

# Central Virginia

# Restorative Justice

*Newsletter Spring 2006*



## Notes From the Coordinator

*Foundations and  
Individuals Give Generously*

*Restorative  
Justice  
Coordinator,  
David Saunier*

“You can’t do it alone.” These words apply to many endeavors in life but they ring especially true for a community-oriented program such as this where we seek to meet unique needs of people at difficult times in their lives. I want to use this space in this issue of the newsletter to express deep gratitude to the many individuals, groups, and foundations who have contributed to Central Virginia Restorative Justice. We simply couldn’t do it without you.

This past December, 48 individuals from our community made contributions to the program totaling \$8,665. We recognize that these numbers may seem modest compared to the more impressive numbers of other large agencies in our community. But to us, the importance of each contribution is great. Restorative justice theory and practice place tremendous value upon the participation of community in building safer and healthier neighborhoods. This program is no exception and we hear our community’s voice with each letter and contribution.

Even if we *were* lucky enough to be one of those large programs with a significant endowment, we would not change the way we relate to the public. Inclusion of the community is not a matter of funding strategy but a matter of principle. RJ seeks to include and empower the relevant stakeholders in every circumstance, whether it be in the inclusion of affected parties in the wake of a crime, or the inclusion of the community in the policy-making aspects of the program, it is a principle that should be followed.

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## A Larger Task Force for a Larger Vision

Every month since 2002, a small group has gathered in a conference room under the eaves at Central Virginia Restorative Justice. A tempting plate of cookies sits at the center of a table. With hands reaching out, and opinions flying on whether peanut-butter trumps chocolate chip, the meeting begins. This gathering, termed the Restorative Justice Task Force, has been charged with shaping the program’s future, clearing stumbling blocks, and offering broad oversight and support. At the February 2006 meeting, a proposal was issued by David Saunier to expand this group to reflect the ways in which the program has changed in recent months.

When the program began, the primary focus was on referrals of young offenders from three sources: the Charlottesville and Albemarle Juvenile and Domestic Relations Courts (JDR) and the Juvenile Court Assessment Center. For this reason, the Task Force appropriately consisted of voices within the city’s juvenile criminal justice system: juvenile court judges, commonwealth attorneys, public defenders, intake representatives and others. These individuals served the Task Force admirably, helping the program gain a foothold and strengthen its services to young offenders and their families.

Since those early days, the horizon has broadened at Central Virginia Restorative Justice. In 2005, the program began receiving adult referrals from the General District Court (referral numbers will reach 25 in 2006-2007). Juvenile cases are now being referred directly from intake and from and other youth agencies. Staff is teaming up with Victim Services to teach a class at the regional jail. Conversations are beginning with local school systems to pursue restorative justice and peace-making approaches with students and administrators. In one instance, the program was asked to serve as facilitating agency for discussions between neighborhood

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## Restorative Justice at Work: *This Issue’s Story*

*Note: names have  
been changed to  
protect confidentiality.*

“I want him to be a leader and do the right thing,” said Ms. Olson and it was clear from her earnest tone that she meant it. Sitting beside her was a slouched over Charlie, the boy for whom she harbored such hopes. With Charlie’s arrival at Central Virginia Restorative Justice, he was signaling to her, and to others affected by his actions, that he was ready to do the right thing now, even if he’d done the *wrong* thing earlier. This is one account among many of how a young person stepped up, took responsibility, and made an effort to repair the harm caused.

Charlie had been doing community service through a local agency which

works with at-risk teens. He had put in several months at an animal care center. In fact, his presence had become so familiar and his commitment so loyal, that Charlie was afforded a certain level of trust despite his youthful years and somewhat troubled past. One afternoon, however, he made a choice that betrayed that trust: he stole several instruments and then used them to damage an agency vehicle. To make matters worse, he chose to lie about it to several people in an attempt to cover his tracks. It was the persistent questioning by Ms. Olson that eventually brought about a

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## RJAV Conference a Success Despite the Snow

Over one hundred people from all across Virginia braved heavy snow-fall on December 5<sup>th</sup>, 2005 to attend the second annual Restorative Justice Association of Virginia (RJAV) conference at the Holiday Inn and Conference Center in Charlottesville. Attendants included restorative justice practitioners, students, members of the criminal justice system and administrators in local schools. Such representation pointed to the breadth of possible applications of restorative justice.

Dr. Howard Zehr, professor of restorative justice and co-director of the Center for Justice and Peacebuilding at Eastern Mennonite University, delivered a keynote address on the foundations, principles and applications of restorative justice. Immediately following the keynote address, RJAV President Vickie Shoap and Vice President David Saunier



*Vickie Shoap, Howard Zehr, and David Saunier after the presentation of the first "Howard Zehr Restorative Justice Award".*

presented the first annual Restorative Justice Award. It recognizes an individual who has made significant contributions to the growth and use of restorative justice principles in Virginia. The award was presented to Dr. Zehr and will hereafter be presented annually in his name. Zehr said he was "genuinely surprised" and felt

"particularly honored" as the award's first recipient.

Another speaker, a victim of grand theft auto, shared her story during lunch. "Karol" described the effects of having her vehicle stolen and her participation in the restorative justice process in a captivating and humorous way. She spoke of how restorative justice addressed her needs and concerns in a way that the traditional justice system did not.

In the late morning and afternoon, workshops provided opportunities for those new to restorative justice to be introduced to the principles while others delved into topical sessions on applications in school settings, family violence, and community building.

Thanks to all who planned and attended the conference. Stay tuned for the next RJAV conference in the fall of 2006.

### Help Others Learn More!

Invite us to speak to your civic group, book club, or neighborhood association. We'd be happy to explain restorative justice principles and practice, explore its place in our community, and answer your questions. Call 434-220-3737.

### Contribute to Positive Reinforcement

Help us provide tangible reward to participants who have met milestones in the General District Court Program. Please contribute and designate your contribution to be used for "Positive Reinforcement". We will use your contribution for such things as movie passes, gift certificates, free meals, and gifts for their children.

See article (this page) for more information. →

Send contributions to:  
Central Virginia Restorative Justice  
750 Harris Street Charlottesville, VA 22903

## General District Court Program and the Principle of Positive Reinforcement

Restorative Justice in the General District Court Program is using Evidence-Based Practices coupled with Restorative Justice principles to provide intensive service to a chronic criminal population. Research is proving that to change an individual's high-risk behavior, the criminal justice system must provide positive incentives as a person transitions through the system to reward pro-social behavior.

Too often, the criminal justice system is caught in the reactive position of responding to noncompliance with a sanction. Research is showing that sanctions alone do not correspond with compliance, especially with a high-risk group. This population generally does not fear jail. Being arrested, appearing in court, going to jail, seeing a probation officer, and returning to jail become rites of passage, or at least an accepted part of life. Not only will this cycle have a negative effect on the individual, but it also ultimately causes pain for the entire community.

Many people will ask, "Why should we offer reward for the responsibilities people should attend to anyway? It's basic: you go to work, support your family, stay out of

trouble, don't abuse substances." Such a framework is logical, but only for people with pro-social skills. People who engage in crime and demonstrate anti-social behavior require a different approach. Meta-analysis of over 500 recidivism studies have indicated that positive incentives are better than negative sanctions when trying to change the behavior of these high-risk individuals.

As a community, we should remember that while some people have learned pro-social skills, others haven't and they will eventually meet with criminal sanction if their behavior breaks the law. If the criminal justice system and community do not respond with validated programming, then we will continue to suffer with each new crime. The goal of the Restorative Justice in General District Court Program is to change offender behavior while addressing victim and community needs. We believe that by pairing restorative justice principles with research-based programming, we can improve our community by reducing high-risk behavior and crime.

Program staff invite inquiries about this program from those who wish to learn more.

Darkness cannot drive out darkness; only light can do that.  
Hate cannot drive out hate; only love can do that. -Martin Luther King Jr.

### What do Communities Need after Crime?

- Peace
- Safety
- Information
- To be understood
- Opportunities to be involved in the justice process
- Opportunities to practice more participatory forms of democracy
- Inclusion in the discussion and resolution of issues that affect the community
- Encouragement to be mutually accountable for the community's conditions and responsibilities

#### April is Sexual Assault Awareness Month

Wednesday April 5th is National Day to End Sexual Violence

### Notes, continued...

We are grateful for the community support we receive and we know that as more people come to understand the value of restorative processes, and the work of the program, our support will grow.

We cannot overstate the importance of the support we receive from foundations like the Charlottesville Area Community Foundation, Bama Works, The Breeden Foundation, and the J. E Berkley Foundation. These groups provide critical support that enables us to help families and communities restore a sense of health and safety to their lives. We feel fortunate to be in a community where groups like these are willing to support effective ways of

addressing community needs.

Foundations can sometimes seem limited in their identity to a website presence, a downtown office building, or a monolithic entity. Yet we know that behind every foundation is a collection of individuals who are committed to positive change.

It all comes down to people, working individually and collectively, helping make our community better. So, whether you gave to us directly, or supported one of the worthy foundations named, you have helped. On behalf of those who work at Central Virginia Restorative Justice, and those whom this program serves, a sincere and well-deserved thank you!

### Larger Task Force, continued...

citizens and the Charlottesville police.

With this widening mandate, the program believes that the Task Force should now expand to include other stakeholders. This belief is based upon the principle of participatory decision-making: *that those who are most affected by a decision should have a hand in the making of it.* So who else would sit at the table? Specific names are yet to emerge, but we hope to more fully engage victims, victim advocates, community leaders, school representatives, members of the business community, ex-offenders, and neighborhood association officials.

Inevitably, there are practical consequences with an expanding circle. Chief among them is the scheduling challenge so the program will shift from monthly to quarterly Task Force meetings. It's possible that the program will need a larger meeting space. And of course, the group will also require a more generous number of cookies for the center of the table.

*If you are interested in serving as a new voice on the Task Force, particularly if you represent one of the groups newly served by the program, please call our offices at 434-220-3737.*

### This Issue's Story, continued...

confession.

By the time this case was referred to Restorative Justice, some months had passed. Charlie had not been invited back to the animal care center, the instruments were still missing, tension existed between the teen agency and the animal care center over service placements, and trust had eroded between Ms. Olson and Charlie. Besides that, there were many unanswered questions: Had anyone else been involved? What had Charlie been thinking at the time? How could everyone be assured that it wouldn't happen again? Could the expensive instruments be returned? What could be done to "make right"?

Our staff conversed with workers at the animal care center and other support figures in Charlie's life. We outlined what

they might expect from a "Support and Accountability Conference" where those affected by Charlie's misguided choice would assemble. Charlie would tell the story of what happened that day, others might ask questions of him, Charlie would hear who had been impacted and how, and the group would work on a plan of repair. A few days later, a small circle gathered for that purpose.

The outcomes were quite simple, but extremely important. A representative from the animal care center had a chance to tell of her disappointment in Charlie's behavior. But she quickly followed with an expression of faith in the boy and his ability to make sound choices. She welcomed him back for more service hours and the relationship between the two agencies was

strengthened. Charlie assured everyone, including Ms. Olson, that this would never happen again. Later that week, in a real show of strength, Charlie went back to the animal care center to apologize in person to the staff and to return the stolen instruments. Charlie was doing the right thing.

The animal care representative called us a few days later and said, "I am now feeling good for Charlie and for us.... I think the conference was done very well yesterday and it was extremely constructive. What a great service you provide." That service is about holding offenders constructively accountable for their actions and inviting affected people to express their real needs in the wake of crime. Most of the time it's not easy. But as Charlie so aptly demonstrated, it's well worth it.

## RJAV Meets With Futures Commission

On December 28<sup>th</sup>, 2005 members of the Restorative Justice Association of Virginia met with the Commission on Virginia Courts in the 21<sup>st</sup> Century. The Commission was created by Virginia Supreme Court Chief Justice Hon. Leroy Rountree Hassell.

The Commission, whose motto is “to benefit all, to exclude none” is headed by Anne Whittemore and is charged with developing recommendations to guide the judicial system of Virginia well into the 21<sup>st</sup> century. The Commission is composed of a number of different working groups that relate to various aspects of the judicial system. Each group gathers information regarding the changing needs of Virginia’s

justice system and reports back to the full commission.

RJAV (Restorative Justice Association of Virginia) members Howard Zehr, Lawrie Parker, David Saunier, Dottie Larson, and Liliana Anaya presented to the Task Force on the Judicial Administration chaired by Judge Randall G. Johnson.

RJAV met with the Task Force to discuss how restorative justice principles and programs should be implemented on a wide scale within Virginia’s justice system in order to produce positive outcomes for victims, offenders, and communities.

For more information about the Futures Commission visit the Virginia Supreme Court website at

### Tell Us What You Think!

Please share with us your views on this newsletter. We wish to be accountable and responsive to the community in all aspects of our work. Are there things you would like to see included or deleted?

Also, let us know if you wish to be dropped from our mailing list, or know someone who would like to be added. Email [rjfrontoffice@oar-jacc.org](mailto:rjfrontoffice@oar-jacc.org) or call 434-220-3737. Thanks!

[http://www.courts.state.va.us/drs/general\\_info/history.html](http://www.courts.state.va.us/drs/general_info/history.html). The Commission plans to issue a final report in the fall of 2006.

## Restorative Justice Principles at a Glance

*Restorative Justice is a set of principles more than a program or process. Below, we provide a brief look at our program’s understanding of those principles:*

- **Crime is a violation of people and relationships.**
- **Crime creates harms, needs, and obligations.** The victim(s) and community have been harmed and have certain needs. Offenders have a direct obligation to victims and the community to address those harms and meet those needs. The community has an obligation to support victims in their healing and to support offenders in meeting their obligations.
- **An effective justice process should meaningfully include the parties most affected by the crime.** All are given a voice to express their needs as they see them.
- **Crime is a tear in the fabric of community.** Justice should seek to repair that tear and rebuild healthy relationships and communities. Healthy communities produce less crime and wrongdoing.

Central Virginia Restorative Justice  
750 Harris Street Suite 207  
Charlottesville, Virginia  
22903