

■ ...AND JUSTICE FOR ALL

Neighborhood Accountability Boards a progressive alternative to traditional justice system

America's justice system is broken. The Land of the Free has roughly 2.03 million of its citizens behind bars, giving it one of the highest incarceration rates in the world today. What's worse is that an estimated two-thirds of inmates released will be re-incarcerated within three years. Such high rates of reoffense, or recidivism, point to the inability of our prisons and correctional facilities to truly rehabilitate felons. Recidivism results in tremendous financial burdens for taxpayers—in terms of paying for the arrest, prosecution and incarceration of repeat offenders—and high social costs to the families and communities of felons. The upshot of all this is that we need to improve the system, and several alternative programs fitting under the umbrella term “restorative justice” are being introduced as part of the solution.

Restorative justice is a theory of justice that emphasizes repairing the harm caused by criminal behavior, and it's often accomplished through cooperative processes that include all stakeholders. Borrowed from indigenous cultures and

brought into modernity, for the most part, by two professors, Mark Umbreit and Gordon Bazemore, restorative justice is taking root across the country.

Buffalo currently uses three main restorative justice programs, which are implemented by Child & Family Services' Center for Resolution and Justice: Community Dispute Resolution, Victim Offender Conferencing (VOC), and the newest, most innovative program, Neighborhood Accountability Boards (NAB). The basic principle behind these programs is simple: force an offender to face his victim(s) and hear their side of the story, and he will become empathetic toward them and less likely to reoffend. Everyone reaps benefits in that the offender is less likely to serve time and has his side of the story heard, the victims are empowered by taking part in the resolution process, and the community is strengthened by opening a dialogue between the parties.

According to Annie Monaco, Director of Restorative Justice Programs for Child & Family Services, in the traditional justice system, “offenders don't usually get to hear how they've impacted people, they really don't. It's about punishment and that's about it.”

Her colleague Julie Loesch, Director of Child & Family Services, takes a similar stance: “I think that the concept of per-

sonal responsibility is really what all of these programs are designed for. Sometimes people think this is a soft on crime approach, but I really think it's much harder for kids, and adults too, to have to come face-to-face with people and view the effects of their behavior than to be processed through a system, which is pretty impersonal.”


Whereas the traditional system sends criminals to prison, which are designed to punish and confine criminals, restorative justice tries to repair the harm by bringing victim and offender together to work out a mutually agreed upon resolution/reparation. Here's an example: a West Side youth was recently apprehended for spraypainting graffiti on a neighborhood church. In the traditional justice system, he might have gone to juvenile court and been sentenced to community service, end of story. He would never know how he affected churchgoers and the larger community. Instead, though, he was referred to a Neighborhood Accountability Board, where he faced the priest and community members. He wrote an apology letter, but more importantly, listened to how his actions hurt parishioners and community members. One board member told AV, “It was a lot about love, allowing us to show this kid that we cared about him and we wanted to see him do better than he did. And he felt that.” In such youth cases, it's about nipping the problem in the bud. Said another NAB member, “that one intervention might be enough to prevent him from going into a street gang or further beyond.”

These NABs are the most progressive

form of restorative justice currently practiced in Buffalo, because they bring together not only an offender and his true victim, but also trained members of the community, who represent the at-large community and help mediate the agreement. The NAB program is brand new in Buffalo, with about ten board members trained last November who've been taking cases since February. So far they've handled about a dozen cases, all referred from housing court by Judge Henry Nowak. The cases have ranged from the spraypainting incident to simple housing violations.

On a recent Monday evening, AV was invited to witness Buffalo's Neighborhood Accountability Board in action. Three board members showed up at the nondescript Delaware Ave. building around 6:10, about twenty minutes before mediation was to begin. They represent a good cross-section of the diverse board: Robin Smith is a social worker for a foster care agency, Jeff Brennan is a community activist who renovates and remodels buildings and Michael Hardy is a young financial consultant. Sitting around a table, these hard-working activists gave their reasons for joining the NAB. Community responsibility, social justice, promoting positive change and community building were the most popular reasons.

Twenty minutes later, John, a Riverside resident who'd been referred to the NAB by Judge Nowak, arrived. Up until that point, his case seemed cut-and-dry. He'd been written into court for several violations, including broken windows, a busted door, holes in the porch, a loose gut-



"Mystifications protect power, mysteries protect the sacred."
John Berger

BOOKSIGNINGS/EVENTS

Barnet Schecter, *The Devil's Own Work*
history of Civil War Draft Riots
Fri, Sept 29, 6 pm, Main St

Magilla Schaus, *Surfing's Greatest Misadventures*, Bflo firefighter & surfer
Contributes to his best-selling book
Fri, Sept 29, 7 pm, Elmwood Ave
(he'll read at 6 at Caffe Aroma)

Elizabeth Cunningham, *Passion of Mary Magdalen: A Novel*, acclaimed novelist retells ancient story, Wed, Oct 4, 7 pm, Main St

Mary Saracino, *Singing of Swans*
upstate native's tale of the divine feminine
Thur, Oct 5, 7 pm, Main St

Susan Ciminelli, *The Ciminelli Solution*
area native's best-selling book on skin care
Sun, Oct 8, 2 pm, Elmwood Ave

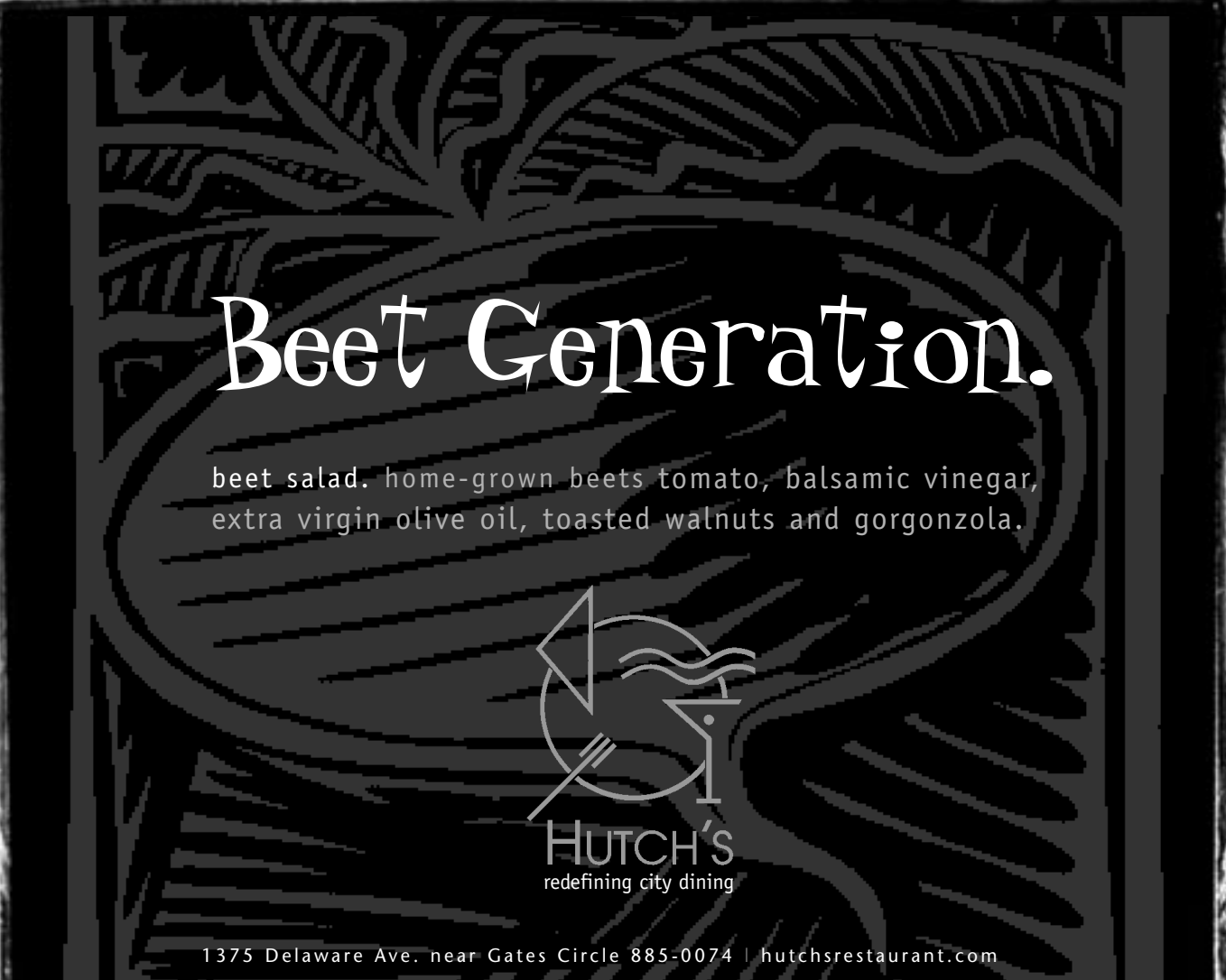
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ter, overgrown lawn and two unregistered cars on the property. Clearly this guy was some kind of slumlord who didn't care for his property. As soon as mediation began, however, it was clear that there was more to John's story than looking at his court file would suggest. He said he'd already fixed all of the violations on the house, some of which had been caused by intruders. He talked about the four kids he raises alone, and explained that he works 70+ hours each week in construction. He does to the house what he can, when he can. And slowly, with question after question, the board members gently tugged at the right threads to unravel the real problem: John and his neighbor don't get along. Not at all. His aging neighbor is uptight, and the two have knocked heads more than once. In the end, if he could work out his problems with the neighbor, he can keep himself out of housing court in the future. The group worked out a way for him to repair the trouble and set a deadline for him to do so. When he left the mediation, it was clear that John was taking pride in the improvements he'd made to his home, and he had a clear idea of what impacts he could have on his neighborhood. More importantly, he left with the sense that his story was heard, too.

There are great expectations for the fledgling NAB program, though it's struggling to gain traction, thanks to funding problems. Jeff Brennan looks at it this way: "In the end, our goal is to try and get the entire criminal justice system to think about whether the results they're getting with the methods that they use is something that we all consider worth the money. As a wider community, if just a few more people are connected and care about small things, then other people see that others care, and that completely changes the outlook of a neighborhood." He envisions the justice system shifting funds from its traditional programs to restorative justice.

For now that doesn't seem to be in the cards. Child & Family Services is in desperate need of a volunteer coordinator who can work 10-15 hours a week if its NAB program is to survive. If the program does survive and expand, Buffalo will only be the better for it.

For more information, or to volunteer for the Center for Resolution & Justice, call Julie at 362-2323.

—peter koch

REMEMBERING DARFUR

While the media looks elsewhere, the genocide in Western Sudan continues

Less than five months ago, in excess of 50,000 concerned Americans crowded the national lawn in Washington, DC, enthusiastically petitioning President Bush to lead the world in the cessation of genocide in Sudan. Speaker after speaker of household-name status, including Illinois Senator Barack Obama, former presidential hopeful Reverend Al Sharpton and actor George Clooney, addressed a highly energized audience. Buoyed by increasingly successful peace talks and the momentum of a near-constant presence of the Darfur cause in the national media, the April 30 rally was marked by a contagious optimism for the hope of lasting peace.

But it appears that little more than a stay of apocalypse was effected. Shortly after the DC rally, President Bashir's Sudanese government, the main pro-government militia (including the fighters known as the Janjaweed), and two of the three main rebel groups brokered a shaky peace deal; as a result, the violence only slowed, and millions remain displaced. It now appears that deal is on the verge of collapse. Rape continues to be one of a number of horrifying weapons of war, and malnutrition still blends with a scarcity of medical resources to make killers of common illnesses.

Accounts from the region find less influence in the peace accords than in Mother Nature. It has been reported that locals find rain to be the most effective intermediary, as the region's few decrepit roads give over to impassable mud. As rainfall limits the ability for the warring factions to carry out ranged attacks, civilians fear the coming of the sun.

Unimaginable as it may be, many fear that even worse conditions are rapidly approaching. The African Union, whose under-supplied and vastly outnumbered troops have done their best to keep the violence at a relative minimum, is running out of the money allocated to sponsor its peacekeeping efforts in the region. They announced they will withdraw at the end of the month if not supported by UN peacekeeping forces—and while the UN agreed to commit the requisite support, Khartoum refuses to admit their presence in Darfur. Instead, they pledged to send in their own troops, despite accusations that

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government forces have supplied arms and air support in Janjaweed raids on rebel-affiliated villages and civilians.

With the moment of crisis so close to hand, the Save Darfur Coalition—a group of more than 170 humanitarian advocacy groups known by the more common appellation SaveDarfur.org—organized the “Global Day for Darfur” to coincide with the UN’s general assembly of world leaders in New York. Events were held throughout the US and across the world, and the day’s activities centered on the “Voices to Stop Genocide” rally in Manhattan’s Central Park.

Unlike its April DC counterpart, the tone of this gathering bordered on outright despair. The much smaller crowd (police estimated only 20,000 attendees) listened intently to a series of speakers fewer in number and less well-renowned. The event’s most notable speaker, former Clinton Secretary of State Madeleine Albright, underscored the gravity of the situation in western Sudan: “The possibility exists that by this time next month there will be no more peacekeepers in Darfur...just killers and victims.” She praised previous efforts, but insisted upon the necessity of a UN intervention. “The A[frican] U[nion] deserves credit, but it needs help,” she stressed, adding, “We need to get the United Nations in there: What is it for?”

But the US media seems distracted from the Sudan genocide; the event generated little ink in major newspapers and apparently no coverage on the major cable networks, as Iraq apparently spirals further out of control, tensions mount between the US and Iran and wildfires rage through the West. There seems to be less and less room for the people of Darfur. And as the mid-term elections approach, nonpartisan issues that find consensus rather than divisiveness amongst the electorate—like Darfur—are scarcely on reporters’, pundits’ and politicians’ lips. Perhaps unknowingly, Albright identified what is most likely the greatest threat to the life of the Darfuris’ cause in the American medial landscape, noting that the crisis in Sudan “is not about

politics, this is about people.”

But the rally served as a painful reminder that outside of the media, politics and people cannot be so easily divided. Familiarity with the real causes of the strife in Darfur demonstrates the threat that marginalization of large segments of a populace poses to real security. As a near-certain famine approaches western Sudan, even Khartoum has acknowledged the need to invest in key infrastructure, announcing a vision for revitalizing irrigation in the region. However real peace and stability will likely never be reached until political power is extended beyond the privileged tribal groups that make up only six percent of the nation’s population.

International politics holds people in the balance as well. Despite the Bush administration’s sincere efforts to quell the bloodshed, it appears that damaged credibility stemming from the Iraq war and questionable involvement in the recent Israeli-Lebanese conflict has limited their clout. Without sanctions on Sudan’s ability to export oil and import key consumer goods, it is unlikely Bashir will succumb to the UN’s demands that peacekeepers be allowed in Darfur.

Somber though it may have been, the rally was no less adamant than before. Speakers stressed the continued importance of grassroots activism, reminding its audience that increases in technology have afforded America’s citizens increased access to their representatives in Washington. Calling for text messages and emails to the White House and Congressional representatives, along with conventional letters and phone calls, Darfur’s advocates reminded their listeners that despite the distractions of an election year, elections are still contingent upon earning the votes of their constituents. Grassroots activism can seize upon the positive potential of the intersection of politics and people and may help save untold thousands of lives.

—christopher leise

av



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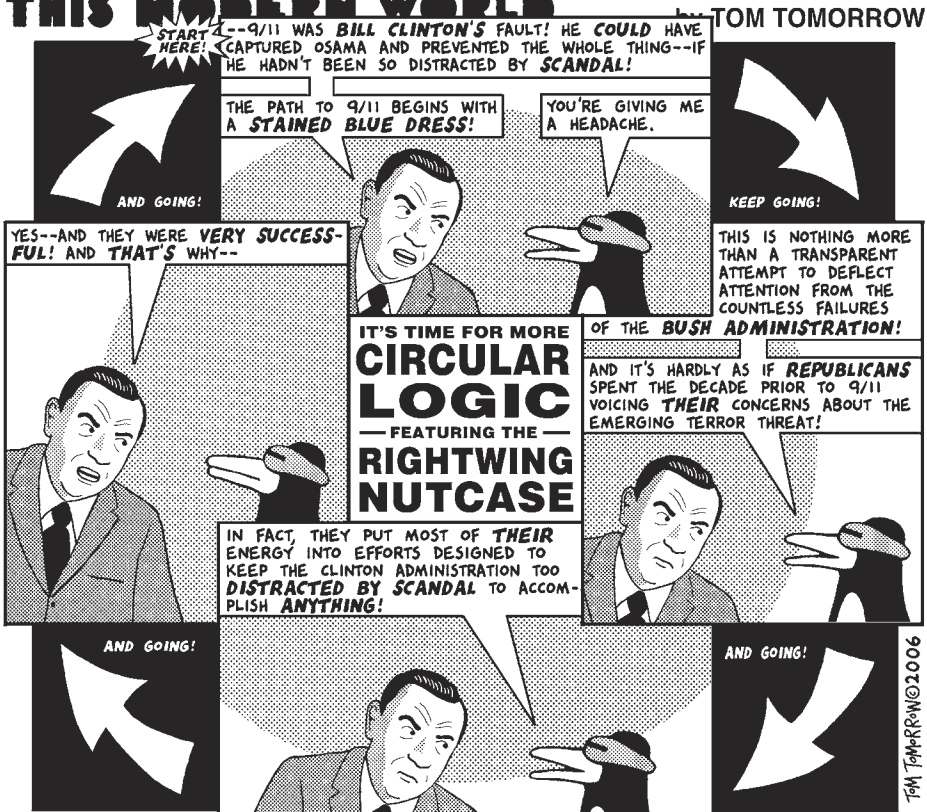
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TOM TOMORROW



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AND GOING!

AND GOING!

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