

ENVISIONING OAKLAND AS A RESTORATIVE CITY

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ABSTRACT

Restorative justice is both an ancient concept and a relatively new construct for implementing societal policies and practices which maintain justice and equity in civil society. Restorative justice and practices have been used worldwide for centuries as the basis for resolving community conflict, repairing harm and dealing with fundamental notions of justice and healing in indigenous communities. Inspired by restorative justice activists from around the world, and from activists in other countries who have established Restorative Cities, Restorative Justice for Oakland Youth (RJOY) is working with a local Restorative Justice Council to establish Oakland, California as the first Restorative Justice City in the United States in coordination with a network of dedicated and committed restorative justice advocates and practitioners. RJOY envision the successful creation of Oakland as a Restorative City through the implementation of five primary goals: 1. Increasing health factors for community members; 2. Increasing safety for the community; 3. Self-Propagation of Restorative Justice practices; 4. Expansion of peaceful conflict resolution measures; and 5. Creation of a stronger community. The authors discuss the details of the effort to make Oakland, California the first restorative justice based U.S. city, and describe how this vision of transformation and healing will strengthen our community and result in healthier, more resilient children, safer communities and a better future for all of our citizens.

Key Words: restorative justice, restorative cities, Indigenous healing practices, circle process, restorative practices

I. OAKLAND AND THE EXPANSION OF THE RESTORATIVE JUSTICE MOVEMENT

Home to the expansion of the technology industry, high rates of gun violence and homicide, poverty and oppression, and the birthplace of the Black Panther Party for Self-Defense, Oakland, California, United States is on a pathway to becoming the first restorative city in the United States.¹ Because of the unique character of the city and its people, we will likely never have a sign announcing, “Oakland, a Restorative City,” because that is not how we do things in Oakland. Deep truth reveals itself, it does not need to be announced.

In order to resist violence and promote a stronger, healthier and more collaborative city, Oakland is embarking upon a philosophical shift from a punitive approach toward community

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¹ Teiahsha Bankhead, ‘Oakland as a Restorative City with Teiahsha Bankhead,’ *The California Peace Alliance Campaign for U.S. Department of Peace* (Web Page, 13 August 2018) <<https://peacealliance.org/8-13-18-ca-call-oakland-as-a-restorative-city-w-teiahsha-bankhead/>>.

building and conflict resolution to a restorative one.² This worldview will help residents and community institutions to build authentic communal connections and to begin to repair both individual and collective harm. Becoming a restorative city is one step in the right direction of healing fractured relationships, eliminating oppression and decreasing racialized harm in Oakland. In collaboration with City officials and the Mayor's office, Restorative Justice for Oakland Youth (RJOY), with the guidance of the Oakland Restorative Justice Council, is leading the way to co-creating this reality. We believe that our Vision for a Restorative City will be adopted as part of the scaffolding of creating strong and healthy communities embedded in restorative practices.

The culture of Oakland is organically tied to restorative principles and practices. These principles are deeply rooted in our culture. Restorative justice belief systems and practices are authentic to the "ethos" of the people of Oakland and it is a connection that is deep in our history, a heritage of collective action, resistance to traditional power structures and empowerment of the voices of the masses. Restorative justice is not just a collection of tools and practices to be brought out selectively but, rather, a "world view," a way of seeing the world, building community and resolving conflict that seeks to heal harm and repair broken relationships. This way of being is especially effective in diverse communities where a celebration of unique perspectives is essential to avoid causing harm that is seemingly imminent based upon polarization, zero tolerance and oppositional defiance in the relationships of the residents.

Restorative justice principles are embraced by the sensibilities of Oaklanders. Becoming a Restorative City is a natural next step in an inclusive pull towards justice and equity that just feels right in Oakland. When you talk to people on the streets in Oakland they are abuzz with the promise of restorative justice. Our city embodies a climate of change and hope, potential conflict and paradoxes, so it is ripe for the infusion of these practices at all levels in an effort to move forward in a healthful way towards justice.

A. Early Efforts to Develop Oakland as a Restorative City

In the past few decades, Oakland has made movements toward becoming a restorative city without a coordinated effort, but this is changing. In the mid-2000s, initial efforts were made in Oakland to infuse these practices into both public and private schools, including the local school district, and into the juvenile legal system through the Alameda County Juvenile Detention facility at juvenile hall and Camp Sweeney.³ This work resulted in legendary

² Dr. Teiahsha Bankhead, along with Ashley George and Jenny Poretz, originally presented this concept as the closing plenary at the Newcastle as a Restorative City Symposium: Justice, Community, Education and Health, June 14-June 16, 2018. The authors of this article wish to express our gratitude to, and acknowledge the support and encouragement for this project received from members of the Newcastle Law School, University of Newcastle, especially Nicola Ross and John Anderson and the faculty at California State University, Sacramento in the Division of Social Work.

³ Alameda County Restorative Justice Task Force, 'Alameda County Restorative Justice Strategic Plan,' January 2009-December 2012, <<http://rjoyoakland.org/wp-content/uploads/2014/01/rj-strategic-plan-with-participants-4.3.09.pdf>>.

successes that established restorative practices as a way of healing racialized harm embedded in the schools and the criminal legal system. This success also encouraged the vibrant growth of a community of local practitioners, eventually leading Oakland to become a restorative justice training ground in the United States. We likely have more restorative justice practitioners here in Oakland than any other place in the country. In large part, our residents embrace restorative justice methods and language and believe that only through proximate and intimate dialogue, can we together build community and resolve conflict. This paper describes our pathway to becoming a restorative city.

B. Other Restorative Cities

There are many examples and attempts at citywide restorative practice implementation in other locales throughout the United States and around the world.⁴ While restorative justice circle processes have been practiced across the globe for thousands of years, the modern efforts to develop restorative justice practices and a restorative justice movement have only been documented for about four decades.⁵ During that time, modern day iterations of restorative justice have been developed, in large part, without a racially centred lens. In fact, restorative justice practitioners have only recently begun to fully incorporate strong values around inclusion and recognition of people of colour, women, members of the LGBTQ community, people in poverty and people with disabilities, and the individual, historic and community harms they have experienced.⁶

Hull, England is the first city to have adopted the title of a restorative city in the modern era. Leeds, England also became a restorative city.^{7 8} In city government literature, these cities present themselves as integrating restorative practices into institutions and private and public entities.⁹ These cities have integrated restorative justice based systems in government-

⁴ John Anderson and Nicola M. Ross, 'A Restorative City for New South Wales: Could Newcastle Be a Model?' (August 19, 2017). Available at SSRN, <<https://ssrn.com/abstract=3022557>> (Australia); see also Aaron Mondry, 'Restorative justice city: One Woman's Quest to Create a More Just Detroit', *Model D* (Web Page, 29 January 2018) <<http://www.modeldmedia.com/features/detroit-justice-center-012918.asp>>.

⁵ Paul McCold, 'The Recent History of Restorative Justice: Mediation, Circles, and Conferencing', in Dennis Sullivan and Larry Tiffit (ed.) *Handbook of Restorative Justice: A Global Perspective*, (Routledge, 2006), 23-52.

⁶ Kathleen Daly, 'Restorative Justice in Diverse and Unequal Societies,' (2000), 17 *Law Context: A Socio-Legal Journal*, 167.

⁷ Anna Bussu, Patrizia Patrizi & Gian Luigi Lepri, 'In need of a cultural shift to promote restorative justice in Southern Europe,' (2016) 19 (4) *Contemporary Justice Review* 479, 479-503, DOI: 10.1080/10282580.2016.1226814.

⁸ Simon Green, Gerry Johnstone & Craig Lambert, 'What harm, whose justice?: excavating the restorative movement,' (2013) 16 (4) *Contemporary Justice Review* 445, 445-460, DOI: 10.1080/10282580.2013.857071.

⁹ Hull City Council, (Web Page) <<http://www.hull.gov.uk/search-?result=restorative>>.

sponsored services as diverse as children's social care and policing of domestic violence.¹⁰ In the United States there is not currently a city that is thought of as being fully restorative. However, there are several locales with strong, integrated and systemic elements of restorative justice. For example, the Restorative Justice Courts and Restorative Justice Hubs¹¹ throughout Chicago, Illinois, as exemplified by Precious Blood Ministries,¹² Circles and Ciphers,¹³ and Community Justice for Youth Institute,¹⁴ are prime examples of fully integrated, systemically engaged, community supported and culturally relevant restorative practices that have a citywide positive impact. Additionally, in New Zealand the Maori people, with their integrated restorative reconciliation practices serve as a model for a modern justice system that focuses on comprehensive community and individual healing rather than punishment or even traditional conflict mediation.

C. Coordinated Efforts to Create a Restorative City of Oakland

Through our Restorative City Project, RJOY is implementing an innovative prevention strategy that promotes strong families, healthy relationships, and community health and well-being by addressing the complex root causes of poor health and violence. Reflecting individual and cultural identities, and recognizing the dynamic interactions that occur in communities, we are working to generate sustainable investment in structures and policy changes that will increase health and decrease violence. We are working to shift existing resources from punitive, deficiency-based structures to health and community healing, building greater investment across all sectors in supporting a healthier, less violent and more productive Oakland.

As we move forward, we will focus on two key challenges because these challenges are at the core of envisioning a future world that is most productive, healthful and constructive for future generations. In our present world, violence and poor health services are two of the primary factors contributing to communities that expose people to recurrent trauma and unhealthy lifestyles. We believe that restorative justice and restorative practices offer a practical and effective solution to addressing recurrent patterns of violence and ill health, and that creating models of restorative communities that constantly reinforce trauma healing and productive community engagement will enable many of our community members to embrace more positive, productive and healthy approaches to resolving community conflict and creating opportunities for true healing and transformation.

¹⁰ Joan Pennell, 'Stopping domestic violence or protecting children? Contributions from Restorative Justice,' in Dennis Sullivan and Larry Tiftt (ed.) *Handbook of Restorative Justice: A Global Perspective*, (Routledge, 2006), 286-298.

¹¹ See Community-led Restorative Justice Hubs (Web Page, 2019) <<https://rjhubs.org/>> for more information.

¹² See Precious Blood link at Community-led Restorative Justice Hubs (Web Page, 2019) <<https://rjhubs.org/>> for more information.

¹³ See Circles and Ciphers, (Web Page) <<http://www.circlesandciphers.org>>.

¹⁴ See Community Justice for Youth Institute, (Web Page, 2019) <<http://cjyi.org>>.

As we move forward, we will focus on two key challenges:

1) Addressing complex families' and communities' needs and experiences related to health and violence. We propose a method of dealing with these complexities by creating a plan for Oakland as the first U.S. based Restorative City. This new framework will expand the ways in which we address community harm and community healing, focusing on the improvement of fairness, social connection, and community well-being.

2) Addressing the social determinants of health: The Project will enable Oakland to re-allocate resources, shifting them from punitive, ineffective and racially biased policies to policies and services that will increase health and well-being and reduce violence in Oakland. Our project will focus on the immediate future as well as long-term change with an emphasis on populations demonstrating the greatest need.

II. HISTORY OF THE RJ MOVEMENT IN THE UNITED STATES

A. *Restorative vs. retributive system of justice in the United States*

The retributive essence of the current criminal legal system in the United States has spawned the highest absolute and per capita incarceration rates in the history of the world. Over the past four decades, the United States' legal system has criminalized millions of its citizens, creating a highly racialized and economically biased "prison industrial complex" that has resulted in the mass incarceration and disenfranchisement of almost 1 in 8 of its citizens.¹⁵ This move toward punitive treatment of people of colour and low-income people is deeply embedded in our historic system of slavery, genocide and racially based "Jim Crow Laws" and post-slavery policing practices.¹⁶ We see this phenomenon replicated very clearly in our urban schools which are beginning to look and function more like jailhouses than schoolhouses, creating the "school-to-prison pipeline." This retributive tendency has also affected our immigration ("cimmigration") policies, which have become increasingly more punitive in the past several decades.¹⁷ However, in spite of these punitive trends, in the last three decades, humanity has been making an historic shift from justice as harming to justice as healing, from a retributive justice to a restorative justice framework.¹⁸

¹⁵ For an analysis of the Prison Industrial Complex, see Angela Y. Davis (2003) *Are prisons obsolete?* New York: Seven Stories Press; see also *Abolition Now! Ten Years of Strategy and Struggle Against the Prison Industrial Complex*: CR-10 Publications Collective (Editor), AK Press, Sep 18, 2008; Sudbury, Julia, ed., *Global Lockdown: Race, Gender, and the Prison-Industrial Complex*, (New York, Routledge, 2005).

¹⁶ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colour-blindness*. New York: [Jackson, Tenn.]: New Press; Distributed by Perseus Distribution, 2010; see also, Barry, Ellen M., "From Plantations to Prisons: African American Women in United States Prisons, in Brooten, Bernadette, ed., *Beyond Slavery* (2011).

¹⁷ For an analysis of the development of immigration and criminal justice issues, known as "Cimmigration," see Espinoza Alvarez, Sofia and Martin Guevara (eds.), *Immigration and the Law: Race, Citizenship, and Social Control*, 2018.

¹⁸ For a deeper analysis of the application of Restorative Justice processes to race, racism and national truth-telling in the United States, see Fania Davis, *The Little Book of Race and Restorative Justice: Black Lives, Healing, and*

In the United States, our criminal legal system asks these three questions: What law was broken? Who broke it? What punishment is warranted? Restorative justice asks an entirely different set of questions: Who was harmed? What are the needs and responsibilities of all affected? How do all affected parties together address needs and repair harm? An emerging approach to justice rooted in indigenous cultures, restorative justice is reparative, inclusive, and balanced. It emphasizes: 1. repairing harm; 2. inviting all affected to dialogue together to figure out how to do so; and 3. giving equal attention to community safety, the needs of the person who was harmed, and accountability and growth for the person who harmed.¹⁹

B. Efficacy of Restorative Justice Programs in the United States

Though contemporary restorative justice practices began to proliferate in the United States only about thirty years ago, the effectiveness of these practices in reducing violence, incarceration, recidivism, and suspensions and expulsions in schools is increasingly being documented.²⁰ It is recognized as a model practice through the Office of Juvenile Justice and Delinquency Prevention Model Programs Guide.²¹ A meta-analysis of all restorative justice research written in English, *Restorative Justice: The Evidence*, concluded in at least two trials that when used as a method of diverting youth from incarceration, restorative justice practices reduced violent reoffending, the victim's desire for revenge, and costs to the jurisdiction.²² A 2007 University of Wisconsin study found that the Barron County restorative justice program in that state led to significant declines in youth violence, arrests, crime, and recidivism. Five years after the program began, violent juvenile offenses decreased almost 49%. Overall juvenile arrest rates decreased almost 45%.²³ Throughout the United States, many youth detention facilities are being shut down in response to a growing sense that there are more humane and effective ways of dealing with youth behaviour.²⁴ A Sonoma County, California, diversion program using

US Social Transformation (The Little Books of Justice and Peacebuilding) (Good Books, 2 April, 2019); see also Thomas DeWolf and Jodie Geddes, *The Little Book of Racial Healing: Coming to the Table for Truth-Telling, Liberation, and Transformation* (The Little Books of Justice and Peacebuilding) (Good Books, 1 January 2019).

¹⁹ Definition of RJ: see (Web Page) <<http://rjoyoakland.org/restorative-justice/>>.

²⁰ Research on restorative justice has established the efficacy of restorative justice programs in reducing the likelihood that people will recidivate subsequent to incarceration. (see: Hennessey Hayes, 'Assessing Reoffending in Restorative Justice Conferences', (2005) 38 (1) *Australian and New Zealand Journal of Criminology*, 77, 77–101; see also: Bergseth, Kathleen J., Bouffard, Jeffrey A., 'Examining the Effectiveness of a Restorative Justice Program for Various Types of Juvenile Offenders,' (2012) 57 (9) *International Journal of Offender Therapy and Comparative Criminology* 1054, 1054 – 1075 (note: RJOY does not use the word "offender" to describe people who have been accused of committing crimes, or "victim" to describe people who have been injured by violence or wrongdoing. We, instead, use the phrase "people who have harmed" and "people who have been harmed.").

²¹ Office of Juvenile Justice and Delinquency Prevention, Model Programs Guide, <http://www.ojjdp.gov/mpg/>

²² 'Restorative Justice: the evidence', Lawrence W Sherman and Heather Strang, (Web Page, 2007) <http://www.iirp.edu/pdf/RJ_full_report.pdf>.

²³ See 2007 University of Wisconsin study <<http://www.bcrjp.org/resources/rj-links>>.

²⁴ For information on youth detention facilities that are being shut down: See Oranga Tamariki Ministry for Children, (Web Page, 2019) <www.cyf.govt.nz/documents/mike_doolan_presentation.pdf>.

restorative justice practices touts a 10% rate of re-offending, 90% plan completion rates, and over 90% victim satisfaction with the process.²⁵ An in-custody adult restorative justice program in Santa Rosa, California showed a decrease in violent re-offending by 82.6% after 16 weeks of participation in a restorative justice program.²⁶ In 2009, the *International Institute for Restorative Practices* (IIRP) published *Findings from Schools Implementing Restorative Practices* which highlighted positive outcomes from six schools located in communities in Pennsylvania that range from urban to rural and impoverished to middle class.²⁷ Researchers continue to evaluate and confirm the effectiveness of restorative justice practices. In 2017, Impact Justice completed a comprehensive assessment of the Community Works West restorative justice youth diversion program in Alameda County, analysing data from January 2012 through December 2014. The research determined that, 12 months after completion of the restorative justice based program, only 18.4% of the 102 participants committed another delinquent act, in contrast with 32.1% of the control group of youth whose cases were processed through the juvenile legal system.²⁸

Recently, a group of restorative justice practitioners and advocates took part in an extensive national survey (throughout the United States and in one Canadian province) on restorative justice through the Zehr Institute for Restorative Justice. From February to April 2017, researchers conducted a strategic Listening Project to engage a cross section of restorative justice (RJ) practitioners who represented different demographics—urban, rural, aboriginal, east coast, west coast, Midwest and one Canadian territory. The report, *Restorative Justice Listening Project*,²⁹ examines the current “state of the state” of restorative justice in the United States and Canada, suggesting areas for expansion for the future of restorative justice and addressing questions around funding and supporting the restorative justice movement.

²⁵ Sonoma County, California, diversion program. The Sonoma County Department of Child, Youth and Family Services maintains about 75 beds today for Youth Justice, compared to the more than 1000 beds available in the 1980's.

²⁶ See the in-custody adult restorative justice program in Santa Rosa, California: Restorative Resources, *Restorative Practices in our schools: uses honest and open dialogue to build trust and healthy relationships* (Web Page) <<https://www.restorativeresources.org/>>.

²⁷ *International Institute for Restorative Practices* (IIRP), *Findings from Schools Implementing Restorative Practices* (2009), <pubhealth.oxfordjournals.org/cgi/reprint/27/2/143>.

²⁸ 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, Spring, 2017, Oakland, CA.

²⁹ Shah, Sonya, Carl Stauffer and Sarah King, *Restorative Justice Learning Project, Final report*, November, 2017, Zehr Institute for Restorative Justice, Harrisonburg, VA; A recent study by the Rand Corporation, has further examined restorative justice based programs in schools in Pittsburg, PA schools, finding many similar positive outcomes, but also finding areas which differed from other research studies. Clearly, more research is needed on many aspects of the implementation of restorative justice in schools, in custody settings and in the community.

III. HISTORY OF OAKLAND AS A DIVERSE, COMPLEX, MULTICULTURAL PLACE

A. *History of social movements, activism and civil rights*

Oakland is a highly energetic, creative and innovative community of extremes. It is a city with more artists per capita than anywhere else in the US, yet it has some of the highest gun violence rates per capita in the country.³⁰ It is the birthplace of the Black Panther Party and the site of the unarmed police killing of Oscar Grant, as well as a recent history of gross police involvement with commercial sexual exploitation of a minor.³¹

B. *Changing racial demographics, cost of living and racialized poverty*

Oakland has home ownership-based wealth rates that are up to 4 times the national average of \$171,000 for white residents, yet only \$17,600 and \$21,700 respectively for African American and Latino residents.¹⁷ It is a city facing massive gentrification, and many low income people, including people of colour, have been pushed out of the city, seeking livable and relatively affordable housing. Housing prices and rental rates in Oakland are among the highest in the nation.³² Life expectancy for white residents in the more affluent sections of Oakland can be as much as 14 years longer than those of Black and Latinx residents in lower income areas.³³ These changes have fuelled tension in neighbourhoods between disparate racial and socioeconomic groups as many long-term residents are being priced out of their own neighbourhoods. However, the City of Oakland is changing, and there is now increasing interest in reaching consensus around harmonized solutions to these serious community challenges.

³⁰ VisittheUSA.com.au, 'United Stories: Discover the People and Places of the USA', (Web Page, 2019) <<https://www.visittheusa.com.au/>>.

³⁰'The 30 cities with the highest murder rates in the U.S,' *Rapid City Journal Media Group* (online 13 November 2017) <https://rapidcityjournal.com/news/national/the-cities-with-the-highest-murder-rates-in-the-us/collection_0e7dd367-2f62-5822-b849-97f4e9a43e3d.html#15>.

³¹ Laura Wamsley, 'Oakland to pay 19-year-old nearly 1 million In Police Scandal Settlement, 1 June 2017, National Public Radio', *NPR News* (online, 1 June 2017) <<https://www.npr.org/sections/thetwo-way/2017/06/01/531056653/oakland-to-pay-19-year-old-nearly-1-million-in-police-scandal-settlement>>.

³² John King, 'The Housing Crisis in Oakland,' *Architectural Record* (Web Page, 1 October 2018) <<https://www.architecturalrecord.com/articles/13650-the-housing-crisis-in-oakland>>.

³³ Alameda County Public Health Department, 'Life and Death from Unnatural Causes', *Part 1 Health Inequities*, <<http://www.acphd.org/media/144727/lduc-part1.pdf>>.

IV. RESTORATIVE JUSTICE AND THE EMERGENCE OF RJOY

A. *Restorative Justice for Oakland Youth (RJOY)*

The dramatic successes of the post South African apartheid *Truth and Reconciliation Commission* in healing the wounds of mass violence³⁴ and of restorative juvenile justice legislation in making youth incarceration virtually obsolete in New Zealand³⁵ inspired civil rights attorney and community activist RJOY Co-Founder, Dr. Fania E. Davis and former elected official Nancy Nadel to explore the possibility of an Oakland initiative. RJOY works to interrupt cycles of violence, incarceration and poor school outcomes by promoting institutional shifts toward restorative approaches that actively engage families, communities, and systems to repair harm and prevent re-offending. RJOY focuses on reducing racial disparities and public costs associated with high rates of incarceration, suspension, and expulsion of young people, particularly youth of colour, providing education, training, and technical assistance and collaboratively launching demonstration programs with its schools, community, juvenile justice, and research partners.

Racially-charged criminal justice policies, punitive school discipline and unenlightened juvenile justice practices activate tragic cycles of violence, incarceration, and wasted lives for youth of colour and transition-aged youth. We provide education, training, and technical assistance using an anti-racist and racial justice lens. RJOY's strategic emphasis is on systems change, rooted in fundamental and inalienable values of human rights and dignity for all.

We seek to repair the historic and community harms caused by racialized oppression and class oppression that relegate low-income youth of colour to futures defined by mass incarceration and failure in public education systems. Disruption of the school-to-prison pipeline is an act of human rights preservation and a core commitment of RJOY. RJOY's interventions, programs and planned actions all have as their goal the advancement of a human rights agenda. More specifically, we are focused on civil rights, racial healing, community dialogue and "restorganising" (restorative justice community organising). Social activism is the method we use to advance human rights by our aim to repair the harm caused by generations of police

³⁴ South Africa Truth and Reconciliation Commission, <<http://www.justice.gov.za/trc/>>; see also, "Is the United States Ready for a Truth Telling Process?", an interview with Dr. Fania Davis around use of Truth and Reconciliation Commission in the United States, International Centre for Transitional Justice, (Web Page, 2019) <<https://www.ictj.org>>.

³⁵ See Dilawar, Arvind, "Can New Zealand provide the United States with a Model for Juvenile Justice Reform?" *Pacific Standard* (Web Page, September 4 2018) <<https://psmag.com/social-justice/can-new-zealand-provide-the-u-s-with-a-model-for-juvenile-justice-reform>> where it is noted that "New Zealand passed the *Children's and Young People's Well-Being Act* in 1989. The legislation, which limited police power to arrest youth and implemented restorative justice practices over formal court proceedings, was the first of its kind. While the results were not perfect—the overall number of youth arrested, charged, and incarcerated fell significantly, but the Maori remain disproportionately represented—the act illustrates a powerful alternative to the criminal justice system in the U.S."

abuse of power and substandard education systems and legal institutions. Our collaborations are with restorative justice organizations and with historically oppressive institutions themselves (juvenile probation and school systems) in a spirit of broad inclusion of diverse community partners with the common goal of justice for all.

B. RJOY and work with youth in schools and juvenile prisons

Beginning in 2007, RJOY's city-funded West Oakland Middle School pilot project eliminated violence and expulsions of students, and reduced suspension rates by 87%, saving the school thousands of dollars in attendance and performance related Title I federal government funding and saving many students from incalculable damage. By May 2008, nearly 20 Oakland Unified School District (OUSD) principals requested training to launch programs at their sites. To date, we have served over 4000 youth in Oakland's schools. The University of California, Berkeley, Boalt Law School's Henderson Centre for Social Justice evaluated the Middle School pilot and released a study in February 2011.³⁶ A publication on implementing restorative initiatives in schools produced in collaboration with the Alameda County Health Care Agency found that "Restorative Justice processes build the capacity of students to become civic-minded and take action when someone is being harmed rather than standing by and allowing the harm to continue."³⁷ In 2010, the Board of Education of the Oakland Unified School District, Oakland, California, passed a resolution adopting restorative justice as a system-wide alternative to zero tolerance discipline and as an approach to creating healthier schools.³⁸

RJOY has enjoyed similar success in the juvenile justice arena. In 2007, we gave educational presentations to the Presiding Judge of the Juvenile Court in Alameda County, California, and others. Impressed with the restorative justice model, the judge convened a Restorative Justice Task Force. RJOY provided education and training and helped initiate a planning process which engaged approximately 60 Program Directors- including probation, court, school, and law enforcement officials, as well as community-based stakeholders. In 2009, the group produced the Alameda County Restorative Justice Strategic Plan, a countywide plan that described steps to be taken to reform the county's juvenile justice system through institutionalization of restorative justice.³⁹ Two innovative restorative diversion and restorative re-entry projects were

³⁶ The RJOY restorative justice schools program is featured in Sumner, Michael D., Silverman, Carol J., Frampton, Mary Louise, 'School-based restorative justice as an alternative to zero-tolerance policies: Lessons from West Oakland,' Thelton E. Henderson Centre for Social Justice, U.C. Berkeley, 2010; For more information on the RJOY Middle School disciplinary project, see the 9 minute video at: International Institute for Restorative Practices, 'Restorative Practices and the Transformation at West Philadelphia High School' (Web Page, 2019) <<http://www.iirp.org/westphilahigh/>>.

³⁷ AC Healthy Schools, 'Restorative Justice' *Spotlight Practice* (Report) <<http://www.achealthyschools.org/schoolhealthworks/assets/118-restorative-justice.pdf>> 18.

³⁸ <http://rjoyoakland.org/wp-content/uploads/2014/01/ousd-rj-resolution3.pdf> .

³⁹ Alameda County, 'Restorative Juvenile Justice Strategic Plan' (Report, January 2009 - December 2012) <https://www.ousd.org/cms/lib07/CA01001176/Centricity/Domain/97/RJ_Strategic_Plan_4_8_09.pdf>.

created which focused on reducing disproportionate minority contact and associated public costs.

RJOY has trained and made presentations to thousands of key justice, community, school, and philanthropic stakeholders locally, nationally and internationally, as well as youth in the Oakland, California metropolitan area. Through this work we have significantly influenced policy changes in our schools and juvenile justice system. We are making headway toward our strategic goal of effectuating a fundamental shift from punitive, zero tolerance approaches to youthful wrongdoing that increase harm toward more restorative approaches that heal it. (For additional information on RJOY programs, see Appendix A).

V. SETTING THE STAGE FOR A RESTORATIVE CITY

Restorative justice has emerged from indigenous practices around the world, including traditional Native American communities in North and South America, Maori and Aboriginal communities in Australia and New Zealand, and many indigenous communities in Africa.⁴⁰ Practicing restorative justice with fidelity is synonymous with honouring the deep and sustaining indigenous roots of the practices, as well as the relational and structural elements of these practices. The relational elements include; 1) meeting and getting acquainted, 2) building trust, 3) addressing the issues, and 4) determining solutions. The structural elements include; 1) sitting in a circle without barriers between circle members, 2) using a talking piece, 3) erecting a centrepiece, 4) engaging in ceremony, ritual and using consensus, and 5) determining values of the group.

RJOY specifically foregrounds the emergence of restorative justice and restorative practices from Africa, and we have integrated many of the practices that we have learned from African restorative justice leaders and healers. We have worked with indigenous leaders from South Africa, learning from their practices and processes. We have adopted the practices of: 1) starting all gatherings in a sacred circle; 2) using a centrepiece in the centre of the circle that has special healing significance for circle participants; 3) using a personally meaningful talking piece that is passed from individual to individual during the circle process in a clockwise or counter clockwise rotation; 4) adopting a collective agreement on conduct within the circle; and 5) having a circle keeper, or co-circle keepers, ask probing questions to stimulate healing transformation. We have integrated many of the practices that we have learned from African restorative justice leaders and healers as they model and reflect foundational values supporting restorative practices. We have worked with Naomi Tutu (human rights activist and daughter of Nobel Peace Prize winner, Archbishop Desmond Tutu) and Gonondo Sheila Mbele Khama

⁴⁰ For more information on indigenous restorative justice practices, see: Fainos Mangena (2015) 34 (1) Restorative justice's deep roots in Africa, *South African Journal of Philosophy* 1, 1-12, DOI: 10.1080/02580136.2014.940572 (South Africa and Zimbabwe); Brian Jarrett and Polly E. Hyslop, 'Justice for All: An Indigenous Community-Based Approach to Restorative Justice in Alaska,' (2014) 38 *Northern Review* 239 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2572274> (Alaska Native tradition); Juan Marcellus Tauri, 'An Indigenous Perspective on the Standardisation of Restorative Justice in New Zealand and Canada' (2009) 20 (3) *Indigenous Policy Journal* see <<https://ipjournal.wordpress.com/2009/12/16/an-indigenous-perspective-on-the-standardisation-of-restorative-justice-in-new-zealand-and-canada/>> (New Zealand, Canada)>.

from South Africa, learning from their practices and processes. The values that we adopt are Africentric and relate to fundamental community values that are resonant with indigenous practices: 1) the concept of Ubuntu⁴¹, celebration of the humanity in each person, and 2) Sawubona, the intentional act of deep witnessing, seeing intensely into the soul of another person.⁴²

A. *Restore-ganizing*

Restorative justice (RJ) community organizing extends the practice of restorative justice beyond the individual-in-community context to a practice which advocates for systemic changes that uplift an entire community. “Restore-ganizing,” a term coined by RJOY Co-Founder, Dr. Fania Davis, offers a political, cultural and historic orientation about the causes and conditions giving rise to social harms, and offers an avenue for community healing through deep relational practices that advocate for community improvement. Examples of “restore-ganizing” in Oakland include the collaborative efforts to “end youth criminalization as we know it,” “end youth incarceration,” and resist gentrification by engaging in restorative and cooperative economic approaches to racialized oppression and disenfranchisement.⁴³

B. *Radical hospitality*

We practice radical hospitality as a foundational value necessary for relationship building. We strive to always be welcoming, open and gracious in our interactions with those who seek to build community or repair harm. We believe that the healing power of restorative practices transcends the individual experience and is always best practiced in communities and with bold, unparalleled and warm hospitality. For us, this translates into providing full meals at our circles and offering transportation to and from our meeting spaces. It also means prioritizing the internal and emotional life experiences of people who sit in circle with us. Radical hospitality is about being present with whatever comes up in circle or whatever is brought forward by circle members. We strive to meet the authentic experiences that are brought forward in circle with clarity, sensitivity and honesty.

VI. PLAN FOR A RESTORATIVE CITY

We believe that restorative justice fidelity, indigenous roots, “restore-ganizing” and radical hospitality together combine to create fertile ground for a restorative city. Because the

⁴¹ See Samuel A Paul, *The Ubuntu God: Deconstructing a South African Narrative of Oppression: Deconstructing a South African Narrative of Oppression*; A Princeton Theological Monograph Series, (Pickwick Publications, Eugene Oregon, 2009).

⁴² See Adeoye O. Akinola, and Ufo Okeke Uzodike, ‘Ubuntu and the Quest for Conflict Resolution in Africa’ (2018) 49(2) *Journal of Black Studies* 91 <<https://doi.org/10.1177/0021934717736186>>.

⁴³ Restorative Justice Listening Project, (*Final Report*, November 2017) <<https://issuu.com/easternmennoniteuniversity/docs/restorative-justice-listening-proje>>.

groundwork had already been done and many of these elements were present in Oakland, we collectively decided to move towards becoming a restorative city.

A. Actualizing the Vision for a Restorative Oakland

RJOY is working to support the development of Oakland as a Restorative City, producing a detailed blueprint for, and execution of, our pathway to embracing indigenous healing practices in a radical paradigm shift towards a restorative way of life. We have created a visual map of our Vision of a Restorative Oakland (see Attachment B.) We have met in community circles in East, West and North Oakland, at public schools, private businesses and parks and recreation centres. We have the support of the Oakland Mayor, community groups and small funders. We plan to create 1) a detailed white paper describing our rollout plan, 2) a series of public comment circles for feedback from residents, government, small business and youth, 3) the infrastructure of hubs⁴⁴ for RJ training, consultation and education in existing organizations, 4) a media campaign with billboards, bus and BART advertising, brochures and social media, and 5) a Restorative City Council to advise and manage this project.

For over 10 years, RJ organizations have worked with community allies to infuse restorative practices into the values and consciousness of Oakland, making strides in incorporating these values into the Oakland public school system and into juvenile hall and juvenile camp. As we move forward we are expanding and defining specific components of an inclusive restorative city model in Oakland, explicating multifaceted elements of our shared vision. In addition to the five major components, outlined above, we will also focus on the role of Oakland's strong community centres and our educational and academic institutions (including our community college system, and our state college and university resources). We will also utilize our community building and conflict circles, and circles of support and accountability (COSAs). Our key aspirations include developing a city which holds as its highest priorities: healthy children, safe streets, diverse community connections, peaceful conflict resolution, and strong communities. We will draw upon the institutions and leaders critical for supporting cultural change from all sectors of the community. We will include a detailed evaluation plan with an emphasis on GCH (Gross City Happiness) indicators,⁴⁵ integrating our guiding principles of RJ fidelity, peace promotion, equity, indigenous roots, inclusivity, economic, housing and food justice.

B. Restorative City Optimization Guide

⁴⁴ We acknowledge the contribution of many restorative justice practitioners for the development of the concept of "Restorative Justice Hubs," and particularly note the emergence of RJ Hubs in Chicago, Illinois. See Community-led Restorative Justice Hubs (Web Page, 2019) <<https://rjhubs.org/>> for more information.

⁴⁵ "Gross National Happiness (GNH) is a term coined by His Majesty the Fourth King of Bhutan, Jigme Singye Wangchuck in the 1970s. The concept implies that sustainable development should take a holistic approach towards notions of progress and give equal importance to non-economic aspects of wellbeing see United Nations, 'Gross National Happiness Index', *Sustainable Development Goals* (Web Page) <<https://sustainabledevelopment.un.org/partnership/?p=2212>>; see also Centre for Bhutan & GNH Studies, '2015 GNH Survey Report', (Web Page, 2019) <<https://www.grossnationalhappiness.com/>>.

As part of our plan to develop Oakland as a Restorative City, the RJ Council will finalize and disseminate a Restorative City of Oakland Optimization Guide to serve as a white paper and blueprint for the implementation of a restorative city in Oakland. This step-by-step rollout guide will be developed with the support of the existing Oakland Restorative Justice Council.⁴⁶ This 5-year plan will have quarterly timelines, monthly achievement objectives and an evaluation component. We will make the guide available through mass distribution as well as through the RJOY website. The RJ Council will complete public comment circles for feedback on the rollout plan, described above, from community residents, government officials and line staff employees, small businesses and youth in schools and juvenile hall and juvenile camp. These sessions will be conducted in circle and advertised widely using billboards and handouts, via social media, using paper and print methods as well as through our networks of community-based agencies, organizations and individuals.

C. Restorative City Council

We will establish the Oakland Restorative City Council, including its membership protocols, by-laws, indigenous rooted decision-making structure, and in collaboration with the Oakland RJ Council, we will develop the infrastructure for restorative justice hubs for RJ training, consultation and education in existing organizations. We will establish the Council by identifying formal and informal leaders steeped in RJ traditions, principles and practices who will help guide and lead Oakland on its continuing journey to evolve into a restorative city, using a community-based method of selecting and electing members of the RJ Council. The Council will develop membership protocols, by-laws and a decision-making structure that is grounded in the indigenous roots of restorative justice, as well as a mission, vision, values, scope of work, organizational relationships and coordinating expectations of the collaborative. The primary goal of the hubs will be training, education and consultation on restorative justice practices and principles for community building and conflict resolution in Oakland. A secondary goal will be resolution of conflicts through facilitation of harm circles, when requested. Hubs will reflect the cultural character and community flavour, culture and values of the residents and be located in diverse areas throughout the city. Hubs will be located in communities that reflect all race, gender, sexual orientation and income levels and be authentically accessible and responsive to the diverse individualized needs of our communities.

D. Campaign to Create Positive Energy re: Oakland as a Restorative City

RJOY is working to develop a campaign featuring Oakland as a Restorative City including 4 billboards, 5 bus and 5 BART advertisements, 5,000 brochures, YouTube videos and 200 social

⁴⁶ We want to acknowledge, and thank, our community allies, restorative justice practitioners and community and government organizations who have worked with RJOY to evolve the existing Oakland Restorative Justice Council, including Ahimsa Collective, American Friends Service Committee, Catholic Charities of the East Bay, Communities United for Restorative Youth Justice, Community Works West, CFGF Consulting, CircleUp, Ella Baker Centre, Lawyers Committee for Civil Rights, Legal Services for Prisoners with Children, Restore Oakland, Rubicon, and Uncommon Law as well as Berkeley Unified School District, Oakland Unified School District, OUSD Peer Advocates, Oakland Mayor's Office.

media posts. This broad and large-scale media campaign will work to raise awareness of the healing power of restorative practices and principles. Furthermore, we will invite diverse and multi-generational residents to engage in community building and restorative circle training. These processes will also serve to build community connections and reduce individual isolation, thus increasing community cohesion and reducing “dis-ease”, violence, and health risks for both communities and individuals in Oakland. The ultimate purpose of this campaign is to promote the restorative city worldview. The focus of the campaign will be to create opportunities and places where Oakland community members can be introduced to, learn about and practice restorative justice. We will also set forth our collective vision of Oakland as a restorative city, concretely spelling out what that means and how all residents have a role in making that peaceful, healthful goal a reality.

E. Restorative City of Oakland Ceremonial Opening

We will coordinate and host the Ceremonial Opening of Oakland as a Restorative City. The weekend festival will feature an inaugural series of events celebrating Oakland as a restorative city, and will feature international and national restorative justice leaders, and local community groups, youth, dance troops and artists engaged in a ceremonial blessing and a ribbon cutting ceremony of protection and guidance as Oakland embarks upon this journey. During the festival weekend we will hold restorative justice circles at Oakland RJ hubs.

F. Risks and challenges

We face several risks and challenges in developing and implementing our model. Perhaps the most daunting challenge is the divided political climate around the expansion of restorative, compassionate and inclusionary values and policies in the United States. Restorative justice has gained much recognition among supporters of more humane and just approaches to criminal justice, education and health care. On the other hand, the political climate in our nation’s capital, Washington, D.C., and elsewhere reflects a frightening retrenchment of regressive values.⁴⁷ We note the growing number of young people of colour killed by police⁴⁸, the re-emergence of punitive criminal justice policies, attacks on health care, and recent placement of young children in immigration detention centres.⁴⁹ It is even more important that we continue to pursue visionary solutions to the crisis faced by low-income communities, particularly communities of colour. Oakland can serve as a model and a beacon of hope in pioneering the concept of building a city around restorative justice and trauma healing.

⁴⁷Quartz, ‘America’s rising white nationalism calls for a new type of civil rights leadership’, *Ideas* (17 November 2017), <<https://qz.com/1131785/americas-rising-white-nationalism-calls-for-a-new-type-of-civil-rights-leadership/>>.

⁴⁸ Anthony L Bui, Matthew Coates, and Ellicott C Matthay, ‘Years of life lost due to encounters with law enforcement in the USA, (2015–2016)’ (2018) 72(8) *Journal of Epidemiology and Community Health* 715 <<http://dx.doi.org/10.1136/jech-2017-210059>>.

⁴⁹ Caitlin Dickerson, ‘Detention of Migrant Children has Skyrocketed to Highest Levels Ever,’ *New York Times*, (New York 9 December 2018) <<https://www.nytimes.com/2018/09/12/us/migrant-children-detention.html>>.

A second major challenge is the significant punitive nature of our criminal legal system, both for young people and adults, and the parallel system of school disciplinary practices. These systems reflect an entrenched racism and callousness toward the value of human life, and they remain stubbornly resistant to change in spite of the evidence that our systems of law and education are failing our communities, and that we are completely out of step with the rest of the world. The third area of challenge is resources. However, we believe that, as we move forward with the creation of restorative cities in the United States, it will become clear that the resources for building healthier, stronger, more resilient communities are already available. We must focus on the reallocation of existing resources, shifting spending away from expensive and ineffective systems of punishment and control and toward building healthy and violence-free communities.

We endeavour to design a healthy future for Californians, specifically people who historically lack access to healthy communities due to violence, concentrated poverty, and racism. Through our innovative model, we are pioneering a breakthrough idea to make California the healthiest state in the United States by addressing some of the root causes of violence and community harm and creating healthier populations, strong families, and empowered communities based on our communities' strengths, needs, and obstacles, not its deficiencies. Our model offers a structure for long-term gains and sustainable change towards prevention by developing a new approach to community healing: the creation of a new community "ecosystem" which uses restorative justice and restorative practices as a model for addressing health and reducing violence.

VII. FIVE PRIMARY GOALS OF THE OAKLAND RESTORATIVE CITY PROJECT

We envision the successful creation of Oakland as a Restorative City through the implementation of five primary goals: 1. Increasing health factors for community members; 2. Increasing safety for the community; 3. Self-Propagation of Restorative Justice practices; 4. Expansion of peaceful conflict resolution measures; and 5. Creation of a stronger community. We see each of these goals as fundamentally important to both the creation and the ongoing success of Oakland as a Restorative City. We have chosen these goals very intentionally because we believe that health and safety are the cornerstones for creating a community where all people can flourish and growth in productive and meaningful ways. We view "health" as encompassing all aspects of physical, emotional, environmental and community health, and we propose to "re-centre" our primary community focus away from punitive government institutions (such as prisons, jails, detention facilities) and toward public health, mental health and healing. We see "safety" as including safety for all citizens, not just the privileged few, and we envision the creation of environments (schools, work places, parks, community spaces) where all community members are treated with respect and inclusion. We propose to re-define "safety" and "safe streets" to be specifically inclusive of young People of Colour, immigrants and migrants, trans and other LGBTQ people, and to reject the implicit implication that "safety" includes only some, but not all of our community members.

We understand that if restorative justice and restorative practices are to be adopted on a widespread basis, they must be embraced and used in all parts of community life, and become

self-propagating. In adopting these practices, Oakland community members must be willing to resolve differences, conflicts and trauma, both individual and community-centred, through intentional peacemaking processes centred in in principles of restorative justice. Finally, we hold as a primary goal the creation of a stronger community in Oakland, one that places the health and safety of our children and all our community members at the core of every policy decision, economic agenda, and community development plan. We expect to face challenges as we develop these goals. Centring health and safety in a community will create a stronger, more just and equitable community, but it will not always be beneficial or lucrative for those who are focused on maximizing these own profits. Shifting community safety and accountability toward restorative based practices and away from the traditional system of punishment and incarceration will create systems of safety that are no longer reliant on the expansion of the prison industrial complex and the carceral state, but it will face strong resistance from the many stakeholders who benefit substantially from mass incarceration and the punishment system.

We know that working with a community to adopt restorative justice practices and values will present many challenges. This is, in part, because retributive punishment and values are so embedded in our society that it is difficulty for many community members to envision a world that is based, instead, on restorative and healing values. We also face hurdles around the need for shifting economic priorities and allocation of community resources, from the punishment system to a system based on health, healing and true safety. As we move to make Oakland the first United States-based Restorative City, we are creating effective opportunities for community members to resolve individual and community-wide conflicts through restorative justice practices, and we know that this process will also have many challenges. We are launching a significant project under our County's Behavioural Health Care Services agency to create 300 annual Restorative Justice Africentric Healing Circles for youth, young men and women in our juvenile facilities, women and girls, Black men, community college students, LGBTQ people of colour and elders in the African American community. These Healing Circles will enable Oakland community members to learn restorative justice practices, heal historic and imbedded trauma, and resolve individual and community conflicts and disputes.

Finally, through the achievement of the first four primary goals, we will lay the foundation for building a stronger, healthier and more restorative community. We believe these goals can be achieved because we are working with a community that has a long history of resilience, inclusivity, activism and strength. We will seek to attain our 5 primary goals in the following ways:

1. *An increase in the health of Oakland's Children and Community Members*

Through our restorative justice and trauma healing work in Oakland Public schools, Alameda County juvenile facilities, and the wider community, we have responded to Oakland community members in the most painful and difficult aspects of their lives. In our Circles of Support and Accountability (COSAs), our Support Groups and our trainings, our participants, family members, volunteers and staff members engage with the effects of historical racially-

based trauma, as well as the, often overwhelming, daily stressors of poverty and limited financial resources, racial discrimination in employment, housing, public benefits, health services, and education. One of the most problematic aspects of pervasive racism is the impact that it often has on core feelings of self-worth and agency, particularly on very young children who are exposed to racism at the earliest ages. Research has demonstrated that African-American children, and other children of colour as young a preschool age can be subjected to persistent racism through discriminatory treatment by school staff and instructors.⁵⁰ African American children in elementary and junior high schools in many jurisdictions, including Oakland, have been found to be suspended and subjected to disciplinary actions at much higher rates than white students.⁵¹ African American youth and other youth of colour in Alameda County are subjected to dramatically higher arrest, prosecution and conviction rates than white youth.⁵² Cumulatively, these experiences lead some young people to lose hope, to develop a deep distrust of government structures and civil society, and in some instances, to develop deeply negative attitudes toward themselves and others and their own communities. The adoption of restorative justice based policies and practices in Oakland will address critically important factors affecting health, mental health, education, housing, employment and community wellbeing of Oakland community members, particularly our children, youth and elders.

2. *An increase in safety of Oakland streets*

We are collaborating with the city Mayor's Office of Public Safety in our plans, creating a Public Safety Plan that includes the development of Oakland as a Restorative City as one of its three primary goals. The Restorative City project seeks to use restorative justice strategies to reduce gun violence and homicide in the highest crime areas of the city while strengthening communities. Our partners include the Mayor's office along with the Criminal and Juvenile Courts, Juvenile Probation and the Oakland Police Department as well as over 40 other private non-profit and governmental agencies.

⁵⁰ Rita Kohli, Marcos Pizarro, Arturo Nevárez, 'The "New Racism" of K-12 Schools: Centring Critical Research on Racism, Review of Research in Education,' (2017) 41 (1) *Review of Research in Education* 182; <<https://doi.org/10.3102/0091732X16686949>>.

⁵¹ J. Luke Wood, Frank Harris III and Tyrone C. Howard, 'Get Out! Black Male Suspensions in California Public Schools.' (San Diego, CA Community College Equity Assessment Lab & UCLA Black Male Institute, Report 2018) <http://blackmaleinstitute.org/wp-content/uploads/2018/02/GET-OUT-Black-Male-Suspensions-in-California-Public-Schools_lo.pdf>.

⁵² Citing a data collection tool developed by the Hayward Burns Institute, the National Centre for Youth Law notes that "in California...the arrest rate for Black youth is 26 per 1,000 youth, compared to 4 per 1,000 youth for Whites....Alameda County has a markedly higher rate of 42 per 1,000 youth detained for Black youth compared to 2 per 1,000 youth for Whites." See 'Powerful new tool for examining the youth incarceration data reveals the depth of the problem in the United States' *National Centre for Youth Law* (Web Page) <<https://youthlaw.org/publication/powerful-new-tool-for-examining-the-youth-incarceration-data-reveals-the-depth-of-the-problem-in-the-united-states/>>; see also 'Unbalanced Youth Justice' *The W.Haywood Burns Institute*, (Web Page 2019) <<http://data.burnsinstitute.org/about>>.

3. Self-propagation of Restorative Justice practices

The vision for a restorative Oakland includes the self-propagation of restorative practices and principles. This will occur by community members using these principles and making these practices their own. We envision families and roommates in average households using circle processes to build community and resolve conflict. We believe that this will happen through the infusion of community exposure and engagement with these practices. Already there is elevated awareness in the City of Oakland regarding what restorative justice is all about. There is widespread general goodwill for the practices and a general interest in learning how to engage with restorative justice principles and how to practice with fidelity. This is true in the private and public work sectors, in schools and communities as well as in diverse neighbourhoods. It is through this widespread adoption of RJ practices that self-propagation has a chance to occur. Additionally, restorative justice hubs are a critical component of self-propagation in that they are community-based venues for RJ training and places where circles may readily be held and people can join circles offering diverse community perspectives that model the natural range of views and opinions in geographic and cultural communities throughout the city.

4. Expansion of peaceful conflict resolution methods

Engaging neighbours and interested stakeholders in conflict circles and community building circles offers the greatest chance of resolving actual and potential conflict before police or other officials become involved. We envision RJ hubs where minor infractions of harm can be brought for discussion and resolution using restorative justice circle processes. This will engage a broad array of community stakeholders and will lead to the eventual reduction in the rates of youth and adult arrest and incarceration. Residents will be held accountable by their own local community members. This will be facilitated, to the greatest extent possible, without the involvement of police institutions. On a smaller scale this is already happening through the use of restorative justice practices in diversion programs and post-release, restorative justice re-entry programs. Peaceful community conflict resolution keeps youth and adults safe outside of the criminal justice system.

5. A stronger community

The process of engaging in a restorative rather than a punitive worldview and enacting the practices that support it results in communities that are more connected and cohesive, more resilient and more economically sound. We believe that inter-ethnic, multi-racial and cross-cultural communication, collaboration and collective problem-solving processes ultimately strengthens communities. It is our goal to contribute to the development of a stronger Oakland that leans on its authentic communal understanding and respect of truly different groups.

VIII. OVERALL RESTORATIVE CITY OF OAKLAND IMPACT

In summary, the Project will:

- 1) Expand community restorative justice practices;

- 2) Engage in juvenile justice systems change (dismantling and offering alternatives to the punitive system);
- 3) Provide an innovative structure that will advance prevention practice and policy change to increase health incomes and reduce violence;
- 4) Promote strong families, healthy relationships, and community well-being and reduction of risk factors for criminal legal system involvement;
- 5) Address root causes of poor health and family violence, reflecting individual/cultural identities, and recognizing dynamic interactions in our community;
- 6) Focus on needs, experiences, assets, and aspirations of vulnerable communities and improving comprehensive health outcomes;
- 7) Use an innovative and visionary model that is evidence-based;
- 8) Involve a broad range of individuals, government, and community institutions in building Oakland as a Restorative City.

IX. KEY ELEMENTS, INSTITUTIONS AND EVALUATION

There are a number of key elements and institutions needed to engage in partnership to advance this vision. The critical elements of restorative justice fidelity, food justice, economic and racial justice, diverse community connections, community Centres, restorative justice training hubs, and a restorative justice council are central to the success of the program. Each component plays a vital part in realizing our vision of equity building, sustainable and relational methods that are true to the intentions of a restorative justice worldview while being simultaneously true to the cultural realities and unique priorities of city residents. The restorative justice-training hubs and community centres will serve as places where community residents can come learn more formally about restorative justice circle keeping and philosophy. These training hubs will also be the neighbourhood locations where residents can come to find and participate in community building circles or conflict healing circles. Experienced circle keepers will also hold space for circles in these hubs.

In addition, RJOY and the restorative justice council have identified the following institutions as key for partnership and broad-scale training for restorative city transformation. They are; 1) restorative justice-training hubs as sites for circle hosting and training, 2) courts, 3) schools, both public and private, 4) child welfare system staff, 5) health care system personnel, nurses, physicians, staff, 6) community members, 7) non-profit organisation employees and service recipients, 8) police and firefighters, 9) for-profit and business organisations, 10) environmental agencies, 11) religious and faith organisations, 12) adult protective services employees and aging adults receiving care, 13) trauma response services personnel and their service recipients, 14) people experiencing homelessness, and finally 15) new immigrants, people who are undocumented, and refugees.

The Project will utilize an evaluation organizing principle similar to that of the nation of Bhutan, which assesses Gross National Happiness (GNH). A measurement tool will be developed to assess levels of and changes in indicators of Gross City Happiness (GCH) at the launch date and every 2 years over the initial decade of the project. The evaluation will be guided by the following the query; Will the development and establishment of Oakland as the first U.S. based Restorative City lead to significant improvement in health outcomes and reduction in violence? To what extent will happiness increase? What proportion of the population will know and use restorative justice practices and principles?

X. CONCLUSION

Restorative justice is both an ancient concept and a relatively new construct for implementing societal policies and practices which maintain justice and equity in civil society. Restorative justice and practices have been used worldwide for centuries as the basis for resolving community conflict, repairing harm and dealing with fundamental notions of justice and healing in indigenous communities. In its more modern iteration, restorative justice and restorative practices have been adopted in a number of countries throughout the world in a variety of contexts, including the criminal legal system, the educational system, and the wider community as a way of redefining and reimagining the ways in which we deal with those who harm and those who are harmed.

Restorative justice practitioners have developed numerous definitions of restorative justice over the past several decades, but there are fundamental themes that are incorporated in the majority of definitions used by advocates of this worldview. Restorative justice invites a fundamental shift in the way we think about and do justice. In the last few decades, many different programs have arisen out of a profound and virtually universal frustration with the dysfunction of our criminal legal system. Restorative Justice challenges the fundamental assumptions in the dominant discourse about justice. In the last three decades, many countries have been making an historic shift from justice as harming to justice as healing, from a retributive justice to a restorative justice framework.

Restorative justice has diverse applications. It may be applied to address conflict in families, schools, communities, the workplace, the criminal legal system, and even to address mass social conflict. This last application has been applied, most notably, through the truth and reconciliation efforts and the establishment of a Truth and Reconciliation Commission in South Africa. New Zealand's juvenile justice system adopted a .nation-wide, family-focused restorative approach in 1989, and today, juvenile incarceration is virtually obsolete for crimes other than homicides. A full 70% of youth participants have no further contacts with the justice system. And England, in particular, has pioneered the notion of adopting restorative justice practices and values in all aspects of our communities by creating the first Restorative Justice City in the modern day world in Hull, England.

Inspired by restorative justice activists from around the world, RJOY is working with a local Restorative Justice Council to establish Oakland, California as the first Restorative Justice City in the United States in coordination with a network of dedicated and committed restorative

justice advocates and practitioners. We believe that this vision of transformation and healing will strengthen our community and result in healthier, more resilient children, safer communities and a better future for all of our citizens.

APPENDIX: RESTORATIVE JUSTICE FOR OAKLAND YOUTH

1) RJOY has created the following projects with youth, transition aged youth and adults who have been arrested, convicted, detained, jailed, imprisoned, on probation or parole, providing restorative justice based services. Several of our projects have involved creating opportunities for community engagement and empowerment for people re-entering the community from juvenile hall and jail, involving a similar scope of services to the proposed project.

(a) Restorative Re-Entry Program

RJOY has provided training and technical assistance to staff, youth and transition-aged youth in Alameda County through Alameda County Juvenile Hall, Camp Sweeney, OUSD, ACOE and Alameda County Probation. Due to our extensive experience in providing similar services, we have the capacity to take trauma-sensitive, race-conscious restorative justice programs to scale. As a result, the recidivism rate of formerly incarcerated youth we served dropped to 40% or less. (prevailing rates are in the 75% range.) In addition, school suspensions and disciplinary incidents have decreased significantly.

(b) Community Building and Conflict Resolution Circle Keeper Trainings

RJOY has built a youth-led community “reorganizing” campaign to transform the county’s juvenile justice system through institutionalizing restorative justice while piloting a replicable, youth-centred/transition-aged youth restorative juvenile justice re-entry model. Through this project, we increased pro social support networks for, and greater increased accountability of, formerly incarcerated youth and transition aged youth (TAYs.) Within the next three years, RJOY plans to demonstrate a tested Restorative Re-entry model that decreases youth and TAY re-incarceration and increases positive youth development and engagement.

(c) Truth and Reconciliation Initiative

RJOY has built out a local community-based RJ initiative focusing on youth, families, and alternatives to youth incarceration and launch a national Truth and Reconciliation initiative to address violence against African-Americans in the United States. Nationally, in two years, RJOY plans to release an accessible and striking publication documenting truth-telling and racial-healing work underway in the nation in conjunction with the truth and reconciliation project. Locally in two years, RJOY plans to increase numbers of North Oakland community members trained in restorative justice practices, using them to strengthen community and repair harm.

(d) Community Restorative Justice Education:

RJOY provides speaking engagements, consultation, training, and technical assistance to communities, school districts, and juvenile justice agencies throughout the nation.

2) RJOY's services to people re-entering the community: Currently, RJOY is providing the following services to the re-entry community in Alameda County, focusing on youth, transition-aged youth and adults who have been criminally-justice involved:

(a) Circles of Support and Accountability (COSAs)

RJOY has an intensive training program for Alameda County community members, many of whom are formerly incarcerated and family members of prisoners, in which we train individuals in Restorative Justice practices and circle-keeping. Once our Circle-Keepers are trained, they are placed in COSAs for young people re-entering the Alameda County community. These COSAs provide ongoing support, structure and systems of accountability for youth and transition-aged youth, increasing the likelihood that these young people will remain out of jail or prison, productively engaged in the community, and headed toward a productive and healthy life...

(b) Juvenile Hall/Camp Sweeney Circles

RJOY Staff conduct weekly Circles at Juvenile Hall and Camp Sweeney, using Restorative Justice practices and techniques to work with young people (and some Transition Age Youth) toward healing trauma, developing resilience and learning strong coping strategies. From 2005 through the present, RJOY has worked with over 1000 young people and transition-aged youth in Alameda County who are justice-involved.

(c) Community Healing Circles

RJOY currently conducts several Circles of Support for the wider community in Alameda County, including the Black Men's Circle, the Intergenerational Women's Circle, and the Peer Support Circle (for youth and transition aged youth). We are also in the process of developing a circle that will provide support and services to LGBTQ young people and TAYs of Color. Our specific Circles include:

- Welcome circles
- Emotion Regulation circles
- Life planning circles
- Conflict circles
- Accountability circles
- Family and community reintegration support
- Case management services

Website: www.rjoyoakland.org; for further information: info@rjoyoakland.org