



Restorative justice an option for young offenders

By Kamika Dunlap
Oakland Tribune

Posted: 11/20/2008 07:39:16 PM PST

Updated: 11/20/2008 11:08:58 PM PST

OAKLAND — The consequences for the 13-year-old boy accused of bringing a loaded gun to school are serious.

He faces expulsion from Cole Middle School and has been charged with five weapons-related misdemeanor counts, authorities said.

No one was injured Tuesday morning when the gun went off in class. The bullet struck a heater and ricocheted.

The incident left all involved shocked and upset. It could have been tragic.

The boy was arrested and now is among many other youth offenders who end up in the juvenile court system.

But instead of responding with iron-fisted justice, do cases like this one provide a teachable moment and serve as an entry point for restorative justice intervention?

The practice of restorative justice makes it possible to address harms, needs and causes, advocates say, adding that it is a model that enforces accountability, encourages moral transformation and meaningfully involves victims.

"We would like to see a restorative intervention at any number of entry points along the continuum of the juvenile justice process," said Fania Davis, attorney and co-founder of the Restorative Justice for Oakland Youth organization. "But if a youth denies responsibility, there's nothing we can do."

RJOY is made up of community organizations, lawyers, judges, policymakers, educators, elected officials and youth who work to improve the lives of young people involved with crime. It was co-founded by activist Aeshah Clotney and Oakland City Councilmember Nancy Nadel (Downtown-West Oakland). The group advocates for restorative justice practices to address youth mental health and behavioral issues.

In addition, they provide wrap-around and case management services for truants and probation youth for their successful re-entry into the community and school.

Davis said the overall goal is about community transformation and reconciliation.

Restorative justice can be implemented at any stage of the juvenile judicial process. It could be used to determine how a youth will be required to make amends and involve a community circle for sentencing.

After the youth serves a sentence, a restorative circle of support may be formed and include the victims, family, friends and spiritual elders to offer support and accountability.

"It gives people (a chance) to say how they were devastated and hurt," Davis said. "It also creates an opportunity for the youth to empathize, which is a critical factor for moral transformation."

Diana Davila-Bonilla, associate director of

Advertisement

Advertisement

insideBayArea.com

(800) 755-7323

Subscribe today!

www.insidebayarea.com/services

Print Powered By FormatDynamics™



Community Partnerships at McCullum Youth Court, agreed.

She said youth offenders have a second chance through restorative justice. Youth court is designed to hold youth accountable in a meaningful, restorative manner through empowering opportunities.

"Restorative justice works on so many different levels and for so many different people," Davila-Bonilla said. "It helps the offender come full circle."

Authorities confirmed the 13-year-old has a prior criminal record, including arrests for robbery and auto theft, but has only been convicted of auto theft. His six-month probation term ended early this year, authorities confirmed.

The youth remains in custody on gun charges.

Cole is one of the city's 21 pilot schools at which RJOY has integrated restorative justice practices as a way of addressing conflicts. The model allows a person responsible for harm to make amends and the person harmed to begin the process of healing.

Since the shooting, students have formed their regular "talking circles," where they can find support, air their feelings and communicate their needs. They also came up with a list of solutions detailing what the school needs to do to keep them safe.

"It was a shock to everyone," said Rita Alfred, one of Oakland Unified School District's restorative justice counselors and a member of the staff at Cole. "We talk about this subject, and they know they have voice and power for how they deal with this."

In general, restorative justice aims to make an impact on three levels: community, self and the

victim.

Last year, Cole switched from a zero-tolerance policy to using restorative justice practices allowing students to help shape the culture of the school. As a result, the school has seen a drop in the number of suspensions and physical conflicts.

The Alameda County Restorative Juvenile Justice Strategic Planning Committee is designing a training program for restorative justice practices. Next year, it hopes to implement it countywide to all agencies directly working with the juvenile court system.


In the meantime, Cole is being reclaimed as a zone of peace.

The Friends of Cole group, RJOY and the Attitudinal Healing Connection are planning a concert. Davis said it is a part of an ongoing effort to provide workshops and activities for students and their families.


"This will be an opportunity to bring people together in a vocal and beautiful cry for peace."

Reach Kamika Dunlap at kdunlap@bayareanewsgroup.com or 510-208-6448.

Advertisement

 **(800) 755-7323**

Subscribe today!
www.insidebayarea.com/services



Print Powered By  FormatDynamics™