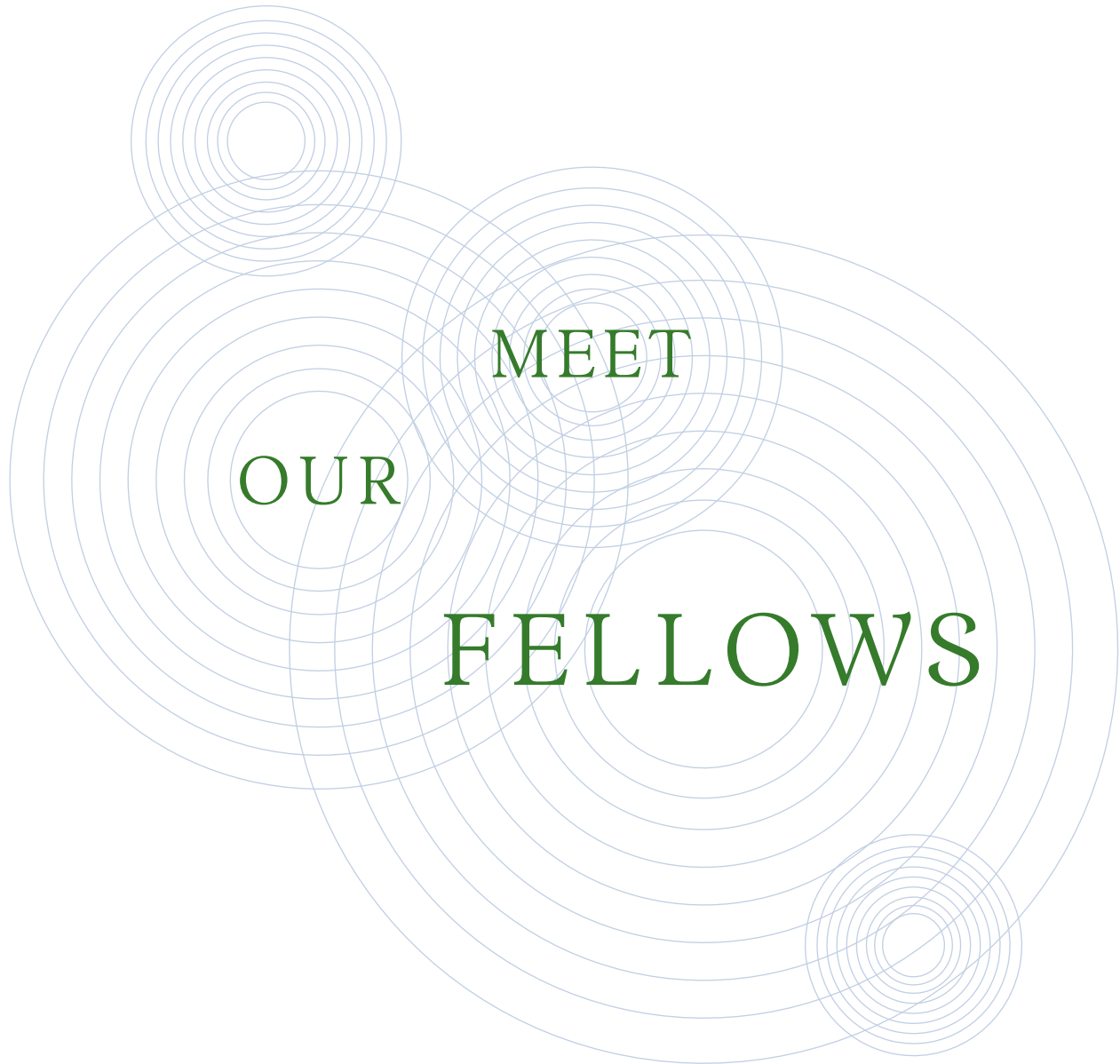




THE STONELEIGH FELLOWS PROGRAM



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DANIELLE SERED

ACKNOWLEDGEMENTS

We acknowledge and thank Bernardine H. Watson, the author of this article, who tells an inspiring story about Danielle Sered. Ms. Watson interviewed Ms. Sered and wrote this profile based on their conversations. This is the fifth in our series of “Meet the Fellows” profiles. The series is intended to provide readers with stories that describe our fellows’ motivation, goals and the philosophies that drive their work.

Ms. Watson is a social policy consultant living in Washington, D.C. She writes for and provides strategic advice to foundations, think tanks and nonprofits.



DANIELLE SERED

Fellowship Project: Common Justice: A New Solution for Violent Crime

“We’ve established a response to harm that all too often doesn’t serve anyone.”

This is what Danielle Sered has to say about the criminal justice system in the United States. She says she might feel differently if our justice system made things better for victims of crime. But from what she’s seen, “it doesn’t.”

Growing up in Chicago in the 1980’s, Sered saw first hand how damaging the cycle of incarceration can be. “I saw people going away, coming back home and going away again. I saw people harmed, I saw people commit harm. I saw outrage and sadness from the people committing crimes as well as from the victims of those crimes. I remember thinking — this is crazy.”

In spite of those childhood experiences, Sered’s been fortunate and she knows it. “I know I’ve been privileged over other people,” she says. “Many doors were open for me simply because I was a white kid.” After high school, Sered went off to Emory University on a scholarship and received a BA in English with highest honors. Next she received a Rhodes scholarship, which she used at Oxford to earn a MFA in European Literature. Sered smiles slightly at these accomplishments and says only, “I was on track to become a fancy academic.”

“I ALWAYS THOUGHT I’D BE AN ACADEMIC AND DO COMMUNITY WORK ON THE SIDE,” SHE SAYS. “BUT I BEGAN TO REALIZE THAT IT’S THE COMMUNITY WORK THAT BRINGS ME JOY — THAT GIVES ME PURPOSE.”

But the experiences of Sered’s childhood never left her. While pursuing her academic goals, she looked for ways to work in the community, often combining her interest in art and literature with her concern for troubled youth. As early as high school, she worked on projects that used the arts in conflict resolution. While at Emory, Sered founded and directed Arts Reach, a project that used art as a tool for working with youth in Atlanta’s inner city schools, gangs and juvenile justice centers. In 2002, after her studies at Oxford, she took her “fancy degree” and headed for New York City. There Sered designed and supervised programs for court-involved and recently incarcerated youth at the Harlem Community Justice Center’s Youth Justice Project. She developed creative writing workshops for juvenile jails and prisons through the Pen American Center, an international literary and human rights organization. She also earned a MFA in Poetry from New York University.

Sered admits that at some point on the road to academia she realized she was on the wrong path. “I always thought I’d be an academic and do community work on the side,” she says. “But I began to realize that it’s the community work that brings me joy — that gives me purpose.” In 2006, after several years of thinking about the need for an alternative to prison, Sered took her ideas for a participatory justice initiative to the Vera Institute of Justice and they hired her to begin planning Common Justice. Initially, however, Vera asked Sered to serve as interim director of Community Services for their Adolescent Re-entry Initiative. In this role, she designed and supervised services and activities for youth — primarily young men of color — who were re-entering the community from Riker’s Island jail. Sered’s commitment to developing a meaningful alternative to incarceration only intensified as she worked to help these young men overcome the enormous barriers to successful re-entry. In 2008, the Common Justice Demonstration Project was born.

Common Justice is an alternative approach to dealing with violent crime that attempts to foster healing in communities, promote equity and fairness in the delivery of victims’ services and diminish what Sered and other justice experts believe is our country’s over reliance on incarceration. Brooklyn, New York, was selected as the initial test site for the project because the District Attorney, Charles Hynes, has a national reputation as an innovator. About Hynes Sered says, “He is really among the handful of DA’s in the country that would be willing to take on something like this. He has the kind of vision and commitment to justice that a project like this requires.”

One of the first things you notice about Common Justice is the language used in the project. A key goal of the participatory justice process is to help crime victims, as well as those who have committed violent crimes, acknowledge the impact of violence on their lives and begin to heal. Sered is a firm believer that change and healing can begin with language. In Common Justice, victims are called “harmed parties” and those who have committed the violence are called “responsible parties.” The participatory process brings together the harmed party, the responsible party and other concerned community members such as neighbors, family members, girlfriends, clergy and others. These people work with a trained facilitator, often Sered, to address the harmed parties’ needs after the incident, reach agreements that provide sanctions for the person responsible for the crime and make things as right as possible for all involved. Common Justice staff follow the involved parties for at least a year to ensure that the needs of people harmed by crime are met and the terms of agreements are followed.

Sered agrees that Common Justice is part of the Restorative Justice movement that has gained traction in this country over the past several decades. However, Sered stresses the importance of language once again when she says that the



term “participatory justice” best describes her work. Sered believes that the term “restorative justice” downplays the lasting effects of crime. “While those harmed in crime might eventually be strengthened, healed or transformed, they will never be the same as before the traumatic event,” she says. What’s more, she notes many of the harmed and responsible parties Common Justice works with have grown up in communities where violence is common — that they can’t somehow be “restored” to lives that were free from serious violence and trauma before the crime experience.

In spite of a drop in crime rates nationally and in New York City over the past several decades, violent crime remains an intractable problem in many neighborhoods there and elsewhere. Sered is quick to point out that most people have an inaccurate view about the most likely victims of violence in these neighborhoods. When writing and speaking about Common Justice, Sered tells audiences that the person most likely to be harmed by violent crime, nationally and in New York City, is not a middle-aged white woman, but a young man of color between the ages of 16-24 — the same person most likely to commit those crimes. She rattles off statistics from crime victimization surveys which underscore her point: *“Black men in New York City are six times more likely than white women, three times more likely than black women and more than twice as likely as white men to become victims of robbery.”*

Still, Sered says, New York City victim services’ agencies report serving very few crime victims who are young men of color. She sees this as a two-sided problem. “Most agencies primarily serve victims of domestic violence and sexual assault and are well equipped to provide this population with counseling and police protection.” However, Sered says most existing agencies are not prepared to provide the services young men of color say they need, such as help securing employment or advancing their education. On the other hand, she says, most young men of color don’t identify with the label of victim and so they don’t seek services in the first place.

A fundamental aim of Common Justice is to ensure that the needs of *all* who are harmed by violent crime are met — regardless of race, age or gender. Harmed parties who are participating in the project range from age 12-65 and include Black, Latino, Spanish, Korean and Chinese people. Over two-thirds are men of color; less than a fifth are white. For Sered, meeting the needs of all crime victims, including young men of color, is not only a matter of equity and justice for our society; it is sound crime prevention strategy. Research shows that people who are harmed by violent crime and do not get treatment often have unaddressed symptoms of trauma. If they do not get well they may be more likely to go on to commit violent crimes themselves, perpetuating the cycle of violence and lessening their chances of becoming productive citizens. Many justice experts agree with Sered that our current adversarial court system and reliance on incarceration as a response to harm, is not solving the problem of violent crime in our society.

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The vast majority of responsible parties participating in Common Justice are poor young men and women of color age 16-24. Over the years, Sered has worked with many youth like those referred to Common Justice and she knows their stories. “These young people have often survived something similar to the violent crime they have committed. In acknowledging what they have done, they also have to deal with what happened to them. We tell them that their previous trauma does not make violence okay, and they have a responsibility — to the person they harmed, to family, to the community and to themselves — to heal. In fact a mantra we use with responsible parties is *Responsibility is the Avenue to Dignity.*”

According to Sered, Common Justice is the first alternative justice project in the United States to apply participatory practices to violent felony cases. While planning the project, Sered was influenced by findings about participatory justice practices in other countries. This research shows that such practices have the biggest impact on crime and recidivism when they are applied to the most serious cases. Sered says there is also ample evidence from projects all over the world and in this country that restorative and participatory justice practices work for misdemeanors and low level cases. Still, according to Sered, programs in the United States lag in expanding the scope of these practices beyond juveniles and low level offenses. She says, “We need a demonstration project that will use these practices on serious cases to see whether or not they work and what makes them work best.”

Cases can be referred to Common Justice by prosecutors, defense attorneys and judges. Staff at the District Attorney’s office are responsible for screening cases to be diverted to the program. They accept cases involving young adults who face felony charges in the Brooklyn Supreme Court and at least one year in jail or prison if

convicted. If harmed parties agree, these cases are sent to Common Justice’s supervised conferencing process. Pre-conference preparation is taken very seriously. Harmed parties meet with their case coordinator one-on-one to talk about and develop a plan to meet their needs following the crime; prepare to meet with the responsible party; and, begin thinking through possible sanctions that would be satisfactory to them. Sered describes conference preparation for responsible parties this way: “We try to help the responsible party reflect on why they did what they did, what they owe the person they hurt, and what they owe themselves. We prepare them to be able to communicate their feelings clearly and respectfully to the person they hurt and do everything in their power to repair the harm they have caused.” Participating supporters learn how they can help the responsible and harmed parties reach and uphold an agreement. Sered says, “We don’t sit down in a circle together until we think everyone is ready.”

The circle is where “participatory justice” occurs. It’s where sanctions are proposed and agreements between harmed and responsible parties are negotiated. According to Sered, privacy is critical. No one is allowed to attend these sessions except the involved parties and assigned Common Justice facilitators. “People are sharing very difficult, intimate things that are almost impossible to ask them to share to begin with. They are talking about their childhoods, their experience of violence, their anger, their hope. It’s not something that can happen in front of an outside observer.”

The most robust agreements between harmed and responsible parties generally include a combination of three elements. First, direct repair to the person who’s been harmed, such as an apology, financial restitution, or a peace offering of some sort. Second, activities that promote the development and growth of the responsible party, such as getting a GED or going into a jobs program. Third, activities that allow the responsible party to give back to the community. The bottom line goal, says Sered, “is to never leave the circle without an agreement that honors and is considered sufficient by the person who was hurt.” Common Justice took its first case in February, 2009. Currently there are 30 cases in some stage of the project.

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Since the project’s inception, Common Justice has developed successful partnerships with a variety of community based organizations in New York City to expand the array of possible sanctions and services available to participants. The project has also established an ongoing dialogue and working relationship with the New York victims’ services community to develop and extend services and opportunities to a full range of victims, including young men of color. However, Sered is most proud of the partnership Common Justice has built with the District Attorney’s office. She says the partnership has resulted in the diversion of serious, felony cases to the project and established Common Justice as a credible alternative to incarceration. Sered has a philosophy about developing and working with partners. “In working with system partners, I use the same principles I do when I’m helping to negotiate agreements between responsible and harmed parties,” she says. “I look for what the partner needs and what I can offer. It’s very similar. In order to bring about change you have to understand the stakes, values and priorities of the other person involved.”

Sered knows that it is too early to make claims about whether or not Common Justice works. However, the project has what she describes as a “robust” research component and Sered believes that the impact of Common Justice will



become evident as its track record grows. For now Sered says, she wants more cases in Brooklyn and is having preliminary discussions with other boroughs that have expressed interest in the project.

Common Justice is an ambitious, groundbreaking undertaking. Some leading researchers and practitioners have already stated that if successful, the project could represent a “watershed” for the criminal justice system in this country. Sered hopes they are right; however, for her, Common Justice is also very personal. “I do this work because I believe I owe a debt,” she says. Working for justice is in my self interest as a human being in the world.”

Stoneleigh Foundation is a Philadelphia-based foundation established to help improve the well-being of children and youth. Focused on work that promotes change in our country’s youth-serving systems, we meet our mission through fellowship awards that support outstanding individuals whose work unites research, policy and practice.

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