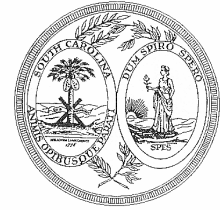




The South Carolina Department of Juvenile Justice

Community Juvenile/Youth Arbitration Program



OVERVIEW

The Community Juvenile/Youth Arbitration Program is a community-based program that provides fast track accountability for first-time youthful offenders charged with committing a nonviolent crime. These youths are diverted from the formal justice system to an arbitration hearing or conference conducted in or near their communities. Trained volunteer arbitrators conduct the hearings/conferences and monitor the youths' progress throughout the program, which is authorized to operate by Solicitor's Offices in all 16 judicial circuits in South Carolina.

The three goals of the Arbitration Program are:

- To hold young offenders accountable for their actions and for the harm they cause to their victims and communities.
- To increase the competency and learning of young offenders so they can become productive, law abiding citizens.
- To ensure public safety by strengthening a community's capacity to prevent and control crime.

The Arbitration Program is an excellent example of balanced and restorative justice. Volunteers from the communities in which the youths and victims live are the lifeblood of the program. The citizen volunteers guide the development of common-sense solutions to divert at-risk youths from the justice system.

PROGRAM BASICS

Participants in the arbitration process include a trained citizen volunteer, the youthful offender and his or her parent(s)/guardian, the crime victim, and the arresting officer. The youth's participation is voluntary and requires an admission of facts or guilt. After determining the facts of the case, the arbitrator works with all participants to establish agreeable and appropriate sanctions for

the youth to complete, ensuring that he or she repairs the harm caused to his or her victim(s) and community and learns from the experience.

These actions may include:

- Paying monetary restitution
- Performing a community service
- Making a charitable donation
- Attending educational programs
- Participating in gang awareness programs
- Participating in counseling
- Writing topical essays
- Apologizing to the victim(s)
- Attending substance abuse programs
- Participating in victim impact panels
- Visiting correctional institutions or making other appropriate field trips

Successful completion of the Arbitration Program enables the youth to make amends for his or her actions and avoid formal prosecution in court. If the youth does not successfully complete the program, he or she is referred to court for prosecution.

The Arbitration Program does not accept violent offenders, previous diversion program participants, or truants and other status offenders.

PROGRAM SUCCESS

The Juvenile/Youth Arbitration Program has experienced much success across South Carolina, as demonstrated by the following most recent annual program outcomes:

- 91% overall success rate of juvenile participants (only 9% of juveniles re-offend within 2 years of completing the program).
- 5,294 youth referred to program.
- 33,234 hours of community service work completed by youth.
- 770 community service work sites utilized.
- \$49,682 paid to victims for reparation.

PROGRAM VOLUNTEERS

The success of the Community Juvenile/Youth Arbitration Program depends on community participation and volunteerism. The volunteer arbitrators come from all walks of life, and are the heart and soul of the program. Each volunteer arbitrator must be:

- Screened by the South Carolina Law Enforcement Division and the South Carolina Department of Social Services.
- Approved by the Solicitor's Office or Sheriff's Department.
- Trained for 21 hours through the Solicitor's Office or Sheriff's Department. The volunteer arbitrator must also receive 9 hours of follow-up training for each consecutive year of service.
- 21 years old and a high school graduate.

PROGRAM HISTORY

Modeled after a similar program in Florida, the Juvenile/Youth Arbitration Program in South Carolina began when Lexington County Solicitor Donald V. Myers initiated it in the 11th Judicial Circuit in 1983. This circuit includes Lexington, Saluda, Edgefield, and McCormick counties.

After learning of the success of the program in the 11th Circuit, other South Carolina solicitors and family court judges wanted the Arbitration Program implemented in their circuits. The 2nd Judicial Circuit, covering Aiken, Bamberg, and Barnwell counties, became the next circuit to offer the program.

Today, Arbitration Programs operate in all 16 judicial circuits, covering 43 counties:

- **1st Judicial Circuit**
Calhoun, Dorchester, and Orangeburg
- **2nd Judicial Circuit**
Aiken, Bamberg, and Barnwell
- **3rd Judicial Circuit**
Clarendon, Lee, Sumter, and Williamsburg
- **4th Judicial Circuit**
Chesterfield, Darlington, Marlboro, and Dillon
- **5th Judicial Circuit and Richland County Sheriff's Department**
(School-Based Program)

- **6th Judicial Circuit**
Chester, Lancaster, Fairfield
- **7th Judicial Circuit**
Cherokee and Spartanburg
- **8th Judicial Circuit**
Abbeville, Greenwood, Laurens, and Newberry
- **9th Judicial Circuit**
Charleston and Berkeley
- **10th Judicial Circuit**
Anderson and Oconee
- **11th Judicial Circuit**
Lexington, Saluda, Edgefield, and McCormick
- **12th Judicial Circuit**
Florence and Marion
- **13th Judicial Circuit**
Pickens
- **14th Judicial Circuit**
Allendale, Hampton, Colleton, Jasper, and Beaufort
- **15th Judicial Circuit**
Horry (School-Based Program)
- **16th Judicial Circuit**
Union and York

DJJ has been supportive of the Juvenile/Youth Arbitration Program since its inception. The agency currently contributes funds toward the program and serves as the state agency that distributes appropriated funds to each judicial circuit through a contract authorized by each circuit solicitor. In addition, DJJ provides training and technical assistance to all program staff and monitors the progress of the programs in each circuit.

**For more information, call DJJ's
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