

# *Circle Peacemaking:*

## *A Timeless Practice Becomes Trendy*

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Kake District Court

Kake, Alaska

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# ***KAKE CIRCLE PEACEMAKING***

**-Our Way of Life-**

**CORE COMMUNITY VALUES**

## **OUR ORIGINAL “LAWS OF THE LAND”**

**Respect: of self, Elders, Others, Property, Everything**

**Forgiveness: of self and of Others**

**Love: of oneself and Others**

**Family: your Clan, your Community and your Generosity**

**Humor/Health: a good balance: of Physical, Mental, Emotional and Spiritual**

**Honesty: you cannot remember all the lies...**

**Sharing: Happiness, Grieving, Customary & Traditional Gathering...**

**Leadership: Being a Good Listener, Servant**

Etc...Also Know As: “The Good Red Road” There are many more Values that can be listed...

## **Guidelines for Circle Peacemaking**

1. Gunalcheesh (Thank You) for you all being here.
2. Circle begins in a good way (Prayer or Silence) -Stand & Hold Hands-
3. Everyone is Equal, when we sit in a Circle for Peacemaking
4. One Person Talks at a time (Talk from the Heart-Life Experiences)
5. We Respect each other
6. We Do Not Point the Blame (We look Forward)
7. Take Timely Breaks
8. Everyone is Inclusive (We respect one's right to not comment)
9. Everyone in the Room is Part of the Circle
10. Everything Said in the Circle is *CONFIDENTIAL*
11. Circle Ends in a good way (Prayer or Silence) –Stand & Hold Hands-

# **COMMUNITY JUSTICE: An Overview of Some Advantages**

## ***BUILDS COMMUNITY – DEVELOPS:***

- Community resources for prevention and healing
- Conflict Resolution and Participatory Skill
- Connections to Community (victims, offenders and all others)
- Better Relationships
- Respect & Understanding within the Community
- Ability of Individuals, families & Communities to take more responsibility for resolving conflicts
- Community self-reliance

## ***IMPROVES SERVICE DELIVERY:***

- Faster response to problems
- Coordinates Community, Government and Family Resources
- Sensitizes solutions to local conditions
- Addresses Cause – Not Just Symptoms

## ***REDUCES:***

- Recidivism
- Dependence upon Government
- Costs to State & Community

## ***CHANGES INVESTMENT FROM:***

- Processing Crime to Healing Individuals, Families and Communities
- Professionals to Community Resources

**CIRCLES BROADENS THE BASE OF COMMUNITY INVOLVEMENT**

# **KEEPERS OF THE CIRCLE (Facilitators)**

## **How to Help Move Circles Towards Consensus**

### **Guide Process:**

Guidelines have been developed within our Community. We ask for your suggestions to help our Circle.

### **Promote Equality:**

We all have important experiences & something to offer. Keep in mind how much time we have together & comments *should be kept with a set time limit-by the Keeper of the Circle.*

### **Generate Respect:**

We all are different – but all have something to learn from each other.

### **Share Responsibility:**

Problem belongs to all of us – and all of us have a responsibility for finding Solutions

### **Encourage New Ideas:**

Every idea is a good one – and helps us Work Together to find answers

### **Seek Solutions that “Benefit Everyone”:**

Can we find a way to meet the needs of all who seek help Today?

### **Promote Brain Storming:**

Can we imagine some new ways to deal with these challenges?

### **Call Timely Breaks:**

We have accomplished a lot, I’d like to summarize what we have done and have left to do before taking a break.

### **Maintains Positive Perspective:**

Its difficult work, but we are moving forward in a good way.

### **Support one another:**

Tears are a sign of Healing – stand besides those that are in need of support

# **PRINCIPLES COMMON TO ALL CIRCLES**

## **Process:**

- **Consensus Approach** –everyone is given a chance to participate or can pass the talking piece
- **Interest Based** – Each situation is different
- **Self – Designed** – each Circle is never the same
- **Flexible** – Circle can be put together relatively quick with attention given to details-process
- **Spiritual** – Each of us relate to a higher power – strength
- **Holistic Healing** – A plan is laid out to begin the Healing with follow ups

## **Participants:**

- **Inclusive** – everyone came because they care for the victim, wrongdoer, family and community
- **Voluntary** – caring people are here to give support, people's are giving of their own time to be present
- **Direct Participation** – everyone in the Circle has a say
- **Equal Opportunity** – no one in the Circle carries their title into the Circle
- **Respect** – is given to each other

## **Principles Deprived from Circles:**

- **Peacemaking** – the balance is restored, apologies are made, in the first steps in healing are made along with a plan
- **Mediation** – there are no winners or losers
- **Consensus Building** – all suggestions are heard, considered and gone over again
- **Partnership with the Court System** – on Circle Peacemaking is Community Involvement

# ***CIRCLE PEACEMAKING PROCESS***

<u>The Hearing</u>	<u>What</u>	<u>Who</u>
Stage One: .....	<u>Welcome</u>	<u>Keeper of the Circle</u>
Open the Circle	Opening Prayer .....	Keeper Selects (Elder)
	Circle Guidelines .....	Keeper Explains
	Introductions .....	All Participants (Just Names Only)
Stage Two: .....	<u>Legal Facts</u>	<u>Judge/Keeper/Police</u>
Legal Steps	State Opening .....	What Happened
	Probation Report, if necessary .....	Police/Probation Officer
	Legal Summary .....	Judge/Keeper
Stage Three: .....	<u>Support Group</u>	<u>Offender Group Head</u>
Clarifying Information	Support Group Report	Victim Group Head
Stage Four: .....	<u>Talking Staff/Feather</u>	<u>All Participants</u>
Searching for Common Ground	Everyone, Victim and Offender speak Last (Apologies Made)	
Exploring Options	Summary .....	Keeper goes over suggestions
Stage Five: .....	<u>Assessing Consensus</u>	<u>Keeper</u>
Developing Consensus .....	Talking Staff/Feather.....	All participants
	Setting Out Plan .....	Keeper
	Consensus .....	All participants
Stage Six: .....	<u>Summary</u>	<u>Keeper</u>
Closing	Signing of Consensus .....	Victim & Wrongdoer
	Closure .....	Everyone-very short comments
	Closing Prayer	

Circles Include the “Balance of a Person”: Emotional, Mental, Physical and SPIRITUAL (spirituality is not part of the State Court consideration of a person during their process)

# **CHANGES FROM COURTS TO CIRCLE PEACEMAKING**

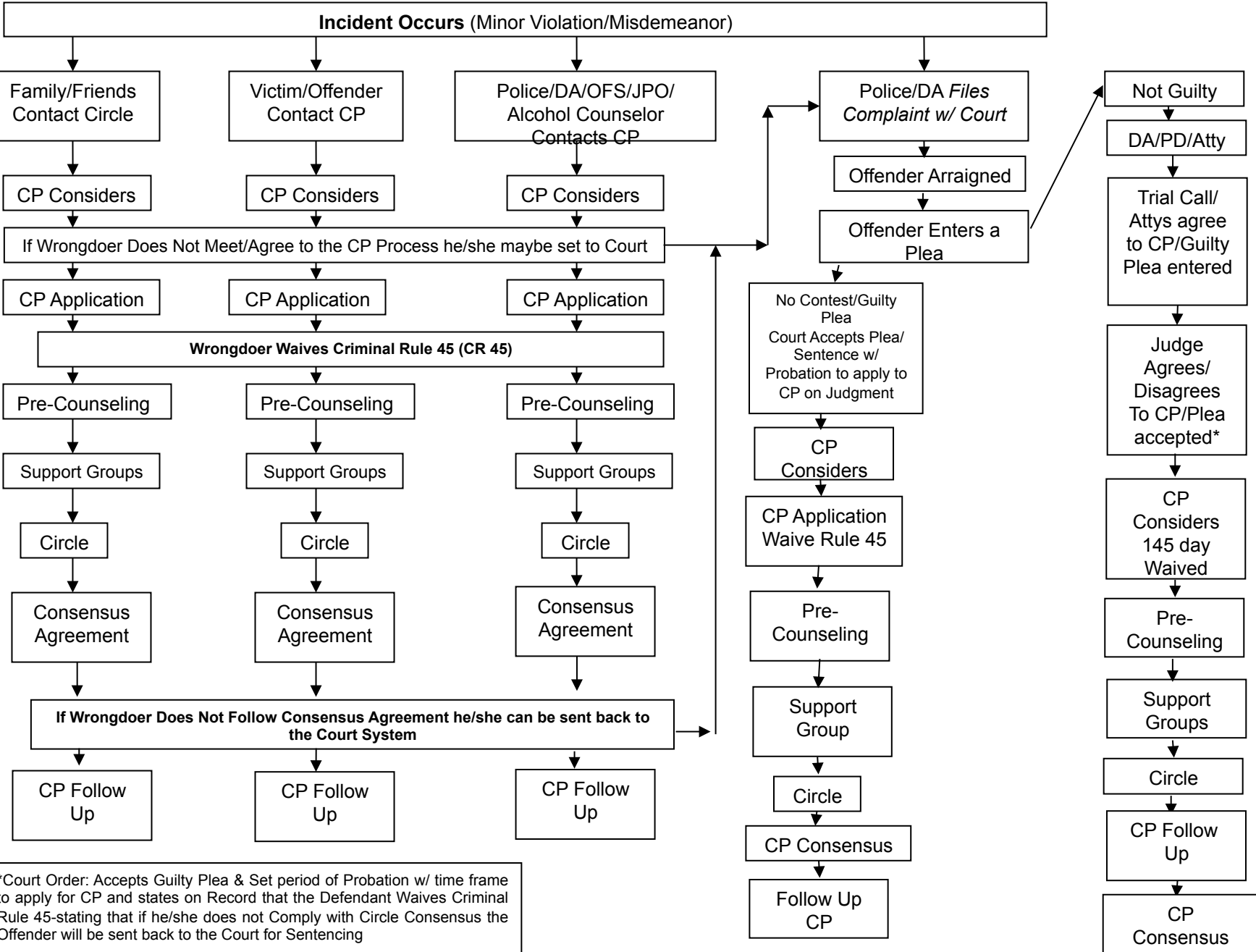
	<b><u>COURTS</u></b>	<b><u>COMMUNITY CIRCLES</u></b>
<b>People:</b>	<b>Lawyers</b> Non-residents	<b>Local People</b>
<b>Process:</b>	<b>Adversarial</b> State v. Offender	<b>Consensus</b> Community v. Problem
<b>Issues:</b>	<b>Laws Broken</b>	<b>Relationships Broken</b>
<b>Focus:</b>	<b>Guilt/Offender</b>	<b>Holistic View</b> -needs of the victim/Community source of the Problem -Resources for Solution
<b>Tools:</b>	<b>Punishment/Control</b>	<b>Healing &amp; Support</b>
<b>Procedure:</b>	<b>Fixed Rules</b>	<b>Flexible Guidelines</b>
<b>Results:</b>	<b>Winners &amp; Losers</b>	<b>Remedial</b> - a plan laid out - healing begins for Victim & Family - Maximizes the Interest of all – for Wrongdoer and Community

**It is important for communities to be involved in a process that directly affects the community. It is also essential that community members establish a working relationship with the Formal System-State Court System and Circle Peacemaking. Our experiences show that when this is done it develops a much stronger Community.**



# Kake Circle Peacemaking Flow Chart

***Different Routes to Circle Peacemaking (CP) but not limited to:***



\*Court Order: Accepts Guilty Plea & Set period of Probation w/ time frame to apply for CP and states on Record that the Defendant Waives Criminal Rule 45-stating that if he/she does not Comply with Circle Consensus the Offender will be sent back to the Court for Sentencing

Gunalcheesh

Haa' waa

Thank You