

# 'THERE IS FORGIVENESS WITH YOU' RESTORATIVE CRIMINAL JUSTICE

FIFTH SUNDAY IN LENT, YEAR A

**Lectionary Texts:** Psalm 130    Ezekiel 37:1-14    Romans 8:6-11    John 11:1-45

**Focus Text:** Psalm 130

<sup>1</sup> Out of the depths I cry to you, O LORD. <sup>2</sup> Lord, hear my voice! Let your ears be attentive to the voice of my supplications! <sup>3</sup> If you, O LORD, should mark iniquities, Lord, who could stand? <sup>4</sup> But there is forgiveness with you, so that you may be revered. <sup>5</sup> I wait for the LORD, my soul waits, and in [the LORD's] word I hope; <sup>6</sup> my soul waits for the LORD more than those who watch for the morning, more than those who watch for the morning. <sup>7</sup> O Israel, hope in the LORD! For with the LORD there is steadfast love, and with [the LORD] is great power to redeem. <sup>8</sup> It is [the LORD] who will redeem Israel from all its iniquities.

NRSV

## ADDITIONAL TEXTS

*One who forgives an affront fosters friendship, but one who dwells on disputes will alienate a friend.*

Proverbs 17:9

*I am the LORD, I have called you in righteousness, I have taken you by the hand and kept you; I have given you as a covenant to the people, a light to the nations, to open the eyes that are blind, to bring out the prisoners from the dungeon, from the prison those who sit in darkness.*

Isaiah 42:6-7

*Although [God] causes grief, [God] will have compassion according to the abundance of [God's] steadfast love; for [God] does not willingly afflict or grieve anyone. When all the prisoners of the land are crushed under foot, when human rights are perverted in the presence of the Most High, when one's case is subverted – does the Lord not see it?*

Lamentations 3:32-36

*Pray then in this way: Our Father in heaven, hallowed be your name. Your kingdom come. Your will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we also have forgiven our debtors. And do not bring us to the time of trial, but rescue us from the evil one. For if you forgive others their trespasses, your heavenly Father will also forgive you; but if you do not forgive others, neither will your Father forgive your trespasses.*

Matthew 6:9-15

*Early in the morning he came again to the temple. All the people came to him and he sat down and began to teach them. The scribes and the Pharisees brought a woman who had been caught in adultery; and making her stand before all of them, they said to him, "Teacher, this woman was caught in the very act of committing adultery. Now in the law Moses commanded us to stone such women. Now what do you say?" They said this to test him, so that they might have some charge to bring against him. Jesus bent down and wrote with his finger on the ground. When they kept on questioning him, he straightened up and said to them, "Let anyone among you who is without sin be the first to throw a stone at her." And once again he bent down and wrote on the ground. When they heard it, they went away, one by one, beginning with the elders; and Jesus was left alone with the woman standing before him. Jesus straightened up and said to her, "Woman, where are they? Has no one condemned you?" She said, "No one, sir." And Jesus said, "Neither do I condemn you. Go your way, and from now on do not sin again."*

John 8:2-11

*Let mutual love continue. Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it. Remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured.*

Hebrews 13:1-3

## SCRIPTURE COMMENTARY

BY CHRIS LIU BEERS, PROGRAM ASSOCIATE  
NC COUNCIL OF CHURCHES

Psalm 130 is a psalm “of ascents,” one that traditionally was sung by Jews who were making their way up to the Temple in Jerusalem. As they brought their sacrifices of praise and thanksgiving to God, singing words of repentance, trust and hope, the people both understood and expressed their need for God’s forgiveness. Psalm 130 bears eloquent

witness to this tradition.

There is a powerful dynamic in this psalm between the first person singular and the first person plural – between the individual and the worshipping community. The psalmist begins from the very depths of his or her being, raising this “cry” to God. One commentator notes that “the ‘depths’ is the watery deep, chaos, *Sheol* and the realm of death – as far away as one can get from God... To be sucked into chaos is to be separated from the place where people can praise God and share the faith” (Konrad Schaefer, *Berit Olam: Psalms*, 311). To be trapped in the depths is to be separated from God *and* from the community. It is a lonely place, without light, like the darkest hours of the night. And yet there is forgiveness with God – a forgiveness that transcends all of the boundaries the psalmist can muster. Like the earliest beams of light creeping along the early morning horizon in the east, the psalmist finds hope in the steadfast fidelity of God which is not shaken by the darkest night of the soul. After affirming this profound forgiveness that the God of Israel has offered to all, the psalmist exhorts his or her own community – the people of Israel – to place their trust and hope in Yahweh, “For with the LORD there is steadfast love... [and] great power to redeem” (v. 7). Fundamentally, it is the God of Israel who redeems both the individual and the community from their sins, bringing them to wholeness and peace with one another.

The psalmist utilizes one image in verse 6 that is particularly striking in our context: the “watchman” (NIV), “those who watch for the morning” (NRSV). In ancient cities, the watchman was assigned the task of staying up through the night, keeping a lookout for foreign armies or other threats to the city. The watchman thus had a keen eye for danger lurking in the shadows. When dawn came, the watchman could breathe a sigh of relief that the city had survived the night, and that nothing had happened on his watch. Of course, we longer have watchmen for our cities, but we do in our prisons, where towers rise high off the ground to give armed guards the best view of the people within their walls. The role of the watchman, then, both ancient and modern is to gaze, fearfully, for imminent threats. The role of the psalmist-as-watchman, however, is just the opposite: to look for signs of God’s steadfast love and forgiveness, even in the darkest night. It is precisely this waiting-with-hope that frees us to forgive and reconcile with one another, even as we have been forgiven through the faithfulness of God to us.

## PASTORAL REFLECTION

BY REV. DR. MADELINE GAY McCLENNY-SADLER, FOUNDER & PRESIDENT,  
EXODUS FOUNDATION.ORG, CHARLOTTE

A robber breaks into your house; he takes your life savings from the security box. This was the savings for your children’s future. He steals your furniture. He strikes a match to your home. You and your children are left homeless. Your children suffer from post-traumatic stress disorder. In the aftermath, one child starts using drugs to medicate his depression due to years of poverty and neglect. One day, this same child who was healthy and respectful before the robbery, decides that the only way he can survive in poverty is to sell drugs. Eventually, he breaks into someone’s house; takes their life savings; steals the furniture and strikes a match to the home.

A newly minted seminarian, ordained and sanctified pastor, visits your child in jail and begins to discuss restorative justice. The pastor explains to your child that he must “repair the harm caused by his criminal behavior” and he must “consider the plight of his victims and own up to his criminal actions.” To this your child responds, “Where were you when a robber broke into my home?”

Our constitution, the Bible, considers the neglect of the poor and needy an act of disobedience toward God (Lev. 23:22; Lev. 25:39; Deut. 15:11; Isa. 58; Amos 2:6; Matt. 19:21; Luke 4:18; James 2:2-10); disobedience toward God is sin; the wages of sin is death. Our neglect of the poor and struggling has earned us the death penalty before a holy and righteous God. The psalmist says “there is forgiveness with you,” yet, there can be no forgiveness until we have atoned. Jesus died because forgiveness requires atonement. We have some restoring to do ourselves. Until we begin to atone for the way we have created an economy where the poor cannot glean from the bountiful fields (Lev. 25:39) of capitalism and corporate profits, we have no business requesting that “criminals” participate in the mockery of justice called “restoration.”

To the offender, the target for indoctrination on restorative justice, the concept is empty unless the very same Christians who promote it are also addressing their own criminal behavior. Until we address the criminal behavior of Christians, until we address our blatant disregard for the poor and our culpability in the desperate choices that they make, we make a mockery of the term justice. We fail in our own duty to restore what we have wrongfully taken or allowed to be taken.

When we promote restorative justice by examining only the criminal behavior of others, we have less in common with Jesus and more in common with his accusers. Before we ask another drug user to pay for the window he broke, before we ask another youth to paint over her graffiti, before we ask a father who sold drugs to mentor a drug-selling gang-

banger, perhaps we ought to look more closely at the criminal proceedings for a felon that we all praise (John 18:28-30). The behavior of Jesus' accusers sheds light on how we should re-conceptualize restorative justice.

If there were such a thing as a six o'clock news cast in the first century, Jesus the felon would appear walking down the street escorted by the police of his day—handcuffed—if you will. The announcer would tell us that the vandal who destroyed Temple property and repeatedly broke Jewish laws; the welfare king who relied on the generosity of unsuspecting middle class women to promote his suspicious doctrine; the man known to frequent the establishments of tax collectors and prostitutes—and claimed to be God, had finally been apprehended and was awaiting sentencing. Yes, in the minds of this 1<sup>st</sup> century felon's accusers, he was little more than a common criminal. Jesus' accusers have three characteristics in common: they were ignorant about the truth; they were privileged stone throwers; and they were mobsters looking for easy answers. Whatever could be said about this first century felon, he was a threat to civilized Jewish existence and had to be dealt with to the maximum extent of the law.

Likewise, too often, those of us who promote the concept of restorative justice sit from lofty and high principled seats. We are ignorant of how and why our culture has outpaced Russia and South Africa in incarcerating its very own citizens. We discuss the sins of criminals from positions of privilege, and we react to crime like a crazed mob. We have less in common with Jesus and more in common with his accusers. The fingers that point at this 1<sup>st</sup> century felon point back at us saying "we're no different than you." Likewise, the fingers that point at 21<sup>st</sup> century felons point back at us as well. There would be far fewer window-breaking drug users, graffiti-writing youth and drug sellers, if we honored our baptism by the Holy Spirit and voted for policies not in our own best interest—but in the best interest of the least of these among us.

Indeed there is forgiveness with God, and this requires that we repent, *before* we ask others to repent. I hear our Lord saying "first cast out the log in your own eye..." (Matt. 7:5). Casting out logs from our own eyes may require discontinuing our support of elected officials who slash funding for schools and extra-curricular activities thereby increasing the number of unsupervised youth who chose graffiti writing as an outlet. This may require spending less time at home during prime-time and more time mentoring someone who threw a rock into a window while he was intoxicated because drug treatment was not available. This may require denouncing decision makers who give incentives to corporations to offer child care, but reduce the legal pathways for poor men to pay for child care and thus in desperation—they choose to sell drugs.

Before we say another word to a 21<sup>st</sup> century felon about restorative justice, the first thing we must say to such a person is "we're sorry"; and the first thing we must do is change our complicit behavior. This change must be evident in the use of our votes, our disposable income and our disposable time. Then, when we visit a 21<sup>st</sup> century felon in jail and he says to us "Where were you when my family was robbed?" the more Christ-like response would be "You know, you're right. I'm sounding pretty judgmental and hypocritical. How can I help? I was missing in action when you were injured. I'm so sorry. What do you need now?" Anyone who experiences this kind of restorative justice acting in love cannot help but pass it forward to those he or she has harmed as well.

## WORSHIP AID - 'THERE IS FORGIVENESS WITH YOU'

### RESPONSIVE READING

#### A Litany for Restorative Justice

Holy and incarnate one, who longs to set the prisoner free and to heal the broken hearted:

We pray for our brothers and sisters who are offenders,

Who stand accused in our courts and who serve time in our prisons.

**Let justice roll down like waters, and righteousness like an ever flowing stream.**

We pray for our brothers and sisters who are victims of crime,

And who, like many victims, are re-victimized by our criminal justice system.

**Let justice roll down like waters, and righteousness like an ever flowing stream.**

We pray for our Church, remembering that in our corporate history we have been both offender and victim.

**Let justice roll down like waters, and righteousness like an ever flowing stream.**

We pray for all those in our criminal system who try to do justice:

For police officers, judges, lawyers, chaplains, and for corrections, parole, and probation officers.

**Let justice roll down like waters, and righteousness like an ever flowing stream.**

We pray for our neighborhoods, our communities, and our society,

Where the impact of crime and the fear that it breeds harm people, damage relationships, and tear at the human spirit.

**Let justice roll down like waters, and righteousness like an ever flowing stream.**

Blessed are you, Lord our God, who sent your Son among us to bear the pain and grief of humankind.

**Receive the prayers we offer this day for all those in need in every place and grant us strength on our journey.**

**Amen.**

*(adapted from the Church Council on Justice and Corrections, "A Justice that Heals and Restores,"*  
[www.anglican.ca/partnerships/EcoJustice/documents/AJustHeals.pdf](http://www.anglican.ca/partnerships/EcoJustice/documents/AJustHeals.pdf))

## PRAYER OF CONFESSION

God, we observe and ask as the friend to Job, "Upon whom does God's light not arise?" (Job 25:3).  
We see your goodness and your grace toward all: prodigal and priest, sinner and saint,  
and we often feel like the prodigal son's elder brother: confused, resentful, even angry.  
We confess that we readily join the world in deciding what and who is worthy of reward or censure,  
for that way we can know where we stand.  
But with you, the world's rules do not apply!  
We want to cry "injustice," but are constrained by your love, and we feel ashamed.  
Forgive us for our graceless, judging attitudes, our selfish, unloving ways.  
And forgive us for doubting that your grace can extend even to us.  
**In the name of Christ our Lord, Amen.**

(adapted from Correctional Service Canada, "Service Suggestions," [www.csc-scc.gc.ca/text/portals/fj/fj2006/ch4\\_e.shtml](http://www.csc-scc.gc.ca/text/portals/fj/fj2006/ch4_e.shtml))

## SUGGESTED HYMNS

† <i>Blest Be the Tie that Binds</i>	AM 522/CM 359/NCH 393/MW 680/ PH 438/BH 387/UMH 557/CH 433/ LW 295
† <i>Let There Be Peace on Earth</i>	UMH 431/CH 677
† <i>We Shall Overcome</i>	CH 630/UMH 533/CM 372/NCH 570/ GC 724
† <i>This is a Day of New Beginnings</i>	BH 370/UMH 383/MW 784/CH 518/ NCH 417
† <i>Lead Us From Death to Life</i>	NCH 581
† <i>Renew Us All, O Lord</i>	MW 674

### ♦ Hymnal Legend ♦

† AM	— African Methodist Episcopal
† BH	— Baptist Hymnal
† CH	— Chalice Hymnal (Disciples of Christ)
† CM	— Christian Methodist Episcopal
† GC	— Gather Comprehensive (Rom Cath)
† LW	— Lutheran Worship
† MW	— Moravian Book of Worship
† NCH	— New Century Hymnal (UCC)
† PH	— Presbyterian Hymnal
† TH	— The Hymnal 1982 (Episcopal)
† UMH	— United Methodist Hymnal

## ADDITIONAL PRAYERS

### **Intercessory Prayer**

We pray in thanksgiving for those men and women  
Who are showing us a new way of doing justice based on accountability, healing, and reconciliation.  
We pray for open hearts to receive and bless so that we may let go of our need for revenge and punishment,  
And for strength and courage to choose the path of life in our thoughts, words and actions.  
We pray for Native Americans, whose community-based ways of doing justice are a light in the darkness.  
We pray for victims that their tears which are as plentiful as the drops of water in the ocean may be as healing rain.  
We pray for men and women in prison that they may find new life through forgiveness, reconciliation and healing.  
We pray that as Christians we may embody the compassion, mercy and tenderness of God for those who need it most.  
**In Christ's name, Amen.**

(adapted from Correctional Service Canada, "Dignity and Healing for All," [www.csc-scc.gc.ca/text/prgrm/chap/faith/christian/8\\_e.shtml](http://www.csc-scc.gc.ca/text/prgrm/chap/faith/christian/8_e.shtml))

### **The Power of Redemption**

Merciful God, in your dear Son we have redemption, even the forgiveness of sins. Give us such strong belief in this the only power that can abolish evil that we shall be enabled to forgive our enemies. Grant us grace not only to forgive but to accept forgiveness through Christ, the crucified. **Amen.**

(adapted from the Center for Christian Ethics, "Restorative Justice," [www3.baylor.edu/christianethics/PeaceandWarStudyGuide6.pdf](http://www3.baylor.edu/christianethics/PeaceandWarStudyGuide6.pdf))

## For Prisons and Correctional Institutions

Lord Jesus, for our sake you were condemned as a criminal: Visit our jails and prisons with your compassion and judgment. Remember all prisoners, and bring the guilty to genuine repentance, and give them hope for their future. When any are held unjustly, bring them release; forgive us, and teach us to improve our flawed systems of justice. Remember those who work in these institutions; keep them humane and compassionate; and save them from becoming brutal or callous. And since what we do for those in prison, O Lord, we do for you, may we work to improve their situation. All this we ask for your mercy's sake. **Amen.**

*(adapted from Restorative Justice Online, "Selected Prayers from the Book of Common Prayer," [www.restorativejustice.org/chapel/studies/selections](http://www.restorativejustice.org/chapel/studies/selections))*

## A Prison Litany

### *For Our Community*

For those who through word and deed bring true humanity to relationships, and show compassion to the needs of others,  
For those Christians whose thoughts turn into prayer and whose prayer turns into action, let us bless the Lord.  
For those who show forth the gifts of the Spirit in love, joy, peace;  
For those who are patient, good, gentle, self-controlled and faithful;

**Let us bless the Lord, Thanks be to God.**

For those whose love bears all things, hopes all things, endures all things, whose love never ends,

**Let us bless the Lord: thanks be to God.**

For the ministry to which God calls us as a community to make Jesus present to inmates as well as victims,

**Let us pray to the Lord:**

**Holy, blessed and glorious Trinity whose unity draws us together, have mercy on us.**

### *For the Needs of Those in Prison*

For those in prison for the first time, and for the families and friends from whom they are separated,  
For the weak who are abused by the strong; for those who desperately long to be accepted;  
For those who stand firm in the faith and witness to Christ in word and in deed,

**Lord, in your mercy, hear our prayer.**

### *For the Needs of Those outside Prison*

For those contemplating crime today;  
For those who work for a greater justice in an overcrowded, underfunded justice system and for those who don't;  
For those who have abandoned hope in a fair trial, and for those who are victims of rough justice;  
For the strong who put pressure on the weak; for those who create anxiety and fear;  
For those who by their false and evil beliefs lead the simple away from the truth in Christ,

**Lord in your mercy, hear our prayer.**

### *For Corrections Staff*

For strength for those employees who see their work as service; for those who have lost their vocation;  
For those who compromise their professionalism; who find it hard to see good in anyone,

**Lord in your mercy, hear our prayer.**

### *For the Needs of Victims*

For those who have been victimized that their cries may not go unheard,  
May their injuries be healed by a justice that seeks to restore and reconcile.  
For ourselves, as neighbors, that we might grow in awareness of others' fear, anger and helplessness,  
And learn how to bring wholeness again, by the grace of God.

**Lord, in your mercy, hear our prayer. Grant us a vision of your justice, which makes us all whole.  
In our glimpses of the kingdom, where justice and mercy kiss each other, may we be empowered to live  
As ministers of reconciliation in our homes, our neighborhoods, our cities, our nation and across the world. Amen.**

*(adapted from Correctional Service Canada, "Chaplaincy," [www.csc-cc.gc.ca/text/prgrm/chap/faith/christian/3\\_e.shtml](http://www.csc-cc.gc.ca/text/prgrm/chap/faith/christian/3_e.shtml))*

## ADDITIONAL HELPS

### ▪ QUOTES ▪

*Restorative justice puts a human face on the handling of crime and violence. Rather than being purely punitive in approach, restorative justice involves the entire community.*

Carol Palmer

*From this day forward, I no longer shall tinker with the machinery of death... I feel obligated simply to concede that the death penalty experiment has failed.*

Former Supreme Court Justice Harry Blackmun

*Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance.*

Howard Zehr

### ▪ PERSONAL VIGNETTE ▪

#### A TESTIMONY OF RESTORATIVE JUSTICE

BY CORNELL ROANE, DEACON, RIVERVIEW BAPTIST CHURCH, RICHMOND, VA  
MEMBER OF THE GOVERNING BOARD, EXODUS FOUNDATION.ORG

Everyone calls me Lucky. When I was growing up, my loving parents always taught me right from wrong. I went to church and Sunday school. I played football at the recreation park near my home, and I enjoyed every bit of it. I loved going to church, but somewhere along the way, I stepped off the straight and narrow path and started to hang out late. I stopped going to school everyday. My grades in school dropped, and I did just enough to get by in school.

In about the 10<sup>th</sup> grade, I started drinking and smoking weed. After that, I started selling drugs in high school. Oh, by the way, my father is a Baptist minister and my mother was a substance abuse counselor. I went against everything my parents had taught me growing up. I stopped playing ball, and I stopped going to church. I turned my will and my life over to the streets...

I tried to stop using so many times, so many ways, but this time, I stayed in jail for four months. Every other time, my mother and father would get me out of jail and get a good lawyer for me. This time was different. My bond was so high that they could not get me out. So, I stayed and prayed to the God I knew could do anything but fail. In my darkest days and nights, God still blessed me. He blessed me over and over again. Well, after my bond was reduced to a price my parents could afford, with the help of Riverview Baptist Church and my Pastor, I got out on bond...

After going to church every night, I still needed more. God sent a man to me on the job I was working on. He started working there and he would leave every day and go to a 12 step program— AA and NA. One day he told me, without asking me anything about myself, "Young blood you don't have to live like that." I started going with him to AA and NA every day. By God's Grace and with the church and the new people in my life, I stopped using by the time I went to Court.

One Sunday, an older deacon got up in Sunday school and said "Our brother will be going to Court this week, and we want him to know that we are with him." He said God had spoken to him, and God wanted everybody from prayer service on Wednesdays and Sunday School class to write something short for the Court on the church bulletin or any piece of paper they had at the time. He prayed over the pieces of paper and put the notes in an envelope and sent it to my lawyer. My lawyer gave the big yellow envelope to the Judge. The notes told how much they loved me, how they hoped that he would please find it in his heart to spare my life and give me another chance. The judge read some of the notes out in Court. Then he said, "You better not let these people down. If you do, you better hope you don't come by me! Keep the peace, be on good behavior and stay clean. Keep doing what you are doing. You can go." I almost passed out in the Court room. I knew God loved me.

That's been 13 years ago. I have been drug free for 13 years. I've been a Deacon at that same church— Riverview Baptist Church for about six years. I am on the bus ministry. I work for the church. I'll do anything for my church! My testimony is that if I can do it, anyone can.

## ▪ CONTACTS AND OTHER RESOURCES ▪

- ✦ [www.nccouncilofchurches.org/resources/indexresources.html](http://www.nccouncilofchurches.org/resources/indexresources.html) – “The Elephant in the Courtroom,” published by the North Carolina Council of Churches (and available by email at [nccofof@nccouncilofchurches.org](mailto:nccofof@nccouncilofchurches.org)) provides an adult curriculum that powerfully explores the themes of community, forgiveness, racism and restorative justice – all in the context of the current criminal justice system. See the following page for an excerpt from this important document.
- ✦ [www.exodusfoundation.org](http://www.exodusfoundation.org) – The Exodus Foundation is a North Carolina-based non-profit organization that serves African-Americans who have been incarcerated, or who may be at risk for incarceration, using a national community-based after-prison care program.
- ✦ [www.nccumc.org](http://www.nccumc.org) – The Committee on Criminal Justice and Mercy Ministries of the North Carolina Conference is committed to providing services and opportunities for United Methodists in the North Carolina Conference to achieve and maintain an understanding of prison ministry and the importance of prison reform based on Christian principles. The Committee seeks to relate in a Christian manner to the individual offender and his/her family and to victims and their families.
- ✦ [www.restorativejustice.info](http://www.restorativejustice.info) – The Restorative Justice Resource Center is a new, North Carolina-based organization dedicated to serving victims/survivors, offenders, their family members, and communities by providing information, resources, victim offender mediation and dialogues, and training to promote restorative justice. In North Carolina, the Restorative Justice Task Force of Western North Carolina provides opportunities for concerned citizens to work together with community organizations and local governments to expand existing programs and to develop new restorative approaches that support healing and empowerment for victims, offenders, and their families.
- ✦ The Lost Generation Task Force is a Triangle-based, statewide group that seeks to understand and find remedies for the crisis of the disproportionate number of African-American men in prison. For more information, call Dr. David C. Forbes at 919-833-5834.
- ✦ [www.schr.org](http://www.schr.org) – The Southern Center for Human Rights is a non-profit, public interest law firm dedicated to enforcing the civil and human rights of people in the criminal justice system in the South. The Center’s legal work includes representing prisoners in challenges to unconstitutional conditions and practices in prisons and jails; challenging systemic failures in the legal representation of poor people in the criminal courts; and representing people facing the death penalty who otherwise would have no representation. In particular, the Center challenges unconstitutional conditions of confinement in prisons and jails and seeks to bring about the greater use of constructive alternatives to incarceration.
- ✦ [www.voma.org](http://www.voma.org) – The Victim Offender Mediation Association (VOMA) is an international membership association which supports and assists people and communities working at models of restorative justice. VOMA provides resources, training, and technical assistance in victim-offender mediation, conferencing, circles, and related restorative justice practices. This comprehensive website offers numerous resources concerning the work of restorative justice.
- ✦ [www.restorativejustice.org](http://www.restorativejustice.org) – Restorative Justice provides resources on the worldwide restorative justice movement, including articles, worship aids, and the latest news from around the world.

### KEY FACTS

- Nearly half of North Carolina’s prisoners are convicted of drug crimes and property crimes related to drugs. Of the state’s prisoners, two-thirds are minorities, with a high percentage of young African-American men.<sup>1</sup>
- From 1988 to 1999, the North Carolina prison population increased 43 percent for whites and 100 percent for African-Americans.
- At the current level of incarceration, a black male in the United States has a greater than 1-in-4 chance of going to prison in his lifetime.

- ❑ In 1995, nearly one-third of African-American males in the United States between 20 and 29 years of age were under criminal justice supervision on any given day.
- ❑ Since the 1970's, the percentage of African-American males being admitted to federal and state prisons relative to whites increased from 35 percent to 55 percent, despite the fact that the percentages of African-Americans and whites arrested for violent crimes remained stable.
- ❑ An African-American youth is six times more likely to be locked up than a white peer, even when charged with a similar crime and when neither has a criminal record.

## The Elephant in the Courtroom: Racism and Criminal Justice in North Carolina A Brief Excerpt

In 1940, the North Carolina Council of Churches lamented the fact that nearly half of North Carolina's prisoners had been admitted for alcohol abuse. In 1941, the Council denounced the lack of rehabilitation programs and called for probation for many prisoners: "It costs only a fraction over 11 cents a day to supervise a probationer while it costs almost \$1 a day to keep a prisoner in one of our road camps."

Sixty years later, nearly half our state's inmates are imprisoned for crimes stemming from substance abuse, and rehabilitation programs are yet lacking. We must once again address the waste epitomized in the North Carolina criminal justice system. Since 1940 the Council has worked to make the system more just through legislative changes, to provide chaplains and encourage volunteers in prison, and to promote alternative punishments to prison. We have also supported efforts to reduce poverty and to improve education, health care, and social services that keep people from committing crimes.

We must now proclaim, however, that North Carolina's criminal justice system does not serve the needs of our community. Its most obvious problems are the size of the prison population and the "elephant in the courtroom," the racism that fuels that population. The magnitude of human suffering and the racism undergirding it make the prison-industrial complex a "structure of sin," a human institution that fails to recognize the image of God in every person...

Offenders should be accountable for their actions, but stigmatization heals no one, neither the target nor the source. Unrelenting punishment shows a lack of forgiveness that corrupts us all. The unforgiving person and the unforgiving society do not experience peace or even health.

Some will call us naive, but we see ourselves as more foresighted than those who would close their eyes to the future. We care about the next generation that will live with the ever more violent consequences of our current harsh and racist policies. We have confidence that with good will and ingenuity we can construct a system of restorative justice that balances the need for the community's safety in the short term with its security in the long term. We believe the combined efforts of political, economic, educational, medical and religious leaders can accomplish this vision.

---

1. All facts and excerpts from *The North Carolina Council of Churches, "The Elephant in the Courtroom: Racism and Criminal Justice in North Carolina,"* (March 2001).