

U.S. District Court District of Massachusetts

Introduction to Restorative Justice



RISE: REPAIR, INVEST, SUCCEED, EMERGE

Restorative component

The restorative component of the RISE program & RJ order requires participation in:

- ★ **Informational session**
- ★ **Workshop (2 8-hour sessions in person)**

Additional participation may include:

- ★ **Readings/manualized short-term program**
- ★ **5-session trauma-focused reading group**
- ★ **Individual restorative process**

RESTORATIVE JUSTICE



What is restorative justice?

Various definitions of restorative justice

A theory of justice that emphasizes a meaningful *acceptance of responsibility* for a harm caused or a crime committed and making amends for that harm.

Restorative Justice offers a variety of formal practices that responsible parties, victims, and stakeholders can participate in to: process the harm caused; explore the decisions and behaviors that led to the harm; identify and acknowledge the impact the harm has had on the community and victims; and develop ways in which the *harm can be repaired*.

Restorative practices are specific in intent and designed to be inclusive and transformative. The processes are non-judgmental and respectful to all.

RESTORATIVE JUSTICE

"Restorative justice is a process to involve, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs and obligations, in order to heal and put things as right as possible."

-Howard Zehr

RESTORATIVE JUSTICE VS. TRADITIONAL JUSTICE

Restorative Justice	Traditional Justice
Who has been hurt?	What law was broken?
What are their needs?	
Whose obligations are these?	Who did it?
What are the causes?	
What needs to be done to repair the harm?	What punishment do they deserve?

RESTORATIVE JUSTICE

Restorative justice is multifaceted, yet simple at the same time.

How can something so easy, be so darn hard?

Attempts to make it synonymous with other concepts are incorrect.

Restorative Justice is not:

- NEW
- Forgiveness/Reconciliation
 - Therapy/Closure
- Return to past circumstances
- Designed to reduce recidivism/incarceration
 - Limited to 1st or minor offenses
 - A panacea or quick fix

RESTORATIVE JUSTICE

Restorative justice views crime as more than breaking the law – it also causes harm to people, relationships, and the community. So a just response must address those harms as well as the wrongdoing.

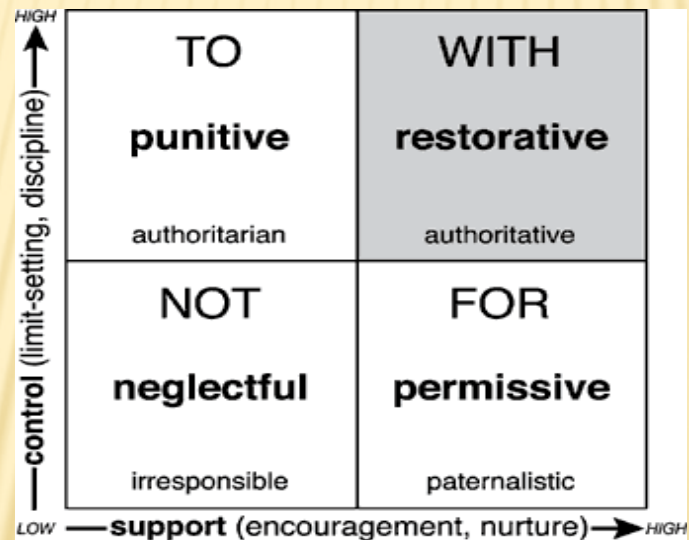
Notice three big ideas:

- (1) **REPAIR:** crime causes harm and justice requires repairing that harm;
- (2) **ENCOUNTER:** the best way to determine how to do that is to have the parties and the community decide together; and
- (3) **TRANSFORMATION:** this can cause fundamental changes in people, relationships and communities.

<http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/>

SOCIAL DISCIPLINE WINDOW

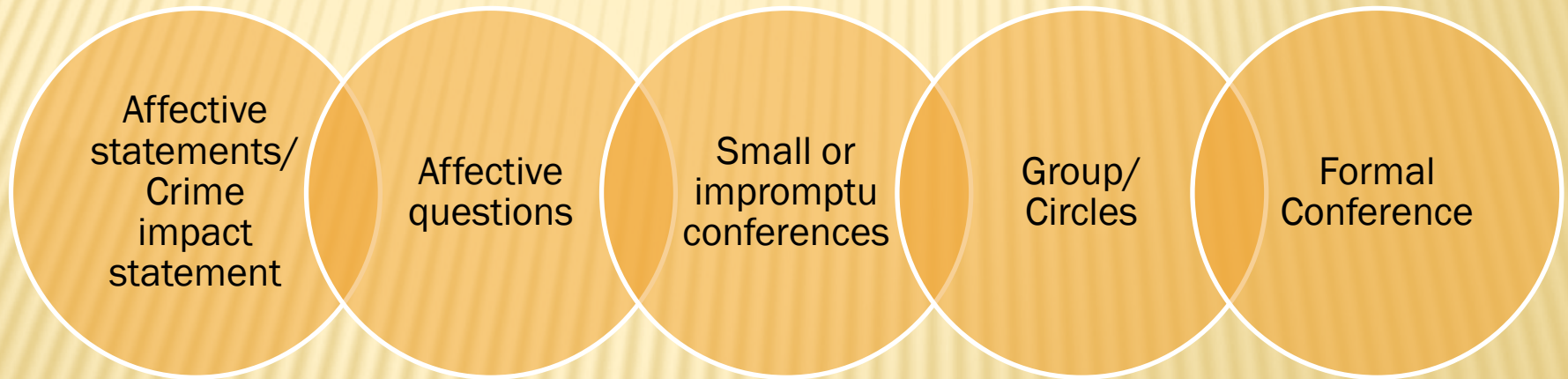
Restorative practices are grounded in the belief that people will make positive changes when those in positions of authority do things with them rather than to them or for them.



According to the Social Discipline Window, a restorative approach requires a balance of high levels of control/limit setting with high levels of support.

RESTORATIVE PRACTICES

Restorative practices include a variety of options and range from informal exercises to formal processes.



RESTORATIVE QUESTIONS

What happened?

What were you thinking about at the time?

What have you thought about since the incident?

Who do you think has been affected by your actions?

How have they been affected?

THINKING POINTS

Meaningful acceptance of responsibility

- + How do you come to an understanding of *why* you chose to commit the crime
 - ★ Past victimization, trauma, social influence/associations, negative thinking styles, anti-social attitudes/beliefs, need, decision making, values
- + *Introspection* – examination of your own mental and physical processes
- + What does accepting responsibility mean to *you*

THINKING POINTS

The harm and its victims

- + Begin to understand the crime as a *harm* with victims
- + Redefine the idea of “victimless” crimes
- + Identify and empathize with the victims
 - ✦ Consider direct victims, indirect victims, surrogate victims, stakeholders, and the community
- + What has this harm cost your loved ones, friends, and *you*

THINKING POINTS

Repairing and reintegration

- + Restorative justice offers you an invitation to think about how you could make amends
 - ✦ **Forgiveness**
- + What does making amends mean to *you*
- + *You are not defined by your crime*
 - ✦ **Re-story/ re-invent your role in your community. You are a valuable member of society that can make positive contributions**



NEXT STEPS

Workshop: What to expect

- ★ Further information about restorative justice, social values, criminogenic needs
- ★ Opportunity to process the harm and explore factors that contributed to your committing the harm
- ★ Invitation to begin thinking about meaningful acceptance of responsibility and making amends
- ★ Will involve other RISE participants and community members
- ★ Will explore opportunities for participation in additional restorative practices
- ★ Participation in both days is required

QUESTIONS

