

VORP

NEWS

of the Central Valley, Inc.
January 1998

Restorative justice gaining momentum

by Ron Claassen

1998 could be a very significant year for VORP and Restorative Justice. VORP has contributed to the birth of a Restorative Justice movement that is in its embryonic stages world wide. The Fresno Model is one of the most comprehensive examples of the implementation of Restorative Justice. Restorative Justice is beginning to change the way we do justice.

When I suggest this many people are quick to ask if my head is in the sand. They say what they are seeing and hearing is "get tough on crime." They are quick to point out that "get tough on crime" generally means more harsh treatment of offenders in the form of longer sentences. To accomplish this we

are building more prisons and increasing the size of all of the systems that it takes to get offenders locked up. Some are very surprised when I say that I support the idea "get tough on crime." I then point out that I don't think that simply doing more of the same is a very effective way of "getting tough on crime."

My experience is that if you talk to the "get tough on crime" advocates and ask why they want to "get tough," they will tell you that safety is their major concern. Well, I am certainly also for safety and safety is a significant concern of Restorative Justice.

We agree that crime is wrong. The violation of a law alerts us to the fact that some of our basic agreements about how we live together civilly have been

violated. Research shows that even the most serious offenders agree that it is wrong to kill or physically and violently abuse someone. There is strong agreement a person's home should be a safe place and that others should not enter it without permission and help themselves to items that do not belong to them. So, when a crime has been committed, it means that in addition to violating a law, people, property and/or relationships have also been violated and damaged.

Justice should be a process for making things as right as possible.

"Get tough on crime" sends a message to everyone that crime is not acceptable. VORP and Restorative Justice support that. Every crime is an act of disrespect. The major question is: How will the community respond? Will the response build up the community or tear it down further? What response will create a safer community? What response will make our community more fair and just for everyone? What response will create a more safe and respectful environment for everyone?

Systems Theory specialists tell us that the impact on a healthy system/community, of an individual's actions, is determined 10 percent by what the individual does and 90 percent by how the system responds. For example: in a church

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VORP relies on your support!

Thank you for your generous contributions during November and December. VORP has no reserve, and paying bills in January will depend on your contributions.

January is a time of making resolutions and setting priorities for the new year. Please consider investing \$20-\$50 a month in VORP. This month's story shows how your investment can bring substantial returns to the victims and offenders served, and to the mediators.

Your investment will also influence system change in the direction of Restorative Justice. At this point you have to take my word for it, but I think by the end of the year you will see Restorative Justice at the boot camp and in several other arenas.

The number of cases and amount of influence are in direct proportion to your contributions. Thank you for your serious consideration.

Busy restaurant scene of reconciliation, healing

by sue Kliewer
with Ron Claassen

Our story this month is from Sue Kliewer. Sue is a VORP volunteer mediator, director of human relations at Fresno Pacific University, a student in the conflict and peacemaking master's program at FPU, and a member of Bethany Mennonite Brethren Church. Names have been left out and some details have been changed to protect identities.

After receiving my case, I promptly called the offenders, two brothers, and arranged a time to meet with them and their mother. I arrived at their house, located in a low income neighborhood, to find both of the boys fresh out of the shower, spit shined and polished.

I listened to their stories, explained the process to them and their mother, answered their questions, and addressed their concerns. Both were concerned the victims would find out where they worked and would tell their boss what had happened.

I assured them that I would only bring them together if the victim also agreed to be constructive. As I left their home I was pleased they were willing to partici-

pate and thought, "That was pretty simple."

I called the victims and, due to vacations and other scheduling problems, was unable to arrange a meeting with them until two months after my initial meeting with the offenders. I knew this was far from ideal, but all seemed willing to work with it.

Eventually I met with the victims at their home in an middle/upper income area of the city. They were a delightful young couple, very active in a church and very familiar with the work of Hope Now for Youth, Youth for Christ, and InterVarsity in Fresno.

Initially they were hesitant to participate in the process. They feared they might be re-victimized if the offenders came back to their house, and that the process would not end in a positive way. I spent time listening to their concerns and describing how the offenders were also fearful. I explained that it was my responsibility to bring them together only if they both were committed to being constructive. Soon they accepted the invitation to participate in a joint meet-

ing. It was another two months before we could arrange a joint meeting with both parties. At the victims' request we met in a busy restaurant at 10:00 on a Saturday morning—hardly an ideal meeting place. As I thought about this mediation before leaving to meet with the parties, I was very aware that this was NOT a usual VORP case (maybe there's no such thing). I was afraid that this mediation had all the makings of a disaster! But off I went.

When I arrived I realized things were only getting worse. The restaurant was packed and we had seven people crammed into a booth that fit five. The boys' father, whom I had never met, had come along to observe the process, and he spoke no English. I felt as though things were quickly spinning out of control.

But, I was really amazed at how well the mediation process worked. After introducing everyone I asked the older brother to share with us, from his point of view, what had happened the day they attempted to break into the victims' house. He began by saying he skipped

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Offenders find forgiveness, help others, through VORP

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school that day because one of his teachers was giving him a hard time and he was mad at her. He picked up his brother from school during the lunch hour and they started driving around town. They had no intention of breaking into a house. It just happened. He told us how the police had followed him for five minutes after he left the house. They put handcuffs on him and put him into the police car.

At this point his mother and one of the victims began to cry. The offender then told how stupid he was feeling about what happened and how bad he feels because of what he put everyone through. The younger brother then told us, from his point of view, what happened that day. He too included they had no intention of breaking into a house.

I then asked one of the victims to tell us how they experienced what had happened that day. The husband quickly described the fear the whole family had felt, especially since he was out of town and his wife was home alone with their two young children when the break-in occurred. He also spoke of the changes they had made in their everyday living because of this event—putting up a fence and installing an alarm. Then he went on to talk about the choices each of us must make every day and how one wrong choice can impact our lives for years. After he had talked for awhile he surprised us all when he looked at them and said to them, "I don't want to sound like I'm preaching to you, but we care about you." I can't describe to you the impact this statement had on the offenders. In fact tears came to the eyes of the older brother.

At this point, through her tears, the victim's wife began to speak. She told the boys her tears were because she cared about them. She wanted them to know they had been forgiven. She spoke of some of the wrong choices she had made in her life, and encouraged them to learn from this mistake.

Both young men apologized for what they had done and noted they had learned from

their mistake. Since the incident, one of them has graduated from high school and is now enrolled full time in college. He commented that he was now able to see the path some of his friends were headed down and he wanted nothing to do with their way of life.

Part of the VORP process is what is called "restoring equity." This may involve restitution of some sort, and whether it is a cash payment, community service, or something else is completely up to the parties involved. In this case the victims did not ask for any restitution paid to them, but suggested the young men consider doing some volunteer work with

the Hope Now for Youth or InterVarsity or some similar agency. We agreed on the number of hours. They were pleased they had been offered the opportunity to meet the offenders and participate in a process of reconciliation.

As we left the mediation the victims and the young men ended up hugging each other. As I looked around the restaurant it felt like everyone was looking at us. I am sure they were wondering what was going on. As I reflected on the experience, I realized that my life was probably more affected during that hour than anyone else involved. I had seen forgiveness, reconciliation, and healing taking place right in front of me. And, I had been able to play a small part in the process. My heart was opened to the model of forgiveness and reconciliation Christ has provided for us and the opportunities for reconciliation that are around each of us every day.

Thanks Sue.

Blessed are the Peacemakers!!

Make 1998 the year you volunteer

VORP mediators learn and practice peacemaking skills they can use in the home, workplace, and congregation. The next scheduled trainings are:

January 13, 20 & 27

Tuesday evenings, 6:30–9:30 PM

January 23 & 24

Friday evening, 6:30–9:30 PM,
and Saturday, 8:30 AM–3:30 PM

March 16, 23 & 30

Monday evenings, 9:30–9:30 PM

April 17 & 18

Friday evening, 6:30–9:30 PM;
Saturday, 8:30 AM–3:30 PM

May 7, 14 & 21

Thursday evenings, 6:30–9:30 PM

For information or registration, call the VORP office at (209) 291-1120.

VORP supports call to 'get tough on crime'

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community a gossip will soon stop gossiping if the response of the system (the combined response of the rest of the individuals) is to give the one gossiping the message that gossip is not acceptable and there are appropriate forums for giving and receiving information.

Each time an offender is caught, it creates an opportunity for teaching/learning but the opportunity is missed if the primary response is only punishment for violating the law. In fact, because of the high cost of doing justice through punishment only, many first and second offenses are basically overlooked. In either case, punishment or overlooking the offense, the victim needs, which probably include compensation for damages and future safety, are not addressed.

In addition, if because of the community's response the offender becomes more angry, does not learn to care about the impact of the offense on the victim and the community, becomes less cooperative with society, and

makes no agreement for change in the future, the opportunity is lost. In fact, instead of "getting tough on crime," we may have inadvertently encouraged crime.

There are four reasons I think this might be a very significant year for VORP and Restorative Justice, especially in Fresno. (1) There is a strong community consensus that crime is a significant problem and current levels of crime and violence are not acceptable. (2) There is an increasing awareness that victims should be included in the justice process. (3) There is an increasing realization that the costs for handling crime by doing more of the same are skyrocketing and not producing a peaceful community. People who might not otherwise look at Restorative Justice are beginning to recognize both the escalating financial cost and, perhaps even more importantly, the devastating emotional and spiritual cost to our community. (4) VORP has a long and credible track record and several other Restorative Justice efforts are also providing hope. Momentum for Restorative Justice is accelerating.

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