**Alternatives to Retributive Justice**

Berkeley Judicial Institute

March 8, 2024

***Chat Resources***

**About Our Faculty:**

Judge Brett Alldredge:

Brett Alldredge is a recently retired California Superior Court judge. He was assigned to the criminal division for the last 15 years with primary responsibility for pretrial, mental health diversion, and drug court.

If it would be helpful to connect with Judge Alldredge, he is happy to hear from you. Email is [Brett.Alldredge@gmail.com](mailto:Brett.Alldredge@gmail.com), 559-303-8767

Judge Laurel Beeler:

[https://www.pli.edu/faculty/hon.-laurel--beeler-i937675](mailto:https://www.pli.edu/faculty/hon.-laurel--beeler-i937675)

Judge LaDoris Hazzard Cordell:

[https://judgecordell.com/about](mailto:https://judgecordell.com/about)

Judge Leo Sorokin:

[https://www.mad.uscourts.gov/boston/sorokin.htm](mailto:https://www.mad.uscourts.gov/boston/sorokin.htm)

**Our program material**

[https://www.law.berkeley.edu/research/bji/events/alternatives-to-retributive-justice/resources/](mailto:https://www.law.berkeley.edu/research/bji/events/alternatives-to-retributive-justice/resources/)

  [Cordell (2023), The Boston Globe, “The fatal flaw of judicial politics: How outrage around Brock Turner led to centuries of extra prison time”(opens in a new tab)](https://www.bostonglobe.com/2023/06/20/opinion/fatal-flaw-judicial-politics-how-outrage-around-brock-turner-led-centuries-extra-prison-time/)

 [Kristof (2024), The Opinion, “The Addiction Recovery Story We Don’t Hear Enough”(opens in a new tab)](https://www.nytimes.com/2024/02/14/opinion/drug-addiction-recovery.html?unlocked_article_code=1.V00.K8jt.ALjkvtPcH2xF&smid=nytcore-ios-share&referringSource=articleShare&sgrp=c-cb)

 [Longley (2022), ThoughtCo., “What Is Retributive Justice?”(opens in a new tab)](https://www.thoughtco.com/what-is-retributive-justice-5323923)

 (VIDEO) [What Happened to You? A Conversation on Trauma, Resilience and Healing(opens in a new tab)](https://www.youtube.com/watch?v=lPkrm3yyJg4)

 [Sorokin (2021), The Boston Globe, Restorative Justice provides accountability, healing and justice](https://www.law.berkeley.edu/wp-content/uploads/2024/03/LTSRestoriative-Justice.pdf)

**About BJI**

Denise Neary:

[https://www.law.berkeley.edu/research/bji/about-us/our-team/denise-neary-director-of-judicial-education/](mailto:https://www.law.berkeley.edu/research/bji/about-us/our-team/denise-neary-director-of-judicial-education/)

Check out our website:

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LinkedIn: [https://www.linkedin.com/company/berkeley-judicial-institute-bji/](mailto:https://www.linkedin.com/company/berkeley-judicial-institute-bji/)

Contact us:

[bji@law.berkeley.edu](mailto:bji@law.berkeley.edu)

**Resources suggested by those listening**:

[HER HONOR](mailto:https://us.macmillan.com/books/9781250269584/herhonor) by LaDoris Cordell

Dr. Perry and Oprah's book, [What Happened to You](mailto:https://us.macmillan.com/books/9781250223210/whathappenedtoyou)? is a great read but the font is hard on the eyes. The audiobook is more enjoyable. [https://www.amazon.com/What-Happened-You-Understanding-Resilience/dp/1250223180](mailto:https://www.amazon.com/What-Happened-You-Understanding-Resilience/dp/1250223180)

The National Judicial College is offering a four day Restorative Justice Course in conjunction with University of San Diego School of Law, Restorative Justice Program. May 20-23, 2024. Registration is still open.

[https://www.judges.org/courses/restorative-justice/?utm\_source=eCast+course+announcements&utm\_campaign=70d105cc2c-EMAIL\_CAMPAIGN\_2020\_01\_13\_06\_23\_COPY\_02&utm\_medium=email&utm\_term=0\_7a733d2d97-70d105cc2c-255125226&mc\_cid=70d105cc2c&mc\_eid=81ce71c75e](mailto:https://www.judges.org/courses/restorative-justice/?utm_source=eCast+course+announcements&utm_campaign=70d105cc2c-EMAIL_CAMPAIGN_2020_01_13_06_23_COPY_02&utm_medium=email&utm_term=0_7a733d2d97-70d105cc2c-255125226&mc_cid=70d105cc2c&mc_eid=81ce71c75e%20%201%20%20?utm_source=eCast+course+announcements&utm_campaign=70d105cc2c-EMAIL_CAMPAIGN_2020_01_13_06_23_COPY_02&utm_medium=email&utm_term=0_7a733d2d97-70d105cc2c-255125226&mc_cid=70d105cc2c&mc_eid=81ce71c75e%20%201)

[1](mailto:https://www.judges.org/courses/restorative-justice/?utm_source=eCast+course+announcements&utm_campaign=70d105cc2c-EMAIL_CAMPAIGN_2020_01_13_06_23_COPY_02&utm_medium=email&utm_term=0_7a733d2d97-70d105cc2c-255125226&mc_cid=70d105cc2c&mc_eid=81ce71c75e%20%201%20%20?utm_source=eCast+course+announcements&utm_campaign=70d105cc2c-EMAIL_CAMPAIGN_2020_01_13_06_23_COPY_02&utm_medium=email&utm_term=0_7a733d2d97-70d105cc2c-255125226&mc_cid=70d105cc2c&mc_eid=81ce71c75e%20%201)

Check out the new voluntary CA program, [Care Court](mailto:https://www.gov.ca.gov/wp-content/uploads/2022/03/Fact-Sheet_-CARE-Court-1.pdf)

**Comments of those listening:**

We have inherited a criminal punishment system predicated on the belief that the threat of incarceration will discourage conduct that violates proscribed conduct, and increasing the potential length of incarceration will discourage repetitive misconduct. Our recidivism rates demonstrate its failure. We should focus on “re-entry” strategies beginning with arrest and identify the root causes of the “criminal” conduct.

Consider connecting to the press in controversial cases.

(This series of BJI programs suggested as helpful background: Judges and the Press recordings available here, [https://www.law.berkeley.edu/research/bji/events/judges-and-the-press/](mailto:https://www.law.berkeley.edu/research/bji/events/judges-and-the-press/))

The self-muzzling of judges denies the public an important source of information.

Throughout California, deputies district attorney and public defender commit perjury when filing affidavits in support of recusal and allege bias and prejudice without having to provide any proof.

The perjury is not provable. The rule is set up to protect parties, but the question is if it goes too far in failing to require any support.