

## Circles for Safe Streets: Driver Accountability Through Restorative Justice

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Circles for Safe Streets, a pilot project of the Center for Court Innovation in partnership with Families for Safe Streets, addresses the harm caused by the hundreds of lives that are lost or permanently altered each year due to traffic violence in New York City. Guided by restorative justice principles, Circles for Safe Streets provides support to both victims and defendants, as well as accountability for drivers by requiring them to confront the harm they have caused and work towards preventing this harm from reoccurring. The program is intended to serve as an alternative-to-incarceration or as mitigation for cases in criminal or supreme court that involve a vehicular-related serious injury or fatality.

### Core Elements

Each Circles for Safe Streets process is unique based on the case and the needs of the harmed party. For the process to begin, the parties must agree to a disposition in advance. Once commenced, core elements of the program model include:

#### Driver Accountability and Support

After a driver is screened and accepted for the program, a restorative justice facilitator will guide them through a process to: come to terms with what happened and the gravity of its impact; identify their behavior or action that led to the crash; own responsibility in the face of other contributing factors (such as poor street design, environmental conditions, or other factors beyond the driver's control); process having caused an unintended death, and the attending remorse and shame, and identify how they will work to prevent future traffic violence. These sessions will prepare the driver to participate in an accountability circle with either the harmed party, or a representative (such as family or friend) of their choice, or a directly impacted

community member (someone who has had a similar experience), such as a member of Families for Safe Streets. The defendant's obligations to complete the restorative justice process include meaningful participation in:

- A minimum of 5 preparatory sessions with a restorative justice facilitator that last from 90-120 minutes each;
- The Center for Court Innovation's Driver Accountability Program, a 90-minute group-based intervention with other drivers who have been charged with vehicular offenses;
- One assessment session with a case manager or social worker to assess for any additional needs;
- An accountability circle session (up to 4 hours);
- The completion of a reflection statement shared with the court parties about what they took away from the process and how they will work to prevent future harm; and
- One debrief session with the facilitator where the driver will be referred to additional resources on a voluntary basis.

Once the above is completed, the driver will receive the previously-agreed-upon disposition.

### **Victim Support and Engagement**

Firstly, Circles for Safe Streets' staff help victims identify the myriad needs that have arisen as a result of the crash. Victim participants who want additional support are referred to Families for Safe Streets, the Center for Court Innovation, or other partner agencies for more intensive case management where they will be connected to providers for long-term counseling, medical treatment and other specialists, and general assistance and advocacy to obtain victim compensation as well as other benefits they may need. They will also be offered voluntary participation in monthly support groups and connection to a Families for Safe Streets peer mentor.

Secondly, victims are offered space to process their grief in the aftermath of the crash with their loved ones. This process includes preparation with each person who has been impacted and wants to participate, followed by a restorative justice circle process to:

- Memorialize the life of the person lost;
- Collectively process the impact of that loss or the injuries that were sustained;
- Identify additional support that is needed; and
- Make collective decisions related to the crash.

Finally, restorative justice facilitators engage victims in a conversation about the accountability circle, answering whatever questions are necessary for them to decide whether and/or how they wish to participate in it. They may opt to participate in person, write a letter or send an ambassador on their behalf. If the victim(s) choose to have a face-to-face dialogue with the driver, the facilitator will prepare each victim-participant beforehand where they will identify the people who will support them in the circle and after, as well as their goals and expectations for the conversation. These preparatory conversations are essential to protect victims from re-victimization and empower them to speak their truth, and helps facilitators create the most meaningful and beneficial experience possible.

After the accountability circle and regardless of their direct participation, victims are offered the opportunity to receive a copy of the driver's reflection paper. All participants will meet with a facilitator to debrief and identify any further support that is needed.

### **Accountability Circle**

The Circles for Safe Streets process culminates in the accountability circle, though victim involvement in the circle (as detailed above) may vary from case to case. The driver and victim(s) (or victim representatives) are invited to bring support people to the accountability circle, such as a friend or loved one whose presence brings them comfort and who can help support that individual during the accountability circle and in its aftermath. During the circle, victims (or their representatives) have an opportunity to convey the life-changing impact of the crash on their lives, ask questions of the driver, express feelings of anger, pain, and grief, receive empathy and compassion, and potentially reduce some of the symptoms of victimization through the empowerment the process offers. Drivers take accountability for the harm they caused by coming face-to-face with those they have impacted, telling the truth of what happened, apologizing, expressing remorse, and committing to how they can work to prevent future harm. Participants may discuss actionable steps the driver can take, but these will not be limited to the life of the case or be monitored by the program. All participants are supported in identifying ways they might move forward in a positive direction. Two restorative justice practitioners facilitate the conversation, which can last anywhere from two to four hours.

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### **For More Information**

Hillary Packer  
646.329.4353  
Email: [hpacker@nycourts.gov](mailto:hpacker@nycourts.gov)

To make a referral: [bit.ly/CirclesSafeStreets](https://bit.ly/CirclesSafeStreets)