



<b>POLICY TITLE: RESTORATIVE PRACTICES YOUTH MENTORING PROGRAM</b>		<b>PAGE 1 OF 10</b>
<b>POLICY NUMBER: 19.16 (JF) &amp; 9.16 (JCC)</b>		
<b>CHAPTER 19: PROGRAMS AND SERVICES</b> <b>CHAPTER 9: CASE MANAGEMENT AND SUPERVISION</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT of CORRECTIONS</b>  <b>Approved by Commissioner:</b> 	<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VIII</b>
<b>EFFECTIVE DATE:</b> <b>January 11, 2024</b>	<b>LATEST REVISION:</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

## I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

## II. APPLICABILITY

All Juvenile Facilities and Juvenile Community Corrections

## III. POLICY

It is the policy of the Department to facilitate mentoring of youth by adult residents who are approved, trained, and supervised as set out in Department Policy (AF) 25.5, Resident Restorative Practices Mentor, consisting of youth who are residents of a juvenile facility, (including a juvenile community residential facility); youth who are juvenile community corrections clients; and youth who are receiving services from a community youth organization.

## IV. DEFINITIONS

1. Community youth organization – any private agency that works in the community with youth to address their needs, risks, concerns, interests, and/or goals in order to prevent criminal behaviors, redirect and integrate youth into prosocial behaviors, and foster community connections.
2. Emancipated youth – a youth who has reached the age of 18 (and does not have a legal guardian); is at least 16 years of age and married with their parent(s)' or legal guardian's permission; or is at least 16 years of age and has been emancipated by court order.
3. Juvenile community residential facility – housing outside the secure perimeter of Long Creek either on or off grounds in a Department employee supervised residential setting.
4. Restorative practices mentors – for purposes of this policy, adult residents who use practices that focus on improving and restoring relationships between individuals and communities, encourage prosocial behaviors, and aim to prevent future crime to build healthy communities.

5. Restorative Practices Youth Mentoring Program – for purposes of this policy, a program in which adult residents who are trained and approved pursuant to Department Policy (AF) 25.5, Resident Restorative Practices Mentor act as restorative practices mentors with youth who are referred and approved for participation in the program pursuant to this policy.
6. Youth – any person under twenty-one (21) years of age.

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**VI. ATTACHMENTS**

- Attachment A: Referral for the Restorative Practices Youth Mentoring Program ([paper/online](#))
- Attachment B: [Restorative Practices Youth Mentoring Program Agreement](#)

**VII. PROCEDURES**

**Procedure A: General**

1. The Superintendent of the Long Creek Youth Development Center (LCYDC) and the Regional Correctional Administrator (RCA) of each juvenile community corrections region shall determine whether juvenile residents (including residents of LCYDC and/or a juvenile community residential facility) or juvenile community corrections clients, as applicable, will be permitted to participate in the Restorative Practices Youth Mentoring Program (hereinafter “the program”) provided for in this policy.
2. Youth who are juvenile residents, including detained and committed juveniles and juveniles serving a specified period of confinement, or who are juvenile community corrections clients, including juveniles on conditional release, whether unsupervised or supervised, informal adjustment, deferred disposition, probation, and community reintegration status, are eligible for participation in the program.
3. In addition, other youth who are receiving services from a community youth organization are eligible for participation in the program.
4. If they have determined to allow juveniles to participate in the program, the LCYDC Superintendent or an RCA of a juvenile community corrections region shall ensure information is made available to juvenile residents or juvenile community corrections clients, as applicable, regarding the program, to include information on how to self-refer.
5. Youth selected for participation in the program may be mentored through the program only by an adult resident of a Department facility who has been selected, approved, and trained as a Resident Restorative Practices Mentor (RRPM) as set forth in Department Policy (AF) 25.5, Resident Restorative Practices Mentor.

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6. A youth's parent(s)/guardian/legal custodian may be included in the mentoring program, either by having sessions that include both the youth and their parent(s)/guardian/legal custodian and/or by the parent(s)/guardian/legal custodian having sessions separately from the youth. If a youth is emancipated, participation in the program by their parent(s) requires the youth's consent.
7. In order to ensure that the Office of Juvenile Justice & Delinquency Prevention (OJJDP) Sight & Sound Core Protection in accordance with the Juvenile Justice Reauthorization Act (JJRA) of 2018 is not violated, all contact between a RRPM and a youth participating in the program shall:
  - a. occur on an approved online platform such as Zoom, Microsoft Teams, Google Chat, etc.;
  - b. not include any in-person contact; and
  - c. be entirely voluntary.
8. A juvenile resident or a juvenile community corrections client shall not have their voice or image audio or video recorded while participating in the program.
9. For other youth, the decision whether to record the youth shall be determined by the community youth organization, but it must only be done with the youth's consent and the consent of their parent(s)/guardian/legal custodian (if the youth is not emancipated). The RRPM shall not have their voice or image audio or video recorded while participating in the program, except with their consent.
10. Policy 1.23, Contact with News Media shall be followed in relation to any photograph or video showing a participant in the program or any information identifying a participant being published or broadcast in any printed materials, on television or radio, or on digital media including, but not limited to, websites, social media feeds, YouTube or similar channels, or in the press.
11. Press releases regarding a participant shall be only with the agreement of the Commissioner, or designee.
12. Participation in the program cannot be:
  - a. the result of a filing by a prosecutor or an order by a juvenile court;
  - b. required by the Department or any of its staff; or
  - c. part of any diversion process.
13. Neither the RRPM nor the youth nor their parent(s)/guardian/legal custodian may be a prohibited contact of another participant or a victim of another participant or a prohibited contact or a victim of an immediate family member or household member of another participant.
14. No participant may be a witness or party in any court proceeding involving another participant or an immediate family member or household member of another participant.
15. In addition, an RRPM may not be a member of the same family or household as a youth or their parent(s)/guardian/legal custodian.

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16. The program is contingent upon availability of Department resources, including, but not limited to, adult residents approved as RRPMS, staffing, and technology.

**Procedure B: Referrals**

1. The referral of a youth may be initiated by:
  - a. the youth as a self-referral;
  - b. the youth’s parent(s)/guardian/legal custodian (if the youth is not emancipated);
  - c. the LCYDC Restorative Justice Coordinator or other facility staff if the youth is a juvenile resident;
  - d. a Juvenile Community Corrections Officer (JCCO), if the youth is in the community under supervision of the JCCO or is otherwise on the JCCO’s caseload; or
  - e. a community youth organization (note: if the youth is currently a juvenile resident or a juvenile community corrections client, the organization shall contact the LCYDC Superintendent, or designee, or the JCCO, as applicable, for permission to make the referral).
  
2. Referrals may be accepted from a community youth organization only if the organization:
  - a. is trying to prevent criminal behavior and/or positively redirect youth and encourage pro-social attitudes and behavior;
  - b. does not use “scared straight” approaches; and
  - c. is approved by the Associate Commissioner for Juvenile Services.
  
3. A referral pertaining to a youth who is:
  - a. a juvenile resident shall be forwarded to the LCYDC Superintendent, or designee;
  - b. a juvenile community corrections client shall be forwarded to the Regional Correctional Administrator (RCA), or designee; or
  - c. a juvenile receiving services from a community youth organization shall be forwarded to the Department’s Juvenile Restorative Justice Coordinator, or designee.
  
4. The Superintendent, the RCA, or the Department’s Juvenile Restorative Justice Coordinator, or their designees, as applicable, shall ensure that a Referral for the Restorative Practices Youth Mentoring Program (Attachment A) is forwarded to the referring party for return upon completion.
  
5. If a juvenile resident self-refers, their facility social worker may assist the resident in filling out the form. If a juvenile community corrections client self-refers, their JCCO may assist the resident in filling out the form.
  
6. The decision whether or not the youth is allowed to participate in the program shall be made by the:
  - a. LCYDC Superintendent, or designee, if the youth is a juvenile resident;
  - b. RCA, or designee, if the youth is a juvenile community corrections client; or

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- c. the Department’s Juvenile Restorative Justice Coordinator, or designee, for youth receiving services from a community youth organization.

**Procedure C: Participation**

1. Participation in this program by a youth is entirely voluntary.
2. Therefore, there shall be no negative action threatened or taken against a youth for not agreeing to participate in or for withdrawing from the program. A youth shall not be offered or given any incentive for agreeing to participate or for participating in the program. It shall not be used as either a mitigating or aggravating factor in any decision made by juvenile facility staff or juvenile community corrections staff.
3. Also, if the youth is the subject of juvenile criminal charges, the youth’s participation, or lack thereof, in the program shall not be mentioned to or discussed with a prosecutor or defense attorney or mentioned or discussed in any juvenile court proceeding by juvenile facility staff or the Juvenile Community Corrections Officer (JCCO). The youth’s participation, or lack thereof, in the program shall not be considered as either a mitigating or aggravating factor in a recommendation by either LCYDC staff or the JCCO for a court disposition.
4. Participation in the program shall not be a condition of informal adjustment, a condition of release ordered by a JCCO, or a condition of community reintegration and shall not be a part of any case plan.
5. The Department shall not allow participation in the program if it is a condition of filing the case by the prosecutor or a condition of release ordered by a court, a condition of deferred disposition, a condition of probation, or is otherwise ordered by a court. The JCCO shall explain to the prosecutor or court, as applicable, that this is in order to ensure that the Office of Juvenile Justice & Delinquency Prevention (OJJDP) Sight & Sound Core Protection in accordance with the Juvenile Justice Reauthorization Act (JJRA) of 2018 is not violated.
6. It shall be verbally explained to the youth by the LCYDC Superintendent, or designee, JCCO, or the Department’s Juvenile Restorative Justice Coordinator, or designee, as applicable, that:
  - a. participation in the program is voluntary;
  - b. they are not required to disclose private information about themselves or their families or household members during mentoring sessions;
  - c. they are free to leave a session at any time with no negative results;
  - d. they are free to tell the mentor they are uncomfortable at any time with no negative results; and
  - e. they are free to end their participation in the program at any time with no negative results.
7. The LCYDC Superintendent, or designee, JCCO, or the Department’s Juvenile Restorative Justice Coordinator, or designee, as applicable, shall ensure that the youth and their parent(s)/guardian/legal custodian (if the youth is not emancipated) signs the Restorative Practices Youth Mentoring Program Agreement (Attachment B) prior to the

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youth's participation in the program. If the youth is a juvenile resident, the Superintendent of LCYDC is not the resident's guardian for this purpose.

8. If applicable, the LCYDC Superintendent, or designee, or the JCCO shall forward the referral form and the agreement to the Department's Juvenile Restorative Justice Coordinator, or designee.
9. After any youth is approved for participation and the agreement is signed, the Department's Juvenile Restorative Justice Coordinator, or designee, shall confer with the adult facility Chief Administrative Officer, or designee, and the LCYDC Superintendent, or designee, the RCA, or community youth organization, as applicable, to determine which adult resident is tentatively matched with the youth as their Resident Restorative Practices Mentor (RRPM).
10. An adult resident may be matched with more than one youth within the same category (e.g., all matched youth are juvenile residents) so that the mentoring may take place in a group setting (e.g., a restorative mentoring circle).
11. The adult resident and the youth and their parent(s)/guardian/legal custodian (if the youth is not emancipated) shall be required to disclose to the Department's Juvenile Restorative Justice Coordinator, or designee, any prohibited contacts as set out in Department Policy 6.3, Contact with Victims, or any other relationship as set out in Procedure A. above.
12. Prior to the final matching of an adult resident with any youth in the program, the Department's Juvenile Restorative Justice Coordinator, or designee, shall forward the adult resident's name and the youth's name and the name(s) of their parent(s)/guardian/legal custodian (if the youth is not emancipated) to the Department's Director of Victim's Services, or designee, who shall conduct a review to determine if there are prohibited contacts.
13. The Director of Victim Services, or designee, shall provide the outcome of that review to the Department's Juvenile Restorative Justice Coordinator, or designee.
14. The Department's Juvenile Restorative Justice Coordinator, or designee, shall make the final matching.
15. The matching shall be denied if there is any prohibited contact or other prohibited relationship. Every effort shall be made to find another approved and trained adult resident to be the youth's RRPM.
16. Once a final matching has been made, the Department's Juvenile Restorative Justice Coordinator, or designee, shall confer with appropriate other Department staff to schedule an orientation meeting.
17. The RRPM shall conduct the orientation meeting. The purposes of the orientation meeting are:
  - a. for introductions;
  - b. to provide an overview of the program, including the duties and prohibitions for the RRPM and expectations for both the RRPM and the youth;

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- c. explanation of the mandated reporting requirements; and
  - d. for the parties to determine, at least tentatively, the number, frequency, and duration of the mentoring sessions.
18. The LCYDC Superintendent, or designee, JCCO, or the Department's Juvenile Restorative Justice Coordinator, or designee, as applicable, shall confer with appropriate other persons to arrange the schedule for the mentoring sessions.
  19. The RRPM and the youth may request the scheduling of additional sessions.
  20. The adult facility staff facilitating the orientation meeting and the mentoring sessions shall ensure that the online platform to be used is secure and that the RRPM and the youth are in private locations.
  21. Once a youth is no longer either a juvenile resident or a juvenile community corrections client, regardless of whether they will be served by a community youth organization, the RRPM may continue mentoring the youth if the youth and their parent(s)/guardian/legal custodian (if the youth is not emancipated) consent in writing and the adult facility Chief Administrative Officer, or designee, approves.
  22. If a community organization youth who is being mentored becomes a juvenile community corrections client or a juvenile resident, the RRPM may continue mentoring the youth if the youth and their parent(s)/guardian/legal custodian (if the youth is not emancipated) consent in writing and the adult facility Chief Administrative Officer, or designee, and the RCA or LCYDC Superintendent, as applicable, approve.
  23. A youth's participation in the program ends when:
    - a. the number of agreed upon sessions has been completed;
    - b. the youth no longer wishes to participate;
    - c. the youth reaches the age of 21; or
    - d. the adult resident has resigned, been suspended, or been terminated from their assignment as an RRPM, unless the youth is matched with another RRPM. (Note: a closure session may be allowed as set out in Department Policy (AF), 25.5, Resident Restorative Practices Mentor.)

**Procedure D: Monitoring**

1. The adult facility Chief Administrative Officer, or designee, and the LCYDC Superintendent, or designee, the RCA, or the community youth organization, as applicable, shall develop monitoring practices.
2. These practices shall include designated adult or juvenile facility staff, community corrections staff, and/or community youth organization staff, as applicable, being present throughout the orientation meeting and each mentoring session, either by listening in person with one of the participants or being on-line.
3. Community youth organization staff may only act as monitors if they have been trained by Department staff selected by the Associate Commissioner for Juvenile Services in how to recognize and address any violations of the Office of Juvenile Justice &

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Delinquency Prevention (OJJDP) Sight & Sound Core Protection in accordance with the Juvenile Justice Reauthorization Act (JJRA) of 2018.

4. These practices shall include periodic follow-up by the adult facility Restorative Justice Coordinator, or other designated facility staff, with the Resident Restorative Practices Mentor (RRPM).
5. These practices shall include periodic follow-up by the LCYDC Restorative Justice Coordinator, the JCCO, or community organization staff with the youth (depending on who has custody of, supervision of, or other responsibility for the youth).
6. These practices shall be set out in the Memorandum of Agreement (MOA) or intra-Departmental agreement, as applicable, required by Department Policy (AF) 25.5, Resident Restorative Practices Mentor.

**Procedure E: Addressing Concerns**

1. Youth and their parent(s)/guardian/legal custodian (if the youth is not emancipated) shall be encouraged to report any concerns about the Resident Restorative Practices Mentor (RRPM) or about the effects of the mentoring sessions on the youth to juvenile facility staff, to their Juvenile Community Corrections Officer (JCCO), or to the community youth organization, as applicable. The person to whom the report was made shall, in turn, report it to the Department’s Juvenile Restorative Justice Coordinator, or designee, as soon as practicable.
2. A community youth organization, adult facility staff, juvenile facility staff, or JCCO, as applicable, shall report any of their own concerns about an RRPM or about the effects of the mentoring sessions on a youth to the Department’s Juvenile Restorative Justice Coordinator, or designee, as soon as practicable.
3. If a youth is a juvenile resident and there is a concern about the effects of the mentoring sessions on the youth, any juvenile facility staff to whom it is reported or who have their own concern shall also report the concern to the Superintendent of LCYDC, or designee, as soon as practicable.
4. The Department’s Juvenile Restorative Justice Coordinator, or designee, shall, as soon as practicable, notify the Associate Commissioner for Juvenile Services, or designee; the adult facility Chief Administrative Officer, or designee; and the Superintendent of LCYDC, the RCA, or the administrator of the community youth organization, or their designees (depending on who has custody of, supervision of, or other responsibility for the youth).
5. Until the concern is resolved (or deemed not to require resolution), the Department’s Juvenile Restorative Justice Coordinator, or designee, shall ensure the adult resident is not permitted to continue with the sessions or otherwise have contact with the youth.
6. Upon review of the concern, the Associate Commissioner of Juvenile Services, or designee, may:
  - a. discontinue sessions between the RRPM and the youth;

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- b. after conferring with the LCYDC Superintendent, RCA, or community youth organization, as applicable, discontinue all participation in the program by the youth;
  - c. after conferring with the adult facility Chief Administrative Officer, or designee, discontinue all participation in the program by the adult resident and have them terminated from their assignment as an RRPM;
  - d. allow participation in the sessions to continue;
  - e. determine that the RRPM needs refresher training, or the youth needs to be reminded of expectations and prohibitions; and/or
  - f. take any other action deemed appropriate.
7. The Associate Commissioner for Juvenile Services, or designee, shall notify the adult facility Chief Administrative Officer, or designee, of the decision. The adult facility Chief Administrative Officer, or designee, shall ensure the adult resident is notified.
  8. The Associate Commissioner for Juvenile Services, or designee, shall also notify the LCYDC Superintendent, RCA, or administrator of the community youth organization, or their designees, as applicable, of the decision, and that person shall ensure notification is made to the youth and their parent(s), guardian, or legal custodian (if the youth is not emancipated).
  9. The Associate Commissioner for Juvenile Services, or designee, shall document the concern, its resolution, and the above notifications, including if the concern is about the RRPM, by making a note in CORIS.
  10. This documentation shall be retained in accordance with the Department's record retention schedule.

**Procedure F: Recordkeeping**

1. The Department's Juvenile Restorative Justice Coordinator, or designee, shall ensure that the orientation meeting and all mentoring sessions are documented, to include the names of the participants, the online platform used, and dates and times of the orientation meeting and mentoring sessions. The Department's Juvenile Restorative Justice Coordinator, or designee, shall maintain this documentation.
2. In addition, as applicable, there shall be documented the reasons a particular youth is no longer participating in the program and any unusual circumstances, such as that a youth is continuing to participate in the program after no longer being in the custody or under the supervision of the Department.
3. Upon request, the Department's Juvenile Restorative Justice Coordinator, or designee, shall provide a copy of this documentation to the Associate Commissioner of Juvenile Services, or designee; the adult facility Chief Administrative Officer; and the Superintendent of LCYDC, the RCA, or the administrator of the community youth organization, as applicable.
4. The Department's Juvenile Restorative Justice Coordinator, or designee, shall also maintain the Referrals for the Restorative Practices Youth Mentoring Program and Restorative Practices Youth Mentoring Program Agreements.

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5. This documentation shall be retained in accordance with the Department's record retention schedule.

**Procedure G: Data Collection**

1. The Department's Juvenile Restorative Justice Coordinator, or designee, shall ensure that the following data is tracked and collected in connection with this program:
  - a. RRPM's name, race, ethnicity, gender identity, and age;
  - b. If the youth is in the custody or under the supervision of the Department, the youth's name and whether a juvenile resident or juvenile corrections client (and, if so, which facility or region).
  - c. If other youth, the name of the community youth organization they are receiving services from; and
  - d. For all youth, the county of residence; race; ethnicity; primary language; gender identity; age; date of referral; source of referral; number of mentoring sessions attended; date of final session attended (closure); and reason for closure.
2. The Department's Juvenile Restorative Justice Coordinator, or designee, shall provide a report on the data collected to the Commissioner, or designee, on a monthly basis.

**VIII. PROFESSIONAL STANDARDS**

None

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