



Bringing People Together

PiRI mission

The mission of Partners in Restorative Initiatives is to transform

- individuals
- organizations
- communities

Through

- education
- advocacy
- implementation of restorative justice principles and practices

Thereby

- redressing harm
- restoring peace
- improving relationships
- reducing violence
- promoting healing
- building better communities

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talking piece

winter 2009

2009 Restorative Justice Conference

Mark Klemens

Plans are underway for the 2009 Western New York Restorative Justice Conference, *Walking After Midnight: Conflict, Community and Restorative Justice*. For the first time this year, the conference takes place over two days. Mark your calendars now for Wednesday, October 28th and Thursday, October 29th, 2009.

The conference will be held on the SUNY Brockport campus, 20 miles west of Rochester. Dr. Kornel S. Kumar, Chair of Brockport's Department of Criminal Justice, is assisting in the arrangements.

The first day will feature a plenary address by Katy Hutchison, from British Columbia. Katy's husband, Bob McIntosh, was murdered on New Year's Eve 1997 when he went to check on a neighbor's loud teen party, held while the parents were out of town. Though dozens of people were present at the killing, no one was held accountable for five years. Katy told her powerful story of grief, forgiveness, and rebuilding lives in her 2006 book,

Walking After Midnight. Several PiRI members had the opportunity to hear Katy speak, and to have dinner with her, in Toronto last year. Her presentation is sure to be moving, thought provoking and inspirational.

Also speaking at the conference

will be Kathy Buckley, Director of Victim Services for the Office of Victim Advocate, Pennsylvania Department of Corrections.

As in previous years, there will

be 90-minute breakout sessions on a variety of topics relating to restorative justice and restorative practices. We are planning for there to be three sessions on each day, with a choice of six different programs to be offered during each session. All sessions are designed to allow for the presentation of material as well
Conferences, Continued on page 6



Photo courtesy of Katy Hutchison

Keynote speaker Katy Hutchison.

What's happening at PiRI?



Photo by Sue Klassen

PiRI Board gathers to discuss future plans.



Photo by Sue Klassen

Board Member Jeanne Carlivati teaching a training at Batavia.



Photo by Sue Klassen

Crown Attorney Barbara Bennett and Executive Director Mark Klemens discuss strategies.

Trainings

We offer general and advanced trainings and certification in both Community Conferencing and Peacemaking Circles, with specialized trainings for community groups and schools. Supported by a generous grant from Project Safe Neighborhoods, we trained over 200 people in 2008—two and a half times the number we had trained the year before

Work with schools

We continue to be contacted by schools that are interested in our training, and we are working with them and potential funders to provide restorative tools to students and teachers. We are implementing our program at Monroe High School, and trainings continue at School #39. We are also still committed to our work at #29 school and Avon Central School District. We are also branching out to the U of R, RIT, and others.

Work with courts

Our continued efforts to introduce restorative practices in the court system as an alternative or supplement to incarceration are meeting with success. We completed our first case in East Rochester in January, and many more are being screened for restorative justice. We are also supporting Batavia's new Community Conferencing program in the courts by training and coaching their facilitators.

Work with community

Through training, education and direct facilitation, PiRI works within the community to build community resiliency and resolve conflict. Our major current focus is on bringing people together to develop community plans through the RICH program.

Conferences

In collaboration with the Western NY Restorative Justice Coalition, we are hosting a two-day conference in Fall 2009. See page 1 for more info. We are also actively searching for a Special Events Director; if you are interested in the position, or would like to recommend someone you know, please contact Sue Klassen.

PiRI Grows!

Matthew Dreitlein

PiRI is growing at a remarkable rate; we are bringing together new members and coordinating new partnerships that we hope will strengthen our programs and broaden our influence in the coming months. Two prominent new members are Ashok Miglani and Gail Ferraioli, who were accepted as new Board Members at our January meeting. After being interviewed by the selections committee they were both deemed, “Highly Recommended,” and the board accepted their selection by consensus.

Ashok, who has asked that we call him Al, brings experience with local and international business, in what he refers to as a “results driven” approach. He has been resolving disputes and creating win-win scenarios for clients (government and business alike) for more than 20 years, so his connection to restorative

practices seemed quite natural. He has built his reputation over the past two decades on accomplishing the unthinkable and coordinating with partners on multiple continents. While we understand our operation is much smaller than he is used to dealing with, we are grateful for his advice and his presence on our board. When asked what motivated him to join PiRI, he

“...he wants to make a positive impact on the lives of children...”

spoke glowingly about the how comfortable he felt at the first few meetings that he attended,

and how he wants to make a positive impact on the lives of children in the community. He has not yet been through the either the Peace Circle Training or the Community Conferencing training, but he has indicated a desire to participate in both.

Gail has worked for more than 30 years helping people develop positive self images and

“She has extensive experience in both the school and court systems...”

communication and harmonious relationships, making her both an excellent practical and ideological addition to our board. She has shown a strong interest in the courts programs, but wherever she chooses to spend her time, we are sure her special skills of building consensus and trust will be more than appreciated. She has recently received accreditation from the Mediation Center for Rochester, and she currently owns Clarity Communications, an organization that provides training and mediation for a wide range of conflicts and subjects. Gail has been through both the Peace Circle and the Community Conference trainings, and has used her training in her work as a Court Appointed Special Advocate in Rochester. We are eager to have her help with any program she is interested in.

Both have pledged their enthusiastic support to the organization will be with us until at least the fall of 2010. Welcome Al and Gail! ○



Photo by Matthew Dreitlein

Ashok “Al” Miglani.



Photo by Matthew Dreitlein

Gail Ferraioli (Left) and Jeanne Carlivati(Right)

Workshop in the Woods

Amy D'Amico

Finding the Genesee County Park's Interpretive Center wasn't easy. The two-day workshop on Community Conferencing that drew participants from all over western New York couldn't have been set in a more remote spot. But the still, natural setting was emblematic of the roots of Community Conferencing. Community Conferencing is a new take on an old response to crime used in nearly every culture, including Native American cultures. Sue Klassen, Jeanne Carlivati and Mary Reed of Partners in Restorative Initiatives and Ed Minardo of Genesee Justice facilitated the fifteen-hour workshop. Many participants were trained as facilitators for the Genesee County Community Conferencing Program. Others in attendance were from a charter school in Buffalo, NY; GCASA, an alcoholism and substance abuse program headquartered in Batavia, NY; and from area colleges in Brockport, NY and Rochester, NY.

Community Conferencing is a process which allows offenders the opportunity to participate in a circle containing the victim, a support person for the victim, the offender, a support person for the offender, community members or representatives, and a facilitator. Community Conferencing affords a process intended to give the victim of a crime a venue to communicate what happened to him or her and it offers a way to participate in the justice system. Community Conferencing also affords a process of accountability for the offender. It also increases connection and



Photo courtesy of PiRI

Shannon Ford (Right) and Kitty Fallon (Left) role play a Community Conference while other trainees observe.

resiliency in the community.

The conference is intended to result in a signed agreement between all parties present that lists those things the offender must do to make things right for the victim and the community. This agreement is then a factor judges may look at when deciding how to adjudicate the criminal case. Judges are free to ignore the signed agreement altogether, to make it part of a conditional release such as a probation outcome, or to require that the satisfactory execution of this agreement would establish the basis for an adjournment in contemplation of dismissal (ACD).

The two-day training included nonviolent communication, active listening, the structure of a pre-conference and a conference, the role of the facilitator and of community members, and determining the suitability of a conference. All participants were given the opportunity to practice this skill set through role-play scenarios.

On the second day of the training, facilitators lunched with PiRI executive director Mark Klemens and with members of the Genesee County courtroom workgroup, including: City Court Judge Michael DelPlato, City Court Judge Robert J. Balbick, Public Defender Gary Horton and District Attorney Larry Friedman.

The training marked the first formal collaboration between Genesee Justice and Partners in Restorative Initiatives, and it launched the Genesee County Community Conferencing Program Pilot in Genesee County. It may be remembered as "the workshop in the woods," but it is in courtrooms throughout Western New York where it will soon be utilized. ○



Photo courtesy of PiRI

Lunch on second day with invited guests.

PiRI Joins in Training at University of Rochester

Mark Klemens

PiRI partnered with Duke Duchscherer in early January to train six staff members and four students at the University of Rochester in the process of restorative circles. The program was arranged by Monica M. Smalls, Director of the Office of Fraternity and Sorority Affairs at the University. Dean of Students Matthew Burns attended the training, as did Morgan Levy, the Assistant Dean of Students.

The focus of the three-day training was on building skills to coordinate and facilitate circles in resolving conflict. Mr. Duchscherer is a certified trainer

through the Center for Nonviolent Communication, founded by Marshall B. Rosenberg. He has



Training Participants at University of Rochester.

trained individuals in nonviolent communication throughout the world, most recently in India and Iran. Special emphasis was placed on careful listening, and

identifying the needs behind words that people were saying.

Participants gained skills in holding pre-circle discussions, facilitating the circle, and in post-circle follow-up. Through frequent role plays using real situations, the staff and students learned how to be poly-partial—not impartial—as facilitators, connected to the community as a whole. The training was enthusiastically received. Special appreciation goes to the students who cut short their holiday

break in order to return to campus for the training! And thank you to the Dean's staff who took three full days out of a very busy schedule to attend. Further RJ initiatives on campus are in the planning stages. ○

Advances in Courts

Sue Klassen

PiRI recently facilitated its first community conference in a case referred from the East Rochester Town Courts. Will this finally be the breakthrough in our local courts that we have been hoping for during the past six years?

PiRI first considered the feasibility of a courts program in June 2002 when Alan Newton moved to Rochester. Alan had helped launch a successful RJ program in the Milwaukee court system.

In Milwaukee the District Attorney strongly supported the program from the outset. In Rochester, we needed to begin building relationships with the key parties. Ed Nowak, then Public Defender, joined our Board of Advisors. DA Mike Green spoke at our Fall

2005 conference. We presented to meetings of City Court Judges. And attorney Frank Ovejero worked under a grant to implement a program. PiRI received a few case referrals, but the breakthrough seemed elusive.

In winter 2006, two interns from Roberts Wesleyan College, Gabrielle McKee and Lori Brindle, screened cases every morning in City Court. Frustration mounted, however, when no cases were referred during the four months of screening. Though many cases met the screening criteria, multiple barriers remained. And there were too many changing stakeholders in the system. Every month, a new set of individuals moved to "Part 1," the judicial intake process.

That's when we stepped back

to reassess. What was preventing a flow of cases to PiRI, and how could those barriers be overcome? PiRI Intern Scott Paltowitz from Harvard Law School helped us explore possibilities with Pre-Trial Diversion in August 2007. We found that the Center for Dispute Settlement was working effectively there, and we would have been duplicating efforts for little advantage. We next explored using restorative justice for shoplifting cases, but found storeowners were reluctant to be involved due to financial and time pressures.

PiRI was having trouble finding an open door until collaborative lawyer Michael Hagelberg urged us to try town courts. We began meeting with Town Court judges, including Judge Victoria Argento of East Rochester. Around that time Monroe County's new Public Defender, Timothy Donaher, took office. Mr. Donaher met with us almost immediately, and was forthright about his office's needs and concerns involving restorative alternatives.

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Courts, continued from p. 5

Working with Mr. Donaher, DA Mike Green, and ADA Vince Rizzo, PiRI developed forms and procedures to mutual satisfaction. The District Attorney's office appointed then Deputy Chief of Local Courts, Ann Chase, as our contact in getting a program started. Chase (now Chief of Local Courts), also recommended that we start in town courts. The Public Defender's office assigned their Town Court Supervisor, Julie Cianca, as liaison to the PiRI program. The DA's new Deputy Chief of Local Courts, Christyn Musso, will be involved as well.

With an excellent team in place and funding through a grant from the Foundation of the Monroe County Bar Association, PiRI is committed to bringing to Rochester the best practices of restorative programs from courts across North America. In December, Mark Klemens and I travelled to Toronto to visit the Adult Justice Committee in Toronto's Old City Hall Court. Don Cooley, Rekha Cherian, and Liz Nastasi lead a successful diversion program that is resulting in significant savings to the provincial budget. Crown Attorney, Barbara Bennett provided important insights to logistical issues. We learned practical tips and strategies on implementing and managing a successful program, and improving the volume of case referrals.

We are now screening cases that appear in East Rochester biweekly. Three interns, trained in the Batavia training, are assisting. On January 8, two cases, both with the same private defense attorney, were referred to restorative justice. In one of these cases, all participants chose to participate; the other case was returned to court. Following separate pre-conferences with the key participants, eight people met in a circle to look at what happened, how each person was affected, and how the harm might be repaired to the extent possible. It was a powerful meeting, resulting in a written agreement which was sent to the court. We feel confident that this program is on the road to significant success.

The program in Batavia's court system also feels on the verge of leaping forward. Facilitators are trained. Initially two cases were screened for restorative justice. Not all parties agreed to participate in this voluntary process, so those cases did not move forward. We anticipate more referrals soon.

Once more, we feel again on the brink of a breakthrough in PiRI's courts program.○

Conference, continued from p. 1

as time for dialog and networking. Anyone wishing to submit a proposal for a breakout session should contact us at office@pироchester.org and request a copy of the "Call for Presenters." We are talking with various agencies to see whether continuing education credits might be obtained for some of the sessions.

A book exhibit will be present again, and a conference luncheon will be held on one of the days. Feedback from previous conferences has indicated that attendees especially appreciate the opportunities to network with one another, and to share their own successes and challenges in restorative justice and its related fields. The planners will build into the schedule opportunities for this to happen. So make your plans now to attend, and keep an eye out on the PiRI website for conference updates. ○

talking piece is the quarterly newsletter of Partners in Restorative Initiatives. A *talking piece* is used in Peace Circles to create a space for each person to talk and all the others to listen.

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Donate through the United Way

Employees that donate to the United Way through payroll deduction are now able to designate PiRI as a recipient. If you are interested in donating, simply use the number 2486 on the donor designation form. Thank you so much for your past and future contributions, this work is not possible without you! ○

There's Just Never Enough Room!

Be sure to check out our calendar online for other exciting upcoming events, including: the upcoming Open House with Gandhi Center, Potlucks for all Circle Facilitators to share experiences, and upcoming Peacecircle and Community Conference trainings near you. ○