

More communities offer victims 'restorative justice' Program offers court alternative

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Concord Police Chief Leonard Wetherbee saw crime victims repeatedly losing out in the court process.

He heard them say they appreciated his help, but felt cast aside by the criminal justice system. Then he heard about restorative justice - where victims and youthful, nonviolent offenders meet face to face - and he saw an exciting opportunity.

"I think we have the best criminal justice system in the world," said Wetherbee, "but I sensed something was missing. Sometimes it felt as if we swatted a fly with a sledgehammer. The fit was wrong; the outcome didn't work; and the victim was more victimized. . . . Restorative justice is the piece of the puzzle we have been missing."

Concord was the first area town to establish a restorative justice program, in 2000, followed by Carlisle two years later. In 2005, Communities for Restorative Justice formed as an entirely donation- and grant-funded regional organization.

Acton joined last year, and the program's caseload is growing. From 2000 to 2006, 44 youths and nearly as many victims were involved. The crimes included vandalism, computer threats, spray painting, minors transporting alcohol, and theft.

In the past 18 months, 85 youth referrals have come in involving 48 victims. Boxborough, Groton, and Littleton are discussing joining the program.

Acton police first used the program this year when they referred four young teens for spray painting swastikas on school property, said Police Chief Frank Widmayer.

Widmayer sees restorative justice as a chance for Acton to address victims' needs and treat offenders in a new way. "It gives victims a stake in the outcome," he said. "Some victims have strong feelings and it gives them a chance to vent."

Victims and offenders agree to meet in what is known as a circle, which includes the offender's parents, police officers, a community member, and a facilitator. Victims ask questions and explain how the crime affected them. Victims and offenders then hammer out a plan to have the offender make up for their wrongdoing.

Where the court system might have mandated probation and community service, said Widmayer, restorative justice requires the offenders to own up to what they did. Agreement plans involve anything from community service and paying for property damage to apology letters and even Alcoholics Anonymous meetings.

Jennifer Larson Sawin, executive director of Communities for Restorative Justice, said one case involved a woman who was devastated when her purse was stolen, although the items in the purse were not of great monetary value. When the victim confronted the middle-school-age offenders, they saw the direct emotional damage their actions had caused.

"The whole goal of this is a balanced approach," said Carolyn Boyes-Watson, founder and director of the Center for Restorative Justice at Suffolk University. "It really focuses on who has been hurt. . . . With the criminal justice system, many victims feel their voices are not heard and that their comments are not relevant."

Chief Wetherbee recalled one incident of youths spray-painting graffiti, not realizing the victim, a shop owner, became terrified that a gang was targeting her. After hearing from the victim, the offenders were mortified that they caused such panic.

"It is important for the offender to see the face of the person they have harmed," said Larson Sawin.

Crime victims often are desperate to be heard, but frightened to speak up. The circle offers a safe place where a victim learns what prompted the crime and is often reassured that the crime was random and not targeted at them. Victims don't have to hold back their anger or fear, nor are they expected to forgive.

If the offender makes full restitution, he or she will have no court record of the offense. If the offender drops out, the case continues its normal path in the courts. Even if the offenders are found not guilty, said Carlisle Police Chief John

Sullivan, they have a court record of being charged with a crime.

"A lot of the kids are teens, and we prefer not to give them a record," said Sullivan.

Restorative justice is not for everyone. Occasionally, offenders will get in trouble again, leaving the police departments to decide whether another circle referral is appropriate. Many departments want to send the offender to court then, but they focus on the victim. "There still may be a victim out there who could benefit from that," Larson Sawin said.

"Our hope here is to not only keep kids out of the system, but to make the victims feel more confident," said Acton Detective Keith Campbell.

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Abstract (Document Summary)

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