

Our Turn To Learn...About Working Together for Juveniles



# Making Restorative Real

Kris Miner

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8:30 am

# **Making Restorative Real – How to Really Engage Victims, Offenders and Community**

**Kris Miner, Coordinator St Croix Valley Restorative Justice Program**

Participants will leave the session with new ideas on implementing restorative justice philosophy. Refresh your perspective on a 25 year-old practice and learn how to evaluate your programs 'real restorative' qualities. No role-plays, but an engaging workshop designed to energize even the most seasoned workers!

**Kris Miner** is the Coordinator of the St Croix Valley Restorative Justice Program and an Independent Consultant. She has worked in juvenile justice in a variety of roles ranging from in-home family therapist to juvenile justice unit supervisor. Ms. Miner is a restorative justice facilitator and trainer. She has presented at numerous conferences, workshops and trainings.

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## RESTORATIVE JUSTICE PRINCIPLES

1. Restorative justice is a way of thinking and responding to conflicts, disputes, or offenses. Restorative justice concerns making things as right as possible for all people.
2. Restorative justice recognizes that response to conflicts, disputes or offenses is important. Restorative justice responds in ways that build safe and healthy communities.
3. Restorative justice is not permissive. Restorative justice prefers to deal cooperatively and constructively with conflicts, disputes and offenses at the earliest possible time and before they escalate.
4. Restorative justice recognizes that violations of rules and laws are also indicators of transgressions and offenses against persons, relationships, and community.
5. Restorative justice addresses the harms and needs created by, and related to, conflicts, disputes and offenses.
6. Restorative justice holds disputants and offenders accountable to recognize harm, repair damages as much as possible, and creates a civil future.
7. Restorative justice empowers victims, disputants, offenders and their communities to assume central roles in recognizing harm, repairing damages, and creating a safe and civil future.
8. Restorative justice repairs the breach and reintegrates the victim, disputant, offender and their community as much as possible.
9. Restorative justice prefers maximum use of voluntary and cooperative response options and minimum use of force and coercion.

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10. Restorative justice authorities provide oversight, assistance, and coercive backup when individuals are not cooperative.
  11. Restorative justice is measured by its outcomes, not just its intentions. Do victims emerge from the restorative justice response feeling respected and safe? Are participants motivated and empowered to live constructive and civil lives? Are they living in the community in a way that demonstrates an acceptable balance of freedom and responsibility? Are responses by authorities, community, and individuals respectful, reasonable, and restorative for everyone?
  12. Restorative justice recognizes and encourages the role of community organizations, including the education and faith communities, in teaching and establishing the moral and ethical standards that build up the community.

## **We are working toward restorative justice when we...**

...focus on the *harms* of wrongdoing more than the rules that have been broken,

...show equal concern and commitment to *victims and offenders*, involving both in the process of justice,

...work toward the restoration of victims, empowering them and responding to their needs as they see them,

...support *offenders* while encouraging them to understand, accept and carry out their obligations,

...recognize that while *obligations* may be difficult for offenders, they should not be intended as harms and they must be achievable,

...provide opportunities for *dialogue*, direct or indirect, between victims and offenders as appropriate,

...involve and empower the affected *community* through the justice process, and increase its capacity to recognize and respond to crime

...encourage *collaboration and reintegration* rather than coercion and isolation,

...give attention to the *unintended consequences* of our actions

...show *respect* to all parties including victims, offenders & the community

## **Crime wounds ... justice heals**

-Harry Mika and Howard Zehr

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## **CIRCLES: USE OF THE TALKING STICK, FEATHER, ROCK**

Generally, a piece which has particular meaning to the community, is used as the talking piece passed to facilitate and share speaking time in the circle.

### **General Guidelines:**

- The talking piece always moves clockwise around the circle.
- One cannot speak unless holding the talking piece, except with permission of the Circle Keeper.
- When the talking piece comes to a person s/he can pass it without speaking.
- One cannot "dump and run": speak and then leave the circle before it is done.
- The talking piece gets passed around and around until everyone has had their say, and no decision is made until then.

### **Honoring the Circle:**

When holding the talking piece one must honor the purpose of the circle and those in it by speaking:

- from the heart, honestly and openly.
- with respect for others.
- briefly enough that everyone will have time to speak.
- to the issues in the circle.

### **The advantages of using a talking piece include:**

- greater opportunity for listening and reflection: since a person has to wait for the talking piece to come around before speaking there is more focus on what people are saying than on preparing an immediate response.
- prevention of one on one debates since people cannot respond out of turn.
- shared responsibility -- for the discussion and for the peacemaking -- among all the circle members. Use of a talking piece reinforces the principle of equality in the circle: equal opportunity for all to participate and equal capacity of all to contribute.
- more opportunity for quiet people to be heard in the discussion; the talking piece gives them time to speak without having to compete with the more verbal people.
- promotion of consensus: all people are heard from and all issues are aired before any decision is made by the circle.

Once the talking piece goes around the circle and comes back to the Keeper of the Circle, the Keeper may: summarize what people have been saying and raise potential questions to address before passing the talking piece around again; summarize what people have been saying and hold the talking piece to open up the circle for anyone to speak; hold the talking piece and call on specific people to clarify certain issues; or pass the talking piece to someone else to facilitate an open circle discussion on a key issue.

Minnesota Department of Corrections Restorative Justice Initiative - 9/98. Excerpted in part, with permission, from Building Community Justice Partnerships: Community Peacemaking Circles, by Barry Stuart (1997: Aboriginal Justice Learning Network, Department of Justice, Canada.)

