

Restorative Justice (RJ) is an approach to justice where the focus is on repairing the harm caused by an offense. It is based on the belief that the way to attain justice is by problem solving, not by punishment or retaliation. RJ is a cooperative process that involves three main stakeholders – the victim, the offender, and the affected community – with all taking an active role in the restorative process. The stakeholders engage in meaningful discussion and cooperative decision making, in search of answers that help repair, rebuild, and, ultimately, reconcile the affected relationships.

Some of the programs and outcomes typically identified with Restorative Justice include:¹

- Victim-offender mediation
- Conferencing
- Circles to discuss harms and community good
- Mindful Communication
- Victim assistance
- Restitution
- Community service

Across the United States the Restorative Justice approach has been implemented in various environments such as schools, prisons, universities, and the criminal justice system as an alternative way to deal with conflict or in conjunction with other disciplinary measures. Within these settings Restorative Justice is used reactively as a response to wrongdoing or community harm, after it has been done. Restorative practices are proactive and include the use of informal and formal processes that precede wrongdoing. These processes build relationships and a sense of community to prevent conflict and wrongdoing from occurring.²

Within the research of Restorative Justice, the teaching and implementation of these alternative practices have shown to provide a skill set of conflict resolution strategies allowing greater awareness in individuals. By learning how to validate each other's feelings and experiences, participants learn to connect and empathize with other members of the community. More concrete outcomes have resulted in drastically reduced suspensions, expulsions and discipline referrals in school settings, with both types of outcomes increasing a localized sense of community and fairness.³

1 www.restorativejustice.org/university-classroom/01introduction

2 Wachtel, Ted. "Defining Restorative". International Institute for Restorative Practices

3 Denver Public Schools Restorative justice Project: Year Three by Myriam L. Baker, Ph.D. (2009)

Acknowledging that Restorative Justice (RJ) yields both process and outcome-based results, studies provide a variety of combinations of variables and outcomes based on the type of environment in which the research is implemented. The process of RJ, that is the adopted framework of how discipline and conflict will be addressed, is underpinned by certain core values. Participation in this process provides a valuable experience and skill set to those involved. The outcome-based component of RJ focuses more on measuring tangible change in participants, whether it's changes in feelings, grades, or number of school suspensions.

Research and Resources

[School-based Restorative Justice as an Alternative to Zero-Tolerance Policies: Lessons from West Oakland](#)

- » This study was done over the 2008-2009 school year at West Oakland and Cole Middle Schools with both process and outcome-based goals and findings, emphasizing improvements in school culture and interaction as well as behavior, both among students and between teachers and students.
- » Through a combined implementation effort including student, parent, teacher, and community involvement in RJ circles, perception questionnaires, and data from within the school district "Restorative justice practices became a way to build the school community and helped students, school personnel, and parents cope with violence in the community beyond the school."
- » Findings:
 - On average, 83 % of students believed restorative justice were helping at Cole and 83 % also said restorative justice was reducing fighting at Cole.
 - Almost all students agreed that restorative justice was helping relationships with other students at Cole Middle School, with 91 % agreeing that it was helping their relationships with other students and 83 % agreeing that restorative justice was helping young people, in general, get along at Cole.
 - There was a dramatic decline in school suspensions with an 87 % reduction rate two years after implementing RJ practices.
 - The research suggests that school-based restorative justice shows promise as a discipline method to reduce suspension and expulsion rates.

School-based Restorative Justice as an Alternative to Zero-Tolerance Policies: Lessons from West Oakland by Michael D. Sumner, PhD, Carol J. Silverman, PhD, Mary Louise Frampton, JD (2009)

www.law.berkeley.edu/files/11-2010_School-based_Restorative_Justice_As_an_Alternative_to_Zero-Tolerance_Policies.pdf

[Denver Public Schools Restorative Justice Project: Year Three](#)

- » The Denver Public Schools Restorative Justice Project occurred during the 2008-2009 school year and included 1,235 students from five different middle schools and two high schools.
- » The Denver Public School System stated their purpose for implementing RJ practices into the school system was "to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful." The purpose of this stated policy is to
 - support a type of school discipline that maintains safe and orderly learning communities; assures consistency across all schools in the district;
 - define and communicate expectations for student behavior;
 - define and communicate expectations for staff responsibility related to school discipline;
 - balance the needs of the student, the needs of those directly affected by the behavior, and needs of the overall school community;
 - assures equity across racial, ethnic, and cultural groups, as well as all other protected classes (gender, color, national origin, ancestry, religion, age, disability, sexual orientation, and gender identity).

Denver Public Schools Restorative Justice Project: Year Three by Myriam L. Baker, Ph.D. (2009)

www.restorativejusticecolorado.org/literature_55812/Denver_Public_Schools_Restorative_Justice_Program_Final_Report_2008-2009

Restorative Justice

- » Over 950 unduplicated cases of various infractions involving 1,235 students were processed through restorative interventions at these seven schools yielding results such as the following:
- 55%, or the majority of the interventions conducted as a result of the referrals, included the creation of a “restorative agreement,” which is categorized as “a formal, written agreement of next steps for reparation agreed upon by all parties.”
 - 17% of interventions resulted in the formation of a “handshake agreement,” a less formal agreement between the parties involved.
 - “Group conferences,” which are the most formal process involving several parties, potentially including parents, teachers, other students, and community members accounted for close to 8% of the case outcomes.

Restorative Justice in Higher Education: A Compilation of formats and Best Practices

- » This framework is based on the restorative justice work that is being implemented at nine different colleges and universities across the country, both public and private, ranging vastly in population size.
- » Each school implemented different aspects of restorative justice and restorative practices combining varying influences of process and outcome-based techniques ranging from using RJ as a tool, an option, or a central process within the university disciplinary and curricular spheres.
- » Different modes of RJ and restorative practices were implemented uniquely by each university including Restorative Hearings, Restorative Conferences, Peace Circles, as well as implementing RJ practices into the offices of student conduct.
- » Outcomes varied by university and included process and outcome-based findings such as:
- “All conduct officers are trained in RJ and every hearing is restorative in nature by talking about harms, needs, and obligations with students responsible,”
 - “RJ is not a program but a philosophy and a way of being! The focus is on repairing harm instead of punishing actions.”

Restorative Justice in Higher Education: A Compilation of formats and Best Practices by Justine Darling (2011)

www.restorativejustice.org/10fulltext/darlingjustine

Mindful Communication

- » A way of connecting between people based on a value and understanding of empathy, mindful communication results in clear expression and understanding. This method promotes a mindfulness that decreases the likelihood of conflict, defensiveness, depression and anger.
- » Mindful communication provides tools for:
- enhanced speaking and listening to one another in a way that improves clarity and mutual understanding
 - increased ability to understand feelings, as well as needs and requests that are not always clearly expressed within one’s self and with others
 - more fully developed ability to translate criticism, judgment, blame and other hard-to-hear messages into feelings and needs
 - deepened empathic attitude and mutual respect
 - improved ability to transform anger (one’s own and others) safely and respectfully into clear communication of needs
 - reduced resistance and defensiveness with more overall cooperation

Turning Point Partners
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