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Constance Marie Sheehan  
*Loyola University Chicago*

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LOYOLA UNIVERSITY CHICAGO

THE RESTORATIVE JUSTICE TALKING CIRCLE PROCESS

WITH PROBATION OFFICERS:

A PHENOMENOLOGICAL APPROACH

A DISSERTATION SUBMITTED TO

THE FACULTY OF THE GRADUATE SCHOOL

IN CANDIDACY FOR THE DEGREE OF

DOCTOR OF PHILOSOPHY

PROGRAM IN SOCIAL WORK

BY

CONSTANCE M. SHEEHAN

CHICAGO, ILLINOIS

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## CHAPTER ONE

### INTRODUCTION TO THE STUDY

The United States leads the world in the number of individuals it incarcerates (Liptak, 2008) – a distressing fact that is the product of a combination of sociocultural, political and economic concerns. The Bureau of Justice Statistics (2008) reports rates of incarcerated adults have increased over two hundred fold in the past twenty-five years, with over 2.3 million - one of every 100 adults – incarcerated, and one in 31 under some form of correctional control. The United States now has about 5% of the world population but approximately 25% of the incarcerated individuals (Dzur, 2011; Rich, Wakeman & Dickman, 2011).

The above facts have triggered a range of concerns, including how to address the growing number of individuals who will necessarily experience reintegration into the community and how to protect public safety by preventing them from slipping back into offending behaviors (Marinez, 2010). The work of probation officers is critical to these concerns and yet, according to the American Probation & Parole Association (APPA) (2007), the research on this field of professionals is surprisingly limited, given the increasing demands on the profession and the importance of their work to public safety and societal wellbeing. The evidence (APPA, 2007) indicates that most probation officers work under extremely heavy caseloads and their ability to individually address and remain responsive to their probation clients' needs is truncated. The stress of the work under such difficult conditions appears to be contributing to high rates of voluntary turnover among

probation officers (Lee, Joo & Johnson, 2009). Given the important role that probation officers serve in securing public safety, it is imperative that efforts to support these professionals in their valuable work be undertaken in a meaningful and sustainable way.

A critical goal of the probation officer's work is to support public safety by identifying and containing or limiting opportunities for individuals who are at risk of committing crimes to do so. Probation officers must engage in the process of transforming the thinking of their probationary clients so that they come to recognize that criminal activities are harmful not only to their victims and to the community at large, but to themselves as well (MacGill, 2007).

To effectively unify the objective of punishment with the goals of rehabilitation, probation officers may experience conflict in being perceived by police and prison representatives as being soft on criminals, while being perceived as not engaged or helpful enough in reformation efforts supported by rehabilitation and social work professionals (Farrow, Kelly, & Stout, 2011; Gregory, 2007; Lee, Joo & Johnson, 2009). There is some limited evidence that probation officers' perceptions of their clients can influence the nature of the probationary interaction and inform how intervention is delivered, and that these perceptions may positively or negatively affect clients' ability to succeed in reintegration (Andrews & Dowden, 2006; MacGill, 2007; Vidal & Skeen, 2007).

These findings correlate with the growing number of researchers and practitioners calling for greater emotional intelligence to be encouraged among law enforcement and justice professionals. Emotional Intelligence (EI) is a term described by Goleman (1995, 2011) involving components of self-awareness and self-regulation combining for an individual to achieve self-mastery. Many cite Goleman as being too expansive or broad and

his definition of EI as being elusive. Pfiefer (2001) agrees with the argument that Goleman lacks scholarly merit however credits him with making popular the notion of EI. He narrows Goleman's definition as "being able to rein in emotional impulse; to read another's innermost feelings; to handle relationships smoothly" (In Pfiefer, 2001, p. 138). Mayer, Caruso & Salovey (1999) defined Emotional Intelligence as,

...an ability to recognize the meanings of emotions and their relationships, and to reason and problem-solve on the basis of them. Emotional intelligence is involved in the capacity to perceive emotions, assimilate emotion-related feelings, understand the information of those emotions, and manage them (p. 267).

The argument for fostering emotional intelligence in practice is that it may contribute to improved service, producing the desired effect of lower rates of recidivism and a reduction in crime, while at the same time it may reduce stress for those working in the justice system, improving their personal and professional wellbeing (Sherman, 2003; Sherman, Strang & Newbury-Birch, 2008; Walker, 2009; Walker & Greening, 2010).

The processes that support emotional intelligence are addressed in the growing field of Interpersonal Neurobiology (IPNB). The theory behind IPNB provides a picture of human mental development and the potential for transformation that exists in changing thinking and processing of emotions, thoughts and behaviors (Siegel, 2001, 2006, 2007). The concept of emotional intelligence is interrelated with IPNB and the development of mindful awareness as a strategy for achieving healthy integration of emotional, psychological, physiological and cognitive functioning (Davis & Hayes, 2011; Siegel, 2001, 2007). This researcher posits one way toward integration of mindful awareness, emotional intelligence, and a sense of well being is through the use of talking circles within the model of restorative justice.

Restorative processes seek to bring perpetrators, victims and care providers (prison representatives, criminal justice workers, therapists, community service professionals, social workers) together as stakeholders in acknowledging the harm caused by the criminal behavior and finding ways to ensure the perpetrator takes responsibility for improving life going forward and not return to criminal pursuits after being released from incarceration (Umbreit et al., 2005). The purposeful activities associated with restorative justice process create the potential for something meaningful and positive to be made out of an otherwise negative situation that has often produced further negative outcomes. Restorative justice simply asks, What is the harm? Who are the stakeholders? And, how can the harm best be repaired?

Conversely, the American justice system incorporates an adversarial and punitive system in which it is asked, what is the crime and what is the punishment? This justice process may at times be dehumanizing – perpetrators are vilified or reduced to the elements or sum of their crimes, while the victims are often lost in the shuffle with no sense of having a voice in the process. Walker and Hayashi (2009) assert that this adversarial system frequently further entrenches negative emotions and experiences, fostering additional rage, fear, blame and shame for all stakeholders. It is this author's belief that this negativity serves only to complicate the process of justice and the potential for successful reintegration of the perpetrator of the crime to the community to eventually be realized.

A particular restorative practice – the talking circle – is a common practice of restorative justice efforts and, a seemingly effective one (Umbreit, Coates & Vos, 2007). That the potential for restorative justice practices like the talking circle support the development of emotional intelligence, mindfulness, and possibly transcendence within

stakeholders of the justice system is cause for a study in understanding this little explored subject.

### **Purpose of the Study**

Given the central role that probation officers serve in our criminal justice system, it is worth inquiring whether the restorative practices of the talking circle may have a positive impact on probation officers' personal and professional wellbeing or on their capacity for effectively working with clients. This study considers how talking circles may be used with probation officers to facilitate their attunement, presence, resonance, and transformative process, and to consider how these qualities may inform their professional practice. This study proposes to focus on a particular restorative practice – the talking circle – to more fully understand its usefulness in helping probation officers increase their sense of well-being and transcendence from old models of thinking to more transformative ways of being. This study addresses a dearth of literature on the effectiveness of the circle process with probation officers. It also aims to gain a deeper understanding talking circles through concepts of IPNB, likewise lacking in research.

The potential for restorative justice practices like the talking circle to support the development of emotional intelligence is important to consider and it is worth inquiring into whether these restorative practices may have a positive impact on probation officers' personal and professional wellbeing or on their capacity for effectively working with clients.

The complex considerations that present in probation work – balancing criminal justice system imperatives with a rehabilitative, social work orientation – can prove challenging and some researchers have suggested that training for probations officers is not

always up to the task (Bhui, 2002; Farrow, Kelly, & Stout, 2011). Several recent studies explore the changing nature of probation officer training as the field works to come to terms with the logistical demands of probationary work (high caseloads, the widespread use of performance-based measures to assess effectiveness) while still balancing a commitment to rehabilitation and transformation (Gregory, 2007).

Transformative practice as an aspect of probation officers' work may be especially relevant in helping probation officers reconcile the competing challenges of the punitive, enforcement orientation with the ethical commitment to assisting probation clients to make meaningful and positive changes in their lives (Goldhill, 2010).

The transformative process is encouraged with the reflective practice of the circle process. The circle process asks the professional to consider his own beliefs in relation to the situation and to challenge both professional orthodoxy and one's own biases or entrenched beliefs to remain open to information that may change as new considerations emerge. Circles provide a forum in which participants from varied and differing perspectives meet with respect and sincerity to speak of their, and listen to others, pain and conflicts (Pranis, 2005). Pranis (2005) emphasizes, "Circles draw on the life experience and wisdom of all participants to generate new understanding of the problem and new possibilities for solutions" (p. 6).

The principles of IPNB and mindfulness are consonant with the theory and principles undergirding restorative justice (Bazemore & Umbreit, 1995; Sherman et al., 2008; Strang et al., 2006; Walker & Greening, 2010; Walker & Hayashi, 2009; Ward, 2009). Thus, this study also explores the connectedness of these concepts and practices by

considering their usefulness in improving the performance and professional satisfaction of a target population of probation officers.

In this way, the research will examine the use of restorative justice talking circle processes among probation officers, with a particular focus on the effect of talking circles as a strategy for increasing wellbeing and improving professional effectiveness by transcending attitudes or beliefs that are not useful by addressing the questions:

- 1) Do participants in peace circles reflect on their experiences of transformation and if so, how?
- 2) Do participants in peace circles experience presence, attunement, and resonance and if so, how?
- 3) What are the relationships between how individuals experience presence, attunement, and resonance and the transformative process?

### **Significance of the Study**

This researcher found no current studies exploring the application of talking circles with probation officers, however, several studies report on restorative justice programs initiated by law enforcement agencies in an effort to address recidivism rates in their communities (Hanser, 2009; Meyer, Paul & Grant, 2009; Schwartz, 2005; Schwartz, Hennessy & Levitas, 2003).

The potential significance of this study is to develop a previously unexplored understanding of how probation officers may be more effective in their endeavors to attune to their clients' needs, their own needs, and gain a sense of well-being through understanding the components of transcendence within the talking circle. A better understanding of the transformative experience as a result of talking circles will have

implications not only for the probationary field but possibly the entire justice system and the social workers engaged in that system. Exploration into the experience of probation officers and talking circles will contribute to theory building regarding what elements of change take place in talking circles. Finally, research in this area promotes the effort toward the integrative approach of IPNB, emotional intelligence and restorative justice within the justice system.

Social workers have long been involved directly and indirectly in the justice system, specifically within the juvenile justice system. Understanding ways to support and sustain reduced recidivism in a way that respects all the stakeholders in the justice system will add to the body of knowledge that is congruent with the social work mission. A strengths-based perspective is an integral part of the social work profession; as is encouraging a sense of well-being through strengthened human relationships. While it is clear that the IPNB practices of presence, attunement and resonance may engender a sense of well-being, it has not been explored within restorative justice and the talking circle.

While clinical research and practice on mindfulness is still quite young, the appearance of mindful awareness practices across a range of spiritual traditions have acknowledged its centrality to human experience and efforts toward improving wellbeing over the course of centuries. A critical feature of mindful awareness is the ability to concentrate attention so as to recognize and identify one's responses and behaviors with a compassionate and nonjudgmental eye. The essential aspect of mindful awareness is acceptance that experiences, sensations, feelings and judgments will appear but that these do not constitute permanent and unchanging conditions. Rather, mindfulness underscores



the ongoing potential for change and promotes the idea that remaining available to the reality of the moment and releasing judgment or the notion of control can actually support the processes of change (Siegel, 2007; Davis & Hayes, 2011).

It has been suggested by Sherman (2003) that anger is the most prevalent emotion seen in adversarial justice processes with the implication that anger merely begets more anger and hinders the potential for healing and positive resolution. The potential to create other emotional responses that might have some useful bearing on curbing criminal impulses and creating a healthier society are likelier to be effected outside the courtroom. This researcher believes that transcendence is possible in an environment such as the talking circle which encourages mindful dialogue that is intended to transform thinking, attitudes, and behaviors (Umbreit et al., 2005).

### **Definition of Terms**

#### **Mindful Awareness/Mindfulness**

Mindful Awareness is the ability to concentrate attention so as to recognize and identify one's responses and behaviors with a compassionate and nonjudgmental eye. The model is based on a definition established by Kabat-Zinn (1994), which posits that mindfulness arises from the simultaneous cultivation of three components: (a) clear intention as to why one is practicing, such as for self-regulation, self-exploration, or self-liberation; (b) an attention characterized by the observation of one's moment-to-moment experience without interpretation, elaboration, or analysis; and (c) a quality of attending characterized by an attitude of acceptance, kindness, compassion, openness, patience, non-striving, equanimity, curiosity, and non-evaluation.

There are several element of importance to note in the definitions of mindfulness

and mindful practices; one of three critical elements is attention, describe as "observing the operations of one's moment-to-moment, internal and external experience. The second element is the qualities one brings to attention – these qualities include patience, non-judging, compassion, and acceptance. Finally, the element of intention, or the reasons for engaging in mindfulness practice (Carmody et al., 2009). Kabat-Zinn (2011) states that Mindful Based Stress Reduction was conceived of as...a vehicle for both individual and societal transformation.

### **Interpersonal Neurobiology (IPNB)**

Several of the key features of Interpersonal Neurobiology (IPNB) theory that contribute to the realization of mindfulness are: *presence, attunement, resonance, and transformative process*. These features set the groundwork for establishing trust so that one's truth may emerge (Siegel, 2001, 2006, 2007).

Siegel (2006) describes IPNB as an approach of consilience to mental health that examines the independent fields of knowing to find the common principles that emerge to paint a picture of the 'larger whole' of human experience and development," (p. 1) by drawing on research from over a range of scientific disciplines that have examined and assessed how change occurs in humans.

Grounded in the empirical evidence demonstrating that the brain continues to grow and change over a lifetime, IPNB posits that cognitive, emotional, psychological and biological conditions can be transformed in positive ways to improve functioning. Siegel's research in particular has focused on the ways in which life experiences have been seen to impact neurological functioning, altering neuron paths and affecting linkages made in the brain, and exploring how relationships and therapeutic interventions

may be able to trigger the growth of new neurons and the formation of new neurological connections (Siegel, 2001, 2006, 2007).

Clarification and definition of common terms used in mindfulness literature are outlined below. The terms used in this research are Siegel's (2001), lecture notes, Los Angeles, CA) definitions.

### **Presence**

- Openness to receiving “what is to come”
- Sense of being receptive and available
- Embracing uncertainty
- Openness to emergence versus certainty/agenda
- Non-judgmental fluidity that allows two separate beings to attune to each other
- Internal worlds are able to shift because of open, clear communication

### **Attunement**

- Focusing of attention on the signals sent from another
- Interpersonal attunement of secure attachment is parallel to intrapersonal attunement of mindful awareness
- Being receptive to internal signals of others
- Ability to see the mental life of another
- Integrative

### **Resonance**

- Describe as a “feeling felt”
- Allows one to trust what is occurring in the moment
- Promotes positive “plastic” changes

- “What is shareable is bearable”

### **Research Questions**

Phenomenological research methods strive for capturing a ‘lived’ experience to form a better understanding of how we develop a ‘worldview’ and “rests on the assumption that there is a structure and essence to shared experiences that can be narrated” (Marshall & Rossman, (2006, p. 112). It is both the description of lived experience and the meaning of that experience that undergirds phenomenological research (Marshall & Rossman, 2006; Moustakas, 1994). This research intends to capture what probation officers consider transformative in the talking circle process through their narratives. In order to best investigate what transformation looks like and how it relates to the talking circle, concepts of presence, attunement, and resonance will be addressed. The three questions below provide the operational framework for this qualitative phenomenological study.

- 1) Do participants in peace circles reflect on their experiences of transformation and if so, how?
- 2) Do participants in peace circles experience presence, attunement, and resonance and if so, how?
- 3) What are the relationships between how individuals experience presence, attunement, and resonance and the transformative process?

### **Assumptions and Limitations**

There is an assumption in this research that probation officers are engaged in circle process to better their understanding of issues with their work and clients and that they wish to engage in the circle process. Some probation officers engage in the circle process as the result of request from a supervisor rather than desire to engage in the search for

connection with fellow circle participants or a transformative experience. However, it is this researcher's experience that even when reluctant; circle process participants often experience a level of transcendence. The circle process is not necessarily about helping the client, but instead it is a story telling process. Circles are egalitarian in nature, participants affect one another by sharing stories that have meaning to them, thereby connecting in their common humanity and human experience (Pranis, 2005).

Another limitation of this study is that it postulates that the probation officers are willing to authentically engage in the circle process and have the ability to practice presence, attunement, and resonance and experience a transformative process. This research is grounded in the belief that all people have the ability to deeply listen, empathize with others and to speak from the heart in an authentic way. It is not always the case that participants are willing to allow themselves to engage in these states of vulnerability. Often it is not without discomfort that participants of a circle reveal themselves in a forthright manner. Occasionally this discomfort will lead to disconnecting attitudes and behaviors, which could possibly impede the transcendent process.

Given the relatively small sample size of 10, this study will report on, this research cannot make sweeping statements about the effectiveness of restorative talking circles. However, it will add to the relatively small body of literature regarding circles.

## CHAPTER TWO

### REVIEW OF RELATED LITERATURE

This study examines the use of restorative justice processes among probation officers, with a particular focus on the effect of talking circles as a strategy for increasing wellbeing and improving professional effectiveness. This review explores the relevant research and opens considering the nature of the complex role of probation officers who are required to balance the seeming competing demands of meting out justice to offenders (e.g. engaging in punitive behaviors and judgments) and supporting their rehabilitation (e.g. providing encouragement and responding empathetically). This is followed by a discussion of the importance of emotional intelligence to both probation officers in their capacity as agents of social control and in relation to restorative justice.

The relationship and importance of Emotional Intelligence in interactions between probation officers and clients is an important and unexamined one. Subsequently, the processes that support Emotional Intelligence are further explained through an exploration of the research on the growing field of Interpersonal Neurobiology (IPNB). I examine the concept of mindfulness, which is interrelated with IPNB, and the development of mindful awareness as a strategy for achieving healthy integration of emotional, psychological, physiological and cognitive functioning. Following this discussion, I focus more fully on the ideas of attunement, presence and the transformative process and consider the implications of IPBN and mindfulness for professional practice.

The final section of this review focuses on a particular restorative practice – the talking circle – as a common feature of restorative justice efforts and, the research suggests, a seemingly effective one.

The potential for restorative justice practices like the talking circle to support the development of emotional intelligence is at the heart of this research effort. Given the central role that probation officers serve in our criminal justice system, it is worth inquiring whether these restorative practices may have a positive impact on probation officers' personal wellbeing and the possible impact of their capacity for effectively working with clients. This study considers how talking circles may be used with probation officers to facilitate their attunement, presence, resonance, and transformative process, and to consider how these qualities may inform their professional practice

Pranis (2005) echoes this, emphasizing, "The underlying philosophy of talking circles acknowledges that we are all in need of help and that helping others helps us at the same time" (p. 6). Experts are prone to change and growth just as non-experts are, mindful attunement is likely to constitute part of a meaningful interaction and engender a transformative experience in all participants of the circle process. This study is needed in part, because of the dearth of studies in looking at how circles help or transform the helper through the process of helping, specifically through the circle process.

Literature on the talking circle, with probation officers, is lacking in both theoretical and empirical research. There are commonalities with caregiver and seeker in the circle process as Pranis (2005) points out above. In the circle process the probation officer, most often the facilitator of circles, needs to be present and attuned to self as well as the circle participants to engender a circle that feels authentic and safe. Common

challenges to youth such as not wanting to be viewed as the problem but instead be part of the solution also apply to probation officers. It is because they engender an understanding of these common experiences and often a new understanding of the other that this author believes circles can be profoundly transforming. Common structural and relational divides are often bridged, even momentarily in talking circles, which may help both the care giver and seeker alike. Each person has a rightful place in the circle by virtue of merely being part of the circle. Often probationary clients are excluded and marginalized from many aspects of society leaving a sense of vulnerability and lack of 'voice' which can be collectively addressed in talking circles, as they are participants and part of the whole. In that way, by being participant-caregivers, the probation officers can offer healing to participants as well as heal themselves through witnessing of the clients restoration to community.

### **Role of probation officers in effectuating change**

The complex role of probation officers working in this system who are required to balance the seeming competing demands of meting out justice to offenders (e.g. engaging in punitive behaviors and judgments) and supporting their rehabilitation (e.g. providing encouragement and responding empathetically) is discussed by many authors (Mawby & Worrall, 2011; Raynor & Robinson, 2009; Schwalbe & Maschi, 2009; Walker & Greening, 2010). Bhui (2002) in particular editorializes about the confusion in how probation officers are conceptualized and utilized. In many countries in Europe probation officers have traditionally been accredited social workers but a movement has been afoot in the past twenty years with a focus on efficiently 'managing' clients. In the United States probation officers often carry guns and have a closer professional affiliation with



police than social workers. Youth probation officers in Canada similar to the United States have diverse roles – making recommendation for the court as well as working with youth providing services post-court proceedings. They serve not as ‘disinterested experts’ but as adults navigating the complexity of the best interest of the youth and public safety. (Corrado et al., 2010).

In the past decade there has been a movement in the United States pushing for trauma informed systems, including probation officers practicing trauma informed juvenile justice to look at the impact of trauma on youth in context of the crime. While societies burgeoning understanding of the role of trauma in youth, particularly court-involved youth is vital, overburdened probation officers may be lacking in knowledge of how to work with such complex issues triggering additional stress and increased workload. Given that probation officers are no longer required to take part in social work training, the roles of officer and advocate are often blurred and demanding (DeMichele & Payne, 2007; Farrow, Kelly & Stout, 2011; Forbes, 2010; Goldhill, 2010; Gregory, 2007; Schwalbe & Maschi, 2009).

Empirical research has shown that (federal) probation officers who experience high stress undergo lower job satisfaction resulting in higher turnover. Lee, Joo & Johnson (2009) report that when officers’ participate in decision-making they feel greater job satisfaction and lowered work related stress. Further, there is evidence that job satisfaction has a direct impact on probation officers remaining in their job (Lee et al., 2010).

The work of probation officers is critical to these concerns and yet the research on this field of professionals is surprisingly limited, given the increasing demands on the

profession and the importance of their work to public safety and societal wellbeing. The swelling prison population means that more and more inmates will require the supervision and assistance of probation officers upon their release from prison. The evidence indicates that most probation officers work under extremely heavy caseloads and their ability to individually address and remain responsive to their probation clients' needs is truncated. The stress of the work under such difficult conditions appears to be contributing to high rates of voluntary turnover among probation officers (Lee, Joo & Johnson, 2009). Given the important role that probation officers serve in securing public safety, it is imperative that efforts to support these professionals in their valuable work be undertaken in a meaningful and sustainable way.

The staggering growth in the nation's corrections populations has had a significant impact on the field of probation work. Whereas probation officers were once assigned to address perpetrators of relatively minor crimes, as prison overcrowding has triggered efforts to alleviate the number of inmates, many probation officers are increasingly assigned to deal with perpetrators who pose more serious threats to public safety (DeMichele & Payne, 2007). At the same time, budgetary limitations experienced across the range of justice, social and human services professions have resulted in fewer resources available to support probation officers in their work with greater caseloads of clients presenting with more serious issues on their journey toward safe reintegration into the community (Forbes, 2010).

Increasingly there is an interest in exploring ways to reduce recidivism and to support reintegration of former prisoners in community life so that they can build relationships and create sustainable, law-abiding practice in their daily lives and

interactions. Walker and Greening (2010) referenced the World Health Organization's (WHO) public health directives for engaging *enactive learning* designed to change behaviors and produce transformative change through goal-oriented process.

There is some limited evidence that probation officers' perceptions of their clients can influence the nature of the probationary interaction and inform how intervention is delivered, and that these perceptions may positively or negatively affect clients' ability to succeed in reintegration (Andrews & Dowden, 2006; MacGill, 2007; Vidal & Skeen, 2007). These findings correlate with the growing number of researchers and practitioners calling for greater emotional intelligence, which includes a mindful component, to be encouraged among law enforcement and justice professionals. The argument for fostering emotional intelligence in practice is that it may contribute to improved service, producing the desired effect of lower rates of recidivism and a reduction in crime, while at the same time it may reduce stress for those working in the justice system, improving their personal and professional wellbeing (Sherman, 2003; Sherman, Strang & Newbury-Birch, 2008; Walker, 2009; Walker & Greening, 2010).

### **Emotional Intelligence and the Justice System**

Sherman (2003) called for greater emotional intelligence in the consideration of how we achieve justice as a society. It has been suggested that anger is the most prevalent emotion seen in adversarial justice processes with the implication that anger merely begets more anger and contaminates the potential for healing and positive resolution. The potential to create other emotional responses that might have some useful bearing on curbing criminal impulses and creating a healthier society are likelier to be effected outside the courtroom, Sherman suggested, in an environment that is less rigidly

structured and encourages dialogue that is intended to transform thinking and behaviors (also, Umbreit et al., 2005). Such emotional reactions as *remorse*, *guilt*, *shame*, *empathy* and *hope*, can and should be encouraged in these efforts to reform perpetrators of crimes while emotions such as *anger*, *humiliation*, *fear* and *disgust* should be avoided, insofar as they reinforce negative and damaging feelings that hinder acknowledgement, acceptance and healing (O'Mahony & Doak, 2004).

### **Emotional Intelligence and Restorative Justice**

The connection of emotional intelligence to restorative justice, of which circles are part, is central to Sherman's (2003) thesis, shared by a number of other researchers (MacGill, 2007; van Wormer, 2009), that restorative justice practice has a transformative effect on individuals and this capacity to change thinking, feeling and behavior is what distinguishes restorative justice as a meaningful solution with long-term effects to the problem of crime and, particularly in terms of repeat offending (Raynor & Robinson, 2009). A fascinating revelation arising from Sherman's review of the literature on criminal offenders and recidivism rates, was that suspects or perpetrators of crime who felt they were not listened to by criminal justice authorities during their questioning or arrests, were likelier to engage in repeat offending upon release than were individuals who reported that they had been permitted the opportunity to explain themselves, even in situations where their report of the events did not result in their being released or acquitted. In other words, not being heard or "felt" was a predictor of future offending. The emotional intelligence concepts that Sherman touches on here lead directly to a consideration of the role that healthy integration of mental and emotional processes play in supporting good relationships and good citizenship. These suggest the imperative of

considering a more holistic approach such as restorative talking circles informed by IPNB and Siegel's (2007) concept of being heard or "feeling felt" to addressing issues of crime and prevention, beyond the traditional punishment and incarceration strategy.

### **Emotional Intelligence and Mindfulness**

The research on emotional intelligence and mindfulness provides evidence that individuals who exhibit these characteristics tend to be more satisfied in their lives and more effective in their personal and professional efforts (Davis & Hayes, 2011; Lamagna, 2011). IPNB theory and the mindfulness principles of attunement (Macaulay, Toukmanian & Gordon, 2007), presence (Hopkins, 2011), resonance (Arizmendi, 2011) and transformative process (Lemma, 2010) provide a template for how healthy integration of mental processing can contribute to improved functioning and greater wellbeing (Siegel, 2001, 2006, 2007).

The processes that support emotional intelligence are explained in the research on the growing field of Interpersonal Neurobiology (IPNB). The theory behind IPNB provides a picture of human mental development and the potential for transformation that exists in changing thinking and processing of emotions, thoughts and behaviors (Siegel, 2001, 2006, 2007). The concept of mindfulness is directly interrelated with IPNB as the development of mindful awareness is a strategy for achieving healthy integration of emotional, psychological, physiological and cognitive functioning (Davis & Hayes, 2011; Siegel, 2001, 2007). Several of the key features of IPNB theory that contribute to the realization of mindfulness are *attunement* (Arizmendi, 2011; Hopkins, 2011; Lamagna, 2011; Macaulay, Toukmanian & Gordon, 2007; Siegel, 2006), *presence* (Hopkins, 2011; Lamagna, 2011), *resonance* (Arizmendi, 2011; Siegel, 2001, 2006), and *transformative*

*process* (Lamagna, 2011; Lemma, 2010; Siegel, 2001, 2006, 2007). The implications of IPBN and mindfulness in professional practice are considered and have not been applied to the concepts of restorative justice and/or talking circles (Collins, 2007; Davis & Hayes, 2011; Hopkins, 2011; Macaulay, Toukmanian & Gordon, 2007; Siegel, 2001, 2006, 2007; Watson, 2011, personal communication, Siegel, 2001).

### **Interpersonal Neurobiology**

Interpersonal neurobiology (IPNB) is an interdisciplinary approach and understanding of mental health, developed by Dan Siegel, Allan Schore and others. Grounded in empirical evidence which demonstrate that the brain continues to grow and change over a lifetime, IPNB posits that cognitive, emotional, psychological and biological conditions can be transformed in positive ways to improve functioning. Siegel's research in particular has focused on the ways in which life experiences have been seen to impact neurological functioning, altering neuron paths and affecting linkages made in the brain, and exploring how therapeutic interventions may be able to trigger the growth of new neurons and the formation of new neurological connections (Siegel, 2001, 2006, 2007). Siegel described IPBN as a 'consilient' approach that examines the independent fields of knowing to find common principles that emerge to paint a picture of the 'larger whole' of human experience and development, "by drawing on research from over a range of scientific disciplines that have examined and assessed how change occurs in humans" (2006, p. 1). Siegel (2001) emphasizes the importance of bringing these various disciplines to the consideration of emotional wellbeing; this integration of different fields of research is necessary in the consideration of something as complex and elusive as the human mind.

Siegel (2006) distinguishes between the brain, as a biological organ, and the mind, which he describes as “an embodied process that regulates the flow of energy and information,” (p. 2). The brain’s circuitry informs how the mind manages the interplay of energy and information and the development of the mind is shaped by the neural connections, or synaptic linkages, that occur when biology and experiences intersect in new ways (Siegel, 2001). Emotional wellbeing is realized when separate functions of the brain are integrated effectively to ensure balance and coherence of processes that are neither too chaotic nor too rigid. As Siegel (2006) observed, one could categorize virtually all the psychological symptoms identified in the Diagnostic and Statistic Manual (DSM) as representing either chaotic processing or excessively rigid processing; finding a balance between these two forces is realized in integration and this is the goal of psychotherapeutic intervention.

Integration for well-being is comprised of at least nine domains, states Siegel (2006). The first domain is *integration of consciousness* and this is realized through “mindful awareness,” (Siegel, 2006, p. 4). Mindful awareness speaks to maintaining a full and active presence in the immediate moment, remaining responsive to whatever stimulus arises. Mindfulness means paying attention to the current moment and having the full experience of the moment. By consciously focusing on the here and now, new information can be recognized and processed and as it is processed, new neural connections will be made. This living in the moment through mindful awareness contributes to neural plasticity which, Siegel stated, has been shown to significantly and positively impact a range of health functions including cardiovascular, endocrine and

immune arenas, as well as emotional functioning in terms of empathy, compassion and sensitivity toward others.

Another domain of well-being is realized through *vertical integration*. Essentially vertical integration represents a comprehension of how the brain and body's somatic systems are connected to the affective states by the shaping of meaning and the processing of experiences. Siegel (2007) refers to this as 'bottom up' and 'top down' processing. Thus, limbic circuits, cortex, brainstem, and body functioning are interlinked and impact each other so that changes in one arena produce changes in the others. Vertical integration then accounts for such features of human life as body regulation, attuned communication with others, emotional balance, response flexibility, empathy, insight, fear experience and extinction, intuition, and morality (Siegel, 2006, p. 6–7). Therapy can assist individuals in realizing vertical integration by enabling them to identify the interplay of these somatic and limbic systems and how they produce changes in our perceptions and affective states. Awareness can lead to the ability to consciously adapt to these influences and to achieve greater integration and balance. This researcher believes that efforts such as talking circles may have the same effect.

The third domain of emotional well-being cited by Siegel is that of *bilateral integration* and as such, emphasizes the role of the nervous system (a right-to-left, asymmetric system in animals). As Siegel outlines it, bilateral integration accounts for holistic, visuospatial, non-verbal aspects of communication, and a range of psychoemotional functions, including empathy and the ability to accept ambiguity on the right side of the system, while the left side handles linear, logical, linguistic and literal processing aspects.



*Integration of memory* is the fourth domain identified by Siegel (2006) and it describes how prior experiences shape how we understand and react to present circumstances. Memory is a process of neuron formation and linkages: as something new is experienced it triggers the activation of neurons that impact other neurons and creates new paths of connection. These new formations serve as implicit memories and may be retrieved later through a second process of explicit memory that draws on the past experience, reactivating it while also embedding it in meaning shaped by present experience. Siegel stated that the hippocampus appears to be integrally involved in the integration of implicit and explicit memories and that when traumatic experience interferes with memory integration it seems that the stress of trauma produces hormones that overwhelm hippocampal functioning. Consequently, memory failure may be realized at one extreme, while at another, memory overload can result in flashbacks – such as those seen in cases of post traumatic stress disorder – in which the individual experiences a past memory with all the visceral impact of its original experience and without the tempering effects of explicit integration and the awareness that what it being “experienced” is not real to the moment, but rather a vivid memory.

*Narrative Integration* is another function of the mind that is critical for wellbeing. It speaks to the ability to create coherent narratives that provide context for our experiences. Neural mapping has been shown to be a part of this process as memories and experiences are grouped to shape themes that shape our sense of our own life’s story (Siegel, 2001). Siegel stated that attachment research on children has shown that the formulation of coherent narratives is “the most robust predictor of how children will attach to us,” (Siegel, 2006, p. 11). Beyond narrative integration there is *state integration*

and this captures how we perceive and behave in the world and how we express our personalities. State integration occurs as neural firing patterns emerge through the interplay of in the moment experience and the integration of memory; we learn to frame our personal responses within the greater context of experience and healthy state integration reflects when we are able to balance different states of experience effectively. Another domain of mental wellbeing, temporal integration, refers to the developing awareness of how past, present and future experiences of the self connect across the continuum of a life and shape how we view ourselves in the world.

The last two domains of mental wellbeing identified by Siegel (2006) are *interpersonal integration and mirror neuron system* and *transpirational integration*. The first of these Siegel devotes a good amount of attention to describing and this fact underscores the centrality of this domain to IPBN and to human development and wellbeing. Interpersonal integration refers to processes involved in establishing and experiencing connections to others and entails the full interrelationships of physiological systems, affective (emotional) states, and processes of self-awareness. Siegel contends that the interplay of these functions was supported and enhanced by the mirror neuron system which evidence indicates is responsible for how we model our responses and thoughts based on observing and interacting with others. As interpersonal integration occurs through observation and connectedness, self-regulation is developed and the individual becomes more attuned with both his own experience and that of those around him. As this self-regulation evolves and as the individual becomes increasingly more conscious of the effects of connectedness to others on his own awareness and development, transpirational integration can occur. In transpirational integration, the

individual perceives himself as part of something larger, integrally linked to others and to the world at large. It is a focus of this study to understand the experience of transcendence or transpiration that occurs as a result of talking circle participation.

### **Mindfulness**

In discussing the concept of mindfulness in relation to IPNB, Siegel (2007) observes that he came somewhat late, to the discussion of mindfulness. His research on IPNB in terms of its physiological, emotional and cognitive aspects had been ongoing and he reports that the idea of mindfulness – bringing a conscious awareness to the consideration of mental processes and healthful integration as outlined in the domains discussed above – had always been central to that work. However it was only as people began to ask about the role of meditation in IPNB research that he began to explore how mindfulness had been employed as an actual practice in clinical situations. These explorations in the relatively young field of mindful awareness therapeutic interventions (Davis & Hayes, 2011), prompted the realization for Siegel that the outcomes measures for those practices were very similar to the outcomes measures he was seeing in his own research on attachment in children (Siegel, 2001).

As stated in the previous chapter, a critical feature of mindful awareness is the ability to concentrate attention so as to recognize and identify one's responses and behaviors with a compassionate and nonjudgmental eye. The essential aspect of mindful awareness is acceptance that experiences, sensations, feelings and judgments will appear but that these do not constitute permanent and unchanging conditions. Rather, mindfulness underscores the ongoing potential for change and promotes the idea that

remaining available to the reality of the moment and releasing judgment or the notion of control can actually support the processes of change.

The research on mindfulness indicates that mindful awareness can have positive, ameliorative benefits in terms of reducing stress, regulating emotion, and improving thinking so that negative patterns of perception or beliefs cloud judgment. There is also evidence that mindful awareness can have physiological impact by improving immune response and reducing the body's negative reactions to stressors. Siegel (2007) reports on studies conducted at the Mindfulness-Based Stress Reduction (MBSR) clinic at the University of Massachusetts Medical Center that have consistently and over the long-term shown that mindful therapeutic practice has medical applications for conditions ranging from the alleviation of chronic back pain to reducing psoriasis effects, and can enhance healing functions so that the body repairs faster. There are also numerous studies over the last two decades indicating the positive mental health effects associated with mindful awareness interventions ranging from reducing depression to managing borderline personality disorder to effective use in anxiety and addiction disorders (Davis & Hayes, 2011).

### **Attunement**

“Mental attunement may depend on a quality of openness to living in the moment that may be essential for the therapist's own stance and serve as a strategic goal for the process of therapy,” (Siegel, 2006, p. 7). Siegel noted that mental attunement can be an internal process connected to mindful awareness or an interpersonal process through the experience of attachment to others. Attunement as a concept appears across a variety of disciplines as evidenced by the literature, but its usage retains essential characteristics

across the range of discussions (Lamagna, 2011; Macaulay, Toukmanian & Gordon, 2007). Hopkins (2011) identified the role of attunement in educational philosophy, focusing on Heidegger's theory of man's fundamental inability to control the experience of life and struggle with just *being* present. For Hopkins (2011), and given these conditions, attunement is the state of recognizing and accepting a situation and then considering what it means to be in that situation, rather than thinking about what the situation means or how it should be interpreted, as an attempt to effect control it by attaching a fixed narrative meaning. In that way, attunement is seen as a necessary component of mindfulness.

Citing his own research with parents and children, Siegel (2007) described how attunement enables and enhances mental integration processes. Young children bond with parents when they feel "felt" by the adult; conversely, the adult senses the child's internal state and this creates a *resonance* of feeling (discussed below) that produces attunement (Lamagna, 2011). Siegel described the physiological features of this process:

Over time, this attuned communication enables the child to develop regulatory circuits in the brain – including prefrontal fibers – that give them a source of resilience as they grow. This resilience takes the forms of the capacity for self-regulation and engaging with others in empathic relationships. Here we see that interpersonal attunement – the fundamental characteristic of what is called a "secure attachment" – leads to the empirically proven outcome measures we described above. (Siegel, 2007, p.12).

In adults, attunement with self (intrapersonal) and others (interpersonal) creates the space where resonance and presence can be fully realized and often leads to transformation (Arizmendi, 2011). The awareness that we do not have to exercise control over how we experience our lives but that true mastery lies in relinquishing control and

embracing the potential for change and growth is an essential aspect and benefit of mindfulness.

### **Presence**

As an aspect of mindful awareness, presence is the piece of the puzzle that accounts for living in the moment authentically and with intention. Humans have a natural tendency to attempt to control their experiences, through narrative constructs, attributions, and a wide array of cognitive, affective and physiological responses. This tendency often runs directly into the wall of reality and that is that we in fact exert little to no control over our environments or others or even ourselves. The welter of psychological and mental health issues that plague significant numbers of us bears this out; humans often react to frustrated efforts to control with depression, anxiety, fear, anger, and denial, among other conditions, and these often manifest negatively in physiologic terms. Recognizing our essential lack of control and learning to acknowledge and accept this fact is central to mindful living and presence is what enables humans to exist in a moment with tolerance and patience, resisting the instinct to control the conditions or the situation (Hopkins, 2011).

The state of presence that is indicative of mindful awareness was described by Lamagna (2011) as created under integration conditions of “attunement, vitalization, and consistent interactive repair [that] bias the psyche toward perceived inner safety, allowing multiple affective truths and adaptive strivings to be welcomed, communicated, acknowledged, experienced, and assimilated”; when these conditions are met, the individuals are able to integrate both external and internal conditions so that they are

“free to channel their energies into being fully alive, fully present, and grounded in true self,” (p. 286).

### **Resonance**

The concept of resonance was delineated by Siegel (2006) in relation to the aspect of wellbeing he termed ‘interpersonal integration’ as it occurs through the mirror neuron system. In studies with primates, the mirror neuron system was discovered through observing monkey pattern behaviors by watching other monkeys engage in a particular behavior. Perceptual learning is integrated so that it impacts self-performance. In the case of humans, Siegel noted, the mirror neuron system is believed to be intrinsically linked to the experience of empathy. An individual perceives the expression of another human and the mind shapes an internal state that “resonates” with the perception of the other’s expression. This goes beyond the process of attunement alone which might best be described as *feeling* another whereas empathy approaches a feeling of “knowing” the other (Arizmendi, 2011, p. 409); this begins to capture the state of resonance. This resonating internal state encompasses physiological, emotional, and cognitive (intentional) states that often mirror that of the person being observed. As Siegel reported “attuned communication may find its sense of coherence within such resonating internal states,” and he posited that resonance and attunement may be mostly commonly seen in one-to-one interactions but have also been observed in larger social groups, such as families or communities of like-minded individuals (Siegel, 2006, p. 13). Resonance is a result of healthy integration (Siegel, 2001).

The state of resonance is one in which the one individual’s profile of “corresponding activations between the body-proper, limbic areas and even cortical

representations of intentional states” mirrors another. When two or more minds are connected it appears to engender a similar firing of neurons so that similar new pathways are formed and shared between these minds. Resonance is a critical feature of human connectedness allows for individual states of mental integration to become integrated across individuals – such that interpersonal integration is realized.

### **Transformative process**

The transformational aspect of mindful awareness occurs when integration across various dimensions produces change in the individual. As described by Siegel (2001, 2006, 2007) transformative processes are likely associated with the formation of new neuron path formations at a brain and body level. In therapeutic terms, the transformational process may be perceived as moving clients from states of mental and emotional distress or resistance, to states of acceptance of their feelings and experiences and recognition that change is possible through continued awareness and growth (Lamagna, 2011). The goal of transformative process is to move the distressed individual to a *core affect*, which Lamagna described as a full engagement with the self. This does not mean that transformative process is limited to the experience of the self; rather the idea of core affect also takes into account the importance of *core relational experiences* and *receptive affective experiences*, both of which are intrinsically tied to engagement with others through attunement, compassion, empathy, and the sense of feeling known by others. As Lamagna stated, these both lie at the heart of “intra-relational change processes” (p. 291), or transformative process. The research on *transformational affects* indicates that emotions emerging from intentional and mindful awareness deal with “feelings *for* and *about* the self,” (Lamagna, p. 295). At this stage of awareness, the



individual comes to recognition and integration of personal feelings that may have been denied or addressed through dissociative states. This new level of awareness can lead to *healing affects* that constitute another critical stage of the transformative change process. As the emotional affects of transformation are worked through, the self engages positive emotions related to the moving through the experience. When healing affects are integrated, the individual achieves the desired core state of transformation – being present and receptive to self and others.

Lemma (2010) approached the discussion of transformational process from a therapeutic intervention vantage point. The researcher observed in studies of traumatized adolescents working with adult counselors in an informal care program, that counselors served in a transformational role just as parents serve in a transformational role with a young child in a distressed or traumatized state. Lemma emphasized the effectiveness of counselors assuming an affective and attuned response to these troubled young adults, thereby meeting their clients' frustrated relational needs, rather than struggling to manage and control those needs. By engaging an effective response, counselors were often able to engender a transformation in the troubled adolescent and reframe (transform) the relationship of the counselor to the adolescent, altering perceptions. The relationship between counselor and adolescent was itself transformed and this created the environment for client transformation. Often, witnessing such a transformation can in itself be a transformative experience – not unlike witnessing trauma and experiencing a level of vicarious trauma – witnessing healing has been described by Koss-Chinoino (2006) as radical empathy. Empathy, as defined by Knafo & Israel (2012) is “an other-oriented tendency to comprehend and share the states of others.” (p. 169).

Therapists, counselors, and social workers who work with others to help them achieve greater mental wellbeing, can apply their understanding of IPBN to their own experiences in guiding others toward mindful integration. Beyond providing a framework for comprehending and assessing how the mind is impacted by social interactions, these professionals can apply their knowledge to assess how their own physiological, emotional and cognitive processes may be impacted by their clients and how these, in turn, impact their clients. These professionals are in a position to determine how their limbic and somatic realities are affected by their own perceptions and apply the tools of interpretation, attribution and interoception, or the ability to focus on one's bodily cues of arousal or non-arousal to make sense of this interplay of responses. Siegel referenced the psychological construct of counter-transference to describe how therapists may mindfully observe their own shifts in response and consider how these may reflect or mirror the client's internal state. In other words, remaining "open to our own bodily states as therapists is a crucial step in establishing the interpersonal attunement and understanding that is at the heart of interpersonal integration," counseled Siegel (2006, p. 13–14).

Davis and Hayes (2011), in their analysis of psychotherapeutic research and literature on mindfulness, identified that it has a number of applications for therapist and other professionals engaged in counseling services. They identified several empirical studies showing that therapists who practiced meditation grounded in mindfulness were likelier to self-report higher levels of empathy than therapists not engaged in mindful meditation. Related to this, they also noted several studies indicating greater compassion – both for self and others (including clients) – among therapists engaged in mindful meditation. One of these studies determined that refraining from judgment and reaction in

regard to the actions of self and others strongly contributed to greater self-compassion. Several of the studies surveyed by the researchers found that mindful meditation incorporated into the therapist training process resulted in counseling students reporting greater confidence in their counseling skills and reports of feeling more attuned to themselves and to clients. It also appeared to correlate with greater wellbeing experienced by counseling students.

### **Mindfulness and Empathic Attunement and Client Well-Being Research**

Some of the literature surveyed by Davis and Hayes (2011) also compellingly demonstrated that for both populations of counseling students and practicing therapists, engagement in mindful meditation decreased these students' and professionals' experience of stress and anxiety. One study conducted with mental health workers serving traumatized populations in New Orleans in the wake of Hurricane Katrina found that an eight-week intervention for these workers did not reduce the experience of depression they reported, however the intervention had a significant positive impact in reducing anxiety and PTSD symptoms after the intervention was completed. Where the evidence is more limited and mixed in its findings is on the question of whether increased mindfulness in counseling professionals positively impacts the wellbeing outcomes of their clients. Macaulay, Toukmanian & Gordon (2007) reported that their research with depressed clients working with therapists trained in attunement and other empathic approaches indicated that attunement was a significant predictor of effectiveness of intervention. Similarly, Watson (2011) reported that studies have shown that a lack of empathic attunement on the part of counselors has been correlated with treatment failure. Davis and Hayes (2011) reported on one study that showed a direct positive relationship

between mindfulness training for therapists and improved outcomes for their clients; however three other studies showed either no benefit or, in one case, adverse outcomes experienced by clients whose therapists were engaged in mindfulness training. What is apparent, Davis and Hayes stated, is that much more well-designed empirical study of this subject is required before any definitive conclusions can be drawn about the effects of counselor mindfulness on client outcomes.

In her work, Koss-Chinino (2006) focuses on radical empathy and the core components of ritual healing process. She writes on the wounded healer and the importance of maintain contact with those “parts of oneself that are perpetually wounded” without allowing those wounded parts to interfere with the healing process. Koss describes radical empathy as a “feeling of direct and deep connection with another person who may be a stranger” (p. 663). In a state of radical empathy the quality of relationship is expanded and a spiritual transformation takes place. Human commonality is understood in a way that is both healing for the helper as well as the client.

### **Mindfulness Skills in Intervention Conditions**

In intervention conditions, mindfulness skills can be taught to prepare people to be reflective and therefore more capable of self-regulation. Particularly in instances where individuals have been avoiding confronting a memory or the consideration of events that produce negative reactions in them, mindfulness skills can be used to decrease anxiety or fear in terms of confronting these stressors. Davis and Hayes (2011) referenced studies showing that greater mindfulness reduced the stress around conflict and enabled resolution, contributed to more effective communication, and predicted satisfaction in relationships. For these reasons they observed the practice of mindfulness in therapeutic

conditions may be particularly valuable since these conditions often entail the consideration and management of conflict, emotional distress, trust, and communication. Siegel (2007) focused on the role of reflective dialogue to concentrate awareness on the mind's processing. Reflective dialogues are conversations between individuals – one on one or group situations – in which participants are engaged in describing what they are experiencing in an effort to give expression to their internal states. The simple act of finding language to communicate these states with others is itself a step toward interpersonal integration as well as several other forms of integration – vertical and bilateral, for instance, as the effort to connect linear processes with abstract or emotional ones coupled with the awareness of how the body physiologically responds to this effort, creates its own neuron activations:

Describing and labeling these mental events with words is a facet of mindfulness that these reflective dialogues can directly foster. As we've seen, the capacity to label seems to balance the arousal of the right hemisphere with the activity of the left to create a more flexible integrated state. (Siegel, 2007, p.15)

Reflective dialogue is not the only therapeutic mechanism for encouraging and supporting mindful awareness. There are also a variety of non-verbal approaches, such as sensory immersion techniques, that are designed to open the mind to new expressions of presence and acceptance, grounding the person in the here and now of direct experience. Researchers and practitioners of mindful awareness have observed that the connection we forge with others is central to the development of our self-identity (Siegel, 2001). When mindful awareness is intentionally explored in engagement with others it appears to engender mindful practice and growing awareness in others as well. It is a process that, when shared, engenders effects that may be much greater than those realized in individual mindfulness practice (Siegel, 2007). It appears to be the case because a powerful

narrative coherence often occurs in attuned relationships, this coherence is undergirded by genuine understanding and the sense of being deeply felt by others. These connections contribute to an ongoing process of integration and Siegel (2001) proposed that this process lies at the heart of all human engagement within self, with others, and with the world around us, and that when it remains dynamic and responsive, the opportunity to realize greater mental health for the community is realized as well. This researcher suggests that that the process of mindfulness is at the core of the transcendent experience in talking circles.

In a review of the book *To Be Met As A Person, The Dynamics Of Attachment In Professional Encounters* by UnaMcCluskey, Collins (2007) observed that McCluskey remarked, “care seeking behaviors” in adults share similar elements with attachment behaviors in young children in that both are looking for assistance. In the case of adults seeking assistance with problem behaviors or who are having difficulty managing responses and integrating mind processes, the individual engaged in the care-giving provides empathic attunement and engages in an exploratory mode that works toward goal correction for the individual seeking assistance. While attunement and empathy may appear to imply that the caregiving professional is able to step into the proverbial shoes of the care seeker in order to affect a sense of context and authenticity of experience, it may be that the ability to do so is hindered by differences in lived experiences. Hopkins (2011) suggested that meaningful connection and attunement between care giver and care seeker is still possible so long as the professional recognizes this distinction and seeks to employ strategies and techniques that can approximate the sense of understanding and help the client work toward goal attainment.

## **Restorative Justice**

The contemporary restorative justice movement has been building steadily over the last three decades and studies indicate that research-based practice in restorative justice has produced positive results in lowering criminal recidivism (McGuire, 2008; Sherman, Strang & Newbury-Birch, 2008; Walker, 2009; Walker & Greening, 2010). The underlying presumption of restorative justice is that most perpetrators and victims of criminal acts are interested in rectifying the harm that is engendered by these acts as a step towards healing and overcoming the negative outcomes of crime by bringing offenders, victims and care providers together (Bazemore & Umbreit, 1995; Hanser, 2009).

As outlined in the previous chapter, restorative processes seek to bring perpetrators, victims and care providers (prison representatives, criminal justice workers, therapists, community service professionals and social workers) together as stakeholders in acknowledging the harm caused by the criminal behavior and finding ways to ensure the perpetrator takes responsibility for improving life going forward and not return to criminal pursuits after being released from incarceration (Umbreit et al., 2005). The purposeful activities associated with restorative justice process create the potential for something meaningful and positive to be made out of an otherwise negative situation that has often produced further negative outcomes, for instance the high rate of recidivism among criminal offenders (Latimer, Dowden & Muise, 2005). Restorative justice seeks to bring peace and a measure of closure to victims of criminal behavior by allowing them to express their feelings and concerns and, if they are inclined, to participate in the rehabilitation of the perpetrator (Newell, 2007; Payne & Conway, 2011). For offenders,

coming to terms with how their criminal behavior impacts and traumatizes their victims is a key aspect of the restorative justice experience (Menkel-Meadow, 2007). The process further seeks to provide useful and constructive feedback, guidance, and planning for incarcerated persons on the verge of reentry into the community, designed to reduce the potential for return to criminal activity (McGuire, 2008; Settles, 2009).

In recent years restorative justice has shown promise in working with court involved youth in discussing how their crime has impacted the victim and community and ways to make amends for that crime. In restorative justice practices, youth are actively involved in decision making process of these amends and are given the opportunity to speak of how the crime affected them. Often community members and/or probation officers are facilitators of this restorative process. For care providers, the restorative justice process affords the opportunity to help the perpetrator acknowledge and accept his crimes and to actively participate in the effort to transform himself from a criminal to a contributing member of the community (Walker & Hayashi, 2009).

It is worth noting the important distinction that Sherman, Strang & Newbury-Birch (2008) made regarding restorative *justice* and restorative *practices*. They argued that for restorative justice to be realized, the victim must participate in the process and be given a voice in determining how to address the repercussions of the violation. Restorative practices may be a very useful element in this process but the practices themselves do not constitute full restorative justice if the victim is not engaged in the resolution of the crime's aftermath (Hurley, 2009). In cases where no personal victim is involved – for instance vandalism of a public building – then a representative designated



for that building or for the community can participate in the resolution process and this would qualify as restorative justice as well (Sherman, 2008).

### **The Talking Circle**

This study considers how talking circles may be used with probation officers in their work with clients to facilitate their attunement, presence, resonance, and transformative process, and to consider how these qualities may inform their professional understanding of the clients with whom they work. The talking circle is a practice that emerged out of Native American tribal practice (Pranis, 2005). Members of the tribe sat together in a circle and the conversation went round in turn as each member of the circle had the opportunity to express their thoughts until a consensus was reached across the entire group on a subject up for consideration. Wolf and Rickard (2003) stated that the circle formation is considered to be sacred and suggesting the interconnectedness of all things human, animal, natural elements, the earth, the sky and the cosmos. The Native Americans also used circles to pass on narratives through an oral tradition and in this fashion circles have also come to represent strategies for teaching and learning.

Today, the talking circle has been adopted by healing and caregiving systems of many stripes and there is an emerging body of evidence exploring how talking circles may be used to address a variety of issues and across a range of settings and populations to effect positive communication and encourage transformative process (Hurley, 2009; Latimer, Dowden & Muise, 2005; Umbreit, Coates & Vos, 2007). In education, talking circles have been used to promote respect among and between student peer groups, teachers, parents and administrators, to model listening and conflict resolution skills, and

to foster self-esteem (Wolf & Rickard, 2003). Therapeutic interventions have employed talking circles as a targeted strategy in group therapy practice.

Wolf and Rickard (2003) proposed a model for implementing a talking circle practice in a classroom environment. A small object such as a feather, talking stick or small stone can be used as the “talking stick” that symbolically confers the power to speak to the group when it is held by a member of the circle; it is then passed to the next person to speak. There are some basic guidelines for effective circle discussion such as limiting the disclosures to self-exploration, rather than discussion of others in the group and Wolf and Rickard advised the presence of an expert moderator to ensure the circle dialogue stays on target, does not become inappropriate in terms of disclosures, and that the other members of the group remain silent when the person holding the talking stick is speaking. The researchers also recommended that the moderator or counselor begin the talking circle with a process question designed to encourage discussion, explains the sacred symbolism of the circle’s interconnectedness and of the object serving as the talking stick and states the intention of the talking circle dialogue, be it for education or therapeutic purposes. The moderator should then proceed by modeling a response to the process question so that the other members of the group formulate an understanding of the depth of the disclosures and how they are intended to empower sharing and experiential learning opportunities. While Wolf and Rickard described a talking circle process in which the talking stick was passed by each member to the person on their left, they also noted that no one is obligated to speak. Rather, once they have the talking stick in hand, if they choose not to speak they can simply pass it on to the person on their left.

A second round of talking circle practice is initiated once the talking stick returns to the moderator or counselor. Once everyone in the circle has been given the opportunity to speak if they wished, the moderator models a response to the discussion in the first round, summarizing his or her own reactions to the information that was shared in a supportive, nonjudgmental fashion. Reflective statements that address what participants expressed in a supportive fashion “I understand that you felt *this way*” or “I really appreciated *this insight* you expressed,” engender connection between members of the group, reinforcing that each individual was *heard* and *felt* by the others. This process has been shown to produce trust among members in the talking circle process and can inspire even deeper connectedness through more authentic sharing of experience, feelings and beliefs (Wolf & Rickard, 2003).

This research found very little research on therapeutic uses of the talking circle. However, one study (Ashby, Gilchrist, & Miramontz, 1988) considering group treatment with sexually abused American Indian adolescents, showed amongst several treatment activities, participants selected the talking circle as “the most helpful and useful activity” (p. 29). Often, talking circles allow for an expression of personal story-telling and revealing of emotion in a ritualized safe and predictably setting. This setting may be the only safe space for some to express their shame, anger, and fear in an open and non-judgmental way.

Circle processes are central to restorative justice practice and Walker and Greening (2010) noted that circles meet the “five principles of effective reentry” for released prisoner populations outlined by Jeremy Travis. These principles encompass preparing for reintegration in the community, building links between the prison and the

community, targeting the moment of prisoner release into the community, identifying and strengthening the layers of support, and promoting effective reintegration (as cited by Walker & Greening, 2010, p. 44; Fortune et al., 2010). Walker and Greening (2010), discussed how restorative justice circles are designed to support victims of violent crime who may find that even once their perpetrator is tried and convicted, the justice system process has left them feeling exhausted and unheard (*unfelt* in mindful awareness terms). Similarly, restorative circles can support the families of prisoners, helping them come to terms with their own feelings, anxieties, and concerns associated with the criminal justice system and with their incarcerated family member.

Gilbert (2010) outlined a series of different circles that were proposed for the San Antonio Restorative Justice pilot program and which could be implemented for various combinations of stakeholders in the reintegration process. Community-building circles were described as focused on identifying concerns for the community and arriving at some consensus as to how problem-solving might best be affected to address challenges. Collaboration and mutuality in engagement are at the center of this type of circle and the focus is on initiating “prosocial collective action,” (Gilbert, 2010, p. 9). Gilbert identified *talking circles* as issue-focused and thus might involve different stakeholders at different times, depending on the topic under consideration. As with the Native American model, the idea is that every member of the group receives a respectful hearing and that all views are reflected on and considered within the circle context. A *circle of understanding* is also committed to the hearing of a range of views, but specific to an identified conflict. This type of circle is not goal-driven; it is not necessary to arrive at a resolution by the conclusion of the circle, but rather enable the expressing of idea relevant to the conflict.

*Healing circles* are also not fundamentally goal-driven; they are intended to allow an individual to express suffering (fear, pain, anxiety, trauma) in a safe and supportive environment. The critical function of healing circles is to allow those suffering to have their pain heard and felt by the others in the circle.

Interestingly, in juvenile justice we have moved from a ‘saving souls’ model to a treatment model and a more inclusive restorative justice model is also emerging. This restorative justice model asks offenders to play a more active role in their decision-making, rejoining community, and inviting greater accountability thereby acquiring necessary societal skills. Theoretically and with limited empirical data this role as ‘stakeholder’ reduces recidivism and restores society. In a parallel fashion, probation officers report greater job satisfaction and lowered internal stress when given a more active role in decision making thereby retaining experienced probation officers who are effective workers (Raynor & Robinson, 2009; Schwalbe & Maschi, 2009).

Given the central role that probation officers serve in our criminal justice system, it is worth inquiring whether these restorative practices may have a positive impact on probation officers’ personal and professional wellbeing or on their capacity for effectively working with clients. This study considers how talking circles may be used with probation officers to facilitate their attunement, presence, resonance, and transformative process, and to consider how these qualities may inform their professional practice.

This researcher found no current empirical studies exploring the application of restorative justice practice with populations of probation officers however several studies

reported on restorative justice programs initiated by law enforcement agencies in an effort to address recidivism rates in their communities (Hanser, 2009).

In one of these studies, Meyer, Paul & Grant (2009) investigated Navajo Nations domestic violence issues and ways of restoring harmony. When peacemaking (restorative justice) versus mainstream justice system methods were used the number re-offenders was reduced by 60%. In this study Meyer, Paul & Grant (2009) looked at simple interventions such as a police officer sitting down with domestic partners letting each have their say of what the harm was and how they could go about repairing the harm. They reported when citizens feel a part of the stakeholders of a restorative justice program rather than by-standers in the system they are impacted in a positive way. Victims, both direct and community members are often report feeling left out of the justice system. In contrast, when restorative justice programs have been utilized well all impacted positively (Schwartz, 2005). One San Francisco police program, involved an eight to sixteen week course in restorative ways (accountability, non-judgment, reintegration) the program showed a reduction in in recidivism for violent offenses during the first year up to 82.6% for the restorative justice program participants (Schwartz, 2005). The most unexpected finding in an independent evaluation of the program was that inmate behavior positively impacted organizational culture as well as employee work satisfaction (Schwartz, 2005; Schwartz, Hennessy & Levitas, 2003). Schwartz (2005) persuasively argues that in repairing the harm of crime we must be inclusive in the decision-making process ensuring not only offenders but communities assume greater responsibility. A compelling narrative from a deputy sheriff experiencing a restorative justice program tells the tale of not only professional life enhancement but also his

personal life benefits and a renewed sense of energy and enthusiasm after a previously feeling a sense of burn-out (Schwartz, 2005).

## CHAPTER THREE

### RESEARCH DESIGN AND METHODOLOGY

This study looked at the lived experience of talking circles with 10 Cook County juvenile probation officers' in face-to-face interviews. Their experience in the circle process was a study of a subjective experience, which attempted to capture the essence of the transformative experience of circle participants. A phenomenological method was chosen as the most appropriate methodology given the lack of academic literature on talking circles, specifically with lived outcomes. This method, as part of this study, employed peer scrutiny of the study, meetings with dissertation committee members for the purpose of helping to identify themes and direction and thoughtful dialogue along with reflective commentary from the participants in the interviews (Shenton, 2004). This researcher wanted to understand the process of the talking circle, the nature of what has been anecdotally reported as the 'magic' of the circle and what is often referred to as 'spirituality' or the transformative experience of circle.

Phenomenology is the study of the phenomena or lived experiences of people. Put another way by Holloway in Groenwald (2004), it is the 'internal experience of being conscious of something' (p. 8). The aim of this phenomenological research was to describe these phenomena as close to the lived experience as possible. Groenwald's (2004) description of phenomenology is aligned with the aim of this study in attempting understanding of what happens in talking circles individually and collectively, but through a lived and subjective way. Given that "the phenomenon dictates the method" (p.



8) this researcher sought to understand what is often called the ‘magic’ of the circle process, an experience best described by the emotional experiences of the participants in an emerging reflective way (Groenwald, 2004).

Phenomenology asks the participants to share how they think and feel in a direct way. The focus on what happened intrapersonally with the officers with the resulting description of their lived experiences is a way of bracketing unique to phenomenological research. The interviews were all unique in that the officer and researcher engaged in dialogue, and there was variation in the length of the interviews and in the nature of the probing questions asked (Groenwald, 2004).

The difficulty in making sense of patterns that emerged would have been great had this researcher not had prior knowledge in working with this culture. Boyatzis (1998) emphasizes ‘theoretical sensitivity’ in the ability of the researcher to recognize what is important, give it meaning, and conceptualize the observations

Education and training can increase the skills in use of developing themes. This researcher used underlying competencies of understanding and objectivity with the probation officers and the circle process. Boyatzis (1998) suggest this process may be crucial in perceiving patterns in research. He suggests that because each researcher differs in levels of capabilities, this may affect the time and duration of each study or immersion. In developing ability the researcher must be able to sense what Boyatzis (1998) calls, “a codable moment” and that it helps when “the raw information has been recorded with minimal or no processing” (p. 9). It also helps when the researcher has an understanding of the concepts of the field of study. The delicate balance between having familiarity and too much information is one way to keep from projecting on to

participants' values and conceptions (Boyatzis, 1998).

The several ways this researcher attempted to prevent projection were in utilizing two people who had little knowledge of the circle process and/or the probation department culture to encode the data. In addition, field notes were kept after each interview and while listening to the recorded interviews prior to transcribing.

Throughout the process, this researcher attempted to allow the data to emerge from the participants' narratives and bracket that from her experience in the circle process. Although the underlying emotions behind the experiences proved to be similar, this researcher had far more experience with both training and participation than all of the probation officers. In this way, the interviews allowed for a more raw and felt experience versus an understanding of merely theory and practices of circles. The reflective questions and probing questions were directed at each officer's individual experiences in circle as well as their feelings and beliefs about the questions in general.

The interviews were guided by the following research questions:

1. Do participants in talking circles reflect on their transformative experiences?
2. Do participants in talking circles experience presence, attunement, and resonance?
3. What are the relationships between how individual's experience presence, attunement, and resonance in the transformative process?

To address the research questions, nine interview questions were asked to each juvenile probation officer, along with three probing questions (see Appendix F). The responses to each interview question were assessed using nodes or themes with NVivo

qualitative data analysis software. The themes captured in the NVivo process did not satisfactorily discern the rich feeling states of the probation officers. The themes were reconsidered, reconstructed and emerged in a manual process by this researcher with the guidance of her committee.

## **Design**

### **Qualitative approach**

Taking these factors into account, the best approach for this research is a qualitative approach. Marshall and Rossman (2006) use a phenomenological approach of the 'lived experience' while Moustakas (1994) undertakes the essence and meaning of experience. The rationale of using a phenomenological approach versus a quantitative approach is that nuances of the phenomena being studied are unlikely be captured in a quantitative study (Marshall & Rossman, 2006). A modified format of Marshall and Rossman's (2006) suggestion of multiple interviews was used wherein this researcher conducted one brief introductory phone call, one in-depth interview, and one follow-up phone call.

This phenomenological study of probation officers' experience in the restorative justice talking circle used semi-structured interviews which answered the research questions answered below (see Appendix F). This researcher completed each interview with all 10 probation officers. The initial phone contact with the officers focused on explaining the purpose of the study and established a relationship with the probation officer. During this conversation, this researcher went over the types of questions to be considered for the main interview. The in-depth interview was conducted within six weeks of the initial phone contact and was conducted in a place of convenience, chosen

by the participants. Three additional interviews were completed within four months after the initial 7, as more data were needed. The same procedure was followed: an initial phone call, in-depth interview, and follow up phone call. The probation officers chose initials to protect their identity and to ensure a sense of safety and encourage more honest responses. They identified themselves by initials other than their own at the beginning of audio-recorded session. This researcher alone made and maintained a list of their actual identities and their initials. This interview was audiotaped and each interview lasted no longer than 60 minutes. The interviews were transcribed verbatim from the audiotapes and the transcripts were sent to the respective probation officers for their approval. A follow-up phone call took place approximately 10 days after the transcript was sent, enabling the probation officers to clarify and expand on the ideas they expressed in the interviews. All of the probation officers agreed their intended meaning was captured in the transcript, aside from grammatical corrections; interviews were left in their original form.

### **Researcher-Interviewer Bias**

This researcher has personal and extensive professional experience with the circle process and has had many significant transformative experiences. Moustakas (1994) recommends the research topic and related questions have personal significance and social meaning to the researcher. Some of the core issues this researcher has experienced regarding talking circles include: understanding the significance of the talking piece, the deep listening and attunement that occurs when narratives are shared, as well as the resonance participants feel with one another when past assumptions of differences are dispelled only to find participants have many emotions and stories in common. In this

way, this researcher has experienced imagined aspects of IPNB at play, specifically, the integration of differentiated parts of the individuals in the circle as well as an integration and regulation of the collective or community of the circle.

This researcher-interviewer is a Caucasian female with a masters degree in social work, who is extensively trained in mindful based stress reduction (MBSR), IPNB methods, as well as a certified circle keeper. The years of experience and sitting in talking/healing circles along with facilitating circles in a multitude of environments (include the adult and juvenile justice system), have been largely positive and transforming for this researcher.

There are a number of potential biases that may result from this researcher who is personally and professionally invested in the process and content of the research. It is possible these biases may have affected the interpretation of the data as well as the interview process itself. I have a positive view on the usefulness of circles and it is possible that my body language such as smiling, nodding and careful attention given to answers that mirrored what this researcher has experienced and find particularly relevant. The unique experience of sitting in and circle keeping has been transformative for this researcher-interviewer and that may have shown itself in reflection to the participants.

To best address possible bias, two doctoral level colleagues who were unfamiliar with the circle process reviewed the data and interpretations to minimize researcher errors and bias. The co-coders were helpful in reading through the transcripts and pointing out themes of interest, which they felt were most saliently to the study. However, the initial themes, which emerged as part of the NVivo analysis, were decided against by this researcher and her committee due to missing nuance to capture the richness of the

officers' interviews. Manual coding was completed by this interview with the guidance of her committee members. The research questions evolved from experiences of this researcher and the pilot study as well as the literature review. The questions had several iterations and revisions and resulted in the research questions addressed in this study.

The selection of participants focused on youth probation officers from the Cook County Balanced And Restorative Justice Program (BARJ) who by and large have 'buy in' with the use of circles. This researcher found that the unique perceptions and experiences of the probation officers contributed to the strength of this study and expanding the understanding of personal and professional use of talking circles.

### **Trustworthiness**

In order to support the trustworthiness of the data I attempted to understand and clearly capture the probation officers concepts of their definition of transcendence, their understanding of transformative potential within the circle process, their understanding of presence, attunement, and resonance as it relates to the transformative experience, and how that may be applied in their work with their clients and ultimately the restorative justice process and enlisted the support in coding from colleagues. It is from these concepts that I based my interpretations. New concepts emerged from the data, which may support the trustworthiness of the data.

The data I attempted to capture is subjective, lived experiences open to the language and interpretation of the participant. The goals of this research were to explore recurring patterns of subjective experiences of circle participants and to investigate whether a transformative experience exists among probation officers who sit in circles. Also, this study would like to further explore how this can be of use in fostering an

understanding of circles in the restorative justice process and their usefulness for encouraging personal/professional well being within this population of probation officers.

The limitation foreseen in this study is the reliance on self-report of the participants' experiences. That the researcher has a bias toward the usefulness of circles, an unconscious communication may be present in interviewing the participants. Although clarification was offered, it is still possible that some officers did not fully understand some of the concepts in the interview process. The additional limitations are the small sample size and limited geographical area from which the researcher obtained her sample. Additionally, this researcher addressed trustworthiness of the study by attending to credibility, peer scrutiny, use of reflective commentary, and description of her background qualifications in previous sections of this chapter as well as in the sections below (Shenton, 2004).

### **Recruitment**

Sample selection began with contacting the Cook County Balanced And Restorative Justice Program (BARJ) of Cook County to obtain a list of contacts who had been experienced trainers and or supervisors with access to names of probation officers who had participated in a circle process.

Two BARJ involved deputy supervisors, one a deputy chief probation officer who identified an additional supervisor, were identified and asked to provide a list of probation officers who had attended at least one talking circle within the past year. While supervisors or 'gatekeepers' did have influence over establishing the list of willing participants, a variety of experiences in the circle process were ultimately achieved within the sample.

This researcher first obtained a ‘Letter of Cooperation’ to interview probation officers and following approval; this researcher then obtained a list of 16 probation officers who have been past participants of a circle process. Twelve officers were identified and recruitment letters (Appendix A) were sent out based upon geographic convenience from the lists provided with 4 officers serving as ‘back up’ participants. The officers were chosen from those working in the Chicago office. Eight officers agreed to participate and 1 dropped out for medical reasons. There were no exclusion criteria regarding age, gender, religious or racial/ethnic background. Later, I contacted 4 additional officers from the initial twelve officers identified, three of whom agreed to be interviewed.

### **Sample**

There are approximately 350 juvenile probation officers in Cook County of which approximately 65 have been known to attend circle trainings (personal communication, 2014). I elected to use purposive sampling versus random sampling, as I sought probation officers who voluntarily participated in circles as part of their training. The final sample was composed of 10 Cook County juvenile probation officers who had previously engaged in the circle process in a professional capacity. Nine officers were female and one officer was male. Seven officers were African American and two officers were Caucasian, and one officer was Latina. All officers held at least a bachelor’s degree and the median age was 35 years old.

The researcher’s committee expressed reservation about capturing sufficient data with the initial sample size of 7. This issue was address and this researcher increased her sample size by three officers. While the additional participants offered similar perspectives on the topic of circle, increased confidence that the data and results are sound.



## **Data Collection (three phases)**

### **Phase One – Phone Call**

The initial phone conversation followed the probation officers' response to the recruitment letter (Appendix B) as well as a list of questions (Appendix F), which was included for reflection prior to the interview. This conversation followed a script (Appendix C) and served to establishing a rapport, familiarize the probation officer with the research project and answered questions had. The introductory phone conversation focused on clarification of the purpose of the in-depth interview, meeting time and place and general questions. The probation officers brought the signed consent form to the in-depth interview.

### **Phase Two – In-depth Interview**

The in-depth interviews took an average of 60 minutes and were semi-structured using this researcher's questions and probes (see Appendix F). These audio-recorded interviews took place in person in various private locations of the officers choosing. Most of the officers choose to complete their interviews during lunch hour or after work. Credibility was encouraged through the suggestion the officers choose initials that were not their own supporting honesty and transparency in the interviews (Shenton, 2004)

The interviews focused on past experiences of the officers' experience within talking circles and the ways in which the circles may shifted officers' perspective. This researcher was surprised at the degree of emotional response and powerful statements of the probation officers experiences. The interviews focused on the usefulness of circle with youth, parents, community, and the ways in which probation officers understood their

roles. Discussion of a new understanding or deeper empathy with other circle members was indicated possibility of transcendence for many of the officers.

### **Phase Three – Follow up Phone Call**

The follow-up phone conversation occurred approximately ten days after the transcript was sent to the probation officers to ensure time for probation officers to read the interviews. This conversation focused on what was captured in the in-depth interview via transcripts giving probation officers opportunity to confirm that the transcript of their narratives described their essential experience.

All 10 participating officers confirmed their narrative and the meaning of their answers were aligned with their experience with circles and felt the transcript was accurate in portraying their intended answers. The researcher clarified statements and no substantial edits (grammatical only) were made. Each participant elaborated but the meaning of the statements in the interview remained consistent with the initial in-depth interviews.

### **Data Analysis**

The data collection and analysis was an iterative process, the steps of this method were a process of reading and listening to the interviews many times while making notes and revising the themes, which emerged throughout the process. Given the complexity of the meaning of transcendence and other themes that emerged, this researcher attempted to keep this phenomenological research analysis as straightforward and simple as possible.

Nine questions and three probing questions (see Appendix F) were asked of each juvenile probation officer. The response to each interview question was considered for recurring highlighted statements and/or words and words with similar meaning.

The participants were given the questions in advance to ensure transparency and to better ensure informed consent however, the interviews themselves were an iterative process with probing questions eliciting richness in the dialogue between researcher and participant. This process aided in capturing the lived experiences of the probation officers (Shenton, 2004).

This researcher then recorded emerging themes and plugged the relevant themes into 'nodes' (virtual filing folders) using NVivo qualitative data analysis software, which then allowed for a clear picture and summary of major themes.

In this phenomenological study this researcher was the main tool, making the risk of bias greater than other types of studies (Marques & McCall, 2005). Assistance with coding of the data to ensure against bias was done through recruiting a member of her doctoral cohort, Jane McCourt, LCSW, PhD and another colleague, Miriam Kleven who is a LCSW, PhD and teaches at Northwestern University undergraduate program. Both professionals have little previous experience in talking circles and no knowledge of working with juvenile probation officers. It was this researcher's intention to gather a less personal perspective of the phenomenon so as to gain an understanding of how the results could be used for interpretation of major themes with a new perspective. This approach may also have been useful in promoting a uniformity of understanding with work in talking circles.

This researcher attended to interrater reliability by meeting with rater or coders after making her dissertation proposal, full transcripts of interviews and the initial emerging codes through Nvivo available. As themes emerged this researcher met three times with one of the coders and continued to communicate via phone and email with the

second coder. Revisions were made with themes being added and refined based on input from the coders with each coder weighing in on the themes within each question. Once the coders and this researcher came to an agreement by an acceptable degree of consensus of most salient themes, the codes were established; an iterative process between this researcher and the coders achieved this agreement.

The consistency of judgment of both coders was demonstrated throughout the process. Although both coders reported a kind of emotional elegance and richness in many officers' interviews, the coders felt the initial themes captured the interviews. All coders reported they were able to remain open with the emerging themes within interviews to develop clear themes in an evaluative way.

As stated earlier, potential bias and missing information was addressed by using peer analysis with fellow coders and ultimately meetings with committee members. These meetings examined blind spots in the analysis and although the original themes were clear and delineated by questions asked of the participants, the categories were somewhat simplistic and missing valuable data.

This researcher's committee suggested important, rich information was being lost in the initial coding. After looking back at initial codes and comparing the codes to field notes, this researcher used new ways of perceiving the interviews, employing an epoche approach of suspending judgment and previous knowledge, and letting go of previous establishing clear but lacking codes. This researcher immersed herself in the data allowing new themes to emerge with the guidance of committee members. The subsequent coding process involved re-seeing the important moments and, without interpretation, allowing the phenomenon to emerge. In this way, this researcher and her

committee developed the thematic codes from those descriptions (Boyatzis, 1998). Once satisfied with the new codes, this researcher used a color-coded manual process to analyze the themes. The results were based on a small sample, but one that provides a deeper understanding of the phenomenon and offers knowledge and a path for future studies with this community and mindfulness, IPNB, and circles.

### **Limitations**

The limitation regarding the design and analysis of this study are the small sample size therefore not a complete representation of a broad range of probation officers.

Generalizability is limited however the sample size is adequate for extracting frequent themes in qualitative research. The sample size of this research was used for strategic reasons and considered appropriate for the research design and objectives. One of the goals of this research has been to understand how probation officers view the phenomenon – it may not generalize to other professions or other uses of talking circles. However, analysis and interpretation will still aid understanding of the role of circles in the restorative justice process and their utility for promoting personal/professional well being within this population of probation officers.

The factors that may have threatened the quality of the data analysis, collection and coding process were questions of interrater reliability as well as this researcher's extensive experience with talking circles, MBSR, and IPNB, thus potentially falling prey to bias and influencing the codes and findings (Marques & McCall, 2005). Marques & McCall (2005) suggest that in a phenomenological study, "the researcher is considered the main instrument and where, for that reason, the elimination of bias may be more difficult than in other study types" (p. 439). Conversely, Shenton (2004) argues for early

familiarity with the culture of the studied organization to ensure ‘credibility’. It has been this researcher’s experience that the probation officer culture and the circle culture specifically lend themselves to unspoken and necessary tacit knowledge thereby making familiarity with the subject outweigh potential bias on the researcher.

Credibility was established through the description and reflexive examination of this researcher’s familiarity with the culture of the juvenile probation department as well as with circles, mindfulness, and IPNB and how it might bias her conclusions.

The probation officers’ review of the transcribed data supports the data’s descriptive validity. Having the dissertation assistants check the codes and by giving the opportunity to participants to check accuracy/completeness of the transcripts ensured validity of the findings.

Throughout this study and dissertation process, I have attempted to make use of story, inference, description, and sometimes creativity to capture and analyze the multifaceted perspectives and co-created meanings of circles. I recognize that because I am deeply invested in the process and power of circles my non-verbal communication is every bit or more powerful than the questions I asked and therefore cannot be ruled out in the co-creation of meaning between the officers and myself. I made every effort to remain aware of my response and feelings of resonance when probation officers spoke of aspects of the circle process to which I hold dear. The essential themes that characterize the phenomenon of what happens in the talking circle are difficult to capture through interviews and verbal explanation alone. Throughout the interviews I noted when probation officers expressed themselves in non-verbal ways, which resonated, or not.

Understanding the power of human emotion and connection is not reducible to mere words. Phrases, stories, and parts of narratives are interconnected with my understanding and connection to the circle process. In that way, I am aware that I have, consciously or not, co-created meanings with the officers, and in doing so have affected the data.

IPNB tells us we are sculpted and transformed by our experiences and emotional connections. I am no exception to that process. The interviews and coding of the interviews both affirmed and changed my understanding of the circle process. Meaning continues to emerge as my life experience unfolds. The most important phenomenon is often the most elusive to name and fully understanding. I have made every endeavor to reach an understanding and expand the knowledge base regarding circles and their use with probation officers.

My hope is that the reader is able to more wholly appreciate the sometimes life changing lived experience that occurs in circles and the resulting awareness, insights, or shifts in ways of being. It is also my hope that this will add to the way we more wholly understand and allow better practices within the criminal justice system with victims, offenders, and probation officers. And finally, I would ask that the reader use the findings as a path of integration in understanding self and other as well.

## CHAPTER FOUR

### ANALYSIS OF DATA

Chapter Four presents the results of the data and includes descriptions of the codes. The codes are comprised of themes that emerged from statements in interviews of Cook County juvenile probation officers who have all participated in the circle process. The themes developed as a result of in-depth exploration of meaning and a collaborative iterative process with academic advisors. An important factor in this progression included the bracketing of my own experience and understanding of lived experience of circles.

Ten face-to-face interviews were conducted on juvenile probation officers from the Greater Chicago Area. Nine officers were female and one officer was male. Seven officers were African American, one officer was Latina, and two officers were Caucasian. All officers held at least a bachelor's degree and were between the ages of 35 and 52 years old. Demographics of individual officers are shown in Table 1.

The interviews were guided by the following research questions:

1. What is your understanding of the circle process potential for transforming relationships with clients?
2. How do you understand transformation or the transformative process?
3. What are the relationships between what you personally experience regarding presence, attunement, and resonance in the talking circle and your understanding of the transformative process?



Table 1. Demographics of Probation Officers

Chosen Initials	Years as a Probation Officer	Age (in years)	Ethnicity	Gender
CC	18 years	49	Latina	Female
LJ	7 years	35	African American	Female
MA	6 years	35	African American	Female
MC	7 years	36	African American	Female
RJD	12 years	37	African American	Female
WP	19 years	47	African American	Male
XXX	21 years	51	Caucasian	Female
YP	14 years	42	African American	Female
ZD	23 years	52	African American	Female
ZW	19 years	50	Caucasian	Female

To address the research questions, nine interview questions were asked of each juvenile probation officer, along with three probing questions (see Appendix F). The responses to each interview question were assessed for commonalities, meanings or themes. In response to the interview questions, four overarching themes were extracted: *safety, deep listening and being heard, viewpoints, new understanding of self and others*. These themes emerged throughout the data analysis and are described separately below.

### **Safety**

Safety is one of the essential elements of a useful circle process. Building safety in a circle is essential to creating an effective circle. Safety was highlighted in 9 of the 10 interviews making it one of the most common themes that emerged throughout the interviews. Participants identified various elements that make up and result in safety

essential to circle success. Among the elements: *structure and guidelines creating relaxation or comfort, and safety in discussing difficult topics* were cited as necessary for creating a safe environment in which to share.

### **Guidelines create comfort and safety that promotes sharing**

ZW emphasized that with the guideline of the talking piece (the person with the talking piece speaks) circles become a place of listening, free of judgment, “whoever has the [talking] piece allows us to listen to whatever their perspective, their experience, is without being judgmental – just to listen”. In that way, circles play an essential role in regulating dialog and creating opportunity to speak and deeply listen without interruption. Officer XXX indicated that the circle allows for a relaxed and structured environment allowing for a sense of safety:

I have found it useful for me personally because it just changes the whole energy of things. You know, it just allows for more relaxation. It allows to, you know, have literal space where you’re creating...a space within your emotion and your mind to say, you know, ‘We have this hour or this two hours [sic], or, you know, however long it takes to sit and be here and discuss this issue in a way that we’ll be calm and a way that we’ll be orderly,’ because of the talking piece, and that’s number one...But you can ask them as they are breathing and sitting and calm...sort of eases away or lowers people’s resistance, and they just become sort of more comfortable. (XXX)

Several officers indicated that the environment of the circle allows everyone to be on the same level allowing it to become a safe space and participants to be comfortable enough to share. Being on the same level allows for is the equal input from all participants in creating and following the rules/guidelines that are established at the start of any talking circle. The probation officers speak of ‘being on the same level’ when in circle which is

different from their day-to-day hierarchy and position of authority. Officer WP indicated setting up guidelines allows equal standing and a safe space to share:

I think part of it is going around setting up the rules. When people know the rules about the conversation and what's permitted and what's not permitted in the circle, I think they feel more comfortable sharing... You know, everyone being on the same level. No one is, you know, at a higher level. And I think it really, really gets a lot of people to open up as well... If you have to look across from each other, you have to maintain eye contact, really makes it more comfortable for people to communicate with each other... (WP)

Officer WP also indicated that the guidelines (talking piece) and environment allows for more openness, sharing, and communication without being talked over.

First of all, I think people are more relaxed in that type of environment. I find that people are more open. It's a more relaxed type of situation where people are willing to open up and share. It's a way for everyone to communicate without people talking over each other and different things... it's more organized and you can get to the root of the problem and address the solutions, come up with solutions that way... So, to me, it's very, very beneficial in getting people to open as well getting people to hear what other people have to say about their problems or anything. (WP)

Officer MC also mentioned not talking over a person (with the use of the guidelines and talking stick), respectful listening (discussed further in the next section) and confidentiality as part of what makes the circle a safe space to share:

And you're being heard in a respectable manner, especially when you set the rules up. You know, you can't talk over a person. You have to be respectful. You can't laugh. What goes on in the circle stay[s] in the circle. So once you produce that safe space that really gives a child or someone the opportunity to really express themselves. (MC)

Later, Officer MC gave another example of the importance of the talking piece in safe keeping a circle so that deep sharing is allowed:

I did a small circle with a mother and a daughter recently. And mom was very sick so she had a lot of things going on with her. So the [circle was a] safe space, I mean, we were able to talk... we had a talking piece and that just really enabled

the respect because before when I tried to talk to mom, daughter, you know, they were interrupting each other, you know, all over each other. But once they understood the talking piece, that only one person can talk, they really respected that. And in that case, they were able to hear what each other was saying. And that was really awesome for me because the mom passed like three weeks later so I'm glad we had that talk. You know, the daughter learned a lot about her mom. (MC)

Rules but not hierarchies are reflected by Officer MA who speaks of guidelines that serve as a vehicle for expression. "Yeah. You know, and again, it's not in a confrontational manner. It's in a more relaxed, you know, going around the circle and discussing the situation [with the talking piece]".

Officer MA continues:

When you're able to set the guidelines and you're able to make the rules and you're able to express what it is that you want to get out of this and also be able to acknowledge that in order to get something I have to give something. And I think that's the best thing about creating a safe environment is because the rules are set in the beginning and you know that I can't just take in this situation. I have to give of myself to get of others. (MA)

Officer ZD emphasizes the safe feeling of the circle in sharing and connecting:

...you know, at the beginning of the circle, you know, that that's their safe environment that belongs to them, that belongs to the circle so that means everybody in the circle. It's not me the circle keeper or the other person the circle keeper. That's for them, and that's always stressed in my circles that this is for them. This is their sacred space. They can say what they want to say. What goes on in the circle stays in the circle, you know...But, you know, we try to make that connection, that bond with each other.

### **Safety in discussing difficult topics**

Safety was mentioned in the context of sharing especially difficult topics regarding feelings, abuse, and race.

Officer CC felt the safety of circles help members share their stories in a vulnerable way:

[Circles] put you in a vulnerable place and when that happens you need to know you will be safe. It helps [vulnerability] with storytelling. Sometimes it makes it better when you don't know someone in the circle...to be a little uncomfortable, but you have to feel safe.

Officer LJ who was new to the circle process, emphasized the importance of circle being a safe space before she could allow for comfort and openness with personal stories:

At first I had to uh make sure it was a, um, safe place before I opened up. And it takes a while when you're in a group of people you don't really know. You have to make sure it is a safe place before you start talking about personal things. I think when other people begin to open up I feel more comfortable opening up, talking about personal things. When other people open up it helps me to open up to be more personal...to be more transparent. For me, I can just say when other people expose things I feel more comfortable exposing – that is connection for me.

When asked what other elements make the circle feel safe Officer LJ responded,

“Um Well For me I can just say when other people expose things I feel comfortable that is the only thing for me”

Officer MC described the circle as an alternative setting to a courtroom in which a stance of non-judgment encourages sharing or expression:

And then you may find out that the victim may have, you know, hurt someone in the past, but maybe got away with it. I mean, so there's a lot of things you'd find out when you sit down with the perpetrator and the victim. How is that different from a courtroom, would you say?...it's kind of stiff....Some of the kids are afraid of the judges...So in a circle setting, it's more safe, a kid is more free to express themselves without being judged....You find out that they don't want to do this, but they feel like that have to do this. So I definitely see the kid as a different person.

In relation to circles being safe enough to understand and share what might be embarrassing or shameful, Officer MA explains:

When you're able to do the circles you make it safe because you're actually allowing them to tell you what they need, and they don't even know that they have the answers, they are able to meet their own needs but no one has ever asked, “You know, what do you need from me to be successful?” Or, “What do

you need from this process to be successful?” And I think that I’ve done a lot of things where circles is the only place that I think it’s comfortable enough, that someone can express their needs in a situation that’s usually deemed embarrassing or it’s shameful. (MA)

Officer CC had an experience in circle that helped her understand and share with topics which she felt were otherwise unacceptable to discuss:

I can ask you those things because I have a safe space to get the answer. And I think that if we use circles in other dynamics, you know, in other situations, we can solve a lot of these problems that are deemed unsolvable, like the race issue. You know, all these things with race, if you can [talk about] race, religion, politics, if you can set an atmosphere that’s non-judgmental and safe you know that you can get your questions answered without walking out and people looking at you like, “Oh, my god, she’s racist.” (CC)

Officer XXX emphasized the comfort and safety of the circle is imperative when discussing potential explosive issues:

And number two, it allows for the ability to talk about issues, which you might not otherwise be able to have a direction conversation. For example, the police and youth, you know, you can’t just come right out and, in most cases, ask police and youth like, “Why don’t you get along?” or, “Why do you hate the police?” or, “Why do you think these kids are a bunch of blank heads?” But you can ask them as they are breathing and sitting and calm, you know, what card represents how they’re feeling today, and that sort of eases away or lowers people’s resistance, and they just become sort of more comfortable. (XXX)

Abuse was brought up in a circle in which Officer MA participated which helped her understand the importance of keeping circles a safe place to share.

...when somebody is sharing a situation of being abused and this is my first time ever admitting to that. That means that we have set a very safe, very non-judgmental environment, and that’s an honor that you’ve chosen us. So now we have a responsibility to you to make sure that we don’t take that information and misuse it. We don’t take your emotion and misuse it. And we don’t use it for our own entertainment. (MA)

While safety in the circle has deep importance in the ability of participants to have a place to share; as important is when participants do not feel a circle is safe. The primary reason officers gave for a circle not feeling safe was an ineffective circle keeper.

Officer MA paints a picture of the dangers of not attending to the safety of the circle and the resulting discomfort of participants who do not feel safe to share:

...I know about a circle that a school did and I actually told the guy, Don't call that a circle ever again because I'm sure that's not what it was."...it was the kid, police staff and the school. And I'm like, "How is a kid supposed to feel comfortable in that setting?" They already know that what they did was wrong, but how are they supposed to open up to people who are saying, "You did this. You did that. You did this. You did that," and not say, "Okay. What has happened? Please, let's talk. Can we bring other people in, someone that you feel more comfortable with? Let's bring your family in so they could be a part of it"? And it didn't do anything for the kid. It just made the kid angry. This kid was fractured by fear And so that piece – a sense of safety - when that piece is missing it's probably not a circle. (MA)

How do you think a circle is different from other safe spaces? Well, I can just give a+n example. We had a circle last summer with a group of boys, you know, in the Roseland. And I'm so glad they felt, you know, safe enough to express what was going on with their lifestyle...they do a lot of things I'm sure they could get arrested for, but they comfortable enough to say why they do it. You know, and that really – I had like a better understanding because some of these guys, they're just trying to make it. You know, they're trying to provide for their family. You know, I didn't realize how acceptable it was, you know, and how they're actually like looking out for elders because of this. I mean, it's really deep. I didn't understand how deep it was until we had that circle. (MA)

Officer XXX underscores the dangers of breaking confidentiality in circle and how that can create a tear in the safety of the circle:

If the circle doesn't hold it as safe, if someone is not mature enough to hold what happens in the circle and they take it out of the circle and utilize it in a negative way. Somebody has opened themselves up and shared valuable information, well not valuable information but shared information because they trusted that it would stay there so that that, that's a concern. (XXX)

Feeling safe was primary for officers' experience in being able to relax and discuss difficult topics. The guidelines, specifically the talking piece, were elements which engendered that sense of safety and ability to better listen and allow oneself to be heard.

### **Listening and Being Heard**

The second code or theme that surfaced was listening and being heard. Eight of the ten probation officers identified listening and being heard in the context of what renders a circle valuable. Many officers emphasized listening and being heard when recounting stories of their own circle experiences as well in speaking to the experiences of their clients. The data analysis revealed numerous ways probation officers expressed Listening and Being Heard: *skills, expressing one's truth, listening and being heard as a way to foster connection, and respect in sharing one's reality.*

#### **Skills in listening closely**

One participant gently credited the experience of circles for learning listening skills, "it [circles] allowed me to be..uh...still in a sense, and to reflect and to become more of an active listener" (ZW). Another stated emphatically that her listening skills have improved as a result of sitting in circle:

My listening skills have developed tremendously – even in my work – to listen more to my co workers to listen more just to anybody to just listen to be a more active listener. To be um see why somebody is doing this or that, in their perspective. (LJ)

Skills in listening often involved listening, perspective taking leading to a deeper understanding.

I am more of an active listener when let's say somebody's life is different than mine. I am more of an active listener and communicate more. To uh...I try to communicate more into other people's world. Why they are thinking the way they



do, why they are speaking the way they do....So I think talking circle led me to ask more questions, to get a better understanding of something that I don't understand to see and to have that individual explain it to me so I could listen more. (LJ)

One officer, LP, spoke of learning a different way to listen deeply as a way of understanding how to communicate with others and understand,

...you are actually listening. So you learn how other people feel in their experiences and um to communicate with others and visa versa they learn how you feel and what you experience and it shifts.... It shifts the mindset. (LJ)

Officer WP agrees that the skills of focused listening are important and enhanced in talking circles,

You can be in a conversation, you know, you have some friends where they'll just talk and talk and talk and talk, and you're just listening. But the circle really forces you to listen to what the person is saying and focus on [being] there. When you have that one person talking to focus on, what they're saying, and internalizing it and everything. (WP)

Similarly WP added:

So I think it's transformed me into being open-minded in the sense that I need to listen to what people are telling me...You know? When I'm sitting in the group, it forces you to listen. Because you have to wait your turn to talk. So it almost gives you the discipline because some people just love to talk. (WP)

WP continued:

Oh, I think listening to the whole story.....just listening to the other people in the circle, yeah, could change that person's beliefs and everything. (WP)

### **Genuine without judgment**

Listening and being heard in a genuine way and without judgment was an imperative piece in the significance of the circle for three officers. Officer ZW emphasized that in order to experience transformation officers need to be willing to participate in a genuine – one could say truthful – way. ZW stated, “If you know that

people are going to genuinely share, the circle evolves”. Another officer, MC spoke of being received in talking circles without judgment which “...allow whoever has the piece to speak and [others] to listen to whatever their perspective, their experience, without being judgmental – just to listen”

LJ Highlighted an opening and expanding in ones way of listening, leading to a non-judgmental way of being.

“...your own personal experiences can have you thinking a certain way but when you learn and listen to others experiences it makes you non-judgmental. I think that participation in the circle helped me in that way and, I think it helped others in the circle in that way. It took others to listen to something that is outside of your own experiences, which helps you understand others and your own experiences. (LJ)

### **Listening and being heard as a way to foster importance of feeling connection**

Connection, through listening and being heard, was a theme mentioned by five of the officers. Often, it overlapped with a theme discussed later in this chapter, the realization of the common humanity of circle participants, but because the emphasis here is on hearing and listening as a way to feel connected, it is slightly different from the theme of commonality.

One participant attributed “really listening and being heard” as influencing connectedness and that it “resulted in feeling we were all on the same level and being connected” (MC). Similarly, CC credited feeling connected with the simple acts of listening and being heard

...it [circle] puts everyone one the same level. Yeah. And it’s a connection. You know, you can actually relate to that person, and I think that’s the main part of it. We’re just trying to get someone to relate to...the officers start reflecting on what they are not addressing to be engaged and understanding. (CC)

Officer ZD mentioned this theme when talking about the experience of the youth in the circle,

Almost all of them have walls up...But normally, once you get them engaged they like it...they feed off each other...they learn connection, which I think is important...they need to learn how to connect with each other. (ZD)

Officer LJ agrees with the idea that culture of the talking circle is about the importance of connection through listening and being heard. She shares that the understanding from circle members is genuine. This support made a difference to her in understanding her role as a probation officer and who she is as an individual:

It is so needed from the perspective of you have so much diversity in the department, whether it be racial, whether it be gender, whether it be sexual orientation – a lot of diversity. In government people don't communicate the way they do in circles they never get to know really get to know people other than coming in and going out – they never really get to know the person. In the circles they really get to know by listening to the person...and that really begins to tear down walls...it helps us understand where people are coming from when you get to know them as a person. (LJ)

### **Listening to others' story respectfully**

Listening in circles also involves respect rather than telling others what may be best for them – quite a departure from the reported hierarchal norm of the probation department. As office WP notes,

You know, and we come in and we know what's best for everyone, and we want to do, you know, try to fix the situation without getting input from other people. So I think this experience has taught me that, you know, you have to listen to other people and what they have to say. (WP)

Officer XXX also noted the difference in sharing of one's story or experience as a way of being effective versus telling someone what they are doing wrong:

...you're asking something like... 'Can you share a time where you were ...But you're just rather talking about it [and] what your own personal story is. And

through your own personal story, I mean, I think it's just so much more effective than telling people, you know, how they are like... 'Well, you're doing this. You're doing this.' Rather, you're just talking about your experience.

Officer MC speaks about the critical understanding of listening and respect that was gained from her experience in circles. She sees these lessons as important markers of connection. The themes in the interviews suggest that it is important to connect the experience of struggle, and the resulting life lesson that is then shared within circles.

Because, you know, sometimes I think with our kids, with some kids, with a lot of people not just our kids, it's the communication, you know. That people don't listen to people, you know. And then when you talk to them, if you yell at person you're not going to hear what they're saying. You're going to hear the tone of their voice, and you're not going to be thinking about what they're saying. You're going to be thinking about how you're going to react to what they're saying, you know. So I think that's why the circles [are] just so important because you have that big component of talking and listening and their respect. (MC)

She also understands the talking piece as the vehicle for garnering respect and being heard:

The talking piece allows you to not only render respect but also receive respect because when I have this talking piece everyone in the room knows that I have the floor and I'm able to express what I have to say as long as it takes me to say. And I don't have to worry about a person saying, "I don't agree with that. No." It's my turn. (MC)

During an interview one of the officers, XXX became tearful as she talked about her experience and understanding of what it like to fully engage honestly and feel a new respect by listening in a way that was a departure from previous ways of listening and speaking one's truth.

I sat in a circle not that long ago in December and had an experience where I felt that some people in the group, who happened to be like, I would say – I'm not quite sure – Christian, certainly Christian and probably very Evangelical kind of Christian, very much invoking Jesus in the circle and invoking a religion in the circle and, you know, talking about how Jesus was the way. And when I hear that,

you know, I usually hear, you know, in my head I hear, “Oh, these people, they do not like gay people or Jews.” And, you know, so this is what’s kind of going on in my mind. You know, I’m sort of very wary of that because that’s where I’m thinking that they’re all coming from. Yet I can have a perfectly nice conversation, and I can know that’s not rationally the case but doesn’t mean that it isn’t swirling around somewhere in my head. But then I become either dismissive of them or I become protected by them and not opening up to them. So in this particular circle that I sat in I perceived that one of these people, who were very much born again and very religious, were talking about gay people. And they never mentioned the word “gay people” but I was under the impression that that’s what they were really talking about. And being a gay, a lesbian, I was obviously quite hurt, quite upset about it. And in the circle process, you know, I had the opportunity to speak and I almost wasn’t going to speak because I just thought, “Oh, it’s not worth it to speak.” And I did. I spoke and talked about it. And even though that person never mentioned being gay, even though, you know, that person didn’t talk about homosexuality as an issue or anything like that, you know, I perceived it and sort of confronted them, confronted him on it, which he was very much like, “I wasn’t even talking about that.” But the fact of the matter was is that whether he was talking about it or not there was this injury that I had with this group and maybe with his group had against me. And so in that circle we were able to have the conversation where I never would’ve had the conversation with him just if I wasn’t sitting in circle. . . . . So if I had not been sitting in that circle, you know, I wouldn’t have done it. And it also gave me the opportunity to do that. (XXX)

When members are not able to participate in circle in a respectful manner or when they failed to demonstrate values of safety, support and respect that officers spoke of, circles fall short as a safe place to listen and be heard. Officer XXX shared how circles may not work when the respectful process is not at play:

Well, you know, I’ve sat in some talking circles where, you know, the participants don’t see like they really want to be there. Maybe they’re in a class and the teacher is saying, “We’re going to do this taking circle.” And they take the opportunity to be completely disengaged and not there. So it’s really difficult for somebody who seems very disinterested or even disrespectful for me to open myself up and let myself be vulnerable to someone like that. (XXX)

In sum, the officers reported that through the circle process, their skills in listening were improved. Listening and being heard allowed officers to express their truth

and feel a connection to fellow circle members. They reported a respect for other circle members and with that a new or deeper ability to share their reality.

### **Viewpoints**

The third major theme that emerged was Viewpoints. Seven of the ten participants identified *shifts in beliefs and viewpoints* and *understanding another's viewpoint as a precursor to change* as a powerful element in circles. The experience of change through understanding another's viewpoint is a critical insight even for those officers that did not experience it directly but saw it through other circle participants. Two probation officers made abundant direct comments regarding *shifting beliefs and viewpoints* while six saw *understanding someone else's perspective as a precursor to change*.

### **Shifting beliefs and viewpoints**

Officer XXX spoke beautifully of sitting in difficult feelings and recognizing that fellow circle members are having a similar experience as a 'blooming' and experience of shift:

I mean, I spoke to that before when, you know, I'm – that, to me, seems the part where things shift and maybe get uncomfortable or they shift in a way that you're deeply touched, but, you know, feeling how it is that you're feeling, whether or not it's like anger, whether or not it's you're being annoyed, or whether or not it's you're deeply saddened, or whether or not you're feeling like this openness of being able to allow what you're feeling to be there and then looking at somebody else and looking at what's happening with them too. To me, I thought of the shift. You know, like it was where the blooming – where the bloom is. (XXX)

WP believes reevaluating beliefs is the entire purpose of the circle process and that process can often lead to forgiveness and acceptance of accountability:

I think the whole purpose of the circle is to get people to think and reevaluate their beliefs, their values, and if you can get, especially if – and, again, it depends

on what type of circle you're engaging in...in order to resolve that conflict, you have to shift your values and your beliefs in that circle, you know, sometimes. maybe part of the circle you might have to take a step back and say, "Hey, maybe I have some responsibility in that and what happened. Maybe I have to take some, be accountable as well. And maybe I have to do some forgiving as well to be able to move forward in my life." So it really forces that person to change a little bit in their beliefs and everything. (WP)

When asked about what might commonly occur for a person to make that kind of shift,

WP spoke of listening to the 'whole story' and having an 'open mind' as a vehicle in changing perspective:

Oh, I think listening to the whole story. You know, having an open mind. When you're listening to their story and hearing the perpetrators maybe why they committed this offense what's been going on in their life. And you might want to step back and say, "Hey, I didn't know things were that bad." Or maybe that offender did something to you because that person felt that you did something to them, and the victim wasn't aware that they had even offended you, you know. So, yeah...just listening to the other people in the circle, yeah, could change that person's beliefs and everything. (WP)

WP clarifies by stating that it's also about understanding and not agreeing:

I think it's about that understanding that when someone shares their situation with you and you say, "Oh, yeah, you know, I understand that. I can see where you're coming from." Even though it doesn't necessarily [mean] I'm agreeing with you, but I understand where you're coming from. I know how you got from here to there. I do have that understanding of what you're talking about, what you're saying and how you feel that this is true. So I understand that that's how you feel and everything. (WP)

Sometimes the change in perspective can be as the result of a word:

And in the circles where we may be talking about one issue and someone may use a word that is offensive, you know. And all of a sudden, the conversation shifts to that word and the meaning. And people, it's almost you have to resolve that issue before you can move further. It's almost like you come to an agreement that whether it's this person feels this way about it, this person -- but it's discussed. ...And I'm like, "I never saw that" (WP)

The shifting of beliefs comes as a dawning for some:

And so it just turned the situation discussion around that word and everything. And everybody became aware of this and we were able to move in the group because we addressed that issue. (WP)

### **Understanding someone else's perspective as a precursor to change**

Officers emphasized that understanding another's perspective through sharing in circle allowed them to recognize their path to change. Officer RJD saw something in a circle member that, although she had worked with him for years, she never understood. Sitting in circle with this person and listening to his story allowed for an understanding of someone else's perspective:

I would see him coming in meetings and I'm like, "Really? Why is he here, he doesn't care?" And then hearing from him and being in that circle really opened me up to what was going on and who he is as person. It made me really change that, my thoughts about him. The openness, I think we have to be open to learn things about different people, learn things about ourselves because, as people are talking in the circle, if you have a wall up you're not able to say, "You know what? That sounds a little bit like me." (RJD)

This same participant (RJD) also noted that there are times when allowing for the shift is essential in having a new and 'clearer' understanding. She discussed openness and realizing similarities with others, "...I think we have to be open to learn things about different people, learn things about ourselves because, as people are talking in the circle...":

We all went around and we had the talking piece to go around. And we learned things about each other that we never knew before. I mean, we were already cordial and we complimented each other a lot, and we sat in some meetings together but that kind of made things a lot clearer for me with her. (RJD)

Officer MC nuanced her understanding of someone else's why and how it is a way to understand the client and self differently:



...like when people provide an understanding of why they do what they do, it changes things. I mean, it changes our understanding of who they are maybe or maybe their own understanding of who they are. (MC)

One officer spoke of witnessing clients who had the experience of witnessing officers share stories honestly, which creates a different perspective or point of view and allows for change:

They have an understanding that people...that other people have feelings too, that they're human as well. You know, they're not beyond whatever they're facing their life problems with And then the student [moves from] I thought you were just a mean teacher." (MC)

She later spoke of seeing her clients in a different light and thereby shifting prior beliefs:

And I think, well, for me, it makes me look at them. I don't see them just as, you know, a deviant, a person who is doing this deviant behavior. I see them as, okay, they're trying to provide for their family. You know, this person has a heart after all. And you find out that they don't want to do this but they feel like they have to do this. So I definitely see the kid as a different person. (MC)

And later still, she (MC) shared a detailed story of a specific circle where she experienced a profound understanding another's viewpoint and thereby serving as a precursor in changing her own understanding and perspective – one she is still wrestling with:

We had a circle last summer with a group of boys, you know, in the Roseland...they do a lot of things I'm sure they could get arrested for. But they [were] comfortable enough to say why they do it. You know, and that really – I had like a better understanding because some of these guys, they're just trying to make it. You know, they're trying to provide for their family. And they have been doing this for a very long time and it's very acceptable in the community. You know, I didn't realize how acceptable it was, you know, and how they're actually like looking out for elders because of this. I mean, it's really deep. *I didn't understand how deep it was until we had that circle.* It's not just something to say, "Oh, don't do this. You'll get in trouble." Well, it just made me – I'm still trying to figure out how, you know, you can relate to someone like that because I can't relate to them as far as their experience. But how can I relate to them as far as planting seeds where they can change that type of behavior? So that's where I'm at now. (MC)

Reinforcing this view, LJ speaks of a transformation by listening to the perspective of others in the circle and how that translates into a shift in the mindset:

I find it (the talking circle) very useful...I believe when people have conflicts or differences and when they bring that subject up in the talking circle – it allows them to uh get the other persons perspective and why they may feel a certain way. And its like a transformation to the way you think. You think differently. Once you sit in the circle you not only have your own perspective but you sit and listen and hear other peoples perspective. You are actually listening. So you learn how other people feel in their experiences and um communicate with others and visa versa they learn how you feel and what you experience and it shifts.... It shifts the mindset

LJ continued with a comment that illustrated how, when sitting in circle with members, each member of the circle listens to the story of others in a unique way that often paves the way for a new understanding of self and others:

[Circle] makes you non-judgmental I think that participation in the circle helped me in that way and I think it helped others in the circle in that way it took others to listen to something that is outside of your own experiences which helps you understand others and your own experiences. (LJ)

On another note, officer, ZW, spoke of understanding students were suffering in ways she hadn't considered. Though circles are often emotionally focused, this circle focused on the emotions behind physical and medical pain and was a new consideration of her clients perspective:

One time we did a circle, and I never understood how many sick young people we have. You know, there are so many young people in high school that are sick. They have illnesses, you know. And I didn't know that until I was doing a circle when one guy was like, "Well, I have kidney failure." And then another young lady was like, "I have high blood pressure" ...it changes things. I mean, it changes our understanding of who they are maybe or maybe their own understanding of who they are. (ZW)

When considering another's viewpoint MA points out, it may be frightening to show one's difference but doing so gives way to opportunity:

When we look at each other, we know we're different but we don't know the depth of that difference... It might be some unspoken stuff that people get to speak of out loud, and then find that everybody else, who is like them, feels the same... And not only that, it also gives you an opportunity to show your differences and allow people to get to know you on a level that they were scared to before. (MA)

Officer XXX speaks of the difficulty in sitting in the shift to another point of view that is different from one's own:

But, you know, you also have the parent and the child. You know, the parent will say something. The child will react. And then, you know, no one is really taking the time to just sort of sit and open up or be vulnerable and allow for the possibility that the other person might have a point of view. And then to sit – not only do they have a point of view, but to sit and really try to put yourself into that person's point of view, that's a very difficult thing for people to do, understandably so. (XXX)

On the other hand, and at the same time, MA explains, I don't have to *be* you to

*understand* you:

I think it's about that understanding that when someone shares their situation with you and you say, "Oh, yeah, you know, I understand that. I can see where you're coming from." Even though it doesn't necessarily I'm agreeing with you, but I understand where you're coming from. I know how you got from here to there. I do have that understanding of what you're talking about, what you're saying and how you feel that this is true. So I understand that that's how you feel and everything. (MA)

Taking on a new perspective is something that Officer MA speaks directly to as a precursor to change:

We all come in with our, with all these preconceptions of who we are. You know, sometimes when you walk out of there, you don't even know who you are until you've met something that's become difficult. And so you change. It's transforming for everybody involved because you have to take yourself out of that Sunday school classroom and you have to put yourself in the shoes of the person. (MA)

XXX had a remarkable experience of understanding another's point of view which allowed a realization of her own viewpoint and how she had been doing the very thing she was judging someone else for doing:

Realizing that this person had been involved in gangs and drugs and a life that was basically criminal, and that god and Jesus, in particular, was his way, and that he knew that if he deviated from the word of god, of the Bible, which to him was the absolute roadmap on how to basically stay alive, that he knew that if he deviated from that he was going to die. Much like an alcoholic, you know, they know if they're going to take a drink then it could all be over for them. And I never looked at it quite that way. I never looked at it. I never looked at his vulnerability. And I thought to myself, "Wow, like his world is a bit limited because he needed that." I mean, and this is my perception of it. But he needed that so desperately so that he could live. And I didn't realize that that's what he was clinging to. He was clinging to life. You know, he wasn't clinging to this notion of, you know, I want to put you down. It all works out so brilliantly diabolic[ly]. So I saw that I – I thought two things: number one, how sort of vulnerable he was, and number two, how I was doing the very thing that I was kind of upset at them for doing that I was in fact doing that too. And then, you know, we hugged and we hugged it out. (XXX)

The ability to understand another's viewpoint and the shifts that occurred as a result of those shifts was a dynamic element of circles, which officers highlighted as their portal to change.

### **New Understanding of Self and Others**

The final theme that emerged was a new understanding of self and other. In many ways, eight of the ten officers reported that circles created a new understanding that was the beginning of how they understood themselves and others. This understanding was often established within the circle however carried over into officer's personal and other aspects of their professional lives. The ways in which the officers spoke of these new understandings was through: expressing one's truth and speaking up; recognition of commonalties, and, letting go and accepting where things are.

### **Recognizing commonalities**

Recognizing commonalities was a theme that emerged when officers began to speak of the markers in the path to gaining a new understanding of self and others. Officer RJD, when asked about how circles were useful, spoke of the recognition of commonalities and how such recognition helped people to be better able to accept one another:

For me, it was being able to get to know the other people, have a sense of community and know that other people were not so different from me....So I learned that. And I'm thinking if can learn that then, once we get the kids and they're all starting in the cohort together, at least they can learn that about themselves and about each other. And then that will translate over to having a smoother classroom time and that the kids wouldn't be so afraid of each other. And that they would know that just because this person grew up in this neighborhood they're not so different from you, who is growing up over here. And because you're in opposing gangs don't mean that you have similar issues and similar hopes and dreams. (RJD)

Officer CC came to that new understanding in a much quieter way, as the results of a simple question, 'who is it that you are grateful for in getting where you are in your life'? CC had a sudden understanding of herself and the difficulty for clients in answering similar questions:

You would think that was no big deal but I never thought about it. I never thought I should be thankful to those people. I never thought and was thankful for their contribution. You take for granted that you are responsible for you own development and education but you never think about how other people are responsible ...In that moment I really thought WOW – even if I didn't want to be honest with the circle I need to be honest with myself. I thought if I can't even answer this question how can we expect our youth to answer [our questions]? (CC)

Officer MC describes the way circles helps in understanding others who are on different hierarchical levels, "[circle] humanizes them and then they have this – they have an understanding, maybe, of each other". She goes on to give an example of students she worked with and their new way of understanding others in circle:

[students] have an understanding that people, I mean, that their teachers, you know, that other people have feelings too, that they're human as well. You know, they're beyond whatever they're facing their life problems with.

An aspect of not going back is the new understanding that we are all more alike

Recognizing in circle – we are more alike than not alike – was a powerful understanding which melts away previous more authoritarian methods when members of the circle fully participate:

And I think that I've never seen a person participate in a process, fully participate, fully become involved and not have any kind of transformation And I mean, from myself as a facilitator, each time I facilitate there's a transformation moment that has to occur because you have to get in it. You have to be in it – And I don't think that is common among law enforcement officers because we have the mindset of being the authority and we know everything, and so we're not going to ask, "What do you need? How can I help you?" It's, "I know what you need. And I know how to help you because I know your kind." And I think by going through the circle process, it brings you back to, "I *am* your kind". (MA)

The courage that it takes to be honest and to tell a story from the heart can allow for a new understanding the considered 'other' and that their story is really our story:

I don't care where you are in life, what color you are, how much money you came from, how much you did not have, how smart you are, everybody has been one bad decision away from being where each one of these kids are. Everybody. And anybody that say they didn't; they're a liar. Because everybody has made some dumb decision that could've landed you right here. And we forget that when we're working with the clients. We forget when we were 15, 16 and doing dumb stuff. (MA)

Officer WP speaks in non-judgmental terms about becoming more human as we allow the stories of others to unfold and recognize how we are all the same:

You're becoming more human. You've owned some of their stuff. And so it's very hard for you to be mean or to just cut that person off and be very hostile with that person because, even though you may feel that this is wrong, but it's her. I know her. And I know she's a nice person. I know that she's this person. And I know that she's that person. And maybe I am her in some way. I have connected

and identified. I had something in common with her. So how could she be the devil now? (WP)

The importance of this ability to see commonality also has larger implications as ZD illustrates in her comment:

I think it would be a healthy work environment for everyone if they had circles and got to know each other. Not only for the officers but also for the community. It would be healthy for everyone because what I do as an officer reflects what I do for the community. When you are able to see the person who is the P.O. you are more able to see the person who is a client or in the community. (ZD)

### **Expressing one's truth and speaking up**

A vital aspect of circle is the opportunity to give voice or express one's truth.

Often this expression of one's truth was found through listening to other's express their truth, which gave rise to the courage to speak up. Officer MC spoke of expressing one's truth and the power of speaking up:

So it was kind of positive how people were coming up with solutions, or at least the adults within the group, you know, how they have a voice. So once they realized that they actually have a voice and if they can change or they can speak up and then maybe someone else will speak up and then there's power in that. So that, to me, that was pretty transforming. I mean, it just seemed like the kids' eyes. It just seemed like they understood that. You know, and I'm hoping, based upon their responses when they left, that they're going to speak up now. You know, "I want to protect my sister. I need to speak up." (MC)

Some referred to this understanding as something they witnessed more non-verbally. One participant (MC) described a powerful shifting experience which established an understanding and different point of view:

There was a circle we had a couple months ago at church. And it was youth from all over the city, some of the questions asked [were], "What [is] your fear?" And...their fears [were] of not themselves dying but their siblings dying. So once they realized that they actually have a voice and if they can change or they can speak up and then maybe someone else will speak up and then there's power in

that...I mean, it just seemed like the kids' eyes. It just seemed like they understood that. (MC)

Officer MC continued with a further example of how this process had been transformative for the youth involved:

Oh, there was one circle where there was a young lady, who she was like, 'I never talk.' I don't talk.' And then, you know, we had the circle and that's the one with the high school students. And she was 16, 17. And so she actually talked. You know, and she was like, 'It felt good.' You know? She was like, 'I would never say any of that to anybody.' So she was facing uncertainty because a lot of people, I think, they go in like, "What is this? I don't want to share my information." You know, and then they come out sharing and feeling better because of it. So you think that she was able to shift something because she heard other people sharing? Definitely. She was definitely able to shift something within herself.... It's like a light bulb goes off ... Yes, when the kids share things with each other... Or sometimes when adults share things. (MC)

Officer XXX told a moving story of a circle in which she felt negative judgment toward a member because she believed that person to be discriminatory against gay people and Jewish people:

And, you know, so this is what's kind of going on in my mind. You know, I'm sort of very wary of that because that's where I'm thinking that they're all coming from. Yet I can have a perfectly nice conversation, and I can know that's not rationally the case but doesn't mean that it isn't swirling around somewhere in my head. But then I become either dismissive of them or I become protected by them and not opening up to them

She later eloquently explained a moment of profound understanding which was different than the initially negative viewpoint she had imagined; with that courage she found the courage to express her truth and speak up:

And in the circle process, you know, I had the opportunity to speak and I almost wasn't going to speak because I just thought, "Oh, it's not worth it to speak." And I did. I spoke and talked about it. And even though that person never mentioned being gay, even though, you know, that person didn't talk about homosexuality as an issue or anything like that, you know, I perceived it and sort of confronted them, confronted him on it, which he was very much like, "I wasn't even talking



about that.” But the fact of the matter was is that whether he was talking about it or not there was this injury that I had with this group and maybe with his group had against me. And so in that circle we were able to have the conversation where I never would’ve had the conversation with him just if I wasn’t sitting in circle. (XXX)

### **Letting go and accepting where things are**

Officer RJD spoke of a young man she worked with for years who had been in and out of detention and treatment and finally saw him, as a result of an eight week circle learn to let go:

I think that that was huge for him that he was no longer holding grudges, that he was no longer angry at them. That he realized that he had to live for himself; I think that was huge. That was a turning point for him. He let go of the past and everything that he carried with him. And he was able to move on and move forward and kept looking forward and just worrying about himself and how he was going to be. And he also talked about having kids and how he would treat his kids because he wanted his kids to have a better life than he had, and that he wouldn’t carry, he couldn’t carry that anger into the next phases of his life.

Officer WP affirms that coming into the circle with no expectations, which is quite different from the outcome expectations of many aspects of the probation department, is often a way to come to new understandings and possibilities:

You come into a circle with no expectations. There may be an issue you want to address, but you don’t have any expectations. You don’t have an expectation to resolve the issue. You don’t have the expectation – you’re just here to do the circle and there’s no expectation. There’s no outcome that you’re really looking for. And with that, there’s a lot of pressure taken off. (WP)

Participants spoke of circles as a useful channel in moving to a new understanding of themselves and others by *letting go and accepting where thing are*. Sometimes though, participants understood that when circle member don’t get what they want they *can* get what they need as Officer WP offers:

Maybe it's just the understanding that I will never get this person to the point that I want them to be. If I am victim and I want that person to see the harm that has been caused to me maybe I don't get that out of the circle. But I can have some understanding that this person is not going to give me that because, for whatever reason that I learned through this circle, maybe that person feels that he doesn't owe me an apology because of the way their life was. And I know now that I'm not going to get what I want from this person, and that could be the end of it. I wanted this from this person, maybe an apology. And I know now that I'm not going to get that. So maybe I do have some closure because I know now based on my experience in the circle that I probably will never get that apology from this person. (WP)

Officer XXX shed further light on not always getting what you want but sometimes getting what you need:

And that's the whole point of the circle process is that the circle is responsible for the outcome, not one person. So, you know, usually during that process, in your annoyance of it, you have to let go and then that's transformative in and of itself. It's not quite as satisfying but, you know, it's nonetheless transformative. (XXX)

Circles are, in part, about getting comfortable with the new understanding not every situation has to be resolved in a way that the officers are accustomed to in the legal realm.

Officers are in sitting with a new way of resolving that doesn't look like the old ways:

You know, I mean, when you're trying to come up with a specific outcome, I mean, it's difficult because basically you have to get everyone to agree to what the outcome is going to be....And it's very hard. So when you come into circles, you don't have that expectation, you know. You're just there to discuss it and however that circle ends is how that circle ends and everything. (WP)

In sum, this theme illustrates how officers talk about of being able to speak up and express their truth and their recognition of commonalities as a way in which new understanding emerged. These understandings were about both themselves and others and increased their ability to let go of former ways of thinking and being and find a level acceptance not previously experienced by the officers.

## CHAPTER FIVE

### FINDINGS, CONCLUSION, AND IMPLICATIONS

This chapter offers theoretical and practical implications for probation officers, social workers and the justice system in general. The interviews and phenomenological processes suggest transcendence of probation officers to a deeper and more expansive understanding of themselves and others as a result in participate in the circle process. This transcendence has implications circle training and practice as professional development in probation departments. Circles may be more readily accepted as a model of practice by understanding more fully the integration of circles and IPNB. Research findings of this study include four overarching themes of *safety, deep listening and being heard; viewpoints; and new understanding of self and others.*

#### **Safety**

The first major, and most common theme, that emerged was safety. Safety is at the very foundation of a successful circle experience. Nine of the ten officers explicitly stated that without a safe environment, which includes; clear guidelines, speaking when in possession of the talking piece, and respecting confidentiality, the discussion of difficult topics would not be possible. Officers noted when circles do not work it is the result of members not following guidelines of confidentiality or an inadequate circle keeper. Pranis (2005) identifies two of five key elements a safe circle as guidelines, and a talking piece. Several officers emphasized the safety of the circle as part of co-creating guidelines that are established at the start of the circle. Probation officers used the term

‘being on the same level’ on a frequent basis. This researcher understands that term as a by-product of their officers’ hierarchical milieu and therefore how they experience the world. The implication is that it is not safe to open up honestly to those on a ‘higher level’ and the experience of being part of a talking circle where all involved have say in establishing the rules is unique and transformative in the way they experience self and others.

The recurring theme of how circles create a sense of safety was emphasized in that guidelines create a more relaxed or comfortable environment. This relaxed and comfortable environment is cited as the reason officers allow themselves to become open and discuss difficult topics, such as race and abuse. One could argue that in order for trust, vulnerability, and sharing to occur in the circle process the participants must experience a core sense of safety

Officers spoke of a sense of comfort in having the opportunity to speak without interruption (as a result of the talking piece) in a place that was free of judgment. This was the result of, as well as encouraged a sense of safety. The idea that the circle was a place to speak and listen and not ‘talk over each other’ because of the talking piece seemed a safe, yet novel, notion to some officers.

Safety was an important factor in officers’ ability to tackle difficult topics such as race and abuse. That the circle felt a safe enough environment to explore issues that would otherwise remain unspoken was experienced as an entirely new way of communicating for officers. Circles with their respectful guidelines established and

honored by members who co-created them seems to bypass the rigid hierarchy to which probation officers are accustomed.

The circle keeper, or facilitator, is also acknowledged as fundamental to safety in circles. The probation officers noted when keepers failed to uphold the guidelines of the circle, allowing it to become authoritative or not using talking piece effectively, circle didn't feel safe. When members do not honor the guidelines and the keeper is ineffective in bringing members back, a sense of chaos may ensue. The flow of the circle process is interrupted and communication becomes fragmented or disintegrated. This speaks again to the Siegel's (2001) notion of chaos and rigidity creating a process that is non-integrative.

### **Listening and Being Heard**

Listening and Being Heard was an experience probation officers reported as being an important part of skill development in that it encourages active listening. Active listening is an important part of communication and perspective taking, which leads to a deeper understanding of self and others. Often the world of probation officers is rife with violence, abuse, neglect and other traumatic crimes (Lee, Joo & Johnson, 2009; MacGill, 2007). Listening to and witnessing the aftermath of such aggressive offenses may lead officers to an experience a crisis in meaning. Job burnout, which is reported as high in such helping professions (Lee, Joo & Johnson, 2009), is often associated with an existential loss of meaning or perhaps a loss of understanding the 'why' of life. To better empathize with the life choices and circumstances of their clients; officers reported sitting

in circle was useful. The listening and being heard opened officers to understand why a client, co-worker, or even they themselves feel and behave as they do.

The listening and being heard without judgment probation officers report in circles requires a level of presence, which is linked in the literature to a greater sense of well-being (Siegel, 2001). The underlying philosophy of circle, Pranis (2005) acknowledges, is that we are all in need of help and also helping others at the same time. This helping while being helped speaks to officers' experiences with listening and being heard without judgment in circle. When we practice deep listening and experience the same; being heard without judgment, we are practicing a form of mindful awareness in connection with other. Siegel (2007) speaks to the powerful narrative coherence that often occurs in attuned relationships. The interview description of growing awareness of self and other through deep listening and being heard points directly to Siegel's (2007) understanding of mindful practice explored with other verses individually and how that expands the affects of awareness.

The connection that officers felt through listening and being heard was often a result of letting their guard down or bringing down walls and becoming 'more human' while listening respectfully to the story of others. This respectful listening and lowering of walls allowed for officers to have a sense of knowing others and themselves in a way they hadn't expected. Much of what the officers reported regarding their experiences in circles echoed a critical feature of mindful awareness; the ability to concentrate attention so as to recognize and identify one's responses and behaviors with a compassionate and nonjudgmental eye (Siegel, 2001).

## Viewpoints

The shift in viewpoints that transpired in officers, as a result of sitting in circle, was evident in their understanding that often they came into circle with a set of beliefs and left circle with an expanded view of themselves and others, which they experienced as a shift. The shifts were not always clear or easy and often include sitting with anger, sadness or being uncomfortable. Sitting with those emotions and realizations sometimes led to a sense of responsibility, accountability and forgiveness.

The understanding of someone else's perspective was often a precursor to change for officers. By focusing on the story in circle, officers were able to have what this author considers a here and now experience. This experience allows new information to be recognized and processed and in doing so new neural connections are made. Officers spoke of understanding other members of the circle and themselves through story, it was noted that sometimes what officers initially thought of as their and others' story is not the *whole* story, another subtle shift. There was a sense of acceptance that while members may not agree with one another, the circle created an environment that encouraged a shift to acceptance.

We emerge and co-create our story through and because of our relationships and connections with others. Siegel, (2001) speaks of 'sculpting' each other's neurobiology through our interpersonal relationships. The experience of officers being open and allowing the story of self and other to emerge is an essential aspect of mindful awareness in that mindfulness accepts that experiences, sensations, feelings and judgments will appear but that these do not constitute permanent and unchanging conditions. As the

officers reported in their experiences, listening and being heard respectfully in a non-judgmentally way encouraged the potential for change.

This potential for change is often a result of life experience, which Siegel (2001, 2006, 2007) describes as having a positive impact in linkages or integration in the brain. These linkages, which could be described as shifts, improve cognitive, emotional, psychological, and biological functioning, which promotes healthy regulation and thereby, well being.

### **New Understanding of Self and Others**

Officer's reported that part of the new understanding of self and others gained through talking circles was an outcome of recognizing commonalities. Those commonalities were sometimes in the form of having a sense of community, resonating with something that was asked of them, and having a moment of realization of how difficult it was to answer questions asked of them, and thereby empathize with the difficult of their clients to do the same. One officer spoke of a transformative experience that occurred in circle, a sense of oneness. This experience can bring individuals to experience oneness with other, an understanding that Siegel (2006) describes as attuned communication which resonates with internal states of others. This resonance is a by-product of healthy integration (Siegel, 2001). Resonance is an essential characteristic the experience of connectedness, which allows for interpersonal integration and a sense of well-being.

Speaking one's truth and speaking up was another critical component of the new understanding officer's experienced. One officer described speaking up and finding one's voice as transforming for herself as well as clients in circle. This reaffirms that resonance



with other and part of the transformative process is in seeing and understanding through the eyes of others in circle.

The transformative process occurs when integration across various dimensions produces change in the individual. As described in chapter two, Siegel (2001, 2006, 2007) posits that the transformative processes are likely associated with the formation of new neuron path formations at a brain and body level. In other words, the transformational process may be perceived as moving self and clients from states of mental and emotional distress or resistance, to states of acceptance of their feelings and experiences and recognition that change is possible through continued awareness and growth (Lamagna, 2011).

When officers spoke of coming to a place of letting go or finding an acceptance of where things are, they allowed a new understanding or transformative process to take shape. One officer described a client who had been in the system chronically and though circles found a way of letting go years of anger and hurt. The officer described this as a turning point for this young man in that he no longer wanted to carry that anger into the next phase of his life. Witnessing that kind of shift was a transformative experience for this officer.

Sometimes the letting go was in the form of acceptance that one was never going to get what they believed they needed from the circle. In one case, the officer describes the process as not satisfying she maintained however, it was nevertheless transformative.

Lamagna (2011) describes a transformative process as a full engagement with the self. This includes not only the self but also the ‘core’ or authentic self in relational experiences. These experiences are fundamentally bound in the engagement process with others through attunement, compassion, empathy, and the sense of feeling known by others. This new level of awareness can lead to *healing affects* that constitute a critical stage of the transformative change process. As one officer put it ‘your healing is my healing’. By being present and receptive to self and others an emergence of the ‘core’ or authentic self was allowed in the circle process. Officers conveyed circles, through the presence, attunement, and receptivity, provided an arena for deep understanding or as Siegel (2001) puts it a ‘feeling felt’ which allows one to trust what is occurring in the moment. This, he states, promotes positive ‘plastic’ changes in our neurobiology. By experiencing such presences, attunement, and resonance in the circle process, it is not a leap to say that this experience encourages parts of officers’ self to become integrated and whole. Siegel (2006) promotes the idea that interpersonal integration is predicated on experiencing connection with others and encourages a sense of wellbeing; affecting our physiological systems, our emotional systems and enhances our self awareness and self-regulation.

### **Overarching Research Questions**

Throughout the interview and coding process, the overarching research questions (below) were attended to by this researcher and supported by officers; examples:

1. Do participants in peace circles reflect on their transformative experiences?

2. Do participants in peace circles experience presence, attunement, and resonance?
3. What are the relationships between how individual's experience presence, attunement, and resonance in the transformative process?

While the research questions above were not answered in a linear fashion during the interview process, this author believes that several of the officers answered the questions by indicating the experience of a transformative process in their narratives both directly and indirectly.

The transformative experience of officers came as a result of sitting in circle that was perceived as a co-created, non-hierarchical, safe space in which one listens to others and experiences really being heard in a non-judgmental way. These transformative processes were reported as both interpersonal and intrapersonal. The new ways of understanding were a result of increased empathy and compassion, which are cornerstones of non-judgmental listening. These concepts are the building blocks of the transformative process, which can be defined in interpersonal neurobiological ways but is more elusive in descriptive narratives. As one officer succinctly put it, "what happens in circles is sort a like trying to break down love."

What this author finds enlivening is the sense of transcendence probation officers seemed to experience as a result of participating in talking circles. This experience that I am calling transcendence was reported as a result of a deep connection with others, being truly heard and deep listening leading to a new way of being. From a shift in understanding to one account of spiritual connection, the officers describe a state similar

to those people often use in describing love. In love we have a need to feel safe, connected, to listen and be heard. When we love, we want to know our beloved's viewpoint as well as have them understand ours. And, they change us. In love we find ourselves with a new understanding of ourselves through the course of falling in love, being in love, or simply being love. We are forever changed – and have experienced a transcendence of sorts. Siegel's (2006) notion of *transpirational integration*, a term he coined, speaks to the individual perceiving as being linked to something larger than self, linked to others and the world at large. The word is derived from trans and spirit. Crossing into or over to another's spirit, a definition, I assert, describes love.

Expanding one's identity is a developmental process of being present with self and others as well as becoming increasingly aware of patterns of being. That expansion or growth includes a new understanding and insight about what it means to be connected. The transcendence process, or how one changes and grows is a reflective exercise often experienced in circles. That process involves so much more than the professional self of a probation officer. Rather, it involves the self as a whole and is expressed through stories from the heart.

Through my conversations with the probation officers, it became clear that circles were a place or even an idea that could be carried with them. Officers revealed how circles changed the way they viewed their clients, the world, and how and why they and others 'showed up' in an authentic way, or not. The path to transcendence is fundamental to circle participants in embodying the values of circles. The officers spoke of shifts that were given opportunity to happen, feelings, which were allowed emerge, a safe space for

expression and understanding of past behaviors and integration of present states.

### **Policy and Practice Implications**

When we honor that everyone has a unique path and acknowledge their whole story, we begin to connect in ways that are essential in understanding the full development of self. This realization can aid probation departments in developing informed interventions and interactions that bring significant and meaningful interventions to the probation department. The process of professional development is more than the task at hand, it takes time and experience to build trust with colleagues, clients, supervisors, and self, circles are a place officers spoke of being unrushed and uninterrupted, a time that was out of the ordinary in their normal work environment. The experiences of understanding and resonance encourage connection in the community, work place as well as in circles.

If listening closely and building that skill is an important element of circles as well to officers, then it may in fact raise the stakes of the commitment necessary for the probation department to implement training and practice of circles in an on-going basis. It seems through the circle process officers are better able to attune to other's experience and through this process let go of role or ego identification and better relate to clients and families. The rigidity of former ways of relating are replaced by more fluid, understanding and sometimes more creative ways of being. There is a lack of studies regarding circles and probation departments and only one article that ties IPNB with the circle process. Circles are a relatively inexpensive, time efficient way of moving toward a more holistic way of healing within the justice system. Workers, including social workers in the system would benefit greatly from the option of engaging in circles. In this small

study, it was found that the officers overwhelmingly found circles useful and some indicated they should be a standard part of training and practice.

Training for circle keeping certification is a 3 to 4 day process with a group of 10-16 participant/trainees getting certified at once. This method for training officers is streamlined and fits in the guidelines of the probationary departments requirements for continuing education. We know that circles are reported to be helpful professionally with clients and co-workers, personally with skills in regulation and connection. Given the training is responsible and respectful with voluntary participation circle are a viable option of practice.

### **Importance of Study**

This study showcases that probation officers may be more effective in their endeavors to attune to their clients' needs, their own needs, and gain a sense of well-being through understanding the components of transcendence within the talking circle. It was shown that a better understanding of the transformative experience as a result of talking circles would have implications not only for the probationary field but possibly the entire justice system.

Exploration into the experience of probation officers and talking circles will contribute to theory building regarding what elements of change take place in talking circles. That those changes may be explained by a well-researched model of IPNB it may satisfy those who call for evidence based practices in the justice system. Further research in this area may promote the effort toward the integrative approach of IPNB, emotional intelligence and restorative justice within the justice system.

Greater comprehension is needed in how probation officers experiences circles as a path to well-being. Many officers offered that sense growth of through their descriptions of connectedness and meaning and even spirituality in circle. Also needed is a broader understanding of how IPNB informs the circle process.

Finally, given the affirmation from all 10 participants that circles are useful in understanding and working with clients, learning about their co-workers in a positive way, and developing a sense of connection, indicates this study is informative in developing a better understanding of the use of circles in probation departments. There are many way of developing a variety of approaches using circle as a path to self-care and becoming a more effective probation officer.

Restorative Justice is a model of making the person and community whole. It is based on understanding the harm, who the stakeholders are, and how the harm is best repaired. Given that we cannot find ways of repair when we do not fully understand the harm nor give voice to the stakeholders, circles are a healing path toward that understanding.

### **Limitations**

The major limitation of this study based on the reliance of self-report of the participants experiences and as was mentioned earlier in this work the attunement with this interviewer and my enthusiasm regarding circles. The unconscious ways of communicated cannot be overstated in a study where the writer is interviewing the participants. It is possible one or two of the participants the lack of understanding the concepts used and although clarification was offered, it is still possible that confusion on

the part of the officer affected the interview process. Additional limitations are the small sample size and limited geographical area from which I obtained my sample. Given that all the probation officers worked for Cook County department of probation there may be a somewhat homogeneous sample as well as a culture of circle acceptance, which I may not find in other probation departments.

### **Future Directions**

There is much research needed in the area of criminal justice and holistic ways to approach clients as well as employees of the system. Connection or disconnection is an oft-heard complaint from those in the system. That disconnection is often the form of disjointed services and accusations of one department not knowing what the other is accomplishing (Mawby & Worrall, 2011). Circles would address that disconnection and building upon this study by using larger samples and more specific samples: co-worker, interdepartmental circles, youth and worker circles would elucidate the most effective use of circles in the criminal justice system. Given evidence based practices are being touted as the gold standard in criminal justice (Maruna & LeBel, 2010) larger studies of the effect of circles on healthy and sustainable change, transcendence if you will, are in dire need. The study of transcendence in circles is an elusive concept that could be refined and reinterpreted in respects that would be more 'probation department friendly'. Using plain language of the sometimes heady concepts and looking more thoroughly at the intersection of talking circles and the well researched evidenced-based IPBN studies would be an excellent foundation for future studies.



Mindfulness is a practice of paying attention to the present moment, on purpose, and without judgment (Kabat-Zinn, 1990). Mindfulness training, research shows, improves bodily and emotional regulation as well as decision-making capabilities and ability to focus and increased self-awareness. The opportunities for change come in ‘the pause’ and choice of response rather than being an automatic or “knee-jerk” reaction (Kabat-Zinn, 2011).

Circles and the guidelines of circles create a structured, respectful, non-judgmental environment in which probation officers are allowed the time to pause, reflect and respond to inter and intrapersonal communication. The officers report that the opportunity for a safe space that included deep listening and, being listened to, ‘on the same level’ was non-threatening and often felt free of judgment. The flow of the circles, this researcher argues, is a way of regulating the whole as well as the individual, both bodily and emotionally, thereby increasing positive integration and supporting ~~by~~ the research on IPNB.

### **Full Circle**

The study of probation officers’ experience in talking circles first came to me as the result of being trained as a circle keeper and sitting in many circles; feeling safe, listening, being heard, shifting my beliefs and viewpoints, coming to a new understanding of myself and others, and finally experiencing the ‘magic’ that so many people speak of as a result of sitting in circle. While circles were an important aspect of how I was beginning to understand concepts like restorative justice, at the same time I was developing a keen interest in the work of Dan Siegel. It was after much intellectual wrestling with the concepts of IPNB that I decided to take Dr. Siegel’s colloquium course in Los Angeles. The course involved 16 people sitting in circle in Dr. Siegel’s office, once a month for a

year, discussing new ways of using IPNB. I had a moment of Eureka and excitedly turned to Dr. Siegel and explained my idea of understanding the magic of circles through the lens of IPNB. He suggested that what I was trying to get at was an experience of transcendence. The idea of IPNB and circles, though expressed with much enthusiasm, was, I understand now, unformed. Through the process of sitting with the probation officers and listening to their stories – a lived experience versus a theoretical exercise – and by watching emotional expression and resonating with their experiences I had my own emerging understanding of the concepts. Finally, allowing themes emerge (with the help of my committee), I now understand much more fully those ideas first introduced by Dr. Siegel and have a much greater sense of that transformative experience through the talking circles and IPNB.

APPENDIX A  
PARTICIPATION LETTER

Dear Probation Officer,

My name is Constance (Connie) Sheehan and I am doctoral student in the School of Social Work at Loyola University Chicago. I am writing to ask if you are interested in participating in a qualitative research study that asks about your experiences in talking circles. The title of this project is called: *'Restorative Justice in the Talking Circle with Probation Officers: A Phenomenological Approach'*. This is part of the requirements for a doctoral degree in clinical social work. I received your name as part of a list of probation officers who have had experience with talking circles and appreciate your consideration to be part of this study.

Participating in this study will include:

An interview conversation that should last approximately 60–90 minutes and that will be conducted before or after work hours in a private location of your choice. Prior to this interview, I will go over the types of questions that will be asked and answer any questions you may have via phone call or email. The interview will be recorded by a tape recorder. After I transcribe the interview and send it to you, I will schedule a brief follow up phone call (approximately 15 minutes) with you which will allow me to check for the accuracy of my notes and address any questions you or I may have after reviewing the transcripts of our first meeting.

Participation in this study is completely voluntary and there is no penalty for not participating or for withdrawing from the study. If you agree to participate in this study, your identity will be kept strictly confidential. Your name will not appear in the study. Your stories will be referenced by a pseudo name. All transcripts will be kept

secured in the researcher's home.

If you are interested in learning more about participating, please contact me by replying by email to [constancesheehan@yahoo.com](mailto:constancesheehan@yahoo.com) or by phone at (312) 339-8325.

Sincerely,

Constance Sheehan,

LCSW

APPENDIX B  
CONSENT LETTER

**Project Title:** *Restorative Justice in the Talking Circle with Probation Officers: A Phenomenological Approach*

**Researcher(s):** *Constance Marie Sheehan*

**Introduction:**

You are being asked to take part in a research study being conducted by Constance M. Sheehan for a dissertation as part of Ph.D. requirements under the supervision of Susan Grossman in the School of Social Work at Loyola University of Chicago.

You are being asked to participate because you are a Cook County Probation Officer who has participated in a talking/healing circle. There will be approximately 12 probation officers interviewed for this process.

Please read this form carefully and ask any questions you may have before deciding whether to participate in the study.

**Purpose:**

The purpose of this study is to better understand the restorative justice process through talking circles and the professional and personal benefits of those circles.

**Procedures:**

If you agree to be in the study, you will be asked to:

- Participate in an audio-taped interview lasting approximately 90 minutes at a private location of your choice
- The topic areas that will be covered are: the experience of the participant as a result of their participation in talking circles. The participants' understanding of how the

talking circles has affected them both personally and professionally. \*\*\*Please see attached questions – some of which will be covered in the in-depth interview.

- A follow up 15 minute interview will be conducted to check the structure of researcher write up of the interview against the original probation officers' recorded statements to ensure agreement.

**Risks/Benefits:**

There are no foreseeable risks involved in participating in this research beyond those experienced in everyday life.

Benefits to the probation officers, probation department and society may include gaining new knowledge regarding restorative justice and talking circles.

**Confidentiality:**

Every effort will be taken to protect your identity as a participant in this study. You will not be identified in any report or publication of this study or its results. Your name will not appear on any transcripts; instead, you will be given code letters. The list that matches names and code numbers will be kept in a locked file cabinet. After the interview tape has been transcribed, the tape will be destroyed. At the end of the study the list of names and numbers will also be destroyed.

**Voluntary Participation:**

Participation in this study is voluntary. If you do not want to be in this study, you do not have to participate. Even if you decide to participate, you are free not to answer any question or to withdraw from participation at any time without penalty.



**Contacts and Questions:**

If you have questions about this research study, please feel free to *Constance M, Sheehan* at 312-339-8325 or *constancesheehan@yahoo.com*.

If you have questions about your rights as a research participant, you may contact the Loyola University Office of Research Services at (773) 508-2689.

**Statement of Consent:**

Your signature below indicates that you have read the information provided above, have had an opportunity to ask questions, and agree to participate in this research study. You will be given a copy of this form to keep for your records.

---

**Participant's Signature** **Date**

---

**Researcher's Signature** **Date**

APPENDIX C  
SCRIPT FOR PROBATION OFFICERS

Hi, my name is Constance Sheehan and I am the researcher on a project called *'Restorative Justice in the Talking Circle with Probation Officers: A Phenomenological Approach'*. The project is part of my dissertation research in the Department of School of Social Work at the Loyola University Chicago.

Phone Script/Email Script

**Initial Phone Call (First Contact)**

Thank you for contacting me regarding the restorative justice talking circle study. Let me tell you a little bit about it: I am doing this study as part of my doctoral research. The project focuses on restorative justice and talking circles, specifically your experiences within the talking circle. If you agree to take part then we will have an interview of about 90 minutes at the location and time of your choosing.

If after getting the consent form and you do not want to participate please call me.

Do you have any initial questions or anything you would like for me to clarify?

Are you interested? If yes,

I will send you a consent form that will tell you a little more about it. Please bring the consent form with you to the interview and I will answer any questions you may have.


Our meeting and interview will last approximately 90 minutes, is that Ok with you?

What location would be most comfortable and private in which to meet?

**Interview**

Thank you for meeting with me today. I will be going over the questions I included with the consent form. Do you have any questions before we get started?

APPENDIX D  
LETTER OF COOPERATION

	<b>STATE OF ILLINOIS</b>	
	<b>CIRCUIT COURT OF COOK COUNTY</b>	
	<b>JUVENILE PROBATION DEPARTMENT</b>	
<b>Carmen Casas</b>		<b>1500 Maybrook Square</b>
<b>Deputy Chief Probation officer</b>		<b>Maywood, Illinois 60153</b>
<b>Probation and Court Services</b>		<b>708-865-7822</b>
		<b>708-865-5500 (Fax)</b>
		<b>carmen.casas@cookcountyil.gov</b>

January 28, 2013

Dear Loyola Institutional Review Board Committee,

RE: Letter of Cooperation interview Cook County Probation Officers

This letter serves as permission for Constance M. Sheehan, LCSW to contact and interview approximately 12-15 Cook County Youth Probation Officers for completion of her requirements for a PhD in Clinical Social Work at Loyola University Chicago.

This research is in part to fulfill the requirements for Ms. Sheehan's dissertation entitled: Understanding the Restorative Justice Process through Talking Circles with Cook County Probation Officers: A Phenomenological Study.

The purpose of this study is to better understand the restorative justice process through talking circles and the professional and personal benefits of those circles.

The procedures that will involve probation officers include:

- Participate in an audio taped interview lasting from 60-90 minutes at a private location of their choice
- The topic areas that will be covered are: the experience of the participant as a result of their participation in talking circles. The participants' understanding of how the talking circles has affected them both personally and professionally.

Example of types of questions asked:

*“How would you describe your talking circle experience?”*

*“What, if anything, makes the talking circle effective?”*

- A follow up 15-30 minute interview will be conducted to check structure of researcher narrative against the original probation officers' recorded narrative and ensure agreement.

It is the undersigned understanding there are no foreseeable risks involved in participating in this research beyond those experienced in everyday life.

Thank you,

A handwritten signature in blue ink that reads "Carmen Casas". The signature is fluid and cursive, with the first name "Carmen" and last name "Casas" clearly distinguishable.

Carmen Casas, Deputy Chief Probation Officer

APPENDIX E  
CONSENT TO AUDIO RECORD



**Project Title:** *Restorative Justice in the Talking Circle with Probation Officers: A Phenomenological Approach*

**Researcher(s):** *Constance Marie Sheehan*

**Procedures:**

If you agree to be in the study, you will be asked to participate in an audio-taped interview lasting approximately 90 minutes at a private location of your choice

**Confidentiality:**

Every effort will be taken to protect your identity as a participant in this study. You will not be identified in any report or publication of this study or its results. Your name will not appear on any transcripts; instead, you will be given code letters. The list that matches names and code numbers will be kept in a locked file cabinet. After the interview tape has been transcribed, the tape will be destroyed. At the end of the study the list of names and numbers will also be destroyed.

**Voluntary Participation:**

If you do not wish to be audio-recorded you may participate in the study with transcription by the researcher. Even if you decide to participate, you are free not to answer any question or to withdraw from participation at any time without penalty.

**Contacts and Questions:**

If you have questions about this research study, please feel free to *Constance M, Sheehan* at *312-339-8325* or *constancesheehan@yahoo.com*.

If you have questions about your rights as a research participant, you may contact the Loyola University Office of Research Services at (773) 508-2689.

**Statement of Consent:**

Your signature below indicates that you have read the information provided above, have had an opportunity to ask questions, and agree to participate in this research study. You will be given a copy of this form to keep for your records.

---

**Participant's Signature** **Date**

---

**Researcher's Signature** **Date**

APPENDIX F  
QUESTIONS

## Questions

Thank you for your willingness to participate in this research project. Your participation is very much appreciated.

- Your participation in this interview is entirely voluntary.
  - You are free to refuse to answer any question at any time.
  - You are free to withdraw from the interview at any time.
  - In order to keep an accurate record of our conversation, I will be audio-recording our interview. However, that audiotape will remain confidential and will only be available to this researcher and the research team.
  - Once the interview has been transcribed, you will have an opportunity to review the transcript of our conversation to make sure that it is accurate and will be allowed to make any changes or clarifications that you would like.
  - Excerpts of this interview may be part of the final research report, but under no circumstances will your name or identifying characteristics be included in that report.
1. What is your past experience with Restorative Justice? With talking circles?
  2. Do you find the talking circle useful? If yes, how so?
  3. Tell me about an experience that you may have had within the talking circle which has shifted your understanding of your work? With youth/clients?
  4. How would you describe (what) a transformative experience?
  5. What do you believe are the elements that make up transformative experience?

6. Is this understanding of a transformative experience part of the circle process? If so, how?
7. What is your understanding of the circle process potential for transforming others in the circle?
8. How does the circle process fit within the framework of being a probation officer?
9. What are experiences you may have had which have created concern about the effectiveness of the talking circle – this can include barriers or drawbacks you have experienced?

#### Probing Questions

- Presence is described as: (Dan Siegel's IPNB definition), describe the aspects of this you may have experienced during the circle process.
- Attunement is described as: (Dan Siegel's IPNB definition), describe the aspects of this you may have experienced during the circle process.
- Resonance is described as: (Dan Siegel's IPNB definition), describe the aspects of this you may have experienced during the circle process

#### **Presence:**

- Sense of being receptive and available
- Embracing Uncertainty
- Openness to emergence versus certainty/agenda
- Internal worlds are able to shift because of open, clear communication

#### **Attunement:**

- Being receptive to internal signals of others

- Ability to see the mental life of another

**Resonance:**

- Describe as a “feeling felt”
- Allows one to trust what is occurring in the moment
- Promotes positive “plastic” changes
- “What is shareable is bearable”

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## VITA

Constance Sheehan was born and raised in the Chicago land area. Before attending Loyola University Chicago, she attended the Northern Illinois University, Arizona State University, and Northeastern Illinois University where she earned a Bachelor of Arts in 1999. From 2001 to 2003, she attended New York University, where she received a Master in Social Work.

While at Loyola, Sheehan worked as clinical faculty at The Family Institute at Northwestern University where she taught, supervised master level students, and had a thriving clinical practice. Sheehan was the Founding Director of The Mental Health Human Rights Clinic serving those seeking asylum in the United States and in need of psychological evaluations.

Currently, Sheehan is in private practice in Evanston Illinois, working with individuals and couples as well as continuing forensic social work. She lives Evanston Illinois.