JUSTICE THAT RECONCILES AND HEALS

DEVELOPING A MINISTRY FOR CRIME VICTIMS

WITH A RESTORATIVE JUSTICE PERSPECTIVE

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PREFACE

THE IMBALANCE OF THE CURRENT CRIMINAL JUSTICE SYSTEM

The justice system is a non-system that does not work. It seeks to find revenge and seldom does. It is predicated on years of jurisprudence which uses a retributive model. Retribution means that after a crime occurs and the crime victim is harmed it is human nature to inflict punishment or pain on the one who caused it. It then becomes a criminal justice non-system (a pain distributor) because it focuses on trying to inflict negative values of pain rather than to instill positive values of reconciliation and healing in the criminal and the victim. Inflicting pain (i.e., lengthy incarceration) with no attempt at healing causes the offender to desire revenge for all the wasted and painful years. While inflicting pain on the offender, the prison system subverts rehabilitation, repentance and redemption efforts inside the system. The justice system is so intent on punishing the offender that it avoids healing the pain as well as repairing the harm done to the crime victim and the aggrieved community.

As James Rowland, the former Commissioner of the California Department of Corrections, once said to me, "Our first mistake was calling it the *criminal* justice system instead of the *victim* justice system. We focus too much on the criminals and not enough on the victims." It is because of this imbalance that the justice system does not operate like a system, but more like a group of independent and competing subsystems that arrest,

convict and sentence the offender. The crime victims are often confused by these legal stages and maneuvers. They feel left out of or marginalized by the adversarial legal process, and secondarily victimized by the entire justice system, which is more concerned with procedures than restoration and healing. The system of retributive punishment is more concerned with sustaining the fear of crime than controlling it, because fear drives the public budget. To sustain fear, the offender is portrayed as an evil monster rather than a human being. The public is justified for locking up monsters but has trouble when the monsters appear human.

I spent twenty-nine years in local, state and federal prisons in various jobs I was a Jail Chaplain for three years; director of halfway houses for the Georgia Department of Corrections; Law Enforcement Assistance Administration Corrections Specialist for the Southeast; U.S. Parole Commission Hearing Examiner for eleven years; and Bureau of Prisons Chaplain for nine years.

The justice system does not work to change offenders. It neither reconciles nor rehabilitates crime victims or prisoners. It does feed, house, and clothe prisoners, and attempts to keep them from killing or hurting each other or staff. While the prison system provides basic educational, recreational, medical, psychological and religious programs for offenders, such services for crime victims are inadequate. Despite marked improvement in the victims movement over the last twenty years, the government, the faith community and society have left crime victims to fend for themselves financially, emotionally and spiritually.

The prison system protects the public by insuring that the offender does not

escape and commit new crimes in the community in the short term. The sobering facts are that with 95% of the offenders returning to the community upon release and 62% rearrested for a felony or serious misdemeanor in three years, it becomes necessary to reconcile the offenders or face new crimes from them.[1]

With 31 million people victimized by crime in 1998, almost 2 million locked up, and close to 4.6 million adult men and women on probation (3.84 million) and parole (725,500) at the end of 2000 there is ample room for ministry.[2] Several questions have arisen about crime and the church's response to it. For example, why were there only 53 faith-based crime victims ministries in the nation in 1998, according to an ETP survey in Maryland? Why could United Methodist staff find only a handful of United Methodist churches that work with crime victims when Restorative Justice Ministries conducted five U.S. regional workshops in late 1999 and early 2000? Why could researchers find almost no crime victims ministries in the United Methodist Church when the General Board of Global ministries surveyed of prison ministries, crime victims ministries, and restorative justice ministries in 1998? Does the United Methodist Church care about crime victims? There are 1,200 United Methodist-endorsed chaplains, 42 of whom are prison chaplains under appointment by the Section and Chaplains and Related Ministries of the United Methodist Church and only one chaplain for crime victims.[3]

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[1]Allen J. Beck and Bernard E. Shipley, *Recidivism of Prisoners Released in 1983* (Washington, D.C.: Bureau of Justice Statistics, U.S. Department of Justice, April 1989), 1-13.

[2]U.S. Department of Justice. "Probation and Parole Statistics." February 28, 2002. http://www.ojp.usdoj.gov/bjs/pandp.htm (March 27, 2002).

[3]Section of Chaplains and Related Ministries. http://www.gbhem.org/chaplains (March 25, 2002).

Criminal Justice and Mercy Ministries in Winston-Salem, NC, Crime Victims Advocacy Council in Atlanta, GA, and Restorative Justice Ministries in Nashville, TN are the only three currently active crime victim ministries in the United Methodist Church. This does not include programs that help crime victims use church facilities for meetings, such as Court Appointed Special Advocates, Mothers Against Drunk Driving, domestic violence shelters, etc. Care is there but certainly minimal effort to implement the care is evident. United Methodist ministry to crime victims as an intentional focus with specialized ministry is almost non-existent, as it is in many other denominations.

American Correctional Association (ACA) staff member Ken Kudart estimates that there are 98 federal prisons (with 169 chaplains based on my experience in the Bureau of Prisons), 944 state prisons, 3201 local jails, 500 secure juvenile detention centers and an estimated 2000 halfway houses. Assuming each facility has a chaplain there are nearly 7000 prison ministries which include Catholic priests, contract and staff rabbis, imams, medicine men, and Nation of Islam ministers. This does not include Prison Fellowship, Campus Crusade, Yokefellows, Native American, Rastafarian, Jehovah Witness, Pentecostal, Buddhist, Hindu, Seventh Day Adventist volunteers, or local prison ministerial groups and organizations.

In many counties today the criminal justice system provides a victim advocate and an assistant District Attorney who safeguard the rights of the victim. Their primary motive is to convict the offender, not to repair the harm done to the victim. The reason the justice system fails the crime victims and offenders is that it does not operate on spiritual values of reconciling the victim and the offender, the offender and his or her

community, and finally, the victim, offender and God. Since America cannot look to the government for spiritual reconciliation due to the separation of church and state, the faith-based community can and should develop programs to reconcile victims and offenders with both parallel and mediated forms of justice. Parallel justice would treat both victims and offenders equally and focus on healing rather than pain. Parallel justice works best for those crime victims who do not want to reconcile with offenders or have any dialogue with them. Mediated, or interconnected forms of justice involve victim-offender dialogue and faith-based support groups. Without a spiritual alternative model for crime victims ministry, our society is doomed to seek revenge for crime victims. This is seldom obtained, because the offender is "let off" with mere punishment. In the current prison system the offender is never required or asked to reform, repent, ask forgiveness, make amends financially, change behavior, or think of the victim and the victim's family. Based on a decade of experience with crime victims, and three decades with prisons and prisoners, I do not believe humankind will rise above human nature's need for revenge and retribution if not called to by God, and God's word, which describes a new way for transformative and loving justice to occur.

The development of a model for crime victims ministry from restorative justice principles is about healing and reconciliation. The model seeks to heal and restore crime victims, offenders and their respective families, as well as the community where peace has been disturbed. This model is based on a Theology of Reconciliation, using biblical principles of love, compassion, divine justice, reconciliation, healing and forgiveness.

The one to be reconciled, the victim, should be first to receive attention, followed by the offender and the community.

Currently the focus and attention centers on the offender, from arrest to release from prison or supervision. The crime victim is in the balcony, rather then center stage. The main actor in the present system of justice is the offender. The players (police, courts, and corrections staff) enact an adversarial "good versus evil" play that is designed to create stark contrasts of innocent victims and evil monsters. The defense counsel in criminal cases usually tries to counteract this by blaming the victim and humanizing the monster. A new play with the crime survivor at the center of the stage could involve all the players in a healing circle.

The purpose of this thesis is to propose a model of crime victims ministry that uses restorative justice principles as its base. The scope of the thesis is to develop, design, implement, and evaluate this model during a six months period from September 2000 to March 2001. I worked with my D.Min. Advisory Committee to design, operate and evaluate this model while serving as the chaplain and director of pastoral care for the Crime Victims Advocacy Council (CVAC) in Atlanta, Georgia. CVAC is a 501 (c) 3 nonprofit organization that has operated programs for crime victims since 1989, and began the crime victims ministry in 1999. The doctoral project facilitated pastoral care sessions for crime victims, a memorial service for homicide survivors, the design and implementation of a crime prevention program, technology used to interact with crime victims, and legislative education efforts. The project was based on the Good Samaritan

Parable, and doctrines of shalom, reconciliation, forgiveness and healing revealed in the incarnational Christ and other religious teachings.

I want to thank all the participants of the homicide Sharing Group, the crime survivors who asked to help and to be helped, and the members of my D.Min. Advisory Committee: Ms. Rhonda Ray, Ms. Darby Peterson, Ms. Linda Allen, Mr. Alex Therrell, Mr. Clarence Hall, Ms. Nancy Krauth, and Ms. Penelope Parsons.

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PERSONAL PERSPECTIVE

I spent almost three decades in the field of corrections. I was a county jail chaplain in Morris County Jail for three years. I directed two large halfway houses for the Georgia Department of Corrections for two years and for the next 24 and a half years I worked in the U.S. Department of Justice in four jobs. I served for four years as

correctional specialist for the Law Enforcement Assistance Administration and Program Analyst for the Office of Audit and Investigation, eleven years as a U.S. Parole Commission Hearing Examiner, nine years as a staff chaplain for the United States Penitentiary, Atlanta, Georgia, and I retired in June 1999. From 1985 to 1992, I served on the American Correctional Association's Task Force on Victims of Crime and we published 15 national recommendations to improve victim's rights and services in corrections. From 1998 to 2000, I served on the Restorative Justice Task Force of the General Board of Global Ministries and participated in four seminars to train lay and clergy in restorative justice principles. I founded the Crime Victims Advocacy Council in Atlanta, Georgia, in 1989 and have volunteered in the victims' movement since 1978. In April 2000, I was one of four individuals who received the Crime Victims Service Award from Attorney General Janet Reno.

When Mike Dean, my step-brother, was murdered in 1977, I never dreamed that his murder would move me into the crime victim's movement for 23 years. The reason I became a parole examiner was to represent crime victims and their rights. The reason I became a prison chaplain was to facilitate the genuine religious conversion of prison inmates in order that they would not re-victimize society. I hope my living relatives can see that Mike's death was not in vain. I unite with crime victims and survivors in the journey toward healing.

CHAPTER 1

THE FAILURE OF THE CURRENT CRIMINAL JUSTICE SYSTEM

The problems of crime and the criminal justice system are reported in the news media as well as the journals of criminology, sociology, victimology, law, philosophy, and psychology. Crime is dropping as prisoners are rising in numbers based on longer mandatory sentences. Even though violent crime decreased 7% from 1997 to 1998, the National Center for Victims of Crime reports that there were 31 million crime victimizations of persons age twelve or older in 1998, and 8.1 million of these crimes were violent.[1] There was one violent crime every twenty-one seconds in 1998 and one in seven U.S. residents age twelve and older became victims of crime.[2] Crime is so costly that $2.3 trillion was spent that year to treat the nation's gunshot victims, $127 billion for rape victims, $71 billion for assault victims, and $61 billion for drunk driving. Crime is very personal and it hurts people. Consequently, the fear of crime is rampant. In one study 42% of the residents of twelve U.S. cities were fearful of crime in their neighborhood.[3]

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[1]National Center for Victims of Crime,"Crime and Victimization in America: Statistical Overview," (Arlington,VA:National Center for Victims of Crime, 2001) 1.

[2]Ibid.

[3]Ibid.

For every crime statistic there is a hurting person whose wounds needs healing. My colleague Kathryn Turman, who is the Director of the Office for Victims of Crime, U.S. Department of Justice, once said, "Behind every crime statistic there is a real victim who bears the emotional or physical scars and who must find a way to live with the impacts of crime. The response to crime must go beyond traditional criminal justice issues: it must recognize and address the needs of people whose lives have been forever changed by crime."[4]

One way our nation deals with crime is to imprison the offender. Prisons work as warehouses but not as behavior modifiers. They store but can't and don't produce new people. As mentioned above if 62% are rearrested for a felony or serious misdemeanor in three years, then that proves the current system is not working. It also assumes that prisons can rehabilitate and change offenders into law-abiding citizens, or "correct" them through punishment and self-improvement programs.

My experience dictates that current prison systems cannot and should not be expected to rehabilitate offenders. The word "rehabilitation" has lost its meaning and direction. Few rehabilitation programs have been evaluated with scientific sophistication. I do think prisons and community-based programs should provide religious programs that attempt to reconcile offenders with God, with the neighbor they harmed and with the community they harmed. Reconciliation of victims and offenders as a goal is not shared by those restorative justice adherents who think mediation or dialogue should be the goal,

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[4]National Criminal Justice Reference Service. *NCJRS Catalogue*, no. 56 (January/February 2001, U.S. Department of Justice, Office of Justice Programs): 14

limited to humanistic, non-spiritual methods. Reconciliation as a goal is not shared by the crime victims who want no contact with the offender. Their desires should be respected; reconciliation should not be forced on crime victims, or it becomes a new form of secondary victimization.

I have counseled some crime victims who say their emotional and spiritual needs are ignored by the systems of justice and by faith communities.[5] Other victims report forms of secondary victimization by these very systems (i.e., justice system and faith communities) designed to help them. One reason the justice system is insensitive is because in America the state has replaced the victim's legal standing before the courts. The state minimizes what the victims say or feel. For example, the state could want more or less prison time for a convicted felon than the victim. The state may want a 20-year sentence for a criminal while the victim wants 10 years. The state has more legal standing than the victim, so 20 years is recommended to the judge. In another case, the state may want to clear the docket with a conviction rather than go to trial, so a plea of 20 years is struck. This minimizes a victim's request for a life sentence and a chance to learn in the trial about the offense and the offender. The state often operates an adversarial system (defense counsel versus state counsel). The state represents the victim in hopes of winning the case, but in some cases the state's goal of clearing cases is adversarial to the victim's desires for justice. What is needed is a victim-centered system of justice that is driven or influenced by the person or persons who were harmed (the victim and the

[5]Chaplain Bruce Cook, *Daily Journal of Case Notes*, September 2000-March 2001, Crime Victims Advocacy Council, Atlanta.

community). This victim-centered versus state-centered approach is central to restorative justice principles. It is also central to the healing of a crime victim. As Howard Zehr says,

> Earlier I summarized the retributive and restorative lenses ... according to retributive justice, (1) crime violates the state and its laws; (2) justice focuses on establishing guilt; (3) so that doses of pain can be measured out; (4) justice is sought through a conflict between adversaries; (5) in which offender is pitted against state; rules and intentions through outcomes. One side wins and the other loses. According to restorative justice, (1) crime violates people and relationships; (2) justice aims to identify needs and obligations; (3) so that things can be made right; (4) justice encourages dialogue and mutual agreement; (5) gives victims and offenders central roles, and (6) is judged by the extent to which responsibilities are assumed, needs are met, and healing (of individuals and relationships) is encouraged.[6]

Churches, religious departments and seminaries have been relatively silent on the matter of victim justice until recently. Now there are several promising religious books on restorative justice, which reveal an interest in healing and repairing (as much as is possible) the harm to crime victims. Also, restorative justice programs seek to heal and repair the harm caused in the community by criminals. The groundbreaking ideas in the book cited above by Howard Zehr, *Changing Lenses*, have been amplified by several other books: Lisa Lampman's edited work, *God and the Victim*, Michael Hadley's *Spiritual Roots of Restorative Justice*, and Dean Richard Snyder's *The Protestant Ethic and The Spirit of Punishment*. A recent book by Christopher Marshall, *Beyond Retribution*, uses New Testament theology to ground restorative justice principles. While these authors clarify restorative justice and theological principles, none of them advocate a crime victims ministry that provides support groups and pastoral care in a specialized setting.

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[6]Howard Zehr, *Changing Lenses* (Scottdale, PA: Herald Press, 1990), 211.

In the secular field, Dr. Mark Umbreit has added a humanistic, mediated approach to some 300 victim-offender mediation programs primarily in the USA. This new interest by theologians and secular mediators focuses attention on a growing cottage industry of restorative justice adherents. What started out as a book and interesting concept on restorative justice by Zehr has now become a program as well as a movement towards a system of healing.

Crime victims I have counseled sometimes feel oppressed and disenfranchised by the criminal justice system and their faith communities. Consequently, they are looking at restorative justice as an option to retribution, oppressive forms of punishment, and methods that do not consider their needs as primary. Retribution is a classical, traditional model which implies that society stands in for the victim and inflicts pain on the offender in the form of incarceration. The worse the crime, the more time (viewed as pain) is served. Most of the crime survivors of murder that I have met believe that the present system of punishment is too easy on the criminals. They complain that the criminals get all the attention and resources and the crime survivors are left to fend for themselves. David Renhard of the Compassionate Friends said, “I think there was a general feeling that the victims were completely ignored. It’s always the criminal. I do get infuriated when I read that some action has been taken to improve the lot of prisoners. I don’t mean prisoners should be treated like animals, I’m not getting at that at all, but so much effort seems to come from voluntary quarters about the prisons and the prisoners, but you hear very little about the people who have suffered and you’ll be amazed at the number of

people who have suffered from a murder."[7] An equal balance is clearly needed.

Based on comments made to me by murder victims and recorded in my daily journal, these murder victims want the offender to be confronted daily in the prison with victim empathy classes so that he or she will think about the horrible harm caused, just as the crime survivor thinks of it. They want the murderer to confess to the crime, tell why he did it, and ask for forgiveness by making amends for the rest of his life in prison. They want the murderer to feel remorse and take responsibility for the crime and to have respect for the human life taken.[8] As one crime victim whose brother was murdered said, "Offenders make a ripple in someone's life, but have no clue about the damage they've done. And their lives mean nothing to the criminal justice system either."[9] However, the current adversarial legal system will not permit victim-offender reconciling dialogue if the case is still under appeal. Based on my local jail and federal prison experience as a chaplain for 12 years, the typical inmate is worried about his or her family (if still remaining), surviving prison life, "getting over" on prison staff and getting out. The typical prisoner is not worrying about crime victims, taking responsibility for the crime, or expressing remorse and making amends. The present justice system is not set up to be victim-centered; it is offender-centered. That is partly why the inmate is concerned with self rather than the victim. The justice system does not ask him to consider the victim.

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[7]Paul Rock, *After Homicide: Practical and Political Responses to Bereavement* (Oxford: Clarenden Press, 1998), 107.

[8]Chaplain Bruce Cook, *Daily Journal of Case Notes*.

[9]Howard Zehr, *Transcending: Reflections of Crime Victims* (Intercourse, PA: Goodbooks, 2001), 93.

THE LONG-TERM EFFECTS OF CRIME

The crime victims I talked to during the six-month doctoral project were primarily surviving family members of a murder, what Deborah Spungeon, calls a "co-victim." It may sound odd, or like an oxymoron, to refer to them as homicide survivors since no one can survive a murder. Nevertheless, the Sharing Group, a mutual self-help support group of homicide survivors, decided to call themselves homicide survivors because they all felt like some of their very selves, or their inner souls, died with the loved ones who were murdered.[10] The homicide survivors felt pain and anger so deep that they often cried deeply or shouted out in cars or at home. They felt they were losing their minds because they were not themselves -- acting crazy, numb, confused, dysfunctional, depressed beyond words and unable to speak about the terrible loss to many because they "just did not understand." As Paul Rock's insightful book states, survivors suffered "major grief, personal, intense, overpowering, inchoate, incommunicable."[11]

Psychologists and marriage and family therapists may refer to a survivor's condition as "acute stress" or "post traumatic stress disorder," or PTSD. This condition is similar to the stressful feelings experienced by war veterans who were traumatized by death of a friend or their own near-death in battle. "PTSD is a psychiatric diagnosis for people who have endured a highly stressful and frightening experience and who are experiencing distress caused by memories of that experience. It is as if a person is 'possessed' by memories of the violent crime and cannot let go. Because anxiety is the

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[10]Ibid., 8.

[11]Rock, *After Homicide*, 155.

major sign of PTSD, it is classified as an anxiety disorder. The stress that is experienced well after the traumatic event that precipitated it is called post-traumatic stress."[12] Acute stress or PTSD can cause a person to be hypervigilant, easily startled, hyperaroused, unable to sleep or unable to stop sleeping. A person with PTSD might also be irritable, depressed, confused, subject to flashbacks of the original traumatic moment, and could experience panic attacks.

In addition to PTSD, acute stress or stressful reactions, there are several stages of grief and recovery through which a survivor of a violent crime must pass. Social workers and victim advocates may identify several stages of grief, such as these listed by Justice for Murder Victims: shock, emotion, depression, isolation, physical symptoms, panic, guilt, anger and resentment, resistance to hope, affirmation of reality."[13] Pastoral care theologians may refer to this condition as a spiritual crisis (Hiltner, Browning, Clinebell, Patton, Lampman). The survivor feels broken and in need of repair because the crime has damaged his mind, body and spirit in ways that were thought unimaginable. The relationship between the survivor and others, as well as the relationship with the Holy Other, or God, are damaged. In some cases the opposite is true-survivors sometimes strengthen their relationship with God out of desperate need. God is like a lifeline to a drowning victim.

The homicide survivors cry out to God, "Why me, Lord? Why did You allow this horrible evil to happen? How can this kind of horrible evil be allowed to exist?"

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[12]American Association for Marriage and Family Therapy. "Consumer Update: Post-Traumatic Stress Disorder." http://www.aamft.org/families/Consumer_ Updates/PTSD.htm (March 26, 2002).

[13]Rock, *After Homicide*, 6.

The survivors experience such an "unfairness" that intense rage is their typical response to the "unrighteousness" of the murder. Some survivors are unchurched and do not turn to clergy or church. Some turn to their church and are comforted initially, but report that no one (lay or clergy) wants to hear or is equipped to hear the same anger for a long period of time.[14] While crime victims report needing the church deeply during this crisis, they also report not finding the church receptive to meeting that need over a long period of time.[15]

SUPPORT GROUPS PROMOTE HEALING

The encounter of evil in the form of murder is an alien encounter, as Kai Erikson says: "Something alien breaks in on you, smashing whatever barriers your mind has set up as a line of defense. It invades you, takes you over, becomes a dominant feature of your interior landscape and in the process threatens to drain you and leave you empty."[16] Neither the criminal justice system, nor the present faith community, is equipped to handle this kind of grief. There is a possible model of ministry to handle this kind of deep grief; it is called a homicide survivor support group.

The mutual self-help support group model is based on restorative justice principles as follows: We can all be Good Samaritans to each other by caring for our wounded, robbed and beaten neighbors and taking them to an "inn of unlimited

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[14]Bruce Cook, *Daily Journal of Case Notes*, 12.

[15]Ibid.

[16]Rock, *After Homicide*, 92.

mercy." A few examples of the "inn" include: a sharing and caring support group composed of similar homicide surviving family members or friends; a victim-offender mediation program; a family conferencing with criminal justice officials, victim, offender and a talking circle; a community where God intends Shalom, peace, or right relationship, and divine and neighborly love (Deuteronomy 6:5 and Leviticus 19:18). When evil persons cause harm and pain with criminal and sinful acts, both to victims and community, then restorative justice programs can aid in healing. Sincere restitution agreed upon by the victim and offender is the key to restoring the harm done, and also satisfies the government's need to keep order and require an offender to take responsibility for the crime.

The formation of a mutual self-help support group for homicide survivors evolved from eleven years of counseling homicide survivors with a pastoral care approach. Leaders were: a pastor with clinical training who was not a homicide survivor; a licensed professional counselor (LPC); a licensed certified social worker (LCSW); and a mutual self-help support group facilitated by a co-learner pastor who is also a homicide survivor. The latter model attempts to meet the needs expressed above for deep listening, caring and sharing for as long as it takes.

The "sharing group" provides accurate information about the criminal justice system. The group uses prayer to restore relationships with God. There is an element of mutual helping, or reciprocity, which restores relationship with others. The model is survivor-centered and survivor-empowering. The crime victim is viewed as a survivor and not a hapless or hopeless victim. Survivor autonomy is promoted in

the self-help support group in order to avoid feelings of helplessness, being sidelined or victimized by the systems of justice and faith. Survivors of various other crimes, such as stalking, domestic violence, sexual assault, can also benefit from sharing groups. Parents of Murdered Children, Compassionate Friends, Mothers Against Drunk Driving, Neighbors Who Care, NOVA, and Front Porch have also started support groups related to specific crimes.

The interesting part of this model for a crime victims ministry is that faith-based communities can conduct the support groups in their facilities. Church leaders usually are most effective in small group work. The difficulty in the past has been how to access homicide survivors. The CVAC model solved the accessibility problem by accident. CVAC first invited all homicide survivors to an annual memorial service honoring their murdered loved ones. The medical coroner's offices supplied the names of the deceased (which are public record) and the addresses of the next of kin. The invitation letter also described the support group meetings. For the service, CVAC inscribed the names of the deceased on a large black wall display.

THE MULTIFACETED FACE OF CRIME

The issue of systemic change can be a difficult and long-range goal. The social causes of crime (such as racism, poverty, lack of education, drug abuse, parental abuse, and distributive economic injustices) loom large, but the church can play an important role by meeting with criminal justice and community officials to counteract these issues, as CVAC has done. The personal choices of greed and evil that cause one to commit

crime must not be exonerated by societal conditioning, but these social causes for crime can help explain it so it can be reduced, modified or solved. Some may believe free will and choice causes crime, and others may believe socio-environmental factors determine and cause crime. In my opinion socio-environmental factors and individual choices are interconnected root causes of crime. I saw many inmates in prison who had poor self-images, made impulsive and destructive choices, and who came from poor, dysfunctional homes and attained an eighth grade education. Many were victims of abuse and violence.

CVAC held three meetings with key criminal justice officials to promote restorative justice principles, equity and fairness in sentencing and incarceration or parole supervision with restitution. To meet only with criminal justice officials about prisoners is like the "result" trying to stop the "cause," but it can be fruitful to promote crime survivor sensitivity and offender accountability. The most difficult task and goal of restorative justice is to "restore" victims and offenders to a just society and to a sense of peace in a victim's or offender's life. If the society has never appeared just and the peace has never been felt prior to the crime then the task is almost impossible. If when we say "restore," we mean "make things right" or "make things whole," we can't bring back a murdered victim, so the best we can do is work toward healing the grief and pain from the murder. We can work toward the offender taking responsibility for the murder and making amends with apologies (unless his appeal is pending); paying financial restitution; attending victim impact and victim empathy classes; and performing community service when released. Perhaps a new criminology/theology based on what a restorative and just society should or could look like, and a new kerygma of a reconciling

theology, are needed to balance the retributive scales of the current justice system and the "world view" of the current faith community.

The issue of community justice (financial restitution and community service), needs to be victim-driven, not controlled by government. Otherwise, crime survivors and offenders are left out of a key process that may help heal them both. That process involves having the survivor decide how much the offender should pay back financially for the loss incurred by the crime. It also allows the survivors to select an appropriate form of community service based on the degree of harm the offender caused when he or she disturbed the community's peace. The community should help decide what amends the offender should make, because the community was harmed by the crime as well. In almost every criminal case some form of restitution, special assessment, fine, or forfeiture can be made. When I worked in the Bureau of Prisons, I supervised low security inmates who repaired elderly widow's homes. The widows earned less than $5,000 a year. Their homes were in need of major repairs which they could not afford. The inmates who repaired the homes reported to me that this was one of the most positive and constructive programs they participated in while incarcerated.

One of the problems CVAC encountered was the feeling that most of the organization's efforts were in the area of damage control for the crime, and not much in the area of crime prevention. The CVAC Board of Directors believed that a model ministry for crime victims should have a crime prevention program. As one of the three crime victims on the design committee for crime prevention said, "If CVAC's crime

prevention seminars can just save one girl from being assaulted like I was, then the whole program will be worth whatever it costs."

Another issue is technology. A ministry for crime victims today would be remiss if it did not have a Web page, e-mail, listings on multiple search engines, the ability to secure donations on its Web site, and hyperlinks to and from other Web sites. The information wave has caught up with crime victimization and CVAC has identified over 150 Web sites that help crime survivors directly, as well as 30 Web sites on restorative justice. Crime survivors are e-mailing each other to receive counseling, comfort and support. National and international organizations like www.vaonline.org, www.try-nova.org and www.ncjrs.org have already realized the significance of interconnectivity and globalization of crime survivors on the World Wide Web. The postmodern children of today and the future will speak the language of the Internet. Consequently, CVAC has designed a ministry for crime victims that will be Web-connected and e-mail responsive. CVAC and I are indebted to Dr. Leonard Sweet, former Dean of Drew Theological School, and Dr. Rob Duncan, Dean of Admissions at Drew Theological School, for their pioneering work on this technology.

EVALUATION OF CRIME VICTIMS MINISTRY

Correctional program administrators have not effectively measured success, recidivism reduction, behavior change, cost-benefits of programs over the past thirty years. Lack of funding for scientifically designed studies is partly the culprit. Also, correctional officials cannot work miracles. It would be a miracle to expect a forty-year-

old prisoner with six serious prior confinements to “suddenly change” because he attended a GED program. This simplistic thinking has led correctional officials to Dr. Robert Martinson’s conclusion in the 1970s: we cannot determine what works in prisons and jails because we have not done evaluative studies with any integrity.

Some may argue that career criminals with six priors are not amenable to treatment and therefore, more programs should focus on young, marginal-risk, first-time offenders. Without scientific proof to support either argument, they are both more opinion than fact. All this led to the conclusion that there was a strong need to develop an evaluation model for a ministry for crime victims, in order that it does not suffer from poor evaluation.

How should a model crime victims ministry be evaluated? I wanted to find a test that shows promise for further research. I selected a coping skills test because it measures some of the skills I teach in the support group and provides helpful feedback on the scored test. It measures several variables which describe how one reacts to stress, and how one is resourceful, adaptable, proactive, self-reliant and able to relax. Since one of the goals of the crime victims ministry model was to facilitate coping with the stress of a crime, this type of test was selected and pre-tests and post-tests were given to measure coping skills. Results appear promising, but bear further study on an experimental basis rather than a non-experimental comparison model.

Also, a focus group evaluation model proved useful in showing favorable results and findings about a homicide survivor support group model which might bear replication in further evaluations. This focus group evaluation model involved an

interviewer and a recorder who asked pre-selected questions of each participant in the support group to tabulate general comments and responses. I designed the questions from the goals of the group, the categories measured by the test and the coping skills taught in the group.

A crime prevention consultant who works for CVAC selected the evaluation forms from national crime prevention organizations and used the forms in his seminar evaluations. During the doctoral project, three crime prevention seminars were conducted and evaluated by the consultant. Also as part of the project, I did the following: conducted a memorial service for 250 people who lost a loved one to murder; facilitated 20 homicide support group sessions with 96 attendees from September 2000 to March 2001 with an average attendance of 4.8 per session; answered about 600 crisis calls on the CVAC hotline; counseled numerous crime victims in individual and family sessions with crimes of all types, including five cases of stalking, three domestic violence and 22 homicide survivors; coordinated three meetings on restorative justice issues with CVAC and correctional officials; assisted four crime victims in clarifying their victim impact statements; attended two murder trials in which the victims read their prepared statements to the sentencing judge; and kept a daily journal to reflect theologically on these events. In summary, pastoral counseling, crime prevention programs, and the daily journal provided the background and basis for many of the theological statements and conclusions of this doctoral project.

CHAPTER 2

RESTORATIVE JUSTICE AS A HEALING ALTERNATIVE AND ITS THEOLOGICAL UNDERPINNINGS

In my opinion, the primary biblical basis for a crime victims ministry is the Good Samaritan Parable. I also believe a Theology of Reconciliation explains and enhances this famous parable. Jesus selected a wounded robbery victim – a crime victim – to be the center of the Good Samaritan Parable in Luke 10:25-37 rather than a homeless or poor person. He selected a crime victim. He exhorted us to be the kind of neighbor who shows compassion for a wounded crime victim by offering healing elements, taking the victim to an inn and paying the costs of the victim's healing.

Compassionate care, restorative healing of mind, body, and spirit, victim compensation and restitution are all cornerstones of restorative justice. All four are found in this famous parable. The Good Samaritan neighbor does not ignore the plight of the robbery victim, but sees the blood and pain and acts to heal what he sees. Today, however, the church would be more akin to the priest or the rabbi in the parable who walks by and ignores the crime victim. The church is sadly more prone to help the equivalent of the Parable's robber in a prison ministry, while neglecting to care for the one who was robbed.

These might seem like harsh words, but there are some 7,000 local jails, state and federal adult prisons, juvenile facilities, and halfway houses, and almost all have paid or

voluntary prison chaplains with volunteer prison ministries. In contrast, only 53 faith-based ministries serve crime victims in North America according to a 1998 survey by ETP. This does not preclude many churches from helping the congregant who has experienced a murder or another crime, but long term and focused help from the church has not been a specific priority for crime victims as a group. Unchurched crime victims are even more likely to be ignored by the church. How can restorative justice bring the church back to a balanced, or parallel, approach to healing both victims and offenders? As the National Center for Victims of Crime says, "Each crime creates an offender and a victim. As a society we have created a path to justice only for offenders. Imagine a system of parallel justice, separate and distinct from the administration of justice for offenders, a way for us to listen to victims, address the harms they suffer, marshal community resources, and dig in to provide help, long term, if necessary."[1]

The Center for Restorative Justice and Mediation in St. Paul, Minnesota states the following "Principles of Restorative Justice":

- Crime hurts victims, communities and offenders and creates an obligation to make things right.
- All parties should be a part of the response to the crime, including the victim if he or she wishes, the community, the offender.
- The victim's perspective is central to deciding how to repair the harm caused by crime.

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[1]National Center for Victims of Crime. "Parallel Justice." 2002. http://www.nvc.org/main/parallel_justice/parallel_justice_text.htm (March 25, 2002).

- Accountability for the offender means accepting responsibility and acting to repair the harm done.
- The community makes sure that the laws which guide citizens' behavior are carried out in ways which are responsive to our different cultures and back grounds-whether racial, ethnic, religious, economic, age, abilities, family status, sexual orientation and other backgrounds and all are given equal protection and due process.
- Crime is seen as an act against another person or the community, rather than an act against the 'state' (government). The 'state' wants to have the problem resolved, but is not the main player in solving it. It is the offender who takes primary personal responsibility for making things right with the victim and the community-not the state.
- Restoration or repairing the harm and rebuilding relationships and community replaces punishment for its own sake as the primary goal of criminal justice. Restitution would become the rule-not the exception.
- Results are measured by how much repair was done rather than by how much punishment was inflicted.
- Controlling crime is mainly done by the community and its members. The criminal justice system can only have a small effect on the level of crime because it can only respond after a crime occurs.

- Offenders are definitely accountable for their individual choices, but communities are also accountable for the conditions which may exist that contribute to crime.[2]

While Dr. Mark Umbreit states these principles above are "humanistic," it is my contention that if he added the language "including the faith community" in key places it would be a very theological set of principles based on Old Testament's view of restitution and New Testament justice, or righteousness. I believe restoration, repairing harm, reconciliation, and rebuilding relationships for victims and offenders, are what the faith community "is" and "should be" about (Umbreit lists this above as a goal of criminal justice as well). To "make right" is a form of "doing justice" and seeking after righteousness by restoring to as much wholeness as possible. This involves making amends, or restitution, for the harm one has created.

As Dan Van Ness states, Old Testament Law emphasized that the victim should be compensated in restitution, and he devotes attention to Exodus 21 and 22 in which the thief had to pay back double for battery with a weapon, theft of property and illegal possession of stolen property. Van Ness says, "But justice in the biblical view, is not primarily a calculation of the amount of pain needed to deter others from the pleasure of criminal activity. It addresses the harm caused to the victim and surrounding communities and emphasizes restoration of the victim and the broken shalom."[3] Van Ness has studied ancient laws as well and found examples of property crime restitution (Code of

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[2]Center for Restorative Justice and Mediation, School of Social Work, "Restorative Justice" (St. Paul: University of Minnesota, 1996), 1.

[3]Daniel W. Van Ness, *Crime and Its Victims* (Downer's Grove: InterVarsity Press, 1986), 64 and 136.

Hammurabi in 1700 B.C), restitution for violent offenses (Code of Ur-Nammu in 2050 B.C.), and other examples in Roman, Greek, German and Anglo-Saxon law.[4]

In Mosaic times, the Ten Commandments were considered divine and secular law. But the essence of the early faith community's response to the one who is victimized by crime is to make the person (financially or with property) whole again due to their loss. Jesus exhorts us to do the same in the Good Samaritan Parable for the wounded victim on the road to Jericho, by paying for the costs of his healing. The ideas presented here from Dr. Mark Umbreit and Dan Van Ness embody the best of my thorough and exhaustive research on restorative justice. In fact, I have found several principles of restorative justice, but none so complete as Dr. Umbreit's Center for Restorative Justice.

One of the theological underpinnings for restorative justice is the concept of reconciliation. A Theology of Reconciliation is first and foremost about relationships. Jesus is describing and exemplifying a new ethic in the New Testament that should inform and guide society toward a justice that heals and reconciles by restoring broken relationships. The incarnate Christ was "relational" by being loving and forgiving even of his enemies. His Sermon on the Mount in Matthew 5 called us to a higher, inward, God-given spiritual ethic than ever dreamed before. He asked us to be reconciled with a brother who has something against us (5:24); not to be angry with our brother or call him a fool (5:22); to settle matters quickly with our adversary (5:25); not to resist an evil person, and to be giving to others (5:38-41); to love our enemies and pray for those who persecute us (5:43); to pray in solitude, to fast and not to worry about our life (6:1-34).

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[4]Ibid., 64-65.

He desired to save the sinners, not punish them. He healed people in physical and spiritual conditions of leprosy, paralysis, and demon possession. He resurrected the dead, and searched to find and save the lost sheep. He exposed hypocrisy. He told the adulterous woman she was not condemned and asked her to leave and sin no more. Based on Christ the healer, forgiver and lover of the lost and oppressed, should not Christians try to follow his example in the arena of public policy?

A crime victims ministry involves a multi-dimensional approach based on restorative justice principles. It involves the healing of the harmed crime victim first and foremost. While this healing can take many forms, the author and source of all true healing is God. The crime victim needs help to be in right relationship with God, because the crime often results in broken relationships with God, humanity, the church and the justice system. After a serious crime, sometimes faith and trust in God need to be restored. As Christianity teaches, “For it is by grace you have been saved, through faith – and this not from yourselves, it is the gift of God – not by works, so that no one can boast” (Ephesians 2:8).

This gift of salvation, of being in right relationship with God, is reconciling, restoring peace and wholeness to the troubled mind and soul of the wounded crime victim. Through Christ we have access to God by one Spirit (Ephesians 2:18). Christ is our peace (2:14), the One who destroys barriers and walls of hostility (2:14). Christ reconciles (2:16) and makes us a “new creation.” All this is from God, who reconciled us to himself through Christ and gave us the ministry of reconciliation” (2 Cor 5:17,18).

Saint Paul made it clear when he said, “We implore you on Christ’s behalf: Be reconciled to God” (2 Cor 5:20).

The problem with translating Christian ethics into public policy is not with the ethics but with the public’s interpretation of them. Some will use the “eye for an eye” *lex talionis* approach straight from the Old Testament to justify the retributive model of punishment. They will use this to justify revenge in long sentences of incarceration. But Jesus even addressed this in Matthew 5:38: “You have heard that it was said ‘Eye for eye, and tooth for tooth.’ But I tell you, do not resist an evil person. If someone strikes you on the right cheek, turn to him the other also.” This non-retaliatory loving response has been used by saints through the ages and in Martin Luther King’s theory of nonviolent social change, but not in our modern courts. Our courts are built on the foundation of retaliatory punishment. It will take a restorative justice movement and a Theology of Reconciliation to move this foundation from retribution to healing and love.

Jesus came to fulfill, not to abolish the Law or the Prophets (Matthew 5:17). He exhorted us not only to avoid murder, but also to avoid being so angry with our brother that we “will be subject to judgment” (Matthew 5:21). His Beatitudes taught that peacemakers, mourners, humble and merciful spirits, those who hunger for and are persecuted for righteousness, and those pure in heart, are blessed by God. Through the Sermon on the Mount, Jesus allows us to see or glimpse what God expects of us. Some may call this an impossible ethic to achieve. As my good friend Brian Ray said, it may be “Himpossible” with Christ’s help. At least movement toward perfection (good) and away from imperfection (evil) is enabled and attempted.

When Jesus was crucified he said, “Father, forgive them for they do not know what they are doing” (Luke 23:34). Hanging on a cross in mortal pain and still able to say those forgiving words with grace implies a power and transcending love greater than imaginable. His forgiving words free us because even though He had the power to descend the cross and free Himself, love and obedience to the Father kept Him there. Jesus could have judged humanity for crucifying Him but instead forgave humanity and changed and reconciled the world to Himself.

The Lord’s Prayer in Matthew 6 asks for forgiveness from God as we have forgiven others. To make the point even clearer, Jesus says, “For if you forgive men when they sin against you, your heavenly Father will also forgive you. But if you do not forgive men their sins, your Father will not forgive your sins” (Matthew 6:14). Peter wanted to know how many times he should forgive his brother when he sins. Up to seven times? Jesus answered, “I tell you not seven times, but seventy-seven times” (Matthew 18: 22). Clearly, forgiveness is an important cornerstone of a Theology of Reconciliation and Christian Ethics, which was practiced and taught by Jesus.

The closest the justice system gets to forgiveness is a pardon or clemency action. These are rare and come after considerable time has been served by the offender. Why is forgiveness so hard to practice when one has been harmed or hurt by another? It is especially hard when a close relative has been murdered or a violent injury received. Forgiveness cannot be rushed or uttered insincerely to appease others. It is a process of healing and it takes time to develop. It helps if the offender is remorseful, repentant, and asks for forgiveness; however, sometimes even the request for forgiveness just inflames,

or is not ready to be received. An offender who pleads not guilty seldom asks for forgiveness. The crime victim is left with the task of forgiving without a sign of remorse.

A Theology of Reconciliation that seeks to restore relationships rather than avenge them can be freeing and cathartic. The main reason to consider forgiveness as practiced and taught by Jesus is an existential one. It brings release, healing and freedom from the pain so that one can exist in the world again without domination of pain or rage. Forgiveness is costly and difficult. It requires assimilating the painful experience into one's overall life experiences and desensitizing the intensity of the painful event over time. Forgiving facilitates a chance to rebalance, as much as is possible, the life that was once rocked by the pain or rage. Marshall quotes Elizondo: "As Virgil Elizondo puts it, 'The greatest damage of an offense – often greater than the offense itself – is that it destroys my freedom to be me, for I will find myself involuntarily dominated by my inner rage and resentment - a type of spiritual poison which permeates throughout all my being - which will be a subconscious but very powerful influence on most of my life. The act of forgiveness brings liberation from that power.'"[5] Marshal quotes Howard Zehr, who says,

> Forgiveness is letting go of the power the offense and the offender have over a person. It means no longer letting that offense and offender dominate. Without this experience of forgiveness, without this closure, the wound festers, the violation takes over our consciousness, our lives. It, and the offender, are in control. Real forgiveness, then, is an act of

[5]Christopher D. Marshall, *Beyond Retribution* (Grand Rapids: William B. Eerdmans Publishing, 2001), 266.

> empowerment and healing. It allows one to move from victim to survivor.[6]

A crime victim is oppressed by vivid memories of the tragic event, the trial (if there is one) the media portrayal, and the feelings of anger at being wronged or hurt. Forgiveness is sometimes described as forgetting, but this is not possible unless one has amnesia. It does not involve pretending that the event never happened, which is delusional thinking or "being in denial." It does not involve exoneration of the offender or "letting him/her off." Quite the contrary, in cases of victim-offender dialogue, the victim may want the offender to make restitution payments, perform some work in the community, and attend anger management class or drug counseling. The opposite of letting one off is holding one accountable or responsible. Gregory Jones says that Christian forgiveness is a disciplined craft which is different than "cheap grace" or vengeance, and one that can be learned. It involves every aspect of our lives and being and, "In our own lives Christians are called to engage in the craft as we seek in all that we are and do to 'unlearn' the ways of sin and to learn the ways of God's gracious, forgiving and reconciling love."[7] Jones cites Hart, who says that we do not punish murderers to cure them anyway, but to insure other people are not murdered (deterrence).[8]

The issue of forgiveness has strong opponents in the victims movement and among some philosophers and theologians. I have heard crime victims express anger at the way

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[6]Ibid., 266.

[7]L. Gregory Jones, *Embodying Forgiveness* (Grand Rapids: William B. Eerdmans Publishing, 1995), 238.

[8]Ibid., 238.

people force them to forgive. I call it the "Tyranny of Forgiveness" when people ask the victim to forgive even before the shock has worn off from the trauma of the crime. For some, forgiveness may never be possible due to the heinous nature of the crime.

Johnstone cites "classical deterrence theorists, such as Cesare Beccaria and Jeremy Bentham, who regard forgiveness as a vice, because it undermines the certainty of punishment and therefore encourages crime."[9] Johnstone says Jeffrie Murphy believes the "passion of resentment defends the value of self-respect and a too ready tendency to forgive may be a sign that one lacks respect for oneself," or a quick desire to restore relationships at the cost of one's dignity. Murphy advocates a forgiveness which is "consistent with self-respect and respect for others as moral agents, and in compliance with certain other moral principles." Johnstone concludes by saying "there are circumstances when, despite offers of apology and reparation, it is morally right to withhold forgiveness."[10]

The issue of forgiving, or not forgiving a criminal, is an emotional one in the victims movement. It needs to be explored and resolved in the crime victims movement through dialogue between victim service professionals and clergy, or forgiveness may become a dirty word rather than a healing word.

To further clarify a Theology of Reconciliation, Jones believes that after conviction the goal should be reconciliation achieved through the reform and repentance of the offender, and I would add, assuming that offender's repentance is genuine and not

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[9]Gerry Johnstone, *Restorative Justice: Ideas, Values, Debates* (Portland: Willan Publishing, 2002), 133-4.

[10]Ibid., 134.

contrived for authorities.[11] In my opinion and in my experience "reform and repentance of the offender" are not encouraged in prisons today except in a few prison chapels, involving a small percentage of inmates.

A Theology of Reconciliation, including forgiveness, is not natural. It comes from divine resources through Jesus' words to us. It is natural to want to repay pain with pain. Jesus exhorts us to be reconciling and loving even of our enemies according to the Sermon on the Mount in Matthew 5. As I researched other books on forgiveness I found none as good as Jones' when he says:

> Learning to love our enemies is, however, often a counter-cultural practice. Indeed, in many contemporary contexts, where people are habituated into – and in fact rewarded for – hating their enemies and desiring vengeance, Christians must offer a counter-habituation. It must involve learning the habits and practices necessary to resist the desire for revenge, and struggling to have those desires transformed by God's Spirit into desires for love.[12]

Why should Christians love evil people, or enemies, who hurt them? Why do evil people make good people suffer and why does God allow evil to exist? Theodicy is the attempt to explain the problem of evil. If God is all-knowing, all-powerful and all good, how could God allow evil to exist? A plethora of theologians and philosophers from Augustine to Aquinas, from Hume to Hicks, have tried to answer this question. Some say God is not all-powerful, or He would control evil. They see a finite or limited God unable to control natural disasters or the immoral and evil choices of humanity. Some theories indicate that God allows or creates evil for "a greater good" that is sometimes described

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[11]Ibid., 274.

[12]Ibid., 277.

as a mystery known only by God. Some theologians believe in the “free will defense” that indicates God created Satan as an angel with free will and that angel rebelled against God, choosing evil, pride, and to be “like God.” Therefore, God did not create evil, but by giving free will to angels in heaven and to Adam on earth, he made evil a possible choice and a possible reality. After choosing evil and falling from grace, Satan then tempted Adam and Eve to “know what God knows” and eat of the Tree of the Knowledge of Good and Evil. Therefore, evil was the result of free will which God created as a possibility, but not a chosen reality. Evil did not come into being until it was “chosen.”

I would add only a few thoughts to the free will defense. It is my pragmatic view that God is infinite, all-knowing and all-powerful, all good, all-loving and He knows how and why evil exists. It most probably is based on God’s reasons and not based on our made-up theories. In both the Old and New Testament, God wills or “intends” peace, love, harmony, and a covenental relationship, and “persuades” (a process theologian’s wording), rather than coerces us to love Him and our neighbors.

The problem of evil is more than academic when a tearful mother moans, “How in God’s name could God allow my daughter to be tortured, raped, mutilated, tied up and strangled? What kind of God could allow that?” What kind of God could allow the Holocaust or Day of Infamy’s terrorist attack of September 11, 2001? In my opinion, theological dialogue should place more importance on our obedience to God’s will (Christian Ethics) and control of or response to evil (Homiletics, Pastoral Theology, Systematic Theology) than on theories that try to explain the creation of evil (Theodicy and Philosophy) .

A Theology of Reconciliation is based on the principles of peace, love among neighbors and neighboring countries, harmony, conflict mediation, and transformative and restorative forms of secular justice. The best way to stop evil is not to choose it, not to live it, and to embody its opposite on every occasion. But when evil finds you by a criminal attack it must be controlled, or it will continue. This became an American policy after a terrorist bombing of the World Trade Center, and the Pentagon, and an aborted bombing in Pennsylvania on September 11, 2001. Evil must be stopped, or it will continue. The methods for stopping evil will be debated, but must be motivated out of Christian love. Crime prevention and "tough love"can be loving acts when they involve apprehension and detention of criminals to save the innocent.

The last important theological concept in a Theology of Reconciliation is that of divine justice. This concept is important in all religions, including Christianity, Ba'hai, Judaism and Islam. I have counseled crime survivors who offer comments like, "He will get his (justice or eternal punishment) in the next life," or "I will leave it to God to provide the proper vengeance for what he/she (the offender) did." This is probably a reference to "Vengeance is mine. I will repay, says the Lord" (Romans 12:19).

The Yahweh or Jehovah of the Old Testament was a judging, punishing God with retributive consequences. This poses a theological dilemma involving contradictions of God's attributes and character. On one side, God banished Adam and Eve from Eden, flooded the earth in Noah's time, punished Israel by withdrawing His protection in battles because of their idol worship, believing in idols, rebelliousness, and breaking the

covenant and Mosaic Laws. On the other side, God is a loving God of restoration, peace, wholeness, and whose heart if full of mercy and forgiveness.

Marshal wrestles with this same contradiction and concludes that God punishes for restorative purposes: "We found that while punishment in the Bible is sometimes justified in terms of deterrence, reprobation, and retribution, its overriding purpose is to promote repentance, reformation, and restoration, both of the covenant community and where possible, of the individual offender."[13]

Put another way, while Hitler will face the same eschatological judgment by God as the rest of us in the last days, it is hard to visualize a heaven in which Hitler and other heinous murders could inhabit, or one that would be appealing to others if Hitler were there. It is comforting for crime victims to think of their loved ones who were murdered as resting in peace in heaven, and the murderers consigned to eternal punishment. But we cannot all be in heaven, as the Bible teaches of an eschatological reckoning of either/or: Heaven or Hell, the Wheat or the Tares, the Sheep or the Goats. Marshal pleads the case for a "humble agnosticism" and seems to conclude that while Divine Wrath, Divine Justice, and eternal punishment in Hell are real, as disclosed in the Bible, the circumstances as to how God will judge us are known only by God.[14] As Christians we can base our lives on belief in Christ and living the life of Christian love in action. Heaven and Hell will be decided by God after that.

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[13]Marshal, *Beyond Retribution*, 196 and 197.

[14]Ibid., 196.

I faced evil every day for twenty years. For eleven years I conducted over 10,000 parole hearing in federal prison and for nine years I ministered to 3,000 federal inmates as a chaplain in the United States Penitentiary in Atlanta, Georgia. I think we all have degrees of evil and good within us. I have seen very few sincerely remorseful inmates in my experience. I have seen many who were sorry they got caught, but few who said, or acted like, they were remorseful or repentant. I have seen many routine drug cases, fraud cases, property crimes, but I have also seen cases of rape, robbery, torture, murder and mayhem. During the parole hearing of some of those violent cases it was like I was looking into the eyes of nothingness. Some offenders were very cruel to their victims and seemed to be devoid of values, or respect for life. Some offenders were trying to make amends and make something of their lives. They were not that different from us.

After that, for nine years I ministered to prisoners in the name of Christ and I offered them Christ, who could give them Life, in addition to the Life sentence some of them had. I offered them the Word of God, communion, Bible Study, and salvation through Christ and some took it, and many did not. Only a few seemed to make a genuine decision to follow and believe in Christ, judging by their subsequent actions in prison and upon release. It was difficult to judge which inmates were sincere and which were not. Personally, I respected the ones who completed 34 weeks of Disciple Bible Study and the ones who volunteered to perform community service by repairing elderly widow's homes. They seemed to me to be genuine. For eleven years as a parole examiner I represented "justice," and for nine years as a chaplain I represented "mercy." I believe that inmates, like crime victims, need both.

Where is the church in this discussion of victim justice and victim mercy? Is the church leading the discussion with legislators and government leaders? Is the church providing guidance to victims about healing, forgiveness, reconciliation? Are there programs for victims of crime to heal sponsored by churches? Is the church paying for the costs of crime victims to heal? There are few church-sponsored legislative initiatives that deal with crime victims other than the death penalty. There are few churches that have programs specifically for crime victim in their facilities. I could find no fund specifically for crime victim healing in church circles. If not, then who is, or who should pay for crime victims to heal? Federal inmates are paying fines, forfeitures and fees that go into the Victims of Crime Act (VOCA) fund. These funds are returned to states on a population formula basis. These VOCA funds are distributed to eligible crime victims who submit claims for their non-reimbursed costs. This is a form of restitution (the harmer pays the harmed, although not directly). It is good because it is not tax money and because the inmates are paying for crime victims to heal, which should make the inmates feel better about making amends for their crimes. However, inmates I spoke with in federal prison did not see these fines as beneficial and resented them. They were often paid under the threat of losing a halfway house privilege. Prisoners need to be taught that this payment of $25 a month or quarter is paid to help crime victims heal and that this is part of making amends, or restitution.

The crime victim pays, too. The majority of the costs of crime come from the personal bank account of each crime victim, along with medical insurance and other coverage. Church money to help victims pay for the costs of their healing is very

marginal. Dramatic change is needed if churches want to honor and obey the words and commands of Jesus Christ: "Go and do thou likewise," and be like the Good Samaritan of Luke 10, who paid for the healing costs for the crime victim.

Ministries for crime victims should be supported by churches, synagogues, temples and mosques so that there are just as many of these as there are prison ministries. VOCA funds can be used to support the ministry to crime victims, as long as church and state do not conflict, no religious discrimination exists, and no proselytizing of victims occurs. Several businesses, corporations, foundations and individual donors can also share the cost of support for a ministry of healing for crime victims.

CHAPTER 3

THE CVAC PASTORAL CARE PROGRAM AS A RESTORATIVE JUSTICE MINISTRY

Pastoral Care has evolved into a large eclectic field of persons who claim to embrace the cure of the soul, as part of Practical Theology. Practitioners include: those affiliated with Clinical Pastoral Education; the American Association of Marriage and Family Therapists; the hybrid pastoral psychologists or social workers with M.A.'s. in psychology, or M.S.W.'s in social work; the pastor with an LPC, Licensed Professional Counselor; and the denominationally endorsed and unendorsed chaplains (military, prison, hospital, industrial, police, crime victims). Since I am the first chaplain for crime victims endorsed by the Section on Chaplains and Related Ministries of the United Methodist Church, I take seriously the tasks of professionalization, training, certification, meeting standards for care, and ethics, because others may follow who need to know this.

There are pastoral counselors trained in the William James and Anton Boisen experiential model, Seward Hiltner's model of pastor as Christian Shepherd (healer, sustainer, guider, informed by theological disciplines), Howard Clinebell's nurturing model, John Patton's contextual model, Don Browning's moral/ethical approach, or Charles Gerkin's interpreter model.[1] Some pastors use psychological skills and tools,

[1]James Woodward and Stephen Pattison, eds., *The Blackwell Reader in Pastoral And Practical Theology* (Oxford: Blackwell Publishers, 2000), 30 and 54.

including Rogerian client-centered acceptance, transactional analysis, Gestalt therapy, psychodrama, Freudian and Post-Freudian psychoanalysis, guided imagery, and relaxation exercises. Some are trained in psychoanalysis and use techniques developed by Freud, Jung, Adler, Horney.

The basis for CVAC's pastoral care program comes from Jesus as the model of healing, and from His example of compassion for crime victims that He gave in the Good Samaritan Parable. At the heart of this healing is compassion and care. Many of the psychological and practical theology's tools and techniques noted above are applied in CVAC's pastoral care approach. I believe without compassion and genuine care the tools would be dull.

I founded CVAC in 1989 and served on the Board as President and Secretary for ten years. In 1999, I retired as a prison chaplain and I began as a chaplain and director of pastoral care for CVAC. I use tools from psychotherapy, self-help support groups, practical theology, Christian ethics, systematic theology, Biblical theology, liberation theology, and African, Native American, Celtic, and Aboriginal Spirituality. I cite the author of a tool, like Carl Rogers, or Paul Tillich, in the ministry model, but it is more difficult to cite Native American and Celtic influences, which are general in nature and without one author.

The D.Min. Advisory Committee believed that if a crime victims ministry model is to be healing, it has to be derived from a healing model. One such model was Jesus' ministry, which was centered around healing and helping those who were sick, lame, blind (physically and spiritually), dead, demonized, widowed, oppressed and poor. He

healed; therefore, as Christians, we should do the same in His name. Rhonda Ray, President of CVAC, and Chair of the D.Min. Advisory Committee, summarizes: “If you had to state in one word what our ministry is about, it would have to be healing.”

CVAC’s Beginning

The context for a crime victims ministry is very important; therefore, the following describes CVAC’s social, political, cultural situation. CVAC started in 1989 when a young girl was hurt badly by a drunk driver and fell into a coma. The Vinings United Methodist Church decided that if one church family could be hurt that much, there was a need for a ministry for crime victims in Atlanta. Members took a resolution to the North Georgia Conference to support a crime victims ministry and it passed unanimously. CVAC was born with a start-up grant for $10,000, administered by Urban Action Ministries. For the past eleven years, the headquarters have remained in the Vinings UMC but CVAC has expanded support groups for crime victims around town.

The organization is a 501 (c) 3 non-profit operated by a Board of Directors composed of half crime victims and half church and criminal justice officials. There have been five Executive Directors and three have been UMC pastors. The organization has received funding from VOCA, UMC Churches, Council on Ministries, Day Foundation, SunTrust Bank, Home Depot, a Peace With Justice grant, and individual donors. I was employed by CVAC as a chaplain in July 1999, and CVAC hired a crime prevention consultant in November 2000. CVAC actively utilizes volunteers.

DEMOGRAPHICS

Atlanta is generally viewed as a 10-county metropolitan area with over 4 million in population. The Metropolitan Statistical Area is 74% white, non-Hispanic; 26% black, non-Hispanic; the suburbs are 81% white, 19% black. In contrast, downtown Atlanta is 31% white, non-Hispanic, 69% black, non-Hispanic.[2] Atlanta has both rich and poor, with household incomes over $75,000 (22.8% in 1998) and less than $20,000 (12.8%). Its poverty level ranks fifth in U.S. cities over 200,000. Only 4.8% have an eighth grade or lower education and 6% have post-graduate degrees, but the vast majority graduated from high school (34.7%), and many have advanced degrees, or some college (28.7%). Central Atlanta Progress[3] believes there is a continuing racial disparity in income levels, and the gap in education levels between blacks and whites is widening, and "the perception of crime is worse than the reality in Atlanta." About 73% are employed full-time or part-time, 8.9% of unemployed are homemakers, and around 70% own their own home.[4]

Traffic in Atlanta is congested due to unprecedented growth in population from 1990 to 2000, and due to suburban sprawl. Daily ozone warnings plague the overgrown, defoliated, underplanned infrastructure. Violent and property crimes have been going down in numbers from 1994 to1998, but one of United Way's top priorities for funding

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[2] University of Wisconsin. "Demographics of Atlanta." http://www.uwec.edu/academic/curric/freitard/groupand.../demographics%5Fof%5Fatlanta.html (March 26, 2002).

[3] "Central Atlanta Action Plan." http://www.centralatlantaprogress.org/ca2p/economy.html (September 7, 2001).

[4] "Topline Demographics: Atlanta." 2001. http://www.usadata.com//free_data/demographics/atlanta.htm (September 7, 2001).

programs is to make Atlanta residents feel safe because so many fear crime in their neighborhoods.[5]

The Olympic Bombing, Mark Barton's slaying of those who day-traded with him, Conyers High School shootings, and several murders of local police (including a recently elected Sheriff) have all hit the news. On a national level, Atlanta residents have watched media coverage of heinous mass murders in school shootings in Columbine, Jonesboro, Paducah, and Springfield; the Oklahoma bombing; terrorist bombings of two American Embassies in Africa, and the World Trade Center in 1993 and the most recent Day of Infamy in New York City and at the Pentagon, when approximately 3,000 Americans were killed by terrorists on September 11, 2001. Thus, our local and national psyche has been damaged by crime. With all this attention on crime and its control, local jails in Georgia are backed up with state prisoners waiting to be transferred. State and local prisons are overcrowded and the federal prison is over capacity.

There are 596 victim service providers in the state of Georgia and about 250 are in the ten county metropolitan area. Only four of the 250 victim service organizations list a religious affiliation.[6] CVAC has 1,746 names and addresses of the next of kin of murder victims in the five main counties of Atlanta. CVAC's memorial walls list over 3,000 names of murder victims in the five county area of Atlanta. Each murder victim has about five or six family relatives based on experience. Last year, the memorial service included

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[5]"Crime." 2001. http://www.ersys.com/usa/13/1304000/crime.htm (March 25, 2002).

[6]Criminal Justice Coordinating Council. "Victim Services Directory." http://www.ganet.org/cjcc/vsdirectory. html (March 25, 2002).

250 family members who had lost a loved one to murder. These facts are given to show the large numbers of murder victims in Atlanta.

CRISIS HOTLINE

The need is evident. Within this context, CVAC operates a 24-hour, seven day a week hotline which takes calls from crime victims in distress. As the chaplain, I answer the calls. During 2001, I had 1,124 incoming calls on the hotline. I use crisis intervention techniques to screen the calls and insure that the appropriate referrals are made. The United Way Helpbook lists all agencies in Atlanta that can help crime victims and often refers clients to CVAC. I receive referrals from and makes referrals to local clinicians and law enforcement when necessary (when a client is suicidal or homicidal, reports child abuse, a bomb or violence threat). Client intake forms are used and follow-ups are made when indicated by the nature of the call. Also, the CVAC Web site is accessed by crime victims. They e-mail CVAC with crime-related questions, and the crime prevention consultant and I respond and follow-up when it is necessary.

A lot of the phone calls are for basic information, such as how to obtain victim compensation, write the Parole Board, or find out from the Department of Corrections when an offender will be released. Some crime victims are in crisis and being stalked, or recently assaulted, and personal counseling is scheduled. Some hear of the CVAC homicide survivor group or stalking group and call to enter a group. I prepare a case assessment and schedule appointments or refer to other professionals, as indicated. A large booklet of resources and phone numbers is used to make referrals.

SERVING THE UNDER-SERVED

CVAC selected stalking and homicide victims because in Atlanta these two groups of crime victims were under-served in 1989. Even today there are only two other homicide survivor groups that meet regularly in the metro Atlanta area.

There is a great need for support for homicide survivors, as evidenced by the large number of murders that occur daily in Atlanta. For the last ten years CVAC has listed 300 to 415 names on large walls commemorating murder victims in the five-county metro area. Each name is certified as a homicide by the coroner's office. Also, in the area of stalking, CVAC identified only one other source in Southwest Atlanta that dealt specifically with stalked crime victims. Therefore, an assessment of need should precede which crime group is counseled by a crime victims ministry. For example, CVAC concluded the needs for counseling by victims of child abuse, domestic violence and rape were being met, so no concentration on these crime victims was made, even though from time to time CVAC ministers to these victims as well. The assessment can easily be made from the state's list of agencies that serve crime victims in comparison to the numbers of victims.[7] For example, when no agency is listed that serves stalking victims, then a stalking program may be needed if there are sufficient numbers of stalking cases in the area. Also, domestic violence programs sometimes offer counseling for stalking victims, even though they do not list them as clients. Therefore, the needs assessment includes calling or contacting each program to see if they indirectly serve those crime victims of interest.

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[7]Ibid.

CRIMINAL JUSTICE ADVOCACY

The ministry includes education of crime victims about how the justice system works. Someone not employed in the criminal justice field who experiences a homicide in the family may be very confused about the criminal justice process. Therefore, CVAC uses handouts to explain the criminal justice system including investigation, arrest, indictment, trial, conviction, sentencing, release and discharge from supervision. CVAC staff help victims write a victim impact statement, which is very cathartic for the victim. Care is taken to make sure this statement is in his or her own words, in order for the feeling of accomplishment to be genuine. Also, the document is considered by the sentencing judge and can be considered later by the Parole Board. The crime victim needs to understand that it will be considered, but there is no guarantee that the victim impact statement will yield the desired outcome. Otherwise, false hopes may be shattered due to unrealistic views about the influence the impact statement has with the judge.

As a chaplain and director of pastoral care for CVAC, I assist clients in filling out victim compensation forms, especially for those who can't read, or read at a low level. In Georgia, up to $10,000 can be sent to an eligible victim of a violent crime for reimbursement of funeral expenses, counseling, and lost wages due to the crime. I also provide crime victims with a Victim's Bill of Rights pamphlet and applications for VINE, a program which notifies a crime victim when his offender is released. I offer pamphlets on stages of grief and recovery, post traumatic stress disorder and acute stress disorder, national publications, the United Way Helpbook, and a stalking manual. Phone numbers for attorneys and counseling clinicians, books about victimization, National Organization

for Victim Assistance pamphlets, and 150 Web sites that help crime victims are offered as additional resources to help crime victims to recover and heal.

The ministry is a ministry of presence at times; as a chaplain I have accompanied the family to the murder trial on many occasions. During the doctoral project I attended two murder trials with families who attended homicide survivor support group. I was also present at sentencing and heard them read victim impact statements to the judge. A prayer is offered at the beginning of the trial for justice to be fair for all concerned. The mother of a murdered victim reported in a letter that it really meant a great deal to her that the friends she met in her homicide survivor support group attended the trial. The family reported that a pastor "being there" meant a lot to them, as the trial is such an emotional event.

MUTUAL SELF-HELP SUPPORT GROUPS: HOW CVAC COMPARES

The National Organization for Victim Assistance has several guides for starting a support group for crime victims.[8] Morton Lieberman estimates that self-help support groups in this country serve 12 to 14 million adults annually and he is impressed with the finding "that self-help groups produce measurable positive change using processes distinct from those commonly employed in psychotherapy."[9] CVAC calls the homicide survivor support group and the stalking survivor support group "Sharing Groups." This protects the participants when they say they are going to a Sharing Group, if they do not want others to know of the crime. CVAC selected crime specific groups that are

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[8]Marlene A. Young,. Victim Assistance: *Frontiers and Fundamentals*. "Supportive Counseling and Advocacy." 2001. http://www.try-nova.org/Victims/Counseling.pdf (March 25, 2002).

[9]Morton Lieberman, "Self-Help Groups: An Overview," *Generations* (fall 1985), 49.

homogenous (sharing the same crime). Other agencies may differ and put different crime-specific victims in support groups, but over the last eleven years the experience of trying different models led to this model.

Several things differentiate CVAC's groups from secular self-help support groups. For one thing, the entry price is very high. The group member has suffered a homicide of a family member or friend, or shared a stalking crime. This kind of Sharing Group is not only unique because of the type of crime, but is set apart because it has a sense of spirituality. Members pray together before and afterwards. The leader prays the opening prayer and the group ends in a circle prayer, although variations of this are encouraged. This grounds the group's healing processes in God and divine prayer. Over time the prayers are viewed as healing. Comments from homicide survivors in the Focus Group Evaluation included: "It really meant a lot to me to pray and helped me to know others were praying for me ... it is healing. I was so angry with God at first and now the prayers are soothing," Another said, "I thought the prayer really helped me be at peace with God."[10]

Also, there is a sense of sacred space when the group meets in a church with soft lighting and comfortable sofas and chairs. One homicide survivor said, "This group was a safe place to release feelings."[11] Other locations, such as the D.A.'s offices, a civic center, or victim service agency, have also sufficed as long as the group members feels safe to release and share their individual stories, pain and truths.

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[10]Crime Victims Advocacy Council, "Focus Group Evaluation," (Atlanta 2001), 3.

[11]Ibid., 1.

Parker Palmer said, “To teach is to create a space in which obedience to truth is practiced.”[12] Every time a new member joins the group the members share their murder experience and then ask the new member to share his or her story. By sharing the truth about the crime in all its ugliness and horror, and the emotional responses to it, members of the group reported that “Getting the feelings out made them feel better,” and “Being able to share feelings ... being able to identify anger and depression ... knowing when something is wrong with oneself ... knowing I was not alone in my feelings, I could say things and others nodded their heads that they understood. I knew they had been through something like I had, and therefore, I knew they understood.”[13]

In order to create an atmosphere in which the group could speak truthfully, they had to build trust with each other. One way to facilitate this was to ask a central question and then let every one answer in sequence. The group leader answered the central question first, modeling the truth and then went around the room, permitting others to speak in sequence. The Native American “Talking Stick” model was used in the “go-around.” No talking is allowed when one is holding the Talking Stick (a rock was most often used to pass from person to person). Deep listening was encouraged, meaning that everyone focused intently on trying to understand the words and the felt meaning behind the words of the person talking. This created a sense of acceptance and a non-judgmental

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[12]Parker Palmer, *To Know As We Are Known* (San Francisco: HarperCollins, 1993), xi.

[13]CVAC, “Focus Group Evaluation,” 1.

approach; listeners did not probe. When asked what the group liked best, they all agreed it was the non-judgmental attitude of the group members.[14]

Sharing and caring are important to the healing process. Giving help to others seemed to help as much as receiving it. The pastoral leader is actually a co-learner and co-facilitator in the Sharing group. His/her role is to encourage and facilitate the group members to help themselves by sharing "gems of wisdom" with each other. As one member said, "Talking it out and talking it through was great, and the importance of being able to share with someone you can relate to was key to me." One learned to "not take anger out on the people close to me and how to figure out the pain from the past," and she had a significant breakthrough when she shared a childhood incident with the group. She could see how that childhood incident affected her but until the group meeting she could not find the courage to talk openly about it.[15]

As a pastoral care provider who co-facilitated the group, I felt it was important to accurately reflect the true underlying feelings and emotions in an affirming, non-judgmental way, letting crime survivors know I was deeply listening to and affirming their feelings. This was particularly important when so often anger and rage were expressed over the horrible murder. Reflecting the "felt meaning" (emotions behind the words) of this rage in a congruent manner allowed the participant to go to the next level towards self-healing. However, self-healing is not enough, because the soul also needs

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[14]Ibid., 4.

[15]Ibid., 1.

healing with God. I am showing my bias towards Carl Rogers' client-centered, or person-centered, acceptance as a healing technique.[16]

Like Paul Tillich, I also believe that the courage to be whole again is nurtured by the Healer, Jesus Christ, "because He is the reality of reconciliation, because in Him a new reality has come upon us in which we and our whole existence are accepted and reunited ... for it is the power of reconciliation whose work is wholeness and whose name is love."[17] Consistent nurturing week after week included this kind of genuine care, unconditional positive regard, non-judgmental acceptance, and weekly prayer. The group provided a bedrock of comfort for the hurting soul. Pastoral care support for crime victims involves being a comforter and a healer in Jesus' name and in His tradition. Jesus said He would send a Comforter, the Holy Spirit in John 14. The prayer at the beginning of every group shows crime victims that God's healing hands are important and working in their midst, which was a stance of implied and actual faith that the group could move towards healing as a process, and in actuality with God's help.

On a personal note, I sometimes felt that a strange healing power "came over" me and this power transformed the homicide survivor group. There were moments when I acted "outside myself" for the good of the other, and it proved to be just what was needed. There were times when others were effective, too. As one homicide survivor said, "Sometimes it was like God was speaking through members of the group and it was just what I needed to hear." Like Carl Rogers said of a mystical and spiritual encounter,

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[16]Carl Rogers, *Client-centered Therapy* (Boston: Houghton Mifflin Company, 1951), Part I.

[17]Paul Tillich, *The New Being* (New York: Charles Scribner's Sons, 1955), 42.

> When I am at my best, as a group facilitator or therapist, I discover another characteristic. I find that when I am closest to my inner, intuitive self, when perhaps I am somehow in touch with the unknown in me, when perhaps I am in a slightly altered state of consciousness in the relationship, then whatever I do seems to be full of healing. Then simply my *presence* is releasing and helpful. There is nothing I can do to force this experience, but when I can relax and be close to the transcendental core of me, then I can behave in strange and impulsive ways which I cannot justify rationally, which have nothing to do with my thought processes. But these strange behaviors turn out to be *right*, in some odd way. At those moments it seems that my inner spirit has reached out and touched the inner spirit of the other. Our relationship transcends itself and becomes a part of something larger. Profound growth and healing and energy are present.[18]

The spiritual dimension of healing is important for crime victims. Some lost their faith and some found a renewed one. Some blamed God for allowing this murder, rape, stalking or assault to occur. They could not go back to Him in faith and trust. This is called a "crisis of faith" because belief in and reliance on God is shattered by the tragedy. They cannot conceive of a God that would permit this evil to exist. Previously, their faith had been sheltered from facing this kind of evil, but now the murder had "broken in" on them. They learned painfully that evil can hurt; this knowledge shattered their senses of peace, their vulnerability and "wholeness." It affected their trust level, and ability to relate to family and employer. Some lost their jobs and experienced marital trouble when they were unable to work because of the murder. Some could not sleep and some slept almost all day. Some ate too much and some did not feel like eating at all. Most were heavily medicated and even joked that they were "living better though chemistry."[19]

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[18]Howard Kirschenbaum and Valerie Land Henderson, eds., *The Carl Rogers Reader* (Boston: Houghton Mifflin Company, 1989), 135.

[19]Bruce Cook, *Daily Journal of Case Notes*, 1-30.

Even in the midst of this suffering in the weekly support group there was real genuine care, or love, shared week after week with tears and laughter. It always promoted healing. Crime survivors lifted each other up with nods of understanding and deep listening. They shared new thoughts as to how to cope with the anger, the pain, the depression, the confusion, the guilt or shame. The ones in the recovery stage tended to help the newer, more recent homicide survivors, who were still numb or in shock. As a member of the group, and a co-learner with everyone else, I also benefitted from this genuine care and deep listening, quiet, weekly rebuilding of faith and trust in others, and repairing of broken heartstrings.

My step-brother was murdered in 1977 by two men who beat him to death outside a restaurant in Little Rock, Arkansas. While I was a prison chaplain at the Atlanta Penitentiary, an officer was murdered by an inmate just before Christmas in 1994; the inmate hit the officer from behind with a hammer. Both murders were "sucker punches" from behind and the victims never had a chance with the attackers. After the officer was murdered, I "flashed back" to when my step-brother was murdered and got as angry as I was originally. I had to get help by talking to a victim's therapist. It did not help when some of the inmates came out of lockdown and started whistling the song, "If I Had a Hammer."

A Sharing Group member asked me if my anger was due to any childhood incidents. I could not immediately recall anything, but her question nagged me for a week. Then I recalled an incident in the first grade when an older bully tripped me from behind on the school playground, grabbed my hair, pushed my head into the dirt, and held it down until I could not breathe. I passed out for a few seconds and then came to

consciousness. I was so ashamed I did not tell the teacher why my face was bloodied. I later became enraged because I had been attacked from behind, just like my step-brother and the officer had been.

Until I gained this awareness of the childhood incident, I could not release my anger. This is just one example of the many times the Sharing Group members helped each other "unstick" from negative, past emotions. I do not share many of their stories because of client confidentiality. I respect their individual privacy.

As members often said, "Awareness is curative." If you are not aware of your emotions you cannot understand and get beyond them. I owe them a debt of thanks for helping me realize how my anger began. The anger doesn't seem to have much power now that I know its origination. I also chose to forgive the young boy who bullied me, by not giving him or his offense any power over me anymore. This released me from anger.

On two occasions during the six-month doctoral project, the Sharing Group dealt with the issue of forgiveness of the murderer and the Will of God. The group felt that it was God's will for people to be good and love Him and each other. They said that evil people resist God's will, and commit evil acts like the murder of a loved one, and go against what God intends. One woman said she was so angry at God when she first came to the group and now she is very angry with the murderer instead. Her anger was made worse initially because she was ironically praying for her son's safety at the exact time he was shot and killed. The group's consensus was that this anger, like healing, was part of a process of release and catharsis which occurs over time. The rush to a quick forgiveness

was not real to them. They felt it would be a form of "cheap grace" to forgive by lip service when the heart did not genuinely feel it.

Group members decided this was a matter between the killer and God; they felt the killer had to repent and ask God for forgiveness. They also felt the killer should be remorseful and ask the victim's family for forgiveness, but they did not expect it, because the legal case is still under appeal. Furthermore, group members felt the issue of forgiveness is pushed on them by the church before they are ready. They all felt forgiveness was not forgetting, excusing, or allowing the killer to deny responsibility. Some could not forgive at all, some are in process of forgiving, and one did forgive.[20] The interesting part of this kind of group dialogue is that it is "theology in context" of those who have actually experienced a murder of a close relative rather than academic theology in a seminary classroom or Sunday school.

To restore by replacing a murder victim is not possible; one cannot bring back the life of the murder victim from the dead. Restorative justice in the case of murder victimization really means trying to find as much peace (Shalom) and healing as possible for the grief and loss. Restoring to as much wholeness as is possible is a more realistic way of looking at the process of healing. Part of that restoration process involves rebuilding victim autonomy. Almost all of the homicide survivors I have talked to say they feel a loss of control and power after a murder. That sense of control and power needs to be restored.

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[20]Bruce Cook, *Daily Journal of Case Notes*, 4 and 45.

The label of “crime victim” implies that harm has been “done to” them. I often use the term “crime survivor” instead to emphasize the positive. Criminal justice officials, church members, family and friends, may view them as damaged goods and wounded victims. The crime victims are sometimes left out of key decision-making events (e.g., plea negotiations, sentencing, restitution) in their own case. Detectives, assistant D.A.s, Judges, probation officers, victim advocates, lawyers, prison staff, media, faith community, family and friends all manage their crime victim experience for them. This is called “secondary victimization” when they are “done to” (harmed or deceived) by the system who is supposed to help them. In my experience, this occurs less frequently today than ten years ago.

For the sake of victim autonomy, I do not like to rob a crime survivors of the victory of solving their own problems. Consequently, the group works on building coping skills in the areas of self-reliance, proactively managing their case by calling, writing, and exercising their rights as crime survivors, and learning to be flexible about court postponements, changing prosecutors, court procedures, and court dates. These skills are measured on the Coping Skills Inventory Test.[21] Other skills include learning how to deal with emotions in creative new ways, use resources creatively, and relax in new ways. By learning these coping skills the victim takes back some power into their life that seemed to evaporate after the murder, stalking or violent assault. They become a survivor, rather than a victim, and get better, rather than bitter.

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[21]Jerabek, I. “Coping Skills Inventory .” 1996. http://www.queendom.com (September 7, 2000).

EVALUATION OF SUPPORT GROUPS

To measure the effectiveness of these coping skills, I found a test on a Web site that can be scored online and is free.[22] Called the Coping Skills Inventory, it is a 45-question test that measures the kinds of coping skills taught in our Sharing Group. I tested the eight homicide survivors who signed up for the Sharing Group in September 2000, and then tested them again in January 2001. While all scores increased in value, implying an improvement in coping skills, it is preliminary to draw conclusions based on the short time frame and the small number involved (See Appendix A). The scores show pre-test and post-test results for the "treated" group, but do not measure the scores against a control group who received no help. I provided to the Sharing Group a Focus Group Evaluation, which received many positive remarks (See Appendix B). The Focus Group Evaluation involved the group leader and a recorder who attended and asked questions about what the group participants had learned in seven categories of coping skills. Their responses were recorded for each question. The recorder and I asked the participants to rate the group from 1-10, with 10 being most effective. Seven rated it as 10 and one rated it as 9. Therefore, a score of 79 out of 80 was given, with 80 providing the maximum score for effectiveness.

In conclusion, CVAC's pastoral care program involves the following: a crisis hotline; information and referral service for crime victims; education of crime victims about using the criminal justice system; serving homicide and stalking victims and general crime survivors in individual, family, group and support groups; evaluation of

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[2] Ibid.

support groups by coping skills test scores and a focus group. At the heart of pastoral care is compassion and care. During the six months of the doctoral project I kept a daily journal. I was amazed and humbled by the deep degree of care and sharing which occurred among members of the homicide survivor support group. I learned to care for them deeply and felt a close bond to each of them. We all shared our souls.

CHAPTER 4

CVAC'S ADDITIONAL ROLE IN CRIME PREVENTION

During the doctoral project, CVAC staff and volunteers designed, implemented and evaluated a crime prevention program to help faith communities, schools, and businesses avoid crime in their areas. The D.Min. Advisory Committee determined that crime prevention should be part of a model for ministry to prevent future victimization. CVAC did not have a crime prevention model in place. Therefore, I asked three crime victims (involving homicide and serious assault) and a crime prevention consultant to design the program with lesson plans.

For churches, the committee of crime victims and a consultant wanted to use scriptures and distribute information on the healing programs CVAC offers to those who have been victimized by crime, in addition to crime prevention tips. For schools and businesses, the emphasis was on crime prevention, omitting scriptures due to church and state issues and religious diversity.

CVAC paid for a crime prevention consultant to attend and graduate from the National Victim Assistance Academy sponsored by the U.S. Department of Justice. This is a forty-hour course of instruction taught by national leaders which includes a manual used for crime prevention seminars.[1]

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[1]National Victim Assistance Academy. 2002. http://www.nvaa.org (March 25, 2002).

The selection of the instructor was important, and CVAC selected one of its own Board members to deliver the seminars. During the doctoral project, the seminars were conducted at Atlanta International University for 19 college students, at Clark-Atlanta University for 15 college students, and at Haygood United Methodist Church for 15 members of the congregation.

The field of crime prevention is controlled largely by law enforcement agencies, and by private profit and nonprofit agencies. The reason CVAC entered the field is that staff and volunteers counseled so many who were victimized by crime that they began to see the need to educate as many people as possible. Safety tips and techniques arm seminar participants with knowledge that can "target harden" their home and family, and increase their personal safety when they travel to and from malls and businesses.

Imagine if Jesus had said to the scribe in the Good Samaritan Parable that the man should not go on the road to Jericho because robbers made it dangerous. If one did have to go that way, he should travel in the daytime with two friends, taking two long sticks and hot pepper juice to throw in the robber's eyes if attacked. As in the medical field where wellness centers are forming to prevent illness, CVAC's crime prevention efforts are fortifying citizens to reduce the likelihood of crime victimization.

Treatment and prevention are needed on the macro and micro levels. The macro level of crime prevention is in the area of total community renewal. United Methodists are designating "Shalom Zones," attempting to create peace in the communities, with job placement and training, lower rates of unemployment, fair and affordable housing, neighborhood crime watch groups, community policing, religious tolerance, and the

creation of just societies. Unjust societies are characterized by racism, racial profiling and selective prosecution, class prejudice, gender bias, unequal distributions of wealth, inadequate legal representation for the poor, hate crimes, lack of parents or parenting controls of children, poverty, and large numbers of homeless and drug-addicted people.

The churches, synagogues, mosques and temples can help the government agencies bring about as "just" a society as is possible. Restorative Justice implies this "just" society that is "as just as is possible" as the baseline. Otherwise, a crime victim has nothing to which he or she can be restored. A criminal or a crime victim cannot be restored if he or she has never been treated "justly" or fairly to start with and never seen or lived in a just society. This implies a set of common values, or morality, that are "just" as a baseline. If there is not common agreement about what is right and wrong, or what happens when we fail to teach the difference between right and wrong, then children will display what they have learned or failed to learn.

Restorative justice at the macro level will mean that faith-based institutions will need to preach, teach, and exemplify right living in accord with God's Will, as much as is possible. God's Will can be subject to various interpretations and religious presuppositions, but for the moment I propose that we start with two Jewish commandments that Jesus emphasized: the "Shema," or Great Commandment in Deutoronomy 6:5, "to love God with all one's heart," and the corollary "to love one's neighbor as oneself" in Leviticus 19:18. Sometimes a person knows something is "right" when s/he disobeys it and does something that "just feels wrong." Wrong and evil actions

conflict with the normative ethic of love of God and neighbor. The faith community needs to teach and exemplify right and good actions in the community.

JustPeace is a new United Methodist effort that recognizes the need to mediate conflict in our churches when wrong living occurs in the church or congregation.[2] For example, pastors or lay leaders may engage in sexual misconduct, child molestation, fraud, or other crimes, and the media exploits the misdeeds. This causes serious breaches of trust and splits many faith-based organizations. JustPeace believes that mediation can heal this type of conflict and restore the church to right living. They use concepts of conflict mediation, conflict transformation, deep listening, appreciative inquiry, sentencing circles, family conferencing, and talking stick circles that are also in use in the criminal justice's restorative justice approach. As part of CVAC's crime prevention effort we will refer churches to JustPeace when crimes occur in churches.

Crime prevention is also needed on the micro level. During CVAC's crime prevention seminars for faith-based organizations the leader informs participants about the proper use of burglar alarms and having back-up alarms to foil professional burglars. CVAC distributes information to help churches screen and supervise employees and volunteers who work with youth, the elderly and the disabled, which might reduce the likelihood of child abuse, elderly or disabled abuse or fraud. CVAC staff tailors each talk to the audience and finds out what crimes they have been dealing with. For example, at the Atlanta International University and at Clark-Atlanta University there had been a few rapes and attempted rapes, including date rape and use of drugs to rape. The crime

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[2]JustPeace. February 1, 2002. http://www.justpeaceumc.org (March 26, 2002).

prevention seminars at those locations cited the statistics from campus security and then gave tips to avoid drinks given from strangers, safety measures in dating, and the option of buying pepper spray as a self-defense weapon. The legal requirement of clearly saying "no" to unwelcome sexual advances was also explained in detail, which is necessary to prove rape in criminal court.

CVAC cannot guarantee that a crime prevention seminar participant will not be victimized by a violent or property crime, but the information, if relied upon and used, can reduce the likelihood that the crime victim will be an easy target. For example, if a predator is looking for "easy prey" walking to and from a car in a shopping mall, s/he might be deterred by an alert person who looks around, parks in a well-lit area, holds a pepper spray key chain in the ready position and her purse strap across her chest. In contrast, a vulnerable person looks unaware with eyes down, purse hanging from hand, walking to the mall from an unlit area of a parking lot. If predators chooses the more difficult target they will have to struggle to get the purse from under the arm, face pepper spray and being seen in a lighted area and identified.

Purchasing a door wedge that withstands entry under the door can make hotel lodging and sleeping feel safer. Purchasing a "CALL POLICE" dayglow sign for one's car prevents the need to accept help from motorists on the highway who may have criminal intent. Keeping a cellular phone in the car that dials 911 is an excellent safety tip. Accidents happen despite these precautions; however, a person's wits and knowledge of self-defense can sometimes make the difference.

The self-defense portion displays some basic escape tips and some restraining holds from martial arts. Sound discretion and judgment should be used to avoid making the situation worse and examples are given. Trying to poke car keys in the eyes of a man who wants directions to the restroom in the mall, or even of a predatory criminal, is not recommended. If attacked near one's car it would be wiser to throw car keys 50 feet or more, forcing the wary predator to take the victim 50 feet to retrieve those keys. Poking him in the eyes may infuriate him but throwing the keys may thwart him, especially if he wants to steal the car, or the victim's purse or wallet, or harm the victim inside the car. The caveat is that there are no guarantees as the criminal may be influenced by mind-altering drugs, or may be mentally ill.

Since normal logic may not apply, the use of "surprising" techniques can sometimes work: ask a male robber if he needs a job with your help; offer a word of prayer for him and the family; give him more than asked for, such as food and drink; scold him like a schoolboy; fall down and throw up; act mentally ill. These ideas fall under "surprising," creative responses that can sometimes be so unexpected they actually work. There are no guarantees with safety tips or prevention ideas.

In order to evaluate the crime prevention seminars, CVAC used a client satisfaction survey form filled out by the seminar participants themselves. Of 19 persons trained on November 1, 2000, CVAC received 17 client satisfaction surveys, all rating the speaker/instructor as excellent. (The choices for rating were excellent, average, and poor). Some of the comments made on the form were: "He and his speech were very informed" "Very informative, good explanation and kept audience involved" "He communicates

very well" "Passionate about the topic" "Kept my attention, let us interact with him and give feedback to him." Of fifteen persons trained on February 21, 2001, six returned a revised evaluation form with seven categories. All six rated the presentation good or excellent. One comment was, "Great refresher on crime prevention tips." Evaluations were not conducted of the other two events.

Crime Prevention involves changing laws to protect citizens. During the six-months project, CVAC learned that pimping a prostituted child was a misdemeanor in Georgia. Due to newspaper accounts of pimping children, the CVAC Board of Directors decided to co-sponsor a bill that would make pimping a child a felony carrying a sentence of 20 years. CVAC staff met with the Fulton County D.A. and a Task Force to introduce new legislation. CVAC educated Senate and House Judiciary Committee members by e-mails, phone calls, and faxes. The bill passed and was signed into law by Governor Roy Barnes on March 27, 2001.

CVAC decided to research national programs to deter children from entering the life of prostitution. The Paul and Lisa Program in Essex, Connecticut was selected. CVAC will model it in Atlanta after the training. Both crime prevention and legislative education are important roles for CVAC to play in the prophetic tradition.

As a faith-based advocacy model, CVAC has been instrumental in the passage of six laws in the past, including the Bill of Rights for Crime Victims; Crime Victims Emergency Fund; Victim Notification (Corrections); Victim Notification (Parole); mandatory counseling for batterers in prison; and the child prostitution law mentioned above. Preventing crime through education and promoting new laws that are designed to

deter criminals means that CVAC and other victim service providers may not have to counsel as many crime victims in the future. It is very important to involve crime survivors in changing the laws that affect them to promote their empowerment.

The field of crime prevention has been heavily influenced by law enforcement. CVAC wanted its crime prevention effort to be influenced by faith-based former crime victims; hence, the design committee consisted of an assault victim, two survivors of homicide and a retired military person with self-defense training. They emphasized that the program should have a healing focus. Seminar participants learn where they can go to get healing if they have already been victimized by a criminal. The D.Min. Advisory Committee also believed that the seminar leader should call the requesting agency and find out what crimes, if any, participant had experienced so the presentation could be tailored to meet that need for information. The security department at both colleges gave our seminar leader that information prior to his visit. Date rape was discussed with prevention tips, because that had been an issue at the colleges.

The committee also believed that feedback was important, so an evaluation form was used that came from another crime prevention expert at Citizens Against Crime. This form was limited to ratings of excellent, average or poor and had a small space for comments. An improved evaluation form was selected from the Office of Victims of Crime, Training and Technical Assistance Center. This form provided nine performance categories to evaluate, an overall evaluation, and more lines of space for comments. The importance of evaluation cannot be overemphasized, since churches need evaluation tools to improve the operation of the programs.

After CVAC heard about the awful, diseased life of a child prostitute, we decided to use Paul and Lisa's videos, pamphlets, and discussion tips to try to save young teens from getting AIDS and emotional damage. If we save one child the entire program will be worth it. If one participant remembers a CVAC safety tip and avoids crime, it will be significant. Serious, violent crime is so devastating that we must work to prevent it.

The D.Min. Advisory Committee added this crime prevention component to CVAC's model for ministry. It may be one of the few crime prevention programs in the country that was developed by crime victims. Perhaps the excellent ratings on the evaluation forms are due in part to some of the crime victim sensitivity and input. The ratings could also be due to the excellent training the consultant received in Washington, D.C.

The D.Min. Advisory Committee decided it was important for a model of ministry for crime victims to use technology to respond to crime victims and prevent crime. The technological innovations are described next.

CHAPTER 5

THE IMPACT OF TECHNOLOGY

Technology will change the future. A model ministry for crime victims should embrace technology or face extinction. CVAC decided to place a Web site with the General Board of Global Missions (www.gbgm-umc.org/cvac) because of United Methodist roots. From that Web site one can access and print a brochure about CVAC, make a secure donation, and link to the CVAC email address, askcvac@aol.com. CVAC is listed with 850 search engines and linked to United Way's Web site and other online victim service organizations for referral purposes. Many crime victims today search the Internet for organizations that help crime victims and find CVAC through that process. One Canadian organization is trying to network all crime victims organizations so they can help each other with technical issues and problems of crime survivors.[1]

Some crime victims find CVAC through the Internet and e-mail questions to CVAC staff. Questions have come from England, Canada, and all over the United States. This makes CVAC a global crime victims service provider. Connectivity has new meaning when a person from England e-mails a question about crime victimization and the responses cross a huge ocean instantly.

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[1]Randy McCall. "Victim Assistance Online: A Comprehensive Resource Center." 2001. http://www.vaonline.org (March 26, 2002).

Also, CVAC can assist a crime victim by using the Internet to administer a free Coping Skills Inventory Test which is scored online (see above). A victim impact form can be filled in and sent online to the Georgia Board of Pardons and Paroles.[2] This form allows crime victims to provide input for or against parole to the Parole Board when it considers the offender for release to the community. The Georgia Parole Board Victim Services Director has stated that in 95% of the cases in which a crime victim objected to parole, the recommendation to deny parole was followed.

A crime victim can request to be notified online of an offender's release from the Georgia Department of Correction.[3] This enables a crime victim to take precautions against the released offender in cases where threats were made to the victim. When a child molester is released, the notified parents can meet the child at school to avoid further victimization. A rapist may have threatened to kill the rape victim if she testified against him and, therefore, the rape victim needs notification of the offender's release to protect herself.

In the near future, a crime survivor will be able to file a compensation claim online for costs directly related to the crime. A crime survivor of post-traumatic stress disorder can read all about the symptomatology and treatment for acute stress and PTSD online.[4] CVAC has also started a new effort to help indigent crime survivors learn how to use the Internet and access library computers -- tools that empower them to take back

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[2]State of Georgia Pardons and Paroles. http://www.ganet.org/pap (March 25, 2002).

[3]Georgia Department of Corrections. http://www.dcor.state.ga.us/default.html (March 25, 2002).

[4]"Acute Stress Disorder." http://www.mentalhealth.com/fr20.html (March 25, 2002).

control in their lives. The Internet provides useful information about the types of crimes they encountered. For example, a stalking victim can find links to several Web sites on stalking.[5] There are similar links on that Web site for child abuse, elder abuse, hate crimes, homicide, rape, and many other crimes. The Crime Prevention consultant has placed computers in the homes of crime survivors so they can access the Internet. Most of the participants of the Homicide Survivor Support Group send and receive e-mail weekly and announcements and resources are shared.

The downside to this Internet connectivity is that criminals can use it to their advantage. They can use the Internet to prey on children, or commit cyber-stalking of adult victims by sending threats, harassments and sexual innuendoes through e-mails. They can use anonymous re-mailers to send e-mails to chat rooms or bulletin boards, falsely claiming the crime victim is available for sex. Then the victim receives a flood of e-mails requesting sexual encounters. Sometimes a stalker sends sexual lies to a victim's employer through e-mails, attempting to get the victim fired. The hope is that the unemployed victim will unite with the stalker for economic reasons. Keeping a new and secret e-mail account or blocking unwanted email is necessary to keep the stalker from sending e-mails. By keeping copies of the threatening e-mails, a crime victim has evidence for use in court.

Another threat is identity theft. A criminal may obtain social security and bank information that will provide access to the victim's bank account. CVAC has referred

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[5]Patricia Tjaden. "The Crime of Stalking: How Big Is the Problem?" November 1997. http://www.ncjrs.org/txtfiles/fs000186.txt (March 25, 2002).

victims of identity theft to Equifax, TRW, and Experian credit agencies to request a "fraud alert" on their accounts. This prevents the criminal from obtaining more credit cards in the victim's name. Part of CVAC's crime prevention program is to teach techniques that will avoid cybercrime. We also provide links to Web sites that will help prevent further victimization. We have found the U.S. Department of Justice Web Site to be helpful for victims who called CVAC about identity theft prevention.[6]

The Internet also raises ethical questions about online counseling. If the crime victim who sends an e-mail is a minor, a predator, or is mentally incompetent, the counselor should not reply but how does the counselor know? A request to state age or mental competence is one way, but the respondent can lie. Also, if a counselor cannot guarantee security of the e-mail to protect confidentiality, the client should be informed and agree to this prior to any reply. As a rule, CVAC suggests that only the provisions of general information and victim advocacy should be practiced on the Internet. Pastoral counseling, as well as licensed professional counseling of crime victims, should not be practiced on the Internet until confidentiality can be assured.

People of faith will be faced with the good and evil uses of the Internet for some time. In a Drew D.Min. lecture on June 20, 2000, "Reflections on Postmodern Evangelism," Dr. Leonard Sweet said he believes that there are "natives" and "immigrants" who speak the Internet language. He thinks the young today are natives of the Internet while the older generation barely understands all its uses. He says the Internet

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[6]U. S. Department of Justice. "Identity Theft and Fraud." http://www.usdoj.gov/criminal/fraud/idtheft.html (March 25, 2002).

is a foreign language. The children "get it" but many adults do not. He encourages pastors to use technology as postmodern evangelists, to help minister to both the natives and immigrants surfing the Web. I hope children find programs that are uplifting rather than pornographic or sexually exploitative on the Web. CVAC teaches parental control and limits of Internet use to avoid child cybercrime.

The Census Bureau reported that 42% of all households could log onto the Web in 2000, compared to 18% three years earlier. Over half of the country's 105 million households have computers. The economic discrepancy of computer ownership has been erased by schools offering it to children with "nearly 90% of all school age kids - ages 6 to 17 - had access to computers either at home or at school."[7]

The Internet is changing crime and the response to it in dramatic ways. It has changed the way people respond to national events with amazing speed and immediate reactions. The recent tragedy and murder of 3,000 people on September 11, 2001, in which terrorists bombed the World Trade Center (WTC) and the Pentagon, provides a glimpse of this change. The Internet response was global, immediate and interactive: The world poured out sympathy in e-mail messages of resources and how to cope with this event. There were stories of victims cell-phoning and e-mailing family members while in the doomed planes or the WTC. A Canadian organization called Victims Assistance Online sent CVAC over 50 messages from all over the world within two weeks of the bombing. These messages offered sympathy, tips on coping, Web site resources on what

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[7]Genaro C. Armas, "Communication Needs Spur Growth in Net Use,"*Atlanta Journal-Constitution*, 9 September 2001, sec Q, p. 4.

to tell children about this disaster. Also, names of volunteers were collected and forwarded to officials in Washington, D.C. and New York City. Internet Service Provider AOL offered a pop-up site called “How to Help,” which provided phone numbers of emergency agencies for tracking loved ones, volunteering, or sending donations to the Red Cross, Salvation Army, International Firefighters Association, and others. I volunteered and spent a week as a chaplain with the United Methodist Commission On Relief and the Red Cross as a grief counselor. Law enforcement used the Internet to trace e-mails found on a confiscated laptop computer belonging to one of the terrorists. One of America’s responses has been to “follow and freeze the money,” by using technology to track and stop financial transactions of the terrorist network.

CVAC staff received e-mails from friends and family during this crisis, as well as letters from Bishops, clergy, the United Methodist Commission on Relief, crime survivors in Atlanta, and CVAC Board members. We felt connected spiritually across the globe, united in common grief. This immediate and interactive connectivity crossed the barriers of oceans, cultures, generations, faith beliefs, and prejudices. We are the world as never before.

In the next decade or two the Internet as we know it will be antiquated. I expect our computers to be in our eye glasses or clothing and voice-activated by then. DNA will be used for crime analysis, and encoded computer chips will be in every person’s driver’s license, credit card, and airport security clearance. The Baby Boomers will age another ten to twenty years and the Generation Xers, and children born after 2000 will inherit our spiritual ethical teachings, or lack of them. We will then see the result of our theological

ethics as practiced. Crime and its response will be Internet-related with unique crime-mapping, crime prevention techniques and online coping aids. The church is challenged to keep up, lead, or get out of the way of this oncoming wave, or tsunami, of technology.[8]

CVAC is prepared to take advantage of the Internet to help crime survivors to heal but will not use it to replace personal care and prayer. The personal care and prayers of others are important keys to healing. CVAC will also use the Internet as a resource and a tool for crime prevention but will not use it to replace a trained person giving the prevention seminar.

[8]Dr. Leonard Sweet and Cassidy Dale, "Christian Futuring," DMIN Class, Drew Theological School (Madison, NJ: spring 2001). I am indebted to them for this paragraph.

CHAPTER 6

EVALUATION OF THE CVAC PROJECT AND CONCLUSION

The Crime Victims Advocacy Council has pioneered a new model of ministry for the church. Like many new efforts, it succumbs to growing pains and efforts to critically evaluate itself. While it rests on restorative justice principles, it has been forced to find other biblical and theological underpinnings for the kind of ministry it represented. Research of the literature indicated there were few examples like it from which evaluative data, theological foundations, pastoral care models could be drawn. The Good Samaritan Parable, and Theology of Reconciliation, promote the theory that relationships broken by crime can be restored through a healing process. CVAC decided to use a model that included support groups, pastoral care in individual, family and group sessions, restorative dialogue, legislative education, crime prevention, and technological interventions.

The D.Min. Advisory Committee and I concluded the doctoral project was a success. While the Advisory Committee provided the parameters and guidance for the ministry I implemented the model with the help of Clarence Hall, the crime prevention consultant, and volunteers. The timetable was implemented as planned. Six Advisory Committee meetings were held to discuss the phases of the project and to make suggestions for improvements. I operated group, individual and family sessions for crime

victims from September 2000 to March 2001. I kept a daily journal to make theological reflections about the ministry.

The Advisory Committee and I evaluated the homicide survivor group in pre-test and post-test scoring and in a focus group. Preliminary results of the Coping Skills Inventory Test are promising and show improved coping skills. Based on the small sample size (eight) and short time frame (three months) it is not possible to make generalizations. It is an area that needs further research with more subjects and longitudinal studies. Different varieties of coping tests may be used which may yield different outcomes.

The Crime Prevention Committee evaluated the crime prevention seminars conducted by Clarence Hall. Ratings on the evaluation forms were excellent. The input from three crime victims was crucial in making this crime prevention seminar relevant to the audience and based on actual experiences of crime victims. The improved Web Site and e-mail technology enabled the project to succeed by improving communication with staff, volunteers, victims and seminar participants. This project caused CVAC to refashion the mission statement to include language about healing, because that is what we believed the project was about.

Through this project I grew theologically to realize how God works in people's lives through other people as His healing agents. I sense that I am still on this journey of healing from crime victimizations in my past. My style of leadership was to be a facilitator of other's strengths to achieve God's kingdom of love on earth. I was very fortunate to have a wealth of experienced leaders in both criminal justice and the crime victims movement to

serve on my D.Min Advisory Committee. They were a tremendous help in framing the model of crime victims ministry and making suggestions to improve it.

My research has indicated that there is a dire lack of books and articles on crime victims ministry. This thesis will help fill a void in the area. The project represents a model that can be replicated in any church or faith community. The increase in test scores and positive feedback in a focus group indicate that support groups are healing for those who participate. Certainly crime prevention with a healing emphasis is unique to most law enforcement prevention programs. On a personal level, I grew spiritually during the project by playing the various roles of administrator, pastoral care provider, shepherd, and co-learner in the planning meetings and survivor support groups. I felt very blessed by the insights I gained in the groups.

A model ministry of reconciliation should care for the wounded crime victim, first and foremost. It should offer systems of support and care, unlimited mercy and love, and opportunities to heal physically, mentally and spiritually. It should provide a way to make the victim whole spiritually and financially with offender restitution, community service and taking responsibility for the crime, when possible. It should promote systems of healing for the victim, the offender and the community.

IMPLICATIONS FOR THE MINISTRY

This doctoral project established the need for ministry to crime victims. It provided a model program to meet that need and this model was still in place a year after initiation. In my opinion, the model represented a novel attempt at restorative healing, or

"care and cure" of the victimized soul. Care of the soul belongs in the field of practical theology. Pastoral care of crime victims should be incorporated into local faith communities and seminary curriculum. There are millions of violent crime victims who are left to "fend for themselves spiritually," as one crime victim said to me. Chaplaincy for crime victims is just as necessary as chaplaincy for prisoners, military personnel, or hospital patients. The victim advocacy profession is developing professional standards presently within the victims movement. The faith community and the clergy should become part of and embrace this movement and standardization process. This new stance will require specialized training in crime victimization and trauma. The alternative is being left out and left behind like the Rabbi/Priest who "passed by" the wounded crime victim in the Good Samaritan parable.

I have been dismayed by the laity and clergy who will minister to prisoners yet ignore ministry to victims of crime. Many seminaries teach pastoral care of prisoners, the sick, and the mentally ill but forget about crime victims. This doctoral project pioneers a model for ministry to crime victims that may offset that imbalance. Ministry to crime victims should be conducted in local churches, and included in practical theological training for clergy and laity. It is my hope that local churches, synagogues and mosques can do one of or all of the following: (1) start a self-help support group for a class of neglected crime victims in their community; (2) operate a memorial service for those who were murdered; (3) start a crime prevention program; (4) advertise their programs for crime victims on the Internet; and (5) begin restorative justice dialogue and programs for the benefit of crime victims and prisoners. Then the care and cure of the crime victim's

soul can begin. Doing nothing implies that we do not care and certainly enables no cure. It is my hope and my vision that CVAC could someday be a training ground, resource and technical assistance center for future chaplains who are compelled and called to serve crime victims. I pray that someday I could see as many chaplains serving crime victims as prisoners. CVAC chapters could be formed across the country. I hear Jesus' words to "go and do thou likewise" (Luke 10:35).

The main criticism I have with restorative justice as a movement is its increasing secularization and polarization. In secular programs the body and mind may heal, but the spirit is left unattended. Restorative Justice is moving away from reconciliation as a goal to that of facilitated dialogue as a goal and as a process. Dr. Howard Zehr, one of the founders of Victim Offender Reconciliation Programs (VORP) in 1974, infused the program with a distinct, Mennonite, spiritual nature of reconciliation. Some are now calling themselves Victim Offender Mediation (VOM), or Victim Offender Dialogue Programs, to stress that they are not pushing reconciliation as a goal, but noting it may be an outcome of the dialogue. Dr. Mark Umbreit's VOM programs are humanistic and do not claim to have a spiritual foundation.

The faith community needs to claim restorative justice programs to keep the spiritual basis of healing. If not, restorative justice programs may become void of spirituality because of religious diversity, fears of religious discrimination, or secondary victimization. The faith community can not afford to ignore crime victims by referring them to secular programs. By doing so they are disobeying Jesus' command to help the wounded neighbor. They are abrogating their responsibility to heal their neighbor. By using the CVAC model the

chaplaincy vocation has an opportunity to include crime victims along with prisoners, hospital patients, military personnel, industry and pastoral counseling centers as extension ministries. By using the CVAC model any local church can start a support group and grow into a ministry for crime victims. CVAC chapters could be started in any location where there is a strong need for spiritual healing of crime victims.

Reconciliation takes many forms in a crime victims ministry. At the heart is a deep care and a non-judgmental listening, patience and advocacy that comes from Jesus Christ. While it may draw from Celtic traditions of storytelling, Native American sentencing circles and talking stick techniques, the heart and soul of the crime victims ministry is listening and caring and praying together. Over time the healing can occur because others cared, listened and prayed together. No one rushes the healing and it just takes its time.

By going to court with the victim, helping the victim understand how to write a victim impact statement, how to ask for notification or compensation, care group members become advocates for each other. The Comforter, The Advocate, or The Paraclete, often called the Holy Spirit, in John 14, is sometimes thought of as one who advocates the legal condition of another (especially in the root meaning of Paraclete). The support group often expressed that words spoken in the group came from God, the Comforter, and group members acted as God's messengers because they needed to hear precisely the words spoken in the group that day or that night.

When a criminal has stolen the innocence, ripped away the facade of personal safety and violated a body and a soul with a horrible crime one cannot go back to before

that event and become the person he once was. It takes years to recover, healing the hurt and repair the ravages of anger. That is why CVAC decided to work on the front end of the victim's movement with crime prevention, as well as the aftermath with counseling and support. For example, CVAC staff heard from young girls aged 10-12 who had been forced by adult pimps to become prostitutes. There was so much damage (40% of them had AIDS and many were drug-addicted) that CVAC decided to use a teen prostitution prevention approach. There are few faith-based victim advocacy programs that also offer crime prevention programs, but CVAC believed that crime prevention is preferred to damage control.

CVAC has been involved in crime victims advocacy for twelve years. For the last two years it has refocused on healing as the main mission of the organization. Jesus Christ is the author and source of healing and is sometimes referred to as the Grand Physician and Healer. Many crime survivors lose some or all relationship with God due to their crimes. CVAC promotes prayer and care in a self-help support group as a key to true healing. The right kind of relationship with God can be restored when the victims see and experience a ministry of loving presence on their behalf. It makes forgiveness possible, or "thinkable."

A Theology of Reconciliation uses forgiveness as part of the healing process, but does not demand forgiveness before its time. A Theology of Reconciliation includes restoring right relationships between humanity and God, and within humanity. The process includes deep listening, loving care, and empowering the victim to let go of the crime's dominating effect. By laying the crime's baggage at the foot of the cross, the

victim can lift a large burden. A Theology of Reconciliation is difficult, takes a long time and is not for everyone. Those crime survivors who reconcile with God and neighbor receive rewards of movement towards healing and away from pain and grief.

There is an element of choice in accepting Christ who reconciles, or denying His offer of peace and love by maintaining hatred and anger toward the criminals. Some crime victims experience a heinous crime of torture or see a loved one tortured mercilessly by an offender. For example, one murder victim's mother and father are so full of righteous indignation over the rape and torture of their daughter that they are "fully invested in anger and vengeance," and say they will "never, ever forgive" the assailant. They do not attend church but do believe in God. They choose not to forgive as they are still healing and in pain and grief. The ministry of reconciliation takes time and is an ongoing process. Listening patiently and with a nonjudgmental attitude to this pain is a loving act. A ministry of presence allows the anger to be expressed by crime victims and this ministry never leaves or forsakes victims in this time of pain.

Over several weeks in support group, each time the survivor describes the murder of a family member there is less anger exhibited. "Like grief, forgiveness, as Augsburger points out, may entail 'multiple journeys into memory to tell and retell the past,' until the pain recedes, and we are ready to integrate the loss into our lives."[1] When survivors in recovery feel they have assimilated the murders into their lives enough to exit the group, they often say, "Thanks for listening and understanding."

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[1]Marshall, *Beyond Retribution,* 276.

RESTORATIVE JUSTICE

Restorative Justice as a movement and a program has some strengths and weaknesses. Politically, conservatives think it lets criminals off too easily with restitution and a dialogue session. Liberals like it because it reduces the dependence on incarceration as a sentence. The church is just starting to claim it with Restorative Justice Divisions in the United Methodist Church, the Presbyterian Church, Mennonite Central Committee, Baptist Home Mission Board, and the Catholic Campaign for Human Development. The spiritual healing and reconciling elements of restorative justice are Biblically sound and deserve further replication.

CVAC is unique in the ministry but one of several models for restorative justice today. Dr. Mark Umbreit has one of the oldest and most proliferative restorative justice programs, but it does not have a spiritual base.[2] It is 27 years old, with over 300 victim-offender mediation and dialogue programs in the United States and over 900 in Europe. It is expanding to Australia, New Zealand and South Africa and has roots in Native American (United States) and Aboriginal/First Nation cultures. Otherwise, Dr. Umbreit's model in Minnesota at the Center for Restorative Justice & Peacemaking is a good one because it is a:

> victim-centered response to crime that provides opportunities for those most directly by crime - the victim, the offender, their families, and representatives of the community - to be directly involved in responding to the harm caused by the crime ... offering support and assistance to crime victims; holding offenders directly accountable to the people and communities

[2]University of Minnesota, St. Paul, Center for Restorative Justice and Mediation."Principles of Restorative Justice." 1996. http://ssw.che.umn.edu/rjp/Resources/Documents/cctr96a.pdf (March 26, 2002)

> they have violated; restoring the emotional and material losses of victims (to the degree possible; providing a range of opportunities for dialogue and problem-solving among interested crime victims, offenders, families, and other support persons; offering offenders opportunities for competency development and reintegration into productive community life; and strengthening public safety through community building.[3]

Dr. Umbreit's Web site states that "research has found restorative justice programs to have high levels of victim and offender satisfaction with the process and outcome, greater likelihood of successful restitution completion by the offender, reduced fear among victims, and reduced frequency and severity of further criminal behavior."[4] He cites specific examples of restorative justice to include: crime repair kits, victim intervention programs, family group conferencing, victim offender mediation and dialogue, peacemaking circles, victim panels that speak to offenders, sentencing circles, community reparative boards before which offenders appear, offender competency development programs, victim empathy classes for offenders, victim directed and citizen involved community service by the offender, community-based support groups for crime victims, and community-based support groups for offenders.[5] I would only add conflict transformation programs to his list. Note that he includes crime victim support groups as a restorative justice model, and this is what CVAC primarily conducts.

Examples of the above restorative justice programs can be found at many locations and they are changing public policy on crime and the response to crime.

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[3]Ibid.

[4]Ibid.

[5]Ibid.

Neighbors Who Care is a Prison Fellowship program which operates crime repair crews and publishes books and videos on school safety and crime victim/crime prevention issues. Local, state and federal district attorneys operate Victim Intervention Programs led by Victim-Witness Directors and they are an excellent referral resource for other intervention programs in the area.

Family group conferencing has been practiced in New Zealand and Minnesota. The Mennonite Central Committee has developed many Victim Offender Reconciliation Programs (VORP) in the United States and Canada. Peacemaking Circles are found in Native American cultures. Victim impact panels are operated by the Restorative Justice Planner in the Minnesota Department of Corrections, by staff and volunteers in the California Youth Authority and Department of Corrections, Georgia Department of Corrections, U.S. Bureau of Prisons, and Mothers Against Drunk Driving (MADD). Victims of crime visit prisons to tell prisoners of the impact of their crimes, hoping to deter them from future crimes.

Sentencing Circles are found in many Native American cultures, but elements are being taught by Restorative Justice Ministries, a section of the General Board of Global Missions of the United Methodist Church in Nashville, Tennessee. Community Reparative Boards are operating across the state of Vermont. Victim empathy classes are operating in the U. S. Bureau of Prisons, the California Youth Authority and several state corrections departments as a new initiative. The classes are being led by counselors, education and drug abuse staff. Community service is practiced by all of the courts but variations exist as to the level of victim or citizen direction and control.

The Crime Victims Advocacy Council in Atlanta, Georgia has operated support groups for crime victims since 1989. Other support groups are run by Parents of Murdered Children, Compassionate Friends, Murder Victims for Reconciliation, and Justice for All. Many prison ministries have support groups in after-care programs, such as Yokefellows and Prison Fellowship, Campus Crusade and parole officers encourage alcohol and drug aftercare, AA programs and Narcotics Anonymous support groups. The North Carolina Department of Corrections has encouraged Disciple Bible Study in prisons with an after-care program in the community. JustPeace of the United Methodist Church trained many lay and church leaders in conflict transformation models in Nashville in 2001.

These are just a few examples of restorative justice efforts in America. CVAC is one proposed model. It may also be possible to combine some elements of these other models with the CVAC model to form a crime victim ministry that is based on restorative justice principles.

The lack of spirituality in some of the above programs is a serious detraction. Healing the mind and body is not holistic if the spiritual dimension is left out. As Michael Hadley said, “In the strict sense, Restorative Justice is neither a program or a method. Nor, as some detractors regard it, is it some form of mechanical do-it-yourself kit or psychotherapeutic mind game. These approaches promise a quick fix, but always let one down in the long run. Restorative Justice, with its principles of repentance, forgiveness, and reconciliation, is instead a deeply spiritual process. It is never the easy way out; neither for the victim, the offender, nor the community. It requires us all to come to grips

with who we are, what we have done, and what we can become in the fullness of our humanity. It is about doing justice as if people really mattered; it addresses the need for a vision of the good life, and the Common Good. To borrow the title of a recent study, the restorative approach is concerned with restoring the moral bond of community."[6]

Spirituality is sometimes difficult to define in the restorative justice value system. Its roots, or elements of its roots, are in Native American, Aboriginal, Jewish and Christian tradition. In fact, one judge described a sentencing circle, which comes from Native American and Aboriginal culture, as a 'voluntary, participatory model which focuses on the theme of healing ... and it is the healing which is for many linked to spirituality.[7]

I participated in a sentencing circle training exercise in Stony Point, New York which was led by Restorative Justice Ministries of the United Methodist Church. We opened with prayer and used the talking stick to sequentially talk while others listened. The person playing the "boy offender" apologized for painting swastikas on a Jewish family's house and asked for forgiveness. He said he was trying to fit in with a Skinhead gang whose members disliked blacks and Jews. He offered to repaint the house and pay restitution to the family by mowing their lawn for a year. Also, he said he would attend synagogue with the family on two occasions. Feelings and emotions were expressed by the victims, offender, the families of both, the prosecutor, the victim advocate and the representative for the juvenile judge and then the boy's offer was accepted. He stayed out

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[6]Michael Hadley, *The Spiritual Roots of Restorative Justice* (SUNY Press: Albany, NY, 2001), 9.

[7]Ibid., 218.

of jail and the Jewish family said if he did all these things they would forgive him. We ended in prayer.

Hadley says that, "The use of Sentencing Circles and the many other restorative models are a constant reminder that there is a different way of 'doing justice.'" He describes a spirituality that is "deeply felt" as an emotional response that develops from a shared experience of creating something positive from a criminal event. He says it is a "journey of the heart," and calls for "compassion, care and empathy" and this "fosters the healing and reconciliation of individuals and community."[8]

PRISON REFORM

Anyone who evaluates crime victims ministry models will eventually have to critically reflect on the courts and corrections and how the offender is treated by them. The role of crime victims is important in the healing process but has largely been ignored in the past. Just as the crime victim needs healing, the offender needs healing while in prison, on probation or parole, or in a community-based diversion program. A prison system designed to heal offenders would be and look quite different from the one we have today. The entire system would change from one of punishment to one of healing. Programs would be designed to get the inmate to accept responsibility for his/her crimes by paying voluntary restitution in addition to court ordered amounts, to make donations to charitable organizations, and in minimum security institutions the offenders would be encouraged to sign up for voluntary community service.

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[8]Ibid., 222.

Does this kind of prison reform sound unreasonable? As a federal prison chaplain for nine years, I preached sermons on inmates taking responsibility for their crimes, encouraged them to make restitution to the Victim's Fund, and involved 134 prison camp inmates in repairing 44 dilapidated homes for elderly, indigent widows. I asked prison camp inmates to make voluntary contributions to the charities of their choice to make amends for the harm they had caused, and many of them did. Part of their healing involved the opportunities to make amends. Many inmates told me the best use of their prison time was helping elderly widows make their homes livable in cold weather. They felt they had done something positive and meaningful with their time, as commanded in Isaiah 1:17, "Stop doing wrong. Learn to do right! Seek justice, encourage the oppressed. Defend the cause of the fatherless, plead the case of the widow."

Here is my idea for a restorative, healing program for prison inmates. With the goal of healing, prison staff would ask inmates to attend victim empathy courses designed to cause remorse for the harm done and understanding of the victim's suffering. Victim impact panels would enter the institution and describe the pain and anger they felt at being victimized. For example, DUI crash survivors could tell alcoholics in prison what pain they experienced at the hands of drunk drivers. Inmates who apologized to crime victims could write the probation office to forward their letter of apology. Inmates could be given work details to make more money to send to the Victim's Fund. Inmates who failed to make a diligent effort to make restitution payments from their work detail funds could be penalized with a shortened halfway house placement.

Prison psychologists could work with inmates to develop a sense of shame and guilt over crimes committed and to help them learn skills in making better decisions than impulsive, criminal ones. When the goal is healing the harm caused by crimes, the prison system turns on its head and becomes victim-centered and victim-sensitive. Many Departments of Corrections realized the neglect of crime victims and are correcting this by employing Victim Service Directors who are notifying victims of an offender's release.

The National Center for the Victims of Crime, led by Anne Seymour and Trudy Gregorie, has now trained 20,000 correctional workers in "Promising Practices for Victims Services in Corrections." I had the privilege of serving with them on an American Correctional Association's Task Force on Victims of Crime. Fifteen national recommendations were made to help corrections institutions recognize the rights of crime victims. As a result, Ms. Gregorie states that 48 states have "added language on victims' rights to their correctional systems mission statement."[9]

Mark Lewis Taylor, a Princeton Seminary professor, believes in a deeper and wider power that comes from the Executed God, defined as the God who endures suffering and resists the state's power to execute and incarcerate. This power, he feels, will liberate oppressed people in "Lockdown America" (the nation's prisons and jails). He calls for "Christians to work with all faiths and people of conscience to dismantle the police function as we know it, to terminate our nation's dependency on prisons, and to end the practice of capital punishment." [10] He believes that the Jesus who was executed

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[9]Trudie Gregorie, "Ten Years in Corrections," *Networks* 16, no. 3-4 (Summer/Fall 2001): 15.

[10]Mark Lewis Taylor, *The Executed God* (Minneapolis: Fortress Press, 2001), xiii.

by Roman authorities and then resurrected by God can show us the Way of the Cross, to "transform the existing prison empire through adversarial politics and the opening into new adventures in love and friendship through organizing peoples' movements."[11]

Taylor is right about the way prisons have incarcerated people of color (now 70%) at a greater proportion than that of the white race. He is right that we are on a "lockdown craze" with two million people incarcerated, which is nearly quadruple the number in 1980.[12] He rails against the unfairness and injustice of prisons and the death penalty. But he is naive and idealistic to think a peoples' movement will bring about the abolition of, or reduced dependency on prisons, and the abolition of the death penalty. Personally, I think it is the "thin wallet" which will cause people to change to another alternative than prison. When they cannot pay for roads and education because prisons cost too much, they will look for changes. As Marc Maurer says, "The sheer cost of a massive prison system, while hardly the deterrent that some believed it might be, is nevertheless of concern to growing numbers of community leaders. As prisons drain resources from colleges and universities, leaders in higher education and the business community are beginning to question the societal implications of such transfers of resources."[13]

With some 3.9 million Americans (1.4 million of these are African American) who cannot vote due to a felony conviction and some two million in prison and jails (7%

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[11]Ibid., 163.

[12]Ibid., xi.

[13]Marc Maurer, *Race To Incarcerate* (New York: The New Press, 1999), 193.

of all black adult males are in prison or jail on any day), there is a staggering loss of income and voting power to change the prison system by those who have experienced it.[14]

America needs to take a hard look at itself to see why it is incarcerating the poor and people of color disproportionately. Racial profiling needs to stop. Prosecution of people of color for crack cocaine possession needs to be racially balanced with prosecution of Caucasians who possess equal amounts of powdered cocaine. As Christians, we should not tolerate the unfairness of racism in our police, courts, or correctional agencies or legal system.

Why is America incarcerating more people per capita than any other country except Russia? Why is crime going down but sentence lengths increasing? Why are Americans so intent on getting even, or as Richard Snyder says, "turning the knife rather than the cheek?" Snyder says that, "Nowhere is this spirit more evident than in our rage to punish those who commit crimes. That's what prison is all about. Most of us want those who have done wrong to be punished - not healed, but punished. And so we have created a penal system that mirrors our urge to punish. But what we have created to address our need for vengeance reveals a cancer within the national culture that has the potential to destroy us."[15]

Snyder makes the case that our twisted Protestant Ethic has undergirded the present punitive or retributive model of punishment. He thinks our culture is "captive to a spirit of punishment" that is based on seeing criminals, the sick, and the poor as "reaping

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[14]Ibid., 183,186.

[15]T. Richard Snyder, *The Protestant Ethic and the Spirit of Punishment* (Grand Rapids: William B. Eeerdmans Publishing Company, 2001), 1.

the just deserts of their unredeemed state" of grace.[16] It reminds me of the Deuteronomic Code – "Do good and you will be rewarded, and do evil and you will be punished." However, Snyder says we fail to consider the effects of grace as well as evil forms of racial hatred, superiority attitudes and unequal treatment of rich and poor in the courts. Snyder believes this twisted ethic also depicts man as fallen and depraved, and fails to see humanity as the Image of God, capable of redemptive grace.[17] I have met men in prison who seemed totally evil and I was glad there was protection from their being released, as they had vowed to kill again. However, "The good news is that no one is beyond the pale of God's love; no one is beyond redemption; no one is outside our family. All are graced. We are all one and we must resist all attempts to divide us into 'us and them,' upright citizens and bestial criminals."[18] I am glad we have prisons to protect society from dangerous offenders, but I still respect the Christian call to minister to prisoners as "the least of these brethren," in the name of Christ (Matthew 25:36).

Prisons are necessary to protect the public. I am not for abolishing prisons for those who need to be there, like serious violent offenders, and large scale drug traffickers, sophisticated fraud cases, and a host of other offenses like espionage, child molestation, kidnaping, etc. I am encouraging the use of alternative sentencing for certain non-violent drug users (simple possession) and drug offenders who play minor roles in the drug trade. I am for accountability for crimes committed and not for "letting violent criminals go free." I

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[16]Ibid., 12.

[17]Ibid., 156-60.

[18]Ibid., 156.

am for determinate sentencing with sentencing guidelines, or "truth in sentencing," over parole. That way, both an inmate and the crime victim know when the inmate goes to prison that he/she is facing 85% of his/her time, plus lengthy supervision to follow. I am for citizen review panels that including crime victims, former prisoners, and the general public, to review the sentencing guidelines for excessive leniency or harshness.

It is only by creating a just society that we can expect justice from our society. If society is just, it will welcome the harmed crime victim and the released inmate by the same redemptive grace it has received from Jesus Christ, or God, in the case of other religions. Society with love as the main goal will not "pass by" or ignore the wounded victim, nor fail to minister to the "least of these brethren, however humble." As the prophet Micah said, "What does the Lord require of you? To act justly, and to love mercy and to walk humbly with God" (Micah 6:8).

Alternatives to prison abound in diversion programs, probation, suspended sentences, "shock probation" (short term incarceration followed by probation), halfway houses, community-based treatment programs. But I will argue that alternative treatment programs for drug offenders should double to avoid soaring costs of prison space. If healing the prisoner is the ultimate goal then we need to get help for his/her drug and alcohol addiction. Some 61% of the inmates in the U.S. Penitentiary in Atlanta, where I worked, had a drug or alcohol problem. Many inmates told me they committed the crime of check fraud, bank robbery, armed robbery, and burglaries to get money to pay for drugs. This may mean a complete revamping of the way we use public funds to deal with those who use drugs and commit drug-related crimes.

In California, for example, a new state proposition just passed which places drug and alcohol addicts in treatment programs rather than prison. They simply cannot afford the prison space. Even methadone programs are a fraction of the costs of prison. State funds will transfer from prison budgets to drug/alcohol programs, which, by comparison, are much cheaper that brick and mortar for new prisons. Offenders with minor roles in the drug trade (off-loaders, truck drivers, boat-loaders, bagmen) and drug users (simple possession) are too expensive to incarcerate for $20,000 a year in prison costs. Sentencing guidelines need to be revised downward to 0-6 months, some of which may be served in a halfway house. In my experience, eliminating minor drug users will reduce 1 in 20 drug offenders sent to prison, because I saw about five percent of the prisoners with drug convictions were in prison for possession charges.

If healing the prisoner is the goal, then relationships with the prisoner, the victim harmed, the family of the victim, the family of the offender, and the community need to be restored and reconciled. Faith-based initiatives in prisons and halfway houses need to be expanded. In my experience a genuine religious conversion can change a prisoner. I believe this change will lead to less crime victimization by that prisoner, but I could not find research to support my belief. After a claimed conversion experience I suggest following a prisoner for 15 years after his release, to see if his conversion was real, or just a jailhouse conversion. One prisoner “accepted Christ 11 times” to impress the volunteer women in different choirs who came into the prison.

The cost-benefits cannot be measured here. What is it worth if one prisoner is truly converted and stops raping women? What is it worth if that foregone rape is the rape of your wife, your mother, or your sister?

Prison transformation has to come from the top down and the bottom up. When James Rowland was the Commissioner of the Department of Corrections, he created a Victim Services Director, and many states have followed this example. The entire California correctional system became more victim-sensitive under his leadership. However, the victim-sensitive philosophy has to pervade the line staff, too. They need annual training in victim empathy, basic rights of victims, victim notification of an offender's release and the importance of offenders taking responsibility to pay restitution and accept responsibility for their crimes. Otherwise, "business as usual" means the inmates seldom think about their victims, pay minimal restitution even though they can afford more and develop no shame, remorse or victim empathy. They just try to survive, play inmate games, learn new crimes and try to "get over" on the staff and each other.

Inmates often worry about being assaulted or raped, getting AIDS or drug resistant TB or Hepatitis. They worry about making ends meet while earning 11 to 44 cents an hour, losing their family from disgust, denial of their appeal, or death. Also, they hope for release by sentence reduction, appeal, escape, pardon or parole (where parole exists). The chaplains, psychologists, and counselors are available to them cope with these fears. Inmates need healing just as crime victims do. Unfortunately, the inmates I talked to did not understand how badly they needed healing. They don't want to think about their victims because they felt they already had enough to worry about. A forty-hour class on victim empathy during each

year the inmates are in prison would be a real change, both for the prison system and for the offenders. If inmates develop more victim empathy, shame or guilt, or sense of conscience, they might not choose to hurt the crime victims in the future. They might pay restitution or perform community service out of a sense of responsibility. They might become givers instead of takers. It is a theory worth testing.

LET'S BALANCE THE FUTURE

What is being advocated here is a spirit of love, healing and forgiveness that is restorative and redemptive for crime victims, offenders and the community. Our proposed model for a crime victims ministry, called CVAC, offers pastoral care; self-help support groups; sessions for the individual, family and group; crime prevention; legislative education; restorative justice programs; technological intervention and sound evaluation of all programs. What is *not* being advocated is the abolition of prisons, or the abdication of personal responsibility for crimes committed by those responsible. What is *not* being advocated is "business as usual," because it has neglected victim empowerment and healing due to the cost of expensive, non-reconciling and non-healing prisons.

Increasing the church's ministry to and for crime victims should be a major goal for the next ten years. Since there are 7,000 prison ministries, on balance, there should be 7,000 crime victims ministries, not 53. If there are 42 prison chaplains in the United Methodist Church, then we need 42 UMC chaplains for crime victims, not one. Balanced and restorative justice should be parallel and equal for crime victims and offenders. Opportunities to minister to crime victims and offenders exist but need to be seized.

CVAC is one restorative justice program, but there are many other models of restorative justice needing church sponsorship. Family conferencing and sentencing circles are two models that look promising to me for church sponsorship.

Prisons should be transformed by crime victims. Victims are the major stakeholders in describing the kind of justice they want and need, but they are kept out of prison policy because the focus has been on offender management, not victim repair. Prisons should be modified by people of all faiths, including crime victims and non-victims, to be instruments of healing and reconciliation. The problem of scarce prison space can be diminished if courts will increase the use of alternatives to prison for drug addicts and minor drug players, reducing dependency on prisons for excessively long sentences for small-scale drug dealers. I am against "letting off" mid- to large-scale drug dealers because of the many sufferings that occur from the abuse of drugs, but I question whether they should serve more time than murderers and rapists, and in some cases they do. Scarcity of public resources will demand an evaluation of prisons that, for too long, have been allowed to operate out of public view and scrutiny.

Snyder said, "To resist the spirit of punishment is not to be soft on crime. It is to be passionately committed to the redemption of all persons, and of the society, to justice that is restorative. It does not mean that we should "get tough," not prevent people from doing acts that harm. It does not mean that we should never put anyone in prison. What it does mean is that in our toughness, in our justice, in our dealing with crime, we should recognize that we are dealing with our brothers and sisters – God's children – and they can come home if we are open to them. Whether they come home is finally their decision,

but it can be their decision only if our justice system is a place of restoration. We have no other choice if we wish to survive with dignity as a nation.[19]

Like the Good Samaritan, we can welcome the wounded crime victim to come home, be cared for and to be healed as a survivor by the grace and love of God:

Survivor's Psalm

By Frank Ochberg, M.D.

I have been victimized.
I was in a fight that was not a fair fight.
I did not ask for the fight. I lost.
There is no shame in losing such a fight, only winning.
I have reached the stage of survivor and am no longer a slave of victim status.
I look back with sadness rather than hate.
I look forward with hope rather than despair.
I may never forget, but I need not constantly remember.
I *was* a victim.
I *am* a survivor.

[19]Snyder, *Protestant Ethic,* 157.

APPENDIX A

COPING SKILLS TEST SCORES

Table 1. Homicide Survivor Support Group - Coping Skills Inventory Test[1] taken 9/00 and 1/01.

Initials	Pre-test	Post-test	Difference
G.L.	73	76	+3
E.G.	64	80	+16
C.K.	65	80	+15
M.S.	58	61	+3
G.M.	83	86	+3
A.S.	71	74	+3
A.F.	61	65	+4
L.H.	56	67	+11

Although the number of participants was small, the increase in coping skills from pre-test to post-test was large enough to be significant (Table 2).

Table 2. Analysis of Coping Skills Inventory Test (pre- and post-test scores).

	Mean	SD	*t*	*p*
Pre-test	66.38	8.91	-3.55	<.01
Post-test	73.63	8.60		

[1]I. Jerabek. "Coping Skills Inventory." 1996. http://www.queendom.com (September 7, 2001).

APPENDIX B

FOCUS GROUP EVALUATION

Focus Group Evaluation of 1/09/01. Questions were designed to be consistent with the seven categories measured on the Coping Skills Inventory Test.[1] Eight group participants and the group leader and a recorder were present. Members names are confidential and numbers are used. Results are as follows:

1. Reactivity to stress: *Through the skills learned in the support group/individual sessions do you see an improvement in your ability to react to stress?*

- No. 10: Yes. Being able to share feelings. Being able to identify anger and depression. Knowing when something is wrong with oneself. Knowing I was not alone in my feelings. I could say things and others nodded their heads that they understood. I knew they had been through something like I had and, therefore, knew they could understand.
- No. 13: This was a safe place to release feelings.
- No. 7: Talking it out and talking it through was great and the importance of being able to share with someone you can relate to was key to me. There were several breakthroughs in the group (being mad at God and situation with sister-in-law,

[1]I. Jerabek. "Coping Skills Inventory." 1996. http://www.queendom.com (September 7, 2001).

uncovering a painful childhood experience, facing the dilemma of what to tell people about the murder, medication stoppage, issues with son and mother).

- No. 5: Yes. Being around people who understand. Support.
- No. 12: Being able to identify what was going on within me and to deal with other people who are sad. Being around other non-judgmental people helped me deal with stress.
- No. 1: Learning to say “no” helped me. I learned to tolerate different and difficult people. Learned the most from experience.
- No. 7: I learned how to not take anger out on the people I am close to. I figured out pain from the past was hurting me now. I had a real breakthrough when I shared a childhood experience of molestation with the group. I see how that experience has affected me in later life.

2. Ability to assess situation: *Through the skills learned in the group/individual sessions how did you learn to correctly size up situations and your feelings about them?*

- No. 10: After the murder of my grandchild I was angry. I thought I would never love again because if I did they would just die and leave me. I was even angry with my mother for dying and leaving me when I was seven years old.
- No. 13: The group helped me identify my feelings clearly even though I have amnesia from the kidnaping itself. I can sense when I am flashing back to that trauma and freezing up. I know now that something is triggering it.
- No. 7: I can step back now and look at the whole picture and be more objective and less impulsive. Be more in tune with people even though I am mad at them.

I learned in a role play in the group that there was no point in being mad at my sister-in-law as she was not going to change and the anger did me no good.

- No. 5: Talking and sharing each week meant a lot to me even though my sister's murder occurred 14 years ago - it helped me to bring my feelings about it to the surface. Then I could get these feelings out and get better.
- No. 12: My mother's murder was hard but after coming to the group I can take things better without going crazy. I learned to let go of grudges and anger and to not overreact. My other sister has not learned this and keeps things bottled up in her and she is not doing well.
- No. 3: This group helps me sift out what is affecting me and to see more possibilities and different ways of looking at things and then I can choose the best for me.
- No. 1: Death never bothered me when close relatives died. I didn't like their death, but it did not really affect me. My mother was murdered and it really got to me and I closed myself off. I felt guilty and ashamed because I was selling drugs out of her house. The boys who killed her were there looking for drugs or money. The family blamed me. I just got myself into a bubble and stayed there until I realized I had to breathe and be with others. I had to step out of the bubble.
- No. 7: I still get mad and cry over my mother's murder. Why is this like it is? Because of this group I learned I have to think before I react.

3. Self-reliance: *Did the group empower you to learn how to rely on yourself to get things done in the criminal justice system regarding your murder case and in your healing process after the murder? How so?*

- No. 10: I realized I couldn't go through the trial so I stayed in Atlanta and talked to my daughter by phone while she was in California where the trial was. Being away from California was helpful to me and to her because I was able to encourage her without breaking down. If I had broken down out there she would have had to take care of me. I was informed daily about the trial. I felt guilty about not being there but I wanted to support my daughter.
- No. 13: Knowing what can be done and what victim's rights are has helped me to be self-reliant. The avenues and the channels. I would not have known about victim impact statements and how to write them if it were not for this group. I would not have known about the DCOR or Parole Board victim notification or how to make Freedom Of Information/Open Records Act requests to obtain my case file.
- No. 7: Victim rights was important. I met with the D.A. and got my case moved up to trial. I filed a victim impact statement with the help of this group. I met with detectives and knew what the case involved and all this was due to this group's encouragement to know and exercise my rights as a crime victim.
- No. 5: It is self-reliant to come to this group and get help.
- No. 12: Knowledge about not leaving anything or anyone to chance. You have to stay on them to make sure things get done in your case.

- No. 3: I learned about process and my options; that I could make various choices. I learned about victims' rights.
- No. 7: I learned I needed to ask officials why they are doing certain things and when they will act or come to trial. I learned my rights as a crime victim, but I had to be persistent to get them.

4. Resourcefulness: *Did the group empower you to use resources to get help to solve problems? How so?*

- No. 10: I used this sharing group as a resource to talk out my feelings. I work for psychologists and my employers were all supportive (paid air fare and salary for month I was with daughter after the murder). Once the group saved me by noticing my depression after I had taken myself off medication and after their suggestion I got back on medication and depression lessened.
- No. 13: I, too, used the group as a resource: The many Web sites were helpful resources, the info on PTSD handouts, stages of grief handouts, NOVA victim support group guidelines, coping test; all were really helpful resources.
- No. 7: The coping test was a good resource and I scored low when I came to the group, and much higher months later, and I felt I had improved that much.
- No. 5: The group leader was a good resource of information about the criminal justice system, PTSD, stages of grief, and counseling skills. I liked the Web sites he referred us to and the coping skills test on the Web site.
- No. 12: The group helped me get accurate information about the criminal justice system which I did not understand.

- No. 7: The group leader was the resource.

5. Adaptability and flexibility: *Did the group empower you to be adaptable and flexible in seeing possibilities you had not seen before? How so?*

The entire group said yes. No. 7 said the role plays helped her see possibilities; no. 3 said she learned new possibilities when we did the "possibility wheel" where everyone throws about brainstorming ideas; the group leader liked transactional analysis and Rogerian client-centered counseling responses by group members, and the deep listening in talking stick "goarounds."

6. Proactive attitude: *Did the group encourage you to be proactive in solving your problems? How so?*

The question was believed to be repetitive with self-reliance question and was felt that it was answered then.

7. Ability to relax: *Did the group show/discuss specific ways to relax and cope with stress?*

The group learned that diet, nutrition, exercise, meditation, taking hot baths, screaming out in the car, playing music, taking prescription medication and having friends and animal pets to console them enabled them to relax. One member of the group had a unique way of relaxing - watching chickens eat on the farm. The group liked the Silva Mind Control exercise of breathing and thinking.

8. Healing through prayer: *Did the prayers have a healing effect?*

- No. 10: Yes, it really meant a lot to me to and helped me to know others prayed for me, which was healing.
- No. 5: I was so angry with God at first but now the prayers are soothing.
- No. 7: I thought the prayers really helped me be at peace with God. I liked the fact that prayers are not forced and you can pass if you do not want to pray. The group is non-judgmental and does not push religion or try to convert you but lets you go at your own pace. I liked spirituality (vs religion) of the group because organized religion is not to my liking.
- No. 13: I was a little put off by the prayers at first [she is an atheist] but it is nice to be thought of by others, which is like prayer to me.

9. Coping through stories: *How did telling your story and hearing others tell theirs help you cope?*

- No. 7: When I heard the other stories I knew I was not alone. I healed by watching others being healed. Telling my story helped me see I was not the only one.
- No. 10: It helps me to "get it out." Like tonight, I needed to tell my story that my relative's earring was found in the madman's tire after he ran over her on purpose. Learning this new fact triggered depression and I had to walk for 2 hours. I really needed to tell this tonight to talk it out and get help.

The group leader commented that telling the story of the murder over and over sometimes desensitizes it and over time it does not appear so overwhelming and bad as

first believed. I know when I am in the midst of caring for others with a similar tragedy it leads me into truth-telling and deep sharing of feelings, which can be healing.

10. Opinions: *What did you like about the group? Best and least?*

The Group felt that a non-judgmental attitude was the best part. Not meeting for 3 weeks last summer was the worst part.

11. Effectiveness: *How would you rate the group's effectiveness at enhancing coping skills?*

Seventy-nine points out of total of 80 were given by group members (80 being the highest score).

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