

Transformative Justice: What happens after incidents of harm?

BRC's Pilot Program for Community Accountability - prepared for SHNNY



Introductions

- Introduction by Nicole Clare, Chief Real Estate Development Officer
- Panelists:
 - Kelly Quirk, LCSW Chief Program Officer
 - Tanya Brown, Program Director
 - Madeline Martinez, Clinical Supervisor

Agenda

What were the challenges we are/were trying to address?

What is transformative justice and what does our application to housing and transitional services look like?

What does it look like in practice?

Case examples from our own program?

How did we build this at BRC, and some tips if you want to build at your own agency?

What is harm?

Harm in the context we are using it, is intentional or reckless behaviors that cause emotional, financial, physical or sexual harm/hurt to another

Harm can be caused by things such as?

- Hurtful insults
- Theft
- Menacing behavior
- Physical assaults
- Threats of assaults
- Property damage
- Behaving in such a way as to allow others to feel unsafe
- Refusing to help clients/Ignoring requests for assistance



What is transformative justice

- Transformative Justice (TJ) is a political framework and approach for responding to violence, harm and abuse. At its most basic, it seeks to respond to violence without creating more violence and/or engaging in harm reduction to lessen the violence. TJ can be thought of as a way of “making things right,” getting in “right relation,” or creating justice together. - Mia Mingus from Transformharm.org

Where did we build our model from?

Primarily our model is built out of the transformative justice work focused on the Interpersonal Violence Community with a philosophical focus alignment in this way:

- Not all violence is based on pathology
- Our programs and buildings are their own form of community
- People heal and grow when communities support one another, and have their own agreements around accountability

Fumbling towards repair – a workbook for community accountability facilitators – By Mariame Kaba and Shira Hassan

generation Five's work on Toward Transformative Justice

- [Transformharm.org](https://transformharm.org)

Creative Interventions Toolkit -

- [Creative-interventions.org/toolkit](https://creative-interventions.org/toolkit)

What is Community Accountability and Transformation

A dynamic process built upon transformative justice techniques for engaging staff and clients collaboratively in a process to break down and stop problematic situations that cause harm

It is a process that takes time, not an overnight quick fix

It is a process that does not need to be linear

It involves supporting both the person who was the target of harm, and the person who was causing the harm

It comes from a strength based perspective

It is a new way of adding rigor and consistency to the process of holding one another accountable

Life Cycle of Harms

Pre harm stages (Use trauma informed care, pay attention, client engagement academy)

Escalation and explosion – Stop the harm (Use CPI/de-escalation)

Recognize the consequences of harm

Make repair for the harms

Why the focus on community?

When a situation of harm happens between two individuals or in a small group, it often re-verberates through the entire community

Each program is its own mini community, and addressing instances in a community forum allows the entire community to feel secure

Staff and clients have different roles in the community, and boundaries and those need to be re-established and solidified through the process while allow each side to have some power over the outcome

Core Trauma Informed Principles - (From fumbling towards repair)

Acknowledgment – that trauma is pervasive

Safety – ensure that all participants are safe in the process

Trust – Build trust with each other by explaining, what, why and how at each stage

Choice – this process is voluntary, and the choice about the direction it goes should come from the person harmed

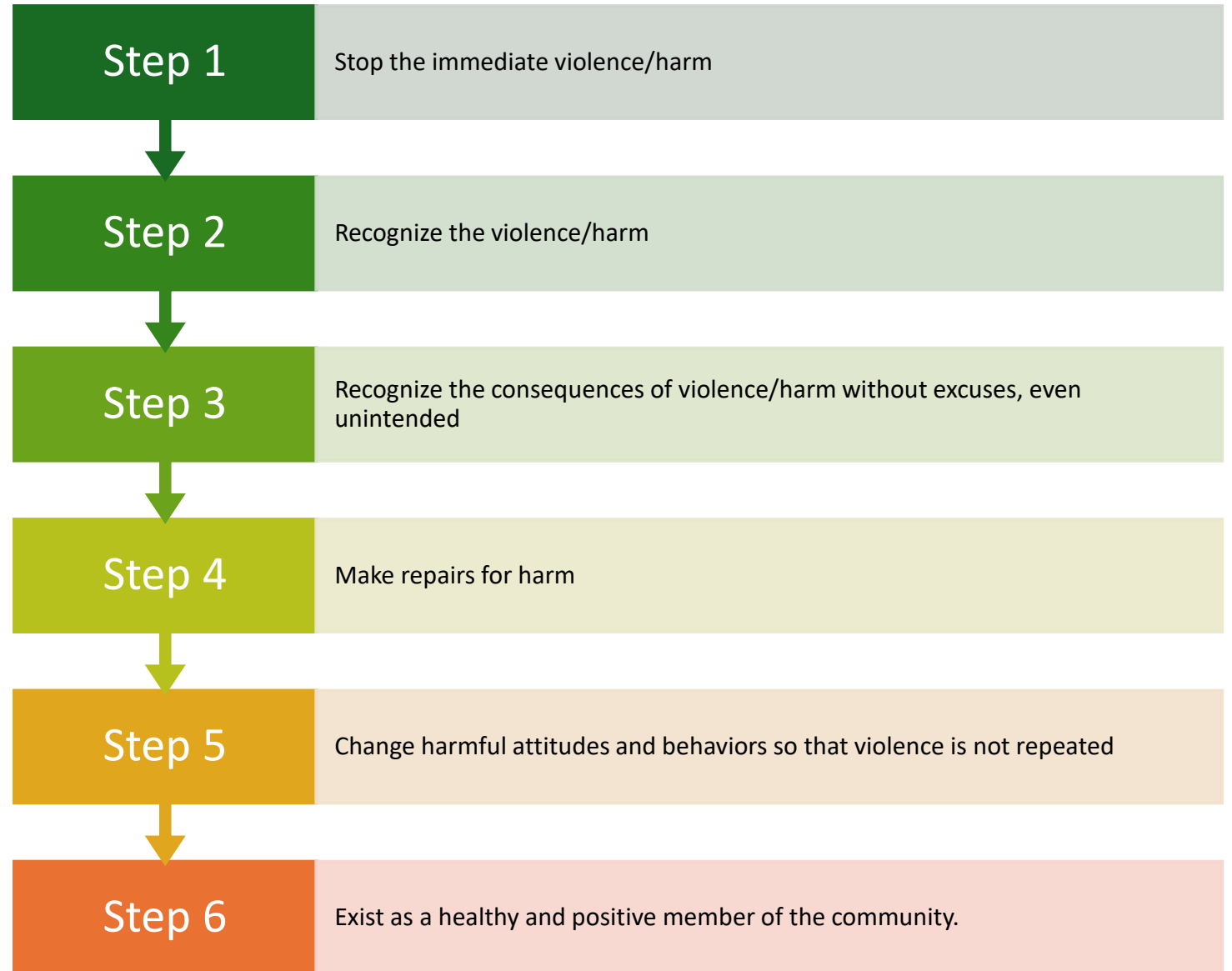
Control – as much control as possible should be given to the person harmed

Empathy – only individuals in a space to offer empathy should engage in this.

Collaboration – this requires input from all parties and includes needing to be flexible

Strengths based - build on the strengths of the participants rather than working from a deficit model

Accountability Staircase



How to give a sincere apology

- With specific details of the harm (steps 1 and 2)
- Without excuses (step 2)
- With understanding of the consequences of the negative behavior on the survivor and the community (step 2 and 3)
- With intended or requested repairs (step 3)
- With a commitment to never repeat the behavior/harm again (step 5).
- With knowledge that repeating the harm will result in consequences.
- Without the apology being for self-gain.

Bring together team after incident to discuss restorative practice

Team A works with primary victim to establish what they want from process

Team B works with primary person who caused harm to see what they want/can give to process



Teams come together to discuss without parties, find commonalities and present concerns

Team A reports back to primary victim with potential plan

Team B reports back to primary person who caused harm with ways to make amends



Teams facilitate a process of healing

Team A supports and checks in on primary victim, and provides feedback as can be shared

Team B supports primary person who caused harm in their journey and holding them accountable



Case Examples

Client broke a staff
members car
windshield with a
pipe

Client continually
touched the
backside of
another peer

Implementation -

Exploring alternative options

Inventory of existing practices
to identify areas for gap

Building cultural buy in – within
programs and organizationally

Choosing specific sites – based
on buy in

Including staff across all levels,
not just clinical

Training – In
person/Remote/Engagement

Monthly Learning Collaborative
calls

Leaning in versus phasing out.

Implementation – Next Phases

Training – In person/Remote/Engagement

Monthly Learning Collaborative calls

Leaning in versus phasing out.

Ensuring a good number of staff per building/program are trained

Creating a safe space for staff to feel vulnerable and open

Acknowledging always that this won't work in every situation

Is it a foolproof process?



No. It is not. It is an attempt to help with a healing process, that is not linear.



In the same way that individuals with medical, mental health, or substance use diagnosis sometimes do better and sometimes do worse, we can expect to see this.



We can also expect to see complicated victories. Small victories that you see over time



BRC believes in hope, and this process is essentially a hope based process.

Discussion

Benefits

- Staff
- Clients
- Personally

Risks

Cons

Key Takeaways

You can blend transformative justice principles into your work within supportive housing

You can involve your entire community of staff and clients in the process – this is not limited to clinical staff

If you are starting this process in one of your sites – start small

Questions?

