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Education Lab

King County tries counseling, self-reflection instead of jail for teens



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1 of 4 Joe Cotton, with the Catholic Archdiocese of Seattle and a member of the Peacemaking Coordinating Team, center, speaks at the King County Juvenile Detention Center at an event marking the first juvenile felony... (Erika Schultz/The Seattle Times) **More** ▼

Attempting to stem the flow of youths into prison, King County court officers are hailing their first juvenile felony case to be handled through restorative justice, rather than traditional prosecution. Two more cases are right behind.



By [Claudia Rowe](#)

Seattle Times education reporter

Through nearly two decades as a prosecutor, Jimmy Hung has often tried to ignore the nagging truth that the hours he spends in juvenile court trying to force young people to answer for their crimes rarely change anything.

Hung, in fact, has piles of [research showing that time in lockup](#) generally does little, aside from making a youth's original problems worse.

As the head of juvenile prosecutions for King County, Hung was wrestling with this quandary when a colleague leaned over during a meeting last winter and mentioned Rimon, a 15-year-old charged with first-degree robbery who might benefit from a different kind of prosecution.

The boy had admitted to stealing a cellphone and two pairs of Air Jordan sneakers from another teen and now faced up to two years imprisonment plus a lifetime of notifying potential employers, landlords and schools of his status as a felon.

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“In my world, being tough and strong and battling in litigation is something we pride ourselves on,” Hung said. “But we know that the more kids are touched by the juvenile justice system, [the worse off they are.](#)”

So the prosecutor took a risk.

Instead of putting Rimon through court, Hung decided that the teen would become King County’s first juvenile defendant to atone for his crime through an alternative approach — a series of intensive conversations, family-counseling sessions and self-reflection aimed at altering his understanding of himself and his crime.

“A lot of the kids we’re seeing don’t have that,” Hung said. “They don’t care about the other person, or they don’t care about their families, or communities. I thought, if we can get every kid in the juvenile system to leave it with that appreciation, we’re going to solve a lot of issues with criminal justice.”

Hung’s leap was the culmination of three years of discussion in King County about keeping more kids out of the justice system.

In Vancouver, Wash., court officials have been [working along similar lines](#) since 2000.

“It helps change the conversation with a young person and humanize what happened. It’s not just about you and the police,” said Eric Gilman, former restorative justice coordinator for Clark County, who now works as a probation manager for that area’s juvenile court. “We’re trying to get them to see, it’s not all about you.”

For Hung, choosing which case would merit this new and unusual treatment was largely a matter of happenstance — a timely suggestion, about a youth with no prior arrests and solid support at home.

Yet the early-going was rough. Rimon was defiant and difficult to reach. Sometimes

[Saroeum Phoung](#), who guided many of the discussions, found himself screaming at the boy.

“He was really defensive at first, full of denial,” said Marcus Harden, a student advocate at Interagency Academy in Seattle, who’d first suggested Rimon for this new method of justice. “It was like, ‘I wanted the shoes and what’s the big deal?’ He just couldn’t see outside of himself.”

But after 108 hours of hearings devoted to Rimon’s charges, his family’s housing status, the relationship between Rimon and his mother, and a peace circle to hammer out his sentence, something shifted.

“I was not being smart, but greedy,” Rimon wrote to the youth he’d robbed. “There were many consequences to you as a victim that I saw, such as the look on your face of being scared, and leading you to think that you could lose your life.”

This process, known as restorative justice, originated in New Zealand and has been [used in criminal cases](#) there since the late 1980s. Because it aims to repair damaged relationships, rather than merely meting out punishment, it can be far more demanding than a traditional route through court.

But in the U.S., restorative justice remains controversial and has been employed primarily to address school discipline.

Big Picture High School in [Highline uses peacemaking circles](#) to handle disputes between students. King County has trained Garfield High School kids to work as restorative mediators, and for about three years, [court officials here](#) have been exploring ways to apply the process to keeping more kids out of juvenile jail.

Initially, Rimon did not strike Hung as a prime candidate. He was facing felony charges and had threatened his victim with a weapon, though it turned out to be a pellet gun.

On the other hand, the prosecutor mused, this was Rimon’s first arrest, and juvenile

lockup had little to advertise its success.

“It looked like a situation with a kid who, depending on how we handled it, could go one of two ways,” Hung said. That case-by-case approach will guide restorative justice for juvenile crimes for the foreseeable future.

Last week, the nine months that Rimón spent talking with his lawyer, prosecutor and mentors culminated in a sentencing resolution: 96 hours of community service over the next year, most of it devoted to leading restorative circles for other students. Rimón must also maintain good grades and a part-time job. If all goes well, the felony charge will be cleared from his record.

“I have respect for all of you,” he concluded the letter to his victim, acknowledging the many people who might read those words.

Last week, 200 of them were sitting in the lobby at juvenile court that had been turned into a gallery for onlookers. Some wiped away tears.

“I know it sounds fluffy, but I saw him change,” Harden said. “I knew prison would have broken Rimón — he surely wouldn’t have come out a better adult. But I am 99 percent confident now that he won’t commit another crime.”

Wesley Saint Clair, presiding judge at juvenile court, characterized the journey as the most meaningful experience in his 25 years on the bench. Yet he, too, had felt moments of deep discomfort with the demands of restorative justice.

“I’m a man of science and intellect, so to sit in a circle with folks I don’t know and go to feelings and share intimate emotional challenges, I struggle with it,” Saint Clair said. “But I saw the development of empathy in this kid — not just sympathy. Not just ‘I’m sorry I did that.’ It was a deeper understanding of the impact of what he did.”

Already, there are two new juvenile robbery cases in the pipeline.

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Page 6 of 7

