

Restorative Justice and Restorative Practices

By: Lisa Marie Alatorre, February 2015

It's no secret that the U.S. version of a criminal justice system is entrenched in racist, classist, gendered frameworks that target specific communities for surveillance, cages, and debt. As a country, we have an over-reliance on our police, courts, and jail systems to respond to people's basic needs like: housing, food, medical and mental healthcare, employment, and social interaction. The unfortunate reality is that this system of control is often replicated in our city's public service organizations, from benefits offices to homeless shelters. Many individuals receiving services describe their experience as "jail-like" and can articulate clear moments of racist, transphobic, and classist comments and forms of treatment from staff and other clients. This is the least healing and effective environment for giving/receiving "support" in situations of poverty or need.

Restorative Justice refers to a system of justice that is drastically different from our current criminal legal system. In some communities and in certain settings, such as public schools, it has become an alternative approach to justice when an "unlawful act" takes place. This includes many U.S. Cities adopting legislation and designating resources to using Restorative Justice with an investment in outcomes such as: decrease in expulsions in public schools, decrease in county jail numbers, decrease in court costs for the city, and ultimately, an increase in community-based responses to harm and violence. At the Coalition on Homelessness, we have long fought for systems and practices in our shelters and homeless services that prioritize moving away from punitive and punishment based responses to harm towards investing in healing, health, and transformation for all parties involved and impacted. We believe that a "one size fits all" approach ends up re-creating systems of policing and punitivity in our programs creating deeper problems and reinforcing systemic oppressions. We advocate for processes that allow for responses that are creative, flexible, and respond to the specific needs of the culture of the space, specific incident, and individuals involved. Restorative Practices as an approach allows organizations and service providers to center the experiences of all parties involved, including bystanders and staff, and requires the person causing harm to respond to those impacted by their behaviors directly.

While many non-profits, city departments, and in some places entire cities have begun adopting Restorative Justice, it is important to acknowledge that the origins of what we call "Restorative Justice" can be found in many indigenous and tribal cultures dating back centuries ago. We'll never know for sure exactly how the traditions originally evolved as the stories are lost in time and unique to each tribe, but there are a number of Indigenous communities in North America that continue to utilize Restorative Justice, except for these days it's a tool for keeping their community whole and reducing the impact of the prison industrial complex on their culture. In a tribal community, rejection by the tribe is likely to harm the group too much to be acceptable in all but the most extreme circumstances. We have learned from these indigenous teachings that a solution is required where wrongdoers can be shown the harm they have caused, make amends, and be reintegrated in a way which enables them to continue to live and work in close proximity to those they harmed and transform the environment to reduce the likelihood of the harm happening again.

We believe that there are immediate strategies for responding to harm and violence that would make our emergency services and streets safer for all. We have models from around the world that have sought to transform the experience of their staff and clients and move away from, as one organization called Hull HARP based in the UK describes it, "a culture that used power as a way of managing individuals." Their approach included a 3 part framework: Proactive Work – using on-going circles and

staff trainings to address tensions and issues before they arose. Reactive Work – to respond to escalated incidences that included circles with those directly involved in the situations and accountability processes that included a last resort option of banning someone from the space for a period of time. And lastly, Reintegration – to bring folk back into the space after they have been asked to leave that includes and centers the voices of those impacted by the harm of the situations.

Another example includes a peer-based model at a Toronto based drop-in center catering to street-based communities in Toronto that offers training, stipends, and supervision by 1 staff person and an advisory committee. The peer team is responsible for providing conflict mediation as alternative to being kicked out, de-escalation in the community center, facilitation of community meetings and trainings on related and relevant topics, and general support to other clients as a capacity support to staff.

This year we will be asking the SF Board of Supervisors for \$75K to fund pilot program to implement Restorative Practices in one of our large shelters as an investment in a better way forward for all. We believe that all San Franciscans deserve a safe, affordable, and dignified place to call home. Until that day comes, we will fight for the dignity of those forced to remain in our shelters and on our streets. Moving towards Restorative Justice and adopting those practices in our public services system is a healthy step forward to a longer vision of safe and affordable housing for all.