices with the 11<sup>th</sup> Judicial District. As a guide for doing so, much of the content and form of this agenda has been borrowed from the 2004 Clark County Juvenile Court Leadership Agenda in Washington State, graciously provided by retired Clark County Juvenile Court Administrator, Ernie Veach-White. Recognition must also be given to Flathead County Youth Court Services Probation Officers Thomas Dunnehoff, Nicole Tannheimer, and Jesse Hale for their contributions in revising this document and for their shared efforts at implementing restorative justice principles in the Youth Court. Additionally, I would like to acknowledge the support and encouragement of retired Chief Probation Officer W. Patrick Warnecke, and the support of the judges and court administrator of the 11<sup>th</sup> Judicial District.

Our mandate concerning juvenile offenders is multifaceted. **Our most important charge is to protect the community by holding youth offenders accountable and assisting the community in providing youths and families with resources for positive change and maturation in becoming productive members of society.** The scope of our responsibilities spans the distance from courtrooms to living rooms, and extends to children and families regardless of economic, social, or cultural differences. We are charged with providing for both the immediate and long-term safety of our community. In meeting these challenges we are sometimes caught in the debate between proponents of retributive, punitive philosophy and advocates of traditional individual treatment methods. Neither approach completely satisfies the basic needs of crime victims, the community, and youth offenders.

Flathead County Youth Court remains committed to the Balanced and Restorative Justice approach in fulfilling its statutory duties and mandates. It seeks to create a justice system where the focus is not simply on short-term external control of offenders, but where immediate and long-term needs of victims, community, and offenders are weighed in the balance, and all gain tangible benefits from their interactions with the juvenile justice system. **This Balanced and Restorative Justice approach places us in a position of leadership, not only in our community but also in the state and the nation, in**

**bringing forward new perspective and understanding about how the juvenile justice system can better serve our community.**

This Leadership Agenda is by design, not a detailed planning document, but a resource to help guide our decisions and actions in shaping directions, budgets, and services over the next several years. Simply put, it serves as a bridge from where we are today to where we wish to be in the future. We will revise and update this Agenda as circumstances change and as we learn from experience.

Nick Nyman  
Chief Juvenile Probation Officer  
Youth Court Services  
11<sup>th</sup> Judicial District – Flathead County  
January 12, 2010

## MISSION

The mission of Flathead County Youth Court, in partnership with the community is to:

- Faithfully perform our responsibilities as mandated by the Montana Youth Court Act, Montana's Constitution and laws of the State of Montana and the Constitution of the United States;
- Be good stewards of the public trust;
- Address harms done to victims in a timely manner;
- Hold offenders accountable for repairing the harm to victims and the community;
- Provide opportunities for learning and positive change, both for the youth we serve and ourselves; and
- Share in creating safe and healthy neighborhoods and community.

## VISION & VALUES

**We will put our energy and resources into the future. Our focus will be on what needs to be healed, what needs to be repaid, what needs to be learned.**

New roles based in the conceptual framework of *Balanced and Restorative Justice* are envisioned for youth, juvenile justice professionals, and the community. These roles will emerge in response to a coherent set of action-oriented priorities that balance the health and safety of the community, the accountability to victims and the community by the offender for harms done, and competency development in offenders leading to their ability to safely be integrated into the community as productive citizens. To achieve these outcomes we will strive at every level of the organization to emphasize and offer responses that:

- Support the concerns of crime victims and the community;
- Provide opportunities for the active participation of victims and the community responding to crime;
- Hold offenders accountable for harm done to victims and the community;
- Provide services that present offenders with opportunities to learn personal responsibility, develop new competencies, and affirm their human worth;
- Encourage family involvement and responsibility; and
- Support, and empower a competent and diverse work force.

**We value:**

- Excellence in public service;
- Partnerships with the local community, and other county, state, and federal agencies;
- New and innovative initiatives that serve the community and contribute to the future of juvenile justice;
- Openness and accountability to the public; and
- Serving the Court and the community with skill, honor, and integrity.

## INTRODUCTION

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The Flathead County Youth Court Leadership Agenda sets forth the broad direction for the Flathead County Youth Court. It presents broad strategies for accomplishing our mission and long-range vision, grounded in the guiding principles and overarching values that we will strive to bring to our daily work and for the future.

This Agenda builds on the statutorily mandated mission of the Youth Court to serve victims, the community, and offenders. It provides a framework within which our diverse activities are integrated under a shared vision of Balanced and Restorative Justice. Our commitment to this vision involves more than just starting new programs. **It requires an intentional focusing of every practice and policy of the Youth Court to reflect the philosophy that is articulated in our Mission and Values.**

The development of this Leadership Agenda has a somewhat unique history. Its roots can be traced to the first community conversations about Balanced and Restorative Justice that began with the inception and implementation of the Flathead County Peer Court Program in 1997. The Peer Court Program implemented elements of the Balanced and Restorative Justice model and functioned as an adjunct to the Youth Court in Flathead County. Since that time, the Peer Court Program has evolved into the Center of Restorative Youth Justice providing Victim Offender Conferencing, two forms of Community Accountability Boards, Youth Connections – a restorative Community Service and mentoring program, and the Victim Impact Program, while continuing to provide the Peer Court Program.

The Agenda articulated in this document reflects the directions that have emerged from the literally thousands of conversations that have occurred since. It is not the product of a committee. It is the product of a community – victims, offenders, private citizens, public and private agencies, schools, law and justice professionals, victim advocates, neighborhood associations, faith communities, state, county, and city governments. What is articulated is a shared vision, and presents an organization-wide direction for the future linking planning, budgeting and performance accountability, and serves as a cornerstone to implementing our statutory duties and mandates within a framework of Balanced and Restorative Justice.

Flathead County Youth Court is part of an extensive network providing linkage to other elements of the county's existing justice, education, and social services systems. Central to our mission is providing services in partnership with families, schools, businesses, law enforcement, other organizations and the community at-large. Maintenance of long term networking relationships and development of new community partnerships is among the Youth Court's top priorities. The Youth Court is represented through its management and staff on multiple permanent community boards and committees, in addition to numerous inter-county committees and work groups focused on enhancing or otherwise improving service delivery to the community. It is through on-going networking, partnerships, and a high level of participation in the efforts and initiatives of others that we avoid redundant and duplicated services, and can be responsive to community priorities.

## THE LEADERSHIP AGENDA

Flathead County Youth Court Services has a statutory responsibility to provide a continuum of services that meet the needs of victims, the community and juvenile offenders. The Youth Court has a long history of providing excellent services directed toward achieving public safety through practices that reduce risk and promote the community's capacity to manage the behavior of juvenile offenders. Youth

Court Services has consistently investigated and implemented new interventions, program improvements, and alternatives to incarceration with the goal of reducing reliance on external controls while protecting the community and providing offenders with opportunities for reform. The Youth Court provides an array of services related to juvenile criminal offenders and Youth in Need of Intervention. The Youth Court provides probation and diversion services as mandated by law. While a District Court judge presides over juvenile hearings and trials, the Court provides courtroom and record keeping support. Youth Court staff is responsible for pre-trial investigations and recommendations, diversion from prosecution, supervision and case management for juvenile offenders. The Youth Court staff acts as hearings officers in informal, diversionary cases.

The adoption of the Montana State Juvenile Court Assessment and Tracking System (JCATS) and the identification of empirically derived interventions that have demonstrated promise of reducing recidivism in juvenile offenders is an appropriate fit to our existing efforts in the areas of early intervention and addressing the needs of special populations.

This Agenda articulates four key elements to be addressed by our mission and mandate as the Youth Court for Flathead County. It further identifies opportunities for action and improvement. It provides broad strategies for the planning and implementation of programs and services. These four elements are the focus of our work: **Stewardship - Community Safety –Accountability – Competency Development.**

### **Stewardship**

Citizens look to the Courts as protectorates of cherished community values – equality, liberty, justice, freedom. We believe that the Flathead County juvenile justice system has at its heart, the community’s response to crime and the harms caused by crime. Citizens look to us to be models of government accountability, personal responsibility, and public service. **We believe that we have a personal and collective responsibility to be good stewards of this public trust.** This Leadership Agenda begins with personal stewardship, accountability, and shared responsibility. State of Montana employees of the Flathead County Court will:

- Demonstrate uncompromising commitment in all we do in supporting the Constitution of the United States, and Constitution and Laws of the State of Montana and to faithfully perform the duties and responsibilities required of us as public servants.
- Practice sound fiscal management of public funds represented in the state, federal, and county dollars allocated and entrusted to us.
- Be truthful, respectful, and forthright in our interactions with one another, and affirm and support one another as colleagues with shared values, vision and mission.
- Strive to resolve conflicts through sharing our thoughts and feelings, listening to one another, taking responsibility for our behavior and actions, and being open to restorative resolutions.
- Respect and operate within the guidelines, policies, and practices provided by the District Court judges of Flathead County and the Supreme Court judges of the State of Montana.
- Practice active citizenship through participation in the civic, cultural, and shared life of the Flathead County and world community. We will strive to be model citizens.
- Encourage, seek, and value diversity in people, ideas, and services.

### **Community Safety**

*Citizens have a right to a safe and secure community and must be protected during the time the offender is under juvenile justice supervision.* The juvenile justice system must provide a range of intervention

alternatives geared to the varying risk presented by the offenders. The active involvement and participation of the community is essential to creating a safe community. Flathead County Youth Court will direct its energy toward creating juvenile justice responses that include “tried and true” services and interventions, new and innovative ways to enhance public safety, and expanded responses to community concerns. It is focused on ensuring that offenders in the community are carefully supervised by staff and a range of community “guardians”, development and implementation of a range of supervision and sanction options, alternative responses to violations and incentives for progress. **Creating a safe and healthy community is our number one priority.** We will:

- Invite and support the community’s involvement in creating a safe community and strive to provide a variety of appropriate, safe, and meaningful opportunities for participation in our work.
- Use the State of Montana JCATS Risk Assessment, and other diagnostic, evaluation, or assessment tools to evaluate offenders’ risk to re-offend, risk and protective factors, and intervention and/or placement needs.
- Develop, implement, and refine a range of community program options designed to meet varying levels of offender risk, supervision, and intervention needs.
- Collaborate with law enforcement, the community, and other agencies in promoting community-policing activities.
- Develop, implement, and manage an array of graduated sanctions, custody and non-custody options, and “restrictive to least restrictive” alternatives.
- Establish and follow best practice standards for community supervision programs.
- Network, consult, and collaborate with families, schools, and other agencies in supervision and work with offenders.

### **Accountability**

Crime hurts individual victims, the community, and juvenile offenders and creates an obligation to make things right. **When a crime occurs, the offender incurs an obligation to the victim.** Victims and the community should have their losses restored by the actions of the offenders making restitution and amends. Victims and the community should have the opportunity to be active participants in the juvenile justice process and express what represents justice for them.

Flathead County Youth Court will respond to the community’s call that resources be directed toward supporting services that hold juvenile offenders fully accountable for crime and resulting harm to victims and the community. **We will provide opportunities for offenders to make amends and repair harm in ways that are meaningful to those impacted by crime.** We will:

- Direct fiscal and human resources to facilitate increased participation of victims and community in juvenile justice processes and facilitate offenders in making restitution, and direct amends for harm done. We will strive to implement efficient, fair, and meaningful restorative practices and increase responsiveness to victims and community.
- Engage offenders in actively working to restore victims’ losses, participating in activities that increase empathy with victims, and taking reparative actions in the interest of victims and community.
- Support the Center for Restorative Youth Justice.
- Support continued implementation of Restorative Community Service opportunities.
- Develop and implement methods for improving payment of restitution.



- Recruit, train, and support citizen Community Accountability Boards.
- Develop and implement protocols, best practices, and services to provide information and facilitate participation of victims at all stages of the justice process.
- Develop and implement best practices at every program level that emphasize offenders' value as members of the community and their responsibility for making direct and meaningful amends for the harm that resulted from their crimes.

### **Competency Development**

Juvenile offenders should leave the juvenile justice system more capable of being productive and responsible in the community. **Rather than simply receiving treatment and services aimed at suppressing problem behavior, offenders should make measurable improvements in their ability to function as productive, responsible citizens.**

Flathead County Youth Court is committed to the idea that development and implementation of services that enhance opportunities for juvenile offenders to derive benefit from their contact with the juvenile justice system and the community represents a sound investment in future. The community desires that youth and families have access to a wide range of educational, skill building, treatment, and intervention resources that are appropriate and responsive to their interests and needs, as well as those of the community. We will:

- Assess youth and families strengths and interests and identify community resources to build on those strengths in ways that build and/or demonstrates competency. Engage youth and families in competency building activities and provide necessary supports for successful completion.
- Build prevention capacity through productive partnerships with educators, agencies, and other community partners.
- Pursue opportunities to partner with the community in developing opportunities for young offenders to make positive contributions to the community while learning positive civic and other values.
- Encourage and support youth in learning from the past and making amends for the harm caused by their crimes, meeting challenges in the present, and focusing on a future as productive, responsible citizens.
- Invest in programs and services that are responsive to the needs of victims and offenders, and encourage and support healthy development and positive growth and change in youth, families, and the community.
- Support and participate in the work of others - neighborhoods, schools, agencies, and other community initiatives, that focus on prevention, early intervention, and increasing human and community resource assets, and hold promise for reducing crime.
- Expand the definition of juvenile justice "expert" to acknowledge and utilize the gifts, talents, skills, competency, and energy of community members in development and implementation of juvenile justice programs, services, and activities.
- Increase adult and youth volunteer opportunities within the juvenile justice system, and support their work in tangible and meaningful ways.

## RELATIONSHIP BETWEEN THE LEADERSHIP AGENDA AND PERFORMANCE

While this Agenda is broad and long range, performance plans are more detailed, concrete and time focused. They describe what will occur within a given year, and a given level of resources and/or activities, to move toward achieving long-range strategic goals.

The Youth Court will revise its internal processes to ensure that this Agenda serves as the foundation for the development of annual budgets and performance plans. This ensures a clear focus on direction and results. In addition, it allows the myriad activities of multiple component programs and services to be viewed in the context of our over arching, long range vision related to achieving Balanced and Restorative Community Justice outcomes. Goals and indicators will be supportive of, and derived from, the challenges, opportunities, and strategies set forth in this Agenda.

## MEASURING LEADERSHIP AGENDA OUTCOMES: ISSUES AND CHALLENGES

Measuring outcomes is difficult in many contexts, but particularly so in Juvenile Justice. Principally we must be guided by constitutional, state, and local laws in fulfilling our statutorily mandated responsibilities and "delivering justice". **Success** for us is when we meet the letter and intent of the law in ways that both protects and is restorative to victims, the community, and offenders. **Success** for us is not reducible to simple numerical counts of arrests, convictions, referrals, cases opened and closed, or increases and decreases in recidivism. **Success** for us means increased opportunities for victims and the community to participate in justice processes that are meaningful to them. **Success** is measured not only in terms of how young offenders are held accountable under the law, but how they are accountable in making amends to victims and the community for harm done. Quantitative measurement of the value and benefits of these types of outcomes is a complex challenge. How do we capture accurately the value of victim and community participation and satisfaction with justice processes? In addition, it is extremely difficult to isolate the particular effects of Juvenile Justice activities from other factors that affect outcomes and over which the Youth Court has little or no control. These factors include:

- **Social-Structural factors.** Although the research is inconclusive, there is some reason to believe that the incidence of crime is affected by the proportion of youth in the population. Flathead County has been one of the fastest growing counties in the state of Montana for a number of years, and with that has come a significant increase in the at-risk population of our community (the total number of youth between age 10 and 17). While juvenile crime is not acceptable at any level, some level of juvenile crime is inevitable and therefore not a clear indicator of an ineffective or failing justice system. Simply stated, it is hard to do better as a community when we're doing so well.
- **Changing statutory responsibilities.** The Youth Court's mission, goals, priorities and workload are affected directly by laws enacted by the State Legislature, and in some cases federal legislation.
- **The strength and vitality of our social, economic and political institutions.** The strength and vitality of our social, economic and political institutions are vitally important to achieving good outcomes. Achieving established goals depends on strong institutions, the family first among them, followed by schools, churches, neighborhoods, business and industry, environmental and social policy governmental bodies, the media, charitable organizations that inspire trust, build community, promote civic responsibility and volunteerism and help preserve social order. The effectiveness and integrity of these institutions are the key to securing voluntary compliance with both the civil and criminal law.

- **Cultural attitudes and practices.** Also impacting our work is the degree to which our cultural attitudes and practices are consistent with the demands of a multi racial, pluralistic culture and reflect a continuing commitment to core values, including the rule of law. These cultural attitudes and practices are shaped mainly by the institutions cited above.

*In response to these issues and challenges, we will make every effort to identify opportunities, strategies, and key indicators of performance that are meaningful and appropriate to our mission. The outcomes we aspire to achieve are defined by our vision. This vision demands that we are accountable and value not only what or how much gets done, but how it is done and the quality of the process leading to the outcome.*