



Victim Offender Reconciliation Program

VORP of the Central Valley, Inc. NEWS
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Three ways that we resolve disputes are: 1) Determining who is most powerful, 2) Determining who or what is right, and 3) Reconciling interests.

Power is being able to coerce someone to do something that they would rather not do. Examples include strikes, fighting, withholding friendship, etc.

Rights is relying on an independent standard or person with perceived legitimacy. Examples include using a dictionary, contract, minutes, law, a judge, an agreed upon wise person, etc.

Interests are our fears, desires, values, needs, concerns, the things one cares about. They underlie the position we take in a dispute.

Resolving a dispute through determining who is most powerful is usually destructive to the relationship of the parties. It usually is only a temporary resolution until the losing party gains more power. Therefore it is a costly (emotionally and financially) way to resolve a dispute and since it doesn't resolve any of the underlying issues, the resolution is only temporary.

Resolving a dispute through determining who or what is right may be very efficient or very costly. It becomes costly when we disagree on our interpretation of a contract or what the law says or how what we did relates to the law. Again, there may be underlying issues, and since the process does not deal with them, the resolution may be temporary. This process also may be very costly (emotionally and financially) since the process is generally an adversarial one.

Resolving a dispute through reconciling interests means looking at the underlying concerns, generating options that meet as many of the concerns as possible, and choosing the optimum solution. It does not mean giving up one's values or giving in when you don't think it is appropriate. This process is most constructive, least costly (emotionally and financially) and most likely to be a permanent resolution since it deals with underlying causes.

This description is brief and leaves a lot out. For a complete discussion read Getting Disputes Resolved by Ury, Brett, and Goldberg. However, I share it here because I think that it provides an important model for us to use in examining what we are doing in VORP, the Criminal Justice System, families, churches, etc.

If VORP helps the victim and offender look at their concerns, needs, and fears; and find ways to restore both parties; then we are reconciling interests and the resolution is likely to be constructive and long lasting. If the VORP process looks only at restitution ordered by the court, or allows one party to dominate and force a particular resolution, we are resolving the dispute with power and the resolution is likely to be only temporary.

A constructive use of rights and power is to encourage people to consider reconciling interests, rather than to force a particular resolution.

I would encourage those of you in the Criminal Justice System, in families, in businesses, in churches, etc. to think about how you are resolving disputes. I would also encourage you to think about biblical justice, reconciliation, and the forgiveness process in this context. I would be glad to hear your thoughts on any of the above.

Sue Ewert is a trained volunteer VORP mediator, a member of Butler Mennonite Brethren church and currently attending and playing piano at the West Park Community Church. Sue is employed as a supervising counselor at a Drug Rehabilitation Program. She gave her own time to help resolve a dispute.

I met with the offender, Matt, and his mother. Matt was quite nervous and had to be prodded by his mother to share the details of the offense. He admitted to "messing with" Mr. Garner's (who was also his teacher) tire, but had only intended to flatten, not damage it. He said the incident, at the end of the

last school year, was due to an accumulation of frustration and anger throughout the school year. He felt that Mr. Garner had unfairly "picked" on him. Matt said he knows he needs to work on controlling his actions when he is angry and realized he had chosen a "stupid" way of reacting to his teacher. Matt said he again has Mr. Garner as a teacher this year. I asked how he felt about this. At first he said it wasn't any different, but after a while he said he felt pretty uncomfortable in class and would like to change that. Matt's mother said they would be moving soon and Matt would be attending a different school. But both agreed that it would be good to clear this up so Matt could make a "fresh start" at the new school. Both agreed that it sounded like the VORP process would be a good way to do this.

After hearing some of the stories about Mr. Garner, I wasn't looking forward to meeting him. We met after school in his classroom. He was young (teachers always sound older when kids describe them!), congenial and appeared eager to participate in the VORP process for Matt's sake. He also stated that the restitution would be a nice "bonus" since he hadn't expected to get anything back. He knew Matt had a short fuse. He agreed to the VORP process and a tentative time was set.

In preparation for the final meeting I called Matt and reminded him to think about everything he wanted to say. I was a bit apprehensive about doing this, but he appeared to have things to get off his chest. I called Mr. Garner to confirm the meeting and he said Matt had approached him a few days ago to apologize. Mr. Garner said it was a very positive talk and he felt Matt was really sorry about acting so impulsively.

The final meeting was also held at the school. I reminded everyone of the process and laid out the ground rules. We began with Matt, who once again had to be prodded for details. Mr. Garner interrupted for clarification. He had never heard that more students had been involved with Matt. We continued with Matt and then Mr. Garner shared his experiences. I then introduced the idea of restitution but Mr. Garner had more questions to ask Matt. In the course of the discussion, Matt once again apologized for the incident. Mr. Garner stated he felt that Matt had learned a valuable lesson and he didn't feel the need for restitution. Matt immediately offered to do yard work or wash his car but Mr. Garner stated that in his mind, all was forgiven and taken care of. This surprised me. I presented the option stating in the contract that no restitution would be due and Mr. Garner said he was sure that was what he wanted. I wrote up the contract which was promptly signed by all. The meeting ended with big smiles, warm handshakes, and best wishes for a "fresh start" at the new school.

Thanks Sue!

January 9 and 16 are the dates for the next volunteer training. To work with all of the appropriate juvenile cases next year we will need to train 150 new mediators.

This year we will work with more than 500 cases on a budget which is less than the amount to incarcerate 2 persons for one year. We are committed to keeping our budget as low as possible. I can assure you that the money you give is used carefully and efficiently. If you give more or if more of you decide to give, the service will be expanded to assist volunteer mediators to serve more victims and offenders. As you are deciding where to make your contributions, please consider VORP. A regular amount for VORP, perhaps \$10-\$20 per month is an investment in reconciliation. Thanks for your consideration!!

Shalom
Ron Claassen, Program Director

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