

To: Spring 2020 Restorative Justice Group #8

Title: *How I Came to Restorative Justice*

On a hot summer evening in Madison many years ago, two young white men from Ft. Atkinson came to Madison to buy a mattress at American TV on the Beltline. In those days it was known to everyone as *Crazy TV Lenny's*. After they bought the mattress and put it in the back of their small pickup truck, they drove around the corner to the McDonald's on Park Street to get something to eat.

As they were sitting in a booth near the door, a group of young black kids from the neighborhood came in and stood at the counter acting goofy and loud. One of the kids had a 30-inch bow hunting arrow that he was waving around. Words were exchanged between the two white guys and the black kids. The "N" word might have been used and a fight broke out.

During the fight one of the black kids stabbed one of the white guys through the back with the hunting arrow. The hunting arrow had three razor sharp blades that came to a point. The arrow, designed to kill a deer, went through the young man's back and into his heart. He died instantly.

All the kids ran out of the restaurant. The police were called, and the young black boy was arrested about an hour later.

I was the Deputy District Attorney for Dane County and the case came to me for prosecution. The case went to jury trial. I remember the courtroom exactly. The left side was full of the victim's family and friends from Ft. Atkinson. On the right side were the mother, grandmother and uncle of the accused. I also remember how I acted during the three days of the trial. I never spoke to the victim's family or family of the boy who was accused of the crime. There was no need to talk to them. They had nothing to do with the case. They had not been at McDonald's the afternoon of the murder. They had no relevant testimony. My job was to convict the young black boy of murder. That was my only job and that is what I did.

Thirty years later, after I had become a minister, I was asked to give the blessing at the Christmas meeting of the Madison Chapter of Parents of Murdered Children. I was glad to be asked, but as the time got closer I had a very unsettling thought. What if after all these years, the parents of the victim came to that meeting? What would I say to them? How could I justify my ignoring their pain and suffering during the trial.

It turned out they were not at the meeting, but the question of what I would have said still haunted me. I would have wanted to say that I was truly sorry for the way I had acted, but I am a different person now and I see the world very differently. I would tell the parents of the

victim that I know and honestly believe that the accused boy got a fair trial and a fair sentence for the murder of their son. But a fair trial is not justice. And that there was no way that I could get to justice as a lawyer.

I would tell the family of the boy who was convicted why I have come to believe so passionately in Restorative Justice. The criminal justice system that I was part of for so long and that sent their son and all of you to prison only cares about two questions: *“Who committed a crime?”* and *“What sentence do they deserve?”* Restorative Justice asks, *“Who was harmed by a crime and how do we heal the harm?”*

In order to heal the harm, we first need to recognize the harm, all the harm. In this case, it was not only the victim and his family that was harmed, it was also the family of the boy who was convicted. In many ways they also lost a son, grandson and nephew. Harm also came to the people of Ft. Atkinson who lost a sense of safety about coming to Madison and the value that the young man’s life would had added to his friends and the wider community. The families that lived around McDonald’s were harmed because instead of being a safe place to send your kids to get a Happy Meal, it was a dangerous crime scene where people get killed. The ripples of harm get wider and wider.

Restorative Justice seeks to bring victims, offenders and the community together to heal all the harm caused by crime. No one person can do it alone. We need to care for the victims and their families. We need to care for the men who go to prison and give them a fair chance to be released and to succeed when they come back. We need to care for their children when their fathers are gone. We need to care for the neighborhoods where people are afraid.

After all these years, I keep thinking about this story, and it continues to inspire my love for Restorative Justice.

~ Rev. Jerry Hancock