**VERA**
INSTITUTE OF JUSTICE

# NEW SOLUTIONS FOR VIOLENT CRIME: COMMON JUSTICE AT THE VERA INSTITUTE OF JUSTICE

## WHAT NEEDS CHANGING

Violence remains one of the most intractable struggles facing low income communities in New York City and around the country. The criminal justice system as we know it often fails to meet the needs of people harmed by crime, and incarcerating the person responsible often fails to alleviate the trauma and pain of those harmed. Similarly, recidivism rates show time and time again that incarceration is limited in its ability to secure public safety, as so many people who come home from prison go back for committing new crimes. Common Justice believes something else is possible.

## THE COMMON JUSTICE APPROACH

**What it is:** Common Justice is an innovative victim service and alternative to incarceration program for serious and violent felonies. It is based in participatory justice principles.

Common Justice aims to take on serious felonies in a way that holds young people accountable, helps those who are harmed heal, and creates an opportunity for people to halt the cycles of violence that can tear lives and entire communities apart. This cutting-edge project is the first in the country to divert cases like these in the adult court away from prison and into participatory processes.

**How it works**: The program brings together those most immediately impacted by a crime—the harmed party (victim), the responsible party (perpetrator), and family and community members with a stake in the outcome—for a face-to-face dialogue to agree on sanctions other than incarceration to hold the responsible party accountable in ways meaningful to the person harmed. These agreements—which include everything from education and employment to public speaking engagements and restitution to those harmed—replace the lengthy prison sentences the responsible parties would otherwise have served. Meanwhile, Common Justice works with harmed parties—even when those who harmed them are not in the program—to help them heal and thrive in their lives.

"You owe your harmed party twice: once for what you did, and once for the chance they gave you to make it right. And both debts take your whole lifetime to repay."
--Common Justice responsible party

"Common Justice was exactly right for me. I knew immediately when I was robbed at gunpoint that I didn't want those boys to go to prison, but I wanted *something*. I *needed* something. I wanted them to face me man-to-man, human-to-human. I wanted to know they would do something with their lives so they'd never do this to anyone again. And I wanted to have some say in what that might be."
--Common Justice harmed party

## THE IMPACT: PROVING IT IS POSSIBLE

- A majority of responsible parties have graduated the program, and only a small number have failed.

- Many harmed parties in the program have shared that Common Justice contributed to their healing.

- In 2012, Common Justice won the Award for Innovation in Victim Services from the Department of Justice for its national leadership in building a model to mend the harm that victims, including young men of color, sustain as a result of violence.

- Because of its vision and early successes, experts in the field have called the project "a potential watershed for criminal justice nationwide."

As a demonstration project of the Vera Institute of Justice, Common Justice draws on Vera's wealth of experience working since 1961 to make justice systems fairer and more effective through research and innovation. Vera's expertise will help Common Justice leverage its learning and work to have the broadest possible impact.

**GET INVOLVED:** To learn more about Common Justice and how you can help grow our work, please visit our website at http://www.vera.org/project/common-justice or reach out to Danielle Sered, the Director, at dsered@commonjustice.org or (718) 747-8779. We look forward to sharing our vision with you.

# ONE GUN AND MANY LIVES: A PORTRAIT FROM OUR WORK

When Alberto* and a group of his friends threatened Pablo on the A train with an illegal weapon in East New York, Brooklyn, neither could imagine how the situation would end. When the case first came to Common Justice, both Pablo and Alberto were worried that the original incident, rooted as it was in a long-standing conflict in the neighborhood, would lead to further incidents and losses—possibly even death—for people on both sides.

Pablo had changed his life dramatically out of fear for his and his family's safety. For months, we prepared to convene the circle (the dialogue) that is the core of Common Justice's approach to halting cycles of violence.

Later, the two young men and their families sat together and came to an agreement as to how Alberto could make things as right as possible for Pablo and his family. Alberto, his parents, and his brother all thanked Pablo for giving their loved one the chance to earn back his freedom.

Alberto's brother said to the harmed party: "You didn't have to do what you did for my brother. Not everyone would give the person who wronged them a chance to fix it and fix their life. You could have said 'forget him, he deserves it' or 'I don't want to waste my time helping that kid. I don't owe him anything.' That's what most people would have done. I understand that. I want to tell you that I love my brother more than anyone in the world, so I thank you from the bottom of my heart for believing he can be a good person and do right by you. I know him, so I know he can and will."

Alberto agreed readily to everything asked of him. He said to Pablo: "I just want to say to you that I'm sorry I hurt you. I know what you must have felt, and that was wrong of me to do to you. You didn't deserve that. I have so much respect for you, and I'll show you that respect in what I do. I want you to know I'm here to make things right."

**WHO IS BEING HARMED?** Contrary to popular assumption, the person most likely to be harmed by violent crime is a 16- to 24-year-old black man. The failure of the current system to adequately engage these young men means they are less likely to seek and receive care when they are harmed, less likely to receive restitution and victim's compensation, more likely to live with unaddressed symptoms of trauma, and less likely to recover. What's more, people who are harmed by crime and do not get well are more likely to commit violence themselves, a pattern that drives cycles of violence and compromises the health and safety of our communities.

Pablo looked him in the eyes and said: "You made a mistake, but seeing you here today, now I know you're going to be good to me and your family. And that helps me and my family to know that."

Among those agreements the group reached—which included school, internships, and violence intervention work— was a promise Alberto made to communicate to those close to the conflict that Pablo and his family should be protected from any violence, threat, or harm. Now nearly four years later, Pablo and his family have not been hurt or threatened.

What's more, Pablo has gotten his life back: he has moved out of his family's home, advanced in his career, grown personally, and stopped living in the constant legitimate fear that he or his loved ones would be harmed. And Alberto has honored his promises, keeping a job, building his own future, and being a different kind of role model for the young men and others like them who followed his lead that day on the train.

*Names in this story have been changed to respect the participants' privacy.