

Black and blue and barbeque

Friendship restored through efforts of youths, family members, and persistent VORP mediator

story by Marcus Page
edited by Ron Claassen

Our VORP story this month is written by volunteer mediator Marcus Page from Mennonite Community Church and edited by Ron Claassen. The offense was an assault.

After difficulties getting in touch with James and his father we did meet. We discussed the assault, and James said that Rico had threatened him with a broken glass bottle. James also said that Rico won the fight, which is one of the reasons he would not start a fight again. He also agreed to try to help find some way of making things right between them. Although supportive of the VORP process, James' father told me he was hesitant about personally being part of the joint meeting. James' older sister, who is 19 years old, is quite involved with raising her 12-year-old brother James. Father (a single dad) is very busy with work responsibilities. We agreed that James' older sister would be the adult family member in the joint meeting in case father was unavailable at the time of the joint meeting (which is what eventually happened).

Rico lives with his aunt and uncle. His uncle is frequently out of town due to employment yet he and his wife are both very involved in Rico's life and supportive of the VORP process. We discussed the incident, Rico's current fear of James, and the allegations of Rico having a broken bottle, which he said he didn't have. During the fight, each boy was bruised and bloodied. Rico hoped for an apology from James. He also hoped that after this meeting he would not have to be fearful. They all wanted assurance of no more intimidation or fights with James.

Rico and his aunt and uncle wanted to have the joint meeting at James' home, if that was okay with him and his family. The families had known each other by sight only prior to the incident, and there had been no trouble between them.

Arranging a joint meeting required significant patience and persistence due to the busy schedules of the adults. We all agreed to meet at James' house.

After everyone arrived, nearly on time, we introduced ourselves. I confirmed with each person that they had come to the meeting voluntarily and were committed to being constructive.

We established the groundrules and then started with each boy telling how he experienced the incident. Each also summarized the other's story of the incident. They agreed there had not been a broken bottle and that the fight was unfortunate, unwanted, and something to avoid in the future. James apologized and promised to be kind to Rico. (Being accustomed to adult grudges, habits, and stubbornness, I was amazed at how easily these boys agreed to be friendly.) This was their agreement: to treat each

(See 'Follow-up Meeting,' page 2)

Coming to terms with Restorative Justice...

'Criminal Justice System' ready for name change

by Ron Claassen

Is Criminal Justice System a good name? Does it describe the primary actors? Is it descriptive of what we do?

I'm suggesting that the name is a problem, it is not helpful, and it is confusing. I am suggesting that we change from Criminal Justice System to Restorative Justice System.

I think that just changing the name would have some impact. It would clarify the purpose of the system, how it should operate, and provide a measure for its success.

In informal conversations and in seminars and classes I have been making this suggestion and have had some very helpful and provocative questions and comments. One of the comments/questions in almost every setting is: "Surely you're not so naive as to think that the whole system could be a restorative system. What about serial killers or those who would bomb a federal building? Don't you mean that we should have a Restorative System that operates along side a Retributive System?"

No. I think our whole system could be a Restorative Justice System. In fact, I think that if we are ever going to turn the tide of fear and violence that seems to be increasing, we will need to change a lot of things in our society, and one of those will have to be how we respond when violence does occur.

The most influential moral teacher in the history of the world, Jesus, put it this way. (Read Matt. 5:38ff) "You have heard that it was said, 'an eye for an eye and a tooth for a tooth ... (which, by the way is a great improvement already on the idea of unlimited revenge) but I say to you ...'"

What Jesus says after that suggests another way of responding which is often discounted because on the surface it sounds like the responder becomes a "doormat" and it includes the ridiculous sounding idea "love your enemy." But it only sounds ridiculous in the English language where we only use one word, love, to cover the meaning of several Greek words. The Greek word in this text is from the root word "agape." It doesn't mean that Jesus expects one following his way to have warm and gushy feelings for the enemy. A more helpful translation of the word "agape" would be "to be constructive." So Jesus is suggesting that the response to an injustice should be one that is constructive.

Retribution leads to increased fear and threats and actions of retaliation which lead to more fear and threats and actions of retaliation....

I use the following model as a way of beginning to envision a restorative justice system.

Restorative Justice & Crime

Cooperation	Coercion
Activity Goals	Activity Goals
<ul style="list-style-type: none"> Recognize the injustice Restore/Repair damages Make changes for future Heal individuals and relationships Teach/learn/value civility Safety (based on voluntary changes) Voluntary accountability Reintegration into community Learn to handle conflict constructively 	<ul style="list-style-type: none"> Safety (duration of coercion) Prevent chaos Bring attention to problem Impose logical consequences Introduce/require listening to importance and way of civility Restraint to prevent harm to self and others Introduce/require listening to impact of crime on victims

Figure 1

I think that our whole system could be based on the purpose of restoration of victim, community, offender, families, friends, restorative justice officials and any other individuals or relationships that might have been damaged by the crime. In a restorative system, the primary focus would be on the human violations and need for healing and restoration of individuals and relationships. Focusing on the violation of law would be a backup for those unwilling to be cooperative.

In a restorative system, we would recognize that the ideal is when the offender recognizes the injustice, makes significant effort to restore damages where possible, makes the changes

(perhaps with the help of others) to prevent injustice in the future, and is voluntarily accountable to others for keeping the agreements. When this would happen, it would address the restoration of others damaged by the crime. If it didn't, or if the size of the offense was very large, the community would have to help.

A Restorative Justice System would use cooperation as much as possible and coercion as little as possible. A goal of the use of coercion would always be to encourage the offender to decide

(See 'Cooperation,' page 2)

VORP RELIES ENTIRELY ON YOUR CONTRIBUTIONS!

VORP is now receiving more than 50 cases a month. To coordinate these cases and to train and support volunteer mediators requires staff assistance. Last month's contributions fell approximately \$700 short of expenses.

To continue accepting cases at this rate, contributions must increase. Thanks to those of you who give so faithfully to make this ministry possible. I invite you all to pray with us that God will continue to lead and that the ministry will grow according to God's timing.

Cooperation, restoration goals of Restorative Justice System

(Continued from page 1)

voluntarily to become cooperative.

If/when the offender decides to be cooperative, s/he moves to a process on the cooperative side. If, on the cooperative side, the offender does not cooperate, s/he moves to the coercive side. When actions on both sides are tested by whether they are *respectful*, *reasonable*, and *restorative*, then the whole system (both sides of Figure 1) will be restorative.

VORP is one example of an activity on the cooperative side. In most cases the offender has been on the coercive side and is sent to VORP to see if s/he is willing to be cooperative. VORP only works with offenders and victims who voluntarily decide to cooperate.

This VORP/System relationship is one example, and there are others, which demonstrate that some of what is currently being done in the Criminal Justice System is already restorative.

There is still much to be done.

Follow-up meeting ends with completed VORP agreement

(Continued from page 1)

other respectfully (with Hello's and Yo's!) and to schedule some friendly activities such as eating pizza at either home, playing baseball, playing football, or playing video games. We also agreed to a follow up meeting. The adults were grateful for an "official" structure for the patching up of the trouble. As they exchanged phone numbers I said good-bye.

In preparing for the follow-up meeting, I was a little discouraged to learn that the agreement had not been fully kept. (This is part of the reason we have follow-up meetings.) What I learned in talking to each family was that the boys had no trouble treating each other as typical acquaintances of their age, there hadn't been any fights or other incidents, and more importantly, neither felt any fear of the other. The part of the agreement that hadn't been completed was that they agreed have some fun activities together.

I decided to meet with Rico and his aunt and uncle. After some discussion, they decided that no follow-up meeting would be necessary and that eventually, on their own time schedule, the boys would probably play together, and that this was their decision.

Then I drove over to James' house and met with him and his father. After some discussion, we decided that some direct communication between the families would probably be helpful. We called up Rico's family, and before the conversation ended, James was invited over for a family barbecue that was just starting. I gave James a ride over to Rico's home for the gathering. As I drove away from Rico's home I saw them smiling and playing. I thanked God for the good fortune of this positive outcome.

Thanks Marcus!!!

"Blessed are the Peacemakers."

BECOME A PEACEMAKING MODEL

VORP training is useful in family, church, work and other settings. VORP volunteering helps you become a skillful mediator with first-hand knowledge that the Peacemaking Model works.

There's nothing difficult or mysterious about being a VORP mediator. After being trained, volunteers talk with the VORP staff and help choose a case they are comfortable with. Often mediators work in pairs as they gain experience. From the time the case is assigned until the completed VORP agreement is returned to the office, VORP staff are available to answer questions and provide assistance. Being a volunteer VORP mediator is an effective, rewarding, and relatively simple way to confront the problem of crime and positively impact our community.

The fee for training is \$20 for those who work with at least three cases during the first year (\$100 for those who just want to attend for the training). The next dates are: September 22 & 23, October 19, 26, & November 2, and November 17 & 18. Call Jesse or Trevor for details or to register. Space is limited, so don't wait until the last minute.

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Victim Offender Reconciliation Program

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Peacemaking Model provides framework for 'making things as right as possible'

(Continued from page 1)

Near the end of the meeting, he pointed to the Peacemaking Model and said, "I wonder what Tom would think this means in his case?"

We decided to ask Tom about this and have him write it in a letter. I agreed to send copies of all our communication with Tom to them and to the Pastor. Before leaving they said that they wished it would be possible for him to parole and live in another place until their son turned 21.

We agreed to meet again with pastor and parents to look at the letter together. After we received Tom's letter, another meeting was set up with pastor and parents. In the letter, Tom accepted full responsibility and offered to seek parole to another place which he thought possible because his mother owned property in another state.

After reading the letter, they decided that it might be helpful to meet. Mother said she had always been very fearful of meeting him somewhere unexpectedly, and she didn't know how she would be able to handle it. Dad, who had been his good friend, decided it would be helpful to him and he now also hoped it might be helpful to Tom.

Remaining 1995 VORP mediator training dates set

You can become a volunteer VORP Mediator. Initially mediators work in pairs. You choose a case together with a case manager that is appropriate for you and that you are comfortable working with. The fee for 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. The next dates are: June 2 & 3; September 22 & 23; and October 19, 26 & November 2.

The meeting included pastor, mother, father, their oldest son (not the victim), Tom, Roxanne and me. It was the day after Tom paroled, and before he had to present himself to his parole office. They worked hard on telling their experiences and listening and summarizing the experiences of the others. Tom accepted full responsibility and acknowledged how he now understands how what he did will impact their son for his entire life. He said that he now prays daily that their son will be able to deal with it in ways that minimize the negative impact. Tom found it hard to summarize the impact that the incident was continuing to have. Agreements for the future were worked on and there were many including counseling, staying in touch with pastor, getting actively involved in a new church, and others mostly aimed at building in support and accountability so Tom would not repeat with another victim. If agreements are kept for five years, until the actual victim is 21, another meeting will be considered and the actual victim will be invited. The entire family had discussed this option together before the meeting.

To date, agreements are being kept.

VORP RELIES ENTIRELY ON YOUR CONTRIBUTIONS!

We decided to expand our case load this year and that meant adding some additional expense. The last two months contributions have covered expenses and made a little progress to catching up the amount we got behind in February. Thank you!! If you haven't ever contributed to VORP, now is a good time. You can help increase responsibility and cooperation in our community and decrease violence and fear.

PLEASE, WRITE YOUR CHECK TODAY!

Rummage Sale

Saturday, May 20

7:00 AM to 2:00 PM

at

College Community Church
2529 Willow Avenue, Clovis

Sponsored by the VORP
Auxiliary. All proceeds benefit
VORP of the Central Valley.

VORP RUMMAGE SALE

Recognize the Injustice

- ▶ You have a garage full of pretty good, unwanted stuff – and you're running out of room for it.
- ▶ The VORP Auxiliary is collecting items to sell at its Rummage Sale – and they have plenty of room for it.

Restore the Equity

- ▶ Do your spring cleaning by May 19. "Make things as neat as possible." Pack up what you don't need.
- ▶ Call the VORP office (291-1120) or Shannon Janzen (433-0420) for drop-off or pick-up instructions.

Clarify Future Intentions

- ▶ Ask VORP staff about consignment sales for items worth \$50 or more.
- ▶ Non-consignment items will not be returned. They will be donated to others in need.

Fund Raising Model

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Items NEEDED for VORP Rummage Sale