

TOPIC # 8 ON THE MAY 8TH AGENDA

Below are some informational organizations that follow current laws and policies related to reentry and a reiteration of related Bills. I thought it might be helpful to our board members who are seeking additional sources of helpful information to improve community safety.

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7055 Folsom Boulevard

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Ending ‘school-to-prison pipeline’

One new law would task the California Department of Education with developing evidence-based best practices for restorative justice.

[The law](#), authored by Democratic Assembly member Dr. Akilah Weber, is an effort to disrupt the so-called “school-to-prison” pipeline, which refers to the disproportionate and increased likelihood of students of color — particularly Black students — being disciplined in school via suspension or police to end up incarcerated as adults.

Weber, a physician, said implementing restorative justice practices in schools is a manner of focusing on social determinants of health.

“We need to start implementing some things that work so that all students in California can be successful in having very strong academic foundations ... instead of taking a child and disciplining them and kicking them out of their learning environment either temporarily or permanently,” she said.

[Restorative justice practices](#) focus on mediation and community-building, asking students to take responsibility for harm they’ve caused. It also makes efforts to repair while centering the needs of those who have been harmed.

In Sacramento County, two school districts have started to implement and experiment with restorative justice practices: [Natomas](#) and [Sacramento City](#).

That’s in the wake of [a 2020 report](#) showing the latter district has one of the highest suspension rates for Black students, mainly boys, in California. The report recommended the district utilize restorative justice as a suspension alternative, to “build communities and ‘restore’ relationships between all affected parties after an incident has occurred.”

This coming legislative session, Weber hopes to introduce a new bill that would mandate all California schools to utilize the list of practices developed by the state’s education department, to ensure all students, regardless of where their school is located, are able to benefit.

—*Janelle Salanga*

Understanding the ‘prison-to-streets’ problem

California will be required to collect data each year on how many people are exiting prison into unstable housing — or outright homelessness — under a new law that goes into effect Jan. 1. Researchers have found a [strong link](#) between leaving prison and entering homelessness, but have struggled to find exact data.

[Senate Bill 903](#) authored by now-retired Senator Bob Hertzberg attempts to measure this “prison-to-streets” pipeline.

One reason current data is unreliable is that inmates often tell parole boards they have housing, even if they don't, according to Chris Martin, policy director with Housing California, a nonprofit that supported the law.

"If the answer is no, they then do not get paroled," Martin explained. "They get kept in prison."

He said housing discrimination against former inmates "is rampant throughout our state" and pushes many to the streets.

"When you apply for housing, you have to say whether you have a criminal record or not. And if you reply 'yes,' you're not going to get that unit," Martin said.

The new law requires the California Rehabilitation Oversight Board, part of the Office of the Inspector General, to issue annual reports to the governor and Legislature. Those reports must include, among other findings, "data indicating the number of parolees who are experiencing homelessness, and the number of those parolees experiencing homelessness who have previously been identified as having serious mental health needs," according to the text of the law.

Martin said he hopes the new law will spark plans for how the state can house people exiting prisons, not just while they're on parole, but permanently.

"Hopefully we can see this data inform some kind of strategies and ideas around where we go from here," he said. —*Chris Nichols*

Clean slates for some convicted people

People in California who have served time in prison will soon have a chance to appeal to have their criminal records sealed.

[SB 731](#) will allow people who have served time on or after Jan. 1, 2005, to automatically have their records expunged as long as they haven't been convicted of another felony in the past four years. Those with violent or serious felonies in their backgrounds wouldn't get their records automatically sealed, but would be able to petition a court to have them sealed. Sex offenders would not be eligible.

The bill was authored by Democratic Senator Maria Elena Durazo. Supporters of the new law say serving prison time can change the trajectory of a person’s life permanently and unfairly.

In California, many landlords, employers and colleges and universities ask to conduct a background check, and a criminal record can make it harder for an applicant to secure housing and a job.

Jay Jordan, the CEO of Alliance for Safety and Justice, a nonprofit that supported SB 731, said the barriers ex-convicts face in life after prison are referred to as “collateral consequences.”

“If people who have served their time, who did everything the system said they needed to do, are not given a second chance, that’s not democracy, that’s not justice, that’s just pure punitive,” Jordan said. “It’s harming not only themselves, but their families, the economy, their community.”

There has been some research in the past that points to the racial equity component of “clean slate” laws like this one. [A 2022 study from the Institute for Health Policy Studies at UC San Francisco](#) showed that white ex-convicts were more likely to benefit from clean slate laws than Black people, for example. But this research was done on such laws that put more restrictions on who was eligible to apply. Advocates say they are hopeful that SB 731 is expansive enough to avoid racial disparities like this.

—*Sarah Mizes-Tan*

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The Council of State Governments (CSG) Justice Center is a national, nonprofit, nonpartisan organization that combines the power of a membership association, representing state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities. (<https://csgjusticecenter.org/about-us/>)

OUR MISSION

The CSG Justice Center develops research-driven strategies to increase public safety and strengthen communities.

1. Break the cycle of incarceration

High rates of recidivism increase taxpayer costs, diminish public safety, and tear apart families and communities. We work with partners inside and outside of government to reduce crime and incarceration among youth and adults in contact with the justice system.

2. Advance health, opportunity, and equity

Efforts to make communities safer and healthier are hampered by insufficient behavioral health services, barriers to economic mobility, homelessness, lack of support for victims, and racial and gender inequity. We bring people from diverse systems and perspectives together to improve policy and practice related to these challenges.

3. Use data to improve safety and justice

Data holds the power to help us understand and change justice systems for the better. And yet, states and counties still know far too little about how their systems perform. Our work transforms information into meaningful insights for policymakers.

Here is a link to the webinar titled below: (<https://youtu.be/9kNRokqWiCo>)

Community-Level Steps for Cross-Sector Collaboration to Increase Housing Opportunity (Part of the “Thinking Outside the Box Housing Webinar Series”)

The Sacramento office of the California Health Care Foundation is a resource center and gathering place for policy briefings and forums.

The California Health Care Foundation is an independent, nonprofit philanthropy that works to improve the health care system so that all Californians have the care they need. We focus especially on making sure the system works for Californians with low incomes and for communities who have traditionally faced the greatest barriers to care. We partner with leaders across the health care safety net to ensure they have the data and resources to make care more just and to drive improvement in a complex system.

Sacramento

1415 L Street #820

Sacramento, CA 95814

Tel: 916.329.4540 Fax: 916.329.4544

Topic # 6 ON THE MAY 8TH AGENDA

This will be my comments, I have highlighted my verbal comments:

What is “Restorative Justice” and How Does it Impact Individuals Involved in Crime?

August 05, 2021

By Lindsey Pointer, Ph.D., Associate Director, National Center on Restorative Justice, Assistant Professor, Center for Justice Reform, Vermont Law School

A question that we are often asked at the National Center on Restorative Justice (NCRJ) is “how does restorative justice differ from more mainstream approaches to justice-making in the criminal justice system and beyond?”

At its core, restorative justice defines “justice” in a radically different way than conventional criminal justice responses. Rather than justice as “punishment,” restorative justice conceives of justice as “repair” to the harm caused by crime and conflict. Understanding and responding to the needs of each involved party and the broader community is central to the collective creation of a just outcome.

In order to better understand this shift, we ask that you engage in a quick reflective exercise that we often facilitate with our students.

First, we ask that you reflect for a moment on a time that you became aware of a crime having been committed in your community. What were your needs as a community member? What was most important to you in that moment?

When we pose this question to students in our courses and trainings, we receive remarkably consistent responses. We hear, “I needed to feel safe again” or “I wanted to feel like I can trust the people in my community.” Some also express a need to understand why the crime took place or what led to the incident and to form a plan for how the community can prevent this sort of thing from happening in the future.

Next, we ask you to think back on a time that you experienced significant harm. Maybe you were the victim of a crime or maybe it was an instance in your personal life where you were wronged by another person. What were your needs at that time?

Again, responses to this question are generally consistent. We hear answers such as “I needed the person who harmed me to know how it had impacted my life. I needed to know that he wouldn’t do it again to me or anyone else” or “I wanted to know that she understood what she had done and that she was sorry.” Some also express a need to have their questions answered. We also hear many practical needs for reparations, such as “I needed someone to fix the damage to my property.” Rather than a need for the person who caused the harm to be punished, what we hear are needs for information, validation of their experience and pain, assurance that it will not happen again, repairs, and an apology.

Finally, we ask that you think back on a time that you caused harm to another person. Maybe you committed a crime, or maybe you hurt someone, intentionally or not, through your words or actions. What were your needs?

When we ask this question, we again hear remarkably consistent responses. Many people say, “I needed to be able to apologize and do something to try to make it right.” Others express, “I needed to know that this one incident wouldn’t define me. That I would be seen as a whole person outside this one harmful behavior” or “I needed to share with the person I hurt about what was going through my mind at that time. I wanted to be understood.”

What we glean from this exercise is that there are some common human needs experienced in the wake of crime—needs for safety, understanding, validation, information, apology, and repair. These are needs that so often go completely unmet by our mainstream punitive justice responses, which are concerned primarily with assigning guilt and doling out punishments.

By bringing the involved parties together in a safe and voluntary dialogue with well-trained facilitators, restorative justice creates an opportunity for those human needs following crime to be met. It offers a more holistic and humanizing view of what it means to pursue justice.

The impact of this approach is evident in its outcomes including reduced recidivism and increased satisfaction on the part of all involved parties, particularly the harmed party or victim. Because of this positive impact, the use of restorative justice is rapidly expanding in criminal justice systems around the United States and the world.

Of course, restorative justice will not be an appropriate option for all incidents of harm. It is a voluntary process and both the harmed party and responsible party need to engage willingly. Furthermore, it is only effective when the responsible party is taking responsibility. It does not have a mechanism for determining guilt. Restorative justice processes should always be guided by well-trained facilitators who first take the time to meet individually with all involved parties and determine that no further harm will be caused by bringing those involved together in dialogue.

Historically, in the United States, restorative justice has primarily been used for minor offenses or juveniles. However, research has shown that restorative justice is more effective for crimes that are considered more severe including felony-level offenses. Therefore, it is NCRJ's position that restorative approaches should be an option for any case in which the responsible and harmed parties feel that a restorative justice process would be helpful to their own healing journeys and the process can be carried out safely with the support of well-prepared facilitators.



Image created by Cleo Dunsmore Buchanan

Restorative justice can be used across the spectrum of criminal justice interventions. It is often used as a diversion, with cases being referred directly by police officers or judges. It is also sometimes used alongside conventional criminal justice procedure, including during a prison sentence or upon reentry from incarceration. Many restorative justice programs also accept direct community referrals, allowing the criminal justice system to be bypassed entirely.

We encourage you to learn more about this promising approach to justice reform. NCRJ is a partnership between Vermont Law School, the University of Vermont, the University of San Diego, and the U.S. Office of Justice Programs, Bureau of Justice Assistance. NCRJ is funded by a federal grant to serve as the premier education, training, and research location for the advancement of restorative justice. If you are interested in learning more about restorative approaches to justice-making, please be in touch and consider one of our educational or training offerings.

Visit the [NCRJ Art Gallery](#) to view art created by individuals who have participated in NCRJ's "Reimagining Justice" virtual restorative justice art show. These art submissions are depictions of what restorative justice means to them.

If your jurisdiction is in need of training or technical assistance, or if you know of a community that would benefit from this type of assistance, please contact BJA NTTAC at BJANTTAC@ojp.usdoj.gov and we can connect you to the appropriate training, assistance, TTA partner, and/or resources.

If you are interested in submitting the work of your organization or jurisdiction for consideration in a future TTA Today blog post or in obtaining information related to a particular topic area, please email us at BJANTTAC@ojp.usdoj.gov.

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Sac State restorative justice program works to make a difference in the lives of inmates, victims of crime.

<https://www.csus.edu/news/newsroom/stories/2022/9/restorative-justice.html>

The Roman Catholic Diocese of Sacramento

Dcn. Bill Goeke

Detention Ministry Coordinator

916-733-0221

Center for Restorative Justice Works

The Regional Center for Volunteerism

Hands-on Sacramento

A Program of Community Link Capital Region

8001 Folsom Blvd., Suite 100

Sacramento, CA 95826

For Volunteers: hbrown@communitylinkcr.org

Main Website: <http://www.crjw.us>