

# Central Virginia Restorative Justice

*Newsletter Summer 2003*

## Notes from the Coordinator: *Principles of Restorative Justice*

Welcome to the first newsletter of Central Virginia Restorative Justice! I'm pleased to tell you about a positive change taking place in how our local community responds to crime. Central Virginia Restorative Justice is a program working within the judicial system that was created by a group of judges, prosecutors, defense attorneys, victim advocates and other concerned citizens.

So, just what is restorative justice? First of all, it's worth noting that restorative justice is not a rigid process but a set of principles that can be flexibly applied to very different situations. The application of these principles will generate solutions particular to each situation. Different scholars and practitioners articulate the principles slightly differently. I have highlighted what I see as three major principles and have provided a very brief explanation of each.

Restorative justice principles call for a response to crime, which recognizes that:

- **Crime is a violation of people and relationships.**

An exclusive focus on crime as a violation of the state removes us from the core of the transgression. That core is the violation of one person by another. The state has very important and legitimate interests that cannot be ignored, but crime is much more than a violation of the state and its laws.

Our laws are designed to regulate our interactions with one another. Underpinning this creation of laws is the appropriate belief that people should be in respectful and just relationship with one another. When our

focus is *exclusively* on crime as a violation of law we lose the recognition of the personal violation. We become removed from the appropriate ways of responding to that interpersonal transgression. If we wish to create and maintain safe healthy communities, we must respond with an awareness that crime is first and foremost a violation of people and relationships

- **Crime creates harms, needs and obligations.**

The victim(s) and community have been harmed and have certain needs. These needs can vary from person to person and situation to situation. Some of these needs are: a sense of safety, a restoration of trust, answers to questions, understanding "why me," restitution for tangible losses, assurances that it will not happen again, etc.... Restorative justice holds that for a sense of well-being to be restored to the victim and community we have a responsibility to begin to address those needs.

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Restorative Justice Coordinator David Saunier will use this space in each newsletter to discuss crime and the restorative justice approach.

**NEXT ISSUE:**  
Restorative Justice Processes.

## A New Approach Needs Your Help

*Tom von Hemert, Restorative Justice Task Force Chair*

Over two years ago, I convened a town meeting in Charlottesville to see if people had interest in this concept known as "restorative justice." The response was overwhelmingly positive and led to the creation of the Restorative Justice Task Force. The work of the Task Force has led to the hiring of a Restorative Justice coordinator and the creation of Central Virginia Restorative Justice.

In my capacity as the Regional Criminal Justice Planner for the Thomas Jefferson Area, I have the opportunity to study how communities throughout the country respond to crime. I am particularly excited about the restorative justice approach and the philosophy that it brings to the table.

Clearly, the old ways of doing things are not working effectively, and I believe restorative justice provides a powerful, holistic alternative. I am excited about this new

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## Restorative Justice at Work: *This Issue's Story*

*Note: Names in this story were changed to protect anonymity.*

Carol left her car one day at Tommy's Repair Shop in Charlottesville. She had used the shop for years, and she had a very good relationship with Tommy. Later that evening her daughter saw unknown people riding through town in her mother's car. Carol felt angry, hurt and violated. It was so

unexpected. She never really thought this could happen to her!

Earlier that evening three boys aged 15 named Charles, David, and Kenneth had been walking in the neighborhood of the repair shop. Some other boys who had broken into the shop offered them the keys to some of the cars inside. Charles, David and Kenneth had never

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## Principles of Restorative Justice, continued...

Offenders have a direct obligation to victims and the community to address those harms and meet those needs, as much as possible. Offender accountability is seen as taking responsibility and addressing the harm done directly to the victim, if the victim is so willing. This direct accountability can better meet victim needs and provides the offenders an opportunity to “make right” in a way that enables them to move forward as productive citizens carrying less debilitating shame.

If offenders are held accountable only to the state it removes the offender from the personal nature of the transgression. Yet to be confronted in a direct way with the reality of who has been harmed and how can often be transformative for the offender. It is no longer him or her against the system, but him or her confronting the reality of the fellow human being they have harmed and how.

- **An effective justice process should meaningfully include the parties most affected by the crime.**

Crime is a tear in the fabric of healthy community. If we are to repair that tear then we must include and empower those that have been most effected. A restorative justice response endeavors to include the victim, the offender, their respective families and possibly others in the neighborhood and community that have been affected. All are given a voice to express their needs as they see them.

So if those are the principles, how are they put into practice? The principal way we at Central Virginia Restorative Justice apply those principles is through a process called a Support and Accountability Conference. These are meetings guided by trained facilitators that include the victim, the offender, family members, etc. Their purpose is to identify the needs that exist for members of the group and develop a plan to begin to address the harm done.

These processes are not new or unique. They are used by many of the over 400 restorative programs that exist in the United States. In the next issue of the Restorative Justice Newsletter I will explain more about

these processes in general and Support and Accountability Conferences in particular.

Crime is one of the problems that confront our community. Yet we can take solace in knowing that the answers to these problems lie within this community and its citizens. Restorative justice seeks to draw upon that embedded wisdom in an attempt to repair what has been broken and restore a sense of community well-being.

I welcome your interest in our work and I thank you for your support. If you have any questions about the program and our work please do not hesitate to contact me.

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## Program Snapshot:

Central Virginia Restorative Justice currently accepts cases referred from Charlottesville Juvenile and Domestic Relations Court and from the Juvenile Court Assessment Center. We will launch a pilot program this Fall taking cases from Charlottesville General District Court.

Cases referred to the program thus far include assault, auto theft, fraud, shoplifting, petit larceny, trespassing, underage possession of alcohol, and disorderly conduct.

In each case that has progressed to a Support and Accountability Conference, victim and offender have agreed upon a plan for the offender to “make right” by those he/she has harmed.

## This Issue's Story, continued...

stolen a car before, and they at first refused the keys, but eventually accepted them. Excited, the trio drove around town for several hours, taking turns behind the wheel. They left the car in a parking lot miles from where they stole it and walked home. The boys were later identified and charged with auto theft, and their cases were referred to Central Virginia Restorative Justice. The boys and their mothers all agreed to participate in one of the program's Support and Accountability Conferences.

Carol exercised her right not to meet with the offenders. However, she asked restorative justice personnel to represent her interests in the conference.

In the conference the boys learned that Carol is a single mother -- just like each of their own mothers. They learned that she was without her car for 3 weeks, and that during that time it was difficult for her to get her children to school and herself to work. They learned that her relationship with Tommy was damaged because she no longer trusted him.

They also heard about how what they had done affected their own families. They heard their own mothers express their own disappointment and shame.

The boys agreed to pay Carol restitution to cover her losses. They each agreed to write her a written apology. Everyone was satisfied that the agreement was fair and a good faith effort to repair the harm done. The boys paid the restitution in full and within the deadlines established by the agreement.

Carol now says that she feels that her concerns have been heard and her needs have been met. In her victimization, she was powerless and without control. But the restorative justice process has provided her with options and a greater sense of control.

Charles, David, and Kenneth have come to realize that they did more than just break a law. They now understand that their actions have affected many people and relationships, some very close to home and some far removed.

They have been held accountable in a very meaningful and direct way. They were able to replace an irresponsible act that produced shame with a responsible plan to repair the harm done. The fabric of a healthy community that was disrupted by the crime has started to be repaired. This is restorative justice at work.

## Suggested Reading

### on restorative justice

#### **This Issue's Focus:** **Basic Principles**

***Restoring Justice***, 2nd ed., 2002  
By Daniel W. Van Ness, Karen Heetderks Strong; Anderson Publishing

"...a clear, convincing argument for how restorative justice can meet the needs of a criminal justice system sorely in need of a new vision...a powerful case for the benefit of the restorative justice perspective."  
*Corrections Digest*, review, June 27, 1997.

***The Little Book of Restorative Justice***, 2002

By Howard Zehr; Good Books Publishing

"The brevity of this volume belies its bountifulness...In the rush to move forward, it is often difficult to stick to, or even remember, basic principles. Yet this is something that Zehr continually directs our attention to."

Russ Immarigeon, Editor, *Connections*, newsletter of Victim Offender Mediation Association

***Restorative Justice: A Vision for Healing and Change***, 1998  
By Susan Sharpe; Edmonton Victim Offender Mediation Society

"Susan Sharpe has gifted this movement with one of the finest resources available to date. It is clear, cogent, pragmatic, and most importantly, clearly anchored in the value discussion that is so crucial to justice program development and implementation."

David L. Gustafson, Co-Director, Fraser Region Community Justice Initiatives Association

*These titles, among others, are available on loan from Central Virginia Restorative Justice.*

## THANKS, OAR!

Central Virginia Restorative Justice is very grateful to OAR-Jefferson Area Community Corrections for providing the program an administrative home. When the Restorative Justice Task Force was looking for an agency to house the program, OAR stepped forward.

"OAR has really come through for the program," said David Saunier, the program's coordinator. "I have to admit, I had some initial concerns. I was fearful that the new restorative justice program would be perceived as being exclusively offender-focused because it was based at OAR. Restorative justice is a very victim sensitive response to crime that is focused on meeting the needs of victims and the community in the aftermath of crime. I was concerned that there would be confusion in the eyes of victims and the public."

Saunier said that OAR Executive Director Pat Smith and the rest of OAR's staff "have really worked with me to address my concerns."

"They have been very accommodating, understanding and supportive," he added. The OAR staff has worked with Saunier to establish a separate identity for

Central Virginia Restorative Justice. The program is located next to OAR, but has a separate entrance, offices and meeting space. The spaces have been designed to create a safe, respectful environment for victims and others who participate in the program's Support and Accountability Conferences. Those conferences are held either at the program's offices or at another location of the victim's choosing.

Saunier also added that OAR has been supportive in other ways. "This first year for the program has brought financial challenges that were not anticipated. The OAR Board has stepped forward and picked up some of those costs to keep things moving forward."

However, long-term viability of the program requires "strong community support and funding from a variety of sources," Saunier said.

"OAR has a long history as the local community corrections agency in providing important oversight and services for offenders. They now have impressed me with their commitment to this victim sensitive program."

## Intern Assists Program



We are pleased to have Martin Olivier from UVA's University Internship

Program assisting CVRJ this Summer and Fall. Martin is a rising fourth year psychology student from New Orleans, LA.

"The internship is a great opportunity for me, as a student, to work in service to the community and learn a lot at the same time," Olivier said. "Central Virginia Restorative Justice is a particularly exciting place to work because the program is bringing a fundamentally different and refreshing perspective to the problem of criminal justice."

"I'm grateful for the opportunity to help."

## Feedback

"Excellent program! The [Support and Accountability Conference] was well-run. It was very helpful to have everyone together and to hear everyone's perspective. The final plan of action was very fair to all parties involved. Thank you for allowing us this opportunity."-- **Comments from the parent of an offender involved in a fraud and attempted larceny case.**

## *A New Approach, continued...*

program and I'm proud to have played a part in its formation.

We need a more effective way of combating crime and the damage that it does to our community. The economy is hurting, and this is a difficult financial climate in which to establish a new program of any sort. But some things are too important to be delayed even in difficult times. We on the task force could not delay bringing the restorative justice approach to the community. The program is relatively small and doing a good job in gaining a foothold.

We are at a critical early stage in the life of the program. Financial support is greatly needed so that the program can continue. Based upon the success of other restorative justice programs, I am confident that it will become a great asset to this community if given the chance.

Please consider a tax-deductible gift. All contributions both large and small will move the work of the program forward. On behalf of the Restorative Justice Task Force, I encourage you to help support this positive and effective response to crime.

Thank you.

### Tell Us What You Think!

Please share with us your views on this newsletter. We wish to be accountable and responsive to the community in all aspects of our work. Are there things you would like to see included or deleted?

Also, let us know if you wish to be dropped from our mailing list, or know someone who would like to be added. Thanks!

## Donation Form

Please cut out this form and make your tax deductible donation to:  
Central Virginia Restorative Justice-OAR, 750 Harris Street, Suite 207, Charlottesville, VA, 22903  
(434) 220-3737 [dsaunier@oar-jacc.org](mailto:dsaunier@oar-jacc.org)

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*Thanks for your  
Support!*

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