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Sentencing 'circle' aims to rebuild lives

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Most offenders don't have a courtroom cheering section that includes respected Hmong elders and recently retired Ramsey County Chief District Judge Lawrence Cohen. Mouna Yang's case however, was the first handled by the Hmong Circle of Peace, a restorative-justice group made up of Frogtown residents, Hmong leaders, and key figures

from the justice system instead of shifting the case through the courts, circle members spent nearly a year delving into cultural issues that contributed to the 28-year-old man's behavior. The result is a sentence of two years of volunteering for the Circle of Peace, furthering his education, completing a domestic-abuse program, hosting an apology dinner for his in-laws and spending at least one hour a week alone with his wife. If Mouna Yang meets all the requirements, charges will be dismissed.

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Circle members said talking about cultural issues with Mouna Yang helped them examine their own lives and find balance between traditional customs and life in Minnesota. "This Circle of Peace helps me build myself and find truth for myself," Hmong elder Pang Chang Kong said in court. "This is also the best outcome for the victim and the defendant. We hope they are able to rebuild their lives today."

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CIRCLE OF PEACE, 12A

Circle of Peace

the St. Paul court. "I have since changed my opinion. There were times you came to tears and there were others who were also close to tears." Mouna Yang, choked up again Friday when he greeted the cir-

cle members who crafted a sentence they hope will make him a violence-free husband. He pledged to take his wife to dinner or a movie during their weekly time together. "I've learned wonderful things about myself, and I've learned things that will help empower my community," he said through an interpreter, as elders lined up to congratulate him with hugs and handshakes. Although circles have been widely used among African-Americans and American Indians, the St. Paul group is believed to be the first devoted to Hmong defendants and victims. Cohen said he began looking into the circle process in the early 1990s after several high-profile Hmong cases revealed a cultural divide between members of that community and the courts.

Circle members must agree to accept the misdemeanor cases which are recommended by attorneys and agreed upon by all parties. Once a defendant has entered a plea and the case is removed from court, the victim and offender talk about the matter separately in confidential community meetings where attorneys appear only as discussion participants. The case doesn't return to a courtroom until the sentencing. Joy Bartscher, the public defender who represented Mouna Yang, told the judge there are still kinks to work out regarding access to legal advice for the circle participants. Her client, for example, ended up with a longer probation period than the normal sentencing guidelines recommend. But Bartscher, who said she was impressed with the change in her client, made no formal objection because Mouna Yang preferred to work with the program.

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St. Paul Pioneer Press
March 2, 2002