

Implement 'restorative justice' in schools

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By Loren Walker, J.D., M.P.H.

"Your son's been hit in the head by another student," the vice principal said when I answered the phone one day in 1999.

My son was 13 and in the eighth grade. The vice principal added, "The other student has been suspended."

"Please don't suspend him," I asked, fearing it would make things worse.

"It's school policy," the vice principal responded.

When this occurred, I was conducting a restorative justice pilot project. Restorative justice focuses on healing, compared to the criminal justice system's main focus on retribution.

In our project, more than 100 youths arrested for assaults and other offenses were diverted into restorative conferences instead of the justice system.

Youths who admitted wrongdoing met with the person they hurt. The victims and juveniles brought supporters, usually family members, with them to the conferences. Other affected community members, including school representatives when the incidents happened at schools, also participated. A facilitator guided the group's discussion about how people were affected by the wrongdoing and what might help repair the harm.

Participating in the conference was remarkable. While I was a firm supporter of restorative opportunities for youths and adults involved in wrongdoing, participating in one solidified my belief. Our conference included the boy who hit my son, his father, my son, my husband and the principal of the elementary school both boys previously attended (the intermediate school they attended could not accommodate the conference).

Meeting together not only prevented future conflicts between the boys but also helped build friendship between our families. Before the conference, each of our families had made incorrect assumptions about the other. Sitting together in the circle, we learned that we were all doing the best we could and that we all had good intentions. It made us more empathic and compassionate toward each other.

All indigenous cultures, including Hawaiians, have circle processes. Westerners

had them, too, until the Norman Conquest, when the king, and later government, took control of resolving personal conflicts.

There is renewed interest in restorative justice in the modern world with research showing its positive results. More victims prefer it to retributive responses, and in most types of cases, repeat crime decreases. The United Nations cites our Honolulu juvenile study as an example of a restorative diversion program.

Today, if this school incident were to happen in Colorado or California, the boy who hit my son probably would not be suspended. Instead, he likely would be referred to a restorative intervention.

We need restorative programs in Hawaii schools. "Zero tolerance" and suspending students for fighting only pushes the problem into the wider community. Schools should be a place where youths — and adults, too — learn how to address conflict. We cannot banish most students with bad behavior from school and expect them to learn how to get along and care about others.

Restorative approaches can help build relationships for individuals and make our schools and communities stronger. It is a ripple effect. When one person cares about another, others do, too.

While we need to maintain a strong criminal justice system, and teach students there are boundaries, currently we spend more resources on blaming and punishing offenders, and far less for victims.

We need to return to practices that focus on healing, which restorative justice provides.



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