

FRIENDS OF RESTORATIVE JUSTICE
Sunday Morning Teaching
Shalom Community Church
March 26, 2017

Pt. I: Bryan Miller

Restorative Justice practices, as we think of it today, dates back to the early 1970's.

But, Howard Zehr's 1990 book *Changing Lenses—A New Focus for Crime and Justice*, is credited with being "groundbreaking," one of the first to articulate a theory of restorative justice for the Western world.

Zehr was born into a Mennonite family in Illinois. He attended [Goshen College](#) in Indiana and [Bethel College](#) in Kansas – before finishing his undergraduate degree at [Morehouse College](#), in [Atlanta](#), Georgia. Zehr was the first white to earn a B.A. from Morehouse when he graduated in 1966.

He Got his MA at Univ of Chicago and PhD at Rutgers, And taught a few years before diving into restorative justice about 1980.

In *Changing Lenses*, Howard Zehr describes restorative justice as focusing on the harms done, and the consequent needs and obligations, of all parties involved- the victims, the offenders and the communities in which the harm occurred.

The process, in a nutshell, is a dialogue between those who did harm, and those who were harmed. This process was first termed a Victim Offender Restorative Program or VORP. It later became Victim Offender Conferencing, or VOC.

Victim Offender Conferencing was developed primarily within the context of the Western legal system to address some of its deficiencies, by implementing what many indigenous and traditional cultures have been practicing for generations.

Judge Joseph Flies-Away, of the 'Wa-la-pie' Hualapai Nation, in describing their approach, said that indigenous peoples believed that

"The purpose of the law is to bring the person [offender] back into the fold, to heal him.

People do the worst things when they have no ties to people. Indeed, Judge Flies-Away pointed out that when a Wa-la-pie person commits a criminal act, his people say, He acts like he has no relatives."

Tribal court systems are a tool to make people connect again."

Ideally, justice is not something done to someone -- but a collaborative effort of all stakeholders.

Howard Zehr used the following value statements to guide a Westernized approach to this process:

1. All people should be treated with dignity and respect, recognizing that each person has some piece of the truth.
2. Each of us needs to be responsible for our own actions and needs to be held accountable for those actions.

3. By our presence, we are all members of communities and therefore connected to each other.
4. We recognize that forgiveness is a process - that allows all people to walk at their own pace.
5. We provide opportunities for reconciliation as appropriate and as defined by those affected by the actions of others. [from the Office of Justice & Peacebuilding at Mennonite Central Committee]

Zehr set forth these six guiding questions:

1. Who has been hurt?
2. What are their needs?
3. Whose obligations are these?
4. What are the causes?
5. Who has a stake in the situation?
6. What is the appropriate process to involve stakeholders in an effort to address causes and to put things right?

Now, Research has noted that **victims** have various motives for participating in the process; restitution [financial or otherwise], to hold the offender accountable, and to learn more about the “why” of the crime.

Victims also expressed a need to share their pain with offenders, as well as get assurances that offenders will not commit a repeat offense.

The same research noted that **offenders** gave numerous reasons for why they found participating in a dialogue with their victims to be important;

One was to help them put the crime behind them and move on,
Another to be able to have a say in determining and paying restitution, and being able to apologize for what they did.

After all, crime creates a relationship, albeit a broken, negative one.

This brokenness affects not only those directly involved but also family members, friends, and the communities to which the victim **and offender** belong.

As for outcomes, In a 2000 study out of the Univ of Minnesota, **victims** who participated in a VOC-style encounter were

- a. more likely to be satisfied with this justice process [79% vs 59% satisfied with traditional legal process],
- b. 90% were satisfied with the overall VOC process,
- c. Also- after meeting the offender, victims’ fears of being re-victimized were significantly reduced, and
- d. they also expressed positive feeling about being involved the justice process, about being able to voice their opinions and emotions, and that they had a sense of emotional healing.

As for the **offenders**,

91% expressed satisfaction with the VOC process.
They expressed positive responses—
about being able to tell the victim what happened, to apologize, and make restitution;

about their feelings from the process,
about seeing victims change their attitude toward them, the offender,
about having a second chance, and
apologizing.

Research from the 2007 Book, *restorative justice: the evidence*, found that

Restorative Justice practices demonstrated:

- a. reduced recidivism for offenders of both violent and property crimes;
- b. reduced post-traumatic stress symptoms and
reduced desire of victims for revenge; as well as
- c. reduced costs when used as a complement to criminal justice procedures.

To close, I feel Restorative Practices fits us.

As noted in our website, "Here at Shalom

we try to be true to historic Anabaptist beliefs in making Jesus the center of our faith,

community the center of our life, and

reconciliation the center of our work."

I will now turn this discussion over to Mary.

She will introduce some other restorative justice practices

already active today –

with the support of the Dispute Resolution Center, and

Friends Of Restorative Justice, or" FORJ", both of Washtenaw County.

SCC is instrumental in creating and directing Washtenaw's FORJ group.

Pt. II: Mary Miller

As you heard Bryan say, reconciliation has been, and still is, at the core of our Anabaptist beliefs. It is evident in the work of the Christian Peacemaker Team, through the Mennonite Relief Sales which raises money for MCC programs that bring development and peace work around the world.... And with the various MCC relief programs– such as hygiene kits, school kits, health kits and relief kits. SCC has participated in many of these programs.

More locally, Shalom Community Church is working toward reconciliation through a group we helped form called Friends of Restorative Justice. Over the past 20 years, people from Shalom have tried to bring one form of restorative justice called Victim Offender Conferencing, or VOC, to Washtenaw County. So far, we have not been able to get Victim Offender Conferencing into the judiciary system here in Washtenaw County – you will hear about more about that from Ruth.

However!, we have been able to work on other reconciliation programs through our partnership with the Dispute Resolution Center of Washtenaw and Livingston Counties. I'd like to tell you about a few programs we have been involved in:

The Peacemaking Court is in place for families in dispute, child protection cases and other issues involving families and children.

The Peacemaking Court broadens its relationships with children, families and communities but also nurtures and supports peacemaking outside of court in the hopes that parties will want to commit to try to understand other perspectives, resolve their dispute peacefully, and heal important relationships. The emphasis is on making peace, rather than engaging in adversarial conflict.**excerpt from The Dispute Resolution Peacemaking Court brochure found at <http://thedisputeresolutioncenter.org/>*

For me, some of the most exciting programs are taking place at the local schools where Peacemaking Circles are being held. The circle process is a peaceful way for people to resolve differences, work out conflicts and learn how their behavior affects others. They learn ways to address current conflict and prevent future conflict.

Participants sit in a circle, preferably without a table. It is helpful to have some kind of centerpiece in the middle of the circle to create a focal point. The facilitator usually starts with a poem or quote to begin. Next is talking about some ground rules – like no name calling, interrupting or eye rolling. The facilitator introduces a talking piece which individuals will hold when it is their turn to speak. The facilitator would have some opening questions in mind to get the dialog started. After a question is asked, the talking piece is given to the next person who can say something or can pass and give the talking piece to the next person. The process continues until an agreement can be reached, or nothing further can be added.

The following is taken from the Ann Arbor Public School District newsletter: *AAPS has seen a dramatic drop in school suspensions in the past few years, and some of the credit goes to behavior programs that emphasize the positive, and encourage self-awareness and growth. The results of the school's [Restorative Justice](#) program are nothing less than profound.* It further states that:

At the elementary level, some AAPS start their day using restorative justice practices. The students begin their day by sitting in a circle, the teacher opens with a welcome, the kids talk with each other for a few minutes then there is a fun activity and a sharing time. The staff reports that those 15 minutes at the beginning of each class set the tone for the whole day.

Jane Landefeld, Executive Director of Student Accounting & Research Services, explained that AAPS has seen a significant decline in suspensions across the board, with middle school and elementary suspensions dropping by 75 percent in four years.

Skyline High School has a program called the Sky Squad, which has been implemented for at least two years and is totally run by the students who have been trained in the circle process by the Dispute Resolution Center.

Here's an example of a Sky Squad Circle – the names have been changed:

Restorative Circle Transformation

On March 17, 2015, a student we will call Jack thought it would be funny to install a burning anti-Semitic picture as a background on a student we will call Sam's computer. Sam is Jewish and was so scared he stammered and was barely able to speak to the teacher to describe why he was so upset. Jack saw the image on a popular cable show and since he is friends with Sam thought it would be funny. Jack was suspended and compelled to write an apology note. His parents were devastated and felt an incredible amount of shame.

On March 19, 2015, the program administrator sat down with three SkySquad members and let them know that administration had asked for a restorative circle and that the parents and students trusted the SkySquad team with the information. After 90 minutes of prep work, a 45 minute circle was held, behind closed doors and without adults. The program administrator spoke with Jack and Sam immediately after the circle. A crying Jack said, "thank you for allowing me to say I'm sorry. I'm so glad we can be friends again". Sam also admitted that the worst part of the ordeal was feeling so betrayed by someone he thought was a friend.

The SkySquad members were profoundly impacted and described the circle as transformational. Some quotes from the student practitioners: Taylor, "It was so beautiful because they learned from their own mistakes without it being dictated to them." From Abby, "That was so heartwarming. I could feel the guilt and hear him taking responsibility." From Myles, "They came to an understanding even before we did."

The depth of this circle was profound. If Jack, the offender, would have only been suspended and ostracized, his future cultural competence could be questionable. Because of restorative practices, Jack will never be the same. He indicated that he already stopped watching offensive TV and knows now how silly comments or hateful imagery effects those closest to him. The circle process wrapped him up, rather than discarding him, and he is forever changed.

Ypsilanti high school is another place that is trying to use restorative practices. The kids at Ypsi high are some of the most challenged and challenging kids in our county. One of the Ypsi volunteers reported on two programs at Ypsi high school, she said:

The Grisley Center is a place for students to come and reflect on why they were kicked out of class or sent there by a teacher. They use restorative practices and the volunteers basically talk with the kids that come there, help them reflect with some key questions, the final one being: What do you need to do to increase your chances of success here at the school? We also walk kids back to their classes and help the students talk with the teachers so they can, hopefully, be let back into the class.

The second center, The Eagles Nest, was set up for about 20 9th grade students with a history of troubles, who are in danger of being seriously suspended. Restorative circles were to be a significant part of that program, but because of so many changes by the administration, hasn't quite happen. The circles are held to help students focus on how they can be successful at school and in their lives. There are a core of volunteers and we try to have 2 volunteers there every day, should the opportunity open up for a circle. But it has been very difficult. A few are beginning to happen now.

A big piece of hopeful news is that a bi-partisan bill was approved and signed by Governor Snyder on 12-22-16. House bill no 5619 requires Michigan schools to use restorative practices for suspension, expulsion, bullying, vandalism, class disruption and other conflicts. This bill goes into effect 8-1-17 and, hopefully, will bring restorative practices more to the forefront of our schools. The Dispute Resolution Center has told us that they are going to keep a close eye on how this bill is being implemented and we, as volunteers, will have a chance to directly impact this new mandate.

Pt. III: Ruth Shantz

In recent months, I have found myself getting discouraged about the work of bringing restorative justice practices to the legal systems in Washtenaw County. After several years of building an active group of community members committed to the mission – Friends of Restorative Justice of Washtenaw County – it seems as though progress has started to lag.

The goals seem so important, and the evidence is clear that these practices are effective in reconciling conflict in juvenile and adult courts. Judge Connors started the peacemaking court, so why are we having such trouble convincing other judges to give Victim Offender Conferencing a try – not to mention the county prosecutor's office? Several judges have expressed interest, but only one has made a referral to the Dispute Resolution Center. We don't fully understand the barriers. But it appears that those holding the key positions are hesitant to face the political ramifications that would be created by experimenting with these new concepts.

In talking about my discouragement over these issues with Bryan and Mary in preparation for today, they pointed out the various things that have taken shape locally – the things they've shared this morning. My first response was, "Yes, but....." So they counseled me to have patience – that these things take a while.

This was helpful, so I thought maybe I could also share my discouragement with you and say a word about taking the long view.

Then a couple of Saturdays ago, a group of fellow members of Friends of Restorative Justice and I attended a conference on restorative justice at Hope College. There were several things that moved me during the day – not the least of which was a video presentation on radical hospitality by the prisoners at Handlon Correctional Facility in Ionia, MI, who had organized the conference.

But it was Kristen Johnson’s talk entitled “The Justice Calling: Preserving in Hope” that spoke directly to my discouragement. In it she spoke about lament, a cry directed to God. Lament grows out of finding oneself deeply disturbed by the way things are, and feeling helpless in the face of powers that preserve the status quo and resulting injustices. Lament, she said, is necessary for working in the long haul, for being sustained in the slow going work.

This is what my soul needed to hear. To be reminded that crying out in despair is not the same as admitting defeat. The passage from Habakkuk that we read this morning is a powerful lament from deep disturbance about the way things are.

Those of you who know me, know me to be someone who can get things done and who can get impatient when things are taking longer than I think they need to take. So it is with greater patience and new hope, through lamenting, that I continue my commitment to the work of restorative justice in our community. And it is from you, my worshipping community, that I look for sustenance in this calling.

Let me end by sharing the words in our final hymn last Sunday:

*The world of care is with us every day;
but let it not this obscure:
here we can serve the Master on the way,
and in him be secure.
Gird up your loins, fresh courage take,
our God will never us forsake.
And so our song no fear can quell:
all is well, all is well.*