

Restorative Justice Program Helps Reconcile Offenders, Victims

"They were very honest, a lot more honest than I wanted them to be. But I see that I did hurt them in a lot of ways and I plan on restoring that relationship we once had."

This was the response of Albert (who prefers not to use his last name) when he was asked how his family answered his request for letters telling him how they felt about the crime he had committed and the aftermath of that offense.

Albert was about to read letters from his mother and his grandmother, his younger brother and his father to three people who recently had taken on a temporary role in his life.

He began by removing a small sheet of paper from an envelope and said, "With this one, I cried. It was the first letter I ever received from my grandmother. The worst thing I can do is to disappoint my grandmother. It hurts knowing that she knows."

Albert, at 23, has six months left of a 30-month sentence he received when he was found guilty of selling drugs. The final phase of his incarceration is being lived out at the Western Massachusetts Correctional Alcohol Center on Howard Street in the South End of Springfield.

From there he is escorted by a correctional officer to his monthly meetings with the volunteer members of the Community Accountability Board held at the Urban League on State Street in the Mason Square neighborhood of Springfield. That is the local community to which he'll return.

The letters from his family were the result of apologies and letters individual family members had received from him as part of an assignment given to Albert by the three members of his board. This written exchange was a means of helping Albert come to a greater awareness of the victims, the many people he has hurt because of his actions and the negative choices he has made.

Presently, there are six community accountability boards meeting monthly in five different sections of Springfield. Three more are being planned for Holyoke.

They are representative of a concentrated effort on the part of the Correctional System of Hampden County to implement the principles of restorative justice during the incarceration of offenders.

In less than four years, the number of incarcerated men and women in the United States grew from 1.2 million to 2 million by the year 2000. That statistic alone seems to be an indication that something in this nation's criminal justice system needs to be rethought and reworked.

James E. Kelliher, Assistant Superintendent in the Sheriff's Department of Hampden County, agrees. In view of that growth rate he believes, "It is time that we reassess and challenge our methodology in addressing the harmful and damaging consequences associated with criminal behavior. Applying the principles of restorative justice should be the measure to gauge our effectiveness."

The thinking espoused by the principles of restorative justice sees crime as primarily an offense against human relationships and secondarily as a violation of a law. From this perspective, crime is seen as harm committed against individuals rather than against the state.

Restorative justice recognizes that the primary victim of a crime are those most affected by the offender's actions. This philosophy also recognizes that secondary victims are impacted as well. These secondary victims include the victim's family, the offender's family, and the broader community.

Through the lens of this approach, the primary focus then is not so much on punishing the offender as it is on providing the offender opportunities to repair the harm caused by his or her actions. Ways for including the offender, victim, and community in determining the mode of reparation are sought and developed. This results in the offender's becoming accountable for responsibly following the plan determined by the community-based group for the repair of the harm done.

The tenets of this philosophy work toward restoring victims, empowering them, and responding to their needs as they themselves see them. They also encourage a continuing search for meaningful ways to involve communities in responding to the causes of crime in their particular areas.

This philosophy began to be named in 1974 when a Mennonite probation officer and a volunteer service director called together a group of concerned members of a rural community in Ontario, Canada.

Through the collaboration, the principles of restorative justice became a norm for the criminal justice system there.

In addition as a result of that collaborative effort, a more humane and efficient approach to such systems has begun to evolve in this country. States like Minnesota and Vermont have demonstrated some degree of success in following this thinking. The western section of Massachusetts is doing so as well.

Kelliher considers his participation in a December 1996 National Institute of Corrections sponsored video-conference on restorative justice, hosted by the Franklin County Reinventing Justice Collaborative, as "the catalyst that literally changed my perception of the way we in criminal justice should conduct business."

Soon after, that new perception inspired him to gather representatives from a variety of departments and agencies to work together in the initiation of the Hampden County Restorative Justice Collaborative. It also helped him and his co-workers name and build on their already existing programs.

He explained, "In Hampden County, we are fortunate to have a sheriff who has not only been receptive to, but who has encouraged the practice of restorative justice for many years. The programs and initiatives developed and practiced here such as community service and crime prevention program had not been formally labeled as 'restorative justice' per se, but rather were instituted because they made 'common sense' and constituted 'the right thing to do.'"

Michael J. Ashe, Hampden County's sheriff for the last 26 years sees the work he's involved in as more than just locking criminals away.

"What we're trying to do is integrate into the lives of the offenders the sense that when they're stealing an automobile or they're breaking into a home, they're violating peoples' privacy, their rights. Our job is to educate them and to raise that level of consciousness about the rights of the victim and also the rights of the community," Ashe said.