



Restorative Justice

Diocese of San Diego
Office for Social Ministry

1. Restorative Justice... what is it?
 - a. **Restorative justice sees crime as a moral issue**, with the principle that **crime is primarily an offense against human relationships**.
 - b. Our present **criminal justice system sees crime as a statutory issue**, viewing crime as a violation of a law, since laws are written to protect safety and fairness.
2. **In our culture, we emphasize violation of statutes** over the moral issue of **violation of the human relationship**.
3. Restorative justice more faithfully reflects Christian values and tradition - to **hold people accountable, to forgive, and to heal**. Our current retributive justice model focuses primarily on the legal infraction without recognition of the human damage.
4. The design of **our current judicial process can allow a violator to be fully “prosecuted” and never realize the full human consequences or impact of the violation**.
6. The real needs of victims created by offenses are usually ignored in the prosecutions. The violation of **the human relationship is usually ignored and the real moral issue is hidden**.
7. By emphasizing the violation of statutes and the imposition of unrelated punishments, **we unintentionally encourage denial of responsibility**.
8. People who commit crimes **need to be held accountable**. However, we should never give up on them.
9. **Victims** of crime should **always be given the option of involvement in the resolution** of a case.
10. Restorative justice **focuses first on the victim and the community harmed** by the crime, rather than on the dominant state-against-the-perpetrator model. This shift in focus affirms the hurt and loss of the victim, as well as the harm and fear of the community, and insists that offenders come to grips with the consequences of their actions.

11. These approaches are not "soft on crime" because **they specifically call the offender to face victims and the communities**. This experience offers victims a much greater sense of peace and accountability.
12. **Offenders** who are willing to face the human consequences of their actions are more **ready to accept responsibility**, make reparations, and **rebuild their lives**.
13. Three possible components of restorative justice are:
- a. Direct intervention and offering empathy and various kinds of support to **victims and affected community members**.
 - b. Direct intervention and offering hope and compassion to **offenders and their families**; this includes detention ministry (prison ministry) and reentry assistance.
 - c. **Victim-offender mediation, which can include family and community members**.
14. Victim-offender **mediation** uses the help of a skilled facilitator, and offers victims or their families the opportunity to **share the harm** done to their lives and property, and provide a place for the **offender to face the victim, learn the full extent of her or his actions, admit responsibility, acknowledge harm, and agree to real restitution**.
15. **Victim-offender mediation programs** can be a **voluntary or mandatory element** of the criminal justice system.

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