

# Act 146 Study Committee Report

## Restorative Justice and Domestic and Sexual Violence

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Children and Families

# Act 146 Study Committee: Charge and Membership

*Charged with examining “whether restorative justice can be an effective process for holding perpetrators of domestic and sexual violence and stalking accountable while preventing future crime and keeping victims and the greater community safe.”*

DOC

Attorney General’s Office

Community-based RJ providers

Victim advocates

Culturally specific communities

DCF

State’s Attorneys

Systems-based RJ  
providers

Victim/Survivors

Advocacy  
organizations

## Historical Context

Historical investment in a criminal legal response to domestic and sexual violence

Community Based Restorative Justice Program Policy regarding domestic and sexual violence referrals

# Vermont's Current Restorative Justice Approaches to Domestic and Sexual Violence



C.O.S.A. model



Family Group Conferencing at DCF



Balanced and Restorative Justice (BARJ)  
for Youth



Emerging Domestic Violence  
Accountability Partnerships

# National and International Practice

Well established restorative justice approaches to domestic and sexual violence internationally

Promising models elsewhere in U.S. using restorative approaches for domestic and sexual violence

Center for Court Innovation;  
Department of Justice; National  
Portrait Project

## Committee Process

The group prepared for the work by reading national articles, hearing from presenters, and discussing the current sets of programs in Vermont.

Hearing from Survivors was most important.

# Survivor Input



Two members of the study committee served as victims who had been engaged in the criminal justice system.



136 survivors responded to an on-line survey conducted by the VT Network.



33 survivors participated in focus groups held in four locations:

Chittenden Regional Correctional Facility  
Community Justice Center  
VT Network Program  
Culturally Specific Community Center

# What we learned from Survivors



A more nuanced understanding of DV, SV, and Stalking is needed within the current system.



It is especially challenging for victims who are also parents.



These crimes can cause extreme financial hardship.



Being able to access peer support is very important.



Restorative Justice is an attractive option but not in lieu of improving the current legal system.



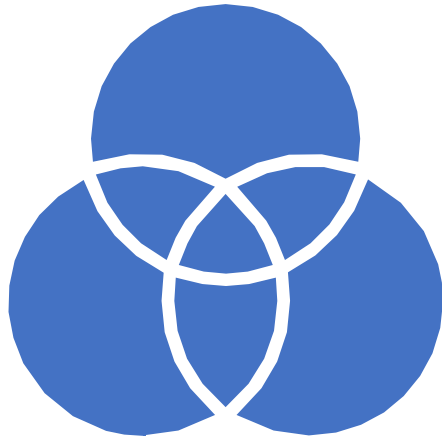
It would be important to have options available at multiple points after harm occurs



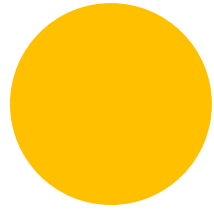
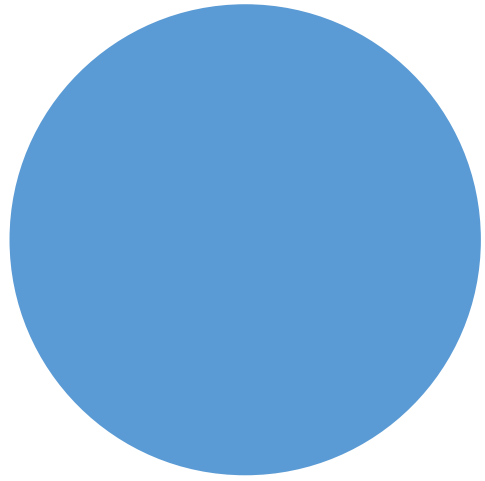
# VT Restorative Approaches

*(including those used for cases involving DV or SV)*

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- Child Welfare and Youth Justice
- Circles of Support & Accountability
- Victim-Offender Dialogue
- Community-based Restorative Justice Programs supported by the state:
  - Balanced and Restorative Justice – Department for Children & Families
  - Court Diversion – Attorney General’s Office
  - Community Justice Centers – Department of Corrections
- Domestic Violence Accountability Partnerships



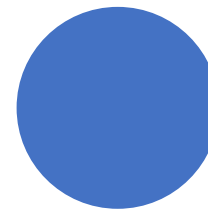
Act 146 Work Group  
**Recommendations**



*#1: Vermont should continue to study and explore restorative justice options as responses to domestic violence and sexual violence and examine whether or if restorative justice is an appropriate intervention in stalking cases.*

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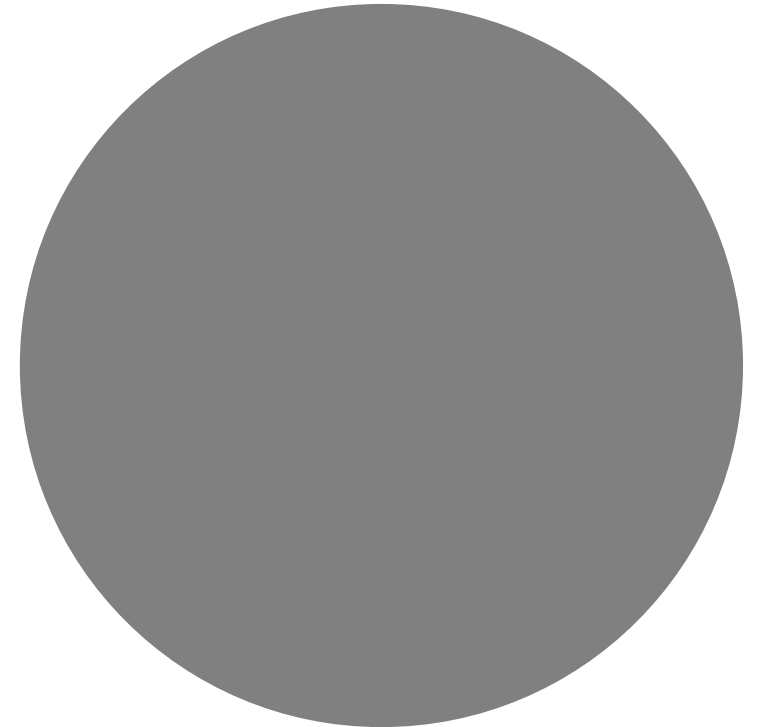
# Recommendations



*#2: Programmatic criteria for programs offering restorative justice interventions to address domestic violence, sexual violence and stalking should be formalized by a body or agency that is authorized to create readiness criteria, provide support and technical assistance, and offer oversight.*

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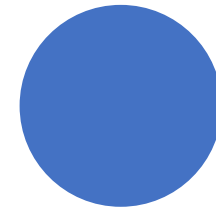
# Recommendations



*#3: Vermont should accelerate its commitment to procedural justice reforms – especially as they relate to legal responses to domestic violence, sexual violence and stalking.*

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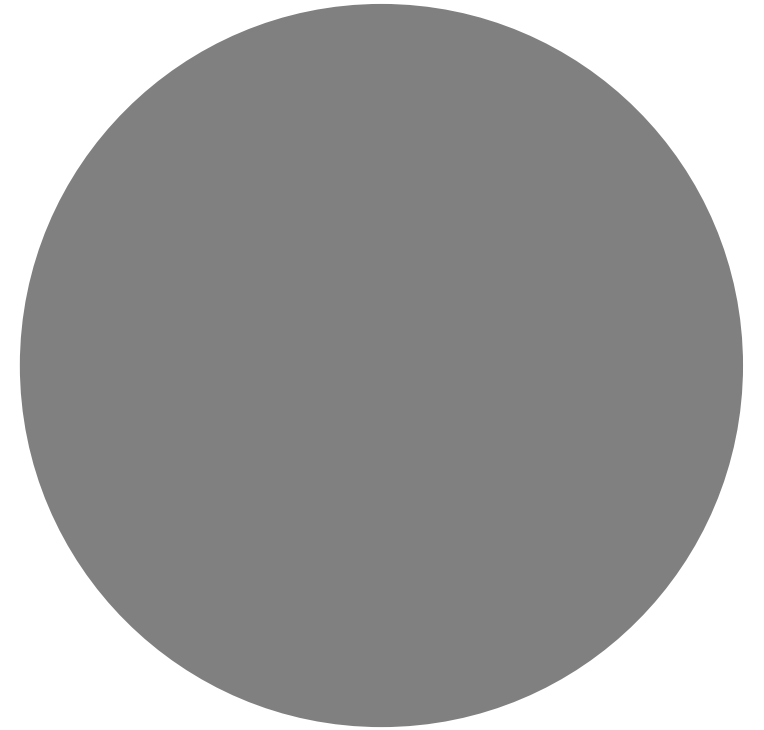
# Recommendations



*#4: Expand victims voice and voluntary participation in current restorative justice processes.*

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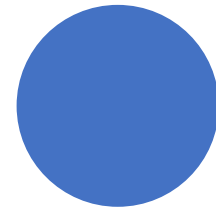
**Recommendations**



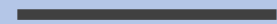
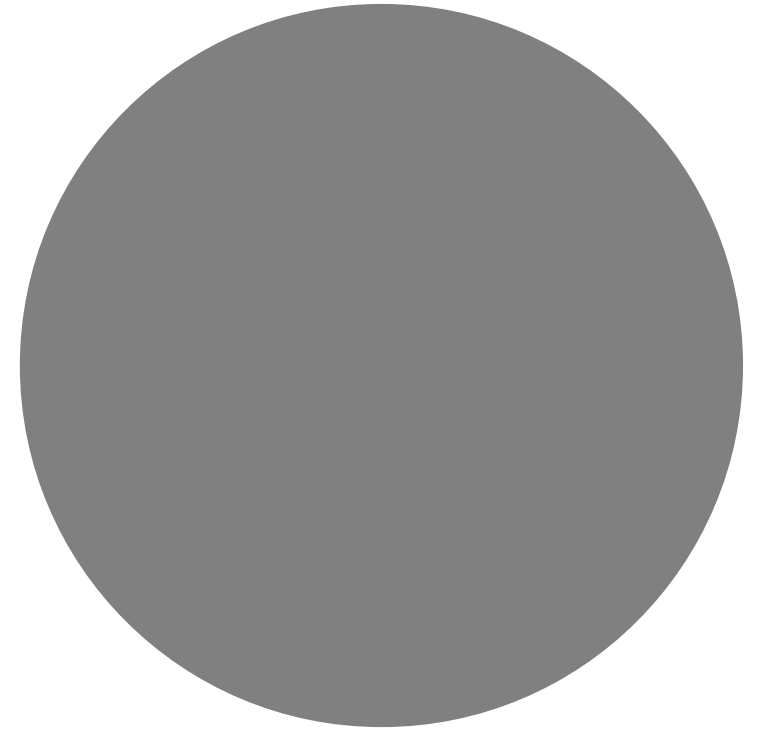
*#5: Vermont should explore a focused effort to integrate restorative practices into Relief from Abuse Order processes in Family Court.*

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# Recommendations



*#6: DCF should expand family group conferencing capacity and offerings.*



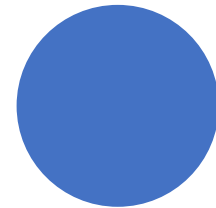
**Recommendations**



*#7: Community-Based Programs should develop peer-support opportunities for survivors of domestic and sexual violence.*

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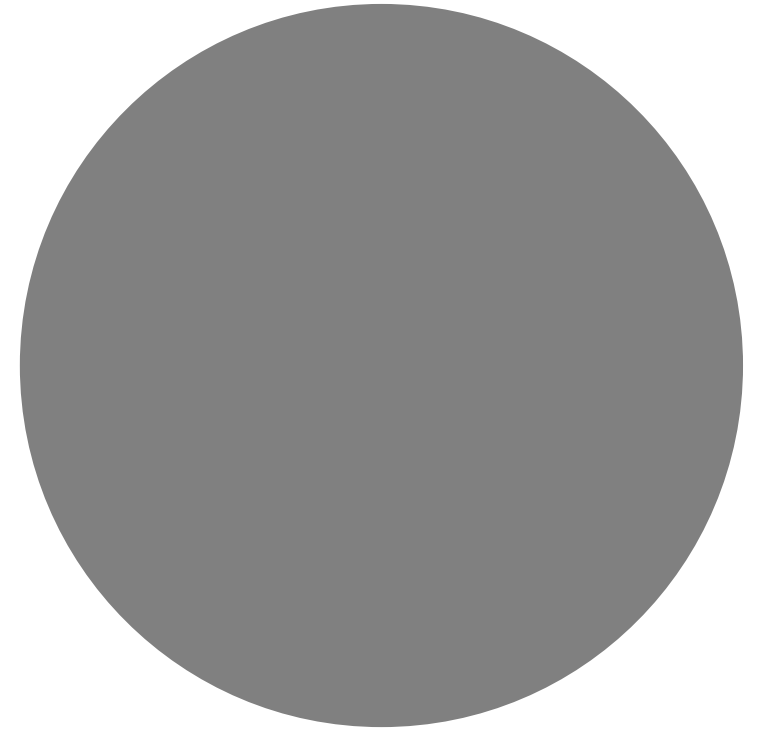
Recommendations



*#8: There should be public investment in demonstration projects aimed at addressing domestic violence, sexual violence and stalking.*

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## Recommendations



# Conclusion

## **This is Encouraging:**

- The Work Group agreed wholeheartedly that Restorative Justice needs to be an option for survivors of DV, SV, & Stalking.
- Nationally, there is increasing interest in this topic.
- There is still significant work to be done, and Vermont has a solid foundation for it to continue.