



NATIONAL CENTER ON
**RESTORATIVE
JUSTICE**



The University
of Vermont



Funded by the Bureau of Justice Assistance, the NCORJ works to improve criminal justice policy and practice in the United States through educating and training the next generation of justice leaders, supporting and leading research focused on restorative justice and addressing social inequities, and supporting the implementation of restorative justice programs. The NCORJ is a partnership between Vermont Law and Graduate School, the University of Vermont, the University of San Diego, and the U.S. Office of Justice Programs.

What We Do

Public Education

The NCORJ offers introductory restorative justice educational opportunities, both online and in person, through **webinars, trainings, professional coaching, and events.**

The NCORJ promotes **restorative justice education in undergraduate, graduate, and law programs**, equipping the next generation of legal system professionals to bring a restorative justice approach to bear in reforming the justice system.

Higher Education

Research

The research arm of the NCORJ supports a multi-stakeholder, community-driven approach that **bridges the research-practice gap**, empowers diverse voices, and grows the next generation of justice researchers.

The NCORJ offers **intensive training & technical assistance** to criminal justice agencies interested in partnering with community-based organizations to implement restorative justice programs. Training recipients are eligible to apply for a **sub-award to support restorative justice program implementation.**

Program Implementation

To learn more, please visit ncorj.org



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Restorative Justice

Restorative justice is both a set of practices and a broad philosophy with applicability across contexts. Contemporary restorative justice practice and philosophy have roots and resonances with a variety of Indigenous, religious, and other cultural traditions from around the world.

Restorative justice has several core philosophical features, including a focus on:

Identifying Needs and Repairing Harm

- Seeks to understand the harm caused and to identify the resulting needs (Emotional; Material/Physical; Relational/Communal; Structural/Historical) for impacted individuals and communities.
- Seeks to understand and address the needs that led to the behavior that caused harm. This includes a focus on equity and addressing needs that arise from broader structural and historical sources of harm.

Active Accountability

- Creates an opportunity for meaningful and active accountability by taking responsibility and working to repair the harm caused in a way that does not cause further harm and is responsive to the needs of those most affected. This contrasts with punitive approaches in which the person responsible for harm does not have the opportunity to be directly accountable to those harmed.

Centering Relationships and Community

- Prioritizes building, maintaining, and repairing relationships, generating a space in which all people are equally valued and respected and all voices are heard.
- Attentive to the interconnected nature of communities and endeavors to strengthen those bonds and repair harms when they occur.
- Employs an inclusive, dialogue-based approach that provides an opportunity to hear from the people most directly impacted and practice collective decision-making to address the harm.

Voluntary Participation

- Invites participation from those most directly impacted, those responsible for harm, and their communities of care. Participation is voluntary for all involved.

This description of restorative justice is something we are committed to continually revisiting and revising. Please feel free to contact us at contact@ncorj.org with thoughts or suggestions.

A Shift in Language & Paradigm

Restorative justice seeks to recognize individuals' experiences while **reducing stigmas** and **avoiding labeling** individuals in a way that may perpetuate cycles of harm and negative stereotypes. Reframing the language to center on responsibility and harm encourages an emphasis on **addressing the needs of those affected** and finding ways to **restore relationships and communities**.

Victim → Harmed Person
Offender → Responsible Person

In the aftermath of crime, people are often referred to as victims (or survivors) and offenders. In restorative justice, shifting the language from victim to **harmed person** and from offender to **responsible person** is important because it centers the humanity of the people involved and reminds us that they are much more than the limiting label of victim/survivor or offender.

Traditionally, criminal justice systems focus on determining what law was violated, establishing guilt, and meting out punishment. In restorative justice processes, we ask a **different set of questions** that surface the **impacts** of what happened and the **resulting needs** and generate a plan for **repairing the harm caused to the extent possible**.

THREE DIFFERENT QUESTIONS FOR EACH VIEW

CRIMINAL JUSTICE

- What laws have been broken?
- Who did it?
- What punishment do they deserve?

RESTORATIVE JUSTICE

- What happened?
- Who was impacted and what are their needs?
- What is needed to repair the harm?

Restorative Justice Practices and Models

Restorative justice principles are manifested in a wide range of different practices and program models around the country and internationally. Some terms you may have heard that describe different restorative process and model types include:

- Conferencing
- Circles
- High Impact Dialogues (Victim Offender Dialogues)
- Circles of Support and Accountability (CoSAs)
- Peacemaking

Evidence Base

Across many studies, both in the US and beyond, the research consistently shows **a high level of satisfaction** with the restorative justice process on the part of both the victim or harmed person and the offender or responsible person and **a significant decrease in recidivism**.

For example, a meta-analysis (Mullane et al., 2014) that looked at results from 31 studies on restorative justice (focusing on adults and youth) found:

- 85% victim satisfaction (94% more satisfied than other victims)
- 89% offender satisfaction (56% more satisfied than other offenders)
- Offenders who participated in restorative justice were 41% less likely to re-offend

A 2021 study looked specifically at the effect of restorative justice on youth ages 13 to 17 who were facing felony charges of medium severity (for example, burglary or assault). The study found that the restorative justice process decreased the probability of a rearrest within six months by 44% compared to the control group that did not go through restorative justice. That reduction in recidivism persisted, even four years after the restorative justice process (Shem-Tov et al., 2021).

Beyond these findings, in restorative justice processes, success is also measured based on the answers to some of these questions:

- Were the needs of the harmed person and the other parties involved centered and met?
- Was it a healing experience for those involved?
- Is the community engaged and involved in the process to repair the harm?
- As a result, is the person responsible for harm supported and contributing to the community?

Positive Impacts for Harmed People

- Reduced fear and anger (Beven et al., 2005; Davis, 2009; Gal & Moral, 2011)
- Less desire to do harm to the perpetrator (Sherman et al., 2005)
- Less blame on the self or others for the criminal incident (Miller & Iovanni, 2013; Sherman et al., 2005)
- Fewer negative thoughts about the world (Calhoun & Pelech, 2013)
- Recovery from a feeling of powerlessness and/or lack of control over what happened (Beven et al., 2005; Miller & Iovanni, 2013; Van Camp & Wemmers, 2013)
- Greater hopefulness for the future (Calhoun & Pelech, 2013)
- Re-establishment of perceptions of safety and security (Beven et al., 2005; Davis, 2009)
- Developing a sense of empowerment (Bolitho, 2015; Lavin & Carrol, 2014; Pelikan, 2010; Tamarit & Luque, 2016)

Points of Application of Restorative Justice in the Criminal Legal System

Restorative justice is implemented at several different points along the criminal legal process. Participation in restorative justice programs may occur as a result of diversion via referrals directly from the community, law enforcement, prosecutors, or judges during the pre-trial phase. Restorative justice referrals may also occur post-trial, to inform sentencing, as part of corrections, or upon reentry following incarceration.

"As of July 2020, 46 jurisdictions have codified 'restorative justice' into their juvenile and/or adult criminal justice systems... these jurisdictions include 45 states and the District of Columbia for a total of 264 laws."

González, Thalia, *The State of Restorative Justice in American Criminal Law* (December 20, 2020). *Wisconsin Law Review*, 2020, Issue 6.

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For which types of crime should Restorative Justice be used?

In the United States, restorative justice has historically been most often used for low-level misdemeanors committed by youth or first-time offenders. However, restorative justice is also effective for adults and more serious offenses, and studies indicate that restorative justice may have more significant healing (improving the harmed person's well-being and decreasing post-traumatic stress) and transformative impact in these more severe cases (Sherman et. al., 2015). Increasingly, restorative justice programs are accepting more serious case referrals.

Restorative justice is an appropriate option for any type of offense, regardless of severity, when the people involved want to use a restorative approach, and skilled facilitators can ensure the safety of all participants.

