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The Essential Role of Human Service Nonprofits in Restorative Justice Policy Implementation

https://doi.org/10.1515/npf-2022-0040
Received September 22, 2022; accepted August 14, 2023

Abstract: Evidence demonstrating the essential role of human service nonprofits in restoring justice to communities has led to an increased need in understanding how these nonprofits view their service delivery role in relation to the state in a restorative justice context. Despite the increase in funding dedicated to restorative justice programs and increased collaborations between states and nonprofits, few studies have explored perceptions of collaborative restorative justice roles in state-led initiatives. This exploratory qualitative study uses semi-structured interviews to understand how leaders in these programs view their organization’s roles in restorative justice implementation. The analysis evaluates the variations in perceptions among nonprofits leaders as well as the differences in perceptions between nonprofit versus public managers/policy makers. Results indicate that nonprofit leaders and public managers/policy makers view nonprofits as pivotal to restorative justice policy implementation given their capacity to engage in grassroots problem-solving and develop strengths-based programs.

Keywords: restorative justice; policy; nonprofits; state; perceptions

1 Introduction

Human service nonprofits (HSNPs) are uniquely positioned to understand community dynamics and concerns due to their historic ties within communities and expertise in service delivery (Bell, Fryar, and Johnson 2021). These strengths allow for HSNPs to gain trust from local communities and the public sector while advocating for equitable societies (Bell, Fryar, and Johnson 2021; Hwang and Suárez 2019)

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through a strengths-based approach (McKnight and Kretzmann 1993; Saleebey 1996). Decriminalization of cannabis and restorative policies designed to advance social equity in some states have allowed HSNPs to apply these skills in their communities by providing agencies with freedom to interpret and implement legislation in communities impacted by over-policing, the War on Drugs (WoD), and high incarceration rates (Adinoff and Reiman 2019; Kilmer et al. 2021). As HSNP leaders often utilize restorative justice (RJ) practices in programs and services, they are essential to the development and delivery of RJ initiatives by state and local governments (Walker 2012). This article draws from Kirkwood’s (2022) practice framework for RJ which details the values, principles, assumptions, and guidelines for intervention necessary for RJ practices and uses Asadullah and Morrison’s (2021) findings of the crucial role of community involvement to define RJ. We define RJ as the process where victims, offenders, communities, nonprofits, and government agencies develop intervention, recovery, and reintegration strategies for addressing harm created by offenses and government reactions. This definition emphasizes the importance of various actors in implementing RJ.

Applications of RJ are often seen in HSNPs as they are embedded in communities and understand problems plaguing impacted populations (Van Ness and Strong 2014). While these agencies are not alone in their use of RJ practices, their unique ability to engage with communities, disseminate information on initiatives, and establish programs and practices utilizing a social equity lens is unmatched (Karp and Frank 2016; Van Ness and Strong 2014). Despite RJ’s intrinsic connection to offenders and incarceration, few are offered the opportunity to address offending behavior or circumstances during incarceration. Most RJ programs and services are offered to incarcerated individuals post-release (Social Exclusion Unit 2002). As these RJ opportunities are absent during incarceration, state governments rely on HSNPs for the implementation of RJ initiatives (Karp and Frank 2016).

Though the roots of RJ lie in primeval legal systems, the concept did not acquire a foothold in the United States (US) until the late 1970s when RJ was first applied to juvenile criminal justice practices (Van Ness and Strong 2014). RJ programs have had limited application and have been primarily developed for youth offenders to reduce inhumane treatment (Adelman and Taylor 2007). Previous literature indicates the success of RJ programs at reducing recidivism, increasing emotional stability, and repairing harm done to individuals and communities (Adelman and Taylor 2007). As a result, policies targeting communities impacted by over-policing, the WoD, and disproportionate incarceration rates have increased (Gerkin et al. 2017). As empirical evidence verifies the essential role of HSNPs in restoring justice to communities, understanding how HSNPs view their service delivery role in relation to the state is warranted (Dzur 2011; Kilmer et al. 2021; Mason, McDougle, and Jones 2019). Despite reliance on HSNPs for RJ programming, literature on the perception of HSNP
leadership has been unexplored in the RJ literature. This study addresses this gap by exploring how nonprofit managers/public managers/policy makers perceive their restorative justice roles in state-led initiatives.

A term coined by President Nixon (1971), the WoD refers to the US government’s efforts to reduce use of illegal substances through prison sentences and punishments for drug use and possession (Jensen et al. 2019; Schultz 2018). Ending around 2004, research shows that the WoD failed to reduce drug use (Schultz 2018), disproportionately impacted African American and Hispanic communities, and damaged support systems and family units (Jensen et al. 2019; Rosino and Hughey 2018). With HSNPs engaging with overpoliced communities and WoD policies (Adinoff and Reiman 2019), they are aware of the impact of these policies on communities. The movement towards RJ practices reflects a willingness by state governments to engage in community healing and rebuilding by advancing social equity (Adinoff and Reiman 2019; Kilmer et al. 2021).

To address how nonprofit managers/public managers/policy makers perceive their restorative justice roles in state-led initiatives, this exploratory qualitative study examines one state’s policy to provide resources and equitable services to communities impacted by violence, over-policing, high incarceration rates, and overutilization of the criminal justice system as a response to community concerns (Cannabis Regulation and Tax Act 2019). The program utilizes funds obtained from cannabis tax revenues to provide funding for locally designed, and community-supported programs (R3 Restore, Reinvest, Renew 2022). This study investigates nonprofit and public perceptions of their role in delivering RJ services through semi-structured interviews of 20 service providers and public managers. The analysis evaluates variations in perceptions among service providers as well as the differences in perceptions of RJ roles between nonprofit and public managers/policy makers. Results indicate that both groups view HSNPs as pivotal to RJ policy implementation due to their innovative methods, engaging in grassroots problem-solving, and strengths-based programs and services.

This paper contributes to empirical knowledge on understanding the complexities of state and nonprofit collaborations. As social equity practices are necessary to dismantle oppressive systems, remedy inequities, and give voice to marginalized communities, it is essential to explore the perceptions of HSNPs to promote social equity and explore new revenue sources for RJ programs. Finally, it is a crucial step to acquire knowledge on how nonprofit organizations can contribute to democratic and social justice outcomes. We explore the literature on the role of HSNPs in implementing RJ policies, examine previous state and HSNPs collaborations, and provide an overview of the RJ programs. We then examine what RJ implementation looks like through a collaboration in one state, examine perceptions of the roles in service delivery, and discuss the implications of this study for nonprofit policy. By
examining perceptions in this service delivery role, we add insight to the gap of collaboration by examining individual, organizational and collaborative roles.

2 Restorative Justice

The US has a history of creating barriers and enacting policies which impact racially and ethnically diverse communities (Frederickson 2005; Hatcher and Hammond 2018; Wright and Merritt 2020). Support has grown for transformative intervention strategies for populations impacted by over-policing and high rates of incarceration (Gready and Robins 2014; Rice and Matthews 2014). Scholars have challenged that incarceration is an inescapable and necessary aspect of society and that prison reforms can improve problems and violence originating from the criminal justice system and carceral state, as both have been designed to increase incarceration (Davis 2003; Serotta 2021). With RJ practices aiming to transform behavior and restore communities, policy support for RJ programs has increased due to their ability to impact individuals, communities, and address state denial of wrongdoing (Gready and Robins 2014).

Though the goal of the criminal justice system is to rehabilitate, high incarceration and recidivism rates are evidence that the criminal justice system fails in its rehabilitation and reformation missions (Ganapathy 2018; Van Ness and Strong 2014). Even among youth offenders, rehabilitation methods often fail due to a failure to address the roots of delinquency (Goshe 2019). These methods ignore the damage committed by government entities whose policies, community surveillance, and over-policing practices (Gelman, Fagan and Kiss 2007), have been found to target African American and Hispanic communities (Ward 2018). Due to the success of HSNPs addressing these harms through RJ practices, support among public administrators and elected officials has increased (Roberts and Stalans 2004; Serotta 2021).

3 Policy Failure of WoD and Community Impacts

The WoD increased arrests and incarcerations due to drug related offenses but was unsuccessful at decreasing drug use (Gerkin et al. 2017). By the end of the WoD in 2004, drug use increased by 10 %, increased incarceration resulted in overcrowded prisons, and the illegal drug market became more profitable (Schultz 2018). Forty years of hard on drugs policies have had disastrous societal impacts including overcrowded prisons, an aging incarcerated population, death of individuals during drug raids and arrests, as well as devastated diverse communities (Benson,
Rasmussen, and Sollars 1995). Moreover, these policies increased societal inequities as increased incarceration rates reinforced stereotypes between racial groups, criminality, and social deviance (Jensen et al. 2019). To combat these costs and the disproportionate impact of the WoD, community-based agencies are essential in the efforts to heal and restore past harms (Dzur 2011). As HSNPs provide services to communities and individuals reentering society, their collaboration with state efforts in remedying inequities and repairing communities have been essential to successful RJ programs (Sloan 2013).

4 Role of HSNPs in Implementing RJ

In the U.S., HSNPs account for a large part of social and human services (Atouba 2019), are recognized as the voice of the oppressed, and are the largest providers of RJ programs (Mason, McDougle, and Jones 2019). Examples of RJ implementation have largely been explored outside the field of public administration and nonprofit management (Fronius et al. 2019; Lodi et al. 2022). Programs and policies utilizing restorative practices have embedded social equity in program development through community involvement, trust-based community engagement, and grassroots organizing to develop customized solutions to community problems (Dzur 2011; Kilmer et al. 2021; Mason, McDougle, and Jones 2019). Dzur (2011) reports over 400 victim-offender mediation programs, over 200 community board programs, and close to 100 family group conferencing programs using RJ practices within the U.S. using both state and nonprofit resources to carry them out. It is difficult to determine the amount of HSNP’s and state and nonprofit partnerships using RJ practices, as they are often unique formations dependent on the state and county systems (Dzur 2011). While collaborations vary, governments often provide the funding and nonprofits provide the service delivery (see Gerkin et al. 2017).

HSNPs are often used as service providers in these arrangements, capitalizing on their strengths-based approach combined with employing staff who share common identities with service populations, providing a foundation for building relationships (Gooden et al. 2018). McKnight and Kretzmann (1993) discuss how often low-income neighborhoods are examined from a community-based lens and treated accordingly based on perceived needs. This can lead to denying community-based wisdom and problem-solving capacities, negative effects for local leadership, increasing the cycle of dependence, and pushing the perception that outside expertise is needed (McKnight and Kretzmann 1993). By focusing on community networks and resources, community-based organizations can “begin connecting them with one another in
ways that multiply their power and effectiveness” (McKnight and Kretzmann 1993, p. 5). Using a strengths-based approach, HSNPs focus on a process that is asset-based, internally focused, and relationship-driven (McKnight and Kretzmann 1993).

Unlike rehabilitation programs which focus on short-term behaviors, medicated behavioral control, and temporary support programs (Goshe 2019), HSNPs often combine a Person-In-Environment approach, with community support services (Sharma and Gupta 2022), and RJ practices to build long-term support networks (Mannozzi 2019). As community needs vary, services may include supports such as temporary housing, mental health services, employment support, transportation, food benefits, and safe spaces for victim reconciliation meetings. These HSNP programs assist offenders reconciling with the primary victims of their crimes, but also victims who have experienced vicarious traumatization such as children and family members traumatized by abandonment, and/or those who witnessed a crime (Silard 2020). This approach highlights the reciprocal relationship between the individual(s) seeking services from organizations within their communities, while understanding that personal relationships that the individual has to draw resources from are influenced by the wider environment and their actions. Nonprofit organizations are often recognized as the resource broker connecting these individuals and communities to material, tangible benefits (Hwang and Suárez 2019). Viewing nonprofits as the “locus through which external resources flow to neighborhoods and communities” (Hwang and Suárez 2019, p. 92) through their use of partnerships and networks, highlights their community embeddedness and ability to address needs holistically recognizing the person in their environment.

Working with criminal justice-involved individuals and communities necessitates the use of Trauma-Informed Care (TIC). An approach with foundations in the feminist movement (Wilson, Pence, and Conradi 2013), TIC is an effective strategy for delivering services to individuals who have experienced trauma by reducing the risk of retraumatization through a “multi-agency public health approach inclusive of public education and awareness, prevention and early identification, and effective trauma-specific assessment and treatment” (United States Department of Health and Human Services 2014, p. 2). Successful provision of TIC during reentry and diversion requires agencies, providers, and communities to understand traumatizing factors in community environments and individual experiences “to make a paradigm shift from asking, ‘What is wrong with this person?’ to ‘What has happened to this person?’ and ‘how can we prevent retraumatization?’” (Buffalo Center for Social Research 2022, p. 1). As incarcerated individuals experience the trauma of incarceration and are more likely to experience Adverse Childhood Experiences (ACEs) (e.g. family violence and abuse) (Ellis and Dietz 2017), and poverty (Oudshoorn 2016), community support is needed to connect individuals in need to treatment services and build supportive community networks. TIC has had success being
applied to both reentry programs and youth programs (Harden et al. 2015; McKenna and Holtfreter 2021), correctional treatment programs (Levenson, Willis, and Prescott 2018), healthcare settings (Oral et al. 2016), and schools (Dorado et al. 2016). HSNPs providing access to services with TIC-trained professionals and connections to community resources is vital to successful reentry and essential for the development of a community support model.

5 State and Nonprofit Collaborations

Cross-sector partnerships, defined as “a process where various community organizations come together to collectively focus their expertise and resources on a complex issue of importance to a community they serve” (American Public Health Association 2020), are increasingly important to address the complexities inherent to decades of disinvestment and discriminatory policies (Shier and Handy 2016). R3 differs in its approach to community reinvestment compared to funder-grantee relationships as the program emphasizes the importance of collaborative community-based decision-making, equity, and local leadership (R3 Restore, Reinvest, Renew 2022). In R3, the state, despite providing grant funds to organizations, is viewed as a partner in community reinvestment. Collaborations between HSNPs and the state increase the ability of programs to create social value and better outcomes for those who participate as these partnerships work to overcome economic or political barriers (Shier and Handy 2016). Collaborative success depends on the structure of the engagement (role played and partnership involvement), alignment between partners (mission alignment and service approach), clarity of partnership outcomes (purpose), and interpersonal dynamics of partnerships (resources, commitment, and transparency) (Shier and Handy 2016). Research has also demonstrated the difficulty of smaller community-based nonprofits to collaborate due to limited resources and human capacity (Kim and Peng 2018).

Much of the literature of nonprofit collaboration has focused on the ability of the partnerships to rise to the level of social innovation (Kim and Peng 2018; Pol and Ville 2009; Shier and Handy 2016). According to Shier and Handy (2020), “the intention of social innovations is to create new opportunities and pathways for vulnerable social groups that help reduce … inequality and inequity” (p. 333). Pol and Ville (2009) explain social innovation as those ideas and activities that improve the macro-quality of life for a group of people, increasing life options and opportunities. Social innovations have been organized into constructs representing: (1) process-based innovations (address processes and
Relationships between states and HSNPs are incredibly complex as state and local governments rely on nonprofit organizations for the provision of RJ programs and services (Vaughan and Arsneault 2015). Contracting or providing grant funding for HSNPs has increased as governments have transitioned service delivery to HSNPs and private entities (Vaughan and Arsneault 2015). Despite the widespread use of the term of RJ, many HSNPs engage in RJ practices without stating so in their mission (Karp and Frank 2016). Though RJ language is often seen in the mission, vision, and goals, many engage in RJ practices to benefit the community without the focus being on “offender-oriented” services (Wood and Suzuki 2016). The lack of a common understanding of RJ yet the consistent use of RJ language, has resulted in a disconnect between HSNPs, states, and researchers (Karp and Frank 2016). Literature explores how successful collaboration between HSNPs and states are the result of common goals, common mission, and mutual trust (Brown and Troutt 2004; Vaughan and Arsneault 2015), allowing for HSNPs to focus on service delivery while maintaining high standards (Brown and Troutt 2004). In the absence of these factors, states operate as collaborators and regulators of programs and services. This is harmful for collaborations and negatively impacts HSNPs’ perceptions of collaborations with states (Juliano 2017). To explore the perceptions of those engaging in RJ practices, the next section of this paper explores the context of a RJ program of one state collaborating with HSNPs and public organizations to bring about RJ outcomes. The following section discusses the methods of the study, presents results, and concludes with a discussion of the implications of state/nonprofit partnerships in RJ for policy.

6 R3: Restore, Reinvest, Renew

In 2019 the Restore, Reinvest, Renew (R3) program (or Cannabis Regulation and Tax Act) was enacted in Illinois to restore harm to communities impacted by violence, high incarceration rates, and economic disinvestment through a collaboration between states and nonprofits (R3 Restore, Reinvest, Renew 2019). Funded by tax revenues from legalized cannabis sales, $28.3 million (25% of tax revenues) was dedicated to supporting the service delivery to RJ practices (R3 Press Release, January 21, 2021). The R3 program permitted both public and private organizations and local governments with evidence-based, community-based, and innovative RJ practices to apply for grant funding. Eligibility was based on organization location in relation to identified R3 zones selected by the Department of Commerce and Economic Opportunity. Zones were chosen due to rates of gun violence, child poverty,
unemployment, incarceration, and recidivism. Funding opportunities focused on areas of civil legal aid, economic development, re-entry programs, violence prevention, and youth development (R3 Restore, Reinvest, Renew 2019).

Grant funding was awarded to over 50 organizations. Grant recipients were primarily HSNPs but also included local governments, universities, and businesses. A further 20 entities received funding for future programs (Timothy Lavery, personal communication, October 21, 2021). Applications were submitted to the Illinois Criminal Justice Information Authority (ICJIA) and were reviewed by criminal justice practitioners, community stakeholders, and formerly justice-involved individuals were trained on application review and implicit biases (R3 Press Release, January 21, 2021). Furthermore, the Justice, Equity, and Opportunity Initiative provided support to ensure equity and RJ were embedded in the application review (R3 Press Release, January 21, 2021).

7 Data and Methods

As the pursuit of RJ by cross-sector collaboration is a newer area of research we employed an exploratory qualitative research design to examine the perception of collaboration roles. Managers were utilized to provide information about their role in the partnership. From August 2021 to January 2022, we explored our research question of nonprofit managers/public managers/policy makers perceptions of their RJ roles in state-led initiatives through semi-structured interviews. A semi-structured interview format was selected as it provides a consistency in methods and information obtained (Patton 2002). Two sample groups were created, (1) public managers administering the grant/policy makers who had developed the R3 policy (PM sample), and (2) leaders/managers of HSNPs or other organizations who were the recipients of R3 grant funding (SP Sample). Lists of potential interviewees were obtained from the R3 Program Board reports from October 2019 to June 2021 (PM Sample) (Office of Lt. Governor Juliana Stratton, 2019), and from the list of Service Provider grantees (SP Sample) obtained from Illinois Catalog of State Financial Assistance (2021).

Participants were recruited by phone followed by an email within the same business day. Both calls and emails followed an IRB-approved script. Recruitment phone calls were conducted from August 2021 to December 2021 and spaced approximately a month apart. If the interviewee showed interest and/or accepted, a participant email further explaining the study and informed consent form was emailed and a time scheduled for the interview with the authors. Interviews lasted 60 min and were conducted using ZOOM. Interviewees were asked for consent to record the interview over ZOOM with one in both the SP and PM sample refusing.
ZOOM recording and auto transcription. In the absence of recording and transcription consent, notes were typed during the interview. After each interview, the authors reviewed the interview transcription, watched recordings, and ensured that all details were captured correctly. De-identified transcripts were uploaded into Dedoose for coding. Questions included details about interviewee professional role, how they would describe the R3 program, challenges and successes of the program, and perceptions of R3 implementation. Interviewers asked follow-up questions for clarification of interviewee responses.

8 Sample

All who listed as having attended R3 Board Meetings (PM Sample) and all grantees (SP Sample) were invited to participate in the study. The PM Sample population included 58 individuals of both elected officials and administrative positions in state agencies. All 58 individuals were contacted with five interviews taking place for an 8.6% response rate. The SP Sample population included 48 nonprofit, public, or private organizations with 13 interviews taking place with a 27.1% percent response rate. We chose to interview this group of nonprofit and public managers as well as those involved in the policy process as they could provide us with a richness of information on the topic of RJ programs (Kuzel 1992). Our focus is on the five public manager/policy makers and 13 nonprofit managers.

9 Analysis

We provide an analysis of interview data from a purposeful sample to identify information-rich and varying cases related to the phenomena of interest (Merriam and Tisdell 2016). This sample can “highlight what is typical, normal, and average” (Patton 2015, p. 268). The first three interviews were selected based on a typical nonprofit to reflect the core common characteristics of interest to develop themes and codes (Merriam and Tisdell 2016). Authors met to standardize a data analysis process followed by open inductive open coding where data was first identified heuristically and as the smallest unit of information that is interpretable (Lincoln and Guba 1985). Data was then independently axially coded into themes from the transcripts via Dedoose software. Authors then met to discuss and finalize the list of themes. An independent researcher was used to reconcile coding disagreement or ambiguity. After the initial coding process, remaining interviews from both samples were coded and further themes were added. Thematic saturation was reached in the SP sample as new themes were added less and less in analysis to eventually reveal
similar insights (Green and Thorogood 2004). The PM Sample was limited to five interviews as individuals contacted declined to participate. During interviewing and analysis, it was clear the PM Sample had received similar training and delivered similar talking points except for personal experience of motivation for RJ practices.

During the review process, authors were encouraged to enhance the framing of their research to better situate the study within the scope of collaborative literature. Authors developed a structure to perceptions by examining the individual role and receptiveness of public managers, the perceived RJ role of the organizations, and the collaborative role of the organizations and managers. This structure guided a new round of coding influenced by categories present in the literature. This inductive to deductive approach to qualitative research is recommended to help evolve the understanding of phenomena such as innovation and to help focus the analysis (Merriam and Tisdell 2016).

The authors acknowledge their reflexive position in this study. The first author is a trained social worker with a professional background engaging with law enforcement and developing integrated response teams with no affiliation to the R3 program. The second author works in a nonprofit organization that received an R3 grant. As a white female from a rural downstate community, she also has differences as well in understanding the particular barriers faced in many of these communities within the R3 zones. The researchers prescribe to a constructivist lens as we are “interested in understanding the meaning [of] a phenomenon for those involved” (Merriam and Tisdell 2016, 24). Through examining the perceptions of RJ through the R3 programs we are interested in how participants interpret their experiences, their worldviews, and meaning they attribute to the experience of being an R3 participant (Merriam and Tisdell 2016).

10 Perceptions of the R3 Program

To explore the research question how do nonprofit managers/public managers/policy makers perceive their restorative justice roles in state-led initiatives?, this study examines how community leaders in SP leadership roles and state policy makers/managers view their roles relating to RJ. As the R3 program provides funds for the development of community-based RJ services and programs (R3 Restore, Reinvest, Reinvest 2022) examining these perceptions allows us to explore the (1) receptiveness of managers to engage in RJ work, (2) the role of HSNPs in RJ, and (3) how managers perceived their role in collaboration and what contributed to its success. Therefore the findings are divided into (1) managerial, (2) organizational, and (3) collaborative perspectives. Viewing the roles at these levels helps to provide a
look into cross-sectoral collaborations involving multiple community partners working together to achieve common goals.

10.1 Managerial Findings: RJ Receptiveness

Two out of the 13 in the SP Sample and three of the five from the PM Sample reported either having a professional (career interest aligning with organizational mission), or a previous personal experience (e.g. formerly incarcerated, personal recovery from substance use, etc.) motivation for engaging in RJ work through R3. “I am formerly incarcerated myself. I use this lens to create safe spaces for justice impacted people.” (PM#1) These experiences were reflected in participant receptiveness and evolving understanding of the R3 program’s mission and goals during R3 implementation. Reception of RJ was present in seven of 13 interviewed in the SP Sample and two of the five from the PM Sample. Respondents from the PM Sample discussed how administration of the R3 grant resulted in the evolution of their understanding of RJ from the individual level to understanding how RJ can impact whole communities.

I’ve grown to see it now as more of a societal and policy dimension as well beyond just the restorative justice of one person to another, but … deliberately through our policies, passing legislation … for the society at large to restore a group that it has harmed. (PM#5)

Participants from the SP Sample (n = 6) reported being much more familiar with RJ due to their high level of community engagement. These respondents felt that the emphasis on RJ was an overdue indication that the state understood the importance of restorative work being performed by agencies in communities.

… We hoped, there would be a little revenue … that we thought could be invested back into the community, and we really believe that those dollars needed to be invested back into the communities that were most impacted by drug war policies and by policing and our criminal justice approach to substance use. (SP#29)

Criticisms of the concept of RJ and receptiveness to the R3 program were also seen in both samples. One respondent from the PM Sample described the uncertainty in RJ and initial uncertainty of how to measure and define RJ during evaluation processes (PM#4). SP Sample participants indicated lower levels of optimism about the partnership compared to those in the PM Sample. As SP Sample participants were more likely to live and work in disinvested communities, they reported skepticism that the state who “cause[d] the most damage [to the communities]” (SP#34) during the WoD and provided limited assistance during the COVID-19 pandemic, was now invested in restoring communities.
10.2 Organizational Findings: HSNP’s Role in RJ through Strengths-Based, Community Embeddedness, and TIC

Perceptions of innovation were described by 12 in the SP Sample and by all in the PM Sample. Innovation in this study is examined as those programs that help enhance macro-quality of life. These perceptions were further broken into categories reflecting the nature of the policy to allow for strengths-based programs, TIC, and community support. Strengths-based programming was reported in nine in the SP Sample, and discussed by two in the PM Sample. References to principles expressed in TIC occurred in three of the SP Sample, and two of the PM Sample. Use of community networks was described in eight SP interviews, and two PM interviews.

The first category of strengths-based programming reflected a process-based innovation of the policy (Shier and Handy 2016) to fund community-based programs and engage in grassroots problem-solving rather than traditional top-down restrictive grant funding with parameters set by the state. This allowed HSNPs to rely on their relationships with the community for the agenda-building and problem-solving, as well as utilizing their already existing assets, resources, and networks. Organizations appreciated the less restrictive environment of the grant and ability to tap into existing strengths. They discussed the attention and desire of the policy to have them provide focus groups, engage community leaders, and community collaboration to develop their program ideas.

We don’t often have opportunities … to build a program that fits what your individual community needs are and a lot of what we see with grants that come through from the state are that they have very strict parameters … that’s what is so unique about the program is that, rather than assuming kind of a one size fits all approach … we were able to develop our own R3 program. (SP#64)

From the PM Sample, respondents reflected the notion of relying on the community for input, problem-solving, and program development. PM#3 discussed that the R3 policy was developed with an equity lens by addressing real impacts of racist policies, providing anti-bias training for reviewers, and identifying those with lived experiences as experts to help create the policy. These efforts embraced community collaboration utilizing existing strengths and knowledge in communities compared to a top-down state policy development and implementation process.

We hear all the time, people say groups come in from outside and they say we are going to provide this type of violence prevention service, but they don’t live here, and they don’t know what we already have, or what we really need. So our hope with R3, is that these individual organizations and communities, use their own knowledge, and do use our resources to do what they need to do, rather than just what we tell them to do. (PM#5)
The second category of perceptions of innovation involved a *product-based* innovation, adapting existing programs and services to address individual and community factors more holistically through community embeddedness, collaboration, and networks. R3 emphasized the importance of the use of networks, collaboration with other organizations, and the level of community engagement as criteria for awarding grants.

From the beginning, have had an option for applicants to apply directly as part of a collaborative of organizations instead of applying as one single organization. So we hope that not only increases the incentive for them to collaborate, but also reduces those barriers to entry because a smaller organization might not have to put a whole application together on its own. (PM#5)

The SP sample discussed expanding their networks and partnerships within the community as a result of this policy. This helped to provide more integrated services from “cradle to career” for target populations (SP#56). Overall, this focus on community networks of the R3 policy has helped organizations capitalize on new and existing partnerships to provide better services.

The third aspect of innovation is through the ability of these programs to utilize aspects of TIC. Interviews provided evidence that community-based approaches that incorporate TIC have mended relationships between the state and communities. One agency commended the state for “recognizing the history of lack of investment, a history of racial and environmental and other marginalization on a horrific level” (SP#55). Through the approach of R3, interviewees mentioned a reduction of the stigma associated with criminal justice involvement (SP#72) stated, “The way that we’ve approached substance use and mental health, there’s been so much stigma over the years and the traditional models are focused on abstinence and criminalization. So we really flip it on its head and we focus on improvement and positive change, and people as humans.” The innovative nature of TIC recognizes the paradigm shift from criminalization to a more humanistic approach, addressing systemic and environmental factors. This *socially transformative* innovation increases public awareness of past harm and trauma, and represents a future commitment to address individuals in a trauma-informed manner (Shier and Handy 2016).

### 10.3 Collaborative Findings: Effective Collaboration Factors

As cross-sector partnerships are inherently complex, we explored successful collaborations using Shier and Handy’s (2016) framework. Success of these collaborations to depends on the structure of the engagement (role played and involvement in partnership), alignment between partners (mission alignment and service approach), clarity of outcomes for the partnership (purpose), and interpersonal
dynamics of partnerships (resources, commitment, and transparency) (Shier and Handy 2016). Due to previous discussion of range of stakeholders and to avoid potential identification of participants in the small sample size, “range of stakeholders involved” from Shier and Handy’s (2016) structure framework definition was removed.

10.3.1 Structure, Roles, and Partnership

Respondents reported having various roles relating to the R3 program (see Tables 1 and 2). Discussions about the partnership between collaborators were seen in both the PM Sample (four of five) and SP Sample (12 of 13). Both samples discussed the need for additional staff with specific mentions of using or needing funds for hiring grant writers, supervisors, community liaisons, and grant administration staff. SP Sample respondents reported using funds to hire additional staff while experiencing difficulties meeting reporting requirements. PM Sample respondents reported struggling to meet the level of communication and involvement needed for the R3 program.

These grants … involve a lot of administrative work … We have once a week meetings where everyone [in the agency] sit[s] down … I communicate with our grantees regularly. There’s not probably a single day that goes by where I’m not in a meeting with one of them (PM#5).

Table 1: Characteristics of public manager/policy maker (PM) sample.

<table>
<thead>
<tr>
<th>Participant</th>
<th>Policy maker</th>
<th>Public manager</th>
<th>Position description</th>
<th>Focus</th>
<th>Experience in RJ</th>
</tr>
</thead>
<tbody>
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<td>PM 1</td>
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<td>Justice/equity</td>
<td>Practitioner</td>
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This high level of reported involvement by those in the PM Sample indicates a perception of a higher need for investment than what is currently occurring in disinvested communities.

We got almost 400 applications. And we have [80 spots]. So we knew there were going to be a lot of folks that weren’t going to be successful … there were some strong applications that did not get funded … (PM#2)

SP Sample respondents’ perceptions of the state and its administration of the R3 grant were varied. Many of the respondents described appreciation for administrators from the state who answered questions, developed trainings, and provided support as agencies started to implement their programs “[They] understand that we’re a new organization, working with their grant for the first time, so they’ve been extremely supportive. They’ve offered several trainings, which has been [great]” (SP#56) While around 80 % of SP respondents reported satisfaction with the state and its administration of the R3 grant, SP respondents who reported decreased satisfaction discussed a lower level of support provided by the state for their organization. These differing examples of level of support speak to variation that can happen within the devolution of the program to local entities.
10.3.2 Mission Alignment and Outcome Clarity

The significance of mission alignment among partners was reflected in both the SP (13 of 13) and PM Samples (three of five). Perception of mission alignment and flexibility in service approach was prevalent in the SP sample as all respondents indicated that their organization had applied for R3 funding due to the alignment with their organizational mission. SP Sample respondents reported the emphasis placed on community organizations as being important for the provision of RJ services. “I think the fact that they’ve worked well with us, as an organization goes leaps and bounds. And they center the smaller organizations like us, as opposed to the large public health departments, or the larger systems” (SP#56). Focusing on existing strengths in the community and allowing for grant recipients to use funding in the ways that they determined were best allowed for funding recipients in the SP Sample to establish long-term relationships and investments in the community. SP respondents discussed how R3 funds and goals allowed for programs that addressed the whole person by reducing barriers, providing incentives, and understanding the effects of trauma, all of which aligned well with HSNPs’ already existing missions and goals.

The ability to understand that there’s a certain amount of trauma that’s experienced in underserved communities like ours that we serve. And the ability to offer the social and emotional learning component for [the population] … our model is that once we provide [the service] … that is not where our relationship ends with them, that is where our relationship begins (SP#31)

Common mission, goals, and the importance placed on funding flexibility for service approaches was reported by those in the SP sample as 12 of 13 respondents reported that the R3 program flexibility in service provision encouraged “direct service providers to be more creative, more responsive, and more nimble and respond in a way that has a better chance to be effective, and that restores, hope, energy” (SP#39).

Respondents in the PM sample (three of five) discussed how common mission and goals reduced barriers for smaller organizations. PM Sample respondents reported prioritizing equitable application processes for first-time grantees by extending deadlines, providing technical assistance, and coaching for first-time grant recipients. The emphasis on community strengths and embeddedness, flexibility in service provision, and understanding of common outcomes was seen in the outcomes of the R3 program with seven of 13 in the SP Sample and three of five in the PM Sample reporting success in the provision of RJ services.

10.3.3 Interpersonal Dynamics

The community’s perception of the R3 program was mentioned in five of the 13 SP Sample interviews and were mixed. Respondents discussed tensions between the
state and the community due to the disproportionate impact of the WoD on their communities and higher incarceration rates. SP respondents detailed that many were skeptical of the impact that R3 funding would have in their communities as they felt that the state was forced to invest in communities due to past inequities surrounding the cannabis licensure awards.

I think that it was something that the state had to do because of the inequities around being able to garner the licensing for the cannabis sales. And I think there were some promises made around minority groups, having the opportunity to secure licenses that weren’t met…. my understanding is that this was a response to the outcry around the inequities. (SP#31)

Respondents felt that the R3 funding was beneficial for their communities but were skeptical as they had been promised funding from the state before that never came. “It is happened a few times and every time I think about really applying to something. Somebody gets it and then I hear nothing else about it” (SP#67). SP respondents explained that there had been conversations of whether funding programs and services in impacted communities was the right way to reinvest in disinvested populations. “You know, even when we have conversations between people who will say … community level reparations meaning investments in the communities themselves are not the way to go … just cut people checks.” (SP#29). Despite the mixed perceptions, the SP sample seemed to remain hopeful about the future of R3.

Two of the PM Sample discussed critical perceptions of others in regards to R3 partnership. Respondents voiced concerns over the state’s continued harmful practices and the need to identify actions of harm to specific communities. Both also expressed a hope in R3 policy through the RJ framework to approach issues in new ways.

Everyone thinks something could have been done better, done differently. To my knowledge, this is the first time something like this has been attempted in IL. But there are some who feel that this could have been done not differently, more equitably, more effectively, but I think that it has been a very helpful framework. (PM#3)

11 Discussion

This exploratory qualitative study addressed how policy makers/public managers, and service providing grant recipients view their organization’s roles in RJ implementation. At the individual managerial level, we found that both samples were open to meaningfully implementing RJ into policy and service delivery. Although both samples were receptive, the SP Sample reported more RJ experience,
while the PM Sample reported having two RJ experts and three professionals with evolving RJ competencies. While the PM Sample reported higher partnership optimism, the SP Sample reported higher levels of skepticism. We feel this is a unique opportunity for state and HSNP collaborations to address long-standing injustices, as the public and government have been slow to recognize the importance of community-based interventions (Karp and Frank 2016). Findings indicate that the state made intentional efforts to gather feedback, engage those with lived experiences, develop board oversight during policy creation, and gathered feedback from some SPs in our sample for creation of this policy. This allowed for legislative access for many of these HSNPs to help influence decisions regarding the shaping of this policy (Riegel and Mumford 2022). As most nonprofits rely on insider or outsider tactics to advocate for marginalized communities, this policy opportunity allowed them to have a voice during decision-making processes.

Organizational level findings show that the R3 policy was perceived to be innovative due to its ability to address multi-facets of innovation (Shier and Handy 2015). Findings indicate many HSNPs use a strengths-based approach and TIC as a way to isolate the individual from the systemic barriers they have faced using an ecological systems approach (Bronfenbrenner 1992). Many of the HSNP leaders interviewed mentioned their programs were not intended to be groundbreaking, but were designed to capitalize on strengths of the communities and to improve partnerships for process-based and product-based innovations. Further, this policy and subsequent programs aim for socially transformative outcomes, to bring awareness to past injustices and as a state to recognize past harms of policies. Allowing HSNPs to advocate on behalf of marginalized populations and to engage community stakeholders during problem-solving (Riegel and Mumford 2022) serves to negate further harm and restore previous damage from WoD and disinvestment.

At the collaborative level, respondents in both samples indicated needing increased staffing resources to meet the administrative requirements. This was reported due to the high level of engagement between the two samples and limited number of agencies that could be funded. Another factor resulting in the high level of engagement and the increased need for staffing resources was reflected in responses about needing to hire specific staff members for grant writing, evaluations, and/or reporting. Learning costs were also reflected in the interviews as previous lack of grant funding among agencies in disinvested communities helped contribute to inexperience in grant writing. These findings reveal that increased outreach and access for community-based agencies is needed for future RJ policies. As a third (n = 5) of respondents in the SP Sample reported being first-time grantees coupled with the high level of involvement in communicating with grant recipients, future RJ policies and programs are recommended to allocate additional funding for the administrative duties necessary for both public managers and service providers.
This brings these community-based organizations into new territory, not in terms of practice, but receiving the crucial funding, resource investment, and capacity-building needed to address inequities in communities (Hwang and Suárez 2019; Varkey et al. 2022).

Due to the flexible nature of the R3 program, service providers were able to adjust or incorporate pre-existing programs or develop new programs that they lacked funding for previously. Respondents in the SP Sample reported that the R3 program design and funding allowed them to stay mission-focused and use their already existing strengths to accomplish both their own and state objectives. PM and SP Sample respondents both mentioned these less restrictive programmatic elements and open parameters decided by the organization to assess success as a hopeful model of policy and grantmaking for other states that could lead to better outcomes. RJ policies and future implementation are recommended to further prioritize marginalized communities as it helps to empower the community-based organizations and those they serve.

Though the R3 program was passed to reinvest in disinvested communities harmed by the WoD and over-policing, respondents in the SP Sample indicated that they were skeptical of the long-term impact of the R3 program but were hopeful for positive results. Respondents had mixed beliefs concerning if the state was truly admitting past wrongdoing or if the R3 program was a response to social pressures. As RJ emphasizes remedying past harm through an admission of wrongdoing, these findings demonstrate that while HSNPs are appreciative of the admission there is still more work to be done to repair relationships. Some respondents reported inequities during the distribution of cannabis sale licenses and skepticism of states’ goal to remedy harm done to communities. Though grants were awarded for specific aims, grantees were provided with the opportunity to use grant funds in the ways which would best impact their communities. These findings demonstrate that devolutionary policy practices have the potential to repair relationships, and increase both trust and positive engagement with communities.

12 Conclusions

HSNPs are essential to the development, delivery, and implementation of RJ programs (Walker 2012). This exploratory qualitative study examined an RJ initiative to determine how HSNPs view their service delivery role in relation to the state through semi-structured interviews of 13 service provider organizations and five public managers/policy makers. Analysis provided evidence of variations in perceptions among HSNP leaders as well as differences in perceptions of RJ roles between HSNP leaders and public managers/policy makers. Assessing the perspective of HSNP’s on
the impact of restorative justice programs contributes to the understanding of service providers not only as a grantee in the state collaborative relationship, but as an active and equal partner engaging within the policy formation and implementation.

Limitations in this study concern the small sample size. Though the entire population was provided with an opportunity to participate in the study and thematic saturation was reached as defined by “when further observations and analysis reveal no new themes” (Green and Thorogood 2004), we acknowledge that the limited responses due to self-selection and high rate of bureaucratic turnover in the PM Sample mean that views presented may not be representative of the entire population. This state initiative can be used to inform future research with the caveat that each state and initiative must be understood within the context of its own state, laws, history of disinvestment, and the level of surveillance and policing of marginalized communities. These findings are self-reported and could be strengthened in the future with measurable data and outcomes. Future studies of this nature should include surveys prior to, during, and after implementing similar initiatives to accurately assess how perceptions change. With the pivotal role HSNPs play in RJ, researching outcomes of these policies over time and comparing how other RJ policies are being conducted across the US would be beneficial to strengthen the knowledge of how RJ can be effectively pushed through the policy agenda, formation, and implementation stages.

Bibliography


