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Executive Office of Public Safety and Security

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MEETING MINUTES
RESTORATIVE JUSTICE ADVISORY COMMITTEE

Date: October 12, 2021

Time: 11:00AM-1:00PM

Microsoft Teams Virtual Location: [Click here to join the meeting](#)

Or call in (audio only) [857-327-9245](tel:857-327-9245) **Phone Conference ID:** 340 146 417#

Agenda Items:

1. Call to Order

The meeting was called to order by Chairman Andrew Peck at 11:10am.

		<u>Video/Call</u>	<u>Absent</u>
1	Chair -Andrew Peck	X	
2	Scott Taberner	X	
3	Peter Rondeau*	X	
4	Leonard Goodwin**	X	
5	Becky Michaels	X	
6	Allison S. Cartwright		X
7	Commissioner of Probation-Vacant		X
8	Ret. Chief Fred Ryan	X	
9	Stephanie McCarthy***	X	
10	Mary Quinn		X
11	Judge Rosemary Minehan		X
12	Kara Hayes	X	
13	Carolyn Boyes-Watson	X	
14	Erin Freeborn	X	
15	Restorative Justice Seat-Vacant		X
16	Susan Jeghelian	X	
17	Strong Oak Lefebvre	X	

*Designee for Sen. James Eldridge

**Rep. Sean Garballey

***Diane Coffey

EOPSS Staff: Arielle Mullaney and Anjeza Xhemollari

Others in attendance: Over 5+ members of the public attend the open meeting.

2. Welcome

Chairman Andrew Peck welcomed all committee members and attendance was taken.

3. Review and Approval of Meeting Minutes from September 14, 2021

Roll call was taken to approve the meeting minutes. Kara Hayes made a motion to approve the meeting minutes, second by Scott Taberner. Meeting minutes were approved unanimously.

4. RJAC: Mission Statement Working Group

Over the summer months, members of the RJAC were asked to write a brief statement of what they would like to see as the goal/mission of the RJAC. The responses of thirteen members were used to synthesize the different themes. The purpose of this working group was to guide the conversation in a circle format regarding the goals and mission of the RJAC in its remaining statutory term.

Erin was the circle leader. Carolyn read statements from members that were not present. In the first round, each member read aloud their mission statement with no further edits. In the second round, committee members reflected from each other after hearing statement of others.

The working group identified the following *common themes across the 13 responses* and highlighted them into different categories.

1. Funding/ resources
2. Office / infrastructure
3. Training
4. Guidelines / Best Practices / recommendations / reports
5. Diversity of perspectives / engage more voices / expand RJAC membership
6. Education / Promotion of RJ / Conference
7. Survey / inventory / registry

1. Diane Coffey

- To identify existing RJ programs/initiatives and gain a deeper understanding of the work.
- To gain an understanding of the wide-range application for RJ.
- To create a broad framework/definition of what RJ is and what it is not and how it is integrated into criminal justice reforms.
- To engage and educate the broader provider community and general public.

All we do should be trauma-informed and victim -centered.

2. Strong Oak

The mission of the RJAC is to promote public safety through meaningful dialogues among those who are victimized, those who commit harm, and members of the community in the pursuit of accountability and healing of all. Our vision is to build a justice system based on healing and not on retribution.

3. Susan M. Jeghelian

Here are my thoughts about the RJAC's mission and work:

Role: I believe that the RJAC should play both an advisory and an educative role in promoting restorative justice in MA, and not a regulatory one. Initially this role involves educating ourselves about the various approaches and programs currently happening in MA, as we have been doing through presentations and information gathering surveys which could expand to follow-up interviews and focus groups, and/or conferences with programs, practitioners, and sponsors. As we engage others, we need to educate them (and the public) about who we are, what our purpose is and how practitioners and the public can benefit from and be impacted by our work. Before we issue recommendations, we should also educate ourselves about what is happening around RJ systems in other states and countries. This could be done through research by university students, remote interviews with successful systems, and potentially exploratory site visits when travel is safe again.

Mission/Purpose: I believe that the RJAC's charge is to advise and educate policymakers, public officials, and public institutions (courts, DYS, DCF, DMH, law enforcement, public schools) on how to build restorative justice programs and integrate restorative practices into their services. This would entail providing recommendations for: a) the establishment of RJ infrastructure and resources; b) guidelines for assuring quality and accountability in the public programs that use RJ for juvenile and adult diversion, post-disposition, reentry support and other purposes, which would include recommended best practices and criteria/standards for training practitioners and selecting and assessing community-based RJ programs for delivery of services, and frameworks for community outreach and prevention work; and c) guidance for investment of public funding and resources in RJ.

Process: I agree that public and stakeholder input into the RJ explorations and recommendations should be expanded through informal subcommittees and other types of collaborative engagement forums such as conferences and learning exchanges. I also agree that our statute should be amended to expand the RJAC membership to include more community slots for people currently incarcerated, people recently experiencing reentry, and people completing RJ processes as responsible or impacted parties.

Outputs: I believe that the RJAC should work collaboratively with stakeholders and policymakers to produce a set of recommendations that promote and strengthen community-based and publicly sponsored restorative justice programs and restorative practices in the state, including:

- 1) Recommending a specific amount of state funding to be appropriated for investment in building restorative justice infrastructure and programming.
- 2) Recommending the establishment and funding for a state level RJ office to serve as a:

a. State-level knowledge-based resource for **best practices** and guidance for public agencies, courts, schools, and communities seeking to deploy RJ/RP, establish evidence-based programs, train practitioners and **educate** constituencies; providing access to a repository of resources and information to share among public agencies and practitioner networks, including **guidelines**, standards, and models; maintaining data on RJ.

b. Conduit/administrator/grant manager for state and other funding; designer of state and foundation-funded pilot projects; collector of data for program evaluation and research to document successful models and **best practices** and demonstrate impact for state/public investment and replication of programming; and

c. **Convener** of collaborative learning through statewide conferences, reflective practice and other forums to **engage** with MA RJ programs, practitioners, victim rights organizations, correctional agencies/facilities, reentry organizations, scholars, policymakers, funders in collaborative policy and program development.

3) Recommending policy and legislation to strengthen and improve restorative justice programs and practices in MA and eliminate barriers to access and effective implementation.

4. Becky Michaels

Here's an attempt to summarize what I think our role should be:

The mission of the RJAC is to affirm restorative justice as an alternative to the court process by supporting community-based restorative justice programs throughout the Commonwealth. The RJAC serves as a **resource** by providing assistance regarding programs, **funding**, partnerships, capacity-building, and in other substantive and/or administrative areas.

5. Carolyn Boyes-Watson

I believe the mission of the RJAC should be to **promote** and support the growth of restorative justice practice within the Commonwealth.

We can fulfill this mission through many different activities:

- increasing public awareness of restorative justice through convening of **conferences** or commissioning or issuing public **reports**;
- educating legislators about RJ and its potential;
- educating state government agencies about restorative justice;
- recommending additional legislation;
- obtaining funds for grants to support community-based RJ;
- investing in strategies to support leadership from affected individuals/communities with focus on inclusion, equity and **diversity**

To fulfill this mission, the RJAC can begin by making an assessment of the state of RJ practice within the Commonwealth – the goal of our **inventory** – and to identify the needs of the RJ practitioners’ community – the goal of our upcoming interviews. Under our current structure as defined by the statute that formed this Advisory Committee, we are without funding to pursue any of the above. I believe that the RJAC needs to become a legislatively funded **office** of Restorative Justice with a clearly defined mission to **promote** and support the development of Restorative Justice.

6. Kara Hayes

Integrate **Voices of Community and Victims of Crime into the Legal Process (our committee’s statutory mandate)**

Support the creation and expansion of restorative practice within the legal system. This requires a deep awareness of the people impacted by the law- not just those charged with a crime but the needs of victims and impacted communities. This is particularly true with criminal law where outcome is often divorced from the “lived experience” of all parties.

Promote Restorative Responses and **Diversity of RJ Programming**

Recognition that grassroots organizations in Massachusetts should have more capacity to implement responses to conflict that heal, listen to the needs of victims and create personal growth and accountability for offenders. We should be a mechanism for restorative justice practitioners in the area to connect, collaborate, and share **best practices**. There should not be a monopoly by any one program in the state and we should commit to developing a robust base of programming that is reflecting of **lived experience, language equity and diverse voices**.

Facilitate Opportunity for Equitable **Training Opportunities**

Bridge the socioeconomic and language access gaps in restorative justice practice within Massachusetts. The RJAC could be an entity where **training** and access to resources is afforded to everyone regardless of ability to pay for **training** and help to make this modality accessible outside of the suburban/White spaces it has flourished in (due to the expense of programming, and the expense of **training**).

Create **Guidelines for Restorative Practices**

Create **guidelines** of practice for facilitation of restorative justice programming that support community-based practice while offering **guidelines** on participation, impartiality, conflicts of interest, use of victim surrogates, facilitator competence, safety, confidentiality and quality of the process.

Support a Cultural Shift

We engage in this process of a committee together in the hopes of generating ideas, collaborations and relationships that can give birth to restorative solutions for our neighbors and for systems. We lean on and learn from each other as people who have a commitment to restorative options for victims and offenders, and community engagement in the aftermath of harm,

There are a number of crucial steps that contribute to the effective implementation and sustainability of restorative justice initiatives. They include legislation (beyond our current

statute); leadership and organization; supporting the creation of statewide office for Restorative Justice, securing a buy-in by the criminal justice system; identifying and mobilizing community assets; carefully designing the program to build on the existing strengths of the community and the justice system and account for existing contingencies; and careful planning and monitoring of the implementation process.

7. Mary Quinn

These are my thoughts at the moment, always open to new insights and information:

The Mission of RJAC is to identify, communicate about and help develop new statewide community based restorative justice programs in MA.

We will accomplish this by:

- 1) Reviewing and communicating with present stakeholders and practitioners in current programs
- 2) Expanding the sub-committees by inviting more women and men of color and women and men who are incarcerated, those in reentry processes and citizens who have actively participated in restorative justice programs to broaden our perspectives
- 3) Sponsoring a state-wide conference to present examples of the work being done and to invite new ideas and directions for new programs
- 4) Partnering with an educational institution to assist in advancing our work
- 5) Keeping abreast of the current mandatory reporting legislation
- 6) Addressing systems in our state that are not restorative in nature

8. Rosemary Minehan

Court Perspective:

1. To provide a community forum for RJ that includes marginalized persons and groups.
2. To empower victims of crime to have a voice in RJ practices within the community.
3. To create RJ initiatives within the statutory framework under Massachusetts law.
4. To inventory restorative justice models currently in place in Massachusetts.
5. To enhance public safety through a collaborative approach to supporting RJ initiatives.
6. To divert/reduce, in appropriate cases, first offenders who are charged with crimes in the juvenile/district/municipal court systems.
7. To provide a resource for literature, articles and training initiatives on RJ practice.

9. Senator James Eldridge

"The Restorative Justice Advisory Committee (RJAC) should strive to expand restorative justice practices across Massachusetts, including courts, law enforcement, correction facilities, schools, social justice organizations, and communities. The RJAC believes that justice is more likely to be achieved when the response to crime focuses on the resulting harm to human relationships rather than on the laws that were broken. In order to expand restorative justice practice across the Commonwealth, the RJAC, in the spirit of justice reinvestment, advocates for resources saved

from reduced incarceration rates to be invested in justice alternatives, including restorative justice practices."

10. Representative Sean Garballey

The mission of the Restorative Justice Advisory Committee should be to build a foundation where Restorative Justice can be used and be successful in every corner of the Commonwealth. In order to make sure the mission of the Restorative Justice Advisory Committee is accomplished, we need to set a number of goals. The first goal should be to track the use of community-based Restorative Justice programs and create a **comprehensive list** of these programs in the Commonwealth. This list should be agreed to by the committee. Other goals of the Restorative Justice Advisory Committee should be legislative **recommendations** on creating more opportunities for creating Restorative Justice programs statewide, establishing Restorative Justice practices in schools across the Commonwealth, and recommending that the legislature create an **Office** of Restorative Justice, which will allow the mission of the Restorative Justice Advisory Committee to succeed.

11. Erin Freeborn

The Massachusetts Restorative Justice Advisory Council increases access to restorative justice alternatives in the legal system, and beyond, by providing information to practitioners, creating **networking opportunities** to introduce or deepen RJ practice, and serving as a clearinghouse for financial or advocacy support to advance the field of restorative justice.

This work may be possible by 1) publishing an **inventory** of programs and practitioners who are willing to take case referrals from the legal system; 2) collecting, synthesizing, and distributing **best practices** across the state; 3) creating and sustaining an **Office** of Restorative justice to carry out further **funding** and **training** opportunities.

12. Allsion Cartwright

My thoughts regarding the RJAC's mission is that the legislature should expand it to include the following:

1. An Executive Director (or similar title/position) either full time or part time paid position with the responsibility to (1) assist the committee, (2) collect and interpret data from RJ programs and efforts throughout the Commonwealth, (3) other reasonable duties as needed by the committee.
2. An Administrative Assistant to aid the Executive Director (or similar title/position).
3. Give RJAC authority to approve pilot programs for District and Boston Municipal Courts to use in at least 4 counties throughout the Commonwealth for a minimum of 18 months, and to assess these programs with an eye toward making **recommendations**, if needed, to expand RJ programs to all District, BMC, and Superior courts statewide in the event RJAC deems the pilot program a success.

13. Scott Taberner

My suggested mission statement for the council is as follows:

The Restorative Justice Advisory Council shall inventory and maintain a **registry** of Restorative Justice programs operating in the Commonwealth. The Council shall also encourage and support the development and operation of restorative justice programs as an alternative to court proceedings and sentences to Probation, adult correctional facilities and commitment to the Department of Youth Services. The Council shall establish **guidelines** and standards for restorative justice programs that may serve as an alternative to court proceedings and sentences to Probation, adult correctional facilities and commitment to the Department of Youth Services.

In a discussion of rounds and input from the public, the Committee had *consensus on the following issues*:

- RJAC serves an advisory not regulatory function
- There is a strong desire to expand RJ across the Commonwealth in many sectors including criminal-legal system; schools; and community
- The role of the RJAC is educational/promotion/support/advocacy
- Further legislation to support RJ in the Commonwealth is necessary
- The Commonwealth needs an office with funding and staff to support growth of RJ
- There is a desire to expand the membership and diversity on the current RJAC

The Committee had *broad categories* regarding:

1. What the RJAC, as it is constituted currently, can and should accomplish
2. Creation of a future funded entity with the Commonwealth to promote RJAC.

5. RJAC: Looking Forward

Susan who oversees the Looking Forward section on the Annual Report will work together with Carolyn and Erin to capture the focus areas for the remaining three years of RJAC. Erin and Carolyn will also attend the next Annual Report Subcommittee meeting to connect with the other members and propose next steps as it pertains to the vision and mission statement of RJAC.

6. The Annual Report Subcommittee

Anjeza Xhemollari gave a quick update about the ongoing Annual Report Subcommittee. Members were tasked writing different sections of the report and were given deadlines as to when they should be completed. The second meeting of the Annual Report Subcommittee is scheduled for November 4, 2021 at 10AM using Microsoft Teams.

7. Public Comment (10 minutes)

Jo-Anne was impressed with the committee's discussion. Have attended for 2 ½ years and this had been great. Talked about groups that don't call the police, such as domestic violence victims. Jill-echo what Jo-Anne has said. Maybe email comments to Anjeza. Maria-enjoyed the dialogue. Would support the need to continue the actual work. Such as expansion and making it more concrete. Bring RJ to the table and into the system. be part of the process that designs. Create an office. Play a supporting role to the community. Brenda-very appreciative of the conversation.

8. Open Session for Topics not Reasonably Anticipated within 48 Hours of the Meeting

Susan asked about how to include non-voting members to the board. To have a process of review and selection.

Erin asked about the process of the vacant seat of probation and replacement of Cheis Garrus.