

**Rectify: The Power of Restorative Justice  
After Wrongful Conviction**  
by Lara Bazelon  
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*Reviewed by Victoria Morris*

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Informed by Lara Bazelon's experience as a public defender, as well as interviews with exonerees and violent assault survivors, *Rectify: The Power of Restorative Justice After Wrongful Conviction* explores the negative impacts of wrongful convictions in the United States. The aim is to inform the readers as to the high number of wrongful convictions, the lack of investigation and rectification of these cases, and the healing ability of restorative justice processes between those wrongfully convicted and violent assault survivors who mistakenly identified their attacker, resulting in miscarriages of justice. The book takes a descriptive approach with each chapter examining a different aspect involved in wrongful convictions (i.e. the details surrounding the investigation, the problems in the identification process, the healing power of restorative justice, and reforms to the penal system). This process is brought to life using numerous true stories of exonerees and assault survivors.

Bazelon starts with how wrongful convictions happen – namely lies, mistakes, police misconduct, prosecutorial misconduct, junk science, false confessions, and not having a defense. She discusses the flaws within the penal system regarding wrongful convictions, such as a lack of innocence projects, state officials' stubbornness to admit they were wrong, and eighteen states still not providing financial compensation for those who are wrongfully convicted. She goes into detail about reforms enacted in some jurisdictions that have allowed for wrongful convictions to be discovered and overturned, freeing people who are wrongfully convicted from prison. States vary greatly in their attention paid to wrongful conviction, with Texas (surprisingly) leading the way with policy and laws that provide funding to prevent wrongful conviction, help exonerate those who have been wrongfully convicted, and provide \$80,000 to an exoneree for every year they spent in prison. In contrast, states like Pennsylvania have severely underfunded public defenders, giving poor (and often racialized) defendants an unlikely chance of walking free. Additionally, they provide no compensation for those who have been wrongfully convicted.

Although people often assume that after exoneration the freed person lives their happy ending, Bazelon illustrates the difficulties faced after being

released, including practical and emotional challenges. The road to being exonerated is often long yet is becoming more common due to the increase in innocence projects and DNA evidence that contradicts eyewitness testimonies, which are shown to be inaccurate and often coerced or influenced by police.

One of the most original contributions of this book is the use of lived experiences of sexual assault survivors who played an integral part in a wrongful conviction. Their feelings of guilt and shame for wrongfully identifying their attacker can be overwhelming and can reignite difficult memories and emotions from their assaults. Bazelon concludes with stories of how some exonerees, and survivors of violent assaults have emerged to make a positive contribution to society and specifically seek to aid people in similar situations. Throughout the book, the reader is hit with emotional stories of pain, suffering, and how restorative justice has facilitated the healing process of many violent assault survivors. The book provides an in-depth and well-rounded account of wrongful convictions and includes many narratives of how restorative justice has helped both those who have been wrongfully convicted and violent assault survivors to heal after the immense pain they have endured.

Although an intriguing read, there were several junctions where I struggled with Bazelon's approach. Bazelon privileges the law as a source of knowledge production. From this perspective, law overrides other disciplinary knowledges and claims to be morally right. This legal stance is coupled with a liberal stance which seeks incremental improvements to the current carceral structure without challenging carceral spaces (Cohen, 1985; Goodman et al., 2017). Thus, the liberal legal stance assumes that the penal system will be fair and just after we use law to reduce wrongful convictions. Overall, the author seems content with how the current penal system operates, other than the number of wrongful convictions and the lack of awareness and efforts trying to reduce these cases. Additionally, she perpetuates other harmful ideologies that marginalize other populations that 'deserve' to be treated as lesser than, while those who are wrongfully convicted should be treated better. Specifically, the writer suggests the testimony of a "drug addict" (p. 22) and a "prostitute with five outstanding warrants" (p. 44) should not be trusted. She goes as far as to suggest that "in the vast majority of cases, the criminal justice system gets it right" (p. 36). In so doing, the book reifies the punitive injustice system and carceral spaces for those who are assumed to be guilty.

Consistent with restorative justice (Pavlich, 2005) and a liberal legal stance (Goodman, et al., 2017), Bazelon uses the same language of the state, such as victim/offender and guilt/innocence dichotomies. This language assumes that we can determine who is ‘guilty’ and ‘innocent’ if the legal process is fair and just. In addition, the language normalizes the use of carceral structures, such as prison, which abolitionists have decried as being demonstrably harmful, ineffective, costly, and unjust (McLeod, 2015; Mathiesen, 2006). In contrast, transformative justice operates outside the current carceral system, challenging carceral logics – such as racism and patriarchy – and transforming harmful situations to be agents of change (Piepzna-Samarasinha et al., 2020). Additionally, transformative justice does not use the penal language of the state, nor does it privilege law as an emancipatory tool.

The most valuable aspect of this book are the narratives supplied through interviews with the assault survivors and exonerees. This offers well-informed and passionate perspectives that offer convincing evidence for the healing effect of the use of restorative justice between wrongfully convicted and assault survivors. It was interesting that every exoneree readily forgave the person who contributed to their wrongful conviction. Although a wonderful storyline, it is difficult to believe that discrepant cases do not exist. Another strength of the book is the detailed illumination of the lack of awareness and effort in investigating and rectifying wrongful convictions. This appears to be a stubbornness of the state (actors) not wanting to admit to mistakes or wrongdoings.

Bazelon effectively explores the difficult experiences of those involved in wrongful convictions, explaining the history and current state of innocent projects in the United States, and exploring the power of restorative justice in wrongful convictions. However, due to the privileging of restorative justice and the law, this book uses language and assumptions that perpetuate carceral logics. Nevertheless, this book can be appreciated for the in-depth detail about the abysmal state of wrongful convictions in the United States, the healing potential of restorative justice, and the nuanced narratives that put the reader in the shoes of the survivors.

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## ABOUT THE REVIEWER

*Victoria Morris* is a PhD Candidate (ABD) in the Department of Criminology at the University of Ottawa whose doctoral thesis examines how diversion measures are perceived by criminalized people and workers within the community re-entry sector as lessening carcerality and/or as extensions of carceral control. She is also Online Production Editor for the *Journal of Prisoners on Prisons*.