

'Restorative Justice' primary focus on people, not procedures

by Ron Claassen
RJ Principles (Part 1)

Wow!! Yesterday I had the privilege of facilitating a VORP case meeting. Again I was amazed at what happens. I have seen it happen so often but each time it is a wonderful miracle. I also know that it doesn't happen on its own. It takes a structure like VORP to train mediators, arrange for cases, manage the cases, etc. And I know that VORP does not exist without a large number of people like you who provide the financial support to make it possible.

Thanks to your support I have had the privilege of working with and studying restoration and reconciliation as a means of violence reduction, public safety, and community building since 1983.

In May, at the National Conference on Peacemaking and Conflict Resolution (NCPCR) in Minneapolis, Minnesota, I made two presentations. One focused on the criminal justice system (Principles of Restorative Justice and Continuums for Evaluation) and the other on schools (Principles: Discipline that Restores).

What I have found is that the discipline systems in schools look and operate in ways that are very similar to the criminal justice system. The schools have provided a much smaller setting in which to work at a deliberate interaction between theory and practice. What has emerged are some principles and practices that work together to reduce violence and increase

community. Steve Gonzalez, principal, reported that "in the year following limited attempts to put into practice the Principles of Discipline that Restores, formal home suspensions dropped by 31%, referrals to the principal dropped substantially, and safety and general overall environment improved."

What I plan to do for the next several newsletters is to lay out the Restorative Justice Principles. It appears that if we designed our systems for responding to misbehavior based on these principles, violence would be reduced and overall safety and cooperation would be increased. I would appreciate your comments.

If you would like to receive a copy of either set of principles as they were

presented at the NCPCR, please send your request along with your VORP donation.

Principle #1: Crime is primarily an offense against human relationships and secondarily a violation of a law (since laws are written to protect safety and fairness in human relationships).

Laws are important. They provide a context and guide. However, it would not be possible to write enough laws to cover all of the ways that one might violate another person or their relationship. The laws that have been written cover the violations that a majority of the people or legislators have decided are serious enough to have in a form which allows the "state" to take an action in regard to the one who violates the law. But again, our real concern is not the law, it is the violation of human relationships that caused the law to be written in the first place.

When we place the emphasis on the violation of law instead of the violation of the human relationship, we hide or mask the real violation. It is possible for an offender to be tried and sentenced for an offense, more or less serious, and never be fully aware of the human consequences or impact of the violation.

If we take a purse snatching for an example, the offender may admit guilt or be found guilty and punished. What he doesn't know and take responsibility for is that the victim had to get a new license, credit cards, and perhaps change locks on the house out of fear because the offender knew the address, and the list goes on and on. This significant human violation is most likely never dealt with. And the needs of the victim created by the offense will most likely be completely ignored.

The real problem, the violation of the human relationship, is ignored and therefore the what we are most concerned about has been hidden. In fact, when we focus primarily on the violation of the law, we inadvertently encourage denial of responsibility.

(See 'Human Impact,' page 2)

VORP RELIES ENTIRELY ON YOUR CONTRIBUTIONS

VORP exists because you provide financial support. On behalf of the many victims and offenders who have experienced restoration and reconciliation, thank you to those of you who are making VORP possible. However, VORP is in the red by about \$3,000. Our creditors

have been patient with us to this point but we all know we can't go on indefinitely like this. If everyone receiving this newsletter gave \$10 per month VORP could immediately triple its caseload. Please contribute what would be appropriate for you. Perhaps one or two of you could make up the deficit.

We've just been asked to work with over 100 cases that are stalled in court because of the heavy court case load. The opportunity is here to implement Principle #1, but it won't happen without your support. Please consider sending a contribution today!

Principal uses VORP process to teach important lessons about responsibility, peer pressure

by Doris Ashworth and Trevor Siemens; edited by Ron Claassen

Our story this month is from Doris Ashworth, VORP volunteer mediator, and Trevor Siemens, VORP staff. Names and some details have been changed to protect identities.

At our individual meeting we learned that John's father George had gone out of town for a weekend meeting. John stayed with his cousin, Anthony. One afternoon that weekend Anthony and John were invited by Anthony's friend to go play basketball at the school.

After an hour of shooting baskets the guys got bored. Anthony and his

friend dared John to throw a rock at the window above the door. John went along with the plan. All three boys picked up some rocks and began throwing them at the window. A police car drove up and caught all three boys in action.

John's father was very eager to get John into the VORP program so that restitution could be paid and the incident could be put behind them. John said that he threw the rocks because he did not want to be teased for not going along with the dare. His father thanked him for being honest and encouraged him to participate in the program.

John said that he would be

interested in participating. John also stated that he had a weekly allowance that he could use to pay for the window. We felt good about the meeting. We had an interested parent, and John had decided to accept responsibility and work through VORP to make things right.

An appointment was set up to meet with the principal of the school. The principal had been involved with VORP in the past, and was well acquainted with the program. He was very interested in meeting John.

A joint meeting was scheduled at the school to be held at the school

(See 'Broken Window,' page 2)

Human impact and consequences of crime focus in Restorative Justice

(Continued from page 1)

Howard Zehr puts it this way: "Even if he is guilty, his attorney will likely tell him to plead 'not guilty' at some stage. In legal terms 'not guilty' is the way one says 'I want a trial' or 'I need more time.' All of this tends to obscure the experiential and moral reality of guilty and innocence" (*Changing Lenses*, page 67).

Judge McElrea of New Zealand (one of the keynote speakers at our upcoming Restorative Justice Conference.) says that as important as 'due process' is, in a court trial, "the over-riding issue is whether fair procedures are followed – not whether they produce a just result, a fair outcome for the accused, satisfaction for the victim or harmony in the community to which both victim and offender belong." He also says, "I am sure the wider society would support a system that encouraged those who are guilty to admit their guilt and focus their attention on putting right the wrong they have done" (*Relational Justice*, page 101).

VORP is a structure to encourage and assist in changing the focus of crime from the violation of law to the violation of human relationships for those cases where the offender admits responsibility.

VOLUNTEER MEDIATORS NEEDED

You can become a VORP mediator!! The next training sessions are September 22 & 23 and October 19, 26, & November 2. The fee for the training is \$20 for those who work with at least three cases during the first year, and \$100 for those who just want to be part of the training. One of the major reasons that conflicts are not resolved more often utilizing a cooperative method is because we lack skills and structure. VORP training helps fill that gap. Call Trevor, Laura, or Jesse at 291-1120 to register.

Broken window repaired, lesson learned through VORP

(Continued from page 1)

library. Introductions were made, the process was reviewed and ground rules were agreed to. John was asked to go first, and to tell his story of what happened. While John was nervous, he explained the incident well. The principal restated to John what he had said. The principal then told how he experienced the incident. He told of his feelings of sadness, anger, and frustration. He spoke of how he spends a lot of time at the school, and wants it to look nice not only for himself but for the students and the whole community. Usually repairs cannot be done immediately, so the students have to look at the damage. Everyone loses pride in the school. The principal also outlined the amount of money spent on repairing damages to the school.

John restated what the principal had said. While this was hard, he managed to do it with no coaching. The principal appreciated the summary and was grateful that John now understood how it

had impacted him. The principal also complimented John's father for his involvement and encouragement for John to accept responsibility. John and the principal talked about peer pressure and the need to decide for himself what is right and wrong and to never let anyone tell him to do something he knows is wrong.

The principal had a bill for the window. John's share was one third of the total since there were two others involved. It was decided that John and his father would hand deliver the two payment checks directly to the principal. The principal suggested that they sit down and talk for a while each time a payment was made to make the transactions more personable and to celebrate the ending of the incident.

John has completed his restitution payments, and the process of reconciliation is happening.

Thanks Doris and Trevor!!

"Blessed are the Peacemakers."

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**SUCCESS!! VORP RUMMAGE SALE &
SAFETY FIRST AID KITS
TOTAL INCOME \$1,750**

A GREAT BIG THANK YOU TO ALL WHO DONATED RUMMAGE SALE ITEMS AND PERSONAL TIME. YOUR SUPPORT HELPED MAKE THESE EVENTS A SUCCESS. THANKS AGAIN!

SINCERELY,

THE VORP AUXILARY

(raising funds so VORP can expand it's services)

P.S. Look for more information in next months newsletter about the Margaret Hudson VORP Benefit happening in October!



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