

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
2/6/2018

SUBJECT:	SUBMITTED BY:
Direct staff to prepare a draft operating process to reinstate the Peer Jury program	David Fieldman Village Manager

SYNOPSIS

Commissioners Barnett and Hose have requested that the Village Council direct staff to draft an operating process to reinstate the Peer Jury program as previously implemented and recommend improvements and efficiencies. Pursuant to Village Council policy, this topic shall be a discussion item only to allow the Village Council to direct staff to prepare an action for consideration at a later date.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Action at the discretion of the Village Council.

BACKGROUND

Commissioner Barnett and Commissioner Hose requested that the Village Council consider a proposal to direct staff to draft an operating process to reinstate the Peer Jury program as previously implemented and recommend improvements and efficiencies. The proposal is:

As you know, Downers Grove Township discontinued their Peer Jury program. By way of background, the Peer Jury program was a diversionary justice program to keep young people who committed certain offenses out of the criminal justice system. Offenders were eligible for the program if: (1) the offender admits having committed the offense; (2) the responsible police officer determines that such a disposition is appropriate; and (3) the offender and his/her parent or guardian consent in writing to such a disposition and sign a Waiver of Liability and Confidentiality. The Peer Jury program also gave the jurors an important way to give back to their community and required a significant commitment, including an application process with an interview, and mandatory training.

There has been a significant community outcry to bring the Peer Jury program back. Efforts thus far have focused on the Township, and have been unsuccessful. As the community that sent as many or more offenders to the Peer Jury program than any other city/village in the Township, we would like to investigate

whether the Village can work together with nearby communities to revitalize the program and give youth offenders a second chance before entering the criminal justice system.

Therefore, we request that the Council direct staff to develop a draft operating process to re-instate the program as previously implemented as quickly as possible, recommend improvements and suggest efficiencies that may be realized through such improvements, coordinate with nearby towns (Darien, Westmont and Woodridge come immediately to mind) and report back as to whether: 1) other communities would be willing to engage in a partnership with Downers Grove on a Peer Jury program covering those partner towns; 2) the hard dollar costs of such a commitment; 3) the staff time and resources necessary to begin and sustain the program; 4) whether any resources (e.g. grants) may be available to support the program, whether on the county, state, or federal level, or from charitable donations; 5) to what degree staffing might be filled by volunteers; 6) what existing DG non-tax revenue may be utilized; and 7) to what level the program might be supported by user-fees. We welcome additional questions or metrics from our colleagues and staff.

Many of those who participated as jurors and offenders diverted into the Peer Jury program cite it as a positive turning point in their lives. We should not allow more of our children to end up in the criminal justice system without a conversation about the benefits of the Peer Jury program and the resources necessary to re-start it here in the Village of Downers Grove and neighboring communities. Similarly, we should also consider other diversion programs/actions that are available.

Attached for reference and information are documents related to the Peer Jury program, including a proposed budget prepared by Lori Wrzesinski, who administered the Peer Jury program for Downers Grove Township, as part of the efforts to re-start the program at the Township.

Thank you in advance for your time and consideration.

BACKGROUND

Peer Jury Overview

Proposed Peer Jury Budget

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Manager DATE: February 6, 2018
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to direct staff to draft an operating process to reinstate the Peer Jury Program.



SUMMARY OF ITEM:

Adoption of this motion shall direct staff to draft an operating process to reinstate the Peer Jury Program.

RECORD OF ACTION TAKEN:

Peer Jury Overview

History

The Downers Grove Township Peer Jury was launched in November 2000. Lori Wrzesinski created the program in collaboration with Officer Michael Campo of the Darien Police Department. The initial action plan was presented to the Township Supervisor, Barbara Wheat, and the board of trustees in November of 1999 and was approved to launch. Peer jury is a diversion program for youth ages 12 to 18 (as long as in high school) who commit minor offenses that normally would be sent to court. To qualify for diversion, they must be first time offender, the offenses must be so serious that it warrants referral to court, and the juvenile and parents are in agreement with the parameters of the program. Offenders were told by juvenile officers at the time of referral that if they successfully completed peer jury, the offense would not go on their record.

Downers Grove Township consists of 7 primary villages that are either completely or mostly within its' geographical boundaries, and an additional 5 villages have a portion of their villages within those boundaries. The primary villages are: Burr Ridge, Clarendon Hills, Darien, Downers Grove, Hinsdale, Westmont and Willowbrook.

The initial action plan started with one hearing location at Willowbrook Village Hall and included 3 villages: Darien, Hinsdale and Willowbrook. The program started with 50 jurors from the 5 public high schools within the Township (District 86, District 99 and CUSD 201). We also started with 5 community service sites and one site coordinator. At this location, we could hear 4 new cases and 4 return hearings (this is where offenders checked back in with jurors and ultimately were released. The two year action plan was to incorporate the other 4 villages into the program once all the "kinks" were worked out and a 2nd hearing site could be secured. In November of 2001, a 2nd site at Downers Grove Village Hall was launched, effectively doubling the capacity of the hearings.

Over the course of the next 2 years, we increased the number of jurors in our jury pool to 100. We also quickly discovered that holding new hearings and return hearings on the same evening was not providing the best possible service to offenders. We had a total of 3.5 hours to hear cases and we felt that we were often rushing through cases and wanted to be able to give more time and attention to those kids who needed it. In our 4th year, the decision was made to launch a third site. This allowed us to hold new hearings only at two of the locations and the 3rd location would be for return cases only. This site was launched at the Westmont Police Department in 2005. This additional site then allowed us to increase our capacity for new cases from 8 to 10 and return hearings from 8 to 12.

During the first year of our return hearing at Westmont Police Department, we once again realized that due to our increased capacity for hearing new cases, our need for more spots for return cases was necessary. This prompted us to launch a 2nd docket at the Westmont Police Department in 2006. This doubled our capacity for return cases. Due to the increasing number of cases we were hearing, that also allowed us to accept more high school students into the training program for peer jury. We increased our jury pool from 100 to 175 and we again increased the number of jurors in 2012 to 225. This allowed us to accommodate the high caseload as well as provide more opportunity for students to want to serve their community in this role. During our near seventeen year history, we trained approximately 1400 high school students are peer jurors. We started out with a once per year training and after five years, we offered two trainings per year. At the time of the program termination, we had just accepted thirty-two students into the winter training program.

Impact

When peer jury was terminated on July 21, we had heard 1470 cases during our history and had an additional 30 cases that were scheduled through November, nearly filling the our new hearing dockets. During our entire history, peer jury had a 94 – 98% success rate. That means that offenders who completed the program did not get into trouble with the police a 2nd time. The way that we determined this was, once per year, juvenile officers from the 7 (as of June 2016 we had 8 departments with the addition of Oak Brook) departments involved in peer jury would meet with the program director and review all cases of youth who were under the age of 18. The purpose was to identify any youth who had re-offended. Given the scope of the program, all departments were confident that the review of those offenders who had gone through the program had no additional police contact.

Out of those 1470 who had been diverted to peer jury, less than 1% did not successfully complete the program and were referred back to the juvenile officer who sent the case for a disposition to court. The primary reason a youth did not complete the program was that they were non-compliant with consequences assigned in spite of numerous and varied efforts by the program director and return hearing coordinator, to work with the offender and families to achieve successful completion of the program. For those who did complete the program, offenders and parents were given the opportunity to anonymously evaluate it (see a sampling of peer jury evaluation summaries for content). We began conducting evaluations in 2004 and during the tenure of the program, 99.9% of offenders and parents said they were satisfied with the program, feeling it was effective and stating they were either highly likely or very likely to recommend the program. There were some instances where the program director received calls from offenders, asking if they could get into the program after they had been arrested.

In addition to the successful diversion of youth from the court system which saved them a lot of money, the offenders, parents and the community benefited in a variety of ways. The peer jury program was built on a philosophy known as Balanced and Restorative Justice. There are 3 goals: Community Safety, Accountability and Social Competency. Everything that we did was built on this philosophy: juror training, ongoing education for jurors, how hearings were conducted and consideration of what was assigned to an offender. This philosophy not only had an impact on offenders and their families, it had a significant impact on jurors.

The BARJ philosophy was manifested in a variety of ways when jurors considered cases and what they felt would be the most beneficial for the offender to learn from their choice. First, all offenders were assigned a range of 10 to 25 hours of community service. Peer jury worked with nineteen non-profit organizations within the Township who not only received thousands of community service hours, they also had a significant and positive impact on the offenders. By performing community service, not only did youth feel valued because of the service they provided, they often received encouragement and positive role modeling from those who coordinated the service sites. There were also instances of youth who were hired by community service sites where they were assigned to perform their hours.

Another way offenders and parents were positively impacted was a result of referral to counseling, substance use treatment and educational programs such as Self Management Skills and Managing Anger Skills. One of the weaknesses of youth getting sent to court is the fact that the types of cases that were diverted to peer jury were ordinance violations and status offenses, both being handled in traffic court. Typically when it is handled

in court, usually first time offenders would only have to pay a fine, the cost of the ticket and court. No time was spent talking with the offender about what happened and why. Many times, youth didn't even go to court because they were represented by a lawyer. This system does not allow for youth to take direct responsibility for their decisions much less learn in a meaningful way. If a youth needed help such as counseling or education, it was a rare occasion when that would happen. The goal of traffic court is to get people in and out as quickly as possible, and those judges sitting on the bench normally don't take the time to ask such questions to determine if there is such a need.

One of the additional benefits came from meetings that were assigned for offenders to meet with a peer juror or a family meeting with the peer jury director. The intent of peer meetings was to allow an offender to connect with their peers in a meaningful way and goals for meetings were determined during the deliberation period of a hearing. The intent of family meetings was to allow the family to explore a variety of issues that were brought up during a hearing. If the peer jury director felt there was a need for additional assistance, a recommendation for family counseling could be made to allow the family to continue to work on family issues and build resilience.

Offenders also had opportunities to learn in creative ways such as researching and writing papers, using their artistic interests to create projects such as poems, ceramic pieces, paintings, rap songs and drawings. Some offenders were even offered the opportunity to apply to be a peer juror. Criteria for this meant that the community service site had to make a recommendation that they should apply, the offender had to stay out of trouble for 6 months before applying, and they had to complete an application and interview to be considered for the program. During our history, we had approximately 50 former offenders apply and were accepted into the program.

An often expressed sentiment at return hearings (this is where offenders check in and when they are done, they are officially released) by parents was that they were "glad this happened." What they meant by this statement was they were glad that the incident happened at this point in their life. Having the opportunity to go to peer jury instead of court was not only good because it didn't go on their record, but, they more frequently expressed that they felt their child learned more from peer jury. You can see this expressed in evaluations.

Peer jury also had a significant impact on jurors. Numerous jurors made peer jury the subject of their AP Government projects. A plethora of jurors wrote about their experience as a juror for their college essays. A number of them used the peer jury director as a reference for jobs, or asked her to write letters of recommendation for college and scholarships. Many have maintained contact with the peer jury director, two even requesting internships with her while they were in college; a third one coming back from college to help out over his 7 month break before medical school in Australia. One way that peer jury helped them learn was to also provide ongoing educational sessions for jurors on topics such as juvenile law, substance abuse and treatment, community service sites, roles of police in the community and schools, Alive at 25, and other educational programs like Self Management Skills.

While it is difficult to quantify, it is safe to say that by diverting youth from court to peer jury not only saved them money, it also freed up the court docket, thus saving money the taxpayers money. It also safe to say that many youth (and families) who were diverted to treatment, would not have received that opportunity when sent to traffic court. The ripples in the pond for this were often reflected in evaluations when parents, and sometimes offenders, commented that they felt educational programs or counseling were the most effective assignments made by jurors.

The negative impact that the termination of peer jury has had is still reverberating through the community. Approximately 60 peer jury parents and jurors and community members attended a Township board meeting two weeks after the termination of the program. A group of parents convened shortly after that meeting to come up with a plan to restore peer jury which includes ways to fund the program for the future. Additionally, the police departments have expressed their displeasure with the Township Supervisor at the termination of the program and are willing to work together to restore the program and provide some financial support.

Proposed Peer Jury Budget

Item	Annual Proposed Budget Amount
Pizza for Hearings (9 months + 1 hearing)	\$1680.00
Pizza for trainings (2X per year)	\$225
Additional snacks at monthly hearings	\$1296
Additional snacks for trainings	\$200
Paper goods for monthly hearing, trainings & swearing in ceremonies	\$210
Food for swearing in receptions	\$150
Training Materials (paper, folders, pens, name tags) & Supplies for monthly hearings (paper, pens, tape, file folders, hanging file folders)	\$340.00
Postage	\$10 per month = \$120
Initial supplies for setup (carts to transport supplies & food, signage, printing of Work Assignment Placement forms and Return Forms, database software for offender information maintenance, computer(?), locked file cabinets for file maintenance)	\$453.91 (Does not include potential cost for a laptop or database software for offender management)
Total Administrative Overhead	\$4674.91
Personnel Costs (Average 15 hours per week – for 3 weeks out of month and 10 hours for 4 th week))	36 weeks X 15 hours X \$45 per hour = \$24300 14 weeks X 10 hours X \$40 = \$6300 Total Personnel costs = \$30600
Total Budget	\$35,274.91
Funding Sources	Potential Dollar Amount
Offender Hearing Fees	\$10,000 to \$12,000
Fees from SMS Educational Program	\$4400 to \$4800
Police Departments (8 participating)	\$20,000 to \$22,000
Private Funding or Juror Participation Fees	\$4000 to \$5000

- Note – Fee is based on an average of 100 cases per year, that is \$10000. At top end of maximum cases that can be heard of 120, that would be \$12000.00

Paper usage – Initial hearings: (130 for hearing sheets, 200 for deliberation sheets, 20 miscellaneous printing = 250 per month X 12 = 3000 sheets; Return hearings: (13 cases X 10 = 130 sheets X 12 = 1560) Total Sheets = 4560

Training Materials: Trainings are twice a year and approximately 60 to 70 new jurors are trained.

Work Assignment Placement forms (triplicate): 120 per year

Return Hearing forms (duplicate): 100 per year

Postage: Average 10 to 15 mailings per month

Snacks: Pop, cookies, chips, trail mix, fruit snacks, candy

Paper goods: Plates, cups, napkins

Personnel Costs breakdown: 5 hours per hearing, 5 hours for case scheduling, processing, follow up with community service sites, 5 hours for meetings with offenders & families, ongoing ed. Sessions with jurors, phone calls with families, treatment providers, etc. (* Note – there is an offender education program, Self Management Skills, that is frequently assigned to offenders. This is a course that is 6 hours total in length and was offered 6X per year. This time is not included in the personnel costs and could either be included and the fees collected be part of the budget or could be separate and the fees for the program could be paid directly to personnel for compensation)

Staples: Hearing & Training Supplies

- Pocket Folders w/fasteners for trainings (School Grade 2 – 25 per package @ 7.79 each) - 3 packages X \$7.79 = \$23.27
- Pens (Item 50552 – 36 per container) @ \$36.99 X 4 = \$147.96
- Case of paper (Item # 1149611) 4000 sheets @ 24.99 X 4 cases = \$100
- Manila File Folders for case files (Item #221689) 250 per box @ \$19.49
- Multi-Colored folders for hearing files (Item #875429) 100 per box @ \$17.99
- Multi-Colored hanging folders (Item #875411) 25 per box @ \$13.49 X 2 = \$26.98
- Name Tags (Item # 538157) 100 per pack @ \$4.29

Office Depot: Initial Setup Supplies

- Folding Cart (for transporting food & supplies) (Item # 987304) @ 24.99 X 2 = \$49.98

Staples: Initial Setup Supplies

- Rolling File Cart (Item # 725722) @ \$64.39
- Locked File Cabinet (Item # 495795) @ \$189.99
- Laptop (?) – Can we have access at host site
- Software – Need database management software for offender tracking

Hearing Forms

- Initial Hearing Forms (Work Assignment Placement – triplicate) – 48 Hour Printing: 250 forms @ \$112.62 (with a quoted discount of \$48.26 off original price of \$160.88) & UPrinting: 250 forms @ \$99.66. Neither quotes include shipping costs.
- Return Hearing Forms – 48 Hour Printing: 250 forms @ \$36.93 (with a quoted discount of \$15.83 off original price of \$52.75) 7 Uprinting: 250 forms @ \$32.64, Neither quotes include shipping costs.

