

# This Road Less Traveled Moves Like Water

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# This Road Less Traveled Moves Like Water

## 1. Introduction (SLIDE #1)

When Reid Wodicka started into his talk on January 6<sup>th</sup>, I had a moment of panic when he shared that the focus of his SPHEX paper would be on the juvenile justice system. I had visions of needing to throw out my planned paper and start all over again, to avoid making a presentation that covered the same material.

However, I relaxed when I realized that – instead of being repetitive – our papers could actually build upon each other. Since Reid sparked a lot of interest with his excellent paper, my hope is that this presentation will further engage the SPHEX membership to ask some tough questions about community and criminal conflict resolution, and consider the possibilities found in a road less traveled.

At the end of Reid’s talk, a few of the questions from SPHEX members included:

- “what new approaches are needed to better serve the youth in our community?”
- “what opportunities are there for us as community members to interface with those involved in the juvenile justice system?”
- “how can we better support people before they get to the point of incarceration?”

I am so glad you all asked.

One of the “roads less traveled” which has shown great success in communities around the country and throughout the world is the concept of restorative justice.

Tonight, I am going to share with you the basic tenants of restorative justice practices, detail some specific examples of how restorative justice is working today and discuss opportunities to leverage these practices where there are not currently being used.

## 2. Inspiration (SLIDE #2)

But first, I want to tell you all about the person who inspired me to explore this topic.

I am grateful she is able to join us tonight. She is a Lynchburg native currently living in Philadelphia, and her name is Mckayla Warwick.

Mckayla and my daughter, Maggie were Lynchburg City Schools classmates – starting at the R.S. Payne Gifted Opportunity Center, then at Linkhorne Middle School and E.C. Glass. Mckayla first caught my eye on the stage at the G.O. Center, and was an academic star throughout her LCS career. But it is what she has accomplished in recent years, and how she is currently using her time and talents that has been even more inspirational.

Mckayla was a Horatio Alger national scholar and earned a full-ride QuestBridge scholarship to the University of Pennsylvania, where she graduated Summa Cum Laude in 2020 with a major in Sociology, and minors in Urban Education and Africana Studies.

Her collegiate accolades were numerous, but the one that caught my attention was Mckayla's selection, along with two of her U Penn classmates, as a 2020 Presidential Engagement Prize recipient.

Dr. Amy Gutmann took over as President of the University of Pennsylvania in 2004 and served in that role until just last month, making her the longest serving president in the history of the Ivy League institution. (SLIDE #3)

Dr. Gutmann has traded academics for diplomacy, having been nominated by President Biden to serve as the Ambassador to Germany, a post she assumed on February 17<sup>th</sup>, following her Senate confirmation.

During her long career at the university, Dr. Gutmann sought to build on what she described as founder Benjamin Franklin's legacy of "making the world a better place". One of her initiatives was to establish the President's Engagement Prize in 2014. This program has annually awarded monetary prizes to exceptional Penn students who have demonstrated a commitment to local, national and/or global engagement, and who wish to put their education to work immediately upon graduation to benefit humankind. (SLIDE #4)

In the spring of 2020, Mckayla and her classmates – Hyungtae (*hungtay*) Kim and Kwaku Owusu (*kwakue owoosue*) – were awarded \$250,000 for a project they named "Collective Climb". The award consisted of \$100,000 for program implementation costs and a \$50,000 per student living stipend.

The initial focus of the project was fighting poverty through financial literacy initiatives. However, the impact of the COVID pandemic, coupled with the surge of the Black Lives Matter movement following the George Floyd murder, resulted in the team reevaluating how they should use the President's Engagement Prize to make the most impact in the West Philadelphia community. **(SLIDE #5)**

The following clarification was provided on July 28, 2020, by Penn Today - the online campus news publication- after the team received the approval to modify their original plans:

*"In light of protests around the nation for the livelihood and safety of Black people, the Collective Climb team decided in early June to pivot their mission, operations, and intended impact. Going forward, instead of focusing on financial literacy and empowerment, they will enter the juvenile justice space as a restorative justice practice with a diversion program to protect Philadelphia's youth from punitive, carceral systems."*

The name chosen for the original project - Collective Climb - was inspired by a west African proverb "climb a good tree and we will rise". The team decided to keep the name, since hard work, unity and collaboration would be just as critical for the revised project to succeed. **(SLIDE #6)**

The following video provides a brief overview of the Collective Climb project:  
<https://youtu.be/KM7jcghi860>

**(SLIDE #7)**

Mckayla, Hyungtae and Kwaku have been working with West Philly youth since they graduated in the spring of 2020 – first under the umbrella of the President's Engagement Prize and now as an independent non-profit. In 2021, Collective Climb was incorporated as a 501(c)3 organization, so the impactful work could continue.

Collective Climb's mission has evolved in response to the needs of the west Philadelphia neighborhood, but their work has continued to focus on using restorative justice practices to engage and empower youth to build community and repair harm.

Later in my talk, I will share more details of the specific programs Collective Climb is currently facilitating, and discuss some ways we can all learn from the impactful restorative work Mckayla and her colleagues have been doing in Philadelphia.

### 3. Restorative Justice Overview (SLIDE #8)

My research for this paper took me in many directions, making it very challenging to decide which aspects of the theory and practice of restorative justice to highlight.

My hope is that by sharing some of what I have learned about the origin of restorative justice practices and detailing examples of how these practices are being used effectively today, some interest will be sparked among this group.

Once I started looking into the concept of restorative justice – a term I was only slightly familiar with prior to working on this paper - it seemed to pop up over and over again. (SLIDE #9)

Some of you may know that there is an actual term for this – it is called the Baeder-Meinhof (*bah-der mine-hof*) phenomenon or sometimes simply referred to as a frequency illusion.

As I researched this paper, direct and indirect references to restorative justice practices seemed to come out of the woodwork – certainly in the judicial and criminal justice systems, but also in local government, faith-based organizations, schools and workplaces.

When I least expected it, the concept of restorative justice presented itself when my daughter convinced me that I needed to watch the TV series, Yellowstone. (SLIDE #10)

In the midst of a binge watching session, the following exchange caught my eye (with apologies for any copyright protections I may be violating). For those of you who may have also gotten hooked on Yellowstone, you will recognize this clip as an exchange between Chief Thomas Rainwater and a young member of his tribe, who gravely injured Monica, another member of the tribe, when a fight broke out at the tribal school.

<https://youtu.be/7NERxYdGbpU>

I watched all four seasons of Yellowstone, hoping they would circle back to this issue, so I could learn what Monica needed to help her move past the trauma and how the fictional tribal community addressed the harm caused by this young man. But whatever restorative practices may have been used to resolve this fictional conflict must have ended up on the cutting room floor.

(SLIDE #11)

But there are definite aspects of truth to this fictional depiction, since many of the restorative justice practices – such as peace circles and sentencing conferences – can be traced back to indigenous populations in North America, Australia and New Zealand.

The key aspects of indigenous restorative practices center around the desire to restore harmony and balance to all affected parties – including the victim, the offender and the wider community. The bringing together of all those impacted by a crime is a key component of tribal justice, and is a basic tenant of restorative justice efforts practiced today in non-tribal courts, schools and communities.

## **The Monacan Indian Nation (SLIDE #12)**

On a side note, during my research I reached out to the Monacan Indian Nation to inquire about their use of restorative justice practices within their tribal community. What I learned was much more than I could have anticipated.

Although the Monacan Nation is the largest native tribe in Virginia, with over 2,000 members, they do not operate their own tribal courts or any other parallel justice system. When one of their members commits a crime, their case is adjudicated in the same manner as it would be for any non-tribal citizen.

A primary reason why the Monacans do not have the infrastructure to operate tribal courts, is that they, along with other Virginia native tribes such as the Mattaponi (*matta-pu-NYE*) and Chickahominy, were not federally recognized until 2018. Without federal recognition, there could be no tribal sovereignty, and the inherent rights of self-government that come along with it.

The Commonwealth of Virginia did not even officially recognize the Monacan Nation until 1989; this delay was largely due to the intentional destruction, starting in the 1920's, of documentation recognizing Virginia citizens as members of native tribes. The term "paper genocide" was new to me, but I now understand the horror of the efforts taken to systematically reclassify the Native Americans in Virginia as simply "colored", effectively erasing their identities – in the eyes of the government – as members of particular tribal communities.

It wasn't until 1967 that the Supreme Court overturned Virginia's Racial Integrity Act of 1924, paving the way for native residents to, once again, have their heritage formally recognized on governmental documents. It took a dedicated and lengthy effort to get where they are today, and the Monacan Nation has impressive plans for the continuing strengthening of their community.

Restorative justice efforts can take many forms and – maybe thanks to the Beider-Meinhof phenomenon – I hope that all of you can see that there are restorative opportunities all around us.

**(SLIDE #13)**

As a trustee of the University of Lynchburg, I am proud that Chief Kenneth Branham and President Alison Morrison-Shetlar recently signed a formal Land Acknowledgement, honoring the Monacan Indian Nation as the previous inhabitants of the land on which the University is located. At many of the events held at the University, the following statement is read:

*“We acknowledge the Monacan Indian Nation as the traditional stewards of the land on which the University of Lynchburg now sits and we offer our respect to the Monacan people, past, present, and emerging.”*

This acknowledgement can not right all the wrongs done to the Monacan people, but this sincere effort is definitely restorative in nature.

## **What is Restorative Justice? (SLIDE #14)**

Restorative Justice is a term which can mean a wide range of things in various settings, but I found certain general tenants to be consistent throughout my research.

A restorative response to a wrongdoing – criminal or otherwise – acknowledges the harm done to people, relationships and community, and focuses on bringing about a resolution that is not solely focused on punishment.

Restorative Justice emphasizes repairing harm, ideally through a cooperative process which involves all stakeholders – the victim, the offender and the community.

Restorative justice practices first started to emerge within the courts in pockets of the United States in the 1970's. The intent was to address some of the weaknesses of the legal system, identify opportunities and build upon certain strengths.

A particular area of concern which many believed should be addressed was the neglect of the needs of the victim. In the criminal court, the victim of a crime is typically treated merely as evidence. Whereas the offender is represented by a defense attorney and the prosecutor speaks to the community's interests, the victim is not represented in the criminal proceeding and typically has no significant input into the resolution.

In contrast, when a restorative justice process is used, the victim and the offender – and oftentimes members of the community affected by the crime – come together to resolve the matter in a way which holds the offender accountable. For the process to be successful, it is important that the offender recognizes the effects of the harm and - wherever possible – repairs the harm in a manner that is satisfactory to the victim.

## **(SLIDE #15)**

One restorative justice practitioner (*Caitlin Morneau – Director of Restorative Justice, Catholic Mobilizing Network*) describes it this way:

*“Restorative Justice is a victim-centered approach to justice that seeks to heal the impacts of harm rather than focusing exclusively on punishment or retribution.”*

## **(SLIDE #16)**

For this process to truly be restorative – certain aspects must be incorporated:

1. The wrongdoing must be acknowledged by the offender.
2. The needs of the victim must be addressed.
3. The offender must accept responsibility for the obligation to right the wrong.
4. Those involved in and/or affected by the wrongdoing must be invited to be part of the solution.
5. Outcomes should prioritize reintegration of the offender into the community once the conditions of the restorative justice agreement have been met.

**(SLIDE #17)**

A simple mantra some practitioners use focuses on the 3 R's: Repairing, Restoring, Rebuilding.

The victim is not required to “forgive” the offender or even to meet with them in person for the restorative justice process to work – although a face to face meeting is typically the most effective.

The victim plays a critical role in the process, but their involvement must be voluntary. If the victim opts out of the restorative justice process, the case will typically be referred back to the court system and proceed in a traditional manner.

When restorative justice practices are used effectively, the percentage of victims reporting they are satisfied with the resolution of the process rises dramatically. The opportunity to be involved in the solution and to have their voice heard can be very healing. The process often provides a pathway for a victim to regain a sense of control, which may have been lost due to the crime.

As for the offenders, in many ways the restorative justice process can be harder than going through a trial, even one that ends up with a jail sentence. As one proponent put it: “punishment is passive; accountability is active”.

Just as the satisfaction with the judicial process rises for those victims included in a restorative justice effort, the recidivism rates for non-violent offenders have been shown to drop in a similarly dramatic manner.

The offender not only acknowledges the harm and is afforded the opportunity to repair the harm, where possible, but the offender is also encouraged to share the “why”.

- Why did you do this?
- What led to the decision to commit this crime?

With the community also represented in the restorative justice process, systemic issues may be identified and specific plans made which can have a positive impact on all parties.

When Reid gave his talk, he referenced Oprah's recent book, "What Happened to You?". With restorative justice efforts, there can be a real shift from focusing on "what is wrong with you?", to instead trying to uncover and understand "what happened to you?". Understanding as much as possible about what led up to the criminal act can be invaluable when determining how to move forward safely and successfully.

In addition to the criminal justice space, there are many other examples of effective restorative justice efforts being used around the country:

- in communities to address neighborhood conflicts
- in workplaces when conflicts arise among colleagues
- in schools to proactively mitigate disruptive behaviors and to provide effective alternatives to suspensions

**(SLIDE #18)**

One of the early articles I came across was about how restorative justice tools could be used in elementary classrooms. Thanks to the suggestions in the article, I bought a few books with incredible titles such as: "We Don't Eat Our Classmates" and "Pink is for Boys".

I only explored these books with a cohort of one – my 4½ year old granddaughter – but I can report the result was some great conversations about inclusiveness and forgiveness.

**(SLIDE #19)**

Another important space where restorative justice practices can be found are within social service agencies and independent non-profits, who are often engaged to facilitate the process on behalf of a particular community.

An example of this is the impactful community based work that Mckayla's organization, Collective Climb, does in Philadelphia.

#### 4. Restorative Justice Efforts in Chicago (SLIDE #20)

Before I circle back to the impressive work that Mckayla and her team are doing, I want to take you all to Chicago, where successful restorative justice efforts can be found, in and out of the court system.

The Honorable Timothy C. Evans is the Chief Judge for Cook County, Illinois, one of the largest court systems in the world. Within Cook County, over 400 judges serve the 5.2 million residents of Cook County in the greater Chicago area, where more than 1 million cases are filed each year.

Under this very large umbrella, there are three innovative courts which focus solely on the restorative justice process. The first Restorative Justice Community Court was established in 2017 in Chicago's North Lawndale neighborhood as a pilot project, partially funded for the first two years by the US Department of Justice.

Following the successful launch of the North Lawndale court, two more Restorative Justice Community Courts were opened in 2020 on the South Side of Chicago and Chief Judge Evans has become a strong advocate for the further expansion of this model.

Among other factors, the Restorative Justice Community Courts have been established to try to answer the question:

“Should communities have a say in how residents are punished for a crime?”

#### (SLIDE #21)

In a newsletter for the Avondale RJCC, Chief Judge Evan's is clear on his vision:

*“Welcome to the Restorative Justice Community Court, where healing is the goal rather than punishment, and the quest for justice becomes a collective effort.”*

For an offender to qualify to participate in the Cook County restorative justice court, the following criteria must be met:

#### (SLIDE #22)

The offender must:

- Be 18-26 years old
- Have been charged with a non-violent felony or misdemeanor
- Live in the neighborhood assigned to the court
- Have a non-violent criminal history
- Accept the responsibility for the harm caused

In addition, the person charged and the person harmed must BOTH be willing participate in the RJCC.

The population chosen to be served by RJCC includes what one judge calls the “emerging adults” aged 18-26. These young people have aged out of the juvenile court system and cannot be tried as minors.

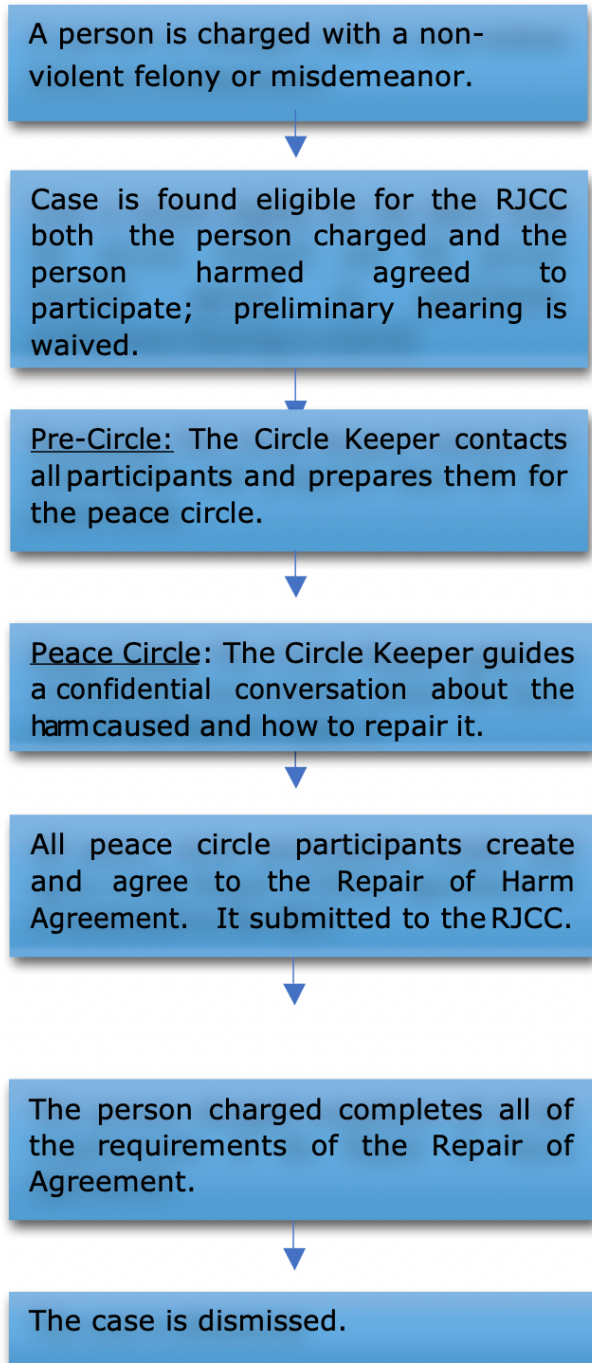
However, as Reid reminded us in his presentation, there is much evidence that, particularly for young males, the reasoning capacity within this age group is still developing and poor decision making is not an uncommon outcome. The proponents of this alternative form of justice believe that offering a more flexible form of punishment to young, first time offenders who acknowledge and work to repair the harm they have perpetrated, is a worthy effort.

**(SLIDE #23)**

The flow of the process in the Cook County Restorative Justice Community Court looks like this:

### THE RJCC PROCESS

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The offenders who successfully graduate from the RJCC program can have their records cleared, having earned the opportunity to move forward as constructive members of their communities without a criminal record.

## 5. Peace Circles (SLIDE #24)

I would like to touch on the importance of the peace circle, which is a key component of the RJCC process in Cook County. In some places it is called a peace conference or a peacemaking circle, but the process is a common thread found in restorative justice efforts, no matter where the work is done.

Kay Pranis is a Minnesota-based author and nationally recognized restorative justice leader, specializing in peacemaking circles. Her books, as well as the training she has conducted across the country, have helped many communities get started on the restorative justice pathway.

Ms. Pranis describes the circle process as a way of bringing people together where everyone is respected and gets a chance to talk without interruption, with each participant having an equal role in the process.

### (SLIDE #25)

The peace circle process – which has strong ties to Native American and other indigenous practices - typically include the following key aspects:

- Physical space – participants sit in a circle, demonstrating the connectiveness and equality of the members. Often meaningful items will be placed in the center of the circle to reflect the issue at hand.
- Opening Ceremony – where introductions are made and each participant can share why they are there.
- A Talking Piece – used to regulate the dialogue, giving each person the time to speak (or to choose not to speak) without interruption.
- A Facilitator or Peacekeeper – a trained person who assists by monitoring the overall tone of the group and stimulating individual reflections, without controlling the issues or influencing the outcomes.
- Guidelines – created by the group to articulate the process commitments participants make to one another.
- Consensus Decision Making – each participant agrees to live with the decision made by the group and to support its implementation.

Through this process, the victims are provided the opportunity to directly interface with their offender, clarifying how they were hurt (physically, emotionally and/or financially) and sharing what they believe is needed to repair the harm.

## 6. Restorative Justice in Virginia (SLIDE #26)

A majority of states have passed laws permitting – and in some cases, encouraging – the use of restorative justice practices in at least some criminal cases. Some areas restrict its use to juvenile cases or – like in Cook County – to first offender young adults.

In Virginia, there is community-based restorative justice work being done throughout the state but the movement towards official endorsement and support of restorative justice practices in the courts has been slow to gain traction.

Section 19.2 of the Code of Virginia, which has been in place for many years, allows for the establishment of victim-offender reconciliation programs, but does not specifically speak to restorative justice programs.

The 1996 Virginia General Assembly approved a Senate Joint Resolution directing the Virginia State Crime Commission to study restorative justice for nonviolent offenders and to submit its findings and recommendations to the governor. I could not find a record of any outcome of that study.

There was a bill introduced in 2010 (SB679) which would have formalized the restorative justice referral process throughout the state, but the bill failed to pass.

One of the reasons I found it surprising that our state has been slow to embrace restorative justice efforts is that one of the pioneers in the field, Howard Zehr – who is widely known as the “grandfather of restorative justice” - is based out of Harrisonburg, Virginia.

### (SLIDE #27)

In the late 1970's, Dr. Zehr became the director of the first U.S. victim-offender reconciliation program, which was located in Elkhart, Indiana. Since the mid-1990's, Zehr has been at Eastern Mennonite University on faculty and serving as the Distinguished Professor of Restorative Justice at EMU's Center for Justice and Peacebuilding. Dr. Zehr is also the co-founder of the Zehr Institute for Restorative Justice.

The City of Harrisonburg – likely as a result of Zehr's influence – does have a formal restorative justice program embedded in their police department. There are also non-profits around the state facilitating a wide variety of restorative justice work – including the Virginia Center for Restorative Justice based out of Richmond. But there is so much more opportunity which has not yet been tapped in the Commonwealth.

**(SLIDE #28)**

There is reason to hope that the outlook could be changing – at least within the juvenile justice system - in the coming months.

The first promising step was that – during the 2021 Special Session of the Virginia General Assembly – Section 16.1 of the Code of Virginia was modified to add a section specifically detailing the process for “establishing youth justice diversion programs” in localities who choose to do so.

Stephanie Meehan, the Director of the Court Services Unit for the 24<sup>th</sup> District, shared with me more encouraging signs. In the upcoming fiscal year (FY2023: 01JUL2022 –30JUN2023) the Virginia Juvenile Community Crime Control Act (VJCCCA or V Triple C A) specifies that restorative justice efforts are one of the “allowable supports” Court Service Units may implement with funds provided by the Commonwealth.

In another sign of support, the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) has established grant funding specifically targeted for restorative justice training for court services staff and/or community-based providers.

Stephanie told me she is in the process of actively encouraging some of the Court Services Unit’s community partners to seek training to prepare for FY2023 when restorative justice programs, with support from VJCCCA and the Department of Justice, may finally gain traction in Virginia.

## 7. Faith-based Restorative Justice (SLIDE #29)

Although my initial venture into restorative justice research was focused on the legal procedures and processes, it did not take long to discover and appreciate the important role some faith-based communities play in the restorative justice world.

As a Catholic, I was especially interested in how closely the tenants of restorative justice align to the Catholic Social Teaching imperative of subsidiarity - the principle that holds that human affairs are best handled at the lowest possible level, closest to the affected persons. At the highest level necessary, but at the lowest level possible.

Since the alignment between subsidiarity and restorative justice practices is so strong, it is not surprising that many Catholic organizations and communities are involved in restorative justice work around the country.

The Catholic Mobilizing Network (CMN) is a Washington DC based organization whose mission is to end the death penalty and promote restorative justice.

### (SLIDE #30)

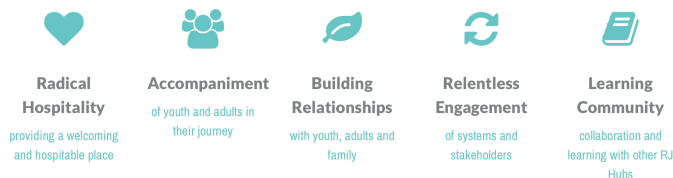
It was through CMN’s restorative justice podcast – Encounters With Dignity - that I first learned about Father Dave Kelly, a truly inspirational priest based out of Chicago. Fr. Kelly founded The Precious Blood Ministry of Reconciliation (PBMR), an organization committed to, in their own words, “restoring communities through radical hospitality, hope and healing”.

PBMR strives to achieve their mission in many ways, including serving as one of several Restorative Justice Hubs in the greater Chicago area. The Hubs works with court-involved youth, ages 12-24, living in the neighborhoods that a particular Hub is located in.

### (SLIDE #31)

By remaining focused on the Five Pillars shown here, PBMR has been able to work with young people, their families and the community to change lives.

## 5 Pillars



Now that you all are familiar with the key restorative justice concepts, I want to help you all envision what it can look like in action. This is a brief video of Father Dave Kelly talking about the peace circle process and sharing a specific example of how it was used for one of the many cases diverted from the courts to PBMR.

**(SLIDE #32)**

Father Kelly link:

<https://youtu.be/jBFGlHT3XAk>

## 8. **Columbian Harmony Cemetery (SLIDE #33)**

Just one week ago, I had another encounter with the Baeder-Meinhof (*bah-der myn-hof*) phenomenon when an email showed up in my inbox inviting me to a talk at the University of Lynchburg.

The title of the talk, which was one of the many Black History Month activities at the University, was “History as Power: Racial Reconciliation and Restorative Justice through Storytelling”.

Cheyney McNight and Kelley Fanto Deetz gave an excellent presentation, which I hope will be available on the UL website for those who are interested to watch.

One of the stories shared is further proof that restorative justice opportunities are around us in many different forms. Dr. Deetz detailed the tragic reality of the relocation in 1960 of the remains of 37,000 African Americans buried in the Columbian Harmony Cemetery in Maryland to make way for a Metro Station.

The decision makers involved with the relocation project moved the remains, but they demonstrated an appalling lack of respect when the remains of many of the deceased were reburied in unmarked graves and the headstones were sold off for scrap.

The mystery of what happened to all those headstones started to unravel years later when Virginia State Senator Richard Stuart and his wife Lisa discovered that many of the headstones had been used as rip-rap to protect the shore of the property they purchased on the Potomac River in 2016.

After all this time, there will not be any accountability for those who showed such disregard for the African American remains buried in Columbian Harmony Cemetery, and for those who dumped the headstones on the shore of the Potomac. But Dr. Deetz’s non-profit - History, Arts & Science Action Network (HASAN) – has been working with the State of Virginia and some of the descendants of those originally buried in Columbian Harmony to extract the headstones from the river. The headstones are being restored as much as possible so the families of the deceased can maintain that connection to their ancestors.

Restorative justice is possible when people are willing to do the hard work to “right a wrong”.

[CBS News - Columbian Harmony Cemetery](#)  
[Washington Post Article - 25OCT2020](#)

## **Collective Climb (SLIDE #34)**

As I bring my talk to a close, I want to turn back to where I started – the initial inspiration for my exploration into restorative justice practices.

My talking about Mckayla's work and the impact Collective Climb has had on the neighborhoods in west Philadelphia will not do it justice. So, I am very grateful that Mckayla is able to join us tonight so she can directly address any questions you all may have about her work and Collective Climb's plans for the future.

As I noted at the beginning of my talk, Collective Climb has shifted focus a few times, and will no doubt continue to evolve as the organization grows and matures. **(SLIDE #35)**

Three of the main areas of focus for the organization are:

1. The Restorative Community Project
2. The Youth Advisory Board
3. Restorative Justice Diversion Program

### **(SLIDE #36)**

**The Restorative Community Project (RCP)** seeks to engage and train cohorts of youth to proactively address harm before it escalates. The initial cohort of eight young people, ages 15-19, was selected from a large pool of applicants. The cohort was 100% BIPOC (made up of black, indigenous, people of color) from the neighborhoods of west Philadelphia. Funds from the U Penn President's Engagement Prize helped to pay each teenager a stipend for the 6 month program, as well as provide tools used to educate the RCP cohort on ways to build community, repair harm and empower others.

### **(SLIDE #37)**

**The Youth Advisory Board** is populated by alumni of the Restorative Community Project, creating an impactful team who put their newly acquired skills learned to work. The members of the Youth Advisory Board collaborate closely with the Collective Climb leadership, providing input on evolving community needs, planning events and exploring new opportunities for engagement.

In addition to these proactively focused programs, Collective Climb also works directly with youth who are involved with the criminal justice system. Collective Climb's **Restorative Justice Diversion Program** works directly with the office of Philadelphia District Attorney, Larry Krasner, a strong proponent for restorative justice and other criminal justice reform measures. The Collective Climb team,

along with a paid mediator, conduct diversion conferences using the peace circle model, for juvenile cases referred from the DA's office.

**(SLIDE #37-4)**

Mckayla and her team are hoping to complete 15 diversion cases this year, and have received grant funding to cover the costs for 10 of these cases. Collective Climb is continuing to fundraise to cover the remaining 5 cases, so if you are interested in supporting this work, you can donate through the website at:

<https://www.collectiveclimb.org/donate>

I want to thank Mckayla for allowing me to share her story. I look forward to seeing what's next as Collective Climb continues to work with the youth in west Philadelphia to build community and seek justice.

## 9. Concluding Remarks (SLIDE #38)

One of the ways Mckayla and her team have continued to expand their own restorative justice knowledge and skills is by tapping into the many resources provided by an organization called Impact Justice.

Impact Justice is one of the many organizations committed to working towards a more humane, responsive and restorative system of justice in the United States. One of Impact Justice's initiatives is "The Restorative Justice Project", which provides step-by-step tools for communities and organizations who are ready to begin the restorative justice journey.

My hope is that our community will soon be ready to take this step onto the Road Less Traveled.

## (SLIDE #39)

As a reminder, these words came directly from this membership, at the end of Reid Wodicka's talk on juvenile justice:

- "what new approaches are needed to better serve the youth in our community?"
- "what opportunities are there for us as community members to interface with those involved in the juvenile justice system?"
- "how can we better support people before they get to the point of incarceration?"

In the newly established Section 16.1-309.11 of the Virginia Code, approved in March of 2021, the Commonwealth outlines the process for establishing a youth justice diversion program, the first step of which is to assemble a "local youth justice diversion program advisory committee". This committee is to include – among others - a judge, attorneys, a school division rep and reps from local family services agencies.

It sounds to me like an advisory committee could be populated pretty quickly with the membership of this SPHEX club!

I hope I have given you all something to think about. I would like to end with a quote from The Restorative Justice Project, a reflection which served as the inspiration for the title of my talk:

**(SLIDE #40)**

“Restorative justice moves like water..... (it) will flow into spaces that yield to it and are willing to receive it -- it will also flow around obstacles and can be powerful enough to forge its own path. Water represents flexibility and fluidity, characteristics you need to embody to succeed in starting a restorative justice diversion program. Water flows underground at all times, even when we cannot see it or don't know it's there, and when it bursts through desert ground, it creates an oasis. Restorative justice has this exact effect; it is nourishing, life-giving, and powerful all at once.....(K)now that like water, there are drops, creeks, streams, rivers, even oceans of restorative justice already in your community.”

Thank you.



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# **This Road Less Traveled Moves Like Water**

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SPHEX Talk

Julie Doyle

March 3, 2022

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# Lynchburg's Own

**Mckayla Warwick**

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# President's Engagement Prize



**Amy Gutmann**





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## 2020 President's Engagement Prize Winners



### Collective Climb

With the President's Engagement Prize, seniors Hyungtae Kim, Kwaku Owusu, and Mckayla Warwick will work to combat poverty in West Philadelphia through education, shared resources, and community collaboration.

**Editor’s note:** (July 28, 2020) *In light of protests around the nation for the livelihood and safety of Black people, the Collective Climb team decided in early June to pivot their mission, operations, and intended impact. Going forward, instead of focusing on financial literacy and empowerment, they will enter the juvenile justice space as a restorative justice practice with a diversion program to protect Philadelphia’s youth from punitive, carceral systems.*



[Collective Climb Video](#)





Collective Climb is working to combat anti-Black racism by training West Philadelphia youth to become restorative justice practitioners and working with Penn's Division of Public Safety to utilize diversion techniques as an alternative to arrest. Kwaku Owusu (left) and Mckayla Warwick (right), are here seen in West Philadelphia. (Not pictured: Hyungtae Kim.)





# Baeder-Meinof?

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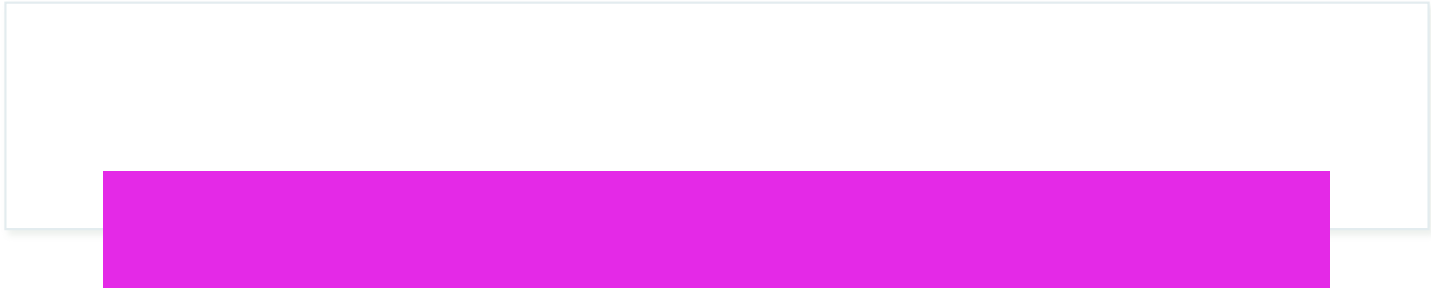
**Baeder-Meinfof  
=  
Yellowstone?**

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Yellowstone Clip





**MONACAN INDIAN NATION**



# University of Lynchburg



## Land Acknowledgement

Long before the University of Lynchburg was established in 1903 as an educational institution, the Monacan Indian Nation inhabited this land and the greater Piedmont region of Virginia for more than 10,000 years. We honor the Indigenous people of this region who have woven their lives into the nearby mountains that rise and rivers that flow across the land. We honor the indigenous people of this region who have hunted, harvested, crafted, traded, worshiped, and dreamed, educating their descendants through storytelling and oral traditions.

We acknowledge that through oppression, disease, systematic attack, race integrity laws, and the inequities that plagued Virginia's educational system, the Monacan Indian Nation was significantly reduced in numbers. As the result of a targeted paper genocide, their culture and identities became virtually extinct.

Today, the Monacan Indian Nation is more than 2,000 members strong. The tribe is dedicated to reclaiming its heritage, celebrating its traditions, and being good stewards to their ancestral land, including the sacred Tobacco Row and Bear Mountains located in nearby Amherst County. In 1989 the Monacan Indian Nation was officially recognized by the Commonwealth of Virginia, and in 2018, after an 18-year battle, the tribe rightfully received Federal Recognition from the government of the United States. We recognize that the Monacan Indian Nation is an integral part of the Lynchburg community, and we recognize the importance of providing equitable teaching and learning opportunities to all indigenous communities.

Adhering to the University of Lynchburg's mission statement, this Land Acknowledgement challenges us all, students, staff, and faculty to develop balanced perspectives and engage with a globally diverse society to better understand our collective history and commitment to broader communities.

Signed on this day, Monday, February 21, 2022


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Dr. Alison Morrison-Shetlar  
President, University of Lynchburg

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Mr. Kenneth Branham  
Tribal Chief, Monacan Indian Nation






*“Restorative Justice is a victim-centered approach to justice that seeks to heal the impacts of harm rather than focusing exclusively on punishment or retribution.”*

*Caitlin Morneau - Director of Restorative Justice, CMN*

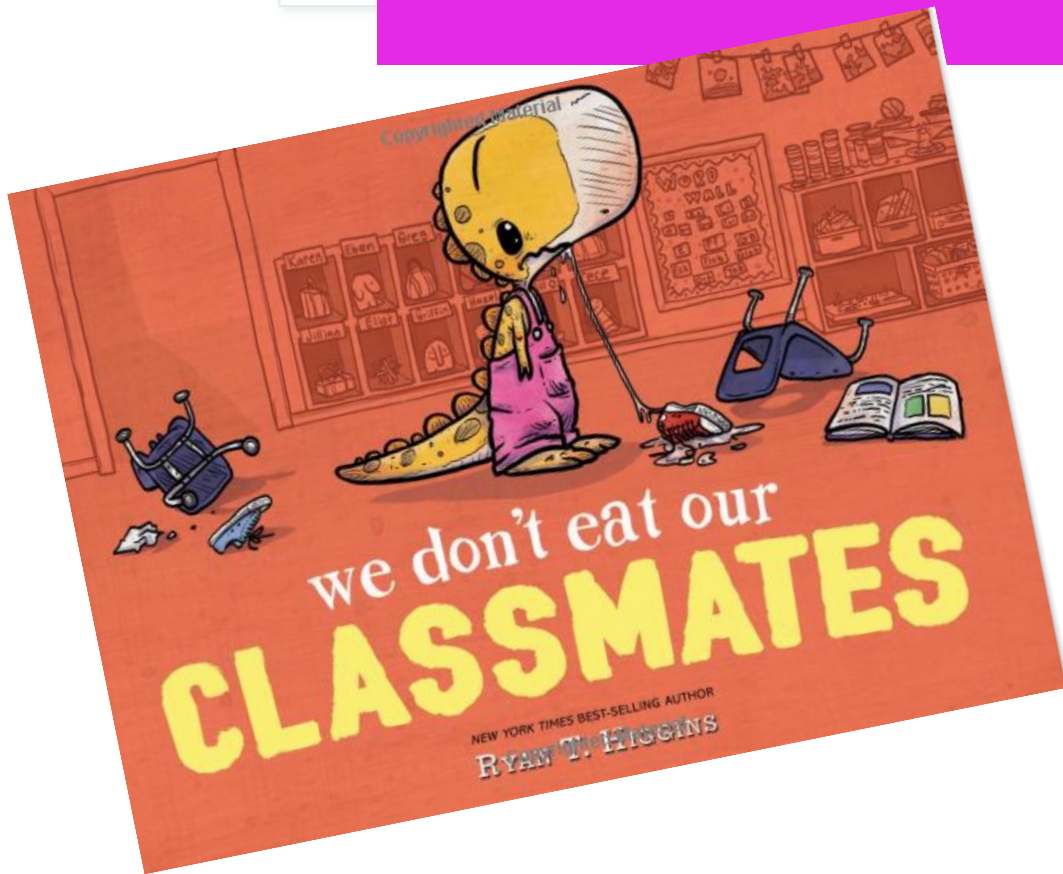
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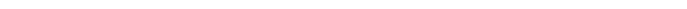
# Effective Restorative Justice Practices

1. Offender acknowledges wrongdoing
2. Needs of the victim are addressed
3. Offender accepts responsibility to “right the wrong”
4. All those involved in and/or affected by are invited to be part of solution
5. Priority placed on reintegration once RJ conditions have been met

- 
- 
- Repairing
  - Restoring
  - Rebuilding
-

# RJ in the Classroom







**Circuit Court of Cook County, Illinois**

- 400+ judges
  - Serving 5.2 million residents
  - Over 1 million cases filed annually
-



*"Welcome to the Restorative Justice Community Court,  
where healing is the goal rather than punishment, and the  
quest for justice becomes a collective effort."*

*Honorable Timothy C. Evans, Chief Judge*

# RJCC – Cook County, IL

STATE OF ILLINOIS  
CIRCUIT COURT OF COOK COUNTY



## RESTORATIVE JUSTICE COMMUNITY COURT

A Restorative Approach to  
Crime and Conflict

### RJCC

North Lawndale, Chicago  
Avondale, Chicago  
Englewood, Chicago

Hon. Timothy C. Evans  
Chief Judge

### WHO QUALIFIES?

For a case to be eligible, the person charged

1. must be 18-26 years old;
2. is charged with a non-violent felony or misdemeanor;
3. lives in RJCC neighborhood;
4. has a non-violent criminal history;
5. accepts responsibility for the harm caused;

and

6. the person charged and person harmed must both be willing to participate in the RJCC.

## THE RJCC PROCESS

A person is charged with a non-violent felony or misdemeanor.

Case is found eligible for the RJCC both the person charged and the person harmed agreed to participate; preliminary hearing is waived.

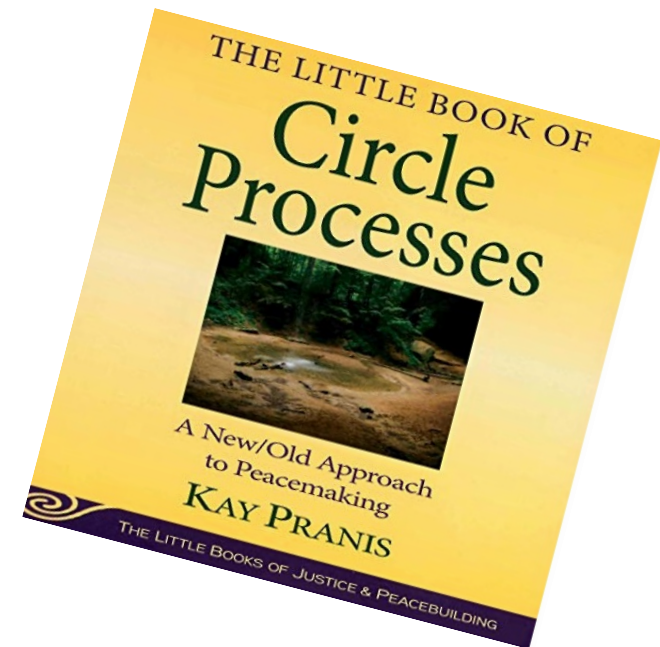
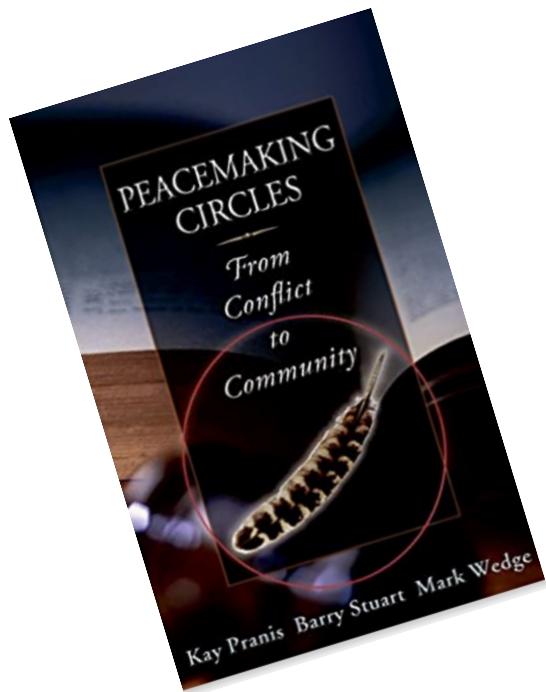
Pre-Circle: The Circle Keeper contacts all participants and prepares them for the peace circle.

Peace Circle: The Circle Keeper guides a confidential conversation about the harm caused and how to repair it.

All peace circle participants create and agree to the Repair of Harm Agreement. It submitted to the RJCC.

The person charged completes all of the requirements of the Repair of Agreement.

The case is dismissed.



# Kay Pranis



# Peace Circles

Physical Space

Opening Ceremony

Talking Piece



Peacekeeper

Guidelines

Consensus  
Decision Making

Illustration by James Heimer



# Restorative Justice in Virginia



# Dr. Howard Zehr



# Winds of Change?

- 2021 Special Session of the Virginia General Assembly
  - Section 16.1 – Code of Virginia
  - Establishment of Youth Justice Diversion Programs
- Virginia Juvenile Community Crime Control Act (VCCCA)
  - FY2023 (01JUL2022 – 30JUN2023)
  - “Allowable Support” for local restorative justice efforts
- Office of Juvenile Justice and Delinquency Prevention (OJJDP)
  - Grant funding for restorative justice training



# *Subsidiarity*

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# Father Dave Kelly - PBMR



Precious  
Blood  
Ministry of  
Reconciliation



Precious  
Blood  
Ministry of  
Reconciliation

# Core Values

## **Radical Hospitality**

We provide a safe and welcoming space for youth and families

## **Accompaniment**

We walk alongside youth and families, supporting them through obstacles & life's moments

## **Building Relationships with Youth and Families**

We meet young people and families where they are and build relationships with them

## **Relentless Engagement of Systems & Stakeholders**

The ability to effectively link youth and families to resources needed to be successful

## **Collaboration**

We collaborate with other RJ Hubs and partners through genuine relationships to learn together



Fr. Kelly Video

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**BLACK  
HISTORY  
MONTH**

On Thursday, Feb. 24, the University of Lynchburg will host Dr. Kelley Fanto Deetz and Cheyney McKnight for a Black History Month lecture, “History as Power: Racial Reconciliation and Restorative Justice through Storytelling.”

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[CBS News - Columbian Harmony Cemetery](#)

[Washington Post Article - 25OCT2020](#)





- Restorative Community Project (RCP)
- Youth Advisory Board
- Restorative Justice Diversion Program



1st RCP Cohort



- Restorative Community Project (RCP)
- Youth Advisory Board
- Restorative Justice Diversion Program
- [www.collectiveclimb.org/donate](http://www.collectiveclimb.org/donate)



A Diversion  
Toolkit for  
Communities

RESTORATIVE  
JUSTICE  
PROJECT



# A Diversion Toolkit for Communities

How to build a pre-charge restorative justice diversion program that reduces youth criminalization while meeting the needs of people harmed.

## ***So glad you asked.....***

- *“What new approaches are needed to better serve the youth in our community?”*
- *What opportunities are there for us as community members to interface with those involved in the juvenile justice system?”*
- *How can we better support people before they get to the point of incarceration?”*

Section 16.1-309.11: Youth Justice Diversion Program Advisory Committee



*This Road Less  
Traveled  
Flows Like Water*

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