

# North Carolina Task Force

## *for Racial Equity in Criminal Justice*

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## RESTORATIVE JUSTICE INFORMATION SHEET

### THE CASE FOR RESTORATIVE JUSTICE

Two critical measurements of public safety – addressing the harm done to victims and reducing future criminal activity – are not adequately addressed in our current criminal justice system. Our criminal justice system focuses too heavily on punishment for offender accountability. However, research shows that restorative justice practices have produced positive outcomes regarding both the victim’s sense of resolution and the offender’s reduced involvement in the criminal justice system. Consequently, the interest in restorative justice practices is growing in communities generally and in schools specifically to yield better outcomes.

The Restoring Youth Coalition of North Carolina (<https://www.rjnc.us/>) defines “Restorative Justice” as: “a process that seeks primarily to address or repair the harm caused by an incident or offense, and involves (to the extent possible), those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations.” Restorative practices is an expanded way of viewing this work, acknowledging victims and survivors of crime find restoration and healing in many ways, including outside the criminal justice system. Restorative justice and restorative practices aim to:

- put decision into the hands of those most affected by the offense
- make justice more healing
- reduce the likelihood of future offenses.

Any successful restorative justice program should also be rooted in the five Rs: relationship; respect; responsibility; repair and reintegration.”

All restorative justice practices must be 100% survivor-centered. A restorative process should be initiated by the harmed party. It is also critical that from the beginning of a restorative justice process, the party who inflicted harm must demonstrate remorse and want to repair the damage they caused. This means the appropriate time to begin restorative practices will differ from case to case. Restorative practices may not be appropriate in cases of domestic violence, sexual assault, and other forms of violent crime.

Youth restorative justice programs offer an opportunity to address racial disparities in traditional student discipline approaches and foster students’ social-emotional growth, support positive behaviors, and promote prevention-oriented interventions.

Restorative justice can occur at any stage in the criminal justice process, from pre-arrest to post-sentence. In serious criminal cases, restorative justice would not be proposed as an alternative to criminal justice process, but may run parallel.

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### Steps to Get Started

1. Convene critical stakeholders to discuss the how and where to implement a Restorative Justice (RJ) program in your community. Such stakeholders may include: community based agencies (ex. mediation centers), school representatives, school counselors, court counselors, probation and parole officers, law enforcement, prosecutors, Family Justice Centers, mental health services, victim advocates, survivors. Ensure there is a common understanding and definition regarding RJ and a consolidated understanding of the need for the implementation of a RJ program. From this group, develop a steering committee that can shepherd the program through logistics such as approvals, access to policies and determination of potential barriers to implementation.
2. Learn from other jurisdictions and identify the RJ model that would best serve your community needs.
3. If RJ program is site-based (ex. schools), review policies currently being utilized that may impact RJ program's success. Use info for site selection and to discuss possible modifications.
4. Determine required RJ training to implement specific program. Training should include trauma-informed approaches for survivor interaction.
5. Establish written procedures and agreements for program.
6. Train on-site stakeholders on the rationale for restorative justice and proposed RJ program. Training should include trauma-informed practices with survivors.
7. Use a participatory process to determine data to measure outcomes and how it will be collected. Data collection will be critical to analyzing efficacy and assuring equitable implementation. The following are examples of possible data to collect:
  - Participant survey data from victims and offenders including satisfaction with process and assessment of fairness
  - The data about the person who has done harm after RJ intervention – disciplinary incidents, arrests, re-incarceration
  - Aggregate community/site data should be collected upon program initiation (ex. suspension rates in schools). However, program impact would not be reflected unless the program is widely utilized and has been operating for several years
  - Collecting demographic data will be essential to ensuring equitable implementation.
8. Establish a process and timeline for ongoing feedback to improve program.
9. Identify potential funding streams:
  - **Local Government Funding** –County/City funds
  - **Foundation Funding** – Z Smith Reynolds (<https://www.zsr.org/>), Duke Endowment (<https://www.dukeendowment.org/>), Kate B Reynolds (<https://kbr.org/funding-opportunities/>), Dogwood Trust – WNC (<https://dogwoodhealthtrust.org/>), Kellogg Foundation (<https://www.wkkf.org/>)
  - **State Funding**- NC Governor's Crime Commission (<https://www.nc.gov/agency/governor%E2%80%99s-crime-commission>); Juvenile Crime Prevention Councils (<https://www.ncdps.gov/juvenile-justice/community-programs/juvenile-crime-prevention-councils>)
  - **Federal Funding** – The Office of Juvenile Justice and Delinquency Prevention (<https://ojjdp.ojp.gov/funding/awards/list>)

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### Best Practices

1. Utilization of a range of restorative practices, with a trauma-informed lens, in order to promote culture change
2. Adherence to a set of guiding principles ([LINK](#))
3. Collection of success stories to engage the community in the practices, emphasizing the healing and justice for affected parties, particularly victims.
4. Commitment to maintaining strong relationships between community, criminal justice system and funders.

### Examples of Community Violence Interruption Programs

- A. Circle** – Brings all parties involved together to foster group responsibility and cooperation, not specifying those most affected or harmed. *Examples:* Sentencing Circle, Re-Entry Circle, Peacekeeper Circle, Connection Circle. For youth it is more focused on family and in-school circles, while adults also have death row circles. *North Carolina Programs:* [Positive Impact Circles - Piedmont Mediation](#); [Sentencing Circles – Mountain Mediation Services](#)
- B. Conference** – Brings together the affected and those who caused harm along with support groups for each (family, friends, etc.) to discuss the offense and methods to repair it in a straightforward and constructive manner. *Examples:* Multi-offender Conference, Victim/Offender Conference, Community Conference  
*North Carolina Program:* [Restorative Justice Durham](#)
- C. Dialogue** - Meeting between the affected and offender, monitored by a trained facilitator to discuss accountability and express remorse. *Examples:* Victim/Offender Dialogue, Restorative Discipline, Restorative Conversation  
*North Carolina Programs:* [Cumberland County Dispute Resolution Center](#)
- D. Panel/Board** - Representatives of those most affected, speak on a panel to those who cause the harm to fully understand the nature of the offense, the consequences and reach a consensus on possible sanctions. *Examples:* [Orange County “Restorative” Teen Court](#)

### North Carolina Resources for Restorative Justice and Practices

1. [Orange County Dispute Settlement Center](#)
2. [The Restorative Justice Clinic - Law | Campbell University](#)
3. [Restorative Justice Durham](#)
4. [Restoring Youth Coalition of North Carolina](#)

### ABOUT THE TASK FORCE FOR RACIAL EQUITY IN CRIMINAL JUSTICE

The North Carolina Task Force for Racial Equity in Criminal Justice, which is co-chaired by Supreme Court Associate Justice Anita Earls and Attorney General Josh Stein, was established in June 2020. For more information about the Task Force, please visit <http://ncdoj.gov/trec> or email [criminaljustice@ncdoj.gov](mailto:criminaljustice@ncdoj.gov).