Restorative Justice at UCSD
Goals for today

Participants in today’s presentation will learn:

- The foundational principles of Restorative Justice
- Definitions for Restorative Justice Terms
- The three models of campus practice
- Restorative Justice at UC San Diego - “The Triton Way”
- Applicable uses of Restorative Practices
The Principles of Restorative Justice

- Inclusive decision-making
- Active accountability
- Repairing harm
- Rebuilding trust
Theoretically speaking

Theory of Interaction Ritual

- Conversational Rhythm
  - Shared focus (permission to listen)
  - Power balancing (all have a voice)

- Turning point
  - Strong expression of emotion

- Reconciliation
  - Public displays of solidarity
  - Collective effervescence
“Opening Up” Activity
Roots of RJ

- **First Nation / Native American**
  - e.g. Ojibwa (Chippewa) & other Anishinaabeg
  - Talking Circles, Ceremonial Circles
  - Tribal Courts / Tribal Justice

- **Maori of New Zealand - Family Group Conferences**

- **Polynesian**
  - Hawaiian - Ho’oponpono (“to make right”)

- **African Indigenous Traditions**
  - Sierra Leone - Fambul Tok (“family talk”)
  - Rwanda - Gacaca (“justice amongst the grass”)

- **Celtic - Mead-Circling**
Three models on college campuses

- Conferences
- Circles
- Boards
Three Pillars of RJ

Harms & Needs
Obligations
Engagement

Zehr 2002
## Circles v. Conferencing

<table>
<thead>
<tr>
<th>Circle</th>
<th>Conferencing</th>
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<tbody>
<tr>
<td>Talking piece regulates the dialogue</td>
<td>Facilitator directs the dialogue</td>
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<tr>
<td>Explicit discussion of values before discussing issues</td>
<td>No discussion of values</td>
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<tr>
<td>Group creation of guidelines</td>
<td>Facilitator provides ground rules, asks group for additions</td>
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<tr>
<td>Process does not jump directly to the issues - attends to relationships first</td>
<td>Process goes directly to the participants to identify the issues</td>
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<tr>
<td>Deliberate marking of the space as a space apart through opening and closing ceremony</td>
<td>No use of ceremony but rather opening and closing consistent with pre-meetings</td>
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<td>Facilitator is also a participant</td>
<td>Facilitator does not participate</td>
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Conferences

Participants: Facilitators, Offender, Harmed parties, Support persons

Process: Structured and unstructured dialogue

Niche: Featuring harmed parties and opportunity to train pool of volunteer facilitators (faculty, students, staff)

Examples: Theft, Harassment, Assault, Academic Integrity

Tradition: Mennonite victim-offender reconciliation programs, Victim-offender mediations, and New Zealand Maori justice
Circles

Participants: Circle keepers, offender, harmed parties, support persons

Process: Circle process with talking piece

Niche: Including large numbers of harmed parties, resolving mixed-responsibility conflicts, cases with unknown offenders, featuring campus cultural symbols and rituals

Examples: Fights, roommate conflicts, bias incidents, noise

Tradition: Justice practice of Native American and Canadian First Nation peoples
Key Elements of a Circle

**Circle** – participants are seated in a circle to denote equality and create connection.

**Talking Piece** – used to regulate conversation, create order & invitation.

**Inclusion** – talking piece is passed to every person, always (no skipping).

**Shared Leadership** – all members of a circle are equally responsible for it.

**Circle Keeper** – one person initiates the circle and holds or “keeps” it by asking prompts and attending to group energy, but not facilitating or controlling the circle, since leadership in the circle is shared.

**Values and Guidelines** – participants establish how each circle will be kept.

**Consensus** – decisions in a circle are made by the consensus of all participants as equals.
Circles

- Facilitated dialogue between the offender and harmed parties
- Round 1: Connection/Affiliation/Convening
- Round 2: Challenge/Harm/Concern
- Round 3: Planning/Brainstorming/Community Response
- Round 4: Closing/Reaction/Reflection
Boards

Participants: Board chair and members, offender, harmed parties, support persons

Process: Structured and unstructured dialogue

Niche: “Victimless” and quality of life offenses, community in general can be the harmed party, cases when harmed parties decline participation, easy to implement/transition from traditional conduct board, can include determination of responsibility

Examples: underage drinking, disorderly conduct, DWI, weapons position

 Tradition: Vermont Community Reparative Boards (probation), South African Truth and Reconciliation Commission
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<td>Participants</td>
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<td>Circle keepers</td>
<td>Board chair and members</td>
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<td>Offender</td>
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<td>Harmed parties</td>
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<td>Support persons</td>
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<td>Process</td>
<td>Structured and unstructured</td>
<td>Circle process with talking piece</td>
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<td>harmed parties</td>
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<td>volunteer facilitators (students,</td>
<td>Resolving mixed-responsibility</td>
<td>Community in general can be the</td>
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<td>faculty, staff)</td>
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Repairing harm

Different ways to “repair the harm”

- Emotional/spiritual harm -- An apology
- Material/physical harm -- Restitution
- Communal/relational harm -- Community Service
Rebuilding Trust

Different ways to rebuild trust

- Lack of awareness -- research/reflection
- Personal problems -- rehabilitation
- Interpersonal problems -- involvement/mentoring
Circle Activity
Does RJ Work?

Based on the STARR Project (STudent Accountability and Restorative Research Project, 2009)
Student Development - STARR Project

- Just Community/Self-Authorship: “I had a voice”
- Active Accountability: “I took responsibility”
- Interpersonal Competence: “I talked it out”
- Social Ties to Institution: “I belong here”
- Procedural Fairness: “That was fair”
- Closure: “I’m ready to move on”
Best Practices

Be clear on the purpose, goal, and time frame for a circle

Begin the circle by grounding and centering the group (e.g. by sharing an inspirational quote or poem)

Create safe space by setting intentions and asking everyone to shape the process of engagement, from values and guidelines to vulnerability

Spend significant time relationship-building first and finding commonality before moving into more difficult topics – this will pay off in the long-run

The first rounds should always be lighter, easier topics
Best Practices cont.

Be thoughtful in the framing of prompts: invite appreciative inquiry or sharing life experiences especially with some humility or vulnerability.

Everyone should speak from personal experience (not finger-pointing or blaming) for example by sharing personal feelings, needs, and impact.

Closing the circle or taking breaks are done together by agreement – participants do not enter and exit the circle individually once it has begun.

Including ceremony at the beginning and end of the circle, and/or including an intentional centerpiece in the center of the circle can help the circle process.
Applicable uses of Restorative Practices

- Using storytelling as part of community building
- Being intentional around promoting belonging and inclusion
  - Language
  - Universal Design
  - Show empathy
- Integrating deep and active listening into conversations to emphasize being heard
- Developing value-based relationships (what is the motivation or values of the person to whom you are speaking) - not just transactional relationships
- Providing contained space to build community or address conflict (community-building circles)
Applicable uses of Restorative Practices

Academic Advisors: compassion and empathy in meetings, deep listening

Orientation: creating small dialogue circles, establishing community values, promote inclusion and belonging, storytelling practices

Residence Halls: climate circles, roommate and apartment agreements and conflicts, community damages or incidents

Student Organizations: team building, intra- or inter-ground conflict, bias or unethical incidents (without an applicable process)

Staff: staff development, staff conflicts
UC San Diego: “Making RJ the Triton Way”

First initiated in the residential communities

The “Making RJ the Triton Way” is UCSD’s Residential Areas initiative to integrate restorative practices into the fundamental operation of how campus residential areas build community across our institution: (1) using restorative practices in apartment/roommate contracts; (2) resolving community conflicts; and (3) assessing community climate and creating space.

“Making RJ the Triton Way” at UCSD - Integrate restorative practices into the normal operations of University business to build a supportive, inclusive community across campus.
Circle Activity