



Facing the Victims

Restorative Justice Program helps inmates understand the impact of their crimes

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by Steven Keeva

THE MAXIMUM SECURITY PRISON in Green Bay, Wis., is a massive presence just across the road from the lovely-but-poisoned Fox River. Its façade is a vision in granite, hand-cut at the tail end of the 19th century by some of the institution's first inmates.

I visited the facility last fall, when scarlet maple leaves flitted in the trees and lay on the ground, and it was still warm enough for prisoners to get their exercise outdoors.

But the inmates I'd come to see remained inside where they were participants in a program designed to exercise hearts and minds that hadn't been touched in years, if ever. I came because the program was based on the principles of restorative justice, something I had read about and had discussed with experts here and in the United Kingdom.

But I'd never actually seen what it looks like (or can look like, there being a variety of forms it can take). Nor did I fully grasp why it seems to inspire great passion among those who know it firsthand, as Janine Geske does.

She leads the three-day program at Green Bay, which is a small but crucial piece of a three-month-long program called Challenges and Possibilities. A former legal aid lawyer, trial court judge and Wisconsin Supreme Court Justice, she originally started visiting prisons about 17 years ago to interview inmates about their experiences in the court system.

"I did it to make myself a better, more effective judge," she says.

Geske left the bench in 1998 to pursue what she considers her true calling—helping people heal, through such practices as mediation and restorative justice. "It's not particularly easy," she once told me, "to do that as an appellate judge." It's easier now that she is a professor at Marquette University Law School in Milwaukee.

In the classroom, 26 inmates sit in a large circle, along with Geske, three crime survivors, a state senator, a law student and a few other visitors. With its textbooks, blackboard and posters about decimals, percentages and whole numbers, the room could be in any middle school in the country. With a single exception: A long, narrow window looks out on an enormous wall topped with razor wire.

The inmates, most in dark green prison pants and white T-shirts, appear to be in good spirits, though anxiety is apparent in the occasional overly loud laugh, averted glance or twitching leg. These men's transgressions comprise much of the spectrum of criminal behavior, and include a variety of more or less brutal homicides, contract killings, sex crimes, armed robberies and drug-related offenses. All have substantial sentences. Several will die here.

Geske places a large candle in the center of the room and asks the inmates to feel the presence of the people whose lives they've affected—the mothers, wives, children and friends.

"The crime victims who have come to tell their stories have not

come in anger or retribution," she tells them, "but instead to shine a beacon on how you might live your lives going into the future."

She acknowledges that they, too—not just their victims—have been hurt deeply. "We are all here in this circle as human beings with the capacity to hurt, to hurt others and to change our lives."

Lynn, a probation/parole officer from Ashland, Wis., is the first survivor to speak. She lost her husband, a police officer, 22 years ago to the day, when, in the course of responding to a domestic violence call, he was shot point-blank in the chest with a .357-caliber Magnum pistol. He had been her high school sweetheart, the father of their two children and, she says, "a gentle spirit."

She still marvels at her recall of the events that upended her life that night, giving her words an extraordinary immediacy. The knock on the door and seeing the captain's face at the window. The walk down a hospital corridor made blue by all the uniformed policemen who stood and sobbed along its length. The return down that same hallway after seeing her husband, his chest torn apart.

Then the sound of her own shoes on the floor, a squishing sound that she couldn't place but turned out to be her shoes tracking her husband's blood.

There were the weeks afterward when she brushed her teeth with his toothbrush, and gathered bits of him—his moustache hairs on the bathroom sink, for example—because that was all of him she could hold. And the hardest moment of all: telling the children that their father was dead.

If pins were allowed in the prison, you could have heard one drop.

Kim, a survivor of sexual assault, says she comes to speak not in anger but out of a sense that everybody is capable of change. She was 10 weeks pregnant when, 20 years earlier, she was raped.

Her story is an extraordinary evocation of fear and loss of control. She was attacked in her own neighborhood by a man who held a gun to her head while she was out on an early morning jog. After talking him out of killing her, she returned home, where her husband found her hiding in the bushes. For weeks she slept with a knife at her bedside.

She describes the subsequent depression, the ways in which the assault damaged her husband (unlike many couples in similar circumstances, they managed to stay together), and the flashbacks she still has, in which she is shot at close range.

With each survivor, the prisoners seem to be drawn further into the stories, more present, more troubled.

During a break, a young African-American inmate stands near his seat by the door and sings:

*Why should I feel discouraged,
And why should the shadows come?
Why should my heart feel lonely
And long for heaven and home?
When Jesus is my portion
And a constant friend is he,
His eye is on the sparrow,
And I know he watches me . . .*

Mayda's son was killed—she often says “murdered”—by a drunk driver in 1999. She recalls the season, early summer, and the fact that buds were about to sprout, when everything was suddenly crushed. “It was just post-Columbine,” she recalls, “and I remember thinking that I didn't know how a parent could go on living after such senseless loss.”

Listening to her, I came to know Brian, or at least I felt like I did, and liked him. He was quirky, adventuresome and kind. He color-coded his clothes for easy finding and folded his jeans in a special way. He was a loveable son who let his moth-

er know how much he adored and admired her.

The man who struck him thought he'd hit a bird.

“Brian is the first thing I think about in the morning, and the last thing I think about in the night,” Mayda says.

After each survivor speaks, the inmates are given time to talk about their reactions, though not enough. It's not that anyone stops them. Rather, it's as if, having become cognizant of a reality that is unfamiliar yet so patently true—that they have caused horrific suffering in other people's lives—there simply isn't enough time available to talk out all that has been hidden for so long.

PUTTING BROKEN LIVES TOGETHER

STILL, THEY SPEAK, ONE AT A TIME, moving around the circle, the speaker holding two pieces of glass that, together, form a large ball. When he finishes, he passes them to the inmate on his left.

The symbolism of the ball, which was split some time ago in the process of prison security check, is familiar to all: Like them, it is broken, and no matter how hard they try to rebuild their lives they are still filled with cracks. And so they speak, many of them weeping, while others cut themselves short rather than let the tears overwhelm them:

- “In all the time we've been here, you'd think we'd have thought about this a thousand times over. But we haven't.”
- “I was real comfortable being numb. I figure that if this can turn me on after being numb all these years, it's got something to give everyone.”
- “This is the most wonderful thing I've ever been part of, but it's also so frightening.”
- “Yesterday, I wrote letters to people I harmed in the past. I never thought about doing that until I became part of this group. I wish you all good luck.”
- “It's easy to open up here, but it's also easy to leave that door and put our masks back on. But we're not monsters anymore. If this has really touched our lives, we have to leave it. We need to be real, and in that realness there's power. We can be the examples.”

CLOSE TO THE HEART

SADNESS FILLS THE ROOM, BUT ALONG with it there are intimations of redemption, bringing joy as well.

But is the joy justified?

Dan Bertrand, the warden, has no doubt about it. "I'd say that probably 90 percent of inmates who take the program change. From before to after, there's a world of difference."

For Geske, who over the years has set the scene for any number of transformations, large and small, it's an incredibly satisfying experience. "It is personally renewing and it is a spiritual experience," she says.

"I enjoy watching the men understand the depth of harm done, particularly by violent crime, to the victims. And they often speak about their amazement over how these victims have moved on through the rage and now have turned it around to do good with it. I always leave extremely hopeful that the world can go on in the right direction," Geske says.

And the survivors who come to share their stories with the inmates?

Perhaps Lynn got as close as one can to explaining why she feels the need to tell her story.

"It is so hard to ever have closure after the loss of a loved one," she says. "They take part of your heart. Your heart heals, but there's always a piece missing."

She looks around the room, begins to cry, and says, "You've given me part of that piece back." •

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WHAT IS RESTORATIVE JUSTICE?

"Restorative justice is not about going soft on offending—it is actually a lot harder for offenders to confront what they have done, to understand the full implications of their behavior, than to be dealt with in the conventional way.

Conventionally, the criminal justice system separates the offender—often literally—from the victim and the community.

While this is sometimes important, if separation is all that happens, offenders can quickly distance themselves from the harm they have caused, forget it, deny it, or create elaborate justifications for why they did it, which absolves them of all responsibility. Meanwhile, the victim, denied a voice in the formal process of prosecution, is left with the experience of harm, which can be deeply scarring."

—Tim Newell, former warden of Grendon Prison, United Kingdom