

Restorative Justice History and Narrative in Colorado  
Valerie Greenhagen  
University of Colorado Denver  
School of Public Affairs  
PUAD 5361: Capstone Seminar

First Reader: Dr. Jane Hansberry  
Scholar in Residence  
University of Colorado Denver  
School of Public Affairs

Second Reader: Dr. Callie Rennison  
Associate Dean of Faculty Affairs, Professor, and MCJ Program Director  
University of Colorado Denver  
School of Public Affairs

Third Reader: Deb Witzel  
State Coordinator for Restorative Justice  
Colorado State Court Administrator's Office

**Table of Contents**

Executive Summary.....	4
Introduction.....	5
Purpose.....	5
Literature Review.....	6
Defining Restorative Justice.....	7
National Context.....	7
Colorado Context.....	8
Frameworks.....	9
Methodology.....	10
Findings.....	13
Key Events.....	14
Champions and Challengers.....	16
Strategies.....	17
Map of Programs.....	18
Recommendations.....	19
The Growth of Restorative Justice in Colorado Narrative.....	20
Conclusion.....	24
References.....	26

**Table of Illustrations**

Table 1. Colorado State Restorative Justice Statutes.....	9
Table 2. Interviewees.....	11
Table 3. Results of Interview Coding.....	14
Table 4. Key Events Identified.....	15
Table 5. Champions and Challengers Identified.....	17
Figure 1. Strategies for Growing Restorative Justice’s Use in Colorado.....	18
Figure 2. Strategic Areas Identified in Interviews.....	18
Appendix A. Interview Protocol.....	29
Appendix B. Initial Codes.....	31
Appendix C. Key Event Timeline of RJ in Colorado.....	32
Appendix D. Champions Identified.....	33
Appendix E. Challengers Identified.....	34
Appendix F. Colorado Restorative Justice Program Map.....	35

### Executive Summary

The purpose of this project was to develop an historical narrative that describes the evolution of restorative justice policy and programming to better understand how it has grown and evolved in the state of Colorado since its introduction in the mid-1990s. A content analysis of key informant interviews and a document review were conducted that resulted in the creation of a timeline of key events, a list of individuals and organizations that championed the use of restorative justice or resisted it, and a collection of strategies that were used over time by those in the field to expand. This analysis resulted in the following recommendations:

1. A narrative should be crafted based on the events that were identified by the interviewees with recognition of the champions who have played key roles in driving progress in the field. (Draft of narrative included.)
2. The narrative should be made available through the RJColorado.org website managed by the Restorative Justice Coordinating Council for the public to access.
3. The narrative should be distributed at the upcoming statewide conference to continue building awareness of restorative justice practices in Colorado.
4. The final recommendation is that in the years to come, this information continue to be captured and the narrative be updated by the Restorative Justice Coordinating Council.

### **Introduction**

As the United States has experienced growing prison populations, there has been a general recognition by politicians as well as the public that the current criminal justice system is not working well (Young, 1999). In reaction, there has been a growth in alternatives efforts and diversion programs including restorative justice programming. Since the early 1990s, Colorado has seen a growth in restorative justice programming around the state (Sliva, 2015a). This growth has brought increased attention and focus to Colorado as a leader in the United States. Restorative justice, as defined by Zehr (2015), is “a process to involve, to the extent possible, those who have a stake in a specific offense to collectively identify and address harms, needs and obligations in order to heal and put things as right as possible.” In addition to its use within the criminal justice system, there has been increased use of restorative practices in schools with an intention to address student behaviors that might otherwise result in exclusionary discipline practices and their involvement in the criminal justice system (Karp & Breslin, 2001).

This project seeks to answer the questions of how restorative justice policy and programming in Colorado has evolved since the early 1990’s and what factors have driven restorative justice forward at the state level. In doing so, recommendations will be presented as to how the evolution of restorative justice in Colorado can be accurately and clearly articulated to the public in order to continue building support for the use of restorative practices.

### **Purpose**

As restorative justice has grown, the State Coordinator for Restorative Justice, Deb Witzel, and the Restorative Justice Coordinating Council have received numerous requests from those within and outside of Colorado for information on how restorative justice has grown and evolved in the state. In order to meet these requests, Deb Witzel and the Restorative Justice

Coordinating Council have voiced an interest in developing an historical narrative that describes this evolution of policy and programming. This paper will serve as a tool to be used to convey this narrative as well as recognize the key factors that have led to restorative justice's growth in Colorado.

### **Review of the Literature**

#### **Defining Restorative Justice**

One of the critiques of restorative justice found in the literature is that there is no unified theory that defines it (Karp & Frank, 2016). The roots of restorative justice trace back to ancient tribal cultures when crime was viewed as an extremely personal event rather than as a crime against the state as it is today (Quinn, 1997). As criticism of the current criminal justice system has grown, some have embraced restorative justice as an alternative method of dealing with crime (Karp & Frank, 2015). Some define it strictly as the use of victim-offender dialogues or conferences which refer to a practice whereby a victim and an offender participate voluntarily in a facilitated conversation for which both are prepared for and agreed to ahead of time (Zehr, 2016). Others define restorative justice more broadly through a continuum which includes victim offender dialogues as well as practices that embrace the same principles of focusing on harm, the recognition that harm results in obligations, and that promotes engagement or participation in the process of addressing those harms (Karp & Frank, 2016; Sliva & Lambert, 2015; Young, 2016; Zehr, 2016). Restorative justice programs and processes cover a wide variety of activities depending on the context of the harm done, the individuals involved in the process and the structure of the agency or organization that is facilitating the process.

The state of Colorado defined restorative justice in HB 08-1117 as "those practices that emphasize repairing the harm to the victim and the community caused by criminal acts." The

Colorado Restorative Justice Coordinating Council is made up of representatives from the juvenile criminal justice system, division of youth corrections, department of public safety, judicial department, non-profit restorative justice groups, district attorneys, victim advocates, the department of education and practitioners (HB 1129, 2007), all of whom embrace the use of restorative justice practices including but not limited to victim-offender dialogues. Some of those practices, for example, include the use of conferences which are structured meetings between offenders, victims or victim surrogates, and both parties' support people; circles which are versatile practices that foster cooperation and responsibility in a group situation with mutual responsibilities identified; dialogues which are the more structured, facilitated face-to-face meeting between the victim of a crime and the person who committed that crime with the presence of a trained facilitator; panels or boards which consist of victim representatives and/or members of the community speak to offenders about the impact of crime on the community; or classes that educate participants on the principles of restorative justice (Restorative Justice Colorado, 2014). Each of these models involve a preparation process that is critical to the participants' understanding of restorative justice practices. Given that the statewide representative body embraces the broader definition (Restorative Justice Colorado, 2014), for the purposes of this project, that is what will be used.

### **National Context**

While there is significant research on restorative justice programs internationally (Boriboonthana & Sangbuanamlum, 2013; Niriella, 2013; Robinson & Shapland, 2008), there is decidedly less research in the United States (Karp & Frank, 2015). This, in part, is because restorative justice efforts have been in development in many places for longer than in the United States and they have also been institutionalized more broadly. Canada in particular has been a

leader in developing and implementing restorative justice policies and practices consistently since the 1970s, followed very closely by many countries in Europe (Umbrecht & Armour, 2011). In New Zealand, for example, systemic changes were made through the Children, Young Persons, and Families Act of 1989 which reduced the court load from about 13,000 cases per year to 2,587 in 1990 (Umbrecht & Armour, 2011). That kind of broad sweeping policy has yet to be adopted at the state or federal level in the United States.

According to Daly and Immarigeon (1997), the roots of interest in restorative justice in the United States are found in Native American challenges to white colonialism as well as in the civil rights and women's movements of the 1960s. The critiques of over-incarceration and mistreatment of victims from these movements, as well as from criminal justice reform movements initiated by religious communities such as Mennonites and Quakers, led to calls for more restorative approaches to dealing with crime in society. Since the mid-1990s, pockets of programs and policies could be found across the country that make more restorative efforts (Umbrecht & Armour, 2011). Sliva and Lambert (2015), in their analysis of state statutes that include restorative justice efforts, found that 32 states had statutory support for the use of restorative justice. In terms of states leading statutory efforts in restorative justice, Colorado has the most with 37 statutes and Vermont is next with 21 statutes followed by Texas and Montana with 9 each.

### **Colorado Context**

The current restorative justice literature in Colorado focuses largely on the process by which the state legislature has embraced restorative justice and has passed legislation that has created structure for its use in both corrections and school systems (Sliva & Lambert, 2015; Sliva, 2015a; Sliva, 2015b). Additionally, case studies of restorative justice programs have been



used to better understand the challenges in implementing such programs (Title, 2002). Between 2007 and 2013, eleven pieces of legislation were added or amended supporting the use of restorative practices throughout Colorado resulting in the most extensive state-level statutory support in the country (Sliva, 2015a). Of particular importance were the passing of House Bills 07-1129, 08-1117, 11-1032, 13-1254, and 15-1094. See Table 1 for summaries of legislation. With all of the legislation that has been passed, the question of how programming and the perception of restorative justice among communities have grown or changed should be asked. Additionally, what can other states and localities learn from the history of restorative justice growth in Colorado in their pursuit of further restorative justice growth?

*Table 1. Colorado State Restorative Justice Statutes*

Bill	Key Effects
99-1156	First legislation declaring state support of restorative practices with juveniles
07-1129	Created statewide restorative justice Coordinating Council; Encouraged localities to incorporate restorative justice into their criminal justice plans particularly for juveniles
08-1117	Created statewide definition of restorative justice; expanded restorative justice opportunities for juveniles
11-1032	Opened restorative justice opportunities for adults
13-1254	Established juvenile restorative justice pilot program; Created funding source for restorative justice efforts
15-1094	Expanded the scope of the pilot program to include more juvenile offenders

## Frameworks

In order to understand the evolution of restorative justice in Colorado and to communicate it into the future, it is necessary to understand how those involved in the policy are thought of by the public and by the stakeholders. The Narrative Policy Framework, as presented by McBeth, Jones, and Shanahan (2014), provides a lens through which to view the various characters in a policy's story. The framework allows for the stakeholders to be identified as heroes, villains, and victims. Additionally, Sabatier's Advocacy Coalition Framework (1988) examines policy change through the identification of the groups working for and against change

in a particular policy area. In order to document the history of the evolution of restorative justice then, one needs to think about how the stakeholders have been framed and whether or not this has affected how restorative justice has expanded over time. Both of these frameworks also acknowledge the existence of focusing events or the existence of opportunities for policy change due to an event (Sabatier, 1988; McBeth, et al, 2004). These events play a role in shaping the messaging or narrative of a policy area or can serve to spread a narrative. Therefore, it is important to identify the events that are perceived by those involved in restorative justice as integral to the growth of the policy and programming.

### **Methodology**

This study will use content analysis of interviews with key stakeholders and a document review to address the main question. Key informant interviews and a document review will be conducted to understand the context of restorative justice policy and programming in Colorado, identify key strategies and events that have propelled restorative justice forward in the state, and make recommendations on how the history of restorative justice in Colorado can be communicated to the public. Eleven interviewees have been identified with the help of Deb Witzel and the state's Restorative Justice Coordinating Council based on the proposed interviewees' involvement with restorative justice in Colorado over time. The interviewees (see Table 2.) also represent an array of differing agency perspectives. Both practitioners as well as government agency representatives were included to get a sense of how different stakeholders view the growth of restorative justice in different contexts.

*Table 2. Interviewees*

<b>Name</b>	<b>Position</b>
Tom Quinn	Retired, Department of Probation - Forum on Community and Restorative Justice Board Member
Mary McGhee	COVA Board Member, Forum on Community and Restorative Justice Board Member, Department of Human Services
Lynn Lee	Restorative Justice Coordinating Council, Practitioner
Gabrielle Frey	Restorative Justice Coordinating Council, Colorado Coalition of Restorative Justice Directors
Spiro Koinis	Past Chair/Executive Committee, Restorative Justice Coordinating Council, Division of Youth Corrections
Matthew Riede	2016 Chair, Restorative Justice Coordinating Council, Victim Advocate
Greg Brown	Past Chair/Executive Committee, Restorative Justice Coordinating Council, Judicial Department
Meg Williams	Past Chair/Executive Committee, Restorative Justice Coordinating Council, Department of Public Safety
Alice M. Price	Restorative Justice Coordinating Council, Practitioner
Peggy Evans	Restorative Justice Coordinating Council, Practitioner
Perrie McMillen	2015 Chair, Restorative Justice Coordinating Council, Colorado Coalition of Restorative Justice Directors

The interview protocol (see Appendix A) used a semi-structured design to collect certain information from all interviewees but also to allow for broader information to arise as a result of open-ended questions (Jacob & Furgerson, 2012). The intention was to gather responses to a set of questions consistently across each interview but also to allow themes and new information to arise naturally in each conversation. Emails were sent to each of the proposed interviewees to determine their availability. Of the eleven, ten interviewees responded and were scheduled. Six of the interviews were conducted in person and four were conducted over the phone. All interviews were recorded with the consent of the interviewee and then transcribed in order to be interpreted and coded using nodes and cases within NVIVO software.

Responses from the interviews were analyzed using the constant comparison method and codes were determined abductively (see Appendix B for initial code list). As suggested by Leech and Onwuegbuzie (2007), codes and themes were sent to interviewees via email to ensure that they accurately described their statements. Of the ten interviewees whose codes were sent to them, 5 responded to verify that their responses were accurately captured. The intention was to identify similarities across interviews as to key events, coalitions, and portrayals of those involved in restorative justice to better understand its evolution and how its growth is currently being communicated to the public.

In the NVIVO software, nodes were created to capture the key events, champions, challengers, and strategies employed over time. Once the champions and challengers were coded to their respective nodes, a keyword-in-context (Leech & Onwuegbuzie, 2007) analysis was done to see how often the same champions or challengers were discussed across interviews. This method was chosen over a simple word count analysis because of the possibility that interviewees may view some groups or organizations as champions at one point in time, but challengers at another. Looking at the context around each keyword use allowed for a clearer depiction.

Deb Witzel and the Restorative Justice Coordinating Council also provided access to the program files and archived materials from the Colorado Forum on Community and Restorative Justice in order to provide more context for the early stages of state level engagement. These documents were reviewed for relevant historical information such as names of involved individuals and organizations as well as events that promoted or engaged the restorative justice community. This provided an opportunity to compare specific information that was discussed in interviews to documentation. In many cases interviewees were unsure of dates of events and the

documents reviewed provided verification of those facts. Additionally, the existing legislation passed by the state of Colorado was reviewed to identify the legislators involved and the other parties that were directly and indirectly affected by its passing. Finally, data collected from the online Colorado Restorative Justice Directory was used to create a map showing the current locations of existing programs across the state (see Appendix C). Where the information was available, indicators of when the programs were established was collected in order to provide a sense of longevity and growth.

The interviews and document review analysis employed Sabatier's (1988) Advocacy Coalition Framework as well as McBeth, Jones, and Shanahan's (2014) Narrative Policy Framework. The frameworks served as guides to identify key groups involved in the evolution of restorative justice as well as depictions of the individuals participating in the process to understand how they are discussed in the narratives currently used. Each restorative justice program in the state as well as each individual interested in restorative justice has been communicating their progress in some way. Analyzing the information obtained through these frameworks provided insights into understanding how each of the interviewees fit into the overall state's restorative justice narrative and sought to answer questions of: Who are the coalitions involved? How are the stakeholders portrayed in the narratives? These insights have led to a set of recommendations about how the overall history and evolution of restorative justice programming can be communicated consistently and accurately moving forward.

### **Findings**

The interview analysis resulted in 414 coded challengers, champions, key events, and strategies. Table 3 below shows the number of coded phrases across each node from each interview. Champions were discussed by the interviewees 184 times. This is the highest rate of

any of the categories. Challengers were discussed the least with only 28. This is also the only category in which some of the interviewees did not mention even one individual or organization who was resistant to restorative justice. Based on the frequency of phrases discussed in each category, the results indicate that the interviewees felt that champions and key events were the most integral parts of the history of restorative justice in Colorado.

*Table 3. Results of Interview Coding*

Interviewee	Challengers	Champions	Key Events	Strategies	Total
Alice Price	4	19	13	10	46
Gabrielle Frey	1	15	6	9	31
Lynn Lee	3	8	7	10	28
Mary McGhee	4	34	11	11	60
Matt Riede	2	23	12	10	47
Meg Williams	6	20	13	17	56
Peggy Evans	0	15	12	4	31
Perrie McMillian	0	14	17	6	37
Spiro Koinis	3	21	18	5	47
Tom Quinn	5	15	3	8	31
<b>Total</b>	<b>28</b>	<b>184</b>	<b>112</b>	<b>90</b>	<b>414</b>

### Key Events

Interviewees discussed key events 112 times during the conversations. However, some of these events were cited more than once by each interviewee and some events were discussed by several interviewees. Table 4 below shows the events that were identified and how many times they were cited in the interviews. The document review also provided information on statewide events so those are also included. The events that were discussed most often were the establishment of the Restorative Justice Coordinating Council through the passage of HB 07-1129, the founding of The Forum on Community and Restorative Justice (The Forum), the first statewide conference, and finally the passage of HB 13-1254 which created the juvenile restorative justice pilot program.

Each of the events identified in the interviews that were also found in the documents reviewed allowed for verification of details. For example, each of the interviewees discussed the establishment of the Restorative Justice Coordinating Council as a key event. Through the document review, House Bill 07-1129 was identified as the source of that event and was therefore verified as happening in 2007. Using the key events identified through the interviews and document review, a timeline has been created. See Appendix C.

*Table 4. Key Events Identified*

Year	Event	Cited in Interviews	Confirmed in Document Review
1984	Colorado adopts comprehensive alternative dispute resolution statutory scheme	4	
1992	Victim Offender Reconciliation Programs begin to organize	5	
1998	Founding of The Forum	12	X
1998	First RJ Conference	10	
1998	Federal Funding Available for RJ Programs with Probation	2	
1998-1999	Fort Collins Task Force Exploring Use of RJ	1	X
1999	The Forum and Colorado Judicial Branch receive JAIBG Grant	2	X
1999	"Restorative Justice - Beyond Just Us" Video Produced	1	X
1999	5 Regional Conferences Held	3	X
1999	Governor Bill Owens signs HB 99-1156, the first specific RJ legislation	2	X
1999-2000	First High Risk Victim Offender Dialogues	1	
2001	The Forum Establishes 501c3 Status	1	X
2001	2nd Statewide Conference at Keystone	3	X
2001	Colorado selected by Balanced and Restorative Justice as a special emphasis state	1	X
2001	The Values and Principles Monograph created by The Forum and distributed nationally	-	X
2002	3rd Statewide Conference at Keystone	1	X
2004	The Forum hosts High Risk Victim Offender Dialogue Training	3	
2005	First Victim Offender Dialogue with Incarcerated Individual	2	
2005	The Forum Closes	5	

<b>2007</b>	Legislation Passed Establishing the Restorative Justice Coordinating Council (HB 07-1129)	16	X
<b>2007</b>	Colorado Coalition of Restorative Justice Directors Formed	3	
<b>2008</b>	Legislation Passed Creating Statewide Definition of Restorative Justice; Expanded RJ Opportunities for Juveniles (HB 08-1117)	3	X
<b>2008</b>	Schools in Colorado begin embracing RJ	4	
<b>2009</b>	RJCC Receives JAG Grant to Partner with Community	2	
<b>2009</b>	Launch of Statewide RJ Website and Directory	4	X
<b>2009</b>	Voluntary Guidelines of Practice Created	1	
<b>2011</b>	Legislation Passed Opening RJ Opportunities for Adults (HB 11-1032)	5	X
<b>2012</b>	RJ Facilitator Code of Conduct and Standards of Training and Practice Established	3	X
<b>2013</b>	Legislation Passed Establishing Juvenile RJ Pilot Program; Created Funding Source for RJ Efforts; Added Victims Advocacy Group appointee and 3 Practitioners to Council (HB 13-1254)	10	X
<b>2015</b>	Legislation Passed Expanding the Scope of the Pilot Program to Include More Juvenile Offenders (HB 15-1094)	2	X

### Champions and Challengers

The interviews resulted in a total of 66 individuals or organizations identified as champions. These champions were discussed 184 times and were therefore the most important portion of the interviews overall. Challengers were only discussed 28 times and involved only 13 organizations. Appendices D and E detail the lists of champions and challengers. No individuals were discussed as particularly resistant to the growth of restorative justice. In many cases, the groups that were identified as challengers were discussed as resistant early on in the implementation of restorative policies, but they became champions over time as the policies showed some success. Table 5 below shows the number of instances when the same organizations or agencies were described as both champions and challengers based on Keyword-in-Context analysis (Leech & Onwuegbuzie, 2007).



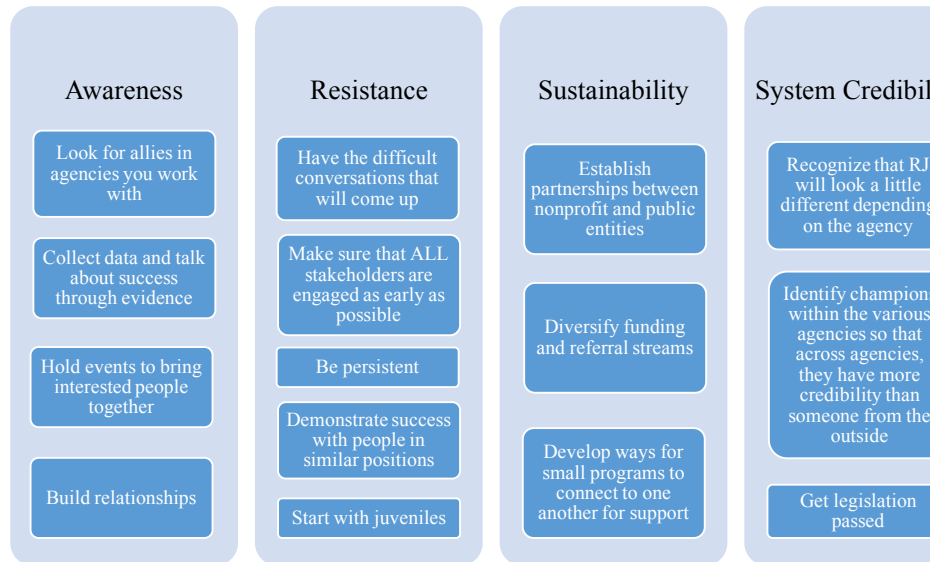
*Table 5. Champions and Challengers Identified*

Champions	Keyword or Phrase	Challengers
13	Probation	2
6	District Attorney (DA)	7
9	Department of Corrections (DOC)	8
10	Division of Youth Corrections (DYC)	1
2	Prosecutors	4
3	Police Officers	5
10	Victims, COVA	20

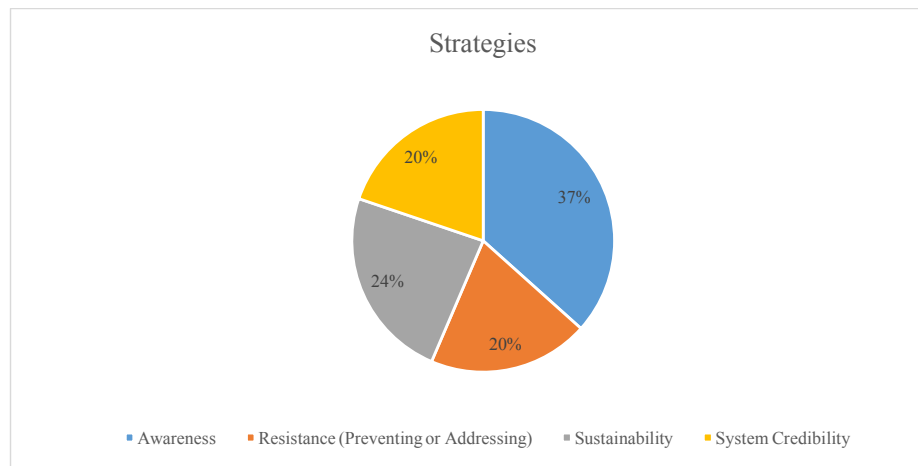
### Strategies

Throughout the interviews, themes emerged around strategies that had been used over time to continue the growth of restorative justice. Strategies were discussed 90 times during the course of the interviews. The strategies that emerged are summarized in Figure 1 below. After coding each phrase to the strategy node, each strategy was then categorized based on the area it was focused on affecting. For example, all strategies related to funding or maintaining a necessary level of referrals were captured together under Sustainability. Some strategies were attached to more than one category. The four categories consisted of Awareness, Resistance (preventing or addressing), Sustainability, and System Credibility. Figure 2 shows the strategy areas that were captured in the interviews and the percentage of strategies mentioned that fit into these categories.

*Figure 1. Strategies for Growing Restorative Justice's Use in Colorado*



*Figure 2. Strategic Areas Identified in Interviews*



Each of these categories are clearly important to the interviewees based on the fact that they came up during each conversation. However, the largest portion of strategies, 37%, were focused on raising awareness. As an approach that has been emerging in Colorado for the last 20 years, the need to focus efforts on raising awareness makes sense. The second largest area of focus in terms of strategy is sustainability with 24%. The field of restorative justice is largely made up of government and nonprofit entities. Given that the public sector is constantly faced with the struggle of maintaining funding and keeping programs operating, addressing sustainability is an important part of growth.

### Map of Programs

As part of the document review process, program information was compiled from the Restorative Justice Directory that is maintained by the Restorative Justice Coordinating Council. This information was used to create a map reflecting the current programs around the state and when the information was available, the date of the programs' founding. Of the 63 programs for

which information was available, 24 programs included founding years. The earliest program for which information was available was established in 1994. The map is included in Appendix F.

### **Recommendations**

Based on the information gathered from both the interviews and the document review, the recommendations that will be made are focused on crafting the narrative for how the use of restorative justice practices have grown in Colorado since the mid-1990's and how the narrative should be shared publicly.

#### **Recommendation 1**

The narrative should be crafted based on the events that were identified by the interviewees with recognition of the champions who have played key roles in driving progress in the field. This narrative will assist individuals who are looking to learn from Colorado's experience and therefore special attention should also be paid to the strategies identified. A first draft iteration of this narrative is below.

**The Growth of Restorative Justice in Colorado.** In 1984 in Colorado, a shift was beginning to take place regarding alternative or extra-legal ways to resolve disputes, with the adoption of a comprehensive alternative dispute resolution statutory scheme. Mediation programs were showing some success and were bringing people who were interested and skilled in alternative programs together. In 1992-1993, Colorado began to see the beginnings of structured restorative justice taking place with the organization of Mennonite-initiated Victim Offender Reconciliation Programs (VORPs) in three locations, Denver, Boulder and Alamosa, with other community initiatives such as Teaching Peace in Longmont blossoming shortly after. Throughout the 1990s there were also efforts

at the federal level to more fully understand restorative justice approaches and identify opportunities to implement and support such programs. Simultaneously, communities around Colorado began hearing about restorative practices and many took the opportunity to begin engaging in conversations about how the approach may affect their local communities. This was the start of a grassroots effort by passionate, dedicated people from around the state to improve their communities.

1998 was a big year for Colorado's statewide restorative justice efforts. The practitioners who had embraced these practices across the state came together with the help of Anne Rogers to form The Forum on Community and Restorative Justice (The Forum). The hope was to continue the growth of the practices and to support one another in their efforts. Later in the year, The Forum held its first conference engaging practitioners and interested individuals in the region. This conference was just the first of many. Also in 1998, federal block grants became available to start working with probation on restorative justice efforts. Over time, restorative justice efforts would continue to see a cycle of funding availability and would begin to focus their efforts on strategies around sustainability.

The following year was busy for the burgeoning restorative justice field as well. Governor Bill Owens signed the first piece of legislation (HB 99-1156) declaring the state's support of the use of restorative justice approaches. The Forum produced and began distributing "Restorative Justice – Beyond Just Us", a video aimed at raising awareness about the principles and practices. And, toward the end of the year, the individuals involved began preparing for the first high-risk victim-offender dialogues in the state.

Over the early 2000s, Colorado was recognized as a special emphasis state for its work in restorative justice. The Forum established itself officially as a nonprofit with 501c3 status and continued to bring practitioners together to create practice documents that reflected the work of the field, including the Values and Principles Monograph and a curriculum for high risk victim offender dialogues (HRVODs). In 2004, The Forum also brought Karen Ho from Ohio to the state to conduct a HRVOD training for skilled practitioners and volunteers. The following year, the first HRVOD with an incarcerated individual took place facilitated by Peggy Evans and Anne Rogers. Around this time, strong efforts were also being made by Tom Quinn, then Chief Probation Officer for the state, to engage probation officers in conversations around how their work could be more restorative.

Unfortunately, after making quite a bit of progress in bringing practitioners around the state together and fostering relationships with the judicial system, The Forum closed in 2005 leaving a void in the field. For the next couple of years, local programs continued to grow but cross-system, statewide efforts were lacking. In 2007, Representative Michael Merrifield stepped in and was successful in getting the first piece of legislation in many years passed, establishing the Restorative Justice Coordinating Council (The Council) for the state. This was a turning point. Once again, there was a group of people brought together with the intention of solidifying and growing the field. Around this same time, practitioners came together under Anne Rogers' leadership once again to form the Colorado Coalition of Restorative Justice Directors (RJ Directors).

In addition to the work being done in communities with the justice system, there was also a focus developing on using restorative justice practices in schools. Frustration with the high rates of expulsion and suspension and the overuse of juvenile justice systems for controlling poor behavior, schools were looking for a different approach. Beverly Title had been working locally in Longmont primarily with the Police Department on restorative efforts, but long held a vision of restorative practices in schools. In Denver, Tim Turly and Ben Cairns were working on developing the practices at all levels of the discipline process finally resulting in the implementation of a reformed discipline process at North High School. Other leaders in introducing restorative practices into schools were the Colorado School Mediation Project, based in Boulder, and The Conflict Center in Denver. Since then, schools throughout the state have been embracing opportunities to incorporate restorative practices as often as possible.

More recently, the state has seen the passage of four more pieces of legislation championed by Representative Pete Lee further defining restorative justice for the state, establishing a funding source and a staff position for the Council, broadening the opportunities to participate in restorative justice for adult offenders, and launching the pre-file juvenile diversion pilot program to increase the evidence base for restorative justice. Meanwhile, The Council has begun holding conferences again, launched a website full of resources, and has created a number of practice documents in conjunction with the RJ Directors including the RJ Facilitator Code of Conduct and Standards of Training and Practice.

The efforts of all of the individuals involved in restorative justice in Colorado have grown the field from disconnected small programs around the state to a cohesive effort by an interconnected state-wide community that is poised to continue expanding the use of restorative practices in local communities, school districts, and government agencies.

**Recommendations 2 and 3**

One of the key events identified by the interviewees was the launch of the state restorative justice website. Additionally, the strategy category that was most focused on was directed at awareness. Therefore, the opportunity to continue building awareness through the website should be taken. The narrative discussing the growth of restorative justice should be made available through the website for the public to access. Not only will this be a good resource for communities in Colorado who are looking to develop new programs, it will also be useful for communities in other states to understand the experiences of Coloradans.

Similarly, the interviewees identified the statewide conferences as key events in driving awareness. Therefore, the historical narrative could be a useful tool at the upcoming statewide conference to continue building awareness around how restorative justice policy and programming has evolved over time.

**Recommendation 4**

In each interview conducted, the interviewees expressed their excitement at capturing how restorative justice has grown and making sure that the lessons that have been learned over the years are not forgotten. The final recommendation is that in the years to come, this information continue to be captured and the narrative be updated by the Restorative Justice Coordinating Council.



### **Conclusion**

The growth of restorative justice in Colorado has been fueled by a collaborative effort by champions who have recognized opportunities and used their voices and their skills to move the field forward. The interviews conducted revealed a host of key events, champions, challengers and strategies used over time that affected how the state has embraced restorative justice. By identifying these events and individuals, a narrative was created to be used as a tool for communicating the growth of restorative justice in Colorado to the public.

For the purposes of this project, only 10 interviews were conducted. While more interviews would allow for a fuller picture of how restorative justice in Colorado has evolved, time and logistics prevented that. However, the individuals who were interviewed represented a wide variation of stakeholders in the field and strove to provide as much information as possible regarding the varying perspectives of others in the field. Another limitation is in regard to the lack of information on programs that may have been in existence since the 90's but have since closed for whatever reason. If that information were available, it would allow for a more detailed analysis of how the field has changed over time. Despite these limitations, the resulting information collected through these interviews and document review provided enough to begin crafting a narrative that reflects many of the major accomplishments of the field.

## References

- Boriboonthana, Y. & Sangbuanamlum, S. (2013). Effectiveness of the restorative process on crime victims and adult offenders in Thailand. *Asian Journal of Criminology*, 8(4), 277-286.
- Daly, K. & Immarigeon, R. (1998). The Past, present, and future of restorative justice: Some critical reflections. *Contemporary Justice Review*, 1(1), 21-45.
- Fontana, A., & Frey, J.H. (1994). Interviewing: The art of science. In N.K. Denzin & Y.S. Lincoln (Eds.), *Handbook of Qualitative Research* (361 – 376). Thousand Oaks: SAGE Publications.
- House Bill 07-1129, General Assembly of the State of Colorado. (2007).
- House Bill 08-1117, General Assembly of the State of Colorado. (2008).
- House Bill 11-1032, General Assembly of the State of Colorado. (2011).
- House Bill 13-1254, General Assembly of the State of Colorado. (2013).
- House Bill 15-1094, General Assembly of the State of Colorado. (2015).
- Jacob, S.A., & Furgerson, S.P. (2012). Writing interview protocols and conducting interviews: Tips for students new to the field of qualitative research. *The Qualitative Report*, 17(6), 1-10.
- Jennings, W. G., Gover, A. R., & Hitchcock, D. M. (2008). Localizing restorative justice: An in-depth look at a Denver public school program. *Sociology of Crime, Law & Deviance*, 11167-187.
- Karp, D. R., & Breslin, B. (2001). Restorative justice in school communities. *Youth & Society*, 33(2), 249.
- Karp, D.R., & Frank, O. (2016). Anxiously awaiting the future of restorative justice in the United

- States. *Victims & Offenders*, 11(1), 50-70.
- Leech, N.L. & Onwuegbuzie, A.J. (2007). An array of qualitative data analysis tools: A call for data analysis triangulation. *School Psychology Quarterly*, 22(4), 557-584.
- McBeth, M.K., Jones, M.D, & Shanahan, E.A. (2014). The narrative policy framework. (3rd ed.) *Theories of the Policy Process*, (225-266) Boulder, Colorado: Westview.
- Niriella, M. (2013). The emergence of restorative justice in Sri Lanka. *International Journal of Comparative and Applied Criminal Justice*. 37(3), 233-247.
- Prendergast, A. (2012). How victim rights shaped spending, laws and the future of punishment in Colorado. *Prison Legal News*, 23(3), 1-9.
- Quinn, T.J. (1997). The Role of community in securing peace and delivering justice. *Security Journal* 9, 123-131.
- Restorative Justice Colorado. (2014) *Restorative justice practices definitions and models*. Retrieved from <http://www.rjcolorado.org/colorado-restorative-justice-council.html>
- Restorative Justice Colorado. (2016) *RJ Directory*. Retrieved from <http://www.rjcolorado.org/rj-directory>
- Robinson, G. & Shapland, J. (2008). Reducing recidivism: A task for restorative justice? *The British Journal of Criminology*. 48, 337-358.
- Rubin, H. T. (2015). Restorative justice within and throughout Colorado's juvenile corrections agency. *Juvenile Justice Update*, 21(6), 1-16.
- Sabatier, P. A. (1988). An advocacy coalition framework of policy change and the role of policy-oriented learning therein. *Policy Sciences*, 21, 129 - 168.
- Sliva, S. M. & Lambert, C. G. (2015). Restorative justice legislation in the American states: A statutory analysis of emerging legal doctrine. *Journal of Policy Practice*, 14 (2), 77-95.

- Sliva, S.M. (2015a). A tale of two states: How state legislatures consider restorative justice policies. Manuscript submitted for publication.
- Sliva, S.M. (2015b). Finally ‘Changing Lenses’? Determinants of restorative justice laws. Manuscript for publication.
- Title, B., Carasso, M., & Seidler, M. (2002). The Longmont community justice partnership: Restorative justice practice as collaboration. *Contemporary Justice Review*, 5(3), 273.
- Turpin, J. (1999). Restorative justice challenges corrections. *Corrections Today*, 61(6), 60.
- Umbrecht, M.S. and Armour, M.P. (2011). Restorative justice and dialogue: Impact, opportunities, and challenges in the global community. *Washington University Journal of Law & Policy*, 36(Spring 2011), 65-78.
- Weible, Christopher M. and Daniel Nohrstedt. (2012). The advocacy coalition framework: Coalitions, learning, and policy change. In Eduardo Araral, Scott Fritzen, Michael Howlett, M Ramesh, and Xun Wu (editors) *Handbook of Public Policy*. New York, NY: Routledge.
- Young, M.A. (1999). Restorative community justice in the United States: A New paradigm. *International Review of Victimology*. 6, 265-277.
- Zehr, H. (2015). *Changing lenses: Restorative justice for our times*. Virginia: Herald Press.
- Zehr, H. (2016). *The little book of restorative justice*. US: Good Books.

Appendix A.  
**Interview Protocol**

**Introduction**

My name is Valerie Greenhagen and I am a graduate student with the School of Public Affairs at the University of Colorado Denver. This interview is a part of my capstone project which is focused on understanding the history of restorative justice in Colorado and how it is been communicated to the public as it has evolved. If it is alright with you, I would like to record our conversation in order to help me recall what we have spoken about. Is that alright with you?

1. Tell me about how you got involved in restorative justice in Colorado. *(Prompt: How did you initially get introduced to restorative justice?)*
2. From your knowledge, were there any key events that you think propelled restorative justice's growth in Colorado?
3. Who are the people or organizations in the state that have played integral roles in moving restorative justice forward in Colorado?
4. Has restorative justice met resistance with certain groups or organizations as it has grown? Why do you think they resisted it?
5. From your perspective, how has the concept of restorative justice spread to communities that have previously not had any restorative justice programming? *(Prompt: What key factors*

*have allowed restorative justice to be embraced by communities that have previously not had any restorative justice programming?)*

6. How is restorative justice currently perceived by the community? *(Prompt: Are there common concerns or questions that you hear from people often? How do people react when they learn about restorative justice or experience restorative justice for the first time?)*

7. What do you think is the most important aspect (or aspects) of restorative justice's history that should be communicated to the public?

8. Is there anything else that you feel would be helpful for me to know as I continue with this project?

Appendix B.  
**Initial Codes**

Organizations/Individuals anticipated to be discussed by interviewees as being in support of the use of restorative justice. These will be highlighted as Champions.

- Longmont Community Justice Partnership (LCJP)
- Victim Offender Reconciliation Programs (VORPs)
- Colorado Forum on Community and Restorative Justice (The Forum)
- Representative Pete Lee
- Anne Rogers
- Beverly Title

Organizations/Individuals anticipated to be discussed by interviewees as being skeptical of or resistant to the use of restorative justice. These will be highlighted as Challengers.

- Victim Advocates
- CJ System, District Attorneys, Judges

The following events are anticipated to be discussed by interviewees as being critical to the growth of restorative justice. These will be coded as key events:

- Passing of HB 07-1129, HB 08-1117, HB 11-1032, HB 13-1254, HB 15-1094
- 2012 Statewide Restorative Justice Conference
- CO Forum on Community and Restorative Justice Convening
- CO Forum on Community and Restorative Justice Disbandment
- CO Restorative Justice Coordinating Council Convening

Note: Given the subject matter of the project, I avoided using the “heroes”, “villains”, and “victims” terminology suggested by the Narrative Policy Framework in the coding process so as to be sensitive to the perceptions of those terms in the criminal justice and victim communities.

Appendix C.  
Key Event Timeline of RJ in Colorado





Appendix D.  
Champions Identified

Champions	
Alice Price	Lana Leonard
Amanda Nagel	LCJP
Ann Terry	Lisa Nelson
Anne Rogers	Lynn Lee
Ben Cairns	Mark Umbreit in Minnesota
Beverly Title	Mary McGhee
Bill Ritter	Meg Williams
Bill Woodward	Mesa County Partners
Cary Heck	Mike Merrifield
CCRJD	Monica Chambers
Chief Mike Butler	Nancy Lewis
Chris Harms	Paul Barru
Colorado School Mediation Project	Peggy Evans
COVA	Pikes Peak RJ Council
DCJ	Probation
Deb Witzel	Randy Compton
DHS	Representative Pete Lee
DYC	Restorative Solutions
Face-to-Face Mediation	Sharletta Evans
Fort Collins Probation and Police	Spiro Koinis
Gabrielle Frey	Stan Garnett
Gil Martinez	Steve Segal
Greg Brown	Sue Mateer
Hal Neese	The Conflict Center
Jean McCallister	The RJ Council
Jessica Dancingheart	The Forum
John Inmann	Tom Alena
Jon Wilson	Tom Quinn
Judicial Branch	Tom Wydell
Juvenile Justice and Delinquency Prevention Council	Vern Fogg
Juvenile Parole Board	Victim Offender Reconciliation Programs (VORPs)
Karen Ho	Victims Community
Kerri Schmitt	Virginia Mackey

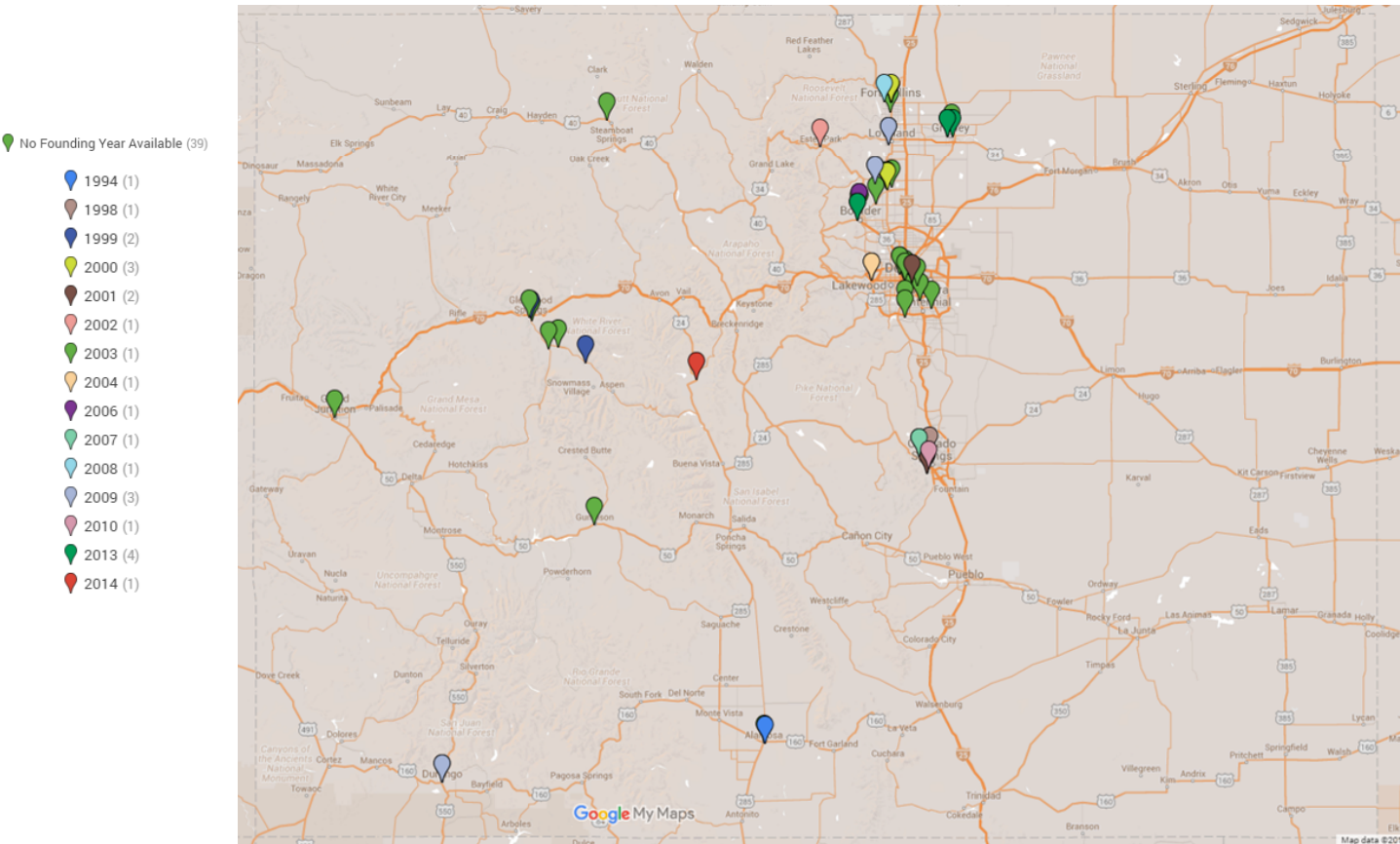
Appendix E

Deleted: -

**Challengers Identified**

<b>Challengers</b>
Chief Probation Officers
Criminal Justice System People
Department of Corrections (DOC)
Department of Youth Correction (DYC)
District Attorney (DAs)
Judges
Lawyers
Police Officers
Probation
Prosecutors
Schools
Victim Advocates, COVA
Victims

Appendix F.  
Colorado Restorative Justice Program Map



Appendix E.  
**Areas of Competency**

The courses I have taken during this program have greatly influenced my ability to complete this capstone project. In particular, the following courses have given me the necessary skills for its execution: Policy Process and Democracy - PUAD 5005; Leadership and Professional Ethics - PUAD 5006; Research Methods - PUAD 5003; and Effective Grant Writing - PUAD 5115.

**Policy Process and Democracy PUAD 5005**

During the course of the Policy Process and Democracy class, several frameworks that seek to describe the policy process were presented. In considering the driving factors that have led to the growth of restorative justice in Colorado, it was helpful to be able to understand their context within McBeth, Jones, and Shanahan's (2014), "Narrative Policy" and Sabatier's (1988) "Advocacy Coalition" frameworks. The frameworks drove my thinking in developing the interview protocol and ultimately the analysis of results.

The course also gave me the tools to think critically about how policy is made and the strategies that may be employed to effectively drive policy adoption. In seeking to understand these strategies in the context of restorative justice policy, it was helpful to recognize the common barriers that face policy makers and other advocates in the process.

**Leadership and Professional Ethics PUAD 5006**

Throughout the interviews that I conducted, I heard strategies and reflections from leaders in the restorative justice field that helped them in their efforts to move forward. The Leadership and Professional Ethics course helped me to understand the challenges facing leaders in making the difficult decisions that ultimately help to pursue goals. This allowed me

to extract more detail during the course of the interviews on the strategies that were used and successful.

As a new and evolving field, restorative justice programs and practitioners often come up against resistance in their communities and with the agencies with whom they need to work. The question of how they have worked to overcome that resistance so far and what lessons they have learned is key to creating a narrative that will assist future practitioners who may be facing the same challenges elsewhere. Being reflective about one's work and learning from past experiences is a lesson that was discussed continuously throughout the Leadership and Ethics course and is a key takeaway that has been extremely useful in executing this project.

### **Research Methods PUAD 5003**

In designing and executing this project, the skills I gained in Research Methods were imperative. Throughout the course, we were challenged to develop our abilities to be critical, think creatively about how we can pursue our research goals, and make decisions that drive the process forward while recognizing and understanding the various perspectives and assumptions of alternatives. In developing the methodology for this project, it was necessary to use the skills I had developed in the class to understand the existing literature and identify the most effective ways to address my research questions. It further provided me with the tools I needed to analyze the results of my methods and to be able to articulate those to my audience in an appropriate way. These skills were not only effective for this project, but will continue to be useful in the workplace and in reading and understanding scholarly work into the future.

**Effective Grant Writing PUAD 5115**

One of the key skills that I developed in Effective Grant Writing was the ability to create a concise, articulate narrative that delivers a compelling message. In describing the history of restorative justice in Colorado, it is important to understand the variety of viewpoints of the audience and write as effectively as possible to all of them. The course also prepared me for the iterative process that is inherent in developing a capstone project and working with a client.

Overall, the competencies that I have developed throughout the courses in this MPA program are integral not only to my education but also to my future as a public administration professional.