
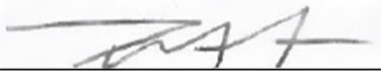


POLICY TITLE: RESIDENT RESTORATIVE PRACTICES MENTOR		PAGE 1 OF 11
POLICY NUMBER: 25.5		
CHAPTER 25: WORK OPPORTUNITIES		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
	EFFECTIVE DATE: January 11, 2024	LATEST REVISION:

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 Departmental Adult Facilities

III. POLICY

It is the policy of the Department to allow appropriately trained and supervised adult facility residents to act as restorative practices mentors with youth as set out in Department Policy (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program.

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. Resident Restorative Practices Mentors (RRPMs) – 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 act as restorative practices mentors with youth who are referred and approved for participation in the program pursuant to Department Policy (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program.

6. Youth – any person under twenty-one (21) years of age.

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VI. ATTACHMENTS

Attachment A:	Resident Restorative Practices Mentor Application
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VII. PROCEDURES

Procedure A: General

1. Each adult facility Chief Administrative Officer shall determine whether facility residents will be permitted to participate in the Restorative Practices Youth Mentoring Program (hereinafter “the program”) provided for in Department Policy (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program, and if so, shall:
 - a. have a written Memorandum of Agreement (MOA) signed by the administrator of any community youth organization which will be referring youth for the program;
 - b. have an intra-Departmental agreement signed by the Superintendent of the Long Creek Youth Development Center (LCYDC), if juvenile residents will be referred for the program (including residents of LCYDC and/or a juvenile community residential facility); and
 - c. have an intra-Departmental agreement signed by the Regional Correctional Administrator (RCA) of any juvenile community corrections region which will be referring juvenile community corrections clients for the program.
2. Each agreement shall include the monitoring practices required by Department Policy (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program.
3. An MOA with a community youth organization shall also include that organization staff who will be responsible for the monitoring will be 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 & Delinquency Prevention (OJJDP) Sight & Sound Core Protection in accordance with the Juvenile Justice Reauthorization Act (JJRA) of 2018.
4. An MOA with a community youth organization shall include that the organization will not use “scared straight” tactics.

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5. An MOA with a community youth organization shall include that the organization will provide a private location for youth being mentored to use during the mentoring sessions.
6. An MOA with a community youth organization shall include that Policy 1.23, Contact with News Media will 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 and that press releases regarding a participant will be only with the agreement of the Commissioner, or designee.
7. An MOA with a community youth organization shall include that the organization will provide to the Department's Juvenile Restorative Justice Coordinator, or designee, on a monthly basis, the following statistical data regarding youth in the program:
 - a. county of residence;
 - b. race;
 - c. ethnicity;
 - d. primary language;
 - e. gender identity;
 - f. age;
 - g. date of referral;
 - h. source of referral;
 - i. number of mentoring sessions attended;
 - j. date of final session attended (closure), if applicable; and
 - k. reason for closure, if applicable.

The MOA shall include that this information will be provided on a form provided to the community youth organization by the Department's Juvenile Restorative Justice Coordinator, or designee.

7. The adult facility Chief Administrative Officer shall assign the facility Restorative Justice Coordinator, or other designated facility staff, to:
 - a. oversee the program as it relates to residents of the facility;
 - b. coordinate the selection of residents to act as Resident Restorative Practices Mentors (RRPMs);
 - c. ensure adherence to applicable Department policies, MOAs, and intra-Departmental agreements; and
 - d. coordinate program review, problem resolution, and quality improvement activities.
8. If a community youth organization will be requiring residents who work with their youth to sign a contract, the facility Chief Administrative Officer shall review the contract and determine whether to approve its use.

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Procedure B: Selection and Approval Process

1. When there is a need for Resident Restorative Practice Mentors (RRPMs), the facility Restorative Justice Coordinator, or other designated facility staff, shall ensure a notice is posted in appropriate facility housing units.
2. In order for an adult resident to be considered for a work assignment as an RRPM, the resident must:
 - a. be a general population resident;
 - b. be a Privilege Level 4 or in a minimum security facility or minimum security housing unit;
 - c. have a high school diploma or equivalent (GED or HiSet) or higher;
 - d. be case plan compliant;
 - e. have a positive work, education, and program participation record;
 - f. not have been found guilty of a disciplinary violation during the past five (5) years;
 - g. not have been found guilty of any PREA or sex related disciplinary violation, including, but not limited to, exposure; offensive physical contact (if of a sexual nature); sexual activity by force or duress; or sexual activity not under duress or force;
 - h. have no sex offense criminal conviction; and
 - i. be approved by:
 - 1) facility behavioral health care staff;
 - 2) facility Special Investigations and Intelligence (SII); and
 - 3) the facility Restorative Justice Coordinator, or other designated facility staff.
3. It is preferred, but not required, that the resident have experience in restorative practices and/or mentoring.
4. Consideration for an RRPM assignment may be initiated:
 - a. by a written request from the resident to their case manager; or
 - b. through a recommendation from staff to the resident's case manager that a specific resident be considered as an RRPM, if the resident agrees.
5. To be considered for an RRPM assignment, the resident shall submit to their case manager a completed Resident Restorative Practices Mentor Application (Attachment A) that includes an essay and one to three staff references.
6. The case manager shall review the completeness of the application and the accuracy of the application to determine if the resident is eligible for an RRPM position based on the above criteria, including, but not limited to:
 - a. that the resident has no disqualifying criminal conviction;
 - b. that the resident has no disqualifying disciplinary violation; and
 - c. that the references support the resident as an RRPM.

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7. If the application is not complete, the case manager shall return it to the resident and explain what additional information is needed. If the resident is not eligible for an RRPM position, the case manager shall so inform the resident and explain why the resident is not eligible. The case manager shall document in CORIS the explanation provided to the resident.
8. If the application is complete and the resident meets the eligibility requirements, the case manager shall forward the application and the RRPM Review and Approval form (Attachment B) to, in turn, designated facility behavioral health care staff; facility Special Investigations and Intelligence (SII); and the facility Restorative Justice Coordinator, or other designated facility staff.
9. If not approved by any of those staff, the application process shall not proceed, and the case manager shall so inform the resident. The case manager shall explain why the resident was not approved, but only if doing so would not negatively impact the resident's mental health, violate confidentiality, or create a risk to safety, security, or orderly management. The case manager shall document in CORIS the explanation provided to the resident.
10. If approved by all of the above staff, the case manager shall forward the application and the form to the Unit Team.
11. The Unit Team shall review and recommend approval of the RRPM assignment or disapprove the assignment based on the above criteria, staff references, and any other relevant information and note its decision/recommendation on the form.
12. If the Unit Team:
 - a. disapproves of the assignment, the application process shall not proceed, and the case manager shall so inform the resident and explain why the resident was not approved, documenting the reason in CORIS; or
 - b. recommends approval, the Unit Manager, or designee, shall schedule an initial interview of the resident by the applicable adult facility Chief Administrative Officer, the LCYDC Superintendent, and a juvenile Regional Correctional Administrator selected by the Associate Commissioner of Juvenile Services.
13. The interview committee shall interview the resident, review all the relevant information, make the final decision, note the decision on the form, and notify the resident's case manager of the decision.
14. The case manager shall inform the resident of the decision and if not approved, explain why, documenting the explanation in CORIS.
15. If a resident is not approved for an RRPM assignment, their application and the review and approval form shall be maintained in their unit file.

Procedure C: Assignment and Training

1. If an adult resident is approved for a Resident Restorative Practices Mentor (RRPM) assignment, the case manager, or other designated facility staff, shall have the resident sign and date the Resident Restorative Practices Mentor Code of Ethics (Attachment C).

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2. Once the Code of Ethics has been signed by the resident and prior to any duties being performed, the resident shall complete restorative practices mentor training provided by or through the Department. Previous training provided by other sources may be used to satisfy training requirements if a record of the training is provided to the facility Restorative Justice Coordinator, or other designated facility staff, and approved by the Associate Commissioner of Juvenile Services, or designee.

3. The training shall include, but not be limited to:
 - a. Adolescent Brain Development;
 - b. Circle Keeper Training (24 hours);
 - c. Cultural Awareness;
 - d. Ethics;
 - e. Foundations of Motivational Interviewing (16 hours);
 - f. Mandated Reporting (the DHHS on-line training);
 - g. Department Policies (AF) 25.5, Resident Restorative Practices Mentor and (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program;
 - h. Mentor Training;
 - i. Positive Youth Development;
 - j. Trauma Informed Care;
 - k. Training for LCYDC volunteers, as applicable to remote volunteers (if RRPM will be mentoring juvenile residents); and
 - l. Other relevant training.

4. Upon completion of the required training, a job-shadow experience consisting of at least four sessions with one or more current Resident Restorative Practices Mentors (RRPMs) is required, but only if the youth and their parent(s)/guardian/legal custodian (if a youth is not emancipated) consent. This requirement may be waived by the Associate Commissioner of Juvenile Services, or designee, if there are no current RRPMs to job-shadow, the required consent has not been given, or for other any other reason they determine sufficient.

5. After confirming that the resident has completed the training and the job-shadow experience (or that the job-shadow experience requirement has been waived), the facility Restorative Justice Coordinator, or other designated facility staff, shall issue the resident a Resident Restorative Practices Mentor Training Certificate.

6. In addition to the entry-level training, annual training shall be required, consisting of at least an update on any new developments in the subject areas covered by the entry-level training, new mandated reporting training (if the mandated reporting certificate has expired), and refresher training on ethics and the relevant policies. The completion of this training shall be confirmed by the facility Restorative Justice Coordinator, or other designated facility staff.

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7. If an RRPM will be working with a community youth organization, the organization may require additional entry-level or annual training specific to the organization.

Procedure D: Resident Restorative Practices Mentor Duties

1. At the beginning of every session with youth, the Resident Restorative Practices Mentor (RRPM) shall inform the youth:
 - a. their continued 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 RRPM 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.

2. An RRPM’s duties include, but are not limited to:
 - a. holding restorative practices mentoring circles with youth being mentored;
 - b. if applicable, holding restorative practices conferences with youth and their parent(s)/guardian/legal custodian;
 - c. providing support, coaching, and assistance to mentored youth in navigating healthy, prosocial lifestyles;
 - d. implementing other activities with the approval of the Associate Commissioner of Juvenile Services, or designee, e.g., peer-facilitated courses, mindfulness programs, such as yoga, meditation, and breath work (if certified), etc.; and
 - e. notifying the adult facility Chief Administrative Officer, or designee, if there are concerns related to a youth’s mental health (threat of serious harm to self or others); reasonable suspicion of abuse or neglect of a child or dependent or incapacitated adult; and/or threat to the security of any Department facility.

3. The RRPM shall provide a written plan to the adult facility Restorative Justice Coordinator, or other designated facility staff, prior to beginning the mentoring sessions, to include:
 - a. dates and times of sessions;
 - b. names of participants;
 - c. topics to be covered during the sessions; and
 - d. any materials to be used (written materials, videos, etc.).

The Restorative Justice Coordinator, or other designated facility staff, shall determine whether the plan is appropriate and require changes if it is not.

4. The Resident Restorative Practices Mentor (RRPM) shall provide to the facility Restorative Justice Coordinator, or other designated facility staff, after the mentoring sessions are completed, post-session notes describing how the sessions went as a general matter.

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5. The RRPM shall not retain in their possession or disclose any documents containing the names of youth who they are mentoring, except as required by this policy.
6. Upon request, the facility Restorative Justice Coordinator, or other designated facility staff, shall provide a copy of the written plan and/or post-session notes to the Associate Commissioner of Juvenile Services, or designee; the Department's Juvenile Restorative Justice Coordinator, or designee; the adult facility Chief Administrative Officer; and the Superintendent of LCYDC, the RCA, or the administrator of the community youth organization (depending on who has custody of, supervision of, or other responsibility for the youth).
7. This documentation shall be retained in accordance with the Department's record retention schedule.

Procedure E: Resident Restorative Practices Mentor Prohibitions

1. A Resident Restorative Practices Mentor (RRPM) shall not:
 - a. share the name, or any other personal identifying information, of a youth with whom they are working, except as required by this policy (e.g., in connection with a report of child abuse);
 - b. pass along any messages between the youth and any of their family, household members, or friends residing within a Department facility or any of their family, household members, or friends residing in the community;
 - c. discuss a youth's offenses, if any;
 - d. use "war stories" (however, using stories is appropriate when intentionally used for inspiration/educational purposes and as long as there is no glorification of criminal behavior);
 - e. use "scared straight" tactics;
 - f. have planned contact with a juvenile resident or juvenile community corrections client while the RRPM is on a furlough, community transition release (work release, education release, or public restitution release), on a community work crew, or otherwise in the community; or
 - g. have planned contact with a juvenile resident or juvenile community corrections client after the mentor's release from incarceration or become a visitor with a juvenile resident after the mentor's release from incarceration, except if the mentor becomes a volunteer after release from incarceration as set out in Department policies or otherwise receives approval from the RCA or the Superintendent, as applicable, and the juvenile's parent(s)/guardian/legal custodian (if the juvenile is not emancipated).

Procedure F: Suspension or Termination of Assignment

1. A Resident Restorative Practices Mentor (RRPM) may resign from their assignment as an RRPM at any time for any reason by giving written notice of their resignation to the adult facility Restorative Justice Coordinator, or other designated facility staff. Unless otherwise specified in the notice, the resignation shall take effect two weeks after receipt by the facility Restorative Justice Coordinator, or other designated facility staff. The resignation shall not have any negative consequences for the RRPM.

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2. An RRPM shall be terminated from their assignment as an RRPM if the adult resident:
 - a. is no longer in general population;
 - b. receives a drop in their privilege level to level 2 or level 1;
 - c. receives a drop in their privilege level to level 3 and is not advanced to level 4 within two months of the drop (note: the RRPM shall be suspended from participating in the program while on level 3);
 - d. is released from incarceration;
 - e. is found guilty of a disciplinary violation (note: if the disciplinary report is for a PREA or sex related disciplinary violation, the RRPM shall be suspended from participating in the program while the charge is pending);
 - f. is found guilty of a sex offense, no matter when it occurred (note: the RRPM shall be suspended from participating in the program while the charge is pending);
 - g. is found guilty of another criminal offense that occurred while the resident was an RRPM;
 - h. does not fulfill any of the duties described in this policy;
 - i. violates any of the prohibitions set out in this policy, regardless of whether staff requested or encouraged the resident to commit the violation;
 - j. violates the code of ethics; or
 - k. harms a youth or puts a youth at risk of harm.
3. An RRPM may be terminated from their assignment as an RRPM for any reason for which a resident may be terminated from any work assignment.
4. An RRPM may be terminated from their assignment as an RRPM at any time for any reason in the complete discretion of the Commissioner, or designee.
5. In the event of a resignation, termination, or suspension, the adult facility Chief Administrative Officer, or designee, shall notify the Associate Commissioner for Juvenile Services, or designee; the Department's Juvenile Restorative Justice Coordinator, 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), and shall note these notifications and the reason for a termination or suspension in CORIS.
6. If a resignation, suspension, or termination occurs, the adult facility Chief Administrative Officer, or designee, may approve a closure session to allow for a final meeting between the adult resident and the youth to ensure that the youth is informed that the resignation, suspension, or termination was not their fault. If a closure session is not approved, the Chief Administrative Officer, or designee, shall ensure that the youth is notified that the adult resident will no longer be working with them and that it was not their fault.
7. The Department's Juvenile Restorative Justice Coordinator, or designee, shall take steps, if appropriate, in accordance with Department Policy (JF) 19.16 & (JCC) 9.16, Restorative Practices Youth Mentoring Program, to match another RRPM with the youth.

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Procedure G: Reporting Requirements

1. A Resident Restorative Practices Mentor (RRPM) shall, as soon as practicable, report to the adult facility Chief Administrative Officer, or designee, any suspected abuse or neglect of a child or dependent or incapacitated adult.
2. The adult facility Chief Administrative Officer, or designee, to whom the RRPM reports shall, as soon as practicable, forward the report to the LCYDC Superintendent, the RCA, or the administrator of the community youth organization, or their designees, if applicable.
3. The adult facility Chief Administrative Officer, or designee, to whom the RRPM reports the suspected abuse or neglect shall also ensure the RRPM is assisted in reporting it to the Maine Department of Health and Human Services (DHHS) as soon as practicable and is also assisted in any follow up with the RRPM required by DHHS.
4. Documentation of the report and any related documentation shall be maintained by the adult facility Chief Administrative Officer, or designee, and be retained in accordance with the Department's record retention schedule.
5. An RRPM shall, as soon as practicable, report to the adult facility Chief Administrative Officer, or designee, any concern related to a youth's mental health (threat of serious harm to self or others). The adult facility Chief Administrative Officer, or designee, to whom the RRPM reports shall, as soon as practicable, forward the report to the LCYDC Superintendent, the RCA, or the administrator of the community youth organization, or their designees, as applicable.
6. An RRPM shall, as soon as practicable, report to the adult facility Chief Administrative Officer, or designee, any threat to the security of any Department facility. The adult facility Chief Administrative Officer, or designee, to whom the RRPM reports shall take appropriate action in response to the report, including, if applicable, notifying the Chief Administrative Officer, or designee, of any other Department facility to which the threat relates.

Procedure H: Recordkeeping

1. The following documents shall be maintained in each RRPM's unit file:
 - a. Resident Restorative Practices Mentor Application;
 - b. Resident Restorative Practices Mentor Review and Approval form;
 - c. Signed Resident Restorative Practices Mentor Code of Ethics;
 - d. training records (entry-level and annual);
 - e. Resident Restorative Practices Mentor Training Certificate;
 - f. contract between the RRPM and a community youth organization, if any; and
 - g. notice of resignation, if any.
2. The RRPM's pre-sessions plan and post-sessions notes shall be maintained by the adult facility Restorative Justice Coordinator, or other designated facility staff, and be retained in accordance with the Department's record retention schedule.

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3. Any intra-Departmental agreements and any Memorandum of Agreement (MOA) with a community youth organization shall be retained in accordance with the Department's record retention schedule.
4. The training required to be provided to community youth organization staff in connection with monitoring shall be documented by the trainer, to include the name and date of the training, the duration of the training, the name of the trainer, and the name of staff trained, as well as the organization they work for. This documentation shall be retained in accordance with the Department's record retention schedule.

VIII. PROFESSIONAL STANDARDS

None

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