Positive Transformation

Restorative justice can uplift Black transgender and queer people and people living with HIV.

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Toni-Michelle WilliamsCourtesy of Toni-Michelle Williams/Vanessa Hamb

Toni-Michelle Williams is the executive director of the Solutions Not Punishment Collaborative (SNaP Co.), a Black trans- and queer-led organization working to build safety, leadership and political power. She is an auto-theorist, somatic practitioner, healer and performance artist from Atlanta.

SNaP Co. is grounded in an abolitionist approach, which in this context means divesting from law enforcement and investing in the wellness and restoration of communities. Since she arrived at SNaP Co. in 2015, Williams has built two leadership development programs for Black trans and queer participants who have experienced violence, been incarcerated and/or engaged in sex work. Many of them are living with HIV. Williams has advocated to transform the criminal legal system in Atlanta.

As the conversation around alternatives to the historically violent and biased U.S. policing system—including restorative and transformative justice models—has gained national attention, so, too, has Williams increasingly been recognized.

What are your "one-liner" definitions of restorative and transformative justice?

Restorative justice is a process of repairing harm and restoring trust and faith with individuals who have participated in and have been impacted by that harm.

Transformative justice, for me, is what comes after the repair and the restoration. It is the possibility and the actions of change—what has transformed since things were restored and repaired. It's steeped in faith and being comfortable with what is possible.

How do these practices come up in your everyday work?

SNaP Co. believes Black trans people are the experts in our own lives. We are a vast community that has many types of experiences—particularly with substance use. We practice restorative justice a lot within SNaP Co. by the ways we hold space for our employees and members around their ability to show up for the work while also holding their transitions, their substance use or abuse, their dysphoria, the impacts of their medications.

An example of the process: We once had a staff member who was a drug user, and it was my responsibility as a director to practice harm reduction. What that meant was being clear and frank about what my expectations were and also giving them space to meet those expectations or not. There were lots of breakdowns that happened because of their substance use. The repair began when I had to break the relationship.

It's been a few years. I shared with them what I needed for our relationship to be restored. They were not able to meet that until recently. They emailed me about how they were in deep reflection about their behavior over the past year.

The harm was caused—their behavior was out of line. The restoration is happening now with how we are able to be in conversation about it. The transformation will happen when we are able to make new commitments to each other.

I needed to break the relationship in order to see what could even be repaired. I think that we oftentimes don't do that. We fear isolation, rejection, being alone, and so we don't break relationships with people, institutions or entities that cause us harm. It's hard for us to imagine new ways to be—without our partners or lovers, or police, or our family members. Part of restorative justice is being OK with and being able to sit with what breaks—and not being so quick to fix but being able to trust the process.

Restorative justice has a lot to do with our embodiment of grace. I don't think we have that embodiment, and we look to criminal injustice to solve our issues.

How do restorative and transformative justice relate to HIV criminalization and advocacy—and even HIV prevention?

The power of restorative justice is where it relates to debunking and eradicating stigma around our lives, bodies and decisions. If we are able to honor the process of restoration, number one is inclusion: All those parties who have participated in and been impacted by the harm are invited to participate, and folks are open enough to accept new approaches that are relevant to the situation.

Stigma and shame work hand in hand. Those are often the two things that fuck up everything—our relationships and our ability and capacity to show up and be present in any situation. Debunking stigma and confronting shame allow us to be present with each other and ourselves in a different way that the system, mass incarceration, does not allow.

When we talk about decriminalizing HIV, we're not just talking about lawmakers. Yes, elected officials, these white people and rich people in power, have to change the laws in order for X, Y and Z to happen. But then what happens with X, Y and Z? X and Y still have to have a conversation and say, "I am terrified that I may have been exposed to HIV. Why didn't you tell me? What was going on inside your mind and your body for you not to share that with me?"

That kind of conversation takes skill. Everybody can't be in that kind of conversation, which is why the system has more power and authority, because what is in place of that is handcuffs and cages. You don't even have to have the conversation. "You feel that you were exposed to HIV? We also think that it's a nasty thing, so let's throw them behind bars!"

But what if Black people had the capacity to hold those types of conversations? To confront that type of shame and stigma within themselves? And when I say "confront," it's not just to call out but to also be in the deep waters—no matter how long it takes to have a resolution and to have understanding around the whys and where people are coming from, so that we can have true satisfaction.

Transformative and restorative justice are about how people are satisfied without throwing others in a cage or slapping on handcuffs. How can we all experience joy and satisfaction and still be free?

When we involve police with HIV criminalization, we skip the opportunity to repair and restore. That places so much power in the hands of the person who holds the anger and also who holds the stigma—without being aware of the transformation that is possible.

When people say, “Oh my God, you gave me HIV,” and they are so angry, if they were reminded that there are whole communities of people who are living and thriving in that experience, they would know that restoration is possible.

We need to talk about prevention in ways other than “Just get tested” so you don’t have to be positive or “Use condoms” so that you don’t catch HIV. All those stigmatizing approaches don’t support the possibility of being well on the other side of it. It keeps you in fear, and so you will treat other people as such.

There is something about the power of being able to witness behavior changing or transformation happening. If I have seen you do some new things, I can develop new expectations. But if I can’t see you, if you are in a cage, how do we evaluate that? Who evaluates that—a parole officer, a probation officer or me as the person who has been harmed?

That process and those conversations are important as we’re trying to figure out how to decriminalize HIV and identify alternatives to that type of punishment. It will behoove us, as an HIV community and as HIV advocates, to not just focus on the preventive measures we have via medications but interventions and alternatives we can create that honor how Black people, particularly Black people living with HIV, believe that restoration and transformation are possible.

How do we get there as a community?

We get there by more people being able to sit with themselves, sit with their wrongs and all their rights; to be vulnerable enough to express that and feel safe inside of their vulnerability; and to trust that what they’re feeling is valid and that people are going to receive and listen and hear and be present and open.

People don’t think that other people are open to change, so it stops all of us from changing. We say that a lot: “Can’t nobody change!” But people transform if they feel safe enough to do so.

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