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Restorative Justice: A Look at a Legal Community Creating Harmony on the Front Lines of an Urban Jungle, 50 J. Marshall L. Rev. 463 (2017)

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RESTORATIVE JUSTICE: A LOOK AT A LEGAL COMMUNITY CREATING HARMONY ON THE FRONT LINES OF AN URBAN JUNGLE

DANIELA VELEZ

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I. INTRODUCTION

It is common practice to suspend or expel children from school for childish behavior, like engaging in food fights, horseplay, and demonstrating a lack of focus, which is often misinterpreted as defiant disobedience. Suspensions and expulsions lead to labeling children as “trouble.” These same kids find themselves being suspended or expelled over and over again. These policies often lead to criminal charges.¹ Along with the rise of the prison industrial complex in the last 20 years, our schools are also criminalizing children instead of educating them.² The use of exclusionary school

1. Nancy Heitzeg, *Criminalizing Education: Zero Tolerance Policies, Police in the Hallways, and the School to Prison Pipeline in FROM EDUCATION TO INCARCERATION: DISMANTLING THE SCHOOL-TO-PRISON PIPELINE* (Anthony J. Nocella II et al. eds., 2014).

2. Fania Davis, *Interrupting the School to Prison Pipeline Through Restorative Justice*, THE HUFFINGTON POST (Oct. 5, 2015), www.huffingtonpost.com/fania-e-davis/interrupting-the-school-t_b_8244864.html.

discipline and policies, such as suspensions and expulsions, has grown during this time.³ For young people of color, the use of suspensions has grown 11 times faster than for their white counterparts.⁴ Moreover, the increased use of metal detectors, wand searches, police, suspensions and arrests on school grounds, is “prison-izing” our schools.⁵ Common pre-adolescent and adolescent behavior—like cursing a teacher and throwing spit balls—is criminalized as assault. Writing on a desk becomes defacing public property. Even younger children that have temper tantrums are placed in seclusion and isolation.

Our schools are creating pipelines to violence and prison rather than pathways to knowledge and success. Once entangled in the system’s web, it is hard to escape. Juvenile incarceration is the strongest predictor of adult incarceration.⁶ According to a UCLA Civil Rights Project study, one suspension from the 9th grade triples the likelihood that a child will be incarcerated while doubling the chance of dropping out of school.⁷ Further, throughout the country, students of color are three times as likely to be suspended for the same offense as their white counterparts.⁸ Seventy five percent of the nation’s state inmates are high school dropouts.⁹

Restorative practices in school aim to shift the school culture from one of retributive punishment to restorative healing. The use of peace circles when there is conflict between students, teachers,

3. *Id.*

4. *Id.*

5. *Id.*; see also Heitzeg, *supra* note 1.

In part, the school to prison pipeline is a consequence of schools which criminalize minor disciplinary infractions via zero tolerance policies, have a police presence at the school, and rely on suspensions and expulsions for minor infractions. What were once disciplinary issues for school administrators are now called crimes, and students are either arrested directly at school or their infractions are reported to the police. Students are criminalized via the juvenile and/or adult criminal justice systems. The risk of later incarceration for students who are suspended or expelled and unarrested (*sic*) is also great. For many, going to school has become literally and figuratively synonymous with going to jail.

Id. at 2-3.

6. *Id.*

7. Daniel J. Losen & Tia Elena Martinez, *Out of School and Off Track: The Overuse of Suspensions in American Middle and High Schools*, THE CIVIL RIGHTS PROJECT (Apr. 8, 2013), www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/out-of-school-and-off-track-the-overuse-of-suspensions-in-american-middle-and-high-schools.

8. Tom Rudd, *Racial Disproportionality in School Discipline*, KIRWAN INSTITUTE (Feb. 5, 2014), <http://kirwaninstitute.osu.edu/racial-disproportionality-in-school-discipline-implicit-bias-is-heavily-implicated/>.

9. Caroline Wolf Harlow, *Educational and Correctional Populations*, U.S. BUREAU OF JUSTICE STATISTICS (Jan. 1, 2003), www.bjs.gov/index.cfm?ty=pbdetail&iid=814.

police officers and administrators, or as an alternative to suspensions and other exclusionary practices, dives into the real causes of people's actions. Such restorative practices create a safe space for youth to talk about their fears, trauma, and home life, which creates an environment of support, non-judgment, and understanding. It helps put their actions into context and aims at healing the causes of the misconduct, rather than punishing the misconduct – which only creates more misconduct. Peace circles also provide a forum where people can be held accountable for misconduct without involving the criminal justice system.

In this supportive and restorative environment, the cycle of suspensions, expulsions and arrests come to a halt. In Oakland California, Restorative Justice for Oakland Youth (“RJOY”) launched California’s first urban school-based restorative justice pilot at a middle school in 2007. The RJOY reduced suspension rates by 87 percent, eradicating violence and teacher attrition, and improving academic outcomes.¹⁰ The city of Chicago is now doing the same and has committed to funding restorative justice projects in order to reduce violence. Candice Jones, director of the Illinois Department of Juvenile Justice said it costs \$130,000 to incarcerate a child for a year. Jones also said it would be more beneficial to invest that money in programming like education or policy changes that address factors that influence children’s involvement in criminal activity. Restorative justice projects are now taking place in underserved neighborhoods in Chicago as an attempt to halt the school to prison pipeline.

According to a recently released study comparing schools with restorative justice to schools without such programs, conducted from 2011 to 2014, graduation rates increased at schools with restorative justice programs by 60 percent while reading scores increased by 128 percent.¹¹ Suspensions of African-American students for defiance decreased by 40 percent.¹² Chronic absenteeism in middle schools with restorative justice programs dropped by 24 percent, compared to an increase of 62 percent in schools without such programs.¹³ Harm was repaired in 76 percent of conflict circles, with students learning to talk, instead of fight, about conflict at home and at school. More than 88 percent of teachers said that restorative practices were very or somewhat helpful in managing difficult student behaviors in the classroom.¹⁴

10. Davis, *supra* note 2.

11. Autumn Johnson, *Oakland Schools Using Restorative Justice to Increase Graduation Rates, Reading Levels*, ROCKRIDGE PATCH (Feb. 15, 2015), <https://patch.com/california/rockridge/oakland-schools-using-restorative-justice-increase-graduation-rates-reading-levels>.

12. Davis, *supra* note 2.

13. *Id.*

14. *Id.*

II. BACKGROUND

A history of segregation, poverty, trauma, unemployment, inequality in education, and violence mark Chicago's underserved and underprivileged communities. The purpose of this section is to understand the context in which the JMLS RJ Project exists and the restorative justice it aims to achieve for Chicago neighborhoods.

A. Segregation in Chicago

In 1960, about a quarter of Chicago's 3.5 million population was black, and rising as African-American migration from the south to the north continued. White people in Chicago were moving to the suburbs.¹⁵ By the time WWI came around, significant numbers of African-Americans lived in Chicago and the white residents took measures to keep them in certain neighborhoods, mainly on the south side, and later on the west side of the city.¹⁶ Restrictive covenants ran throughout the city prohibiting white property owners from selling or renting to African-Americans. In locations where there were no restrictive covenants, white residents were often violent toward African-Americans. In 1960, approximately 69 percent of the city's 813,000 African-Americans lived in just 11 of Chicago's 76 neighborhoods.¹⁷ The total population of these 11 neighborhoods was 94 percent black.

Though the African-American migration from the south into Chicago slowed in the 1960s and '70s, white migration to the suburbs did not. Chicago's black neighborhoods expanded, and their population became less dense. With few exceptions of neighborhoods that had consciously aimed for some degree of racial integration, the typical pattern for African-Americans on the south and west sides was white people moving out of a neighborhood as soon as black people moved in. Chicago's current population of 2.7 million is close to equal thirds black, white, and Hispanic, but most black Chicagoans still live in a separate part of town.¹⁸ According to census figures, 63 percent of the city's African-Americans live in 22 community areas: 18 on the south side, four on the west side.¹⁹ These neighborhoods are 95 percent African-American.²⁰

The social scientist, Patrick Sharkey, has demonstrated that segregation historically imposed on African-Americans has

15. Steve Bogira, *A dream unrealized for African-Americans in Chicago*, CHICAGO READER (Aug. 21, 2013), www.chicagoreader.com/chicago/african-american-percentage-poverty-unemployment-schools-segregation/Content?oid=10703562.

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.*

20. *Id.*

concentrated poverty and has aggravated certain ills, such as violence, in those neighborhoods. Sharkey tracked the economic outcomes of children raised after the civil rights movement and found that African-American children had “substantially lower” income as adults than white children – even when the children were raised by parents with similar employment, education and ambitions for their children.²¹ Sharkey found that a key variable was the tremendously different neighborhoods the children grew up in. Sharkey wrote, “The rigid segregation of urban neighborhoods means that the black child will be raised in a residential environment with higher poverty, fewer resources, poorer schools, and more violence These differences have an important impact on opportunities for children as they move toward adulthood.”²² The blatant racial differences in neighborhoods, “has been a primary mechanism for the reproduction of racial economic inequality in the post-civil rights era.”²³

B. Unemployment in Chicago

In 1963, the unemployment rate for African-Americans was 10.8 percent, and the unemployment rate for Caucasians Americans was 5 percent.²⁴ More recently, in July 2012 African-American national unemployment rates were 12.6 and 6.6 percent for Caucasian Americans.²⁵ Unemployment today is particularly high for African-Americans in urban areas and that is definitely true for Chicago. Last year, the unemployment rate for African-Americans was approximately 19.5 percent, compared with Caucasians’ unemployment rate of 8.1 percent.²⁶ This unemployment rate also understates the problem; this figure only counts those in the labor force, excluding those imprisoned. It also excludes “discouraged” workers—those who’ve given up looking for work because they believe no jobs are available for them.

Take North Lawndale, a Chicago neighborhood on the west side. In 1986, the *Tribune* documented the change in this neighborhood. In 1950, the community was 87 percent white; in 1960, the community was 91 percent black.²⁷ The movement of businesses from the city into the suburbs, where land was cheap and crime rates were low, helps explain the shift. By 1986, North Lawndale had 66,000 residents but only one bank and one supermarket.²⁸ It also had 48 state lottery agents, 50 currency

21. *Id.*

22. *Id.*

23. *Id.*

24. *Id.*

25. *Id.*

26. *Id.*

27. *Id.*

28. *Id.*

exchanges, and 99 liquor stores and bars. Moreover, public transportation to suburban jobs was poor. The jobs that remained in the city increasingly required at least some college education, and many black Chicago residents did not have a high school diploma.

In the 1980s, some African-American Chicagoans who could afford to move from the city to the suburbs did so. By the early 1990s, a "new urban poverty" was prevalent in Chicago's segregated neighborhoods. Sociologist William Julius Wilson, in his book *When Work Disappears*, said, a "substantial majority" of adults in these neighborhoods were either unemployed or had dropped out of the labor force altogether. In a dozen poor black neighborhoods on Chicago's south and west sides, only one in three adults had held a job in a typical week in 1990.²⁹ In the 1990s a significant number of black men were incarcerated due to the increased number of black males involved in the drug trade as a source of income in the 1980s. The mass incarceration of African-Americans not only eliminates them from the labor force, it also makes them less employable when they get out, because they are now labeled criminals and ex-convicts.

C. Economic Status

In 1960, approximately 29.7 percent of African-American Chicago families were living in poverty. At this time, 7.4 percent of white families were living in poverty. The median income for white Chicago families was 62 percent higher than for black families. Moreover, Chicago's ten poorest community areas were all overwhelmingly black. In 1983, the Chicago Urban League analyzed socioeconomic indicators from the 1980 census—unemployment, female-headed households with children, persons in poverty, high school graduation rates—and found large disparities between blacks and whites in Chicago. The discrepancy was greater than in any other major metropolitan area in the nation. The Urban League report attributed these differences to the city's extreme racial segregation and the machine politics, which for decades had "funneled most resources to non-black sections of the community."³⁰ Regardless of the causes, the report said, "Chicagoans need to recognize the severity of the racial inequities which exist in this city, and we must begin to make a concerted effort to reduce this gap in the years immediately ahead."

30 years after the Urban League encouraged the city to reduce the socioeconomic disparities between black and white residents, 34.1 percent of black Chicagoans are still living in poverty, compared to 10.9 percent of white residents. In 2010, median income of white households was twice that of black households and

29. *Id.*

30. *Id.*

the seven poorest community areas today are all overwhelmingly African-American. Twenty percent of their residents are living in *extreme* poverty: their incomes are less than half of the poverty line. In 2013, the poverty among African-Americans was approximately 31.5. This number has risen since then. According to Sharkey's study of post-civil rights children, most black children were actually worse off than their parents had been. This is most likely due to neighborhood disparities: an African-American family that makes economic advancement finds it hard to sustain it, in areas of high crime, low property values, and inferior schools.

D. Trauma Hamper

Community members in violent neighborhoods are enduring trauma similar to that of soldiers during war time. Trauma leads to depression, stress, hopelessness, poor decision making, and substance abuse. A student's ability to focus, comprehend, and memorize new information is decreased by trauma. These factors obstruct academic achievement.

In the early 1990s, researchers began looking at the prevalence of community violence. Then, as the breadth of the problem became better documented, there were more studies on the effects of violence on mental health, especially the mental health of youth.³¹ The studies found that exposure brings greater risk for aggression, depression, anxiety and posttraumatic stress disorders; the wider effects extend into areas such as delinquency and risky sexual behaviors.³²

Dexter Voisin, an associate professor at University of Chicago School of Social Service Administrations noted, "Violence has an impact beyond the victim and the family. There's a ripple effect in the lives of young people who are exposed as witnesses and live in those communities, and we're just beginning to figure how the multiple negative problems associated with such exposure are interrelated . . . Many clinicians, teachers and service providers working with these youths understand such connections. Research is now making the empirical links."³³

Neil Guterman, University of Chicago's Mose and Sylvia Firestone Professor, argues that we are severely underestimating the impact of exposure to community violence on young people.³⁴ He says, "In comparison to the problem of violence inside the home—child abuse and domestic violence, for example—we're decades

31. Carl Vogel, *Studies show that adolescents' exposure to community violence can cause trauma and lead to destructive behaviors*, UNIVERSITY OF CHICAGO SSA MAGAZINE (2009), <http://ssa.uchicago.edu/bearing-witness>.

32. *Id.*

33. *Id.*

34. *Id.*

behind in what we know, agreed upon service strategies, dedicated service systems and resources to address the problem."³⁵

E. Mass Incarceration

Policies like War on Drugs and War on Crime have led to the incarceration of black people at a greater rate than white people. Now, 1 out of 3 black men are incarcerated during their lifetime. Young black men from urban communities are criminalized and are 10 times more likely to be incarcerated than white men.³⁶ Also, they face harsher sentencing.³⁷ Once released from prison, more than half return to prison within 3 years.³⁸ It is extremely difficult for ex-offenders to rejoin the community, stay out of trouble and become productive members of society if nobody will hire them. Too often, the recidivism cycle keeps them embroiled in the system, at enormous cost to society and to taxpayers. Illinois spends \$1.4 billion a year on its prison system.³⁹ According to a December 2015 report issued by Gov. Bruce Rauner's Commission on Criminal Justice and Sentencing Reform, "[o]ne of the biggest contributors to recidivism is the inability of released inmates to find lawful employment."⁴⁰

F. Inequality in Education

In 2012, only 9 percent of CPS students were white. Forty-four percent were Hispanic, and 42 percent were African-American. Eighty-seven percent were from low-income families.⁴¹ African-American children in Chicago public schools are hyper segregated. For instance, in 2013, 86 percent of African-American students attended schools that were at least 90 percent black and Hispanic; 68 percent of African-American students were in schools that were at least 90 percent African-American.⁴² Moreover, the Consortium on Chicago School Research at the University of Chicago reported that, "In Chicago, extreme poverty combines with racial isolation."⁴³

35. *Id.*

36. *Criminal Justice Fact Sheet*, NAACP, www.naacp.org/criminal-justice-fact-sheet (last visited Nov. 11, 2017).

37. *Id.*

38. Chuck Goudie, *Illinois Prison Recidivism Rate Above National Average*, ABC7 (Apr. 14, 2011), <http://abc7chicago.com/archive/8071381/>.

39. Editorial Board, *Crime, prison, joblessness. Repeat*, CHI. TRIB. (May 23, 2016), www.chicagotribune.com/news/opinion/editorials/ct-illinois-rauner-prison-expunge-recidivism-edit-0524-jm-20160523-story.html.

40. *Id.*

41. *Id.*

42. *Id.*

43. Steve Bogira, *Separate, Unequal, and Ignored*, CHICAGO READER (Feb. 10, 2011), www.chicagoreader.com/chicago/chicago-politics-segregation-african-

Integrated schools were much more likely to progress than schools that were predominantly minority (a combination of Latino and African-American students).⁴⁴

Further, homelessness, domestic violence, abuse, and neglect are additional hardships that affect the lives of some urban children. These children “can make extraordinary demands on teachers when they appear in their classrooms. . . . If the number of students presenting substantial needs is too large, even extraordinary teachers can be quickly overwhelmed.”⁴⁵ Predominantly minority schools had “substantially higher” percentages of abused or neglected children than other schools studied; racially integrated schools had the fewest of these children.⁴⁶ Factoring in the “magnitude of the overall personal and social needs facing some schools,” the barriers for success are overwhelming.⁴⁷

G. Violence

1. Englewood

A 2016 report shows that of the 34,272 Englewood residents, 40.5 percent live below the poverty line, 36.8 percent are unemployed⁴⁸; and only 7.3 percent are college graduates.⁴⁹ From November 26, 2012 to December 26, 2012, Englewood ranked 9th of 77 neighborhoods in regards to homicides, assaults and rapes.⁵⁰ In 2012, there were 17 homicides in 2012.⁵¹ Moreover, during this one month time period, Englewood ranked 6th of 77 neighborhoods when it comes to thefts, car thefts and arson; and ranked 6th of 77 neighborhoods when it comes to narcotics, vandalism and prostitution crimes.⁵² Englewood has one of the highest concentrations of relocated project households. Between 1999 and 2010, 274 of Englewood's 15,210 households, were moved from the projects to Englewood; that's 1.5 percent of households, one of the

american-black-white-hispanic-latino-population-census-community/Content?id=3221712.

44. *Id.*

45. *Id.*

46. *Id.*

47. *Id.*

48. Jenny Lee, *Why West Englewood Has High Unemployment*, SOCIAL JUSTICE NEWS NEXUS (June 27, 2016), <http://sjnnchicago.medill.northwestern.edu/blog/2016/06/27/west-englewood-high-unemployment-jenny-lee/>.

49. *Crime Trends in Englewood*, CHI. TRIB. (Apr. 28, 2017), <http://crime.chicagotribune.com/chicago/community/englewood>.

50. Chau Tu, *An economic breakdown of Chicago's Englewood neighborhood*, MARKETPLACE (Feb. 11, 2013), www.marketplace.org/2013/02/11/wealth-poverty/guns-and-dollars/economic-breakdown-chicagos-englewood-neighborhood.

51. *Id.*

52. *Id.*

highest concentrations in the city.⁵³ More recently, reports show there were 95 reports of violent crimes between August 17, 2016 and September 16, 2016. There were 14 robberies, 19 batteries, 10 assaults, 3 homicides, and one sexual assault. Between August 17 and September 16 of 2016, there were 112 reported property crimes in the neighborhood. There were 37 thefts, 12 burglaries, and 11 motor vehicle theft crimes. There were also 76 quality-of-life crimes reported. There were 28 criminal damage crimes, 6 narcotics crimes, and one prostitution crime.

2. *North Lawndale*

In 2010, out of 35,912 residents in North Lawndale, 38.6 households were living below poverty levels; 18.5 % were unemployed, 30.4 did not have a high school diploma.⁵⁴ Between August 17, 2016 and September 16, 2016, there were 111 violent crime reports.⁵⁵ There were 23 robberies, 22 batteries, 15 assaults, one homicide and one sexual assault.⁵⁶ During this one-month period, there were 146 property crime reports, including, 47 thefts, 12 burglaries, and 18 motor vehicle thefts.⁵⁷ Moreover, there were 131 quality of life crimes reports, including, were 47 criminal damage reports, 29 narcotic crimes reported, and 3 prostitution crimes.⁵⁸ In the last month, there were 3.1 violent crimes per 1,000 people in North Lawndale in the past 30 days (up 50% year over year).⁵⁹ In North Lawndale, 8% of the population is in undergraduate colleges and 3.6% is in graduate or professional schools. 47.5 %of the population lives below poverty level.⁶⁰ North Lawndale has one of the highest childhood poverty rates in Chicago, with just over 71 percent of children living below the federal poverty line.⁶¹ Fifty-six percent of children in this community live in families that receive multiple state human services.⁶² The 3rd grade retention rate is nearly 15 percent.⁶³ Its violent crime rate is Chicago's 9th highest at 27 per 1,000 residents and it has the 6th highest rate of child abuse and neglect of children at 20 per 1,000 children.⁶⁴

53. *Id.*

54. *North Lawndale Neighborhood in Chicago*, CITY-DATA, www.city-data.com/neighborhood/North-Lawndale-Chicago-IL.html#ixzz4MioUpqT5 (last visited Nov. 11, 2015).

55. *Id.*

56. *Id.*

57. *Id.*

58. *Id.*

59. *Id.*

60. *Id.*

61. *Id.*

62. *Id.*

63. *Id.*

64. *Id.*

3. *Roseland*

Roseland had 80 reports of violent crimes between August 17 2016 and September 16, 2016, including 19 robberies, 11 batteries, 9 assaults and 3 sexual assaults.⁶⁵ In that same 30 day time period, there were 164 reports of property crimes in the area, including, 60 thefts, 20 burglaries, 10 motor vehicle thefts, and 1 arson.⁶⁶ During these 30 days, there were also 117 reports of quality-of-life crimes, including, 52 criminal damage reports, and 15 narcotics crimes reports.⁶⁷ In the past year, there have been 304 robberies, 226 batteries, 167 assaults, 22 homicides, and 42 sexual assaults.⁶⁸ In 2010, 19.5% of households were living below the poverty line; 17.8 were unemployed; and 17.4 did not have a high school diploma.⁶⁹

4. *Austin*

In Austin, between August 17, 2016 and September 16, 2016, there were 205 violent crimes reports, including, 41 robberies, 35 batteries, 19 assaults, 2 homicides and 2 sexual assaults.⁷⁰ During this 30-day period, there were 398 reports of property crimes, including, 144 thefts, 27 burglaries, 46 motor vehicle thefts, and 3 arsons.⁷¹ During the same time frame, there were 305 quality of life crimes reports, including, 89 criminal damage crimes, 56 narcotics crimes, and 35 prostitution crimes.⁷² In 2010, 27% of the 98,514 population in Austin was living below the poverty line, 21% were unemployed, and 25% did not have a high school diploma.⁷³

5. *Woodlawn*

In Woodlawn, between August 17, 2016 and September 16, 2016, there were 38 violent crimes reported, including, 8 robberies, 6 batteries, 1 assault, and 2 sexual assaults.⁷⁴ There were 94

65. *Roseland Neighborhood in Chicago*, CITY-DATA, www.city-data.com/neighborhood/Roseland-Chicago-IL.html#ixzz4MioUpqT5 (last visited Nov. 11, 2017).

66. *Id.*

67. *Id.*

68. *Id.*

69. *Crime Trends in Roseland*, CHI. TRIB. (Apr. 28, 2017), <http://crime.chicagotribune.com/chicago/community/roseland>.

70. *Austin Neighborhood in Chicago*, CITY-DATA, <http://www.city-data.com/neighborhood/Austin-Chicago-IL.html#ixzz4MioUpqT5> (last visited Nov. 11, 2017).

71. *Id.*

72. *Id.*

73. *Id.*

74. *Woodlawn Neighborhood in Chicago*, CITY-DATA, www.city-data.com/neighborhood/Woodlawn-Chicago-IL.html#ixzz4MioUpqT5 (last visited Nov. 11, 2017).

property crimes reported: 21 thefts, 18 burglaries, and 2 motor theft vehicles, and one arson.⁷⁵ There was also 45 quality-of-life crimes reported.⁷⁶ 28.3% of the 23,740 people living in Woodlawn in 2010 were living below the property line; 17.3% were unemployed; and 17.9% did not have a high school diploma.⁷⁷

6. Auburn Gresham

In Auburn Gresham, between August 17, 2016 and September 16, 2016, there were 86 violent crimes reported, including 9 robberies, 9 batteries, 17 assaults, one homicide, and 2 sexual assaults; 195 reports for property crimes, including 62 thefts, 31 burglaries, 13 motor theft vehicles, and one arson.⁷⁸ There was also 99 reports of quality of life crimes, including, 54 criminal damage crimes, and 6 narcotics crimes. 24.5% of the 48,743 living in Auburn Gresham in 2010 were living below the poverty line; 24.2% were unemployed; and 19.5% did not have a high school diploma.⁷⁹

7. Back of the Yards

Back of the Yards has an approximate population of 64,030.⁸⁰ In the past year, there have been 1,288 counts of assault, 876 counts of theft, 326 counts of vandalism, and 246 counts of burglary in Back of the Yards. Approximately 38.3% of Back of the Yards's population lives in a low-income household, or a household with an annual income of less than \$25,000.⁸¹ This is a high percentage of low-income households for the Chicago area. Approximately 32.3% of Back of the Yards's residents are living in a household earning an annual income between \$25,000 and \$50,000.⁸² Approximately 46.97% of the Back of the Yards population has only earned a high school degree. Back of the Yards has a lower percentage of people with a Bachelor's Degree than Chicago and Chicago Metro.⁸³ More than half of the population in Back of the Yards identifies as

75. *Id.*

76. *Id.*

77. *Id.*

78. *Auburn Gresham Neighborhood in Chicago*, CITY-DATA, www.city-data.com/neighborhood/Auburngresham-Chicago-IL.html#ixzz4MioUpqT5 (last visited Nov. 7, 2017).

79. *Id.*

80. Ed Komenda, *Back Of The Yards Residents: 'Violence Does Not Define Us'*, DNA INFO (Apr. 4, 2016), www.dnainfo.com/chicago/20160404/back-of-yards/back-of-yards-residents-violence-does-not-define-us.

81. *Id.*

82. *Id.*

83. *Id.*

Hispanic.⁸⁴ 34.00% people in Back of the Yards are African-American.⁸⁵

Moreover, the Back of the Yards area ranks second in homicides in the city, is in the top 10 for sexual assault and prostitution and has a "thriving drug trade."⁸⁶ Much of the crime in the community can be linked to substance abuse and gang activity. Because of high drop-out rates and working and or single parents unable to provide supervision, many young people find themselves locked inside their homes or roaming the streets during school and after-school hours.⁸⁷ Furthermore, the staggering neighborhood unemployment rate contributes to the poverty many families live with. From 2005-2009, the unemployment rate in the Back of the Yards was about double state and national rates. This wide-spread poverty is particularly concerning considering the neighborhood has an overwhelming number of young people: 39% of residents are under the age of 20, with 11% under the age of five.⁸⁸

III. SOLUTION

The solution is to reclaim a sense of community in Chicago. Restorative Justice aims at healing and centers on truth, dignity, respect, and wholeness. Restorative justice is about repairing harm—not punishing wrongdoers—about telling the truth, being held accountable and building relationships with others.

Judge Sophia Hall, presiding judge of the Resource Section of the Juvenile Justice and Child Protection Department of the Circuit Court of Cook County, reflecting on restorative justice, asked gatherers, why don't we already live in a world of restorative justice. She said, "We were building it, sort of. The Great Depression wrecked much of the world as we knew it, and for the next five decades the U.S. government began funding community rebuilding efforts and addressing the scourge of poverty. Then, in 1980, with the election of Ronald Reagan to the presidency, the Great Corporate Backlash regained power, combining forces with the racist undercurrent of American society, and simultaneously we began divesting in our social infrastructure and reorganizing a Jim Crow caste system through a vastly expanded prison-industrial

84. *Id.*

85. *Id.*

86. Elyn Fortino, *Chicagoans Sound Off Over Crime Reduction Plan For Back Of The Yards Neighborhood*, PROGRESS ILLINOIS (Apr. 5, 2016), www.progressillinois.com/posts/content/2016/04/05/chicagoans-sound-over-violence-reduction-approach-back-yards.

87. *Community Overview: Holy Cross Parish*, THE CLARETIAN INITIATIVE (Apr. 7, 2014), <http://claretianinitiative.org/content/community-overview-holy-cross-parish>.

88. *Id.*

complex. War on drugs! Zero tolerance! Three and a half decades in, we've created a vast Fourth World nation within our borders."⁸⁹

This is the context in which restorative justice is emerging as a social force. It is a grass-roots effort and as the civil rights movement. It is based on healing and connecting instead of dominating and punishing. It cultivates listening, respect for all, and communal problem solving. At its core, "RJ reclaims the tribal circle. We call it a peace circle: Every participant is equal and valued and safe to speak his or her truth in the peace circle. Amazing things can happen."⁹⁰

Hurt people hurt people. Harm is the core motivator of violence. Restorative justice in schools addresses the harm that every child carries and is often ignored. Instead of banishing and punishing kids for acting out, restorative practices uncover the truth behind seemingly anti-social conduct and folds back the layers of defense mechanisms, to address harm we have felt, and we have perpetrated.

In Chicago, so much of our youth, especially young African-American and Latinos, "are pushed to the social margins by racism and poverty," and "we will lose them."⁹¹ But as Father David Kelly from the Restorative Justice Hub in Back of the Yards said, "when you feel you belong . . . you become co-creators" in your society . . . RJ strives to build a web of relationships."⁹²

The first step in addressing these issues is acknowledging the crisis and committing to address it. The JMLS Restorative Justice Project aims at impacting an underserved and underprivileged community, Back of the Yards. It works on the front line and in an educational setting to halt the school to prison pipeline and address the harms stemming from injustice and violence, through restorative justice philosophy.

A. The John Marshall Law School Restorative Justice Project in Back of the Yards

The John Marshall Law School Restorative Justice Project (JMLS RJ Project) practices Restorative Justice (RJ) in an educational setting. It works with students, administrators, counselors, and teachers from an elementary school in Back of the Yards, an underprivileged and underserved community, largely made up of Latino and African-American students, to provide support for children with traumatic experiences, social-emotional difficulties, chronic truancy, and anti-social behavior. JMLS

89. Robert Koehler, *Restorative justice and the rebirth of Chicago*, CHI. TRIB. (Jan. 1, 2015), www.chicagotribune.com/news/columnists/sns-201412300000--tms--rkoehlerctnbk-a20150101-20150101-column.html.

90. *Id.*

91. *Id.*

92. *Id.*

students in the RJ class study legal issues involving social injustice and learn from Restorative Justice practitioners, attorneys, and judges involved in the restorative justice movement. JMLS law students take the knowledge from lectures, guest speakers, case law, and readings into practice at the elementary school in Back of the Yards.

1. *Restorative Practices and Peace Circles*

RJ is an ancient indigenous practice which posits that those most impacted by harm or an event should be ones to resolve it. RJ is not about punishment but about building an environment of trust and relationships so that harm and anti-social behavior can be understood in its context, and kids are given tools to express their emotions, and tell their truth, in hopes of preventing future harms and correcting past and present harms.

If there is a particular conflict where one person *has* caused a harm, RJ provides forum for victim to ask questions and have questions answered and understand why something happened; and wrongdoer can explain what happened, what he or she was thinking; how he or she can be held accountable. Within a RJ framework, the school community members involved and effected by harm, are the ones left to resolve it.

We are at much less risk of hurting the neighbor we know and understand, than the neighbor we don't know. With RJ, we are interested in building relationships, and concerned with accountability, not punishment. It is preventative and proactive rather than retroactive and retributive.

RJ Peace Circles are made up of: values, guidelines, and storytelling. It is a safe space for trust building. The reason the circle is the formal process is because one will be heard; one must listen; the circle symbolizes unity and equality; it represents confidentiality; one can't hide: we must face one another. All circles are voluntary. Circles are built on shared values – rather than rules. Based on these shared values, we use guidelines, talking piece, consensus, and ritual/ceremony to create connection and promote healing. Storytelling, trust and relationship building, and unity are the engines of the circle process. They are based on and made by consensus. Examples of peace circle values are: respect, confidentiality, active listening, non-judgment; tolerance, present-mindedness, kindness, patience, trust, loyalty, compassion, etc. Values add legitimacy to circle process because values are established democratically.

2. *Role of Circle Keepers*

The circle keeper's role is to be a participant and facilitator, rather than an authority figure. The circle keeper's role is to: guide,

maintain safety, initiate discussion, mediate flow, focus/re-focus conversation, and participate in storytelling.

For instance, during a peace circle with 5th graders, there was chaos. The circle wasn't respected; kids were rowdy, not listening, goofing around, throwing things, etc. At this time, an administrator walked into the room, saw the rowdiness and, with authority, gave them a stern talking to. The kids looked afraid of the consequences he administrator threatened them with. It was effective; the young students responded, and we got through the circle, but with little participation. After the circle, the circle keeper began to think: "Well, they listened, it worked! Maybe the way to go about this is for the circle keeper to act as an authority figure." However, that is the easy way out and that is not the RJ way. The circle keeper is simply a participant and a guide – not an authority figure. Moreover, after the kids were confronted by the authority figure, they settled down but did not participate because they were motivated by fear. Restorative justice is not based on fear but on respect. After that circle, the circle realized it needed to go back to basics with the middle school students and have a circle on expectations: the circle keeper's expectations and the 5th graders expectations; and review the guidelines and the values that all participants had a part in establishing. The circle process is built this way in order to create an informal communal "system" built on consent. Any time students are talking over one another, throwing things, making fun of one another, it tells the circle keeper to refocus the community's expectations.

As a circle keeper it is important to be a genuine participant. Children can sense inauthenticity. One time, a circle keeper was asked to lead a conflict circle with 5th grade girls. The girls were picking on each other and there was bullying. A circle was designed to discuss the reasons people harm others, to show the girls the cyclical nature of bullying. During the circle, the circle keeper spoke honestly and shared stories about times she harmed others because she was hurting. The personal story allowed the 5th grade girls to talk honestly about why they were picking on each other. By the time everyone shared her story in circle, it was understood that people hurt and make fun of others because they are insecure, have been harmed in the past, and often take it out on others to feel better about themselves. The circle participants understood this was an unhealthy coping mechanism because we continue to hurt and be hurt. The circle ended with tears and hugs. It was clear that girls that were enemies in the beginning of the circle now had a shared bond because they got vulnerable and communicated effectively.

3. Restorative Practices in Schools

The theory is, people are much less likely to hurt each other if they know each other. Through storytelling and sharing

experiences, strength, hope, fears, people relate to one another and see similarities rather than differences, and peacefully coexist.

Restorative practices provide a safe space for students to “check-in.” Circle keepers and participants learn a lot about the kids from this initial check in. Often, the young students check-in by telling us their superficial feelings, like: tired, sleepy, hungry, “bleh” – or they may not respond at all. This provides insight into their attitudes on that particular day and may inform the circle keeper on what kind of discussion is appropriate and relevant. For instance, should circle participants talk about what is going on with our families? Should we discuss desires and fears? Or, should we keep it light and engage in team building activities? With these initial questions the circle keeper can ask follow-up questions where students can expand on their answers and confide in the circle that the reason he or she is feeling a certain way is that, for example, his or her family has no money, dad is in jail, brother was shot, sister is in college and she’s a role model, etc.

We also allow students who have been labeled as “problem-kids” to advocate for themselves. The circle process makes it safe for students to give context for their behaviors. For instance, one 5th grader was referred to us for being disruptive and a bully. This young child is disruptive and has a tendency to control and manipulate others. This child’s clothes smell like they haven’t been washed in months. We have found, by listening to the child, that he is neglected, has no sense of security at home and no sense of control over his life. The child gets this sense of security by acting out in class, getting attention, and “bullying others,” like he is bullied at home. The child’s parents show patterns of substance abuse and the child’s sibling is physically and verbally abusive. In this context, we can understand the child’s behavior and can give him attention, compassion, support and we can refer the child to special services that will help in the home.

Restorative practices in schools create safe spaces for difficult conversations about the community at large. In circles, we discuss gang involvement and affiliation, violence at school and in the community, racial and social issues. We make it okay for youth to talk about things they are afraid to discuss with teachers or administrators. We invite the youth participating in RJ to rise to the opportunity RJ is offering: they have opportunity to be leaders in the school community and to spread knowledge of the tools they are gaining (communication, compassion, conflict resolution, ability to understand others regardless of differences, and to stop cycle of hurt people hurting people by relating and building relationships).

In particular, restorative justice in high school presents a different set of challenges, especially when a high school is underfunded and under staffed, and whose student population represents rival gangs. For instance, a coordinator for the JMLS RJ Project placed in a high school for kids from Englewood and Back of

the Yards, worked with a student who was enrolled at the high school and whose brother was assumed to be an active gang member. This young man had behavioral issues in elementary school. His prospects at the high school did not look good and it appeared that the school was looking for an excuse to expel him. The coordinator put together a circle with the student, school community members, and administrators so all parties could talk frankly about their concerns, fears and hopes. There was now mutual understanding between all participants and they all felt heard and understood. The coordinator mentored the student and the student continued in school without incident.

Another time, a high school student had been expelled from school for truancy issues. He was charged with illegal possession of a gun and theft of an automobile. Through his work with JMLS RJ Project, he began to exhibit positive behavior in the school, which pleased the student's probation officer. On one occasion, the student mistakenly missed a court date and the police came to the school and handcuffed and arrested him. The student was very scared and asked the coordinator to come with him. The incident illustrated the methods used by the police inside the school and the tolerance of school officials to these practices. It also points to the need for less confrontational police procedures that do not embarrass and stigmatize students in front of their peers.

In another session at the high school, high school students discussed a recent fight they witnessed that resulted in an upcoming court appearance. Seven of the twelve students in the group had been arrested for their involvement in a fight that occurred near a McDonald's Restaurant. The fight started when several of the high school students saw a young man from the community who had recently threatened them. The young man was with his sister, who was herself a student at this particular high school. The young man mocked the high school students, who then took advantage of their superior numbers and jumped the young man and accidentally injured his sister. The high school students were honest in sharing their story with the group. The students expressed remorse about what they had done and discussed ways that they could have deescalated or avoided the situation. The coordinator steered the students to a discussion about how they could make things right with the victim. He discussed other similar situations he was personally aware of where restorative practices were utilized. The entire discussion developed an awareness that had not previously been present in the students.

Finally, restorative circles in schools help transition students back to school following a suspension. Suspensions are very common place and feed feelings of alienation – much like our jails do. Circles are a great way to allow the returning student to not feel like a “bad” person. During a “welcome back” circle the student returning from suspension can express what happened. The student returning from

suspension discusses what he/she was thinking and what he/she thought about during the absence. During a “welcome back” circle, other students have the opportunity to express how they felt by the returning student’s absence. Participants understand what we can do to help support one another so that we can avoid a future suspension together.

B. Why Law Students Are Practicing Restorative Justice

Instead of keeping the focus on punishing a person, the focus should be on repairing the harm. Success should not be measured on how much punishment is inflicted but rather on how much harm is repaired. I believe this is a more effective approach because offenders are forced to hear the victim’s anguish and the offender may express remorse while giving the victim an opportunity to accept remorse. This approach allows for a higher probability of reduction in crimes. – Shana

This experience has been by far one of the most transformative experiences I’ve had while in law school. I feel in a way, that the kids are my sisters and brothers. Just to see their transformation. Some of the quietest kids opened up the most. We had a party for the kids, and we gave them certificates for participation and gift bags. They told us they were so sad to see us go. I think me and my colleagues were sad as well, because we really grew to love them throughout this process. – Loy

I think it is clear that in many ways these “traditional” techniques are not working and don’t necessarily benefit anyone. In a way it is like putting a bandage on the underlying problems instead of focusing on what can be done to actually heal it. – Elizabeth

I truly think this class has affected my thinking about being a lawyer and my role as a lawyer. I was really disgruntled with my law school experience. I had got to a point where I didn’t want to be a lawyer and didn’t see the law as an effective means of actually making change. However, after taking this course, I truly see the transformative power of law to make effective change. My faith in the law and our legal system has been reignited. This course reminded me of why I wanted to be a lawyer in the first place. – Loy

JMLS RJ students are future lawyers, judges, defense attorneys, and prosecutors. The opportunity to serve as a peace maker at an underprivileged and underserved community not only opens law students’ eyes, but allows them to understand the context of wrongdoing, and exposes them to an alternative means of dispute resolution. At the same time, they are problem solving, often in creative ways, and mediating issues before they get out of hand. Since restorative justice is mainly a relational practice we emphasize that empathy and kindness are conflict resolution tools that communities desperately need. The practice of law is also

largely relational. Lawyers must maintain relationships with other lawyers, opposing counsel, judges, clients, etc. A successful law practice often hinges on a lawyer's ability to mediate and settle a dispute.

IV. THE IMPACT OF JMLS RJ PROJECT

During 2015, the JMLS RJ project supported nine (9) law students to lead 85 elementary students in restorative justice circles. All elementary students participating were either chronically truant or at high risk of becoming chronically truant. Many faced additional barriers to success in school, such as limited English proficiency, mental or behavioral health challenges, and low socio-economic status. The students participated in over 90 peace and talking circles with their peers, which allowed students to explore and learn to talk about their feelings and reflect on behaviors while forming bonds with classmates and positive adult role models. In addition, law students provided 14 individual mediation sessions with elementary students. In total, the law students and program coordinator dedicated over 500 hours of time in the elementary school to directly providing or supporting provision of restorative justice practices. Throughout 2015, eleven seventh grade students also received training in peer conferencing from CPS, led a peer conferencing program in Fall 2015. During this time, a meeting of more than 15 restorative justice practitioners, school personnel, and police from Back of the Yards (as well as a felony court judge), met to discuss connecting restorative practices in the schools with the broader community.

During this year, the program continued to work with the students identified as most at risk of eventually dropping out of school through discussing highs, lows, challenges, and goals in weekly circles. In addition, we held a training in restorative language for parents of the elementary school students and conducted outreach calls to families of chronically truant students. In addition, JMLS Co-Directors, Hon. Sheila Murphy (Ret.) and Michael Seng, met with the Commander of the Chicago Police district that contains our targeted school and gained his commitment to provide Restorative Justice training to his officers, and especially those based in schools. Two of the district's officers later sat in a peace circle with neighborhood youth and families to discuss what they needed from each other. By the end of 2015, numerous organizations across the city of Chicago came together to hold at least 20 difference peace circles, with other a dozen taking place in Back of the Yards. Each circle focused on healing.

During 2016, the JMLS RJ Project supported 30 law students to lead approximately 150 elementary students, in three different schools in Back of the Yards, in restorative justice practices. The middle schoolers and high schoolers participated in approximately

160 peace circles, which allowed them to explore and learn to talk about their feelings and behaviors while forming bonds with classmates and positive adult role models. In addition, law students provided 80 restorative check-ins, restorative conversations and mediation sessions with elementary students. The 8 trained peer conference students (all 7th graders) held 17 peer conferences in 2016. The peer conference students assisted younger students in solving conflicts productively and peacefully. In total, the law students, undergraduate volunteers, and program coordinator dedicated over 500 hours directly providing or supporting provision of restorative justice practices.

Some of the issues Restorative Justice practices addressed in 2016 are: tardiness, participation in school, lack of admirable role models, bullying, discrimination, behavioral and discipline issues, violence in the neighborhood, families' socio-economic statuses, the perceived lack of opportunities in their futures, how to achieve goals, peer pressure and gang-involvement. During the 2016 year, the law students, volunteers and coordinator worked with elementary students who have a history of abuse, trauma, social and behavioral issues associated with trauma, difficulty communicating and relating to others, struggling with grades and truancy, family issues, family involvement in gangs, and/or behavioral and learning barriers in general. The law students go in either pairs or threes and see the same group of elementary schoolers on a regular basis in order to build trust and have effective and productive conversations surrounding school culture, the neighborhood and community, social issues, violence, gang affiliation and involvement, problem-solving and conflict resolution, peer-pressure and the youth's futures. There are also conflict resolution circles when there are specific conflicts between students that need resolution. The law students were, and continue to be, vigilant and mindful of children needing more care and access to services that RJ and peace circles can provide -- in these cases we refer the elementary students to the counselor and social worker at their school, so these kids get access to the necessary services.

Since restorative justice is mainly a relational practice we emphasize that empathy and kindness are conflict resolution tools that the community desperately needs. Often, we find that positive reinforcement and validation, as well as encouraging students to treat one another with respect and support one another has proven effective.

During the first quarter of 2017, the JMLS RJ Project has supported 15 law students to lead 77 elementary students in restorative justice circles and restorative conversations and other restorative justice practices. All elementary students participating are either chronically truant or at high risk of becoming chronically truant, and are facing barriers to success in school, such as limited English proficiency, mental or behavioral health challenges, low

socio-economic status and experiencing violence in the neighborhood. Law students have led 70 peace circles addressing issues such as violence, trust, role models and goals, peer pressure, bullying, healthy vs. unhealthy coping mechanisms, discrimination, problem-solving, consequences and decision-making, gang involvement, community building, kindness, empathy, importance of expressing emotions and feelings, healthy communication techniques, etc. The law students have participated in 62 restorative check-ins and mentorship sessions with 14 elementary students of different ages and needs. Essentially, law students in the JMLS RJ Project help elementary students identify, explore issues, and learn to talk about their feelings and behaviors while creating relationships with positive adult role models. In addition, law students and coordinator led a conflict circle with 5th grade girls dealing with girl-on-girl bullying and focused on stopping the cycle of "harmed-people harming people." The JMLS JR Project also held peace circles and mediation sessions with students and parents when a conflict arose in the home. In total, the law students and program coordinator have dedicated over 250 hours of time in the elementary school to directly providing or supporting restorative justice practices.

One personal story illustrating the impact of restorative justice was during a peace circle with 8th grade girls. One 8th grade girl trusted the process and the circle and told us she was having urges to fight another girl because this other girl had been talking bad about her. She said she really wanted to hit her but didn't because we often talk about the consequences of our actions during peace circles. She realized that fighting this girl would only cause *her* trouble and would affect her ability to graduate on time. The 8th grade girl's dilemma of having an urge to physically confront someone versus respecting consequences, is a common one. During this peace circle, we realized that the more we share methods in which we can pause when agitated and think of consequences prior to acting, the better we act and the more the middle schoolers mature. The 8th grade girls understand the importance of thinking through and understanding consequences. During this same circle, this 8th grade girl explained that the reason she wanted to fight this other girl was to show that she's not afraid or intimidated. We talked about different ways to accomplish respect without resorting to violence. The talking piece was passed around and all the 8th graders had ways to necessitate respect without violence. As a group, we decided that approaching the girl and saying: "are you okay? Is there anything you want to tell me? What did I do that made you mad in the first place? Why are you talking bad about me behind my back? In the future, if there is a problem, let's please discuss the problem face to face." This type of conversation would ensure respect from the other person and would avoid physical contact and violence.

Another instance where relationship building through restorative practices had a great impact was when one of the 5th graders mentored by a law student, trusted his mentor enough to let her know he cannot read. Some of the recurrent issues this student has are his inability to work well in groups, impulsivity, truancy, lack of focus, defiance, and hyperactivity. He is constantly acting out in class. During a session with his mentor, the mentee told his mentor he cannot read. The mentor encouraged the mentee to read and he clearly could not do it; he did not know what sounds the letters made, though he knew the alphabet. The mentor motivated the mentee to sound out letters and reviewed phonetics with him. The mentor kept encouraging him and even though he could not pronounce simple words such as “of,” “back,” and “me,” the mentor told him she would not give up on him and they continue practice reading together during mentorship sessions.

The mentorship session and the trust building created a safe space for this student, who has clearly been struggling with reading and, school in general, for years, to shine light on this problem. The mentor also notified the counselor about the 5th grader’s inability to read so he would receive access to resources. This session also showed that most of his behavioral and emotional issues are likely related to his inability to read. More than 80 percent of students who fail to earn a high school diploma were struggling readers in third grade.⁹³ Approximately “85 percent of teenagers in the juvenile justice system are functionally illiterate. 7 out of 10 adult prisoners can’t read above a fourth-grade level. Dropouts make up 90 percent of Americans on welfare and 75 percent of food stamp recipients. By third grade, students must make the transition from learning to read to reading to learn. If they do not, they cannot do their coursework. And so, each year as the grade level demands go up, they fall further behind, becoming outsiders inside their classrooms.”⁹⁴ School becomes an increasing source of frustration. It loses its relevancy and they drop out.

This is where you can truly see the impact restorative justice has in school settings. In situations such as these, the odds are that this 5th grader will end up dropping out unless there is an intervention – a holistic intervention. RJ is that intervention.

Restorative justice is a bridge that allows us to reach the real reasons people act the way they do. With the 5th grader, we realized that he is likely bored, afraid, and ashamed in class. He likely acts out in class to cover up that he cannot read. Not only does he act out as a defense mechanism, but his defiant attitude may also act as a way to prevent other from bullying him and the teacher from calling on him. During this particular mentorship session, a core issue was

93. The Ed Fly, *Does K-3 reading matter? Ask the 70% of inmates who can't read*, EXCELINED (Mar. 28, 2016), www.excelined.org/2016/03/28/does-k-3-reading-matter-ask-the-70-of-inmates-who-cant-read/#sthash.OLcmazLY.dpuf.

94. *Id.*

identified, and the law student/mentor was able to refer this 5th grader to outside resources that offer intensive reading lessons, as well as notified the school counselor. During the last few sessions, trust continues to grow, and the mentor-mentee bond continues to strengthen. The mentee can now talk more honestly about the reasons he acts in certain ways and can identify emotions and triggers. This student, who has slipped through the cracks for so many years, was finally caught on the net of restorative justice.