
Balanced and Restorative Justice



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Philosophy of Restorative Justice

A different way to think about crime and criminal justice

- Crime is seen as something harmful to the victim and the community, not simply as a violation against the state.
- The offender becomes accountable to those s/he has harmed.
- In the process, the victim, offender, and the community move toward restoring wholeness.

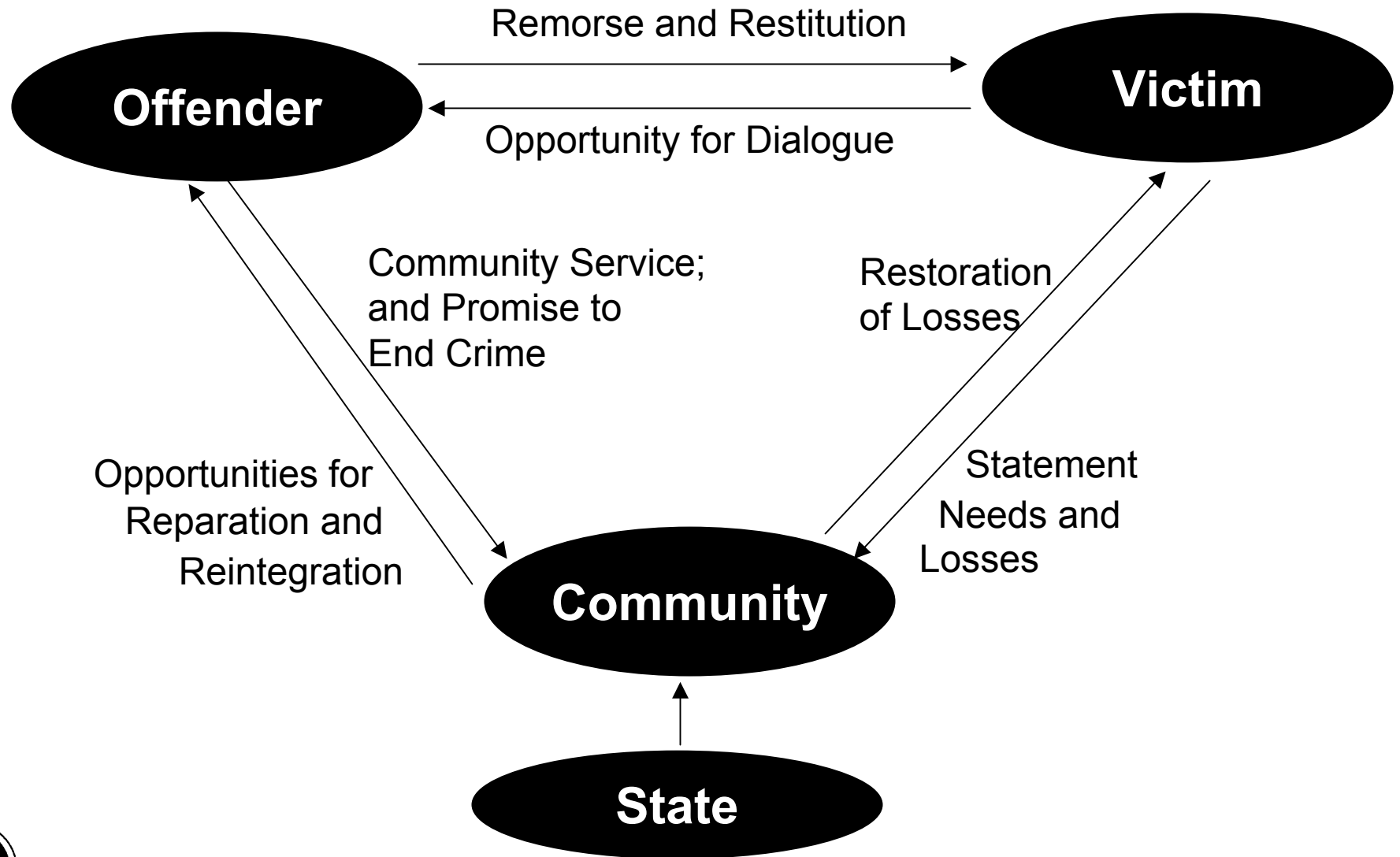


Principles

- Crime hurts victims, offenders, and communities.
- The first priority is to assist the victims.
- Accountability for the offender means accepting responsibility and attempting to repair the harm.
- Restoration is the focus rather than punishment.
- Victims and the community are central to the justice process.
- It offers opportunities for offenders in competency development and reintegration into community life.
- It strengthens public safety through community building.
- Offenders are accountable for their individual choices, and communities are accountable for the conditions that may contribute to crime.



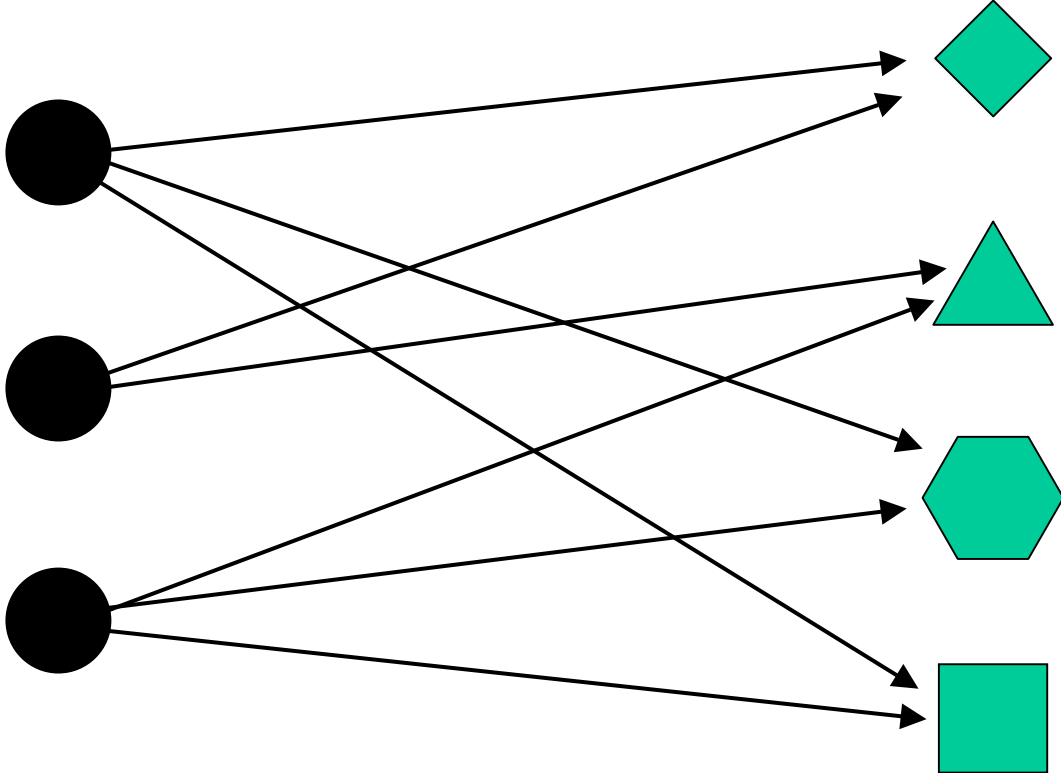
Community Restorative Justice



Connections

Tools

Applications



Tools

- Mediation
- Victim / offender mediation
- Family group conferencing
- Family group decision making
- Peacemaking circles
- Real Justice conferencing
- Sentencing circles
- Victim impact panels
- Community service

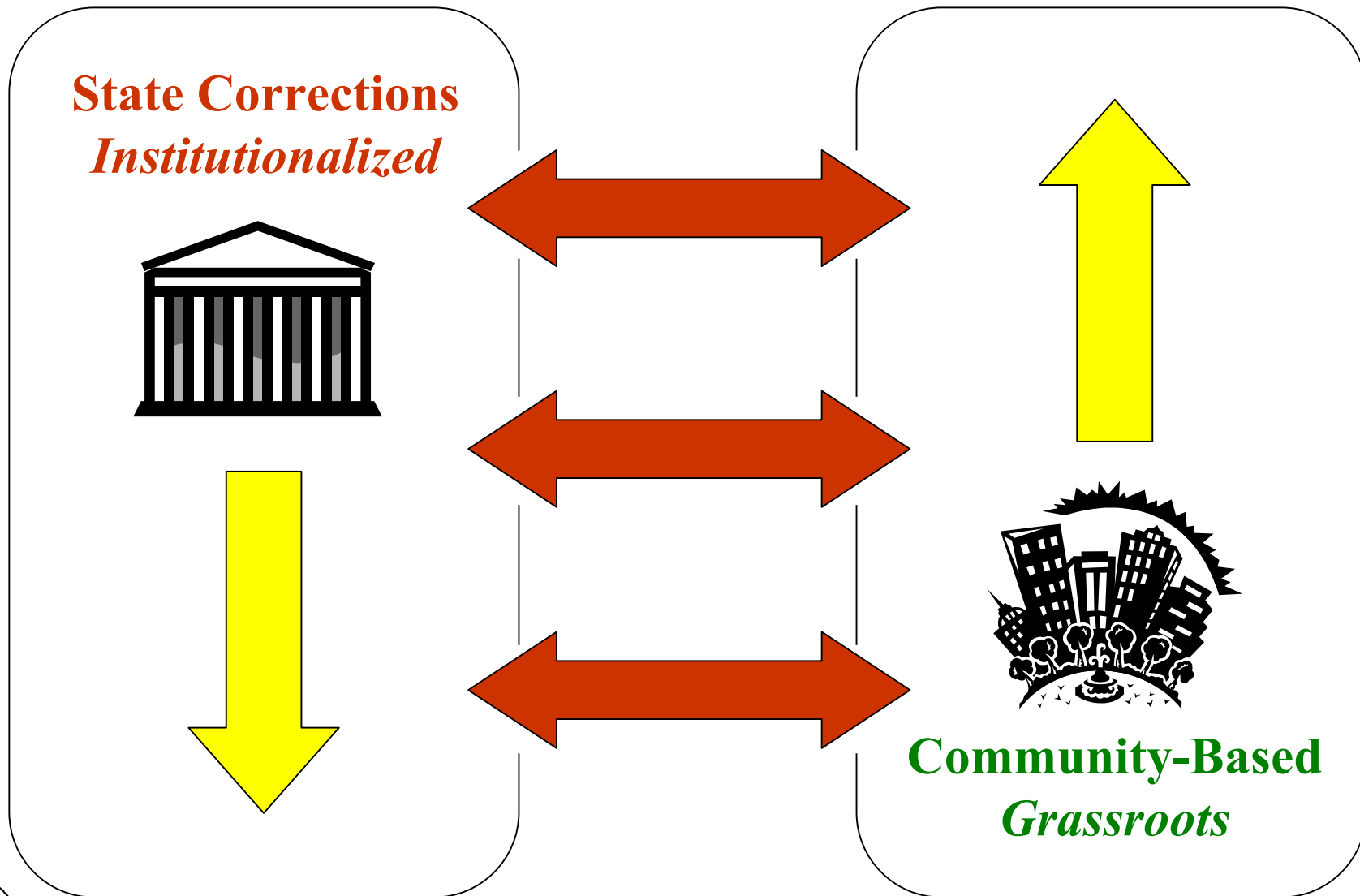


Applications

- Victim assistance programs
- Community service
- Diversion programs for property offenses
- Restitution programs with victim input
- Child abuse and neglect planning
- Treatment programs with victim awareness, empathy building
- Letters or other meaningful apology
- Competency building programs both institutionally-based and community-based
- Truancy mediation
- Peer mediation in schools
- Community policing
- Neighborhood mediation programs
- Reintegration programs
- Reparative mediation
- Police conferencing
- Speakers' bureau
- Alternative sentencing
- Offender family services
- Victim offender mediation with serious offenses



Restorative Justice Implementation



Community-Based Task Force Members and Activities



- Citizens
- Corrections
- Court administrators
- District attorneys
- Faith community
- Judges
- Law enforcement
- Mediator attorneys
- OSSRD
- Social workers
- Victim services coordinators

- Articulate vision
- Create networks
- Sponsor forums
- Disseminate information
- Seek funding



How Restorative is Your Program?

Rate each statement on a scale of 1 to 5 points; 1 being the least like your program and 5 being the most like your program:

The program.....

1. Offers the victim the opportunity to participate in the justice process safely and with dignity _____
2. Helps “make right” the harm done to victims (restitution and healing) _____
3. Helps the offender understand the human harm as well as the legal wrong _____
4. Focuses on accountability rather than punishment _____
5. Addresses the community’s need for safety _____
6. Allows the community to have input in holding the offender accountable _____
7. Offers the offender opportunities for competency development _____
8. Provides opportunity for offenders’ reintegration into community life _____
9. Allows communities to be held accountable for conditions that contribute to crime _____
10. Has measurable objectives that directly relate to restorative principles _____

Total points _____

Add up your total; if you scored:

25 points or less – the program is *Restoratively Challenged*

26 – 35 points – the program demonstrates some restorative processes

36 – 50 points – the program operates on restorative principles



**“Valuing their roles as citizens
and feeling connected to
democracy help youth
understand why they should
obey the law”**

Source: “Youth for Justice” Juvenile Justice Bulletin, Paula A. Nessel, April 2001



IMPLEMENTING THE MODEL

- **START SMALL**
- **STAY BALANCED**
- **DO NOT REVICTIMIZE**



Identify existing programs that have potential to become restorative

- Already established – ex. Community service
- Receptive community
- Support by civic organizations
- Potential for or already provide competency development for juveniles



Form a core group who will:

- Set goals
- Monitor progress
- Evaluate

This group should be well-versed in the BARJ philosophy and principles and be able to make decisions for the groups they represent



Involve your staff in all phases of development

- assessment of programs
- development of goals
- agreement on underlying core values
- presenting new model to related disciplines, depending on your agency:
 - law enforcement -private nonprofit
 - prosecution -faith community
 - detention -judiciary



Identify a victim organization and/or several victims who support the BARJ philosophy

- Involve these organizations/individuals in program development
- Look to groups for their input regarding what type of projects are meaningful for them



Seek out conventional community groups such as employers, victims' groups and civic organizations

- Provide information and training as appropriate
- Ask them for ideas about projects that are important to them



Ensure cultural diversity

- Relate this to the kids and to their neighborhoods



Keep your process alive

- Continuously seek feedback from all involved (and those not yet involved) individuals, organizations, and agencies
- Don't forget the kids and their families



Focus on the community when possible

- Kids come from communities
- Their families live in these communities
- Most will return to these communities

