



Restorative Justice Project

Impact Justice's Restorative Justice Project works with communities to meet the needs of people harmed, reduce youth criminalization, and address racial and ethnic disparities in the charging and prosecution of youth of color. We collaborate with community-based organizations (CBOs), system agencies, and impacted community members nationwide to develop restorative justice diversion programs. Our pre-charge diversion model brings together the person who caused harm, the person harmed, and impacted community members into an accountability process that heals relationships and strengthens communities. You can learn more by visiting RJToolkit.org.

What does the Restorative Justice Project offer to communities?

The Restorative Justice Project provides training and technical assistance to CBOs and legal system agencies. This includes:

-  Identifying a CBO to facilitate restorative justice processes
-  Developing a memorandum of understanding between the prosecutor's office and CBO
-  Building partnerships between CBOs and system agencies
-  Facilitating a suite of trainings:
 - Community Circles
 - Harm Circles
 - Restorative Community Conferencing
-  Creating program criteria based on local arrest, geographic, and demographic data
-  Providing ongoing guidance and mentorship

What is restorative justice?

At its core, restorative justice is about relationships—how you create them, maintain them, and mend them. It's based on the philosophy that we are all interconnected, that we live in relationship with one another, and that our actions impact each other.

How does restorative justice compare to the criminal legal system?

Traditionally, the criminal legal system operates by asking three questions:

- 1 What law was broken?
- 2 Who broke it?
- 3 What punishment is deserved?

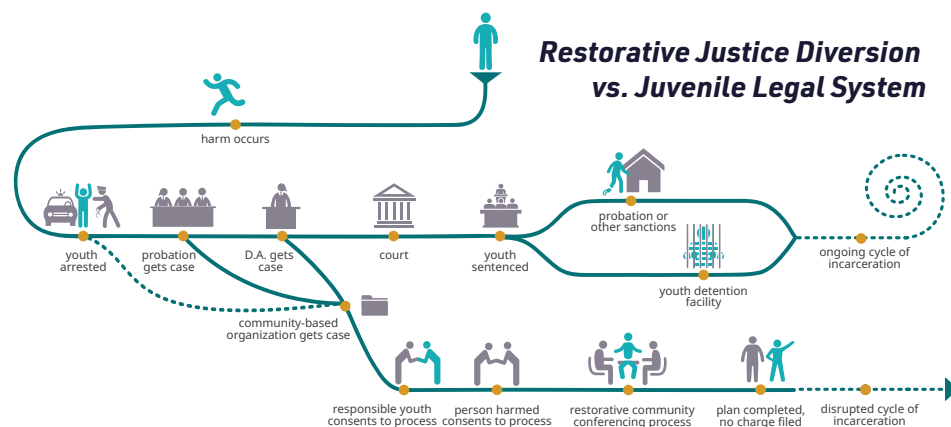
Legally, harm and wrongdoing are defined as acts against the state (the breaking of the state's laws), rather than an act against a person. **Restorative justice recognizes wrongdoing as a harm done to people and communities and seeks to shift the punitive paradigm toward healing and accountability** by asking instead:

- 1 Who was harmed?
- 2 What are their needs?
- 3 Whose obligation is it to meet those needs?

Restorative justice diversion honors the humanity and dignity of people by recognizing that we are more than the worst thing we've ever done and attending to the questions above.

How does restorative justice diversion work?

Our restorative justice diversion programs are post-arrest and pre-charge, meaning that the young person who has committed harm has been arrested but has not been charged with a crime. Restorative justice diversion is most effective with **serious harms** (felonies and high level misdemeanors), which have a **clear, identifiable person harmed** such as **robbery, burglary, car theft, assault/battery, arson, and teen dating violence**. The young person is diverted by the local prosecutors office instead of being processed through the juvenile legal system. Restorative justice diversion programs are run by CBOs who are always independent of any law enforcement or systems agency. They are often local nonprofits experienced in supporting youth and are rooted in the communities they serve.



Once a case is referred to the CBO, trained facilitators inform the responsible youth and the person harmed of the decision to divert and the opportunity to participate in a Restorative Community Conferencing process. Once a case is completed successfully, the referring agency closes the case with no charges filed against the youth.

What is a Restorative Community Conference and how does it work?

Restorative Community Conferencing (RCC) is the process that brings together the person harmed, the responsible youth, caregivers/family members, and community members to discuss what happened, including the causes and impact of the harm.

Preparation. Once a case is diverted and everyone is on board, the facilitator prepares each participant. Together they process what happened, determine what repairing the harm could look like, and walk through what to expect from the RCC. Prep can take several months.

Conference. During the RCC, each person shares how the harm impacted them. The responsible youth reads an apology letter and the person harmed identifies their needs. Everyone contributes to create a plan for the young person to make things as right as possible for the person harmed, their family, the community, and themselves.

Plan Completion. The plan usually takes two to three months to complete, after which the case is closed with no charges filed.



Who facilitates Restorative Community Conferences?

RCCs must be facilitated by someone who has been trained in both Restorative Community Conferencing and circle processes. Staples of a facilitator are:

- Having equal partiality—care, compassion, and concern—for each and every person in the process, regardless of their involvement
- Supporting the dignity and wholeness of each participant while also creating safe, brave, and non-judgmental containers for true accountability to occur
- Belief that each participant has the wisdom and agency to identify what they need to heal

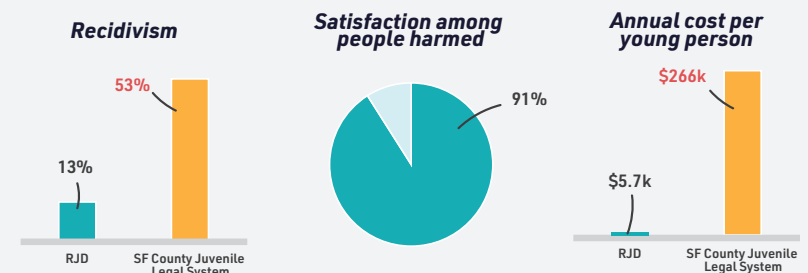
What role does the criminal legal system play in Restorative Community Conferencing?

Given the paradigm shift we are working toward, the criminal legal system's involvement in the restorative justice diversion process is limited but important. The system plays a role by diverting cases to RCC, without which a program could not operate. System leaders can also support by sharing data, increasing the number of referrals, and expanding the case referral criteria. The legal system is not involved in the actual RCC process.

Where is restorative justice diversion already happening and how do we know it works?

The model of RCC in which we train people originated in Aotearoa (New Zealand), where it is called Family Group Conferencing. In 1989, the government in Aotearoa passed the Children, Young Persons, and Their Families Act, which [transformed the nation's juvenile legal system](#). This included using Family Group Conferencing to address racial and ethnic disparities in the incarceration of young people. Since our launch, the Restorative Justice Project at Impact Justice has partnered with communities around the country to develop similar programs through our restorative justice diversion model.

Restorative justice diversion has been proven successful in [reducing recidivism](#), producing high [satisfaction among people harmed](#), and [reducing spending](#) in incarceration.



What are the core elements of this approach to restorative justice diversion?



To learn more, visit impactjustice.org/restorative-justice and RJDToolkit.org.

Impact Justice is committed to fostering a more humane, responsive, and restorative system of justice in our nation. We confront mass incarceration, cruel and inhumane conditions, barriers to re-entry, and the failure to meet the needs of people harmed. We understand that our struggle for justice takes place in a context of historic, systemic, and pervasive racism. Because of this, we are committed to changing hearts and minds, behaviors, and structures.