Restorative Justice in Higher Education

Date
Presenter
Today’s Agenda

- What is Restorative Justice?
- Tier 1: Community Building
- Tier 2: Responding to Harm
- Evidence of Effectiveness
What is Restorative Justice?
What is RJ?
Basic RJ Principles

- Focus on harms and needs rather than law or policy
- Non-adversarial and multipartial and relational
- A variety of practices such as circles and conferences
- Empowered, collaborative decision-making process
Expanding RJ Movement

- Schools
- Workplaces
- Families
- Juvenile Justice
- Criminal Justice
- Genocide
- Human Rights Violations
- Historical Harms
Core RJ
Practices and Origins

- Youth Justice
- New Zealand Maori Justice and 1989 Act
- Australia Community Policing 1992

- Criminal Justice
- Alternative Dispute Resolution
- Mennonite VORP 1978, Indiana

- Indigenous Rights
- First Nations/ Native American Justice
- Native Law Center 1975
- Yukon Sentencing Circles 1991

- Human Rights
- Peacebuilding
- South Africa TRC 1995
- Uganda 1974

Conference
Circle
Victim Offender Dialogue
Truth Commission
Emergence of Transformative Justice

- RJ within systems; TJ outside systems
- Integration of structural/historical harms
- Concerns about cultural appropriation
- Concerns about power/privilege
Restorative justice is a way to prevent or respond to harm in a community with an emphasis on healing, social support, and active accountability. RJ includes a variety of practices with many rooted in indigenous and religious traditions. Some practices help prevent harm by helping people build relationships and strengthen communities. Other practices respond to harm by helping to clearly identify harms, needs, and solutions through an inclusive and collaborative decision-making process.
Whole Campus Approach

Tier I
Build and Strengthen Relationships

Tier II
Respond to Conflict and Harm

Tier III
Support Reentry

Circles of Support and Accountability

Restorative Conferences

Community-Concern Circles

Community-Building Circles
RJ Questions by Tier

**Tier I: Community Building**
- Who are we?
- What are our stories?
- What are our core values?
- What is important to us?
- What kind of community do we want?
- How do we want to treat each other?
- How will we all contribute?

**Tier II: Responding to Harm**
- What happened?
- Who has been impacted? In what way?
- What are the harms to be addressed?
- What needs do we have?
- What will make things right?
- How do we rebuild relationships?
- How do we address this in a restorative way?

**Tier III: Reintegration**
- How do we support this individual?
- How do we support harmed parties?
- Has the individual taken responsibility?
- How do we prevent recurrence?
- How will we welcome this person back?
- What resources do we need for successful reintegration?
Tier 1: Community Building
Centerpieces and Talking Pieces

“Centerpieces change the space
Talking pieces change the pace”
Gina Gutierrez Karp
The Why of Circles

- To build community and strengthen relationships
- To create a brave container for difficult dialogue
- To voice harms and concerns in community
- To collaborate on next steps for response
Tier 2: Responding to Harm
RJ is an Exploration of Harms, Needs, and Solutions

- Material/Physical
- Communal/Relational
- Emotional/Spiritual
- Inflamed Structural/Historical

Harm
RJ Conference – The Basics
Basic RJ Process

Pre-Conference
- Referral
- Outreach
- Assessment
- Preparation

Conference
- What happened?
- What was the harm?
- How can we repair harm and rebuild trust?

Post-Conference
- Mentoring
- Agreement monitoring
- Assessment

Voluntary meeting
Trained facilitators
Evidence of Effectiveness
In the past two decades, restorative justice has been the subject of more rigorous criminological research than perhaps any other strategy for crime prevention and victim support. Strang and Sherman (2015)
University of Vermont Residential Life

Rodriguez and Whitworth 2016

Survey of all residents (2014-15 & 2015-16)

Impact of circles since 2009 implementation:

- Decrease in high-risk drinking
- Decrease in unassigned damage
- Stronger and more genuine relationships among staff

<table>
<thead>
<tr>
<th>Questions</th>
<th>All PH</th>
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<tbody>
<tr>
<td>I know fellow residents on my floor</td>
<td>79.8%*</td>
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<tr>
<td>Other residents respect my community</td>
<td>86.5%*</td>
</tr>
<tr>
<td>I have a sense of connection on my floor</td>
<td>65.8%*</td>
</tr>
<tr>
<td>I regularly attend Community Circles</td>
<td>64.2%*</td>
</tr>
<tr>
<td>Issues impacting my community are addressed</td>
<td>86.0%*</td>
</tr>
<tr>
<td>My RA actively builds a sense of community</td>
<td>75.1%*</td>
</tr>
<tr>
<td>I have a voice in addressing issues that arise</td>
<td>84.0%*</td>
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<tr>
<td>Community members are held accountable for their behaviors</td>
<td>73.9%*</td>
</tr>
<tr>
<td>My RA facilitates Community Circles to address ongoing issues or concerns in the community</td>
<td>82.0%*</td>
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<tr>
<td>My community is able to discuss concerns openly and freely</td>
<td>82.7%*</td>
</tr>
<tr>
<td>My RA facilitates Community Circles as a way to share important updates and information</td>
<td>83.9%*</td>
</tr>
<tr>
<td>My RA knows me</td>
<td>81.5%*</td>
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CURJ ANNUAL REPORT 2017/18

Restorative Justice Program
UNIVERSITY OF COLORADO BOULDER

1. CONFERENCES
   - Fall: 126
   - Spring: 82
   - Summer: 16
   - Total: 224

2. STUDENT OFFENDERS
   - Fall: 272
   - Spring: 230
   - Summer: 17
   - Total: 519

3. VOLUNTEERS
   - 120 total volunteers
   - 50% overall growth in volunteer base in 2017/18
   - 11 new facilitators completed the 20-hour training

Crime Isolates, CURJ Connects

- 98% of students felt they better understood the community impact of decisions
- 97% of students felt CURJ was a good way to handle offenses like theirs
- 88% of students felt more connected to the CU-Boulder community
- 99% of students felt the process was fair
- 99% of students felt respected through the process
## STARR Project

**STStudent Accountability and Restorative Research Project**

- Offender Survey
- Harmed Party Survey
- Conduct Administrator Surveys

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<tr>
<th>Type of Process</th>
<th>Cases</th>
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<tr>
<td>Developmental Discipline Administrative/Board Hearing</td>
<td>403</td>
</tr>
<tr>
<td>Restorative Justice Circle/Conference/Board</td>
<td>165</td>
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Are Harmed Parties Satisfied with RJ?

- Fair to all parties?
- Discussed values and responsibilities?
- Meaningfully contribute your ideas?
- Student was held accountable?
- Comfortable seeing student on campus?
- Satisfied with the process?
- Would you recommend this process?

Options: Not at all, Just a little, Fair amount, Great amount
Student Development

- Just Community/Self-Authorship
  - "I had a voice"

- Active Accountability
  - "I took responsibility"

- Interpersonal Competence
  - "I talked it out"

- Social Ties to Institution
  - "I belong here"

- Procedural Fairness
  - "That was fair"

- Closure
  - "I’m ready to move on"

Comparing Restorative Justice Practice to Developmental Discipline Hearing:
- Just a little
- A fair amount
- A great amount
Further Reading

THE LITTLE BOOK OF
Restorative Justice
for Colleges and Universities

Repairing Harm and Rebuilding Trust in Response to Student Misconduct

DAVID R. KARP
Foreword by Marilyn Armour

2nd Edition Fully Updated