



Virginia Voter

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The Justice System and Restorative Justice

Background: The restorative justice (RJ) paradigm views crime as harm against the actual victims as well as the community. Restorative practices seek to empower both victims and offenders in determining who is responsible for repairing the harm and in creating solutions. Restorative solutions aim to hold offenders accountable in ways that are meaningful to both victims and the community and, at the same time, to support offenders in being responsible for repairing the harm they caused. As an example of restorative practices, victim-offender conferencing is a process in which a trained facilitator meets separately with the victim and the offender in a given case, and then, if they both wish, facilitates their face-to-face dialogue, sometimes involving other supporters of each. Other practices include bringing victims and offenders from different cases together for classes on the impact of crime.

To be able to compare RJ outcomes with the traditional criminal and juvenile justice systems in Virginia, we first sought data on services to victims and the use of community service, financial restitution, and diversion efforts from all levels of courts.

League researchers report surprises, such as:

- ❖ The complexity of the local justice system was new to some who discovered that there are three levels of court (Circuit, General District, and Juvenile and Domestic Relations) and separate probation departments for each level.
- ❖ Some reported having to speak to 3-5 people before the Victim/Witness office could be located.
- ❖ Most courts did not track financial restitution or community service hours other than by the individual case, but thought some other agency in their jurisdiction could provide cumulative data. Often that was not true.
- ❖ Many courts reported that tracking the percentage of cases in which either was ordered and the percentage of cases in which those orders were completed was impossible, given limited staff. Yet a few other courts did manage to do so, and a few had obtained some of this data from the Virginia Supreme Court reports.

Most critical outcomes thus far:

- ❖ Fewer than six of almost 30 different courts could say how much money they had collected from defendants for restitution to victims.
- ❖ Almost no court could report what percentage of offenders complied with court orders of restitution or community service without some follow-up or threat of further formal or informal sanctions.
- ❖ While Virginia law allows Court Services Units (the starting point for the bulk of juvenile offenses) to divert most juvenile first-time misdemeanants, the highest rate in the state for diverting such statutorily eligible juveniles was 26%. That means that J&DR court systems, whether due to local policy or monetary limitations on diversion programming, are keeping the great majority of even first-time offenders in the system. Of those diverted, recidivism rates were rarely available.
- ❖ Most courts and adult probation departments did report that they sometimes do consider less punitive approaches for certain adult offenders (usually non-violent/first-time), and sometimes dismiss cases once restitution, community service and other court orders are complied with, but no court had actual data.
- ❖ Victim/witness offices typically reported that much more of their staff time goes to court cases involving serious or violent crime, which to a vast degree involves adult offenders or juveniles being tried in adult court. Most have substantially less time or resources to devote to victims of property crimes by adults and victims in juvenile court cases. They have no contact with most victims in diversion cases as those are never filed in court.

(Continued on next page)

Additional highlights from initial review of data:

Victim Witness (V/W) offices:

- ❖ All serve victims both juvenile and adult offenders, while in one county, the Court Services Unit has its own V/W program to particularly serve victims in J&DR cases.
- ❖ Most offices said that they spend considerably or substantially more of their time on cases involving serious violence or trauma, which is much more often than not done by adult offenders. Some V/W offices have little involvement with the J&DR court.
- ❖ Only two of eight have someone on call for victims day in and day out, and one more is moving in that direction. Three report that they generally can respond within 24 hours. In contrast, in a one-person rural V/W office covering two counties, the coordinator typically gets victim information two to three days after the crime, and sometimes only weeks after.
- ❖ Interestingly, some offices reported only about 25% of victims gave written victim impact statements (supplied to the courts, attorneys, and probation), while others reported much higher rates, from 55-70%. Most jurisdictions said it was rare for victims (3-10%) to want to give an oral impact statement in court; yet one office said that in 80% of serious cases, victims or their representatives do give a statement.

Financial restitution and community service:

- ❖ If, and how much, money is owed to victims for financial losses due to the crime is determined differently by different courts.
- ❖ Many judges order the defendant to pay 100% of the reported losses, and will extend or violate their probation for not complying. Yet other judges

hesitate to require monetary restitution, given the financial circumstances of many offenders.

- ❖ It is mostly only in J&DR courts and General District courts that ordering community service is a common, though not necessarily standard, practice. Determining the number of hours and if they should sanction the offender for not completing them varies considerably. Most Circuit Courts (which handle the felonies), very infrequently order community service.

Next steps

The State League Board of Directors approved the following schedule for this study:

- ❖ *Unit meetings/general meetings on an overview of the current (retributive) justice system, with background information being supplied by state committee—some have done and some have these scheduled this spring*
- ❖ *Spring materials (in Voter and website) – this article and more to come on website*
- ❖ *Spring units or field trips to observe RJ in practice*
- ❖ *Workshop at LWVVA Council Meeting*
- ❖ *Summer: at 2004 Statewide Committee prepare consensus questions*
- ❖ *Fall 2004 further informational units as needed*
- ❖ *Fall, Winter Consensus Units*
- ❖ *Statewide Committee prepares consensus reports for state board*
- ❖ *Position adoption at Convention 2005*
- ❖ *If you need ideas for unit meetings or other information, please feel free to contact State Study Chair Phyllis Turner Lawrence at 703-868-9320, phyllis@us.net.*

Virginia Gwathmey Young

We were saddened to learn that former LWVVA President Virginia Gwathmey Young died of a heart attack at her home in Chapel Hill, NC, on January 29. Virginia was state League president from 1987 to 1991 and served as our lobbyist prior to that time. She was a member of the Fairfax Area League and moved to Chapel Hill in 2002.

President's Message

This has been a very interesting few months I think you would all agree. There have been, and continue to be, so many important issues in the country, the state, and in our local governments. How in the world are we expected to keep abreast of all this?

Well, the truth is we can't! We can only do our best with the time we have available. We have to remember that we are a volunteer organization and that we have other responsibilities to our family and to our jobs that must come first.

I think that it is vitally important also to remember that we in the League need to practice a spirit of cooperation with each other, so that all our energies are centered on what needs to be done for the League. Also, it is very important to remember how broad-based we are in the number of issues on which we have

positions. It is so important for the League to listen to all sides of the issues in which we are involved, try to understand the points of view of all the people, and then to find some "middle ground" that helps to resolve some of the issues...with a spirit of cooperation that moves this country ahead. I believe that people stay involved in the community issues when they feel that their opinion has been heard, and we in the League should understand that and provide them the opportunity.

I hope to see many of you in the next few months, either at your local League meetings or at Council in Blacksburg!!

Katie

First Call to Council League of Women Voters of Virginia

What: *LWVVA Council 2004*

When: *Saturday, May 1, 1:00 – 4:00 p.m., & Sunday, May 2, 9:00 a.m. – Noon*

Where: *Four Points by Sheraton
900 Prices Fork Road
Blacksburg, Virginia 20460
540-552-7001; fax 540-552-0827
website: fourpoints.com*

According to Article VIII. Council, Sec.4. Powers of the LWVVA Bylaws: "The council shall give guidance to the board on program and methods of work ... [and] transact such other business as shall be presented by the board.

The LWVVA Board will also conduct Work Sessions:

A Talkout on LWVUS Convention issues

A Workshop on Managing Program, using Restorative Justice as an example

2004 Session of the General Assembly

The following is an interim report. For recent information, visit the League website: <http://virginia.va.lwvnet.org>

Reproductive Rights

Over 15 bills were introduced to impede women's control over their reproductive lives. We spoke at subcommittee and committee levels in both chambers against these bills.

Environmental Protection

We favored bills in both houses to establish the Land and Water Conservation Trust Fund.

We opposed a bill to extend the lease a privately owned recreational facility has on federal land that the Commonwealth leases at Oconeechee State Park. The bill passed.

Election Laws

We supported a bill for implementation of Help America Vote Act. We also supported a bill allowing local governing bodies to disseminate neutral explanations of pending local referenda. Both bills passed.

We spoke against a bill that required voter registration by party.

We supported (a) a resolution to memorialize congress to pass the ERA constitutional amendment; (b) a bill to change the Electoral College; and (c) a bill to have a commission for redistricting.

Fiscal Policy

More than 10 bills were introduced in the House to raise taxes on cigarettes and other tobacco products. We supported of all of them in committee.

Education

We supported creation of the At-Risk-Student Academic Achievement Program and Fund, to provide noncompetitive grants too public school divisions.

The Assembly made substantive amendments to Standards of Quality legislation that would, among other provisions decrease the pupil-teacher ratio.

For Your Information

We opposed a proposal that would allow the rules committees of both houses to close meetings after they have had four public meetings across the state.

We supported a bill requiring background checks for guns purchased at gun shows.

We made a statement in committee supporting a bill to forbid carrying loaded weapons openly in restaurants that serve alcohol.

Special Session

As you undoubtedly have read, the General Assembly is currently holding a special session to resolve the budget conflict. You can keep posted on their progress on our website:

<http://virginia.va.lwvnet.org/>.

Phyllis Bailey, Legislative Coordinator

League Day in Richmond

February 11 was League Day in Richmond, with members from almost all of the local Leagues in attendance at the Women's Roundtable. (This meeting was held each week during the General Assembly.) Attendees were able to hear legislators and representatives of other organizations speak on issues of importance to League members.

LWVVA had the newly printed Legislative Directories available for the local Leagues to take for members. These directories are also very popular with the legislators, because they use them to distribute to their constituents. The Legislative Directory is good for 2004-2005, and we will have some available at Council. Most League members left after the Roundtable to keep appointments with their respective legislators—a successful day in Richmond for everyone!

Letter to the Editor

President Katie Hobbs wrote the following letter which has appeared in her local newspaper.

Freedom of Information

As state president of the League of Women Voters I have been watching with concern as a bill about the Freedom of Information Act (HB 1357) winds its way through the General Assembly. This bill would provide access to any meeting of the General Assembly or a portion thereof to be governed by rules established by the Joint Rules Committee—effectively circumventing the FOIA. (The Joint Rules Committee would have to hold at least four regional public hearings across the state at least sixty days before adoption.)

The *Richmond Times-Dispatch* stated in an article about the appointment of the House and Senate’s budget committees, “generally decisions are made behind closed doors...news organizations have called for openness for many years...House side opened many of its meetings last year...Senate continued to deliberate in secret.”

Not only is it important for citizens to insist on strict enforcement of the FOIA at the state level—it is just as important at the local level. City and county meetings held by our elected officials, or by citizens appointed by these officials, must be kept open for the general public except under selected conditions, as outlined in the FOIA.

This is a fundamental value in our society that should be carefully guarded by all of us.

*Katie Hobbs
Albemarle County*

Our Apologies

At the Fall Workshops, Amy Burgett encouraged local Leagues to take advantage of the state League’s offer to pay the up-front and subscription costs for EasyWeb—a user-friendly website program developed by the League of Women Voters of California. We are sorry for our misunderstanding.





We have learned, unfortunately, that under a single subscription, local Leagues may only have a page (or series of pages) on the LWVVA website. It does not cover separate websites.

We still believe that EasyWeb is a great product and encourage Leagues to subscribe. The one-time set-up fee is \$75 and the annual subscription is \$160.

Have you visited the **NEW**
LWVVA website lately?

Take another look.

New features:

-  Online Legislative Newsletters
-  Links to DNet and online voter registration (in English & Spanish)
-  How to contact your federal & state elected officials
-  How to communicate with the General Assembly when in session

And much more...

<http://virginia.va.lwvnet.org/>

Around the State

Northern Virginia Voters Guide Report

Our last *Virginia Voter* reported on the *Voters Guide* publication problems experienced by the Northern Virginia Leagues. In the December Fairfax Area *Bulletin* Olga Hernandez, president, notes

The Connection newspapers did print ten different versions of the *Voters Guide*, adapted for each jurisdiction. The *Guides* looked great! All the issues were printed the week prior to the elections, and we fulfilled our mission of providing no-partisan information to Northern Virginia voters.

Falls Church Makes Donation

The League of Women Voters of Falls Church recently donated several books on elections to the George Mason High School Social Studies Department and the High School/Middle School Media Center (library). The donation consisted of 50 copies of *Choosing the President, 2000* and four copies each of *Choosing the President, 2004* and *Navigating Election Day*. All are published by the LWVUS.

Leaguer Appointed to President's Advisory Committee

President George W. Bush has appointed Fairfax member **Pat Evans** to the President's Information Technology Advisory Committee for a two-year term. Members of PITAC are leading IT experts from industry and academia. They provide the President independent advice on maintaining America's preeminence in advanced information technologies. Pat owns Global Systems Consulting, a management consulting services firm.

Lynchburg Members Receive Awards

Lynchburg board members **Marge Denham** and **Marie Waller** were selected by the YWCA for an Academy of Women Award. They join 20 or more Lynchburg League members so honored.

Smile Awhile

The Fairfax Area League sprinkles bits of wisdom and humor through its bulletin. Here are a few gems to share:

A woman is like a tea bag⁰¹⁵¹you don't know how strong she is 'til you get her in hot water.

A male gynecologist is like an auto mechanic who never owned a car. *Carrie Snow*

National Lobby Corp

Of the LWVUS Lobby Corps team of 20, the northern Virginia Leagues have contributed 12 members: **Rona Ackerman**, Fairfax Area; **Mary Barnett**, Fairfax Area; **Martha Close**, Falls Church; **Mary Elizabeth Gordon**, Fairfax Area; **Ginger Hofer**, Fairfax Area; **Fran Kieffer** (retired), Fairfax Area; **Dottie Kilgore**, Fairfax Area; **Pam Koger-Jesup**, Fairfax Area; **Natalie Mosher**, Alexandria; **Gail Richmond**, Fairfax Area; **Marge Witting**, Falls Church; **Sue Worden**, Alexandria.

Lobby Corps members attend monthly briefings by the LWVUS lobbying staff on a specific bill which addresses our national positions. After study, they then carry the League message to Congress. Yes, this Lobby Corps team of 20 covers the entire 100-member US Senate and 435-member House of Representatives! They are a bright, canny, loyal, dependable, able and hard-working team.

Be proud!

*Carole Conors, Chairperson, Lobby Corps
League of Women Voters of the United States*

More Websites

We listed several local League websites earlier. Here are two more.

Montgomery County: <http://civic.bev.net/lwvmc>
Lynchburg: <http://lynchburg.va.lwvnet.org/>

Would You like to See The Capitol Steps Musical Political Satire For Free ??

Sunday, June 13 at 7:30 p.m. In the Ballroom of the Hilton Washington Hotel

Be a LWVUS National Convention Volunteer, June 11-15 *And you will have a ticket to the fundraiser for the LWVNCA*

We are looking for volunteers for at the 2004 convention to be held at the Hilton Washington Hotel, Washington, D.C. Volunteers are needed for many different jobs, some behind the scenes and some on the convention floor. Don't miss this opportunity to be a part of an exciting League function. It's work, but it's a lot of fun too. Like seeing the Capitol Steps.

Volunteers are needed as follows:

Every day (June 11-15)

Registration—staff registration desk; distribute badges and materials

Credentials—certify voting eligibility of delegates; prepare official daily attendance report

Information— staff information desk; provide local tourist information to delegates and visitors

Personnel—staff volunteer room; assist with assignments; provide back-up to other volunteer areas

Teller/Elections—process vote cards; count and record results

Friday through Sunday (June 11-13)

Hospitality—greet delegates and guests; host hospitality suite; assist with information

Dine Around—staff dine around desk—sign-ups, reservations, information

Saturday through Tuesday (June 12-15)

Floor Committee: Doorkeeper—check badges for eligibility to enter; distribute official materials; monitor doors. *Usher*—distribute, collect, deliver motion slips; collect vote cards; usher guests.

Microphone monitor—monitor floor mikes; keep order in lines; assist with vote counts.

Timekeeper—notify speakers when time has expired

Questions? Contact Janet Hays, 703-860-0112, hays@wizard.net or Shirley Olson, 703-860-0512, mwon4abm@aol.com

Detach and return form to Janet Hays, 2511 Trophy Lane, Reston, VA 20191. We'll contact you soon.

Name _____ Phone _____ Email _____

Address _____ League _____

Area(s) of Interest: (please mark in order of your preferences – 1, 2, 3, etc.)

Floor Committee: Doorkeepers____ Ushers____ Timekeepers____ Microphone Monitors____

Other: Registration____ Credentials____ Information____ Personnel____ Teller/Elections____ Dine

Around____ Hospitality____ Whatever else you need____

Dates: Please choose times and days you are available to work and indicate AM, PM or all day. The number of hours you will be asked to work will depend on the number of volunteers and their areas of interest.

Friday, June 11 (PM and/or Eve)_____ Saturday, June 12_____ Sunday, June 13_____

Monday, June 14_____ Tuesday, June 15 (AM only)_____

If you are willing to work more than one day, please indicate here _____.

The Virginia Voter
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Dates to Remember:

LWVVA Council

May 1 - 2

Blacksburg, VA

LWVUS Convention

June 11 - 15

Washington, D.C.

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Established in 1920, the League of Women Voters of Virginia is a nonpartisan, political organization that encourages citizens to play an informed and active role in government. At the local, state, and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a League member. All members receive the *National Voter*, the *Virginia Voter*, and a local League newsletter.

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