



FAIR AND JUST PROSECUTION

Promoting justice through leadership and innovation

ISSUES AT A GLANCE

Building Community Trust Restorative Justice Strategies, Principles and Promising Practices

Fair and Just Prosecution (FJP) brings together recently elected district attorneys¹ as part of a network of like-minded leaders committed to change and innovation. FJP hopes to enable a new generation of prosecutive leaders to learn from best practices, respected experts, and innovative approaches aimed at promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility. In furtherance of those efforts, FJP's "Issues at a Glance" provide district attorneys with information and insights about a variety of critical and timely topics. These papers give an overview of the issue, key background information, ideas on where and how this issue arises, and specific recommendations to consider. They are intended to be succinct and to provide district attorneys with enough information to evaluate whether they want to pursue further action within their office. For each topic, Fair and Just Prosecution has additional supporting materials, including model policies and guidelines, key academic papers, and other research. If your office wants to learn more about this topic, we encourage you to contact us.

SUMMARY

This is one of a series of FJP's "Issues at a Glance" briefing papers addressing strategies for building community trust. This brief, focusing on restorative justice, is intended to provide a jumping-off point for district attorneys thinking about adopting new approaches to community engagement and promoting alternatives to incarceration.

Trust between the community and the prosecutor's office is essential to maintaining the office's legitimacy and moral credibility. This briefing paper discusses promising restorative justice practices and actionable strategies that have been shown to have a positive impact on building and fortifying that trust.

Restorative justice seeks to repair the harm caused by an offense to victims, the community, and to the defendant; it focuses on meeting victims' needs and holding the defendant accountable, rather than punishing him or her for punishment's sake.² The parties to the offense thus become meaningful participants in the criminal justice process.³

¹ The term "district attorney" or "DA" is used generally to refer to any chief local prosecutor, including State's Attorneys, prosecuting attorneys, etc.

² Howard Zehr, *The Little Book of Restorative Justice* (Brattleboro, VT: Good Books, 2002), 20.

³ Adriaan Lanni, *The Future of Community Justice*, Harvard Civil Rights-Civil Liberties Law Review 40, 359-405, 376, 2005.

"I think the modern prosecutor has to recognize the humanity behind every case file."

— KING COUNTY (SEATTLE, WA) PROSECUTING ATTORNEY DAN SATTERBERG

Several district attorney's offices around the country have begun to implement restorative justice diversion programs. A sampling of these programs is described below. Additionally, a number of states have adopted legislation encouraging the use of restorative justice practices; some of these reforms are also discussed below.

BACKGROUND AND DISCUSSION

Restorative justice provides an alternate framework for thinking about wrongdoing. The concept is built on the idea that crime is a personal affront to the victim and to the larger community, which creates an obligation to right the wrongs and make the community whole.⁴ This shift in framework changes the central focus of the justice system from punishment to addressing victim needs and ensuring defendants are held responsible for repairing the harm caused, while also addressing the underlying cause of their criminal behavior. While these approaches are often imbedded in specific programs or initiatives, restorative justice is also a more general way of looking at potential case outcomes to ensure that the underlying harm is addressed and that the victim is made whole.

In practice, restorative justice has been shown to improve victim satisfaction, increase a defendant's compliance with restitution mandates, and decrease recidivism when compared to more traditional criminal justice responses.⁵ While most often used as a response to minor offenses, restorative justice has had successful outcomes with a wide array of crimes.⁶ Reductions in recidivism have been observed in both adults and juveniles participating in restorative justice programs,⁷ including juveniles with a history of committing violent offenses.⁸

Restorative justice can be useful in a variety of contexts, including as an alternative to school suspension, as a pre-charge diversion mechanism, or post-conviction. Restorative justice, like procedural justice,⁹ can also encourage law-abiding norms and restore trust between communities and public institutions.¹⁰

Restorative justice programs are becoming more popular across the country. In 2016, PBS reported that 35 states have legislation "encouraging the use of restorative justice for children and adults both before and after prison."¹¹ DA offices are also increasingly adopting and supporting

⁴ Zehr, *supra* note 2, at 17.

⁵ J. Latimer, C. Dowden, and D. Muise, D, The Effectiveness of Restorative Justice Practices: A Meta-Analysis, *The Prison Journal*, 85:2, 127–44 (2005).

⁶ See, for example, M.S. Umbreit and B. Vos, *Homicide Survivors Meet the Offender Prior to Execution: Restorative Justice through Dialogue*, *Homicide Studies*, 4 (2000), 63–87; Mark Austin Walters, 'I Thought "He's a Monster"... [but] He Was Just ... Normal': Examining the Therapeutic Benefits of Restorative Justice for Homicide, *British Journal of Criminology* 55, 1207–25 (2015).

⁷ However, it must be noted that the existing studies are not scientifically robust, and that better results were shown for Caucasian youth than ethnic minority youth. J.S. Wong, et al., *Can At-Risk Youth Be Diverted from Crime? A Meta-Analysis of Restorative Diversion Programs*, *Criminal Justice and Behavior* 43:10, 1310–29 (2016).

⁸ K.J. Bergseth and J. Bouffard, *Examining the Effectiveness of a Restorative Justice Program for Various Types of Juvenile Offenders*, *International Journal of Offender Therapy and Comparative Criminology* 57:9, 1054–75 (2012).

⁹ For more information on procedural justice, see *Procedural Justice: Enhancing the Legitimacy of the Justice System*, Fair and Just Prosecution, available at: <http://fairandjustprosecution.org/staging/wp-content/uploads/2017/09/FJPBrief.ProceduralJustice.9.25.pdf>.

¹⁰ Tom Tyler, *Restorative Justice and Procedural Justice: Dealing with Rule Breaking*, *Journal of Social Issues* 62:2 (2006), 307–26.

¹¹ Rebecca Beitsch, *States consider restorative justice as alternative to mass incarceration*, PBS (July 20, 2016), <http://www.pbs.org/newshour/run-down/states-consider-restorative-justice-alternative-mass-incarceration/>. It is not clear how PBS defines restorative justice, however.

restorative justice initiatives to deal with all types of cases. Whether large or small, prosecutors' offices have a role to play in promoting restorative justice initiatives. Many prosecutors' offices have played a gatekeeper role for restorative justice programs, determining who is eligible for participation. Other programs are managed and coordinated directly within the prosecutor's office, often in partnership with local community-based organizations.

EXAMPLES OF PROMISING RESTORATIVE JUSTICE MODELS

There are numerous examples of restorative justice initiatives around the nation that arise in the context of a wide range of cases. The programs described below seek to provide a sampling of these approaches and initiatives, while also highlighting the role of prosecutors in each.

Restorative Justice for Low Level Offenses

Prosecutor-led, community-panel-based diversion programs including the **Neighborhood Justice Panels in Los Angeles**¹² or **Neighborhood Courts in San Francisco**,¹³ incorporate restorative justice into their work. In both San Francisco and Los Angeles, these models allow adults who have committed certain misdemeanors and felonies and have no prior criminal offenses to avoid criminal court and a conviction by diverting them into the program instead. Participants appear before a panel of community members where they discuss the crime, the underlying causes of the criminal behavior, and the effect of their actions on the community. Panelists decide what consequences are appropriate for the participant, such as community service, an apology letter, restitution, or educational classes. If the participant complies with the conditions imposed by the panel, no criminal charges are filed.¹⁴

Peacemaking circles at the Red Hook Community Justice Center¹⁵ in Brooklyn, New York provide another example of these community-based programs. This initiative has similarly resulted in high victim satisfaction and completion rates.¹⁶ With the help of Native American experts, the peacemaking program adapted traditional Native American peacekeeping, and incorporated it into a state court setting.¹⁷ The defendant and the victim, as well as family and community members, voluntarily sit together in a circle with trained peacemakers with the goal of healing relationships, giving a voice to victims, holding participants accountable, and empowering the community.¹⁸ One key goal of the peacemaking process is for those who committed the crime to "accept responsibility for their role in the conflict."¹⁹ The group may come together for multiple sessions until the peacemaking is complete.²⁰

¹² For more information go to: <http://freepdfhosting.com/35286d2a8b.pdf>.

¹³ For more information go to: <http://sfdistrictattorney.org/neighborhood-courts>.

¹⁴ Jose Egurbide, Camilo Cruz, and Mary Clare Molitor, *Neighborhood Justice Program: What have we learned?*, Los Angeles City Attorney's Office (2015), available at: <http://www.courtinnovation.org/sites/default/files/documents/NJPFFirstYearAnalysis.pdf>.

¹⁵ For more information go to: <https://www.courtinnovation.org/programs/peacemaking-program>.

¹⁶ Suvi Lambson, *Peacemaking Circles Evaluating a Native American Restorative Justice Practice in a State Criminal Court Setting in Brooklyn* (New York: Center for Court Innovation, January 2015), available at: www.courtinnovation.org/sites/default/files/documents/Peacemaking%20Circles%20Final.pdf.

¹⁷ *Id.* at iii.

¹⁸ *Id.*

¹⁹ *Id.* at iv.

²⁰ *Id.* at 30.

A 2013-14 study conducted over 18 months found that 31 of the 42 individuals who participated in peacemaking during this time period successfully completed the program, and 90 percent of those who successfully completed it had their cases dismissed. Of the remaining 11 participants, only five were unsuccessful due to noncompliance.²¹

The Red Hook peacemaking program was designed to accommodate many criminal and juvenile delinquency cases with just a few exceptions.²²

The **Boulder County (CO) Sheriff's Office Restorative Justice Program**²³ also uses circles to facilitate the healing process.²⁴ The office receives referrals for both adults and juveniles facing criminal charges for misdemeanors and/or felonies.²⁵ Coordinators with the office then contact the affected parties to schedule a restorative justice conference to meet with everyone together. The goal is to create a contract that the individual charged with the offense must complete within a specified time frame. No further actions are required once the contract is completed.²⁶ This program has also seen high completion rates.²⁷

Similar programs are available for juveniles, such as in the school setting as an alternative to suspension. The **Community Conferencing Center in Baltimore**²⁸ offers community conferencing to bring together students, their families, school staff, and administrators to "collectively" agree on how to resolve incidents such as gossiping, bullying, vandalism, fights, and even hate crimes.²⁹

²¹ *Id.* at 31. Additionally, three individuals did not complete the peacemaking program because staff determined that they were inappropriate for participation, and three individuals were still in the middle of the program when the study ended.

²² The program is not available for cases involving intimate partner violence, child abuse, elder abuse, sexual assault, or where the defendant has serious mental illness or substance addiction. See *id.* at iv.

²³ For more information go to: <https://www.bouldercounty.org/safety/victim/restorative-justice/>.

²⁴ "Our Process," Boulder County (last visited Sept. 13, 2017), available at <https://www.bouldercounty.org/safety/victim/restorative-justice/our-process/>.

²⁵ "What is Restorative Justice," Boulder County (last visited Sept. 13, 2017), available at <https://www.bouldercounty.org/safety/victim/restorative-justice/what-is-restorative-justice/>.

²⁶ "Our Process," *supra* note 24.

²⁷ "What We Do - But Does it Work?" Boulder County (last visited Sept. 13, 2017), available at <https://www.bouldercounty.org/safety/victim/restorative-justice/what-we-do/>.

²⁸ For more information go to: <http://www.communityconferencing.org/>.

²⁹ "Restorative Practices," Community Conferencing Center (last visited Dec. 21, 2017) available at <http://www.communityconferencing.org/restorative-practices/>

"A restorative justice approach with our young people is the best way to achieve safe schools and communities. We will not prosecute our way out of bullying and we will not suspend or expel our way to safe schools for our students."

— SAN FRANCISCO (CA) DISTRICT ATTORNEY GEORGE GASCÓN

According to the Community Conferencing Center, this approach “reduces suspension and arrests” and “prevents re-occurrences and entry into [the] criminal justice system.”³⁰

Restorative justice principles may also be applied after conviction. **The Burlington Community Justice Center**³¹ in Vermont provides individuals who have committed low-level crimes the opportunity to participate in “Restorative Justice Panels” at the probation stage as part of their sentencing orders. Participants — including a panel comprised of community members, victim(s), and the culpable party — meet and work together to decide how to make amends for the crime. Once an agreement is reached, participants have 45 days to complete their commitments. The group may meet several more times to “review progress, problem solve and celebrate successful completion.”³²

Similarly, the **Orleans County Restorative Justice Center**,³³ also in Vermont, provides the opportunity to participate in restorative panels to individuals with “pre-adjudicated offenses, those on probation, . . . [and] people on a pre-charge basis,” and also facilitates re-entry for formerly incarcerated persons through Circles of Support and Accountability, both of which are made up of community volunteers.³⁴

Restorative Justice for More Serious Offenses

Some programs primarily, or even exclusively, focus their work on juveniles who have committed violent crimes, in an effort to keep any justice system involvement for juveniles to a minimum.³⁵ Indeed, meta-analyses of restorative justice programs find the most positive results among programs that focus on serious offenses.³⁶

In Alameda County, California, **Community Works West** facilitates **Restorative Community Conferencing (RCC)**³⁷ which allows juveniles to participate in “organized, facilitated dialogue in which young people, with the support of family, community, and law enforcement, meet with victims to create a plan to repair the harm done,” before charges are brought.³⁸ The program

³⁰ *Id.*; see also Alexandra Hoffman, *Mass Incarceration's Second Generation - the Unintended Victims of the Carceral State and Thinking About Alternatives to Punishment Through Restorative Justice*, 7 U. Miami Race & Soc. Just. L. Rev. 31, 47–48 (2017). For more information, see *Impact of Community Conferencing*, Community Conferencing Center (last visited Dec. 20, 2017), available at <http://www.communityconferencing.org/impact-of-community-conferencing/>.

³² “Restorative Justice Panels,” Burlington Community Justice Center (last visited Sept. 13, 2017), available at <https://www.burlingtonvt.gov/CJC/Restorative-Justice-Panels>. “Low-level crimes” include driving under the influence, simple assault, forgery, impersonating a police officer, vandalism, and more.

³³ For more information go to: <http://www.kingdomjustice.org/>.

³⁴ “Our Programs,” Orleans County Restorative Justice Center (last visited Sept. 13, 2017), available at <http://www.kingdomjustice.org/programs.html>.

³⁵ See Sujatha Baliga, Sia Henry, and Georgia Valentine, *Restorative Community Conferencing: A study of Community Works West's restorative justice youth diversion program in Alameda County*, Impact Justice, 17 (Summer 2017), http://impactjustice.org/wp-content/uploads/2017/07/CWW-Report_Final_6.14.17_electronic.pdf.

³⁶ L. Sherman and H. Strang, *Restorative Justice: The Evidence*, The Smith Institute, 2007, 8.

³⁷ For more information go to: <http://communityworkswest.org/program/rcc/>.

³⁸ *Id.* at 2.

prioritizes young people who have committed serious offenses, such as robberies, vehicle thefts, assaults causing great bodily injury, and felony theft, as well as some assaults with a deadly weapon, sexual batteries, and arsons.³⁹ Moreover, the program has the “explicit goal of reducing racial and ethnic disparities in the County’s juvenile legal system,” and thus emphasizes including youth from underserved communities and communities of color.⁴⁰ Alameda County’s RCC program has had significant success; youth who participate in the program are less likely to receive new charges than youth who have been “processed through the juvenile legal system,” and the recidivism rate for RCC participants “held and remained significantly lower.”⁴¹

The **Make it Right**⁴² program in San Francisco, California, was initiated by San Francisco District Attorney George Gascón and is operated in partnership with two community-based organizations, Community Works and Huckleberry Youth Programs. Make it Right’s similar RCC process provides “an alternative to traditional prosecution” exclusively for juveniles who have committed felonies. Young people and those they have harmed come together to discuss how to repair the harm done and to address “root causes.”⁴³ Participants who complete the agreed upon next steps within six months will not be prosecuted.⁴⁴

As of summer 2017, Make it Right was still in its pilot phase, with 15 program graduates. In contrast to the Alameda County RCC program, as well as the Red Hook peacemaking program, all eligible cases are automatically referred to Make it Right; for evaluation purposes, 30% are randomly assigned to a control group.⁴⁵ Though no law enforcement officers or prosecutors participate in the actual conferences, the district attorney’s office developed the eligibility parameters. A recent report analyzed preliminary data on the program and found that youth involved with the program were 44% less likely to get a new charge after 12 months than youth who were processed through the juvenile legal system.⁴⁶

Similarly, in Brooklyn, New York, **Common Justice**⁴⁷ is an alternative to incarceration and victim service program for serious crimes based on restorative justice practices. The program provides an important opportunity for healing to those harmed by a range of crimes, including assault and robbery, and an opportunity for those who have caused harm to make amends in place of a lengthy prison term. Common Justice involves victims of any age harmed by younger adults (ages 16 to 26) facing violent felony charges in Supreme Court in Brooklyn and the Bronx. To enter the program, a defendant’s case is rigorously screened and must be approved by the victim of the crime, the District Attorney’s Office, and Common Justice. The Brooklyn Community Foundation reports that fewer than eight percent of the participants were terminated from the program because of a new crime.⁴⁸

³⁹ *Id.* at 7-8.

⁴⁰ *Id.* at 8.

⁴¹ *Id.* at 7.

⁴² For more information go to: <http://sfdistrictattorney.org/youth-programs>.

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Baliga *supra* note 35 at fn 14.

⁴⁶ *Id.* at 17.

⁴⁷ For more information go to: <http://www.commonjustice.org/>.

⁴⁸ “Common Justice,” Brooklyn Community Foundation (last visited Sept. 13, 2017), available at <http://www.brooklyncommunityfoundation.org/grant-recipients/common-justice-0>.

Restorative justice may also be applied after individuals have been sentenced and are serving time in prison for violent crimes. The Community Conferencing Center in Baltimore offers “serious crimes conferencing,” to provide individuals “a chance to better understand the impact of [criminal] behavior on the victims, on themselves and on the community,” and victims with “a chance to let the individual charged with the offense know how they have been affected by the incident.”⁴⁹ These voluntary conferences take place in prisons if the individual is still incarcerated.⁵⁰

STATE LEGISLATION

Examples of state legislation dealing with restorative justice are listed below. Additionally, the Georgia State University College of Law created two databases of current and proposed restorative justice legislation, which are available at <http://law.gsu.edu/centers/consortium-on-negotiation-and-conflict-resolution/programs-and-research/>.

Colorado

In March 2007, Colorado approved a bill that created the Colorado Restorative Justice Coordinating Council to facilitate the use of restorative justice programs in Colorado.⁵¹ The council provides training, technical assistance and education related to restorative justice, with the mission to advance “restorative justice principles and practices throughout Colorado by providing gateways to information, networking and support.”⁵²

Additionally, in 2013, Colorado approved a bill that created pilot projects in four judicial districts for juveniles who have committed their first offense. The pilot programs are pre-charge diversion programs available for select misdemeanors and felonies. If an eligible juvenile completes the restorative justice program, then he or she will not be charged with a crime. One goal of the legislation is to obtain empirical data about such programs.⁵³

Colorado expanded the Restorative Justice Coordinating Council in 2015 to include a public defender, a judge, and members of law enforcement. This law also permits the district attorney to waive the requirement that someone have no prior offenses to participate in a restorative justice program.⁵⁴

⁴⁹ “Serious Crimes Conferencing,” Community Conferencing Center (last visited Sept. 13, 2017), available at http://www.communityconferencing.org/index.php/programs/serious_crimes_conferencing/.

⁵⁰ *Id.*

⁵¹ HB07-1129; see “Restorative Justice,” Colorado Division of Criminal Justice (last visited Sept. 13, 2017), available at <https://www.colorado.gov/pacific/dcj/restorative-justice>; Division of Criminal Justice and the Restorative Justice Coordinating Council, *Annual Report on Implementation of HB 2013-1254*, Colorado Division of Criminal Justice (Sept. 15, 2016), https://cdpsdocs.state.co.us/oajja/Restorative_Justice/2016_Annual_Report_HB13-1254.pdf.

⁵² “Restorative Justice Council,” Restorative Justice Colorado (last visited Sept. 13, 2017), available at <http://www.rjcolorado.org/about-us/restorative-justice-council/>.

⁵³ HB 13-1254; http://leg.colorado.gov/sites/default/files/images/olls/2013a_sl_341.pdf; <https://www.colorado.gov/pacific/dcj/restorative-justice>;

⁵⁴ HB 15-1094; Annual Report, *supra* note 51.

“The traditional justice system doesn’t include [victims] enough and get their point of view ... Restorative justice is very victim focused, and we have had an extremely high level of victim satisfaction.”

— BOULDER (CO) DISTRICT ATTORNEY STAN GARNETT

Vermont

In 2000, Vermont passed a statute stating that it is state policy that “principles of restorative justice be included in shaping how the criminal justice system responds to persons charged with or convicted of criminal offenses . . .” and that law enforcement develop and use restorative justice programs “whenever feasible . . .”⁵⁵

Pennsylvania

In 1995, Pennsylvania passed a law that “redefined” the mission of the juvenile justice system⁵⁶ to “provide...children committing delinquent acts [with] programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community.”⁵⁷ This reflects what Pennsylvania refers to as “Balanced and Restorative Justice” (BARJ).⁵⁸ Although not an explicit endorsement of restorative justice programs, the law sets a foundation for encouraging respect for communities, victims, and juveniles who have broken the law.

RECOMMENDATIONS

Prosecutors should be engaged participants in encouraging and developing restorative justice initiatives. These alternative approaches can be implemented with little or no cost to the office and provide an effective mechanism for engaging the community, fortifying community engagement and trust, and advancing a deeper understanding by the individual of the consequences of his or her misconduct.

The recommendations below suggest concrete steps DAs can take to promote these objectives. In addition to these specific recommendations, prosecutors should consider how to weave the principles of restorative justice into the daily decision-making of the office, including when crafting pleas and interacting with victims.

- 1. Establish prosecutor-led restorative justice diversion programs.** Prosecutors can take the lead in setting up restorative justice programs that seek to address the underlying causes of crimes, thereby promoting public safety and also helping repair the wrong and breach of trust that results from criminal conduct. This brief provides examples of a range of program models that might be appropriate in your community.

⁵⁵ 28 V.S.A. §21, available at <http://legislature.vermont.gov/statutes/section/28/001/00002a>; Representatives of Vermont Association of Court Diversion Programs, et. al., *Strengthening Restorative Justice: A Progress Report for the Joint Committee on Corrections Oversight* (March 12, 2014), <http://legislature.vermont.gov/assets/Documents/2014/WorkGroups/Corrections%20Oversight/Restorative%20Justice%20Report/W~Derek%20Miodownik~Strengthening%20Restorative%20Justice~10-14-2014.pdf>.

⁵⁶ “Balanced and Restorative Justice,” Pennsylvania Council of Chief Juvenile Probation Officers (last visited Sept. 13, 2017), available at <http://www.pachiefprobationofficers.org/barj.php>.

⁵⁷ See “Juvenile Probation: Balanced and Restorative Justice,” Fifth Judicial District of Pennsylvania, County of Allegheny (last visited Sept. 13, 2017), available at https://www.alleghenycourts.us/family/juvenile/balanced_restorative_justice.aspx.

⁵⁸ “Our balanced and Restorative Justice Mission,” Pennsylvania Juvenile Court Judges’ Commission (last visited Sept. 13, 2017), available at <http://www.jcj.pa.gov/Balanced-Restorative-Mission/Pages/default.aspx> (“Ultimately, Balanced and Restorative Justice ensures that no one stakeholder group (i.e., victim, community, juvenile) is pitted against another. Instead, each party’s need is attended to and future harm is diminished.”).

2. **Work with community partners to define an expansive scope of offenses eligible for restorative justice.** Prosecutors can help promote restorative justice by working with community partners to define clear parameters for cases eligible for restorative justice programs and referring all cases meeting such eligibility requirements to programs if such programs are available. DAs should also endeavor to expand the reach of these programs beyond simply so-called “low-level” or “nonviolent” cases; some of the best results come from working with more serious offenses.
3. **Collaborate with local restorative justice initiatives.** If local restorative justice initiatives exist in the community, DAs should support those initiatives by referring cases to the program as a diversion from the justice system, or as a condition of probation or similar mechanism, and by accepting the outcome of the restorative process when determining case dispositions.
4. **Provide restorative justice training to all prosecutors.** Use restorative justice trainings to promote an attitude of community responsibility throughout the office. Even if restorative justice is not used in an individual case, prosecutors should be mindful of opportunities to restore harm and empower victims in all office practices and interactions.
5. **Support legislation and policy that promote, develop and fund restorative justice programs.** Prosecutors have a crucial voice in criminal justice policy debates. As described above, many states are enacting legislation that calls for the use and support of restorative justice principles and programs. Prosecutors should use their powerful voice to support such initiatives in the local community.
6. **Create or chair a restorative justice advisory group.** Use the convening power of the DA to bring system players and community leaders together to explore ways to integrate restorative justice into court practice and to build out these concepts and models, if they don't currently exist in the jurisdiction.
7. **Learn about and visit best-practice restorative justice programs.** DAs and their staff should visit model programs and talk to those who are using these approaches, get trained on peacemaking, and stay informed on innovations and best practices that are being explored nationally.

RESOURCES

- Center for Court Innovation, *Peacemaking Circles Evaluating a Native American Restorative Justice Practice in a State Criminal Court Setting in Brooklyn*, at: <https://www.courtinnovation.org/sites/default/files/documents/Peacemaking%20Circles%20Final.pdf>
- Impact Justice, *Restorative Community Conferencing: A study of Community Works West's restorative justice youth diversion program in Alameda County*, at: http://impactjustice.org/wp-content/uploads/2017/07/CWW-Report_Final_6.14.17_electronic.pdf.

FOR MORE INFORMATION: Contact FJP at info@fairandjustprosecution.org

