Sarah Cupp imagined a monster.

He had to be.

The man who held her teenage son at gunpoint, struck him in the head and nearly beat her son's friend to death in a random attack in the Southern Maine woods one winter night four years ago had to be big, horrible and ugly to do what he did.

Then Cupp walked into the visitors' room at the Maine State Prison in Warren and her monster became an ordinary 20-year-old who looked, if anything, like a teenager himself.

"I was really surprised what a nice-looking young man (he was)," she said. "When you look at him, he's endearing."

They had each spent the past year working with a facilitator to prepare for that meeting. In the end, it lasted 45 minutes.

"I wanted to see his face, which was good. And I wanted to tell him what he did to me, whether he cared or not. It was my time to talk and say, 'Look, this is what happened.' And I did that," Cupp said. "We looked each other in the eye. He never took his eyes off my eyes."

Cupp, who lives in Massachusetts, left with the answers she'd been looking for. Was he abused as a child? Yes, even if he didn't consider it abuse. Did he understand the damage he caused? Not really.

Was he a monster? No.

The offender left having heard — maybe for the first time — how his actions had affected someone else.

"I wanted him to see that's a human being you did that to, and someone very similar to his own age. I needed to say that," Cupp said. "I would say the two things I needed: I needed to see his face and I needed him to understand the person he did that to."

It's called restorative justice, bringing together a willing offender and victim. The goal: Give the victim a say, hold the offender accountable, try to bring
closure or resolution to a situation that was, at best, offensive or, at worst, criminal.

Restorative justice has been slowly gaining acceptance throughout the United States.

In Maine, its popularity has exploded.

Bates College in Lewiston, Lewiston Middle School, SAD 17 in Oxford Hills and a growing number of other schools and colleges use restorative justice to deal with student conflicts and behavior problems.

Juvenile justice systems use it to hold youths accountable for minor offenses while keeping them out of the regular court system.

And it's been used in high-profile cases, such as the case of Christopher Knight, known as the North Pond Hermit, whose crimes affected a whole community.

"Because it's victim-centered and because it holds offenders accountable and because the criminal justice system isn't great at doing either of those two," said Kennebec County District Attorney Maeghan Maloney, whose office was responsible for the North Pond Hermit case. "It's something that people want. They want another way."

'Power in the apology'

"Restorative practice" is an overarching philosophy that uses communication, conflict resolution and the strength of relationships to build a respectful community. Think schoolchildren having a hand in creating classroom rules rather than the rules being dictated by a teacher. Or students gathering in a circle to talk through a rivalry among classmates.

"Restorative justice" is a kind of restorative practice. Although the details vary depending on who's doing it and where — restorative justice in a second grade classroom looks different from restorative justice with a convicted felon — the basic concept is universal: Bring together a willing offender and a victim to talk about the wrongdoing.

It's not necessarily warm and fuzzy. Victims are never required to forgive the offender, and many don't. And while offenders often show remorse, some never do.

"Sometimes the answers to the questions are, 'He really is an a******,'" said Jon Wilson, a restorative justice trainer and facilitator who runs JUST Alternatives in the Hancock County town of Brooklin.

But even when a restorative justice meeting is least satisfying, experts say, victims get to address the person who hurt them and move on. At its most satisfying, the two sides come to a better understanding of each other, agree on a way the offender can make amends and leave feeling some closure.
"There's power in the apology," said Carl Steidel, associate dean of students for student support and community standards at Bates College.

Restorative justice, and restorative practices, have gained popularity around the world over the past 30 years. Growth has been much slower in the United States — primarily popping up in pockets of the country where schools want a new way to deal with bad behavior, juvenile courts are trying to keep youths out of lockup and adult courts are looking to rehabilitate nonviolent offenders or give victims a greater voice in the justice process.

"There have been surges of excitement (in Maine) before, but it's never really stuck," said Ryun Anderson, director of operations for the Restorative Justice Institute of Maine in Brunswick. "It’s gone up and down and up and down."

About a decade ago, restorative justice began to bloom here again. This time, it seems, it may have stuck.

Since 2005, Maine advocates have formed a number of groups throughout the state to promote, train or use restorative justice, including the Restorative Justice Project of the Midcoast in Belfast, the Restorative Justice Institute of Maine in Brunswick and the statewide Restorative Practices Collaborative.

Over the past year and a half alone, more than 2,000 people have attended outreach events by the Restorative Justice Project of the Midcoast, a nonprofit dedicated to promoting, training and research.

As word of restorative practice and restorative justice spread, more people brought the idea back to their schools, courtrooms, agencies and nonprofits. More places started trying it.

Lewiston Middle School's principal, Bates College's associate dean and the head of Maine Youth Court in Portland are all proponents. So is the director of victims services for the Maine Department of Corrections, where a brochure tells crime victims they have the right to ask for a victim-offender dialogue.

Maloney, the Kennebec district attorney, is a proponent, too. She encourages victim-offender dialogues, and her district has been home to two of the state's most high-profile restorative justice meetings: Adam Keene, whose 4-year-old son brought a loaded gun to his Hallowell day care center in 2013, and the man dubbed the North Pond Hermit, who lived in the woods and burglarized central Maine cottages over 27 years.

In both cases, the men pleaded guilty in court and agreed to participate in a restorative justice meeting. Both had to answer to a number of victims.

In the past, they could have served their jail time or completed community service without facing the people they scared and hurt — other day care parents in Keene’s case and cottage owners in the North Pond Hermit case.
"Restorative justice is changing criminal justice for the better," Maloney said.
"It's victim-centered and it holds the offender accountable."

Dave Knightly, a teacher at Oxford Hills Comprehensive High School, became a fan several years ago after reading an article about restorative practices.

"I read it and I was immediately emotionally moved and I didn't know why," Knightly said.

He's since realized the reason: When he was in the seventh grade, a friend was killed in a car accident. Knightly heard a rumor that another boy was laughing about the death, so — grieving, angry and trying to fit in — he punched the classmate. Knightly was suspended from school for three days.

"I got punished, but I don't remember anybody ever sitting down with me and asking what was going on and what led up to that. No excuse for the behavior, but what was behind it?" Knightly said. "I think I remember being made to apologize, but that's a different beast. Being made to apologize is different from being sat down and having an opportunity to talk to the person, and to listen to the person, and to hear each other's story, and to make things right for the right reasons."

He wanted his own students to have that.

Today, dozens of Maine schools, court programs, agencies and other organizations use restorative justice. For some, it's a way to keep offenders out of the traditional criminal justice system but still hold them accountable through community service, restitution or another agreed-upon consequence; for others, a restorative justice meeting happens only after traditional sentencing and is used solely as a way for victims to get answers from the person who hurt them.

Some — like Bates College's two-year-old program — have approaches that are somewhere in the middle.

The 1,800-student private college has used victim-offender meetings to deal with student conduct problems, such as a student who regularly disturbs his neighbors with loud music. It's also held such meetings in the wake of more serious wrongdoing, after a student has served a traditional suspension and is ready to return to campus.

"There was a situation in which some security officers were directly impacted and harmed by a situation," Steidel said. "We didn't want the student thinking this was something that security could possibly be out to get him or angry at him or anything like that. And also, we wanted security to understand that this student learned from this, had done a lot of really good work while away."

Did it work?
"(There was) apology and forgiveness," Steidel said.

**Too popular, too fast?**

National and international surveys show that victims tend to be more satisfied with restorative justice than the traditional justice system. Offenders are more likely to pay restitution or complete the hours of community service they agreed to during a meeting with their victims. And recidivism rates — whether an offender commits another crime — are often the same as or lower than those of the traditional justice system.

In Maine, the Restorative Justice Project of the Midcoast says 92 percent of the offenders it’s worked with, both youths and adults, complete their agreements. Only 5 percent of its young offenders go on to commit other crimes. That’s compared to between 8 and 44 percent of Maine’s other young offenders, according to a 2013 report produced by the Muskie School of Public Service in Portland.

Since October 2012, Maine Youth Court in Portland has used restorative justice with 265 youths between 12 and 18 years old. Some were in trouble at school while others committed crimes that would have landed them in court if they hadn’t agreed to meet with their victims. Its project director estimates that less than 1 percent of youths refuse to participate in the program and only 3 to 4 percent offend again.

Youth Court has a 94 percent completion rate.

But restorative justice and restorative practices are still new, and many of their touted benefits haven’t been proven.

The nonprofit RAND corporation hopes to help with that. It’s two years into a five-year scientific study with 14 southern and central Maine schools, tracking sixth- and seventh-graders to see whether social skills, communication and cooperation gained through restorative practices stay with them into high school.

The schools are being kept confidential. Seven are receiving restorative practice training now. Seven will serve as control groups for comparison and will receive the training later. The study is funded by a $3.2 million federal grant.

RAND chose Maine schools, in part, because the state already had a cadre of restorative justice trainers.

"It’s a state that was primed and ready," said Joie Acosta, principal researcher for the project.

The Maine Juvenile Justice Advisory Group is also interested in studying restorative justice. It is looking to hire someone to analyze what’s going on in Maine and the rest of the country.
Although proponents hail restorative justice, they acknowledge there are drawbacks.

Facilitators — the neutral third parties who run the meetings — must be well-trained. Facilitators who interrupt, jump in with their opinions, take sides or allow intimidation can ruin any sense of justice that might have been gained. They also must carefully prepare victim and offender beforehand, working with them to outline their questions and ready them for the answers they’re going to hear.

Wilson, who runs JUST Alternatives, can spend a year meeting with victim and offender separately before he feels comfortable bringing them together. Sometimes he never feels comfortable setting up a meeting. Sometimes a victim or offender backs out during preparation because they realize they aren’t ready to go through with it.

"There’s a fear of facing the person that they harmed," Wilson said. "You think these are all big tough guys capable of unleashing incredible violence — and that’s true — but they only do that when they’re in positions of extraordinary power and control. You know, they’ve got a gun on the person, they’ve got the person tied up. They’ve got everybody neutralized, so they are at liberty to be as big and strong as they want. But when they are in that room, it’s just the three of us ... it’s pretty scary for them."

Since 2000, Wilson has volunteered to facilitate seven meetings between victims and violent offenders in the Maine Department of Corrections, including cases of murder, attempted murder and gross sexual assault. Twice, the offender withdrew.

Another drawback: Restorative justice and restorative practices require commitment, support and energy, especially in a school setting. Suspensions and detentions are simple and fast to mete out, and it’s easy to fall back on old ways.

Although Oxford Hills school administrators say they support restorative justice and restorative practices, Knightly worries too few people are on board to keep it going at the high school.

"It’s been hard for me personally to wonder if it’s going to die," said Knightly, who was so excited by restorative practices that he earned a master’s degree in it and helped found the Oxford Hills Restorative Justice Collaborative.

Brown, at the Restorative Justice Project of the Midcoast, is concerned about sustaining restorative justice throughout Maine. Her group has seen increasing demand for its training and facilitation services, including from school systems, Volunteers of America and Long Creek Youth Development Center in South Portland.

"I think we’re at a moment in the restorative justice movement, if you want to call it that, where people are really turning to it," she said. "But it’s very
important that we figure out the sustainability here and we're not just the flavor of the month and that people aren't just rushing to us saying, 'That's a great idea' and then in two years it's all just sort of drying up and dying. That worries me. I think about that a lot."

She hopes, this time, it will take permanent hold in Maine.

"There's lots and lots of room for restorative practices to be embedded deeper and deeper in Maine's culture," she said.

For her part, Cupp is glad she met the man serving time for assaulting her teenage son. Although her son hadn't wanted any part of the victim-offender dialogue, she needed to know who this person was who hurt him and why it happened.

Their meeting two years ago wasn't rosy. In talking about the horrors of that night, he left out some things, embellished others. He admitted what he did, but also admitted he never thought about that night or her son.

"I was really angry. I was so angry," Cupp said. "But I was very prepared. I think I told him that he was selfish. I said 'Well, let me tell you about my son.'"

By the end of the meeting, Cupp was satisfied that she'd said what she needed to say.

"It allowed me to move from it," she said.

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