

# RESTORATIVE JUSTICE

## A PATHWAY TO HEALING AND DIGNITY

*Marianist social justice advocates employ restorative justice practices to help individuals and communities recover from harm and restore relationships.*

BY JAN D. DIXON



PHOTO: ROBIN LERSTAD

On the night of Aug. 8, 1982, Mary Hallinan's sister, Anne, and her boyfriend, Bobby, were back home in Toledo, Ohio, for a wedding. "They had hopped on a motorcycle for a quick jaunt around the block to visit some friends before heading to the wedding reception," says Mary, then 30, and an attorney living in Chicago.

That short motorcycle ride turned tragic when they were sideswiped by a drunk driver. Ten days later, Anne, 27, died from internal injuries sustained from the accident. Bobby survived, but with one of his legs amputated at the knee. The sudden death of her sister traumatized Mary and her family. "It was brutal watching my parents," she says, as they watched Anne's life slip away. "When she died, part of them died that day."

Mary's parents went on to found the Toledo chapter of Mothers Against Drunk Driving as a way to bring something good out of their tragedy. As devout Catholics, they turned to their faith, their parish and a large community of family and friends to sustain them through many years after the accident.

While cocooned in the love of her family and friends, Mary's greatest consolation was her relationship with God. At Anne's bedside one day, as she realized that her sister wasn't going to make it, "I remember a heavy sensation, like an albatross around my neck, and as if God and my sister were saying 'this is what it will feel like if you don't forgive — a weight you will carry with you for the rest of your life,'" she says.

There were times in the ensuing years that Mary wanted to know what happened to the driver who had killed her sister. He was convicted and served a short jail sentence for her death. "I finally wrote him a note telling him I had forgiven him," says Mary, "but it took 25 years before I could do that."

In 2009, Mary, who is a member of Queen of Apostles, a Marianist parish in Dayton, Ohio, was introduced to restorative justice as a way to bring healing and dignity to those traumatized by harm. It was a new path on a long journey of recovery for her.

By 2013, members of the Marianist Social Justice Collaborative's Death Penalty Abolition team also began educating themselves about restorative justice. "While working to abolish the death penalty, we felt it was important to advocate for something we are for," says Marianist Sister Grace Walle, who serves on the team. "Restorative justice gives us an alternative approach — a way of practicing our Marianist and Catholic values."



PHOTO COURTESY MARY HALLINAN



PHOTO: SKIP PETERSON

Mary Hallinan leaves Montgomery County Jail in Dayton, Ohio, after participating in a healing circle with incarcerated women; left, Mary's sister, Anne.

For more than 40 years, Brother Frank O'Donnell, SM, has collaborated with The Community School, an academic and mentoring high school in Baltimore, which uses restorative justice practices.



PHOTO: STEPHEN CHERRY

### What is restorative justice?

The year 2009 was momentous for those advocating for restorative justice. That year, Catholic Mobilizing Network (CMN) was founded in response to the U.S. Conference of Catholic Bishops' campaign to end the death penalty. CMN, collaborating with the Congregation of St. Joseph, galvanizes support for the repeal of the death penalty and promotes restorative justice practices as an alternative to retributive justice.

Retributive justice is the old eye-for-an-eye, tooth-for-a-tooth approach, in which justice is determined using punishment — usually incarceration — as pay-back for a crime. We see this depicted in television programs such as "Law & Order," in which prosecuting and defense attorneys use the court system to duke it out, leaving the victim and offender largely on the sidelines.

"In our justice system, we separate the community and victim from the offender, and it becomes an adversarial process with the state and the courts taking the lead," says Marianist Brother Frank O'Donnell, an attorney who has worked in Baltimore for many years, including collaborating with the Baltimore City Public Schools and the Maryland Department of Juvenile Services. "Generally, no one is satisfied. Everyone leaves the courtroom feeling angry. With restorative justice, everyone's voice matters — the victims, the offenders and the community that has been impacted. This means listening to everyone's story and agreeing on some form of accountability. It's not about being 'soft on crime.'"

Restorative justice changes the way we think about crime and conflict and puts the focus on restoring relationships among people who have been harmed. "The core belief, the heart of restorative justice, is that each person has dignity, no matter what he or she has ever done or suffered," says Krisanne Vaillancourt Murphy, executive director of Catholic Mobilizing Network. "Everyone should have an opportunity for redemption and healing."

**"Those of us who work in the criminal justice environment know that it is a broken system. That's where restorative justice comes in — a powerful tool that transforms our understanding of crime and shifts our focus from 'broken laws' to damaged human relationships and the harm done to human dignity."**

— Sr. Helen Prejean, CSJ, author of *Dead Man Walking* and *The Death of Innocents*

But it's not only about the dignity of the individual. "We are integrally connected to one another," says Krisanne. "It's also about the dignity of the entire community and holding people accountable to one another."

As Christians, as Catholics, "it serves us well to think in a more restorative way about who was harmed, who has been impacted and who has a role to play in repairing the harm," says Krisanne. "It moves us closer to helping others heal rather than just being certain someone is punished. Ultimately, restorative practices can lead to the healing of ourselves, our communities and the systems that we create around us."

### Truth-telling: Giving voice to pain

Restorative justice often uses a circle process adapted from indigenous cultures to bring the community, the victim and the offender together. "Circles are a way to talk with one another, to intently listen, rather than yelling or defending," says Sister Grace. (See "How the Circle Process Works," page 14.)

"When you participate in the circle process, which is a spiritual practice, you stop thinking about what you are going to say in advance, stop editing yourself and speak your truth," says Mary Hallinan, who has been leading healing circles at the Montgomery County Jail in Dayton for the past 10 years. "It's a place where you feel free, safe and heard — and no one is commenting or trying to fix you. This is a place for truth-telling."

Brother Frank used this approach with middle school students in the Baltimore City schools. "The whole purpose of the circle process is for the people involved to speak to one another," says Brother Frank. "So, a middle school student who misbehaves is invited to engage in a circle that includes the guidance counselor, school police officer, teacher, grandmother, parent, neighbor and fellow students. All of those people get a chance to speak, and the student hears how his behavior has affected not just a teacher, but all of these people who care about him or her."

The group then decides on a path forward. Brother Frank has seen the best results when a group arrives at a solution with a signed contract. "I am a strong believer in buy-in," he says. "If you aren't involved in creating the solution, you aren't involved in owning it. Everyone must contribute and agree to the contract."

Marianist institutions, such as University of Dayton and St. Mary's University, employ restorative justice practices in handling student disciplinary issues. "We'd like to see our Marianist-sponsored high schools embrace this approach, as well," says Sister Grace.

## RESTORATIVE JUSTICE RESOURCES

### ORGANIZATIONS/WEBSITES

- Catholic Mobilizing Network (CMN) ([catholicmobilizing.org](http://catholicmobilizing.org)) is a member of the Congregation of St. Joseph Mission Network and works closely with the USCCB to advocate for the end of the death penalty and promote restorative justice.
- The International Institute for Restorative Practices Graduate School ([iirp.edu](http://iirp.edu)) is the world's first graduate school wholly devoted to restorative practices.
- The Centre for Justice & Reconciliation ([restorativejustice.org](http://restorativejustice.org)) is a program of Prison Fellowship International and seeks to make restorative justice the normal response to crime.
- The Restorative Justice Network of Catholic Campuses ([sandiego.edu/soles/restorative-justice](http://sandiego.edu/soles/restorative-justice)) promotes research, teaching, training and technical assistance for implementing restorative justice principles and practices in higher education.
- Precious Blood Ministry of Reconciliation ([pbmr.org](http://pbmr.org)) is a healing community that works with youth and families impacted by violence, incarceration and trauma.

### WORKSHOPS/TRAINING

- Circle Intensives and Circle Training: For a 2020 training schedule sponsored by the CMN, visit [catholicmobilizing.org/posts/cmn-upcoming-circle-events](http://catholicmobilizing.org/posts/cmn-upcoming-circle-events).
- Find a Circle Trainer near you: [catholicmobilizing.org/find-circle-trainer](http://catholicmobilizing.org/find-circle-trainer).

### BOOKS

- *The Little Book of Restorative Justice* by Howard Zehr
- *Harm, Healing and Human Dignity: A Catholic Encounter with Restorative Justice* by Catholic Mobilizing Network
- *Redemption and Restoration: A Catholic Perspective on Restorative Justice* by Catholic Mobilizing Network
- *Just Mercy* by Bryan Stevenson, also a recently released movie

Compiled by Bob Stoughton, MSJC Death Penalty Abolition and Restorative Justice Team member.



PHOTO: CHRISTINE TON

Women at Montgomery County Jail participate in a healing circle.

## HOW THE CIRCLE PROCESS WORKS

The circle process is about creating a sacred space where people — those who have a stake in the outcome — come together to listen to one another, share their deepest truths and find agreement or solidarity.

Rosalyn Collier, a St. Mary's University alum and co-founder of the PeaceCenter in San Antonio, has used the circle process in her work for more than 25 years. "We begin with every participant sitting in a circle, which is symbolic," she says. "It means everyone is included. Everyone counts. We start with meditation — about 10 minutes to feel our hearts expand, breathing in and out. We spend another 10 minutes in silence. This is key. We use meditation to slow down and look at our lives in ways that connect us to other people and connect us to ourselves. Our minds are often 10 steps ahead of our souls. If you don't slow down and tune in, you can forget about being present to others."

Circles are facilitated by a trained circle keeper whose job is to ensure that all members of the circle are heard and that the

**In indigenous societies, coming together in a circle is as natural as sitting around a fire and reflecting on shared concerns. It inspires a different quality of conversation.**

**People tell stories and share experiences. We are more likely to speak from our hearts and listen from our hearts. We want to experience each other not as adversaries but as fellow human beings. We find a place where we can share what is going on with us, whatever that may be.**

— Living Justice Press

that it creates a safe space where every person can share his or her deepest feelings, leading to better understanding, compassion and resolution."

group has come to a consensus on any given issue. "After establishing a sacred space, we start by asking some simple questions such as: What happened? How did it happen? What can we do to make it right?" says Sister Grace. "You always have a talking piece — a cross, a heart, a stick — whoever has that piece is the one who talks. You keep sending the talking piece around the circle until everyone has said what they want to say, and it's clear that people are in agreement."

"Circle process is simple, but powerful," says Mary Beaudoin, chair of MSJC's Death Penalty Abolition and Restorative Justice team, who recently took part in a Circle Keeper training workshop sponsored by Catholic Mobilizing Network and the Precious Blood Ministries of Reconciliation in Chicago. "The power of this process is



Members of MSJC's Death Penalty Abolition and Restorative Justice team and others participate in the circle process at Holy Rosary parish in San Antonio.



PHOTO: ROBIN JERSTAD

### The art of apology and restoration

Some Marianist parishes and lay groups are starting to use restorative justice whenever conflict arises. "Restorative practices touch upon every aspect of our lives, our relationships, our communities and the systems in which we participate on a daily basis," says Krisanne. "They're powerful because they offer structure, a way to really listen and to make amends."

Mary Hallinan, who is now a certified trauma therapist, says that dealing with a personal-injury crime, such as her sister's death, takes a skillful practitioner working with individuals to assess whether they are ready to face the person whom they have harmed or who harmed them. "Based on research in Ohio, it takes about nine years for a person who has experienced a personal-injury crime to be ready to

face his or her perpetrator," she says. "The fellow who killed my sister died before my parents passed. Even if they had received help from an experienced practitioner, I don't think they would have been able to meet him. Sometimes it doesn't serve a purpose or work out."

Still, those who advocate for restorative justice say the practices they have learned are useful whenever any conflicts arise. That starts at a very personal level. "We can talk about wanting the legal system to become more restorative in its approach, but that's not going to happen until we learn to become more restorative and accepting of ourselves," says Mary. "That means being able to sit with ourselves without shaming or guilt. We need to accept ourselves before we can accept others." ■

*"If you don't slow down and tune in, you can forget about being present to others," says Rosalyn Collier, cofounder of the PeaceCenter in San Antonio, with Sister Grace Walle, FMI, (left) who use the circle process to facilitate listening and healing.*

### Want to know more? Get involved?

Contact MSJC's Death Penalty Abolition and Restorative Justice team at [msjc.net/portfolio/death-penalty](https://msjc.net/portfolio/death-penalty). Also, check out all social justice initiatives at the Marianist Social Justice Collaborative's new website: [msjc.net](https://msjc.net).