

Restorative Justice — Overview

It's been pointed out by legal scholars, sociologists and religious leaders that our criminal justice system is grounded in retribution. Those convicted of crimes — especially violent acts — are to be locked away and punished by the government. Besides cooperating with the police and testifying in court, victims play no further role in the adversarial process. And rehabilitating offenders, at best, is an afterthought for the two million men and women incarcerated in the United States today.

Starting with their 2000 pastoral letter “Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice,” U.S. bishops have advocated for a more humane approach called “Restorative Justice” to repair the harm caused by criminal behavior. The growing social justice movement encourages victims, offenders and their impacted communities to fully participate in the healing process through victim/offender mediation, restitution, victim and ex-offender assistance, sentencing circles and community service.

Crime is viewed as an offense against human relationships, so the focus is on reconciling them. By confronting their victims, offenders see firsthand the impact of their crimes.

“Restorative justice is about making everyone involved in crime whole again — victims, perpetrators and the community,” says Auxiliary Bishop Gabino Zavala of Los Angeles. “It’s a messy process. But the alternative is fear, hatred and divisiveness. The alternative is worse. It means the continual loss of human life.”

To learn more about restorative justice from a Catholic perspective, please visit RestoreJustice.com.

Restorative Justice — Victim

The tragedy of violent crime has struck twice in her close-knit Latino family. Youngest brother Gustavo, 22, was killed when a fight broke out during his birthday celebration April 22, 1990. An older brother Roberto, 35, was killed Nov. 19, 2000, in a drive-by shooting.

“It destroys the whole family,” says Rita Chairez. “It’s still very painful to even think about. The pain never really goes away.”

Her mother, Maria — practicing restorative justice before it even had a name — has helped, though.

“I remember her saying, ‘I don’t know if I can go on’ when Roberto was killed,” Rita recalls. “But her faith was like: ‘I believe in God, and I believe that if I forgive the people who killed my sons, they’re going to rest in peace.’”

Today, the 49-year-old daughter struggles with her own efforts at forgiveness, especially when she hears about another senseless act of violence on the local news. Yet she believes in the faith-based process.

“I think that’s the only way you can restore a relationship by working it out and having people be accountable for what they’ve done,” Rita says. “It has to be a whole circle, with the perpetrator, the justice system and the victim in the middle. I believe that when you have everybody involved, that’s when restorative justice happens.”

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Restorative Justice — Offender

Growing up in Los Angeles, Joe Aleman joined a gang to survive on the mean streets of South-Central. His gangbanging morphed into more serious crime, until he was arrested and convicted for the capital offense of murder/robbery.

While serving nearly 14 years in prison, he participated in Alcoholics Anonymous and Narcotics Anonymous groups but never felt they were really “honing in” on the root of his problems. Then he became a founding member Criminal and Gang Members Anonymous, which practiced restorative justice.

When Joe got out of prison a few years ago, he started doing outreach to other gang members along with motivational speaking. It was at a speaking engagement at a PTA meeting in El Monte that he took full responsibility for his destructive lifestyle.

“It was pretty much like walking into a room nude and exposing all your vulnerabilities — telling everybody I lied, I cheated, and then just standing there and accepting everything thrown at me,” recalls the 39-year-old man. “But taking responsibility for my past activities restored justice within myself.”

After the meeting, Joe got together with the parents of a friend he’d helped recruit into a gang, and who later became a drug pusher and was killed. The father shook his hand. “I was in tears,” Joe confides. “So for me ‘restorative justice’ means hope for both the victim and offender. Everybody’s hoping for forgiveness and for a future.”

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Restorative Justice — Chaplain

Deacon Clyde Davis, 71, has been helping prisoners find restorative justice for the last seven years as a chaplain at the California Correctional Institute in Tehachapi.

“What restorative justice means to me is trying to make things right,” he points out. “There’s obviously been a wrong committed. People have been offended. There’s been victims and perpetrators. So it’s trying to put things back together. And it takes both sides.

“There’s going to have to be a change of heart by the individual or people who committed the crime. And there must be a change of heart also by the victims. They’re going to have to come to an ability to forgive. And that’s not easy.”

Deacon Davis says there is no one “cookie-cutter” approach that changes men and women locked up. But he’s convinced that restorative justice fosters personal transformation. Moreover, it restores dignity and a sense of self-worth to the incarcerated, helping them feel whole again.

“One of the main things we preach here is that ‘God loves you guys as much as anybody else in the whole world,’” he says. “In no way am I’m trying to minimize what they’ve done. But no matter what they’ve done, God still loves them.”

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Restorative Justice — Criminal Justice Worker

For nearly half of Suzanne Neuhaus' 21 years working for the California Department of Corrections & Rehabilitation, she was a field parole officer. For eight years, she's worked in victim services, which is the 44-year-old woman's current assignment at the Heman G. Stark Youth Correctional Facility in Chino. During much of her criminal justice career, she has tried to bring a sense of restorative justice to both victim and perpetrator.

“Restorative justice is a lens through which to look at crime and violence, and who is impacted by it,” she explains. “It tries to create opportunities for healing for everyone impacted by crime and violence in a balanced way — and in a way that brings human beings back into right relationship with one another.”

Reaching “right relationship” after a crime is no easy feat for either victim or perpetrator, according to Neuhaus, and is certainly not the focus of our current system of justice, which is based on punishment and retribution. But she has witnessed firsthand the healing results of restorative justice when it does take place.

“In victim-offender mediated programs, you see changes in attitudes, values and beliefs which have cultivated the criminal activity,” she reports. “And you see tremendous satisfaction in both parties. I've seen it, even in crimes of severe violence like homicide. Restorative justice works.”

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