Bridging the Divide
A new paradigm for addressing safety, crime, and victimization

Executive Summary
This report documents some of the key insights from four national convenings funded by the Ford Foundation, Fund for Nonviolence, and the Rosenberg Foundation.

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INTRODUCTION

Throughout the country there is a growing cadre of criminal justice reformers and crime victim advocates committed to developing, testing, and promoting a new, holistic paradigm to address safety, crime and victimization. Some of us came together at four small national convenings held between June 2012 and May 2014. Those convenings were designed to build new relationships, share information and strategies, and begin to develop a new paradigm for our work.

Informed by the convening dialogues, *Bridging the Divide* provides snapshots of work being done on the ground and proposes arenas for further action. Victim advocates and criminal justice reformers are engaged in the lengthy, difficult work of creating safe and healthy communities. We believe this work holds great promise to the communities most impacted by crime and the criminal justice system.

While the full report includes a range of short case studies, this executive summary focuses more on the analysis that informs new ways of thinking about addressing safety, crime, and victimization.

Although we see progress being made around the country in re-thinking problematic aspects of our approach to public safety and criminal justice, we are concerned that some reform efforts are both shortsighted and don’t address the complex needs of the communities most impacted by crime and the criminal justice system. Yes, social change is usually slow and incremental, but we want it to be informed by a vision capable of creating significant transformation and sustainable culture shifts. Much of the work described in this report has shown incredible results in benefiting real people and communities while also changing the political and policy landscape around issues of crime, safety, and justice.
NEW PARADIGM BELIEFS & PRACTICES

Convening participants coalesced around a common vision for a new public safety paradigm. While there were some differences expressed in language and emphasis, the majority agreed:

We believe we can build a system that is decidedly more effective at creating safe communities, reducing crime, helping people harmed by crime rebuild their lives, and helping people who have been convicted of crime take responsibility and rebuild their lives as well. In order to do this, it will take a new paradigm that moves beyond the traditional boundaries and perspectives of policy advocates and activists.

We seek to:

- Embrace the values of safety, accountability, prevention, justice, and healing simultaneously
- Properly invest in crime prevention
- Address discrimination and racial disparity in both the criminal justice system and victim services
- Include diverse crime victim voices and perspectives in public safety policy debates and decisions
- Hold people accountable for harm they have committed to their victims, their own families, their communities and themselves
- Recognize that people are more than the very worst thing they’ve had done to them or have done
- Base public safety policies and criminal sentencing laws on research and evidence that they will reduce crime and victimization
- Strengthen community responses to violence
- Invest in services that help crime survivors and those who have committed crimes rebuild their lives, particularly in under-served communities

By clearly articulating this new paradigm, we can move beyond the boundaries that have split advocates into “us” and “them” and realize our shared interest in safety, fairness, and justice.

The full vision statement – an organizing and education tool that continues to evolve – appears in the full report’s appendix.
BRIDGING THE DIVIDE

Criminal justice reformers concerned with an over-reliance on incarceration and crime victim advocates have a shared stake in creating new approaches to public safety and criminal justice. Unfortunately, the current dynamics around public safety often keep these stakeholders isolated in silos that are perceived to be adversarial, blocking opportunities for meaningful collaboration that will lead to positive, sustainable outcomes.

The communities most impacted by crime—women, low-income communities, and communities of color—show strong support for prevention-oriented strategies to public safety, the very approaches that have been de-prioritized as the U.S. has built a burgeoning prison system. But although these views represent a significant number of people harmed by crime and violence, they are rarely heard by policymakers. Even though positive policy reforms have been happening around the country in recent years, our criminal justice system still largely focuses on a singular solution to crime – harsher and longer prison sentences for a wider and wider array of crimes – and crime victims who advocate for that singular focus have often been given disproportionate influence in the debates by politicians who are looking to posture as tough. Because the majority of crime is not reported and most victims do not go through the system for support, there is still so much we don’t know about what crime survivors need to cope and heal.

Meanwhile, organizations focused primarily on addressing the problems of mass incarceration have done little to understand and genuinely incorporate victims’ needs into their policy agendas. These groups have remained largely silent on the need to strengthen victim services or better address offender accountability. This has only strengthened the problematic notion that accountability is somehow synonymous with long mandatory minimum sentences.

We need to confront the false choice between meeting the needs of crime victims and reforming failed criminal justice and corrections policies. We can keep our communities safe, reduce our over-reliance on incarceration and improve outcomes for people harmed by crime. In the process, states can save billions of dollars in incarceration costs that can be re-invested into preventing crime and helping impacted people rebuild their lives.
Five major take-aways emerged as participants discussed this common vision and their shared values, beliefs, and analysis.

1. Victims’ voices heard in public safety policy debates must reflect the diversity of crime victims’ experiences and views.
2. The criminal justice system doesn’t identify or address the complex reality of the communities seriously impacted by crime and violence.
3. Deep racial disparities are at the core of the old paradigm and are a primary barrier to realizing change.
4. A new paradigm requires new ways of thinking about accountability.
5. Building relationships, trust, and common language across fields is essential for the advancement of a new paradigm.

This report discusses each of these key insights and offers case studies and other illustrations of the strategies that represent a new paradigm in action. A new framework for public safety policy can cut through the rhetoric and move us beyond sides towards a more effective system.
INCLUDING DIVERSE CRIME VICTIM VOICES IN PUBLIC POLICY DECISIONS

In California, a diverse statewide network of nearly 6,000 crime victims are advocating for policies that best serve individuals, families, and communities impacted by crime. In Oregon, domestic and sexual violence survivors and victim advocates are challenging the growth of the state’s prison system. And across the country, family members of murder victims, who are typically presumed to support the death penalty, are coming together to advocate for its end.

This organizing is shifting policy makers’ understanding of who victims are and what they need. In Oregon, the unexpected coalition of advocates won two legislative campaigns, saving hundreds of millions of dollars from a reduced need for prison beds, some of which was reinvested in community-based domestic and sexual violence services and crime prevention-oriented programs. California’s Crime Survivors for Safety and Justice network advanced legislation that better meets victims’ needs by expanding trauma recovery services throughout the state. Successful campaigns to repeal the death penalty in Illinois, Maryland, Connecticut, New Mexico, and New Jersey all featured the leadership of those harmed by violent crime and in some cases led to increased state investment in services and support for victims’ families.

These groundbreaking efforts seek to reverse a long-standing assumption that the primary need of all crime victims is to see maximum suffering of the person who harmed them. In reality each crime is unique; victims have a wide array of needs and a wide array of perspectives on how we should respond to crime and violence.

Contrary to prevailing perception, there is no shortage of crime victims in the US who have been harmed by our nation’s massive prison build up, many of whom would like opportunities to engage in policy advocacy. But not everyone gets equal attention from policymakers. Some of the most compelling organizing and successful public safety reform campaigns in recent years have elevated the voices of crime victims calling for smarter and more effective policies that prioritize a prevention-oriented and restorative framework instead of an over-reliance on incarceration. These successes have been possible because the collaboration between victims and criminal justice reformers has been a genuine reflection of common ground, not a tactical effort by one field to use the other.

“Continuing to fill prisons isn’t making us safer. We need to change the public safety conversation. Focusing on prevention will lead to less violence and less victims.”

Dionne Wilson
Dionne’s husband, Dan, was a police officer who was killed while on duty.
THE CURRENT SYSTEM DOESN’T ADDRESS THE COMPLEXITIES OF THE COMMUNITIES SERIOUSLY IMPACTED BY CRIME

The current, dominant criminal justice paradigm put forth in both policy debates and the media is usually oversimplified. It creates a false and racially biased view of who is harmed by crime, who commits crime, and what is needed in its aftermath. This narrative defines “good” victims as people who fit certain preconceived notions of “innocence,” such as being harmed by a stranger in a “safe” part of town and willingly cooperating with law enforcement. “Good” victims are offered the opportunity to punish the offender through a court process. This court process and punishment is assumed to be the primary thing that crime victims need to heal. According to the narrative, “bad” victims are people who are harmed by someone they know, were harmed while in an “unsafe” part of town, didn’t report the crime or cooperate with law enforcement, or come from a certain race, class, sexuality, or gender presentation. These “bad” victims may have their victimization denied by the justice system, either in name or in practice. These constructs are deeply troubling.

One component of the new paradigm is to recognize that a large number of people responsible for committing crimes may also be crime victims—many of these people were more likely to offend because their own victimization was not addressed. In many communities, “sides” are often blurry at best—people harmed by crime and people committing crime may come from the same families, the same neighborhoods, or even be the same people.

Policy debates and campaign frames about crime and violence generally lack a complex or holistic analysis. But when it comes to the lived experiences of millions of people like those represented by Mothers in Charge, Urban Grief, and the Healing Circle for the Soul [case studies in the full report], a “new paradigm” is a reality that people have dealt with their entire lives, often spanning generations of family and community experiences. By serving the needs of survivors who are often unable to access traditional victims’ services, these groups help build safer communities, intervene in ways that can prevent future violence, and shift to a focus on prevention, services, and new supports for everyone impacted by crime and violence.
The new paradigm places a strong emphasis on meeting the needs of crime victims. Many of these needs, such as trauma intervention and counseling, medical assistance, financial compensation, relocation to a safe place, days off from work, mental health services for an affected child, grief support, etc. have nothing to do with what happens to the offender.

The people most affected by crime and violence often face barriers to accessing services. The majority of crime isn't reported, preventing the majority of victims from accessing law-enforcement-based services. Victims' services tied to prosecutors’ offices may not serve victims whose cases weren't solved, or may end when the trial is complete. People of color may be wary of victims’ services that are housed in law enforcement agencies because of the tenuous relationship between the police and communities of color. In some states, legal restrictions on services for “innocent” victims may mean that a mother whose son was murdered can't receive reimbursement for grief counseling or funeral expense coverage if there was a presumption of “gang-related” activity. Many community-based victim services, such as domestic violence shelters and rape crisis centers, primarily designed to serve women, may not be accessible to many women of color or LGBTQ women. A similar structure to assist the demographic most likely to be victimized by crime—young men of color—does not exist at all. And many crime victims don’t even know that services exist, much less how to access them.

The model for the new paradigm exists at the grassroots community level. Hundreds of grassroots groups around the country have sprung up to meet the needs of communities which are not served through traditional victims’ services or the criminal justice system. They recognize the false dichotomy that defines the old paradigm because they live it: many of their constituents have been on both sides of the justice system. As a result, the vision of these groups is often more expansive than many direct service agencies, encompassing both support, services, violence prevention, and advocacy strategies while helping both people harmed by crime as well as formerly incarcerated people rebuild their lives. These groups not only need more support; they should inform public safety policy approaches.
The criminal justice reform movement has long recognized that the justice system treats offenders differently based on race. But acknowledgment that victims are treated differently on the basis of race is far less widespread. Instead of recognizing that victims and offenders usually come from the same communities, the current paradigm portrays victims as white and middle class, and offenders (generally) as people of color and poor. This serves to further entrench the sides into not only legal silos, but racialized ones. It becomes yet another tool to position people of color as out of control, dangerous, and needing to be locked up. Racism has manufactured an image so strong it has almost become a collective memory, where scary black men prey on innocent white women until heroic mobs of white men come to the rescue. Even as lynching is now considered taboo, the rest of the image – black offender and white victim – continues to have a strong resonance in popular culture, the news, the assumptions that fuel policymaking, and the outcomes of those policies.

But this image is, in fact, false. People of color are more likely to be victims of crime than white people. Yet their crimes are more likely to go unsolved, their status as “victims” in the eyes of the law or the media go ignored (or legislated away), and their suffering is minimized. Black mothers whose sons were murdered, for example, often face silent judgments – was your son selling drugs? In a gang? Doing something to deserve it? (The killing of Trayvon Martin brought this common experience to a national stage.) This is not unlike the old stereotype of rape victims “asking for it” by wearing short skirts. In some states, the laws still prohibit access to victims’ financial compensation in situations that could taint the “innocence” of the crime victim. There are real institutional barriers for communities of color in accessing the very services that could help people heal and reduce violence.
THE NEW PARADIGM REQUIRES NEW WAYS OF THINKING ABOUT ACCOUNTABILITY

The word “accountability” has largely been ignored and avoided by traditional criminal justice reform organizations. Those groups tend to focus on the injustice of the system rather than the need for accountability of individuals who cause harm. Crime victims, victim advocates, and the general public, on the other hand, believe that offender accountability is incredibly important.

In the convenings, victim advocates and criminal justice reformers acknowledged that our system currently conflates accountability and punishment and largely separates the process of holding accountable the people who commit offenses from the repair needed for those whom they’ve harmed. In these ways, our adversarial system doesn’t foster real accountability.

Problems with the Current Framework of Accountability

The focus of the current process is on securing punishment by the prosecution and reducing or avoiding it by the defense. Each side is carrying out their ethical duty under the law to represent either the state or the defendant. But this singular focus on whether or not to impose a harsh and often ineffective punishment does not create any space or process for an offender to participate in accountability in a meaningful way, to accept responsibility or demonstrate remorse for the harm they caused. And it certainly does not open up channels for any healing interaction between the person harmed and the person responsible, should such interaction be appropriate. The current paradigm’s notion of accountability is backward looking – punishment for past harm – rather than forward looking – repairing and rebuilding for the future.

Furthermore, accountability defined by punishment by the state for breaking the state’s laws is not really accountability to the victim at all. The victim may be able to provide input on how the crime affected him/her, but is largely kept on the sidelines of the legal process. No one – not the offender, not law enforcement, and not the legal system – is accountable to the victim.
A New View of Accountability for Harm Done

Part of our work must be to investigate all the models of accountability that exist and develop a more comprehensive understanding of how to build institutions of accountability that reflect the principles of the new paradigm, offering meaningful participation by the affected parties when appropriate. Our conversations recognized that if we don’t help redefine accountability in the public eye, our current system will continue to dominate as the presumed and only true solution to crime.

Our convening conversations suggest that our collective ability to create truly transformative and sustainable change to both policy and society’s perceptions of justice will rest, in part, on our ability to claim and redefine the concept of accountability.

Accountability and Restorative Justice

There are a wide range of restorative justice programs around the country that offer an alternative to the traditional court processes for people charged mostly with non-violent offenses. These programs can meet the needs of victims, reduce recidivism, and improve satisfaction with the justice system.

The goal is to create accountability tailored to individual needs and circumstances. Restorative justice approaches bring together people immediately affected by a crime to acknowledge the harm done, address the needs of the harmed party, and agree on sanctions other than incarceration to hold the responsible party accountable. This gives responsible parties an opportunity to recognize the harm committed while giving the harmed parties the ability to have an influential voice in the process. Sanctions resulting from the process could include financial restitution, community service, or something much more tailored to the individual needs and situation. If the sanction agreement is fulfilled, responsible parties are not sent to jail.

The traditional court process is often poorly equipped to address the material, emotional, and social needs associated with crime. It relies heavily on incarceration, which is costly and often perpetuates a cycle of re-offending, and fails to meet the needs of people who have been harmed by crime. In many ways, restorative justice holds the greatest potential for creating functional alternatives to the old paradigm.

“Cracking the code” on taking models like restorative justice to scale would allow us to truly step out of the box and build a system far more reparative than the status quo.
Crime is complex, as are the relationships between those harmed and those who cause harm. The development and advancement of a new paradigm requires careful attention to the impact of these dynamics on relationships. Building trust among movement actors and affected communities, and forging common meaning despite language and communications challenges, are at the heart of the work.

Convening participants recognized that many of the problems with the current paradigm are reflected in language. Significant time was devoted to unpacking the meaning of concepts like victim, innocent victim, offender, racism, public safety, accountability, justice, tough on crime, smart on crime, and paradigm shift. Exploration of the values, assumptions, and perspectives connected to these terms both highlighted the problems with our current system and informed the development of a shared vision for something new.

The convenings reinforced the central premise that as we increase our ability to work with everyone impacted by crime and the criminal justice system (including survivors of crime, people convicted of crime, and the families of both), we increase our capacity to identify and support the system changes that address complicated realities and can effectively transform our communities’ experiences.

The convenings were a start to a new way of working beyond silos. Although many organizations that participated already manifest a merging or blurring of these silos, other participating groups and advocates can squarely place themselves in either the victim advocacy field or the criminal justice reform field. The diversity of perspectives made the conversations rich and allowed us to see the value and possibility of breaking down the boundaries that have circumscribed our work.

“Victim advocates have significantly increased state funding for survivor services by advocating alongside criminal justice reform groups for a justice reinvestment agenda. In Oregon, those relationships were years in the making.”

Kerry Naughton
Victim Advocate.
As demonstrated in the full report, there are already many organizations and changemakers who are engaged in building a new paradigm. The convenings confirmed the importance of connecting these individuals and groups to share best practices, build a common language and analysis, and generate momentum for the changes that are urgently needed.

The framework below is offered as a starting place for further strategic discussion among committed organizations and the funders seeking to invest in solutions that better serve individuals, families, and communities harmed by crime and our criminal justice system.

**Producing a Paradigm Shift: A 3-Phase Model**

**Phase 1: Foundation (now to 3 years)**
- Develop a critical mass of people across fields committed to a common vision.
- Develop shared language and understanding of high-impact strategies to advance the new paradigm.
- Develop infrastructure to promote and coordinate this work.

**Phase 2: Proof of Concept (now to 6 years)**
- Test and promote strategies, focusing on work likely to make the biggest impact quickly.
- Debrief and assess lessons learned, and develop a feedback loop to expand learning across the fields.
  - Communicate the power and potential of new paradigm approaches.
  - Recruit additional organizations and networks to support the paradigm shift.

**Phase 3: Movement-Building (5 to 10 years)**
- Assess progress and re-tool with a focus on significant strengths and achieving scale.
- Build capacity to move strategies that will take longer to produce high impact.
- Provide incentives for collaborative reform work that increases the rate of change.
We have already begun to lay a Foundation (Phase 1). We have a network of highly interested individuals from a diverse range of organizations who have started the work of developing a common vision and shared language. Some of these organizations are already offering Proof of Concept (Phase 2) by testing and promoting strategies that illustrate the power of and potential of new paradigm approaches. Cross-fertilization across silos is also taking place.

Several elements are needed to solidify and build upon this promising start with the eventual goal of Building a Movement (Phase 3).

The following four areas of strategic focus offer a preliminary framework for the kind of work that could be undertaken with the necessary commitment, infrastructure, and investment. (A more robust description can be found in the full report.)

1. **Policy & Programmatic Change**

   With the overarching goal of creating public policies that simultaneously advance safety, accountability, justice, healing, and prevention, dialogue participants identified a range of objectives, including:

   - Refine and expand justice reinvestment to refocus public safety strategies toward prevention and trauma reduction rather than an over-reliance on incarceration.

   - Redefine accountability in ways that move beyond the punishment paradigm; expand and promote restorative practices and other meaningful opportunities for people who commit crime to take responsibility for their actions.

   - Increase support for people harmed by crime – especially people currently under- or unserved by existing programs. Strengthen understanding of the link between treating trauma and reducing future violence, so that victims’ services are seen as a critical component of public safety.

   - Lift up more diverse crime survivor voices – including young men of color and others representative of the most impacted communities – to impact policy decisions.

   - Address the deep racial disparities and discrimination within the current criminal justice system.
2. Public Awareness & Education
Dialogue participants placed a strong emphasis on public education, including the following objectives:

- Development and use of messaging that allows the public, the media, system stakeholders, and policymakers to re-think current assumptions about “opposing needs and goals,” and that challenges the often false dichotomy of offenders and victims.

- Media engagement to break the pattern of reporting on crime and victimization that fosters misperceptions about the reality of crime, impacted people, and effective policy solutions.

3. New Relationships
Recognizing the value of the relationships being built across fields, convening participants expressed interest in figuring out a new model for engaging a broad set of stakeholders in the discussion. The goal is not only to develop stronger connections between victim advocates and criminal justice reform groups, but to also engage policy advocates focused on public health, addiction, education, etc. to forge a truly interdisciplinary approach.

4. Infrastructure & Capacity-Building
The actions described above require dedicated coordination of this work at the national, state, and local levels. At the same time, organizations carrying out new paradigm activities or wishing to do so need capacity to strengthen those programs and participate in the larger movement to promote them. Areas of focus include:

- Coordination capacity to organize additional convenings, support collective decision-making and prioritization, foster research and evaluation, and document and showcase best practices.

- Communications capacity to craft and test new language that can be used to describe and promote a new framework both internally within the criminal justice reform and victims’ assistance fields, and externally within policy and educational campaigns.

- Technical assistance to individual organizations wishing to engage in new paradigm work, including training, sharing of best practices, and fostering collaboration.

- Development and piloting long-term coordinated campaigns that include grassroots organizing, building new alliances, communications, and policy advocacy to implement the new paradigm on a broader scale.
There is a growing movement to confront the false choice between meeting the needs of crime victims and reforming failed criminal justice and corrections policies. Around the country, victim advocates and criminal justice reform groups are beginning to come together to demonstrate that we can keep our communities safe, significantly reduce our reliance on incarceration, improve public safety outcomes, and help both crime survivors and people convicted of crime rebuild their lives.

Increasingly, legislators across the country are hearing from victim advocates that our public safety system is out of balance when so many resources are devoted to prisons. New organizing is responsible for not only passing needed sentencing and corrections reforms but also increasing funding for life-saving victim services and re-orienting our public safety system to be more effective.

Given the emotional power of the punishment paradigm that helps sustain the deep-rooted problems within our criminal justice system, it’s difficult to envision a real sea-change in America’s attitudes on how to address crime and violence without implementing different strategies and forging powerful new alliances.

The holistic paradigm that is bringing together victim advocates and criminal justice reformers has the power and potential to create long term shifts in public attitudes toward accountability and crime that both strengthen services for the people and communities harmed by crime and replace our over-reliance on incarceration with a focus on prevention.

Various groups are attempting to put this holistic paradigm into practice, and many more groups are showing interest in doing so. So far the results have been impressive in passing policy changes, shifting the political landscape and improving the lives of real people and the communities most impacted by crime and the criminal justice system. We hope you will join us in further exploring, experimenting, and evolving this work and thinking.
DIALOGUE PARTICIPANTS

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WHAT CAN BE FOUND IN THE FULL REPORT THAT IS NOT IN THE EXECUTIVE SUMMARY

- Case studies that describe concrete work that manifest new paradigm values and vision
- The full version of the vision statement that emerged from the convenings
- An outline of goals for each convening
- Organizational descriptions

These additional resources help bring this work and thinking alive:

The following 5 minute video provides a strong campaign narrative that helps bridge the divide and build a diverse coalition for justice reinvestment. Oregon Out of Balance looks at how real people are negatively impacted by the status quo and presents a compelling argument for a strategy that emphasizes increasing access to victim services, addiction treatment, mental health services, and re-entry programs rather than continuing to build and fill prisons. The film provides special emphasis on the ways Oregon could better meet the needs of survivors of crime and violence.
http://www.safetyandjustice.org/spotlight/oregon-out-balance

The following 4 minute video was produced by Crime Survivors for Safety and Justice, a network of crime victims within Californians for Safety and Justice. The video helps raise a diverse and important voice of crime victims working for system change so survivors and communities can recover, heal and prevent crime.
https://www.youtube.com/watch?v=iS0w9prf218&feature=player_embedded

The following links to a substantial and insightful poll that focuses specifically on crime victims in California. The survey address compelling questions like: Who are crime victims in California? How does crime impact them and their thinking? What are their unmet needs – and experience with victim services?

The following link is to a concept paper released in 2011 designed to foster dialogue and collaboration between crime survivor advocates and criminal justice reform advocates who have a shared stake in creating a system focused on the policies best equipped to create safe and healthy communities.