RESTORATIVE JUSTICE INITIATIVE

By Kael Knight, CLA Staff

A member of our community struggles with addiction to heroin. She wants to get clean but fears she might not make it. She has exhausted all of her options, begging or borrowing from family and friends until they cannot or will not give her anything more. She resorts to petty theft, stealing things and trading them for her next fix. She tries to justify this by saying only the big corporations are hurt by her indiscretions, even though she knows this isn't really true.

Her relationship with her family is rapidly deteriorating. Her father died last year, and her mother is pushing her to get clean, but worries it won't happen. How could an addict handle going through detox? She's heard too many horror stories. Withdrawal is dangerous and people can die.

Out of desperation, she tries methadone and it helps; it allows her to stop depending on heroin to function. For the first time in a long time, a life without heroin seems within reach. It's like a brand new world, a welcome second chance.

Now another chapter of her life can begin: she's reclaiming lost time, ready to push forward and to change things. She starts to believe that she's won and the hard part is over. That's when she slips up.

She is in a grocery store with her boyfriend, who also struggles with addiction, when she slips back into old habits. She walks out with a few more things than she paid for — and this time it goes bad. She's caught and arrested. This slip-up will wreck her newly started life, labeling her a criminal with a record that will follow her forever.

Methadone Clinics:
According to American Addiction Centers, a privately owned treatment company, a methadone clinic is "a place where a person who is addicted to opioid-based drugs, such as heroin or prescription painkillers, can receive medication-based therapy." Dolophine is one manufacturer's name for methadone, a drug that acts to block the effects of opioid-based pain relievers such as morphine and heroin. Dolophine does not "cure" addiction; rather, it's a tool used in rehabilitation efforts. Learn more at www.americanaddictioncenters.org/methadone-addiction/clinic-facts/ .

Collage by Zoé Rabjohns.

If you think this woman should be offered a second chance, you're not alone. UAF's Restorative Justice Initiative specializes in helping people through these crises. The program is a collaborative effort by the UAF Justice Department and Alaska Court System to introduce a pretrial system for certain nonviolent offenders. The program is led by Rob Duke, Ph.D., a former police officer and the program coordinator in the UAF Justice Department, and his interns. This program has employed three to four interns every semester since its inception in July 2017. This year, Shay Shocklee, a psychology major, Ashley von Borstel and Sara Williams, who are both social work majors, and Liam Juhl, who's majoring in justice, are working in the program. The program also works in tandem with the district attorney, adult and juvenile parole programs, and mental health providers.

The Restorative Justice Initiative was created to help offenders avoid being institutionalized and to set them up for success. In short, it provides life-changing second chances for both the community member and the community at large. After being arrested, the woman in this story was put in contact with Duke and his team and was able to enter this program instead of being "booked" and given a criminal record by the government.

"We know that the system tends to be a little sticky," says Duke. "Once you get into it you get identified and labeled as a criminal, then it's hard to get jobs." This adds to the downward cycle and offenders are given the chance to avoid this predicament by participating in the program. Equipped to handle anything from misdemeanors to felonies, this program, when completed, leaves no criminal record. Who is eligible for the option to participate is ultimately up to the prosecutor.

Once it has been decided that an offender can participate in the program, they meet with Duke and his team of interns. This is a screening meeting, where the team determines whether or not to allow the offender into the program. A large part of this initial meeting is therapeutic.

"We ask them to analyze how they got here, really, and then what they need to do to correct their actions," Duke explains. The team uses a 15-part questionnaire to evaluate participants and, more importantly, get participants to evaluate themselves. The entire session is meant to encourage introspection in the participant. It was during this meeting that the woman in the story told the team about her struggle with addiction. This was a significant revelation for her, realizing she had only stolen the items from the store because she was in the habit of trading goods for heroin. Since she didn't need heroin anymore, she could adopt a new mindset.

Duke recalls being impressed that the woman's boyfriend attended the sessions with her. He didn't have to, he hadn't been arrested with the woman, but he came to every session anyway. During these sessions, the boyfriend recounted how he had looked down on methadone users. He rationalized his continued drug use by convincing himself that to really quit he couldn't simply replace one substance with another. Instead, he planned to quit altogether. Eventually, the woman managed to change his mind, convincing him to start methadone. He told the team during an interview that he thought methadone could be the maintenance program he used for the rest of his life.

After this initial meeting and interview offenders are released, with parole-like conditions and instructions, to return for a second meeting in a week. Duke takes the intervening time to discuss letting the offender into the program with his interns. The student workers are a big part of this decision.

"I'll say 'Do you think the person is contrite? Do you think they have a chance of success in the program?'" Duke recounts. "If we agree that they do, we'll go into the meeting knowing that we're going to accept them into the program."

In the second meeting, the team asks a shortened version of the initial questionnaire, and if they've decided to accept the offender into the program, they offer them the chance to participate. The team rarely gets turned down.

The next step in the program is a process called victim-offender mediation. Here the team gets the offender and the victim of the crime together to talk about the situation. If there is a situation where it would be best for the victim and the offender not to meet, the team goes back and forth between rooms or locations, trying to de-escalate the situation to the point where they can meet in one place, all together.

Anonymity:
Part of the success of thisis program is the assurance that all participants will remain completely anonymous. This is why when discussing cases with people outside the program Duke and his team refer to people as 'Victim' and 'Offender.'

"We think that victims get forgotten in the system," Duke says. "Their car gets burglarized, or their house gets broken into, then they lose a sense of security — something that's intangible, hard to explain."

Victim participation is optional, and if they decide not to participate, one of the members of Duke's team acts as a proxy for them. When it comes to victimized businesses, many large corporations are unwilling to pay employees to sit in on these mediations when their stores are robbed, like in the case of the woman in our story. Members of the team acted as proxies during her mediation. This process has potential rewards for both parties.

Participation can help them humanize the offender in the victim's eyes, helping them to stop imagining some abstract, shadowy criminal. Victims are able to eventually realize the offender is just another person, driven to do whatever they did by a situation that could just as easily have happened to anyone.

"They can see that this was just a guy with a particular set of problems," Duke continues. "Sometimes it's just kids. It's not the guy hiding in the closet with a butcher knife; it was just some kids." Once they have met face to face, victims may start to regain a much-needed sense of security in their home.

During these mediations, the victimized party is given the chance to participate in deciding the offender's punishment. Interestingly, most choose not to. After listening to the offender's account of the incident, most victims start to sympathize. Duke recalled comments, such as "It does sound like he is making an effort" and "I probably wouldn't have been this harsh on them," coming from the victims during these mediations. The end goal of the mediation process is to identify a course of action that will satisfy each party's interests. Satisfying these interests can play a part in the next phase of the program, community service.

Duke and his team handcraft and oversee specialized, unique public services for each case. The woman from the story learned her mother's craft as her community service. This not only helped pass a trade to the next generation but also helped revitalize a weakened relationship between a mother and daughter. After three months in the program, the woman graduated, her record clean and relationship restored.

In the seven months the Restorative Justice Initiative has been operating, it has handled over 50 cases and has recently committed to doubling its caseload. Duke is currently applying for funding to keep the program running year-round. This is a vital resource that has produced tangible results with a meaningful impact on the community. It helps bring closure to victims, allows atonement by offenders and relieves the burden of carrying a criminal record for life. ▪

Learn more about CLA's Justice Department at www.uaf.edu/justice/ .

To help fund the Restorative Justice Initiative, visit www.thisisthegoodstuff.com .

Professor Rob Duke. UAF photo by JR Ancheta
Social Work student Sara Williams, Justice student Liam Juhl and Assistant