

**Restorative Justice Program
United States District Court
District of Massachusetts**

The Restorative Justice Program (RJP), initiated by United States District Judge Leo T. Sorokin, is a voluntary program that centers the needs of victims and survivors and encourages both a meaningful acceptance of responsibility and a commitment to repair harm on the part of offenders. Based on indigenous teachings and practices, the RJP is grounded in principles of respect, authenticity, interconnectedness, accountability, and support.

Begun in 2015, the RJP was designed and is overseen by Supervisory U.S. Probation Officer Maria D'Addieco, herself an experienced restorative justice practitioner, in partnership with community restorative justice practitioners and survivors of serious crime. As the program has grown, the U.S. Attorney's Office and Federal Defender's Office have dedicated personnel to be trained in restorative practices and to help facilitate and coordinate the RJP under the supervision of the program coordinator and outside community practitioners.¹

The RJP started as part of the District Court's RISE Program² but has since been made available to other defendants on pretrial supervision as well as to defendants in pretrial detention. Numerous victims and surrogate victims, as well as over 200 defendants, have participated in the RJP.

The RJP consists of the following four parts. The first two are required for defendants to complete the program, and the rest are entirely optional:

- (1) An introductory meeting between a facilitator and the defendant to begin building a relationship, introduce the concepts of restorative justice, assess the participant's needs and openness to the concepts; and identify potential harmed parties and/or community member matches for the workshop.
- (2) A sixteen-hour in-person workshop. The main objectives of the workshop are to (a) educate on the principles of restorative justice and practices; (b) evoke a deeper understanding of all crime as harm; and (c) explore meaningful acceptance of responsibility and the impact of one's harms on others through relationship-building among responsible parties, harmed parties, and community members. This is accomplished through the unique experiential learning gained from participating in a peacemaking circle. Typically the following participate in a workshop: several

¹ When prosecutors and defense attorneys are involved in the program, they are walled off from the cases of any participants with whom they interact in the RJP, and all communications within the program are treated as confidential.

² The RISE Program (Repair, Invest, Succeed, Emerge) is a front-end specialty Court program in the District of Massachusetts for defendants who: are on pretrial supervised release; voluntarily apply for participation; are selected by a joint committee based on qualifying criteria; have sentencing deferred for one year; work towards achieving a number of short and long term goals while partnering with officers in high levels of supervision; and report their progress to the Court monthly in an in-person session. There are no set or guaranteed rewards for program completion, but participants may receive a more favorable sentencing outcome based on their successful participation.

persons harmed by crime, six to ten defendants, and several persons from court related organizations or the community. The workshops are co-led by one of our trained facilitators and a mother with experience in restorative practices whose son was murdered.

- (3) A trauma-informed restorative justice reading group. The group meets once a week for five weeks to discuss readings about common types of trauma and consideration of whether serious harms done to participants in the group might be related to the harms they subsequently caused to others. The sessions meet virtually and follow the format of a peacemaking circle. As an alternative to reading-group sessions, some participants complete individual readings and videos designed to deepen an understanding of genuine acceptance of responsibility and accountability. Participants are encouraged to write or record reflections on the readings.
- (4) A facilitated restorative conference between the defendant and one or more persons harmed by the defendant's conduct, or surrogate victims, as well as optional support persons. At the conference, victims are invited to: express how the defendant's crime, or a similar one if they are a surrogate victim, has affected them; ask any questions of the defendant; and suggest what steps the defendant should take to try to repair the harm as much as possible. Defendants are invited to discuss their path to a genuine acceptance of responsibility for the harm they have caused. The facilitator meets with each individual at least once in advance to prepare for the conference. Participation in the conference is entirely voluntary, and victims/survivors are never pressured or encouraged to forgive defendants.

Despite heavy programming and work responsibilities, the vast majority of RJP participants opt to participate in the optional parts (3 and 4) of the program.

Participants in the RJP do not receive any predetermined benefit at sentencing. Sentencing courts learn which parts of the program the participant completed but do not receive any qualitative assessment of the participant's participation. The sentencing judge typically focuses on any evidence provided by defendants or their counsel as to how the program has led to a change in the defendant's thinking and actions.

Bolstered by numerous indications of transformation by program participants and satisfaction by victims, survivors, and community members, the RJP plans to commission an academic study of the effectiveness of the program in achieving its goals. Early evidence suggests the program contributes to a dramatic reduction in recidivism by participants, gives victims and survivors a voice and opportunities for healing they do not ordinarily receive in our criminal justice system, and promotes constructive efforts to repair the harm caused by crime. The program also broadens the perspective of all involved. The program has also broadened the perspectives of and reframed in positive ways the relationships between prosecutors, defense attorneys, defendants, victims of crime, probation officers and judges.