A PHENOMENOLOGICAL STUDY OF THE EXPERIENCE OF RESPONDENTS IN CAMPUS-BASED RESTORATIVE JUSTICE PROGRAMS

Peter J. Meagher

A Dissertation

Submitted to the Graduate College of Bowling Green State University in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY

December 2009

Committee:

Maureen E. Wilson, Advisor

Stephen H. Demuth, Graduate Faculty Representative

Michael D. Coomes

David R. Karp

Carolyn J. Palmer
ABSTRACT

Maureen E. Wilson, Advisor

The focus of this dissertation was the use of restorative justice practices in the collegiate setting. Some have expressed concern with the legal nature of campus conduct processes. Restorative practices have been implemented in criminal justice and K-12 settings and are seen by some as an antidote to overly legalistic campus conduct processes. Because there has been little research on restorative justice practices on college campuses, this study was exploratory in nature. The primary research question addressed in this study was, what was the experience of respondents in campus restorative justice processes? The findings included the experience of the respondents in the restorative session as well as the experience of completing the restorative agreement.

Participants were recruited from three campus programs housed at the University of Colorado at Boulder, Colorado State University, and the University of Michigan. Using a semi-structured interview format, 16 respondents who had participated in campus restorative justice processes were interviewed at their home campuses. The participants represented a spectrum of students that varied by age, gender, ethnicity, year-in-school, and type of violation.

The three major categories of themes that arose from the interviews included mediating factors, restorative sessions, and outcomes. Mediating factors—those issues, experiences, emotions, and orientations that the participants brought with them to the restorative justice process—colored, sometimes profoundly, participants’ experiences in their sessions. The restorative sessions themselves were generally respectful, supportive, and engaging and seemed to help respondents understand how their actions impacted others. Factors such as social class, age, and the absence of harmed parties in the restorative session impacted the experience of the
respondents both positively and negatively. The participants expressed changing in substantive and, at times, profound ways. These changes involved how they viewed themselves in relation to others, particularly in reference to the precipitating incident; how they viewed the resolution of the incident; what they learned from the process; and how they have incorporated this learning into their everyday behavior.

Implications for future research and practice are presented. Attention is focused on such issues as staff training, multicultural competence, and the importance of restorative sanctions. A model of how restorative justice works in the collegiate environment is also presented as well as potential limitations of the approach and impact on student development. The findings in this study are promising for the practice of restorative justice on the college campus and should lay the groundwork for its future study.
ACKNOWLEDGMENTS

The process of writing this dissertation involved a whole host of people who helped me along the way. I want to first thank Dr. Maureen Wilson, my dissertation advisor. Maureen guided me from the beginning, gave me a lot of rope, and pushed me when I needed it. The final product is better for it and I appreciate her patience. Maureen was also instrumental and helped me when my original chair, Dr. Mike Dannells, had to bow out. Dr. Mike Coomes was important in helping me with the process. Mike was both patient and generous with his time and helped me a great deal through the process of identifying and organizing themes and asking penetrating questions at my defense (despite my sinus infection and near loss of my voice!). Dr. Carolyn “eagle eye” Palmer served as an amazing editor catching all stylistic errors that my editor, my colleagues, and the rest of my committee did not catch. Carolyn was superb at asking tough questions and pushing me to think more clearly regarding my conclusions. Dr. Stephen Demuth served as the Graduate Representative on my committee and brought expertise in both criminology and restorative justice. His comments and questions were excellent and served to bring the discourse to a higher level. Dr. David Karp served as an external member of my dissertation committee and brought his expertise on restorative justice practices to my dissertation. I also greatly appreciated David’s support, friendship, encouragement, and guidance. Dr. Mark Early took time to help me out when I was stuck with my data analysis and gave me extremely helpful advice. Dr. Mike Dannells has always been supportive. He got me started on this journey and was responsible for moving me in the right direction.

To help with the integrity of the research process, I used three peer debriefers who were selfless with their time and energy. These individuals were Dr. Korine Steinke, Dr. Cara Appel-Silbaugh, and Dr. Jen Sader. All three read at least five transcripts and helped me in the process
of coding and identifying themes. Korine started things off and spent time with me at ACPA. She helped me get on the right track and gave me invaluable advice about starting the coding process. Cara served as a very helpful support person cheering me on and reading various drafts of Chapter 4. Her insights regarding the students from a conduct perspective were extremely helpful. Jen also helped with editing and was pivotal in helping me to think about themes, especially in thinking about “cookie cutter justice.” All were very generous and helped guide and support me in this process.

A number of friends assisted with this effort. My original study group – the “fearsome foursome” – Dr. Denise Davidson, Dr. Cynthia Fulford, and Evelyn Ashley, were huge supporters and friends and helped provide feedback on early drafts as well serving as sounding boards. Denise and Cynthia were especially helpful in providing friendship and support throughout the process as well as good advice and a movie outing when it was called for. Dr. Jeff Kegolis and Lisa Root also served as invaluable friends and supporters in this process. Jeff and Lisa were the first to watch my presentation and gave me very helpful feedback. Lisa also served as supporter, cheerleader, and chauffer during my time right before my defense. My defense would not have been as smooth without Lisa’s help. Jared Tuberty was very kind to assist me by taking incredibly detailed notes during my defense. My thanks to Dr. Brady Gaskins and his family for all of their support throughout my doctoral career. Kerry Jones helped me in the development of my interview protocol. My friend Emi Saito provided housing and the use of her car when I was in Colorado. She was an incredible support person in the early stages of data collection and interviewing. Dr. Maggie Balistreri-Clark got me started on this journey by encouraging me to pursue a doctorate and has always been supportive of my work.
Each of the restorative justice coordinators at the host institutions was essential in helping me to recruit participants. Shay Bright at Colorado State University, Gina Bata at the University of Colorado at Boulder, and Stacy Vander Velde at the University of Michigan were all incredibly gracious and generous in helping me to recruit students. Dr. Greg Merritt with the University of Michigan was very supportive along the way and helped me by providing support and encouragement.

The Association for Student Conduct Administration (ASCA) was pivotal in helping me make connections and providing me with financial support for my dissertation. Bill Fischer, former president of ASCA, provided me with the opportunity to serve as a presidential intern. This opportunity helped me to make a number of important connections. The association provided me with a small grant to support my research.

This research effort would not have been possible without the involvement of the 16 students who took time out of their busy schedules to meet with me and answer questions. I appreciated their candor and active participation in my study.

My family has been incredibly supportive of this effort. My mother and father both took an active interest in my progress in the doctoral program. Mom and Dad have always supported my decision to further my education as well as providing me with the work ethic to make it happen.

My friend David Lambert has always been there over the last few years and has provided sage advice (and help with moving) along the way. I could not have made it this far without him. My friend Joe Weinberg was a constant presence at the end of the process and I always appreciate his amazing wit and insight.
My dear friend, co-conspirator, and love of my life, Emily Park, has served to provide inspiration (or was that a Pacific Northwesterly wind?) and help when I got stuck at a pivotal time in the dissertation process. Emily and her two daughters, Rowan and Akayla, have shown me how to truly solve conflicts gracefully and with good humor. I have also learned from Emily how to fight for what is important with integrity, love, and compassion.

To all of you, thank you.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>LIST OF TABLES</th>
<th>xvi</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIST OF FIGURES</td>
<td>xvii</td>
</tr>
<tr>
<td>CHAPTER I. INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>Historical Overview</td>
<td>2</td>
</tr>
<tr>
<td>The New National Period (1785–1860)</td>
<td>3</td>
</tr>
<tr>
<td>The Creation of a Profession (1860–1913)</td>
<td>4</td>
</tr>
<tr>
<td>The Era of <em>In Loco Parentis</em> (1913–1961)</td>
<td>4</td>
</tr>
<tr>
<td>The Birth of Judicial Affairs (1961–Present)</td>
<td>6</td>
</tr>
<tr>
<td>Statement of the Problem</td>
<td>7</td>
</tr>
<tr>
<td>Overview of Restorative Justice</td>
<td>8</td>
</tr>
<tr>
<td>Terms and Definitions</td>
<td>10</td>
</tr>
<tr>
<td>Purpose of Study</td>
<td>11</td>
</tr>
<tr>
<td>Research Question</td>
<td>11</td>
</tr>
<tr>
<td>Significance of Study</td>
<td>12</td>
</tr>
<tr>
<td>Overview of the Methodology</td>
<td>12</td>
</tr>
<tr>
<td>Overview of the Study</td>
<td>12</td>
</tr>
<tr>
<td>CHAPTER II. REVIEW OF THE LITERATURE</td>
<td>14</td>
</tr>
<tr>
<td>Review of the Literature Concerning Student Conduct Programs</td>
<td>14</td>
</tr>
<tr>
<td>Gender, Student Conduct, and Restorative Justice</td>
<td>18</td>
</tr>
<tr>
<td>Restorative Justice</td>
<td>20</td>
</tr>
<tr>
<td>The Three Pillars of Restorative Justice</td>
<td>20</td>
</tr>
<tr>
<td>Reintegrative Shaming and Procedural Justice</td>
<td>22</td>
</tr>
</tbody>
</table>
The Practice of Restorative Justice ................................. 23

Review of the Literature Concerning Restorative Justice Programs .......................... 25

The Victim’s Experience .............................................. 26

The Offender’s Experience ........................................... 28

  Process ........................................................................ 28

  Outcomes .................................................................... 30

Challenges in Doing Research with Restorative Justice ............................... 34

Student Development Theory and the Conduct Process ......................... 36

  Moral and Ethical Development ........................................ 36

  Identity and Student Conduct ............................................ 38

Summary ........................................................................ 39

CHAPTER III. METHODS AND METHODOLOGY ..................... 40

Assumptions of Qualitative Research ........................................ 40

Approach to Research ...................................................... 41

Role of the Researcher ...................................................... 42

Measures of Quality .......................................................... 44

  Member Checking .......................................................... 45

  Peer Debriefing .............................................................. 46

  Prolonged Engagement and Thick and Rich Description .................. 46

  Reflexive Journal ........................................................... 47

Data Collection Procedures ............................................... 47

  Site Selection ............................................................... 47

  Participant Selection ....................................................... 49
Data Collection ........................................................................................................ 50
Data Analysis ........................................................................................................ 51
Ethical Considerations ............................................................................................. 52
Summary .................................................................................................................... 53
CHAPTER IV. FINDINGS ....................................................................................... 54
Revisiting Language ................................................................................................ 54
Institutional and Program Profiles .......................................................................... 55
Session Format .......................................................................................................... 55
The University of Colorado at Boulder’s Restorative Justice Program............. 56
Colorado State University’s Restorative Justice Program ................................. 58
University of Michigan’s Community Circle Program ......................................... 59
Participant Profiles .................................................................................................. 61
Antonio ...................................................................................................................... 63
Billiam ...................................................................................................................... 65
Brock ......................................................................................................................... 66
Chris ......................................................................................................................... 68
Daniel ....................................................................................................................... 70
Farm-boy .................................................................................................................. 71
Jan ............................................................................................................................ 72
Jane ........................................................................................................................... 73
Janie .......................................................................................................................... 74
Kirk ............................................................................................................................ 76
Leila ............................................................................................................................ 77
The Experience of Collegiate-Based Restorative Justice: Mediating Factors, Restorative Sessions, and Outcomes

Mediating Factors

Anticipatory anxiety
Fear of the unknown
Preconceptions
Concerns about meeting harmed parties
Previous experiences
Not taking responsibility and not perceiving harm to others

Restorative Sessions

Atmosphere communicated respect
Feeling validated
Experiencing support and openness
Being treated without judgment
Actively engaged in creating the restorative agreement
Reactions to those present in the session
Social class
Age
Presence or absence of harmed parties.......................... 101
Outcomes........................................................................... 102
Transformed view of self in relation to others............... 102
Broadened awareness of who was harmed............... 103
Increased understanding of actions’ impact on others... 105
Transformed view about harmed parties.................. 106
Changed views about the incident......................... 107
Experienced resolution.................................................. 109
Learned new skills and knowledge............................... 111
Neighbors and roommates............................................. 112
Factual knowledge.......................................................... 113
Self-knowledge............................................................... 114
Changed behavior........................................................... 115
Summary............................................................................ 118

CHAPTER V. DISCUSSION AND IMPLICATIONS......................... 120

Summary of Findings....................................................... 120
Mediating Factors............................................................ 120
Restorative Sessions......................................................... 121
Outcomes........................................................................... 122
Discussion.......................................................................... 123
Individual Students .......................................................... 123
Understanding the Impact of Their Actions.................. 123
Impact on Future Actions.................................................. 125
Restoration of Self................................................................. 125
Taking Responsibility and Orientation to Authority.............. 128
The Role of Alcohol............................................................... 128
Theoretical Implications...................................................... 130
Building Moral Muscles...................................................... 130
From Moral Sensitivity to Moral Action................................ 131
Procedural Justice............................................................... 132
Cookie-Cutter Justice, Diversity, and the Importance of Identity.... 132
Gender and Restorative Justice........................................... 133
Toward a Model of Restorative Justice on the College Campus........ 134
Possible Limitations of Restorative Justice on the College Campus..... 136
Is Restorative Justice Worth It?............................................ 137
Implications for Practice..................................................... 138
Training Staff and Volunteers.............................................. 138
Importance of Restorative Sanctions.................................. 140
Applying the Roadmap: Learning How to Promote Perspective Taking... 140
Orienting Students to Restorative Justice Prior to the Restorative Conference.... 140
Prescreening................................................................. 142
Multicultural Competence............................................... 142
Implications for Future Research....................................... 144
Limitations of this Study................................................... 145
Conclusion................................................................. 146
REFERENCES............................................................... 147
# LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>62</td>
</tr>
</tbody>
</table>

Basic Information on Study Participants
## LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Summary of Categories</td>
<td>85</td>
</tr>
<tr>
<td>2</td>
<td>A Model of Restorative Justice on the College Campus</td>
<td>135</td>
</tr>
</tbody>
</table>
CHAPTER I. INTRODUCTION

Monday morning arrived, and the president of a prestigious institution faced the aftermath of a rough weekend: fist fights, drunken students, broken windows, and assorted acts of vandalism. These circumstances could describe nearly any modern American university. Instead, it was 17th century Harvard (Jackson, 1995). Acts of student misconduct have been with us since the inception of American higher education. The need to discipline student misbehavior is thus not new. Today, institutions of higher education in the United States are facing ever more complex and vexing challenges, including unprecedented threats to student safety, students presenting with severe mental health issues, and complex legal challenges. At the heart of many of these issues is the conduct office. Conduct administrators, sometimes referred to as judicial administrators, are responsible for responding to student misbehavior on college campuses. In many ways, the modern office of student conduct is at the crossroads of a number of important factors including legal, developmental, demographic, and organizational issues.

The goal of this chapter is to present the historical context of student conduct programs and to summarize the central research questions and significance of this study. The focus of this study was on the use of a new form of alternative dispute resolution model called restorative justice. As I will argue, the long-standing movement toward more legally grounded approaches to student conduct has, according to some, moved us away from a developmental approach to a more adversarial one, with students acting as pseudolawyers for themselves or on behalf of others and attorneys advising some students in hearings (Gehring, 2001). As the field of student conduct arguably has moved away from a developmental approach, the criminal justice field has, in part, been implementing a new form of justice—restorative justice—which has
reconceptualized how we approach wrongdoing. A few college campuses across the country have begun implementing restorative justice programs, and interest in this approach is high. Indeed, as Lowery and Dannells (2004) argued, “a large segment of the higher education community is ready to embrace restorative justice as an alternative approach to enhance, or perhaps reclaim, the educational nature of student judicial affairs” (p. 22).

**Historical Overview**

The story of the modern conduct office is interwoven in the development of the field of student affairs, which is, in turn, spun into the history of higher education in the United States. The “colonial nine,” the first nine colleges in this country, were created in the image of England’s collegiate exemplars, Oxford and Cambridge (Rudolph, 1962/1990). Education was a top priority in the New World, and after “erecting shelter, a house of worship, and the framework for government,” collegiate learning was next on the list (Rudolph, 1962/1990, p. 3). The goal of the early American college was to mold the intellect and character of boys and young men to learn the “culture of their class [and] the morality of the Christian world” and to prepare the students “to assume social prestigious vocations” (Levine & Nidiffer, 1997, p. 54). Faculty served as surrogate parents, providing for all of the needs of the students. At times, under the strict discipline of the faculty, the students banded together and acted out, sometimes violently. As Jackson (1995) noted, students perpetrated a variety of misdeeds, including “emetics in the drinking water, dead dogs dropped into the well, [and] stones thrown through windows” (p. 5). To address this misconduct, the faculty resorted to heavy-handed methods of discipline. Until 1718, flogging was the standard form of discipline (Rudolph, 1962/1990). After that point and until 1755, boxing served to “teach” these young men not to misbehave. One faculty member
even slept with a loaded pistol “in dread anticipation of attempts on his life” (Jackson, 1995, p. 5).

**The New National Period (1785–1860)**

The New National period was characterized by tremendous growth, student resistance, and innovations in curriculum and institutional type that endure to the present day. In this time of great expansion and little government oversight, higher education is best likened to a “cottage industry” (Thelin, 2004, p. 41). In 1800, 25 institutions of higher education existed, and there were 52 in 1820; by 1860, the number swelled to 241 (Thelin, 2004). In response to the strict discipline and classical curriculum of the colonial colleges, students rebelled. Part of this rebellion involved direct clashes with administration. Indeed, one historian argued that the first part of the nineteenth century represented “the worst student violence of their histories” (Geiger, 1999, p. 45). By the midpoint of the 19th century, college growth had stagnated, in part because of an economic depression and the lack of appeal of the classical curriculum.

Students responded to the stultifying atmosphere of the classical curriculum by forming what has been termed the “extra-curriculum” (Carpenter, 2004; Rudolph, 1962/1990). As Rudolph (1962/1990) noted, the primary objective of college was to turn boys into men in the context of harsh conditions and Draconian methods of discipline. In response to this cold landscape, students banded together and formed their own clubs, societies, and Greek-letter organizations. Rudolph (1962/1990) also noted that the latter group spread so quickly that “most college presidents found that their undergraduates had ushered into the American college community a social system that they had neither invited nor encouraged” (p. 145). As time progressed, the Greek-letter organizations eclipsed the literary societies on all college campuses.
The Creation of a Profession (1860–1913)

During the period between 1860 and 1913, the extra-curriculum developed and flourished to include intercollegiate sporting events. Although the colonial period was marked by strict rules and residential living, the period between 1860 and 1913 represented the opposite. Many of the ills of the colonial college were blamed on residential living, so over time, students moved off campus (M. J. Coomes, personal communication, November 7, 2006; Rentz, 2004). To counterbalance this exodus, the heavy-handed and strict rules of the past were substituted for more liberal ones. Between 1875 and 1930, the number of students attending college increased thirtyfold (Rentz, 2004). With increasing enrollments and the faculty member’s role as disciplinarian shrinking, college presidents looked to a new kind of professional. In 1870, Ephraim Gurney was named Harvard’s first Dean of the College. Although Gurney’s job was largely academic, he also was in charge of student discipline. When this position was reorganized in 1891, LeBaron Russell Briggs was named as the first Dean of Men. His job was to take over all nonacademic duties, which included discipline, registration, records, and other duties related to the students’ lives outside of the classroom (Rentz, 2004). Briggs is considered the first person to occupy the role as a nonacademic professional on a college campus. The first Dean of Women, Alice Freeman Palmer, arrived just a few years later at the University of Chicago (Waryold & Lancaster, 2008). Palmer came to her role after serving as president of Wellesley College.

The Era of In Loco Parentis (1913–1961)

During the time period between 1913 and 1961, colleges and universities enjoyed a high level of protection from lawsuits and liability. The primary case that served as precedent upholding insularity from legal intrusion was the 1913 Gott v. Berea College decision (Bickel &
Lake, 1999). The *Gott* decision pertained to a college rule that barred students from going to certain off-campus locations. Specifically, the court ruled that colleges “could stand in loco parentis concerning the physical and moral welfare . . . and . . . to that end [may make] any rule or regulation for the government or betterment of their pupils that a parent could do for the same purpose” (Bickel & Lake, 1999, p. 22). In short, the essential authority given to the college was “to discipline, control, and directly regulate” (Bickel & Lake, 1999, p. 23). This doctrine held sway for the next 50 years until another landmark court decision would serve as a new precedent and redefine the relationship between institutions of higher education and college students.

As already noted, the early positions of deans of men and women were created in the late part of the 19th century to take the burden of student discipline off of the president (Dannells & Lowery, 2004). In the early part of the 20th century, a new field of professionals emerged from the student personnel movement. This new field arose out of the “coalescence on campus of several other movements . . . including vocational guidance, applied psychology, educational psychology and measurement, and mental hygiene/health” (Dannells, 1997, p. 9). Dannells and Lowery (2004) argued that the new student personnel professionals were sometimes at odds with the disciplinary role of the deans of students. At the core of this conflict were the values that each group supposedly held. The new student personnel professionals were guided by holistic and developmental principles, whereas the deans were seen by some as strictly disciplinarians. However, as Dannells (1997) suggested, this negative view of the early deans provoked an unnecessary conflict with the new student personnel professionals that was “all the more unfortunate because records of the early meetings of the deans show they spoke of their work in terms of ‘character formation’ . . . and not in terms of punishment and control” (p. 9).
The Birth of Judicial Affairs (1961–Present)

The story of the court case and subsequent ruling in *Dixon v. Alabama State Board of Education* (1961) ushered in a new era in judicial affairs in tandem with the national Civil Rights Movement and overturned what had been the bedrock value of the student-institution relationship (Bickel, 2008). On February 25, 1960, St. John Dixon and 28 other students from Alabama State College entered the Montgomery County Courthouse to protest the public lunchroom’s refusal to serve Blacks. Following the sit-in, protests erupted throughout the college. The students who participated in the sit-in were subsequently expelled without notice of the charges against them and were given no opportunity to rebut the facts of the case. The students brought suit in federal court and received a “watershed decision . . . of university law” (Bickel & Lake, 1999, p. 37). This decision laid the framework for basic rights in student conduct processes and was ultimately the undoing of the doctrine of *in loco parentis*. As Bickel and Lake (1999) stated, prior to *Dixon*, there had been a long-standing “insularity . . . [that] kept university affairs out of the courts” (p. 35). The tenets of *in loco parentis* thus served as a legal buffer and defined the relationship between students and the institution. The *Dixon* court objected to the fact that universities could abuse their authority. As Bickel (2008) stated, the ruling in *Dixon* supported the notion that “there was an overarching legitimate constitutional concern that, in the absence of due process, universities would expel students not because of their conduct, but because of the unpopular content of their message” (p. 13). The ruling in *Dixon* represented a fundamental shift that ultimately not only undermined the philosophy of *in loco parentis* but also upheld “the basic guarantee of a democracy, including the freedom to protest injustice” (Bickel, 2008, p. 13).
With the changing legal landscape and the tumult of the 1960s, the process of campus discipline practices changed profoundly as well. As Dannells and Lowery (2004) stated, these changes included “increased student input into the disciplinary codes and processes, broadened legal and educational conceptions of students’ rights and responsibilities, and the introduction of due process safeguards” (p. 181). Many institutions across the country, in the wake of Dixon, established formal “legalistic ‘judicial systems’ for the adjudication of misconduct” (Dannells & Lowery, 2004, p. 181). Over time, these conduct systems have grown in complexity. As a testament to the growing field of judicial affairs, the American College Personnel Association (now known as ACPA: College Student Educators International) established Commission XV for Campus Judicial Affairs and Legal Issues in 1973 (ACPA: College Student Educators International, n.d.). This was followed by the establishment of the Association of Student Judicial Affairs (ASJA)—now known as the Association of Student Conduct Administrators (ASCA)—in 1987 (Dannells & Lowery, 2004).

**Statement of the Problem**

While the field of judicial affairs has matured, several commentators have expressed concerns about the legal nature of campus conduct processes. Lowery and Dannells (2004) argued that, over the past four decades, a “creeping legalism” has made its way into campus judicial proceedings and has encouraged an “adversarial environment” (p. 21). These authors suggested that the field of student conduct has shifted from student development toward a more legalistic focus. In contrast, some collegiate practitioners have started exploring alternative dispute resolution models. For example, several dozen conduct offices across the United States have begun incorporating the practices of restorative justice in the collegiate setting (Karp, 2004). This model incorporates a fundamental shift of focus from punishment to reparation and
could be a stronger fit with the values of the campus community. Pat Oles (2004), Dean of Students at Skidmore College, eloquently noted in this regard that “the goal [of colleges and universities] is [to educate] citizens and leaders capable of strengthening communities . . . . The restorative approach provides colleges with the perspective and means to work toward this crucial goal” (p. 267).

**Overview of Restorative Justice**

Proponents and scholars of restorative justice, as I have noted, have long argued that its tenets represent a fundamental paradigmatic shift in addressing crime and wrongdoing. The dominant paradigm has been referred to as “retributive, or criminal, justice” (Zehr, 2002, p. 21). Each of these viewpoints has a different take on what is meant by justice. Retributive forms of justice focus on the criminal and on the rules or laws that have been broken. Justice, in this paradigm, involves finding guilt and assigning a punishment so the wrongdoers get “what they deserve” (Zehr, 2002, p. 21).

Restorative justice takes a broader view of wrongdoing. Crime or misconduct is not only breaking laws but a “violation of people and relationships” (Zehr, 2002, p. 21). This conception of justice places crime and misconduct in a social context. In the restorative paradigm, the impact of misconduct involves community and so does the solution. Where retributive justice focuses on the offender, restorative justice is more inclusive and involves, when possible, the victim and representatives of the broader community. Latimer, Dowden, and Muise (2005) defined restorative justice to be “a voluntary, community-based response to criminal behavior that attempts to bring together the victim, the offender, and the community, in an effort to address the harm caused by the criminal behavior” (p. 131). The central focus, therefore, moves
from punishment to restoration, which involves addressing the needs of the victims and the obligation the offender has to repair the harm.

Restorative practices may be an ideal fit for the campus community for a number of reasons. The first focuses on the current generation of students. Some have argued that this group of students, named the Millennial Generation, “bring with them a strong team orientation and desire for community” (Lowery & Dannells, 2004, p. 22). Restorative justice, with its focus on community engagement, offers a unique avenue to tap into the Millennials’ communitarian impulse. The second reason involves issues of diversity and inclusion. In many ways, educational systems in general, and higher education specifically, have been an important place where the values of the dominant culture have been transmitted (Kubow & Fossum, 2007). In colonial times and beyond, higher education has provided the opportunity for elite boys and men to receive a college education. The campus community, however, is becoming more and more diverse, and creating practices that are welcoming and inclusive is essential. Restorative justice, with its focus on inclusion and engagement, has the potential to fulfill this important element in our campus conduct programs. The third justification for restorative practices involves the goal of campus conduct programs. As noted previously, student conduct programs have aligned themselves more with legal issues and less with the growth and development of the student. Karp (2004) argued that, although the field of student conduct has moved toward a more educational ideal, “the continuum of sanctions is still defined by punishment and outcasting” (p. 9). A restorative approach changes the emphasis more squarely back to an educational and developmental approach that promotes the essential mission of learning in campus communities.
Terms and Definitions

Several definitions and comments are needed for the sake of clarity. The study proposed here is on restorative justice practices on college campuses. One challenge in writing about this topic is that restorative practices have been employed almost exclusively in criminal justice and K-12 school settings. Therefore, language used in the literature on restorative justice is consistent with these contexts but not the collegiate milieu. Student conduct programs have, for some time, been attempting to distance from language based in legal concepts such as perpetrator, victim, complainant, and the like (Gehring, 2001; Lowery & Dannells, 2004). However, in chapter two, victim and offender are used, as these are the terms used in the literature on criminal justice. When referring to college students, the person accused of wrongdoing will be referred to as the respondent. Students in this study will also be referred to as research participants. The person who was directly impacted by the actions of the respondent will be referred to as the harmed party. Individuals who participate in the restorative conference and speak on behalf of the community will be referred to as community members. For the individuals other than the respondent involved in a session, I will use at times general terms such as session participants, conference participants, or panelists. Those who are directing the session are referred to as facilitators.

A restorative justice process includes a meeting between any number of respondents and harmed parties, support persons, and one or two facilitators. These sessions will be further defined in chapter two and revisited again in chapter four. In its most basic form, a restorative justice session would include a statement from the respondent about the incident and a statement from the harmed party on how the respondent’s actions impacted him or her. Finally, the outcome of a completed restorative justice process includes a restorative agreement negotiated
by all present in which the respondent commits to complete certain actions to repair the harm (Karp, 2004).

**Purpose of Study**

Student misconduct, as noted previously, is not new and remains a challenge for new and seasoned conduct administrators alike. Despite the great deal of literature available on the legal aspects of conduct administration, the practice of student conduct has been largely unexamined. Proponents of restorative justice suggest that it is a better fit for the campus community (Karp, 2004). Dozens of studies have considered the efficacy of restorative practices, but to date, no research has been done on its effectiveness in a collegiate setting. The goal of this study was to better understand the terrain of student conduct with a special emphasis on restorative practices. There are a number of loci to choose in proposing a study on student conduct, including impact on the community, the harmed party, the conduct administrator, or the respondent. Students who take part in misconduct are the central focus of any conduct office; how they are impacted by and respond to restorative methods is of vital interest to college conduct administrators. Thus, exploring the efficacy of these practices for respondents will be the focus of this inquiry. The purpose of this study is therefore to explore the impact of restorative justice processes on student respondents in collegiate settings.

**Research Question**

The driver of any research endeavor is the research question, as it serves to focus the researcher’s efforts. The primary research question I addressed was, what was the experience of respondents in campus restorative justice processes? In this study, the findings will include the experience of the respondent in the restorative session as well as the experience of completing the restorative agreement.
Significance of Study

A great deal of research has been done on restorative justice practices outside of the campus setting, but relatively few studies have been done on campus conduct programs (Dannells & Lowery, 2004; Umbreit, Coates, & Vos, 2004). Indeed, a decade or more of qualitative and quantitative studies informs restorative practices in criminal justice settings throughout the world (for example, Canada, Great Britain, and Australia) (Braithwaite, 2002). Dannells (1997) acknowledged “although institutions of higher education in the United States have been engaged in the practice of student discipline for more than 300 years, we know surprisingly little about the effectiveness of our efforts” (p. v). Thus, this study lays the foundation for the future study of restorative practices in collegiate settings.

Overview of the Methodology

This study adopts a qualitative approach, since restorative justice conferences have not been researched on college campuses. This approach provided maximum flexibility and allowed for an in-depth exploration of the experience. Participants were recruited from three campus programs housed at the University of Colorado at Boulder, Colorado State University, and the University of Michigan. Using a semistructured interview format, 16 respondents who had participated in campus restorative justice processes were interviewed at their home campuses. The interviews were recorded, transcribed, and coded by the researcher in cooperation with three peer reviewers. The codes were then grouped into broad categories to convey the experience of the research participants.

Overview of the Study

The study is composed of five chapters. This first chapter serves to set the context and provide an overview of the problem addressed, the question guiding the study, and the
significance of the research. The second chapter provides an overview of relevant literature on campus conduct programs, restorative justice programs, and student development theory. Chapter 3 summarizes the research methods used in the study. In Chapter 4, the major findings are presented from the study, and Chapter 5 reviews the findings, presents a discussion of their relevance in light of the literature, and concludes with limitations of the study and possible avenues for future research.
CHAPTER II. REVIEW OF THE LITERATURE

As noted earlier, the paucity of research on student conduct programs does not extend to restorative justice practices in general. This chapter reviews the research on both of these sectors. Broido and Manning (2002) argued that “research cannot be conducted without the conscious or unconscious use of underlying theoretical perspectives” (p. 434). Though theory should not, as Strauss and Corbin (1998) suggested, “stand between the researcher and the data” (p. 53), it can serve as a guide to illuminate potential paths and connections. In this chapter, I will also review the theoretical foundation undergirding restorative justice as well as major theories of moral and ethical development, identity development, and relevant literature relating to gender and student misconduct.

Review of the Literature Concerning Student Conduct Programs

Dannells and Lowery (2004) noted that research on the outcomes and effectiveness of campus judicial affairs programs is rare. These authors further noted that certain barriers, such as legal protections and a lack of willing participants, make this kind of research a challenge. Of the existing literature on student conduct, the units of analyses have included the judicial programs at individual campuses (through a national survey), the participants at a single institution, and key stakeholders at a single campus.

Two studies utilized national survey data. In the first, Lancaster, Cooper, and Harman (1993) administered a national survey of judicial programs to ascertain “the organizational and administrative practices surrounding student disciplinary codes” (p. 110). The accessible population was drawn from the membership of the Association for Student Conduct Administrators and produced 327 completed surveys (with a 63% return rate). The information they obtained included descriptive data such as the institutional type, training and educational
background for judicial officers, location of the judicial program, location where the code of conduct is published, existence of hearing panels, and admittance of outside individuals to the hearings and ways those individuals may or may not participate. The authors conducted various analyses comparing the responses with institution types. For example, they reported that “disciplinary officers at predominantly residential campuses more often (34.8%) reported receiving . . . [judicial training] from supervisors than disciplinary officers at predominantly commuter campuses (31.3%) \( (\chi^2 = 8.03, p < .01) \)” (p. 114).

In the second national survey study, Gregory and Janosik (2003) questioned administrators of campus judicial programs in an effort to determine the influence of federal legislation (specifically, the Clery Act) on judicial practices as well as student behavior. The authors concluded that, since the passage of the Clery Act, general awareness of the act had increased, and campus judicial offices and campus police seemed to have a strengthened relationship. However, in other ways, the Clery Act had not fulfilled its purpose. For example, students did not report judging their choice of college based on the crime report data required by the Clery Act. Additionally, conduct administrators reported that the act had not impacted either the overall occurrence of campus crime or the students’ behaviors to protect themselves or their property.

Fitch and Murry (2001), Mullane (1999), and Howell (2005) have completed the only outcome-based studies of campus conduct programs. Fitch and Murry conducted a national survey to identify a rubric for classifying campus judicial programs. The resulting categories included formal, informal, and mixed. Using the categories, the researchers looked at five variables considered “key outcome measures” (p. 192). These outcome measures were total cases, number of appeals, sanctions modified secondary to an appeal, number of recidivists, and
lawsuits filed against the institution as a result of disciplinary cases. The researchers found no statistically significant difference between the three types of judicial programs and the key outcome measures. They also noted that a large number of institutions do not keep adequate records and questioned how these institutions measured their own effectiveness.

Mullane (1999) administered a survey to students who had participated in one university’s judicial program to determine “to what extent, if any, undergraduate college students perceived their disciplinary process to be either fair or educational, and to examine the relationship between this perception and their moral development” (p. 87). The survey was given to students after their judicial proceedings with a return rate on the survey of 55% ($N = 73$). Mullane found that students in the study generally felt the process had educational value and was fair. She also noted a moderate positive correlation between moral development and perceptions of educational value ($r (34) = .41, p < .01$) and a moderate positive correlation between fairness and perceptions of educational value ($r (34) = .51, p < .01$).

Howell (2005) conducted the first qualitative study using judicial participants and used a “multiple case study approach” to assess what students learned and how they believed they would behave in the future after participating in an informal campus judicial process (p. 378). Howell observed ten “informal hearings with experienced judicial officers” and the students involved in each case (p. 378). The observations of the hearings were followed with two interviews with each student, one ten days after the hearing and the second two weeks after the first interview. All observations and interviews were conducted at three doctoral/research-extensive institutions in the Southeastern United States. The participants included ten Caucasian students, nine of whom were male. Seven of the ten participants had been involved in alcohol-
related cases; two were involved in property damage, and one was involved in a noise
disturbance.

Howell divided the conclusions from the study into three categories: learning attained,
future behavior, and advice to others. He asserted that four themes emerged in regard to
learning. In the first, participants stated that they learned that their decisions may have clear
consequences and concluded that they will need to be wary of these consequences in the future.
In the second, participants noted “an expanded sense of understanding for the needs of those
around them” (p. 382). The third theme involved learning more about what was involved in the
judicial process itself. Two participants stated they felt they did not learn anything, and these
composed the fourth theme.

In terms of future behavior, the author divided this section into two subcategories:
discontinuing the behavior and maintaining the use of alcohol. In the former, Howell stated that
most participants would discontinue the behavior, especially those participants who had been
caught drinking and driving. However, while participants said they would not continue to drive
while intoxicated or use alcohol in their residence halls, some stated that they would continue to
drink. The final area of results the author presented was on advice the participants would give to
others who were going through the judicial process. On this, they suggested that participants “be
honest, act remorseful, and tell the judicial officer what he or she wants to hear” (p. 385).

In addition to the national surveys and outcome-based studies, Janosik (1995) surveyed
students, staff, and faculty at one institution to determine “the degree of consensus surrounding
the judicial decision-making process” (p. 139). To do this, he sent out a survey that used one
scale that listed possible sources of information for a hearing, a second scale on the types of
violations that students committed, and a third in which respondents were asked to give the
sanction they deemed appropriate for the offenses listed in the second section. Although there was some consensus among the participants, Janosik found a difference in what students felt was important to be included as evidence in a judicial hearing (for example, grades) and what administrators and faculty thought was important. Janosik noted that gaining consensus around sanctions that are applied in judicial decision-making is a useful procedure.

Another study that included looking at the opinions of stakeholders was a survey of parents, students, and faculty to determine what kind of due process rights were expected in campus judicial practices (Janosik & Riehl, 2000). This study found that as the severity of the incident increased, the expectation of due process protections increased as well.

Only one study has been published with a restorative-justice–based judicial program on a college campus. Completely descriptive in nature, the study by Karp and Conrad (2005) described a restorative justice program used to adjudicate student misconduct cases at Skidmore College in Saratoga, New York. This particular study reported on the training, philosophy, types of offenses, and rate of recidivism for the entire program. The study provides a good overview of Skidmore’s judicial process and serves as a model for replication at other colleges.

**Gender, Student Conduct, and Restorative Justice**

One trend noted for some time is the difference in enrollment rates in higher education by gender. Enrollment for both men and women has increased by 10% since 1998 (King, 2006). Women’s enrollment, however, has increased at a rate faster than men’s, and women composed 57.2% of overall enrollment in fall 2008 (National Center for Education Statistics, n.d.). Conduct programs face another kind of gender gap: Men are disproportionately overrepresented in campus conduct programs (Dannells, 1997; Harper, Harris, & Mmeje, 2005). Over the past twenty years, scholars and activists have documented and described the gendered socialization of
men (for example, Davis, 2002; Edwards, 2007; Hong, 2000; Kilmartin, 2000) and have suggested that boys are raised to measure themselves against an ideal of masculinity that posits that men should be tough, strong, powerful, and unemotional. Recently, a handful of conduct administrators have been addressing this issue by offering a class on male gender role socialization as a conduct sanction (P. Paquette, personal communication, February 4, 2008).

Because of their overrepresentation in conduct programs, it is thus important to find interventions that are salient and effective for men. One recent study found evidence that may support the efficacy of restorative practices with men. Whitt, Pascarella, Elkins Nesheim, Marth, and Pierson (2003) conducted a three-year study on 1,038 students from 23 two- and four-year institutions on variables that influenced cognitive and learning development during college. These scholars’ analyses of cognitive outcomes found “more differences between men and women than similarities” (Whitt et al., 2003, p. 603). The authors further described an overall thematic difference between conditional effects for men and women. Conditional effects include those that vary “according to the specific characteristic of individuals being considered” (Pascarella & Terenzini, 2005, p. 9). Women in this study reported being influenced both positively and negatively by “environmental factors” such as the average socioeconomic status and precollege cognitive development of students (Pascarella & Terenzini, 2005, p. 606). Men, however, were more influenced by what the researchers called “engagement factors” such as participation in volunteer work and non-course-related interactions with peers (Pascarella & Terenzini, 2005, p. 606). Overall, this study found that factors that promoted engagement were particularly important for men in college and were strongly associated with third-year gains in critical thinking and reading comprehension. Thus, an engaging environment seems to promote positive outcomes for male students. One of the pillars of restorative justice, as noted in the
section on restorative justice, is to engage participants. Indeed, Ludeman (2004) argued that restorative justice practices have great promise for helping college men who have offended to “make amends to the victim and to the community” and to reintegrate and engage rather than isolate from those whom they have harmed (p. 82).

Restorative Justice

Restorative justice is a relatively new approach to addressing student misconduct in higher education. In this section, a number of fundamental concepts will be reviewed including the basic philosophic tenets of the approach, two theories explaining the efficacy of restorative justice, descriptions of restorative justice session formats, and descriptions of reparative sanctions.

The Three Pillars of Restorative Justice

Zehr (2002) identified three pillars of restorative justice theory: harms and needs, obligations, and engagement. All three illustrate the inclusive and relational elements of restorative justice. The first pillar concerns the impact on the victim and includes those harms and needs that arise from the wrongdoing. Harms can be obvious or subtle. For example, injury to another or damage to property is concrete and understandable, but subtle harms might include damage to reputation, loss of self-esteem, or fear of living in a residence hall. These kinds of harms are, in many ways, more profound and can be given voice in the context of a restorative process. Both obvious and subtle harms create specific needs that can be negotiated in a restorative process. For example, victims who were attacked or targeted might feel fearful to leave their residences. Their needs might be to understand exactly why the respondents chose them. Was it chance, or was it personal? Restorative justice is inclusive of victims and community members, and it places concomitant emphasis on the needs of the respondents.
These needs might include being able to explain the incident in their own words, to apologize to the affected parties, or to better connect socially with the residents in their halls. Part of negotiating a restorative agreement involves addressing these needs in the context of the respondents’ wrongdoings.

Obligations form the second pillar articulated by Zehr. Again, the starting place to understand this tenet of restorative justice rests in understanding the paradigms that undergird the types of justice. Under traditional concepts of justice, we respond to misconduct by weighing the most appropriate punishment for the offender. For restorative justice and its focus on harm and needs, offenders have a twofold obligation to (a) understand the impact of their actions and (b) repair the harm. This pillar focuses on accountability of the offender to the harmed party in particular and the community in general. It creates a crucible to help “build student capacity for evaluating the impact of their behavior on the community” (Karp, 2004, p. 7). In this environment, student respondents will find great difficulty in turning away from viewing how their actions impacted others.

Zehr’s third pillar is engagement. Restorative practices are not about casting away, banishing, or pushing aside those involved. On the contrary, at the heart of these processes is the notion of engagement, or what Karp (2004) termed “building community” (p. 7). Thus, all those involved are given a role in the process of doing justice and repairing the harm that was caused by the wrongdoing. Although appropriate circumstances might warrant asking a student to leave an institution, as Karp noted, offering a suspension instead could be restorative if the student is given conditions to meet to rejoin the campus community. In this instance, the student can choose to reenter the institution by fulfilling the obligations set forth.
Reintegrative Shaming and Procedural Justice

Two prominent theories on the efficacy of restorative justice include reintegrative shaming theory and procedural justice theory (Braithwaite, 2002). On the former, Braithwaite (1989) argued that shame is a powerful deterrent to crime and misconduct and that, in recent times, we have decoupled shame from punishment. Countries such as Japan that use shame as part of the deterrence to crime have much lower crime rates than the United States. Braithwaite (2002) argued that not all shaming practices are effective, and in fact, some can have damaging effects. For example, some practices produced “disintegrative shaming” through the use of stigma (p. 55). In this type of shaming, much “effort is directed at labeling deviance, while little attention is paid to delabeling, to signifying forgiveness and reintegration” (Braithwaite, 1989, p. 55). Reintegrative shaming, on the other hand, focuses on “expressions of community disapproval . . . followed by gestures of reacceptance into the community” (Braithwaite, 1989, p. 55). In restorative justice, shame is brought back into the equation, but explicit messages and practices promote reintegration after a transgression.

Procedural justice theory is similar to the notion of reintegrative shaming, but the focus is on fairness rather than shame. As Braithwaite (2002) noted, a core component of both theories is to communicate respect for the individuals—but not their actions—by creating a fair judicial process. This theory argues that, if the respondents feel respected and believe the process was fair, they will be less likely to repeat misconduct. Ways to communicate fairness include empowering those present with control of the process, practicing good listening skills, assuring that each person feels able to express views freely, providing a clear understanding of the process, and refraining from bias based on issues such as age, sex, race, and sexual orientation (Braithwaite). The tone of a conduct process also sends a message about fairness. In an
adversarial setting, such as a courtroom or a campus judicial board, the goal is to prove the other side wrong. In a restorative process, the emphasis is on “maximum support” (Braithwaite, p. 78). The tone in a restorative session thus is very different and emphasizes inclusion, truth telling, and reparation. In this sense, it communicates respect and fairness and thus ultimately upholds the goal of the restorative process—to make things right for all.

The Practice of Restorative Justice

Karp (2004) described the four most commonly used types of restorative justice session formats. The first type, named victim offender mediation (VOM), and variously called victim offender reconciliation or victim offender dialogue, is designed to be a “dialogue between a victim and an offender . . . [in which the goal is] for clarification and healing” (Karp, 2004, p. 12). Victims are given the chance to describe their experience of the event and to pose questions of the offender. The final outcome of the meeting includes a “restorative contract in which the offender agrees to tasks that will help repair the harm” (Karp, 2004, p. 12).

The second type of model is called conferencing, which also may be referred to as family group conferencing or family group decision-making. Conferencing is similar to VOM except that these sessions “include ‘supporters’ of the victim and the offender” (Karp, 2004, p. 12). These individuals might include family and friends. The supporters are active participants in the session, and the goal of these individuals’ presence is to provide both support and accountability. Conferencing comes from “tribal justice practices of the [New Zealand] Maori” (Karp, 2004, p. 14). Conferencing practices serve as the foundation of the juvenile justice system in New Zealand today.

Karp’s (2004) third model is the circle, also referred to as circle sentencing and the peacemaking circle. Participants in a circle include “all affected parties in a criminal incident,
and the number of participants can be in the dozens” (Karp, 2004, p. 13). Circles are based on the practices of indigenous people of North America. One person speaks at a time, usually being given a “‘talking piece,’ . . . [which is a] ritual object that symbolizes the commonality and interdependence of circle participants” (Karp, 2004, p. 13). Karp noted that he was not aware of any circles functioning on college campuses.

The fourth model is the board, which is also referred to as an integrity board, reparative board, or community panel. This model is considered closest to campus judicial boards, although restorative boards “differ in their emphasis on restorative dialogue and the creation of the reparative agreement” (Karp, 2004, p. 13). Boards are typically composed of community members that are trained to “negotiate a restorative contract” (Karp, 2004, p. 13).

Karp (2004) argued that a critical difference between current campus judicial practices and restorative practices is in the type of sanctions used and on the intent of those sanctions. Currently, sanctions in campus conduct processes are focused on punishment rather than on repairing harm and engagement. Karp outlined four types of outcomes for restorative justice practices. The first is self-suspension, which is applied in cases when a student is a risk to the safety of others or refuses to follow through on assigned tasks. Karp argued that, in self-suspension, a contract is drawn up in which a student is asked to “repair harm and demonstrate his or her ability to be a member in good standing” (p. 10). The second type of restorative sanction is apology. As Karp noted, apology holds a “central place in restorative justice” (p. 10). In an ideal situation, a sincere apology is followed by some measure of forgiveness. Karp further argued that this “core sequence generates repair and restoration of the bond between victim and offender” (p. 10). The third type of sanction is restitution. Simply put, “restitution is paid in order to make amends” (Karp, 2004, p. 11). It should not be intended to be a fine, and as in the
other possible outcomes, the harm that was caused is clearly identified. The fourth type of sanction Karp called enlightened community service. The author made a clear distinction between punitive service and community service, the latter being a “mechanism of reintegration for student offenders because it provides a venue for making their prosocial efforts visible to others and fostering positive social ties with the campus community” (p. 11). For example, a student who makes a mess in a common area in a residence hall might be asked to conduct a community cleaning day with others in the hall. In summary, the overall goal for each of these restorative sanctions is to shift the burden of responsibility from the college to the student and to ultimately reintegrate the individuals from the fringes back in to the fabric of the campus community.

**Review of the Literature Concerning Restorative Justice Programs**

There are over a thousand restorative justice programs in operation throughout the world, and the research on restorative justice practices in criminal settings is far more comprehensive and rigorous than that conducted on campus conduct programs (Braithwaite, 2002). Because of the volume of research that has been done to date, a number of published meta-analyses as well as individual studies exist on specific aspects of the process. Braithwaite (2002) divided the findings from the literature into three major components: the victim’s experience, the offender’s experience and behavior, and the impact on the community. Most conduct meetings on college campuses involve the student respondent and occasionally those who were victimized by the incident; community members are rarely involved. This review will therefore focus on research on offenders and victims since these are more relevant to the university setting.
The Victim’s Experience

The victim’s experience has been measured in a variety of different ways. The broadest measure is that of victim satisfaction. Latimer et al. (2005), in a meta-analysis of 22 unique studies that reviewed the effectiveness of 35 programs, reported that victims in restorative justice programs indicated significantly more satisfaction than those in comparison groups ($t (12) = 3.89, p < .01$). Braithwaite (2002) noted that victim satisfaction is not always higher and, in some studies, is lower than those in comparison groups. He reported several studies (for example, Daly, 1996; Strang & Sherman, 1997) that found a “significant minority” of victims feeling worse after the restorative justice conference (p. 49). One factor that may influence this is actual participation in meetings between the offender and victim. In some programs, the victim may choose not to be in a face-to-face meeting with the offender, and staff may convey messages back and forth by shuttle diplomacy.

A variety of researchers have looked at other measures of victim’s experiences. For example, Umbreit (1999) surveyed four sites in Canada and found that although 53% of the victims in the restorative justice process remained upset about the crime, 89% were satisfied with the process, and 80% judged the process to be fair. Only 11% still feared revictimization, as compared to 31% in the comparison group who had experienced similar crimes but who did not participate in mediation. Strang et al. (2006) conducted a four-site cross-continental study (between Australia and the United Kingdom) on the effects of restorative justice on victims. They reported a “dramatic reduction in victims’ fear of their offenders after the RJ conference compared to their reported level of fear before the conference” (p. 293). Victims also reported substantial reductions in their levels of anger at the offenders and, on average, a threefold increase in their feelings of sympathy toward the offenders. Strang et al. argued that although
sympathy has little intrinsic value, it could be a precursor to forgiveness, which may aid in the recovery process. This result was true for a range of offenses from very serious to mild. Strang et al. additionally reported that “victims . . . felt much better . . . about the question of ‘Why me?’ in the offender’s choice of target” (p. 300).

Wemmers and Cyr (2005) also reported on the relationship between victim-offender mediation and victim recovery. In this post-test-only study, the authors interviewed 59 of 106 victims who had participated in a victim-offender mediation program. Prior to participating in mediation, 24% of the participants indicated that they felt afraid of the perpetrator, and all but one person indicated that their fear had been reduced after the meeting with the offenders. Wemmers and Cyr reported that 54.5 % “of victims felt that their participation in the program had indeed helped them put their victimization behind them” (p. 537). Participants were asked directly, “Did you feel better or worse regarding your victimization after the mediation?” In response, 64.1% indicated they felt better, 5.1% felt worse, and 30.8% stated that nothing had changed (p. 538). The authors also reported that the majority of victims (66%) who felt that the procedures were fair also noted that their participation in the program had helped them and concluded that “procedural justice facilitates healing” (p. 540).

Ristovski and Wertheim (2005) used a novel approach to study victims’ reactions to mediated settlements. In their study, a random sample of adults received a questionnaire with several stages of a scenario. At the first stage, they were to imagine themselves as being robbed of $5,000 that they had been saving and were going to use on a long-anticipated trip. The offender is caught, but the victim cannot go on the trip and is very disappointed. At this point, the participants responded to several questions based on the scenario. In the second-stage scenario, the participants imagined that six months had passed since the theft. The offender was
found guilty and received a suspended sentence. Then, the participants are assigned to one of four additional conditions: the no-compensation condition; the compensation condition, in which an external governmental funding source pays the compensation; forced offender compensation condition; and voluntary offender compensation condition. Ristovski and Wertheim found that “participants who received voluntary offender compensation were significantly more forgiving than participants in the remaining conditions” (p. 63). While this study is not a direct examination of the results of a restorative justice program, it is an intriguing method and does offer support for restorative justice practices where the offender is motivated to repair the harm that was caused.

The Offender’s Experience

Literature on offenders who participated in restorative justice processes can be divided into two broad categories: their experience in the process and the outcomes of the process. Research on the process includes ratings of offender satisfaction, the degree to which procedural justice is attained, and the capacity of offenders to engage in the process. Research on the outcomes of restorative processes includes comparative measures of recidivism and restitution compliance, the degree to which resolution is achieved, and more in-depth findings of perspective taking and other more personal changes experienced by the respondents.

Process. A common metric used in research on restorative justice evaluates offender satisfaction with the restorative justice process. For example, in the meta-analysis described earlier, Latimer et al. (2005) found significantly greater satisfaction for offenders in the restorative justice programs than those in a comparison group. Umbreit (1999) reported that 91% of offenders were satisfied with the process, and 80% of offenders perceived the process to be fair. Numerous other studies, as reported in Braithwaite (2002), also found a high degree of
offender satisfaction. The measurement of offender satisfaction with restorative justice processes as compared to other processes is well established in the literature on restorative justice (Sherman & Strang, 2007).

A second construct that has been measured is the degree to which the restorative session comports with procedural justice. This construct, as Daly (2005) articulated, pertains to “being treated fairly and with respect, having a say, and participating in the outcome” (p. 155). Daly created a measure of this construct in the South Australian Juvenile Justice (SAJJ, pronounced sage) Research on Conferencing Project. SAJJ’s project was an ambitious multiyear effort to explore the experience of victims and offenders in restorative justice conferences (Daly, 2005). A team of researchers met with 93 offenders in total; offenders ranged in age between 10 and 19 and were associated with 89 conferences during 1998 and 1999 (Daly, 2001). Participants in the study reported high levels of procedural justice. These researchers found that components of procedural justice were present in over 80 percent of conferences.

The capacity for offenders to engage in the restorative process was another factor explored by Daly and her research team. As Daly (2005) noted “there were limits on offenders’ interests to repair the harm” (p. 156). Daly (2005) found that 47% of offenders had thought about what they would say to the victim prior to their restorative conference; 61% expressed being truly sorry, and about half stated that the victim’s account “had any degree of effect on them” (p. 156). Thus, the offender’s capability to fully participate in the restorative process was certainly an important factor, and Daly acknowledged that this represented “but one example of the gaps that exist between the ideals of RJ and what actually occurs in a conference process in a high-volume jurisdiction” (p. 157).
**Outcomes.** Outcomes of restorative processes typically include measures of recidivism, restitution compliance, and more in-depth findings of the impact of the session on the offenders. In terms of session impact, researchers found evidence of perspective-taking and other more personal changes experienced by the respondents.

In regard to recidivism, Bradshaw, Roseborough, and Umbreit (2006) conducted a meta-analysis reviewing 15 studies consisting of 9,172 juvenile offenders. Requirements of the study included use of juvenile offenders, a victim-offender mediation model, and the use of a comparison group. These authors also looked at moderating variables that impacted the equivalency of the groups, such as the quality of the research design (random assignment, matching, and use of statistical evaluation of equivalency), the type of the comparison group (voluntary participation versus assignment to another treatment), type of offense (property versus person related offenses), definition of reoffense (any contact with law enforcement versus being adjudicated guilty), source of study (published versus unpublished results), and sampling (excluding those with more serious offenses). The mean effect size for all studies was $M = .34$ ($SD = .46$). Influence of the six moderating variables on effect sizes showed that only the test for quality of research design had statistically significant smaller effect sizes ($M = .27$, $SD = .19$) than less-sound studies ($M = .52$, $SD = 7.55$). The authors also found a negative correlation ($r = -.80$, $p < .01$) between amount of time between the offense and the follow-up and overall effect size. This finding seems to imply greater care needs to be paid to the durability of the intervention. The authors demonstrated in this study the importance of the value of the research design as an important determinant of its overall quality. They also noted future research needs to show equivalency between the treatment and comparison groups. The authors also suggest
evaluating a combination of treatment approaches when combined with a restorative intervention.

Other researchers such as Latimer et al. (2005), Bonta, Wallace-Capretta, Rooney, and McAnoy (2002), and Forgays and Demilio (2005) also showed an improvement in recidivism. Bonta et al. drew their sample from a restorative diversion program. They then matched their sample based on a number of factors with a comparison group of individuals on probation. Regardless of the time elapsed before the follow-up, there were significantly lower recidivism rates for the restorative group. The researchers also looked at restorative elements involved in the process. In terms of restorative components, 12% of the cases resulted in a direct victim-offender meeting, and 64% of the victims received an apology from the offender. Of the six restorative elements that researchers considered (victim-offender meeting, agreement reached in a meeting, restitution, community service, apology given, victim impact statement included), three were significantly correlated with reduced recidivism: the victim impact statement, restitution, and community service.

As Sherman and Strang (2007) suggested, “motivating offenders to keep promises is a key step in reducing repeat offending” (p. 58). For restitution compliance, the second area of outcome research considered in this review, there is far less research than the other measures. The meta-analysis by Latimer et al. (2005) is one study that evaluated the efficacy of offenders’ rate of restitution. In the eight studies these authors reviewed, “offenders who participated in restorative justice programs tended to have substantially higher compliance rates than offenders exposed to other arrangements” (p. 137). These researchers found an overall mean effect size for the eight studies that looked at restitution compliance to be $M=0.33$ ($SD = .24$). Despite the lack of evidence, Sherman and Strang stated in their review of the research that “what evidence we have
[on restitution compliance] shows that RJ exceeds the rate of compliance with court-ordered outcomes” (p. 58).

The third area of outcome research reviewed for this study involves an exploration of the offender’s experience of learning about the impact of their actions on the victim. Abrams, Umbreit, and Gordon (2006) conducted a “qualitative, exploratory study” to assess the experience of young offenders and their parents who participated in restorative processes (p. 245). The researchers conducted semi-structured interviews with seven individuals who ranged in age from 18 to 24 years old and who were involved in a range of offenses including drunk driving, burglary, terrorist threats, theft, and mail tampering.

A number of themes emerged from the interviews. The first theme covered what it was like to learn about the impact on the victim. As Abrams et al. (2006) noted, this “was the hardest part of the process, emotionally, but also the most meaningful” (p. 249). The response of the offender to the session brought about two types of responses: “relief and closure, and shame and remorse” (p. 249). As one participant noted, the best part of the meeting was “being able to get it off my chest” (p. 249). Besides being able to put closure to the situation, the senses of shame and guilt also were linked for the offenders. All but one of the seven “mentioned feeling bad, guilty, or ashamed as they shared their crime stories with the victim(s)” (p. 249).

The second theme that emerged involved the offenders’ attitudes towards the victims. The offenders acknowledged feeling nervous about speaking with the people they harmed, and they described the experience of telling their story as “unusual or . . . ‘surreal’” (Abrams et al., 2006, pp. 248-249). Meeting with the victim further helped offenders to attain “a much more realistic, complete picture of how their actions affected real individuals” (Abrams et al., 2006, p. 251). One of the offenders stated, after hearing a victim’s story, “At first, I didn’t feel sorry for
them at all, but that changed . . . It’s not just the criminal behavior, it’s the whole idea of what it represents. Not just stealing a magazine, it’s stealing their privacy” (Abrams et al., 2006, p. 251).

A third theme that emerged was that offenders felt humanized in the eyes of the victims. In the session, the offenders reported sensing that the victims changed their attitudes toward them. As one of the offenders noted, “They were affected to know that I cared . . . to hear that I’m not just this no-feeling monster that destroyed their stuff . . . Once they actually saw that I was a person, that was really helpful for me” (Abrams et al., 2006, p. 251). In a couple of cases, however, the offenders had victims who reacted very negatively and thus did not feel a rapprochement with them.

The fourth area that emerged was how the session impacted offenders’ lives. Five of the offenders expressed that the VOM session was “part of an overall healing journey” (Abrams et al., 2006, p. 252). As one of the participants noted, “the process helped to ‘give me a piece of mind that I didn’t have before. And, it’s made me [less] . . . shameful of being the person that I was when I was gambling’” (Abrams et al., 2006, p. 252). The participants in this study noted that engaging in a restorative process served as “one part of a meaningful process of reform and personal growth” (Abrams et al., 2006, p. 254).

Abrams et al. (2006) suggested a connection between the process of rapprochement between the victim and the offender, and recidivism. These authors argued “the process of developing empathy, of seeing the victim in a new way, and of being seen in a different way may provide some pathway to change in terms of future involvement in crime” (p. 253).
Challenges in Doing Research with Restorative Justice

There are a number of logistical and methodological challenges in doing research with restorative justice programs. One of the problems, as noted by Latimer et al. (2005), is that there is no universally accepted definition of restorative justice. A variety of terms have been used to represent restorative processes: “community justice, transformative justice, peacemaking criminology, and relational justice” (Latimer et al., 2005, p. 128). Victim-offender mediation is another term often cited in the literature. Latimer et al. identified several key elements of a restorative process: voluntary participation, honesty, and a face-to-face encounter between the victim and the offender. They also described other restorative elements that included restitution or community service. One of Latimer et al.’s recommendations was for studies to “provide more detailed information on the processes used within the restorative justice programs” in order to better evaluate and compare the results (p. 141).

Bradshaw et al. (2006) also noted that typical limitations of research on restorative justice have included “lack of control groups, nonequivalent control groups . . . self selection bias, and varied definitions of reoffense” (p. 89). These researchers, in conducting a meta-analysis, chose only studies that employed a comparison group. Others, such as Latimer et al. (2005) and Bonta et al. (2002), used either a matched grouping or a control group. Strang et al. (2006) was the only study found to use the randomized controlled trials. When dealing with real human beings who are involved in the criminal justice setting, conducting randomized trials seems to be extremely difficult.

Selection bias is another threat to internal validity. Latimer et al. (2005) correctly identified a self-selection bias in research on restorative justice. One must voluntarily participate in a restorative justice process. For a variety of reasons, however, victims may choose not to
participate in restorative justice processes. Thus, randomly assigning participants proves difficult. Additionally, participants who do voluntarily participate may be more motivated in general and thus more likely to follow through on agreements and perhaps to make amends. These authors recommended conducting a questionnaire with participants to measure motivation prior to participation. The responses would then allow researchers to compare highly motivated, moderately motivated, and unmotivated participants. Strang et al. (2006), conversely, chose not to employ a pretest questionnaire, as they felt it would bias the results.

Latimer et al. (2005) identified the source of data as another bias. This bias is also commonly known as the file drawer effect, as studies that show that results perceived to be negative often are not published and are kept in a desk drawer. This kind of bias applies in particular to meta-analyses. Their solution to this issue was to choose both published and unpublished studies. In their results section, the authors noted that there was indeed a noticeable, although not statistically significant, difference between peer-reviewed and unpublished studies. These included differences for victim satisfaction and recidivism, with the published studies having slightly higher effect sizes than the unpublished studies.

Another issue that Latimer et al. (2005) and Bradshaw et al. (2006) reported was the importance of looking at moderating variables that might impact the equivalency of the groups as well as differential treatment effects. These include, but are not limited to, gender, type of offense, and characteristics of the program. For example, Elis (2005) argued that, because of male and female socialization, attention needs to be paid to the correlation between gender and program effectiveness.
Student Development Theory and the Conduct Process

Dannells (1997) suggested that in response to the “excessive proceduralism” that has arisen since Dixon, student affairs professionals in general, and student conduct administrators specifically, have taken a renewed interest in the application of theory and research to the discipline process (p. 79). Strange (1994) further suggested that application of theory can serve as a guide to assist in planning policies and practices as well as to evaluate these efforts. Theories relating to moral, ethical, and identity development are of relevance to conduct administrators and will be reviewed in this section.

Moral and Ethical Development

The most widely used theory applied to student discipline is Kohlberg’s theory of moral development (for example, Baldizan, 2008; Dannells, 1997; Lopez-Phillips & Tragesor, 2008). Kohlberg’s (1984/2005) model has six stages that are grouped into three levels: Level I is preconventional (Stages 1 and 2); Level II is conventional (Stages 3 and 4); and Level III, postconventional (Stages 5 and 6). Kohlberg’s stages are sequential and hierarchical (Evans, Forney, & Guido-DiBrito, 1998). Thus, Stage 1 is less developed or lower than Stage 2; Stage 2 is less developed than Stage 3, and so on. Kohlberg’s model rests on the nature of the relationship “between the self and society’s rules and expectations” (Kohlberg, 1984/2005, p. 550). For Level I, the individual sees rules as external to him- or herself. For Kohlberg’s Level II, the self has “internalized the rules and expectations of others, especially those of authorities” (p. 550). Lastly, for Kohlberg’s Level III, the self is “differentiated” from society and has chosen his or her own values (p. 550). Kohlberg argued that cognitive development and the ability to take another’s perspective were intimately linked with moral development (Evans et al., 1998). Further, Kohlberg suggested that “perspective taking mediated between cognitive
development and moral development” (Evans et al., 1998, p. 177). Strategies that promote cognitive development and perspective taking, though not the only ingredients in a successful conduct intervention, do seem to be important ones. Baldizan (2008) suggested that promoting moral development was akin to building “moral muscles” (p. 137). If this is true, then the use of strategies to promote intellectual development and perspective taking are the metaphorical barbells that will promote this growth.

Bebeau, Rest, and Narvaez (1999) argued that, although important, the development of moral judgment is not sufficient to produce moral behavior. Rest and his colleagues devised the four-component model to include three factors other than moral judgment that they found to be essential in moving toward moral action. The first component involved developing moral sensitivity to a given issue or problem. This component is about developing a sense that our actions impact others and that we must get outside of ourselves to understand a situation. Developing moral sensitivity involves turning up the power on our moral radar in order to know when issues of morality are at play. An example of this would involve sensitivity training for sexual harassment. The second component is developing moral judgment. This component is identical to Kohlberg’s concept of moral development and refers to the process of “judging which action is morally right or wrong” (Bebeau et al., 1999, p. 22). Strategies that promote seeing another’s perspective, being exposed to individuals with higher levels of moral reasoning, cognitive dissonance, or discussing moral dilemmas can assist in the development of moral judgment (Evans et al., 1998). Indeed, a conduct hearing provides an ideal opportunity to use and experiment with these strategies and to promote growth in student respondents. The third component, moral motivation, involves “prioritizing moral values over other personal values” (Bebeau et al., 1999, p. 22). In a given situation, our own personal values may conflict with
what is the right thing to do. Thus, a student may enjoy socializing and having fun with friends and might prioritize this over the rights of the neighbors who live nearby. The fourth component, moral character, includes developing the strength and skills needed to follow through on a moral course of behavior. This kind of process is exemplified in decision-making or assertiveness training sessions in which individuals are guided in envisioning and following through on a moral course of action. Taken together, Rest and his fellow researchers believed that these components are essential elements in assisting individuals in moving from sensitivity to action. Paying attention to factors that support all aspects of Rest’s four-component model is important when reviewing the efficacy of a student conduct intervention. Rest’s model will be revisited in Chapter 5.

**Identity and Student Conduct**

Given the diversity of today’s college students, an essential cadre of theories includes those related to racial and ethnic identity. A number of theories pertain to a variety of different groups. Cross and Fhagen-Smith’s (1996/2005) Black Identity Development/Nigrescence Theory, Kim’s (2001/2005) Asian American Identity Development Theory, and Torres’ (2003) Bicultural Orientation Model represent a sampling of these theories. Knowledge of any of these may provide a better understanding of a student who is involved in the conduct process. One theory that offers guidance for the conduct administrator to help understand these often-complex dynamics is Abes, Jones, and McEwen’s (2007) model of multiple dimensions of identity. In their model, these authors posited “a core sense of self” at the center surrounded by various “significant identity dimensions and contextual influences” which include class, religion, sexual orientation, culture, and racial identity (Abes et al., 2007, p. 3). The model captures the interconnectedness of the various dimensions and introduces the concept of “salience,” or
relative importance (Abes et al., 2007, p. 3). For example, an African American male from a predominately Black neighborhood in Chicago may not have experienced his ethnicity as important in high school. However, if this same young man goes to a predominately White university, the salience of his ethnicity may increase significantly. As noted in the model, these socially defined aspects of one’s identity gain and lose salience depending on the individual’s context. For this study, it will be appropriate to pay attention to respondents who identify an aspect of their identity as salient in the course of a restorative justice session. Implications for this study regarding Abes, Jones, and McEwen’s model will be revisited in Chapter 5.

**Summary**

As a foundation to understand the context of campus conduct and restorative justice practices, relevant literature was reviewed in this chapter. Literature presented on conduct programs focused on outcome-based studies with a special focus on a qualitative study by Howell (2004). The review of literature on restorative justice included both theoretical as well as practical summaries of foundational material. As noted, few outcome-based studies have focused on campus conduct programs, though restorative justice programs in general have been extensively researched. The research on restorative justice offers compelling information on these programs’ impact on offenders and victims. Theories relating to moral development and identity and the construct of gender were reviewed in this chapter and offer useful lenses to understand the experience of respondents in campus-based restorative justice processes. The next chapter will explore the methods and methodology that were used to conduct this study.
CHAPTER III. METHODS AND METHODOLOGY

The purpose of this study was to explore the experience of respondents in campus-based restorative justice programs. The primary research question that I answered in this study was: What was the experience of respondents in campus restorative justice programs? As I will detail in the following sections, a qualitative research approach was best suited to answer this question.

In this chapter, the assumptions behind the qualitative paradigm, a description of data collection and analysis procedures, and measures of quality will be presented. The chapter will conclude with a brief overview of ethical considerations inherent in this study.

Assumptions of Qualitative Research

Broadly speaking, research can be divided into two paradigms: a positivistic perspective relating to quantitative or empirical inquiry, and a naturalistic one relating to qualitative inquiry (Erlandson, Harris, Skipper, & Allen, 1993; Lincoln & Guba, 1985). Other authors have variously referred to these as objectivist and constructivist (Broido & Manning, 2002). Positivistic and naturalistic inquiries hold very different assumptions on a number of different issues.

Creswell (2007) articulated five kinds of assumptions in which these paradigms are grounded: ontological, epistemological, axiological, rhetorical, and methodological. Ontology is the study of “the nature of reality” (p. 16). A naturalistic or qualitative researcher holds that there are multiple realities and that reality is subjective and highly contextual. The practical application of this assumption includes the use of numerous quotations from participants representing different views on a given topic (Creswell, 2007). Epistemology refers to how we know what we know. This assumption refers to “the relationship between the researcher and that being researched” (Creswell, 2007, p. 17). In the case of qualitative research, the researcher tries
to position him/herself as close to the participant as possible. As Broido and Manning (2002) noted, the “researcher-respondent relationship is subjective, interactive, and interdependent” (p. 436). The axiological assumption refers to the role of values. Qualitative researchers acknowledge the importance of their own values as well as those of the participants, the research site, and underlying theories informing the research. The rhetorical stance refers to the kind of language and style of writing commonly used. In qualitative research, the writing style may be familiar and even creative. As Creswell (2007) noted, qualitative researchers may use an “informal style using the personal voice” (p. 17). The emphasis is removed from objectivity and placed on subjectivity. Thus, how the qualitative researcher conveys his or her findings is important. The methodological assumption refers to the process of research. This aspect emphasizes the importance of context, the use of induction, and an emerging design. Thus, qualitative research is iterative and evolving and flows naturally from the details of the study to generate broader themes and categories.

**Approach to Research**

The focus of this study fits best within a phenomenological methodology and design. Phenomenology “describes the meaning for several individuals of their lived experiences of a concept or a phenomenon” (Creswell, 2007, p. 57). As van Manen (1990) argued simply, “phenomenology asks, ‘What is this or that kind of experience like?’” (p. 9). Phenomenology pursues and strives to capture the “the nature or essence of the phenomenon” (van Manen, p. 122). Using a phenomenological lens, the intention for this research study was to explore the lived experience of respondents who go through a restorative justice process on a college campus.
I used a qualitative research approach to study restorative justice practices on the college campus for two reasons. First, restorative justice has not been researched on college campuses. Creswell (2007) argued that qualitative research should be used when “a problem or issue needs to be explored” (p. 39). Indeed, the collegiate context is unique, and the implementation of restorative justice programs is in its infancy. Using qualitative methods allows for some flexibility to explore the topic in a novel context in a manner that provides an in-depth look at the phenomenon in question.

Another reason to use qualitative methods involves the nature and severity of misconduct at colleges and universities. Dannells (1991) found in a nationwide survey of campus conduct administrators that alcohol infractions, disruptive behaviors, and violations of residence hall hours were the three most frequent types of disciplinary cases. This study also found other types of violations of a more serious nature, including vandalism, theft, sexual assault, and violations of civil law, but these were far fewer in number. Zehr (2002) acknowledged that “experience has shown that restorative approaches may have the greatest impact in more severe cases” (p. 11). Because college misconduct cases are typically less severe, gains from a brief intervention in the form of restorative justice may be subtle. In this instance, because qualitative research methods can explore a participant’s experience in depth, these methods are better suited to explore these subtle changes.

**Role of the Researcher**

In qualitative research, as Jones, Arminio, Broido, and Torres (2002) stated, the “researcher is the instrument” (p. 432). As such, the instrument needs to be in tune, or congruent with the research approach. My own values and background are consistent with a constructivist approach. My master’s program in social work emphasized the notion of context (of person in
environment). Through my own experience as a clinical social worker in community and campus-based settings, I have come to understand the importance of social factors and forces that influence the individual. For example, I have long worked in violence prevention and have a deep-seated belief in the socially constructed nature of gender. Meaning, identity, and our own definitions of right and wrong are all embedded in a social context. A qualitative or constructivist approach is a natural fit for my own background.

Consistent with the tenets of a phenomenological study, one must explore and be aware of one’s personal thoughts, feelings, and assumptions on the phenomenon in question. I was trained in the family conferencing style of restorative justice about 15 years ago, but I only vaguely remember this training opportunity. I do recall being intrigued and feeling a sense of excitement about using the entire family in an effort to assist an adolescent who had committed a wrongdoing. Since that training, I have worked in clinical social work settings with youth and families in crisis, and I worked at a college where I conducted a violence intervention and prevention program. More recently, and prior to coming to Bowling Green State University (BGSU), I was asked to chair a group to create a dispute resolution process for underrepresented students. The model that we adopted at that time was social justice mediation (SJM).

When I arrived at BGSU, I endeavored to see whether SJM had been researched on a college campus. At that time, I found no published studies on SJM on college campuses. As I looked into the research, I did find an abundance of research on restorative justice in the criminal justice setting that showed quite pronounced positive effects of restorative justice. Most impressive was the impact on recidivism for offenders and the, at times, profound healing that can occur with restorative practices. Looking at this research raised many questions for me: Does it work on a college campus with the kind of offenses we see? Are there times when it is
not appropriate? Are some practices more effective than others? I believe the potential of restorative justice is great and that the philosophy is very powerful.

During the course of my doctoral program I worked as a practicum student with the University of Michigan’s Community Circle Program (a restorative justice based program) helping to set up a system of evaluation and co-designing training for student facilitators. I also had the opportunity to observe conference sessions. From my experience at Michigan, I experienced the technical side of running a program and observed how students seemed to react to the restorative sessions. Students who participated in the sessions seemed, for the most part, open to the process and I began to appreciate the utility of restorative practices. I was, however, skeptical, and was very interested in hearing what students had to say about how they experienced a restorative process.

**Measures of Quality**

A fundamental question in any kind of research is, can we trust the results? In research that employs quantitative methods, validity, reliability, generalizability, and power are all concepts that undergird notions of scientific rigor and truth. In qualitative research, creating quality research is also important and is variously known as trustworthiness (Erlandson et al., 1993; Lincoln & Guba, 1985), validation (Creswell, 2007), or goodness (Arminio & Hultgren, 2002; Jones, Torres, & Arminio, 2006). In this study, I will use the term *trustworthiness* to mean those methods that support the credibility and transferability of the findings.

*Credibility* is defined as “the degree of confidence in the ‘truth’” of the findings of a study (Erlandson, Harris, Skipper, & Allen, 1993, p. 29). Credibility is supported by several strategies including prolonged engagement, peer debriefing, member checks, and reflexive journaling. *Transferability* refers to “the extent to which [a study’s] findings can be applied in other contexts” (Erlandson et al., 1993, p. 31). Transferability is supported by three naturalistic
techniques: thick description, purposive sampling, and reflexive journaling (Erlandson et al., 1993). Polkinghorne (1989) more generally argued that validation in phenomenological research is found in the faithful rendering of the essence in question. For this study, I used commonly accepted strategies to enhance trustworthiness that included criterion sampling, member checking, peer debriefing, prolonged engagement, rich and thick description, and reflexive journaling (Creswell, 2007). Procedures used to select participants will be described in the section titled Data Collection Procedures.

**Member Checking**

Member checking was the primary strategy used in this study to promote trustworthiness and involved asking for feedback from the participants on “the credibility of the findings and interpretations” (Creswell, 2007, p. 208). In short, I asked the research participants, “Did I get it right?” In this study, I electronically sent the transcript of each interview to all participants immediately after the interview was transcribed to assure their thoughts and ideas were captured accurately. Several months after each interview, I also sent a draft summary of the conclusions from the study as well as a draft of Chapter 4 and invited feedback on both of these. Fifteen of the sixteen participants reviewed their transcripts and provided feedback, and 15 of the participants reviewed the conclusions and drafts of Chapter 4 and provided their thoughts and suggestions. Nearly all of the comments from participants involved support for the conclusions of the study and details included about them. A few of the participants had changes to information presented about them and a few had detailed supportive comments about the conclusions. All of the suggested changes about individuals were incorporated into the final draft. One individual stated that he disagreed with the conclusions because he felt that they were written in a way that implied that all of the participants had experienced the stated outcomes.
The conclusions from the study were reviewed and altered when appropriate to reflect that not all students had the same experience.

**Peer Debriefing**

Peer debriefing was a second element used in this study to promote trustworthiness. This strategy involved “allowing a peer who is a professional outside the context and who has some general understanding of the study to analyze materials, test working hypotheses and emerging designs, and listen to the researcher’s ideas and concerns” (Erlandson et al., 1993, p. 140). The three peers who assisted in this study were colleagues who had completed their dissertations using qualitative methods. Two of these colleagues had been through Bowling Green State University’s doctoral program in higher education administration, and the third was a colleague I met through the Association of Student Conduct Administrators. Each of these individuals offered feedback on interpretations and served as sounding board and supporter. I found my peer debriefings to be extremely useful in helping me voice concerns and frustrations and in preventing these from coloring my analysis. Each person reviewed a portion of the transcripts and met with me over a meal to discuss reactions, questions, and comments. I also stayed in contact with two of the peers by e-mail to discuss my findings. Their feedback was an essential component that helped me to both challenge my own emerging ideas and confirm my observations.

**Prolonged Engagement and Thick and Rich Description**

Prolonged engagement and thick and rich descriptions are byproducts of a well-done qualitative study. For this study, prolonged engagement involved the initial communication with the participant, the in-person interview (which lasted between 30 and 70 minutes), and all subsequent communications. Additionally, I sat in on and observed two of the conferences in
which the research participants were involved. Thick and rich description was achieved using extensive quotations of the participants to illustrate their experiences and to illuminate conclusions from the study. Thick and rich description is particularly useful in helping readers judge the transferability of these findings to other settings.

**Reflexive Journal**

A phenomenological challenge is not “that we know too little about the phenomenon we wish to investigate, but that we know too much” (van Manen, 1990, p. 46). We come to a phenomenon, van Manen argued, with predispositions and opinions about that which we are studying. While these predispositions are not wrong in and of themselves, they may get in the way of our understanding of the essence of the phenomenon in question. Thus, it was important to use practices that made explicit my own thoughts on the topic I was exploring so that I could set them aside when trying to understand it. This process is referred to as *epoche*, which involves “[s]etting aside prejudgments and opening the research interview with an unbiased, receptive presence” (Moustakas, 1994, p. 180). Arminio and Hultgren (2002) asserted that this process is important because it allows the researcher “to be open to the lived experiences of others” (p. 453). For the purpose of exploring my own predispositions, I used a reflexive journal. My reflexive journal included a record of all relevant information about the study including information on logistics, a record of my insights, and any changes made for methodological purposes.

**Data Collection Procedures**

**Site Selection**

In keeping with a phenomenological approach, the focus of this study was to capture the essence of the experiences of respondents in college- or university-based restorative justice
processes. The paucity of programs (and thus participants) represented a substantial challenge for this study. Dannells (personal communication, March 2, 2008) found in a recent (and as yet unpublished) nationwide study that 8% of campus conduct programs indicated using restorative processes. With roughly 4,500 institutions nationally, this research would indicate that well over 300 programs exist that use restorative justice. In my own experience, and in talking with conduct administrators and other professionals and scholars, this number probably included those who have a robust restorative process as well as those whose processes are less well developed. It is also likely that those programs in which staff have little training or experience in restorative justice were included. This study involved programs that used victim-offender mediations, conferences, or boards. The criteria for site selection included the following:

- Restorative justice is explicitly stated as the underlying philosophy of the program.
- The process included a facilitated meeting between the respondent and the harmed party or parties or a community member.
- The outcome of the meeting is a restorative agreement in which tasks are delineated for the respondent to complete to repair the harm.
- Participation in the restorative justice program is voluntary.

At the annual conference of ASCA, I attended sessions on restorative justice and spoke with staff from restorative justice programs at several institutions. As a result, relationships were cultivated with the coordinators of several restorative justice programs. The coordinators of these programs were contacted, criteria for participation were reviewed, and expectations for participation in the study were discussed. The programs who met the criteria and who elected to participate included the University of Colorado at Boulder, Colorado State University, and the
University of Michigan. More detail will be given about the restorative justice programs at each of these institutions in Chapter 4.

**Participant Selection**

Phenomenological research methods require that the characteristics of participants be varied. As van Manen (1990) emphasized, by “varying the examples . . . the ‘invariant’ aspect(s) . . . come into view” (p. 122). Factors that could offer variety include age, gender, race, religion, and class (Moustakas, 1994). Moustakas argued that the selection of participants is straightforward and should include the following criteria: “the research participant has experienced the phenomenon, is intensely interested in understanding its nature and meanings, [and] is willing to participate in a lengthy interview” (p. 107).

An important element of phenomenological research is that “all participants have experience of the phenomenon being studied” (Creswell, 2007, p. 128). In this study, criterion sampling was used. Criteria used to select individuals for this study included the following:

- The individuals participated in a restorative justice process.
- The case was sufficiently complex and the individual was willing to talk about what happened.
- The incident and restorative process occurred within the past 18 months.

Individuals who participated in a restorative conference within the past 18 months were contacted. After conducting the in-person interview, individuals were considered for elimination. All 16 of the individuals interviewed presented cases that were sufficiently complex and were included in the study. Potential participants were given a description of the proposed research project, as well as other important information regarding their rights and associated safeguards of the research study. See Appendix A for a copy of the script used in the initial phone contact and information that was sent to
participants by email. When individuals responded, students were instructed to contact me directly if they were interested in participating in the study. If they chose to participate, I set up a phone interview in which I explained the purpose of the study and the time commitment. If the respondent remained interested, I set up a face-to-face interview at the home campus.

An important question in qualitative research is how many participants to include. The intent of a qualitative study is not “generalizability” (the ability to make statements of ‘truth’ across a population), but rather includes “transferability” which refers to “the extent to which [a study’s] findings can be applied in other contexts” (Erlandson et al., 1993, p. 31). Polkinghorne (1989) stated that sample size for a phenomenological study “varies considerably” citing examples up to 30 participants for a single researcher (p. 48). Lincoln and Guba (1985) suggested that a sample size is sufficient at the point of “redundancy . . . when no new information is forthcoming” from the participants (p. 202). Edwards (2007) also suggested reviewing the sample sizes of previous research done on a similar phenomenon. Howell (2005), the only other qualitative study done on college student respondents, interviewed 12 participants. Based on these guides, and given restraints on time and resources, I originally proposed recruiting between 15 and 20 respondents who participated in a restorative justice process and who meet the criteria I set forth above. In total, 16 students participated in interviews. In reviewing the interviews, it was apparent that the themes approached some level of saturation, especially relating to perspective taking; thus, no new participants were recruited. For a full description of each student who participated in the study, see Chapter 4.

Data Collection

The full data collection process involved the interview, review of the transcript, and a final review of conclusions from the study. When participants completed the final phase of the
study, they were given a $20 gift card for either Barnes & Noble or iTunes. A semistructured interview format was adopted for the meetings with the students. To focus the interview, an interview protocol was developed based on the research question. The intention of the protocol was to create questions for the respondents and to promote reflection. See Appendix B for a copy of the interview protocol and interview questions. The interview protocol and questions were piloted with a colleague beforehand and changes were made to clarify questions and adjust the flow of the process for participants. Interviews lasted between 30 and 70 minutes.

Observations of the research participants were recorded in my reflexive journal after each interview and were used as another source of data. The majority of the interviews took place in conference rooms and a handful took place in residence hall lounges. All of the interviews were digitally recorded and subsequently transcribed. Transcription was accomplished using an external vendor. As previously described in the section on member checking, transcripts were shared with the participants to review for accuracy and to clarify any points as appropriate. Participants were also given a copy of the final conclusions drawn from the interviews for review and feedback.

Data Analysis

Data analysis in qualitative research is an iterative process that is multilayered and complex. Not unlike striking flint to metal to produce a spark, it is a synergistic process. It involves listening to the recordings of the interviews, reading the transcripts, and pulling out compelling themes that hold together. And, it is much more. A critical difference between quantitative and qualitative research is this iterative process of listening to interviews, pulling out and categorizing themes, and then going back and doing it again. As Arminio and Hultgren (2002) argued, “the essence of interpretive and critical research is making meaning, not verifying
objective facts that are measured and represented by numbers” (p. 449). This meaning-making also included other actors and techniques besides merely reading and listening to the transcripts, such as peer debriefings, a reflexive journal, and member checking.

The analysis of the data began with a review of the transcripts. To immerse myself in the data, I created descriptive summaries of each person involved in the interviews. I then met with my peer debriefers, who had read selected portions of the transcripts. In the process of meeting with my peers, I began to select significant statements and ideas presented by the research participants. Moustakas (1994) named this “horizontalizing the data,” which included “regarding every horizon or statement relevant to the topic and question as having equal value” (p. 118). To process my data, I coded my transcripts by assigning a word or phrase to a section of text. For example, I coded certain sections with “anxious” or “did not want to be viewed as a criminal.” I accomplished this using HyperRESEARCH, software for qualitative data analysis. The coding process was done with the research question in mind and, as Creswell (2007) stated, to “provide an understanding of how the participants experienced the phenomenon” (p. 61). In my initial review of the transcripts, I tried not to limit the number of codes I used. Following this, I used the method described by Moustakas and “clustered [the coded units] into common categories or themes” (p. 118). The themes were then grouped into three major categories. A detailed description of the categories and related themes is presented in Chapter 4.

**Ethical Considerations**

Doing no harm was important in conducting this research effort. To that end, minimum standards are commonly set by a campus’s institutional review board (IRB). Typically, the IRB examines the purpose of the study and proposed procedures, especially those relating to consent, confidentiality, and any of the risks associated with participating in the study (Magolda &
Weems, 2002). This research study was carried out after approval from Bowling Green State University’s Human Subjects Review Board (HSRB). Following guidelines set forth by the HSRB, students who participated in the study were given a consent form both prior to and at the beginning of the interview that outlined the purpose of the project, the proposed risks and benefits of participating, a clear summary of how data will be stored, any limits to confidentiality, and a statement emphasizing the voluntary nature of the study. In addition to the consent form, limits to confidentiality were verbally explained with each participant prior to beginning the interview. The researcher explained to each participant that even though their name would not be used and all identifying information would be removed from transcripts and in reports, someone who knows them well and reads the dissertation may be able to identify them. See Appendix C for a copy of the consent form used in this study. Participants selected pseudonyms for themselves, and all identifying information was removed from the transcripts to reasonably protect each participant’s identity and to minimize any risks associated with participation.

**Summary**

The goal of this study was to explore the experience of student respondents in campus-based restorative justice processes. Through the use of a phenomenological methodology, I interviewed 16 respondents in an effort to understand the essence of their lived experience. In the next chapter, I will review the major findings of this study.
CHAPTER IV. FINDINGS

This chapter provides an overview of the findings from this research study. The central guidepost of this analysis has been the research question, what is the experience of the respondents in campus-based restorative justice sessions? The first section of this chapter gives a brief review of terminology used within it. The second section provides a description of the institutions and programs from which participants were recruited. The third section contains a summary of the research participants and is followed by three categories of themes that emerged from the analysis of the interviews. To arrive at the findings, I coded the transcripts. These codes were then organized into themes and grouped into three broad categories to convey the experience of the research participants: mediating factors, the restorative session, and outcomes of the process.

Revisiting Language

As noted in Chapter 1, the language used in referring to the session, components of the session, and those who participate in a restorative conference can be confusing. For the purpose of clarity, those distinctions are briefly reviewed here. The session itself will be referred to as session, conference, restorative session, or restorative conference. To refer to the student who committed the wrongdoing, I use interchangeably the terms respondent, participant, and research participant. For the individuals involved in a session, I use general terms such as session participants, conference participants, or panelists. Those who are directing the session are referred to as facilitators, and the individuals who were directly harmed are referred to as harmed parties. In the cases in which a board model is used, individuals who represent the community are present in the session and will be referred to as community members. The term restorative agreement refers to the document created at the end of the session that outlines what
the respondent will need to complete. After conducting the interviews, it was clear to me that the research participants were impacted by both the restorative session as well as completing the items in their restorative agreement. Thus, I use the term *restorative process* to refer to the session and the completed items from the restorative agreement.

**Institutional and Program Profiles**

Students were selected from the University of Colorado at Boulder (UCB or Boulder), Colorado State University (CSU), and the University of Michigan (UM or Michigan). In this section, an overview of the format used in the programs is presented followed by a description of the institutions and their associated programs.

**Session Format**

All three of the programs used a very similar format in their restorative conferences. Restorative sessions typically included one or two facilitators, one or more harmed parties or community members, one or more student respondents, and other individuals to support the respondent. Harmed parties shared their own experiences regarding the violation in question. For example, two research participants, Jane and Farm-boy, were involved in an incident that damaged a farmer’s property. In their restorative session, the farmer was present and described the impact of their actions on his farm and on his emotional well-being. Community members spoke about their own experiences with a similar incident as well as their reactions to the incident in question. Thus, the community members served as surrogate harmed parties and represent the ethos of the larger community. For example, another research participant, Antonio, had no one in his restorative session who was directly impacted by the brawl in which he was involved. Rather, individuals from the community were present who could reflect on and provide feedback regarding the incident.
Sessions began with introductions, followed by the respondent’s description of the incident. Occasionally, conference participants may have asked questions or commented on the incident during the description. After hearing a respondent describe the incident, session participants encouraged the student respondent to list and explore all of the people who were harmed. Finally, the restorative agreement, in the form of a list of action items, was generated to address the harms that were caused. The list might have included an apology, a monetary settlement to pay for damages, a provision to provide community service, or an agreement to write a paper on relevant legal issues. The Boulder program had a set of guidelines for the number of hours the student offender may work for a given violation; these served to offer guidance only and were not rigid (G. Bata, personal communication, August 5, 2009).

**The University of Colorado at Boulder’s Restorative Justice Program**

The University of Colorado at Boulder is nestled in the foothills of the Rocky Mountains, 25 miles northwest of Denver, Colorado. Classified by the Carnegie Foundation (n.d.) as a research university, UCB was home to over 30,000 undergraduate and graduate students (National Center for Education Statistics, n.d.). The city of Boulder had a population of 94,171 (U.S. Census Bureau, n.d.), so the student population has a large impact on the town. Walking onto the campus, I was struck not only by the beauty of the surrounding mountains but also by the unique materials used in many of the campus buildings: university buildings were made of red sandstone and the roofs were composed of red tiles, which gave the campus a unique and distinct feel (G. Bata, personal communication, August 23, 2009).

The University of Colorado at Boulder’s Restorative Justice Program (referred to as CURJ) has operated as a program of the Office of Judicial Affairs (OJA) within the Division of Student Affairs. The CURJ office was in the same building as OJA but located in the basement.
It was neat and pleasant, but its location off the beaten track gave the impression that the program was not a priority for the campus. The coordinator of the program was Gina Bata, J.D. She was soft-spoken and smiled easily. I saw how her calm demeanor could lend itself well to facilitating restorative justice sessions.

CURJ was founded in 1999 by staff from the OJA and was the oldest and largest campus-based restorative justice program in the country (Bata, 2007). While the program was administratively housed within the university, it had a unique relationship with Boulder Municipal Court and the Office of the City Attorney and, in a financial sense, was more connected to these entities than to OJA. The vast majority of referrals for program participation came from the municipal court. For example, of the 480 cases processed within the program during the 2006-2007 academic year, 465 were referred from the Boulder city attorney’s office, 14 from the OJA, and one from Residence Life. Participation was voluntary and each student referred to CURJ was assessed a $135 fee, which supported administrative costs of the program. Referred students were given a choice to participate in CURJ or go through the normal court process and pay a fee of about $1,000. Cases in the program typically involved “‘quality of life’ and low-level violence violations” such as noise violations, identification fraud, providing alcohol to minors, resisting arrest, and brawling (Bata, 2007, p. 4).

The vast majority of the restorative sessions in CURJ have been conducted using a board model called the Community Accountability Board (CAB). In this model, two trained facilitators and two or three community members were present. The community members were not directly impacted by the incident in question. Rather, they served as surrogate harmed parties who presented their own experiences and spoke on behalf of the community. CURJ used the CAB model “because of its efficiency and ability to accommodate the hundreds of referrals” they
received during any given year (Bata, 2007, p. 18). The Boulder program also conducted victim-offender conferences, and during the 2008-2009 academic year, this model was used in 27 cases (G. Bata, personal communication, August 5, 2009).

**Colorado State University’s Restorative Justice Program**

Fort Collins, Colorado is the home of Colorado State University and is located 60 miles due north of Denver. Fort Collins has a population of 136,509 (U.S. Census Bureau, n.d.) and, like Boulder, is situated in the foothills of the Rocky Mountains. Founded in 1870 as the Agricultural College of Colorado, it did not open its doors until the first class of five students arrived in September 1879 (Allmendinger, 2009). Despite humble beginnings, CSU was classified by the Carnegie Foundation (n.d.) as a research university in 2009, and it serves over 27,500 students (National Center for Education Statistics, n.d.). The CSU campus is woven into the old town section of the city and thus had a sense of connection to the history of the town.

CSU’s Restorative Justice Program was founded by Tom Cavanagh, Ph.D in 2003 (T. Cavanagh, personal communication, August 26, 2009). Cavanagh was a graduate student at the time and had a great deal of experience conducting restorative justice sessions in nonuniversity settings. Because of his experience, he approached CSU’s director of judicial affairs with the idea of creating a campus-based restorative justice program. Cavanagh initially administered the program as a year-long pilot project. It was so successful that the university created a full-time position to coordinate the program.

The Restorative Justice Program at the time of this study had been an integral part of the Office of Conflict Resolution and Student Conduct Services (CRSC). The coordinator of the program was Shay Bright, an easy-going individual with a master’s degree in conflict resolution. The program was situated in a suite of offices comprising the CRSC in the Lory Student Center,
a state-of-the-art, multipurpose building that housed a food court, a bookstore, and dozens of student-service-oriented offices. The CRSC was located on the third floor, opposite end of the main entrance and at the end of a long hallway next to several student-service organizations.

The restorative justice sessions were facilitated by Bright, a graduate assistant, or a trained volunteer. CSU primarily used a conference model in which the student respondent met directly with the person harmed and “more often than not” students other than the harmed party were present (S. Bright, personal communication, August 7, 2009). These other individuals included, for example, the arresting officer or a witness to the incident. Individuals could also bring support people to their hearings. Participation in the restorative justice program was voluntary and referrals to the program came from CRSC and residence life staff. No formal arrangement existed between the Restorative Justice Program at CSU and the local courts or law enforcement agencies. Offenses considered appropriate for referral to the program were wide-ranging and included theft, damage to property, public disturbances, or any other violation of city, state, or federal law (S. Bright, personal communication, August 7, 2009). After a referral was made, Bright met with the student and gauged the degree of remorse the individual expresses. If sufficient remorse was exhibited, the case proceeded to a restorative conference. The program handled about 20 to 25 cases per semester (S. Bright, personal communication, August 7, 2009).

University of Michigan’s Community Circle Program

Ann Arbor, Michigan has a population of 114,386 (U.S. Census Bureau, n.d.). This small city, though, eschews the rugged beauty of the Rockies for the gently rolling hills of southeastern Michigan, and it boasts the massive University of Michigan. Although the campus leaves a large footprint on Ann Arbor, it also blends into the city. Also classified as a research
university (Carnegie Foundation, n.d.), the University of Michigan serves over 41,000 graduate and undergraduate students (National Center for Education Statistics, n.d.). UM was founded in 1817 in Detroit, moved to Ann Arbor in 1837, and opened its doors to its first class of students in 1841 (University of Michigan, n.d.). Michigan was dubbed a “public ivy” because of its reputation as a elite public institution (Moll, 1985), and indeed, ivy clings to many of the buildings on Michigan’s campus.

Michigan’s restorative justice program was named the Community Circle Program (CCP) and was housed in the Housing Student Conduct and Conflict Resolution Office (HSCCR) within the Department of Residence Education. The CCP was the brainchild of Stacy Vandervelde, MS, who was the assistant director of the HSCCR. The program was relatively new and saw its first case in Spring 2008. Physically, the CCP was housed in the basement of a residence hall situated near maintenance offices, a lounge, and a laundry facility. Vandervelde’s office was relatively spacious but had windows covered with thick, horizontal iron bars. Participation in CCP was voluntary and all of the referrals came from residence hall directors. Vandervelde was an affable, competent, no-nonsense professional who had single-handedly created a restorative justice program with little budgetary support. The program was growing and had expanded from 12 cases in its first semester to a total of 51 in the fall 2008 semester (S. Vandervelde, personal communication, August 13, 2009).

The model that has been used by the Community Circle Program was adapted from the University of Oregon’s Restorative Justice Program and is similar to the conferencing model used by UCB. CCP used a hybrid of the board and conference models that employed trained student facilitators and involved community members who were often represented by Vandervelde, and harmed parties represented by a hall director, and/or a resident assistant. A
resident could have been referred to the program if the incident in which he or she was involved was a first offense and relatively minor. Typical offenses included noise violations, improper disposal of trash, possession of alcohol, and disorderly conduct. Students who completed the program successfully had the violation expunged from their records. If students chose an administrative hearing, the incident remained on their records. After a referral was made to the program, the incident was reviewed by Vandervelde, and a restorative session was scheduled if deemed appropriate. All communication with the referred student about the program and the meeting took place via e-mail.

**Participant Profiles**

In all, 16 participants were selected from the three aforementioned campus-based restorative justice programs. Nine men and seven women participated, and their ages ranged from 18 to 26. Thirteen of the respondents were White, two were African American, and one was Hispanic/Mexican American. There were three first-year students, three sophomores, one junior, and nine seniors. The types of incidents the students were involved in were broad in scope with the most common being noise disturbances (eight), followed by theft (two), underage drinking (two), property damage (two), disorderly conduct/brawling (one), throwing refuse out the window (one), and driving under the influence of alcohol (one). An additional six incidents involved alcohol; these individuals were not cited for alcohol consumption. Thirteen of the students were involved with a court process as well. All of the respondent’s restorative sessions took place no more than a year and a half prior to the interview. Basic information on the participants can be found in Table 1. A descriptive summary of each of the participants follows and includes demographic information, a description of the incident, and relevant information about the student’s restorative process. The names used are pseudonyms chosen by each participant.
Table 1

*Basic Information on Study Participants*

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
<th>Race</th>
<th>Year</th>
<th>Incident</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antonio</td>
<td>22</td>
<td>Male</td>
<td>H/M A</td>
<td>Senior</td>
<td>Disorderly conduct/Brawling</td>
</tr>
<tr>
<td>Billiam</td>
<td>21</td>
<td>Male</td>
<td>W</td>
<td>Senior</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Brock</td>
<td>24</td>
<td>Male</td>
<td>W</td>
<td>Senior</td>
<td>Theft</td>
</tr>
<tr>
<td>Chris</td>
<td>18</td>
<td>Male</td>
<td>W</td>
<td>First-year</td>
<td>Noise-RH</td>
</tr>
<tr>
<td>Daniel</td>
<td>20</td>
<td>Male</td>
<td>W</td>
<td>First-year</td>
<td>Theft</td>
</tr>
<tr>
<td>Farm-boy</td>
<td>26</td>
<td>Male</td>
<td>W</td>
<td>Senior</td>
<td>DUI/Property damage</td>
</tr>
<tr>
<td>Jan</td>
<td>22</td>
<td>Female</td>
<td>W</td>
<td>Senior</td>
<td>Underage drinking</td>
</tr>
<tr>
<td>Jane</td>
<td>21</td>
<td>Female</td>
<td>AA</td>
<td>Senior</td>
<td>Property damage</td>
</tr>
<tr>
<td>Janie</td>
<td>20</td>
<td>Female</td>
<td>W</td>
<td>Sophomore</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Kirk</td>
<td>23</td>
<td>Male</td>
<td>W</td>
<td>Senior</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Leila</td>
<td>18</td>
<td>Female</td>
<td>AA</td>
<td>First-year</td>
<td>Underage drinking</td>
</tr>
<tr>
<td>Paula</td>
<td>21</td>
<td>Female</td>
<td>W</td>
<td>Senior</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Riley</td>
<td>20</td>
<td>Female</td>
<td>W</td>
<td>Sophomore</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Sarah</td>
<td>19</td>
<td>Female</td>
<td>W</td>
<td>Sophomore</td>
<td>Noise-C</td>
</tr>
<tr>
<td>Steve</td>
<td>21</td>
<td>Male</td>
<td>W</td>
<td>Junior</td>
<td>Refuse out window</td>
</tr>
<tr>
<td>Ulysses</td>
<td>22</td>
<td>Male</td>
<td>W</td>
<td>Senior</td>
<td>Noise-C</td>
</tr>
</tbody>
</table>

*a All names are pseudonyms chosen by the research participants*

*b Race as identified by participants: AA = African American, H = Hispanic, MA = Mexican American, W = White*

*c Noise-C = Noise violation in community, Noise-RH = Noise violation in residence hall*
Antonio: The process “helped me to realize that like, this isn’t just... the Old West. Like, you can’t just get into a fistfight and then everything’s over.”

Antonio, a 22-year-old, Hispanic/Mexican American male was a senior majoring in economics and came to the interview wearing a baseball cap tilted to one side. He was soft-spoken, very articulate, and reflective. His father lived nearby, but most of his family resided in Texas. Antonio was the first person in his family to graduate from college. After graduation, he hoped to get a good job and possibly go to law school. He was keenly aware that the social classes and cultural backgrounds of the other participants in the restorative session were different from his own. As a first-generation college student who was raised in a poor family, he was wary going into the session of how those present would view what he had done.

Antonio was referred to the restorative justice program because he was involved in a fight. He attended a party, where he consumed alcohol. Although others at the party drank throughout the night, Antonio stopped early on and was not intoxicated when he was involved in the fight. Around 4 or 5 a.m., his cousin heard loud noises outside the party. Antonio and his cousin went outside and found a man arguing loudly with a woman. When he and his cousin intervened, the situation disintegrated into a multiperson brawl. The police were called, and when they arrived, they found Antonio covered in blood with his shirt torn. Antonio was subsequently charged with disorderly conduct and spent the night in jail. Antonio’s mother arrived for a visit the same day of the incident. She was upset but happy that neither his fine nor his injuries were worse.

In the interview, Antonio explained that this kind of violence was commonplace where he grew up and noted that, in his hometown, the police would not have arrested anyone for such an incident. He also noted that he and his friends were charged, but the other individuals involved
in the incident were not. He thought about contesting the incident in court, but he felt doing so would cost too much money. Antonio described himself as “reflective in nature” and said he benefited from the process of thinking through his situation and preparing his initial referral statement for the restorative justice program.

Going into the restorative conference he was nervous and wary. He had been involved in a juvenile offender program for a past violation and expected the restorative program to be similar. He wondered, given his own background, how the people in the session would judge him. As he stated, “I have no idea who they are or, like, where they’re from, their backgrounds or anything . . . . Like, for me, gettin’ into a fight wasn’t a big deal.” Given the nature of his violation, Antonio was expecting the session participants to express “shock and awe” regarding his incident. When this did not happen, he was pleasantly surprised.

In the conference were two facilitators and two community members. Antonio felt at times that the older community member was “condescending” to him and brought up issues that were not relevant to his case. At one point, this older community member talked about the ability of European youth to drink responsibly without getting into trouble. Antonio was particularly upset about these kinds of comments, since he was not intoxicated at the time of the incident and had never travelled to Europe.

Overall, however, he felt good about the outcome of the conference. The session helped Antonio see the impact of his actions in a different light. As he stated, it “helped me to realize that like, this isn’t just . . . the Old West. Like, you can’t just get into a fistfight and then everything’s over.” He agreed to apologize to the woman who hosted the party as well as to his mother and to conduct alcohol and drug prevention presentations on campus. According to Antonio, two additional agreement items were not well connected to his interests or the violation.
He was asked to write a four-page essay on why European students seemed to have less difficulty than their American counterparts with regard to alcohol. He also was asked to volunteer at a local domestic violence center testing the children’s markers to see if they worked. He referred to the paper as “one of the more . . . regretful things I’ve had to do in college” and to the marker-testing project as “tedious.” Even with these concerns, Antonio stated that participating in the session was powerful and that it had taught him the importance of self-restraint, and he noted one incident after his restorative session in which he chose not to get into a fight. He also stated that he learned an important lesson regarding different social rules around fighting.

**Billiam: “They didn’t speak down to me at all.”**

Billiam was a 21-year-old senior majoring in integrative physiology. He grew up in the state in which he attended college and loved to be active in the outdoors. He was soft-spoken and affable and aspired to work as a physical therapist or a sports trainer. Billiam and his roommates received a noise citation for a party they hosted on the Fourth of July. After drinking alcohol, one of the party members shot off some fireworks. The police were called, and when they arrived, a few of the officers watched the fireworks show and even offered a few *oohs* and *ahs*, which Billiam thought was rather humorous. Although members of his house were cooperative, all of them were given nuisance tickets.

Despite receiving information on what would happen prior to going in to the restorative conference, Billiam thought the session “was going to be like in a high-pressure, intense meeting with, like, policemen and, like, the mayor.” However, his fears were soon dispelled, and he found the meeting to be “comfortable” and “easy going,” and he considered the session participants to be “very thoughtful.” He was particularly impressed because “they didn’t shun
me for getting a nuisance party ticket. They didn’t speak down to me at all.” Session members also offered to speak with him after the meeting if he had any questions.

A facilitator and two community members participated in Billiam’s session. He found the individual who was about his age to be comforting and helpful. He also thought the meeting with facilitators and community members was more effective than having just a one-on-one meeting with an administrator, because it helped him see how his actions impacted others. As he noted, their Fourth of July party affected the neighbors who were “trying to get some sleep on that night or their pets [who were going] crazy from the fireworks getting shot off.”

The restorative agreement created with Billiam included writing a letter of apology to his former neighbors, meeting with his housemates to address future party expectations, visiting with the new residents of his former home to explain how to avoid a similar situation, introducing himself to his new neighbors, attending a decision-making seminar, and volunteering his time to set up a soccer field at the local YMCA. His total commitment involved 15 hours of activities, and Billiam stated that fulfilling the agreement was not difficult and seemed very fair. Talking to his old neighbors was “pretty easy,” and his new neighbors “all seemed pretty happy and relieved to know who’s living where and what we’re about.” On the other hand, he felt that the decision-making class “wasn’t that interesting.” Overall, Billiam felt the restorative session “helped [him] see the whole situation from the other point of view . . . [and to decide not to] . . . have any keggers with fireworks” in the future.

**Brock: “It made me look at law enforcement . . . in a more positive light.”**

Brock was a soft-spoken 24-year-old senior majoring in economics and was a member of a social fraternity. He lived his entire life in the same state and was very close to his family, who lived in a town near the university. Brock enjoyed being in intramural sports and in particular
was involved with a softball league. He became involved with the campus restorative justice program as a result of a bicycle theft in which he took part. One of his friends concocted a scheme to look for bikes left behind by students and sell them to local bike shops. At the time, he thought the act was harmless, although he also admitted that “it didn’t feel right.” On the day of the incident, the three broke a lock and took possession of a bike. A faculty member saw this taking place and called the police. While Brock was not caught initially, he turned himself in and admitted his part in the incident. Brock was very concerned about being perceived as a criminal in the session and wanted to do whatever he could to improve his standing before he went to court. As he noted, “I’ve been, my entire life, as far from that as I possibly can be. So, just having that tag was really kind of like, not full on demoralizing, but it did have an effect, I guess.”

The arresting officer, the person who called in the complaint, and the facilitator were present at the session. Prior to going into the session, Brock spoke with a staff person from the university’s conduct office as a part of an informal meeting to discuss his options regarding his case. He stated that telling his story in this meeting to someone outside of his friends and who was in a position to discipline him was “liberating.” Brock felt some affinity for the town and the school and felt the incident was a “thorn in [his] side.” Because he had been able to tell his story to a few people prior to the conference, he felt “a little bit confident” going in. One of the lessons he learned from the session was that his actions affected others. As he noted, “it just opened the spectrum a little bit on who was involved and what they were thinking” regarding his incident. Because of his interactions with the officer in the session, he had a profound shift. Now, he views law enforcement “in a more positive light.”
In his restorative agreement, Brock agreed to do 15 hours of community service. Originally, he agreed to work with a bike-theft prevention program that the police sponsored. However, Brock missed the deadline for helping with this program, so he arranged to help with a campus safe-ride program. At the time of our interview, he had not yet completed his community service. While Brock was still involved with criminal court regarding this issue, the restorative process helped him to gain a “sense of closure” with the incident on campus. He even mentioned that he would feel comfortable interacting with any of the parties involved in the restorative process in the future.

**Chris: “I think someone from the other party should have been there.”**

Chris was an 18-year-old, White, first-year student studying chemical engineering. He was originally from a large metropolitan area about four hours from the university and was active in marching band as well as hall council. His transition to college life had been “interesting,” and for the first time, he was challenged with his coursework. Outside of school and his extracurricular activities, Chris expressed having no time for pleasure reading, and when he had more time, he hoped to read *Les Miserables* and the *Watchmen* series. In the residence hall wing where he lived, a group of students had become close friends during the year and planned on living together next year. Some of these students were part of an academic honor society, and some were not. This group of friends had developed a reputation for being very close and somewhat noisy.

The incident that led to Chris’s involvement in the student conduct program concerned a spontaneous and noisy party on Super Bowl Sunday. Chris invited a group of students to his room to watch the game, and no alcohol was involved. During the game, the music grew
increasingly loud, and eventually, the gathering evolved into a boisterous dance party that was confronted by university police.

Prior to going into the restorative session, Chris thought a great deal about what he wanted to say. Chris had, himself, been affected by noise from his group of friends during the school year, and he could “completely sympathize with other” students who lived nearby. Until his restorative session, he had been willing to move out of his room if it got too noisy. However, now he was clear that other people having to move to avoid the noise is “wrong.”

The restorative session involved nine students (eight males and one female) who had been at the party as well as the resident assistant, the hall director, the coordinator of student judicial programs, and two student facilitators. Chris wished that someone who had been affected by the party had been at the meeting because “it just would have been a good time to apologize to people for that.” He noted that the harmed parties were helpful, but he suggested that some of those present might have taken the restorative session more seriously if the affected parties had been present. At one point, he even wondered if the impacted students would respect the outcome of the process if they had not been present to witness the session.

Chris described a number of changes in behavior that he and some of his friends made since the meeting. He also stated that he felt “more likely to kick people out of the room” when they were too noisy. One of his major concerns was the length of the restorative meeting. He stated that a two-and-a-half hour meeting was long and that it felt like it was “dragging.” The outcomes of the meeting included an agreement on certain self-monitoring behaviors (for example, muted volume on video games and keeping the residence hall room door closed after quiet hours) and an apology to those impacted. He particularly liked the idea of apologizing personally to the other students in the hall.
Daniel: “It was a big relief.”

Daniel was a 20-year-old, male, first-year computer science major. He expressed loving the outdoors and having a passion for longboarding, which he described as “snowboarding on cement.” Both of his parents have bachelor’s degrees, and his family was from a nearby town. In the past year, Daniel and some of his buddies were partying “excessively” and running short on money. They decided to steal books from the campus bookstore and resell them for cash. Ultimately, they were arrested after being identified on surveillance videos. Daniel was referred to the university’s restorative justice program through the office of student conduct.

The restorative session that Daniel participated in had two facilitators, a police officer, and the bookstore manager. Daniel was asked to bring a snack to the session, and he chose to bring in cookies, which he felt was a “peace offering.” Before going into the session he was quite nervous and worried about how the bookstore owner would respond. He was, however, pleasantly surprised by his reaction. Overall, Daniel described the session as “friendly,” and he felt like he was treated like “a student who had made a mistake.” He also noted that the process helped take “a little bit of weight off [his] chest” and “was a big relief.” Daniel had e-mailed an apology to the bookstore owner prior to the session. He also had the chance to apologize in person during the session, which he felt was “really cool.” He feels that because he was remorseful, unlike his accomplices, the bookstore owner stated that he was welcome back in the store. As a part of the restorative process, Daniel had to complete a number of tasks, including writing an apology to the bookstore staff, writing an article for the student newspaper, and paying the bookstore for the books he stole. Daniel expressed positive feelings about the entire restorative process. He was especially proud because he felt like he was able to redeem himself in the eyes of the school, take responsibility for his actions, and “move on with [his] life.”
Farm-boy: “If students are given the chance . . . they’re gonna feel so much better.”

Farm-boy was a 26-year-old student majoring in public relations with a minor in music. He mentioned being quite talented and accomplished in the musical arena. He played piano, sang in a choir, had sung at a professional sports event, and had gone on three national tours. He also acted and enjoyed outdoor activities, including snowboarding.

During the summer, Farm-boy and some of his friends were at a bar in town. When the bar closed, they left with women they had met with the intent of going to a restaurant for food. On the way, they took a wrong turn and ended up stuck in the mud in a farmer’s field. One of the women panicked and called the police, who subsequently issued a ticket to Farm-boy for driving under the influence. Because the vehicle was in the field, they damaged the farmer’s land.

At Farm-boy’s restorative justice session were a facilitator, the farmer, the two arresting officers, and a woman named Jane who was involved in the incident. Going in, Farm-boy was very concerned about how the farmer would react. He and Jane, also interviewed in this study, attended their session together and brought drinks and snacks. He felt this was a good way to “break the ice.” Comparing the restorative session to Catholic confession, Farm-boy described it as being like a “a spiritual shower” and “a really calming experience.” He found meeting the farmer to be very beneficial, because he got to hear firsthand how his actions had impacted him. The farmer requested that the students pay for the damage to his property, and both students agreed to do so. Farm-boy also offered to provide manual labor for a day, but the farmer declined.

The restorative session impacted Farm-boy by causing him to see how his actions affected other people. He vowed to do a better job of thinking ahead, and he also pledged to give
up drinking alcohol, based on this incident as well some other challenges he was having. Farm-boy stated that one of the major benefits of the restorative session was that it “dramatically decreased . . . the amount of time that you spend thinking about . . . what happened.” A final benefit that Farm-boy identified was that the restorative process showed him how strong he could be, because he had to own up to his mistakes and take the necessary steps to make things right.

**Jan: It was important to have “a safe space . . . [and] have your voice heard.”**

Jan was a 22-year-old White female. She was majoring in studio art and political science, and she volunteered with her school’s restorative justice program after her case was completed. The incident that triggered her involvement with the restorative program was a house party, which Jan described as “small” with about 20 to 25 people in attendance. She felt she and her roommates were fortunate, because they were only issued tickets for being minors in possession of alcohol.

Jan went to the session with two of her friends who had been at the party, and she noted that having this shared experience helped her feel comforted. The session was led by one male and one female facilitator. No community members were present. She did find it “intimidating” walking into the session. In particular, this reaction seemed to be in regard to one of the facilitators who Jan described as “older, tall, and imposing.” She also noted that the female facilitator seemed very compassionate. Jan commented on the dual role of the facilitators serving as both guardians of the process and the voice of the community, and she found this “confusing.” She also stated that, in general, she felt the restorative session provided “a safe space . . . to go into, [and] have your voice heard.”
Jan also went through a university judicial hearing in regard to her incident. She was angry about the judicial process because she felt she “wasn’t listened to . . . [or] taken seriously.” As a result of her nonrestorative university judicial affairs process, she was asked to write a paper evaluating her misconduct.

Jan was quite pleased that part of her restorative agreement involved volunteering as a community member in future restorative sessions. She was highly animated about her experience in the restorative justice program and described her experience in the session as “life changing.” Inspired by her experience with the restorative justice process and after fulfilling her restorative agreement, she volunteered for the college’s program helping facilitate restorative sessions. At the time of the interview, Jan was also participating in a practicum experience in the judicial affairs office, and she hoped to work in student conduct professionally to help infuse restorative justice principles into campus conduct programs.

Jane: “The fact that we were able to talk about it . . . gives you an end to the story.”

Jane was a 21-year-old African American female majoring in apparel merchandising. She was a first generation college student and was raised by a single mother. Her primary hobby involved doing crafts. She had a younger brother, and her family lived in a nearby town. Jane and Farm-boy were involved in the same incident and attended the restorative session together. She and some of her friends were out at a bar and accepted a ride home from Farm-boy and his friends. On the way, the driver took a wrong turn into a farmer’s field and got stuck. Jane was frightened and called the police. Farm-boy was cited for driving under the influence, and everyone in the group received citations for damage to property.

The restorative session involved Farm-boy, the farmer whose field was damaged, a facilitator, and one of the police officers who responded to the incident. Jane and Farm-boy
brought snacks for the restorative session. Jane stated she felt like “everybody was actively listening” to her during the session. One of the important aspects of the session was being able to meet and interact with the farmer. Jane was surprised by his participation in the session and discovered he was different from what she expected. She found him to be “really polite . . . nice.” She had expected him to “be a little angry.”

Jane was acutely aware that the monetary reparation did not really address the fact that the farmer had to make repairs to his land as a result of their actions. She also learned that their actions impacted others, including the officers who responded to their call. She was very thankful that no emergencies requiring a police response occurred at the time of their incident.

Jane acknowledged that one of the big lessons from the restorative session was that she needed to think twice before acting “because I don’t know who it will affect.” She was thankful for being able to tell her story and apologize for what she had done. Jane felt like the restorative session also helped to bring closure to her situation; she noted, “I think that the fact that we were able to talk about it, kind of, just gives you a conclusion. Just like an end to the story.”

**Janie: “Instead of having a grudge [you realize] that you’re the one that screwed up.”**

Janie was a 20-year-old sophomore studying psychology and women’s studies. She was originally from Atlanta and enjoyed outdoor recreation. In her spare time, she served on the women’s studies board and volunteered at the local domestic abuse shelter. She anticipated attending graduate school to study either law or psychology. The incident that brought her to the restorative justice program involved a noise violation. She and her roommates hosted a birthday party for one of their housemates. By 11:00 p.m., the party had swelled to about 40 students. Janie left with a friend to get pizza, and when she returned, the apartment was empty, and she found out that they had been issued a citation for their party.
Two facilitators and two community members attended her restorative session, and all of them were near in age to Janie. Going into the restorative session, she was quite skeptical and acknowledged “I thought it would be kind of BS. I thought it would be more like talk about your feelings . . . I didn’t think it was gonna be as helpful . . . as it really was.” In the session, she felt very comfortable and used words like “easy” and “nice” to describe the tone. She also noted that overall she felt “more equal” with the session participants than she anticipated. Janie observed that the session “wasn’t done in a mean way. It was done in a more, like, ‘open your eyes’ kind of thing.” Janie appreciated that the session participants lived near her and were close to her age. One of the panelists even told her that he had also gotten a noise violation ticket, and this seemed to put her at ease. As she noted, the session was “more ‘Oh hey, let’s just talk about what happened’ which I really appreciated.” She compared her experience to when she got suspended from Catholic high school. In that case, she was so terrified that she lied. She recounted that she “was basically saying what they wanted me to say as opposed to [the restorative justice session in which] . . . I was saying exactly how I felt, what really happened ’cause I wasn’t scared of the consequences.”

Because of the tone of the session, Janie she shifted her view of the entire situation. As she observed,

It’s good because instead of having a grudge you’ve realized that you’re the one that screwed up . . . so it kind of shifts who you’re mad at and . . . I felt it was a lot easier to forgive myself than hold a grudge against the family that lives across the street.

One of the most powerful parts of the restorative session for Janie was being able to see the impact of her actions on others. Janie acknowledged she “liked how they pressed me because it made me less ignorant about people I harmed.”
Another part of the session included devising an agreement to make amends for the incident. The agreement process involved a give-and-take dialogue about how best to repair the harm. In this agreement, Janie agreed to write a reflection paper on noise violations and an apology letter to the family who lived adjacent to her apartment. Janie also agreed to complete a roommate agreement on future parties, and she volunteered at the Humane Society. Of these, the apology was the most impactful and helped her to have a positive connection with her neighbor. As she noted, “So now whenever I see her, I wave, and it actually made me like them a lot . . . . I actually feel like she’s a neighbor as opposed to ‘ugh, those are the older people.’”

Kirk: “They put effort into making you feel comfortable.”

Kirk stated he loved outdoor activities including snowboarding, hiking, and camping. He was a 23-year-old student majoring in mechanical engineering. He travelled to New Zealand for a semester abroad experience, worked with the college mascot at football games, and conducted alcohol awareness education sessions for students on campus and in local high schools.

The incident that triggered his restorative justice session involved a gathering of 12 to 15 people. The police cited the party for a noise violation, and the case was eventually referred to the restorative justice program. Kirk felt that the incident was a minor violation. Those present at his restorative session were the program coordinator, another student, and an “older member from the community.”

Going into the session, he was worried that he might have to defend himself. He appreciated, however, the diversity of voices represented in his meeting and felt like the community members were “open minded” and not judgmental of his actions. Kirk stated that he felt the respectful tone of the session was intentional, and he appreciated this, “You can tell they put effort into making you feel comfortable, which is something that I think I was impressed by a
little.” He also underscored the importance of being able to tell his story and to have input into the process. As he stated, “I kinda felt good getting to explain the fact that I was in violation, but I don’t feel like I was acting extremely inappropriate, and I think that they were open to hearing that.”

For his restorative agreement, Kirk created a roommate agreement regarding future parties, wrote a paper on noise violations, introduced himself to his neighbors bearing cookies, and did volunteer work in the community. He felt that he learned a lot about community laws and about individuals he impacted as a result of the conference. He also noted that he felt the session and subsequent reparative sanctions brought closure to the situation in a positive manner. Overall, he felt good about the session and stated, “It’s good to be heard. And part of being fair is, even though I was the one that made the violation, I still had a voice, and it wasn’t a one-way road.”

**Leila: “We kind of ruined it by laughing and making fun of it.”**

Leila was a 18-year-old first-year African American female majoring in communications and psychology. She had two older brothers, both of whom attended other schools. She was involved in a sorority on campus, enjoyed being physically active, and participated in figure skating.

During the first week of classes, she and her friends got a reputation for being somewhat noisy. While she did not use the word targeted, she did feel that the resident assistant paid close attention to her friend’s room. The incident that triggered the restorative justice session involved a party. She felt that the gathering was loud but not overly so, and she admitted to being caught for underage drinking. Leila felt her misconduct was not serious and stated that she participated in the restorative session only to remove the violation from her record.
Leila participated in the session with two of her friends, who also attended the party. Also in attendance were the resident assistant, the hall director, a facilitator, and the coordinator of the restorative justice program. The session lasted about 30 minutes, and she described the tone as being “preachy” and “didactic . . . but polite.” While she stated that the presence of her friends helped her feel more comfortable, she did note that during the session she was “laughing and cracking jokes” and that they fed off of each other’s lack of decorum. Overall, she felt that the session could have been “ stricter.” She was particularly concerned that they were allowed to joke around in the meeting: “Letting us joke around . . . like making fun of the situation . . . just . . . made the situation go to . . . crap. ’Cause we kind of ruined it by laughing and making fun of it.”

Leila had a difficult time identifying anyone who had been harmed by her actions. She did, however, express concern that the hall director had to “take time out of her day” to address Leila’s situation. As an outcome of the session, Leila agreed to construct a bulletin board to educate the community on facts related to drinking alcohol. Although she and her friends ridiculed this activity, she mentioned she learned some “fun facts” regarding alcohol use.

Paula: It’s better for me to “talk to my superiors . . . when I feel like they’re listening.”

Paula was a 21-year-old White female majoring in English literature and planned to pursue graduate studies to become a professor. Paula also volunteered for the campus restorative justice program as a facilitator after she completed her restorative agreement. On the night of the incident, Paula was sleeping in her room while her roommate was hosting a party with over 50 guests. Although she was not directly responsible for the party, the police ticketed her as well, since the residence was hers. Two facilitators, one of whom taught a class she was taking, led Paula’s restorative session. An older community member was also present. Paula had thought
the session would involve being told what she “needed to do to fix it.” She described the older community member as being wary at first. When she heard Paula’s story, however, the community member became “appreciative,” because her story “was kind of a different aspect of a party story that [the community member had] heard 30 times.”

Going into the session, Paula was nervous, because she imagined that the session would be “like a board of judges [who would] talk [and] deliberate” and deliver their judgment. She felt the session, however, was collaborative, and she used words like “responsive,” “welcoming,” and “receptive” to describe it. Although apprehensive at first, Paula also seemed to appreciate the fact that she could tell her story to individuals who she respected and who truly listened to her. As she noted, “I learned that it’s more helpful for me to be able to discuss things and talk to my superiors about what happened when I feel like they’re listening than it is for me to pay a fine or do community service.”

Paula described herself as a writer and felt like this fact was built into the agreement. As part of her restorative agreement, Paula created and distributed a one-page handout explaining the nuisance laws to her neighbors. She also agreed to come up with a party plan with her roommates. She stated that this offered the opportunity to have a discussion with the roommate who had hosted the party and with whom there was “some animosity.” From talking with her roommate, she said she ultimately learned that she “can put aside my personal emotions in order to deal with a situation objectively.” In the end, Paula very much appreciated the collaborative nature of the process and its focus on repairing the harm.

Riley: “They individualized it to us.”

Riley was a 20-year-old White female majoring in speech, language, and hearing sciences. She was the older of two children, and in her free time, she enjoyed playing soccer and
teaching soccer to children. Most of her family lived in the state in which she attended college. A week after school started, Riley and several of her roommates (including Sarah, who was also interviewed in this study) hosted a birthday party for another roommate. Because of excessive noise, they were issued violations by the police. At their preconference meeting, Riley and Sarah were assigned to take part in an alcohol education class and a restorative justice session.

Riley and Sarah attended the restorative session together. Two facilitators, a graduate student, and an older community member also attended the session. Initially, Riley was nervous about what they would ask her to do. She said, “We weren’t upset about getting a ticket . . . . We were more like, ‘What are they gonna make us do?’” Therefore, as they entered the session, she and her roommate joked with each other to “keep each other . . . light-hearted.”

On the whole, Riley was impressed with how well she and her roommate were listened to throughout the session. During the session, Riley noted that those present used humor, which “definitely lightened the mood.” She did note, however, the “negative vibe” that the older community member communicated in regard to their situation. Riley appreciated the kind of input she had into creating the agreement and felt conference participants “were very flexible; they just wanted to make sure that we got the point [and] didn’t want to make it like stressful, a burden.”

As a part of the restorative agreement, Riley and her roommate were asked to introduce themselves to their neighbors and apologize, attend a campus restorative justice session as a community member, talk with their parents, and write a reflection paper on their experiences. Throughout our meeting, Riley stressed her ability to give input into the process and how individualized she felt the process was. After her restorative justice process, Riley became vigilant and stated “Like we were very nervous . . . about going out to parties, even just like
going to a friend’s house and being loud and . . . it just, it made us very aware of our surroundings.”

Sarah: The process was “way more educational than just paying a couple hundred dollars to the courts and calling it a day.”

Sarah was a 19-year-old, White, sophomore female majoring in sociology. She lived in an off-campus apartment with a friend and chose the school she attended, in part, because her older sister lived nearby. Near the beginning of the school year, she and her roommate had a small gathering to celebrate her birthday. Around 10:30 p.m., the police arrived after receiving a call from one of their neighbors and issued each person a nuisance party ticket. Sarah admitted that their music was too loud. They did not receive any underage drinking tickets, and she believed this was because they were very cooperative with the police.

Sarah and her roommate, Riley (described previously), attended the restorative session together. Sarah was nervous before the session, because she was not sure if those present “would look at me like I was some sort of criminal.” Other than the facilitator, three people were present in her session: an “older woman” from the community, a law student, and a second facilitator who stood in for a community member. Sarah expressed reacting differently to those present. She felt the older community member was judgmental of her because she “had her body . . . completely turned away from me. She kind of rolled her eyes at certain things we would say . . . . So I guess it was probably a good thing that we had one mean person there.” On the other hand, the facilitator, who was close to her age, was easy to talk to, and Sarah stated that “it was kind of like we were telling our friends.”

At times, Sarah felt like the panel was “stretching” to come up with ways in which they were at fault. On one occasion, a session participant suggested that someone at her party could
have gotten alcohol poisoning. She did reflect on this idea, but she was clear that she and her friends “keep a better hold on things” and that alcohol poisoning was not a possibility in her case. Sarah felt like the process was nonetheless “way more educational than just paying a couple hundred dollars to the courts and calling it a day.” She did acknowledge that participating in the conference helped affirm for her how much she likes to do volunteer work.

Since the restorative justice session, she reported keeping a “pretty clean slate,” but just prior to the interview, she got an underage drinking ticket in another state. She noted after disclosing this that she “basically just [wanted to] go sit in the library” for the rest of her life.

**Steve: “I could open up . . . and take full responsibility for it.”**

Steve was a 21-year-old White male majoring in political science. He stated that he had a younger brother and that his parents, who lived about 45 minutes away, were very supportive. He described himself as “really kind” and acknowledged that his transition into college life was “tough.” Early in the semester he had been reprimanded by his resident assistant for throwing litter out the window of his residence hall room. After this incident, he had a friend over who threw a bottle out the window. The resident assistant and hall director confronted Steve about the bottle and ultimately asked that he take part in a restorative conference.

A student facilitator, the hall director, a resident assistant, and the director of judicial affairs attended his conference. He was nervous going in and was a bit surprised when those present took the time to get to know him. As a result he said, “About 10 minutes in, like, I could open up and tell my side of the story to the fullest and take full responsibility for it.” Steve noted the use of humor and the “calmness” of the session and stated that the tone helped to make it “a lot more personal.” He also liked talking to the “older people.” He was, however, a bit nervous having a fellow student as the facilitator and was particularly concerned about seeing her on
As he stated, “It was just basically the anxiety factor, like, she’s my age, and [if I saw
her on campus] it’d be kinda awkward.” This fear lessened somewhat after the session was
finished.

The restorative session seemed to help Steve see the full impact of his actions on others.
As a result of the session, Steve agreed to go to a hall council meeting the following year and
encourage the council to pass a resolution about throwing trash. He also pledged to visit floor
meetings and make an announcement about his situation and to apologize directly to the
residents he harmed. He stated that he really appreciated that the agreement was a good fit for
him and his situation. Steve was also emphatic that he would not make the mistake of throwing
anything out of the window again.

**Ulysses: “A complete and utter waste of time and energy.”**

Ulysses was a 22-year-old senior majoring in biochemistry. He grew up in the city in
which he attended college. Outside of school, he was quite physically active and expressed a
love for outdoor activities such as road bike racing and snowboarding. He planned on continuing
his education immediately and getting a PhD in biochemistry after he graduated. He also stated
he loved to travel and had just completed a Semester at Sea program. Although he does not plan
on going into academe, he would love to teach in such a program in the future.

Ulysses received a nuisance party citation for an event that started out as a barbecue in
his back yard and developed into a noisy party. Around midnight, the police showed up and
reported that neighbors had called and complained. He and his roommates were subsequently
issued nuisance party tickets. Ulysses explained that the police were probably “bored” and
decided to cite his gathering despite the fact that he “wasn’t causing anyone any harm.” He
came to this conclusion after talking to his neighbors.
Ulysses met with the staff person from the campus restorative justice program at court and stated that it was a two-hour meeting. He expressed grave concerns regarding the staff person: he said that he initially perceived her to be “a tramped down law student who was doing this as volunteer work, but it turns out, she’s a failed lawyer who apparently didn’t pass the bar and ended up here.” When asked if he felt regretful for his actions in the intake meeting, Ulysses stated, “I’m not sorry at all. There’s no moral failing here.”

During the restorative conference, Ulysses stated that he was “listened to fairly.” However, he also described the session as “agonizing, tedious, painful, boring, mind-numbing, frustrating, [and] unproductive,” and he felt the panelists had to stretch to come up with “preposterous explanations of [his] moral failings.” Ulysses’ restorative agreement involved attending a decision making class, creating a party plan (which he copied from a friend), meeting with his neighbors, and interviewing a police officer (who was a friend of his). Although he did express appreciation for getting the chance to meet his neighbors as a part of his restorative agreement, Ulysses stated that, overall, the session was “a complete and utter waste of time and energy. Just wasteful.”

**The Experience of Collegiate-Based Restorative Justice: Mediating Factors, Restorative Sessions, and Outcomes**

In this section, themes expressed in the interviews by the research participants are summarized. Themes were clustered into three major categories: mediating factors, restorative sessions, and outcomes. Mediating factors included thoughts and feelings the respondents carried with them into the session and impacted the experience of the restorative process. This category comprises three themes: anticipatory anxiety, previous experiences with other processes, and not taking responsibility for their actions or perceiving harm to others. The
second category, restorative sessions, also had three themes: the atmosphere communicated respect, participants felt actively engaged in creating their restorative agreement, and reactions to those present in the session. Creating an environment of respect and engagement seemed to promote receptivity and ownership. Respondents also articulated both positive and negative reactions to session participants. The third category, outcomes, included four themes: transformed view of self in relation to others, experienced resolution, learned new skills and knowledge, and changed behaviors. Figure 1 illustrates the relationships among thematic categories revealed by this study. These categories and their associated themes will be further explored below.

Figure 1. Summary of Categories

**Mediating Factors**

Students did not enter their respective restorative sessions as blank slates. Rather, they brought with them fears, preconceptions, and specific concerns regarding meeting the harmed party. Mediating factors, therefore, included those emotions and thoughts associated with the
respondents. These factors were present prior to the session and impacted the experience of the respondents.

**Anticipatory anxiety.** Most of the participants expressed feeling anxious before going in to their restorative sessions. They expressed a variety reasons for this anxiety including having a general fear of the unknown, preconceptions of what might happen in the meeting, and concerns about meeting the harmed parties.

**Fear of the unknown.** For a number of the respondents, anxiety regarding the session stemmed from a fear of the unknown. For example, Antonio was concerned because he did not know how the session participants would respond to his situation:

> Like, you know nothing about these people; you have no idea, like, how they're gonna respond to what you have to say. . . . I was, like, “What are these people gonna think about what I did?” Because, you know, I mean, I have no idea who they are or, like, where they’re from, their backgrounds or anything. Like, you know, like, for me, getting’ into a fight wasn’t a big deal.

Riley was particularly worried about what they were going to be asked to do:

> We weren’t upset about getting a ticket, having alcohol and that kinda thing. We were more like, “What are they gonna make us do? What are we gonna have to do? Community service? . . .” So I think we were a little nervous but not, you know, we were trying to like joke beforehand, keep each other like light-hearted like it wasn’t that big of a deal anymore.

**Preconceptions.** A number of participants expressed concern because of preconceived notions they had about what the meeting would be like. Billiam had a very colorful notion of what he expected it to be like:
I thought I was going to be, like, in a high pressure, intense meeting with, like, policemen and, like, the mayor . . . and I was a little hesitant about the meeting, a little scared maybe. But, overall, I think it just worked out pretty well, and it wasn’t really what I was expecting.

Two of the respondents imagined a courtroom-like setting. For example, Kirk was concerned that the tone of the session would be accusatory and that he would need to defend himself in the meeting. Paula imagined more explicitly a courtroom scene, with judges delivering a verdict:

I was a little nervous and kind of apprehensive, because like I said, I thought people were gonna sit in front of me, like a board of judges and talk to me and kind of, like, deliberate what was going on, even though she made it clear it was gonna be this, like, agreement we were all gonna come to. I thought it was gonna be more, like, them coming to it and me being like “okay, I’ll do it.”

Janie had seen a presentation by the restorative justice coordinator in a class she was taking. Even with this, she was quite skeptical going in and acknowledged:

I thought it would be kind of BS. I thought it would be more like talk about your feelings . . . . But I thought it would just be something that you could be like, “I’m sorry” and just be kind of insincere and not really care and then just get, like, a much lesser punishment.

These preconceptions, at least initially, colored the experience of the respondents going in to their session.

**Concerns about meeting harmed parties.** Several of the participants noted being concerned about meeting the harmed parties. Farm-boy expressed a concern of being berated:
You know, I thought it was gonna go well, but in the back of my mind, I was kinda like

“Well what if this farmer is a real jerk, and all he wants to do is yell at us and complain?”

So I was a little apprehensive about that.

Daniel acknowledged his concern regarding meeting the person from whom he stole, “It was kinda scary, because they were having me meet with the person that I stole from and the officer who . . . arrested me.”

Both Sarah and Brock were also very apprehensive about meeting the harmed parties because of how they might view them. On this point, Sarah acknowledged “I felt like I was kind of nervous, because I didn’t know if they would look at me like I was some sort of criminal.”

**Previous experiences.** Participants also brought past experiences with them into the restorative justice sessions. These past experiences included participation in high school detention, a youth offender program, and the campus judicial affairs process. For example, Paula recalled:

Well, like, so I got in trouble freshman year when I was living on campus in the dorms for having a dog stay in my dorm with me. It was a terrible decision, but my judicial affairs meeting I had to do like 15 hours of community service. It’s very different, and I was definitely, absolutely to blame, but in their minds, I was guilty, and I was guilty. No denying that, but it wasn’t kind of this collaborative process. It was them penalizing me for what I had done versus [the restorative justice program, which] decided what I had harmed and how I could repair it. Not, like, punished me.

Janie described being suspended from high school for drinking:

When I went in, there was a conference room like this. I sat in the middle, and all these people were just surrounding me. Basically being like, “I can’t believe you did this. I
can’t believe this and that. You’re gonna be suspended. You’ve harmed all these people. You’re giving us a bad reputation.” I went into the restorative justice, and I felt completely different than I did when I was suspended. I was like shaking in high school, and my parents had to go. It was really hard.

Antonio acknowledged feeling that he thought the restorative session would be similar to a juvenile offender program he participated in, “I kinda thought, ‘Okay, well, this is somethin’ similar.’ Like, I’m just gonna go in there and talk, and then they’re gonna tell me what I need to do.”

**Not taking responsibility and not perceiving harm to others.** Both Leila and Ulysses took no ownership of the harm their actions caused to others before the restorative justice process. For example, Leila believed the resident assistant was targeting her and her friends, “I don’t mean to like point fingers or like say he’s picking on us, but like he definitely like looks out for the room a lot more.” She also stated that what she and friends were doing was not significantly harming anyone:

Well, I really don’t feel like I was . . . that at fault. I don’t feel like we were being like overly disturbing. Like the next room could definitely probably hear us, but . . . yeah, I really don’t feel like I did anything wrong. I was just in the room at the wrong time.

Ulysses felt like he and his friends did nothing wrong. As he noted, “the party I got my nuisance party ticket for wasn’t causing anyone any harm . . . . [The party] wasn’t bothering the neighbors . . . . It was kind of like the [city] PD being bored one night.”

Having no understanding how their actions affected others impacted how the students experienced the restorative process. Leila stated that her experience was unproductive and Ulysses was quite angry about his experience in the process.
Restorative Sessions

A number of themes emerged relating to the respondents’ experiences during the restorative sessions. With a few notable exceptions, the restorative session actively engaged respondents and communicated respect and fairness. Themes that emerged from the interviews clustered around three ideas: experiencing an atmosphere that communicated respect, being actively engaged in creating the restorative agreement, and having positive and negative reactions to those present in the session.

**Atmosphere communicated respect.** Atmosphere refers to the overall tone or ambience of the restorative session. Participants described a number of themes that supported the notion that the overall atmosphere of the session communicated respect. These themes were feeling validated, experiencing support and openness, and being treated without judgment for their actions.

**Feeling validated.** Participants described feeling validated during their restorative sessions. Validation occurred when they felt listened to in the restorative session. Jane described both a feeling of being listened to and the behaviors that conveyed that feeling:

> When it was your turn to talk, then everyone was looking at you, not in a threatening way, but everybody was actively listening to you and asking me questions or just giving you cues that they were actually listening to you, and vice versa. You also do that when someone else is talking.

Paula stated that the flow of questions was another means by which participants conveyed interest and respect:

> Yes, I felt listened to. They were nodding, which when somebody nods along with you that’s like Communication 101. It really shows that you’re listening to the other person
and that the other person’s listening to you. They were also responding and questioning. When you ask clarification questions, in my opinion, it means that you’re listening ’cause you want to know more about what has been said. So if you’re not really listening, then you don’t need clarification on anything.

Even Ulysses, whose overall experience in the restorative process was negative, acknowledged feeling listened to by participants, “I mean, I think I was listened to fairly, and I think people agreed with me fairly.”

A theme expressed by several of the participants in the interviews was the importance of giving voice to their experience. In particular, research participants noted this phenomenon when they had the opportunity to tell their story in the session. Participants expressed the importance of being able to explain what happened from their own perspectives and to fill in details that had not yet been shared with the conference participants. For example, Kirk stated regarding his noise violation:

The ticket in itself, if you look at it, it just kinda doesn’t say much. So I kinda felt good getting to explain the fact that I was in violation, but I don’t feel like I was acting extremely inappropriate, and I think that they were open to hearing that and kinda hearing actually what happened.

As Jan noted, it was important to her to have “a safe space . . . to go into, [and] have your voice heard.” Steve also stated very succinctly “they wanted to hear my side of the story and what I thought about it.”

**Experiencing support and openness.** In addition to feeling validated, participants also described the atmosphere as being supportive and open. Descriptors they used included
“supportive,” “relaxed,” “comfortable,” and “light-hearted.” Kirk stated the session’s tone was created intentionally:

You can tell they put effort into making you feel comfortable, which is something that I think I was impressed by a little. It was a lot more relaxed and productive, I think, because people weren’t being overly judgmental, and they weren’t stepping on toes, so it was kind of an open forum.

This notion of an open forum was conveyed to Steve in the tone and seating arrangement:

So, I guess the two main things are the calmness of the people, not shouting out or interrupting others, letting them speak, and being in a circle, being able to see everybody around you, you could talk to everybody and turn your head, and it was a lot more personal, I think.

Chris also conjectured that the purpose of the tone was “for getting people to talk and open up and stuff.”

On the other hand, a few of the students expressed that they experienced a negative tone set by some of the panelists. For example, Sarah felt judged by the behavior of one community member; she stated:

There was an older woman from the community and I just kind of—I think I could see it in her eyes the whole time. Like she really did think that I was a criminal. . . . she made me feel like such a bad person ’cause she lives right [in the middle of student housing], and that’s a pretty wild place for older people to live, and it’s kind of just like it’s a big college town . . . . She wasn’t very nice . . . . She was very distant. Like we were all sitting in a circle, and she had her body like completely turned away from me. She kind of rolled her eyes at certain things we would say. When we were telling the story you
could just kind of see her, like you could see the look on her face, like “Oh, they’re probably not telling the truth.” . . . So I guess it was probably a good thing that we had one mean person there.

Clearly Sarah felt judged by the behavior of the community member in her session.

Several of the participants noted the use of humor in their sessions. Although not all respondents mentioned humor, those who stated humor was present in their sessions used descriptors such as “light-hearted” or “kinda funny.” Riley stated that the humor helped her to feel comfortable:

I felt definitely nervous going into it but like in the, you know, throughout the meeting, the people there would kinda crack a joke or we would all kinda relate to each other, so that definitely lightened the mood, you know.

For Steve, too, the use of humor “kind of eased things up.” Leila, on the other hand, reported that in her session regarding underage drinking and a noisy party, humor conveyed a less-positive message:

Like by just like letting us joke around and like seeing that they weren’t really doing anything about us, like making fun of the situation while we were there, just like made the situation go to like crap. ’Cause they’re just like if they don’t really care—not, I mean not like they don’t care but, like they just didn’t make it like serious, ’cause we kind of ruined it by laughing and making fun of it.

Allowing Leila and her friends to joke around seemed to diminish their respect for the process.

**Being treated without judgment.** Many of the participants went into their restorative sessions quite anxious about how they thought they would be treated. Several of the participants were meeting those they directly harmed, some for the first time, and others were meeting with
those who would speak on behalf of the community. Most of the participants were pleasantly surprised with the reception they received in their restorative conferences. Antonio, for example, came to his conference having been charged in a brawling incident. As he noted, “They didn't give me the response that I thought I was gonna get. I didn’t get like this, like, ‘Ah’ sort of shock and awe response that I thought I would get.” Although Janie’s case was far less severe, she expected to experience more blame and judgment because of the noise violation she received:

All of my people were really nice, really understanding. Even the head RJ guy was just like, ‘Stuff happens.’ I felt really comfortable in the room, which was kind of shocking ‘cause I thought I’d feel more—I don’t know—like accused, and I felt just more like I was hanging out. I felt more equal than I thought I would.

Both Kirk and Brock used the term “open minded” to describe the participants in their restorative conferences. As Kirk noted, “they did a very good job of finding open-minded people who are—they’re not there to judge you, and they—they’re there to really talk with you, which was my, probably, main concern.”

Daniel was particularly concerned with how they would view him in light of his charge of bike theft. But the participants surprised him:

They didn’t really like look at me like I was some criminal or some—they more or less just took me as a student who had made a mistake and by doing the restorative justice process, felt that I was repentant for what I had done, so that eased kind of the tone for the whole thing.

Kirk also noted that he felt that the lack of judgment conveyed about his nuisance party ticket helped him to open up and participate more effectively:
Yeah, if you feel like you’re being judged, I feel like in that setting, even a small, intimate setting, you won’t say as much. You’ll feel like you’re on trial and keep it to a minimum, where this setting kinda you get to open up. You get to voice opinions, tell your story, and then also talk through what’s gonna happen next.

While the research participants were surprised by the responses they received, they were also quick to point out that the conference members were not indifferent to their offenses. As Kirk described, “But it’s a violation, and they do let you know that you’re in the wrong, and they do it in as a humane a way as possible, I’d say.”

**Actively engaged in creating the restorative agreement.** Nearly all of the participants stated they had a substantial role in creating their restorative agreements. Having an active role helped to reinforce the respectful ambiance of the session. The formation of the agreement typically took place at the end of the session, after the students had discussed whom they harmed. Those present in the conference then discussed ways to make amends and repair the harm. Many of the respondents described a give-and-take negotiation that involved their full participation. Janie gave a detailed description of this process regarding the creation of her reparative agreement:

Then she said, “How do you think you can repair those harms?” I came up with a list. After I came up with a few things, everyone in the circle came up with something I could do also. Then they said pick what you wanna do out of those. So I chose ones I wanted to do. Then they kind of guided me to make it more of a full list. For instance, writing a paper. They’re like, “Okay, how many pages do you wanna do?” I was like, “One.” They’re like, “Why don’t you make it two?” So they asked my opinion and then they kind of adjusted everything.
These agreements were tailored in a way to repair the harms caused by the incident and meet the needs of the individuals. Often, as in the case of Janie, this involved a negotiation, either up or down, of the amount of the agreed upon item. For Riley, this included a plea to decrease the scope of the requested activity:

They let us choose which ones we wanted to do and like we had to—oh, we had to go down to our neighbors and just apologize and get a signature from them and they had, I think they had like 15 signatures or something like that. And we kind of mentioned that we thought that was a lot. Like we don’t even really live near that many people, and they were like, “Oh, yeah,” like, “That’s fine.” They dropped—I think they dropped it down to 10 or something like that. Like they were very flexible; they just wanted to make sure that we got the point that we were doing what we were supposed to do, but they didn’t want to make it like stressful, a burden.

In Chris’s case, he and eight other respondents were in the restorative conference together regarding a noise violation. Chris stated that some of his friends were not too happy about the process, including the length of the session. However, the process of negotiating the agreement helped to engage those who were somewhat resistant and allowed their voices to be heard:

But I thought that was good because one of the guys actually who wasn’t as keen on the meeting, he was getting ready to get out of there and stuff. So [giving ideas for the agreement] made him participate ’cause he had to bring some stuff up.

This process of fully engaging the students seemed to promote a feeling of fairness. As Sarah noted, “I felt like it was nice that we got to think of things that we could do instead of just being told what we were going to do.” Kirk also acknowledged “It’s good to be heard. And part
of being fair is even though I was the one that made the violation, I still had a voice, and it wasn’t a one-way road.”

The story surrounding the creation of Antonio’s agreement illustrated ways in which this process can go awry. While he rated his overall experience as “good,” he expressed very mixed feelings regarding the tasks he was assigned in his restorative agreement. His restorative agreement included writing an apology letter to his mother and the woman who hosted the party and conducting presentations to first-year students on alcohol use. Despite explaining during his restorative conference that he had not been intoxicated, he was also asked to write a four-page paper on why people in other countries do not drink to excess or get into trouble regarding alcohol. One of the community members in the session raised this topic and had encouraged this to be a part of the restorative agreement. Antonio noted,

What I was able to do as part of my agreement, as far as what I had suggested that I do [apologize, do presentations to first-year students], really made sense to me . . . [and the] paper was just like, honestly, one of the more sort of regretful things I’ve had to do in college.

Regarding this paper, Antonio acknowledged the disconnect with his situation and suggested a way in which it could be made more relevant to his own life experience:

I don’t know, [the paper] just, none of it really made sense to me. It didn’t really—it didn’t fit, you know, it didn’t fit to what I was doing, you know. If you wanna talk about why in low-income families or low-income neighborhoods there’s more violence than there is in upper class, I’m fine with that, I understand that, like, let’s talk about that. Like, you know, I’ll write a paper about that, like, that’s clear to me, you know. But don’t bring in, like, some other country where I, like, never been, you know.
Antonio was also asked to test markers for children at a domestic violence shelter. He described this task with regret in his voice and stated that he spent four hours testing the markers. In all, he felt like testing the markers was “tedious” and that he gained little from this effort. For both the paper and the volunteer work at the shelter, he expressed regret and some degree of bitterness towards his experience in the session.

**Reactions to those present in the session.** Student respondents reported both positive and negative reactions to the characteristics of those present in the restorative process. Factors that impacted the respondent’s reaction were social class, age, and the presence or absence of those directly harmed. These factors seemed to produce a number of outcomes including alienation, comfort, confusion, and a sense of resolution.

**Social class.** Antonio was the only respondent to comment directly on the social class of those present in his restorative conference. For Antonio, the social class and cultural background of the community members were clearly different from his own. As each person present in his restorative session introduced her or himself, Antonio reported an immediate reaction, tracking their identity in relation to his own:

Okay, so I knew . . . he has money, and clearly, didn’t grow up like I did. And then, you know, the other girl was—I can’t remember, I think she was from [another state, which was] homogenous, upper class, upper White middle class.

And the other lady . . . came out here from out of state, so that’s a $30,000.00 a year tuition, so I knew that, you know, somebody’s payin’ for it.

Antonio thus felt like there was no one in the session who could understand him, and he noted, “No one [was present] that could relate to me directly. I mean, you know, ‘There’s like no way that you can understand where I’m comin’ from,’ which led to more hesitation on my part when
I’m tellin’ my story.” Because there was no one present with whom he could relate, he experienced alienation and was hesitant to fully participate.

**Age.** Age also was identified as an important factor. For some, having a peer present, or someone near their age, was helpful. Billiam entered the session feeling a little anxious. When he saw someone about his age and interacted with her, he felt “more comfortable.” Jan also expressed feeling comforted by having her friends there. She stated that having a shared experience helped to spread the blame:

I think it was really comforting to have them there because sometimes there wasn’t just one bad guy, there’s three of you, so it kinda just put it all at ease that you guys all went through this experience together. It’s almost a ritual in a way. Practice having to go through an experience like that with each other.

Similarly, Janie appreciated having someone about her own age to learn from:

I think it was a lot better that it was [people about my age] as opposed to the woman that my roommate had [in the restorative conference] that didn’t even live in the college area. She was just being like, “You guys throw trash in the street.”

It was better that it was people that lived close to me and that were about my age.

For Janie, having a circle participant who was near her age representing a community member helped her to see “it’s not just older people that aren’t okay with noise. It’s even college students, too, kind of thing.”

Steve, in contrast, appreciated having “older people” present and was a bit unnerved about having a peer present as a facilitator in his session:

Like, I kind of like talking to, like, older people because I feel like they have more experience and understand better. And it was kind of—I don’t wanna say
embarrassing—but it was kind of, it just kind of gave me, like, a little anxiety having [a student facilitator] here, like, writing things down and that kind of stuff and opening up to her. Because, I mean, like, I’d probably see her on campus one day, and she’d be like, “Oh, that's the guy who was in the [restorative justice program], and,” to herself anyways, “and got in trouble and threw trash on the roof” . . . It was just basically the anxiety factor, like, she’s my age, and I think she said she’s majoring either in psychology or political science, I’m not sure, one of those two. So, like, I could have a class with her one day, and it’d be kinda awkward.

Kirk endorsed the idea of having older members present with younger ones in the circle as well:

It was good to see an older member from the community. ’Cause if you get caught up in the university, you really, you deal with a lot of students. I think it wouldn’t have had the same feel to it if there wasn’t somebody from the older community. If it was all students, it’d be just like a peer group, and it would kinda—where the community’s obviously larger than that. So it’s good to see representation from somebody outside of the school . . . I think just having diversity, ’cause they did kinda differ on their viewpoints a little.

Paula also appreciated and respected what the older conference members offered:

Well, like I said like I really appreciated the opportunity to say what happened and really be listened to by people who weren’t my peers that were automatically gonna be sympathetic, but people who I respected myself.

In summary, the age of correspondents and panelists seemed to have differential impacts on the students. The presence of peers who were co-respondents seemed to provide comfort for
some of the participants. A peer facilitator, on the other hand, provoked anxiety in at least one case. Research participants expressed both positive and negative reactions to having “older” community members in their sessions. The reactions of respondents to “older” session participants seemed to be related to how the session participants communicated with the respondents. If the community members were viewed as not judgmental (particularly in nonverbal cues), respondents stated being more open to their feedback and ideas.

**Presence or absence of harmed parties.** Two of the participants identified how the absence of harmed parties negatively impacted the quality of their restorative conferences. Jan noted that, in her circle, the facilitators were both responsible for directing the process as well as speaking on behalf of the community. Outside of the facilitators, no community members were present. In essence, her restorative conference was closer to an administrative conduct session (where no harmed parties are present) that was run restoratively. As she noted, “It was hard to distinguish the role that they played in the conference.”

Chris’s restorative conference involved fourteen people including nine student respondents, the resident assistant, the hall director, the director of judicial affairs, and two student facilitators. Chris’s and his friends had hosted a spontaneous and noisy Super Bowl dance party. None of the students who had been impacted were present. Chris noted:

Like it’s good that [those speaking more generically on behalf of the community] were bringing up a lot of things that might have been related to the general effects, the general causes and stuff, but I would have also felt—I think people would have felt a little more committed to fixing things if the people who were actually affected would have been there.
Chris expressed concern regarding the relevance of those present in his restorative session.
While Jan and Chris expressed having negative experiences because of the absence of harmed parties, nearly all of the other participants stated they learned important lessons from their sessions whether or not the harmed parties were present.

**Outcomes**

In general, the participants expressed significant changes in their lives as a result of the restorative processes in which they participated. These changes are grouped as outcomes, which is the third major category related to the respondent’s experience in a campus-based restorative process. This category refers to the participant’s articulation of how the restorative process changed how they think, feel, and behave. This category is made up of four themes that emerged from the interviews: a transformed view of self in relation to others, a sense of resolution regarding the situation, new skills and knowledge, and a change in behaviors. These themes will be explored in greater detail below.

**Transformed view of self in relation to others.** A major theme found in most of the cases involved a transformation of how the respondents viewed themselves in relation to those around them. This transformation involved being exposed to and internalizing the views and feelings of others. A fair amount of variation in the degree of transformation was evident among participants. Those who exhibited little or no evidence of this transformation expressed being involved in incidents in which they did not feel they harmed anyone, which was the case for both Ulysses and Leila.

In the interviews, participants often described seeing the incident from “the other point of view” or understanding “both sides of the coin.” As Brock noted, participation in the restorative process helped him to broaden “the perspective of how . . . certain parties could be affected in a
direct or indirect manner.” Paula, like some of the other participants, found the restorative
process to be “kind of eye-opening” when she discovered, in her session, how many people had
been impacted by the party at her house.

The development of a transformed view can be broken down into four subthemes:
attaining a broadened awareness of who was harmed by the incident, developing an increased
understanding of specifically how the respondents impacted others, transforming how they feel
about those who were impacted, and changing how they view the incidents. Each of these
represents a deeper level of reflection on the incident, as detailed in the following sections. No
clear pattern emerged across the four subthemes based on gender, whether or not respondents
met directly with the harmed parties, or the severity of incidents.

**Broadened awareness of who was harmed.** All but one of the research participants were
able to identify individuals directly impacted by their actions. Ulysses did not identify anyone
who was negatively influenced by his actions, because he did not feel his actions had adversely
affected anyone. Other participants often recited lists of the people who had been harmed and
were able to name a broad range of individuals including neighbors, a merchant, a farmer,
roommates, tax-payers, police officers, and even a neighbor’s dog. Respondents described the
questions they were asked as being helpful in broadening their understanding of who was
impacted. As Janie commented:

> It made me realize that a lot more people were harmed than I thought. For instance, they
> really pushed me to name as many people as I could. ’Cause at first I was like, “The
> family across the street. It was a Thursday. They all had work in the morning. Their
> kids are younger.” They’re like, “Who else?” I’m like “I guess the people in my house,
> like the complex. All my neighbors ’cause we were being noisy for them, too.” They’re
like, “Who else?” I was like, “I guess the police who had to come, because they were doing better things.” They’re like, “Who else?” I was like, “I guess my roommates because all of us now have to pay this fat fine.” They’re like, “Keep going.” I was like, “All my friends at the party ’cause now they had to walk home at midnight as opposed to they’d probably be more drunk now than if they’d waited it out some.” So they really made sure I realized how many people I harmed, and then the restorative agreement had to do with repairing that.

Sometimes the conversation revolved around individuals who were influenced in ways that were beyond the immediate incident. For example, Paula realized her actions had affected her parents, because she told them about the incident. Other participants, such as Jane, realized their actions had impacted the police who had to respond to her call for help. Steve was able to see how his act of throwing garbage out the window impacted his resident assistant as well as the students whose windows overlooked the courtyard outside his residence hall. In short, the restorative process helped most of the students see how their actions negatively impacted many more individuals than they previously understood to be the case.

For a few of the respondents, the process of exploring who was harmed felt a little bit contrived, as though the session participants were going on a judicial “fishing expedition.” In Sarah’s restorative session, she and her roommate were asked “Well, what if one of the guests at your party would have had alcohol poisoning and . . . died.” She noted:

I almost felt like they were having to come up with reasons why it was hurting the community . . . like they were just kind of thinking of reasons why [my roommate] and I were at fault. Like really stretching for them. Like we sat down and we were like . . . we hang out with a really good group of kids. So the chances of one of our friends getting
alcohol poisoning is slim to none . . . . We keep a better hold on things . . . . I think that adults, when they think about the parties that college students are having, the picture in their head is like this wild frat party where girls are taking their shirts off, and everything’s going crazy.

Both Leila and Ulysses had difficulty identifying anyone who had been directly impacted by their actions, primarily because they did not find their actions to be problematic. Leila did sympathize with her hall director being negatively affected. However, Leila felt as if she and her friends may have been targeted because the occupants of the room in which the incident took place had a reputation for being noisy. Leila was documented for underage drinking in the residence halls. When it was brought to her attention in the restorative conference that drinking could have an impact on those with a history of alcohol abuse, she did acknowledge feeling “bad,” but dismissed this quickly since she did not live on an alcohol-free floor. In Ulysses’ case, as noted earlier, he felt the police were “bored” and decided to ticket his house.

**Increased understanding of actions’ impact on others.** The majority of individuals were not only able to identify who was harmed but also how their actions impacted others. Because many of the incidents involved noise disturbances, the impact on neighbors was often explored in the restorative session. For example, Janie was able to connect the impact of her party on her neighbor with two young children:

It made me kind of realize okay, it was a Thursday. We had 40-50 people at our house and for college kids—they have two kids. I’m sure people are screaming, like, profanities and trashing their backyard, and I don’t know.
Billiam even identified the neighbor’s dog as being potentially impacted because it “might’ve gone crazy from the fireworks.” Jane was able to see the practical impact of a police officer responding to their stuck vehicle:

I felt bad for him, because it was really muddy, like probably three inches of mud outside of the cars and so his pants and his shoes were probably ruined. I know mine were, so I’m guessing his were probably, and one of their cars actually got stuck, too, so we talked about that.

Jane was able to grasp not only the ramifications for the police officers’ comfort but that the officers would be unable to respond to other, potentially more important, situations. Similarly, Brock was able to see the impact of his actions on the broader community. He was observed stealing a bike, which was subsequently reported in the newspaper. He noted:

All the faculty workers and whoever else [the witness] had daily contact with, knew about it, and who knows what that did to their sense of safety? Who knows, maybe they were more hesitant to ride their bike or maybe they bought a new lock or something like that?

While Leila did not identify any specific harms to her neighbors as a result of her party, she did learn about the impact of her actions on the hall director. As she noted, “I just felt bad, ’cause I realized it did take time out of her day.”

Transformed view about harmed parties. The impact of the restorative session on respondents’ views of harmed parties emerged as another subtheme. A number of participants reported a change in how they viewed those they had harmed that ranged from feeling good about meeting their neighbors to a complete transformation on how they viewed those
individuals. Janie and Brock provided the strongest examples of this subtheme. After the restorative session, Janie acknowledged:

> It made me not as bitter to my neighbors that called either, ’cause when we were talking about everything, it made me kind of realize it was my fault. I wasn’t as much like, “I hate those neighbors. They need to move out.” . . . so it made me feel a lot more—put more blame on myself than “I hate them” kind of thing.

Janie also had to introduce herself and apologize to her neighbors. She noted after doing this that “I see . . . [my neighbor] wave, and it actually made me like them a lot . . . . I actually feel like she’s a neighbor as opposed to ‘ugh, those are the older people.’” Brock had a dramatic shift in his view of police officers. He noted:

> I think any other time that I have connection with law enforcement, I think it’ll be a lot easier for me to have a conversation with these guys. I think a lot of people fear, or not necessarily fear, but just have a negative perception of these guys, and to be honest, it gave me a more positive outlook on what they’re doing. They have a rough job, and you know, and they do it gladly, which is amazing. But I think these guys, they see a lot of dirt, and I just think that to try and come in and have your own personal bias about “this guy’s a jerk” or “he doesn’t know who I am” or “he can’t open his mind” or whatever; I think that was definitely something I learned from him, to know that you gotta take it at a case by case . . . . So, it made me look at law enforcement just in a more positive light.

Both Janie and Brock had dramatic transformations in how they viewed individuals involved in their respective incidents.

**Changed views about the incident.** Understanding the impact of one’s actions and changing how respondents see those affected by their actions were also common themes.
Another layer in this process of reflection and discovery lies in how the individuals evaluated their own behavior in light of feedback received during restorative sessions. In this study, many respondents expressed a significant change in how they viewed the incident, and the majority of these participants reevaluated their actions as inappropriate. For example, Billiam understood that lighting fireworks was truly problematic. Brock, although he initially thought stealing bikes was harmless, changed his opinion after the restorative process and understood the broader impact of his actions. Sarah reflected a similar change in opinion:

At the time, you don’t actually think about it. You don’t think that you’re being that loud, but then afterwards, you’re like “Oh, well we must have been pretty loud for someone to have actually had to call the police on us.”

When Antonio intervened on behalf of the woman who was having an argument, he thought he was coming to her rescue. Antonio, however, changed how he viewed his role in the incident from being of help to causing great harm:

You know, I was like, “Whatever, like, she was there, what do I need to apologize to her for? She saw what I was doin’, like, I was tryin’ to help her out.” But at the end of the day, I was, like, I really didn’t help her, and I didn’t do anything but cause her harm.

Antonio also took this reexamination to a more profound level. He related that he had grown up in an environment where fighting was commonplace. Antonio stated the restorative process was important to help him learn new societal rules and different ways to behave in a new environment:

I can’t go back and change the decisions I made, but [the restorative justice program] helped me to realize that, like, okay, hold on a second here, like, this isn’t just, you know, this isn’t the Old West. Like, you can’t just get into a fistfight and then everything’s
over, you know, that's just not normal anymore, it’s not okay. And it’s not [my hometown], you know, it’s not something that happens all the time. Because I’ve been in a fight in [another city] where the cops showed up, and they just sent us home.

For most of the respondents who changed their views of the incidents, this transformation probably started before the restorative conference. However, the conference seemed to help solidify their understanding of the impact of their choices and behaviors. In Antonio’s case, his reflection went deeper and helped him to transform not only how he understood his own upbringing but also how he needed to behave in different social contexts.

**Experienced resolution.** For a number of the participants, the restorative process helped to bring a sense of resolution to the situation. This theme had two interconnected parts: emotional release followed by a sense of putting the incident behind them. Taken together, these subthemes conveyed emotional release and closure. Some variation was expressed among participants along gender lines; slightly more men expressed either or both of these components, and a clear majority of the men expressed experiencing closure.

For the emotional release component, participants described the process as being “liberating,” “amazing,” or a “big relief.” Others used terms such as taking a “weight off your shoulders” or getting it “off your chest.” Farm-boy used very demonstrative terms comparing the restorative process to Catholic confession and using terms like “a spiritual shower” or “cleansing.” He noted:

It is a cleansing process, and after you’re done, it won’t—I’m not gonna say it won’t be on your mind ever again, but it is dramatically decreased, the amount of time that you spend thinking about like what happened what you would’ve done. And you know, I think that most people, when they do something wrong, they have regrets, and they feel
bad about the ways they’ve affected their own lives, but also other people that they’ve affected. So, mostly I would just say it’s just a cleansing process. You feel a lot better coming out the other end.

This emotional release, however, can happen in an individual meeting with a conduct officer as well as the restorative session. Brock met with a university conduct officer prior to his restorative hearing. The process of telling his story to the hearing officer was an important first step in putting the incident behind him:

[The meeting with the conduct officer] was liberating. Like I think you’re holding some stuff in. I had told some people close to me, but I think it was, especially somebody connected to an institution that I had been connected to for so long, and [the hearing officer] was somebody who had the power of saying “Well, we can suspend.” You know, suspension was on the table. I didn’t know that until like about halfway through the conversation, but it really kind of just added more to the seriousness of the situation. But, yeah, I think it was fairly liberating. It [the restorative process] felt good. Maybe not as good as the first time [with the hearing officer], but it was necessary.

The emotional release component was found in incidents of varying levels of severity and when both actual and surrogate harmed parties were present in sessions.

For the closure component of this theme, participants conveyed that the restorative process helped them to bring closure to their situation and stated they felt the process helped them to “move forward,” “put things behind you,” “get on with . . . life,” or have a feeling of “bringing it together.” While Brock’s court obligations regarding his bike theft case were still pending, his restorative session brought “closure on this side, on the campus side.” For Jane, the
restorative session also brought a sense of finality in regard to the damage she and her friends inflicted on the farmer’s field:

I think it helped get some resolution, like applied through the courts, it would have just said we paid and then whoop-tee-do. I think that the fact that we were able to talk about it, kind of, just gives you a conclusion. Just like an end to the story.

For Daniel, his resolution, and perhaps redemption, meant that he could return to the bookstore from which he stole:

It was a big relief. It was amazing. Like I was honestly expecting that [the store owner] would not want me anywhere near his bookstore after that kind of an incident, but he was pretty accepting and forgiving, toward me probably because of this process, because the other two are . . . not welcome anywhere near that place.

Daniel also acknowledged that meeting with the bookstore owner helped “get the whole issue behind me and kind of move on with my life.” For those students who conveyed this closure theme, the restorative process had helped them emotionally resolve a challenging situation about which they felt conflicted.

**Learned new skills and knowledge.** Many of the respondents reported acquiring new skills and knowledge as a result of their restorative processes. Learning was attained both directly from the restorative session and in the restorative activities outlined in the agreements, such as meeting their neighbors or writing papers. Learning took the form of factual knowledge gained as well as more abstract and skill-based learning. The learning attained from the restorative process presented three subthemes: neighbors and roommates, content knowledge about legal issues and alcohol, and self-knowledge.
Neighbors and roommates. Several of the participants reported gaining new skills and knowledge about being part of a community, often as a result of reparative sanctions such as apologies to neighbors or roommate agreements. As Billiam noted, the restorative process kind of instilled the notions of being a decent person, a civil human being, and sort of like a team player, like we’re all in this together, and through communication, we can work most of our problems out that we have and really move on from any mishaps or any unfortunate occurrences that have happened in the past.

This sense of community for Billiam was gained in a straightforward manner by introducing himself to his neighbors, offering an apology where appropriate, sharing contact information and “leaving them with a good taste in their mouth” by bringing them cookies. By doing this, he was able to get to “know [his] new neighbors and really, like, keep the peace with [the] old neighbors.”

On a smaller scale, roommate agreements helped the students learn how to live more harmoniously with their housemates. Chris had struggled with his roommates and neighbors regarding disruption to his own study time. He felt productive in creating some concrete rules to serve as a guide and help empower others to speak up and set boundaries:

A good thing was laying out actual rules we have to follow now ’cause now people—otherwise if you ask people to mute their TVs or something or stuff like that, people are gonna be like, “I don’t need to do that.” So it’s nice to lay out those ground rules that have some weight behind them.

For Janie, the reparative agreement addressed issues of noise and any potential future parties with her roommates:
It was actually kind of helpful, because my roommates and I, kind of towards the beginning, we wouldn’t get along that well ’cause some of them would have people over at like 2 in the morning when I’m trying to do homework and then other times—our schedules were all off. It’s four people, so whenever someone wanted to hang out with someone they would be loud. Our house is small. Even if they weren’t drinking or anything, and it kind of bothered the other ones. So it was good to talk about it. Good to realize that if we ever did have a party, which we haven’t, we’re not planning on it, but if we ever did have a party what we’d do, who would be in charge of what. It was just kind of nice to just sit around and talk about living together.

Thus sitting down with roommates or going out to meet the neighbors served to strengthen the students’ skills and knowledge about living in a community.

**Factual knowledge.** Several of the student participants indicated that they learned about specific laws as well as facts about alcohol consumption. This information, as noted earlier, was often gained from doing a brief research paper, talking about the issue in the restorative session, or being asked to do an educational bulletin board in the residence hall. For example, Kirk learned about legal issues and noise violations:

I learned—well, a little bit, like directly I learned some of the laws that I didn’t know as far as—well, my violation was no noise or too loud after 11:00, which is kind of a tight law that you don’t really know the exact time—it’s like 11:00 till 7:00 a.m., I want to say. But there’s also other laws that I ended up learning about as far as like quiet enjoyment of the home, which is any time of day. If you disrupt someone’s quiet enjoyment of their own home, it’s a ticketable offense. If you’re in your backyard laughing too loud, it’s a ticketable offense.
Kirk appreciated the opportunity to learn about the legal issues because he “learned some details of some laws that I didn’t know, which is good knowledge to have . . . and maybe it was my responsibility to look it up, and I didn’t.”

Leila, as a result of doing an educational bulletin board, acknowledged learning about “the percentage of students who drink and like just how much money is spent on alcohol and how much calories, how many calories are involved. And just . . . fun facts, interesting facts.”

**Self-knowledge.** Several of the students noted learning more personal and individual lessons. Paula learned about how she handles conflict with both authority figures and peers:

I’ve learned that I can put aside my personal emotions in order to deal with a situation objectively. That’s what I really learned with my roommate and having him kind of, like, push the blame towards me as well. I [also] learned that it’s more helpful for me to be able to discuss things and talk to my superiors about what happened when I feel like they’re listening than it is for me to pay a fine or do community service.

Farm-boy talked about his increased self-awareness too:

[I was] a much stronger individual than I . . . thought I was . . . I went in there with . . . the confidence that I could admit that I screwed up and also that I’m taking the proper steps to try to remedy it.

Sarah learned that she “really [likes] volunteering and participating in things like this.”

Jan also learned a powerful personal lesson from her restorative justice session. Like two other research participants, she ended up volunteering with the campus restorative justice program after she completed the tasks from her restorative agreement. She not only started working with the program but has chosen to pursue a career in university student conduct. At the time of her
interview, she was volunteering with the university judicial affairs office. She described her experience with restorative justice:

It was like the life-changing event for me. I wouldn’t be doing what I do today or have the interest that I have in restorative justice and helping others and changing the way [student conduct] and things are done if I wouldn’t have ever gone through the experience that I went through.

For Jan, her experience in the restorative justice program gave her a direction for her life’s work and taught her how much she enjoys working with people in a constructive manner.

**Changed behavior.** In response to their restorative processes, student participants stated that they had both already made changes to their behavior and intended to change their behavior in the future. Behavioral changes ranged from avoiding large parties and asking friends to limit the volume on their stereos to avoiding fights. Riley, Chris, and Antonio represent the strongest examples of this theme. After Riley’s restorative session regarding a noise violation, she noted that she and her roommates became quite vigilant regarding their own behavior and that of those around them:

Like we were very nervous or apprehensive about going out to parties, even just, like, having—even just going to a friend’s house and being loud and, you know, if we ever thought—you know, if we went to a friend’s house and we thought the music was too loud, like, we quickly turned it down and, like, we never really wanted to be in a situation where there was a lot of people kind of a thing, like, definitely we just stay with our close friends now, and we’re kinda, just very aware of our surroundings now and knowing who we’re with ’cause most of our friends who we hang out with aren’t 21, so just knowing who we’re with and . . . . So yeah, it just, it made us very aware of our surroundings.
Chris stated that he and his friends began to more closely monitor their noise levels after their restorative justice conference:

We’ve started implementing some of the things we were talking about. Like we mute the games now. Last night, when people were talking, every time somebody starts getting loud, everyone else is like, “Hey, hold on.” So I think that was a good thing about having this ’cause one of the things I did say at the [restorative session] was I didn’t take it seriously until we did get written up and had to actually have some extra processes to this rather than just having somebody come up and tell us to be quiet. It makes you think about it a lot more.

Chris also noted that he is more willing to take action after his restorative conference. Prior to the conference, he was less likely to ask people to quiet down. Now, he stated:

I do feel more likely to kick people out of the room. Like before, I guess before I was under the impression that well, it might be a little bit bothersome to me, but I can deal with it, and it’s just part of life learning to live with other people.

For Chris, this statement represented a movement from passively accepting the intrusion of others in his room to a more assertive approach to advocating for his own need for peace and quiet.

Antonio, who spent the night in jail because he was involved in a brawl, noted that he had not been in a physical altercation since his restorative conference. In one instance after his restorative conference, Antonio stated he was out with friends when someone yelled a racial slur at him. In response, he grabbed the shirt of his harasser:

Like, I haven’t been into a fight since, and, like I said before, I mean, I’ve been in quite a few . . . . Whereas, in the past, had that guy just said somethin’ to me like he did that
night . . . when he made that racial remark towards me, I woulda just hit him, you know, and I would’ve fought him, and I wouldn’t have thought about it, you know, for a second. But right in that moment, I was like, “This is not worth it.” You know, I thought beyond the fact that, like, “Okay, this guy’s just ignorant.” Like, “Whatever he has to say, you know, it doesn't matter.” So, it really changed me from that perspective.

Antonio also noted that although he did not hit the person, he did grab his shirt, and he realized that even that action could have gotten him in trouble.

Not all participants were without transgression: Sarah was caught in another violation after her restorative conference. As mentioned previously, Sarah received a ticket in another state for underage drinking. Other than that incident, she expressed being very careful about avoiding parties and getting into trouble and felt horrible for getting another violation. She noted in frustration while reflecting on her underage drinking ticket, “I basically just wanna go sit in the library for the rest of my life.”

Several of the students expressed intentions of changing their future actions and articulated clear ideas of how they would alter them. For example, as Billiam noted succinctly, “I know not to have any keggers with fireworks.” Billiam also mentioned the importance of having a positive relationship with his neighbors:

And it helped me realize it wasn’t just myself who I’ve hurt, it was more than that, and if I went through this program I could help turn it around and realize that lighting fireworks was definitely not the best idea, and in the future, really just try to communicate with people if we are going to have a party or something, go to our neighbors and let them know and say, “Hey, if there’s a problem, contact us, first, instead of going straight to the
police. We’d really much rather have that happen, and we can do something about it right then and there.”

Several of the respondents also noted that they plan to do a better job of thinking about how their behaviors will impact others before they act. Farm-boy, for example, connected his drinking and his need to more carefully forecast how his actions may impact others:

College kids are kind of stupid and especially when it comes to partying and socializing. There are some people who are really reserved, and they know exactly what to do, but the majority of us like to party and once, after a couple of drinks, you just completely forget about responsibility and whatnot. So, I think it’s helped me to focus on just realizing that what I do will affect other people. And thinking ahead, two, three, four, five steps, as opposed to all the instant gratification, this is fun now and they do it, sort of thing.

Farm-boy acknowledged that the restorative process was also a pivotal incident that helped him decide to quit drinking. Brock’s anticipated behavior changes focused on the importance of speaking up if he was uncomfortable with on the choices of his peers. He acknowledged that his restorative process gave him “a little bit more confidence to do that, if I see that in the future.”

**Summary**

In this section, I outlined the significant themes that helped to elucidate and inform how the 16 research participants experienced their campus-based restorative justice processes. The three major categories of themes are mediating factors, restorative sessions, and outcomes. Mediating factors—those issues, experiences, emotions, and orientations that the participants brought with them—colored, sometimes profoundly, participants’ experiences in their sessions. The restorative sessions themselves were generally respectful, supportive, and engaging and seemed to help respondents understand how their actions impacted others. Certain factors in the
restorative session impacted the experience of the respondents both positively and negatively: 
social class, age, and the absence of harmed parties. The participants expressed changing in 
substantive and, at times, profound ways. These changes have involved how they viewed 
themselves in relation to others, particularly in reference to the precipitating incident; how they 
viewed the resolution of the incident; what they learned from the process; and how they have 
incorporated this learning into their everyday behavior.

In the next and final chapter, I review and discuss the implications of the findings, make 
recommendations to administrators in the field of college student conduct, and present areas to 
explore in future research.
CHAPTER V. DISCUSSION AND IMPLICATIONS

The goal of this research effort was to explore the experience of respondents in campus-based restorative justice processes. In this, the final chapter of this study, findings will be summarized, a discussion of the results in light of the literature review will be presented, implications for practice will be reviewed, and avenues for future research will be explored. The chapter will close with a summary of the limitations of the study.

Summary of Findings

Sixteen student respondents from restorative justice programs at the University of Colorado at Boulder, Colorado State University, and the University of Michigan were interviewed for this study. The interviews were recorded, transcribed, and reviewed with peer debriefers. After reviewing the transcripts, I coded significant statements and grouped these into themes. The themes were further grouped into three broad categories: mediating factors, restorative sessions, and outcomes. Each of the three major categories is briefly summarized below.

Mediating Factors

As I have noted, respondents did not come to their restorative processes without fears or preconceptions. Instead, they brought with them mediating factors that included experiences, emotions, and orientations to their incident. Chief among these factors that colored, sometimes profoundly, their experiences were a general fear of the unknown, preconceived notions of what might happen in the meeting, and concerns about meeting the harmed parties. Although some participants experienced anxiety prior to and at the beginning of their sessions, whether that anticipatory anxiety or the respondents’ previous experiences impacted their restorative processes remains unclear. For those respondents who took responsibility for committing a
violation, the session was productive and helped them to find closure for their situations. For respondents who did not take responsibility for committing an offense, the session was both frustrating and unproductive.

**Restorative Sessions**

Although the respondents brought with them fears and preconceptions about what they thought the restorative session would be like, they experienced, with some exceptions, a respectful and engaging conference. Some mentioned not feeling judged for what they had done; others were happy not to be treated like criminals.

The students’ experience in the restorative session seemed to be intentional. The atmosphere created in the each session, with some exceptions, was relaxed, respectful, fair, and inclusive. A couple of the students even stated that humor was used in their sessions. Participants acknowledged feeling listened to and being included in the process of creating the restorative agreement. The creation of the restorative agreement involved a negotiation between the respondent and panelists. When the research participants’ own background and interests were included in the agreement, the respondents responded positively. A number of the respondents noted the characteristics of the session participants influenced their experience of the process both positively and negatively. These characteristics included social class, age, and absence of harmed parties. For example, one respondent reported that because his social class and ethnic background were different from the session participants, he was wary and felt session participants would not be able to relate to him. While his overall experience was positive, the discord with session participants and the restorative agreement caused bitterness. Another participant appreciated having “older” community members present from which to learn.
Outcomes

The participants expressed changing in important ways as a result of their restorative processes. Four main themes related to outcomes of the restorative processes emerged. First, many respondents changed how they viewed themselves in relation to others. This multilayered shift involved respondents being able to identify everyone who had been harmed, exactly how each had been harmed, how they viewed those who were harmed, and ultimately how they viewed their incidents. This change was the most prominent theme in the interviews and was articulated to one degree or another by all but one participant. For a few of the participants, this transformation was profound and involved a significant shift in how they viewed themselves, their neighbors, and professionals like police officers.

A second theme involved participants expressing both an emotional release as well as a sense of resolution regarding their incidents after participating in their restorative conferences. In the words of Jane, this gave “an end to the story” and helped them to move on. One noteworthy aspect of this theme was that slightly more male participants expressed this feeling of release than did female participants.

A third theme involved learning new information and skills as a result of their restorative processes. For example, the students stated they learned information about legal issues, such as noise ordinances, or facts about alcohol. Students also learned important life skills, such as how to live with roommates and the importance of meeting their neighbors. The process of negotiating a roommate agreement or going out and meeting the neighbors served to strengthen the students’ skills and knowledge about living in community. Students also expressed gaining knowledge about themselves, including learning that they had strong characters, as well as learning that they could put aside their emotions when dealing with a difficult person.
A fourth theme regarding outcomes involved the respondents changing behaviors as a result of the restorative process in which they participated. For example, one research participant noted that he and his friends were now turning down the volume on their music. Another stated that, eight months after her conference, she and her friends were still encouraging their friends to be cognizant of their neighbors when they hosted a party or became loud. A third participant stated he had not gotten into a fight since his restorative conference.

**Discussion**

In the following sections, the findings are discussed in regard to issues and implications for individual students followed by theoretical implications of restorative justice. This discussion closes with a presentation of a tentative model of restorative justice on the college campus and a final reflection on the worth of restorative justice.

**Individual Students**

As noted previously, the students expressed changing in substantive ways as a result of the restorative processes in which they participated. In this section, the findings regarding the impact of restorative justice will be explored as they relate to how the process impacted and interfaced with the students both in positive and negative terms.

**Understanding the impact of their actions.** Abrams et al. (2006) found that offenders in restorative justice processes developed a greater understanding of how their actions impacted those involved. In the current study, having a greater understanding of the impact of their actions on others was mirrored by all but one of the research participants. This theme was divided into four subthemes that included an increased understanding of who was impacted by their actions, an understanding of how their actions impacted others, a change in how they viewed the harmed parties, and a change in how they viewed the incident. All of these seemed to
be interconnected and reinforcing. Not all participants articulated experiencing all of these subthemes, and there was no clear pattern across the four subthemes in terms of gender of the respondents, whether or not they met with the harmed party directly, or severity of incident.

The finding regarding the relative impact of having a harmed party present in the session or having a community member who speaks on behalf of the community was intriguing. One might expect that having the person who was directly harmed present would create a clear difference in outcome of the session. However, there were no perceived differences between participants who met with a harmed party or one who met with a community member in terms of their development of perspective taking or any other outcomes. This finding may be due to a limitation of the study or perhaps the efficacy of reparative sanctions that directed the students to meet with those whom they had harmed. Clearly, the impact of having individuals in the session who had been directly harmed is important and deserves further evaluation, as does the impact of restorative sanctions that promote perspective taking.

Howell (2005) reported that two of the ten students he interviewed in his study of traditional conduct hearings expressed having “an expanded sense of understanding for the needs of those around them” (p. 382). This finding presented by Howell seemed more generalized and diffuse than what the respondents in this study reported. The difference is intriguing, with the respondents in this study reporting not only more individuals harmed but also a more specific understanding of how their actions impacted others. Additionally, some students in this study seemed to go beyond this and changed how they viewed the harmed party as well as the incident. Comparison of these two studies is tenuous at best because of the low numbers of participants in each. Differences in findings may also have been influenced based on study designs. However, a comparison between restorative and traditional conduct models on the degree of perspective
taking would be an important avenue for future research. Abrams et al. (2006) suggested that having an enhanced understanding of how one’s actions impact others “may provide some pathway to change in terms of future involvement in crime” (p. 254). This theory also deserves exploration in future research.

**Impact on future actions.** As reported earlier, dozens of studies have found significant impact on behavior as a result of restorative processes (cf., Bonta et al., 2002; Forgays & Demilio, 2005; Latimer et al., 2005; Sherman & Strang, 2007). Two of the most common factors studied were recidivism and completion of restitution agreements. Research studies have found that restorative practices lower recidivism, especially for violent and other more serious offenses, and increase the rate of restitution compliance. Although more definitive conclusions regarding recidivism and restitution compliance are beyond the purview of this study, many of the research participants in this study stated that they changed their behavior as a result of their restorative processes. These changes included self-monitoring behavior regarding reducing the volume of music, actively avoiding fights, and choosing not to host loud parties. One student, however, did report getting an underage drinking citation after her restorative conference. On the other hand, another student, in her final communication with me, noted “since the completion of the restorative justice program I have not had another party at my house and have even informed others about the risks of having loud parties.” Taken as a whole, this study is supportive of lowered rates of recidivism. Again, this can only be claimed for these students and any more definitive claim will need to be made after larger studies of college students who participated in restorative processes have been completed.

**Restoration of self.** Two goals of restorative justice include healing relationships and repairing harm, especially via the change that occurs for the respondents. In essence, restoration
involves the degree to which the respondents return to wholeness and experience healing. Abrams et al. (2006) reported a number of findings in this regard. For example, they found that participants in their study experienced “relief and closure” as an outcome of the restorative process (p. 249). This concept is similar to the theme identified in this study as “experienced resolution,” which was a common outcome expressed by participants in this study.

In Abrams et al.’s (2006) study, however, relief and closure for the participants was linked to experiencing “shame and remorse,” which was decidedly absent in this study. While many respondents in this study expressed understanding the impact of their actions, only a few of the students also explicitly expressed remorse for their actions. The nature of this expression is probably dependent on the intensity of the offense as well as the presence or absence of the harmed parties in the session. Overall, the majority of the offenses in this study were rather minor, such as nuisance tickets or underage drinking. Referring to these incidents as minor should not be interpreted as minimizing the impact of these actions. However, the degree of remorse for either of these offenses will probably be far lower than for respondents who were involved in more serious incidents.

Brock presented one intriguing variation relating to the theme of experiencing resolution. He initially met with a conduct officer within the judicial affairs office at his institution regarding being caught stealing bikes. At the hearing, he was able to tell his story of wrongdoing to someone who had the authority to suspend him. He stated that the experience with the conduct officer was “liberating.” This statement seemed to point to the importance of telling one’s story of wrongdoing, as well as the potential power and impact of administrative hearings. Thus, resolution and release cannot be attributed to restorative sessions only. Indeed, students in Howell’s study of traditional conduct hearings expressed being relieved as a result of their
administrative hearings. The students felt relieved because the sanctions they received were less than they expected and did not impact their academic careers. It is unclear how or if the results from Howell’s study differed from this study. Thus, comparing restorative sessions with administrative hearings regarding the degree of resolution would be an excellent avenue for future research.

Abrams et al. (2006) also identified another aspect of restoration. In their study, respondents stated that, because the victims had a fuller understanding of them as people, they felt humanized and validated. In this study, students experienced this feeling in varying degrees. For example, Sarah and Brock mentioned being afraid, prior to the restorative sessions, that they would be viewed as criminals by the harmed parties. Sarah’s fear came to fruition, and she stated feeling like she was judged negatively by one of the community members. Daniel, on the other hand, expressed relief when the harmed parties “just took me as a student who had made a mistake.” For Daniel, the panelists were able to move beyond his incident and see the whole individual. While not all of the respondents experienced this humanizing effect, some did, and it seemed to contribute to a sense of satisfaction with the process.

Another theme identified by Abrams et al. (2006) was that the restorative session was a part of an overall healing journey in which the offenders participated. In the Abrams et al. study, many of the offenders were struggling with substance abuse and had begun a “life change process” (p. 252). In the present study, none of the individuals identified such a journey, and only one individual, Farm-boy, acknowledged choosing to stop drinking after his restorative session. The absence of this theme may be related to the severity of the incidents in which participants in this study were involved. Although this theme was not present in this study, it
may be useful to examine more severe incidents on college campuses to see if respondents would report a similar theme.

**Taking responsibility and orientation to authority.** Both Leila and Ulysses expressed the opinion that they did not harm anyone else as a result of their actions. Despite their similar assessments of wrongdoings, these two individuals were, on the surface, quite different. Ulysses, a senior, was a White male studying engineering. Leila was a first-year, African American female majoring in communications and psychology. In addition to their common belief that they did not directly harm anyone as a result of their actions, Ulysses and Leila shared their orientation to authority (M. Coomes, personal communication, July 1, 2009). Ulysses felt like the police were targeting him and his friends. Leila stated she felt the resident assistant was needlessly focusing on her and her friends. Both were essentially expressing being victimized by those in power. As noted earlier, core elements of restorative justice involve offenders taking responsibility for their actions, learning how they harmed others, and devising reasonable plans to repair whatever damage was done. In this case, the primary offenders did not believe they had harmed anyone. Even after their restorative sessions, they remained unmoved. While both Leila and Ulysses expressed gaining some things from their respective restorative sessions, the effort seemed futile to them. One possible outcome might be to more carefully prescreen the students and include only those students who seem to have an understanding that their actions harmed others. This theme will be explored further in the section on implications for practice.

**The role of alcohol.** The use and abuse of alcohol on college campuses has been well documented (Wechsler, Kuh, & Davenport, 2009). Even with increased attention and resources, the incidents of problematic behaviors associated with alcohol use have remained relatively constant (Keeling, 2002; Wechsler & Nelson, 2008). Problematic behaviors associated with
alcohol use have included disruption of sleep, interpersonal violence, drinking and driving, noise disruption, to name but a few (Wechsler & Nelson, 2008).

In this study, 9 of the respondents reported alcohol use associated with their incidents. One of the respondents was ticketed for drinking and driving and two others were cited for underage drinking. The other six respondents had been drinking at the time of their incident, but had not been cited for this. What is notable is not the presence of alcohol, but rather how the presence of alcohol was conflated with wrongdoing as a given by session facilitators, even in the absence of evidence to the contrary. In Antonio’s case, he was completely sober when he got into his early morning brawl. Despite this, he was asked to write a paper on why European youth seem to not get out of control when they drink alcohol. In Sarah’s case, she was asked if someone at her party might have gotten alcohol poisoning. After reflecting on the incident, Sarah was clear that she and her friends really keep a “better hold on things.” In both of these instances, there seemed to be a presumption by session participants that alcohol had played a major role in the incidents and needed to be addressed. They wanted to impress on respondents that alcohol will likely cause problems, if not catastrophic problems. This approach alienated both Antonio and Sarah. While it is understandable that program staff would have a heightened sensitivity to alcohol consumption, this pursuit probably needs to be tempered with an openness to hearing that alcohol may not have had a major role in the incident. Thus, a measured approach that serves to first assess the actual role of alcohol is appropriate. If alcohol did play a role in the wrongdoing, this of course needs to be addressed through education or a possible referral for a more in-depth assessment. On the other hand, if alcohol did not play a role, a more nuanced response to the student would be appropriate.
Theoretical Implications

Application of relevant student development theory can serve as a resource to illuminate the impact of restorative justice practices. In this section, theory and research relating to moral development, restorative justice, identity, and gender will be reviewed in light of the findings in this study.

Building moral muscles. One research study found that students who participated in conduct processes had lower levels of moral development than their nonoffending counterparts (Cooper & Schwartz, 2007). Thus, conduct interventions that promote moral development are important. While this study did not measure the moral development of students in a conduct process, some of the outcomes may be related to changes that promote development. Kohlberg (1984/2005) argued that perspective taking is essential to promote moral development. Known also as social role-taking or social perspective taking, this construct involves an individual’s “general skill in adopting the perspective of others and understanding social interactions from their point of view both cognitively and emotionally” (Comunian & Gielen, 2006, p. 52). As the theory argues, the more one is able to “get into another’s shoes,” the more one will be able to see multiple perspectives and have the capacity to develop morally. In Kohlberg’s theory of moral development, higher levels of perspective taking are involved at higher levels of moral development (Comunian & Gielen, 2006).

One of the major outcomes in this study was the development of understanding of how the actions of the respondents impacted others. Most participants could list individuals who had been harmed and explain how their actions specifically harmed these individuals. A few of the participants reported that they also changed their view toward those they harmed as well as the incident in which they were involved. Thus, even though specific changes to the student’s moral
development were not measured in this study, the students’ experiences in their restorative sessions gave them an opportunity to learn, grow, and perhaps, as Bal dizan (2008) suggested, build their “moral muscles.” Building the students’ capacity for perspective taking was an important outcome in this study and has clear implications for practice in student conduct administration, and these implications will be explored in the section on implications for practice.

**From moral sensitivity to moral action.** The development of moral judgment is essential but, as Rest argued, not sufficient to assure that the student’s behavior changes as well (Bebeau et al., 1999). Rest’s four-component model outlines a road map of a complete process: the journey begins with developing moral sensitivity and moves to reviewing possible moral courses of actions, making the decision about which one to choose, and acting on that decision. Again, this study did not specifically measure or use the four-component model as a part of its interview process. The model, nonetheless, provides an interesting guide to match the progress of the respondents’ movement from sensitivity to action. By giving participants the chance to tell their stories to either harmed parties or surrogate harmed parties, restorative processes certainly raise sensitivity about how respondents’ actions impact others. As suggested by the action phase of Rest’s model, respondents expressed changing their behaviors as a result of the restorative process in which they participated. These changes ranged from turning down the volume on a stereo to resisting the impulse to fight when a conflict presented itself. The degree to which students carried out Rest’s other two components—reviewing possible courses and making a decision on which one to choose—was unclear from the findings in this study and represents another possible area for future research.
Procedural justice. Procedural justice theory posits that a restorative justice session that maximizes support, respect, and fairness produces stronger positive outcomes (Braithwaite, 2002). Thus, if students feel they were treated fairly and respectfully, they will engage in the process and take ownership for repairing the harm they have caused. Daly (2005), as already noted, defined procedural justice to include “being treated fairly and with respect, having a say, and participating in the outcome” (p. 155) and found a high degree of concordance with these tenets in the conferences they evaluated. The evidence from this study suggests that participants experienced a strong sense of procedural justice in their restorative sessions. Students stated that, with some exceptions, the atmosphere created in the sessions was relaxed, respectful, and inclusive. Session participants also expressed pleasure in feeling listened to, being included in the process of creating the restorative agreement, and not being judged for their actions. Participants noted feeling discord when panelists seemed to judge them and when they believed the restorative sanctions did not fit their incidents or were not in accord with their backgrounds, interests, or violations. Despite these discrepancies, the overriding atmosphere of respect in the session was important, because it seemed to help put respondents at ease and be open to hearing and understanding how their actions impacted other people.

Cookie-cutter justice, diversity, and the importance of understanding identity. Abes et al. (2007) articulated the theory of multiple dimensions of identity. They argued that our identity is made up of a core self that is surrounded by various features of identity such as gender, race, and ethnicity. The relative importance of each of these features depends on the environment. In the case of Antonio, as a Hispanic male in a session with all Caucasian participants, his ethnic and social class background were highly salient in the session. Going in, he was particularly cautious because he was unsure if anyone would understand him. To add to
this, Antonio believed session participants unquestioningly applied their own backgrounds to Antonio’s situation and asked him to complete tasks that were not relevant to either his background or the incident in which he was involved. This disconnect between his identity and his tasks reinforced Antonio’s feeling of alienation and caused bitterness on his part. Although Antonio still gained a lot from his restorative session, some of his experiences in the session did negatively impact his experience of the restorative process. In short, Antonio experienced gains from his session in spite of what happened. One of my peer reviewers suggested that the kind of session in which Antonio was involved might better be titled “cookie-cutter justice” because of the rote nature in which the sanctions were applied (J. Sader, personal communication, August 10, 2009). In Antonio’s case, the sanction was applied in a formulaic manner, as if using a cookie cutter, and thus had little relevance to his background or the incident in which he was involved. This lack of sensitivity to Antonio’s incident as well as his cultural background will be discussed further in the section on implications for practice. The salient point here is that the processes need to be individualized according to the interests and background of the respondent.

**Gender and restorative justice.** Because men are disproportionately represented in student conduct programs (Dannells, 1997; Harper et al., 2005), considering gender as a salient factor was important in analyzing the results of this study. As noted earlier, Ludeman (2004) suggested that restorative practices offer a promising avenue to engage college men around issues of misconduct. The findings of Whitt et al. (2003) suggested that those programs and experiences that supported engagement, such as volunteering and interactions with peers, had positive effects for men. The results from this study were tenuous at best. Across most of the findings, few, if any, results differed for men and women. One exception to this is the finding for the emotional and cognitive component for “experienced resolution.” As noted in the
findings section, slightly more men expressed either or both of these components. The numbers in this study were simply too small to make any definitive statements on conditional effects involved in restorative practices. What can be stated for these participants is that men and women seemed to respond and change as a result of participation in restorative justice programs. Clearly, the intersection between gender and restorative practices is an area that would benefit from further research.

**Toward a Model of Restorative Justice on the College Campus**

From meeting with the respondents, a tentative model of how restorative justice functions on college campuses was developed. See Figure 2 below for a graphical representation of the concepts described here. First, the tone of the session is important. Creating an atmosphere of respect seems to lower defenses and promote openness to understanding how the respondent’s actions impacted those who were harmed. The students’ understanding of how they harmed others helped create motivation to both repair the harm and refrain from repeating the behaviors. A deeper understanding of how one’s actions impacted others seems to be key and may set restorative justice apart from a traditional conduct hearing. Fully engaging the respondents in the creation of their restorative agreement also seems to create further motivation to follow through on what they had promised to do. Participation in meaningful restorative sanctions promotes learning and growth beyond the restorative session. In total, experiencing a respectful tone, building empathy by hearing how one’s actions impacted others, engaging in the creation of restorative sanctions, and participating in meaningful sanctions seems to create the desired changes in attitudes, knowledge, and behaviors.
This model of how restorative justice works for college students highlights the role restorative practices can play in promoting the growth and development of students and is consistent with current student development theory. As noted above, the ability to understand how one’s actions impact others is important in students’ moral development and is central to the practice of restorative justice. Restorative practices are also consistent with Baxter Magolda’s Learning Partnerships Model (Baxter Magolda, 2004/2005). In this model of development, Baxter Magolda elucidated principals that support movement toward self-authorship, which is defined as “the internal capacity to define one’s belief system, identity, and relationships” (Baxter Magolda, 2007, p. 69). There are three main principles in the Learning Partnerships Model that include supporting the student’s ability to create their own meaning, placing growth and learning in the student’s own experience, and “defining learning as mutually constructing meaning” (Baxter Magolda, 2001, p. 191). All three aspects of the Learning Partnerships Model are included in a restorative process. Pizzolato (2003) stated “initial movement toward self-authorship seemed associated with provocative experiences – experiences that challenged students’ current ways of knowing and conceptions of self” (p. 803). Indeed, many of the students in this study changed how they viewed themselves in relation to others and this is consistent with the movement on the continuum of development of self-authorship.
Possible Limitations of Restorative Justice on Campus

There are a number of potential limitations to implementing a restorative justice program on a college campus. Some have suggested that because of the nature of restorative justice, it may inherently be biased for certain kinds of students, especially if students are screened in or out (S. R. Demuth, personal communication, October 23, 2009). The process itself requires some degree of reflection, an ability to communicate clearly, and the capacity to communicate remorse. Communication is culturally bound and using a screening process may in fact rule out those who may benefit from a restorative session. In the criminal justice setting, when there have been different options set forth, more often those from marginalized groups receive more severe sanctions (S. R. Demuth, personal communication, October 23, 2009). Creating a two-track system (RJ v. non-RJ) might create an unfair or biased process that favors students who mirror the dominant culture. One way to address this would be to assure that program staff have appropriate training in multicultural competence. This will be addressed in the section titled Implications for Practice.

A second issue involves the kinds of cases that can go through a restorative session. In this study, the cases represented mostly minor offenses. It is a reasonable question to ask how broad the net can be for the process to be effective. In Leila’s case, she was cited for underage drinking. Aside from the party, which seemed to be somewhat noisy, the process did not seem to fit well in addressing underage drinking. Indeed, she and her friends laughed and joked their way through their restorative session. Restorative practices seem to work best when there are clear harms to others. Thus, applying restorative justice when it is necessary to stretch to find harmed parties is probably a misuse of the model.
On the other side of the continuum are those cases that are of a highly sensitive nature such as sexual assault. Because of the intimate nature of sexual assault, it is hard to imagine bringing together a survivor and a perpetrator to negotiate a restorative agreement. Some schools offer an opportunity for the survivor to tell the perpetrator how their actions impacted them in writing or in person. However, this kind of meeting would require well-trained and sensitive staff who can guide and support such a process. Involving very serious or very sensitive cases in a restorative process deserves serious consideration and substantive training before this could or even should be tried.

**Is Restorative Justice Worth It?**

One of the primary criticisms of restorative justice is that because of its time-intensive nature, it is not feasible to use on college campuses given conduct administrators heavy case-loads (Wilson, 2006). This study does not make any final claims on the efficacy of restorative practices. As an exploratory study, however, the results are promising, and the students participating in this research project expressed changing in meaningful and substantive ways. This conclusion deserves further and more extensive validation using a larger sample across multiple institutions.

The placement of the programs within the institutions’ organizational models and their associated costs was noteworthy and showed the diverse ways to incorporate this practice into an institution’s conduct office. Colorado State University’s program is fully integrated in its office of judicial affairs. As a larger institution, CSU chose to allocate resources to a full-time position that was devoted to restorative justice and other conflict-resolution strategies. Most likely, a smaller institution would be hard-pressed to follow this model. The University of Colorado at Boulder’s program was housed organizationally between the campus office of judicial affairs and
the city court and was nearly fully funded by dollars generated by fees paid by the students who participate in the program. Fundraising and additional support from the university also helped support the program. The University of Michigan’s program was situated in residence life. No additional fees were allocated to run the program and the director has relied on graduate intern students as well as undergraduates to help staff the program. While operating a restorative justice program is time intensive, there appear to be creative ways to staff the programs that range in financial cost to the institution. As future research arrives on the efficacy of restorative practices, a cost/benefit analysis will be important to establish if restorative practices are indeed worth it. In light of the current study, however, I believe that restorative practices are promising. The efficacy of adding some of these practices to administrative hearings and with campus judicial boards also deserves further consideration and research, as does examining which kinds of cases best fit, and which offenders best respond, to restorative practices.

Implications for Practice

The experience of respondents in campus restorative justice processes was examined in this study. In light of these results, implications for practice will be presented in this section, with a focus on applying what was learned in this study to college student conduct practices.

Training Staff and Volunteers

One key implication for the practice of restorative justice on the college campus involves training of professional staff and volunteers who lead sessions or serve as harmed parties. This study found the ideal of how to run a session, as well as practices that seemed to support this ideal and those that did not. The respondents described their experiences in the restorative sessions involving two themes: communicating respect and experiencing engagement. These two themes and their associated subthemes could provide a framework for training practitioners
who conduct and are involved in restorative justice sessions. Participants noted that their feelings of validation were particularly supported by having panelists with good active listening and attending skills and feeling that panelists were open minded.

Although the ideal of a restorative session was to promote respect and engagement, a number of practices were identified by the research participants that did not support this goal. A couple of the respondents felt that the session participants seemed to go too far when encouraged to look at who was harmed. Therefore, teaching facilitators to strike a balance between encouraging exploration and reaching too far in this process would be beneficial. A second area that seemed to harm the integrity of the process occurred when session participants behaved in ways that communicated judgment. This is probably more appropriately labeled disrespect. Being judged for what the respondent did is not really the issue. Indeed, a natural consequence of misconduct is to experience some appropriate level of judgment by the panelists (M. Wilson, personal communication, September 29, 2009). Behaviors that respondents described as communicating disrespect included body position (for example, being turned away from the respondent) and facial expressions, such as eye rolling. Thus, teaching session participants how not to be disrespectful through body language would be important to promote a respectful session.

A final training area is to encourage facilitators to consider how to tailor a restorative sanction to the respondent. Antonio’s experience was an excellent example of how not to create a restorative agreement and could be used as a case study to train staff and volunteers. Paula, on the other hand, represented a positive example, because her background as a writer served to support her engagement with the process. She validated this in her final e-mail to me, “I would
say that their incorporation of my interests, like writing, is what really made me appreciate the
[restorative session] because it . . . allowed my agreement to help me as an individual.”

**Importance of Restorative Sanctions**

One finding from this study was that students learned and developed as a result of their
restorative sessions as well as the restorative sanctions in which they participated. The
restorative session, with its focus on empathy and engagement, seemed to build motivation to
create a plan of action to address the harm caused. However, the learning did not stop with the
restorative session. Post-session changes included learning facts about alcohol, learning how to
avoid disruptive parties through roommate agreements, and learning prosocial behaviors by
meeting and apologizing to one’s neighbors. For those respondents whose sessions did not
include harmed parties, this prosocial activity seemed to further cement the change in how they
viewed their neighbors as well as helping build social skills. Thus, having restoratively focused
sanctions also adds to learning. This lesson has clear implications for practice for both
restorative sessions and administrative hearings.

**Applying the Roadmap: Learning How to Promote Perspective Taking**

The development of perspective taking was an important outcome in this study and
probably helps distinguish restorative justice from other types of campus judicial practices. I
also contend that perspective taking seems to build motivation for respondents to change their
behavior. Being sensitive to and skillful in promoting perspective taking, because of its
implication in promoting moral development, is an essential skill not only for staff who will
facilitate restorative sessions but also those who conduct administrative hearings. This study
identified four levels of perspective taking that might serve as a roadmap to assess the
respondent’s readiness and to design interventions that promote perspective taking. The process
entails encouraging the respondent to explore: (a) who was harmed, (b) how they were harmed, (c) how they view the harmed party, and (d) how they view the incident.

As is the practice in restorative sessions, asking questions such as “Who was harmed?” to create a list and exploring how those listed were harmed is the obvious place to start. If the students can name only one or two people who were harmed, prompting the students to expand their views of who was harmed is appropriate. The next step is to explore specifically how the listed individuals were harmed. A respondent who struggles with this phase might benefit from reflecting on, and perhaps meeting with, individuals who were harmed, if that did not happen in the restorative conference.

While the exploration just described serves to help the respondent understand who was harmed and how, the next steps involve giving the respondent the opportunity to reflect on how they view the harmed parties as well as the overall incident. This review could include an opportunity to reflect on the incident in the form of an essay. The goal with this effort is to give the respondent a chance to reflect on what they learned from the restorative process and deepen their capacity to understand how their actions impact others.

**Orienting Students to Restorative Justice Prior to the Restorative Conference**

A number of participants in this study expressed having anxiety prior to going in to their restorative sessions. On the one hand, this reaction seems natural because they were attending a session that would be holding them accountable for their actions as well as talking to those individuals whom they had harmed. On the other hand, some of the worry was based on unfounded fears and misconceptions. It is important and helpful to provide students with as much information as possible beforehand, to orient them to the tenets of restorative justice, and to allay fears. While this orientation would take more staff time, perhaps a brief video on the
process, a handout, or a brief PowerPoint document might help students to better prepare for the restorative session without requiring individualized training for each participant.

**Prescreening**

Both Ulysses and Leila expressed dismay with their respective experiences in the restorative sessions. As I have argued elsewhere, the initial decision of having these two students participate at all in a restorative process is questionable. Restorative justice is based on the premise that the individual has accepted responsibility for harming someone else, and both Ulysses and Leila expressed the opposite viewpoint: Ulysses noted that, when he met with some of his neighbors, they stated that they had not been harmed by the party. While Leila seemed disappointed and perhaps a bit disenchanted with the restorative justice process, Ulysses was quite vehement in his disgust for having to participate.

One possible solution is to address what appears to be a mismatch between Ulysses and Leila and their restorative conferences and to more carefully screen participants. The first area to assess would be whether and to what degree they take responsibility for what happened. Evaluating students for the degree of remorse that they do, or could potentially, feel might also be important. If they have little remorse, they probably will not be very good candidates for a restorative session and should be ruled out. A third area for assessment might be to review whether the respondent’s actions truly impacted or harmed anyone. Cases in which harm was not substantive may be more difficult to process in a restorative fashion.

**Multicultural Competence**

Antonio’s experience in the restorative process was important regarding issues of diversity on college campuses. Antonio’s ethnic heritage and background were ignored in the session, and this oversight reinforced, for him, a sense of alienation and bitterness. Treating all
students alike has never worked. And today’s students are more diverse than ever before (Talbot, 2003). Because of this change in demographics, student affairs practitioners need to better be able to work across difference to be effective. Several scholars have argued for the necessity of developing “multicultural competence” in student affairs offices in general (Pope, Reynolds, & Mueller, 2004; Talbot, 2003), as well as student conduct programs in particular (Fischer & Maatman, 2008). Pope et al. (2004) defined multicultural competence as “awareness, knowledge, and skills that are needed to work effectively across cultural groups and to work with complex diversity issues” (p. xiv). Now, more than ever before, it is an essential component of all conduct administrators’ portfolios to be on the journey toward multicultural competency.

The work of developing multicultural competence should be viewed, as Pope et al. argued, as one of a number of core competencies of the student affairs profession. Staff and volunteers alike need to be thoroughly trained to work across difference. One starting place might be to learn and put into practice Abes, Jones, and McEwen’s (2007) theory of multiple dimensions of identity. This learning could begin with colleagues at an institution forming a diversity discussion group. The provision of training in multicultural competence also needs to be a core function of professional associations such as the Association of Student Conduct Administrators. Another fruitful avenue might be to explore a relatively new form of dispute resolution called social justice mediation (SJM) and weave these practices into restorative or traditional conduct processes (Wing & Rifkin, 2001). SJM incorporates issues of power, privilege, and identity into the resolution of conflict and is beginning to gain attention on college campuses. Additionally, campuses should ensure that those who conduct restorative conduct sessions are from diverse backgrounds and represent all sectors of the campus community.
Implications for Future Research

The focus of this study was to explore the impact of collegiate-based restorative practices on respondents. While this avenue was fruitful to explore, a number of other research paths could be pursued in addition to those mentioned above. In this study, participants did not express remorse for their actions. However, this may be due to design since they were not asked explicitly about it. Remorse would be a rich concept on which to focus in a future qualitative study. Another avenue to explore would be the experience of harmed parties. This would be very useful in helping scholars and practitioners understand how harmed parties experience these processes. Since restoration is a goal of restorative justice, looking at the degree of resolution, as well as the harmed parties’ experiences of an apology by the respondents, could prove especially illuminating.

A prominent theme in this study was the respondent’s ability to see how their actions impacted others. A number of questions are related to this finding. The first question involves whether this pattern found among the students in this study can be replicated in a larger sample. This research could be accomplished through a survey-based approach using a large number of participants. A second and related question is, does perspective taking create motivation to change behavior? This question is a critical one, because the process of building empathy is central to restorative practices. A final question of importance is, what inhibits or promotes perspective taking? Again, this is an important question, particularly for student conduct professionals and the knowledge of what promotes or inhibits perspective taking would help conduct administrators be more effective in their work.

Another path to explore would be to interview student conduct administrators to consider their experiences in the sessions. A recent doctoral dissertation found that, among student affairs
professionals, student conduct administrators have one of the lowest levels of job satisfaction (Davidson, 2009). In light of this, it would be interesting to understand if the style of conduct hearing has any relation to job satisfaction. While this relationship between administrator satisfaction and style could be explored quantitatively, there are probably too few programs to make a statistically significant comparison.

As will be noted in the following section, among the limitations of qualitative research is the inability to generalize the results. Therefore, it is important to carry out research with large numbers of students to determine more conclusively the efficacy of restorative processes as they compare with more traditional campus conduct venues, such as administrative hearings and boards. Researching the impact of the presence of harmed parties versus community members would also be valuable. Other constructs to be researched using large sample quantitative methods include, but are not limited to, recidivism, satisfaction, perspective taking, degree of resolution, and durability of the intervention. Using a larger quantitative design could also allow comparison of the outcomes of these processes across factors such as gender, year in school, and type of violation.

**Limitations of this Study**

Any research effort suffers a number of limitations, and this study was no exception. There were two main areas of limitations: potential researcher bias and the methodology used. In a qualitative research project, the researcher brings to the process his or her own predispositions and predilections, which naturally color the product. While I have made every effort to render the findings according to what the student participants told me, inevitably my own biases and preconceptions came into the process. To help limit the impact of my own bias, I employed peer reviewers, and I asked the students to give me their opinions on my final
conclusions. However, the final product is my own, and any parts that I presented incorrectly or that were unduly influenced by my own thoughts are my responsibility.

A second limitation involved the methodological design of the study. The original contract with the student participants asked them to commit to taking part in an interview, reviewing the transcript of the interview, and providing feedback on my final conclusions. Also building in one other step to allow follow-up by phone, in person, or by e-mail would be ideal, but given time and resource constraints, this was simply not feasible. If this step had been in place, posing some of the unanswered questions could have helped clarify my final conclusions.

Conclusion

The president of the prestigious institution who had a long weekend at the beginning of this paper never heard of restorative practices. However, those faculty members and presidents of the nation’s early institutions who faced problems of misconduct did not experience some of the complex issues inherent in today’s college-going population. Although restorative justice does not address directly these more challenging issues, it is a promising practice that could serve to reorient the field of campus conduct to more closely align with the values of college communities. For most of the students in this study, the experience of restorative justice seemed to produce substantive changes in how they thought about themselves and others and how they behaved. This conclusion and the others found in this study need further verification. However, the findings from this study are promising for the practice of restorative justice on the college campus and, hopefully, will lay the groundwork for its future study.
REFERENCES


doi:10.3102/0013189X028004018


doi:10.1080/1028258022000027182


[http://factfinder.census.gov/servlet/SAFFPopulation?_submenuId=population_0&_sse=on](http://factfinder.census.gov/servlet/SAFFPopulation?_submenuId=population_0&_sse=on)


APPENDIX A

Initial Contact - Phone Protocol

A PHENOMENOLOGICAL STUDY OF THE EXPERIENCE OF RESPONDENTS IN CAMPUS-BASED RESTORATIVE JUSTICE PROGRAMS

Hello [name of student], this is [name of coordinator] from [name of restorative justice program].

I am calling you to see if you would be interested in taking part in a research study on our restorative justice program [insert name as appropriate]. You are not obligated to participate and you will not be penalized in any way if you do not participate. If you do choose to participate and complete all of the required tasks, you will receive a $20 gift card for iTunes or Barnes & Noble.

Are you interested in hearing about this opportunity? [If, yes, continue. If no, thank them for their time.]

IF YES:

Pete Meagher, a doctoral student in Higher Education Administration from Bowling Green State University, is conducting the study. There currently have been no published research studies on campus-based programs. Your participation in this study will help fill this gap in our knowledge.

Participation in this study will involve taking part in a 60 – 90 minute interview on campus as well as two follow-up tasks (by email) that should take no longer than one hour. You will not need to travel other than to a site at our institution. The focus of the interview is on your perceptions of being in a restorative justice conference.

Participation is completely voluntary; you may choose not to answer certain questions or you may choose to end your participation at any time. There are no anticipated risks associated with participating in the study.

Information you provide will remain confidential and your identity will not be revealed.

Mr. Meagher will be visiting our campus at the end of February. Do you anticipate being on campus during the last two weeks of February? [If yes, continue. If no, ask them when they will be available to meet on campus and continue.]

Are you interested in participating? [If yes, continue. If no, thank them and terminate the call.]

I will forward an email from Mr. Meagher. All you need to do is send the email back to Mr. Meagher and he will contact you directly to answer any questions you have and to set up a time to meet.

Thank you for considering this opportunity.

Do you have any questions?
Dear student,

Greetings! I am a doctoral student in Higher Education Administration from Bowling Green State University. I am conducting research on restorative justice processes on college campuses. There currently have been no published research studies on campus-based programs. Your participation in this study is voluntary and will help fill this gap in our knowledge.

Participation in this study will involve taking part in a 60 – 90 minute interview on your home campus as well as two follow-up tasks (by email) that should take no longer than an hour. You will not need to travel other than to a site at your institution. Notes will be written during the interview. An audio recording of the interview and subsequent transcript will be made. The audio recording will be destroyed at the conclusion of the study. The focus of the interview is on your perceptions of being in a restorative justice conference.

Participation is completely voluntary; you may choose not to answer certain questions or you may choose to end your participation at any time. There are no anticipated risks associated with participating in the study.

Information you provide will remain confidential and your identity will not be revealed. Please note that email is not 100% secure, so it is possible that someone intercepting your e-mail will gain knowledge of your interest in the study. Each participant will create an alias and personal identifiers will be removed from all transcripts. A list of aliases and real names will be kept separate in a password-protected computer and will only be accessible by the primary investigator. The researcher and members of the dissertation committee will have access to all transcripts. Confidentiality will also be protected by storing the digital recordings on a password-protected computer and any related documents in a locked filing cabinet. If you do choose to participate and complete all of the required tasks, you will receive a $20 gift card to either iTunes or Barnes & Noble.

If you have any questions or comments about this study, you can contact me at 608-234-2778 or peterm@bgsu.edu or Dr. Maureen Wilson, my dissertation advisor, at 419-372-7321 or mewilso@bgsu.edu. You may also contact the Chair, Human Subjects Review Board, Bowling Green State University at 419-372-7716 or hsrb@bgsu.edu if any problems or concerns arise during the course of the study.

By responding to this email, you are consenting to have your name and contact information given to me. Please email me back directly. I will then contact you to answer any questions you may have and to confirm your availability for the study.

Thank you,

Peter J. Meagher, MSSW
Doctoral Candidate, Higher Education Administration
Bowling Green State University
Phone: 608-234-2778
E-mail: peterm@bgsu.edu
APPENDIX B

Interview Protocol

A PHENOMENOLOGICAL STUDY OF THE EXPERIENCE OF RESPONDENTS IN CAMPUS-BASED RESTORATIVE JUSTICE PROGRAMS

Welcome and Informed Consent
Thank you for agreeing to participate. This is an interview exploring your experience in a restorative justice conference. Please read over the Consent Form. If you agree, please sign and date it. [Hand participant a copy of the Consent Form.] Would you like a copy of the signed consent form? [If yes, arrange to have a copy sent to the participant.]

General Information Sheet
I need to start with gathering information from you. [Have student fill out the Personal Profile sheet.]

Interview
I now want to ask you questions about your experience in the restorative justice conference that you participated in on [date]. [Go over Interview Protocol]

Closure
I want to thank you for participating in this interview. I will transcribe this interview and save it on my password-protected computer. Once I have done this, I will send you the transcript by email. Please look it over. If you have any clarifications, changes, or additions, please let me know.

As your final role, I will send you a brief summary of the findings from this study. Please look them over and give me any feedback you would like including comments, challenges, clarifications or confirmation of the findings. Once you have completed your final task, I will email you your $20 gift card for either iTunes or Barnes & Noble.

Again, thank you for your participation in this study.
Interview Questions

A PHENOMENOLOGICAL STUDY OF THE EXPERIENCE OF RESPONDENTS IN CAMPUS-BASED RESTORATIVE JUSTICE PROGRAMS

**General information about participant:**
Can you tell me a little bit about yourself?

**Description of ‘misconduct’ event and preparation for RJ session:**
Tell me about the incident that led to your restorative conference.

What kind of preparation did you receive prior to the restorative conference?

Before going in, what did you think was going to happen?

**Description of being in the restorative process:**
How did you feel walking into the session?

Tell me about the (name of host campuses restorative process).

Who was present? What was their relation to you?

Tell me generally about the structure of what happened.

When you got to speak about the incident, what was that like?

What questions were you asked?

What was the reaction of those present to you?

What were you feeling while you talked about the event?

What was going through your mind?

Was there anyone in the session who you knew well or felt close to? [If no, skip to the next question.]

Explain your thoughts/feelings about their involvement in the process:

How did their presence impact you?

What did they do/say to you? What do you think they thought about you/what you had done?
**Procedural fairness:**
Explain how you felt during the process. What words would you use that described your experience?

Did you feel listened to throughout the process? Please explain.

In what ways did the process communicate or not communicate fairness?

**Empathy for harmed party:**
When the harmed party(s) spoke, tell me about what that was like for you.
[If more than one, include reaction to each.]

What were you feeling? Thinking?

What did you learn from them?

What was your reaction to hearing them talk about this?

**Restorative agreement:**
Tell me about the process of creating the restorative agreement.

Who spoke?

How would you describe it to someone else?

What was agreed to?

What kind of input did you have?

How did you feel about your input?

**Reparation (actually doing that which was agreed)**
Did you complete what was asked of you?

What has that been like for you?

What did you think about when you were completing your tasks?

**Closing Questions**
How do you think your experience in the restorative justice process will impact your future actions (e.g., will you commit the same offense again?).

Looking back, how would you describe your overall experience in the RJ program?

What have you learned about yourself?
APPENDIX C

Consent Form

A PHENOMENOLOGICAL STUDY OF THE EXPERIENCE OF RESPONDENTS IN CAMPUS-BASED RESTORATIVE JUSTICE PROGRAMS

You are invited to participate in a research study on restorative justice. As part of my work on a doctorate in Higher Education Administration in the Department of Higher Education and Student Affairs at Bowling Green State University, I am conducting research on campus-based restorative justice processes.

**Nature, and Purpose of the Study:** The purpose of this study is to interview college students who are 18 years of age or older and who have experienced a restorative process. Information from this study will be used to help college and university staff to better understand the impact of these kinds of interventions.

**Procedures:** Total time spent for the participant will be approximately 2 hours. Participation involves being interviewed for approximately 60 to 90 minutes. Notes will be written during the interview and an audio recording of the interview and subsequent transcript will be made. The audio recording will be destroyed at the conclusion of the study. Participants will also review a copy of the transcript as well as a summary of major themes from the study by email. If you complete all of the required tasks (initial interview, review of transcript, review of study conclusions), you will receive a $20 gift card for either iTunes or Barnes & Nobles.

**Risks/Benefits:** The anticipated risks to you are no greater than those normally encountered in daily life. Benefits of the interview include the opportunity to reflect on your experiences.

**Confidentiality:** Information you provide will remain confidential and your identity will not be revealed. Each participant will create an alias and personal identifiers will be removed from all transcripts. Quotations from the interviews using a pseudonym will be used when reporting the results. A list of aliases and real names will be kept separate in a password-protected computer and will only be accessible by the primary investigator. Each interview will be recorded digitally and transcribed. The researcher and members of the dissertation committee will have access to all transcripts and the digital recording of the interview will be stored on a password-protected computer. All associated hard-copy documents will be kept in a locked filing cabinet. Please note that email is not 100% secure, so it is possible that someone intercepting your e-mail will gain knowledge of your participation in the study.

**Voluntary Participation/Withdrawal:** Your participation in this project is completely voluntary. You can refrain from answering any question without penalty or explanation and you are free to withdraw consent and discontinue participation in the project at any time. If you decide to participate and later change your mind, you may withdraw your consent and stop your participation without penalty or explanation.

**Contact Information:** If you have any questions or comments about this study, you can contact me at 608-234-2778 or peterm@bgsu.edu or Dr. Maureen Wilson, my dissertation advisor, at 419-372-7321 or mewilso@bgsu.edu. You may also contact the Chair, Human Subjects Review Board, Bowling Green State University at 419-372-7716 or hsr@bgsu.edu if any problems or concerns arise during the course of the study.

Signing this consent form indicates that you have read the form and consent to participate in the study. You will be given a copy of an unsigned consent form for your records. If you wish, you may also obtain a copy of the signed consent form.

____________________________________  ______________________
Participant Signature                      Date

Participant Name – Print