



# THE TALKING PIECE

HOWARD ZEHR

## Insight from a guru

**H**oward Zehr, the guru of restorative justice, visited the area last spring, speaking in Concord to a public forum of 200 attendees. He also met in a “Samoan circle” in Acton with C4RJ volunteers. In a Samoan circle, an elder sits and receives community members who come seeking wisdom.

Silver team member **Michelle Keenan** asked how Zehr devel-

oped the idea of restorative justice, and he told of his beginnings as an offender advocate. He talked about this work being based, comfortably, on a simplistic moral view that offender advocates “were the good guys and the system was the bad guys—and that’s the way I liked it. It was fuzzy and warm.” Over time, a more difficult truth emerged: victims have needs that often go unacknowledged and unmet—and that offenders could benefit from hearing about the harms they’d done.

**“[Schools] aren’t testing people about relationships,” Zehr observed. Restorative discipline, he said, allows members of school communities more room to examine wrongdoing and harms.**

harms. “The research is pretty clear that it has to be a whole-school approach,” Zehr said, noting that Chicago public schools recently transitioned from a zero-tolerance approach to restorative practices.

Executive Director **Jennifer Larson Sawin**, who did her graduate work with



Howard Zehr (right) with former C4RJ board member Steve Pearse (left)

C4RJ Board member **Sue Curtin**, a long-time school teacher, asked Zehr why it’s been so difficult to bring the relational aspect of RJ into schools. He cited a number of obstacles, including the increased load teachers bear, lack of understanding and training in RJ, and the hierarchical nature of school systems. “You aren’t testing people about relationships,” he observed. Restorative discipline, he said, allows members of school communities more room to examine wrongdoing and

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## Stepping Up and Letting Go

How a Restorative Justice volunteer works with offenders

By Carolyn Gold

**H**ow would a young offender relate to a grandmother?” I wondered when I started working with C4RJ years ago. Now, after many experiences with young offenders, I would say that young people enjoy being asked questions, being heard, and learning new skills and behaviors, just as adults do.

I work as a “facilitator,” helping offenders fulfill the restorative agreements developed in their opening circles. I talk with them regularly between their opening and closing circles, usually over a two- to three-month period. In my role, I like to find learning opportunities inside each assignment, to add meaning and skills that the offender can use in life.

In a recent assault case, I started the process by having Joe (not his real name) draft his first apology letter to the victim. The draft was a good start, but it needed work. Together, we reviewed a list of “thinking errors,” with Joe identifying the ones he tends to make: blaming others, making excuses, and lacking empathy.

Joe was able to see that he had blamed the victim and made excuses for his own behavior. When asked to imagine three reasons the victim had

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# Restorative Justice in “Re-Runs”

By Jennifer Larson Sawin, C4RJ Executive Director



Howard Zehr

C4RJ Executive Director  
Jennifer Larson Sawin

Remember that old ad for TV re-runs: “If you haven’t seen it, it’s new to you!”? It was a great way to make the old new again. Well, the concept of restorative justice—doing right by the people you harm—is as old as the hills. But it is in “re-runs” all over the world, taking shape in new and interesting ways.

To illustrate a breadth of practice, here is a snapshot of three restorative approaches in North America. (Restorative justice efforts are well-established in Auckland, Belfast, Johannesburg, and even Seoul. Perhaps I’ll explore those in another issue.)

## RJ in Pennsylvania

The state Office of the Victim Advocate offers a dialogue program for victims of violent crime. Inquiries are victim-initiated, and 63 trained community volunteers usher victims through dialogue with offenders. The majority of offenders are adult felons who have been or are currently incarcerated. Crimes have included murder and manslaughter while driving under the influence. Participation is completely voluntary for the offender and no tangible benefits (e.g., reduced sentence in exchange for involvement) are offered as a result of the dialogue. The conversations often take place in correctional facilities. The program is funded by the Federal Victims of Crime Act. See [www.o.va.state.pa.us](http://www.o.va.state.pa.us) for more on this initiative.

## RJ in Canada

The Nanaimo (British Columbia) Restorative Justice Program operates on a pre-charge model, intervening prior to traditional court involvement. Community Justice Forums

include the offender, victim, the police investigator and a trained facilitator. Meetings typically take place within 60 days of the offense and are designed so that every voice is heard and an agreement can develop. Each party is responsible for ensuring that the terms of the agreement are met, and the facilitator holds the offender accountable. Noncompliance can lead to court. Referring crimes involve shoplifting, soliciting prostitution, and others. Around 30% of the offenders are adults. The program is primarily funded by the City of Nanaimo. See <http://jhsnr.ca/index.htm> for more.

## RJ in Chicago and Denver

Both cities’ public schools have adopted restorative practices into their student conduct codes. In Chicago, “balanced and restorative justice strategies may be used where appropriate and approved by the school administration, provided that all participation is voluntary.” Restorative practices can be used in conjunction with other interventions (e.g., counseling, suspension). Practices include Circles of Understanding—useful to proactively build a school community—and Restorative Group Conferencing (closest to our practice at C4RJ but without a police representative). Incidentally, Colorado Governor Bill Ritter signed into law House Bill 08-1117 in 2008, which authorizes the use of restorative justice in the state’s Children’s Code and gives Colorado the legislative edge among states that sanction the use of RJ. Contact me ([jlarsonsawin@c4rj.com](mailto:jlarsonsawin@c4rj.com)) for articles on RJ in these contexts.

So what do these examples of varied practice tell us? Fred Rogers, that avuncular TV presence quoted here, said that even in the midst of harm there are people stepping up. Yes, we have restorative justice kin in Philadelphia, Nanaimo, Chicago, and Denver. And next time you hear about restorative justice in Pennsylvania, you can say, “It’s not new to me!”

**“When I was a boy and I would see scary things in the news, my mother would say to me, ‘Look for the helpers. You will always find people who are helping.’”**

— Fred Rogers





Retiring Concord Police Lt. Paul Macone (right) chats with Groton chief and long-time friend, Don Palma (left)



Retiring Concord Police Chief Len Wetherbee (left) celebrates his retirement with C4RJ Vice President Jeff Campbell (right)

## Wetherbee, Macone honored

Two great friends of C4RJ, **Chief Len Wetherbee** and **Lt. Paul Macone**, have retired from the Concord Police Department. At a reception on January 21, local residents and police officers from several towns thronged to wish them well.

Wetherbee helped to found Communities for Restorative Justice, referring the first case to the fledgling volunteer effort in 2000. He has served on the Board of Directors since its inception in 2006. As many in C4RJ have heard, Wetherbee was propelled to institute restorative justice by his own experience as the police department's prosecutor in Concord District Court during the 1980s.

"It was there that I saw some deficiencies and problems in the way we did law enforcement," Wetherbee recently told the *Concord Journal*. "Far too many times what I heard from victims was that they appreciated the work the department did, but they'd never call again because of the hassle with the justice system."

Restorative justice provided victims a satisfying and more meaningful approach, Wetherbee said. With his constant urging, C4RJ has grown into a regional organization, counting police departments from eight towns as its partners.

After 33 years on the Concord force, 17 of them as chief, Len is retiring to New Hampshire with his wife, Anne Christman, and his beloved Portuguese Water dogs. Lucky them! Asked his plans, Wetherbee said he will first practice being retired, maybe "pump some gas at the marina." But we don't expect him to stay away long from one of his passions, restorative justice.

Macone, a frequent participant in restorative circles and always an important supporter of the program, leaves the force after 31 years of service. He also served as Wetherbee's deputy. It is particularly fitting that they retired at the same time; the two men went to Concord Carlisle High School together.

Len has been succeeded by his other deputy, **Barry Neal**, who became chief January 30. See page 5.

## Police partners parlay

Police departments involved with C4RJ have formed a Police Council to work with staff on practices and policies. Another important part of the Police Council's mission will be to reach out to other departments to support their participation in restorative justice.

Retired Concord Police Chief Len Wetherbee convened the council, which mimics a similar group that advises the Domestic Violence Service Network. Each department sends a representative to discuss referral criteria, how to best serve victims and offenders, and how each department wishes to work with C4RJ.

"The council provides us a good way to talk about how restorative justice works and what the police role can be," said **Groton Police Chief Don Palma**, who will take over leadership of the Council from Wetherbee. "We look to each other for information about how a department has handled a particular case to see if we can all learn from that experience."

The formation of the Council is a boon for C4RJ. "It is so important to us that we have this opportunity to meet regularly with our partners in our referring police departments," said Jennifer Larson Sawin, executive director of C4RJ. "We are keenly aware that police cooperation is vital to our approach, and we value the input chiefs and officers provide us. The Council gives us a regular venue for collecting that input."



## KEN WEBSTER VISITS

# Separating the doer from the deed

By Elizabeth Eidlitz

What do you think we should do?" a mother asked her 12-year-old son when she discovered books he'd stolen from a bookstore in Scotland.

"I don't know," the boy said, "but please don't call the police."

Had his mother involved the UK criminal justice system 45 years ago, it's unlikely that her shamed and humiliated son would ever have been a C4RJ guest speaker this last fall at the Concord and Acton Police Departments. Instead, a loving mother separated the doer from the deed, saying, "Ken, I'm so disappointed with what you've done," and took him by the ear to return the books and blurt out an apology.

Kenneth Webster went on to become a police inspector and to champion restorative practices in the UK. Now retired from police work, he heads KW Consultancy & Training Ltd. and works with organizations that are instituting or improving restorative justice practices. He returned to share his view of current restorative justice principles and practices at an Acton PD lecture and brown bag lunch at Concord PD on September 11, 2009.

Webster was an early advisor to C4RJ, and lauded its approach. In the UK, Webster observed, "there is a feeling that [police] constables alone can right all wrongs," thus the police convene and conduct the restorative process. Webster believes that C4RJ's circle model, a partnership between police and community, is a better and more balanced approach.

Webster talked about government research in the UK in which victims who chose to participate in restorative justice reported it helped to reduce stress and the desire for revenge. UK victims report 50–95% satisfaction with their chance to tell offenders how they felt, to get answers to their questions and to receive apologies. Webster noted that the opportunity simply to be heard could be sufficient. Enabling offenders to understand the real impact of what they've done may be more important than attempts to repair the harm.

"With the offender," Webster said, "it's difficult to teach empathy, to judge when an apology is genuine, and to assess the offender's level of regret." Some behaviors can be a front for shame, or may reflect a culture in which expressing emotions is considered a sign of weakness in males.

Webster also noted that the person who initially refuses to take responsibility for his offense may learn during the restorative justice process from exercises like the Decision Tree that C4RJ uses. (This exercise provides a graphic format for an offender to trace the steps s/he took prior to a crime and to examine the alternative courses of action s/he could have pursued).

In the UK study, an average of 27% fewer crimes were committed by offenders who took part in a restorative justice conference, a process that saves the criminal justice system up to £8 for every £1 spent delivering the service, Webster said.

*Elizabeth Eidlitz is a facilitator on the Silver team.*

## OUR 2009 ANNUAL APPEAL

# Appealing and effective

During 2009, nonprofits like C4RJ felt an economic pinch just like everyone else. To keep up with our increasing case load, it was imperative that we work smarter and harder to reach out to our past supporters and to find new ones. Our new strategies paid off with this year's Annual Appeal. By adopting a much more targeted approach, we surpassed last year's total by 12%, the average gift to C4RJ was 13% larger, and we reduced our cost per donor by 66%. Thanks to our Development Specialist **Kate Carr** for cookin' up the strategy.

We are tremendously grateful to everyone who responded to our Annual Appeal this year. Support for local initiatives is critical to the vitality and strength of our shared communities.

Just as our work relies on partnerships with law enforcement and community volunteers, C4RJ supporters are our essential partners as well. Please accept our thanks for your support. Know that your gift will be used wisely and well.

## Howard Zehr

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Zehr, asked if he ever tires of RJ--after all, he's pursued it for 30 years. He mused that his venture into photography was a way to take himself elsewhere mentally. Of



course, much of his photographic work relates to people who've been harmed, to convicts, and to children and families of people serving life-sentences. He spoke about concluding a long conference week when his hosts asked him how he'd like to unwind. His reply: "Let's get a movie where everybody dies at the end."

To keep abreast of what Howard Zehr is doing and writing about, visit his blog at <http://emu.edu/blog/restorative-justice>.



## HAIL TO THE CHIEF

### Barry Neal is new Concord Police Chief

**B**arry Neal became chief of the Concord Police Department January 30. Chief Neal has 24 years experience in law enforcement, 22 with the Concord PD. Chief Neal succeeds Len Wetherbee, who retired recently after 17 years as chief. Neal was Wetherbee's deputy.

An avid motorcyclist, Neal is a member of the Northeastern Mass Law Enforcement Council's Motor Unit. He is married and enjoys playing guitar and working out.

Neal is a long-time supporter of C4RJ, and as deputy was our next-door neighbor in the Concord PD, where we often consulted with him about cases (and music). Now that he's moved to the chief's office, we miss him but look forward to his leadership.

He has a BS in Law Enforcement from Western New England College and is a graduate of the FBI's National Academy.



Recently appointed Concord Police Chief Barry Neal (right), with Ofc. Sylvia Toumayan (center) and Barry's wife, Sally

## Welcome to Groton and Ayer

**T**he Groton and Ayer police departments have joined the C4RJ partnership. Groton referred its first case, an assault, in November 2009, and it concluded successfully in March 2010. Ayer referred its first two cases in March, one involving trespassing and the other identity theft. "I think restorative justice is going to be a great fit for Groton," said **Groton Chief Don Palma**. "We have a strong sense of community, and C4RJ can be a part of our efforts to build on that sense of community when crime occurs and people are harmed."

Palma also joins the C4RJ board of directors, which meets monthly to discuss policy for the organization. Volunteers from Groton currently include **Sara Clinton, Barbara Rich, Patrick Parker-Roach** and **Jessica Cronin**. Several more are expected to join following the May 2010 training. Groton, in northwest Middlesex County, has a population of about 10,500. It shares a school system with Dunstable. The Groton PD includes 10 full-time officers, six of whom have received police officer training in C4RJ practices.

**Det. Andrew Kularski** is the point person for C4RJ at the Ayer PD. "C4RJ gives us another way to approach certain case," he said. "It's just what we've been looking for, and we think it will be good for this community."

## Joining us . . . just in time!

**T**welve area residents completed our fall 2009 training and have joined us on teams and in circles. The timing couldn't have been better, with our heavy load of cases over the winter.

Our new team mates are **Judy Kronwasser** of Acton; **John Fallon, Nancy Settle-Murphy, and Kathie Schwarting** of Boxborough; **Dick Gauthier, Janet Vailant, and Lloyd Resnick** of Concord; **Barbara Rich** of Groton; **Frank Lovell** of Littleton; and **Suzanne Blasi-Bombardieri, Sharon Measer, and Chris Sanders** of Westford.

Also participating in the training were **Tina Grosowsky**, the substance abuse prevention coordinator for the Westford Board of Health; and Officers **Mike Burgess** and **Brian Soll** of the Concord Police Department.

**Lt. Barry Neal** of the Concord Police Department sat in on the training and answered questions about how a police department works with C4RJ. Note: Barry has since been named chief of the Concord PD (see above).

### Officer training

Seven police officers completed the recent training for officers. They include **Groton Police Chief Don Palma, Lt. James Cullen, and Ofc. Robert Breault** of the Groton Police Department; **Ofc. Michael Croteau**, the public safety and crime prevention officer for the Westford Police Department; **Det. Andrew Kularski** of the Ayer Police Department; and **Sgt. Brian Goldman and Ofc. Barryn Carlton** of the Concord Police Department.





C4RJ President **Barbara Howland** (left) with founder **Jean Bell** and past president **Barb Chase** (right)

C4RJ is grateful to our new case coordinators **Holly Kimball** and **Robin Zucker**. Holly is shadowing Chief Case Coordinator **Christy Barbee**, helping with the Gold and Silver teams, and Robin is working with Red team leader **Paula von Kleydorff**.

Holly, of Carlisle, is an intellectual property lawyer. She joined C4RJ in spring 2009. Robin, a long-time Concordian

who now lives in Maynard, has been a volunteer with C4RJ for several years, serving as a facilitator with offenders. An ordained Universalist minister, Robin is a coach and mediator helping individuals undergoing divorce.

**Paula von Kleydorff**, case coordinator for the Red team, has been named executive director of Carleton Willard at Home, an agency that helps seniors to continue living in their homes by providing a variety of services.

C4RJ Executive Director **Jennifer Larson Sawin** has been named to the advisory board of the Regional Center for Healthy Communities, where she will offer periodic advice to the staff on training, policy, and resource development.

Our sympathies to **George Dallas** (Gold team and member of the C4RJ board) on the loss of his wife, **Sally Dallas**. Sally herself was a member of the Blue team and was working on a case at the time of her death.

Wondering what former C4RJ president **Barb Chase** is up to now? Barb, after devoting nearly a decade to promoting

and nurturing restorative justice along, has resumed her nursing career as an educator. She is teaching nursing students at New England Pediatric Care and Winchester Hospital for Northern Essex Community College Nursing School and also at Middlesex Community College Nursing School. She has also continued to pinch-hit as a case coordinator for C4RJ.

C4RJ Executive Director **Jennifer Larson Sawin**, Chief Case Coordinator **Christy Barbee**, and Green team member **Frank Lovell** made separate guest appearances recently at a Boston University course called The Principles and Practices of Restorative Justice. They were invited to discuss C4RJ's practices and restorative justice principles. Class members included both theology students and BU law students.

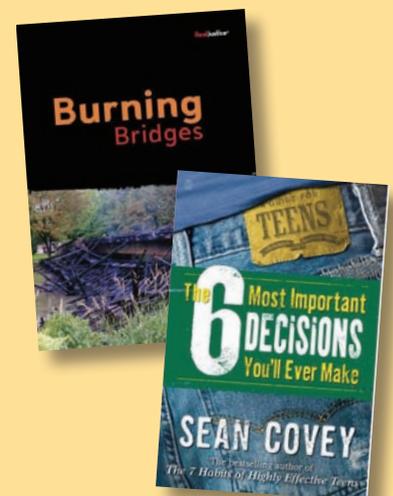
Jennifer spoke with the class regarding the role of community in restorative justice. Christy presented a mock circle and helped to kick off the class's focus on practices. Frank, who is a paroled felon, spoke with the class about his experience in the criminal justice system and about his work with young offenders during his parole.

## Did you know....

... that C4RJ has a library? We keep a collection of books and DVDs about restorative justice and about issues that arise in many of our cases. Recent additions: the DVD "Beyond Conviction," an intense documentary that portrays survivor-initiated dialogue with offenders incarcerated in the Pennsylvania prison system, and the book, *The 6 Most Important Decisions You'll Ever Make: A Guide for Teens*. The library also holds several titles from the Little Book series about restorative practices. We keep on hand for purchase copies of Howard Zehr's keystone work, *The Little Book of Restorative Justice*.

And if you've been through our training and seen a portion of the DVD "Burning Bridges," and wish to see more, the DVD is available for checkout when we are not using it in training.

For a list of our "holdings," visit our website ([www.c4rj.com](http://www.c4rj.com)), click on News/Events/Resources and then Library Resources. Or feel free to contact Christy Barbee, [cbarbee@c4rj.com](mailto:cbarbee@c4rj.com), 978.318.3467.



## Stepping Up and Letting Go

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bullied him (which resulted in Joe's offense, when he retaliated later), he came up only with "he was angry at me" or other self-referenced answers. I explained that most people take inappropriate actions, like bullying, because they hurt inside, and often it has nothing to do with the target. He was then able to imagine several reasons his victim could have been hurting. Suddenly, Joe felt empathy.

Another learning moment came when I told Joe I felt a disconnect when he made an excuse for not doing a piece of work on time. We agreed to be completely honest with each other. (And I mentioned lying was another thinking error, because it hurts the connection between two people.)

How did the offender apply the learning? Joe's new apology draft to his victim contained no blaming or excuse making. When I asked him to summarize what he'd learned about apologies, he

shouted, "No blaming!" Gaining empathy for his victim helped him see how he could restore his relationship with his victim. He wrote that they had been friends earlier, and he hoped that they could rebuild the friendship. A few

**When I asked him to summarize what he'd learned about apologies, Joe shouted, "No blaming!"**

weeks later, Joe started our call by saying, "I have great news. [The victim] and I hung out today, and we hugged each other as we left."

A few weeks later, Joe was late to one of our follow-up calls and immediately said, "I'm so sorry I forgot to call earlier." I told him how good it felt that he could be straight with me (although taking responsibility for calls is important, too). He told me he was telling the truth in his life a lot more, and he felt like a bigger person.

In another exercise, I asked Joe to identify his "character goals" (e.g., who he wants to be). Because he doesn't like writing, he created a collage from pictures in magazines to represent each goal. One of his five goals was to avoid thinking errors. Another goal was going to college, and Joe said he was already raising his grades.

Will Joe succeed? We invite folks like Joe to develop tools to overcome obstacles. You never know what will happen after the circle, just as you don't know when someone leaves a courtroom.

The hardest part of this program for me is not having future contact with offenders after their circles end (C4RJ's policy is that we should not initiate contact with offenders afterward; but we can respond if an offender initiates the contact). Many are eager to put the incident behind them. I do miss them.

*Carolyn Gold, a member of C4RJ's Gold team, works independently as a work and life coach.*

## Barnes Fund, Butler Foundation, and Cahn Fund for Social Change support C4RJ

We are thrilled to receive funding from two new sources, the Arthur and Sidney Barnes Fund and the Cahn Fund for Social Change. The J.E. and Z.B. Butler Foundation has renewed its support for C4RJ.

The Arthur and Sidney Barnes Fund supports programs that advance the causes of justice and social responsibility. Administered by the Mass Conference of the United Church of Christ, the grant will support C4RJ's expansion into Groton, Littleton, and Boxborough.

The Cahn Fund for Social Change, based in Somerville, supports a variety of youth, diversity, and education-related social change initiatives. The Cahn Fund will provide a capacity-building grant to C4RJ supporting an expanded role for the chief case coordinator position.

The J.E. and Z.B. Butler Foundation, based in New York City and Concord, funds direct service programs in the areas of special needs, youth development, and intervention and prevention, often focused on young children and at-risk youth. C4RJ received renewed funding to expand services in Acton, Boxborough, Littleton, and Groton.

Joining these generous organizations in supporting our work are faith groups, civic and health organizations, foundations, and businesses, including: Acton Boxborough United Way; Acton-Boxborough Youth in Philanthropy; Alcott School PTG; Angell Foundation; Boston Law Collaborative, LLC; Braver PC and Associates; CHNA15, Northwest Suburban Health Alliance; Colonial Florists; the Community Policing Funds of Acton, Carlisle, Concord, and Littleton; Concord-Carlisle Community Chest; Concord-Carlisle Human Rights Council; Concord Cultural Council; Concord Mobil; Concord Optical; Dane, Brady & Haydon, LLP; Debra's Natural Gourmet; First Parish Church of Concord; First Parish Church United of Westford; Grace Episcopal Church of Everett; Harold F. Nichols Insurance Agency; Karem Shalom in Concord; Law Cooperative LLC; Middlesex Savings Charitable Foundation; N.P. James Insurance Agency; New England Women's Motorcycle Club; Phillips Fine Paints and Wallcoverings; Regional Center for Healthy Communities; Scarbo Foundation; Sheier & Katin; Sudbury Foundation; Trinitarian Congregational Church of Concord; West Concord Union Church; The Westford Group; and Willard School PTG.

Thank you to all of our supporters—including individual contributors far too numerous to mention here. Your generosity makes it possible for us to continue our work and extend it to new communities.





# COMMUNITIES FOR RESTORATIVE JUSTICE

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## About C4RJ

Communities for Restorative Justice (C4RJ) is a community-police partnership that offers restorative justice to those affected by crime. Restorative justice recognizes that crime is a violation of people and relationships, not just a violation of law. Police refer cases to us. In the aftermath of wrongdoing, our “circle” process includes in the decision-making those affected by crime: victims, offenders, loved ones, supporters, community members, and law enforcement officials.

This newsletter, *The Talking Piece*, is named for an object (often a river stone) passed around the circle to engage individuals in the deliberations. The person holding the talking piece speaks while others listen. With this newsletter, we are passing the talking piece to you and would love to hear your views on our work. Contact us at [info@c4rj.com](mailto:info@c4rj.com) or by calling 978.318.3447 to relay your thoughts.

## Joining the board

In the last few months, five area residents have joined the board of directors of C4RJ, including our first youth member, bringing board membership to 14. New members include **Haechan Cho** of Acton, **Sandra Henderson** and **Brec Saalfield** of Concord, **Jim Saltonstall** of Carlisle, and Groton Police Chief **Donald Palma**.

Haechan is a freshman at Acton-Boxborough Regional High School who has exhibited considerable entrepreneurship and leadership in her young life. Henderson, a long-time Concord resident, brings to the board experience in public accounting and administration. Saalfield recently retired from private practice as an attorney. Saltonstall served for 40 years in various capacities at Middlesex School. Palma has been police chief in Groton for nearly three years and has brought restorative justice to town.

Our new members join President **Barbara Howland**, Vice President and development chair **Jeff Campbell**, Clerk **Sue Curtin**, Community Outreach chair **Polly Attwood**, **George Dallas**, Governance chair **Pete Funkhouser**, **Linda Minkoff**, Finance chair **Elizabeth Railsback**, and **Debra Stark**.