

In Our Name

The selection of the title “In Our Name” was intended to impart that public education about our nation’s justice system is essential to the preservation of liberty and to ensuring accountability to the rule of law.

“In Our Name” began in 2014 and developed into a series of symposiums featuring some of the most prominent figures and advocates in the field of criminal and restorative justice. The symposiums are made available to the general public as well as to members of the academic, faith, and legal communities, crime victims, and the formerly incarcerated and their families. Scholarships are available to anyone needing financial assistance for conference attendance, registration, meals, and lodging.

Current developments in the American criminal justice and penal systems are rapid and complex. We have found that the best way to provide sound, objective education about these systems is to engage leading thinkers and practitioners in sharing their expertise and experiences in a setting conducive to respectful dialogue.

Why “In Our Name”? Because every time a warrant is issued, an investigation ensues, an arrest is made, an indictment is handed up, a plea is entered, a trial is conducted, a verdict is reached, a sentence is imposed, a cell door is slammed, or a death sentence is imposed by our public officials, it is done in the name of each and every member of our “good society.”

The realization of this fact imposes a heavy burden on every citizen to ensure that before any of these things take place, the state or federal actors responsible for the administration of our laws have applied and adhered to every constitutional right, privilege, and immunity afforded by our state and federal constitutions and have respected the rule of law. In order to meet this responsibility, the public must be educated. One cannot be concerned about or correct what one is not aware of. The “In Our Name” symposiums, website, and blogs are about educating for justice.

Most people will never confront the criminal justice system and are content in the belief that the people they elect or appoint to oversee these processes are doing so in a thoughtful, lawful process. And yet, the United States imprisons three times as many of its citizens as any other country in the world. Our state and national criminal justice budgets and the costs of our mass incarceration are second in size only to our defense and war budgets.

Since the development of reliable DNA proof, we see more and more instances of wrongful convictions, and the crisis of indigent defense makes these injustices all the more grave. The cherished right to counsel for the indigent, made legendary in the landmark case of *Gideon v. Wainwright*, has been reduced to almost perfunctory representation for the accused poor with the ultimate sanction—death—resulting most often in cases tried by overburdened or underqualified public defenders. And there are racial imbalances in our prison population that directly track to the stark disparate income and education levels between white and black Americans.

As their budget constraints increase, state governments are systematically abandoning prison rehabilitation programs and contracting with private-sector companies for the warehousing of their prisoners—even guaranteeing startling prison occupancy rates in order to achieve economic efficiencies.

American children are prosecuted and often imprisoned with the adult population. Fair parole and release mechanisms are politically compromised and education and mentoring programs for prisoner re-entry are rapidly becoming extinct. The “Great Writ,” once regarded as a sacrament by our federal courts, is treated more like a nuisance in the wake of Clinton-era habeas corpus “reform.”

The truest sense of “Restorative Justice”—discovering what went wrong in the community and ways in which victims and their families, as well as offenders and their families, can be made whole without further destruction—has never been incorporated into the framework of American law.

Unfortunately, most of us never give these matters much thought, unless we or someone we love has to confront the system. Then the stark reality sets in. This is the People against us, except they are not the friends and neighbors we have known but a monolithic machine with no limitation on its resources that purports to act for the People—in their names.

No one is suggesting that crime does not require punishment. What is at issue here is how we accuse and punish and whether or not the laws are equally and fairly applied. What is further at issue is finding a better way. Where crimes or departures from society’s norms have taken place, can the People “create order out of a disordered reality” without disproportionate and unnecessary destruction of children, families, victims, offenders, and communities?

The cost of the American criminal justice industry, in terms of money and human capital, is bankrupting the nation, and the moral implications of how we do justice are compelling.

We at “In Our Name” have never doubted that if the good people we know in society were made aware of what is done in their names, they would not stand for it. That is why we are convening symposiums and creating literature, websites, and blogs.

We are not promoting any particular point of view. We want people to meet, speak, listen, and think and to learn from one another. In the end, we believe in our hearts that this will give rise to constructive, positive action and badly needed reform of our criminal justice and penal systems.

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