

INCLUSIVE FACILITATION

INCREASING LGBTQ+ AWARENESS IN RESTORATIVE JUSTICE



This activity was developed through a collaboration between Restorative Teaching Tools and the Restorative Rainbow Alliance.

OBJECTIVE

Participants will build awareness and skills to improve inclusivity and respect for people with LGBTQ+ identities in the Restorative Justice process. They will engage with the Restorative Rainbow Alliance Restorative Justice Facilitator Code of Conduct by workshopping case scenarios.

MATERIALS

- *Restorative Rainbow Alliance Restorative Justice Facilitator Code of Conduct*
- 1-3 case Scenarios. We have provided scenarios at the end of these instructions that are based on lived experiences of RJ practitioners. Consider using your own scenarios or adapting the ones provided to reflect specific experiences in your community.

INSTRUCTIONS

- Before beginning the activity, give participants time to read the *Restorative Rainbow Alliance Restorative Justice Facilitator Code of Conduct* (RRA Code).
- Let the group know that they will be reading a scenario that involves a facilitator making a choice that causes harm to a person with a LGBTQ+ identity. They will have time to refer to the RRA Code to think about what happened and why it was harmful. With a small group, they will brainstorm what different choices a facilitator could have made to create a more safe, inclusive, and respectful environment for all participants. During the debrief, they will have time to journal about their personal feelings and reactions privately.
- This is an advanced activity that explores sensitive subject matter. Build agreements around how to participate by using the agreements below and/or adding your own.

Example Agreements

- The intention of this activity is to encourage self-reflection, growth, and capacity-building. Engage with the degree of vulnerability that helps you be open to self-exploration.
- Acknowledge that language is not static. Recognize that some terms and expressions in the RRA Code may have changed since it was published.

- Avoid dramatizing the scenarios. They are based on real-life experiences and should be handled with care and respect.
 - These scenarios may create emotional intensity or discomfort for some participants. What are our agreements around self and community care? What supports do people need to self-regulate?
 - You may personally relate to a scenario due to your identity or an experience you've had in your life. This can bring up emotions and activation that are important to attend to. You may ultimately wish to share your personal experience with the larger group, but we encourage you to wait until the end of the activity. The activity is designed around scenarios, instead of personal experiences, to create space for emotional safety. Please wait until the debrief and ask the group for consent before sharing a personal story.
 - Share the time, ensure there is an opportunity for all voices to be heard, and be mindful of the space you are taking up.
 - Use "I" Statements when reflecting on the scenarios and facilitation choices.
 - Participants are invited to have agency in choosing language that expresses their truth, as long as it does not cause harm to others.
- Read one scenario out loud, or provide copies for each participant to read the scenario silently.
 - Divide the group into smaller groups of 4 people each. Provide the following questions for small group discussion. Ask one person to be the scribe in each small group to record the main ideas.

Discussion Questions

- a) Which components of the RRA Code were not followed? How?
- b) What do you think might be the impacts on the people involved? Because this is a hypothetical scenario, it's okay to take guesses about the impacts.
- c) What specifically could the facilitators do differently to respect all participants and embrace and elevate each person's narrative? Make a list.
- d) Collectively re-write the scenario using the list you just developed. Explore how you might integrate restorative values such as respect, compassion, care, and curiosity.

Notes: The acronym LGBTQ+ is being used intentionally in this exercise. Please read p. 4 of the RRA code to learn more about the LGBTQIA2S+ acronym and inclusion.

Be prepared to help groups that are struggling or uncertain. For question c, participants can consider how facilitators will transfer agency and choice back to the people involved in the case. For example, ask the person directly, "Is that something you want shared in the process? Do you want to share that? How?" Facilitators must avoid making assumptions about what, how, and when someone wants to talk about their sexual orientation or gender. Asking questions and supporting self-determination is key.

You may consider giving participants a worksheet with discussion questions and spaces to clearly identify which RRA Code standard was violated, as well as what the facilitator could have done differently. See worksheet template on the final pages of this document.

DEBRIEF

Bring the small groups back together for a multilayered debrief.

- Group Discussion: Give each small group an opportunity to share their discussion back with the larger group.
 - Briefly describe the changes to the facilitator's actions your group identified.
 - What would be the impacts of the facilitator making those changes?
 - How might it make the people in the process feel? How would this impact the facilitators?
- Relate and Reflect: Give participants time to journal silently. Their writing can be private, and they will not be asked to share what they wrote.
 - What aspect(s) of the *facilitator's* experience resonates for you?
 - What is an aspect of one *character's* experience that resonates for you?
- Group Share Out:
 - How has this activity impacted you? (Focus on how you are feeling.)
 - What is one learning or takeaway from this activity? (Or, what is a question or self-reflection you are holding?)

Close by inviting participants to submit needs and requests for additional learning. Provide additional supportive resources following the activity.

LESSON

Becoming an inclusive facilitator requires ongoing learning and practice. The RRA Code is a valuable resource to guide our practice, and utilizing case studies to engage with the Code helps us think through real-life experiences, providing a way to learn from the past and prepare for the future. Self-reflection and dialogue with peers are essential elements for developing awareness, compassion, and skills as facilitators. These elements help us explore the RRA Code and other similar resources in an engaged and responsible way.

RESOURCES

[The Imperative Need for an LGBTIQ2S+ Lens in Restorative Justice](#) by the Zehr Institute for Restorative Justice

[The Restorative Lens Podcast: Special Episode - Justice Through a Queer Lens](#)

[Justice Through a Queer Lens: The Criminal Legal System, Restorative Justice & Liberation](#) by the CNDR at UC Law San Francisco

[Restorative Rainbow Alliance Resource page](#)

SCENARIOS

Scenario 1: Riley

When Riley (17) was stopped by Officer Smith, they felt immediate fear and dread; both because they were caught vandalizing their high school and because they were afraid of what the encounter with the police officer would hold.

Officer Smith asked their name.

"It's Riley," Riley replied.

"I'm going to need to see an ID."

Officer Smith looked at Riley's ID and immediately started addressing them with the name written on the ID, instead of saying Riley.

"OK, Ben, why do you have a bag of spray paint so close to school grounds, young man?"

After the encounter with Officer Smith, Riley was referred to a restorative justice program.

Riley and their mother were given the names of the restorative justice facilitators for their case and told to meet them at a local church for a pre-conference conversation - a chance for them to get to know the facilitators, share their story, and ask their questions before moving forward with the actual restorative dialogue.

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Riley was nervous when they arrived. They needed to use the restroom. They looked around and saw only two choices - a men's restroom or a women's restroom. Dreading either choice, they decided maybe they could hold it.

They caught their breath as they passed by the worship room, remembering the church their family had attended when they were young and how the pastor had spoken about the evils of the LGBTQ+ community.

They found their way to the room where the pre-conference would be held. Two smiling facilitators reached out their hands to shake Riley's, welcoming them and their mother into the room. Riley took a seat and accepted the glass of water one facilitator offered, placing it on the ground by their feet without taking a drink.

The lead facilitator, Jenny, spoke up first. "Thank you for meeting us here. We understand that you go by Riley and respect that. However, because this process is tied to the legal system, we have to use your legal name, the one that is on the police report. So Ben, can you start by telling us the story of what happened that day?"

About the Characters

Riley is a 17 year old white person who uses they/them pronouns. They are an only child, being raised by a single mother who works as a nurse. They don't have a relationship with their father. Riley's mother rents their apartment and is stressed about the rising costs of rent and food.

Jenny is a 23 year old cisgender, heterosexual woman whose mother is Japanese and father is white. She just graduated with a degree in international peacebuilding last May. She is working at a Boys and Girls Club and as a facilitator for the local restorative justice program, hoping to gain skills for a career in conflict resolution.

Scenario 2: Sanjay

Sanjay, 31, was nervous heading into his Restorative Justice pre-conference. When he did the intake with the program manager on the phone, they were really nice, but he felt uncertain. He had really messed up this time and was struggling to believe anyone was going to see him as anything but a failure.

The two volunteer* facilitators welcomed Sanjay. Everyone introduced themselves and the facilitators began explaining the purpose of the pre-conference. Sanjay thought they were being extra friendly and it made him kind of nervous. He was certain they must have all kinds of judgments about him and how he ended up here, a total screw up.

After Sanjay talked about what happened, the facilitators asked him to think about who had been impacted by his actions. "My partner," Sanjay said.

"And how has she been impacted?" asked Dennis, one of the facilitators.

Sanjay paused, he felt his chest tighten. "My partner is a man, his name is Elijah."

"Oh man, I'm so sorry. I feel so embarrassed. I hope you know I'm an ally. In fact, one of my best friends is gay and I had a gay roommate in college. I've been supporting gay rights since the 70s!" replied Dennis.

Trish, the other facilitator chimed in, "I just love this! My niece just came out to me and I think it's so wonderful. No wonder you have such fabulous brows!"

"Um, ok," Sanjay looked down, shifting in his seat.

"Ok, Sanjay. Now tell us about Elijah, how was he impacted?" asked Dennis.

**The community restorative justice organization that Sanjay was referred to is limited by a very tight budget. They currently rely on volunteer facilitators, but are working to raise funds to be able to pay facilitators a stipend and recruit more diverse facilitators.*

About the Characters

Sanjay is a 31 year old cisgender gay man. His great-grandparents immigrated to the United States from India. Sanjay works as a data analyst and feels his salary enables him to live comfortably and have freedom to travel during his vacation time.

Dennis, the facilitator, is 67 and is a white, cisgender, heterosexual man. Dennis had a long career in tech and is now retired. Dennis' salary allowed him to provide for his family of four, and he feels he made sound financial decisions that have enabled him to have an enjoyable retirement. He started volunteering for the restorative justice program to give back to his community.

Trish, the other facilitator, is 60. She is a white, cisgender, bisexual woman. She is self-employed and is able to provide for herself without concern for meeting basic needs. She has been volunteering for the restorative justice program for close to a decade.

Scenario 3: Zara

Zara, 15, was sitting with two facilitators in a small meeting room, waiting for her parents to arrive. They were making small talk, but eventually the reason for their meeting came up. Zara was participating in restorative justice as a harmed party because her locker had been vandalized and some personal items had been stolen. Zara had been feeling nervous ever since the incident, and felt comfortable enough to share that with the facilitators.

"What's been going on that makes you feel nervous?" asked Mariah, one of the facilitators.

"Well, since we came back from break, I've been asking some of my friends and teachers to call me Zee. I asked two of my closest friends to use they/them pronouns for me. I think other kids started noticing, and that's making me nervous," replied Zee.

"Thanks so much for sharing this with us, Zee," said Mariah. "We want to be able to support you. This helps us understand your experience and impacts."

"It's better if you call me Zara cause my parents don't know about any of this," Zara said quickly. "But yeah, I kinda feel like maybe this is why those kids messed with my stuff."

"Ok, got it," replied Mariah. "Like I said, we want to support you."

Just as Mariah finished her sentence, Zara's mom rushed in. "I'm so sorry, I had a doctor's appointment with Zara's little brother that took longer than expected. I hope it's okay that I'm the only one here today. My husband and I would both like to participate in Zara's circle, but my husband had to stay with our son this afternoon."

"No problem," replied Angela, the other facilitator. "Let's get started."

The day of the circle, Zara was feeling more at ease. Her parents had been preoccupied with her brother, and she liked having a little more space at home. Nothing big had happened at school since the locker incident, and she was ready to put the whole thing behind her.

When Mariah started asking each person about how they had been impacted, Zara noticed something that made her uncomfortable. When the other circle participants were talking about Zara, they were saying “she” and “her.” But each time Mariah responded or asked a question, she was referring to Zara as “they” and “them.” The more Mariah talked, the more it seemed she was emphasizing the way she was saying “they,” like she was proving a point. Zara hoped she would stop. She had clearly written “she/her” on the nametag she was wearing.

When Mariah was done asking others about impacts, she turned to Zara. “Zee, is there anything you’d like to add?”

Zara shifted in her seat and tried to ignore being called Zee. “No, thanks,” she replied.

“We want to appreciate Zee for the courage they had to participate in this circle today,” said Mariah. “They are the main person who experienced harm, and they can now help us understand what is needed for repair of that harm. Zee, do you have any ideas for how things can be made right?”

“Excuse me,” interjected Zara’s dad. “Why are you speaking like this to my daughter? *Her* name is Zara.”

“Oh, I understand,” replied Mariah. “But they shared with us that some of the people they trust most are now calling them Zee, and using they/them pronouns when they talk about Zee. Angela and I thought it was important to show up as allies by respecting Zee’s new identity.”

Zara’s parents stared at her, flustered and confused. Zara stared at the floor, wishing she could disappear.

About the Characters

Zara/Zee is a 15 year old Black person who is currently exploring their gender and sexuality. They have one younger brother who is 10. Their mom is a receptionist at a dentist’s office and their dad is an Executive Director of a Christian nonprofit. Their family has financial flexibility and are able to meet needs around healthcare, food, and recreation.

One facilitator, Mariah, is a 35 year old, cisgender, heterosexual white woman. She has a background in social work and earns a salary that allows her to easily meet her basic needs and set aside money in savings.

The other facilitator, Angela, is 60. She is a cisgender, heterosexual Latina woman, of Mexican-American descent. Angela is married, a retired teacher who owns her home and travels to Florida every year to visit her grandchildren.

Scenario 4: Simon

Simon, 16, had recently started his first romantic relationship with a fellow junior at his high school named Jose (also 16). Simon was excited about getting together with Jose, but also nervous because beginning the relationship involved coming out to his parents and peers at school. His parents, thankfully, had been very supportive and eager to meet Jose. His peers had mixed reactions. Some friends had embraced him, said how happy they were for him, and gushed about what a cute couple he and Jose were.

Unfortunately, several of his soccer teammates were not supportive at all, and had been ruthlessly making fun of him since he came out. One teammate, Rafael, was the ringleader of the taunting, and had slipped notes with offensive language into Simon's locker several times. When Simon confronted Rafael about the notes, Rafael laughed it off and told him to stop being such a little b***h.

One day, Simon and Jose were holding hands in the hall as they walked to class. They passed a group of boys from the soccer team and Rafael (16), yelled, "Get a room, f****t!" The rest of the boys laughed.

Simon felt enraged and, without thinking, broke away from Jose's hand and punched Rafael in the face. The other boys and Jose pulled Simon and Rafael apart, and a teacher came out of her classroom and sent them to the office.

Simon and Rafael were referred to their school's restorative justice program, with Simon designated as the person who caused harm, who was expected to take accountability and make amends, and Rafael as the harmed party.

About the Characters

Rafael is a 16 year old, cisgender Latino male. His mom and dad are immigrants from Mexico. Rafael and his three younger sisters were born in the United States. Rafael's parents often struggle to make ends meet and the family receives SNAP benefits through Rafael and his sisters since they are US citizens.

Simon is a 16 year old, cisgender Asian male. His mom and dad are white US citizens who adopted Simon from South Korea when he was 14 months old. He is an only child and his adoptive family has never struggled to afford food or other necessities.

Kayla, the school's Restorative Justice Coordinator, is a 32 year old cisgender, heterosexual Black woman who previously worked as a classroom paraprofessional (para). She is excited to have started her new role this year as the school's first RJ Coordinator. She was inspired by the restorative justice trainings she completed, but is now feeling somewhat isolated as the only person with RJ training in her school.

Facilitator's Key to Scenarios

The information in this box is provided as a guide for the person facilitating this activity. Not to be shared with participants.

Scenario 1: Riley

Relevant RRA Standards

Standard 1 General Guidelines: Shall allow participants to identify as they wish and give options to identify in different ways in different contexts (pronouns, legal name, given name, gender identity) p. 6

- *Shall protect LGBTIQ2S+ participants by assessing RJ meeting space for LGBTIQ2S+ inclusion and affirmation and, accordingly, either adjust the space or relocate, make accommodation, and/or acknowledge the lack of inclusivity in a space. For example, Facilitators should ask themselves: are there gender-neutral bathrooms? Are there any symbols displayed that are overtly or covertly associated with homophobia or transphobia?*

Standard VI Creating an Inclusive Space / Setting an Inclusive Tone p. 9

- *Shall ensure that gender-neutral bathrooms are available for use*
- *Shall ensure that the LGBTIQ2S+ participants in the process feel that they are going into a welcoming environment*

Scenario 2: Sanjay

Relevant RRA Standards

Standard VI Creating an Inclusive Space / Setting an Inclusive Tone p. 9

- *Shall avoid using cisheteronormative constructs as the default model (i.e., assuming gender based on appearance or name, assuming the gender of a married participant's partner, etc.)*
- *Shall use inclusive language around partners/significant others and be mindful of possible emotional triggers surrounding marriage equality and inequality*
- *Shall refrain from making assumptions about the identities of participants based on their appearance*

Scenario 3: Zara

Relevant RRA Standards

Standard II Respect for Privacy p. 6

- *Shall discuss the sharing of personal information, particularly information regarding sexuality and gender identity, with each individual before sharing. Even if an LGBTIQ2S+ individual shares their sexual orientation and/or gender identity with a Facilitator, Facilitators must not reveal that information to anyone else without the participant's explicit consent*

Scenario 4: Simon

Relevant RRA Standards

Standard III: Participation/Naming and Addressing Harm p. 7

In addition to allowing all individuals in an RJ process to voluntarily choose whether or not to participate, the following are additional expectations. Facilitators:

- Shall recognize the effects of discriminatory words or actions when a harmful situation arises in which an LGBTIQ2S+ person has taken retaliatory action. Facilitators must be mindful that such words and actions can trigger trauma responses in LGBTIQ2S+ individuals*
- Shall be mindful that classifying a retaliatory action by an LGBTIQ2S+ individual against direct oppression (oppressive language/slurs) from the initial harm constitutes a revictimization of the LGBTIQ2S+ person*
- Shall acknowledge the gravity of harm created by oppressive language that reinforces violent systems*
- Shall acknowledge the problematic practice and underlying messaging of labeling LGBTIQ2S+ persons as “parties responsible for harm” if the “harmed” person has used homophobic, biphobic, transphobic or other forms of oppressive language or actions directed toward the LGBTIQ2S+-identified person*

INCLUSIVE FACILITATION WORKSHEET



This activity was developed through a collaboration between Restorative Teaching Tools and the Restorative Rainbow Alliance.

Review the RRA Code and Scenario before engaging with the following discussion questions.

Which standards of the RRA Code were not followed? How?

What do you think might be the impacts on the people involved? Because this is a hypothetical scenario, it's okay to take guesses about the impacts.

What specifically could the facilitators do differently to respect all participants and embrace and elevate each person's narrative? Make a list.

As a group, collectively re-write the scenario using the list you just developed. See how you can integrate restorative values such as respect, compassion, care, and curiosity.



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