

The Restorative Justice Advisory Committee

2023 Annual Report



Submitted by: The Executive Office of Public Safety and Security

Restorative Justice Advisory Committee

Seat	Member	Appointed By:
Secretary, EOPSS	Undersecretary Andrew Peck	Ex Officio
Secretary, HHS	Scott Taberner	Ex Officio
House of Representatives, Speaker	Representative Simon Cataldo Replaced Rep. Sean Garballey 9.5.23	Legislature
Senate, Senate President	Senator Robyn Kennedy Replaced Sen. Jamie Eldridge 8.8.23	Legislature
President, MA District Attorney's Association	DA Marian Ryan	Ex Officio
Chief Counsel, Committee for Public Counsel Services	Atty. Allison Cartwright	Ex Officio
Commissioner of Probation	Dianne Fasano Replaced Lorna Spencer 10.10.23	Ex Officio
President, MA Chiefs of Police Association	Ret. Chief Fred Ryan	Ex Officio
Executive Director, MOVA	Stephanie McCarthy Replaced Diane Coffey 6.13.23	Ex Officio
MA Sheriff's Association	Andrea Berte	Ex Officio
Retired Trial Court Judge	Hon. Peter Agnes (ret.)	Governor
Restorative Justice	Kara Hayes	Governor
Restorative Justice	Dennis Everett	Governor
Restorative Justice	Susan Jeghelian	Governor
Restorative Justice	Samuel Williams	Governor
Restorative Justice	Vacant	Governor
Restorative Justice	Vacant	Governor

RJAC Statute

The Restorative Justice Advisory Committee (hereinafter "RJAC" or "the Committee") was established by Section 202 of Chapter 69 of the Acts of 2018, An Act Relative to Criminal Justice Reform (hereinafter "*The Criminal Justice Reform Act*"):

"The advisory committee shall consist of 17 members: 1 of whom shall be: the secretary of public safety and security or a designee who shall serve as chair; 1 of whom shall be the secretary of health and human services or a designee; 1 of whom shall be a member of the house of representatives appointed by the speaker; 1 of whom shall be a member of the senate appointed by the senate president; 1 of whom shall be; the president of the Massachusetts district attorneys association, or a designee; 1 of whom shall be the chief counsel of the Committee for public counsel services or a designee; 1 of whom shall be the commissioner of probation or a designee; 1 of whom shall be the president of the Massachusetts chiefs of police association, or a de-signee; 1 of whom shall be the executive director of the Massachusetts office for victim assistance or a designee; 1 of whom shall be the executive director of the Massachusetts sheriff's association, or a designee; and 7 of whom shall be appointed by the governor, 1 of whom shall be a retired trial court judge and 6 of whom shall be representatives of community-based restorative justice programs

or a member of the public with expertise in restorative justice. Each member of the advisory committee shall serve a 6-year term.”

Section 202 of the Criminal Justice Reform Act charges the RJAC with the following obligations:

“The advisory committee may monitor and assist all community-based restorative justice programs to which a juvenile or adult defendant may be diverted pursuant to this chapter.”

“The advisory committee shall track the use of community-based restorative justice programs through a partnership with an educational institution and may make legislative, policy and regulatory recommendations to aid in the use of community-based restorative justice programs including, but not limited to: (i) qualitative and quantitative outcomes for participants; (ii) recidivism rates of responsible parties; (iii) criteria for youth involvement and training; (iv) cost savings for the commonwealth; (v) training guidelines for restorative justice facilitators; (vi) data on gender, racial socioeconomic and geographic disparities in the use of community-based restorative justice programs; (vii) guidelines for restorative justice best practices; and (viii) appropriate training for community-based restorative programs.”

“The advisory committee shall annually, not later than December 31, submit a report with findings and recommendations to the governor, the clerks of the house of representatives and senate and the house and senate chairs of the joint committees on the judiciary and public safety and homeland security.”

RJAC Mission

Promote and expand restorative justice education, practices, and programming statewide in collaboration with practitioners, participants, sponsors, stakeholders, and the general public, for the purpose of fostering healing for people and communities impacted by harm and systemic/structural violence and with an aim towards promoting public safety and accountability.

RJAC Vision

A Commonwealth where community accountability for harm is based on healing and not on retribution, and where effective restorative practices are embedded within schools, public institutions and communities and supported by public policy, programming, funding, and infrastructure.

RJAC Values

- Victim-centered
- Trauma-informed
- Public safety-oriented
- Accountability and healing for all
- Meaningful dialogue

Year in Review

The RJAC’s work in 2023 integrated three initiatives that the Committee had been undertaking in recent years. First, a restorative justice grant program was launched by the Executive Office of Public Safety & Security (EOPSS) with funding appropriated in the FY2023 and FY2024 state budgets and grant-making was done for both fiscal years in consultation with the RJAC which resulted in grant awards to restorative justice programs in communities. Second, Roxbury Community College was engaged by EOPSS, with

AARPA funding secured by RJAC legislative members, to conduct a statewide inventory of community-based restorative justice programs in 2023, building on the RJAC work in 2022. Third, the RJAC submitted an evidenced-based recommendation to state policymakers for the establishment of a statutory MA restorative justice office, in the FY2025 state budget, to serve as the primary administrative and funding agency for advancing restorative justice statewide. These initiatives, particularly the state office recommendation as set forth in a comprehensive research report, represent the culmination of the RJAC's work and are expected to result new public policy that will strengthen the Commonwealth's current commitment to restorative justice.

EOPSS Restorative Justice Grant Program

The Commonwealth Restorative Justice Grant Program, administered under EOPSS, was launched in FY2023 to deliver state funding to community-based organizations that provide RJ programming in low-income communities in MA. State funding of \$380,000 was awarded under this competitive grant program in FY2023 (and again in for FY2024 with the renewal of state funding). There were 14 local RJ programs funded by EOPSS in FY2023. Of the 14 grantees, nine requested \$20,000 in grant funding while the remaining five requested \$30,000 - \$50,000. The funded projects covered a range of RJ activities.

The Commonwealth Restorative Justice Grant Program for 2023 highlights the important role of community-based organizations across MA in addressing social challenges of harm reduction and programming that helps reduce criminal activities. The FY2023 grantees comprise a diverse group of agencies representing the four counties of Suffolk, Middlesex, Worcester, and Hampden. Although the state funding allocations timeline for the FY2023 grant cycle was shorter than expected (February 2023 - June 2023). Each of the 14 grant recipients implemented effective restorative justice programming activities to address a wide array of social needs within their communities.

A summary of the end-of-year progress report for the 14 grantees describes a variety of best practice themes, such as strengthening key partnerships with local law enforcement, training and expanding volunteer skills, identifying and hiring culturally competent staff, creating community spaces for healing, training middle/high school students as peer mediators, adapting programming to meet the needs of community, resolving conflict in schools to improve school climate, using restorative justice framework as an alternative for sentencing and school suspension and enhancing family and community relationship with public institutions.

Some of the lessons learned and challenges described by the FY2023 grantees ranged from needing to increase the cultural competencies of volunteers, balancing participants' caseloads and volunteer training needs, implementation planning that fits with limited time and resources, challenges with community outreach, diverse reading levels of students in school settings, family daycare demands and employment challenges for some participants, MA state reimbursement process puts a financial strain on some grantees. Lastly, working with formerly incarcerated individuals requires more resources and time allocation due to the myriad of personal issues that exist.

Evidence of Success: (voices from the field)

"I will always remember this experience as successful in that the Responsible Party genuinely accepted responsibility for his actions and seemed to understand how his actions impacted others truly. By partaking in this process, I learned that all individuals who commit such actions are not necessarily bad

people, but only someone who needs to learn more about their actions and, as a result, has turned this negative event into a brighter future for that individual." - IP Supporter.

"This process helped better my decision making and repair relationships with people in my life and overall turn my life for the better." - Responsible Party

"It was great because it focused on rehabilitation rather than punishment. It allows the responsible party to think about and realize what they did was wrong, and it gives them a chance to correct that mistake." -Responsible Party

"Our most prominent success is that, with these two schools' successes, we partnered with the school district to offer training to students at nine different schools. The district has funding that will allow us to work with these schools and students more sustainably without being dependent on grant money alone. There are still schools we would like to work with who are not part of this pilot initiative. Still, as things move forward, we hope to partner with the Boston Public Schools to help bring restorative practices and peer mediation to every school in the district." -2023 Grantee

Recommendations for future impact:

1. Six of the fourteen FY2023 grantees are in their second round of state funding for FY2024. RJAC must implement a more formalized support structure to help sites expand their scope of impact and programming sustainability. RJAC must help sites build fluency, competency, and infrastructure to provide validated research evaluation outcomes, data collection measurement tools, and annual program assessments. In the meantime, grantees should be required in the grant-making to self-assess their impact on the public/communities they serve with guidance from the RJAC/EOPSS Office of Grant Research.
2. RJAC must help establish program guidelines and performance expectations to provide clearer program expectations, outcomes, and deliverables. A diverse range of RJ program models are currently being funded. RJAC must offer ongoing technical assistance to ensure restorative justice practices and philosophy are integrated into program activities at all state-funded locations.
3. RJAC should develop and support a statewide networking structure to help cross-train key stakeholders, share best practices, and provide deeper technical assistance capacity support that can help enhance the future success of community-based programs.
4. RJAC must ensure a comprehensive Massachusetts inventory of all existing RJ programs is conducted within 12-24 months. Centralizing this data would provide a better picture of the diverse range of current programming. Over the last several years, restorative justice programs have expanded into various college campuses, Department of Correction and Sheriff facilities, the federal court System, and Mass trial courts. Restorative justice is no longer only being used in community-based settings.

Inventory of MA Restorative Justice Programs

The following summary was provided by Roxbury Community College (RCC) regarding the work done in 2023 under contract with EOPSS for creating an inventory of MA community-based restorative justice programs for the RJAC.

Summary of Roxbury Community College Survey Project for Spring and Summer 2023

The Roxbury Community College (Social Sciences Department) is responsible for developing an inventory of community based (Commonwealth RJ Service Providers in the following regions – Boston Region, Southeast Region, Metro West Region, Northwestern Region, Western Region, and Central Region) Restorative Justice Programs in the Commonwealth. RCC is responsible for creating a comprehensive list that includes contact information, summary of programming, population and geographical area served, etc.

Of the programs identified The RCC accessed:

- a. qualitative and quantitative outcomes for participants
- b. recidivism rates for responsible parties
- c. criteria for youth involvement and training
- d. cost savings for the Commonwealth
- e. training guidelines for restorative justice facilitators
- f. data on gender, racial socioeconomic and geographic disparities in the use of community based
- g. guidelines for restorative justice practice best practices
- h. appropriate training for community based restorative programs

During the Spring 2023, RCC added participants and divided the work by Commonwealth regions. The regions consisted of the Boston and Western Region, Southeast and Norfolk Region, MetroWest and Central Region, and Northwestern Region. Based on the original twenty-nine (29) organizations provided through an Excel spreadsheet by RJAC based on the previous outreach, RCC received responses from five (5) organizations from the previous study and five (5) from other organizations.

On behalf of Roxbury Community College, a public comment on September 12, 2023, and completing the supplementary online survey regarding the comments I contributed to the Public Comment Period on Proposed MA State Restorative Justice Office.

During the Spring 2023 semester through the summer of 2023 data collection was done. The questions sent via an online survey totaled 44. There were only 10 respondents to the online survey. The survey was scheduled to be provided to identified participants; however, it proved to be too long to be completed via telephone; no telephone results were gathered.

Next steps are for a continuation, of the data collection through qualitative methods such as focus groups and interviews during the Spring 2024 semester.

In August, the RCC provided the RJAC with the raw data from the ten responses to its online survey. The data was analyzed by the researcher deployed by the RJAC's State RJ Office Subcommittee and included in the RJAC research report dated November 2023, Appendix B. (For more information on the research report see State Restorative Justice Office section below.)

State Restorative Justice Office

In the RJAC 2021 annual report the Committee identified the need for a state-level RJ office to support community-based programs and embed restorative justice in communities and public institutions statewide. In its 2022 annual report, the RJAC set as a priority the drafting of an enabling statute and funding request to establish the MA Office of Restorative Justice in the state budget process. To create the official recommendation, the RJAC formed the State RJ Office Subcommittee in January 2023. During the period of February to October 2023, the Subcommittee Chair deployed a researcher to investigate MA programs and other state RJ initiatives to inform the Subcommittee's work.

The researcher gathered data on 25 restorative justice systems/functions in other states, with a particular focus on initiatives sponsored by governments and/or codified in statutes/legislation, as well as information on two MA state office models in related fields – the Massachusetts Office of Victim Assistance and the Massachusetts Office of Public Collaboration. The RJAC Subcommittee study of other state RJ systems was done through secondary and primary research to understand the key components and benchmark them against the desired criteria set by the RJAC for a sustainable MA office of RJ.

The researcher also reviewed initial data on local MA restorative justice initiatives collected by the RJAC Questionnaire Subcommittee and by Roxbury Community College (RCC) for the RJAC and information on individual restorative justice practitioners in MA provided by a knowledgeable RJAC member. In addition, the researcher investigated current MA state-funded RJ grant programs under the Executive Office of Public Safety and Security (EOPSS) and the Massachusetts Probation Service (MPS) and a new state-funded grant program initiative for court RJ pilots under the Supreme Judicial Court Committee on Restorative Justice. Examples of cost savings from RJ and cost savings from reduced incarcerated rates invested in justice alternatives, including RJ practices, were also investigated.

The Subcommittee's research showed that MA community-based restorative justice programs are in need of resources, that current MA state-funded restorative justice grant programs are limited in scope and not well funded, that other states have offices that support local and statewide RJ initiatives and that most comprehensive state RJ systems are: a) supported by state operational funding for a range of core institutional functions and staffing leveraged to raise additional diverse public and private investment; b) established by legislation to ensure stability, public accountability, and quality of services; and c) reservoirs of best practices, providing centralized fundraising, grant-making, standards, technical assistance, training, research, evaluation, advocacy and responsiveness to communities.

Based on this research, the Subcommittee proposed and the RJAC adopted a framework for MA Office of Restorative Justice as follows: that the office be a knowledge-based statutory entity with statewide jurisdiction serving communities and all three branches of government; that it be located in a neutral place within state government; and that it be funded by state appropriation as well as grants and fees; that the office function as the primary administrative and funding agency for all public RJ initiatives in MA and that it have authority for policymaking, fundraising, grant-making, standard setting, program development, research, technical assistance, training, capacity-building, public education, and convening; that it have a statutory advisory committee of system holders and community representatives for guidance; that the operating budget be \$3 million to cover salaries for eight full-time staff and grants for agency, court and community-based programs; and that state funding for the office come from justice reinvestment initiatives and the Cannabis Social Equity Trust Fund.

This framework for the MA Office of Restorative Justice was incorporated in a detailed program design, operating budget and proposed enabling statute, which were finalized after a public comment period and consideration of close to 120 comments, many of which were adopted by the RJAC.

To provide an evidence base in support of the RJAC's recommendation that the MA Office of Restorative Justice be established and funded in the FY 2025 state budget, the Subcommittee prepared a comprehensive report that described the research findings and considerations that influenced the RJAC's recommendation, along with a proposed implementation plan and timeline with a role for the RJAC in launching the office's operations.

The RJAC recommendations to establish the MA Office of Restorative Justice as embodied in the report were adopted by the full Committee in November and submitted to the Governor's Office in December.

For further information see RJAC Research Report: *Review of State Restorative Justice Initiatives & Recommendations for a Massachusetts Restorative Justice Office*, dated November 2023, posted on EOPSS website.

Looking Forward

Restorative justice is more cost effective than incarceration. It reduces recidivism, prioritizes rehabilitation over retribution, promotes community healing, empowerment, and social equality, and humanizes justice. By enacting the legislation creating the RJAC, the Commonwealth recognized that promoting restorative justice is sound public policy. The establishment and annual funding of the MA Office of Restorative Justice would significantly expand restorative justice practices and programming within the state and serve as an effective vehicle for implementing the Commonwealth's commitment to restorative justice.

The RJAC recognizes that the work of promoting, strengthening, and expanding restorative justice would just be beginning with the establishment of the state-level office. There are many outstanding historical and structural issues that need to be addressed by MA citizens, communities, and institutions. The MA Office of Restorative Justice would be a catalyst for dialogues and circles to engage in these critical discussions and take necessary actions toward healing and accountability.

The RJAC plans to begin this work in 2024 with local and regional dialogues convened in partnership with local restorative justice programs and practitioners and other community-based initiatives. The RJAC is continuing its State Office Subcommittee to work with the agency under which it will be housed in preparing for operational needs including job descriptions for office staff that will help launch the office in early FY2025 if the proposed funding and statute are adopted by the Governor and Legislature.

As the Court moves forward with its RJ programming in the coming months, the RJAC plans to offer assistance to the Supreme Judicial Court Committee on Restorative Justice where that may be helpful.

Annual Report Subcommittee Members:

1. Susan Jeghelian
2. Samuel Williams