

RESTORATIVE JUSTICE



GOALS FOR TODAY

1. Introduction to the beliefs and practice of Restorative Justice
2. Discuss applications for Restorative Justice
3. Identify the populations that we serve, how they are impacted by systemic oppression, and how we can use Restorative Justice as a part of the work with trauma and case management

START: RELATIONSHIP BUILDING AND TRUST

- *MAY YOU HAVE HAPPINESS*
- *MAY YOU BE SAFE FROM INNER AND OUTER DANGERS*
- *MAY YOU EXPERIENCE JOY AND EASE*

UBUNTU: I AM BECAUSE WE ARE

“HOW CAN ONE OF US BE HAPPY IF ALL OTHERS ARE SAD?”

“Ubuntu is the essence of being human, and it speaks to the fact that human beings can’t exist in isolation— it speaks to interconnectedness. Far too often, we think of ourselves as just individuals, separated from one another. Really, we are connected, and each person affects the whole world. A person with ubuntu is open and available to others, affirming of others, and does not feel threatened by others who are able and good. Ubuntu means a proper self-assurance, knowing that, as one part of a greater whole, we are each diminished when others are humiliated, tortured or oppressed.”

– *Desmond Tutu*

INTEGRATION OF CULTURAL PRACTICE



- Restorative Justice follows the cultural belief in “ubuntu,” which asserts that each person comes into the world as good.
- We all have a desire to become our best selves, though we may stumble and make mistakes along the way. Sometimes we need help with achieving our full potential.
- Restorative Justice follows the belief that harm affects everyone in the community, including victim, perpetrator, and community.
- Restorative Justice brings people together to reconcile and build relationships when harm has been done. Restorative Justice is a process of rebuilding trust through understanding.
- Restorative Justice is about communication, and connecting to the humanness of each individual experience. The end product of Restorative Justice is deeper and more genuine connections.
- Restorative Justice work stresses the importance of circles and community, a foundational practice of Native American and African cultures.
- Justice can occur without shame or misunderstanding. It requires an acknowledgment of other, and an acknowledgement of oneself.

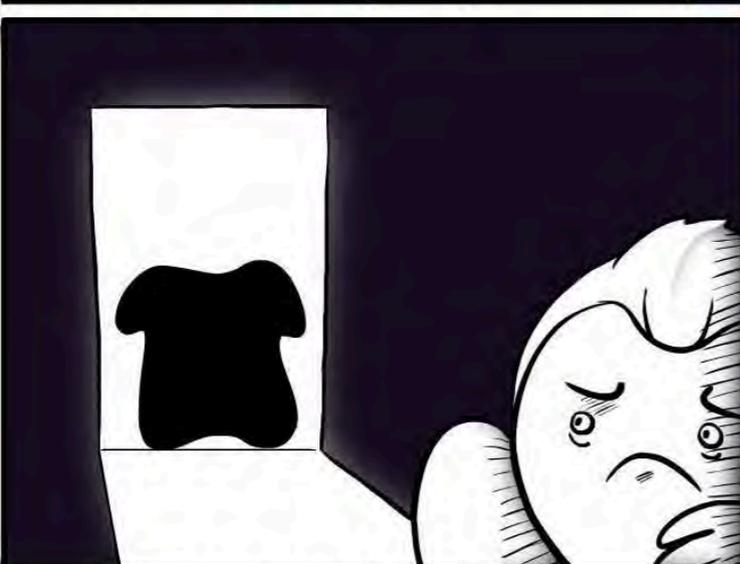
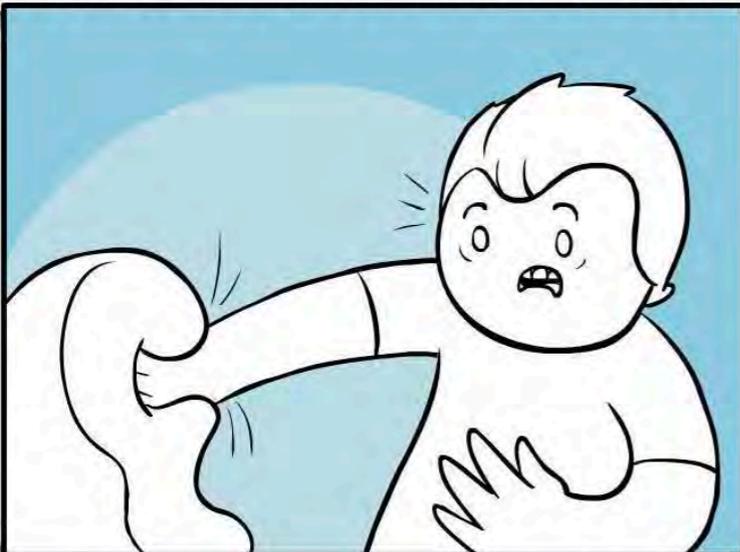
A MODEL OF JUSTICE FROM SOUTH AFRICA

In the Babemba tribe of South Africa, when a person acts irresponsibly, towards themselves or others, that person is placed in the center of the village. Work ceases, and every member of the village is called to gather around the accused. After a circle has formed, each member of the tribe is given an opportunity to talk to the accused, one at a time, about the good that he or she has accomplished in their lifetime. Every experience is recounted—positive attributes, good deeds, strengths and kindnesses of the accused are all recited, carefully and at length. The ceremony may last for several days, but at the end, the circle is broken, a joyous celebration takes place, and the accused individual is welcomed back into the tribe, in touch with who they are and who they can be.

I USED TO HIT MY MEMORY
FOAM PILLOW WHEN I GOT MAD.



...BUT IT MEMORIZED ALL OF MY MOVES...



I'M TERRIFIED NOW.

mrlovenstein.com

CORE ASSUMPTIONS

- Criminal justice rarely speaks to victim and community experiences of the event, it give little opportunity for repair, and it does very little to prevent recidivism
- Hurt People, Hurt People. People are inherently good, and if they had a choice, they would always choose to be in good connection
- Everyone should be equally valued when it comes to relationships, even in conflict resolution. Conflict resolution should involve trust, communication, and systems for repair
- Those who are most affected by a conflict should determine how to repair things. Conflict resolution should involve the victim, perpetrator and communities affected
- When someone does harm, they should be pulled closer, instead of being pushed away
- Relationships tend to thrive when doing with, as opposed to doing to, or doing for

<https://www.youtube.com/watch?v=afvN6se3Yug>

USE: DISRUPTING THE SCHOOL TO PRISON PIPELINE FOR AT-RISK YOUTH

In understanding the school to prison pipeline, community members can support students with living up to their full potential, with formal and informal supports being essential to the idea of "community"

- Core Assumption: Education leads to successful, socioeconomic outcomes
- Core Assumption: School provides us with one of our first real experiences of community, and these experiences are, very often, a model for how we will experience and be experienced by other systems
- Core Assumption: Hurt people hurt people, and students only perpetuate harm with response to a stressor

Acknowledging the school to prison pipeline means confronting explicit and implicit forms of aggression within the service systems, meaning racism, sexism, ableism, homophobia, etc. For treatment providers, understanding the pipeline may lead to better outcomes for therapy

- Most of our clients have some trauma related to systemic oppression
- Clinician who understand systemic oppression may do a better job with connecting to clients, supporting complex trauma, and guiding individuals through a treatment process that is culturally responsive
- With understanding, we allow room for subjective voice to enter the relational space, giving each person an opportunity to reveal their whole selves– allowing client and clinician to have their "truths"
- With understanding, unconditional positive regard becomes much easier, leading to better outcomes across the treatment process



THE CRIMINALIZATION OF IN-SCHOOL BEHAVIORS LEADS TO LIFE LONG CONSEQUENCES FOR BLACK AND BROWN STUDENTS

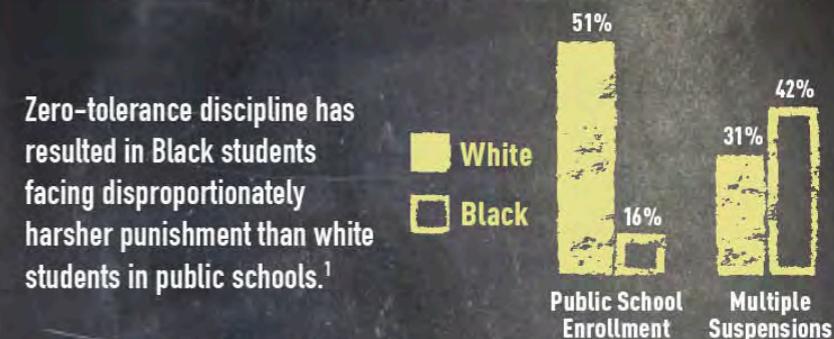
- For the same problem behaviors, Black students are suspended and expelled at a rate that's three times greater than white students. American Indian and Native-Alaskan students are also disproportionately suspended and expelled, representing less than 01% of the student population but 02% of suspensions, and 3% of expulsions.
- Black children represent 18% of preschool enrollment, but 48% of preschool children receiving more than one suspension. White students represent 43% of preschool enrollment, but only 26% of preschool children receiving more than one suspension.
- While black students represent 16% of student enrollment, they represent 27% of students referred to law enforcement, and 31% of students subjected to a school-related arrest. Black and Hispanic students represent more than 70% of all school-related arrests, while white students represent 51% of enrollment, 41% of students referred to law enforcement, and 39% of those arrested.

Source: [U.S. Department of Education Office for Civil Rights](#)

Also See: [Center for American Progress](#)

SCHOOL-TO-PRISON PIPELINE

School disciplinary policies disproportionately affect Black students.



Black students are suspended and expelled



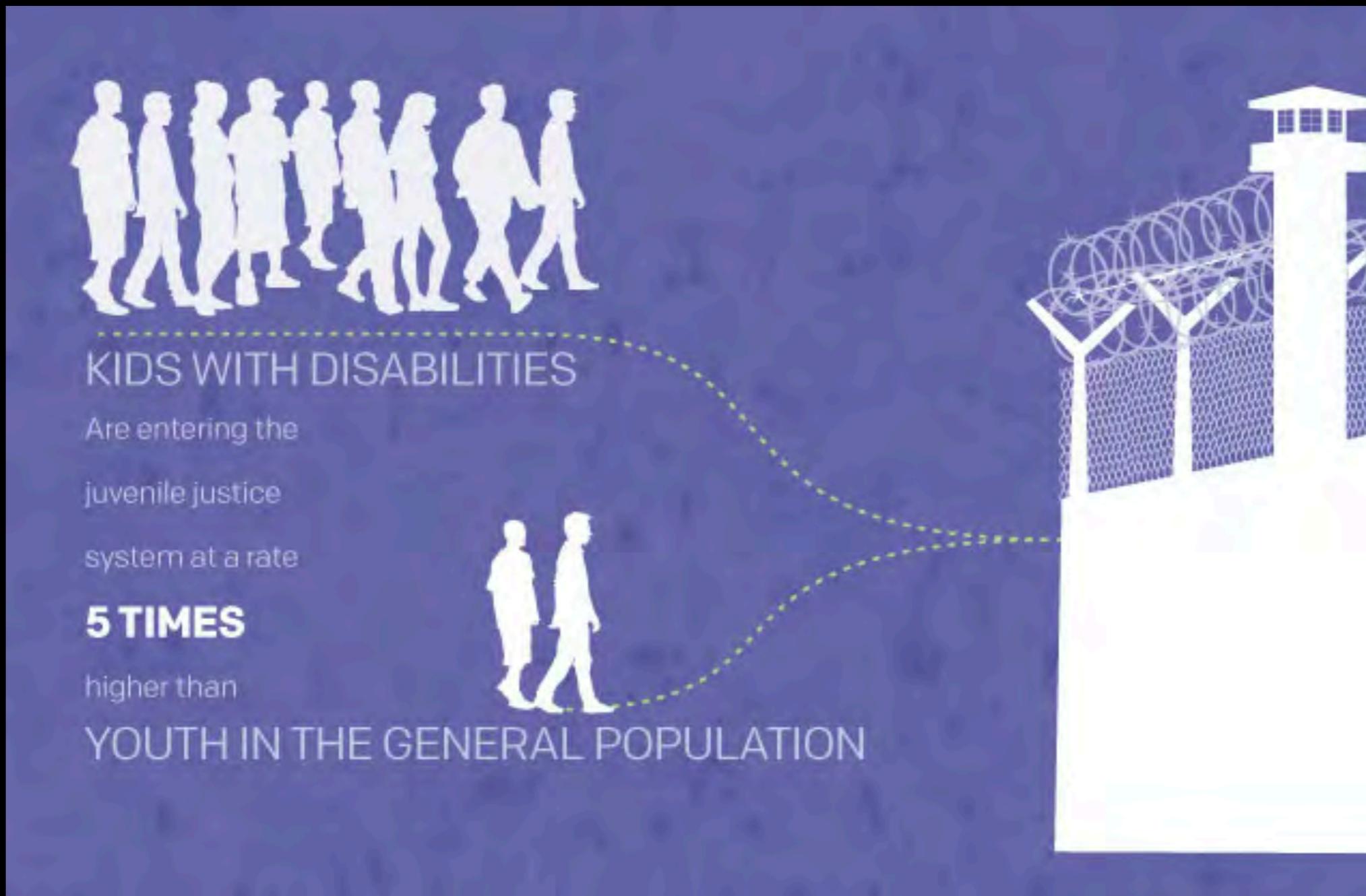
Students suspended or expelled for a discretionary violation are nearly three times more likely to be in contact with the juvenile justice system the following year.⁴



BROWN AT 60: STILL SEPARATE. STILL UNEQUAL.



¹ Data Snapshot: <http://ocrdata.ed.gov/Downloads/CROC-School-Discipline-Snapshot.pdf>
² Ibid.
³ Ibid.
⁴ Breaking School Rules http://csjjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf



STUDENTS HAVING A DISABILITY REPRESENT 12% OF THE STUDENT POPULATION, BUT 58% OF THOSE PLACED IN SECLUSION OR INVOLUNTARY CONFINEMENT, AND 75% OF THOSE PHYSICALLY RESTRAINED AT SCHOOL TO IMMOBILIZE THEM OR REDUCE THEIR ABILITY TO MOVE FREELY.



31% OF GIRLS IN THE JUVENILE JUSTICE SYSTEM HAVE BEEN SEXUALLY ABUSED, WITH 45% OR MORE HAVING REPORTED EXPERIENCES OF COMPLEX TRAUMA

Source: [The Prevalence of Adverse Childhood Experiences \(ACE\) in the Lives of Juvenile Offenders](#)



LGBT+ YOUTH ACCOUNT FOR 6% OF THE OVERALL YOUTH POPULATION WITHIN SCHOOLS, BUT REPRESENT 15% OF THOSE IN THE JUVENILE JUSTICE SYSTEM.

Source: [We've Had Three of Them](#)

ALWAYS CONSIDER
INTERSECTIONALITY

THE CIRCLE: PERMISSION TO SPEAK, PERMISSION TO LISTEN

KEY QUESTIONS

A CONTAINER

For those who have harmed:

What happened?

What were you thinking of at the time?

Who has been affected by what you have done? In what way?

What do you think you need to do to make things right?

For those who have been harmed:

What did you think when you realized what had happened?

What impact had this incident had on you and others?

What has been the hardest thing for you?

What do you think needs to happen to make things right?



<https://www.youtube.com/watch?v=uSJ2GPiptvc>

ADDITIONAL RESOURCES

- [International Institute for Restorative Practice](#)
- [Peace, Justice and Reconciliation in Africa](#)
- [Civil Rights Data Collection](#)
- [Bureau of Justice Statistics](#)
- Circle Forward, by Carolyn Boyes-Watson
- The School-to-Prison Pipeline, by Nancy Heitzeg
- The New Jim Crow, by Michelle Alexander
- The Little Book of Race and Restorative Justice, Fania Davis
- Center for Restorative Justice and Peacemaking <http://www.cehd.umn.edu/ssw/rjp>
- Umbreit & Armour. (2010). Restorative justice dialogue: an essential guide for research and practice. Springer.
- Empowering Victims of Trauma through Restorative Justice, available for download at www.lmcounseling.com/training