

Spreading the wisdom of restorative justice

June 22, 2011 | By Betsy Levinson, Globe Correspondent, Globe Staff

0

Share

E-mail

Print



Photos by Betsy Levinson
A Nigerian youth worker, left, talks to Groton officer Robert Breault.

By Betsy

Levinson, Globe Correspondent

A Nigerian proverb says, “You punish a child with your right hand, and you use your left hand to embrace him.”

The essence of that folk wisdom came from a delegation of youth workers, judges and lawyers from Nigeria at a presentation about the 11-year-old Concord program, Communities for Restorative Justice, or C4RJ.

It started in Concord as the Restorative Justice Circle, spearheaded by former police chief Len Wetherbee and volunteers Jean Bell and Joan Turner. Now, there are 10 communities involved in the program described as a partnership with the criminal justice system.

Ads by Google

[Want to Join The FBI ?](#)

See If You Have What it Takes Try This Free Practice Entry Exam.

funnelbrain.com/criminal-justice

“It is not a replacement for the court system,” said Wetherbee. “And it’s not anti-court. It is not a feel-good alternative. It is a partner, a complement to the system.”

Wetherbee said local police departments refer cases to C4RJ before an offender is arrested. “Once an offender is arrested, that’s it, we don’t have a role anymore,” he said, “except for providing evidence.” He said while there was some initial resistance to the program by some officers, it evaporated after seeing one case adjudicated through the process.

Essentially, the restorative justice “circle” brings together the victim, the offender, the police to hash out an agreement that satisfies the victim and community. The offender takes responsibility for what he did, and hears from the victim of the harm done. The matter is decided within the community, sometimes within weeks.

C4RJ Director Jennifer Larson Sawin said she spent her youth in Botswana, a country where respect and atonement are valued. But Massachusetts has no law that provides for restorative justice. Sawin said C4RJ is waiting for a judge to embrace the program and make a referral.



“We operate under the radar here,” she said. “Police refer cases before they get to court.” She said the police are a critical element so it is not a “vigilante justice system.”

The African men and women are visiting UMass Boston as guests of Professor Darren Kew of the university’s graduate program in conflict resolution. They spent the morning at the Concord PD hearing from Sawin and Wetherbee who outlined the many myths about what restorative justice is and is not.

Sawin’s fact sheet states that the program is not a diversion, a mediation, a therapy session or a panacea. Rather it is an opportunity for the victim to confront the offender, and allow the offender “to learn and be held accountable constructively.”

Kew said it was a “chance for (the delegation) to visit different programs in the area.” One African high-court judge said he was “excited” by what he learned, and wants to bring the program to his city.

Sawin said an apt comparison for C4RJ was the Truth and Reconciliation Commission in South Africa after the apartheid system was dismantled. There are now similar programs in Canada, Ireland, Cote D’Ivoire, and Rwanda.

“There is no type of crime that can be settled if the two families do not agree,” said Kevin Nwosu, a judge from Nigeria. He said it was a “major challenge to formalize” the same type of program, but he liked seeing that the police had accepted it. “It is a turnaround of the mindset,” said Nwosu.

Ads by Google

[Want to Join The FBI ?](#)

See If You Have What it Takes Try This Free Practice Entry Exam.

funnelbrain.com/criminal-justice

[Be A Crime Fighter](#)

Earn Your Criminal Justice Degree Classes Forming Right Now at MSU!

www.mountainstate.edu

Sawin said C4RJ circles can include an apology, financial restitution, community service and may include referrals to therapy.

“We look at the harm that was done, who caused the harm, what the needs are of the victim, and who is responsible for meeting those needs,” said Sawin.

Nigerian high-court judge Joel Agya called it a “new concept” that he is learning, where the victim is included in the process instead of being a witness. “I am excited by hearing the victim and community are actively involved. I am hoping to adopt this back in Nigeria.”

Wetherbee said the restorative process can take as little as six weeks, whereas the courts proceed much more slowly and often end in a plea bargain or incarceration, which he said has little long-lasting benefit, particularly for the victim.

Wetherbee said law enforcement is part of the circle. “It breaks the barrier between the community and the police,” he said. “In the circle, I am a member of the community.” He called it “the missing piece” in policing, whereas in the traditional model, “the victim is victimized and the offenders are labeled.”

The nonprofit C4RJ includes 10 communities and is beginning to catch on in larger towns such as Arlington and parts of Boston. Sawin said the number of cases is steadily rising from just a few in 2000 to about 110 today. The annual budget is \$160,000 raised from foundations, participating police departments and individual donors. The web site is www.c4rj.org. COM

Wetherbee said the U.S. “incarcerates more people than other countries, and (the system) is going to collapse. We will run out of space and money. It’s got to change.”

Lt. Ron Mulcahy of the Concord PD said the usual pattern of going to court and getting a conviction should not apply in all cases. “Our job is to serve the community,” he said. Concord attorney and C4RJ board member Albrecht Saalfield said he wished more people could hear about the program. “It’s enormously productive,” he said.

Wetherbee said in the past decade, the organization had matured. “The business end has matured, and the community piece has gotten stronger.” He said the 100 volunteers are “the backbone” of the enterprise. While it started as a resource for first-time juvenile offenders, C4RJ now gets referrals for older offenders and ones with a prior record.

Betsy Levinson can be reached at betsy.levinson@gmail.com.