

Directive 501.01 Restorative Justice Programs

**STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

Directive: 501.01

Subject: Restorative Justice Programs
Effective Date: August 2, 1999 **Review and Re-Issue Date:**
Supersedes: NEW **APA Rule Number:**

Recommended for approval by:		Authorized By:	
_____	_____	_____	_____
Signature	Date	Signature	Date

1. Authority:

1.1. Title 28, Chapter 1, Section 1; Title 28, Chapter 3 section 101(10); Title 28 Chapter 3, Section 102(b) subdivisions (1), (2), (18).

2. Purpose:

2.1. To establish a system for developing, implementing, operating, managing and evaluating r-" restorative justice programs which ensures that:

2.1.1 Restorative methodologies selected for use in DOC restorative justice programs are consistent with restorative justice best practice;

2.1.2 Restorative justice programs established in operational units are consistent with current strategic plan, policy and program design;

2.1.3 Persons victimized by crime, community members, offenders and staff who participate in restorative justice programs understand the goals of the program and are oriented to participate effectively in the restorative justice methodology being used in the program;

2.1.4 Restorative justice programs meet operating restorative justice goals, and best practices established for each methodology;

2.1.5 Restorative programs are measurable and achieve their outcomes.

3. Applicability/Accessibility

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3.1. This procedure applies to all operating units, field and facility in the Department. This directive may be viewed by anyone.

4. Directive

4.1. Operational Outcomes for restorative programs:

4.1.1 Restorative justice processes bring all the parties with a stake in a particular offense/conflict together to resolve, collectively, how to deal with the' aftermath of the offense/conflict and its implications for the future. If the processes work well, two outcomes will be achieved:

4.1.1.1 The needs of the person victimized are addressed as follows:

4.1.1.1.1 The needs of the person victimized or harmed by the crime/conflict are addressed and to the greatest degree possible they experience restoration:

The person harmed by the crime/dispute gets an opportunity to tell his/her story and to talk about the harm done by the crime/dispute. The person victimized must come to believe the harm suffered has been acknowledged and understood by the offender. They must also feel that the community has empathy for them as a result of the harm done. The person victimized must also have an opportunity to participate in the resolution of the case and to be asked what he/she needs. Finally, they need to be compensated for the harm done to them.

4.1.1.1.2 The offender/perpetrator makes amends to the person harmed by the crime/dispute:

Offenders are encouraged to understand and take responsibility for what they have done and to participate in the process of determining how they can make amends for the harm done to the person victimized. the offenders are also encouraged and are given an opportunity to make things right.

4.1.1.1.3 The relationship between the person harmed by the crime/dispute, offender or others affected by the crime/dispute is addressed:

If appropriate, the offender, the person victimized by him/her and persons affected by the crime/dispute are encouraged to meet and exchange information about the event and each other.

4.1.1.2 Communities are restored as follows:

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4.1.1.2.1 The offender/perpetrator makes amends to the community:

Offenders are encouraged to understand that their criminal conduct adversely affects the community's quality of life and, as such, the community is harmed by the criminal behavior. The offenders recognize the importance of making amends and that through making amends they can renew a positive social contract with all parties. Restorative acts should be visible, tangible symbols of apology and community improvement. Offenders and/or perpetrators should participate in the process of how to make amends.

4.1.1.2.2 The repaired community acknowledges that the offender has demonstrated responsible behavior and offers re-integration to the offender/perpetrator:

Offenders are encouraged to understand and address factors contributing to their criminal conduct and make positive change. Offenders who complete restorative programs participate in closure events. These events, which include the community members and person victimized (when appropriate) are designed to acknowledge completion of the restorative work and celebrate the offender demonstrating being a responsible part of the community.

4.2. Use of Restorative Justice Methodologies:

4.2.1 Restorative justice methodologies shall be used in conjunction with restorative justice programs established in accordance with this directive.

4.3. Process to Establish Restorative Justice Programs:

4.3.1 Approval of the Director to develop a RFP

4.3.1.1 The Director of Community and Restorative Justice Services must approve a request to develop all restorative justice programs in the department.

4.3.2 The Director of CRJ can approve development of a restorative justice program in one of three ways:

4.3.2.1 Approval of a unit's or director's strategic plan that includes establishing a restorative justice program.

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4.3.2.2 Approval of a request by the manager of an operational work unit or director of a functional area to develop a new restorative justice program not identified in the strategic plan.

4.3.2.3 A Request for Proposal process in which operational units or communities may respond to requests to develop restorative programs published by the department.

4.3.3 Submitting a request to develop a RJ program:

4.3.3.1 The highest ranking manager or supervisor in an operational unit or the director of a functional area can request approval to develop a restorative justice program by submitting a memo to the Director of Community and Restorative Services. The memo will outline the purpose and rationale for developing a new restorative justice program. The Director will decide to approve development of a new proposal based on the following factors:

4.3.3.1.1 Fit with department's strategic plan

4.3.3.1.2 Sufficiency of resources to operate the program

4.3.3.1.3 Relationship of proposed program to other restorative justice program priorities in the department

4.3.3.1.4 Current fit with the unit's role

4.3.3.1.4 Department policy

4.3.4 Submission and Component Specification:

4.3.4.1 If the request to develop a program is approved, the manager/director will conduct a project planning process and prepare a component specification document. The component specification will be approved for submission to the OEMT by the Director of Community and Restorative Services.

4.3.5 Authorization:

4.3.5.1 The OEMT is responsible for reviewing and approving the component specification. If the OEMT approves, it is sent to the Commissioner for authorization.

4.3.6 Request for Proposal (RFP):

4.3.6.1 The department may publish Requests For Proposals to develop restorative justice programs. The Director of Community and Restorative Services will be responsible

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for publishing a RFP. The RFP will set forth the purpose, outcomes, management objective and principles underlying the RFP. Units or agencies who respond to the RFP will be required to submit a written proposal and may be required to present the proposal to the Director of Community and Restorative Services. ,

4.4 Restorative Justice Program Manual:

4.4.1 The Director of Reparative Programs will promulgate and keep current a manual that describes authorized restorative justice programs. The manual will serve the purpose of providing direction for best restorative justice practice to operating units who are developing restorative programs at their sites. The manual will include the following information about each restorative justice program:

4.4.1.1 Program purpose

4.4.1.2 Target population

4.4.1.3 Methods and design to include:

4.4.1.4 Description of program operations

4.4.1.5 Describe participation of victim, community, offender, staff

4.4.1.6 Restorative methodology employed

4.4.1.7 Training for community, victims, offenders, and staff

4.4.1.8 Quality standards

4.4.1.9 How methodology meets restorative justice goals

4.4.1.10 Outcome measures

4.4.1.11 List of work units currently authorized to implement restorative justice programs and the restorative programs authorized for those units

5 Training Method

5.1

6 Quality Assurance Processes

6.1

7 Financial Impact:

8 References

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9 Responsible Director and Draft Participants

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