



Christian Reflection

A Series in Faith and Ethics

Focus Article:

📖 Restorative Justice:
The New Way Forward
(*Prison*, pp. 29-35)

Suggested Article:

📖 Resources for Restorative
Justice
(*Prison*, pp. 89-93)

What do you think?

Was this study guide useful for your personal or group study? Please send your suggestions to Christian_Reflection@baylor.edu.

Christian Reflection

Center for Christian Ethics
Baylor University
One Bear Place #97361
Waco, TX 76798-7361
Phone 1-866-298-2325
www.ChristianEthics.ws

© 2012 The Center for Christian Ethics

Restorative Justice: The New Way Forward

Can we reform the justice system and prisons in ways that restore lives and transform individuals injured by crime? Restorative justice promises to move away from warehousing offenders and toward a system that leads offenders to personal accountability and allows victims to heal.

Prayer

Scripture Reading: Lamentations 3:22-23

Responsive Reading (based on Psalm 118)

Let those who fear the LORD say,
“**Our God’s steadfast love endures forever.**”

Out of my distress I called out,
the LORD answered me and set me free.

**The LORD is my strength
and my song and my salvation.**

I shall not die but I shall live
and recount the deeds of the LORD.

Our God’s steadfast love endures forever.

Reflection

Could there be a more miserable victim than the poet of Lamentations – a witness to the obliteration of Jerusalem, the Temple, and the treasured way of life of God’s people, who now honestly acknowledges the doom was permitted by God’s righteous anger (Lamentations 3:1)? No wonder God seems to be a fearsome animal ready to pounce (3:10-11), a terrible warrior bent on destruction (3:12-13). Yet from the anguished communal memories springs a hope that “the steadfast love of the Lord never ceases” and a prayer to God, “great is your faithfulness” (3:22-23).

Of course, we cannot draw a straight line from this poet to any other victim of a terrible crime. Each one carries a singular burden. However, feeling cut off from God and community, and yearning for restoration are very common. And these victim-experiences are not addressed well in our current justice system.

Having witnessed the great suffering caused by crime, both to victims and their loved ones, and to offenders and their families, Lisa Rea asks, “How should we respond in ways that seek to restore lives and transform individuals injured by crime?”

She commends restorative justice principles that treat crime as “not an offense of a criminal against the state, but an offense committed by one individual (the offender) against other individuals (the victims). For this reason, the justice system should hold offenders accountable (as directly as possible) for restoring (as much as possible) the victims or their families. Restorative justice acknowledges that crime breaks the peace within communities. Offenders, therefore, must make things right with the community as well, if possible.”

- ▶ *To victims of crime, restorative justice offers participation in the administration of justice. This might include a “non-coercive [meeting] by victims and offenders and other stake holders; facilitated mediation, with adequate preparation; acceptance*



Christian Reflection

A Series in Faith and Ethics

Robert B. Kruschwitz, the author of this study guide, directs the Center for Christian Ethics at Baylor University. He serves as General Editor of *Christian Reflection*.

© 2012 The Center for Christian Ethics

of responsibility by the offender expressed in apology, changed behavior, and restitution; and reintegration of victims and offenders into the community in ways that provide safety, dignity and respect, material help, and moral and spiritual guidance," writes Kenneth Carder. A recent study notes this "can bring closure on issues of fear, vulnerability, personal security and even self-blame: victims are often dogged by questions like: 'Why me?' which can find resolution in meeting the offender or communicating with the offender indirectly through a mediator. Some victims value the opportunity to tell the offender how the crime affected them."¹

► *For offenders, restorative justice may encourage reform by prompting "a recognition of the wrong they have done, and of how this harms not just others but also themselves. This is the first point in a crucial process; from it grows repentance, which couples the act of acknowledgment of wrongdoing with a turning to seek forgiveness. And from that flows the atonement which involves an attempt to make reparation in some way."*² Rea has observed the "transformation of offenders [as] evidenced by the reduction of recidivism rates." These face-to-face meetings have the surprising result of reducing "crime more effectively with more, rather than less, serious crimes and more consistently with crimes involving personal victims than with so-called property crimes," Carder reports.

"While restorative justice is no simple panacea, it does offer a broader lens, different goals, and alternative practices to retribution and incarceration," Carder concludes. "Communities of faith are uniquely equipped with a narrative of restorative justice to contribute to the conversation."

Study Questions

1. Lisa Rea writes, "Crime victims often speak of feeling left out of the justice system. Some have told me they feel used by the system, like they are just pawns in its game to convict and sentence the offender." What do crime victims want and need that the justice system is not providing?
2. When she directed the Texas Sycamore Tree Project "that brings together (surrogate) victims and offenders to talk in small groups about crime," Rea noticed that "often inmates do not think about their victims." The current criminal justice system "does not require prison inmates to face their victims and seek to make things right with them." How does restorative justice address this shortcoming?
3. Do you have any concerns about victim-offender meetings? How might these concerns be addressed?
4. How might congregations participate best in restorative criminal justice?

Departing Hymn: "When Asked, Who Is My Neighbor?"

¹ The Catholic Bishops' Conference of England and Wales, *A Place of Redemption: A Christian Approach to Punishment and Prison* (2004), §31, available online at http://catholic-ew.org.uk/media/files/cbcew_publications/a_place_of_redemption.

² *Ibid.*, §30.

Restorative Justice: The New Way Forward

Lesson Plans

<i>Abridged Plan</i>	<i>Standard Plan</i>
Prayer	Prayer
Scripture Reading	Scripture Reading
Responsive Reading	Responsive Reading
Reflection (skim all)	Reflection (all sections)
Questions 1 and 2	Questions (selected)
Departing Hymn	Departing Hymn

Teaching Goals

1. To understand the central features of restorative justice practices.
2. To review the effect of restorative justice practices on crime victims and offenders.
3. To consider how congregations can participate best in restorative justice practices.

Before the Group Meeting

Distribute copies of the study guide on pp. 6-7 and ask members to read the Bible passage in the guide. Distribute copies of *Prison (Christian Reflection)* and ask members to read the focus article and suggested article before the group meeting.

Begin with Two Stories

Lisa Rea really listens to the stories of violent crime victims that she seeks out as she advocates for restorative justice. These two stories remind us of the wide suffering caused by crime and exacerbated by a sometimes insensitive justice system. Rea writes, 'I knew a few details of how [Roberta] Roper's daughter Stephanie had been viciously murdered. That night at dinner I asked the simple question that is so important to ask a victim of crime, 'Will you tell me your story?' Mrs. Roper explained the unimaginable violence that took her daughter away from her in 1982. Stephanie's car had broken down on a rural road not far from the family's property as she was returning from college. She was kidnapped, raped, tortured, and murdered, and then the offenders set her car on fire. I will never forget the visceral effect of hearing this story from this distraught mother.... It struck me how often Mrs. Roper must tell this story and thus relive it herself each time.

'A few years earlier after speaking at a restorative justice conference at Fresno Pacific University on the need for more opportunities to bring victims and offenders together, I was approached by a woman from the audience. She began to tell me her story. Her son had committed a heinous murder, killing the victim with a baseball bat. With great pain in her face, this mother explained how she tried to reach out to the family members of the victim of her son's violence. She wanted to tell them how very sorry she was for her son's horrible actions. When she reached out to the family in a courtroom setting, she was rebuffed, and it was a very painful moment for her. This mother of the offender told me how important it was to move the justice system towards restorative justice, to bring victims and offenders together to meet. I will never forget that day.' (*Prison*, 30-31)

Prayer

Invite members to share their personal celebrations and concerns with the group. Provide time for each person to pray silently. Conclude by asking God's mercy on all persons, victims and offenders, who seek restoration in their lives marred by violent crime.

Scripture Reading

Ask a group member to read Lamentations 3:22-23 from a modern translation.

Reflection

This study outlines the restorative justice principles which have been commended by several authors in this issue, and stresses their benefit for both crime victims and offenders. If your group would like to learn more about this emerging movement to reform the criminal justice system, consider using the materials reviewed in "Resources for Restorative Justice."

Study Questions

1. Lisa Rea suggests “Crime victims have questions that go unanswered unless there is some kind of contact with the offender. They want to ask questions such as these: Why was I, or my family, targeted? How did my loved one die? Was she in pain? How long did it take for her to die? They want to know answers that only the offender knows. That is the primary reason that crime victims take part in a restorative justice dialogue. They also express fears about the offender committing another crime against them or their family, when or if the offender is released. Victims want to see offenders take responsibility for their actions; many hope offenders will express remorse. All these questions and concerns motivate victims to seek restorative justice because they hold out some hope for healing....”

Furthermore, restorative justice can help victims and others understand the main goal of punishment, recognizing “that the perpetrator and the victim are members of society who both need reintegrating into something like normality” (*A Place of Redemption*, §31).

2. Restorative justice offers to bring offenders together with their victims, or with surrogate victims (volunteers who have been victims of crime), for voluntary, mediated conversation about the effect of their crime on victims, their families, and communities. Rea warns that “Many states prohibit and most all of them discourage contact between prison inmates and their victims. Yet, it is precisely through this type of victim-offender dialogue that many offenders may express remorse to their victims, who are no longer faceless, and may be transformed by taking responsibility for their actions more directly.”

In addition to changing offenders’ perception of their actions, she believes “in-prison restorative justice programs [can move] the justice system towards an orientation that acknowledges the effect of crime on victims.”

3. Members might express concern that victims will feel pressured to do something they are not ready to do – e.g., to face the offender, forgive the offender, change how they feel about their loss, and so on. “To make a victim feel an obligation to participate could amount to a revictimization.” To avoid this, the meetings are purely voluntary, and trained mediators are present before and during the session to help victims make wise decisions about whether and how to proceed. Victims’ desires may vary from wanting “no involvement at all to a variety of levels of engagement – perhaps accepting a letter of apology, asking for and being given information about the crime or the progress of the case, providing relevant information about the effects of the crime on them, accepting direct practical reparation or suggesting alternative community reparation, indirect mediation or a meeting with the offender.”

Members may be concerned that offenders will manipulate the meeting to their advantage. Again, a trained mediator can help prevent this.

Another concern is that victims may “have unrealistic and oppressive expectations of the offender’s obligations.... [W]e must be careful never to allow the understandable anger of an individual victim – still less the prejudice of public opinion – to determine decisions. Criminal justice must not be reduced to the whim of a public clamour which so often will be weighted against the marginalized.” (*A Place of Redemption*, §32)

4. Prison Fellowship International (www.pfi.org) provides Bible studies on restorative justice and sponsors a week of Prayer and Transformation for guided prayer and outreach activities. This organization and others can point you to the specialized training that restorative justice mediation requires. More importantly, members can become spiritual friends with congregants who have suffered from violent crime as victims or offenders.

Departing Hymn

“When Asked, Who is My Neighbor?” is on pp. 41-43 of *Prison*. If you choose not to sing the hymn, you may read the text in unison or silently and meditatively as a prayer.