

## Restorative Justice vs Court

In today's world, the controversy of Court vs Restorative Justice has been debated and questioned numerous times. There has been an increase in places that use restorative justice options rather than court procedures. Restorative justice is where they find the best solutions for the action committed without the perpetrator being put in the system. Restorative justice is more personal whereas a court is strictly about finding your “punishment” and whether you will be put on parole or not. Where restorative justice is discussed to make sure you understand the harm done and ways best to fix that harm done to the community because of their actions and help them learn from it.

States are starting to have options for restorative justice specifically for youth. Nevada has a program called “Youth Restorative Program” where kids can take a summer course and then be able to do a restorative justice circle for youth who did a crime instead of being put on the system, and their mistake being put in their records. This has tremendously helped because now, someone's actions as a teen do not affect them for the rest of their lives. Even if someone is an adult, if they did something “minor” such as stealing a candy bar, they should not be put in jail or fined a huge amount. If they can have a restorative justice circle it can help see the core of the problem and find ways they can help the community by their actions, for example, they can volunteer at a place they enjoy to help repair the damage that was done. The goal is for both community and youth advocates to agree with what the youth can do to repair the harm they have caused, through accountability, and cooperation that the youth needs to have.

We have seen courts, and court cases throughout our lives. They are for more serious crimes that someone has committed, such as murder, burglary, assault, etc. These have lawyers and judges. They usually go on for a couple of days where there is a jury that decides whether the defendant is innocent or guilty. If they are guilty the judge decides how long their sentence is based on the crime they did. Obviously the more intense the crime that was committed the longer the sentence is, and depending if they have bail or not. This is different from restorative justice circles because there is no innocence or guilt. One side does not “win”, both side's goal in restorative justice is for the person to have accountability for their actions, and try to conclude to help them.

In the article “What is restorative justice” it states “ “justice” in a radically different way than conventional criminal justice responses. Rather than justice as “punishment,” restorative justice conceives of justice as “repair” to the harm caused by crime and conflict. Understanding and responding to the needs of each involved party and the broader community is central to the collective creation of a just outcome.” Research has shown that “restorative justice compared to traditional approaches can reduce further delinquent behaviors and produce greater satisfaction for victims' ” prison is used as a punishment. People often do not learn from their actions as we see by  $\frac{2}{3}$  in prison go back within 3 years of their release this causes an influx of people in and out of prisons, and a higher recidivism rate which gives people more opportunities to be abused

and mistreated in prison and will cause them trauma when prison itself is already traumatic, and cause them to not think right of their trauma when they get out and do something to get them back into prison.

An article states “Restorative justice usually happens after the convictions while they are in prison” but could it have happened instead of prison? If someone stole diapers you would not think they should go to prison because they were most likely wanting to buy diapers for their baby and did not have enough, but cops may not feel that way. In this case instead of going to court and having all these fines she should do a restorative justice circle where they can also get her help for her situation. Restorative justice can also help reduce discrimination from happening against POC in the justice system. If a POC did something to break the law or even not break the law, they would most likely get a severely unfair sentence, but now they can do a restorative justice circle which is way less severe than court or prison.

In conclusion, there are many differences between restorative justice circles and courts. Court is used as a punishment with no goal of helping them repair or learn from their actions whereas the Restorative justice circle's main priority is helping repair the harm done and allowing the person who did the action to see the harm that was done giving people more opportunities to learn from their mistakes and not go into the 66% of people who go back to prison.

### **Reference page**

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