

Introduction

Few topics elicit a reaction similar to our collective response to sexual abuse and victimization. Media accounts of specific, atypical sexual offenses shape the public narrative and the political response to a very serious but complicated issue. In the United States, we are fast approaching one million people on public sex offender registries, despite ample research showing that registration does little to decrease sexual offending. Similarly, sex crimes policies do not necessarily help people who have been sexually victimized to heal. In this book we offer a different perspective.

For context, we are both academic researchers. Dr. Alissa Ackerman is a criminologist and sex crimes researcher in the Division of Politics, Administration and Assistant Professor of Criminal Justice at California State University, Fullerton. Dr. Jill Levenson is a Professor of Social Work at Barry University in Miami Shores, Florida; she is also a licensed clinical social worker who provides therapy for people who have been victimized and those who have sexually offended. As researchers and scholars who study sexual violence, we both had some knowledge of restorative justice from a purely academic perspective. We did not fully appreciate the benefits of restorative justice until we personally experienced the power behind the process.

For almost a decade, we have done extensive research, both independently and collaboratively, on sex offender management policies and treatment practices. We have maintained a sufficiently close friendship so that, in early 2014, Alissa chose Jill as one of the first people to whom she disclosed her own rape—15 years after it occurred. Alissa had never reported the rape that happened when she 16 years old. As a researcher, she was terrified that people would not take her work seriously if they knew she was a survivor. Jill assured her that her narrative was important to share.

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In early 2016, Alissa was planning to visit South Florida, where she grew up. Jill, who resides in South Florida, invited Alissa to speak to the clients in her treatment program, not as a sex crimes expert, but as a survivor. The first session proved to be transformative for many of the participants, including Alissa. Without that invitation, the processes that subsequently unfolded, including the writing of this book, would never have occurred. Since that first session, Alissa has been back to meet the clients in Jill's treatment program six times. She started volunteering her time with other clinicians to bring the vicarious restorative justice process described in this book to their clients.

People convicted of sex crimes inspire little sympathy. But the reality is that many of them were victims of various maltreatments and family dysfunction in their own youth, and this early adversity shaped their distorted thinking, inspired maladaptive coping mechanisms (including violence), interfered with attachment and bonding, provided little modeling of healthy relationship skills (including empathy), and diminished their self-regulation capacities. The research is clear: people who commit sex crimes have much higher rates of adverse childhood experiences than the general population, and these events change the neurochemistry of the brain, leading to poorer functioning in adulthood. This is not an excuse for assaultive behavior; rather, it helps us understand how interpersonal violence develops, so that we can inform our prevention and intervention strategies accordingly.

We hope this book offers you a new perspective. Perhaps the processes described here have crossed your mind before. If so, it is our hope that this work offers answers to questions you have had while providing inspiration to try something new. We acknowledge and respect that restorative justice practices are not for everyone. We ask only that you keep an open mind as you read.

Restorative justice is a paradigm under which various practices exist. Chapter 1 explores traditional restorative justice and summarizes the values inherent within most, if not all, restorative practices. We then examine the use of restorative justice with crimes of a sexual nature, while documenting the diverse needs of those who have been sexually victimized and those who have perpetrated such acts. It should come as no surprise that there are concerns about using restorative justice in sex crimes cases. Much of this concern stems from the fact that little empirical research has been conducted to determine whether such practices are effective. However, the general restorative justice literature shows positive outcomes, including significant decreases in post-traumatic stress for crime survivors and decreased recidivism for those who commit crimes. We conclude the chapter by

calling attention to recent conversations by celebrities about the use of restorative justice in these types of cases. Concerns notwithstanding, there is clearly some reason to believe that restorative justice practices, when conducted appropriately and sensitively, would be helpful for sex crimes survivors.

Chapter 2 makes the case for vicarious restorative justice. It provides a narrative of Alissa's first visit with Jill's clients and reflects on that session's outcome for all of us. We then turn to the concept of victim impact panels and whether such experiences are effective before making the case for vicarious restorative justice, using *The Sycamore Tree Project* as an example to explain the use of surrogate victims in in-prison restorative justice programming. Next, we turn to the importance of using a trauma-informed vicarious restorative justice process in court-mandated programs for treating individuals who have sexually offended.

Chapter 3 details how experiencing sexual victimization leads to disconnection, which affects trauma survivors in multiple ways. It has the potential to bias our relationships and impact our experiences. It can even result in the trauma survivor disconnecting from his or her body. The formal criminal justice system can fuel disconnection. Using the stories and experiences of two survivors with completely different narratives, we show that, despite contrasting histories, their outcomes were quite similar.

Chapter 4 provides examples of how disconnection also fuels the perpetration of sexual victimization. We begin by summarizing some of the theoretical underpinnings of sexual abuse, while focusing on the fact that people who commit sex crimes have higher rates of childhood adversity and trauma than those who do not offend. The very policies we use to manage those who have been convicted of sex crimes also fuel disconnection. We outline the impetus for and the development of modern sex crimes policies before concluding with the argument that a more reasoned and empirically-derived policy platform be considered.

Chapter 5 urges the reader to consider that a paradigm shift is needed to change the dialogue around sexual abuse and concepts of justice. We argue that the conversation must shift from punishment and management to restorative and transformative justice. We stress the importance of this necessary change by utilizing a survivor-centered perspective. Indeed, current criminal justice practices often deny crime victims the very experiences they need to heal. While recognizing that this is not always in the purview of the justice system, we question how judicial processes might help all parties find healing and closure.

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Chapter 6 then describes the two-step vicarious restorative justice process that we have developed and that Alissa has used with over 500 men in mandated treatment. The two-step process is not necessary for every client. As we will show, clients are chosen to participate in the role-playing phase, while other clients take the role of support people.

Chapter 7 briefly discusses three vicarious restorative justice case studies. The first describes a process in which Alissa played the individual who was raped by “Jerry.” The second case study focuses on how the treatment provider can play the role of a crime victim. In this instance, we use an example where Jill played this role. Finally, we turn to a case that demonstrates how vicarious restorative justice can be used in community practice. This particular session included one man who had committed rape, his support person, four rape survivors, and a facilitator. The final chapter of this book provides reflections from many of the individuals whom you will meet throughout the book.

We hope that our work, as described herein, encourages novel ideas and approaches to healing for all those affected by sexual violence. We hope that you will keep an open mind, and allow your own imagination to expand these ideas in ways that might work for you and your clients. It is only through mutual compassion and tolerance that we can advance dialogues that neutralize the power imbalances between victims and offenders. We hope that our ideas provide food for thought.