

# Restorative Justice

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# Definition

“ Restorative Justice has been defined as ‘a process of bringing together the individuals who have been affected by an offense and having them agree on how to repair the harm caused by the crime,’ with the goal of restoring victims, offenders, and communities in a way that all stakeholders agree is just. The system is based upon the recognition that crime harms individuals (victims) and relationships (the victim’s and the offenders’ respective communities). ”<sup>1</sup>

# EDUCATION SYSTEM



# 3 Types of Justice in Education



## Retributive Justice

- Rooted in punishment
- Focuses on the offense
- Aligned with the zero tolerance approach to school discipline
- E.g., Detention, suspension, expulsion



## Rehabilitative Justice

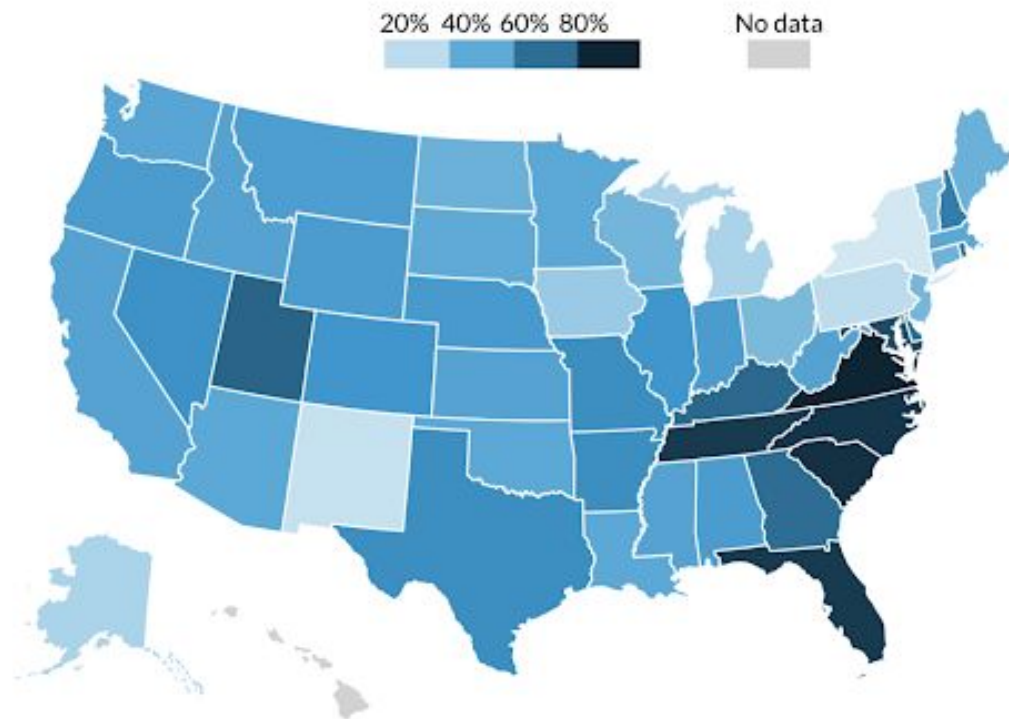
- Rooted in the rehabilitation of the offender
- Focuses on "fixing" the offender
- Uses therapeutic measures to prevent future criminal acts
- E.g., Counseling, anger management programs, drug and alcohol rehabilitation



## Restorative Justice

- Rooted in the reparation of harm
- Focuses on the relationship between perpetrators and victims of crime
- Asks offenders to "make right" their offense
- E.g., Care center, talking circles, peer jury

## Share of High School Students Attending a School with a Sworn Law Enforcement Officer



Source: Office of Civil Rights, 2013-14.

URBAN INSTITUTE

# U.S. schools

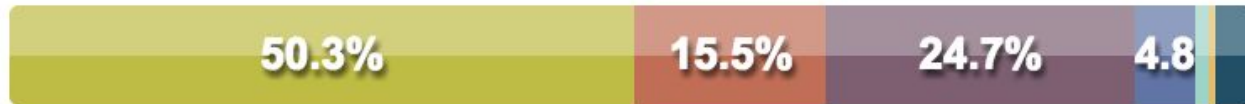
## WHO GETS ARRESTED?



## WHO GETS REFERRED TO LAW ENFORCEMENT?



## WHAT DOES OVERALL ENROLLMENT LOOK LIKE?



Source: Education Week Research Center original analysis of Civil Rights Data Collection, 2017

# JUVENILE SYSTEM



## UNNECESSARY

Only **10 - 20%** of children in the juvenile system are convicted of a violent crime (robbery, assault, homicide)

## INEFFECTIVE

Between **70 - 80%** of children who have been in the juvenile system are **rearrested** within 2 - 3 years.

<b>LESS RESTORATIVE</b>	<b>MORE RESTORATIVE</b>
A focus on <b>punishment</b>	A focus on <b>repair</b>
Hearings focused on <b>evidence, procedure</b> and <b>testimony</b>	Hearings focused on <b>dialogue</b> and <b>understanding</b>
Options for survivor involvement are <b>limited</b> and <b>constrained</b>	Options for survivor involvement are <b>varied</b> and <b>respect the survivor's choice</b>
Service options of offenders are <b>less varied</b> and focus on <b>completion of tasks</b>	Service options of offenders are <b>more varied</b> , relate to the offender's <b>strengths</b> , and <b>benefit the community</b>

# **VARIED COMMUNITY SERVICE OPTIONS**

**Conduct a neighborhood food drive and serve/deliver the food to families in need.**

**Plan a youth conference and have other teens assist in the planning process.**

**Plan and facilitate a workshop series.**

**Distribute literature to the community or start a campaign around a particular issue.**

**Work with a local non-profit organization on a community project.**

**Start a book club in your community around a relevant issue.**

## Highlights from the 2016 Restorative Justice Victim Satisfaction Survey

**84%**

of victims were satisfied with the restorative justice conference they attended.

**64%**

said the restorative justice conference made them feel better.

**81%**

said they would be likely to recommend restorative justice to others in a similar situation.

# **RESTORATIVE JUSTICE WORKS.**

**80%**

were satisfied with their overall experience of restorative justice before, during and after the conference. There were even higher satisfaction rates among Maori (89%) and Pasifika (96%).

**86%**

of victims of family violence were satisfied with restorative justice, compared with 77% of victims of other crime.

**75%**

of victims could say how restorative justice benefitted them.

# **RESTORATIVE JUSTICE & ABOLITION**

# Reformist reforms vs. abolitionist steps in policing

These charts break down the difference between reformist reforms which continue or expand the reach of policing, and abolitionist steps that work to chip away and reduce its overall impact. As we struggle to decrease the power of policing there are also positive and pro-active investments we can make in community health and well-being.

DOES THIS...	reduce funding to police?	challenge the notion that police increase safety?	reduce tools / tactics / technology police have at their disposal?	reduce the scale of policing?
<b>BODY CAMERAS</b>	<b>INCREASES.</b> Equipping police officers with body cameras will require more money going toward police budgets.	<b>NO.</b> Body cameras are pitched as making police more accountable, increasing the idea that policing, done "right," makes people safe.	<b>INCREASES.</b> Body cameras are pitched as making police with another tool, increasing surveillance and increasing police budgets to acquire more gadgets.	<b>INCREASES.</b> Body cameras are based on the idea that police who do not use "excessive force" are less threatening. But police can turn off body cameras and, when used, footage often doesn't have the impact that community members want, or is used for surveillance.
<b>COMMUNITY POLICING</b>	<b>NO.</b> Advocates of community policing argue that departments will have to hire more cops to be in neighborhoods and in the community.	<b>NO.</b> This is based on the belief that policing is focused on keeping people safe, and the violence of policing is caused by a "breakdown of trust" with the community.	<b>INCREASES.</b> Cops are trained in additional tactics and approaches.	<b>NO.</b> More community police means that the scale of policing will increase, particularly in Black, Brown, poor neighborhoods, where there is perceived "mistrust."
<b>MORE TRAINING</b>	<b>NO.</b> More training will require more funding and resources going to police to develop and run trainings.	<b>NO.</b> This furthers the belief that better training would ensure that we can rely on police for safety, and that instances of police harm and violence occur because of lack of training.	<b>INCREASES</b> all of these.	<b>NO.</b> This will increase the scope of policing, given the type of training. For instance, some advocate for police to be trained on how to respond to mental health crises, furthering the idea that police are the go-to for every kind of problem.
<b>CIVILIAN REVIEW / OVERSIGHT BOARDS</b>	<b>NO.</b> In some cases, there would be an increase in funding, whereas in other cases, there would be no change.	<b>NO.</b> Overseeing the police through a board presumes that cases of excessive force, killing, lying, planting false information, etc. are exceptional occurrences rather than part of the daily violence of policing.	<b>NO.</b> Some argue for Civilian Review Boards "with teeth," the power to make decisions and take away policing tools and tactics. However, a board with that level of power has never existed despite 50+ years of organizing for them.	<b>NO.</b> This further entrenches policing as a legitimate, reformable system, with a "community" mandate. Some boards, based with overseeing them, become structurally invested in their existence.
<b>"JAIL KILLER COPS": PROSECUTE POLICE WHO HAVE KILLED AND ABUSED CIVILIANS.</b>	<b>NO.</b> Prosecuting police does not lead to changes in funding or resourcing police.	<b>NO.</b> Individualizing police violence creates a false distinction between "good police" (who are usually cases), rather than challenging the assumption that policing creates safety or examining policing as systemic violence.	<b>NO.</b> Often, media attention in high profile cases leads to more resources and technology, including body cameras and "trainings."	<b>NO.</b> This reinforces the prison industrial complex by portraying killers/ corrupt cops as "bad apples" rather than part of a regular system of violence, and reinforces the idea that prosecution and prison serve real justice.

DOES THIS...	reduce funding to police?	challenge the notion that police increase safety?	reduce tools / tactics / technology police have at their disposal?	reduce the scale of policing?
<b>SUSPEND THE USE OF PAID ADMINISTRATIVE LEAVE FOR COPS UNDER INVESTIGATION</b>	<b>YES.</b> This can INCREASE community-based budgets as municipalities no longer pay for policing's harm against community members.	<b>YES.</b> It challenges the notion that policing violence, and the administrative costs it incurs, are essential risks of creating "safety."	<b>YES.</b> Access to paid administrative leave lessens the consequences of use of force, and presumes the right of police to use violence at all.	<b>YES.</b> The less financial support for police undergoing investigation for killing and excessive use of force, the less support for policing.
<b>WITHHOLD PENSIONS AND DON'T REHIRE COPS INVOLVED IN EXCESSIVE FORCE</b>	<b>YES.</b> This can INCREASE community-based budgets as municipalities no longer pay for policing's harm against community members.	<b>YES.</b> It challenges the notion that killings and excessive force are exceptions, rather than the rule.	<b>YES.</b> It reduces the ability of police forces to move around or re-engage cops known for their use of violence.	<b>YES.</b>
<b>REQUIRE COPS TO BE LIABLE FOR MISCONDUCT SETTLEMENTS</b>	<b>YES.</b> This can INCREASE community-based budgets as municipalities no longer pay for policing's harm against community members.	<b>YES.</b> It challenges the notion that policing and all its costs are essential components of safety. Community members should not pay for its inevitable violence.	<b>YES.</b> It creates pressure for police to account for their actions, at least financially, and limits legitimacy of policing violence as inevitable.	<b>YES.</b>
<b>CAP OVERTIME ACCRUAL + OT PAY FOR MILITARY EXERCISES</b>	<b>YES.</b> This can INCREASE community-based budgets since we won't have to pay for cops learning how to better make war on our communities.	<b>YES.</b> It challenges the notion that we need police to be trained for "counterterrorism" and other military-style action and surveillance in the guise of increasing "safety."	<b>YES.</b> Weapons trainings and expos are used to scale up policing infrastructure and shape goals for future tools, tactics, technology.	<b>YES.</b> This stops police from increasing their legitimacy, capacity, and skills as "the blue line" in order to expand their reach over our daily lives and community spaces.
<b>WITHDRAW PARTICIPATION IN POLICE MILITARIZATION PROGRAMS</b>	<b>YES.</b> This can INCREASE community-based budgets since we won't have to pay for cops learning how to better make war on our communities.	<b>YES.</b> It challenges the notion that we need police to be trained for "counterterrorism" and other military-style action and surveillance in the guise of increasing "safety."	<b>YES.</b> Weapons trainings and expos are used to scale up policing infrastructure and shape goals for future tools, tactics, technology.	<b>YES.</b> This stops police from increasing their legitimacy, capacity, and skills as "the blue line" in order to expand their reach over our daily lives and community spaces.
<b>PRIORITIZE SPENDING ON COMMUNITY HEALTH, EDUCATION, AFFORDABLE HOUSING</b>	<b>YES.</b> If we decrease funding for policing, this will decrease its resources.	<b>YES.</b> Prioritizing funding resources also creates space to imagine, learn about, and make resources that actually create well-being.	<b>YES.</b> If we decrease funding for policing, this will decrease the expansion of tools and technology.	<b>YES.</b> If we decrease funding for policing, this will decrease the size, scope and capacity of systems of policing.
<b>REDUCE THE SIZE OF THE POLICE FORCE</b>	<b>YES.</b>	<b>YES.</b>	<b>YES.</b>	<b>YES.</b>





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Almost every role in our community  
a police officer fills would be better  
handled by a social worker

1:57 PM · 6/2/20 · [Twitter for iPhone](#)

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Now let's imagine...