

Evaluation of the Implementation of Restorative Justice Programming in Connecticut's Judicial Branch and Department of Correction Secure Youth Facilities

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Overview

In 2018, with the support of the Hartford Foundation for Public Giving, the Center for Children's Advocacy (CCA) began a multi-year project to bring restorative justice programming into secure facilities used for youth in Connecticut's juvenile justice system and adult criminal justice system. Since that time, CCA has partnered with the Center for Restorative Justice at Suffolk University to develop and implement restorative practices in the state's two secure juvenile detention facilities, which are operated by the Judicial Branch, and the secure facility that houses youth under 18 who are charged and sentenced in the adult criminal justice system, which is operated by the Department of Correction (DOC).

One of CCA's original goals in partnering with the Center for Restorative Justice was to introduce the use of restorative practices to reduce the number of disciplinary incidents in each facility. These include incidents involving altercations between youth and altercations between youth and staff, both of which can result in the use of force, the use of isolation, and other responses that can result in longer or more restrictive confinement of youth. CCA also sought to evaluate the implementation of the impact of restorative practices more generally, including on youth, staff, and the agencies responsible for operating those facilities. With the support of the Hartford Foundation for Public Giving, CCA entered into an agreement with the Center for Children's Law and Policy (CCLP) to conduct such an evaluation.

By way of background, the Center for Children's Law and Policy is a national public interest law and policy organization focused on the reform of juvenile justice and other systems that affect vulnerable children, and the protection of the rights of children in those systems. CCLP's staff work to help jurisdictions throughout the country make their juvenile justice systems more equitable and effective. Over the last 15 years, CCLP has worked on reforms in 32 states and the District of Columbia. CCLP has played a leading role in the largest juvenile justice reform initiatives in the country, including the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) and the John D. and Catherine T. MacArthur Foundation's Models for Change Initiative. CCLP has significant expertise in conditions of confinement, including as the coordinator of a national campaign to end the use of isolation in facilities that house youth, [Stop Solitary for Kids](#).

As outlined in more detail in the Methodology section, this evaluation captures CCLP's observations and assessments related to two primary questions:

- 1. What were the strengths and challenges of the implementation of restorative justice practices in Judicial Branch and Department of Correction facilities?**
- 2. What are the key lessons learned for agencies and facilities looking to replicate the implementation of restorative practices in youth facilities?**

Methodology

As part of CCLP's evaluation of the implementation of restorative practices in Judicial Branch and DOC facilities, CCLP gathered quantitative and qualitative information through a range of activities, including:

- (1) Reviewing the activities, timelines, and outcome measures proposed by CCA as part of its application for funding from the Hartford Foundation for Public Giving.
- (2) Conducting numerous stakeholder interviews and meetings with staff at CCA, the Center for Restorative Justice, the Judicial Branch, the DOC, as well as with young people in facilities where restorative practices had been implemented.
- (3) Assisting with the development of standardized data reports on the Judicial Branch's implementation of restorative practices, along with related outcome indicators, that are disaggregated by race and ethnicity.
- (4) Reviewing quantitative data provided by the Judicial Branch regarding the implementation of and outcomes associated with the use of restorative practices.
- (5) Reviewing other documentation provided by individuals related to the implementation of restorative practices in the Judicial Branch and DOC facilities housing youth.
- (6) Reviewing available information on the implementation of restorative practices in facilities that house youth beyond the work in Connecticut to provide additional context for this evaluation.

As one would expect, COVID-19 heavily impacted the implementation of restorative practices during the evaluation. In addition to significant reductions in youth populations in facilities during the pandemic, public health precautions made it impossible to continue the use of restorative practices during periods of the pandemic as planned (e.g., the inability to gather in circles; suspending the use of a talking piece as a precautionary measure). As addressed in more detail in the evaluation, this makes it impossible to draw firm conclusions regarding the impact of restorative practices on certain outcome measures, such as reductions in disciplinary incidents or uses of force. However, the evaluation does reference descriptive data when appropriate to illustrate aspects of the implementation of restorative practices.

The pandemic also impacted this evaluation, with all interviews and focus groups conducted virtually. While CCLP was not able to conduct on-site visits as originally planned, we appreciate the efforts made by all to accommodate requests for information and scheduling of interviews at each facility. Through those efforts, and the activities described above, we believe this evaluation reflects an honest and accurate assessment of the strengths, challenges, and lessons learned from this work.

What were the strengths and challenges of the implementation of restorative justice practices in Judicial Branch and Department of Correction facilities?

Strengths

CCLP identified many strengths associated with the implementation of restorative practices in Judicial Branch and DOC facilities, as outlined in the seven areas below.

- 1. The “insider-outsider” partnership among CCA, the Center for Restorative Justice at Suffolk University, and the two state agencies has successfully embedded restorative practices into secure youth facilities – a remarkable achievement, given that such practices that are rarely found in these types of facilities. This innovation has contributed to positive changes in culture and perspectives about working with youth.**

The partnership among CCA, the Center for Restorative Justice at Suffolk University, and their stage agency partners, the Judicial Branch and the DOC, has led to the integration of restorative practices in both agencies’ secure youth facilities. A list of all of the activities involved in the successful implementation of these practices is beyond the scope of this evaluation. However, the fact that restorative practices were successfully introduced and continue to be used today is a remarkable achievement.

For one, correctional settings are often closed environments, with limited partnerships with outside organizations. In this case, though, both agencies welcomed CCA and the Center for Restorative Justice as partners in their efforts, developing a level of trust and coordination that contributed to the successful implementation of restorative practices. This is a significant innovation that has led to many positive changes in culture and work with young people, as described in more detail throughout this evaluation.

Both agencies embraced the training and support provided the Center for Restorative Justice. The Center for Restorative Justice provided initial training for both agencies on restorative practices – training that agency officials stated was incredibly valuable in building a foundation for implementation of restorative practices in their facilities. The Center for Restorative Justice also provided direct training and support to CCA. Partnering with the Center for Restorative Justice to provide this support to CCA has helped embed the capacity to support both agencies’ work over the long run, as opposed to having the support and technical assistance end as part of a discrete initiative.

Additionally, the introduction of restorative practices, such as talking circles, is significant, as practices are not commonly used in secure youth facilities. Those interviewed outlined the benefits that have come from the use of restorative practices in Judicial Branch and DOC facilities, many of which are discussed in this evaluation. However, many also noted that introducing such a practice required willingness to embrace a new idea and approach in what are otherwise highly structured and routinized settings. As one individual noted, “if you’ve been doing things one way for 20 years, it isn’t easy to change.” Others noted that some front-line staff were skeptical of introducing a new practice. However, one individual noted that they were able to work with that skepticism to build up willingness to consider restorative practices, noting that “If you’ve said that things haven’t gotten any better after all the years you’ve worked here, isn’t that a reason to try something different?”

Finally, every official interviewed agreed that but for the partnership with CCA and the Center for Restorative Justice, the implementation of restorative practices would not have been successful. First and foremost, officials recognized that CCA was able to bring in resources and training that otherwise would not have been available to them, particularly the training offered by the Center for Restorative Justice.

Individuals also noted that the staff support from CCA, including the direct assistance from CCA’s restorative justice coordinator and the continued push to troubleshoot and overcome challenges from CCA’s executive director, was integral to the initiative’s success in both agencies. Those interviewed valued the coaching, coordination, and support that CCA was able to provide throughout the process, with many saying they wished for even more support and continued partnership to deepen their work in restorative practices, as discussed later in this evaluation. Individuals also recognized the value of having an outside entity hold them accountable for troubleshooting and continuing to make progress, particularly when challenges arose, emphasizing another benefit of the “insider-outsider” approach to implementation.

2. CCA’s overarching plan for the implementation of restorative practices, including trainings, direct technical assistance with implementation, and facilitated stakeholder groups promoted buy-in and ownership of restorative practices within the Judicial Branch and DOC. This overarching plan has also led to the expansion of the use of restorative practices within both agencies and .

The work to implement restorative practices in the secure facilities operated by the Judicial Branch and DOC is just one part of a broader goal of CCA to embed restorative practices and principles throughout the entire continuum of facilities and services for youth in Connecticut’s justice system. As noted above, the work of CCA and the Center for Restorative Justice has led to successful implementation of restorative practices in the three facilities that were the primary focus of this evaluation. However, the approach adopted by CCA has also built a foundation for the expansion of restorative practices to other facilities and other state agencies. This approach incorporated (1) introduction of new training opportunities on restorative principles and practices, (2) direct technical assistance from CCA in the facilities’

implementation work, and (3) CCA's coordination of regular stakeholder convenings to share promising practices and troubleshoot challenges.

As mentioned above, individuals emphasized the value of the Judicial Branch and DOC's partnership with CCA and the Center for Restorative Justice, which individuals believed was integral to the project's success. From the very beginning of the project, the Judicial Branch and DOC's senior leadership made clear commitments to the implementation of restorative practices and communicated that to staff. This included helping to ensure that all levels of staff, particularly senior leadership, managers and supervisors, and direct care staff, received training in the principles of restorative practices.

In addition to the value of the training opportunities created through the project, many individuals noted that the direct support and assistance with implementation from CCA and staff leading implementation within each agency was integral to making restorative practices an operational reality. Again, the fact that both agencies had integrated restorative practices into day-to-day operations is no small achievement, as many types of programming and initiatives have challenges integrating into the highly structured and generally rigid constraints associated with a secure facility. Moreover, introducing new programming that requires a shift in perspective and culture requires a long-term and sustained commitment.

Those interviewed for this evaluation made it clear that senior leadership recognized this fact and were, therefore, willing to work through challenges that arose along the way. However, those interviewed also noted the value of the direct support and assistance from CCA for each facility during the project. This includes ensuring that the facilities did not completely lose the institutional knowledge and practices during the pandemic, which led to significant disruptions and challenges. Both agencies deserve significant praise for their efforts sustain this work during a time when many other facilities abandoned much of their programming altogether.

While those interviewed praised senior agency leadership for their commitment to the project, many also noted that the project's approach also allowed for facility-level flexibility and ownership of the day-to-day implementation. Individuals highlighted the importance of this approach, as it helped counter a common source of staff resistance to new initiatives: a feeling that a program or initiative is a mandate made from on high without staff members having a say. Individuals noted that each facility was presented with the broad charge of implementing restorative practices, but that it was up to implementation teams to figure out what would work best from an operational perspective. The direct support provided by CCA to these implementation teams to help operationalize their goals was integral to the project's success.

Additionally, facility administrators and agency officials coordinating this work actively sought to include staff member input about changes that could be made to incorporate restorative practices (vs. simply requiring certain changes as a matter of policy). For example, after staff had received training on restorative principles and practices, one administrator noted having a conversation with staff about what they liked about the training and how they

could modify their policies to reflect what they liked. This approach generated more staff buy-in for changes that were ultimately made, as they emerged from those conversations as opposed to being issued in a top-down directive. Others noted that the trainings helped spur other conversations about how facilities could make existing approaches more restorative (e.g., the disciplinary process). Affording facilities this level of flexibility appears to have increased buy-in of restorative practices.

Finally, CCA structured the project to include regular stakeholder convenings among agency partners to promote the sharing of information as each facility worked on implementation of restorative practices. Individuals noted that these meetings were important opportunities to share successful implementation strategies and troubleshoot challenges, as well as lift up new ideas regarding restorative justice implementation. This shared space was also cited by many as a source of ongoing support and encouragement, and an important vehicle for ensuring that implementation remained a priority among the many other priorities each facility had. As noted below, CCA also planned for and promoted youth engagement in these stakeholder meetings – a notable achievement consistent with the growing calls for meaningful youth partnership and power-sharing.

As described in more detail later in this evaluation, the structure for implementation outlined by CCA has built a foundation for expansion of restorative practices to other settings. These include other placements operated by the Judicial Branch, as well as facilities operated by the Department of Children and Families. Therefore, the stakeholder convenings initiated through this project have grown to include many additional individuals, which allows for wider sharing of knowledge of successful strategies to promote implementation of restorative practices. By creating a broad bench of support through this stakeholder group, CCA took an important step toward promoting the sustainability of this work, and advancing toward the ultimate vision of implementation of restorative practices for youth throughout the justice system continuum.

3. The use of restorative practices has helped youth develop new strategies and tools to process emotions and approach conflicts and disagreements.

Young people and others interviewed for this evaluation noted that the implementation of restorative practices in Judicial Branch and DOC facilities appeared to help young people manage conflict and regulate emotions while in a secure setting. Although the implementation of restorative practices varied somewhat across agencies, both DOC and the Judicial Branch introduced regular talking circles in their secure facilities. Staff and youth reported that the circles were helpful ways to process emotions and prior trauma. Others noted that the circles were a valuable forum to help discuss current events, including systemic racism, police misconduct, and the stresses associated with the COVID-19 pandemic.

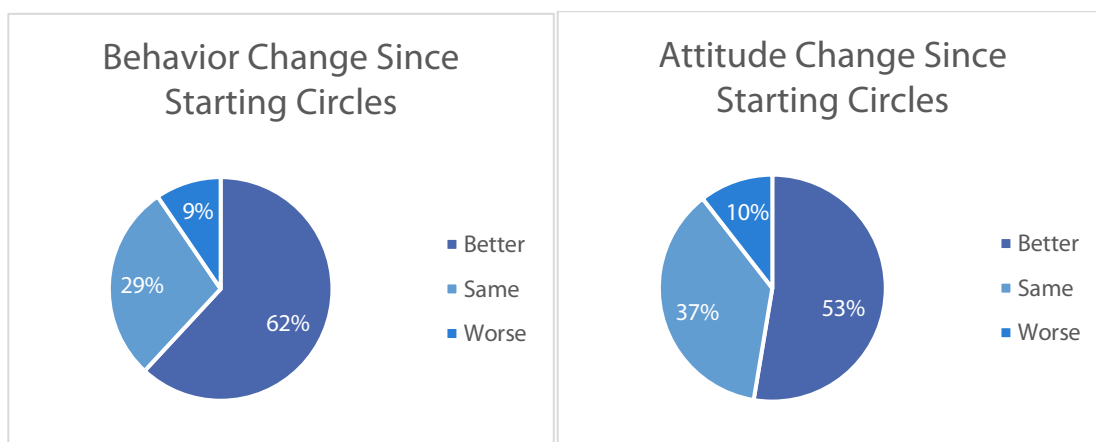
Young people and officials also noted that the circle process demonstrated that individuals can disagree but still respect each other. Individuals felt that the implementation of circles lowered tension and contributed to a sense of community within the facilities. Multiple individuals noted that the circle process had helped resolve long-standing or chronic

problems on a living unit, such as a beef between two residents or bad feelings between a youth and a particular staff member. Even if circles were not used to address those issues directly, individuals felt that the process made it less likely for those feelings to result in a physical altercation.

Additionally, many reported that they believed the circle process helped youth to see staff members as human beings, not just authority figures at the facility. While there were (and still are) staff who are less willing to open up during a circle, many shared the impact of powerful moments where staff members opened up about their past struggles and trauma. Although it is difficult to quantify the impact of this dynamic, many noted that the “humanizing” power of circles helped build a greater sense of community on a living unit. Others noted that the process itself of sitting in a circle “leveled the dynamic” and helped youth see staff members as individuals, not just authority figures, as all participants are subject to the same expectations while together.

Many felt that youth were less likely to engage in assaultive behavior against other youth and staff members because of the relationship-building that has occurred during circles relative to the time prior to implementation of restorative practices. While both agencies have collected data related to the implementation of circles, including data around the occurrence of disciplinary incidents and other indicators, the disruption of the COVID-19 pandemic has made it impossible to draw any firm conclusions from those data. However, officials and staff at both agencies noted what they perceived to be a reduction in incidents following implementation of restorative practices.

For example, DOC asked correctional officers to assess how many youth demonstrated changes in behaviors and changes in attitudes a few months after introducing circles. As illustrated in the charts below, correctional officers perceived that 62% of youth demonstrated better behavior and 48% demonstrated better attitudes as compared with their behavior and attitudes prior to introducing restorative practices. Again, while any data sets will have their limitations, the uniformity of perspectives demonstrate that the introduction of restorative practices has helped youth improve relationships between other youth and staff.



4. The implementation of restorative practices has helped staff members build more positive relationships with young people in their care and has helped introduce new skills and techniques for working with youth.

Officials and staff members reported that the use of restorative practices, and talking circles in particular, contributed to the establishment of more positive relationships between staff members and young people in both facilities. To be sure, all interviewed noted that there were some staff members who did not buy into the use of restorative practices. However, each agency had staff and administrators who were bought in and serving as active participants in using restorative practices. Many noted that just as restorative practices seemed to humanize staff members for youth, it also helped humanize youth for staff members. As one individual noted, “You can forget how much these kids have gone through in their lives. Recognizing that helps you see their behaviors in a different way.”

Officials at both agencies believed that the humanizing effect of restorative practices had led to a shift in how staff approached incidents. For example, some individuals noted shifts in the language used in incident reports becoming less punitive and more focused on providing context for an incident. Others believed that they saw staff citing youth less for minor misbehavior and responding to other incidents with less serious sanctions.

The implementation of restorative practices has also given staff members new skills to work with and engage the youth in their care. Both agencies have staff members who have embraced the principles of restorative practices and actively lead efforts in their facilities. Leadership of both agencies intentionally cultivated this capacity, engaging those staff who were most open to using a new approach. However, it is also clear that staff have embraced this role. One example of this is staff responsible for facilitating circles actively developing new topics for discussion.

Those interviewed also noted that the circle process seemed to have broader positive impacts on staff. These included having a space to discuss difficult issues and challenges from their own lives. Some interviewed reported staff members conducting circles amongst themselves, a clear sign that those staff members had seen the value in restorative practices. Indeed, Judicial Branch officials noted that staff had been interested in building circle time for staff members into a regular schedule. While gathering multiple staff in this way creates operational challenges for facilities, the request itself and the Judicial Branch leadership’s willingness to consider it is another strong sign of staff member buy-in to restorative practices.

5. The introduction of restorative practices has promoted new youth engagement and partnership opportunities in both Judicial Branch and DOC facilities.

Consistent with its organizational values, CCA actively involved youth in the design and implementation of restorative justice programming in both DOC and Judicial Branch facilities. Those interviewed agreed that CCA’s support for young people to be involved in both phases of the project was an important part of the project’s success. As an organization with

experience involving youth in systemic reform efforts, CCA was able to ensure that youth could be active participants in the process. This includes participation in the regular stakeholder meetings, which CCA prepares youth to participate in. CCA also ensures that youth from all facilities have an opportunity to participate by rotating youth participation among facilities. This level of youth engagement in the process of implementation of restorative practices was a significant strength, and it demonstrated CCA's commitment to authentic and meaningful youth engagement and partnership.

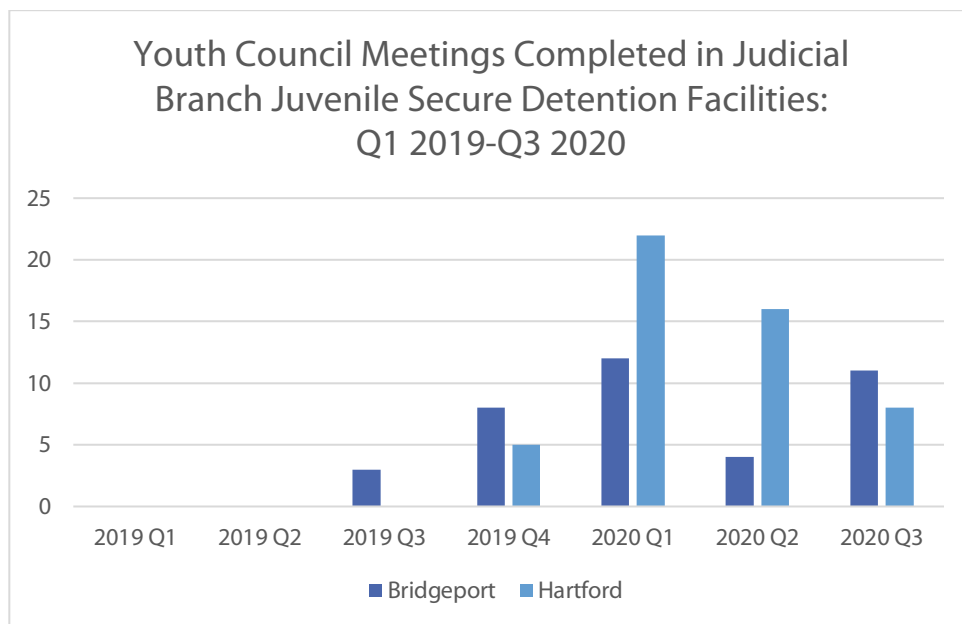
Additionally, the implementation of restorative practices themselves have led to additional youth engagement and partnership opportunities in both facilities. For example, in both DOC and Judicial Branch facilities, youth have had opportunities to lead circles, either at their request or at the encouragement of a staff member. Many individuals reported the pride that youth would take in facilitating a discussion among their peers and staff members. While not all youth ultimately assume that role, individuals noted that the opportunity signaled a level of trust from staff toward young people – trust that is not always easy to demonstrate in a secure setting. Others noted that this trust included a willingness to take on difficult and controversial topics during circles, such as racism, police brutality, and gang violence. While some facilities attempt to limit conversations on such topics out of a fear of agitating or angering youth, both DOC and the Judicial Branch demonstrated a level of trust by embracing those topics.

Additionally, the implementation of restorative practices has also influenced implementation of new Youth Councils in both Judicial Branch secure facilities. The creation of the Youth Councils was required by a 2016 change to Connecticut law, spearheaded by CCA, that requires child care facilities with the capacity to house ten or more youth to have a youth council in place.¹ In the Judicial Branch secure detention facilities Youth Councils are weekly meetings where young people in each facility come together to meet with facility leadership to discuss any issues at the detention center, including any suggestions or recommendations. Notably, the Youth Councils are conducted in a circle format, providing another opportunity to reflect restorative principles and practices. Administrators reported the benefit of hearing young people's perspectives on a regular basis, noting that a number of changes and programming ideas were introduced because of recommendations made by youth. Individuals also reported the value of having young people see their recommendations implemented. The chart below illustrates the number of Youth Council meetings completed in each detention facility.

While facility administrators have not agreed to every recommendation made through the Youth Council process, individuals noted that youth took pride in seeing adults act on their ideas and the value in youth feeling like they had been heard. As with the use of circles, the use of Youth Councils was significantly impacted by the pandemic. However, the chart below illustrates how actively the Youth Councils were used prior to the pandemic, and the Judicial Branch is committed to resuming them at pre-pandemic levels once it is safe to do so. The chart includes Youth Council meetings conducted for youth who were pending disposition in

¹ Public Act No. 16-123 (2016).

their cases, as well as youth council meetings for youth in the longer-term post-disposition REGIONS program.



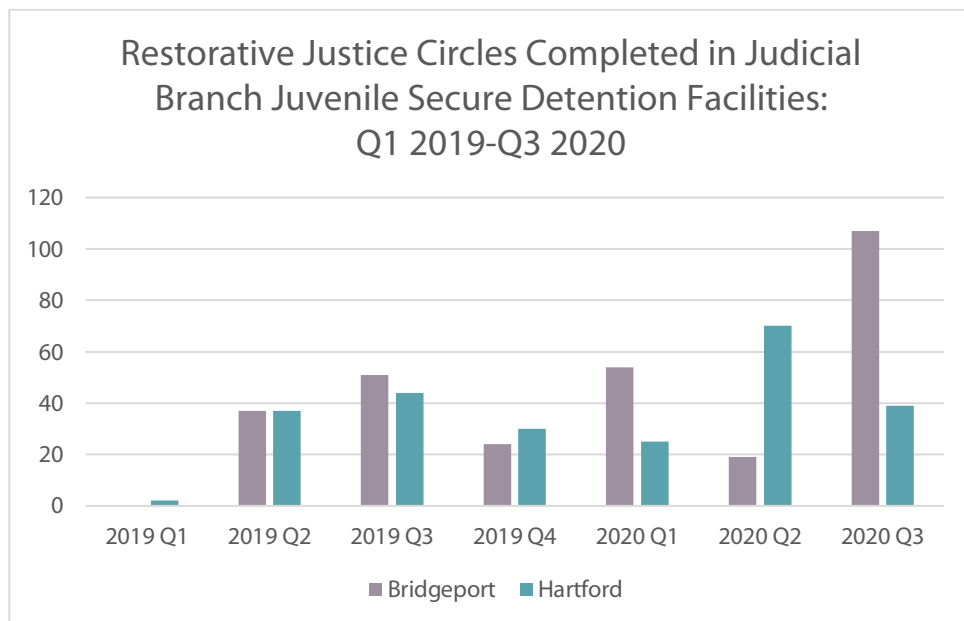
6. Both the Judicial Branch and DOC developed data collection and reporting mechanisms to hold themselves accountable for implementation of restorative practices. Even though the COVID-19 pandemic caused serious disruptions in the ability to use restorative practices, both agencies have resumed their use.

To help ensure that restorative practices were being implemented according to plan, both the Judicial Branch and DOC developed data collection and reporting mechanisms to help analyze trends associated with the use of restorative practices, as well as information related to any associated impact of the use of restorative practices on things such as incidents of assaultive behavior, the use of disciplinary sanctions, and other factors. Although both agencies approached their data collection in slightly different ways, which are described in more detail below, both agencies demonstrated a commitment to having real-time data to assess and improve their efforts over time.

There are two important pieces of context when reviewing data on the utilization of restorative practices in both agencies. First, the impact of the COVID-19 pandemic on secure facilities, including the facilities participating in the project, was extreme. As would be expected, certain practices had to be limited or suspended given the public health and safety protocols, as well as staffing shortages. Thus, there is not a clear linear trajectory over time in terms of increased use of restorative practices. However, as mentioned below, both agencies have been able to sustain parts of their work through the pandemic, and all who were interviewed were eager to resume the full scope of their work if they had not done so already.

Second, because of the impact of the pandemic, which has included significant fluctuations in youth populations in facilities, it is impossible to draw firm correlations between the use of restorative practices and many of the indicators both agencies identified in their data collection and analysis. Additionally, many of those interviewed noted that the implementation of restorative practices coincided with other reform work underway in both agencies, including efforts to implement more therapeutic programming and work to reduce the use of room confinement. Thus, identifying the specific impact of restorative practices on any indicator would be difficult even under ideal circumstances. However, as noted throughout this evaluation, quantitative data are not the only indicators of success and benefits to youth and staff.

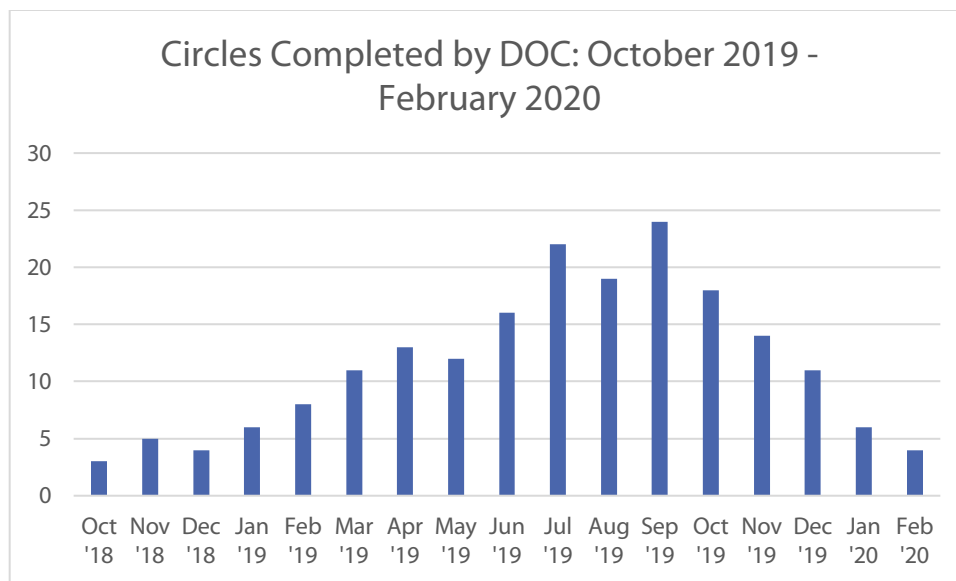
The Judicial Branch’s data collection efforts were conducted through the agency’s Case Management Information System (CMIS). Because the agency has a sophisticated records management system and skilled data developers and analysts, the Judicial Branch was able to integrate data collection regarding the use of restorative practices into CMIS itself. This allows the Judicial Branch to review utilization data by each secure detention facility, which is helpful in monitoring consistency of implementation, as illustrated in the chart below. The chart illustrates the number of restorative justice circles completed in both Judicial Branch secure juvenile detention facilities. These figures include circles conducted for youth who were pending disposition in their cases, as well as youth in the longer-term post-disposition REGIONS program. For context, the first quarter of 2019 was when the Judicial Branch ramped up implementation of restorative practices in both facilities.



The integration of the data collection into CMIS also means that the Judicial Branch can also review utilization rates at an even finer level of detail (e.g., by living unit; pre-disposition vs. post-disposition youth; percentage of weeks when circles were conducted on each living

unit), which will provide ongoing value in monitoring fidelity of implementation. As noted above, the impact of COVID-19 makes examining any trends related to use of discipline and incidents impossible. However, the Judicial Branch does have the capacity to analyze those trends going forward given the integration of data collection into CMIS, including disaggregating data by race and ethnicity. Indeed, as part of this evaluation, the Judicial Branch generated a nearly 20-page report with a wide variety of indicators that will be helpful in monitoring implementation and impact going forward.

Within DOC, implementation of restorative justice circles was tracked outside of DOC's records management system, which is much more limited than that of the Judicial Branch. Notwithstanding that fact, DOC adopted a thoughtful data collection template that allowed for monitoring and review of many similar data points and trends. This data collection template allowed DOC to track use of restorative justice circles by cottage by month within the facility. Because administrators and staff were also interested in identifying any trends related to incidents and changes in youth behavior, DOC also tracked disciplinary incidents by class across time and by individual youth. The chart below illustrates the number of restorative justice circles completed from the beginning of DOC's implementation of restorative practices through the beginning stages of the pandemic, when public safety restrictions and staffing challenges began.



Although the pandemic seriously impacted the ability to convene circles within DOC, the team leading implementation made attempts to help youth maintain some connections with components of the circle process when it was not possible to convene circles in the traditional way. For example, the staff members leading implementation developed individual worksheets to distribute to youth, which provided them with breathing exercises they could do, prompts related to values and guidelines they had been discussing in circle, and strategies to deal with boredom and maintaining their physical health. Youth would

provide responses to prompts on the worksheets, which were collected so that officials could provide youth with individualized feedback and words of encouragement.

7. Restorative justice practices have been embedded in facilities' day-to-day operations, with plans underway to expand and promote the sustainability of the work undertaken through this partnership.

One of the most significant signals of the project's success and impact is the fact that both agencies have actively planned to continue their integration of restorative practices going forward, with work underway to expand their reach to other facilities. For example, the Judicial Branch has secured training to guarantee that new staff members in their detention centers will receive the same type of training that direct care staff received at the beginning of the project. DOC has also secured additional training for its correctional officers in light of staff turnover and retirement. The fact that both agencies are continuing to seek out training in this area and have pursued training opportunities on an ongoing basis reflects a long-term commitment to restorative principles and practices and the benefits that they offer to youth and staff.

In another strong signal of the benefits of restorative practices in youth facilities, the Judicial Branch has undertaken work to expand the use of restorative practices in its other congregate care settings, including its staff-secure post-disposition placements and other contracted facilities. In doing so, the Judicial Branch has signaled to providers that the use of restorative practices must be part of the treatment milieu offered in programs and facilities – a step that will increase and deepen youth's exposure to restorative practices across the Judicial Branch's continuum of care.

Within DOC, behavioral health professionals, who had taken the lead on implementation and facilitation of restorative practices, have also worked to develop a sustainability plan that builds the capacity of custodial staff to take leadership of the facilitation process. Although there are likely to be growing pains with any such transition, behavioral health officials have approached the handoff to custodial staff in a very thoughtful way. The transition will allow behavioral health staff to be more in a supportive coaching role instead of being the lead facilitators. This will help DOC manage the use of limited behavioral health resources while also ensuring that more and more custodial staff see their peers in positions of actively employing restorative practices.

Challenges

As with any project of this type, there were challenges in five main areas that emerged during the planning and implementation of restorative practices. Most of these were anticipated early on in the project, and many would be expected in work to introduce non-traditional practices in a correctional setting. While the strengths and benefits of the project certainly outweighed any challenges or limitations, understanding the impact of these issues and the

lessons learned from them can assist with future efforts to implement restorative practices in secure facilities.

1. The COVID-19 pandemic significantly disrupted the efforts underway to embed restorative practices in DOC and Judicial Branch facilities, and it significantly limited the ability to identify trends associated with the implementation of restorative practices in each facility.

The impact of the pandemic has been raised many times throughout this evaluation, but it must also be noted in this section as the most significant challenge to the project. Not only did the pandemic limit the ability to use restorative practices themselves (i.e., not being able to pass a talking stick around the circle, or even sit in a circle), the pandemic upended facility operations for an extended period of time. Therefore, while both agencies had been making progress embedding restorative practices in their facilities, there is anticipated drop in utilization of restorative practices. As both agencies are returning to operations that are closer to normal, though, both have committed to resuming activities and achieving the desired level of consistency in their programs.

Additionally, the pandemic and the associated fluctuations in utilization of restorative practices and the number of youth being admitted to secure settings made it impossible to identify quantitative data trends over the time period, such as reductions in assaultive behavior or reductions in use of room confinement. However, as noted above, both agencies have developed data capacity to track these indicators into the future. Additionally, as more agencies and facilities begin implementing restorative practices in their programs, there should be future opportunities to engage in the type of analyses that had been planned for this project.

2. Participating facilities, and the project as a whole, could have benefitted from additional capacity for coaching and training from CCA and agency staff.

There is no question that the support provided by CCA and each agency's identified implementation team leads was integral to the project's success and accomplishments along the way. Many individuals noted that the project would not have been successful but for this level of support from outside and within the agencies. Individuals shared many examples of structured coaching and technical assistance opportunities that were made available through the project, and the impact that those supports had on successful implementation of restorative practices.

Consistent with this universal praise, many individuals suggested that even more support – both during implementation of restorative practices and going forward – would benefit this work. While nobody interviewed suggested that the level of support was problematic, those working within facilities all noted that they always benefitted from the coaching and trainings that were provided and would welcome more opportunities in future engagements. Future work should consider making extra efforts to secure resources for additional coaching and support from CCA and within each agency.

Some individuals also suggested that additional capacity for support from CCA and the participating agencies could have allowed for more opportunities to reflect on strengths and challenges along the way. Those individuals noted that because the priority was on meeting demand for support for facilities to begin, refine, and sustain implementation of restorative practices, comparatively little time was available to pause to discuss the status of and strategies related to implementation of the project along the way. A desire for more time to reflect on the work is an almost universal desire for any initiative such as this, though, and is certainly not a weakness of the project itself. It should, however, be a consideration in structuring any future engagements.

3. Consistency of implementation of restorative practices varied across facilities, emphasizing the importance of having strong leadership championing the work at multiple levels.

DOC and Judicial Branch officials interviewed for this evaluation recognized that any introduction of a new practice would take time. The data that are available on utilization of restorative practices certainly bear that out, with variations in utilization across time and across facilities. Many noted that strong leadership and buy-in for the approach was needed at multiple levels to ensure that implementation of restorative practices consistently over a sustained period. Indeed, many noted that leadership transitions had been responsible for some of that variability during the project.

Almost all who were interviewed also stressed the importance of having leadership and staff at all levels bought into the process to promote consistent implementation, from central office administration down to facility leadership and supervisors. Many stressed that choosing the appropriate individuals to lead this work was important, both in terms of identifying leaders who were bought in to the process, but also leaders who would be credible messengers with their peers in the facility. Some noted that a written strategic plan for how implementation would happen within each agency, as well as an articulation of a longer-term vision for the implementation of restorative principles and practices, could have promoted more rapid and consistent implementation.

4. Many agreed that setting firmer benchmarks and milestones could have expedited progress in implementation.

As described above, both the Judicial Branch and DOC have established data collection and reporting mechanisms for their use of restorative practices. However, some individuals interviewed believed that having firmer targets or milestones in the early phases of implementation might have helped promote more accountability and potentially expedite the introduction of restorative practices on a consistent basis. However, all individuals interviewed acknowledged the fact that implementation would take time, particularly given the non-traditional nature of using restorative practices in a highly structured secure setting.

5. Developing and implementing an agency-wide, sustainable training approach has been challenging.

All individuals interviewed recognized the value of the training opportunities made available to Judicial Branch and DOC staff as part of this project. Indeed, both agencies are working to ensure that staff continue to be trained going forward, including training for new hires and refresher training for staff who were trained at the beginning of the project. However, many individuals acknowledged two primary challenges related to training on restorative practices.

First, individuals recognized that while it would have been optimal to have all staff at all levels trained before working to implement restorative practices, the logistical challenges of ensuring that all staff could be trained before beginning with implementation work was not feasible. To be sure, CCA and its partner agencies have worked to train staff at all levels over time. However, many agreed that having as many staff members trained prior to introducing restorative practices would be ideal. Many others noted the importance of ensuring that supervisors and managers were trained and bought in to restorative practices was critical as well, as supervisors need to think about how to support staff working to implement those practices on a day-to-day basis.

Second, individuals recognized that identifying ongoing capacity to deliver restorative justice training on an agency-wide scale is a significant challenge. While CCA and its partners at Suffolk University had capacity to lead training efforts during the project, everyone recognized the need to continue delivery of training into the future. Because of the proprietary nature of some of the training materials and processes, initial plans for a sustainable training model were not feasible. While both agencies are planning to or have secured commitments for ongoing training, the challenge raises the importance of having a clear, cost-effective, and efficient sustainability plan from the beginning of the project.

What are the key lessons learned for agencies and facilities looking to replicate the implementation of restorative practices in youth facilities?

There is a growing embrace of restorative practices in jurisdictions around the country as a vehicle to divert youth from formal youth justice system involvement. However, there are few examples of secure youth facilities having embraced restorative practices to the degree that the Judicial Branch and the DOC have done in their partnership with CCA.

For the small number of youth who must spend some amount of time in an out-of-home placement, restorative practices hold the potential to help create more therapeutic settings and equip youth with new tools to manage conflict and disagreements. As part of this evaluation, CCLP sought to identify key lessons learned from the project that could assist other agencies and facilities with efforts to implement restorative justice practices in youth facilities. These seven lessons learned should be considered by others looking to undertake similar reforms.

1. Consider an “insider-outsider” partnership to introduce restorative practices in a non-traditional setting such as a youth facility.

As many individuals noted, the idea of introducing restorative practices into secure facilities was a new one for the facilities participating in this project. However, officials shared that the partnership with outside entities to introduce the concepts and help implement the practices was instrumental to thinking outside of the box. Many noted that the partnerships with outside entities led them to stretch their thinking on what was possible – and desirable – in a secure facility. Others noted that CCA’s coordination of the project and quarterly stakeholder meetings allowed for information sharing and brainstorming that might not have occurred within or across agencies without the extra external support.

2. Identify leaders who are open to new ideas.

Many of the agency officials interviewed for this evaluation had many years or decades of experience working with youth in residential settings. Many of those interviewed shared how challenging it could be to be open to new ideas given those years of experience. However, the project clearly benefitted from an openness to consider a new approach at the facility and administration levels within the Judicial Branch and DOC.

3. Expect fear and resistance from staff.

When asked to identify lessons learned that could benefit other agencies and facilities undertaking this type of work, many individuals emphasized the need to anticipate fear and skepticism from staff members at all levels. This is particularly true of a new initiative that de-identifies staff members as authority figures and emphasizes their existence as human beings. Those interviewed noted that this should be expected and that such feelings can be acknowledged, but that leadership should stay the course and trust in the process.

4. Provide the necessary training regarding the principles of restorative practices and expectations for facilities, but encourage facility-level decisionmaking regarding the details of implementation.

The goal of this project was to implement restorative principles and practices in a way that would embed them within the culture of the facilities themselves. This was an intentional effort, as simply directing facilities to complete restorative justice circles every week would have likely resulted in the project being seen as a discrete program, as opposed to a broader approach and philosophy. Consistent with that goal, CCA and its partner agencies worked to provide each facility with the training necessary to understand the principles of restorative practices, and they set high-level expectations regarding implementation of practices. However, CCA and its partner agencies encouraged facilities to consider how the details of implementation would work in practice. This balance helped generate buy-in within each facility, which was critical to the project's overall success.

5. Develop a written strategic plan that outlines the immediate, intermediate, and long-term goals for implementation of restorative practices.

The implementation of restorative practices in secure settings is a rare phenomenon, in part because the principles and practices are a departure from many of the rigid and traditional aspects of secure facilities. Because such practices will be met with skepticism or resistance by staff, and because there will ultimately be bumps along the road to implementation, agencies should articulate their goals for implementation of restorative practices in the short-term, intermediate-term, and long-term.

6. Establish benchmarks and desired outcomes early on, with a plan to collect and review data along the way.

Related to the previous recommendation, with any new initiative, setting timelines and goals helps ensure that project partners understand the short and long-term priorities for the work ahead. It also helps ensure that partners can hold each other accountable for progress along the way. Taking time to set realistic and measurable benchmarks at the beginning of the project will help encourage consistent movement

toward the ultimate goals associated with implementation of restorative practices.

7. Plan for the sustainability of key components of the work, particularly ongoing support, coaching, and training needs.

The sustainability of any new project is often left for consideration toward the end of a project's life cycle, or it is discussed at the beginning of the project but not revisited until the project's completion. Because the full integration of restorative principles and practices requires engagement of staff at every level, agencies and facilities must develop a solid and feasible plan for ongoing training and support, particularly given the reality of staff turnover and departures. This could include building capacity for ongoing training and support in-house through a train-the-trainer model or a sustained partnership through an outside entity. However, to maintain fidelity, agencies and facilities must develop and implement a plan early on in the process.

8. Link the implementation of restorative practices to other initiatives and goals of agencies and facilities, including opportunities to embed restorative policies and practices throughout the continuum of the youth justice system.

As mentioned previously, the implementation of restorative justice principles and practices can run the risk of feeling like a discrete program, as opposed to an overarching philosophy and approach. Thus, agencies and facilities should take care to explain how restorative justice practices fit within that overarching philosophy. For example, the Judicial Branch was working on implementing Dialectical Behavioral Therapy (DBT) for youth during the same time period they were implementing restorative practices. Both initiatives were new at the time, but the Judicial Branch was able to frame them as complimentary, with DBT focused primarily on the self or the individual youth, and restorative practices focused on the community as a whole within the facility. The Appendix contains illustrations of the integration of DBT with restorative practices.

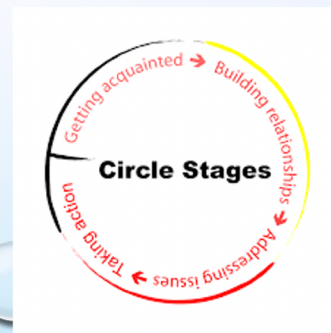
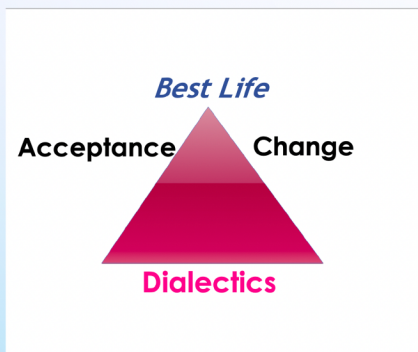
Similarly, DOC's work to implement restorative practices came at a time when the agency was working to reduce the use of room confinement and adopt more therapeutic interventions focused on helping youth develop new skills. Connecting the integration of restorative practices to a broader goal and movement, such as the national movement to limit the use of room confinement, can help staff see those efforts as part of a coherent and coordinated approach, as opposed to yet another expectation for staff.

Finally, as noted at the beginning of this evaluation, CCA embarked on this work with an end goal of embedding restorative practices throughout a youth's experience with the justice system, from initial contact and intake through release and discharge to the community. As more and more jurisdictions are using restorative practices as a way of diverting youth from youth justice system involvement, jurisdictions have an opportunity to incorporate practices at every point in the system to ensure that

interactions with youth are focused on helping young people build new skills to be successful in the community and in their adult lives.

Appendix: Integration of Restorative Practices with Dialectical Behavioral Therapy²

RESTORATIVE CIRCLE & DBT A WORKING PARTNERSHIP



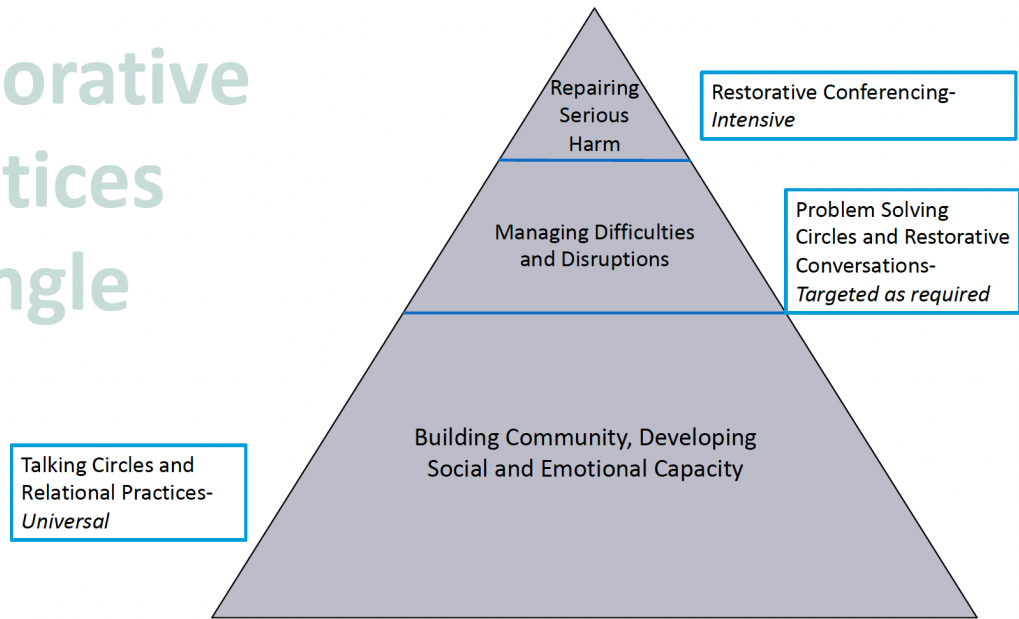
WHAT IS RESTORATIVE JUSTICE?

RESTORATIVE JUSTICE REFERS TO A NUMBER OF PROGRAMS AND PRACTICES ROOTED IN A THEORY OF JUSTICE THAT EMPHASIZES REPAIRING HARM CAUSED BY CRIMINAL BEHAVIOR. RESTORATIVE JUSTICE IS A COLLABORATIVE PROCESS THAT INVITES OFFENDERS AND THOSE AFFECTED (VICTIMS) BY WRONGDOING TO MEET AND DISCUSS THE HARM INFLECTED, INCLUDING HOW TO BEST REPAIR THAT HARM. THIS MODEL RECOGNIZES THAT CRIME HURTS EVERYONE INVOLVED, AND FOCUSES ON REPAIRING HARM RATHER THAN PUNISHING THE OFFENDER.

****ENGAGES AND INVOLVES THE VICTIM, PERPETRATOR AND THE COMMUNITY**

² Slides provided courtesy of Kia Levey of the Center for Children's Advocacy.

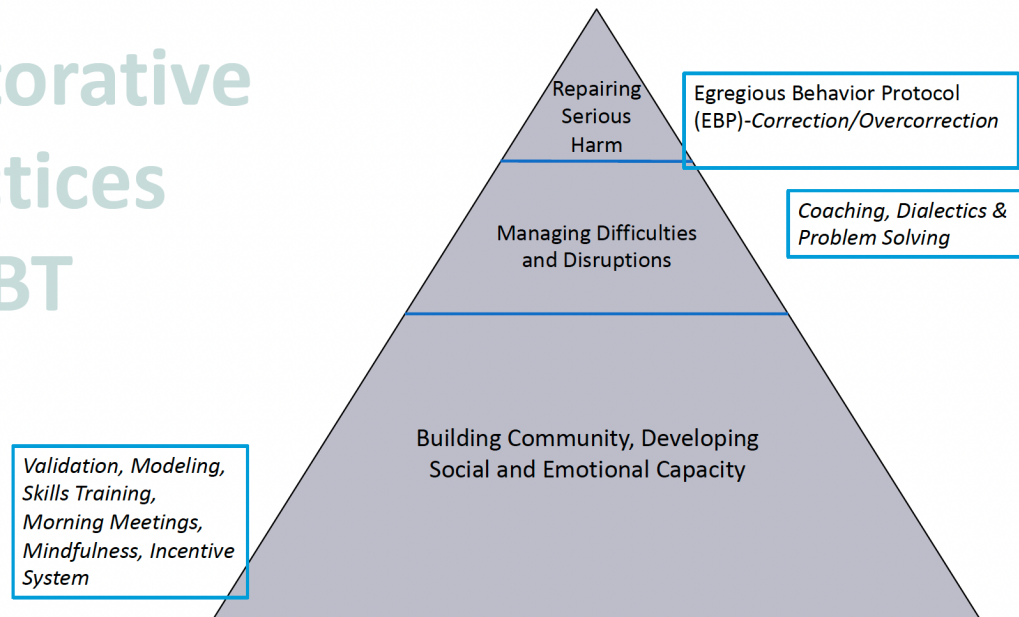
Restorative Practices Triangle



Center for Restorative Justice, Suffolk University, Boston, MA

Adapted from *Implementing Restorative Practices in Schools* by Margaret Thorsborne and Peta Blood

Restorative Practices & DBT



Michele Galletta, Ph.D.

Types of responses

Punitive	Restorative
Violation against the system	Harm done to a person or community
Focus establishing guilt or blame	Focus solving problems & repairing harm and relationship
Victim largely ignored	Victims rights & needs recognized
Offender is passive	Offender encouraged to take responsibility
Accountability = punishment	Accountability = demonstrating empathy & repairing harm
Stigma is permanent	Stigma is removable

WHAT IS DBT?

DIALECTICAL BEHAVIOR THERAPY

DBT IS A COMPREHENSIVE COGNITIVE-BEHAVIORAL TREATMENT THAT WAS ORIGINALLY DEVELOPED TO TREAT CHRONICALLY SUICIDAL INDIVIDUALS SUFFERING FROM BORDERLINE PERSONALITY DISORDER (BPD). DBT HAS BEEN SUCCESSFULLY ADAPTED FOR MANY OTHER POPULATIONS. DBT COMBINES STANDARD COGNITIVE-BEHAVIORAL THERAPY TECHNIQUES WITH STRATEGIES BASED IN THE ZEN BUDDHIST PRINCIPLE OF ACCEPTANCE USING THE CONCEPT OF DIALECTICS. THE MODEL TEACHES CONCRETE SKILLS TO HELP THE CLIENT OVERCOME OBSTACLES TO ACHIEVING THEIR BEST LIFE.

DBT COMPONENTS

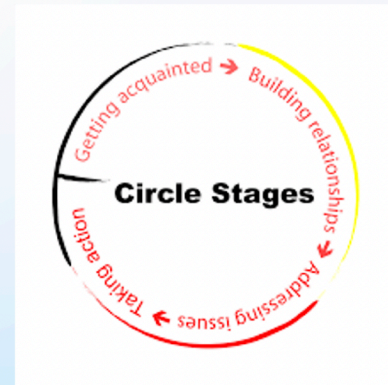
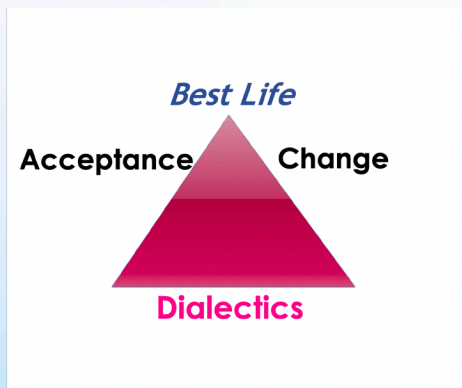
Individual Therapy	Group Skills Training	Coaching	Consultation Team
<ul style="list-style-type: none"> • Highly Structured • Session Agenda • Hierarchical Targets • Behavior Chain Analysis • Practice New Behavior • Homework 	<ul style="list-style-type: none"> • Mindfulness • Distress Tolerance • Emotion Regulation • Interpersonal Effectiveness • Middle Path Substance Abuse 	<ul style="list-style-type: none"> • Available at all times • In outpatient done by therapist via telephone • In residential done by staff in environment 	<ul style="list-style-type: none"> • Cognitive Therapy for the Therapists • Everyone considered a therapist in a behavioral model • SES for shift workers who cannot attend CT

FOCUS AND IMPACT OF DBT?

DBT PROVIDES THE MOTIVATION AND SKILLS TO LEARN FROM JUSTICE INVOLVEMENT
AND TRANSFORM ONE'S LIFE

DBT HAS SIGNIFICANT EMPIRICAL SUPPORT

MODEL INTEGRATION MODEL FIDELITY



AREAS OF CONFUSION WHEN INTEGRATING RJ AND DBT

**GOAL IS SYNTHESIS WITHOUT WATERING DOWN
ELEMENTS**

1. INTEGRATION VS. LAYERING OF STRUCTURAL ELEMENTS
2. ACCURATE UNDERSTANDING OF BEHAVIORISM IN DBT
3. TIMING OF ELEMENTS

Keeper: *Create a partnership with DBT practitioner and RJ circle keeper for opening/beginning*

Center Piece: *decide on representative focal point for the circle. Can be connected to the topic of focus*

Opening: *Poem, mindfulness, quote*

Talking Piece: *can be used just for the check-in and check-out & suspended for DBT focused activity*

Check In: *questions that bring the group together and get them ready engagement*

Guidelines/Values/Agreements: *in order to help the dialogue have impact what will the community offer and what do member need to be fully present.*

Discussion Rounds/DBT intervention: *Questions, Topics, activities*

Check Out: *making meaning of the experience*

Closing: *How do we feel now*

RJ Circle /DBT Practice Integration

COMPONENTS OF THE CIRCLE