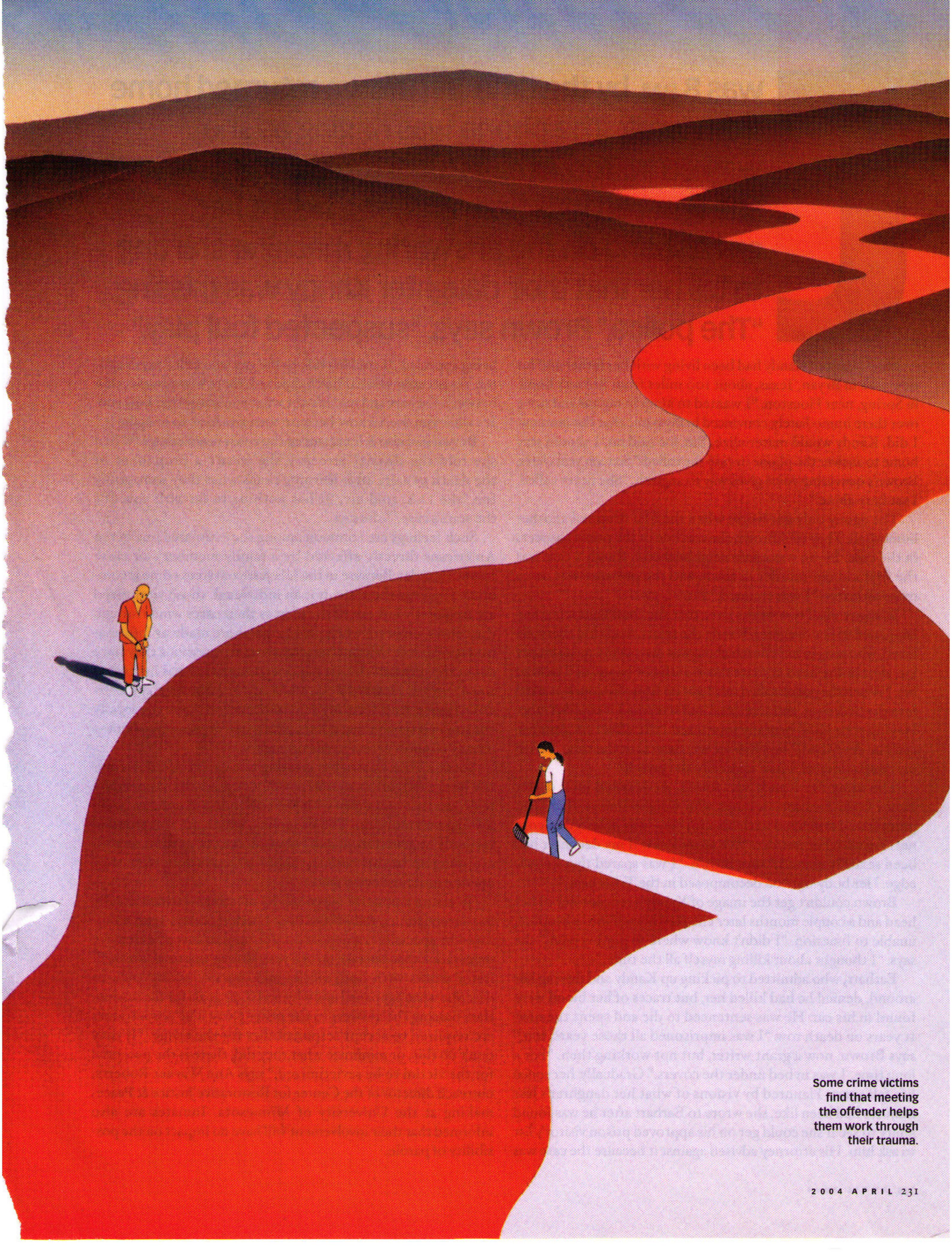
After Violence, the Possibility of Healing:

Coming face-to-face with the people whose horrifying crimes forever altered their lives, some victims are finding a measure of peace, control, and resolution. So—surprisingly—are some criminals. **Jan Goodwin** reports on the fast-growing nationwide movement known as restorative justice. Illustrations by Guy Billout



Some crime victims find that meeting the offender helps them work through their trauma.

It was 8 P.M. by the time Jan Brown returned home from work. The phone was ringing as she walked in. Too exhausted from the long day, she ignored it at first, until she heard her ex-husband on the answering machine starting to tell her that their daughter Kandy was missing. "The police," Brown says, "suspected foul play."

Nine-year-old Kandy had been living with her father and his new wife in Bryan, Texas, about 100 miles from Brown's home in Spring, near Houston. "I wanted to jump in my car and drive over there immediately, convinced in my panic that the moment I did, Kandy would materialize. But Joe said no, I should stay home to answer the phone in case she called." Sixteen years later, Brown's quavering voice gives way to anguish. "She never called. I sat here alone."

The agony only got worse when the FBI dropped another bombshell. They told Brown she was one of the prime suspects in the case. Bryan was a safe neighborhood, Kandy's case was the first kidnap-murder in town, and the pressure was on to make an arrest. "I was stunned," Brown says.

It wasn't until two weeks later that she found out what had happened to her daughter. Kandy, the smart, lively kid everyone loved, who sang in her church choir, was discovered on an empty lot, shot in the head at close range with her hands tied behind her. "When the police called me, I got up from the couch, walked into the bedroom, and screamed and screamed. I couldn't stop. Having your child brutally murdered...the effect on your life can't be described," says Brown, who was 42 at the time. "With my daughter dead, I just wanted to die myself."

The same day Kandy was found, 44-year-old junk dealer James Otto Earhart—a loner who weighed more than 400 pounds and still lived with his mother—was arrested in connection with her murder. "We never knew if my daughter had been sexually abused," says Brown. "I was spared that knowledge. Her body was too decomposed in the Texas heat."

Brown couldn't get the image of Kandy's remains out of her head and a couple months later checked herself into a hospital, unable to function. "I didn't know where to put my pain," she says. "I thought about killing myself all the time."

Earhart, who admitted to picking up Kandy and driving her around, denied he had killed her, but traces of her blood were found in his car. He was sentenced to die and spent the next 11 years on death row. "I was imprisoned all those years, too," says Brown, now a grant writer, but not working then. "For a long time, I was in bed under the covers." Gradually, her social life fell apart. Haunted by visions of what her daughter's last minutes had been like, she wrote to Earhart after he was found guilty to see if she could get on his approved prison visitor's list to ask him. His attorney advised against it because the case was being appealed. "I couldn't talk to the guy who killed my daughter. Yet because of what had happened, there was a connection between Earhart and me. It's not what you know that kills you. It's what you don't know, because then you have to imagine it."

Brown had also felt cut out of the court proceedings. When she told the district attorney she wasn't a proponent of the death penalty after learning that's what they were going for, "the D.A. told me, 'It has nothing to do with you. It's the state's case,'" she says.

Such feelings are common among the estimated one in ten Americans directly affected by a family member's or close friend's murder. Because in the U.S. justice system crime is committed against the state, not an individual, those victimized are frequently left out of the loop as their cases wind through the courts, unaware when plea bargains are made or information is released. "Victims need answers to questions they have about the offense—why it happened, and what has happened since," writes Howard Zehr, PhD, in *The Little Book of Restorative Justice*. And securing real information—not the legally constrained version that comes with a trial or plea agreement—usually requires access to the offenders.

Today a little-known but growing movement called restorative justice (RJ) offers victims of various crimes the opportunity to do just that—sit down with their offenders in order to begin healing and move on. The programs, which are free (funded variously by government and private nonprofit groups), started cropping up in this country about 30 years ago. Now they operate in almost every state.

To assure a positive outcome, RJ meetings—which usually last several hours, sometimes over a period of days—are monitored by specially trained facilitators and follow an extensive preparation that can take up to a year. During this time, the facilitator works with both victim and inmate, asking each to describe what happened and why, and their goals for the session, then passing the answers to the other party. The perpetrators are required to accept responsibility for the crime. "If they don't do this, or minimize what they did, there is the potential for the victim to be revictimized," says Ann Warner Roberts, outreach director of the Center for Restorative Justice & Peacemaking at the University of Minnesota. Inmates are also informed that their involvement will have no impact on the possibility of parole.

OPRAH TALKS TO...

CONTINUED FROM PAGE 249

BONO: Yes. Truth is beauty. That can be a hard thing to say, because some things are not so attractive on the surface. But by owning up to them, we change them—just by speaking them. The first line on the page can be "I have nothing to offer. I'm empty today." That's why public confession—whether it's part of religious practice or on your show—is so important.

OPRAH: *Yes. Twenty years ago, people were living dysfunctional lives, but they thought they were the only ones living that way. I grew up thinking that people really did live like* Leave It to Beaver. *I thought,* Gee, if I had a mom who made me milk and cookies, my world would be okay.

BONO: In my music, I try to be as truthful as I can. I'm not sure I can be as honest in my life as I can be in my music, because with manners comes insincerity. Like "How are you?" "I'm very well." But I'm not. I have a massive hangover. Truth is sometimes difficult.

OPRAH: *What makes you happy?*

BONO: I'm not the happiest person, and I'm certainly not happy-clappy. There's a bit of "woe is me" that comes with melancholy, the Irish thing, and it's draining.

OPRAH: *Okay, so what gives you joy? Joy is a better word anyway.*

BONO: Joy is the hardest possible thing to contrive as an act. It's easy to describe anger, rage, happiness. But joy is difficult.

OPRAH: *Is joy elusive for you?*

BONO: I don't know. Our band has it when we're going off. There's a joy vibration there. It's not miserable-ism.

OPRAH: *Joy is a very high energy field.*

BONO: I'm grumpy. You seem to have a level of joy. Are there months when things aren't going right for you, when you're in a trough, or do you have just, like, one bad day a week?

OPRAH: *Not even a bad day a week.*

BONO: Really?

OPRAH: *Absolutely not.*

BONO: Well, I have a couple of bad days a week.

OPRAH: *So tell me this: Where do your commitment and passion come from? For as long as I can remember, you've been using your voice to make a difference in the world.*

BONO: Growing up in Ireland was part of it—the simple, practical life of Irish people. Wherever you go in Africa, you find an Irish priest or a young nun. They're everywhere! And then, of course, Bob Geldof [formerly of the Boomtown Rats] is my friend, and we did the whole Live Aid thing together. [Held simultaneously in the United States and the United Kingdom in 1985, Live Aid was the biggest benefit concert in history, raising millions of dollars for famine relief in Ethiopia.] Around that time, my wife and I lived in Ethiopia for a month, in a tent in a feeding station in the middle of nowhere. It was extraordinary. That royal Ethiopian thing is in these people; that Solomon and Queen of Sheba thing is all around. At my site, there was barbed wire, like a concentration camp—but the wire was meant to keep people out, not in. A man walked up to me, gave me a child, and said, "You take my son. He'll live if you take him." And I couldn't take the boy. But that really formed my commitment. I remember coming home on the plane saying, "We'll never forget this."

OPRAH: *And did you forget?*

BONO: I did. Yet somewhere inside me, I'll always remember it. Somewhere there was a prayer to say, and there will be a way to help. What I saw in Ethiopia wasn't just about people falling on hard times. It was a wider problem—political, not just social. So in this work, the circle is becoming a bit completed for me now. And my people have been supportive. The Irish can be annoying—and I'm one of them—but they really are good. Here in Africa, I'm the anomaly. It's an odd and freakish thing that I, an Irish guy, am sitting here and that you're even asking me questions. Yet the people we'd choose to describe the condition of the world are not often the people God would choose. The chosen may be punk rockers or hip-hop people. But nonetheless, the state of the world will be described. ●

"Where does music come from? I don't know. But I know that all music is praise."

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AFTER VIOLENCE...

CONTINUED FROM PAGE 233

going in," Meili says. "But talking to these men gave me a sense of making a difference, that I'm playing some part in breaking the cycle of violence. It also made a difference to me. I saw inmates as people, too, for the first time. And though I'm not condoning what they did, I realized they also have feelings. As I stood in front of them, I reached out to them, and they reached out to me. There was giving and receiving on both sides, which confirmed my belief that change is possible. It's not easy. But it is possible."

As Meili spoke that day, you could have heard the proverbial pin drop. "Most of the guys were in awe of her," says George Jurand, RSVP's program director, who works with Schwartz. "One rapist, serving a ten-year sentence, said he never had any idea how rape affected women until he heard her speak. So many men, he told us, have the perception that rape is no big deal, that women ask for it by the way they dress, or that date rape and slipping drugs into women's drinks are almost rites of passage. For the first time, this man admitted that he had raped. Before then, he'd always denied it. He was so powerfully moved by what he heard that day, he wrote a program for male inmates on the impact of sexual violence on the victims."

"Doing the RJ conference taught me somebody's life is not a game," said Misha, who almost killed a 15-year-old boy.

Sunny Schwartz adds that most jails and prisons today are "monster factories, not correctional institutions"—strong words for a woman who's worked in law enforcement for 23 years as both a lawyer and a sheriff's administrator. "Staff make cursory rounds, but most of the time the biggest thug is in charge. It's basic emotional physics: You put violent criminals

“Research on RJ shows that after going through the program, victims are significantly less fearful of being revictimized,” says Mark Umbreit, PhD, executive director of the Center for Restorative Justice & Peacemaking. They are able to stop demonizing the offender, and as a result, the terror they feel is frequently eased, he explains. Many experts say RJ helps victims regain a sense of power and find a way to integrate the awful events they've survived.

The offenders also benefit. Ninety to 95 percent of them find the process meaningful, according to Betty Vos, PhD, coauthor of the book *Facing Violence: The Path of Restorative Justice and Dialogue.* Most noticeably, RJ helps keep ex-cons from returning to crime. The recidivism rate for Americans behind bars (the highest number per capita in the world and the highest in U.S. history, with each inmate costing taxpayers as much as $55,000 a year) hovers around 70 percent. An analysis of the Resolve to Stop the Violence Project (RSVP), an RJ program run by the San Francisco sheriff's department, showed that inmate participants had a 72 to 81 percent lower violent crime rearrest rate—saving the community some $4 for every $1 spent on the program. “What we have been astonished by is how little awareness most of these men had [of] how much power they had to hurt others, until they listened to these victims describe their own reactions to being victimized,” wrote the authors of the study, which was conducted by the Center for the Study of Violence at Harvard Medical School.

Attorney Sunny Schwartz, who heads up RSVP, agrees that “until they face victims, offenders have zero empathy.” And empathy is key to reform, she says. “Most offenders will tell you, ‘I'm the victim—I'm in jail.’ It's offensive but very common. Or they'll say, ‘I'm a victim, too. I was beat up as a child.’ We ask, ‘But what about the person you harmed? She didn't hurt anyone, and look what happened to her.’ We're trying to pierce the way offenders rationalize their behavior. After they listen to someone describe what he or she went through, their response is very different. Over and over again we hear, ‘My God, what did I do?’ ”

The RSVP program is so effective that Schwartz often hires ex-offenders as RJ facilitators after putting them through a rigorous 52-week training. “Nearly half our staff now,” she says, “were, in fact, inmates.”

TRISHA MEILI, WHO FOR 14 YEARS WAS known only as the Central Park jogger (see *O*'s exclusive interview with her in April 2002), went behind bars for the first time this past September to tell 60 inmates in the RSVP program what it was like to be in a “wilding” attack and left for dead. During the brutal assault that made headlines around the world, she was raped, sodomized, and beaten into a coma with rocks and pipes. “The inmates I spoke to were all men who'd committed violent crimes, including some who'd inflicted on their victims the kind of pain I'd suffered,” she says. Meili told them what she was like before the attack—athletic, a highly paid financial executive—and how she had to rebuild her life afterward, learning to speak, walk, and feed herself again. “I now have trouble with balance, no sense of smell, short-term memory issues, cognitive problems, difficulty finding words,” she said to them. “After the attack, I was never able to do the same job or earn the same kind of money I could before.”

Meili hadn't heard of restorative justice before she was invited by RSVP to speak. “I decided to get involved because all these men will be getting out of jail in the next few years. They need to understand the impact of their crimes on the victim, themselves, and the community. Women in New York were terrified to go into the park again after my attack.” She adds that RJ makes offenders see the victims as human, and it helps them take responsibility for what they've done. “It's a way to improve the justice system, instead of simply building more jails.

One rapist said he never had any idea how rape affected women until the Central Park jogger came to speak.

“I didn't have any expectations CONTINUED ON PAGE 250

under one roof with idle time, watching slasher movies, pumping iron from sunup to sundown, caged like animals 24/7 for years." There are few programs to address the deficiencies that got them incarcerated in the first place, she says. "In San Francisco, about 90 percent of inmates are addicts or alcoholics, or both. Many are third-generation prisoners. Only about 10 percent have access to work programs, which have been severely cut back by state budget constraints. And I think this is pretty much the case for the rest of the country.

"When these guys get out, they've supposedly paid their debts to society. But as a woman in America, I don't feel safer walking down the street," continues Schwartz. "I feel less safe. The way we traditionally handle offenders doesn't work. RJ findings suggest that violence is learned and in most cases can be unlearned."

IN AUGUST 2001, "MISHA," A MINNESOTA teenager who asks to use a pseudonym, aimed the SUV he was illegally driving at a 15-year-old boy he didn't know and mowed him down. The victim, Devin Blundy, suffered third-degree burns on his back from being dragged by the vehicle, a crushed pelvis, and permanent brain damage, and was in a coma for weeks. His medical expenses have totaled more than $300,000 so far. Today Devin tires easily, is often in pain, has short-term memory problems, and is in special ed. His twin brother, Dan, is a daily reminder of how life could be.

Devastated, Devin's mother, Cindy Blundy, wanted to meet the attacker to understand why he did what he did, and why he chose her son. "All we knew was that as Devin put up his hands on the vehicle to stop it, Misha accelerated and drove right over him." After the investigation, the Blundy family never heard from the police again. "Nobody shared with us what really happened," Blundy says. "We had a lot of unanswered questions. In court the judge didn't even look at us. Neither did Misha's family. They all walked out as if we weren't there." Misha, a Russian emigrant and high school dropout with a growing juvenile rap sheet, was sentenced to 18 months and probation until he's 21; if he breaks the law before then, he will have to serve seven ›

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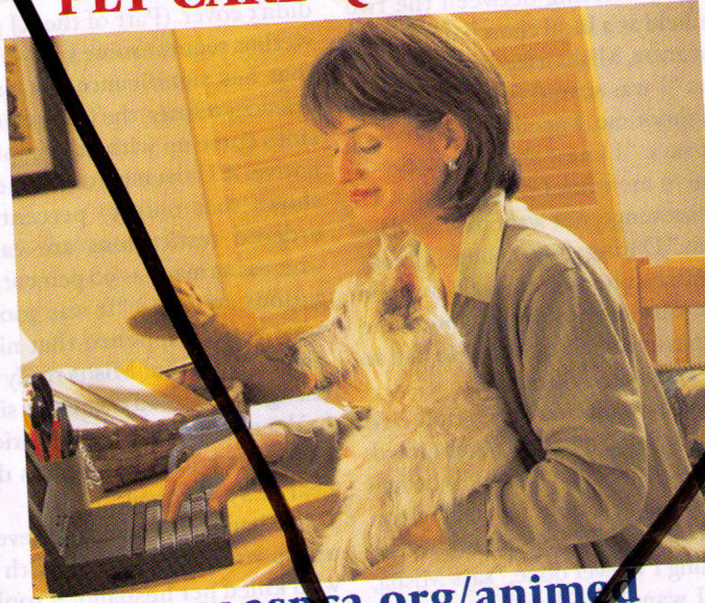

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AFTER VIOLENCE...
CONTINUED FROM PAGE 251

years in an adult facility.

At an RJ meeting between the two families held at a local church during the spring of 2002, Misha asked to sit close to the door. "I was scared they'd pull out a gun and shoot me. I needed to be able to run," he says. "I knew that if somebody had done to me what I did to Devin, I'd be out for revenge, not want to sit and listen to him." During the exchange, Blundy showed Misha photographs of her son in intensive care and told him about the family's massive medical bills. He had to confront Devin in a wheelchair.

Misha told them that at the time he'd been hanging with a tough, older crowd, including the owner of the SUV, who had let him drive it. Basically, he was high on drugs and booze. "To face them was the scariest thing I've ever done," says Misha, now 18. "I wanted to back out so bad. But I wanted them to know I prayed for months for Devin to live, and for his family. I wanted to face them and show I wasn't just cold-blooded, that I made a mistake. Doing the conference was the best thing I ever did. It taught me somebody's life is not a game."

Since the session, Misha has been back in school. He works nights in a nursing home and has paid the Blundy family a restitution they asked for—$2,000 toward expenses their health insurance didn't cover. (Part of the RJ process lets victims request some kind of restitution that has significance for them. If the offender refuses, the facilitator helps both sides come up with an acceptable alternative. A University of Minnesota study shows that only 57 percent of court-ordered restitutions are carried out, whereas as many as 90 percent of RJ obligations are met.) "It was good to learn what really happened that night," says Blundy. "And that Misha really wanted to change. He agreed that every six months, he'd send a letter to his probation officer, letting us know how he was doing. We hear he's doing well."

To Find an RJ Program

Try these sources:

1. The Center for Restorative Justice & Peacemaking
in Saint Paul at ssw.che.umn.edu/rjp (click on Resources Available to find a link to the Directory of Victim Offender Mediation Programs in the U.S.). To contact the center, call 612-624-4923 or e-mail rjp@che.umn.edu.

2. The Victim Offender Mediation Association
in Minneapolis at 612-874-0570 or voma.org.

3. The Forum on Restorative Community Justice
in Denver at 720-904-2322 or coloradorestorativejustice.org.

Barbara Workman also developed an unexpected relationship with the man who killed her husband. A tool-and-die maker, Gene was on his way to work in Sterling Heights, Michigan, in the early hours of May 30, 1997. He was sitting at a red light when a heavy-duty pickup truck rammed into his vehicle, rolling it 300 feet. The impact broke Gene's neck and tore his aorta. The driver, 21-year-old Todd Williams, had fallen asleep at the wheel after a long night of drinking. "It was two weeks before our wedding anniversary," says Workman, a mother of eight. "Gene was a man who worked out at the gym, counted his fat grams, had regular physicals, did everything he could to care for himself." He was brain dead when he arrived at the hospital; the next day he was taken off life support. Williams, whose only memory of the crash was the air bag exploding in his face, was unhurt.

"I wanted to get even with this man who took Gene's life, and my life. I wasn't grieving, I was dying," says Workman. "Todd served a year and got five years probation. I felt he should spend the rest of his life in prison. I needed to meet him face-to-face so he could understand how much he took from me, what it's like to have your whole life in a casket before you."

As part of her restitution, Workman requested that Williams publicly speak on the dangers of drunk driving. "Nothing could ever bring Gene back," she says. "But if people could hear Todd's story, another life might be spared. Todd's mother was upset. 'How can you ask this of my son; he's very introverted,' she told me. 'He can't stand up in front of people and talk.' So I offered to go on the lecture circuit with him, which we did for four years. Restorative justice helped me to stop seeing Todd as a nightmare who'd taken over my life and to forgive him. It saved my sanity."

JAN BROWN WAS NEVER ABLE TO meet her daughter's murderer. Earhart was finally executed in August 1999. But Texas had recently started a restorative justice program, and in June 2001, 14 years after her daughter was killed, Brown was offered the chance to undergo a surrogate RJ session. In a small room at the Wynne Unit correctional facility in Huntsville, Texas, she spent eight hours talking to 27-year-old Lenox Watson. Watson is serving a life sentence for the carjacking murder of a 17-year-old girl named Shirley, which he committed when he was the same age as his victim. During the intense one-year preparation for the meeting, he had conveyed to Brown that when he is nervous, he smiles, so that she wouldn't be offended if he did so.

> "I needed to meet him face-to-face so he could understand what it's like to have your whole life in a casket before you."

"I want you to tell me how you destroy a life just for convenience' sake," Brown says to Watson when they meet. She, the young lifer, and the RJ mediator are seated around a small table in a prison office. A guard watches over them. Watson, in inmate whites, his head shaved bald, looks down, his hands twisting nervously in his lap. He is unable to meet Brown's eyes at first as she tells him, "I want Kandy not to have known she was about to be murdered. Did she beg for her life? Was she terrified? Why Kandy?" A nerve twitching in his cheek with tension, he replies, "I can't tell you that. But

I can tell you why Shirley. She was an easy target. I looked for a weaker person. I wanted somebody to feel the pain I was feeling. She was nice. I used her kindness against her."

Brown shows him a photo of Kandy in school and press coverage of her murder. She describes selecting clothes to bury her in and picking out the child-size coffin.

In turn Watson relates the story of his childhood, his parents' constant fights, his father's abandonment, his youthful suicide attempts. He talks about his anger at the world by the time he was a teenager, deciding to steal a car. Then how he asked his victim for a lift to his aunt's house while she was putting gas in her car. And how that simple favor ended with Watson shooting her twice in the face.

> "I kept looking at my hands, knowing I killed someone with them. But there's more to me than this crime. Or there can be."

Until he started preparing for this RJ session, he says, "I never thought about Shirley, she being a person like she was, what she wore that day. I never thought about her family. Before then it was like a dream. When I first came into prison, I was still thinking about hurting other people. Now I see something different. Shirley was real, with real feelings. Her family, they suffered...."

Watson admits that all he thought about for years was why he got caught and how old he'd be when and if he was ever released. "I never thought about what I'd done," he says, "that I'm in here because I took somebody's life. Shirley could have become a good lawyer, a doctor. Kandy, too.... I feel guilty, shameful, sad, remorseful, sorry.

"I thought about how it was for me when my father left when I was growing up. What Shirley's family felt when she went out and didn't come back. You wonder what makes a person think about killing, and then doing it. I thought about it and couldn't come up with nothing—until the other day. It was the feeling of not having power, no control of my life. All that bad stuff happening around me when I was a kid. When I had the gun, it gave me a sense of control. The gun made a person move when you said 'Move.' Or if they say no, you shoot them. I didn't know I was going to kill Shirley. It just happened."

Brown tells him about being in such misery after Kandy's death that no one close to her could bear her pain. "I lost all my friends but one. Through support groups with other parents whose children have been murdered, I know a lot of people who've experienced the same thing. We're the only ones who can stand one another. We're all trying to have some purpose for our loss, even though there's no way to make sense of a senseless murder. But I don't want you to feel sorry for me. Just understand the consequence of the actions you took."

Watson begins to tremble. He holds his head in his hands as tears run freely down his face. "I killed someone. I'm a murderer. I can't change that. I declined to take responsibility. I haven't dealt with my emotions all these years. It's a process I'm only starting now because of RJ."

And then Brown says something surprising. "Murder is what you did on one day of your life. It is not the essence of who you are. I'm the mom of a murdered child, but I'm also the mother of three other kids, a writer, a friend, a grandmother. There's more to me than being Kandy's mother. There's more to you than being Shirley's killer. You can still make something of your life. Even in here."

Watson nods. "You mean, I'm capable of hurting someone, but today I choose not to do that?" He asks rhetorically. "I was too hurt, too angry to do much with life before."

Shortly after the raw and compelling meeting, Watson tells the RJ facilitator, "I feel as if a load has been lifted off me. As I walked back to my cellblock, I noticed the birds and flowers on the other side of the fence. I listened to a dude behind me on the food line and could hear him breathing. I don't do that kind of stuff." Watson's awareness of the world around him may not seem remarkable, but like so many inmates serving lengthy sentences, he had been completely closed down emotionally since being incarcerated—the only way to survive prison conditions. Now he found he was able to feel again. "When I was eating, I felt relief, a sort of forgiveness. That's not the right word, but it sort of is," he says. "Instead of keeping it bottled up inside, I could tell one person. I keep looking at my hands, knowing I've killed someone with them. How I hurt people with them in fights. How I messed up. But there's more to me than this crime. Or there can be."

Brown was exhausted afterward but says the session was cathartic.

She is now able to feel some semblance of peace for the first time since her daughter died. In 2002 she became a volunteer mediator at the Victim Services Division of the Texas Department of Criminal Justice, the same organization that handled her RJ meeting. She has already worked on two cases, including one in which the victim was savagely beaten with a baseball bat. "I learned a lot through my own experience with restorative justice," she says. "I'd like to pass some of that on." ●

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