

From Retributive to Restorative: An Alternative Approach to Justice

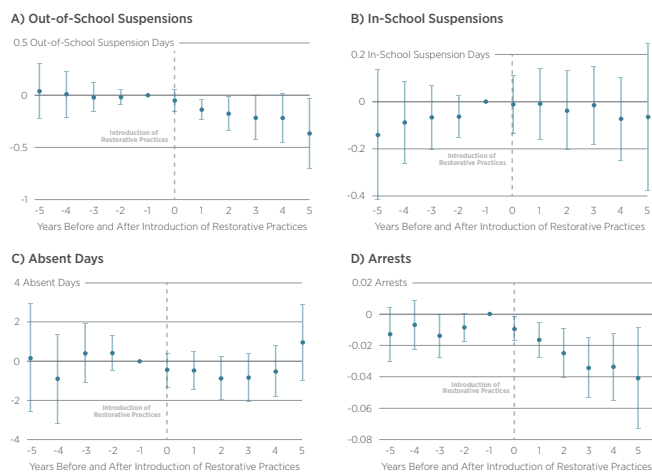
Based on BFI Working Paper 2023-117, *“From Retributive to Restorative: An Alternative Approach to Justice,”* by Anjali Adukia, University of Chicago; Benjamin Feigenberg, University of Illinois at Chicago; and Fatemeh Momeni, University of Chicago

The introduction of restorative justice practices in Chicago Public High Schools reduced the number of out-of-school suspension days by 18 percent, and reduced the number of out-of-school arrests by 15 percent, among other positive effects.

Over the last five decades, US school officials have increased the use of exclusionary discipline, such as suspensions, to address classroom behavior perceived as disruptive. In school year 2011-2012 alone, approximately 3.5 million public school students were suspended from school, losing nearly 18 million days of instruction due to “zero-tolerance” policies. Black and Latinx students bore the brunt of these losses, as their suspension rates doubled over this time.

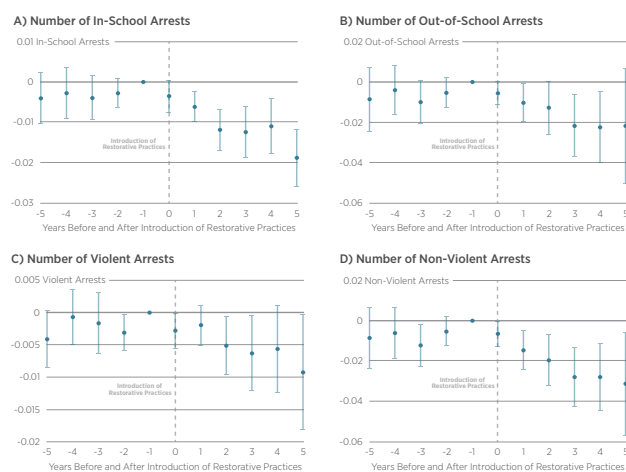
School officials are increasingly aware of this phenomenon, but in a context where 80 percent of schools report incidents of violence, theft, or other crimes, educators must do something to manage their classrooms. When school districts rely on primarily punitive responses to resolve minor conflicts, however, children may infer that the optimal approach to undesirable situations is one of retribution, and such lessons can influence behavior later in life, including criminal activity.

Figure 1 • High School Event Studies: Behavioral Outcomes



Notes: These figures show the event studies around the introduction of RP on in-school behavioral outcomes (out-of-school suspensions, in-school suspensions, and absent days) and policing outcomes (overall arrests) over time in high schools. The sample includes all students observed between SY09 and SY19 at any grade level between 9 and 12. Suspension and absence data are collected by Chicago Public Schools. An out-of-school suspension is defined as the removal of a student from class attendance or school attendance. An in-school suspension is defined as the removal of a student from their regular educational schedule for more than 60 minutes of the school day to an alternative supervised setting inside the school building. Absence is defined as the total number of days absent, minus the total number of out-of-school suspension days that a student had in the school year, regardless of school. Arrest data are collected by the Chicago Police Department. The main arrest outcome is defined as the number of arrests experienced by students in a given year, regardless of the type of arrest or the location of the arrest. Estimates are based on the methodology developed in de Chaisemartin and D’Haultfoeuille (2020) and described in text. Bars represent 95% confidence intervals based on standard errors clustered by school.

Figure 2 • High School Event Studies: Policing Outcomes



Notes: These figures show the event studies around the introduction of RP on students’ arrest outcomes (out-of-school vs. in-school, and violent vs. non-violent) over time. The sample includes all students observed between SY09 and SY19 at any grade level between 9 and 12. Arrest data are collected by the Chicago Police Department. The arrest data includes information on the type (violent or non-violent), the location, and the time of arrest. The main arrest outcome is defined as the number of arrests experienced by students in a given year, regardless of the type of arrest or the location of the arrest. In-school arrests are defined as incidents that happened both inside the school location and during school hours, and out-of-school arrests are defined as incidents that happened either outside the school location or outside school hours.

Recently, some schools have tried a new approach based on the restorative justice (RJ) approach used in the criminal legal system, which emphasizes community building and restitution by, for example, focusing on the reparation of harm between victims and offenders through open dialogue and shared ownership of disciplinary justice. In schools, such an approach means developing restorative mindsets and language in school staff, creating and implementing disciplinary protocols and processes, and strengthening student-teacher relationships, among other restorative practices (RP).

This new research examines how student-level short-run educational and behavioral outcomes respond to students' exposure to RP within high schools in the Chicago Public Schools (CPS) system beginning in school year 2013-2014. Using a within-district transition away from punitive approaches and toward RP, the authors employ a difference-in-differences-style research design¹ to examine how a positive approach to addressing perceived behavioral challenges impacts student disciplinary records, juvenile arrest rates, school climate, and academic outcomes. They find the following:

- RP decreases out-of-school suspensions, as well as in- and out-of-school arrests for non-violent and violent offenses; specifically, the introduction of RP in CPS high schools reduced out-of-school suspension days by 18 percent and student arrests by 15 percent.
- There is no evidence of corresponding increases in in-school suspensions, suggesting that students receive more in-school instruction time in response to policy adoption.

¹ The difference-in-differences research method compares the changes in outcomes over time between a population enrolled in a program (the treatment group) and a population that is not (the control group).

- Evidence that RP results in significant improvements in perceived school climate, in combination with the authors' analysis of Chicago Police Department data, affirms that these positive results reflect genuine changes in underlying student behavior rather than solely changes in how teachers and school administrators respond to behavioral challenges.
- There is no evidence that reductions in out-of-school suspensions lead to increased classroom disruption, as predicted by some advocates of more traditional punishment practices.
- Finally, the authors also explore heterogeneity by student gender and race, among other attributes, to find that Black male and female students experience the largest absolute reductions in arrests and out-of-school suspension days. Black male students are also absent fewer days after RP is introduced. It was observed that the programmatic benefits were particularly large for Black students, although the authors also found evidence that Latino male students' test scores may have declined in response to RP adoption.

Bottom line: Restorative practices can work. They can meaningfully impact high school students most exposed to punitive disciplinary practices. Future research should examine the longer-term implications of these changes in disciplinary outcomes with regard to high school completion, post-secondary enrollment, and future criminal legal system involvement.

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