

MY RESTORATIVE JUSTICE EXPERIENCE

*Herb Blake**

In my twenty-five years in the California Justice System as a consumer of correctional services, I have seen many changes. One of the most positive of these changes is the push for Restorative Justice (RJ). I learned about RJ through a Victim/Offender Reconciliation group I helped organize seventeen years ago during the last eleven years of my incarceration. Through the Re-Entry Program, I helped teach men personal accountability, crime impact, and how to be law-abiding citizens when they were released back into the community. Unfortunately, however, society has not learned how to accept these men back into the community.

The social stigma that follows a person who has been to prison leaves an ex-offender with nothing to look forward to but a life of low paying jobs, no job at all, housing discrimination, social alienation or recidivism. He or she can be a “convict” for as little as a year but will be an “ex-convict” for the rest of his or her life. Any sentence, therefore, is technically a “Life” sentence. My experience, although slightly different, has had its moments. For example, when I was first released, because of my prison experience, I was referred for a position with a non-profit agency that served the needs of ex-offenders. It seemed to be a perfect fit. The interview went well until

* Herb Blake is the author of a book *The Last Place I Looked* that tells of his transformation behind prison walls. Herb is also a motivational speaker and the producer/host of his own Internet radio talk show dedicated to Social Justice, Community Healing and Spirituality.

© 2011 Herb Blake. The copyright in each article is owned by the respective author. Except as otherwise provided, the author of each article grants permission for copies of that article to be made for classroom use, provided that each copy is distributed at or below cost, the author and the Journal are identified on each copy, proper notice of copyright is affixed to each copy, and the author and the Los Angeles Public Interest Law Journal, a Project of Community Partners, are notified of the use.

the interviewer asked if I was on parole. I answered, “Yes.” Imagine my surprise when she informed me that, per agency policy, I could not work there as a parolee. I didn’t get it – the agency was operating to help ex-offenders on parole re-enter society, but couldn’t hire me because I was on parole. I truly felt I could have made a major contribution to men and women who were going through what I had gone through. Prison had taught me how to deal with disappointments, so instead of being angry, I was sad that I didn’t get the job.

Oftentimes, the difference between an ex-offender’s success and failure depends on having a safe, well-informed community along with a supportive family to which he or she can return. I was fortunate to meet people who exhibited their humanity and practiced RJ simultaneously. I can honestly say that if it hadn’t been for men and women who stepped forward to offer me assistance while I was re-building my life, it would have been extremely difficult for me to re-establish a place in society. This is, however, a 50-50 proposition, or maybe even 80-20. The ex-offender gives 80 percent of the effort to demonstrate his or her desire to be a law abiding, productive member of society, while society makes a 20 percent effort to receive the ex-offender back into the community. Unfortunately, society tends to judge offenders by their own standards of living and takes for granted that everyone knows how to function in society, thereby, making rehabilitation for an ex-offender an insurmountable objective in some cases.

Re-habilitation works on the presumption that the man or woman was initially “habilitated,” or “equipped.” When the foundation hasn’t been laid, the inability to fit into mainstream society drives that man or woman to less socially acceptable methods of survival -often on the other side of the law, and consequently, on the other side of the wall. This is where the Community Healing aspect of RJ comes in – not only are the offenders given an opportunity to succeed but their communities are brought into the restorative justice process as well. The community represents the core of offenders support and when the core is weak there is no stability in the structure. RJ meets the victim, offender and the community where they are in their healing process and walks them through the steps from where they are to where they need to be to make our community whole.

Restorative Justice is not just for lawbreakers. It is a model by which we can heal our community. Our community needs a lot of healing -- children are put in prison for life; women are sent to prison for defending themselves against abuse; and the elderly are sent to prison to die. While I was in prison, a seventy-two-year-old man, arrested for a crime that would ordinarily carry a maximum two year sentence, was on his eighth year of a twenty-five-to-life sentence. The "3- Strikes Law" combined an assault he committed in 1957 and a drug arrest from the 1970's, giving him "3 Strikes." He will not be eligible for parole until he is eighty-nine years old, if he lives long enough.

The principles of Restorative Justice seem to make perfect sense; therefore, I have continued to work in areas that support these guidelines. Upon my release, in December 2008, I volunteered at the Office of Restorative Justice and helped facilitate an RJ workshop at Homeboys Industries. After numerous RJ seminars, conferences, and classes, I have come to the conclusion that RJ is just another name for empathy and compassion. While most areas of society focus on differences, RJ is a way to remind us that we are all the same. Everyone has been a victim, an offender, and part of the community to some degree. We've all suffered injuries and losses- some small and others that become a part of who we are. Whether accidental or otherwise, we've all killed someone's dream or robbed him of his dignity through unkind comments or harsh treatment. We've stolen moments from loved ones through inconsideration. All of this we've done in the name of community. It is these shared circumstances that make it necessary to treat all members of our community with empathy and compassion.

Restorative Justice rejects the notion that an ex-offender is "Less than" and promotes reinstatement to full fledged citizenship. Keeping a man or woman locked up in prison then locked out of society violates the terms of fundamental fairness and creates a society that can never be whole and functional. With millions of ex-offenders and their families suffering from the effects of an unforgiving society, we are breeding a sub-culture of bitterness and enmity. There have been numerous studies that demonstrate the need for community support when a man or woman is released from prison, but the response has been far less than the amount needed to accommodate the recently-released population. Maybe, the answer

lies in the words of Mother Theresa: “The problem with the world is we draw our family circle too small.”

Restorative Justice is not just a model for the criminal justice system; it is a model by which communities should live. Of course, there are flaws, but these flaws mostly come from the over-anxious or the under-educated. The former wants RJ now; the latter has failed to thoroughly investigate what RJ will mean to the general improvement of the quality of all of our lives. It will, however, take time to undo what has been done and restore healing and harmony to our community.

I owe a debt of gratitude to the men and women who believe in and practice Restorative Justice because without their support and encouragement my own re-entry experience could have been a nightmare. Fortunately, I was shown unconditional acceptance and judged by my merits and not by my past. I have been a productive member of society for two years, doing things that I couldn't have imagined were possible even in my pre-prison life. I know Restorative Justice works because I have experienced its benefits first-hand.