The School-Based Youth Arbitration Program is an intervention option for first time, non-violent student offenders. The overall intent of the program is to change the way schools handle student crime. The purpose is to restore safety within the school, and at the same time, prevent at-risk students from entering the justice system. The program is based upon the principles of restorative justice and provides an effective means of addressing student safety, reducing reliance on suspension, expulsion and police charges while reintegrating offending students back into the school community. The restorative approach focuses on a three-way relationship between the needs of the victims, student offenders, and the school community.

The newly developed program is the first South Carolina arbitration program operated by a law enforcement agency. The School-Based Youth Arbitration Program is modeled after the Community Juvenile Arbitration Program within several Judicial Circuits in South Carolina. The program is in partnership with the 5th circuit solicitors office and the Department of Juvenile Justice.

Contact Youth Arbitration Program Director, for questions or concerns.
Arbitration is mediation to settle a dispute. It allows student offenders who have made a mistake to avoid incarceration by completing a series of tasks such as community service, restitution, educational components, and a variety of other assignments or sanctions.

The goals of the Youth Arbitration Program are:
- To hold student offenders accountable for their actions by restoring the harm they cause to their school and victims.
- To increase the competency and learning of student offenders so they can become productive, law abiding citizens.
- To ensure school safety by strengthening the school’s ability to prevent and control crime and wrongdoing.

Arbitrators

Arbitrators are volunteers from the community who wanted to make a difference in the community. Arbitrators are trained to conduct conferences or hearings of the student offenders. They receive 21 hours of training to become certified.

They conduct arbitration hearings and impose sanctions on students and follow-up with them.

Restorative Justice

Restorative justice offers a solution to the problem by holding the offender accountable for their actions. This allows for active participation of all parties involved. The arbitrator may impose certain sanctions to the student that is tailored to fit his/her particular crime. These sanctions include but are not limited to:
- Apology to the victim(s) written & verbally
- Paying monetary restitution
- Community service
- Attending educational seminars
- Writing essays
- Making charitable donations
- Participating in victim impact education
- Service learning projects
- Participating in appropriate field trips (prison tours, coroner’s tours, etc)

Balanced and Restorative Justice is a response to a crime that allows for active participation of victim, offender, and community in the justice process. It is a values framework which recognizes that justice is achieved by building, or rebuilding, relationships between crime victims, community, and offenders.

Arbitration Process

1. Student (age 12—16 and enrolled in school) is taken into custody for a misdemeanor.
2. Student is said to be a good kid who made a mistake.
3. Student is offered the Youth Arbitration Program by a School Resource Officer or Law Enforcement Officer.
4. A referral is sent to the Youth Arbitration office for the student to participate in arbitration.
5. Student is scheduled for a conference with all parties involved (Arbitration hearing).
6. Student admits guilt of crime and goes through process with volunteer arbitrator.
7. The assigned arbitrator imposes sanctions.
8. All parties agree with sanctions and sign a dispositional agreement.
9. Student has 90 days to complete sanctions. Arbitrator follows up with student periodically.
10. Student completes the program and maintains a clean record.

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