

BUTTE COUNTY PROBATION DEPARTMENT

Diversion and Restorative Justice Programs

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Diversion and Restorative Justice Program Mission

"Our mission is to institutionalize evidence-based restorative justice practices in Butte County's juvenile justice systems, schools, and community-based youth-serving organizations, in order to more effectively address youthful wrongdoing and the mental health and behavioral issues associated with such wrongdoing."



Diversion Program

- BCPD has utilized various diversion practices for more than 30 years.
- During the COVID pandemic, most in-person programs were suspended due to social distancing requirements. This provided BCPD with an opportunity to evaluate existing programs.
- As a result of the evaluation, BCPD transitioned to a Diversion Program based on the Models for Change, Juvenile Diversion Guidebook.

https://www.modelsforchange.net/publications/301/Juvenile_Diversion_Guidebook.pdf



Collaborative Process

In 2021 The Butte County Probation Department developed an advisory committee to discuss Diversion and Restorative Justice Practices in Butte County. The committee continues to meet as needed to discuss the progress and outcomes of this initiative. The committee is comprised of the stakeholders listed below:

- Butte County Probation Department
- Butte County District Attorney
- Butte County District Attorney- Victim Witness Bureau
- Butte County Public Defenders' Consortium
- Boys & Girls Club of the North Valley
- Butte County Board of Supervisor, District 3
- Butte County Office of Education



Re-imagining & Re-framing

Previous Focus on Punitive Justice

The purpose of punitive justice is to punish.

It is concerned with:

- What law or rule was broken
- Who broke the law or rule
- How should they be punished

Current Focus on Restorative Justice

The purpose of restorative justice is to address the harms created by crimes.

It is concerned with:

- Who was harmed
- Who are the stakeholders
- What do they need
- Whose obligation is it to meet those needs
- What are the causes of the harm
- What is the appropriate restorative justice process to address the harm





REFERRAL PROCESS



DIVERSION PROGRAM

Step 1

- Law enforcement sends referral to Butte County Probation

Step 2

- Probation screens youth for appropriate intervention

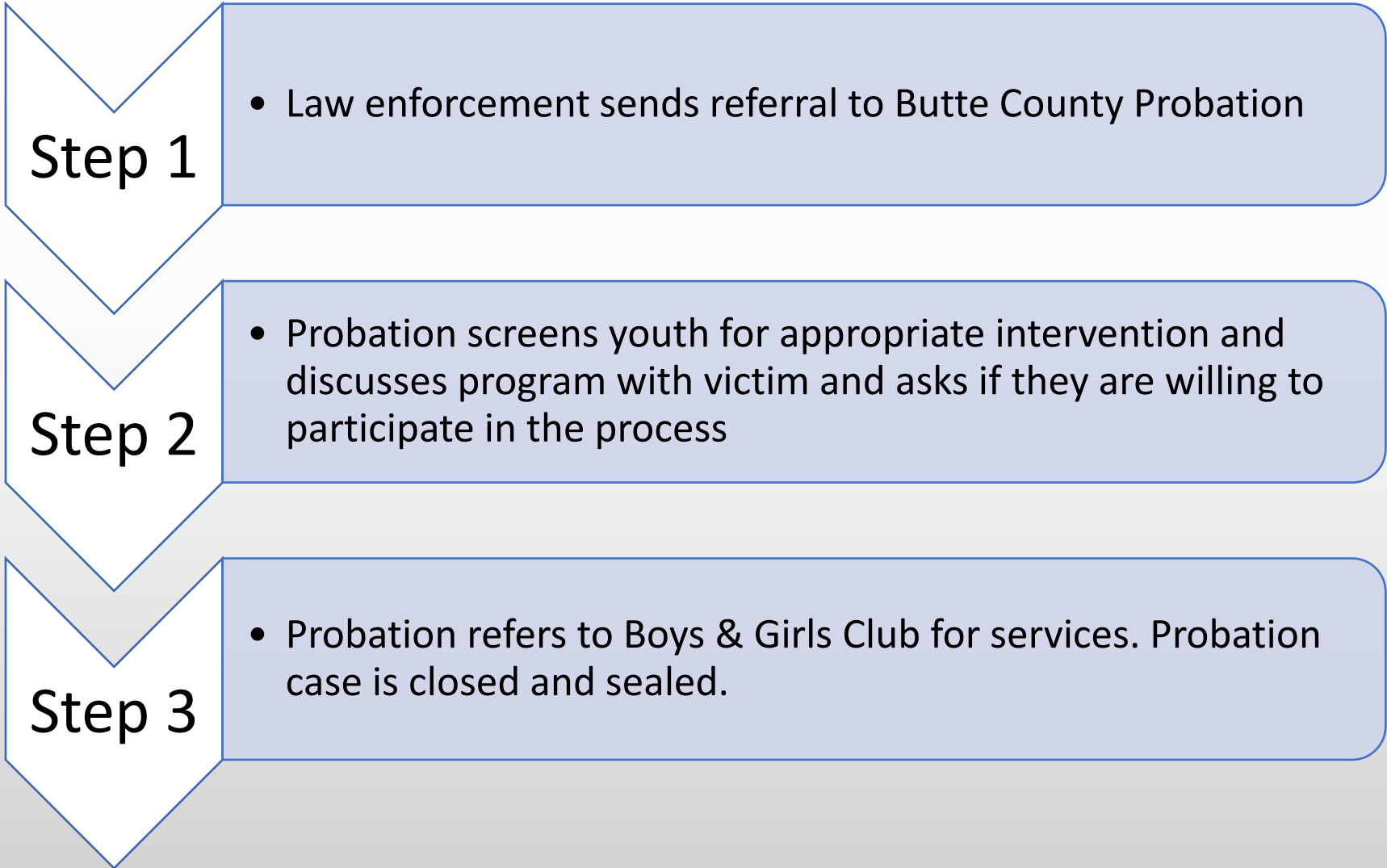
Step 3

- Probation refers to Boys & Girls Club for services. Probation case is closed and sealed.



REFERRAL PROCESS

RESTORATIVE JUSTICE PROGRAM



Case Example

Harmed Party: Nail Salon

Responsible Parties: Two teenage females

Context: This circle was conducted because the responsible parties engaged in the theft of services. Specifically, they were provided manicures and pedicures and then attempted to leave without paying for the services. Their attempt to leave and subsequent detention by salon staff was loud and disruptive to the business and there was subsequent Chico Police presence when they arrived at the call for service. The behavior of the responsible parties impacted the business and its employees in a several ways. Specifically, the nail technicians were not able to send money back to their families in Vietnam due to the theft. Secondly, the owner provided discounts (20%) to customers who witnessed the incident. Additionally, the incident was recorded and uploaded to social media which had a negative impact on customer traffic to the business.

Goals: The primary goals of this restorative justice circle were to increase the responsible parties understanding the impact of the harm, foster empathy, and accountability amongst the responsible parties, and find ways to repair the harm.



Case Example

Circle Process: The Boys and Girls Club facilitators conducted the welcome and introductions. They then discussed the agreements and guidelines. The facilitators conducted a mindfulness centering exercise as an opening ritual. Both parties were able to engage in storytelling and express how they felt about the incident and when the responsible parties shared, they were explicit regarding their motives and provided clear understanding of how their behavior impacted the harmed party and her employees. The facilitators were skilled at framing questions which facilitated the acknowledgement, communication, and understanding of empathy. After the period of storytelling and expression of emotions, the facilitators engaged upon a period of reflection and dialogue to specifically explore the harm causes and the factors that contributed to the incident, and the feelings and needs of all involved. It is my opinion that because of the effectiveness of this phase the harmed party shifted in her position regarding the need for restitution. Specifically, the process of dialogue allowed the harmed party to see the youth involved in this incident in the context of their lives and not just their behavior. This process was the reforming of this relationship, which was formed during an act of delinquency. At the conclusion of the circle process all participants reaffirm their commitment to upholding the agreed-upon actions. The facilitator ensured that everyone understood their roles and responsibilities in the process.



Case Example

Accountability and Repair: There were several actions made during the circle to address the harm caused and promote healing. Specifically, the responsible parties made apologies and after the harmed party stated there was no desire for restitution, the responsible parties made offers to work with the owner during times she may need help and performing cleaning duties at the salon. However, the harmed party declined that offer and stated she only wanted the responsible parties to be more self-reflective and communicate to their peers the harm actions like theirs have on small business owners and their employees.

Emotional Impact: The emotional atmosphere of the circle contained expressions of remorse, forgiveness, or transformation experienced by participants. Specifically, despite the harmed party becoming visibly emotional when discussing the impact, the behavior of the responsible parties had on her staff, she was very responsive to the circumstances of the responsible parties.

Support and Follow-up: The responsible parties will have their probation diversion case successfully discharged and will continue to receive services from the Boys and Girls Club (B&G). The support person for the harmed party is the owner of a store which sells items for infants and children. She stated she would be willing to assist one of the responsible parties obtain items she will need for her infant when she gives birth. In addition, the responsible parties will have access to the Youth Peer Mentor Program (YPMP). Specifically, they will be able to participate in YPMP programming onsite at the B&G.



Targeted Outcomes

Programming strategies and actions are intended to achieve the following outcomes:

1. Safer Communities: reduce the number of youth who reoffend.
2. A Fundamental Change: Decrease the Youth's exposure to the Juvenile Justice System; promote greater family and community involvement, assist & guide youth in restoring the victim.
3. Cost: effective method of addressing youthful wrongdoing; reduction of incarceration rates and associated costs.

These programs strive to offer a consistent collaborative approach to Diversion and Restorative Justice services & opportunities provided by the Butte County Probation Department & Boys and Girls Club.



Data

- The Boys and Girls Club provides a variety of data to BCPD regarding Diversion and Restorative Justice participation outcomes.
- From January 2024 through December 2025, 254 youth were referred to the Boys and Girls Club and diverted from the Juvenile Justice System. Of those youth, only 72 were re-referred to BCPD (28%).



Juvenile Diversion Programs Across the State

- Most probation departments have diversion programs, with many doing this work for 10-20 years
- Most programs initiate with referral from probation to a community-based organization for services.
- Other common partners may include: local law enforcement, DA, public defender, health and human services inclusive of behavioral health
- Common eligibility: misdemeanor offenses, first time referrals; WIC 654, offenses that do not require mandatory referral to DA
- Common exclusions: No prior sustained felony offenses, domestic violence, sex offenses, 707(b) offenses, those requiring mandatory referral to DA



