



# NEWS

VORP of the Central Valley, Inc.  
July 1996

## Measuring Restorative Justice

by Ron Claassen

Restorative Justice is becoming popular, and I find that exciting. For example, some states have designated a person in their department of corrections to provide education and promote Restorative Justice. Here in California, there are several bills in the legislature that include the term Restorative Justice. The US Department of Justice recently sponsored a conference on Restorative Justice and has established several research projects in an attempt to measure the effectiveness of some programs that call themselves Restorative Justice programs. Bibliographies on Restorative Justice now include several hundred titles. We provided training to help establish nine new VORPs last year, and this year the interest is growing. The list of examples could go on and on.

My hope is that the term Restorative Justice will be filled with meaning to provide a guide and standard for how Restorative Justice is implemented and measured. My fear is that the term Restorative Justice may be used but the actions and outcomes will not be restorative.

The Restorative Justice principles I presented in the newsletters last fall were an attempt to contribute to developing a common understanding of what we mean when we use the term and a step toward how Restorative Justice might be implemented. (For a copy of the principles you may send a request to VORP or visit our World Wide Web site at <http://www.fresno.edu/pacs/trjm.html>.)

Below are some continuums that I think might be helpful in measuring our actions and/or outcomes to determine if our justice processes are actually implementing Restorative Justice. I use continuums with the arrows extending them because they give us the message that we are not talking about a simple either/or situation; nor are we likely to arrive at a place where it cannot be improved. We might label this measurement device the J-Scale. (See diagram.)

### Scoring

**26 or Less** • Justice response dominated by government and very costly; emotionally, spiritually, and financially. High fear in the community. Many mini communities alienated and angry. Very high crime rate.

**52 or More** • Justice response balanced between government and community. Mini and macro communities empowered to participate in and contribute to the emotional, spiritual, and financial health of *all* the members of the community. Very low crime rate.

## J-Scale

### Measuring Restorative Justice

Moral wrong of crime (violation of persons and relationships) ignored or minimized	<b>1</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Moral wrong of crime (violation of persons and relationships) recognized
Victim, community, and offender safety concerns ignored	<b>2</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Victim, community, and offender concerns primary
Disempower victims, offenders, and their communities to act constructively	<b>3</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Empower victims, offenders, and their communities to act constructively
"Making things as right as possible" secondary concern	<b>4</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Primary focus on "making things as right as possible" (repair injuries, relationships, and physical damage)
Primary focus on violation of law	<b>5</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Violation of law secondary, backup
Victim wounds and healing ignored	<b>6</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Victim wounds and healing important
Offender wounds and healing ignored	<b>7</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Offender wounds and healing important
Primary decisions and activity between offender and government; offender family, victim, and community left out	<b>8</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Primary decisions and activity between offender and victim (or substitutes) and their communities, with government help as needed
Actions of officials with coercive power or in positions of authority left unchecked	<b>9</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	All actions tested by whether they are reasonable, related, and respectful
Government coercive and/or authority structures utilized as primary response; victims, offenders, and community left out of process	<b>10</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Government coercive and/or authority structures utilized as backup when victim or offender not cooperative or if community process is viewed as unfair by victim or offender
Coercion assumed as primary mode of relating to offenders; orders are given; invitations to offender to be cooperative are not offered; no attempt at agreements	<b>11</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Invitations to offender to be cooperative are primary; agreements preferred; coercion used as a backup when offender is not cooperative
Placements focus on restrictions and following orders	<b>12</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Placements when needed for safety and/or training and equipping for living in community
Religious/faith community not involved in justice process	<b>13</b> Not RJ <span style="float: right;">RJ</span> ← 1 — 2 — 3 — 4 — 5 →	Religious/faith community encouraged and invited into cooperative aspects of justice process
	<b>Score</b> <input style="width: 50px; height: 15px;" type="text"/>	

# VORP meeting straightens out crooked car deal

by Gigi Stone  
with Ron Claassen

It was clearly a bad day for Jesse when he decided to buy a car from his cousin! His much older cousin is now nowhere to be found. Jesse said he had no idea when he bought the car from his cousin that it had been stolen. Surely, for an 18-year-old boy who was helping

to support his mother on a minimal income, the car was a great deal. It ran good and the price was right. But as a result of this purchase, Reuben spent about a month in jail before his trial and was subsequently sentenced to four months in prison. The sentence was deferred for three months, with Jesse under house

arrest, to accommodate the fact that his soon-to-be wife will have delivered by then. Because of this, he lost his job paying \$6.00 an hour and is working as a bus boy at minimum wage.

When I first met him, Jesse was a very frightened young man. His respect and care for his kind, hard working, mother was very clear.

He was very clean, polite, and respectful—above all, eager to do the right thing. Jesse agreed to meet with the victims and to work to make things right with them with the limited resources available to him.

After meeting with Jesse I met with the victims who were justly angry and adamant that the offender should pay them back their out-of-pocket expenses of \$600 as soon as possible. They also agreed to meet with Jesse.

The joint meeting was arranged and everyone showed up as scheduled. They listened to how each one had been impacted by the incident. It was amazing how listening to each other in an atmosphere of respect changed the initial feelings of fear and anger so that the confrontation now changed to a problem solving atmosphere. Given their common understanding of the loss the victims experienced and the limited resources available to the offender, they agreed on a repayment schedule of \$25 per month. Jesse volunteered to do more if he got a better job.

It was wonderful to observe. When they parted, they were no longer enemies.

*Thank you Gigi!*

*Blessed are the Peacemakers!*

***Please ask yourself: "Was this case handled in a Justice System that scored more than 52 on the J-Scale?" If not, what would have to change?***

## For your information

The Principles of Restorative Justice that Ron Claassen developed and focused on in the Fall '95 newsletters made their way, via Paul McCold, to a committee at the United Nations called the *Alliance of NGOs Working Party on Restorative Justice*. On May 10, Ron was invited to participate in the meeting

where the principles were discussed, modified, and adopted.

The Working Party on Restorative Justice meets at UN headquarters in New York five times a year. Its purpose is to move the cause and issues of restorative justice into a prominent spot on the agenda of the United Nations Criminal Justice Congress in the year 2000.

The modified Principles of Restorative Justice will be forwarded, along with an annotated bibliography developed by Paul McCold and a cover letter from the chair of the committee, to the Crime Commission meeting in Vienna which is responsible for establishing the agenda for the Crime Congress.

## Volunteer mediators urgently needed

Due to a large increase in case referrals (74 in May), more mediators are needed. The class training, plus on-the-job training as needed, will prepare you to be a VORP mediator. In addition, VORP mediators tell us that the training

helps them deal more constructively with conflicts in their family, at work, and at church. The cost is just \$20 for those who handle at least three cases, or \$100 for those who just want the training for use in other arenas. Please share this

need with people you think would be good mediators. Please pray with us that enough mediators will be ready to handle cases so more people will have the opportunity for healing and restoration like Jesse and the victim family.

**Next Trainings: August 9 & 10 • September 13 & 14 • September 24, October 1 & 8**

## VORP relies on your contributions

Finances are directly related to VORP training, support, and liaison work. As more funds are available, more cases can be handled. If you haven't given to VORP, you are missing out on the satisfaction of mak-

ing it possible for experiences of crime to become stories of reconciliation, restoration, and change. If you already contribute, on behalf of the victims and offenders who do have the opportunity to participate in VORP, "Thank you!"

If you haven't yet returned your pledge card, please do it today. If you have questions about our finances or program, please ask. We want to be accountable to you who provide the funds to make VORP possible.

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