



OFFICE OF THE  
DISTRICT ATTORNEY  
COUNTY OF YOLO

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**NEIGHBORHOOD COURT**  
**4-Year Report:**  
*An Analysis of Program Development,  
Challenges, and Achievements from  
2013 to Present*

**July 17<sup>th</sup>, 2017**

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*A young man and his wife stop at the local super market on their way back from a long day in the neonatal intensive care unit with their newborn baby girl. They are exhausted, stressed, and struggling to make ends meet. They do not have much familial support to rely on, he was recently laid off and she only works part time at a local drug store due to the demands of their new baby. He feels bad that mother's day was a week ago and he did not have enough money to get her anything. At the store, he tells her he has some extra money so she should pick out some items for herself. As they continue to shop, he hides the items inside her purse. They finish shopping, go to the register and pay for the items still in the cart. He does not acknowledge the items he hid, and she pretends not to have noticed. As they head toward the exit together a security officer approaches and asks them to step into a small office. There, they wait for a police officer to arrive and cite them for petty theft. Overwhelmed with guilt, the young man worries about his family and how they will handle this new problem on top of the daily challenges that they face.<sup>1</sup>*

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*A student goes out to a local bar with friends to celebrate her twenty-first birthday. At some point in the evening, after consuming several drinks, she decided to head home on her own. Officers found her alone, stumbling down a bike path, oblivious to the presence of officers, and headed in the opposite direction of her stated destination. She is unsteady on her feet, and does not have a phone or any means to contact friends or someone for help. Officers arrest her and transport her to jail for her own safety. This is her first time in trouble with the law and she does not know what to do. As she sobers up, she is mortified of what could have happened in her drunken state, and terrified of how this might affect her future.<sup>2</sup>*

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These stories are all too familiar to residents of Yolo County. In the cities of Woodland, West Sacramento (WS), and Davis, a changing work force, economic struggles, and growing population of transition-aged young people, struggling with the uncertainties and trials of making the leap from youth to adulthood, are all factors that contribute to the crimes seen in this program. Within each crime, be it public intoxication, petty theft, resisting arrest, or any of the more than 60 eligible offenses seen in this program, the motives leading up to the offense can differ vastly. The consequences to the participant, the community as a whole, and others involved, can vary just as widely.

For years, the courts have worked to treat all misdemeanor defendants the same and levy a standard disposition regardless of the individuals behind the crime and their needs or the specific needs of the community. For first-time offenders, and those trying to change their ways, this can be especially harmful. The root of the issue often remains unaddressed, and the effects of an arrest and/or conviction in creating a criminal record, may only prove further hindrance to achieving gainful employment, professional licensing, financial stability, housing, reengagement with the community and avoiding future offenses. As the cycle of crime and punishment falls into an endless loop of recidivism, it is apparent that the traditional approach to criminal justice alone is

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<sup>1</sup> NHC Case #223977

<sup>2</sup> NHC Case #225079

untenable. Society is becoming increasingly frustrated, disenchanted, and even less engaged. The criminal justice system must be more innovative and creative. It is incumbent on criminal justice partners to lead the charge.

In 2013, spurred by this need for alternative, community based solutions, the Yolo County District Attorney spearheaded an innovative new diversion program called Neighborhood Court (NHC). With the first case taking place four years ago, this report will provide an overview and analysis of the goals, achievements, challenges, and future intentions, over the course of life of the program, by detailing:

- 1) The program structure of NHC and the principles and reasoning for its format;
- 2) An analysis of program participants and outcomes;
- 3) The process for integration of this program into the current criminal justice system and processes;
- 4) The approach to community engagement and outreach;
- 5) A review of the program's 2013 goals and achievements;
- 6) 2014 goals and achievements;
- 7) 2015 goals and achievements;
- 8) 2016 goals and achievements;
- 9) Addressing program challenges and policy recommendations to minimize barriers to program success; and
- 10) The program's goals and intentions moving forward.

### NHC Structure



*NHC Conference in action, Davis2014*

***Our mission is to seek justice, and do justice by pursuing alternative solutions to criminal offenses that cause harm to the local community through resolutions that are individualized, educational, and restorative to the victim, community, and participant.***

***NHC provides a community-based alternative to criminal court.*** The desire to find an alternative means of resolving lower-level crimes inspired the creation of NHC in 2013, especially for first-time offenders who might benefit more from an individualized constructive solution than a standardized punitive consequence. There was also a desire to involve the community in this new approach, as the surrounding community often

suffers the harms of criminal misconduct, yet the traditional criminal justice approach rarely factors the community itself into the resolution.

***NHC adheres to the principles of Restorative Justice.*** Restorative justice sees crimes as acts that cause harm to people and communities. By addressing these harms and the underlying causes of misconduct, Neighborhood Court’s approach allows for the restoration of all parties involved. Thus restorative justice seeks to achieve inclusive remedies to the harms created by crime, rather than to inflict punitive consequences against the participant which do little to repair the damage done. This philosophical framework serves as the foundation of NHC.

***NHC involves the community.*** The volunteer “Facilitator,” trained in mediation skills, serves as a moderator and manages the conference process. During the conference, the participant meets with 2-3 members of the community, trained as volunteer “Panelists” who represent the voice of the community where the crime has occurred.

***NHC strives to be victim-centric.*** In cases with a direct victim, the victims must give their consent in order for the case to proceed through Neighborhood Court. The victims also get to choose their method of participation; they have the option to participate in the conference directly, with or without the assistance of a Victim Advocate, to participate indirectly by providing a victim impact statement, or to not participate at all. If they participate in the conference, the victims will have the opportunity to voice the harms that they experienced as a direct result of the participant’s actions. Big box stores, such as Wal-Mart, are not given the ability to reject cases from NHC—although they are still entitled to restitution, as any other victim would be.

***NHC utilizes a 3-step mediation style conference process.*** During the facilitated conference, the participant gives an account of the events that led up to the crime that was committed. The panelists then 1) ask questions of the participant to understand the circumstances around the crime, 2) work with the participant to name the harms that community, the participant, and the victim experienced as a result of the crime, and 3) decide together with the participant the steps that are necessary to make things right (as much as possible), and discuss future intentions on how to avoid repeating the behavior. The Facilitator ensures that the process is safe, respectful, and restorative, that all voices are heard, each step of the process is covered, and that a restorative and enforceable agreement is achieved.

***NHC encourages reintegration into the community.*** The face-to-face conference model allows the victims and community members to express their needs and have a say in the resolution, and to encourage accountability on the part of the participant. The participant is able to make things right with the community, and be welcomed back into the community as a contributing member of society. This cycle is part of the restorative process needed in order to remedy the situation as fully as possible.

***NHC follows a defined 2-part eligibility determination process that accounts for both the appropriateness of the offense and the history of the participant.*** Eligibility for

NHC begins with the offense itself. Only certain offenses are eligible for diversion through this program. The current offense list<sup>3</sup> includes over 60 misdemeanor and infraction level offenses, ranging from alcohol-related offenses such as public intoxication, minor in possession, open container, and public urination, or direct victim crimes such as battery, fighting in public, and resisting arrest, to property crimes such as petty theft, vandalism and trespassing.

***NHC addresses issues of particular concern to local residents.*** In a collaborative effort, local law enforcement agencies and the District Attorney's Office compiled and approved the list of eligible offenses. Oftentimes these offenses involve situations where the community is the primary victim, but receives no recourse against the true impact of the offense. NHC also focuses on cases where re-offending is more likely due to an underlying issue that would be unaddressed by a standard disposition, where this program possesses better resources to address the root cause, or where the possibility of a conviction might pose a disproportionate harm to the individual and may increase the likelihood of re-offending. Some offenses, such as resisting arrest, sale of alcohol/tobacco to a minor, hit and run, and possession of stolen property, may contain more serious elements and receive additional scrutiny; staff review these cases on a case-by-case basis. Resisting arrest cases also require the agency's approval for the case to proceed through NHC; to date two such cases resolved as Victim Offender Conferences in which the officer directly participated in the conference.

***NHC is an adult diversion program.*** Individuals, 18 and older, must also meet certain eligibility criteria to participate in NHC. This program began as a first-time offender diversion program, but now permits individuals with no prior felony convictions and no misdemeanor convictions within the past five years to participate in the program. The latter criterion more closely aligns with the requirements for existing diversion programs in Yolo County.

***NHC emphasizes inclusivity.*** The District Attorney's Office reviews the eligibility of all individuals cited or arrested for NHC eligible offenses. This ensures that the responsibility for making eligibility decisions resides solely with NHC staff, and that police officers are not being asked to decide or assume eligibility during their contact with offenders. Thorough vetting ensures that the review process utilizes accurate criminal history information, that cases align with the program mission, that NHC staff identify all applicable charges, that verification of the legal basis takes place for each charge, and that cases with insufficient evidence are rejected.

***NHC is primarily a pre-filing<sup>4</sup> diversion program.*** Once eligibility is determined, NHC makes every effort to contact the individual (or an attorney, if counsel has been retained) to relay the information that this option is available. NHC staff send an eligibility letter to the last known address. Program staff also utilizes whatever phone and email contact information is available to attempt to reach eligible individuals prior to their court dates.

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<sup>3</sup> See Appendix 1: Common Qualifying Offenses

<sup>4</sup> a diversion from prosecution that is offered to a person by the prosecuting attorney in lieu of, or prior to, the filing of an accusatory pleading in court as set forth in California Penal Code § 950

The goal is to divert people into the program well before their court date so that no formal filing and charging process takes place, and there is no public record created. This pre-filing format provides the most benefit to participants. If the participant successfully completes NHC, the District Attorney will NOT file criminal charges, and the participant will not have to disclose an arrest or conviction on job applications (with the exception of any peace officer application<sup>5</sup>)<sup>6</sup>.

***NHC is available as a pretrial diversion<sup>7</sup> offer***, for those cases that are eligible, but have been formally charged and filed with the court. When an individual is eligible, but program staff are unable to make contact within a reasonable time frame, the case will be forwarded through the traditional filing process to protect the statute of limitations. In such situations, the individual receives the opportunity to enroll in NHC as a pretrial offer. Upon completion of NHC, the District Attorney will dismiss the case. Both pre-filing and pre-trial routes afford the participant with the full benefits of diversion in that the case is closed or dismissed and the individual is not obligated to disclose a charge or conviction on most job applications. However, once filed with the court, a case is public record, which may have a negative consequence during future background checks, and is something that NHC staff seek to avoid whenever possible.

***NHC does not determine guilt or innocence.*** Once contacted, participation hinges on whether the individual is able to accept responsibility for the misconduct. Since the program focuses on the idea of making things right and addressing the harms caused by crime, it is imperative that those who participate can take responsibility for their criminal conduct. This ensures that program volunteers are not put in the difficult position of trying to determine guilt or innocence, and there is no way to make things right if one does not accept wrongdoing.

***NHC is voluntary and confidential.*** This is a voluntary program, participants always have the right to decline participation at any time and have their case go through the traditional review and charging process. Typically this occurs in cases where the individual maintains innocence, or is unable to engage in the process for a variety of reasons. Participants receive the full protection of NHC's confidentiality agreement; this covers anything discussed with NHC staff and volunteers and maintains the participant's Fifth Amendment protection against self-incrimination. This ensures that all parties involved in the process have the space to be open and honest, which allows all parties to identify and address the harms with appropriate resources.

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<sup>5</sup> California Penal Code § 830

<sup>6</sup> You may indicate in response to any question concerning your prior criminal record that you were not arrested or diverted for the offense listed above pursuant to California Penal Code § 1001.55, excluding any application or questionnaire for any peace officer position, as defined in California Penal Code § 830

<sup>7</sup> According to California Penal Code § 1001.50(c), Pretrial diversion is the procedure of postponing prosecution either temporarily or permanently at any point in the judicial process from the point at which the accused is charged until adjudication.

***NHC relies on agreements, not judgment or sentencing, for long-term results.*** The program emphasizes elements such as accepting responsibility, open and honest discussion, and recognition of harms to encourage engagement and buy-in to the restorative process from all parties involved. Rather than one party dictating an outcome to the other, NHC utilizes a collaborative process to reach an appropriate resolution. All parties have a voice in identifying how to address the harms created by the participant's actions. Agreements adhere to the standard of being specific, measurable, attainable, restorative, respectful, timely, and reasonable. Giving everyone a voice ensures that there is buy-in to the agreement. This buy-in promotes accountability, better follow through, higher success rates, changes in behavior and long-term results.

***NHC is financially accessible.*** NHC should be available to all who are eligible regardless of financial status. Many of the participants in NHC are transition-aged youth, low income, or on a fixed income. Excessive fees might preclude participation or become a punitive measure, which would conflict with the program's goals. Although there is a standard program fee (\$120 for infractions, and \$350 for misdemeanors), NHC provides significant savings for participants compared to the standard disposition fines and fees accessed in traditional court. Additionally, any participant who receives government aid from certain programs is eligible for a complete fee waiver [such as the Supplemental Nutrition Assistance Program (CalFresh), Supplemental Security Income (SSI) or California Work Opportunity and Responsibility to Kids (CalWORKS)]. NHC also offers self-determined payment plans available to all participants. The program fee allows NHC to make a variety of classes and educational courses available to all participants at no additional cost, so that need, not the financial burden of a particular program, is the only thing weighed in the agreement creation process.

***NHC is individualized, educational, and restorative.*** NHC focuses on reaching restorative agreements through connection to resources and re-engagement with the community. These resources include educational courses, substance abuse and behavioral health components, financial support resources, job training workshops, community service options, and connections to local service-providers. Agreements utilize these resources to address the underlying roots of the behavior and encourage change. These resources options are compiled into a reference document called the "Menu of Options"<sup>8</sup> for utilization in the conference process. The most frequently utilized options include:

- **Writing Assignments** are one of the most commonly used agreement items. A letter of apology is restorative in cases where the participant does not know the victim, or if the panel feels that it is important for the participant to express remorse to the victim or to someone else in a formal way. Panelists will often utilize research papers or reflective essays as an educational tool, and also to inspire further thought on the impact of the incident on both the community and the participant.
- **Community Service** is appropriate when it is mutually agreed upon by the Panelists and the participant as a contribution to the community that was harmed in order to restore the community. The work should be connected to the offense as much as

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<sup>8</sup> See Appendix 2: Menu of Options Cover Page

- possible and should not exceed twenty hours, absent some unusual circumstance. Community service must be performed in the community that was harmed.
- **Center for Intervention (CFI) Classes** (7 hours) are available to NHC participants without any additional charge. CFI offers classes on Anger Management, Stress Management, Drugs and Alcohol, and Problem Solving techniques. Additionally, CFI's Goal-Directed Behavior workbook is typically assigned to individuals who have responded to some form of need with a counterproductive action, such as theft. The program aims to teach participants how to take responsibility for their behavior and realistically assess consequences.
  - **Substance Abuse Education and Counseling** options are relevant in cases where either alcohol or drugs are the underlying cause of criminal misconduct. Some participants agree to attend Alcoholics Anonymous, Al-Anon, Marijuana Anonymous and Narcotics Anonymous meetings. Victim Impact Panels, hosted by Mothers Against Drunk Driving, are particularly relevant in cases where the participant has a prior DUI conviction and a new drunk in public arrest. The National Institute of Health's Rethinking Drinking workbook offers an educational tool that allows participants to self-reflect on their own alcohol consumption habits. Additionally, NHC has made referrals to Women For Sobriety (WFS) and Secular Organizations for Sobriety (SOS). UC Davis students have access to one-on-one counseling through the Alcohol, Tobacco, and Other Drugs (ATOD) program, which emphasizes no-use and low-risk behaviors.
  - **Job Search Assistance** programs, such as the Yolo County One-Stop Career Center are frequently assigned to participants facing economic hardship as a result of unemployment or underemployment. One-Stop provides a fifteen day workshop that focuses on career exploration, filling out job applications, resume construction, interview techniques, and job search techniques. NHC participants are also able to obtain one-on-one career counseling through Empower Yolo.<sup>9</sup>
  - **Resource Referrals** have become more integral to NHC as the complexity of cases has increased. Through referrals to community providers such as Yolo County Health and Human Services Agency (HHS), the Yolo Food Bank, Empower Yolo, and the Short-Term Emergency Aid Committee (STEAC), a wide variety of resources are available to fulfill the needs of NHC participants.

*NHC participants engage with other agencies, community organizations, and programs to better meet their needs. The current “Menu of Options” includes over 90 options in 14 categories, sorted by potential needs, in order to provide a full range of restorative options for each individual participant. By engaging participants with service providers NHC is better able to fulfill the program’s mission to provide restorative outcomes, address the harms and needs of victims, participants, and the community alike.*

### **NHC Participants and Outcomes**

*“Mary” had issues with alcoholism in her early adulthood, which led to several encounters with law enforcement for alcohol-related offenses. Mary realized she had a problem. She tried to correct her relationship with alcohol, and although she continued to struggle, she married, found employment, and was able to continue without a new*

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<sup>9</sup> NHC Case #212269

*offense for over a decade. But then, after undergoing knee surgery, Mary got so intoxicated that her husband had to have her admitted to the local emergency room. Belligerent and intoxicated, Mary refused treatment and left the hospital headed for home on foot with no shoes or phone, and an IV still dangling from her arm. It was in this condition that officers found and arrested her.<sup>10</sup>*

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Since its first full year of operation in 2014, Neighborhood Court has resolved a minimum of 300 low-level cases per year for a total of 1,261 conferences held from June 5<sup>th</sup>, 2013 (the date of NHC’s first conference) to June 5<sup>th</sup>, 2017.

### Quarterly Conferences Held

<b>Davis</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>
<b>2016</b>	54	62	61	43	220
<b>2015</b>	73	79	44	40	238
<b>2014</b>	94	106	73	60	333
<b>2013</b>	N/A	23	36	94	153

<b>West Sac</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>
<b>2016</b>	27	16	9	8	60
<b>2015</b>	14	14	8	18	54
<b>2014</b>	N/A	N/A	N/A	10	10

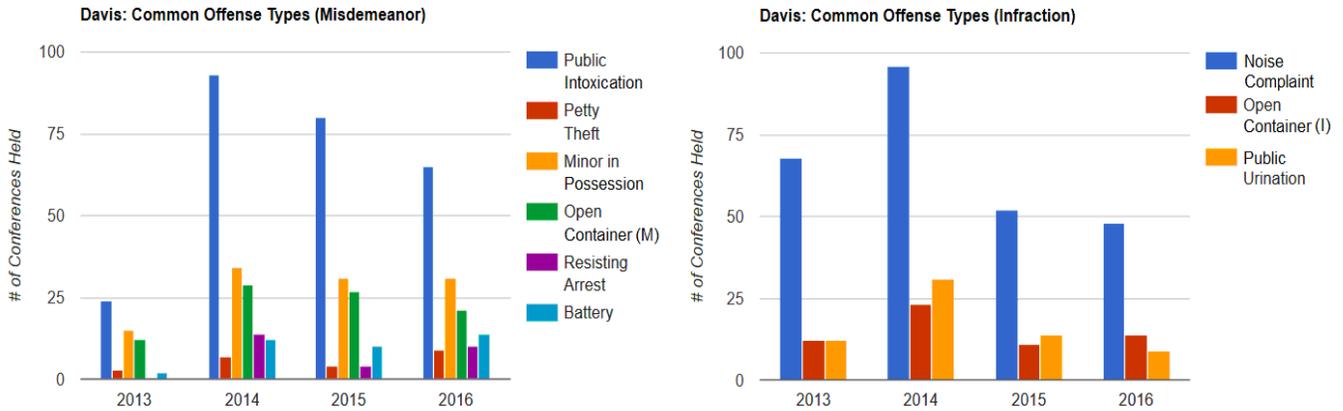
<b>Woodland</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>
<b>2016</b>	19	22	8	13	63
<b>2015</b>	N/A	2	16	11	29

The expansion into West Sacramento and Woodland coincided with a decline in the number of cases received from the Davis Police Department and UC Davis Police Department, which means that the number of participants remained relatively consistent after the program received grant funding in 2015.

Davis has three municipal code infraction level offenses which are eligible for Neighborhood Court. Infractions make up a significant, although decreasing, percentage of the Davis case load. Prior to 2015, noise complaints comprised 34.6% of Davis NHC’s total caseload—however, since 2015 noise complaints have comprised only 19% of the total caseload in Davis. Infraction level offenses are virtually a non-factor in West Sacramento and Woodland. Coinciding with this trend, there was also a decline in the number of public intoxication cases going through the Davis branch.<sup>11</sup>

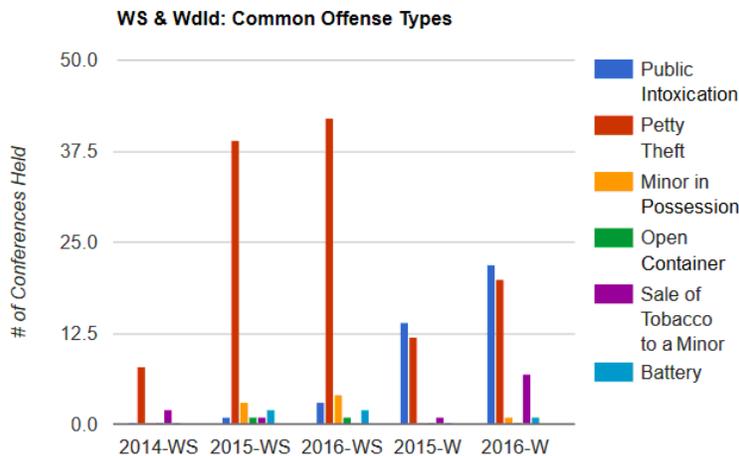
<sup>10</sup> Empower Yolo is a nonprofit organization that provides crisis intervention, emergency shelter, counseling, and legal assistance for individuals and families affected by domestic violence, sexual assault, stalking, human trafficking, and child abuse. Empower Yolo also provides resource centers for community services to improve the health, social, educational, and economic outcomes of Yolo County residents.

<sup>11</sup> See Appendix 3: Offense Type Breakdown



This decline in cases coming from Davis is attributable to external factors. With the newfound prevalence of services such as Uber and Lyft, fewer individuals are willing to risk a public intoxication arrest by walking home under the influence. The way that the city handles noise complaints has also changed, shifting primarily to the levying of civil assessments to the property’s landlord unless multiple complaints are made that would warrant an officer’s attention. Recently, the legalization of marijuana has also provided a “displacement effect”—with more and more individuals simply abandoning alcohol as their primary substance of choice. As the world changes around us, NHC strives to adapt by expanding the types of offenses taken into the program. For example, NHC recently began taking embezzlement charges on a case-by-case basis. NHC has also relaxed restrictions on the five year “no misdemeanors” requirement by taking alcohol-related cases with young individuals who have recent DUI convictions on a case-by-case basis.

With the pilot program in Davis initially accepting only first-time offenders, the majority of NHC participants were college students and transition-aged youth ages 18-25, who were arrested for alcohol-related offenses. Despite subsequent expansion of the eligibility criteria, the misdemeanor caseload has remained overwhelmingly young, with the average participant’s age between 18-35 years old. However, notable differences exist between the common offense types, economic environment, and basic profile for participants in each city.



In the West Sacramento and Woodland branches, cases trend toward a higher rate of property and need-based crimes, while Davis typically sees predominately alcohol-related crimes committed by college-aged youth taking place in a geographically concentrated area (downtown Davis).

In West Sacramento, and Woodland, there are two common story lines—individuals like “Mary,” who may have some prior convictions, made positive changes and managed to avoid reoffending for years. Then circumstances changed, and they find themselves in trouble with the law again. Expanded eligibility guidelines make it possible for participants like “Mary” to receive a second chance at the potential benefits of a restorative alternative. NHC also sees many participants in these jurisdictions who are “floundering”—they are by and large, transition-aged youth, without post-secondary education, limited familial support, often in semi-transient living situations, with young children, and limited income and professional prospects.

### 2016 Quarterly Fee Waivers

	Q1	Q2	Q3	Q4	Total
<b>Davis</b>	2 (3.7%)	1 (1.6%)	1 (2.08%)	2 (4.7%)	6 (2.7%)
<b>Woodland</b>	9 (47%)	7 (31.8%)	3 (60%)	2 (16.6%)	21 (33.3%)
<b>West Sac</b>	14 (51.8%)	12 (75%)	4 (57%)	5 (62.5%)	35 (58.3%)

While NHC does not currently collect income data on participants, NHC does offer fee waivers for participants receiving aid through social assistance programs, such as CalFresh, SSI and CalWORKS. The number of fee waivers in West Sacramento is the highest of all three cities, and Woodland is not far behind. Because of the income requirements for most aid programs, high rates of fee waiver eligibility indicate that the participant populations served are more likely to be living in poverty. Compared to Davis, where the NHC-eligible population is largely composed of collegiate youth, these individuals are significantly more impoverished and much more likely to participate in NHC for theft related offenses.

### Non-Resident Participants

<i>Non-resident %</i>	<b>Davis</b>	<b>Woodland</b>	<b>West Sacramento</b>
<b>2014</b>	25%	N/A	50%
<b>2015</b>	25%	36%	55%
<b>2016</b>	33%	35%	61%

West Sacramento’s NHC branch has the highest rate of non-resident participants, largely from individuals with permanent addresses in neighboring Sacramento County. They tend to be more mobile with fewer ties to the West Sacramento community. The majority of Davis’s participants are students who maintain permanent addresses within the city, but may not be year-round residents.

## NHC in the Community



*NHC staff at the WS National Night Out Event*

Just as collaboration with partner agencies strengthens NHC’s ability to offer individualized agreement options and resources to restore the participant, so too does the program’s focus on community engagement. Connecting with the community strengthens the program’s capacity to provide restoration to the community through effective, collaborative resolutions. NHC’s engagement focuses on three major areas:

- Individual Residents
- Leaders and Stakeholders
- Resource Partnerships

NHC currently maintains over 200 active individual volunteers between all three cities in which the program operates.

### **Volunteer Numbers by City**

	<b>NHC Panelists</b>	<b>NHC Facilitators</b>	<b>H-NHC Panelists</b>	<b>H-NHC Facilitators</b>	<b>TOTAL*</b>
<b>Davis</b>	118	26	12	5	<b>188</b>
<b>West Sac</b>	39	9	7	2	<b>48</b>
<b>Woodland</b>	50	9	9	1	<b>59</b>
<b>TOTAL</b>	<b>207</b>	<b>44</b>	<b>28</b>	<b>8</b>	<b>295</b>

*\* = Totals in this column do not double-count volunteers who serve in both programs.*

Volunteers represent the voice of their communities. While Facilitators embody a more neutral mediator role, Panelists speak directly to the harms which they, as community members, have experienced or could experience as a result of the individual’s actions. NHC has devoted significant time to various outreach efforts, informational presentations, volunteer fairs, volunteer training, and social media promotion, in a conscious push to inform a greater proportion of the local community about this unique opportunity for involvement in the criminal justice system. NHC now engages in an average of 50 outreach events annually, and provides six Panelist trainings, two Facilitator training sessions, and over 15 supplemental trainings annually. Continued development of community involvement can further increase the program’s capacity to achieve the mission and provide a voice for the community in search of restoration.

In addition to the recruitment of individual volunteers, NHC also seeks to engage community leaders and invested stakeholders through participation in formal advisory bodies. These bodies promote and support open lines of communication, participation and transparency in program development, expansion, and analysis efforts. Part of the creation of such a formal group was directed by the Justice Assistance Grant (JAG) proposal, which required the creation of a formal steering committee composed of various community and agency leaders willing to support the program. NHC's Steering Committee is currently composed of seven voting members. These members include: Jeff Reisig, the Yolo County District Attorney; Karen Larsen, the Director of Health and Human Services (HHSA); Gary Sandy, the Director of UC Davis Local Government Relations and former Mayor of Woodland; Darren Pytel, the Davis Police Chief; Jesse Ortiz, the Yolo County Superintendent of Schools; Bill Habicht, an Associate Pastor at Davis Community Church; and Amanda Berlin, the Assistant City Manager of West Sacramento. The Steering Committee meets quarterly to review progress with grant goals, any proposed changes or program expansions, to discuss possible solutions to challenges, and next steps. This involvement provides guidance, collective wisdom, and ensures buy-in from the community as the program progresses.

Neighborhood Court also maintains an Advisory Board of Volunteers composed of representatives from each participating city in the program, the population of student volunteers, and the Yolo Conflict Resolution Center (YCRC). The Advisory Board meets bi-monthly in a rotating locations, and discusses program issues, reviews proposed changes, and addresses volunteer training and management concerns. This meeting body helps to build consistent engagement and strengthen communication between program staff and volunteers, which in turn ensures that quality control remains a primary concern in volunteer training and retention activities, and that the needs of volunteers are heard and addressed.

YCRC, mentioned above, serves an additional level of community engagement for NHC. YCRC is a non-profit organization which provides mediation services and training to the local community. YCRC's mission statement describes the organization as "An affordable, community-based organization for helping people resolve conflicts by delivering mediation, facilitation, education, and restorative practices." NHC contracts with YCRC for facilitation training and other advanced mediation and facilitation skills training for NHC volunteers. In 2015 YCRC contracted with the Davis Joint Unified School District (DJUSD) providing training, consultation and direct services for restorative practices. More recently, YCRC participated in the development and subsequent management of the Davis Juvenile Restorative Justice Program for low level misdemeanors committed by juveniles in partnership with DPD. The first conference was held in 2016. NHC partnership and collaboration with YCRC ensures that in-house trainings are provided by approved experts in the field; that volunteers receive a consistently high-level of training as they advance in the program; and that the program overall is held to high standards of quality that promote program integrity and efficacy.

## NHC Integration into the Criminal Justice System

As part of the efforts to make NHC available to the largest possible percentage of eligible individuals, NHC staff review every case referred to the District Attorney’s Office for an NHC eligible offense. Employees in the setup and case intake divisions refer cases for eligible offenses to NHC after entering them into the office’s digital case management system “Lawsuite.” Neighborhood Court processed 2,036 individual referrals from the start of 2015 to the end of 2016.<sup>12</sup> Of these referrals, 36.8% of individuals were deemed eligible to participate in NHC. This includes eligible individuals who, for a variety of reasons, did not participate in the program. The majority of referrals are rejected due to a recent misdemeanor conviction or prior felony conviction disqualifying the case.

As a failsafe mechanism to capture cases that might have fallen through the cracks, NHC attorneys review arraignment calendars daily to ensure all NHC eligible cases have been identified. An NHC attorney or paralegal then attends the arraignment proceedings to extend pre-trial Neighborhood Court offers to any eligible individuals identified. Program staff are also responsible for periodically reviewing the queue of eligible cases in order to ensure that no cases are lost or missed during the referral process. The 2015 JAG award enabled NHC to obtain the additional staffing required to review all referrals and staff daily arraignments.

### Goals and Achievements: 2013

Total # of Conferences	Graduated	Failed	Completion Rate
153	148	5	96.7%

NHC’s first year focused on program creation and implementation. Program goals during this formative stage included:

- a. Research and development*
- b. Engagement of local law enforcement agencies (LEAs), government, and other stakeholders*
- c. Program and training plan creation*

a.) In January 2013, Yolo County District Attorney, Jeff Reisig, tasked Deputy District Attorney Christopher Bulkeley with the creation of a restorative justice-based adult diversion program, there was only one other similar program in operation in the state – San Francisco’s Neighborhood Court Program (NCP). The original concept focused on alcohol related issues in the core downtown area in Davis where the public perception was that nothing was being done to address these issues. Recognizing the importance of cultivating community buy-in for the innovative program, Jeff Reisig sought to partner with community members as well as local law enforcement. DPD Chief Landy Black approved the project and UCDPD Chief Matt Carmichael wanted to include the UC Davis campus when he learned about the restorative justice initiative. As

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<sup>12</sup> See Appendix 6: Referral/Rejection Breakdown (2015/2016)

the pilot project developed it quickly expanded beyond the downtown core area into the entire City of Davis and the UCD campus. The DA's office, DPD, and UCDCPD collaborated to develop the program's eligibility criteria. Initially, this limited participants to first-time offenders for a limited list of misdemeanor and infraction offenses. In these early stages, NHC did not take cases involving a direct victim.

b.) DA Reisig led the charge cultivating community support for the initiative; two examples include attending a meeting with community members at the California Aggie House coordinated by the Rev. Kristin Stoneking and addressing the UC Davis Academic Senate. Eventually a group of Davis residents were identified that were interested in setting up a juvenile restorative justice program. Elvia Garcia, Manny Medeiros, Diane Clarke<sup>13</sup>, and Robb Davis<sup>14</sup> and others worked with the DA's office to create the current facilitated conference version of NHC. This group felt it was important to observe existing restorative justice models and consult with experts in order to shape this new program. Clarke and Garcia had just completed training for the Community Justice Conference (CJC) model successfully used in the Fresno Victim Offender Reconciliation Program (VORP) for juveniles with the hope of starting a similar program in Yolo County. DDA Bulkeley, Garcia, Medeiros, and Clark visited San Francisco to see the NCP model in action. NCP in San Francisco brought eligible individuals before a panel of community members who would hear the participant's account of events, and come up with a directive outside of the presence of the participant for the participant to complete in order to address the harms to the community. The group, however, felt that a more collaborative model was necessary to be consistent with the principles of restorative justice. This led to a major modification to the NCP model resulting in the development of a new facilitated conference model where a trained facilitator leads the participant, community members, and a victim (when participating) through a three-step restorative justice process. Unlike the NCP model, the NHC panel engages the participant throughout the entire process in order to provide increased transparency. Giving the participant the opportunity to have a say in the conference's outcome by forging a collaborative agreement also creates a greater sense of ownership and accountability.

c.) Once a facilitated conference model design was in place, the next step was to engage the public to recruit volunteers to participate in the NHC conferences. To this end outreach was conducted through the media, social media, engaging community organizations such as the Rotary, Soroptomists, and Oddfellows, engaging student organizations and even tabling on campus to recruit a diverse group of volunteers. UC Davis student participation made the volunteers truly representative of the larger Davis community while also increasing the age diversity of Panelists in the conferences.

d.) Development of a training program for the NHC facilitated conferences was needed. To this end trainers came from the San Francisco's NCP for the inaugural

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<sup>13</sup> Garcia, Medeiros, Clark and other NHC volunteers and community members formed the non-profit Yolo County Resolution Center in 2014 which delivers mediation, facilitation, education and restorative justice services helping people resolve conflicts.

<sup>14</sup> Robb Davis later became the Mayor of Davis and recently spearheaded the development of the Davis Juvenile Restorative Justice Program 2016 in collaboration with YCRC, DPD and the DJUSD.

Panelist class. Professor Duane Ruth-Heffelbower from the Fresno Pacific University Center for Peacemaking and Conflict Studies conducted the initial Facilitator training using the CJC model successfully used in the Fresno VORP program. Forty volunteers attended the Panelist training and seven attended the Facilitator training. Although these trainings were designed for different types of conferences they were adapted to the facilitated conference model used in NHC. Moving forward, training designed specifically for the facilitated conference model used in NHC was needed. Community members in played a key role in developing and implementing a training model specifically designed for NHC Panelists and Facilitators with the first trainings occurring in the Fall of 2013.

e.) The first conferences took place in June of 2013 and the first victim offender conference (VOC) took place in October of that year. The eligibility criteria quickly expanded including direct victim cases. Conferences continued to occur consistently throughout 2013, for a total of 153 conferences and three VOCs, making NHC the first adult restorative justice-based program using facilitated conferences in the state.

**Goals and Achievements: 2014**

<b>Total # of Conferences</b>	<b>Graduated</b>	<b>Failed</b>	<b>Completion Rate</b>
343	317	26	92.4%

NHC’s second year featured dramatic program growth and expansion. Goals and achievements included:

- a. The addition of the first full-time professional staff person*
- b. Addition of a Victim Advocate*
- c. Proposed expansion and application for grant-funding*
- d. Expansion of NHC Eligibility criteria*
- e. West Sacramento pilot program*

a.) Rapid program growth quickly necessitated additional administrative support, beyond what part-time staff could provide. In 2014, the DA’s office allocated the first full-time professional staff person to NHC. This position provided for program administrative support, and allowed for the development of more consistent intake, case processing, and conference preparation systems. It was the first step towards the establishment of NHC as a self-sufficient division within the DA’s office.

b.) NHC’s goal from year one, was to be victim-centric. In 2013, NHC saw the inclusion of three cases with direct victims participating in VOCs. With the continued case growth seen in year two, the number of direct victim cases referred also increased. The first VOCs exposed some areas for improvement that needed to be addressed to improve the quality of the victim’s experience. One victim participant was inadequately prepared for the conference process which necessitated a change in approach. To address this, NHC brought on a Victim-Advocate to provide program support in all VOC cases. The Victim Advocate, while not assigned to the program full time, could ensure that the

needs of direct victims were better addressed, that victims were informed of their legal rights under the law, familiarized with the possible courses of action they could take, and fully prepared for the conference process if they decided to participate. This addition also allowed the program to provide additional options for victim participation, such as participation with the advocate as support person, or through a Victim Impact Statement, read by the advocate. With the addition of the Victim Advocate role, NHC has seen victim satisfaction rates increase.

c.) In the fall of 2014, while tracking continued rapid growth and seeking support for additional expansion, NHC applied for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) through the BSCC which had recently announced a refocusing of its mission from funding drug task forces to supporting innovative and alternative approaches to criminal justice. NHC sought funding for program expansion into Woodland and West Sacramento and the development of an NHC program focused on meeting the needs of the homeless population committing misdemeanor crime.

d.) As the program grew, there was also a push to accept participants beyond the initial first-time offender criteria. After a few successful trial cases, program criteria were ultimately expanded to include individuals with no prior felonies and no misdemeanor convictions in the past five years. The expansion received support from stakeholders and DA staff in that it would bring the program into alignment with the requirements for other existing diversion programs while making the restorative benefits of the program available to a wider population of individuals who might still benefit from a more individualized outcome than that provided in a traditional court.

e.) In October 2014, NHC launched a pilot project in the city of West Sacramento. This pilot program required NHC staff coordination with the WSPD, city officials, and community leaders to ensure support, and assistance in recruiting local community volunteers. In Davis, the NHC model succeeded in a college town where the majority of participants are transition-aged youth (ages 18-25) with a strong educational background; the types of offenses resolved through NHC in Davis typically revolved around alcohol consumption. West Sacramento presented a different set of challenges and demographics, with participants typically referred for petty theft and other offenses unrelated to alcohol misuse. With the proposed expansion described in the JAG grant application, these differences needed to be identified and addressed. The pilot program provided a preview of the typical case types, participant profiles, and challenges in contacting eligible individuals and volunteer recruitment. These lessons learned were also applied to the program's expansion into Woodland, which is more demographically similar to West Sacramento than to Davis. As time went on, it became apparent that more resources were required to adequately address the needs of these new participants.

**Goals and Achievements: 2015**



*Woodland Volunteer Panelist Training, 2015*

<b>Total # of Conferences</b>	<b>Graduated</b>	<b>Failed</b>	<b>Completion Rate</b>
321	288	32	90%

NHC’s third year operations focused on structural expansion. Goals and achievements included:

- a. Grant award*
- b. Expansion and Training of NHC Staff*
- c. West Sacramento and Woodland Program Expansion*
- d. Eligible Offense List Expansion*
- e. Development of In-house Panelist Training Curriculum*

a.) In March 2015, NHC received \$1.9-million in JAG funding, which provided for comprehensive program expansion and development of a diversion program tailored toward the homeless population. With this news, NHC began to take rapid steps towards implementing much of the growth and development described in the grant proposal.

b.) This growth included the addition and training of five new staff positions, including two new program attorneys, a legal process clerk (LPC), in addition to a social worker practitioner (SWP) and paralegal dedicated to the homeless program. All new staff were trained by existing staff members.

c.) Grant funding provided the resources necessary to fully implement NHC branches in West Sacramento and Woodland. Following the existing process of community outreach, and stakeholder engagement, each city’s program was strengthened by collaborative support and community buy-in. This support was achieved through extensive outreach efforts in the form of community events, recruiting presentations, training briefings, meetings with involved agencies and officials, social media engagement, and promotion through traditional media outlets.

d.) During this period of growth, the NHC Eligible Offense list was also brought to its current form with 47 offenses approved for NHC eligibility and 16 more offenses accepted on a case-by-case basis or with specific agency approval.

e.) Furthermore, with a fully staffed team, NHC was able to develop an in-house training model to provide regular Panelist trainings staffed solely by NHC employees. This allowed the previously utilized YCRC trainers to lead more advanced trainings for Facilitators and other experienced volunteers instead. The new grant-funded training model allowed the number of panelist trainings offered to increase from two to six annually. NHC outreach efforts have become far more consistent, and program staff have successfully trained enough volunteers to expand the program from operating in one city to three—effectively doubling the program’s base of volunteers. NHC has also been proactive in seeking out and developing new training content in response to the needs expressed by the volunteers. The NHC team hosted supplemental training presentations on an array of topics, such as victimology, mental health resources, affordable housing, the Alcoholics Anonymous 12-step program, employment workshops, police practices, and UCD’s ATOD program.

**Goals and Achievements: 2016**



*2016 Volunteer Appreciation Celebration*

<b>Total # of Conferences</b>	<b>Graduated</b>	<b>Failed</b>	<b>Completion Rate</b>
343	308	29	91.4%*

*\* Recent agreements are still pending, and are not factored into this calculation.*

NHC’s fourth year operations have focused on structural stabilization and analysis. Goals and achievements for the year to date include:

- a. Review of Predicted Case Increases***
- b. Menu of Options Expansion***
- c. Outcome Diversification***
- d. Recidivism Check***

a.) After the dramatic case load increase from 2013 – 2014, projections for 2015 and beyond appeared optimistic. In the JAG grant proposal, NHC estimated case load increases to 100 annually for WS and Woodland, and 200 for Davis. Looking back at 2015, and the current year, these predictions weren’t met, which called for further

analysis.<sup>15</sup> NHC has seen an increase of 30.8 % to 54 cases to date for WS, and 52 cases for the still fledgling Woodland branch. Davis numbers appear to have stabilized around an average of 200 annually. Additional contextual data has shown that the decrease in case growth is tied primarily to a reduction in citations and arrests of eligible individuals, and more significantly to a dramatic reduction in infraction citations issued in Davis. This change was tied to a policy shift on behalf of Davis law enforcement and accounts for the majority of the decline in Davis numbers. Despite the lack of overall increase in NHC cases, current rates are still a success in that the program is affording a greater percentage of the eligible population an opportunity to benefit from an alternative approach.

b.) With expansion to West Sacramento and Woodland, NHC saw a change in participant demographics and profiles. Increasingly more participants were in need of financial resources and assistance in obtaining benefits. The need for a major expansion of available resources was clear. NHC could not ask volunteers to put together truly restorative agreements to address the needs of the parties involved if without providing the guidance to connect individuals with available resources. With the additional staffing provided by grant funding, the NHC team turned its focus to providing more restorative options for participant agreements. With hard work from staff members and volunteer input concerning available resources in their communities, the original 2-pg menu of options was expanded to its current 15-page, need-based, category-driven format — effectively tripling the number of potential agreement items.

c.) The major expansion of the Menu format also meant that volunteers could no longer review its contents at a glance. It soon became apparent, that potentially applicable Menu items were being missed during the agreement creation stages, often simply because the volunteers were not aware that the relevant item was there due to the ongoing expansion of the Menu of Options. To ensure that agreements continued to utilize the full range of applicable resources in order to achieve truly individualized outcomes, NHC developed a form to highlight identified “Possible Agreement Items”<sup>16</sup> for each participant. This form would outline several potentially applicable Menu items based on information known to NHC staff concerning the participant’s self-identified needs, crime type, or facts of the case. The volunteers now review the items in the Menu of Options to familiarize themselves with the details prior to the case. The items are not mandatory, but are only identified to offer assistance to the Panelists. As a result of the inclusion of this form, there has been an increase of resource utilization in agreements. We’ve seen the average agreement has grown from a prevalent reliance on 2-3 menu options, to use of 20 different options at higher frequencies.<sup>17</sup>

d.) One of the expressed goals of restorative justice is education of the participant. The thinking being that if a participant is educated on the harms of his actions and ways to avoid the offense, he will be less likely to commit the offense again. Therefore, although a reduction in recidivism should not be the primary goal of a restorative justice program, it is a reasonable side effect in a successful program. In February 2016, NHC

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<sup>15</sup> See Appendix 3: Full Offense Type Breakdown

<sup>16</sup> See Appendix 4: Possible Agreement Items form

<sup>17</sup> See Appendix 5: Agreement Item Breakdown chart

received approval from the Department of Justice (DOJ), to review the criminal histories of all past participants for new offenses. Since no universally accepted definition of recidivism exists, NHC utilized the Board of State and Community Corrections (BSCC)<sup>18</sup> and Community Corrections Partnership (CCP)<sup>19</sup> definitions in its review, and in March of 2016, successfully completed the first program-wide recidivism check.

### March 2016 – Recidivism Rates for NHC Participants

	2013 Davis	2014 Davis	2015 Davis	2014 WS	2015 WS	2015 Wldd
<b>CCP Definition</b>	5%	7%	5%	10%	5%	3%
<b>BSCC Definition</b>	2%	2%	2%	0%	0%	0%

(\*NHC staff perform recidivism checks annually each December)

Currently, recidivism numbers for a comparable program in-state do not exist. However, standing alone, NHC’s numbers looked quite optimistic in that they average less than 10% by the BSCC definition, showing an overall recidivism rate of 5.83% since the program’s inception in all three cities according to the CCP definition. When compared to existing recidivism rates for inmates who reoffend, NHC participants are about nine times less likely to reoffend after completing the program, than those who are convicted and sentenced to jail time. While not a perfect comparison, these numbers seen in the first three years of program operation are extremely promising.

### December 2016 – Recidivism Rate for NHC Participants

With guidance from Dr. Jon Caudill, author of NHC’s Local Evaluation Plan (LEP), staff performed a second recidivism check in December 2016. Rather than using the CCP and BSCC definitions of recidivism, this check utilized a definition designed by Dr. Caudill. This method analyzed participants’ rate of re-arrest for the first full year after program completion. This sample excludes individuals who completed the program less than one full year from the date of data collection.

<i>Rearrested within 1 year of completion</i>	<b>Frequency</b>	<b>Percent</b>
<b>No</b>	335	96%
<b>Yes</b>	14	4%

The total recidivism rate of 4% is in line with previous findings, albeit slightly lower due largely to this new method’s cut-off date for analysis. These numbers exclude arrests that occurred outside of the 1-year post-completion window.

<sup>18</sup> BSCC definition = Recidivism is defined as a conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction (where “committed” refers to the date of offense, not conviction).

<sup>19</sup> CCP definition = An individuals’ re-arrest measured from custodial release or supervision at six months, one year, three years, and five years.

Individual data on each participant was provided to Dr. Caudill, allowing him to dissect the recidivism rate and identify relevant factors that influence a participant's likelihood to recidivate. For example, this analysis discovered that the time from conference to program completion is a significant factor—the longer it takes to complete NHC, the more likely it is that the participant will be rearrested. Other significant factors included the number of prior contacts with law enforcement, the participant's age, and the length of time from arrest to the conference. Dr. Caudill's analysis also affirmed that an individual who fails out of NHC faces a far higher likelihood of recidivating than an individual who successfully completes the program.

### **Challenges and Solutions**

As NHC has developed and grown, there have been challenges and growing pains to overcome. This is normal in the development and implementation of any new program. Some of these challenges have helped to hone and shape the program's approach in various ways and are important to address, including:

- a. Case Tracking, Pretrial Calendaring***
- b. Agreement Tracking and Follow-up***
- c. Volunteer and Outreach Management***
- d. Growth Trends and Program Assessment***

a.) Experiencing dramatic growth in the first and second years, NHC quickly grew beyond the bounds of its existing structural and procedural foundations. This presented some challenges in ensuring consistency in case processing, referral, and timeline management. Streamlining, building, and clarifying these processes required not only heightened intradepartmental accountability, but also extensive communication by NHC staff with DA professional staff, charging and supervising DDAs, court staff, judges, and law enforcement agencies. Tighter timelines have also been implemented in agreement processing and referral charging, to ensure that sufficient time is provided to guard the statute of limitations and ensure appropriate processing for each case.

b.) Shifting demographics, along with increased caseload, also resulted in an increase in agreement failures. One significant factor was a particular demographic of transition-aged "floundering" youth. These were individuals, often with limited familial support, lower income, limited education, and frequently with small children. They often expressed concern about financial, work, and other obligations or hardships. Completion of an agreement was often not a top priority. Without additional support and close monitoring, these participants were at high risk of failure. NHC's initial system was not enough. Program staff began increasing efforts to track and engage participants at risk of failing to encourage agreement completion, and saw those rates of failure begin to decline. However, further efforts to provide a support system to at-risk participants will be discussed in the future.

c.) NHC currently has a volunteer pool of nearly 200 people across three cities. As volunteer staffing reaches sustainable levels, NHC has begun to shift its focus from recruitment to retention and development. The goal of current recruitment efforts is

primarily to build diversity among the volunteer base by recruiting from different regions and groups within each community to reach volunteers of varying ages, ethnicities, and economic backgrounds. One of the ways NHC is working to address this is through increased engagement with community groups, churches, local universities and community colleges. NHC is also working on increasing its social media presence. These efforts concentrate on reaching non-traditional volunteers and encouraging their participation. Panels with a varied range of experiences and insights allow for more varied discussions of harms, present differing perspectives, represent the many voices of the community, and reach agreements that continue to strive to be as restorative as possible. Retention efforts have become increasingly important as many current NHC volunteers have been with the program for far beyond the initial 1-year commitment required. By offering a variety of supplemental training opportunities, volunteers are provided with the space to continue to increase their skill levels and engage in different aspects of the program. NHC has also begun to prioritize regular appreciation events in order to acknowledge the value of volunteers to the success of the program. These efforts are intended not only to ensure that the program maintains a high quality work product, but also to encourage retention and engagement of volunteers as the program continues to expand and develop.

d.) As this program continues to mature, understanding the context of trends has grown increasingly important. Whether analyzing decreasing caseloads, or volunteer recruitment, NHC is shifting focus toward optimizing efficiency and prioritizing tasks within the context of the program's overarching goals. This has meant reassessing and modifying some of the initial goals and predictions, but has not led us to stray away from the program's mission.

### **Moving Forward**

As NHC moves forward, the mission remains unchanged. NHC seeks to continue to stabilize, streamline, and strengthen existing systems, building up the program into an increasingly sustainable model. As part of these efforts, NHC is pursuing the following future goals:

- a. Diversify Funding***
- b. Accessibility***
- c. Data-driven Projections***
- d. Follow-up***
- e. Prop 47 Expansion***

a.) Major sole-source funding has allowed for significant and comprehensive program growth and development. However, moving forward, it will be important to explore additional funding sources to ensure program sustainability. This may require formalizing some of the de facto partnerships with other agencies, or further developing certain program initiatives. The NHC team will be re-applying for the Justice Assistance Grant (JAG) this fall, but efforts by program staff to search for other available grant funding are also ongoing.

b.) Yolo County has a diverse population. Moving forward, it will be important to provide more substantial support to non-English speaking participants. NHC will look into the development of bilingual panelist groups, and funding for translation and interpretation services, as it progresses. This will be important to ensuring equal access and adequate representation for all eligible participants.

c.) Increased utilization of data-based research and analysis has provided more insight into trends in program growth as well as tracked results. Data analysis allowed NHC to see clearly the underutilization of available agreement resources and take steps to address that area. Similar analysis of case load trends and LEA data revealed a clear picture of capture rates for eligible individuals. As the program continues it will be increasingly important to utilize all available tools and information to ensure program efficiency and positive results.

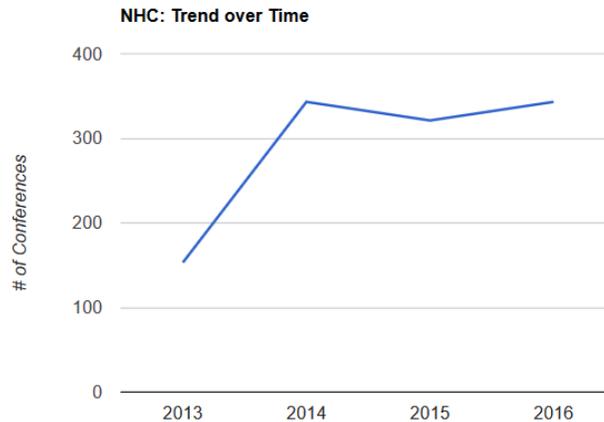
d.) Building out systems for providing support and follow-up to at-risk participants, is proving critical to supporting successful outcomes. It is NHC's hope that a partner program to provide additional support and guidance to at-risk participants may be a possibility in the near future. Many of the transition aged youth would benefit from ongoing mentoring by community members. On a technical level, it is also important for data collection purposes and program analysis that NHC works to provide a more complete picture of participant sentiment and different time frames before, during, and after the program. Development in both areas will be part of the goals moving forward.

e.) NHC constantly looks to expand the number of eligible participants by adding new misdemeanor offenses to the list of those on the current list. For example, in June 2017 a pilot program for young first time offenders arrested for embezzlement will start and with the same level of success as the rest of the NHC program. Over the last four years more serious offenses and participants with more serious records have been allowed to participate in this restorative justice based program with the hope of better outcomes consistent with the Yolo County District Attorney's goal of problem solving outcomes to criminal cases that both successfully reintegrating the participant into the community while also reducing recidivism.

f.) In partnership with the Yolo County Health and Human Services Agency and the Yolo County Probation Department, the DA's office developed a grant proposal that will provide \$5,968,212 in Proposition 47 funds. This project will expand NHC by applying the principles of restorative justice and trauma-informed care to provide wraparound services for individuals who are eligible for diversion under an expanded eligibility criteria, but are unlikely to succeed without support due to their history of mental health issues and/or substance use disorders. This expansion creates new program design and training challenges to prepare volunteers for conferences with a more challenging participant pool. The overall aim of the program expansion is to successfully reintegrate the participants back into the community by promoting self-sufficiency and stopping the cycle of recidivism.

## Conclusion

As NHC has grown, from an innovative idea, to a rapidly expanding alternative, to an increasingly mature program, the program has continued to seek and do justice – by providing an alternative option for eligible individuals. Initial dramatic growth has settled into steady maintenance, with some small increases, as program staff continue to improve NHC’s ability to capture eligible cases and work towards an expansion of the program’s eligibility criteria with the additional support provided by Prop 47 funding.



As the caseload and program scope continues to expand, NHC strives to remain victim-centric, and provide direct victims with the specialized attention necessary to understand their rights, options, and resources within and outside of the program, as well as providing the opportunity for all parties to voice their thoughts and concerns. As both personnel and volunteer teams grow, NHC continues to work to engage the community and provide a voice. So often, the community as a whole suffers as a result of crimes that occur. NHC seeks to give members of the community a direct role in expressing the harms of criminal misconduct and developing restorative solutions to these issues. Finally, NHC continues to expand the resources and support available for participants, so that they might achieve a truly individualized, effective and restorative result that will help them reengage as a productive member of their community. Despite the challenges, NHC continue to see room to build. By increasing accessibility, diversifying funding sources, implementing data-driven analysis, and building a structure for increased follow-up and support of participants, NHC will keep sight of its mission and ensure that NHC becomes a sustainable model of restorative justice success.

## Appendix 1: Common Qualifying Offenses

### Business & Professions Code

22435.2	Shopping Cart Offenses
25620	Possess Open Container
25658(d)	Drinking on Premises
25659(c)	Possession of Keg w/o ID tag
25661	False Evidence of Age, Person Under 21
25662(a)	Minor in Possession
<b>25658(a)</b>	<b>Furnishing Alcohol to Underage Adult</b>

### Davis Municipal Code

24.05.010(a)	Noise complaint <sup>i</sup>
26.04.020(a)	Open Container <sup>i</sup>
26.01.045(a)	Public Urination <sup>i</sup>

### Penal Code

<b>148(a)</b>	<b>Resisting Arrest (Lt approval required)*</b>
<b>148.9</b>	<b>False Representation of Identity to Police Officer</b>
242	Battery
<b>308</b>	<b>Sale of Tobacco Product to Minor</b>
372	Public Nuisance
374	Littering
374.3	Dumping on Roadway <sup>i</sup>
374.4	Littering on Private Property <sup>i</sup>
374(a)	Urinating in Public
403	Disrupt Public Meeting
415	Disturbing the Peace
484/488	Petty Theft (also includes 490.5)
<b>459.5</b>	<b>Shoplifting</b>
<b>466</b>	<b>Possession of Burglary Tools</b>
<b>485</b>	<b>Appropriation of Lost Property</b>
<b>496</b>	<b>Possession of Stolen Property</b>
529.5(c)	Possession of Forged/Altered ID Card
537	Defrauding an Innkeeper
594	Vandalism
602	Trespassing
<b>626.6</b>	<b>Disrupt Campus</b>
626.7	Failure to Leave Campus
626.10	Bringing or Possessing Weapons on School Grounds
647(c)	Accosting Person for Purpose of Begging
647(e)	Lodging on Public/Private Property without Permission
647(f)	Drunk in Public
647(h)	Loitering/Prowling
<b>21510</b>	<b>Possess switchblade</b>
<b>21810</b>	<b>Possess Metal Knuckles</b>
<b>22020</b>	<b>Possess Nunchaku</b>
<b>22210</b>	<b>Possess Billy, Sap, Slingshot, ...</b>

### Vehicle Code

<b>2800</b>	<b>Failure to Comply with Lawful Order</b>
<b>20002(a)</b>	<b>Hit and Run</b>
21200.5	Biking Under the Influence
<b>23109(c)</b>	<b>Exhibition of Speed</b>
23224(a)	Driver Under 21 Knowingly Operating a Vehicle Carrying Alcohol
23224(b)	Passenger Under 21 Possessing Alcohol in Vehicle

### West Sacramento Municipal Code

8.36.030	Camping on Public Property
8.36.040	Camping on Private Property
9.08.020	Consumption From/Possession of Open Container on Public Property
9.08.020	Consumption From /Possession of Open Container on Private Parking Lot
9.08.040	Offering or Furnishing Alcoholic Beverage for Consumption
9.28.030	Aggressive Solicitation

### Woodland Municipal Code

7-3	Camping on Public Property
7-4	Camping on Private Property
15-26 (c)	Loud Party
15-26 (l)	Barking Dog
15-28	Alcohol in a Park
15-29	Alcohol in Public

### Yolo County Codes

5-4.02	Public Consumption of Alcohol <sup>Ⓜ</sup>
5-13.04(a)	Prohibit Display of Private Parts
6-7.02(a)	Littering
6-7.03	Deposit Contaminant in Public

This list applies to cases from the following agencies:

**CHP, DPD, UCDPD, WPD, WSPD, YCSO**

NHC Attorneys will determine eligibility in all NHC cases.

**Bold** Eligibility determined on a case-by-case basis

\* Lieutenant's approval required

<sup>i</sup> Infraction

<sup>Ⓜ</sup> Misdemeanor, but charge infraction fee

NHC Fees: \$350 Misdemeanor / \$120 Infraction

Victim consent required in direct victim cases.

Revised 3/8/16

## Appendix 2: Menu of Options Cover Sheet

<b>Assignments</b>	Apology Letter	pg 1	<b>Economic Needs</b>	ClearPoint Credit Counseling	pg 8
	Writing Assignment	pg 1		Emergency Food Assistance Program	pg 8
	Other Project	pg 1		Food Banks & Providers	pg 8
	CFI – Goal-Directed Behavior	pg 1		FreshText – Yolo211	pg 9
	CFI – Problem Solving Class	pg 1		Helping Hand – Clothing Closet (W, WS)	pg 9
	Restitution for Direct Victims	pg 1		Lifeline Phone Service	pg 9
<b>Substance Abuse</b>	Alcoholics Anonymous	pg 2		North Coast Energy Services (W)	pg 9
	Al-Anon	pg 2		PG&E Alternative Rates	pg 9
	Alateen	pg 2		STEAC First Month’s Rent* (D)	pg 9
	ATOD (UCD students only)	pg 2		STEAC Utility Shut-Off Prevention* (D)	pg 9
	CFI – Drug and Alcohol Class	pg 2	<b>Service Centers</b>	CommuniCare Health Centers	pg 10
	Marijuana Anonymous	pg 3		Davis Community Meals (D)	pg 10
	Narcotics Anonymous	pg 3		Empower Yolo – Centers for Families	pg 10
	Rethinking Drinking	pg 3		Health and Human Services (W, WS)	pg 10
	Secular Organizations for Sobriety	pg 3	<b>Child Care</b>	Child Action Inc.	pg 11
	Victim Impact Panel – MADD	pg 3		Children’s Home Society (W)	pg 11
	Women for Sobriety	pg 3		Collings Teen Center (WS)	pg 11
		Empower Yolo – Centers for Families		pg 10	
		UP for West Sacramento (WS)		pg 11	
		Woodland United Way (W)		pg 11	
<b>Behavioral Health</b>	Anger Management Workbook	pg 4		Yolo County Children’s Alliance (WS)	pg 11
	CAPS (UCD students only)	pg 4		Yolo Crisis Nursery (D)	pg 11
	CFI – Anger Management Class	pg 4	<b>Domestic Violence</b>	Empower Yolo	pg 12
	CFI – Stress Management Class	pg 4		Crime Victims Assistance Network	pg 12
	Davis Shambhala Meditation Center (D)	pg 4		Volunteers in Victim Assistance	pg 12
	HHS – Mental Health Services Triage	pg 4		Women Escaping a Violent Environment	pg 12
	NAMI-YOLO Helpline	pg 4	<b>Community Service</b>	Davis – Volunteer Options	pg 13
Stress Management Workbook	pg 4	West Sacramento – Volunteer Options		pg 13	
Yolo Family Service Agency	pg 4	Woodland – Volunteer Options		pg 14	
<b>Employment</b>	All Leaders Must Serve (W)	pg 5	<b>Student Resources</b>	UCD – Safe Party Website	pg 14
	Empower Yolo – Career Counseling	pg 5		UCD – Transfer Reentry Veteran Center	pg 14
	Licensee Education on Alcohol & Drugs	pg 5		UCD – Student Academic Success Center	pg 14
	Short Term Emergency Aid* (D)	pg 5	SacCity – West Sacramento Center	pg 14	
	UCD Internship and Career Center	pg 5	WCC – Counseling Office	pg 14	
	WCC Career Center (W)	pg 5	<b>Additional Help/Referrals</b>	Call 211 (24-Hour Hotline)	pg 15
Yolo One-Stop Career Center	pg 5	Gamblers Anonymous (D)		pg 15	
		Independent Living Skills Program (W)		pg 15	
		Legal Services of NorCal (W)		pg 15	
		Transitional Housing Placement-Plus (W)		pg 15	
		Victims of Crime Resource Center		pg 15	
		Yolo County Housing Authority		pg 15	
		Yolo County Victim Services	pg 15		
<b>Education</b>	Davis Adult Education (D)	pg 6			
	Sacramento Family Services	pg 6			
<b>Hybrid Programs</b>	Sacramento Adult Basic Education	pg 6			
	Washington Adult School (WS)	pg 6			
	Woodland Adult Education (W)	pg 6			
	Woodland Community College (W)	pg 7			
	WPL Literacy Services (W)	pg 7			
	Yolo Reads Literacy Services (WS, D)	pg 7			
	California Conservation Corps	pg 7			
	NorCal Construction Training (W, WS)	pg 7			

### Appendix 3: Offense Type Breakdown

*ETC. = Other Law Enforcement Agencies, primarily the Yolo County Sheriff's Office, California Highway Patrol, and the Department of Alcohol Beverage Control.*

	DPD '16	UCD '16	ETC. '16	DPD '15	UCD '15	ETC. '15 D	DPD '14	UCD '14	ETC. '14	DPD '13	UCD '13
<b>647(f) PC</b>	49	15	1	67	13	0	75	18	0	24	0
<b>Petty Theft</b>	6	3	0	4	0	0	5	2	0	2	1
<b>5-4.02 YCC</b>	1	20	0	0	27	0	1	28	0	0	12
<b>Open Container (Infraction)</b>	10	4	0	6	5	0	16	7	0	7	5
<b>Public Urination</b>	8	1	0	14	0	0	31	0	0	11	1
<b>Noise Complaint</b>	48	0	0	52	0	0	96	0	0	68	2
<b>25662 BP</b>	12	9	10	12	15	4	24	3	7	9	6
<b>25658 BP</b>	3	0	0	0	0	0	6	0	3	0	0
<b>594 PC</b>	2	0	0	5	1	0	3	0	0	1	0
<b>308 PC</b>	0	0	4	0	0	2	0	0	5	0	0
<b>148 PC</b>	8	2	0	3	1	0	13	1	0	0	0
<b>Violence</b>	12	2	0	7	3	0	12	0	0	2	0
<b>False ID</b>	5	1	1	6	4	0	4	0	6	4	0
<b>Weapons</b>	2	0	0	0	0	0	4	1	0	0	0
<b>Drugs</b>	1	0	0	2	0	0	1	1	1	1	0
<b>Trespass</b>	0	0	0	2	0	0	5	1	0	1	0
<b>Vehicle/ Bicycle</b>	4	0	0	5	1	0	2	1	0	1	1
<b>Other</b>	0	3	0	0	2	0	1	1	0	0	0
<b>TOTALS</b>	<b>171</b>	<b>60</b>	<b>16</b>	<b>185</b>	<b>72</b>	<b>6</b>	<b>299</b>	<b>64</b>	<b>15</b>	<b>131</b>	<b>28</b>

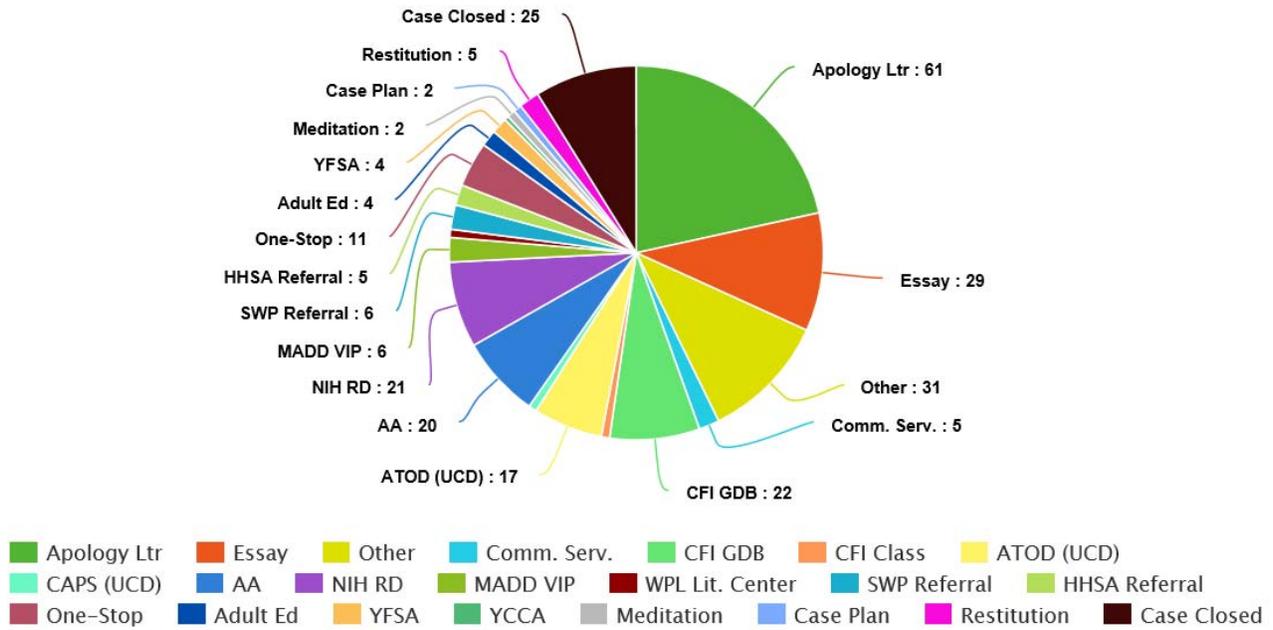
	WSPD '16	ETC. '16 WS	WSPD '15	ETC. '15 WS	WSPD '14	WPD '16	ETC. '16 W	WPD '15	ETC. '15 W
<b>647(f) PC</b>	3	0	1	0	0	20	2	13	1
<b>Petty Theft</b>	42	0	39	0	8	20	0	11	1
<b>Open Container (I)</b>	1	0	1	0	0	0	0	0	0
<b>25662 BP</b>	0	4	0	3	0	1	0	0	0
<b>25658 BP</b>	1	1	3	0	1	0	4	0	0
<b>594 PC</b>	0	1	0	0	0	0	0	0	0
<b>242/415(1) PC</b>	2	0	2	0	0	1	0	0	0
<b>308 PC</b>	0	0	1	0	2	0	7	0	1
<b>148 PC</b>	1	0	0	0	0	2	0	0	0
<b>False ID</b>	0	0	0	0	0	0	0	0	0
<b>Vehicle/Bicycle</b>	3	1	3	1	0	1	3	4	0
<b>Weapons</b>	0	0	1	0	0	1	0	0	0
<b>Trespass</b>	0	0	2	0	0	0	0	1	0
<b>Drugs</b>	0	0	0	0	0	0	0	1	0
<b>Other</b>	2	0	0	0	0	1	4	1	0
<b>TOTALS</b>	<b>55</b>	<b>7</b>	<b>53</b>	<b>4</b>	<b>11</b>	<b>47</b>	<b>20</b>	<b>31</b>	<b>3</b>

**Appendix 4: Agreement Item Recommendation Form [Example]**

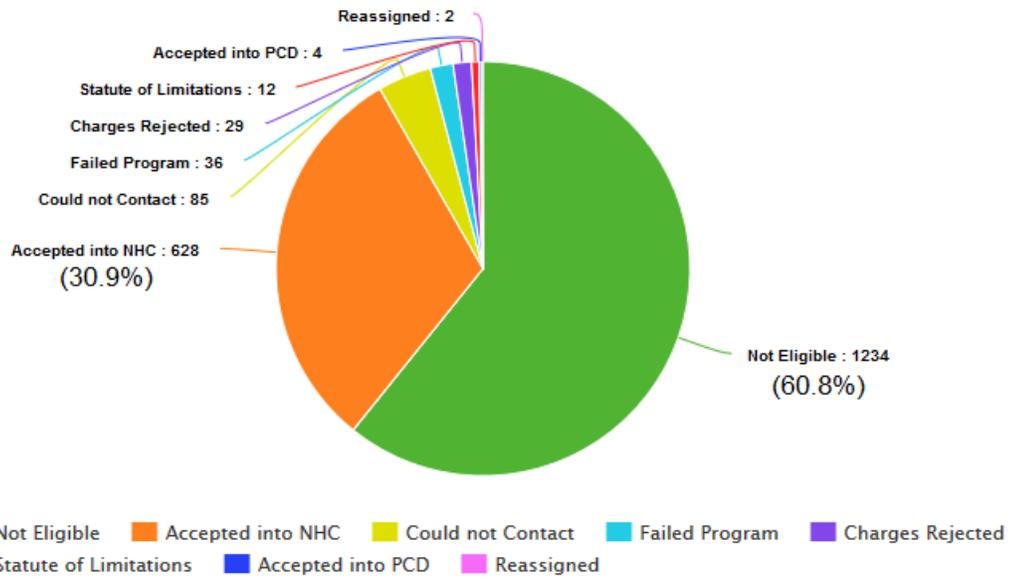
The following are agreement options that may be relevant restorative options for the participants that will be the subject of tonight’s conferences. Please review entries in the Menu of Options during the pre-conference, as time allows, in order to familiarize yourselves with these and other applicable options. These suggestions are not meant to encourage a “recommended outcome” or “standard disposition” for NHC cases—this is merely a tool to assist with the conferencing process. Space is provided on the bottom half of the page to list your own additional suggestions.

<b>Person #1 – PUBLIC INTOXICATION</b>	<b>Person #2 – PETTY THEFT</b>
<ul style="list-style-type: none"> <li>• Rethinking Drinking</li> <li>• CFI – Goal Directed Behavior workbook</li> <li>• AA/Al Anon, if appropriate</li> <li>• MADD Victim Impact Panel</li> <li>• ATOD (UCD students only)</li> </ul>	<ul style="list-style-type: none"> <li>• CFI – Goal Directed Behavior workbook</li> <li>• Yolo One-Stop Career Center</li> <li>• Food bank referral, if appropriate</li> <li>• Clothing closet referral, if appropriate</li> <li>• Research paper on the harms of shoplifting</li> </ul>
<p><b>Additional Suggestions:</b></p>	<p><b>Additional Suggestions:</b></p>

### Appendix 5: Agreement Item Breakdown (Q1 & Q2 2016)



### Appendix 6: Referral/Rejection Breakdown (2015/2016)



*Author’s note: This data is restricted to the years 2015 and 2016 as it provides the most accurate portrayal of Neighborhood Court’s current breakdown. Numbers from previous years may be unreliable due to the small number of staff members working on the program prior to receiving the Justice Assistance Grant.*