

Harrisonburg Restorative Justice Coalition

2016 Status Report



Harrisonburg City Council | September 2016

Harrisonburg Restorative Justice Coalition

Vision Statement

To promote a more restorative community that values respect, open dialogue, and mutual accountability within a diverse community.

Mission Statement

Promote and implement restorative justice practices across the community through education, outreach and collaboration.



Brief History

In 2014, a group of community members belonging to various organizations started meeting together for the purposes of developing a restorative justice initiative within the Harrisonburg Police Department.

This group consisted of partners and stakeholders within the Harrisonburg community, and represented organizations that have a significant impact on the community. These organizations included:

- Eastern Mennonite University
- Fairfield Center
- James Madison University
- Harrisonburg City Schools
- Harrisonburg Police Department
- Harrisonburg/Rockingham Juvenile Court Services
- Harrisonburg/Rockingham Commonwealth Attorney's Office
- Harrisonburg/Rockingham Criminal Defense Bar
- Harrisonburg/Rockingham NAACP
- Private Victim Advocacy Counseling services



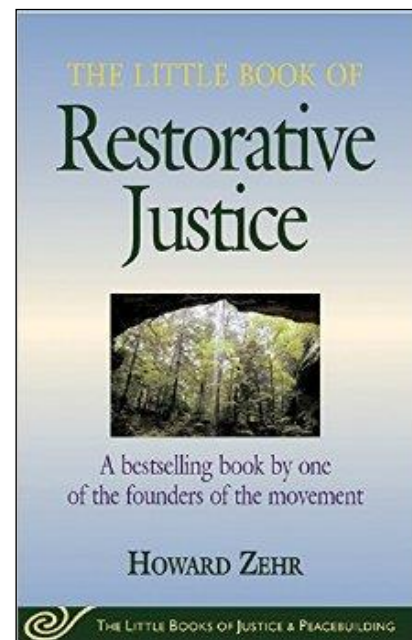
While the principles behind restorative justice are simple, developing a program that would involve using restorative practices in Harrisonburg proved to be complex. Thus, the members of the group conducted extensive research on best practices regarding other cities throughout the country that had implemented a similar restorative justice model. Some even travelled to other locations actively involved in restorative justice to gain first-hand insight

and learn about implementation. One such location was in Bedford, Massachusetts. This district has been involved in restorative justice for more than 15 years. Because of the excellent quality of their program, known as Communities for Restorative Justice, or “C4RJ,” it has become a model in many aspects to the Harrisonburg concept. More information about their specific program can be found at www.c4rj.com.

The model provided much needed information about implementation of restorative practices in Harrisonburg. But because Harrisonburg is its own unique city, the community members involved in the Harrisonburg program needed to tease out logistical concerns. These concerns included processing police incident reports, administrative management, referral processes, legal documents, identify facilitators, and implementation logistics.

Howard Zehr’s book, “The Little Book Of Restorative Justice”, also provided valuable insight in regard to the implementation of restorative processes. He writes that while having a model is important, each locale is different, and therefore restorative justice will look different. It states,

“various programs embody restorative justice in part or in full. However, there is no pure model that can be seen as ideal or that can be simply implemented in any community. We are still on a steep learning curve in this field ... and many more new ideas will surely emerge through dialogue and experimentation. Also, all models are to some extent culture-bound. So restorative justice should be built from the bottom up, by communities in dialogue assessing their needs and resources and applying the principles to their own situationsAt a minimum, restorative justice is an invitation for dialogue and exploration.”



After a year of research, the Harrisonburg Restorative Justice Coalition was able to start hearing cases. After its first successful case in March of 2015, a press conference was held with the Harrisonburg Police Department. EMU President, Loren Swartzentruber, JMU President Jonathan Alger, Commonwealth Attorney Marsha Garst and Police Chief Stephen Monticelli were present. Each spoke of the potential this initiative could have on the Harrisonburg community.



While excited about the announcement and community “buy-in”, the coalition understood this was the very beginning of a process in changing mindsets and culture building.

Building a Culture

One of the biggest obstacles with implementing a restorative justice program involves getting people to move away from a traditional criminal justice mindset, and look for opportunities to enhance restorative integration. This section will outline what has been done in the city thus far, and include information about past and upcoming training efforts to help create this restorative culture.

Restorative Cases

In the early stages of the HRJC, there were several successful cases seen to completion. The first case involved a felony larceny of cell phones was publicized in the media for some time to show the value of restorative justice within our community. This involved community resident, Cam Murphy, and his younger brother. Cam owned a kiosk in the Valley Mall, and realized that an employee had been stealing cell phones from the kiosk; the employee turned out to be his brother. Instead of pressing charges, Cam chose to participate in restorative justice. They participated in mediation and worked out a solution.



Cam Murphy at his Boost Mobile store. Full article can be found on the EMU webpage at www.emu.edu. Photo source: Nikki Fox.

Since that time, there have been other cases involving felonious assaults, larcenies and in one instance, a case of an unauthorized use of a vehicle between a grandmother and her grandson. Another case involved a victim of a felonious assault going to the Harrisonburg Police Department and asking to report the assault. He stated he didn't want charges pressed against the offender and had learned about the option of restorative justice.

After being part of a few initial cases, the HRJC soon discovered the need to begin officially tracking all of the cases that involved restorative justice. But because several other organizations who are part of the coalition also hear cases that use restorative justice, but aren't necessarily reported to the police, this tasked proved to be difficult. At this time, the coalition is gathering information to document all cases of restorative justice that involve partner organizations, including EMU, the Fairfield Center, and JMU.



Just within the HPD, five cases have been referred through the restorative justice process in one years' time. Three of these were facilitated by members of JMU and two were facilitated by the Fairfield Center. During the same period, the Fairfield Center handled five additional cases referred by other sources. Three additional cases were referred, but not completed for various reasons. The Fairfield Center has also conducted eight "Victim Impact Listen and Learn" programs with 69 juvenile offenders.

JMU is a valued partner and strong member of this coalition, and has also been conducting restorative justice case work. At the Office of Student Accountability and Restorative Practices (OSARP), more than 100 students and communities members were part of restorative justice programming. This includes:

- 95 theft charges, most of which involved students who were found responsible for taking bricks from the Quad area of the university; these resulted in restorative circles involving participation of students and community members
- 5 disorderly conduct and/or non-compliance charges involving student misconduct; these resulted in meetings with staff and writing apology letters
- 9 others miscellaneous charges that were suited for restorative conversations including training on conflict and participating in mediation

At JMU, while stealing bricks might seem like a small charge, it's impact was monumental. The missing bricks not only took away from campus aesthetics, but also caused harm to

community members and students who were sight or mobility impaired, caused difficulty for several JMU facilities management employees, and caused financial strain. Instead of charging these students with larceny and going through the Harrisonburg/Rockingham Courts, restorative circles were used to help students understand the harms their actions created. Additionally, students generated a list of potential solutions ranging from apologizing to the Office of Disability Services, writing thank-you notes to facilities management, to collecting bricks from other students to bring back to the Quad. Students participated in one of the solutions and then wrote a reflection paper centered on what they learned and JMU's 8 key questions.



Overall, JMU has been using proactive approaches to prevent conflict on campus and in the community by educating others about restorative practices. This includes the creation of flyers, meeting with off-campus apartment managers, talking with academic departments, and empowering students to use restorative processes themselves.

Training

In addition to cases involving restorative justice, there have been several trainings happening within the organizations that are part of the coalition. Four separate training sessions were set up for police officers, which comprised of a one-day training that provided basic knowledge of restorative practices and how to implement them in the criminal justice system. Thirty-three officers completed this training. On September 28th, Dr. Carl Stauffer from EMU and Dr. Josh Bacon from JMU, will conduct training at the Harrisonburg Police Department for all supervisory staff. It is the goal of this training to have supervisors reviewing reports and encouraging the use of Restorative Justice.

Additionally, Eastern Mennonite University and the Center for Justice and Peace Building provided two scholarships to the Harrisonburg Police Department (and continue to offer more opportunities) to attend their Summer Peace Building Institute. Lieutenant Kurt Boshart and Chaplain Tom Murphy have completed this course. After Harrisonburg City Schools became involved, approximately 100 administrators and staff attended a one-day

training conducted by the Coalition. More training sessions have been in progress conducted by EMU.

Additional training programs are in the planning process to be conducted at JMU. This training will be open to JMU faculty and staff and will include introductory components for those who are new to restorative justice, and then more advanced workshops to train those to conduct restorative processes who are already familiar with restorative justice.

Eastern Mennonite University created a Restorative Justice Education Certificate course for educators. In their first cohort of participants, 16 teachers, counselors and administrators from Waynesboro, Staunton and Harrisonburg are on target to complete their certificate this spring. The second cohort has already started involving 10 teachers, counselors and administrators from HCPS taking the first of five courses together over the next 2 years. The university is also in the process of developing a course that will introduce a trauma-informed pedagogy, acknowledging that many of the students in HCPS have experienced traumatic events and are probably bringing the effects of that trauma into their schools and classrooms.



Community Outreach

There have been many opportunities for members of HRJC to reach out into the community for informational speaking engagements. This is being done on several levels either formally or informally. Some of these engagements have been to local Rotary clubs, churches, faith based organizations, citizens' police academy, community groups and a series of public meetings was set up through the Fairfield Center.

Going beyond the borders of Harrisonburg, the Coalition is often asked to present at various national and international venues. These events have provided opportunity to make connections with other practitioners in an effort to identify shortcomings and look at other ways to implement best practices. This past summer, members were asked to present at the United States Institute of Peace in Washington, DC. Attendees were scholars and military leaders from around the world looking at peace building with civilian and military/law enforcement partnerships.

Additionally, the Community Outreach subcommittee of the HRJC is working on connecting with other groups in Harrisonburg to encourage cross-group connections, an appreciation and acceptance of diversity, and the representation of a myriad of perspectives.

The Zehr Institute for Restorative Justice and the Harrisonburg Police Department have partnered to host a "Palaver" (Retreat) in November of this year. It will take place over the weekend at Camp Horizon and will include law enforcement chiefs of police and/or members of their executive team from around the country who are involved in Restorative Justice within their jurisdictions. Here, there will be at a minimum, discussions on pitfalls, successes and identifying ways to improve Restorative Practices within communities. The following cities have committed to attend:

- Davis, California
- Reedley, California
- Longmont, Colorado
- Milliken, Colorado
- Chicago, Illinois
- Arlington, Massachusetts
- Kalamazoo, Michigan
- Maplewood, Minnesota
- Moultonborough, New Hampshire
- Fairfax County, Virginia
- Norfolk, Virginia
- Bedford, Massachusetts

Planning for Success

The coalition soon began to realize the complexity in a community approach as it pertained to the specific needs of the schools, police, criminal justice system and community. There were questions about training: is the same training for police applicable to the training for educators? There were questions about referrals: why are there not more referrals from officers? And there were concerns about diversity within the Coalition. In order to accomplish and meet all the various needs, a more formal structure needed to be in place.

In the fall of 2015, and again in late spring of 2016, the coalition held a series of two planning retreats. At these two sessions, many discussions were held on what was working and what was not, clarification of goals, conceptualization of the organizational structure, and a prioritization of how to make restorative justice sustainable in Harrisonburg. These retreats, and subsequent meetings, have had three main areas of focus:

- Mission and Identity
- Vision and Goals
- Structure and Process

It was at this time that everyone agreed upon creating the official coalition. This coalition would have a Leadership Team with five representatives from areas:

- Universities - EMU/JMU
- Community - NAACP
- Fairfield Center
- Harrisonburg City Schools
- Harrisonburg Police Department

This team is responsible for planning quarterly meetings, communication and coordination, fiscal authority and process, identify funding opportunities and making decisions. There are also four subcommittees. These are the committees that carry out the work that needs to be done to promote and implement restorative justice within the community:

- HPD Referrals - Convener Kurt Boshart
- Education and Training - Convener Josh Bacon
- Community Outreach - Convener Kathleen Sensabaugh and Elaine Blakely
- K-12 Schools - Convener April Howard

Since the final retreat in June of this year, the leadership team and each subcommittee has met several times to discuss the respective issues. From this retreat, the vision and mission statements were developed and more work is scheduled to be forthcoming.

It was also decided to hold quarterly meetings that are open to the public. The first quarterly meeting open to the public will be held on October 26 from 5:00 p.m. - 6:30 p.m. at the city Municipal Building.



Conclusion

While the Harrisonburg Restorative Justice Coalition has come quite far since the launch of the initiative, there is still much work to be done. One area that is currently a priority is increasing the referrals for restorative cases, and answering questions that are related to the referrals. These include: who decides what cases can be referred? What types of cases? Do implicit biases have an impact in the referrals? How can there be more cases brought forward? It is the goal of this coalition to address these questions and many others.

Additionally, failure to mention the participants who completed the work listed above would be unjust. Each member is doing so on a volunteer basis, and they each have jobs and/or other responsibilities. This is truly a collaborative community coalition that is committed to seeing restorative justice succeed in this community. Harrisonburg is blessed to have the expertise and resources available to be involved in such an endeavor.

While there may be questions on the progress of restorative justice in the Harrisonburg community, this report should help to identify what is being done and the progress that has been made. This will be an on-going, never ending, always changing environment that will require periodic evaluation.