

CONFLICT MANAGEMENT IN HIGHER EDUCATION REPORT

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Making Things Right: Restorative Justice Comes to Campuses

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Conflict on campus takes many forms. Sometimes it involves behaviors that are in clear violation of university or community norms. These acts, whether purposeful or inadvertent, often require a response from individuals empowered to enforce community norms.

Unfortunately, campus conflict resolution practitioners have found traditional systems of justice (e.g. criminal, disciplinary, grievance) to be, at times, cumbersome, ineffective, and even revitalizing for some participants. There is a need for creative options to traditional justice systems, options which are flexible enough to allow positive productive responses to a variety of offenses or violations and which also meet the unique needs of the University community. A small but growing number of campus programs believe that Community Group Conferencing, utilizing the principles of "Restorative Justice" is such an option.

Restorative Justice (RJ) represents a philosophy and a process that acknowledges that when a person does harm, it affects the person(s) they hurt, the community and themselves. When using restorative justice measures, an attempt is made to repair the harm caused by one person to another and to the community so that order is restored for everyone.

RJ has been successfully used in juvenile and criminal justice systems all over the world. It certainly has great potential for being effectively adapted to the unique culture and needs of university members and community. Discussions and outcomes generated by the people directly affected by a student's conduct can help meet the University's educational mission, have a greater emotional impact and seem more valid to all involved than outcomes imposed by administrators or as a result of bureaucratic processes.

There are a number of characteristics of university communities that make the use of an **RJ** model not only feasible, but also a good fit. In a university, there are well-defined communities, which work to promote an ethos of care and integration and have ready opportunities for collaboration. Support systems are usually in place in Counseling services, health centers, alcohol, drug or anger management programs and many other services. **RJ** is also a concept that is flexible enough to respond to diverse populations. In addition, **RJ** is particularly well-suited to complement student judicial and residence life missions and processes.

While other campuses have experimented with these models in an adhoc way, the **University of Colorado at Boulder** is perhaps the first university in the nation to develop and implement a formal restorative justice program. The group at CU-Boulder now offers students who get in trouble a chance to "fess up" and face the consequences of their acts, without entering the university judicial system. CU-Boulder's program centers around bringing victims, offenders and community members together for a "group conference." During the conference, which can last several hours, those involved in the case sit in a circle and discuss the incident and its effects on the victim and community. Since offending students participating in the Restorative Justice program have already admitted wrongdoing, the focus of the discussion is not about whether a law or policy was violated, but rather, on identifying any harm to individuals, relationships and property that may have occurred. Once that's done, the group focuses on identifying how to repair the harm, and help offending students make better future choices.

In its first year of operation, the CU-Boulder program has handled 8 student cases using the group conferencing model, and the response to the program has been very positive. Participation in the process remains voluntary. The cases have involved issues such as damage to an urn in a memorial garden, bottles thrown from a balcony that almost injured a groundskeeper, a Greek fraternity chapter "prank" involving the removal of furniture from a sorority house, and students shining a laser-pointer into the eyes of a police officer on patrol.

Some examples of items from past group agreements include offenders sending an open editorial about their actions and what they learned as a result of the Restorative Justice Conferencing process to a local newspaper, an offender riding along with police officer to see the types of issues he must deal with on a daily basis, alcohol counseling and talking to others about their actions. The agreements are monitored to make sure they are completed, and when done, no record is maintained in the judicial affairs office.

The project at the CU-Boulder was developed by a working group including the Director of the Office of Student Judicial Affairs, the Coordinator of the Victim Assistance Office, the Director of the Ombuds Office, the Coordinator of Student Conflict Resolution Service ([SCORES](http://csf.colorado.edu/peace/scores/scores.html) - (<http://csf.colorado.edu/peace/scores/scores.html>)), the

Coordinator of Housing, the Director of Judicial Affairs, an Assistant Residence Hall Director who had previous involvement with a nearby community-based restorative justice project, and a Police Administrator from the University Police Department. The program was fortunate to receive considerable technical assistance from a community-based RJ program in Longmont, Colorado, called the [Longmont Community Justice Partnership](http://www.lcjp.org/index.html) (<http://www.lcjp.org/index.html>). Thom Allena, an experienced restorative justice trainer and consultant affiliated with the Longmont project helped them get off to a good start by facilitating their first group conference.

A group of 20 facilitators were trained to assist with the program. The group includes a number of peer mediators already skilled in mediation due to their work with the SCORES program on campus. The program uses two trained facilitators to run the group conferences, one serving as the leader of the process, and the other keeping track of impacts of the behavior on victims and community members mentioned as the discussion unfolds, and of possible actions that the group thinks might help make things right again. The total number of people attending the circle can vary tremendously, with the range being around 6-20. Also assisting is a graduate assistant whose responsibilities include monitoring the agreements. Should the agreements not be lived up to, the case is returned to the campus judicial program for resolution.

[Tom Sebok](#), the Ombuds at CU-Boulder, and [Andrea Goldblum](#), Director of Judicial Affairs have written an article that provides more detail on the process they went through and lessons they've learned setting up the program and handling their initial cases. For instance, one challenging issue is how to prevent students from unnecessarily experiencing double- or triple-jeopardy by being required to participate in other university or community law-enforcement or conduct procedures. Preventing this requires good relationships and significant coordination between various community agencies that might be involved. Tom and Andrea's article is scheduled to appear in the upcoming issue of **The Journal** of the [California Caucus of College and University Ombudsman](#). Andrea and a number of her colleagues are also presenting a session at the upcoming Association for Student Judicial Affairs conference in Clearwater Beach Florida (see events list for details).

While efforts at applying Restorative Justice on the college campus are still in their infancy, some other schools are experimenting as well. For instance, a search of campus newspapers uncovered a [story about the use of group conferencing at UCLA](http://www.dailybruin.asucla.ucla.edu/db/issues/99/11.18/news/discipline.html) (<http://www.dailybruin.asucla.ucla.edu/db/issues/99/11.18/news/discipline.html>). The case in point involved a group of student athletes who were charged with illegally obtaining disabled parking placards. The students joined family members, administrators and members of the disabled community to explore the implications of their actions and develop a plan to repair the damage done.

Clearly, Restorative Justice has great potential for wider-spread use on college and university campuses. While the process can be time consuming (ever try to schedule 15 people for a meeting?), the payoffs can be great, and the growth and learning for parties involved truly significant. We hope that more people will explore the use of group conferencing models on campus, and share their experiences with the broader community.

More information on victim-offender mediation (another term often used for this kind of work) and restorative justice is available at a number of websites for people interested in exploring further. Useful links include the following:

- [Center for Restorative Justice & Peacemaking](http://ssw.che.umn.edu/rjp/)
(<http://ssw.che.umn.edu/rjp/>)
- [Campaign for Equity and Restorative Justice](http://www.cerj.org/)
(<http://www.cerj.org/>)
- [Restorative Justice Online](http://www.restorativejustice.org/) (<http://www.restorativejustice.org/>)
- [Victim Offender Mediation Association](http://www.voma.org/) (<http://www.voma.org/>)