HEALING THE WOUNDS OF CRIME

Restorative justice programs offer emotional help to both victims and offenders

BY PATRICE GAINES

from **THE CRISIS**

In Lincoln, Nebraska, young offenders learn how to install replacement windows in burglarized homes. They listen as victims describe the pain the burglary caused them, and they glimpse the importance of contributing in a positive way to their community. This is restorative justice.

Restorative justice stresses that crime harms individuals and communities rather than the state. Those affected by crime—victims, community members, and offenders—are encouraged to play a role in the justice process. Rather than just punish the offender, the goal is to repair the emotional damage done by the crime.

Restorative justice programs first popped up in the United States during the 1970s, most of them involving mediation between victim and offender. Now there are more than 400 of these mediation programs. Restorative justice can also involve offenders performing community service or paying financial restitution, generally in addition to counseling or education. Some programs are a part of the court system; others are operated by nonprofit organizations and serve clients referred by the courts.

Restorative justice is widely used in New Zealand, Australia, and Japan. In some parts of Africa and in Native American communities disputes are settled in traditional ways that often embody the principles of restorative justice. In researching African practices, Morris Jenkins, an assistant professor of criminal justice at the University of Toledo, found that disputes are often mediated by elders or village chiefs, rather than by officers of the law. Also, because African definitions of family typically include people who are not blood relatives, calling a family together for mediation can mean much of the community is present.

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"This philosophy is not a new concept, but one we've forgotten," says Dale R. Landry, one of the first African Americans to champion this approach to crime. Chairman of the Criminal Justice Committee of the Tallahassee Branch of the NAACP, Landry observes, "As a kid, when I broke a window next door, my grandmother took me over there to apologize. I had to find a way to pay for the window—collect bottles or mow the grass. Restorative justice is a return to the values of our grandmothers."

Many African Americans now view these programs as a way to reduce the disproportionate number of blacks and other people of color who are incarcerated in the United States. "Restorative justice is probably the biggest hope I've seen in my lifetime," says Saleem Hylton, chief of alternative detention for the D.C. Youth Services Administration.

MOST RESTORATIVE JUSTICE programs are for juvenile offenders involved in less serious crimes such as property damage and simple assault. The offenders are often directed to participate in the programs as part of a court sentence. One notable program was designed by Theresa McBride, Norfolk (Virginia) Juvenile Court's first restorative justice coordinator. The Norfolk program features four possible ways of connecting offenders with the victim or community:

- victim-offender mediation, in which the persons involved meet face to face;
- victim-offender impact groups, in which offenders are taught to see how their crimes affect victims;
- neighborhood groups, through which offenders do community service, which helps them learn social skills and establish personal bonds; and
- job readiness programs, in which juveniles learn new vocational skills and get help finding a job.

"Restorative justice allows people to see each other's human sides," says McBride, who notes that she can't predict which victims or offenders will agree to mediation: Victims of atrocious crimes often do, but religious people sometimes don't. "More offenders turn it down than victims," she notes. Overall, most victims say yes and, according to the comment cards they fill out, are generally extremely satisfied with the program.

DALE R. LANDRY

Dale R. Landry, an NAACP official in Florida, says these programs are "a return to the values of our grandmothers."

McBride illustrates the potential power of restorative justice through the example of a teenage driver sentenced to the Norfolk program for leaving the scene of an accident. The 16-year-old wrote a letter of apology to his victim, and the program helped him find a job so he could pay $859 in restitution.

But it was the meeting between the teen and his victim that was unforgettable, McBride says: "They talked, and the woman shared how what hurt her most was that this young man saw she was hurt and left her." McBride quotes the victim as saying, "I am a Christian woman, and I want you to know that before Ms. McBride contacted me I had already forgiven you." When the woman asked the teen for a hug, the embrace lasted almost half a minute. The teen later told McBride, "This was nothing I expected, and everything I needed."

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RESTORATIVE JUSTICE PRESENTS a radical alternative to the prevailing punitive approach to juvenile justice, and where it has been tried, it seems to be embraced by the people involved. Take Tallahassee's Southside Project, in which the community helped determine what sanctions offenders should receive. This project successfully facilitated 106 juvenile cases (and cited only four failed efforts). When the state didn't renew the project's funding, the outraged community responded by reincorporating it as a nonprofit organization, the Leon County Community Justice Center.

"We're in a crisis in the black community," says Dale Landry of the Tallahasee NAACP. "If we don't do something to stop what is going on, we won't be a free people, especially when youths are being charged with felonies and are losing the right to vote before they become adults. It is our community that is suffering. We are the only ones who can change this—and we should."

Patrice Gaines, a journalist for more than 20 years, is the author of Laughing in the Dark *and* Moments of Grace. *From* The Crisis *(July/Aug. 2002). Founded in 1910 by W.E.B. Du Bois,* The Crisis *is the bimonthly magazine of the National Coalition for the Advancement of Colored People. Subscriptions: $12/year (6 issues) from 4805 Mt. Hope Dr., Baltimore, MD 21215.*

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Center for Restorative Justice and Peacemaking, University of Minnesota School of Social Work, 105 Peters Hall, 1404 Gortner Ave., St. Paul, MN 55108; 612/624-4923; http://ssw.che.umn.edu/rjp/