



---

## Restorative Justice and Restorative Practices in Buffalo

September 2, 2014

### What is Restorative Justice?

- Restorative justice is a way of creating justice that emphasizes repairing the harm caused by criminal or rule-breaking behavior, rather than simply punishing it.
- Contemporary justice systems tend to ask, what rule was broken and what punishment does the offender deserve? Restorative justice asks,
  - What happened?
  - Who was affected?
  - How will the harm to people, relationships, and the community be repaired?
- Typical restorative justice brings together those most affected by the harm – offender, victim, and community members – in a non-adversarial process to
  - Encourage offender accountability;
  - Meet the needs of the victim and the affected community; and
  - Reduce the likelihood of reoccurrence.

### What are Restorative Practices?

- Restorative justice is a subset of a larger set of restorative practices. Whereas restorative justice takes place *after* a harm has been done, restorative practices also include informal and formal practices that build relationships and community and help to *prevent* wrongdoing.

### What is Open Buffalo?

- Open Buffalo is a new civic initiative to bring more equality, justice, and democracy to Buffalo; it was one of three initiatives selected for funding by the Open Society Foundations in a nationwide competitive process.
- One of the three initial goals of Open Buffalo is to bring more restorative justice to Buffalo's schools, courts, correctional facilities, and communities.
- Open Buffalo partners working on Restorative Justice include Citizen Action/Public Policy and Education Fund (PPEF), the Erie County Restorative Justice Coalition, the Partnership for the Public Good, Prisoners Are People Too, and VOICE-Buffalo.

#### Peace Circles

A peace circle or restorative circle can take many forms, but, in one common version, a trained facilitator is present, and the conversation moves sequentially around the circle, one person at a time, with no back and forth. This enables each person to be fully and respectfully heard. Peace circles can be used to address wrongdoings but may also be used proactively; some schools and organizations start each day with a circle.

### Restorative Practices in the Buffalo Public Schools

- Around the nation, schools in cities such as Baltimore, Denver, and Oakland that use restorative practices have seen decreases in suspensions and improvements in attendance and graduation.
- Restorative practices fit perfectly with the Buffalo Public Schools' new code of conduct, and BPS has embraced the opportunity to train staff in restorative practices.

- Citizen Action/PPEF and the other Open Buffalo partners are collaborating with BPS to pilot restorative practices in three schools in 2014-2015.
- Schools will use restorative circles and conferences, along with other, less formal restorative practices, to build community, prevent harms, and address harms that are committed with tools other than suspensions.

### **Restorative Justice in Erie County's Courts**

- Restorative justice offers a proven way to give victims more satisfying resolutions while reducing criminal justice costs and avoiding incarceration of low-level offenders.
- If all the parties agree then, instead of being prosecuted in court, a low-level offence may be resolved with a community conference, in which a trained facilitator gathers with the victim, offender, and affected community members (often including friends or family of the victim) to discuss the incident and find a solution in which the harm is repaired.
- The Erie County Restorative Justice Coalition has trained numerous facilitators and is now accepting referrals from Family Court and other sources.

#### **Community Conferences**

In a community conference, a trained facilitator helps the victim, offender, and community members understand the harm committed and reach agreement on what needs to be done to repair it.

Conferences often include additional supporters to address the power imbalance between victim and offender.

### **Restorative Practices for the Incarcerated and Formerly Incarcerated**

- Restorative practices offer peaceful, effective ways to resolve conflicts in correctional facilities among inmates or between inmates and staff.
- Restorative practices can also help ex-offenders to reintegrate into their communities by offering them a way to repair the harm done to victims and communities and to rebuild trust and relationship.
- Prisoners are People Too is training facilitators to work in the Erie County Holding Center and the Correctional Facility and is advocating with Erie County to bring restorative practices to those facilities. They will also be available to run community conferences or peace circles for ex-offenders.

### **Restorative Practices in our Communities**

- Restorative practices can repair harms and build community in many different contexts – not just in schools, courts, and correctional facilities
- VOICE-Buffalo is mobilizing an urban-suburban coalition of congregations and organizations to become neighborhood Youth Hubs or Peace Hubs. Each Hub will feature a leadership team trained in community organizing and restorative practices, with a particular focus on peace circles
- In addition to conflict resolution through peace circles, the hubs will support youth with mentoring and community support, such as links to mental health care, addiction treatment, and job training.

#### **A Fundamental Principle of Restorative Practices**

“Human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things *with* them, rather than *to* them or *for* them.”

*International Institute for Restorative Practices*