

DISTRICT OF COLUMBIA OFFICE OF THE ATTORNEY GENERAL: “Using Our Brains: Reducing Recidivism Among Youth and Young Adults”

The Problems:

High Recidivism Among Youth and Young Adults

After almost three decades of crime reduction, the District of Columbia (DC) community saw some increases in select crime in 2015.¹ Recidivism for youth and young adults (ages 12-24) in DC is high—in 2013, 24% of juveniles who committed crimes were charged at least twice, and young adult offenders repeatedly cycle through the criminal justice system. In DC, all 18-year-old offenders are treated as adults.

The Response:

The DC Office of the Attorney General (OAG) in partnership with the DC United States Attorney’s Office (USAO) and the Center for Court Innovation (CCI), are developing a program for youth (12-17) and young adults (18-24) who commit misdemeanor crimes such as theft, destruction of property, and simple assault cases with victim/surrogate consent.² The initiative is funded through a grant from the Bureau of Justice Assistance. Instead of traditional prosecution, these offenders will attend restorative justice conferences designed to build empathy, change anti-social thinking, and deter future criminal behavior.³ Restorative justice also increases victim participation and satisfaction with the criminal justice process.⁴

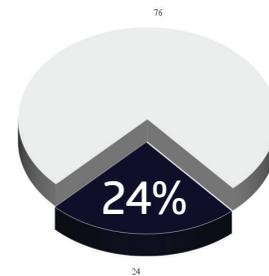


Chart 1: 2014: Juvenile Recidivism Rates
24% of arrested juveniles had two or more unrelated court appearances⁶

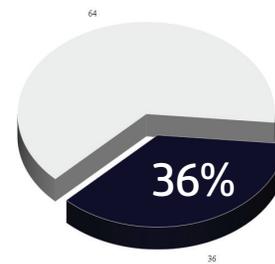


Chart 2: 2014: Juvenile Recidivism Rates
36% of juveniles admitted to probation three or more times in one year⁷

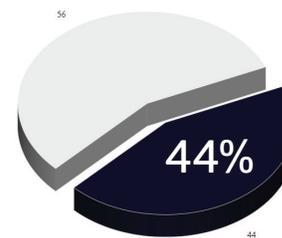


Chart 3: 2014: Juvenile Recidivism Rates
44% of juveniles in the system were rearrested

Research suggests that 18-24 year olds are more similar to children developmentally and neurologically than they are to adults. Additionally, their ongoing brain development means they have a higher capacity for reform and rehabilitation than older offenders.⁵

¹ Hermann, Peter. “Straight up Execution”: Crime Surges Across the District.” *The Washington Post*. August 16, 2015. Available at: https://www.washingtonpost.com/local/crime/uptick-in-crime-affects-residents-across-the-district/2015/08/16/d4b899e8-4037-11e5-8d45-d815146f81fa_story.html

² The DC OAG has jurisdiction for youth offenders; and the DC USAO has jurisdiction for young adult offenders.

³ Research on Restorative Justice in Baltimore, Maryland and Milwaukee, Wisconsin, 2010. Mark Umbreit, Ph.D. available at: http://www.cehd.umn.edu/SSW/RJP/Resources/Research_Summaries/default.html

⁴ Id.

⁵ Schiraldi, Western, and Bradner. *Community-Based Responses to Justice-Involved Young Adults*. *New Thinking in Community Corrections Bulletin*. Washington, DC, U.S. Department of Justice, National Institute of Justice, 2015.

⁶ DC Family Court 2013 Annual Report

⁷ National Council of Juvenile and Family Court Judges report on DC. *Juvenile Recidivism*, 2012.

Key Features:

- The program is open to juvenile offenders (ages 12-17) and young adults (ages 18-24).
- Potential young adult participants must be charged with misdemeanor crimes.
- Automatic exclusions include: cases appropriate for specialty courts, sex assault cases, domestic violence cases, and gun cases.
- The crime has an actual victim (excluding such crimes as failure to appear, fleeing law enforcement, etc.).
- The victim (or surrogate) is amenable to restorative justice.
- Potential participants cannot be held without bond.
- Restorative Justice Conferences are comprised of three components: pre-conferencing, restorative justice conference, and agreement monitoring.

The Analysis:

Researchers from the CCI will collect data to complete both a process and impact evaluation. The process evaluation will focus on: selective attendance at Restorative Justice Conferences and interviews of Restorative Justice and prosecution staff. The Impact Evaluation will track one-year re-arrest outcomes for program participants.

Biggest Challenge:

Streamlining Collaboration Between OAG & USAO

Historically there has been a lack of data and centralized data collection. If law enforcement, prosecutors, and the courts collect data, only some of it is integrated. Neither the OAG or USAO had been collecting outcomes after consent decrees or deferred sentencing agreements. This initiative is the first collaboration between the two offices to share innovative diversion strategies.

Early Success:

Both the OAG and the USAO have profited from inter-agency collaboration and joint coordination of program goals. The agencies have completed a Memorandum of Understanding that defines their roles and collaborative efforts for the joint initiative, and have brainstormed together at multiple meetings.

Lessons and Next Steps:

The OAG team is training prosecutors about the diversion initiative, focusing on restorative justice. Both the OAG and USAO are working on trainings for the defense bar and/or judges. The OAG has also developed video vignettes that highlight participants' success stories with Restorative Justice.

“ Restorative Justice Conferencing has provided prosecutors at OAG with a tool to reduce future conflict and build empathy and consequential thinking among young people who have committed crimes. Most importantly, it helps victims heal and move forward. We get strong satisfaction ratings from victims of crime who choose to do restorative justice. ”

-Seema Gajwani, Project Coordinator, Special Counsel for Juvenile Justice Reform, Office of the Attorney General for the District of Columbia

