



**HANDBOOK 2010**

# Redwood County Circle Sentencing

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## **Introduction**

This handbook serves as a general guide that will be followed for Circle Sentencing in Redwood County. Some of the policies and procedures will be changed or modified as we strive to serve the needs of everyone involved in the process.

Circle Sentencing in Redwood County is a community directed process in partnership with the juvenile justice system. Circle Sentencing in Redwood County is a collaborative effort to address issues surrounding incidents of crime/negative behavior by youth. The primary participants in the program are volunteers who strive to make their communities safer and more community focused by devoting time to work with youth and victims. The program's success would not be possible without the partnering efforts of the Redwood County Attorney's Office, Redwood County Probation Agents, Redwood County Human Services, schools serving Redwood County youth, Redwood County District Court, Law Enforcement, and the Public Defenders Office. The Redwood County Circles are supported by the Restorative Justice Coordinator, who coordinates the Circle programs on a countywide level.

## **Mission Statement**

Circle Sentencing will include those harmed by crime/negative behavior, those who commit crime or are truant, and the community to determine the most effective response to a crime or social problem that will promote healing and safety for everyone. The Circle will develop support for those harmed by crime/negative behavior, create a sentence for those who commit crime or are truant and support them in fulfilling the obligations of the sentence, and strengthen the community to prevent future crime/negative behavior.

The Circle process will:

- emphasize the connectedness of all things
- honor the presence and dignity of every participant
- value the contributions of every participant
- support emotional and spiritual expression
- give equal voice to all\*

Community Circles will empower communities, namely all those who are affected by crime and social problems, to actively participate in the response to violence and social problems. In this way, Circles will enhance the justice system by holding the youth accountable to the community in which he or she resides. All members of the Circle will become the support system for the victim and offender.

(\* Pranis, Kay. *The Little Book of Circle Process; A New/Old Approach to Peacemaking* (Intercourse, PA; Good Books, 2005),

## **Confidentiality and Mandated Reporting**

Personal and sensitive issues that are discussed in the Circle are kept confidential between the Circle members, including names of juveniles who may be involved as participants or family members. One of the primary values of the Circle is that what is said in the Circle stays in the Circle. All participants are expected and required to honor that value. The Restorative Justice Coordinator will keep a running log of brief summaries of the Circle meetings/youth's progress; this will remain factual and objective. It will be available for review by volunteers during Circle meetings in the event a volunteer misses a meeting.

The following are exceptions to the confidentiality of Circles. If any of the following are disclosed in a Circle, the Restorative Justice Coordinator/Circle Keeper shall report it immediately to the appropriate agency, using the required form, attached on pages 20-21:

- Threats of homicide
- Threats of suicide
- Abuse of a child
- Abuse of a pregnant woman
- Abuse of a vulnerable adult

The Restorative Justice Coordinator and all Circle Keepers will receive mandated reporting training.

## **Voluntary Participation**

Participation for all Circle Members is completely voluntary, including the youth, their families, and victims. Youth will be able to withdraw from the Circle program at any time after they are accepted; they will be returned to the traditional justice system or referring party for disposition/sentence or traditional response/consequence.

Victims will always be given a choice about the extent of their participation. They may choose to be directly involved or have someone advocate on their behalf.

## **Decision Making by Consensus**

All decisions made in the Circle process are done by consensus. This means, those who come together for discussion and decision-making agree to listen to all perspectives and to be flexible in working toward a common agreement. Participants understand from the outset that it is unlikely that the group's consensus will exactly match their preference, but rather a decision everyone can live with will be reached. Everyone, regardless of their title and role, has an equal voice in the Circle, and they have ample opportunity to express their points of view. Consensus can also mean that there is no consensus reached.

## **Victim Notification & Participation**

Throughout the Circle process, the victim may choose to participate. The Restorative Justice Coordinator will contact the victim when a youth is accepted to Circle. If the victim indicates interest in participating in the Circle process, he or she will meet with the coordinator for more in depth information on the program.

Victims will always be given a choice about the extent of their participation. They may choose to be directly involved or have someone advocate on their behalf. Victims will always be invited to participate in a Healing Circle. The purpose of a Healing Circle is to share the pain of the person or persons who have experienced trauma or loss due to crime/negative behavior or actions of others.

The Restorative Justice Coordinator will be responsible to maintain appropriate victim contact as outlined in the Coordinator Expectation section of this handbook. (See page 11-12).

## **Application & Referral Guidelines for Delinquency**

Suitability of each case referral is determined through consultation between the coordinator, stakeholders and the Court. Following are several factors considered in aiding the determination:

1. Nature of offense/negative behavior.
2. The youth's history of involvement in the system (Corrections or Family Services).
3. The youth takes responsibility for the incident(s) in question. Pleads guilty in court.
4. The youth indicates a genuine desire and/or willingness to change his or her harmful behaviors.
5. Most cases will be juvenile cases. If a case meets the other criteria, and the offender is a young adult, exceptions may be made.
6. The youth lives in and committed the crime in Redwood County.
7. Reciprocity issues with other Minnesota counties will be considered on a case-by-case basis.
8. Out of state residents are not eligible for Circle.

## **Application & Referral Guidelines for Truancy**

Suitability of each case referral is determined through consultation between the coordinator, stakeholders and possibly the Court. The following are several factors considered in aiding the determination:

1. The student's truancy pattern is current.
2. The student's history of truant behavior.
3. The student takes responsibility for the missed school time.
4. The student shows a genuine desire and willingness to change their truant behavior.
5. The student is a juvenile.

6. The student resides in Redwood County.
7. Reciprocity issues with other Minnesota counties will be considered on a case-by-case basis.
8. Out-of-state residents are not eligible for Circle.

### **Full Disclosure**

If accepted to the Circle process, full disclosure of the juvenile's history is required. This includes all court proceedings, school records, medical records, treatment and placement information and any other significant history affecting the juvenile. Information disclosed to the Circle includes but is not limited to police reports, court files, medical records, school records, treatment and out of home placement records, probation records and any other records deemed relevant by the circle. The youth shall disclose all such information as truthfully as possible and the youth shall also sign any requested releases of information disclosing this information to the Circle. Any written information regarding the juvenile will be distributed by the Restorative Justice Coordinator. The documents will be collected at the end of Circle. No documents will leave Circle under any circumstance.

### **New Violations**

The youth is expected to self disclose any new charges, contact with law enforcement or disciplinary proceedings in school to the Circle. Circle participants charged with a new offense while meeting with the Circle may be dismissed from the Circle process at the discretion of the Circle depending upon the severity of the charges, progress of the juvenile. This is also true if the health, welfare or safety of the youth or public is at risk. If the new offense is a felony or crime against a person it is presumed that the youth will be discharged unless there are extraordinary mitigating factors. The youth also risks dismissal from Circle by court order, without consent of the Circle if there is a subsequent violation of law.

## **JUVENILE JUSTICE SYSTEM TERMINOLOGY**

*This outline is meant to assist Circle Sentencing volunteers. It is not complete and is only meant to identify in summary, basic terms and movement of cases through the court system.*

<b>Adjudicated</b>	The term used in juvenile court to indicate that a juvenile was found to have committed a delinquent act. A formal finding of guilt.
<b>Arraignment Hearing</b>	Usually the child's initial hearing at which time the court insures that the child and parents understand their rights, the charge and possible consequences. The child must admit or deny the charge at this time.
<b>CHIPS</b>	Children in Need of Protection or Services. These are children whose cases have been brought into juvenile court, usually by the social services agency, as the result of a dependency, neglect petition, or need for other services. M.S. 260.015
<b>CUA/Rule 25</b>	Chemical Use Assessment, also called a Rule 25 Assessment. This is an assessment completed by a qualified professional (either with family services or at a treatment center) to determine risk and needs of a person in regards to chemical (drug & alcohol) use.
<b>Delinquent</b>	A child who is at least 10 years of age, but not more than 18 years of age, who committed an act that would be a crime if committed by an adult. M.S. 260.015.
<b>Detention</b>	The temporary holding of a child, in either a secure or non-secure facility, until the next appearance in juvenile court. M.S. 260.165 to 260.173.
<b>Detention Hearing</b>	A hearing where it is determined by the juvenile court judge if the child is to be held in detention until the next court appearance.
<b>Disposition Hearing</b>	The hearing at which the juvenile court judge decides the appropriate sanctions and necessary follow-up programming for an "adjudicated delinquent". Similar to sentencing hearing in adult court. M.S.260.155.
<b>Guardian ad Litem</b>	A person appointed by the juvenile court to represent the best interests of a child in a court proceeding. M.S. 260.1.55.
<b>Petition</b>	The legal document which describes the alleged offense committed by the child. Similar to a complaint in adult court. M.S. 260.131.

<b>Pre-dispositional Report</b>	Also known as a Social History, this is a pre-sentence investigation which contains much of the same information as its adult counterpart. M.S. 260.151, 260.181, 260.311.
<b>Pretrial Hearing</b>	A hearing in juvenile court after the child denied the petition (pled not guilty), in order to set the trial date and to review the issues and evidence in the case. M.S. 260.155.
<b>Probation</b>	A juvenile court disposition which places the adjudicated delinquent back into the community under the supervision of a probation officer. M.S. 260.185.
<b>Probation Officer</b>	A person employed at the local level that provides supervision and counseling to juveniles who are under the jurisdiction of the juvenile court, and/or released from a state juvenile corrections facility by the Commissioner of Corrections. M.S. 260.311.
<b>Psychological Evaluation/ Rule 79</b>	An evaluation completed by a qualified professional determining risk and needs regarding a person's mental health.
<b>Stay of Adjudication</b>	When a child has been adjudicated delinquent, but the juvenile court has determines that the circumstances of the case warrant a "second chance", the court can suspend, or stay, the adjudication of guilt. If the child satisfies all conditions set forth by the court, the court can dismiss the charge and there will be no record of the adjudication.
<b>Trial</b>	When the charge stated in the petition is denied by the child and not dismissed by the prosecutor or juvenile court, the judge hears and decides the case. Jury trials are not held in juvenile court.

### **LEVELS OF OFFENSES**

***Petty Misdemeanor:*** Maximum ADULT sentence is \$300.00. No jail sentence.

***Misdemeanor:*** Maximum ADULT sentence may be 90 days in jail and/or \$1,000.00 fine.

***Gross Misdemeanor:*** Maximum ADULT sentence is one year in jail and/or \$3,000.00 fine.

***Felony:*** ADULT Sentence of a year and a day in prison, or more.

## SUMMARY OF THE CIRCLE SENTENCING PROCESS

### **Before Arraignment (1<sup>st</sup> court appearance):**

- In some instances, a youth's case may be discussed by stakeholders as a possible referral to Circle prior to arraignment.
- The Restorative Justice Coordinator, the youth's attorney, and/or any of the stakeholders may be available before entering the courtroom on arraignment day to discuss the Circle Sentencing program and process with the youth and his/her family.

### **Arraignment:**

- Youth will plead guilty and admit truant and/or delinquent behavior. Plea may be accepted by the Court and the matter will be referred to Circle Sentencing by the Court.

Certain cases are ineligible for the Circle Process

1. Presumptive Minnesota Sentencing Guideline (MSG) commitment
  2. Sex Crimes
  3. Felony level assaults
- The youth and his/her attorney (if applicable), will complete the Redwood County Circle Sentencing Referral Form provided to them by either Court Administration or the Restorative Justice Coordinator. They will also complete a Release of Information Form.
  - **As noted on the Referral Form signed by the youth, a guilty plea cannot be withdrawn after acceptance into Circle.**

### **Referral Process:**

- Upon receipt of the referral packet from Court, the Coordinator will send notification to the Court, county attorney, defense attorney, and probation/family services, or school (if applicable). These interested parties have 5 business days to provide input.
- The Coordinator will meet with the youth and his/her support/family and explain Circle Sentencing and the application process.
- The youth will be scheduled to attend his/her assigned Circle to present his/her application.
- The Circle will hear the application and reach consensus regarding acceptance.
- The Coordinator will advise all parties of the Circle's decision and forward a copy of the application to the Court, county attorney, defense attorney, probation/family services, or school (if applicable). If the youth is not accepted into Circle or fails to meet with the Coordinator or Circle as directed the matter will be referred back the Court for disposition.

### **After Acceptance into Circle:**

- The Circle will complete a Social Compact with the youth. This document (sentence) will define a set of long term goals for the youth. The Social Compact is a fluid document that may have additions or modifications as the Circle becomes more familiar with the youth. The Coordinator will forward the Social Compact to the Court and appropriate parties within 30 days of acceptance into Circle.
- The youth will attend **all** scheduled Circles and work towards completion of the Social Compact with the support of the Circle.
- The youth will prepare an apology to the victim (if applicable) and a Healing Circle may occur if the victim wishes.

- The Coordinator will file a Review Report with the Court or referring party no less than every six months. This will be the time that any changes or additions to the Social Compact will be reported.
- If at any time a youth chooses to return to the traditional system or is evicted from the Circle for lack of progress or noncompliance with the Social Compact the Coordinator will inform all parties promptly and a Dispositional Hearing will be set. The Circle can make any recommendations to the Court regarding the youth's needs or concerns. These recommendations will be provided, to the Court by the Coordinator.
- Once the youth completes the components of the Social Compact and consensus is reached by the Circle that the youth is ready to conclude the process, a Sentencing Compact is completed. The Sentencing Compact is a complete list/description of the conditions the youth completed while in the Circle Sentencing Program. The Coordinator will forward the Sentencing Compact to the Court and request that a Dispositional Hearing be set.
- A Celebration Circle will be held for the youth to signify completion.

**Dispositional Hearing:**

- If the youth successfully completes Circle, he/she will appear before the Court for disposition (sentencing). The Court will acknowledge the youth's completion of the components of the Sentencing Compact, close the file, and may dismiss the charge.
- If the youth is returning to the Court for disposition after being ejected from the Circle or after choosing to discontinue participation in Circle, the Court will proceed with disposition as determined by the District Court.

**Note:**

- Referring Agencies act as liaisons to Circles regarding monitoring and compliance with the Social Compact. Communication between the Coordinator and the Referring Agency is critical as ejection from Circle will result in the case being returned to the traditional system. All agencies agree that a pre-trial file will be opened with probation/family services/schools. This file will close according to those agencies guidelines.

## **Coordinator's Expectations**

### **General Expectations:**

- Recruit and maintain an adequate volunteer base for Circles, facilitate trainings and informational sessions as necessary for volunteers and/or stakeholders. Support volunteers and provide guidance when appropriate.
- Facilitate the Circle Process, act as Circle Keeper, and support the guidelines and values of Circle. Arrange necessary location and snack accommodations for the Circles.
- Keep Circle members in contact with each other, record Circle activities and support the Circle in its efforts to affect change in the community.
- Facilitate regular Restorative Justice Advisory Council (RJAC) meetings, create agenda and provide related materials to participants. Provide general program updates as well as youth updates to the stakeholders on a regular basis and as requested.
- Provide regular updates to the County Board regarding the program's status and accomplishments.
- Act as a liaison between the Circle and probation, family services, schools, local service providers, and criminal justice representatives.
- Keep detailed, accurate records of youth and volunteer information.
- Complete all necessary requirements for any grants the program receives. Head efforts to continue to seek alternative supplemental funding for the program.

### **Case Specific Expectations:**

- Advise the Court, prosecuting attorney, and/or probation officer/social worker immediately if a youth is believed to be at risk to themselves or others.
- Advise Court and appropriate parties if a youth fails to attend scheduled Circle meetings or meetings with the Coordinator, or otherwise absconds from the Circle's supervision.
- Advise Court and appropriate parties in writing within 5 business days of a youth's termination from or successful completion of Circle.
- Keep youth files organized, maintain accurate up to date file information.
- Check youth's restitution/fine balance regularly, advise Circle of balance, c o n f i r m payments.
- Advise local law enforcement of youth involved in Circle, request to be advised if they have negative contact with that youth.

#### Arrestment:

- Meet with stakeholders to discuss a possible referral prior to the scheduled arrestment.
- Attend scheduled arrestment for potential referral, explain Circle to the youth and his/her family.
- Assist youth in completion of Referral Form and Release of Information Form. Schedule time to meet with youth and his/her family to discuss Circle process and application.

#### Upon Receipt of Referral:

- Send notification letter to Court, county attorney, defense attorney, and probation/family services/school (appropriate parties).
- Facilitate Application Circle, advise interested parties in writing of the Circle's decision to accept/deny case. Provide copy of application to Court and appropriate parties.
- Meet with youth and his/her family to explain Circle and provide them with application.
- Schedule Application Circle within 14 days of meeting with youth/family.

#### Upon Acceptance to Circle:

- Contact victim(s) (if applicable), advise them that the youth was referred and accepted into Circle, invite them to participate in process to the extent they wish. Prepare for Healing Circle if victim is willing. Keep the victim informed of the youth's progress in the Circle.
- Engage Circle to complete Social Compact shortly after the youth's acceptance into Circle. Forward copy of Social Compact to Court and appropriate parties no later than 45 days after acceptance into Circle.
- Submit written Case Review Reports to Court and all appropriate parties no less than every six months (from date of referral in Court). This report will detail the youth's status in completion of the conditions of the Social Compact as well as advise of any changes or additions to the compact.
- Prepare/complete the Sentencing Compact for youth who complete the components of the Social Compact and who per consensus of the Circle, are ready to conclude the process. Send copies of the Sentencing Compact to the Court and appropriate parties. Request a dispositional hearing be scheduled.

#### For Disposition:

- Prepare and send Closing Report detailing youth's progress and reflect the Circle's feelings towards the case and any recommendations to Court and all appropriate parties.
- If a youth was ejected from Circle or chose not to continue with the process, provide detailed accounts of what the youth did complete as well as the Circle's feelings towards the case and any recommendations to the Court and appropriate parties.

#### Schedule Circle Celebration:

- All participants and stakeholders will be invited for a final Circle to celebrate, once Circle Sentencing is successfully completed.

## **Community Circle Volunteer Expectations**

- Honor Confidentiality. Sharing personal information outside the Circle can be harmful. Keep specific discussions held in the Circle confidential, with the exception of mandated reporting requirements (see Confidentiality & Mandated Reporting Section, page 4).
- Follow Circle Guidelines shared at the beginning of each Circle.
- Report to the Circle any previous relationships with the youth, victim, or their support persons OR choose NOT to participate in the Circle.
- Assist the coordinator in keeping Circle Volunteers in contact with each other, recording Circle activities or supporting the Circle in any other appropriate manner.
- Assist the youth in being accountable to the community and the victim.
- Support victims and offenders in the Circle process.
- Follow through with any commitments made in the Circle.
- Once committed to serving on a Circle for a particular case, community members agree to make an active effort to attend a majority of Circle meetings for that case. When a community member is unable to attend, they will inform the coordinator or other volunteer(s) prior to Circle. Understand that restructuring of Circle to accommodate expansion of the program may be necessary.
- Help maintain the safety of the Circle for all.
- Work to understand those who disagree with you.
- Help clarify misunderstandings- seek correct information. Rumors are harmful.
- Help build consensus by listening to everyone. Consensus doesn't always mean total agreement, but a willingness to support an agreement developed inside the Circle. Individuals developing agreements or "voting" outside the Circle can make consensus difficult.
- In their role as a Circle member, no Circle member should gain financially from other members. This includes youth, victims, support people and other volunteers.
- Circle Volunteers assume responsibility for their own willful violations of the law and intentional falsehood.

## Expectations of Stakeholders

### Youth:

- Complete the application process within 14 days after the initial hearing.
- Agree to enter a plea of guilty as part of agreement to participate in the Circle program.
- Attend ALL scheduled Circles and court dates, and participate fully and honestly in Circle meetings as any other member of the Circle.
- Follow all Social Compact agreements developed in the Circle.
- Youth may choose to terminate involvement in the Circle program at any time. The case will then be returned to Court for disposition. Withdrawal of the plea is not permitted at that time.

### Youth's Support People:

- Act in support of the youth in Circle meetings.
- Follow through on any commitments made in Circle Meetings.

### Prosecuting Attorneys:

- Become familiar with the Circle process before recommending youth to the program by reading program materials or contacting Coordinator.
- Prosecuting attorneys are welcome, but are not required to attend Circle meetings.

### Defense Attorneys:

- Become familiar with the Circle process before referring youth to the program by reading program materials or contacting the Coordinator.
- Defense attorneys are welcome, but are not required to attend the Circle meetings for their clients.

### Local Law Enforcement:

- Become familiar with Circle process before recommending youth to the program by reading program materials or contacting Coordinator.

- Notify prosecuting attorney of any cases that maybe appropriate for the Circle process.
- Support Community Circles by responding to questions and requests by the Circle as appropriate.
- Notify the Coordinator or any Circle member of any offender in the Circle process who is known not to be following their Social Compact.
- Police Officers are welcome, but are not required to attend Circle meetings.

### Victim Services:

- Send information on the Circle process to victims.
- Contact coordinator on victim's behalf for any concerns or questions on youth's progress or the Circle in general.

### Probation Agents:

- Support Community Circles by responding to questions and requests by the Circle as appropriate.
- If known, notify the Coordinator when an offender is not adhering to their Social Compact.
- Probation officers are welcome, but are not required to attend the Circle meetings for their clients.

### Social Workers:

- Support Community Circles by responding to questions and requests by the Circle as appropriate.
- Assist the Circle and or Coordinator in determining necessary services and providers, aid in the facilitation of services as necessary.
- If known, notify the Coordinator when a youth is not adhering to their Social Compact.
- Social Workers are welcome, but are not required to attend the Circle meetings for their clients.

### Teachers/School Representatives:

- Support Community Circles by responding to questions and requests by the Circle as appropriate.
- If known, notify the Coordinator when a youth is not adhering to their Social Compact.
- Teachers/School Representatives are welcome, but are not required to attend Circle meetings.

## Victims:

- Victims may participate in Circles on whatever level they are comfortable. See the Victim Notification & Participation section for more information.
- Victims may bring their support people with them, when attending Circle Meetings.
- Healing Circles are available separate from the youth's Circles. Victims are welcome and encouraged to take advantage of this service. Contact the coordinator for more information.

## Victim's Support People:

- Act in support of the victim in Circle meetings; advocate for the needs of the victim.
- Bring any input from the victim to the Circle if the victim would like to have input but chooses not to attend the Circle in person.
- Follow through with any commitments made in Circle meetings.

## Values of the Circle

The core values of the Community Circles in Redwood County are reflective of both the necessary qualities which need to be present for each Circle to have meaning, as well as important values of the communities. No value carries more significance than any other. Participation in the Circle process indicates acceptance of these values both in word and action. The values are interdependent, sharing certain features among them.

### Respect:

Respect acknowledges the dignity and worth of each individual. It ensures that every participant experiences acceptance into the Circle, and ensures that everyone is heard with equality. It requires every participant listen to everyone else. Respect means that all members of the Circle participate within the guidelines set by the Circle. Furthermore, respect is critical in achieving the ***consensus decision-making*** necessary for Circles to be successful.

Respect is also important in understanding the concept of ***honoring the talking piece***. When others are holding the talking piece, it is important for participants to view the piece as an opportunity for reflection. When the talking piece is held out for open discussion, it continues to have importance and should be honored by conducting discussion in a respectful manner. The talking piece is a symbol of ***the interconnectedness and shared responsibility*** of the participants in the circle, and it should be held respectfully.

### Humility:

The strength of character to recognize the humanness of self and others, and to be inclusive and thankful for everyone's participation in the Circle, is to have humility. Humility helps create partnership between participants. Humility is closely tied with the value of honesty, mostly in terms of honesty with self.

### Compassion:

Compassion indicates a genuine concern for the welfare of others. For the supportive relationships of Circles to be built, participants need to enter the Circle process open to feeling compassion for others whom they will join on the Circle journey.

A compassionate focus on harm, combined with the flexibility of Circles, allows victims to be involved in the Circle process in whatever ways are comfortable for them. This harm-focus opens the Circle to visiting many issues which may underlie the committing offense and which would probably not otherwise be acknowledged. Compassion felt by Circle participants enables the Circle to take positive action to repair those issues which contributed to the harm done.

### Honesty:

Accountability is an indisputably important element in the Circle process. Trust is necessary for accountability, but neither can be achieved without honesty. People need the support of others to make affirmative changes in their lives and honesty is the basis for building those strong relationships within communities. Furthermore, dishonesty can quickly result in hostile feelings which undermine the Circle process. Therefore, it is necessary for each participant to strive for honesty with themselves and others; and to speak with honesty in a Circle so that victims, offenders, and other Circle participants can view the Circle process as a positive experience.

### Spirituality:

Spirituality celebrates the wholeness of each person and the oneness of the Circle. It allows all participants to speak from the heart, so that everyone can share with each other in the spirit of moving beyond conflict together, to find understanding and healing.

**Holding a Circle means creating a safe space, where these values are honored.**

## Redwood County Circle Volunteer Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Work/Cell: \_\_\_\_\_

Email: \_\_\_\_\_

1. I read the Community Circle Manual and met with the Coordinator to discuss the Circle Sentencing Process.
2. I understand the purpose of the Circle is to come up with a reasonable sentence for the offender, support the offender in mending the harm done, support the victim in their healing, and help the community rebuild the harm that was a result of crime.
3. I understand the seriousness of my role in the Circle. The Circle is part of the Juvenile Justice System; therefore, confidentiality is **extremely** important. What is said in the Circle stays in the Circle. If I disrespect this request, I will be asked to discontinue my participation in the Circle process.
4. I understand that if I plan to have any one-to-one contact with a youth outside of the Circle, I will be asked to share my plan with the Circle and/or Coordinator prior to meeting with the youth.
5. I understand that in order to participate in Circle I must submit to a background check. This is done to protect all participants from volunteers with backgrounds of predatory/aggressive behavior. This does not exclude volunteers based solely on past convictions.
6. I understand that the Redwood County Circle Sentencing Program has the right to refuse/reject a volunteer's request to participate at any time if they are a threat to the integrity of the Circle and its values.

\_\_\_\_\_  
Signature of Volunteer

\_\_\_\_\_  
Date

# Redwood County Human Services

302 E. Third P.O. Box 510

Redwood Falls, MN 56283

Telephone: 507-637-4050

Fax: 507-637-4055

## REPORT OF ABUSE OR NEGLECT OF CHILDREN

This report is prepared in connection with the mandatory reporting laws of the State of Minnesota, MN Statute Section 626.556. This report is made with the understanding that immunity from liability, civil or criminal, is given for any report made in good faith. This statute also states that a person required to report, but intentionally fails to report, is liable for damages caused by the failure.

This report is also made with the understanding that Redwood County Human Services shall assess the circumstances and offer protective services to the abused or neglected child. It is understood that this written report will also be shared with Law Enforcement and other appropriate agencies.

Upon completion of the assessment, you may request information relevant to the classification of the report and the agency's intent to provide services.

When providing information regarding abuse or neglect: Be specific in identifying the child, the caretaker, the nature and extent of the suspected abuse or neglect. Provide any evidence of previous abuse and any other information that might be helpful in the investigation.

### NEGLECT:

1. Failure to provide for medical needs
2. Failure to provide for physical needs
3. Failure to provide supervision
4. Failure to care for emotional or behavior problems
5. An environment which is hazardous to the health and safety of the child

### ABUSE:

1. Non-accidental physical injury
2. Malnutrition
3. Over medication
4. Forced confinement and/ or isolation
5. Sexual Assault or threats
6. Verbal assault or threats

**REDWOOD COUNTY HUMAN SERVICES**

302E Third P.O. Box 510  
Redwood Falls, MN 56283  
Telephone: 507-637-4050  
Fax: 507-637-4055

**SUSPECTED ABUSE/NEGLECT FORM**

Victim's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Mother's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Father's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Siblings: \_\_\_\_\_

Nature of the concern. (Dates, times, location of injury, alleged perpetrator, what you were told.)

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Other pertinent information. (Any previous neglect or abuse known to you, health, marriage, financial, emotional, family violence, alcohol/drug abuse, etc.)

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Description of injuries or condition:  
(Diagram physical injuries)

Front

Back

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Any information/evidence regarding previous injuries, neglect, or abuse:

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Your Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Verbal report made to police or Human Services:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

# Redwood County Circle Sentencing Referral Form

If you are applying To Redwood County Circle Sentencing, you must agree to the following:

1. I must plead guilty to the offense in court.
2. Once referred to Circle by the Court, I may not withdraw my guilty plea. Therefore, I agree to fully cooperate with the circle process. If the Circle is unable to reach a Sentencing Compact, or I am evicted from the Circle for any reason, including noncompliance with the Social Compact or the Sentencing Compact, I will return to court for sentencing without the benefit of any plea agreement. The Circle has the right to modify the agreement at any time.
3. Under various Minnesota laws, I am entitled to a certain extent of privacy. By entering Circle, I give up my right to privacy. I understand and agree that my personal and criminal history that may be detailed in a pre-sentence investigation or a juvenile predisposition report may be accessible to Circle members. Psychiatric and psychological assessments, drug, alcohol, chemical dependency and/ or sex offender assessments may also be available for circle members. While members of the Circle are encouraged to respect my privacy, there are no guarantees or assurances that my privacy will be protected.
4. I understand and agree that if during this process I disclose information about physical abuse, neglect or sexual abuse of a child, or maltreatment of a vulnerable adult, that information must be reported to human services, police department, or the county sheriff under Minnesota Statute 626.556 or 626.557, and may result in further court proceedings, including criminal prosecution.
5. If I am accepted by the Circle, I agree to sign any consents or releases of information about myself that is requested by the Circle. This may include authorizations for new or updated assessments or evaluations.

I reviewed this information with my attorney and agree to all conditions. \_\_\_\_\_

I do not wish to review this information with an attorney. I agree to all conditions. \_\_\_\_\_

## WITNESSED AND APPROVED BT PARENT/GUARDIAN

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Signature of Parent/Guardian)

Send Necessary Referral Information To:  
Mark Triplett Restorative Justice Coordinator  
Redwood County Courthouse  
250 S. Jefferson P.O. Box 130  
Redwood Falls, MN 56283

# Redwood County Circle Sentencing

## Release of Information

I, \_\_\_\_\_, authorize Redwood County Restorative Justice Coordinator and Circle Sentencing Members to receive, release and exchange information with the following:

- Restorative Justice Advisory Board \_\_\_\_\_
- Redwood County Attorney's Office \_\_\_\_\_
- Redwood County Human Services \_\_\_\_\_
- MN Department of Corrections \_\_\_\_\_
- Redwood Falls Police Department \_\_\_\_\_
- Redwood County Sherriff's Dept \_\_\_\_\_
- School \_\_\_\_\_
- Medical \_\_\_\_\_
- Other \_\_\_\_\_

**Please release any required information concerning my personal history, all psychological, psychiatric, chemical dependency evaluations, treatment records, and all other personal data within your agency.**

*Purpose of Release: Attend and Complete Redwood County Circle Sentencing Process*

I understand that my records are protected under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, and cannot be disclosed without my written consent or unless otherwise provided by law. I understand that this data may, after release to the above named entity, be defined as Court Services Data, as defined by Minnesota Statutes Section 13.84, subdivision 1, and as a result may be classified as either public, private or confidential data as defined by the provisions of Minnesota Statutes, Section 13.02. I also understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it (e.g. probation, parole, supervised release, work release, etc). I also understand that if I do revoke this consent prior to the expiration date, the revocation must be made in writing by me and delivered to the agency listed above. In any event this consent expires automatically as described below.

Specifications of the date, event or condition upon which this consent expires: Until Court jurisdiction ends.

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Subject of Data

\_\_\_\_\_  
Signature of Parent or Guardian

## Redwood County Circle Sentencing Application

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ (Home)                      \_\_\_\_\_ (Cell)

Parent/ Guardian: \_\_\_\_\_

Telephone: \_\_\_\_\_ (Home)                      \_\_\_\_\_ (Cell)

Court File #: \_\_\_\_\_

1. List ALL charges by the court:
  
  
  
  
  
  
  
  
  
  
2. Tell your version of the offenses. (use back if needed):
  
  
  
  
  
  
  
  
  
  
3. Date guilty plea was entered in court: \_\_\_\_\_
  
4. How do you feel Circle can help you?
  
  
  
  
  
  
  
  
  
  
5. Who do you feel you harmed by your behavior?
  
  
  
  
  
  
  
  
  
  
6. What are the first steps you need to take in order to take personal responsibility for your actions and make things right again?
  
  
  
  
  
  
  
  
  
  
7. What steps do you need to take in order to prevent this behavior in the future?

**PERMISSION:**

I grant permission for my criminal/traffic record, juvenile record, any pre-sentence report and evaluations/assessments to be release to Redwood County Circle Sentencing.

I will commit my time to attend Circle meetings as directed by the Circle. I will inform the Circle of the steps I am or will take to achieve my goals. I will also commit my time to any sentencing plan created by the Circle.

Applicant's Signature	Date
Parent/Guardian Signature	Date

**SUPPORT PEOPLE:**

List at least 2 support people. Preferably these individuals will be family members or friends that you would feel comfortable talking to about personal issues during times of need. Support members must read the following and agree to the required activities.

*As a support person, I will attend Circle meetings and work with the Circle to help carry out the plan for this applicant. I will be honest and respect the values of Circle.*

1. _____ Name	_____ Phone	_____ Date
Signature	E-Mail	
2. _____ Name	_____ Phone	_____ Date
Signature	E-Mail	

**ACCEPTANCE INTO CIRCLE:**

Redwood County Circle Sentencing accepts \_\_\_\_\_ rejects \_\_\_\_\_ applicant into the Circle.

Signature of Restorative Justice Coordinator	Date
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## Redwood County Circle Sentencing Social Compact

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_ Court File # \_\_\_\_\_

Reports and/ or references to be considered by the Circle include:

1. Police Reports/Complaint
2. Self/Parental Report
3. School Reports
4. Human Services Reports
- 5.

Circle Sentencing met with \_\_\_\_\_ and agreed through consensus to the following long term goals: (Noncompliance or changes will be reported to the court)

1. Attend and participate in all scheduled Circle meetings.
2. Be on good behavior at home, in school and in the community. Obey all laws.
3. Complete \_\_\_\_\_ hours of Community Service as directed by Circle.
4. Give verbal and/or written apology to the victim(s) and participate in a Healing Circle if appropriate.
- 5.
- 6.
- 7.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Community Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Restorative Justice Coordinator

\_\_\_\_\_  
Date

## Redwood County Circle Sentencing Sentencing Compact

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_ COURT FILE # \_\_\_\_\_

Redwood County Circle Sentencing has been meeting with \_\_\_\_\_  
since \_\_\_\_\_ and agreed through consensus to the following long term goals:

1. Attend and participate in all scheduled Circle meetings.
2. Be on good behavior at home, in school and in the community. Obey all laws.
3. Complete \_\_\_\_\_ hours of Community Service as directed by Circle.
4. Give verbal and/or written apology to the victim(s) and participate in a Healing Circle if appropriate.
- 5.
- 6.
- 7.

Since entering Circle, \_\_\_\_\_ completed all of the above conditions of the compact therefore the Circle is hereby referring the matter back to the Court for formal sentencing/disposition.

_____ Signature of Applicant	_____ Date
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_____ Signature of Parent/Guardian	_____ Date
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_____ Signature of Community Member	_____ Date
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_____ Signature of Restorative Justice Coordinator	_____ Date
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## **With support from:**

Redwood County Community Volunteers  
Redwood County Courts  
Redwood County District Attorneys' Office  
Redwood County Human Services  
Minnesota Department of Corrections  
Redwood County Commissioners  
Redwood County Law Enforcement  
Schools Serving Redwood County  
Yellow Medicine County  
Yellow Medicine County Restorative Justice  
Thrivent Financial  
Building Healthy Families

## **Contact Information**

Mark Triplett  
Restorative Justice Coordinator  
Redwood County  
250 S. Jefferson St. P.O. Box 130  
Redwood Falls, MN 56283  
Phone: 507-637-1139  
Fax: 507-637-1141