

A MEANS OF HEALING THROUGH

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# RESTORATIVE JUSTICE

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Abigail Crocker & Jon Kidde | March 24, 2021

### OPENING

- ▶ Consider (1) the values you uphold when you are at your best.
- ▶ In pairs, introduce your self and share 1 -2 values you uphold when you are at your best.
- ▶ Go to <https://pollev.com/jonkidde587> and enter your value(s)

Share one value or characteristic that describes you when you are at your best.



A word cloud featuring various values and characteristics. The words are arranged in a cluster, with some being significantly larger than others. The colors of the words include shades of purple, blue, green, brown, and pink. The words are: empathy, hearing, listening, respect, collaboration, thoughtful, operating, kind, open, solution, talking, others, sound, growth, committed, talents, vulnerability, integrity, ethically, treating, communication, honesty, trust, gifts, and a small 'Full screen' button.

# WORKSHOP OBJECTIVES

By the end of this workshop you will have:

- ▶ Identified personal values and related them to RJ.
- ▶ Developed a list of key points to describe restorative justice
- ▶ Participated in a basic circle process.
- ▶ Considered opportunities for application.

# WHY ARE WE TALKING ABOUT RESTORATIVE JUSTICE?



### WHAT EVIDENCE IS THERE?

Restorative Justice programs and practices have been found to:

- ▶ Reduce re-offense after violence and property crimes (reducing further victimization)
- ▶ Reduce crime victims' post-traumatic stress symptoms and related costs
- ▶ Reduce crime victims' desire for violent revenge

### WHAT EVIDENCE IS THERE?

Restorative Justice programs and practices have been found to:

- ▶ Foster greater satisfaction among victims and offenders
- ▶ Exceed compliance rates as compared to court-ordered sanctions
- ▶ Provide significant cost-benefits as compared to probation

### SOURCES

- ▶ Sherman, L. & Strang, H. (2007) Restorative Justice: the evidence. London, uK.: The Smith Institute.
- ▶ Sherman, L., Strang, H., et al, (2014) Are Restorative Justice Conferences Effective in Reducing Repeat Offending? [springerlink.com](http://springerlink.com).
- ▶ Furman, J. (2012) Executive Summary: An Economic analysis of Restorative Justice." Boston, MA: University of Massachusetts– Boston.



# OUTCOMES & INDICATORS (SCHOOLS)

### Reduced...

- ▶ Suspensions and expulsions
- ▶ Behavioral referrals
- ▶ Racial disparities in exclusionary discipline
- ▶ Absenteeism and tardiness
- ▶ Teacher turnover

### Increased...

- ▶ Belonging and agency
- ▶ Academic performance
- ▶ Teacher satisfaction
- ▶ Parental satisfaction with school response
- ▶ Social emotional capacity (Student identified)

See Restorative Justice in Schools: Outcomes and Indicators handout for references

SO,  
WHAT IS



RESTORATIVE  
JUSTICE?

# “RESTORATIVE JUSTICE IS A COMPASS NOT A MAP”\*

- ▶ Is not necessarily new
- ▶ Is NOT a program
- ▶ Is a way of thinking, a philosophical framework
- ▶ It is a way of responding relationally to wrong doing in our justice system, workplaces, schools, and communities
- ▶ In many places it has evolved beyond responding to wrongdoing

**\*(ZEHR, 2002)**

## STANDARD VS. RESTORATIVE

### QUESTIONS (ZEHR)

- ▶ What rule was broken?
- ▶ Who did it?
- ▶ What's the punishment?
- ▶ Who has been affected?
- ▶ What are their needs?
- ▶ How do we address them?

## STANDARD VS. RESTORATIVE ASSUMPTIONS

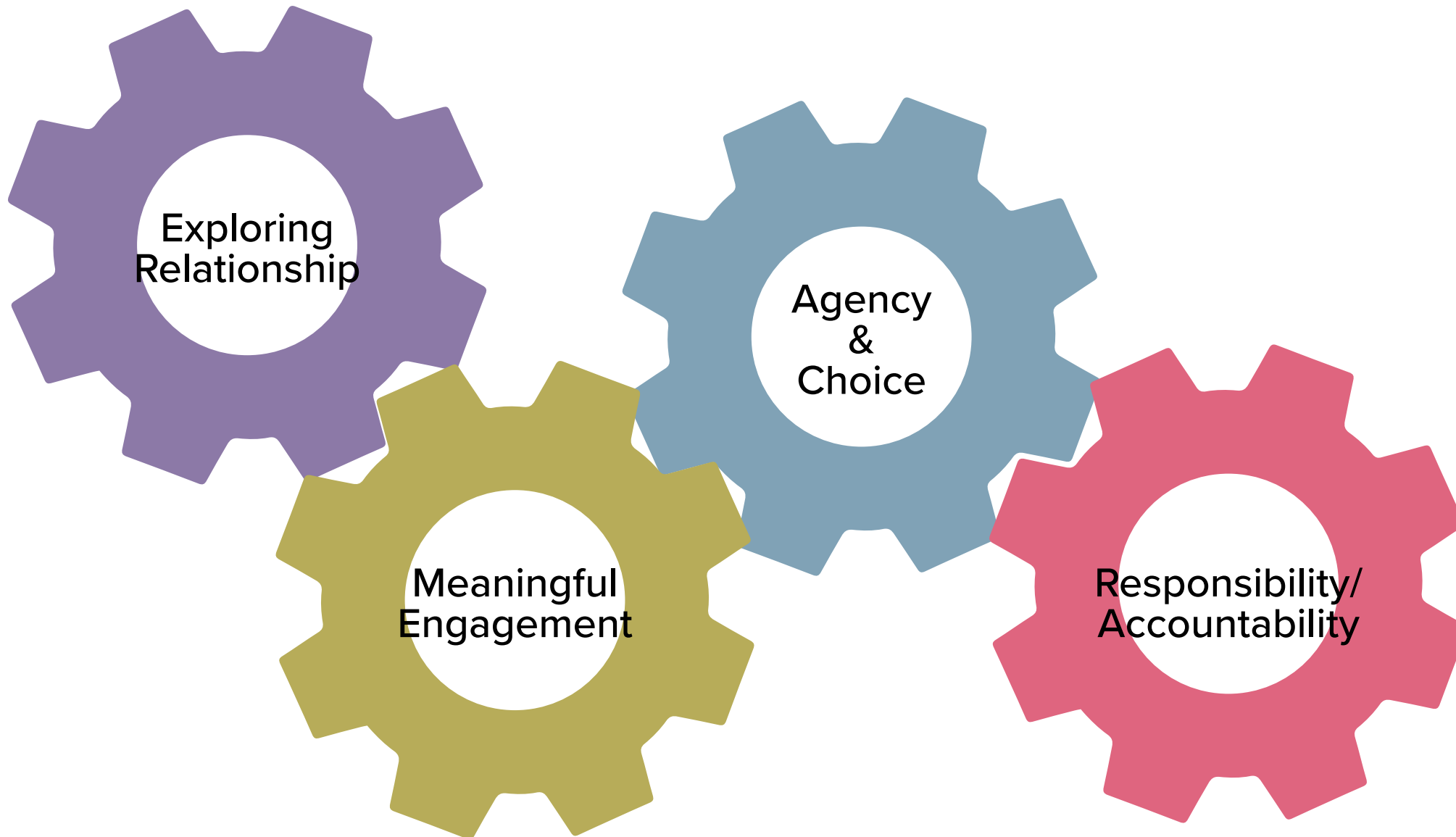
- ▶ Rule violation is paramount
- ▶ Response targets offender
- ▶ Punishment is just
- ▶ Wrongdoing harms people and relationships
- ▶ Harm creates needs
- ▶ Obligation is to heal and “put right” the harms

## WORLDVIEW

▶ **SOCIAL CONTROL**

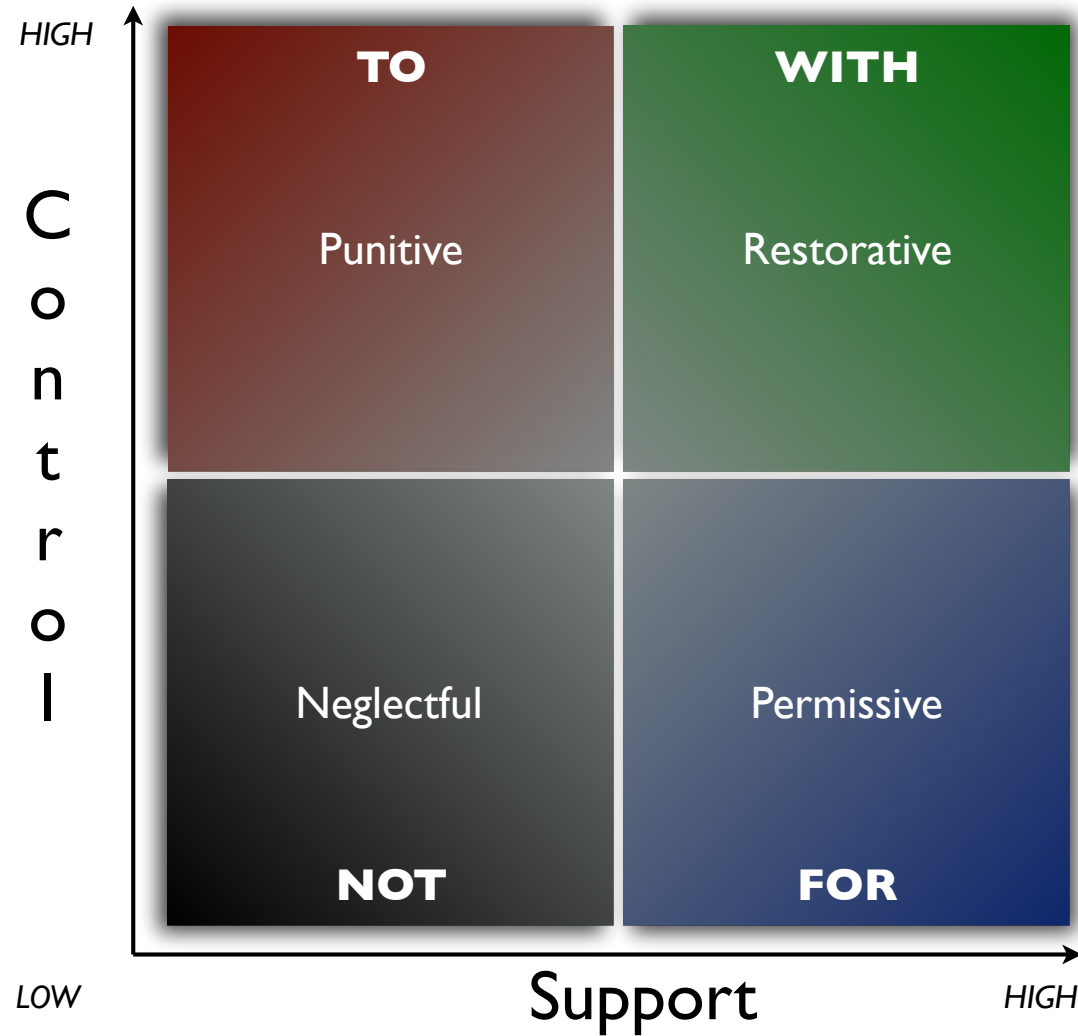
▶ **SOCIAL ENGAGEMENT**

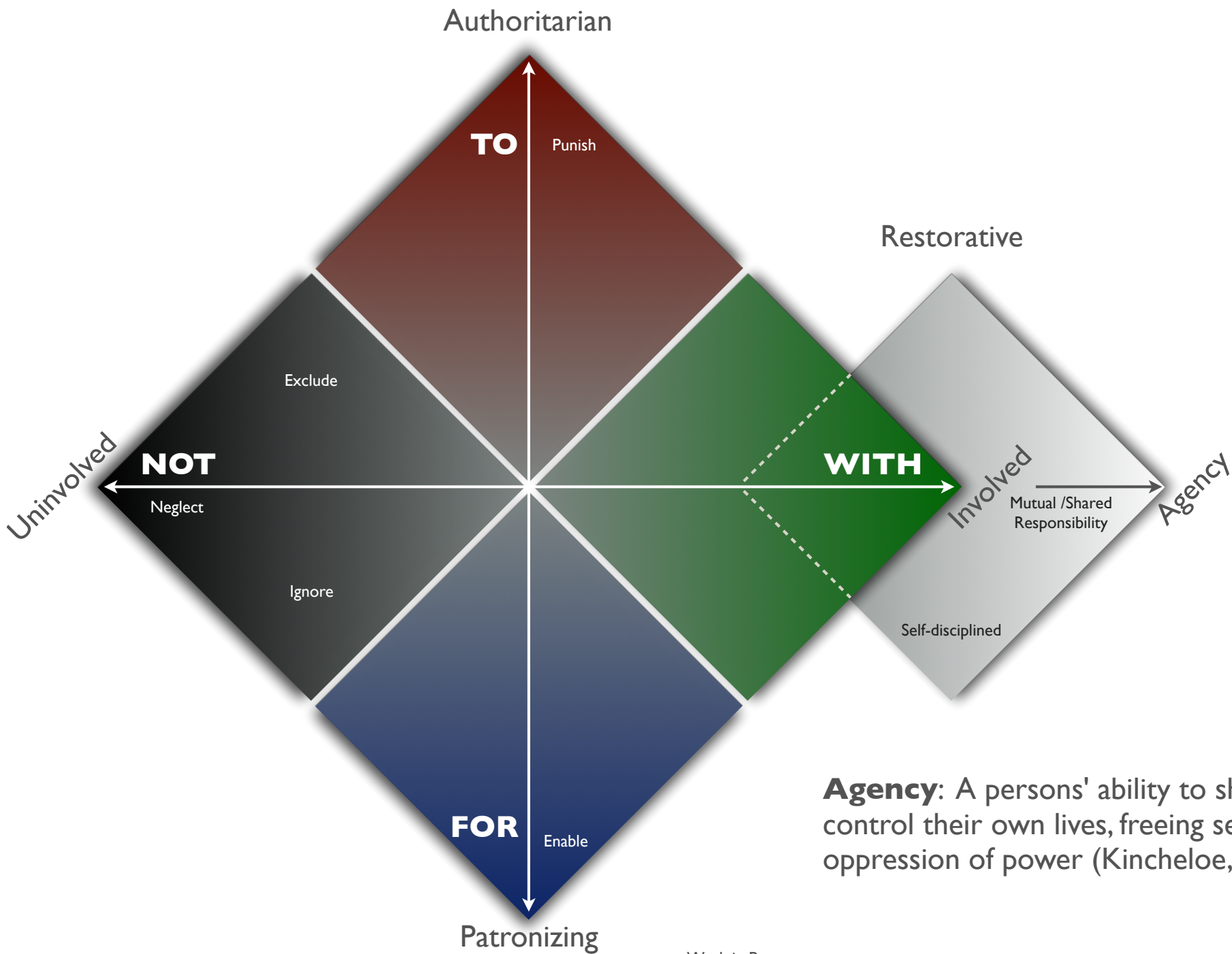
# RESTORATIVE PRINCIPLES



# SOCIAL DISCIPLINE WINDOW

(McCold & Wachtel, 2003)





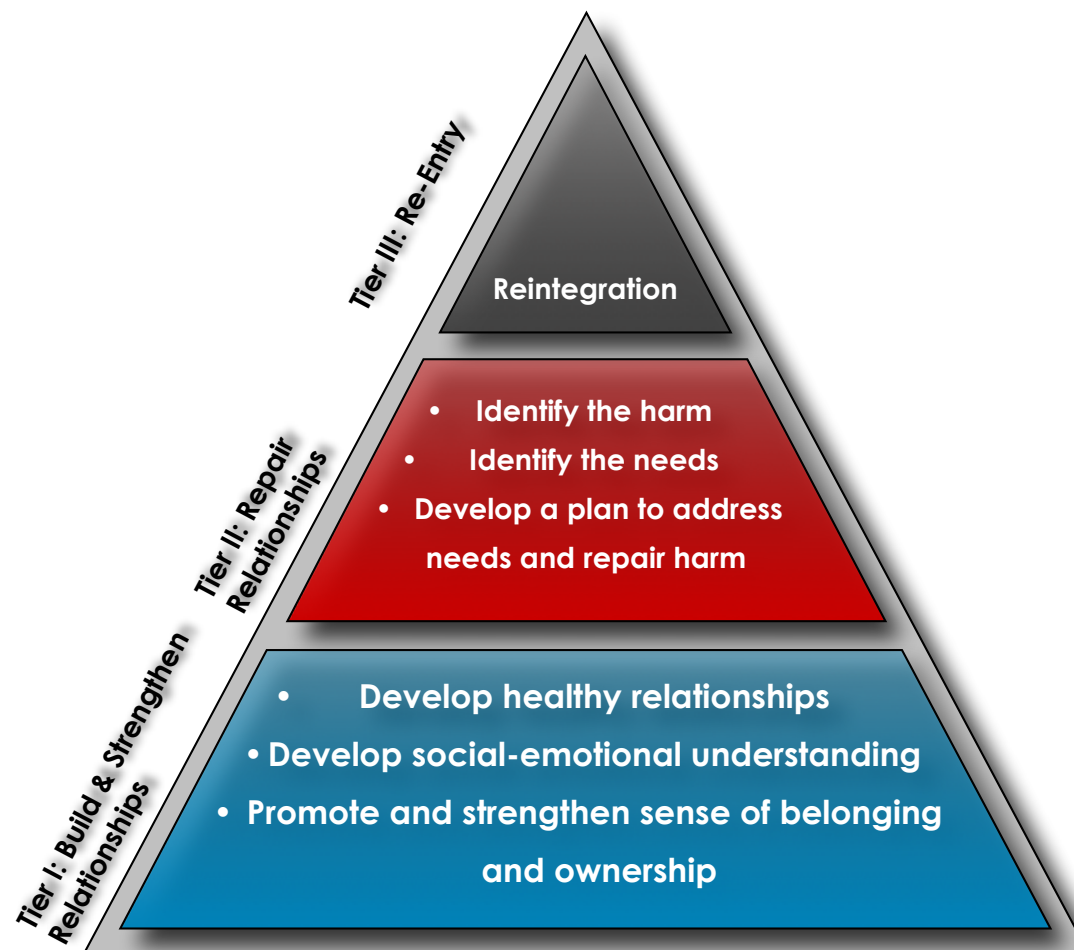
**Agency:** A persons' ability to shape and control their own lives, freeing self from the oppression of power (Kincheloe, 2008)



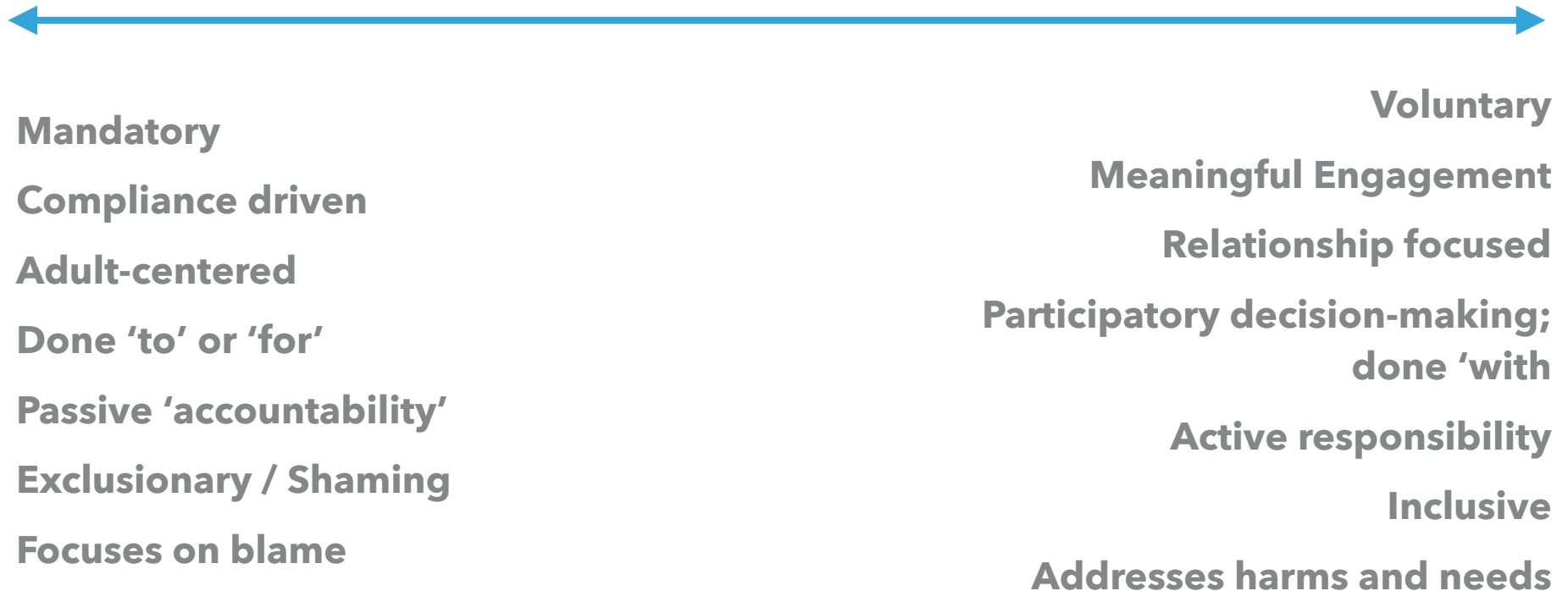
## BALANCE IN THE PROCESS: A FRAMEWORK FOR PRACTICE



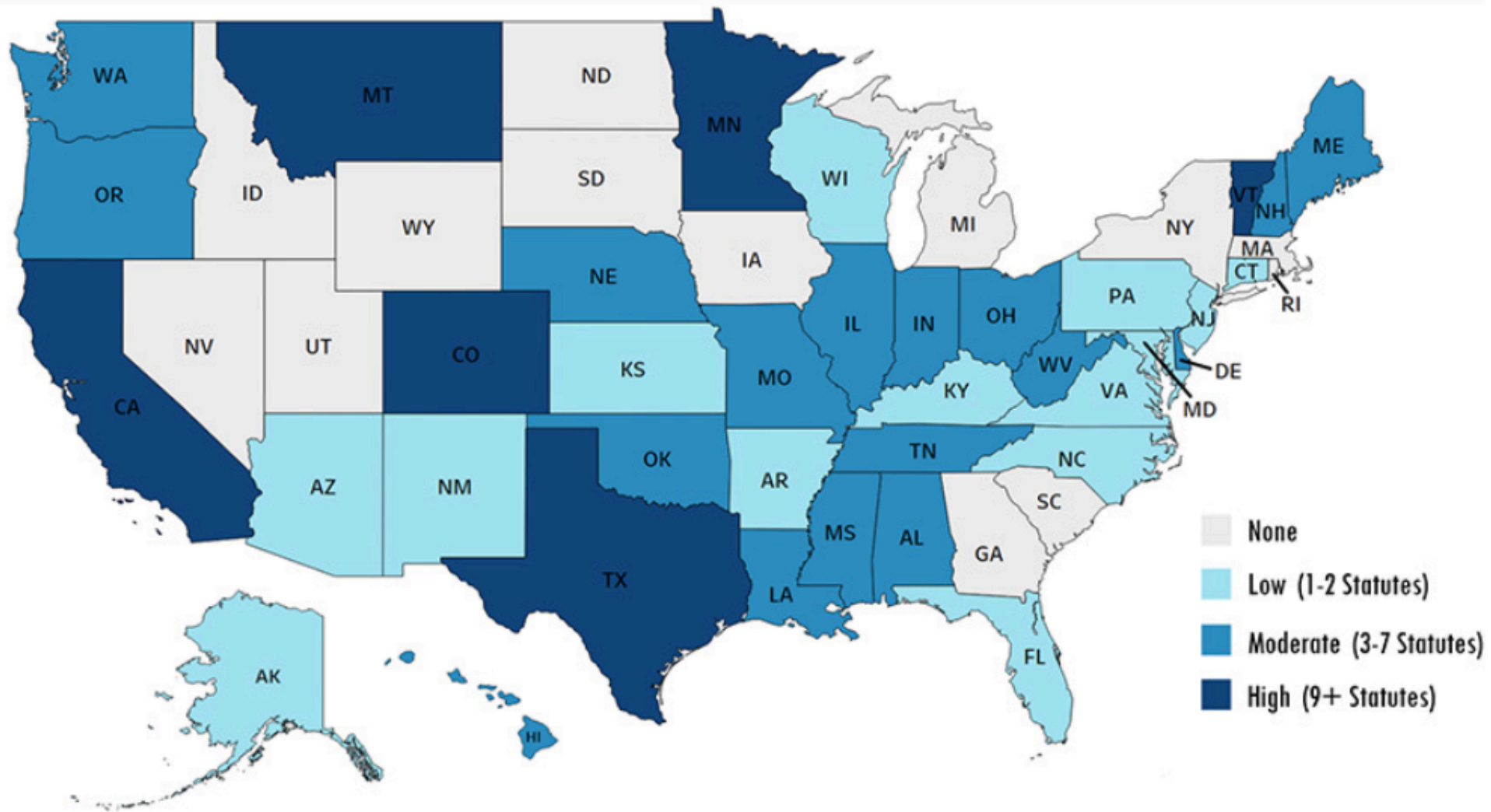
# WHOLE SCHOOL APPROACH



# RESTORATIVE CONTINUUM



# STATUTORY SUPPORT FOR RESTORATIVE JUSTICE IN THE US



Source: Shannon Sliva, University of Denver, 2019

<https://socialwork.du.edu/content/restorative-justice-laws#legislativedirectory>

# COMMON RESTORATIVE JUSTICE APPLICATION AREAS

## WHOLE-SCHOOL RESTORATIVE APPROACHES (K-12)

PROACTIVE COMMUNITY BUILDING  
REPAIR RELATIONSHIPS  
RE-ENGAGEMENT

## CAMPUS RJ (HIGHER EDUCATION)

RESIDENTIAL  
CAMPUS INFRACTIONS  
ACADEMIC DISHONESTY  
ADDRESS SEXUAL AND GENDER-BASED VIOLENCE

## LEGAL SYSTEM

INFORMAL (NO LEGAL INVOLVEMENT)  
POLICE OR PROSECUTION (PRE-CHARGE)  
PROSECUTION (POST CHARGE /PRE-CONVICTION)  
COURT (POST-CONVICTION / PRE-SENTENCE)  
PROBATION / CORRECTIONS (POST-SENTENCE)  
PAROLE OR CBO (POST CONFINEMENT RE-ENTRY)

T  
VICTIM INITIATED  
(PARALLEL JUSTICE)  
SUPPORT AND ADDRESS  
VICTIM NEEDS

I

# OTHER RESTORATIVE JUSTICE APPLICATION AREAS

COMMUNITY CONFLICT

CHILD-WELFARE

HUMAN RIGHTS COMMISSION

ENVIRONMENTAL REGULATION  
RESPONSIVE REGULATION

HEALTH CARE

ELDERCARE

WORKPLACE

STAFF CIRCLES AND TEAMING

BUILDING STAFF CAPACITY TO ADDRESS & WORK THROUGH CONFLICT

RESTORATIVE JUSTICE

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**RESEARCH**

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## CRIMINAL JUSTICE SYSTEM

A diagram showing the components of the Criminal Justice System. It consists of a light blue outer rectangle containing a darker blue inner rectangle. Inside the inner rectangle, the words 'Law Enforcement', 'Courts', 'Jails & Prisons', and 'Re-entry' are arranged horizontally from left to right.

Law  
Enforcement

Courts

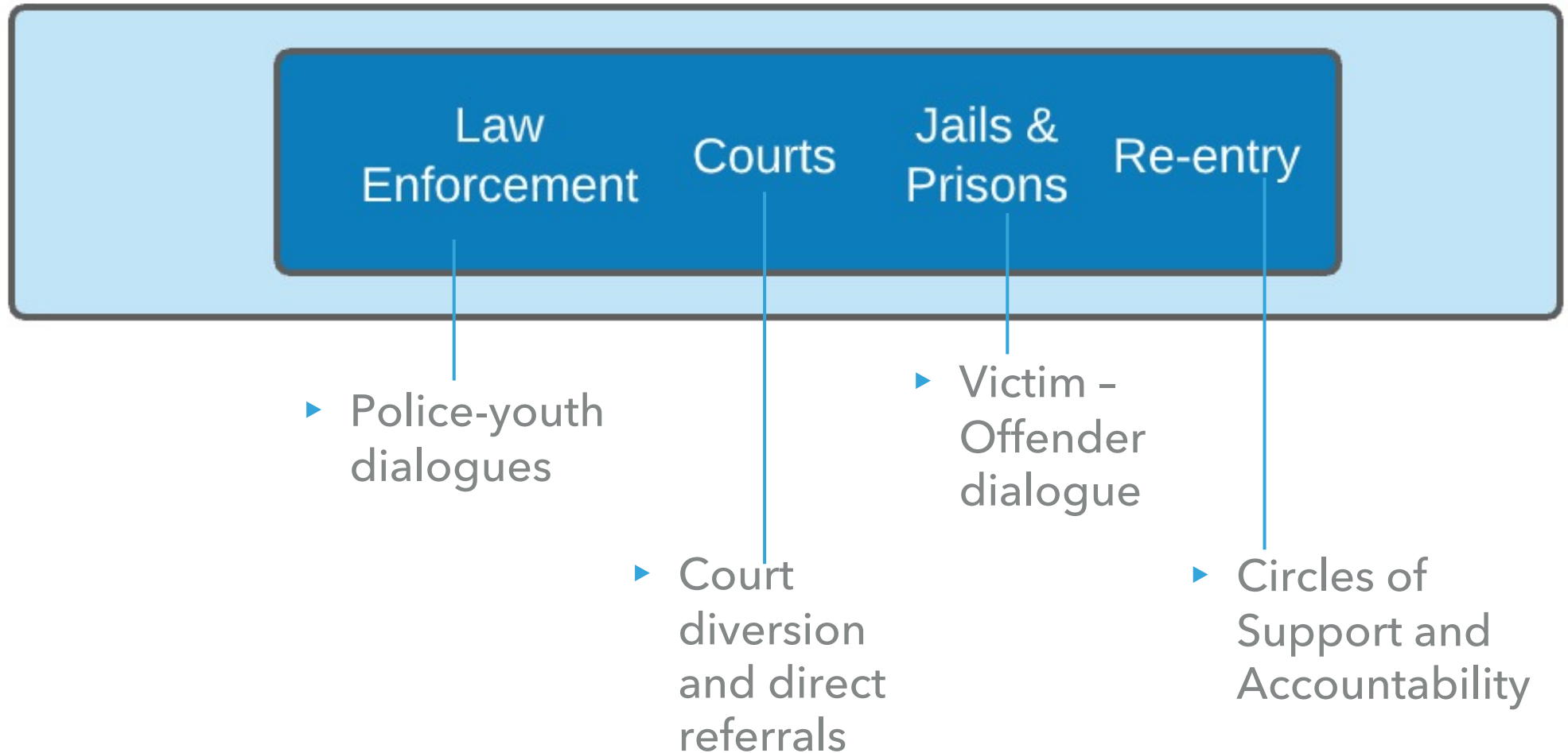
Jails &  
Prisons

Re-entry

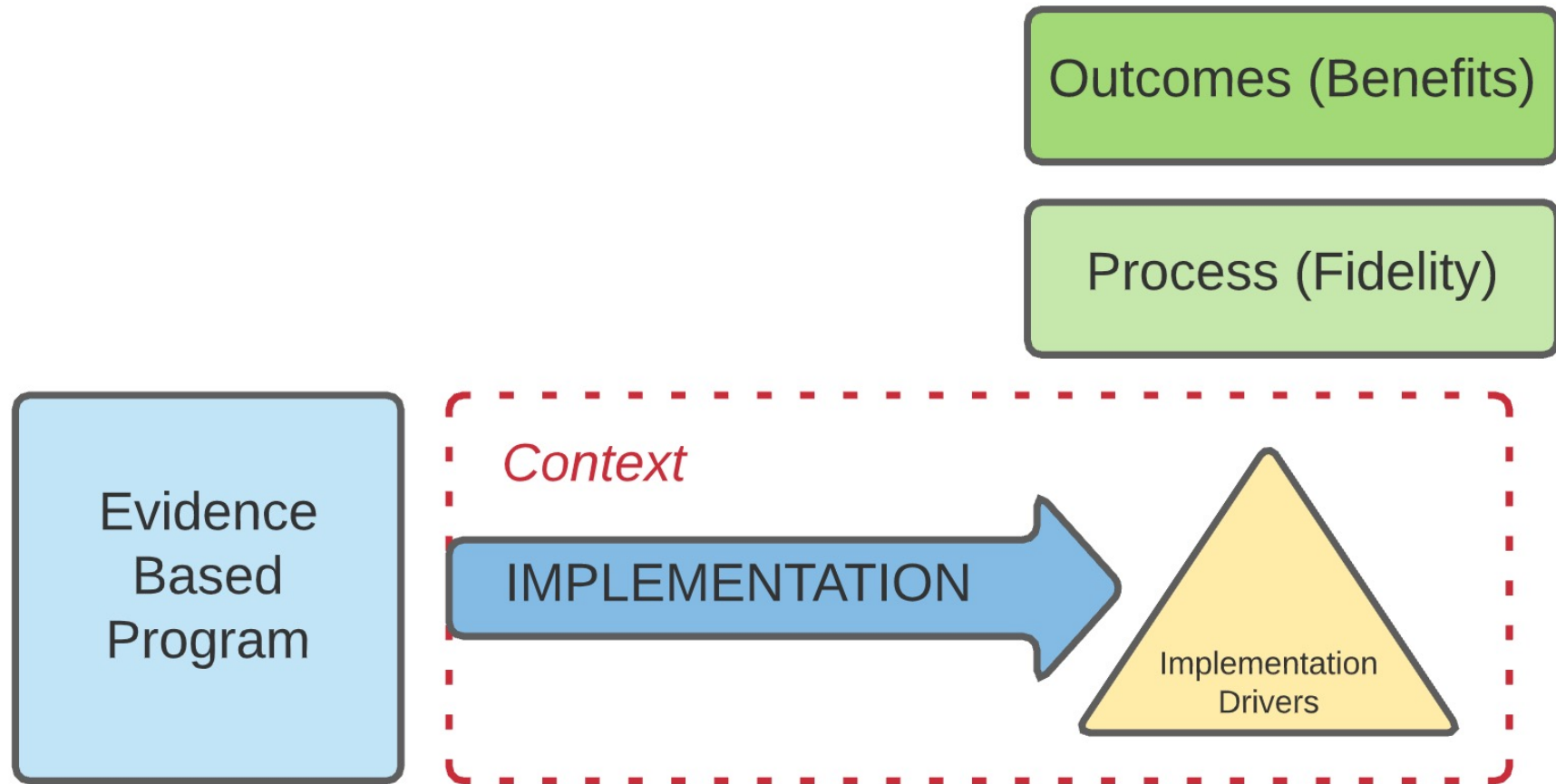
- ▶ High incarceration
- ▶ Low victim satisfaction
- ▶ High rates of re-offense
- ▶ High costs
- ▶ Systemic inequities



# EVIDENCE BASED PROGRAMS



## IMPLEMENTATION



# EXAMPLE #1 – WOMEN'S PRISON PROJECT

- Local and Regional partnership among academics and corrections leaders in Maine and Vermont
  - Chittenden Regional Correctional Facility, Vermont
  - Maine Department of Corrections
  - Justice Policy Center, University of Southern Maine
  - Justice Research Initiative, University of Vermont



### EXAMPLE #1 – WOMEN'S PRISON PROJECT

- Vermont's women's prison is working towards the expansion of evidence-based systems change, including implementing a restorative unit within the facility (Fall 2021)
  - PLAN
  - ACT
  - RESULTS



### EXAMPLE #2 – PRISON RESEARCH & INNOVATION NETWORK

- Local and National Partnership
  - 5 states focused on improving prison environments and culture.
  - Urban Institute and Arnold Ventures
- Emphasizes a “bottom-up” approach to systems change, using Participatory Research Methods.



## EXAMPLE #2 – PRISON RESEARCH & INNOVATION NETWORK

- ▶ Build community and trust
- ▶ Conduct research....circles as focus groups!
- ▶ Support researcher – practitioner partnership
- ▶ Identifying innovations

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- ▶ Local change informs national change

## RESEARCH PARTNERSHIPS

- ▶ Local
  - ▶ Contribute to the success and sustainability of programs
  - ▶ Add to evidence base
- ▶ National
  - ▶ Broader systems change
  - ▶ Reproducibility

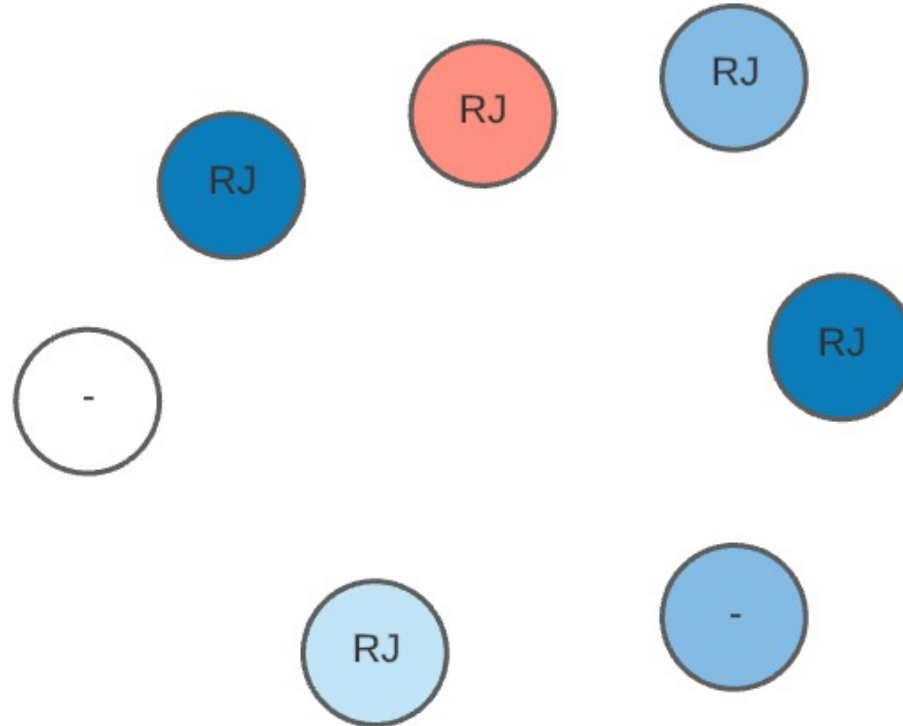
# NATIONAL CENTER ON RESTORATIVE JUSTICE

- Formed In April 2020 at Vermont Law School (VLS) in partnership with the University of Vermont (UVM), and the University of San Diego (USD)
- **Objective: to improve criminal justice policy and practice in the United States.**
  - Develop and test educational curriculum designed to broaden the understanding of justice systems and restorative approaches through a degree program and practitioner institutes, while encouraging access to educational opportunities for incarcerated individuals;
  - Support research to advance restorative justice principles and practices: focusing on how best to provide direct services to address social inequities



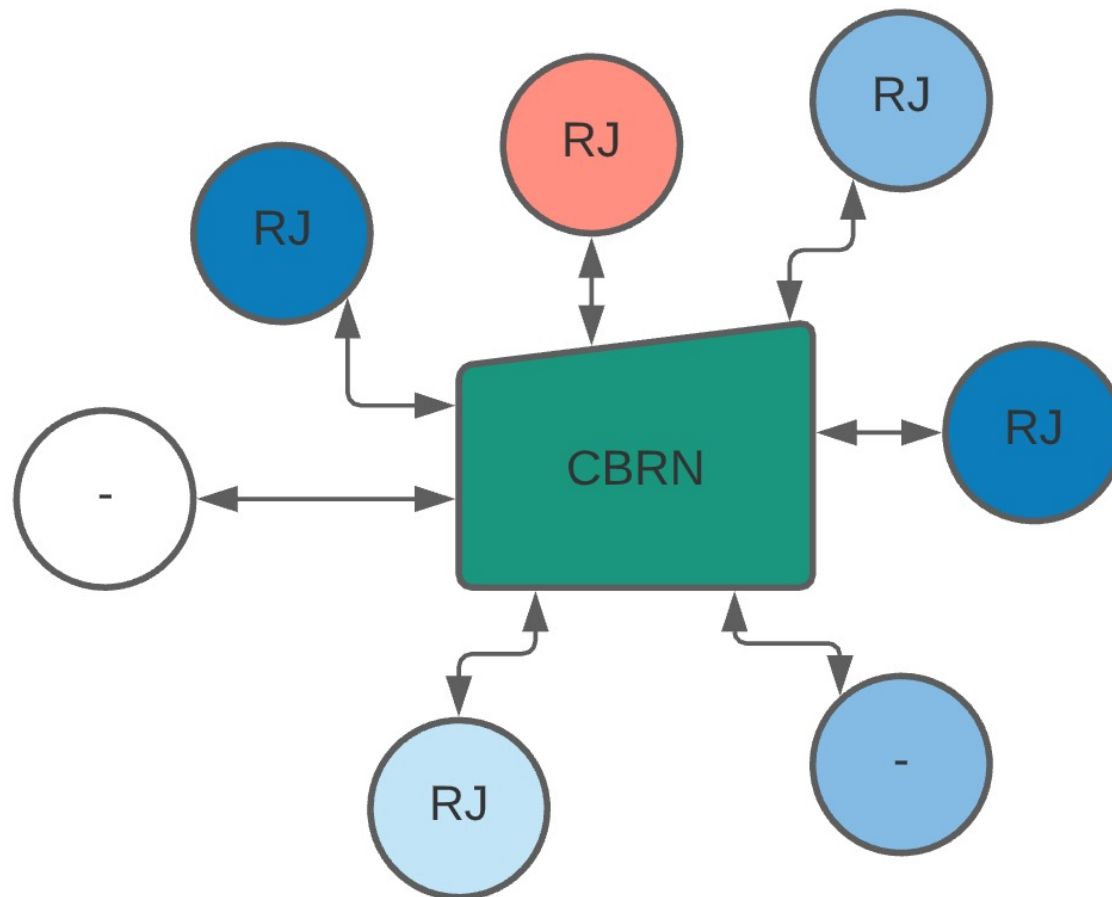
## NATIONAL CENTER ON RESTORATIVE JUSTICE

- Community Based Research Network (in development)



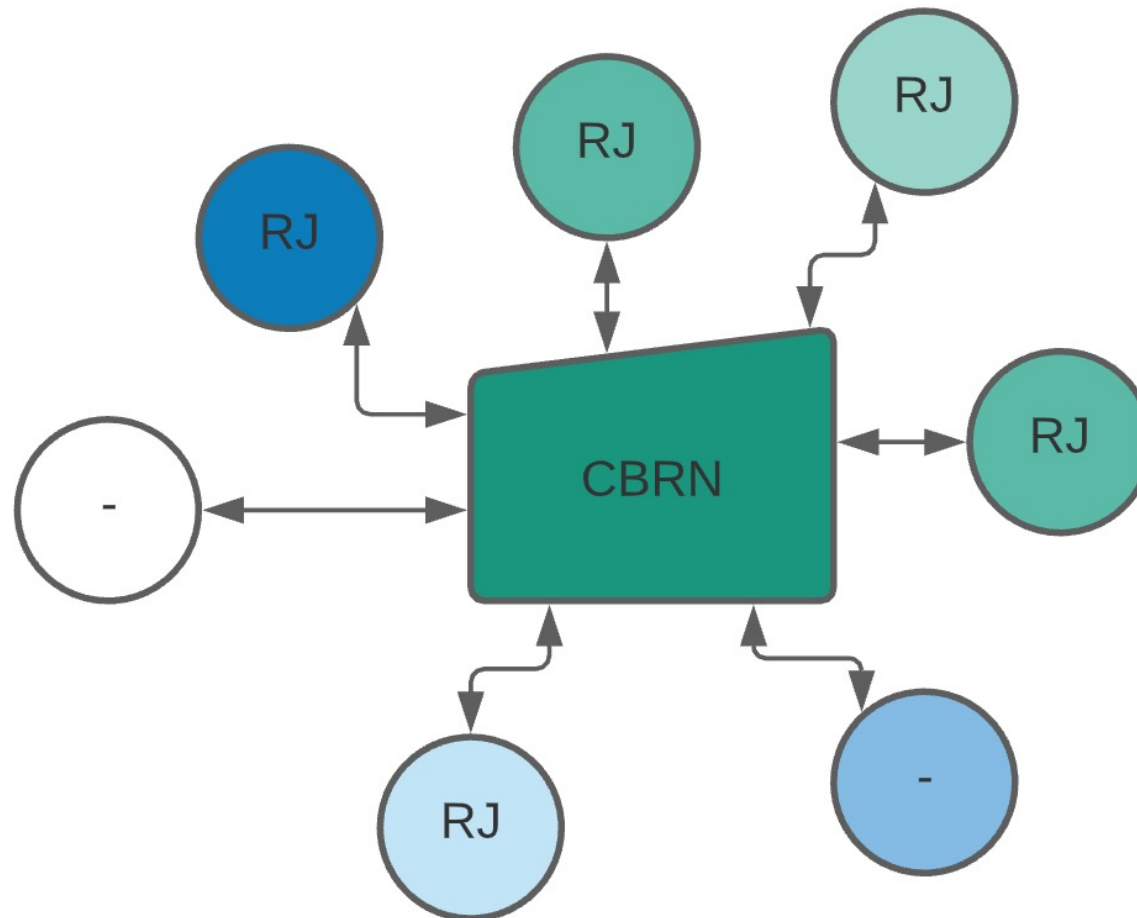
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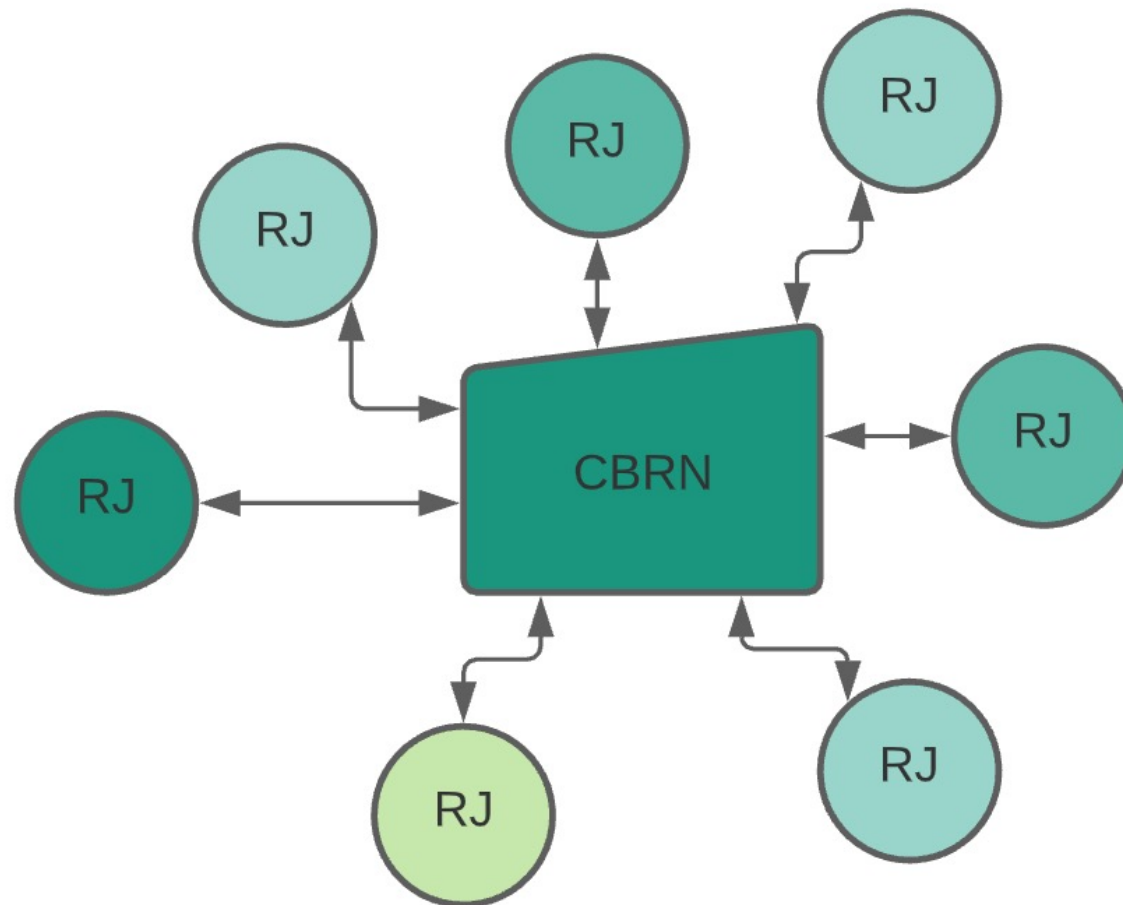
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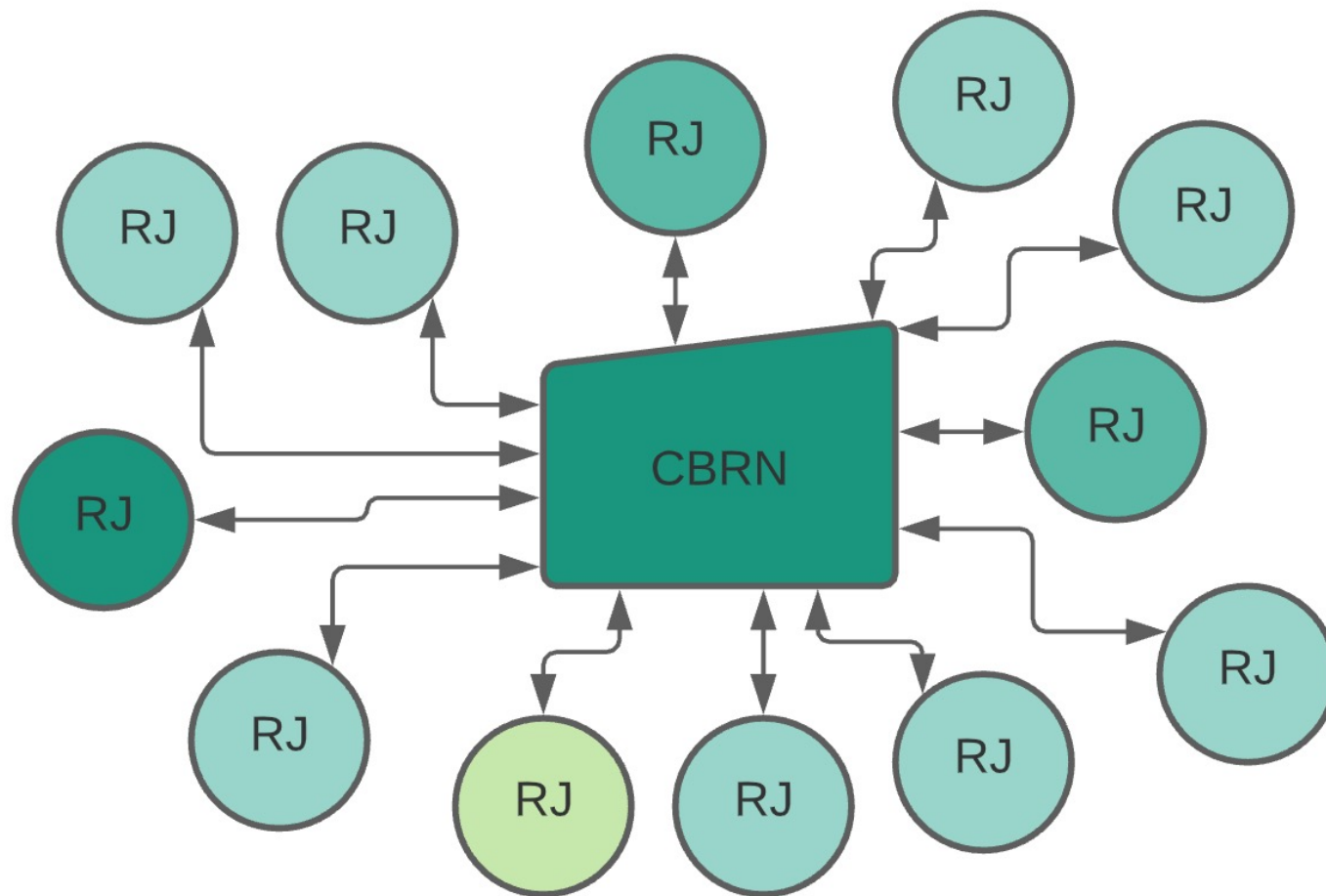
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A PRACTICE THAT CAN BE USED AND  
ADAPTED FOR ALL TIERS

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**CIRCLE**

# KEY ELEMENTS OF CIRCLES

- ◆ Opening/Closing
  - ➡ Used to indicate that this is different space.
- ◆ Centerpiece
  - ➡ A focal point to promote speaking and listening.
- ◆ Identify Values / Guidelines
  - ➡ Defined by the group. Serve as a reminder of expectations.
- ◆ Talking order
  - ➡ Regulates dialogue, allows for focus, and limits interruption.
- ◆ Facilitation or Keeping
  - ➡ Assists the group in creating and maintaining the space.

### BREAKOUT GROUP CIRCLE PROCESS

- ▶ This activity is designed to give you an opportunity to experience an online circle.
- ▶ In breakout groups of about 6, one person will guide the process using the circle 'script'
- ▶ You'll have 25 minutes
- ▶ If you finish early, take a break and return at the specified time.





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## CLOSING

To close out our session today...

- ▶ What's something you're taking away; something you plan to do differently.

Please respond in the chat or unmute yourself and let us know. We'd love to hear some different voices.

## Wrap-up & Reminders

Please remember to visit Whova and complete daily evaluations

Zoom links can be found in Whova–Agenda

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# THANK YOU!