

CU Restorative Justice Confidentiality Policy

Restorative Justice helps to address the relationship between victims, offenders, and the community in a way that repairs the impacts of an incident, holds the offender accountable for their actions, and builds community. In the process all participants are given an opportunity to share what happened from their perspective and identify ways the person responsible can make things right. In order for the process to be effective, the person responsible for the incident needs to take responsibility for their actions and the impact caused.

Essential to the responsibility-taking and storytelling are assurances that the conversation and discussion will remain private. In restorative justice, participants are encouraged to share their experiences and take active-accountability for what happened, which can help the community heal and grow after an incident has occurred. This healing and growth process is built on the trust that what participants share in the conversation will not be communicated to others outside the process.

In order to ensure trust in the restorative justice process, the University of Colorado Restorative Justice Program (CURJ) has the following policies around confidentiality for participants:

- Participants should keep confidential all information about others in the restorative justice process. Keeping the conversation confidential ensures all participants feel comfortable sharing their experiences without fear of their personal information and experiences being shared with others outside of the process.
- Participants may share information about their experience in the restorative justice process with others outside of the process and program, so long as any identifying information about the other participants is withheld. Identifying information may include name, personal information, gender identification, classification, or details of the story that could tie back to the individual. Changing the name, age, classification, major, and details of the story can help protect the privacy of participants in the process.

There are a few exceptions to participant confidentiality within the process. These exceptions are meant to support university and individual safety and ensure the university is an inclusive place to all. In addition to participants being able to share information under one of these exceptions, should one of these exceptions to confidentiality be communicated during the process, CURJ will submit a report to the appropriate authorities. These exceptions to confidentiality are any disclosure of:

- Articulable and significant threat to the health or safety of the participant or others in the future
- Intent to commit a future serious crime
- Sexual misconduct or protected class discrimination, harassment, or related retaliation
- Information to comply with a subpoena, court order, or other legal requirement

We hope that by providing clear policies and boundaries around the confidentiality in restorative justice processes, participants feel more comfortable engaging in restorative justice.