



Restorative Justice

What is Restorative Justice? Restorative Justice (RJ) is a worldview *and* a theory of justice that emphasizes bringing together *everyone* affected by wrongdoing to address their *needs* and *obligations* and to *heal* the harm as much as possible. An emerging approach to justice rooted in indigenous values, RJ invites a fundamental shift in the way we think about and do justice. It is a justice that heals.

Our current retributive justice model asks three questions:

- (1) What law was broken?
- (2) Who broke it?
- (3) What punishment is warranted?

Restorative justice asks:

- (1) Who was harmed?
- (2) What are the needs and responsibilities of all affected?
- (3) How do all affected come together to collaboratively address needs and responsibilities and heal harm?

Restorative justice seeks to involve the entire community—persons harmed, persons causing harm, families, educators, justice stakeholders, neighbors and other community members—in a collaborative effort to repair harm, address root causes, allow the responsible person to make amends, and allow harmed persons and responsible persons to reintegrate into their schools and communities in productive and positive ways.

Effectiveness. Though contemporary restorative justice began only about forty years ago, the effectiveness of these practices in reducing violence, incarceration rates, recidivism, as well as suspensions and expulsions in schools is well documented. New Zealand has reduced juvenile crime and rendered juvenile incarceration virtually obsolete since 1989 when it adopted restorative juvenile justice. Additional evidence of effectiveness follows:

- The Office of Juvenile Justice and Delinquency Prevention lists restorative justice as an evidence-based practice in its Model Program Guide.
<http://www.ojjdp.gov/mpg/progTypesRestorative.aspx>. (Retrieved 2-5-13.)
- *Restorative Justice: The Evidence*, a 2007 study of restorative justice in the U.S. and U.K by Sherman and Strang, concluded that restorative justice reduced violent re-offending, reduced victims' desire for revenge and reduced costs when used as diversion. (Restorative justice costs \$1 for every \$8 in criminal justice expenditures.)
http://www.sas.upenn.edu/jerrylee/RJ_full_report.pdf (Retrieved 2-5-13.)
- Overall juvenile arrest rates decreased by 30% after Barron County's restorative justice

program began. <http://www.americanhumane.org/assets/pdfs/children/protecting-children-journal/pc-24-4.pdf>. (Retrieved 2-5-13)

- According to a Harvard study, an in-custody adult restorative justice program in San Bruno County showed a decrease in violent re-offending by 82.6% after 16 weeks of participation. <http://jpubhealth.oxfordjournals.org/content/27/2/143.full.pdf+html> (Retrieved 2-5-13.)
- RJOY's program at Cole Middle School in Oakland reduced suspension rates in its first year by 87%, and eliminated violence. A 75 point increase in standardized test scores also occurred. http://www.law.berkeley.edu/files/11-2010_School-based_Restorative_Justice_As_an_Alternative_to_Zero-Tolerance_Policies.pdf (Retrieved 2-5-13.)
- RJOY's program at Ralph Bunche H.S., a continuation school for juvenile justice involved youth in West Oakland, has eliminated violence and suspensions while increasing graduation rates.
- Community Works' West restorative conferencing program that provides alternatives to juvenile incarceration has reduced recidivism to 11%. This is down from a 75% recidivism rate for youth incarcerated in local facilities and 90% for state facilities.

Restorative Justice in Alameda County. In 2005, Restorative Justice for Oakland Youth (RJOY) pioneered race-conscious restorative justice practices in Northern California. RJOY promotes a cultural shift from punitive responses to youthful wrongdoing that increase harm to restorative approaches that heal it. RJOY focuses on reducing racial disparities and public costs associated with high rates of incarceration, suspension, and expulsion. We provide training, engage in advocacy, and launch demonstration programs to promote restorative policy shifts in Oakland and beyond. RJOY has trained, presented and offered consulting services to more than 4000 area youth and key justice, health, community, school, and faith-based stakeholders.

After learning about restorative justice in 2007, then-Presiding Juvenile Judge Gail Bereola convened a Restorative Juvenile Justice Task Force, involving more than 60 probation, court, school, and law enforcement officials, as well as community-based leaders. The group in 2009 produced a Strategic Plan that charts reform of the county's juvenile justice system through institutionalization of restorative justice. RJOY initiated a series of successful diversion, restitution, and re-entry pilots with partners. Today Community Works (CW), one of them, leads a federally-funded restorative diversion program serving 100 county youth annually. RJOY, CW, PUEBLO and other restorative justice groups are collaboratively training Oakland police officers.

As for educational applications, as noted above, RJOY's Cole Middle School pilot project in two years eliminated violence and expulsions and reduced suspension rates by 87%, saving the school thousands in attendance funding. Driven by these successes, in January 2010, the School Board passed a resolution adopting restorative justice system-wide. Today, restorative justice programs are underway in 30 schools where suspension rates are declining. At West Oakland's Ralph Bunche H.S. RJOY's program has eliminated racial disparities, suspensions, and violence. RJOY's school discipline work is an intentional, upstream intervention that reduces incarceration by cutting off the supply of inmates to California's prisons. Keeping a kid in school is the strongest protective factor against incarceration. According to the latest research from the UCLA Civil Rights project, suspension once triples a youth's chance of incarceration within one year and doubles the chances of dropping out. 67% of Oakland's drop-outs (or push-outs) are incarcerated; 75% of the state's inmates never graduated.