RESTORATIVE JUSTICE TOOLKIT

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January 2019
BACKGROUND
Interest in using restorative justice practices as both a better way to respond to youth who would otherwise be processed in the justice system and to potentially transform our current youth justice system has been growing across the country. There are also a growing number of District Attorneys that view restorative justice favorably and are referring youth to restorative justice programs as a diversion mechanism. This toolkit will help you to reflect on questions that can help to make a restorative justice program transformative. Additionally, we’ve provided a list of restorative justice programs across the country receiving referrals from prosecutors as well as supportive statements from prosecutors to help you make the case for restorative justice in your area. We would like this to be a living document, so email us at info@njjn.org to recommend additions. Finally, the toolkit includes additional resource materials to learn more about restorative justice and how it is being used in the youth justice arena.

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Introduction

Restorative justice emerges from the understanding that crime is a violation of people and interpersonal relationships, which creates a central obligation to right the wrongs.¹ Rather than focusing on punishment for punishment’s sake, restorative justice shifts the framework towards one of addressing victims’ needs and ensuring the young person is accountable for the harm they caused, while also addressing underlying reasons for their behavior.² Restorative justice, at its best, respects the humanity of the young person by giving them the opportunity to take responsibility for their actions while restoring the harmed individual. Ideally, restorative justice embeds the response to youth behavior within a context of healing and strengthened community bonds.

Any discussion of justice system transformation must include an analysis of how structural racism is embedded into that system. One manifestation of this is that youth of color are surveilled and policed from their sidewalks to their schools far more intensely than white youth, resulting in starkly disproportionate rates of justice system involvement from arrest to confinement. Given the overreach of the justice system in controlling the lives of black and brown youth, shunting youth with low-level offenses into a restorative process that actually expands the social control around the youth will reinforce this dynamic. Moreover, research on local and international restorative justice programs, indicate better outcomes when used for serious and violent offenses.³ As a result, while restorative

justice processes can be integrated into all aspects of a justice system, in order for them to be both highly effective and transformational, they should target serious and violent offenses, where relationships are significantly frayed.

Three basic models of restorative justice tend to dominate the landscape: victim-youth conferences; family group conferences; and circles.\(^4\) These models all involve a facilitated process that includes an encounter between key stakeholders – the young person responsible for the harm and the harmed party (representatives or surrogates may also be used), and sometimes other community and justice stakeholders.\(^5\) Studies have found restorative justice practices improve victim satisfaction and increase compliance with restitution requirements.\(^6\) They have also been shown to decrease recidivism when compared to traditional justice system responses, in particular for youth, including those with a history of committing violent offenses.\(^7\) While programs can be housed in a variety of locations, those placed in community-based organizations in under-resourced, higher crime communities are doubly beneficial. These kinds of programs are more likely to strengthen community bonds and increase community resources, both of which will serve to decrease crime, support young people and decrease victimization.

Below are ten key questions to consider in evaluating potential restorative justice programs for youth in order to increase the likelihood that the programs will help to transform the justice system into one that treats youth, families and victims with dignity and humanity.

**Ten Key Questions**

*Are you prioritizing the reduction of racial and ethnic disparities?*

You should ensure that reducing racial and ethnic disparities is maintained as a key focus in the program. Was the community engaged in the development and implementation of the program? How will youth be selected to participate? Are the staff culturally and linguistically competent for the population they will be serving? Are the services that can be made available for the young people culturally responsive?

*Have you safeguarded against net widening?*

You should ensure that only youth who are likely to have been arrested or charged can be referred for a restorative justice process. Restorative justice should not be used to keep youth in the system that otherwise would not be there. Rather, restorative justice programs should focus on youth who commit serious offenses, including violent offenses.

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\(^4\) Zehr, 47.

\(^5\) Ibid.

\(^6\) Fair and Just Prosecution, 2.

\(^7\) Ibid.

Does the program promote diversion and will the outcomes be proportionate?

It is preferable to use the restorative justice process as early as possible – pre-arrest or pre-charge. This enables youth to be diverted away from the system as soon as possible. Also, be sure that the program is set up so that the potential outcomes are proportionate to the alleged offense committed by the youth.

Are services available for all, including the responsible and harmed parties?

Is there access to services such as mental health and substance abuse, for all of the parties in the process, including the youth? Is the program responsive to the needs of those who have been harmed? Are they fully supported in the process?

Is the young person’s confidentiality preserved?

Any admissions that the young person may make and everything said during the restorative justice process should be kept confidential and not admissible as evidence at an adjudicatory hearing against that young person if a petition is later filed—even if the restorative process is not completed. It’s best if a confession or acknowledgement of guilt is not required to access restorative justice programs and services.

Are the appropriate people leading the program’s implementation and facilitating the process?

Only people who believe in the mission should be implementing the restorative process. Stakeholders should not be required to facilitate the process if they don’t buy into it. While facilitators do not have to be professional, there should be a process for training, supervision, and, ideally, recruitment from the community.

Is the community supportive and resourced?

Restorative justice programs are most beneficial when located within communities of color that are historically under-resourced. These communities should be centered in the process of developing and implementing a restorative justice program and they should be resourced to do the work.

How will you know if the program “works”?

It is helpful for stakeholders to identify a core set of measures for evaluation and clear criteria for data collection, and to establish mechanisms of quality assurance. Stakeholders should integrate into the evaluation a process for ensuring that the program stays true to the principles and values of restorative justice.
Would legislation or other regulations be helpful?

Consider whether state statute or court rule could protect youth’s confidentiality and/or encourage use of the program.

Are you addressing power imbalances?

Be intentional about addressing the inherent power imbalance between the young people and adults in the room as well as other structural power imbalances, such as those defined by class and race.

Conclusion

Restorative justice programs have the potential to uproot and transform our failed, punitive justice system approaches that harm youth, families, communities and public safety. When done right, restorative justice has the potential to restore relationships, heal individuals, and build community capacity.
PROSECUTORS SUPPORTING RESTORATIVE JUSTICE PRACTICES

Why Prosecutors?
We must address the current and historical power imbalances underlying the justice system when thinking about implementing restorative justice if we do not want to duplicate the structural racism that exists in the system. A large locus of power currently rests with prosecutors – they decide whether and how to charge young people and, in some places, whether a young person should be tried as an adult. The prosecutor’s office has also often become a stepping stone to higher office.Prosecutor buy-in of restorative justice programs is key to more widespread use of these programs to divert youth from the system. In a positive trend, prosecutor offices around the country are increasingly adopting and supporting restorative justice programs for a variety of youth justice cases because of the positive results these programs generate for lowered recidivism and higher victim satisfaction.

Prosecutorial Support by State
Accordingly, we have curated a list, by jurisdiction, of prosecutor-supported restorative justice programs for young people, individual prosecutor engagement with restorative justice programs, and public expressions of support by prosecutors for restorative justice. Please contact info@njjn.org to add restorative justice programs and/or prosecutor support to this list.

Prosecutorial Ambassador Program
We are also collecting names of prosecutors who are interested in serving as ambassadors for restorative justice processes with other prosecutors. If you would like to engage with one of these prosecutors or have someone we should add to our list, please contact info@njjn.org.

We hope that this information can be used to persuade more prosecutor offices to use restorative justice programs.

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ARIZONA

Pima County

Program: Community Justice Boards
Pima County has Community Justice Boards throughout the county that offer an alternative to prosecution for youth by offering "age-appropriate" consequences that aim to connect youth to their communities. The County Attorney's Office provides guidance, training, and support for community volunteers who facilitate family conferences to learn more about the youth and circumstances surrounding the offense. Victims are invited to participate. County Attorney LaWall created the Community Justice Boards in Pima County and also assisted with their implementation in Yuma County.

Prosecutor: County Attorney Barbara LaWall
Pima County, AZ (Tuscan) (1996 - )
"...I established the first Pima County Drug Court, and special diversion programs for adults, and created 18 unique neighborhood restorative justice Community Justice Boards for juveniles to help them avoid prosecution."

Yuma County

Program: Community Justice Boards
Yuma County, Arizona has Community Justice Boards that use restorative justice as a method of diversion for youth who have committed first time low-level and status offenses including theft, criminal damage, simple assaults, disorderly conduct, and truancy. The young person must admit to the offense and agree to participate in the program. The program is coordinated through the Office of County Attorney Jon R. Smith, who works in cooperation with the Juvenile Court and other community agencies.

Prosecutor: County Attorney Jon R. Smith
Yuma County, AZ (2004 - )
“The Yuma County Community Justice Boards is a true example of restorative justice and as such, it continues to serve in our community as a valued-based approach to responding to wrongdoing and conflict, with a balanced focus on all the stakeholders. “

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CALIFORNIA

Alameda County (Oakland, CA)

Program: Restorative Justice Diversion Program
The restorative justice youth diversion program in Alameda County is run by a community organization called Community Works West. The program works on pre-charge cases and has an explicit goal of reducing racial and ethnic disparities. An analysis of data from 2012-14 found 44% lower recidivism compared to similarly situated probation youth and 91% victim satisfaction.\(^{13}\) Cases can be referred by schools, the police, the district attorney’s office, or probation.\(^{14}\)

Prosecutor: Matthew Golde
Former Supervising Assistant District Attorney in charge of the Juvenile Division, Alameda County District Attorney’s Office

See this [blog post](https://www.nccdglobal.org/newsroom/nccd-blog/healthy-skeptic) on how this former deputy district attorney of 29 years went from being a skeptic of restorative justice to an open cheerleader and advocate who “yearn[s] for our existing justice system to embrace restorative justice.”\(^{15}\)

Los Angeles County (Long Beach, CA)

Program: California Conference for Equality and Justice (CCEJ)\(^{16}\)
The District Attorney’s Office in Los Angeles County refers cases to CCEJ’s Restorative Youth Diversion (RYD) program for youth aged 17 and under who have been charged with an offense.

San Francisco County (San Francisco, CA)

Program: Make it Right\(^{17}\)
The San Francisco District Attorney’s Office partners with two community organizations, Community Works West and Huckleberry Youth Programs, to offer the Make it Right program. This program provides pre-charging, restorative community conferencing for youth ages 13-17

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facing an array of felony charges as an alternative to prosecution. Youth and their family come together with the harmed party in a facilitated dialogue and develop an agreement to repair harm, make amends, and address root causes. It receives funding from the San Francisco Department of Children, Youth and Their Families and the Zellerbach Family Foundation.

**Prosecutor: District Attorney George Gascón**

San Francisco, CA (2011 - )

"I believe the most effective way to improve public safety in our communities is to prevent crime in the first place. Keeping young people from offending—or reoffending—is key to this strategy. But when young people do commit crimes, as district attorney I must balance prevention with addressing their behavior. Restorative justice does both . . . In the coming months, we will join together as a city to build a juvenile restorative justice conferencing model tailored to the strengths and needs of San Francisco." 18

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**COLORADO**

**Adams County**

17th Judicial District Attorney’s Office

**Program: Juvenile Diversion Program**

The Adams County District Attorney’s Office runs a juvenile diversion program that works with youth charged with non-violent first offenses (they also have a diversion program for adults charged with non-violent misdemeanors). It includes a community restorative justice component that can involve restitution and community service. The District Attorney’s Office also has a “Community Circles” program where they bring together the youth who have been charged, victims, and community members and implement restorative justice contracts for the youth. The success rate for youth who completed the program in 2012 was 87 percent – meaning that 87 percent of the youth did not re-offend within three years after completing the Diversion program.

**Boulder County**

20th Judicial District Attorney’s Office

**Program: The Center for Prevention and Restorative Justice**

The Center for Prevention and Restorative Justice is an in-house program within the 20th Judicial District Attorney’s Office that provides youth and adults with restorative services including community group conferencing, dialogue between the responsible and harmed parties, and

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processes for drug or alcohol-related violations. They have a 95% successful completion rate for youth diversion and 100% victim satisfaction rate.

**Prosecutor: District Attorney Michael Dougherty**  
Boulder County, CO (2018 - )  
He noted that the office’s restorative justice unit was completely grant funded and stated:  
"If we can't continue that program, that's a blow to the community, a disservice to offenders and long-term costs to taxpayers because people will re-offend."\(^{21}\)

**5th Judicial District**  
**Clear Creek County, Eagle County, Lake County, Summit County**

**Prosecutor: District Attorney Bruce Brown**  
5th Judicial District (2013 - )  
“Brown is a fan of restorative justice, and would put it ‘foremost on the minds of every prosecutor in the court so that each defendant and each victim is being treated as an individual.’”\(^{22}\)

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**DISTRICT OF COLUMBIA**

**Program: Restorative Justice Program**\(^{23}\)  
In 2016, Karl Racine, Attorney General for Washington, D.C., launched a Restorative Justice Program within the Office of the Attorney General (OAG) to offer juvenile prosecutors an alternative to traditional prosecution. OAG describes it as a program to bring together those affected by crime “with the offenders for a discussion to hold offenders accountable, empower victims and repair the harm caused by crime.” OAG states that over 80% of the youth who have successfully completed the program have not been re-arrested. The program was recently expanded due to a United States Department of Justice Smart Prosecution grant.

**Prosecutor: Attorney General Karl A. Racine**  
"[W]e have an obligation to make sure that the office is prosecuting cases in ways that make sure the kids who can benefit from services that can keep them out of the criminal

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justice system get those services. We’re going to spend a lot of time trying to refocus our energies in the area of restorative justice—get kids out of the system. That’s one priority”.

IOWA
Polk County

Program: Restorative Justice Center
There is a Restorative Justice Center within the Polk County Attorney's Office that provides services for both youth and adults who have committed an offense. The services for youth include the Youthful Offender Program, Juvenile Diversion Program, and Truancy Court Program.

ILLINOIS
Cook County
North Lawndale Neighborhood

Program: Restorative Justice Community Court
The Circuit Court of Cook County started a Restorative Justice Community Court in 2017 in the North Lawndale neighborhood of Chicago. It serves emerging adults, aged 18-26 years-old, that live in North Lawndale and are charged with nonviolent felonies or misdemeanors, have a non-violent criminal history, and accept responsibility for the harm caused. It is located in the UCAN social service agency, rather than a courthouse, and uses restorative conferences and peace circles involving the young adult, victims, family members, friends, others affected by the crime, and the community. The Circuit Court of Cook County received a $200,000 grant from the U.S. Department of Justice to start the court. The purpose of the Restorative Justice Community Court is to divert young adults from the justice system, as there is already victim-offender mediation based on restorative justice practices offered within the juvenile courts. The Office of the Cook County State’s Attorney determines which individuals are eligible for the program and the court was set up by stakeholders that included a board with local residents, court system representatives, and restorative justice experts.

Prosecutor: State’s Attorney Kimberly Foxx  
Cook County, IL (Chicago) (2016 - )  
"Too often, juvenile court is used to address common adolescent behaviors that many schools feel ill-equipped to handle. There must be greater collaboration with the State's Attorney's office and education officials to ensure that one those children requiring court intervention are referred to juvenile court, and that meaningful alternatives like restorative justice are used where warranted."  

LOUISIANA  
Caddo Parish  

Program: Restorative Justice Diversion Program  
The Restorative Justice Diversion Program diverts youth who have committed first-time, misdemeanor offenses to a variety of community-based programs, though it’s unclear whether these are all restorative practice programs. The Caddo Parish District Attorney’s Office works closely with the program to refer youth who are deemed eligible for the program.

Jefferson Parish  

Program: Pre-Trial Juvenile Diversion Program  
The Pre-Trial Juvenile Diversion Program was implemented as an expansion of restorative justice in Jefferson Parish, allowing youth to be referred to the programs prior to entering the juvenile system. The Jefferson Parish District Attorney’s Office collaborates with the public school system to divert youth that have been involved in fights, thefts from persons, property destruction, assaults and batteries.

MAINE  

A variety of organizations in Maine are delivering restorative justice programming for youth and Maine’s Juvenile Justice Advisory Group (Maine JJAG) has spearheaded an Initiative to Develop a Sustainable Restorative Juvenile Justice System. A report on this Initiative that Community Justice Network of Vermont prepared for the Maine JJAG identified the following restorative justice programs for Maine youth and included the various points in the youth justice process that these programs were being used:

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- Bates College – pre-charge
- Portland Center for Restorative Justice – diversion and post-adjudication
- Restorative Justice Institute of Maine – pre- and post-summons, pre- and postcharge
- Restorative Justice Project of the Mid-coast – post-charge, incarceration, postconviction
- Thrive: Maine Youth Court – pre-adjudication, post-adjudication
- York County Juvenile Community Review Board – post-arrest, pre- and post-adjudication

Midcoast – Prosecutorial District 6
Waldo, Knox, Lincoln, and Sagadahoc Counties

Incoming District Attorney: Natasha Irving
District Attorney challenger, Natasha Irving, made expanding restorative justice a theme of her campaign. She stated that community-based restorative justice should be used for all nonviolent crime instead of incarceration and fines. She said it was particularly meaningful for “young offenders.”31 The District Attorney at the time, Jonathan Liberman, stated that “his office uses restorative justice quite often for juvenile and young offenders, but said he will not pledge to use it for dealing with ‘serious offenses.’”32

Kennebec County

Prosecutor: Maeghan Maloney
“Restorative justice is changing criminal justice for the better,” Maloney said. It’s victim-centered and it holds the offender accountable.”33

MASSACHUSETTS
Middlesex County

Program: Our Restorative Justice (OurRJ)34
The Middlesex County District Attorney’s Office refers certain youth to the Our Restorative Justice (OurRJ) diversion program. Our RJ, formerly known as Juvenile Court Restorative Justice Diversion (JCRJD), is a 501(c)(3) organization established in 2012 in response to the

increasing number of youth being referred to court for minor school-based offenses. Youth are diverted before being arraigned in court. The program maintains partnerships with many stakeholders including the Lowell Public Schools, the Middlesex District Attorney's Office, Middlesex Public Defenders Office, Middlesex County Police departments, United Teen Equality Center (UTEC), and other local nonprofit organizations.

**Prosecutor: District Attorney Marian T. Ryan**
Middlesex County, MA (2014 - )

"I support restorative justice programs because they require offenders to take responsibility for their actions, listen to the victims, and take active and concrete steps to make amends to the victim and community."\(^{35}\)

“In Middlesex County we have long practiced restorative justice and diversion and I have seen the benefits of implementing a collaborative approach that offers alternatives to prosecution, reduces recidivism and encourages treatment.”\(^{36}\)

**Suffolk County, Massachusetts (Boston)**

**Program: Juvenile Alternative Resolution Program (JAR)**\(^{37}\)
This program was launched as a pilot program by Suffolk County District Attorney Daniel F. Conley in 2017. The program operates in conjunction with many community partners, including UMass Boston’s Restorative Juvenile Justice Mediation Project and their McCormack Graduate School of Policy and Global Studies which will be studying the program by measuring data such as recidivism rates and intervention outcomes. JAR is tailored to serve youth with more serious offenses, with low-risk youth expected to be diverted informally with minimal supervision. The most serious offenses – sex offenses, gun crimes, and crimes causing serious injury to a victim are not eligible. In 2018 they added a partnership with Communities for Restorative Justice to facilitate restorative justice circles with youth, the victim, and other community participants.

**Prosecutor: Former District Attorney Daniel F. Conley**
Suffolk County, MA (2002-2018)

“*The Juvenile Alternative Resolution program will focus on cases in the middle of the spectrum – the ones that can act as early warning signs that a young person needs intervention in his or her life. And the intervention we’ll offer through the JAR will bring*  

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the benefits of accountability without the long-term consequences of traditional prosecution.

Victims will continue to have a voice in the process, and they’ll remain at the center of what we do. We’ll embrace the restorative justice model when it can provide them with meaningful resolutions. Crime victims have a right to be heard, both individually in their specific cases and collectively when it comes to matters of public policy.”

Prosecutors: Former District Attorney Daniel F. Conley (2002-2018) and Assistant District Attorney Michael V. Glennon
Suffolk County, MA

See this article that they co-wrote together with Erin Freeborn, Executive Director of Communities for Restorative Justice, which outlines their support for the Suffolk County diversion program and it’s new partnership with Communities for Restorative Justice.

MINNESOTA
Kandiyohi County

Program: Restorative Justice Diversion Program
The Kandiyohi Restorative Justice Diversion Program is a part of the Kandiyohi County Attorney’s Office. Youth participate in a circle process with community volunteers who have received training in restorative practices.

NEW YORK
Albany County

Program: Clean Slate
The Office of the Albany County District Attorney oversees a group of programs called “Clean Slate” that aims to divert young adults from the criminal justice system using a restorative justice model. The program is available for young people ages 16 - 24 that are screened through a structured Diversion Board process.

Bronx and Brooklyn

Program: Common Justice

Common Justice is an alternative to incarceration that uses restorative justice practices for young adults aged 16-26 years-old who are being charged with violent felonies. The program works in close partnership with the Brooklyn District Attorney’s Office, Brooklyn Supreme Court, Bronx District Attorney’s Office, and the Bronx Supreme Court. In order to be selected for the program, the young person’s case goes through a rigorous screening process in which it must be approved by the victim, the District Attorney’s Office, and Common Justice. Responsible parties engage in a restorative justice circle with those that have been harmed (or a surrogate), people who support both parties, and a trained facilitator. Together they reach an agreement about what the responsible party can do to make things as right as possible. Program staff monitor adherence to the agreement.

Manhattan

Program: Early Diversion Program

The Manhattan District Attorney’s Office awarded grants in 2017 to three organizations to create diversion programs to serve adults, with certain programs targeting emerging adults between the ages of 18-to-20-years-old, who are first-time arrestees charged with non-violent misdemeanors. The Center for Court Innovation utilizes a range of diversion workshops, including a restorative justice program, for young adults and adults who are charged with a crime in Midtown Manhattan. The Osborne Association offers four types of interventions, including a restorative justice intervention, for young adults and adults arrested in Northern Manhattan. Young New Yorkers utilizes an arts-based restorative justice intervention for young adults arrested in Lower Manhattan.

NORTH CAROLINA

Durham County

Programs: Campbell Law School Restorative Justice Clinic and Restorative Justice Durham

The Restorative Justice Clinic at Campbell University School of Law receives referrals from prosecutors, juvenile intake counselors, juvenile court, the local school system and private individuals. The program strives to use restorative practices to bring the parties together and foster collaborative healing. While not specifically serving youth, the Durham County District


Attorney’s Office refers low-level offenses to Restorative Justice Durham, which is a collaboration of the Religious Coalition for Nonviolent Durham. They work under the guidance of Jon Powell, Director of Campbell Law School’s Restorative Justice Clinic. In April of 2018, the program was used to resolve a felony firearm case, an unprecedented use of restorative justice in North Carolina.43

Prosecutor: District Attorney Roger Echols
Durham County, NC (2014 - )
"Restorative justice helps us get more appropriate dispositions," Echols said. "It doesn't keep us from doing the things we're supposed to do as a legal community ... It helps us meet those goals that we say we're about, which is helping victims and placing defendants in a better position to succeed."44

PENNSYLVANIA
Philadelphia

Prosecutor: District Attorney Larry Krasner
Philadelphia, PA (2018 - )
"As the most progressive candidate for District Attorney (this is undisputed), restorative justice is integral to my platform. A victim/survivor-centered criminal justice system that gives victims and survivors more alternatives than jail or acquittal increases participation of victims and survivors and provides them with alternatives that increase safety and closure for them in ways they appreciate."45

Also see this video of sujatha baliga of Impact Justice discussing restorative justice with DA Krasner to help answer the question of why prosecutors should support restorative justice.

TENNESSEE

Davidson County (Nashville)

Program
In 2017, District Attorney Glenn Funk announced plans for a restorative justice pilot program in the juvenile courts of Nashville. It is a joint effort of the District Attorney’s Office and the Juvenile Court of Metropolitan Nashville & Davidson County with seed funding provided by the First Tennessee Foundation. The District Attorney’s office will refer youth eligible for the program to the Raphah Institute, a community-based organization.

Prosecutor: District Attorney Glenn Funk
Davidson County, TN (Nashville) (2014 -)

DA Funk said that a restorative justice program “can create a more fair justice system and better serve the community of Nashville.”

VERMONT

Statewide Programs:

Balanced and Restorative Justice (BARJ)
The Vermont Department for Children and Families provides restorative justice services for youth who are on probation, at risk of becoming involved with the juvenile justice system, or truant from school. The services provided in various districts include restorative justice panels, restitution, screening and restorative services, case management, and restorative classes.

Community Justice Network of Vermont (CJNVT)
CJNVT is a nonprofit organization that runs an extensive network of centers that provide restorative responses to conflict and crime and rely on community volunteers to help deliver these programs. It began in 1998 when the Vermont Department of Corrections initiated partnerships with municipalities to develop these community justice centers; there are now 20

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centers in Vermont. These programs work primarily with adults but some have a component allowing police officers to refer youth directly to the community justice center.\footnote{52}

**Prosecutor: State’s Attorney Erica Marthage**

Bennington County, VT (2007 - )

"CRJ [the Center for Restorative Justice] is such a valuable resource in our community," Marthage said. "My office utilizes CRJ's restorative justice services in a large number of cases each year, for both juvenile and adult issues. However, because they operate with fixed financial resources, it restricts their ability to launch new programs."\footnote{53}

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**WASHINGTON**

*King County (Seattle)*

**Program: Restorative Justice**\footnote{54}

The King County Prosecutor’s Office employs a number of restorative justice programs for youth with varying approaches. The three profiled on their webpage are: Family Intervention and Restorative Services (FIRS) – designed to address inter-familial violence; Restorative Mediation – employs a victim-offender mediation model; and Peacemaking Circle – a restorative circle practice adopted from the Tagish Tlingit Tribe of the Yukon Territory of Canada.

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**WISCONSIN**

*Dane County*

**Program: Community Restorative Court**\footnote{55}

The Community Restorative Court program in Dane County is run by community members and is offered to young adults between the ages of 17-25 years-old, before charging, for non-domestic violence related misdemeanor offenses. The Court accepts referrals from a number of stakeholders within the justice system, including the District Attorney’s office.

**Prosecutor: District Attorney Ismael Ozanne**

Dane County, WI (2010 - )

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\footnote{54} King County Prosecuting Attorney’s Office, “Restorative Justice,” accessed October 18, 2018, \url{https://bit.ly/2O3dnN6}.

\footnote{55} County of Dane, “Dane County Community Restorative Courts,” accessed October 22, 2018, \url{https://crc.countyofdane.com/}. 
“The goals of restorative justice are to allow an offender to accept responsibility, repair the harm caused and reduce recidivism, while at the same time empowering victims and the community by allowing them to have a greater part in the process and having a stronger voice as to what is needed to repair the harm. I believe the impact is incredible and the biggest benefit will be the strengthening of the community’s relationship with law enforcement.

Many may see restorative justice as a free pass, but I believe it is anything but a free pass. The offender has to face the harm they caused. They see the true impact on the victim and the community. They have to own what they have done. This will help create empathy which is likely the most powerful weapon we have against recidivism.”

*Milwaukee County*

**Program: Community Based Programming Initiative**

The Community Based Programming Initiative is a youth diversion program based on restorative justice principles. The program consists of a committee of citizens, overseen by a representative from the District Attorney’s Office, that settle cases involving youth who have committed first-time, non-violent offenses.

**District Attorney John T. Chisholm**

Milwaukee County, WI (2007 - )

"'Often times, the offender will learn and think, 'hey, that was a woman like my mother that I hurt in there,' Chisholm said. ‘So it's trying to make people aware of how deeply connected they are to the community, so that they're less likely to commit harm in the future.’"

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**WYOMING**

*Albany County*

**Program**

The Albany County Juvenile Service Board started training partner agencies in restorative justice practices in July of 2017. Albany County Prosecuting Attorney Peggy Trent indicated her support for implementing a restorative justice program, but the role of the prosecuting attorney’s office in the initiative is unclear.

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58 Ibid.
Prosecutor: Prosecuting Attorney Peggy Trent
Albany County, WO (2015 - )
See this live interview of District Attorney Peggy Trent about starting a restorative justice conferencing model for minor youth offenses that will give victims more of an active role in the process.⁶⁰

YOUTH JUSTICE-RELATED RESTORATIVE JUSTICE RESOURCES

Below is a list of key websites and resources to help understand what restorative justice is, the types of programs often used in youth justice, and studies of some of the systems or programs.

Websites

- **Common Justice** operates an alternative-to-incarceration and victim-service program in Brooklyn and the Bronx that is a response to serious and violent felonies based in restorative justice principles. Their website further describes their work and has news article and video resources.

- **Communities United for Restorative Youth Justice (CURYJ)** builds community relationships and mobilizes young leaders to organize in the movement to end mass incarceration and youth criminalization. Their ROOTS (Reclaiming Our Original Traditions and Stories) Training Program helps youth gain leadership skills that they can use to be restorative justice practitioners in their communities.

- **Community Justice Network of Vermont** has a good list of links to resources on restorative justice information, research, and resources.

- **Fair and Just Prosecution** promotes progressive prosecutorial practice and includes an issue brief on restorative justice.

- **Illinois Balanced and Restorative Justice Project (IBARJ)** is a nonprofit organization that seeks to expand and sustain restorative justice programs in Illinois schools and communities. Their website has helpful resources on the elements of restorative justice practices and descriptions and links to different methods.
• Impact Justice has a Restorative Justice Project and one of their focuses is on youth diversion. Their website has information on restorative justice as well as their Restorative Community Conferencing process and links to the network of states they are working with across the country to build restorative justice youth diversion programs.

• Juvenile Justice Initiative (Illinois – NJJN Member) has a webpage on restorative justice with information on restorative justice for youth and helpful resources.

• The National Center for Restorative Justice is focused on training, particularly for those working with youth. They have a blog open to all that provides a variety of resources.

• Restorative Response Baltimore addresses conflict through community conferencing by working directly with communities as well as getting referrals from schools, courts, and others. Their website describes different types of restorative practices and the positive impact of community conferencing.

• The Zehr Institute for Restorative Justice details what restorative justice is and provides many resources on their webpage, including links to articles, books, and webinars.

Resources

• “Crime, Shame and Reintegration” by John Braithwaite describes the pivotal theory of reintegrative shaming that he discussed in his book by the same title and discusses why restorative justice is most likely to be the best method of crime prevention.

• The Little Book of Restorative Justice by Howard Zehr, a leading pioneer of the restorative justice movement, is a great guidebook to the principles and practices of restorative justice and how it differs from criminal justice.

• Maine’s Juvenile Justice Advisory Group (Maine JJAG) spearheaded an Initiative to Develop a Sustainable Restorative Juvenile Justice System. See this Final Report to them on findings and recommendations, the Appendix to the report which has a wealth of resources, and their Blueprint for developing a restorative state.

• NJJN’s “New Zealand’s Youth Justice Transformation: Lessons for the United States,” describes how New Zealand has used a restorative justice framework to transform their youth justice system and breaks down the important lessons the U.S. can learn – through both their successes and challenges.
• OJJDP’s Guide for Implementing the Balanced and Restorative Justice Model – in 1993, OJJDP launched a national initiative called Balanced and Restorative Justice. This Guide describes the model and provides many resources. Unfortunately, it no longer appears to be on OJJDP’s website.

• “Restorative Community Conferencing” is a study of Community Works West’s Restorative Community Conferencing (RCC) Program for youth in Alameda County, California (Oakland). It provides evidence of the program’s benefits and effectiveness – including lower recidivism rates and high victim satisfaction – while working with a majority of youth of color and felony offenses.

Would your D.A. like to hear about restorative justice from another prosecutor?

We are developing a resource bank of prosecutors that use restorative justice programs with young people and are interested in discussing the value of restorative justice with other prosecutors. Contact us at info@njjn.org if you would like more information. Additionally, if your DA is supportive of restorative justice practices and willing to share their views with others, we’d love to include them in the resource bank.