Restorative Justice

What it is and why it matters
• I’m here today because _____
• My impression of Restorative Justice is _____
Agenda

• Circle
• Presentation
• Guests from the Restorative Community Conference Pilot Project (possible move to the Round Room)
• Q & A
• What you can do
Zero Tolerance & the School to Prison Pipeline

https://www.youtube.com/watch?v=04pcSyzwoTg
Youth Justice - Some Statistics

• Once a youth has entered juvenile detention, there is a 70% chance of being arrested again
• In the US, 2 million juveniles are arrested annually
• The U.S. locks up youth at a rate 18 times greater than France
• Nine out of 10 teenagers engage in delinquent acts; 36% suffer arrest
• 25% of youth are arrested for violent acts
  -Fixing Juvie Justice, PBS
More Key Facts

• There are 70,000 youth in detention facilities on any given day in the U.S.
• Two-thirds of youth in detention are held for nonviolent charges:
  • property offenses
  • drug offenses
  • public order offenses
  • technical probation violations, or
  • status offenses (i.e., running away or breaking curfew)
• 12% of incarcerated youth experience sexual victimization in juvenile detention facilities.
• Incarcerating a juvenile costs between $32,000 and $65,000/year

- campaignforyouthjustice.org
How Much of the Problem is the System Itself?

“Involvement with the juvenile justice system is a strong predictor of adult criminality.”

- Fixing Juvie Justice, PBS
Criminal Justice Reform Has A Long Way To Go

There’s a need:
• To Lessen the Influence of For-Profit Prison Companies
• For Greater Victim Advocacy
• For Sentencing Reform
• For Parole Reform
• For Changes in Policing
• To Reduce Bias in Jury Selection
• To Improve Access to Quality Representation
  -The New Jim Crow by Michelle Alexander

Keeping Youth from Entering the System is Where RJ Has the Most Potential Impact
The fundamental premise of restorative practices is that people are happier, more cooperative and productive, and more likely to make positive changes when those in positions of authority do things with them, rather than to them or for them.

-Ted Wachtel, former President, International Institute of Restorative Practices
Retributive Justice vs. Restorative

- What rule/law has been broken?
- Who is to blame?
- What is the punishment?

- What happened?
- Who has been harmed/affected?
- What needs to be done to restore the harm?
Retributive Justice vs. Restorative

- Condemns the person
- Condemns the harmful action
- Values the person
The Challenge of Shame

“If you are scorned, shamed and isolated, the outcome is that you reject the group that is scorning you and you seek companionship and solace with other people who are similarly scorned. We know a lot about this from studying patterns of juvenile delinquency, gangs, and prisons.”

-C. Boyes-Watson
Circles: Not a New Idea

• Indigenous peoples have traditionally used circles to address harm that an individual has done to the community.
  
  • Ho’oponopono: Native Hawaiian
  • Hui: Maori of New Zealand
  • Council: Native American
The Restorative Continuum

From Informal and Proactive
To Formal and Reactive
From Building Relationships
To Repairing Harm

• Classroom Circles
• Affective Statements
• Affective Questions
• Restorative Dialogue
• Community Circle
• Restorative Conference
Positive vs. Negative Peace

Attention to negative peace, or the simple absence of war, usually results in a diplomatic emphasis on peacekeeping or peace restoring...

By contrast, positive peace focuses on peace building, the establishment of non-exploitative social structures, and a determination to work toward that goal even when a war is not ongoing or imminent. Negative peace is thus a more conservative goal, as it seeks to keep things the way they are..., whereas positive peace is more active and bolder, implying the creation of something that does not currently exist.

(Barash and Webel, 2002)
Building the Container

• The basis of Restorative Practices in schools is a daily sharing circle that builds classroom community. When students feel a bond with their teacher and fellow students, they can begin to function as a community.

• When conflict inevitably arises in this community, it can address harms much more effectively.
Crawford Students Explain Their Positive Peace

https://www.youtube.com/watch?v=iLj9ubkpaYM
Restorative Responses to Harm

https://www.youtube.com/watch?v=ZtdoWo1D3sY
How A Restorative Conference Unfolds

Referral

Responsible Youth Pre-Meetings

Persons Harmed Pre-Meetings

Restorative Conference

Action Plan in Process

Plan Completion Ceremony
Hopeful Trend

Youth who have had successful Restorative Conferences are less likely to go on to commit new crimes.

- Fixing Juvie Justice
Oakland Unified: A Leader in RP/RJ

- 90% of Principals and 60% of staff received RP training (2014)
- 6,000 Oakland students participated in conflict/harm circles. Three thousand were part of community building circles (2013-14)
- On-site arrests down from 42 in 2012-13 to just 8 in 2013-14
- RJ High Schools had 56% decline in dropout rates, compared to 17% for non-RJ high schools
LA Unified Began Training in RJ in 2014

- Suspension rate dropped from 8% in 2008 to 1.5%
- Graduation rates rose
- The drop in suspensions in one year saved the district $249,302
## San Diego Unified Restorative Practices Pilot

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<th>2013/2014</th>
<th>2014/2015</th>
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<tbody>
<tr>
<td>No. of expellable offenses</td>
<td>15</td>
<td>5 (req. by CA)</td>
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<tr>
<td>Districtwide expulsions</td>
<td>162</td>
<td>65</td>
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<tr>
<td># of schools in pilot</td>
<td>0</td>
<td>5</td>
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<tr>
<td>Suspensions at Hoover</td>
<td>321</td>
<td>58</td>
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## Stats from San Diego’s Restorative Community Conference Pilot Project

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<tr>
<th>Category</th>
<th>Data</th>
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<tr>
<td>Total Referrals</td>
<td>71</td>
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<tr>
<td>Screened Out</td>
<td>23</td>
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<tr>
<td>Agreement Rate</td>
<td>100%</td>
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<tr>
<td>Planned Completion Rate</td>
<td>97%</td>
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Data from January 2016
Other RJ/RP Applications

- Preventing foster care placement with at-risk families.
- Addressing campus and resident hall incidents.
- Addressing probation violations.
- Planning community re-entry with incarcerated persons and their families.
- Providing crime victims a voice post-sentencing.
WHAT ARE YOU THINKING?
Stories of Restorative Justice

• Special guests from the Restorative Community Conference Pilot Project