

# Restorative Justice and Restorative Practices Overview

Prepared for the Incarceration Prevention and  
Reduction Task Force

Legal and Justice Committee

December 12<sup>th</sup>, 2017



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# Defining Restorative

## Restorative is

- **Proactive:** used to build positive relationships
- **Responsive:** used to respond to incidents
- A way of being/doing/thinking

## Restorative is not

- A singular program
- Appropriate in all instances

# Justice Models

## Restorative

- *Primary focus: victim needs, offender responsibility, and community involvement for repairing harm.*
- Central Questions:
  - Who has been hurt/affected?
  - What are their needs?
  - Whose obligations are these?
  - What needs to happen to make things right?
  - Who should be involved?

## Retributive

- *Primary focus: offenders getting a consequence or punishment based on their actions*
- Central Questions:
  - Who did it?
  - What laws/rules have been broken?
  - What punishment do they deserve?



*What we at the Whatcom Dispute Resolution Center do!*

# What is Restorative Justice?

## Restorative Justice:

- Is a theory, paradigm, and/or approach to justice
- To varying degrees, involves the needs of:
  - Victims
  - Offenders
  - Community

## Restorative Justice Goals:

- Reduce the likelihood of future offenses
- Involve those most affected in meaningful ways
- Create opportunities for accountability
- Make justice more healing and ideally transformative
- To use fair process
- Adapted from -*Susan Sharpe, Restorative Justice: A vision for healing and change*

# What are Restorative Practices?

## Restorative Practices are:

- A continuum of informal interpersonal interactions to formal practices and programs

## Restorative Practice Goals:

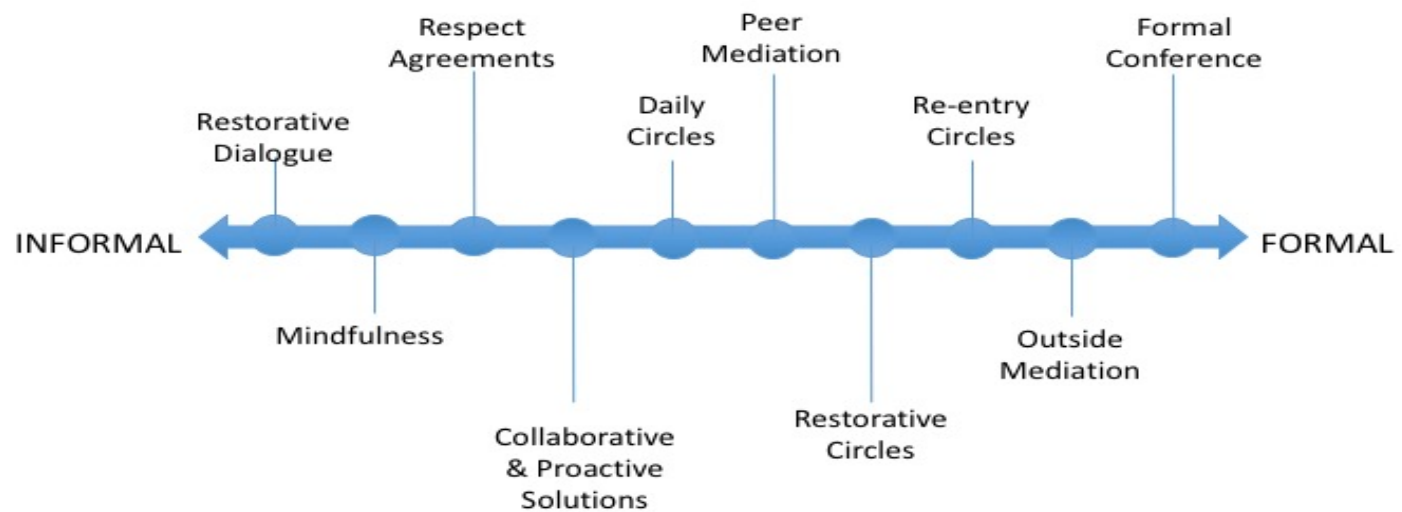
- To humanize our interactions with one another through a trauma informed lens
- To build positive relationships
- To interact compassionately

# Continuum of Restorative Practices





# Continuum of Restorative Practices



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# Continuum Of Restorative Practices (with Adults)



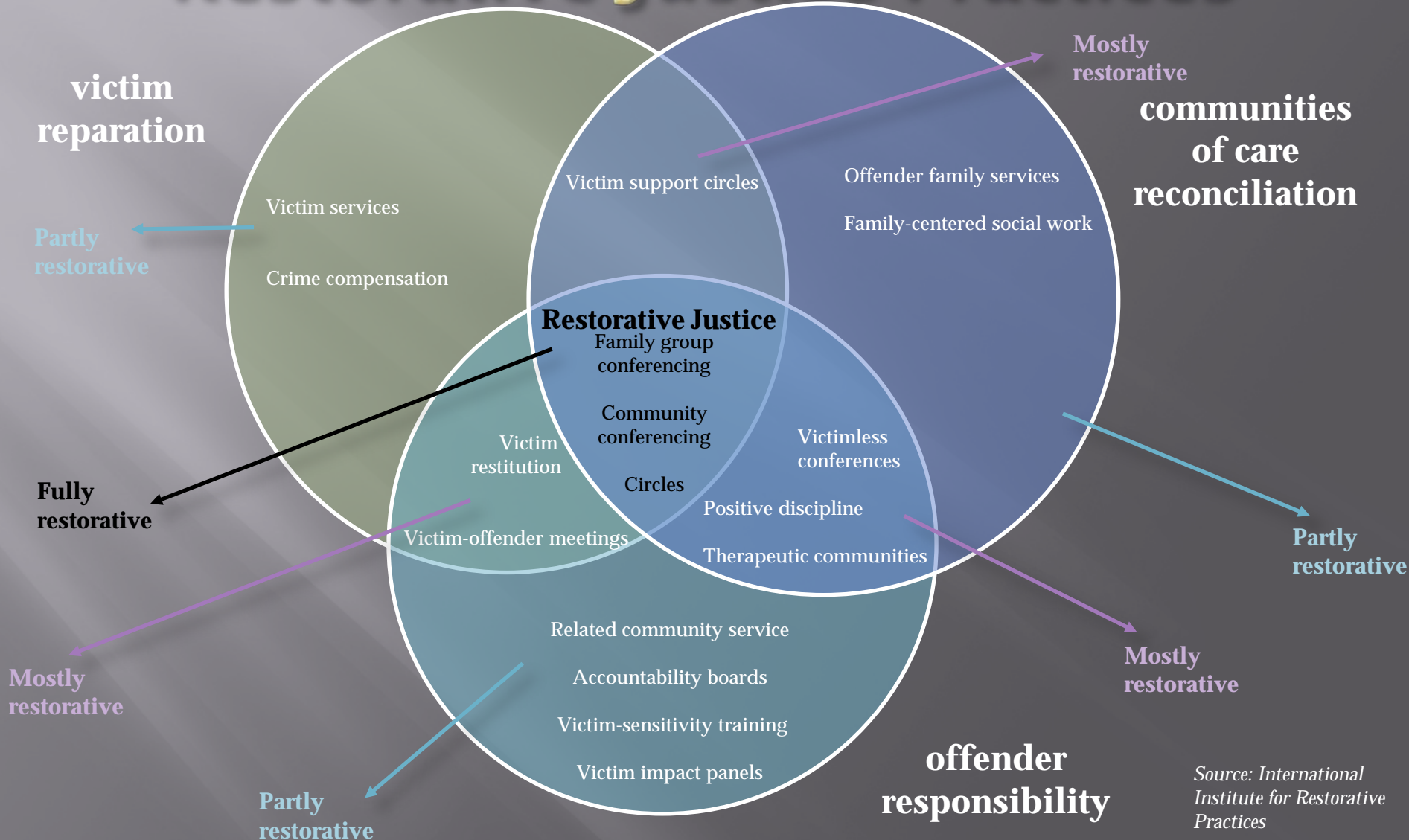


# Is what we are doing Restorative?

*Are we repairing harm? Restoring relationships? Building Community?  
Does the program, practice, or approach:*

- ∅ Involve the victim, offender, and/or community?
- ∅ Use a trauma-informed lens?
- ∅ Invite accountability?
- ∅ Create space for stakeholders?
- ∅ Allow for victim, offender, and/or community voice?
- ∅ Repair relationships?
- ∅ Address harm?
- ∅ Reduce recidivism?
- ∅ Invoke compassion?
- ∅ Have within its response something other than just punitive?

# Types and Degrees of Restorative Justice Practices



Source: International Institute for Restorative Practices

# Common Programs

- Diversion programs
- Victim –offender meetings
- Victim impact panels
- Specialized courts
- Facilitated dialogue
- Sentencing circles
- Re-entry circles of support/accountability

# Research

Frequently expected outcomes:

- ∅ Reduced recidivism
- ∅ Increased satisfaction with justice system
- ∅ Increased likelihood of follow thru with agreed upon outcomes
- ∅ Reduced post-traumatic stress
- ∅ Other indicators of success such as community safety, participant healing, etc.

Notable studies:

- ∅ Maryland Judiciary – Impact of Mediation on Criminal Misdemeanor Cases
- ∅ Case study in Seattle - <https://www.youtube.com/watch?v=D9A2WqV8DBw>

# Relevant Statutes

- ∅ RCW 7.75
- ∅ RCW 10.22: Compromise of Misdemeanors
- ∅ RCW 13.40: Juvenile Justice Act of 1977
  - ∅ RCW 13.40.080: Diversion agreements
- ∅ RCW 72.01.210: Institutional Chaplains – RJ is referenced in the notes
- ∅ Many additional RCWs relative to mediation



# WDRC Restorative Work

- Impact Competency Education (ICE) Classes
- Victim-Offender Meetings
- Partnerships with Whatcom County School Districts
  - | Teacher and staff training in RP
  - | Direct services
    - ú Restorative Circles
    - ú Restorative Coaching
- Community workshops
- Court programs (mediation and training, and more)
- Emerging practices on college and university campuses
- ...and more



# Opportunities

- ∅ Tremendous opportunity to further consider programs, practices, approaches on the continuum that align with the Task Force's purpose, and that would benefit our community as a whole.

# Questions?

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