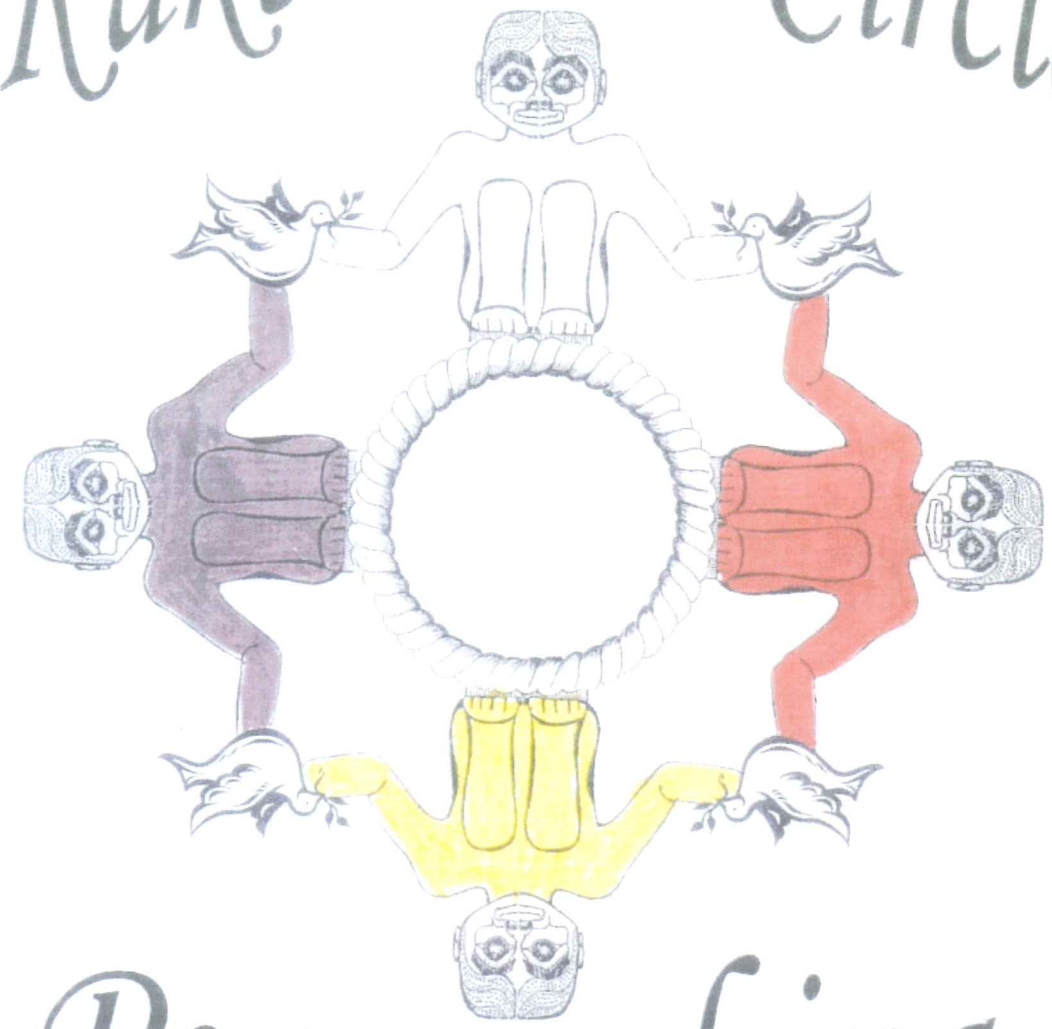
Kake Circle Peacemaking



This manual was created in collaboration with
the Organized Village of Kake Peacekeepers
and the Alaska Native Justice Center.

2005

The design of the Kake Circle Peacemaking logo you see on the cover was inspired by Rupert Ross's work, *Returning to the Teachings: Exploring Aboriginal Justice*. The differently colored figures in the logo represent the diversity of peoples who inhabit Mother Earth. Each group is considered to have unique gifts to share with the others, and therefore each bears unique responsibilities as well. Ross writes that the aboriginal peoples of the Americas have a special gift for understanding the complex relationships between all members and aspects of creation. Their special responsibility thus involves preserving the health of Mother Earth; her lifeblood, the waters; and the plant, animal, and human realms. This manual on circle peacemaking and its base in Tlingit values may be seen as the sharing of that gift.

FOREWORD

The Kake Coalition supported by the Organized Village of Kake has developed an innovative form of justice that is creating stronger, healthier communities. At the Alaska Native Justice Center, we are proud to be able to bring the work of the Kake Circle Peacemaking to the wider public.

The mission of the Alaska Native Justice Center is "to promote justice through culturally based Advocacy, prevention and intervention initiatives to restore dignity, respect and humanity for all Alaska Natives". True to this belief, this manual provides communities with a path to justice that is based on Alaska Native traditional values.

The Kake Circle Peacemaking moves away from an adversarial approach of offender punishment and offers an alternative – a justice that seeks to restore offenders back to their community and seeks to heal the hurt the offense has caused the victim and the community. This "Restorative Justice" system is more than just a process or a program. The core is "community". It's about each person involving themselves in the justice system to strengthen the well-being of the community.

This manual describes the history of the Kake Circle Peacemaking and provides step-by step guidance for determining whether this approach is right for your community and the practical steps necessary to make it happen. The appendices include forms and the more routine documents necessary for success. Throughout the text, you'll also find quotes and comments that illustrate the impact Kake Circle Peacemaking has had on those who have experienced its success first-hand.

We welcome your interest and hope that in some small way, the hard work of all of those who have made Kake Circle Peacemaking a reality will be as important to you as it has been to them.

Denise R. Morris
President/CEO
Alaska Native Justice Center

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Kake Circle Peacemaking

Table of Contents

Introduction to Kake Circle Peacemaking

Chapter One History and Goals of Kake Circle Peacemaking

Chapter Two Description and Organization of Kake Circle Peacemaking

Chapter Three The Referral Process

Chapter Four The Circle

Chapter Five Sentencing and Restitution

Chapter Six The Circle Continues to Evolve

Appendix A Forms Used in Kake Circle Peacemaking

Appendix B Learn More about Circle Peacemaking and Restorative Justice: Contacts in the Field, References and Recommended Reading

"The circle has saved some lives, and it works here in Kake..."
-Mike Jackson

The following manual was produced with federal funds (Alternatives for Justice #200-DD-VX-0041, a grant of the U.S. Department of Justice, Office of justice Programs, Bureau of Justice Assistance) and was derived from notes, paper, and information provided by the village of Kake, the Organized Village of Kake, and the Healing Heart Coalition.

Kake Circle Peacemaking

Introduction To Kake Circle Peacemaking

This manual was created by Kake Circle Peacemaking and the Alaska Native Justice Center to explain and illustrate the successful model of restorative community-based justice developed in the village of Kake, Alaska. Our hope is that this manual will be used as a tool to build and strengthen communities through citizens' personal involvement and investment in their systems of justice.

Circle peacemaking has been an instrument for dispute resolution throughout the history of the Tlingit people, and in many other indigenous cultures. This group process focuses on repairing rifts in relationships and community, rather than on punishment for the rule that is broken. The goal of the circle is to heal and repair the harm to the injured party, heal and hold responsible the offender, and to heal and strengthen the community.

Having all but disappeared as the western system of justice was established, circle peacemaking and its value to community were never forgotten. It is now at the heart of a growing resurgence of community based restorative justice. Circle peacemaking brings victim, offender, facilitator, family members, law enforcement, and concerned community members together to sit as equals as the circle format suggests and to work towards repairing bonds damaged by alcoholism, drug abuse, domestic violence, and other offenses. While recognizing the importance of respect for the law, the circle works on the premise that incarceration can work against the healing process, shifting an unbalanced person further out of balance by removing all means of support and familiarity. Through serving a sentence, an incarcerated individual is not made to take direct personal responsibility for the offending actions by literally facing his or her community directly. Upon release from incarceration, the offender must return home to the same environment and problems as before he/she left, making positive change a formidable challenge while assimilating back into home and community life.

Rather than separating the offender from the support structure of family and peers, circle peacemaking attempts to fortify that structure while demanding culpability and change. For those who make mistakes in their lives, the circle is an opportunity to constructively show respect for the law and damaged relationships through judgment by peers and, eventually, restitution to the victim for the wrongs committed. It replaces confusion with realism and allows a person to begin to turn his or her life around with a network of support. Though the process is likely to be emotional and painful, it is just as likely to bring healing to those involved.

Circles are also a powerful and empowering tool for giving encouragement or rewarding a member of the community. The objectives for bringing the circle together may vary, but the larger purpose is constant: the gathering of community for action, healing, and support.

"The circle heals, celebrates sobriety, celebrates goodness, and celebrates life"
-Mike Jackson

"To me, the circle is about getting back to basics, getting back to being a real human being."
-Justin McDonald

Native Values

1. Be obedient; the wise never test a rule.
2. Respect Elders, parents, property, and the world of Nature. Also, respect yourself so that others may respect you.
3. Be considerate and patient.
4. Be careful of how you speak, for words can either be pleasing or like a club. Traditionally, when you speak, those listening can imagine seeing your clan family line.
5. Your food comes from the land and the sea, to abuse either may diminish its generosity. Use what is needed.
6. Pride in family, clan, and traditions is found in love, loyalty, and generosity.
7. Share burdens and support each other, this is caring.
8. Trespass not onto others' rights, or offer royalty and /or restitution.
9. Parents and relatives are responsible for the family education--men teaching boys and women teaching girls.
10. Care and good health is important for success of the person or clan.
11. Take not the property of others; an error reflects on the family and clan.
12. In peace, living is better.
13. Through famine, ice age, sickness, war, and other obstacles, unity and self-determination are essential to survival.
14. Good conduct is encouraged to please the spirit we believe is near.
15. Humor.

Tlingit Values

Respect for self and others, including elders.
Remember our Native traditions, our families, sharing, loyalty, pride, and loving children.
Responsibility
Truth and wise use of words.
Care of subsistence areas, care of property.
Reverence Haa shageinyaa is a great word in Tlingit culture. This was a Great Spirit above us, and today we have translated that reverence to God.
Sense of humility
Care of human body
Dignity, for which the Tlingit word is yan gaa duuneek.
Peace with the family, peace with the neighbors, peace with the others, and peace with the world of Nature.

Kake Circle Peacemaking

Chapter One

History and Goals of Kake Circle Peacemaking

The inspiration that led to circle peacemaking in Kake, Alaska was sparked in 1998 when Mike Jackson, Kake's District Court Magistrate and a member and past president of Keex' Kwaan, the Organized Village of Kake (OVK), attended a conference in Canada. There he listened to a presentation on a successful system of restorative justice that the Canadian Tlingit had developed. This system, circle peacemaking, made citizens directly responsible to their community for dispute resolution. By returning to traditional Tlingit methods and values, the Canadian Tlingit had found a way to strengthen the bonds of their communities while working in partnership with the western justice system.

The people of Kake responded to the idea enthusiastically and were filled with renewed hope for bolstering their community. They now had a plan founded on their traditional Tlingit values and culture that would serve as a meaningful system of resolution for the increasing number of social and criminal issues with which they had been struggling.

In March 1999, Kakes Coalition--a group formed to address youth issues in the community--joined with the OVK to host a four-day training given by the presenters who had so motivated Mike Jackson: Harold Gatensby and Mark Wedge of Carcross, Yukon. One week after the intensive training, Kake Circle Peacemaking heard its first case.

That first case was also the community's first circle success story. The offender was a woman who had previously failed thirteen attempts to complete alcohol treatment so she could keep her children from being taken into state custody.

The circle required her to complete residential treatment, and she did. While she was away, circle members repaired and cleaned her home, and left firewood for her stove. She returned home sober and was thrilled to find that, not only in the circle but also in her absence, people had given themselves so selflessly in her best interest and cared deeply about her success. She stayed sober, kept her

children, and healed family and community bonds. Later she continued her success story by entering college in Juneau. She credits her success with the love and concern shown to her by her community. She expressed that the power of the circle completely changed her life for the better.

In the four years since that first circle, Kake Circle Peacemaking has held more than 80 restorative justice circles and follow-up circles for 60 residents, processing a total of over 100 offenders. There have been many successes, but the growing legacy of circle peacemaking in Kake is the role it has played in lowering the town's recidivism rate and lowering the population of Kake residents in state prisons. More Kake families are staying together--fewer children are taken into state custody--because the community has taken a personal interest in each of its members. The circle is teaching the people of Kake to value the unique role each plays in the community family and to focus on repairing broken bonds and broken spirits.

"The circle has been a very powerful tool among our people not just now, but for generations. When we come together in a circle you can feel the power instantly, because it is not just us sitting here, we represent our families, our fathers, our forefathers, and our ancestors. It is such a privilege to work with our people--to love one another, to honor and respect each other enough so that we not only live for today, but our lives go on through our children and our grandchildren."

-Jada Smith

"We heal the community that way, by helping other people"

-Justin McDonald

Kake, Alaska

Located on NW coast of Kupreanof Island, along Keku Strait--38 air miles NW of Petersburg, 95 air miles SW of Juneau

- 8.2 sq. miles of land; 6.0 sq. miles of
- Population: 497
- 74.6% of population is Alaska Native or part Native
- Federally recognized tribe: Organized Village of Kake
- Tlingit village with a subsistence lifestyle
- Important food sources: salmon, halibut, shellfish, deer, bear, waterfowl, and berries
- Largest employers: City, School District, Kake Tribal Corp.
- Fishing, seafood processing, and logging contribute considerably to the economy
- Accessible only by air and sea--120 miles of logging roads in Kake area but no connections to other communities on Kupreanof Island
- Commissioned Chilkats to carve world's largest totem pole in 1967 for Alaska's centennial celebration, that now stands on bluff overlooking town
- 54 in. average precipitation a year, 44 in. average snowfall
- Avg. summer temperatures range from 44 to 62 degrees F; winter temps. avg. 26 to 43 degrees F

"There's a real service the circle has provided...There's been a marked improvement in sobriety, and some of the youth, they're forming their own circles and doing a great job at it. It's a real asset to this whole community, and to the world."

Stu Ashton

Kake Youth Circle Peacemaking

In these modern times even the youth of a small village with a population of 497 are faced with the same pressures and issues of youth in large cities. With this in mind, Kake Circle Peacemaking worked with the youth of their community, through a grant from the Alaska Native Justice Center, to establish the Kake Youth Court in December 2001. When determining the format for their meetings, the youth opted to follow the circle peacemaking model for dispute resolution that their Elders had developed. These young members of the community had come to respect the success their Elders were having with incorporating the spiritual, mental, physical, and social aspects into their resolution process. With guidance from their adult circle mentors, the youth of Kake are learning that they are connected with each person in their community and in the world, not just with their friends and family.

To date, Kake Youth Circle Peacemaking has processed 27 offenders in13 individual circles. Both the adult and juvenile circles may process more than one offender at a time if the defendants committed the offense together.

Out of Alaska's 15 youth courts, Kake Youth Circle Peacemaking was the only one to follow the circle model, though recently other courts have sought to expand to this model. Kake Youth Circle Peacemaking is creating its own success stories and those involved believe that by following the format of their Elders resolution process, they are enabling their peers to make a smooth transition to becoming productive adult members of their community, and future members of the adult circle. The youth are emerging from the circle having learned the importance of respect for others and having discovered that they are stronger links in the wider circles that comprise their lives.

Benefits of Youth Circle Peacemaking to the Community

- Community, cultural, and personal values are used as a foundation to resolve disputes.
- Immediate and effective intervention.
- Use of traditional and customary values and spirituality of all people.
- Good foundation for emotions of individuals and communities to become part of the solution.
- Use of traditional value of balance to establish a foundation for individual and community and to enhance their peace.
- Holistic- or value-based approach uses justice as a healing tool in the circle process.
- Youth become involved in a process directly affecting their community.
- Circle establishes working relationship and partnership with the state court system, Developing a much stronger community.
- Emphasis placed on values and using them when dealing with disputes, especially within community, school, family, and self.
- Youth learn to initiate a process that will begin to build community support and empowerment for themselves as well.
- Youth learn about laws, government, and how the legal system works.
- Youth learn to facilitate the circle themselves, with adult guidance.
- Defendant is assisted in repairing harm caused by his/her actions.
- Balance is restored to families and community.
- Offender assisted in reintegrating into the community.
- Offender made responsible for his/her actions and accountable to the community.
- Process is one of healing, rather than a process of punishment.
- Issues dealt with through court process remain unresolved issues in the community.

Kake Circle Peacemaking

Chapter Two

Description and Organization of Kake Circle Peacemaking

"Now (the responsibility) is not just on the shoulders of one person, but on the whole community, where it needs to be. It is too big, too powerful for one person to have credit for--it's the whole community."

-Jada Smith

Kake Circle Peacemaking is recognized throughout the State of Alaska as a positive alternative to court in many circumstances and is supported by the district attorney's office, lawyers, tribal courts, judges, magistrates, Kake police department, probation officers, state agencies, alcohol counselors, area schools, pastors, the OVK, Kake IRA Council, and other concerned members of the community. Thanks to this support and the intimate, cohesive nature of the circle format, Kake Circle Peacemaking has proven successful in many instances where the alternative has not.

The adult circle peacemaking handles cases of intervention in alcohol abuse, domestic violence, and minor criminal offenses. Felony offenses are not referred to the circle and are resolved through the state court system. Kake Youth Circle Peacemaking addresses misdemeanor violations such as tobacco and alcohol consumption, theft, vandalism, and trespassing committed by youth in grades 7 through 12, and under 18 years of age. Like the adult circle, the youth circle holds celebration circles, gathers to conduct suicide and drug and alcohol abuse interventions, and handles dispute resolution and mediation.

"The circle--I wish I had that when I was a teenager, I might have saved myself a lot of grief."

- Ned Ortiz

Managing Kake Circle Peacemaking

The OVK serves as a general office for both circles, though the Kake Coalition operates without direct guidance or oversight from the OVK. The Youth Court Coordinator staffs Kake Youth Circle Peacemaking, and the village's Kakes Coalition oversees Kake Circle Peacemaking for adults.

The Kake District Court Magistrate oversees adult circle compliance with the Kakes Coalition, and either the Community Justice Advocate or the Youth Court Coordinator oversees compliance in youth cases. The Kakes Coalition and the Youth Court Coordinator cooperate in participant notification and other details of youth circle coordination. In addition to the Youth Court Coordinator, the Community Justice Advocate also provides guidance and support to the youth circle.

A facilitator and a recorder manage every circle, and the circle members filling those roles vary with each circle. The recorder is a voluntary position and is responsible for transcribing the consensus plan, tracking circle attendance, and keeping circle minutes. Chapter Four: **"The Circle,"** will give additional details about the format of the actual circle meeting.

Though the role of circle facilitator is not a job requirement of the District Court Magistrate, Mike Jackson usually serves in that role for the adult group and has since Kake Circle Peacemaking began four years ago. His role in the adult circle is voluntary and is complemented by his position as Kake's District Court Magistrate. The youth circle's facilitator role rotates between youth members, to give each member experience in that position.

Adult Peacemaking Circle Membership

Circle peacemaking membership is not formal, but there are a number of ongoing training opportunities that participants are encouraged to attend, especially for youth members. Participation is open to all who are interested, though membership in Kake's Healing Heart Coalition requires an alcohol-free lifestyle. The average number of participants attending each circle is consistently between 25 to 30 people, though some circles have been known to exceed 50 participants.

"The things we're doing that make such a difference are so simple"
-Justin McDonald

Kake Youth Circle Peacemaking Membership

The General Goals of Kake Circle Peacemaking

- Encourage responsible behavior and choices.
- Show respect for self, others, and community.
- Build self-esteem and self-confidence.
- Empower people with the ability for prudent decision making when problems arise
- Promote healing between offenders, victims, and the community.
- Learn, teach, and encourage use of tribal values and cultural practices.
- Hold people accountable for their actions so they will accept responsibility for damages.

Kake Youth Circle Peacemaking Membership

Membership in the youth circle is open to all interested middle and high school students who are willing and able commit the necessary time. Kake Youth Circle Peacemaking averages 10 active youth members. Circles are always facilitated by a youth member, though a number adults often participate depending on the nature of the case, including the Community Justice Advocate, a counselor or social worker, a representative of the referring agency, the parents, guardians, or custodian of any juvenile defendant or victim, and at least one Elder. Elders, valuable members of both the adult and youth circles, act as voices of experience and teachers of culture and tradition.

General Rules and Responsibilities of Circle Peacemaking Participants

Members of both circles are required to sign the **Volunteer Agreement**(see Appendix A), agreeing to attend all appropriate meetings and to maintain confidentiality. Regular attendance and punctuality are crucial to maintaining a strong circle.

Upon joining the circle, members are given a copy of this manual, which includes the history and process of Kake Circle Peacemaking, all forms used in circle peacemaking, references for additional reading about restorative justice and circle peacemaking, (see Appendix A for templates of all forms, each listed in this document in **bold** type, and Appendix B for contacts, references, and suggested reading), and contact information for other professionals in the field of restorative justice.

New youth circle members are also required to complete an orientation with the Youth Court Coordinator to learn about methods of substance abuse awareness, counseling, mediation, intervention, and laws they will deal with recurrently. From time to time mock circles may be undertaken to ensure that new members develop the skills necessary to participate as actively and as comfortably as possible in the circle setting. Such demonstrations also help reinforce the process with existing members and are used to promote and teach circle peacemaking in other communities.

Each adult or youth circle member should know that it is his/her responsibility to analyze each situation and to think through the violations and actions involved, both personal and legal. Each member must decide which factors are relevant, which are not, prioritize their importance, and then decide how best to present the case for the direction in which he/she feels the circle should proceed.

Building self-esteem and inspiring self-confidence in all members is important and valuable to the circle. Each person should feel comfortable expressing his or her ideas and feelings in a public setting. In order to achieve this goal all members must also understand the importance of respecting the opinions and feelings of others.

"Everyone leaves here feeling good, not (just) about themselves, but about everything as a whole. Participating (in circle peacemaking) kind of wakes up your senses."

-Paul Aceveda

Kake Circle Peacemaking

Chapter Three

The Referral Process

"The circle is just a way of sitting and counseling on an equal basis...This is a starting place here and it's a good foundation...All are welcome to sit here and gather strength and learn and grow together."

-Harold Gatensby

Referrals to Kake Circle Peacemaking

Referring agencies for adult circle peacemaking in Kake include the State of Alaska's Department of Health and Social Services and all recognized courts within the State of Alaska. The circle only has the power to enforce a sentence as the referring authority delegates it. An offender participating in Kake Circle Peacemaking is not discharged from the referring authority until a recommendation for discharging the case has been made by Kake Circle Peacemaking to the referring authority. Failure to comply with the consensus agreement for treatment and restitution results in the case automatically returning to the referring authority. Kake Circle Peacemaking only has jurisdiction over those individuals who are charged with misdemeanors or disorderly conduct occurring within the city of Kake.

In cases calling for celebration or encouragement circles, the circle may make a referral on its own, or individuals may request circle intervention.

Referral Process for Both Adult and Youth Circle Peacemaking

The circle process is set in motion when the juvenile or adult defendant waives the right to a court trial and is referred to the circle by the Kake District Court, Department of Family and Youth Services, Division of Juvenile Justice, family, or school. Next, the defendant is required to contact the circle office immediately and to fill out the necessary forms in order to be considered for circle peacemaking. These forms include:

- **Application** to be considered for circle peacemaking,
- **Release of Information** for the circle to learn the details of the case. A youth defendants parent or guardian must also sign this document.

Kake Circle Peacemaking

Upon acceptance into circle peacemaking, the office must complete a **Petition Form** from the defendent for their records, and then have the offender complete the following forms:

- **Petition**--Asking to participate in the circle and to comply with the circles sentencing decision;
- **Agreement**--to abstain from use of alcohol or illegal drugs, submit to random urinalysis tests, abstain from handling or use of firearms, and to complete any anger management, tobacco cessation, and alcohol or drug treatment or information classes recommended by counselors. Parents/guardians of a youth offender must also agree to and sign the conditions to which the juvenile has agreed.

Once the above forms have been completed, the facilitator, Youth Court Coordinator, and the Community Justice Advocate must set a date for youth circle peacemaking that is convenient for all involved. The adult circle meeting is scheduled and coordinated with the facilitator and participating Elders. Next, the office must send the defendant a **Notice to Appear at Circle Peacemaking**, listing the date, time, and location of the circle meeting, and contact information in case of emergency. This document also states that a parent or guardian must accompany all juvenile defendants to the circle. This process is generally completed within two weeks of the charge.

Early in the process, the Youth Court Coordinator or, in adult cases, the District Court Magistrate, should ensure that the victim, offender, and their parent(s) or guardian(s) (if either is a juvenile), fully understand circle peacemaking and what to expect throughout the course of the circle and subsequent events.

If the victim chooses not to attend the circle, he/she is asked to complete a Victim Impact Statement to explain the ways in which the offense has affected the individual and his/her family and how, or if, the injured parties continue to feel the impacts of that offense. The victim is also asked to express any opinions he/she may have regarding the conditions that the circle may impose on the offender. This statement is to be read at the circle on that person's behalf.

"The goal is a healing community. For the young ones, the challenge is to start sooner, in schools, so kids can see alternatives for resolving problems".

-Harold Gatensby

Kake Circle Peacemaking

Mini-Circle Preceding Youth Circle Peacemaking

Though not a regular occurrence, the Youth Court Coordinator and the Community Justice Advocate may call a mini-circle or family group conference to meet with the juvenile victim or defendant (separately), his/her parent or guardian (other family members may also attend), and a counselor to discuss the offense and how to proceed. At this meeting the decision is made about whether to proceed with circle peacemaking or not and, if so, a brief orientation on the process is provided to those involved. The mini circle expedites the process by meeting soon after the arraignment and quickly determining the course of action. A full circle can be called to meet as soon as the following day, once the offender's application has been completed.

Role of the Victim

Circle peacemaking is instrumental in the healing of the victim as well as the offender. Kake Youth Circle Peacemaking has found that one of the most significant virtues of the circle process is the opportunity for the victim to give input. Circle members and attending professionals have been amazed at the generosity of spirit many victims possess and the absence of vindictiveness and retributive demands from them. The predominant concern among victims tends to be a desire for the offender to get his/her life back on track.

Kake's youth circle is proud of their group's capacity to soften and prevent stigmatization or degrading attacks on the offender as a person. In circle peacemaking, great care is taken to shame the act itself, but not the offender as a person. Instead, offenders are shown that people in the community value and respect them, despite their wrongdoing.

Honoring Participating Elders

At some point preceding the circle, a private semi-formal traditional event is held during which the offender honors with gifts the Elder(s) who will participate in his/her circle. Elders are highly respected members of the community and their experience and insight make them especially valuable participants of circle peacemaking.

"You can see into the future when you look at our children and it is a hopeful future. There's not one who's going to be defeated. We are not victims any longer, we are survivors. (We've) even gone past (being) survivors, we are now empowered."

-Jada Smith

General Preparation for Youth Circle Peacemaking

1. Make sure that the youth defendants application is filled out and the appropriate parties at the mini-circle sign the forms.
2. Make sure the youth defendant knows where and when to go to the circle.
3. Parents or legal guardians are required to attend. No one can come to just watch or observe; if you attend, you are part of the circle.
4. Explain that, as the feather or talking stick goes around the circle clockwise, the defendant and his/her parent(s) or guardian(s) are last to speak.
5. Advise the defendant that:
   - He/she must bring an elder to support the defendant;
   - He/she will meet with and follow the recommendations of the social worker or other official party;
   - He/she will meet with the Youth Court Coordinator before the circle.
6. Remind the defendant and all participants to keep all information about the case confidential. Youth circle members cannot talk about the case except with each other, the Youth Court Coordinator, or the Community Justice Advocate.

Kake Youth Circle Peacemaking
Complaint Routing Model

Offence committed
↓
Offense reported to police
↓
Police investigation
↓
Complaint written
↓
Complaint filed with court
↓
Arraignment
↓
Plea established
↓

Youth Circle Peacemaking

Mini Circle for Victim...Mini Circle for Offender
↓
Youth Circle Hearing
↓
Consensus Agreement
↓
Follow Up after Consensus
(1-month, 3-month, and 6-month intervals)

Kake Circle Peacemaking

Chapter Four

The Circle

Traditional wisdom suggests that only the people involved with an issue understand the complexities of their relationships enough to work through their shared problems. Third parties circle members in this case should act as respectful regulators of the process, teachers of values upon which respectful relationships can be developed, and real-life demonstrators of what those relationships look like in action. Responsibility for problem solving should be restored to the parties involved in order for them to learn from the experience and to feel empowered to practice it in daily life.

As mentioned before, each circle must have in attendance a facilitator, a recorder (to document what is said and decided), the referring person or a representative from the referring agency (court system, state agency, family, school, etc.), the victim or his/her representative, the victim's parent(s)/guardian(s) if he/she is a juvenile, the offender, offender's parent(s)/guardian(s) if he/she is a juvenile, circle members, and other relevant persons such as members of law enforcement, court personnel, social workers, or other concerned parties. The victim and offender my also invite friends or other family members for support. Parents of youth circle members are also welcome to attend youth circles. Youth circle members alternate the roles of facilitator, clerk, and recorder so each can learn to function in all capacities.

Before members begin a circle they should be conscious of the following points:

- People are complex, many-sided whole persons, not just offenders and victims.
- Concern should be focused less on the breach of a law than the restoration of harmony.
- Wider reasons for the wrong must be examined, rather than placing the blame.
- Offenders must learn how deeply they touch the lives of others, both positively and negatively, and that there are consequences to everything they do.
- Victims, offenders, and their families should learn that they have the wisdom and power to design changes in their relationships with each other that can help everyone move towards a better life.
- Consensus should be arrived at through community involvement.
- Reconciliation and settlement must be acceptable to all parties.

Kake Circle Peacemaking

Circle Format and Passing the Feather

Typically, after an opening prayer is given by an Elder or pastor, the facilitator begins the circle by welcoming the participants and reading the circle guidelines. Another circle participant--volunteer designated by the facilitator or a representative of the justice syste--then reads the charges against the offender. The facilitator then passes the feather clockwise around the circle and each participant is invited to speak once he/she receives it.

Kake has chosen an eagle feather as a tool for empowering the bearer with the group's focused attention. Without the feather or another symbolic object to pass around the circle, dialogue tends to be dominated by those who are accustomed to speaking in public. Communities may choose their own symbolic object—some use a talking stick, some a rock, and others a bible. Whatever object the community chooses becomes a valuable circle tool. Eagle down symbolizes peace and reconciliation in the Tlingit culture, therefore it is appropriate and meaningful for this community to use an eagle feather in their circle.

The feather begins its journey starting with the facilitator, and then moves clockwise around the circle. While the feather grants the bearer the privilege of speaking, that person need not feel obligated and may pass the feather without speaking. When appropriate, use of tradition, culture, and storytelling are encouraged as the feather travels around the circle.

Circle Guidelines

- Respect others; one person speaks at a time. There will be no interruptions.
- The laws of the Creator govern the speaker, so speak from the heart honestly, openly, and with kindness and respect.
- Everyone is equal.
- Be helpful, not hurtful; do not point blame.
- The circle is inclusive; all are to participate and no one shall sit on the sidelines.
- Respect the right of others to speak by not speaking at length.
- The circle will begin and end with a prayer.
- **EVERYTHING** from the circle is confidential--what is said here stays here.
- The offender and his/her family are the last to speak, with apologies and a "Thank you" to all participants.

Kake Circle Peacemaking

Circle peacemaking proceeds as follows:

- Group enters and sits in the circle;
- **Oath of Confidentiality** form passed around the circle for everyone to sign. By signing this form all circle attendees vow to keep private all issues and comments addressed in the circle;
- Opening prayer given by Elder or pastor;
- Welcome and reading of circle guidelines given by facilitator;
- Introductions of circle attendees as the feather is passed;
- Charges read by a person designated by the facilitator;
- Victim relays his/her experiences and feelings regarding the offense, or the Victim Impact Statement is read on his/her behalf by facilitator, (victim statements are not necessarily first, but the offender always speaks last);
- Victim's family speaks;
- Circle attendees speak as feather continues to be passed clockwise around the circle, from the victim. Each person talks openly about his/her experiences concerning the charge and offers recommendations.
- Offender and his/her family are last to speak;
- After the feather has traveled completely around the circle and has returned to the facilitator, he/she may:
    - Summarize the contributions of the circle and raise potential questions or issues to address before passing the feather around the circle again;
    - Hold the feather and, after summarizing discussions, open the circle for anyone to speak;
    - Hold the feather and call upon specific participants to clarify or respond to particular issues; or
    - Pass the feather to someone else to facilitate an open circle discussion on a key issue.
- Group arrives at appropriate and realistic consensus on sentencing and restitution, following additional rounds of the feather (details in Chapter Five: Sentencing and Restitution). Everyone is encouraged to participate, though not required to speak. This discussion leads to a consensus plan transcribed by the recorder. The offender and victim must both agree to plan.
- Compliance Contract Form completed by either the District Court Magistrate (for adults), or Youth Court Coordinator or Community Justice Advocate (for youth);
- Forms listed above are signed by appropriate parties, (parent/guardian signs if accompanying juvenile defendant). Copies should be made for all persons monitoring compliance and signing the forms.
- Closing prayer given by Elder.

The offender or another party may become angry or attempt to cast blame during his/her first experience with the circle. The facilitator must make it clear to any party who exhibits such behavior that it will not be tolerated and that people are to speak in positive terms only.

10 Ways to Minimize Conflict

1. Look for and affirm the strengths and accomplishments of others.
2. Refrain from put-downs of yourself and others.
3. Listen without interrupting
4. Avoid speaking too often or too long.
5. Volunteer yourself only, not someone else.
6. See and be open to perspectives that are different from your own.
7. Show respect to everyone through all words and deeds.
8. Consider the unintended negative consequences of your actions.
9. Share your feelings honestly and invite an inclusive approach to resolving conflict.
10. Focus on the resolution of the conflict rather than the placing of blame.

Things to Remember in Circle Peacemaking

Be Patient-- A period of silence before speaking can have many meanings:

- An elder may be deciding how best to present his/her thoughts in order for younger members to understand;
- A member may be considering what has just been said and working to carefully compose thoughts before speaking;
- The process can be very emotional and a period of silence may be needed for a member to regain his/her composure

Comforting is Allowed--If a circle member is upset, feel comfortable in giving the person a hug or holding his/her hand or shoulder if you are so moved, until he/she feels composed enough to continue.

"We are rebuilding the community."
Harold Gatensby

As Frank Brown, a reformed offender from the British Columbia community of Heiltsuk observed, success results in all parties feeling that progress has and will continue to be made, along with the realization that:

- The offender cannot continue in the same manner that he/she has without life becoming increasingly worse;
- Antagonism between the victim and offender is not a private matter and directly affects others within their wider circles of families and friends;
- For the sake of all concerned, those involved have a responsibility to put their disputes behind them and to agree on a new way of dealing with each other in the future, whether or not the parties agree about the circumstances of the offense.

Before the group disperses, the circle director reminds participants that the integrity of the circle process is dependant on the promises made in the agreements--including the **Oath of Confidentiality**. If the privacy and confidence of any party participating in the circle is breeched, then trust in the process will be diminished, as will the power of the circle to effect positive change.

As members participate in more circles they become more confident and more adept at speaking from the heart. The intimacy of circle peacemaking inspires strong emotions in participants, and it is not unusual for displays of shame, anger, and pain to be revealed. It is also important to remember that laughter can lead to healing as surely as tears, and can provide spontaneous relief during the tension of emotional moments.

"(Even) people who are there in support are being touched by (the circle)...People say they learn about themselves."

-Justin McDonald

Kake Circle Peacemaking

Chapter Five
Sentencing and Restitution

"That's what the circles are about--to make people well, to make sure they can see straight again and make decisions for the generations yet to come."

-Mike Jackson

Circle peacemaking is committed to finding solutions that respect the contributions of everyone and for which everyone is in agreement. The solution also must further the circles goal for restorative justice. This requires creativity and thoughtfulness by the group in designing a sentence that will help and heal both the victim and the offender.

As mentioned in Chapter Four, after the feather has traveled around the circle, the group should discuss what has transpired among them and review the facts and circumstances of the case. Discussion should include identifying all who have been harmed by the offense, what reparations can be made to the victim(s), and how the emotional and, if necessary, physical health of the victim(s) and offender can be improved. After thoughtful discussion, a consensus should be reached for an appropriate sentence and what, if any, restitution should be made and to whom. Each case is very different with its own set of circumstances, therefore one set of sanctions cannot be applied to all cases and a consensus must be reached. Just as the process is geared to the individuals involved, so must the sentencing be, as well.

On rare occasions the offender will persist in objecting to a sentence that may be in the best interest for that person and the community. In cases such as this, the circle must bear the responsibility of overriding the offender's objections. This is a rare occurrence, however. Often the offender hears for the first time in a circle that members of the community feel he/she is an important part of their structure and has much to offer. Receiving caring, supportive words from peers can make a world of difference in the way an offender thinks of her/himself and others, and it can make that individual more receptive to taking responsibility for the offense. Sharing personal and traditional stories of how people have met challenges and overcome obstacles in their lives can also have this effect on the offender and can be relevant and productive when shared in this way.

In most cases the offender already knows what kind of reparations he/she needs to make. The circle functions as a support structure for both victim and offender, and helps the offender commit to and follow through with doing the right thing by fulfilling these reparations. This is one of the many ways the circle empowers an individual.

Types of Sentences and Restitution

Apology to the victim is an important and necessary part of the healing process and is required as one aspect of every offender's sentence. It may be written or presented orally before the concerned parties, or before the entire community. In some cases the victim may not want to hear from the offender, and the circle should be sensitive to this. It is the responsibility of the circle facilitator to ensure that the offender's apology is secured.

Counseling is an important aspect of sentencing and can greatly benefit offenders as well as victims. Circles should be aware of the types of counseling available in their community. Kake's counseling opportunities include Community Family Services workers under the Southeast Alaska Regional Health Consortium (SEARHC). SEARHC also employs a Behavior Clinician who visits Kake regularly to provide mental health services. In Kake, counseling sentences are not limited to professionals. Offenders may also be referred to counseling with Elders, clergy, and other adult leaders or, for youth offenders, peer counselors in the village who have demonstrated talent in counseling youth.

Drug/alcohol treatment is also available through SEARHC on an outpatient or residential basis. Rather than send an adult or youth offender to a residential treatment facility or a youth offender to a juvenile detention facility out of town, the circle may opt for an outpatient treatment program coordinated with SEARHC. If the offender fails to successfully complete that program, then another circle will be held and the conditions of release changed to include residential treatment. If a youth refuses that course of action, then he/she must be referred back to the state justice system, which could result in a sentence to a juvenile detention facility. More often than not the offender will comply with the wishes of the circle so he/she does not have to leave the community.

Community service can and should be designed as a constructive, educational, and helpful sentence. It is more productive and healing for both the individual and society if the opportunity for giving back to the community is considered as one aspect of the offender's sentence. A stronger sense of self builds a stronger member of the community who, in turn, feels more responsible to the people around him/her. Building the community service around the offender's strengths and interests can also create an opportunity to practice and improve skills. For youth offenders, community work service can be designed to include and encourage parental involvement, such as inviting them to assist the youth in that service and to participate in his/her drug or alcohol classes. Types of service might include: assisting Elders with snow shoveling, gathering wood, or household chores; maintenance for a local church; working for a non-profit organization; working with the village office or police department; working with a carpenter or local tradesman; or helping a family get and put up fish--a traditional Tlingit subsistence practice.

Community service performed by youth offenders is monitored by the Kake Youth Court Coordinator to ensure that all work is completed as agreed upon and that all hours are completed.

Goods and services provided by the offender to the victim and his/her family, such as garbage pick-up, snow shoveling, and small construction projects might be sufficient for partial restitution. This form of atonement is usually combined with community service and/or counseling.

Repair damage the offender has done to the victim's property and/or any repair directly connected to the offense (i.e., fixing a window the offender has broken). As with goods and services, this form of atonement is usually combined with community service and/or counseling.

Organize a fundraiser to help cover damage repair costs.

Active membership in circle peacemaking, and possible adult circle attendance for youth offenders. Following adult circle attendance, the youth offender would then be required to report back to the youth circle, within the confines of confidentiality, about what he/she has learned.

Write an essay or give a presentation on the incident and the positive and negative effects it has had on the parties involved, and on the community. The offender would then present it to the school, at a public meeting, or to a group of younger kids (if the offender is a youth). If an essay is produced, the offender should give a copy to the Community Justice Advocate for future use in similar circumstances.

Conduct a village survey to determine attitudes in the community toward crime or other issues that are directly related to the offense.

Develop a peer or adult mentoring program. Kake is presently developing an Elder mentoring program.

The Community Justice Advocate or Youth Court Coordinator (for youth), or District Court Magistrate (for adults) completes the **Order Form** and/or **Report of Compliance Form**. They must also secure the signatures of the appropriate parties on these forms.

"Everybody comes away feeling better. There are no losers, only winners, and it comes from speaking honestly and from the heart, and it strengthens us."

-Jada Smith

During the Sentencing Period

After deciding and committing to the consensus plan, the Community Justice Advocate or Youth Court Coordinator (for youth), or District Court Magistrate (for adults) designs a schedule and plan to follow-up on the progress of each offender. Some ideas for this include:

- Scheduling follow-up circles, at one-, three-, six-month, and one year intervals following sentencing to provide an opportunity to assess the progress of the offender and the victim;
- Progress monitoring by a counselor or member(s) of the Kake Coalition throughout the sentence;
- Making provisions for community work service;
- Ensuring that the referring agency receives adequate and timely reports of the progress of the offender and the victim.

If there is a violation of the **Order**, the **Report of Compliance**, then the facilitator or appropriate party should report the infraction to the Community Justice Advocate or the magistrate, who then reports to the circle. Another circle is then scheduled, if necessary. The family of the offender is also required to report any violations, as is stipulated in the **Order of Compliance**.

Once the offender has successfully completed all requirements listed in the **Order of Compliance** forms and the Community Justice Advocate, Youth Court Coordinator, or District Court Magistrate has approved them, the facilitator then fills out the **Completion of Compliance** form and signs it, along with the offender and the offender's parent/guardian (for youth).

"I look at the circle as a living treasure because it takes people who are alive and confident and powerful and concerned enough to come to the circle to make it work."
-Jada Smith

Member Participation in Post-Circle Healing

After a circle is completed and a consensus is reached on sentencing, there are occasionally tasks that circle members will need to fulfill as volunteers in order to help the offender get back on his/her feet. One example of this kind of assistance in Kake was the circle's first client, as mentioned earlier. The circle members helped repair and clean her home and stocked it with wood before she returned from successfully completing her residential alcohol treatment. It was not only helpful for her to have these chores done but, more importantly, she felt welcomed back into the community and esteemed as a valued member of it.

"Each one of us has something to give and to receive."
-Paul Aceveda

KakeCirclePeacemaking

Chapter Six

The Circle Continues to Evolve

"The circle is like a heart...(The participants) are like blood pumping from the heart...(going) out of the circle into the community...and back to renew again, just like blood does in the heart. (They) set an example of health, an example of life."

-Tom Begich

Kake Circle Peacemaking sees each circle as an opportunity for continuing education. While the required special training sessions are valuable in guiding the group through learning about laws, legal terms, circle structure, and the different roles that need to be filled, it is important to heed the informal lessons on the values of compassion, culpability, and human interaction.

Circle members are occasionally asked to give presentations on circle peacemaking, which any member of the circle is able to do after completing the workshops required for membership and participating in at least one circle. Those who train the members consciously teach in a way that guides and builds confidence in students so they feel comfortable giving informed presentations about what they have learned. The circle has found that the most difficult aspect of teaching the ways of circle peacemaking is to discover methods to empower a circle participant as a presenter who is comfortable speaking from the heart to a group of strangers. Just as it is difficult for a circle participant to speak from the heart among friends, family, and acquaintances for the first time, it is a different kind of challenge to speak intimately and candidly in front of people one does not know.

Both the adult and youth circles hold periodic trainings to learn new information that can be useful in circle peacemaking and to review recent cases. All members are required to attend these trainings so the circle can grow together. Training sessions are led by members of the circle and session topics vary according to each member's particular skills and experiences.

Other training opportunities occur from time to time outside of the community and, when possible, circle members are encouraged to attend these trainings. In 2002, Kake Youth Circle Peacemaking attended a statewide training in Valdez for Alaska's youth courts. Some issues discussed in the conference meetings included curfews, punctuality, and behavior in other parts of the country. Wasilla attorney Scott Sterling discussed in his keynote address the fact that more and more youth court graduates are becoming lawyers, judges, or working within the judicial system. Other presenters focused on the important roles that youth court and alternative justice experiences play in helping them plan for their future. Speakers also had the opportunity to present different methods used in Alaska and elsewhere for adjudicating young people.

Kake Circle Peacemaking

Kake Youth Circle Peacemaking presented its own session after learning about such issues as statewide alcohol advocacy, restorative justice in diversion programs, minors in possession and minor consumption, confidentiality in smaller youth courts, public relations for youth courts, and tribal youth courts. Their presentation featured a mock circle to demonstrate their system of restorative justice to the Alaska youth courts in attendance. Members of the other courts expressed great interest in Kake's methods, which were very different from their own. After the mock circle, the participants talked about the process and benefits of circle peacemaking, and some courts expressed interest in incorporating some of the Kake circle's practices into their own courts. Later, a quilt was made from patches created by each youth court in attendance, symbolizing the importance of unity and the value of one to the whole. Kake's quilt patch incorporated the Kake Circle Peacemaking symbol, which also reflects those principles (see manual cover). Kake's presentation that day and the group's supportive reception by their peers were also demonstrations of those principles in action.

The success of the conference and Kake youth circle's presentation indicates the need to continue sharing what we have discovered and are continually learning through circle peacemaking. Our learning ensures that our court continues to evolve in a way that is helpful and relevant. Our presentations reaffirm our knowledge and help provide new and innovative ways for others to view justice.

"That's what's worth it; that makes life worth living when the kids are happy. And it doesn't take degrees or a lot of money to do this, it's just spending time with them."

-Justin McDonald

Kake Circle Peacemaking

Principles

In Kake Youth Circle Peacemaking, the principles listed below are typed on index cards to be used in the youth court Values class. Each youth selects a card, reads it aloud, and gives his/her own version of what that word means in relation to youth court.

1. ***LOVE:*** Intense affection, enthusiasm or fondness.

2. **PRINCIPLE:** Fundamental truth; rule or code of behavior; moral or ethical standards in general; integrity.

3. ***JUSTICE:*** Principle of ideals or moral rightness; upholding of what is right; fairness.

4. ***SPIRITUALITY:*** Of, relating to, or having the nature of spirit; real meaning or sense; significance; part of human being associated with feelings and mind.

5. ***LIFE:*** Period of time between an organism's birth or inception and its death; a manner of living; vitality.

6. ***FORGIVENESS:*** To stop being angry or resentful; to pardon or absolve.

7. ***TRUTH:*** Accordance with knowledge, fact, or actuality; state of being truthful; honest.

8. ***HUMILITY:*** Marked by modes or meekness; lowly and modest; to lower in status and condition.

9. ***RESPECT:*** To feel or show modest regard for; willingness to show consideration of or appreciation for; to avoid violation or interference with.

10. ***TRUST:*** Firm reliance in the honesty, dependability, strength or character of someone or something; placing faith or confidence in someone.

11. ***COMPASSION:*** Actively sympathetic concern for the suffering of another; mercy.

12. ***PATIENCE:*** Enduring affliction or pain without anger or complaint; understanding; tolerance; steadfastness.

13. ***PRIDE:*** Proper respect for one's own dignity and worth; pleasure or satisfaction over something done, achieved, or owned; excessive self-esteem.

14. ***HUMOR:*** The quality of being funny or comical; the ability to perceive, enjoy, or express what is funny or comical; a state of mind or feelings.

"That's what really made me a strong believer in the circle... every person is leaving feeling good, their heart feeling strong."

- Justin McDonald

In Closing

It is our hope that, through this manual on Kake Circle Peacemaking, you have come to understand our approach to the circle process and our belief that people heal best when healing *with* each other. Circle peacemaking participants should know that they are not alone: not in their fears, their joys, their guilt, or their sorrows. This process has helped our community join together and, in doing so, we are learning to ease our fears and open gently to connection and communion with our neighbors. In Tlingit culture this connection and sense of joining together has always been symbolized through the power of the drum and the teachings of our songs. Now our circle also symbolizes this connection. It is our hope that your community may experience this as well.

"Since being in the circle, I've seen lives change, so it can't be nothing but good."

-Ned Ortiz

Kake Circle Peacemaking

Appendix A

Forms Used in Kake Circle Peacemaking

Following are templates for the various forms mentioned in the manual, grouped separately for the youth and adult circles. They are in the following order, adjusted for the two circles as needed:

Petition- *Requesting consideration of having case handled by Circle Peacemaking*

Notice to Appear at the Circle Peacemaking- *Sent to offender to participate in Circle Peacemaking*

Order- *Consensus from circle about offender's sentence*

Oath of Confidentiality- *Signed by all participants at each circle*

Report of Compliance- *Certifying that offender has completed all sentencing and restitution requirements*

"Knowlege promotes wellness...Wellness promotes strength."

Organized Village of Kake (OVK) Tribal Court
Circle Peacemaking/Tribal Court

Kake,Alaska

In the Matter of:	)	
	)	
_____	)	**Case No.OVK-CP** _____
DOB _____	)	
	)	**Circle Peacemaking/Tribal Court Phone #**
Minor Under the Age of	)	
Eighteen Years Of Age	)	(907) 785-6471 ext 118

PETITION TO USE THE YOUTH CIRCLE PEACEMAKING/TRIBAL COURT

I, _____, wish to use the Youth Circle Peacemaking/Tribal Court for the following juvenile matter. Provide details in the space provided on this form or on the back of this sheet. Briefly describe the situation and why the Youth Circle Peacemaking/ Tribal Court should act:

_____

_____

_____

_____

_____

_____

_____

_____

_____

Jurisdiction:

Youth named above:

☐ is a member of (or eligible for membership in) the Organized Village of Kake Tribe.

☐ has affected the health, safety, and/or welfare of individual tribal members or the Organized Village of Kake Tribe.

Other people involved are: (Names, addresses and phone numbers)

_____

_____

(Signature of Petitioner)	(Mailing Address of Petitioner
(Print or type name of Petitioner)	(City/State)
(Date petition was signed)	(Phone Number of Petitioner)
(Signature of Parent/Guardian)	(Mailing Address of Parent)
(Print or type name of Parent)	(City/State)
(Date petition was signed)	(Phone Number of Parent)

DO NOT WRITE BELOW THIS LINE

OFFICIAL USE ONLY

Petition Review:

Date of Review:_____

Names/Titles of Reviewers:_____

_____

_____

Upon review by OVK Tribal Peacemakers and/or the OVK Youth Circle Peacemaking Court Clerk, named above, this Petition has been:

☐ Denied by the OVK Tribal Court system.

☐ Referred to the OVK Youth Circle Peacemaking.

Hearing Date/Time:_____

☐ Referred to the OVK Tribal Court on (Date):_____

STATEMENT OF SERVICE of Petition to Use Youth Circle Peacemaking/Tribal Court and Hearing Notice (if applicable)

I ☐ mailed return receipt requested restricted delivery *or* ☐ personally gave (check one) a copy of this reviewed petition and hearing notice (if applicable) to the Petitioner and appropriate parties named on the (DATE) _____ day of (MONTH) _____, 20____.

_____

OVK Tribal Youth Court Clerk

Circle Peacemaking/Tribal court

Notice to Appear at Adult/ Youth Circle Peacemaking

You are to appear for youth circle peacemaking on _____,
201_ at _____ A.M./P.M.

at the location _____.

A parent or legal guardian must accompany you.

Please bring this notice with you.

Please call the Youth Court Coordinator _____ at this number, _____, if an emergency prevents you from appearing at this time. Good luck.

CURRENT DATE: _____

NAME: _____

DATE of BIRTH: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

OFFENSE: _____

DATE OFFENSE COMMITTED: _____

CASE NUMBER: _____

Organized Village of Kake (OVK)Tribal Court

Circle Peacemaking/Tribal Court

Kake, Alaska

In the Matter of:	)	
	)	
_____	)	**Case No.OVK-CP** _____
DOB _____	)	
	)	Circle Peacemaking/Tribal Court #:
Minor Under the Age of	)	
Eighteen Years Of Age	)	(907) 785-6471 ext.118

ORDER

The OVK Youth Circle Peacemaking/Tribal Court held a Justice Circle on (Date)_____ _____regarding a Petition to Use the Youth Circle Peacemaking/Tribal Court filed by (Name) _____ _____ on (Date Filed)_____ regarding the alleged actions of the above named youth stated in the Petition. Present at this Justice Circle were: _____

_____

_____

_____

After considering all of the information and testimony available, this Youth Circle Peacemaking/Tribal Court Justice Circle finds that the following offenses occurred affecting the health, safety and /or welfare of tribal members or the tribe as a whole, and the youth named above is required by this court to complete the checked items in this Order.

Offenses:

Title 2, Chapter _____: _____

Title 2, Chapter _____: _____

Title 2, Chapter _____: _____

Title 2, Chapter _____: _____

Unwritten law-ways _____: _____

The OVK Youth Circle Peacemaking/Tribal Court Justice Circle HEREBY ORDERS:

☐ Community Service Work (Specify): _____

_____

_____

Name of Mentor Appointed: _____

☐ Restitution: _____

_____

_____

Name of Mentor Appointed: _____

☐ Apology to victim:

☐ Oral ☐ Written: (Specify length) _____

Name of Mentor Appointed: _____

☐ Essay: (Specify length and subject): _____

_____

Name of Mentor Appointed: _____

☐ Organize Events or Fundraisers: (Specify)_____

_____

Name of Mentor Appointed:_____

☐ Counseling: (Specify by whom and/or number of visits) _____

_____

_____

Name of Mentor Appointed or Counselor:_____

☐ Substance Abuse Awareness Sessions; (Specify number of sessions)_____

Name of Mentor Appointed or Counselor:_____

☐ Traditional Activities: (Specify)_____

_____

_____

Name of Mentor(s) Appointed:_____

☐ Other: (Specify)_____

_____

_____

Name of Mentor(s) Appointed:_____

The sentencing options checked above must be completed, signed off by the appointed mentors, and returned to the Youth Circle Peacemaking/Tribal Court Clerk by (Date)_____

DONE BY THE YOUTH CIRCLE PEACEMAKING COURT JUSTICE CIRCLE ACTION THIS _____ DAY OF _____, 20____.

_____ _____

Leader of the Justice Circle **Date**

Organized Village of Kake (OVK) Tribal Court
Circle Peacemaking/Tribal Court

Kake, Alaska

In the Matter of:	)	
	)	
_____	)	**Case No.OVK-CP** _____
DOB _____	)	
	)	Circle Peacemaking/Tribal Court #:
Minor Under the Age of _____	)	
Eighteen Years Of Age _____	)	(907) 785-6471 ext.118

Oath of Confidentiality

I do solemnly declare and affirm that I will not discuss what happened in this OVK Youth Circle Peacemaking/Tribal Court. I shall maintain respect due the OVK Tribal Youth Court by striving for fairness and impartiality in the tribal youth court justice circle.

_____	_____
Leader of the Circle	Date
_____	_____
Participant	Date
_____	_____
Participant	Date
_____	_____
Participant	Date

Organized Village of Kake (OVK) Tribal Court

Circle Peacemaking/Tribal Court

Kake, Alaska

In the Matter of:	)	
	)	
_____	)	**Case No.OVK-CP** _____
DOB _____	)	
	)	Circle Peacemaking/Tribal Court #:
Minor Under the Age of _____	)	
Eighteen Years Of Age _____	)	(907) 785-6471 ext. 118

REPORT OF COMPLIANCE

The items checked below have been completed and the court appointed mentors of each activity have signed to verify completion. Please attach a separate sheet if necessary:

☐ Community Service Work (Specify):_____

_____

_____

_____ _____

Signature of Mentor Date Signed

☐ Restitution:_____

_____

_____

_____ _____

Signature of Mentor Date Signed

☐ Apology to the victim:

☐ Oral ☐ Written: (Specify length)_____

_____ _____

Signature of Mentor Date Signed

☐ Essay: (Specify length and subject):_____

_____ _____

Signature of Mentor Date Signed

☐ Organize Events or Fundraisers: (Specify)_____

_____ _____

Signature of Mentor Date Signed

☐ Counseling: (Specify by whom and/or number of visits) _____

_____

_____ _____

Signature of Mentor Date Signed

☐ Substance Abuse Awareness Sessions; (Specify number of sessions)_____

_____ _____

Signature of Mentor Date Signed

☐ Traditional Activities: (Specify)_____

_____

_____

_____ _____

Signature of Mentor Date Signed

I, _____, have completed my sentence and have had the appropriate mentors initial to verify completion of each specified activity.

_____ _____

Signature of Youth Completing Sentence Date Signed

Kake Circle Peacemaking

Appendix B

Learn More about
Circle Peacemaking and Restorative Justice

Contacts in the Field

Mike Jackson
Keex' Kwaan, Organized Village of Kake
P.O. Box 316
Kake, AK 99830
(907) 785-3651 (mornings); (907) 785-6471 (afternoons)
keexkwaan@starband.net

Alaska Native Justice Center
121 W. Fireweed Lane, Ste. 240
Anchorage, AK 99503
(907) 278-1122
www.ciri.com/about_ciri/anjc.htm

Rural Alaska Community Action Program
P.O. Box 200908 (731 E. 8th Ave.)
Anchorage, AK 99520
(907) 279-2511
jkennedy@ruralcap.com
www.ruralcap.com

Peacemakers Training,
Nares Mountain Wilderness Camp,
Yukon Territory
Harold Gatensby
(867) 821-4821
hgatensby@yt.simpatico.ca

State of Alaska Division of Juvenile Justice
P.O. Box 110635
Juneau, AK 99811-0635
(907) 465-2212
www.hss.state.ak.us/djj

Appendix B

Learn more about Circle Peacemaking and Restorative Justice

Contacts in the Field

Center for Restorative Justice & Peacemaking
University of Minnesota
1404 Gortner Ave., 105 Peters Hall
St. Paul, MN 55108-6160
(612) 624-4923
rjp@che.umn.edu
ssw.che.umn.edu/rjp/default.html

National Institute of Justice
U.S. Department of Justice
810 Seventh St., NW
Washington, DC 20531
(202) 307-2942
www.ojp.usdoj.gov/nij/rest-just/index.htm

Native Law Centre of Canada
University of Saskatchewan
101 Diefenbaker Place
Saskatoon, SK
S7N 5B8 Canada
(306) 966-6189
www.usask.ca/nativelaw/intro.html

Department of the
Solicitor General of Canada
340 Laurier Ave. West
Ottawa, ON
K1A OP8 Canada
(613) 991-3283
Restorative Justice: An Evaluation of the Restorative Resolutions Project
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