

RJCO Quarterly

Restorative Justice News for Practitioners



Shifting to restorative discipline, Southern Oregon's Phoenix High School shares their experience

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Reflections and Opportunities for Growth

Carley Berkey
Program Coordinator, Beaverton Dispute Resolution Center
RJCO Quarterly Editor

Dear readers,

As part of an evolving field, restorative justice practitioners and stakeholders play a crucial role in defining what restorative justice looks like in various sectors of our community. From adult justice systems, to elementary schools, restorative justice language and practices are increasingly becoming part of our everyday lexicon. On this path, it is important to take time to reflect on how things are working, and identify what can be improved in the future. In this edition of RJCO Quarterly, you will find an article from the Department of Corrections regarding the impact of HB 3194, and a story about how one high school is utilizing restorative practices into their discipline system. It is our hope that the continued sharing of stories, ideas, and insights will help us refine and grow our restorative practices.

Happy reading!

Carley Berkey

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Upcoming Issue

*Special Winter Edition: Focus on
RJCO Membership Information*



"The restorative justice movement is grounded in values that promote both accountability and healing for all affected by crime."

Restorative Justice and Peacemaking

Mark Umbreit, U of M Center for

Past, Present, and Future of Justice Reinvestment

Excerpts from Collette Peter's keynote remarks at the Justice Reinvestment Summit, April 6, 2015

Collette Peters

Administrator of the Office of Inmate and Community Advocacy
Oregon Department of Corrections

HB 3194 represents two years of work by the Commission on Public Safety; four months of hearings by the Joint Committee on Public Safety; and hundreds of hours of dialogue with public safety stakeholders. We all know this was an important opportunity to save Oregon taxpayers hundreds of millions of dollars and make our communities safer. There are several things we need to recall [about the facts behind the work of Justice Reinvestment in Oregon]. The Commission recognized that Oregon is a state with tremendous public safety achievements.

- We have historic and sustained crime decline
- We have used probation extensively in lieu of incarceration
- We have an incarceration rate below the national average
- We have a prison system focused largely on offenders convicted of violent and sex offenses, and
- We utilize evidence-based practices in our prisons and in Community Corrections, which has led to one of the lowest recidivism rates in the nation.

All of these points were never lost on us, and we were committed to making recommendations that would not erode these outcomes. But, we saw that we were slipping in the areas that had made our state one of the safest in the nation.

Like most states, Oregon sends the majority of its felony offenders to probation rather than prison – but we were trending in the wrong direction. Since 2000, Oregon had increased by 18 percent the use of prison over probation.

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At a Glance: What is HB 3194?

- Comprehensive public safety bill passed in 2013
- Stated goals of HB 3194:
 - Reduce recidivism;
 - Decrease the county's utilization of imprisonment in a Department of Corrections institution;
 - Protect the public;
 - Hold offenders accountable



Phoenix High School seeks solutions, not punishments

Phoenix Oregon high school pushes students to understand the consequences of their actions

Written by: Teresa Thomas — Medford Mail Tribune
Reprinted with permission

MEDFORD, Ore. - A Phoenix High School junior has authority issues, is a self-described "rebel" and has been on probation for unlawful possession of marijuana. So when he wadded up a piece of paper in class one day and threw it at his teacher, he knew the drill. His teacher would write a referral. A student manager would talk to him. He'd be forced to apologize and, maybe, he'd have to write an essay.

But not anymore.

Last year, Phoenix High School, in partnership with Resolve (formerly Mediation Works), began implementing school-wide "restorative justice" practices. "Basically, we're slowing down the school's response," said Principal Jani Hale. "We're giving both sides a chance to be heard ... and giving students the opportunity to see how their actions impact others and take responsibility for that."

We are giving students the opportunity to see how their actions impact others and take responsibility for that.

In the past, a teacher might write a referral out of anger or frustration and give it to the student manager to decide the consequences. And, hopefully, that student would return to class a changed person, Hale said. "But we want to stop sending kids that old-school message, 'Just wait till your daddy gets home,' " Hale said. "In other words, 'I'm not going to deal with this.' " In the case of the high school junior, he was not let off the hook for his actions. But instead of giving an insincere apology to his teacher or being placed on in-school suspension, he was handed a responsibility reflection form and had to answer questions about what happened in class, how he was feeling emotionally and physically, who was affected by his actions and how he was going to make it right.

The teen talked to his teacher before class, and she



explained that she felt threatened by his actions, especially because he was so much bigger than she was. "I felt really bad," said the youth, whose parents asked that his name not be used. "I had no idea that's how it would be interpreted. It's crazy how a situation can have so many different views."

As a result of their interaction, the teen said he isn't angry nor does he hold a grudge against his teacher. "And now she doesn't see me as her worst student," he added.

Last year, Phoenix High School — located a few miles south of Medford — had 18 percent fewer in-school suspensions than in 2013-14. There also was a drop in the number of incidents involving drugs, bullying, weapons, gang behavior and acts of insubordination. "In some cases, in-school suspension becomes kind of a refuge for students and a place where they are connecting with other students who are exhibiting bad behavior," Hale said.

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Positive relationships in the school, Kunkel said, are the key to having a thriving community and positive school culture and climate.

Restorative practices are built on prevention, intervention and restoration and emphasize healing and repair over punishment, inclusion over exclusion, and accountability,

said Raphaëlle Kunkel, Resolve's director of education and training.

Resolve has been employing these principles in the community and in the juvenile justice system for the past 20 years, and last year, received a one-time grant for \$60,000 from the Youth Development Council to launch the pilot program in Phoenix High School.

The agency trained staff and administrators and provided a restorative practices specialist who is available 15 hours a week to support staff and to respond to student behavioral issues.

This year, Rogue River Junior/Senior High and Roosevelt and John Muir elementary schools began incorporating restorative practices into their disciplinary policies.

Positive relationships in the school, Kunkel said, are the key to having a thriving community and positive school culture and climate. "From there, when harm has happened and rules have been broken, we look at what relationships were damaged or harmed and hold the person that caused the harm accountable for repairing the relationship," Kunkel said.

The last piece of restorative justice is reintegrating students who have been suspended or expelled in such a way that they know they are supported by the school, Kunkel explained. At Phoenix, classes hold "circle check-ins." During this time, students are asked questions about bullying or their dreams for the future, and everyone gets a chance to respond. "When you know someone more personally and hear, 'I'm having a really hard day today,' students tend to be more compassionate and understanding," Kunkel said.

And when there is an incident, students fill out responsibility reflection forms and meet with either the student or staff member they harmed, as well as an administrator and, if possible, a parent. "I had a student who got up and walked out of class, so I had his mother come in with the young man and the person who wrote the referral," Hale said. "The teacher came in and shared how it made her feel disrespected, and the student responded and explained that he was struggling from a breakup with his girlfriend. In the end, there was an understanding that came from the episode, and the teacher's and student's relationship was restored."

To learn more about Resolve's restorative justice work, check out their website [here](#)



resolve

Center for Dispute Resolution and Restorative Justice

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Oregon's incarceration rate is still below the national average – but we were trending in the wrong direction here as well. The state's incarceration rate had grown four times faster than the national rate.

We admitted increasing percentages of offenders convicted of nonviolent offenses, offenders revoked for violating the terms of their community supervision, and offenders assessed as low risk to re-offend.

Not only was our prison population expected to grow, but it was expected to grow almost entirely in offenders convicted of nonviolent offenses.

Offenders were staying in prison longer in 2011 than at any other point in the last decade, with length of stay for drug offenses up 22 percent, and length of stay for technical violations for probation up 20 percent.

Thanks to great collaboration [by the Commission on Public Safety], I am pleased to say that we are seeing results [from HB 3194].

Prison Population Forecast

Based on the April 2015 Forecast – with the full HB 3194 impacts – the estimated prison population will not trigger the need to construct the Junction City Prison in the 10-year forecast window. And, the activation of the

Since December 2013, we have released 1,271 individuals to short-term transitional leave. This has resulted in an estimated 50,256 bed days saved.

Deer Ridge medium facility will not become necessary until the 2019-21 biennium. Let me remind you, prior to public

safety reform, we would have opened the medium facility in Madras in July 2014 and would be opening the Junction City facility in February 2017.

Short Term Transitional Leave

Since December 2013, we have released 1,271 individuals to short term transitional leave. This has

resulted in an estimated 50,256 bed days saved. Out of those 1,271 individuals, only 52 have failed, giving us a 96 percent success rate.

Justice Reinvestment

The justice reinvestment grant program included \$15 million in 2013-15 for grants to counties to fund programs and services to reduce recidivism and the reliance on state prison beds.

In addition to the justice reinvestment grant program, savings were distributed to:

- Community Corrections (\$17 million)
- [Drug courts \(\\$9 million\)](#)
- Local jails (\$5 million)
- [The Oregon Domestic and Sexual Violence Services fund, which serves crime victims \(\\$4 million\)](#)
- Oregon State Police (\$3 million)
- [Public defense services \(\\$2.9 million\)](#)
- And, the Oregon Center for Policing Excellence at DPSST (\$1 million)

I would like to boast that Oregon is the first state to dedicate 10 percent of justice reinvestment funds to community-based victim services. As a former victims' advocate, this piece is so important to me. We wouldn't be here without victims. As we travelled to victims' roundtables, sadly we learned that, in 2011, there were 20,000 unmet requests for emergency shelter beds for victims of domestic and sexual violence. During our efforts, we heard from many victims and victims' advocates about the lack of services available.

And, while many felt we didn't go far enough and others felt we may have gone too far, in the end support for justice reinvestment comes from many allies including victim advocates, Community Corrections, OYA, OSP, sheriffs, chiefs, district attorneys, reform advocates, business leaders, mental health advocates, and the faith community, among others.

Click [here](#) to learn more about Justice Reinvestment and the 2015 grant program putting dollars to work for improved public safety results.

Featured Organization: *Partnership for Safety and Justice*



[Partnership for Safety and Justice](#) (PSJ) is a multi-faceted, statewide advocacy organization based in Portland Oregon. PSJ was originally founded in 1999. In their work they work with people convicted of crime, survivors of crime, and the families of both to advocate for policies that make Oregon's approach to public safety more effective and more just.

PSJ approaches public safety with a focus on prevention in order to curb the unsustainable growth of our prison system.

They invest in evidence-based programs that are proven to reduce crime, and strengthen support systems and services for people harmed by crime. Crime and public safety are complicated social issues that require smart solutions, not oversimplified approaches promoted by fear or frustration.

Read more about PSJ's work by checking out their website [here](#).

RJ Training/ Events

Juvenile Dept. & RJ

When: January 7 & 8, 2016

Who: Clackamas County Juvenile

Cost: \$30

More info email: [Amy Herman](#)

Intro to Restorative Justice

When: January 21 & 22, 2016

Who: Resolutions Northwest

Cost: \$420

More info: [click here](#)

Victim-Offender Dialogue Training

When: May 5, 6, 11, 12, & 13, 2016

Who: Clackamas County Juvenile

Cost: \$595

More info email: [Lori Bell](#)



Articles:

Abuser and Survivor, Face to Face

[Can restorative justice work in domestic violence cases?](#)

An Alternative Approach to Campus Justice

[Using restorative justice in sexual assault cases](#)

Videos:

TED Talk

[Daniel Reisel: The neuroscience of restorative justice](#)

Restorative Justice Council (UK)

[Advertisement for restorative justice](#)

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