

Oct. 20, 2019

Laurelville, PA

Sermon Title: The Amy Wall Story: A Story of Anger, Love, Forgiveness and Reconciliation from the perspective of Ron Claassen

Scripture Reading:

Ps 103 6-9

The LORD works vindication
and justice for **all** who are oppressed.

He made known his ways to Moses,
his acts to the people of Israel.

**The LORD is merciful and gracious,
slow to anger and abounding in steadfast love.
He will not always accuse,
nor will he keep his anger for ever.**

I Cor 13: 4-8a

Love is patient; love is kind; love is not envious or boastful or arrogant or rude. **It does not insist on its own way**; it is not irritable or resentful; it does not rejoice in wrongdoing, but rejoices in the truth. It bears all things, believes all things, hopes all things, endures all things. **Love never ends.**

Col 3:13,14

Bear with one another and, if anyone has a complaint against another, **forgive each other; just as the Lord has forgiven you**, so you also must forgive. **Above all, clothe yourselves with love, which binds everything together in perfect harmony.**

I Jn 1: 9

If we confess our sins, he who is faithful and just will forgive us our sins and cleanse us from all unrighteousness.

It is an honor to be with you today to continue looking at Conflict Resolution and Peacemaking the Anabaptist Way.

As has been mentioned before, I started VORP in Fresno County in California in 1982. Joby Dupuis, a member of the Laurelville board, was a VORP board member and very helpful advisor for many years. VORP has worked with over 17,000 cases in Fresno County, most of them juvenile offenders and most property cases. Some were violent cases and some were with adults. The story I am going to tell is not the normal VORP case but it happened because of VORP.

I have been given permission by all involved to use their **real names** in the telling of their story. **Two items** will be circulating, one a pamphlet and the other a DVD. **The picture on the DVD is of Amy Wall.** The picture on the pamphlet is Grace Avila, daughter of the offender.

On Sept 18, 1992, Amy Wall, a 17 year old senior at Madera High School, was driving home from a concert in Fresno with a friend. Madera is about 30 miles north of Fresno. Joe Avila was driving while intoxicated, hit her car from behind, and forced it off Highway 99 and into a tree. Amy **died early Sept 19.**

Joe Avila, who later described himself as an alcoholic from age 8 already had been arrested several times for Driving Under the Influence of alcohol. Joe was arrested that night and booked into the county jail. In jail Joe began to realize that because of his choice to drive drunk that night, he had killed a young girl. **Joe was put on suicide watch. Les Lyle, chaplain at the county jail, visited him and told him about the possibility of forgiveness.** Joe remembered hearing about forgiveness and reconciliation from his early years in church and now they became meaningful in a new way. The chaplain also told him about restorative justice and Joe said he was interested. Les Lyle called me. Elaine Enns, who as a MVSer who worked with VORP, accompanied me to visit Joe. We visited with him through the glass using telephones. He said he was interested in RJ, if there was really such a thing. He said he liked to read and so we arranged to give him the book *Changing Lenses* and told him we would be back in a few days. He had read it and we talked about restorative justice and what he could do. In the next weeks, he decided that he could start by accepting full responsibility by not trying to avoid the charge, even

though his attorney had presented a possible defense that would at least reduce the charge. **Joe was given the maximum prison sentence at that time, 12 years. He served seven years in San Luis Obispo (about 150 miles from Fresno).**

Within a few months after Joe arrived in San Luis Obispo at the Prison, I had a **call from the Protestant Chaplain**. He said that Joe was accepting more responsibility for his offense than anyone he had worked with. He said that Joe prayed daily for the Wall family and that he kept talking about restorative justice and something he called a Peacemaking Model. He invited me to meet with him, Joe and several others inmates at the prison chapel who expressed interest. With the help of the Chaplain I visited Joe two to three times per year. Joe told other inmates about RJ. Interest grew and lead to an annual full day restorative justice conference at the prison and attended by about 100 inmates.

Roxanne read from I Jn 1:9 and you may have noticed that forgiveness is not a one way pronouncement, but rather it is an if/then process, it is a two way process.

Joe wanted to do his part in the forgiveness process. We discussed that what he could do and he decided to continue accepting full responsibility with no excuses, continue praying for the Wall family, and some commitments he might make about the future: including the possibility of meeting with the family to listen to their experience, pain, anger, etc. along with expressing his regrets.

To prepare for a possible meeting, he wrote a letter for Amy's parents that we used to discuss and clarify his part of the forgiveness process. He accepted full responsibility saying that although he was an alcoholic, he made the choice to drive that night. He said that he was committing himself to staying clean and sober and to doing everything he could to prevent others from driving drunk and doing what he had done. That letter was not sent but later given to their pastor.

In 1999, a few days after he was released from Prison, Roxanne and I met with Joe and Mary (his wife) for dinner. (We had met with Mary once a month the whole time he was in prison. She is an amazing person. The seven years Joe was in prison, she singly provided for and cared for

their two young daughters while actively supporting Joe and his efforts related to RJ.) At dinner we asked them if they would like to have dinner once a month to discuss and support his commitments and to continue to patiently wait (I Cor 13.4 starts, Love is patient...) and pray for the Walls and the opportunity to meet with the Walls. We have been meeting almost monthly since then, for twenty years now. We have become very good friends. **Joe has continued to be clean and sober. For the first 17 years after his release from prison, he spoke almost weekly at the police dept. class** for those cited for DUI. The pamphlet that is circulating is given to people cited for Driving Under the Influence. I'll come back to the pamphlet later.

Now I want to tell you about the victim side. Amy had a younger brother, Derek, who was 15 at the time of her death. Amy's parents are Linda and Rick Wall.

The court hearings were attended by many friends and family from Madera. Amy had been a cheerleader and was known by many. The anger in the community was intense. **Their pastor asked for the maximum sentence and, speaking for many, said that they thought Joe deserved the death penalty.**

Soon after the court case ended and Joe was sent to prison, we decided to approach the family of Amy through her pastor. He agreed to meet with us (Elaine and I). He was polite and also shared with us the deep hurt and anger in the family, the church, and the entire community. He allowed us to talk about the possibility of RJ but he said that he had no interest in restorative justice. I asked if we could visit him again in a few months and he agreed. We visited him several times with the same response and then one time **about a year later, he told us that the anger and hate were killing all of them and he wanted to hear more about restorative justice.** We had several discussions about our ongoing conversation with Joe Avila and the letter he had written, which we then left with him. When we returned the next time he had read it and was deeply moved by it. But he didn't think that the Wall family was ready to read it yet.

Later that year, we all decided that a starting point would be for Joe's wife and the pastor to meet (Joe was still in Prison). That meeting was very meaningful for both. One of the hardest parts of that meeting was hearing that Linda and Rick Wall had divorced. Mary cried and said "the victimization just goes on and on." While the pastor agreed, he said that they had almost divorced just before Amy's death but then agreed to stay together until Derek left for college. Derek was a second year student at Pepperdine University.

The drunk driving incident happened in 1992. It was Christmas vacation, 1997, five years after Amy's death, and shortly after we had Mary/Pastor meeting, we received a call from the pastor saying that he had talked with Derek (Amy's brother), who was now a Sophomore at Pepperdine University, and he had agreed us to meet with us. (Elaine had left the area so Roxanne joined me for this and all of the following meetings.) We met with Derek and his pastor at the church in Madera. Derek shared with us how devastated he was and showed us a button with Amy's picture that he always carried with him. **He said "anyone who could do that to my sister did not deserve a face or a name." He said, "Although you seem like good people, I don't see any reason I should have any communication with the offender, and I don't see any reason we should meet again."** We invited him to contact us if at any time he changed his mind.

That meeting with Derek was in 1997. On Nov 2, 2005, eight years after our meeting and 13 years after Amy's death, I received this e-mail:

From: Derek Wall [mailto:wally_world5@yahoo.com]
Sent: Wednesday, November 02, 2005 9:58 PM
To: vorp@fresno.edu
Subject: Joseph Avila

Good Morning,

My name is Derek Wall. Several years ago I was contact by your program and met with two VORP representatives to discuss a potential meeting between Joseph Avila and myself. In 1992, Mr. Avila drove while intoxicated and struck the car that my sister, Amy Wall, was driving sending it into a tree killing my sister and seriously injuring her friend Michelle who was in the passenger seat. I recall at our previous meeting informing your representatives that I had no reason to meet with Mr. Avila. Tonight, I was informed that Mr. Avila was on a local radio station, raising awareness about what will happen

when you drink and drive. This is not the first time I have heard of Mr. Avila's efforts, but I must say that it did cause me to re-evaluate my decision to meet with Mr. Avila. I would greatly appreciate a phone call from one of your representatives and would very much like to meet with Mr. Avila. If you would please contact me at your earliest convenience I would greatly appreciate it. Thank you for your time and efforts.

Respectfully yours,

Derek Wall

Phone: (661) 549-9090

I called him and he chose to meet at Starbucks in Riverpark, when he would be home to visit his mother in Madera and Father in Porterville. Derek had graduated from Pepperdine and was nearing completion of his course work for his Phd. and planned to move to St. Louis before the end of the year. He hoped to meet with Joe before he moved. His mother arrived at Starbucks with him. She was not in favor of this meeting but after we discussed the process she said that she would like to be part of the meeting as well. But Derek told her that he needed to do this himself.

In a case like this with such extreme intensity, we try to avoid any additional unpleasant surprises so we negotiate all that we can anticipate that might create extra stress. We discussed everything individually, first with Derek and then with Joe. (All negotiation is based on the preferences of the victim and only changed if it doesn't feel respectful and reasonable to the offender.) **We negotiated where to meet, who would accompany him for support, who would arrive first, where everyone would sit, whether or not they would shake hands or just be seated, would there be an opening/closing prayer, who would pray, who would speak first, etc.**

We also discuss the meeting process which includes each speaking about their experience before, during, and after the incident (both facts and feelings) and the other summarizing to be sure that what was heard was actually what each speaker intended to say. **The next step in the process moves to questions for clarification and then to discuss what would help now and in the future. Any agreements would be written and copies given to each participant.**

At this time, Derek was in his doctoral program in psychology and doing an internship in Bakersfield (about 100 miles south of Fresno). He choose to meet at the FPU Visalia Center (which is about half way between Fresno and Bakersfield). He chose to arrive first. He choose to bring his Bakersfield pastor with him. So the meeting included Derek and his pastor, Joe and Mary Avila, and Roxanne and I.

It was Nov. 14, 2005 when we met. Derek had chosen to arrive first. He and his pastor arrived right on time. Derek chose the table we would use, a round one in the back of the room and we discussed again where each person would sit. He then asked if we could cover the window in the door. Although feeling conflicted, we covered the window. 15 minutes after Derek arrived, I met Joe and Mary in the parking lot and we entered the room, politely shook hands, and sat down. As you can imagine, even with all of the preparation, it feels awkward and tense as you begin.

The meeting went well from our perspective and the next day I sent out a summary of the meeting and agreements. Nov 18 I received this e-mail from Derek:

At 08:37 AM 11/18/2005:

>Ron,

>

>Thank you for allowing for Joe and I to meet on Monday. You and your wife
>are fabulous mediators. I also wanted to express to you, and to Joe, how
>spiritually meaningful our meeting was for me. As I shared with Tom
>following the meeting, I had not felt that spiritually enlightened and
>physically relieved since I was baptized as a teenager. I have shared
>Joe's daughter's pamphlet with my grandparents and my father, and they are
>beginning to see the need to meet with Joe, find peace, and begin a new
>chapter of my sister's legacy. Joe and his wife are amazing people, who
>just like my family and I have seen their struggles but are choosing to
>help others learn from their mistakes. I cannot think of a more of a
>spirit inspiring answer to God's call that we love one another. I also
>would like to reinforce my desire to continue to communicate with Joe and
>Mary, possibly even meeting their daughters sometime in the
>future. Please send my regards to them, and let Joe know that I would
>love to hear about some of the things he is doing to tell our story,
>specifically my sister's life, and how in using such a tragedy, many might

>be prevented. Thank you again, and I look forward to hearing from you
>soon. God Bless.
>
>Derek
>

The pamphlet he spoke of is being sent around. It has a picture on it of one of Joe's daughters. The first paragraph reads.

(Read from Pamphlet) "After a deadly car crash, which killed a 17-year-old girl, driver Joe Avila, who had been drinking and driving, was sentenced to 12 years in prison. This deadly combination of drinking and driving affected many friends and family, of both the victim and offender. It also affected me, because I am Joe Avila's daughter. I was 5 then. I am now 17 years old, and today I want you to get help."

I will come back to Derek a little later.

I soon received an e-mail from Rick, Amy's father, requesting a preliminary meeting to discuss a possible meeting with Joe and Mary. We met with Rick and Sally (his wife) and made the following arrangements:

From: Ron L Claassen <rrclaassen@juno.com>
To: ricksally@sosinet.net
Date: Mon, 6 Feb 2006 08:03:35 -0800
Subject: Feb 8 Meeting

Rick and Sally

I am writing to confirm arrangements for our meeting on Wednesday, Feb 8 with Joe and Mary Avila.

We will be meeting at the Fresno Pacific University Center in Visalia (Highway 198 and Akers).

We decided together that Avilas will be arriving at 6:30pm and you will arrive at 6:45pm. Either Roxanne or I will meet you in the entry way at the Center. We will be seated without handshakes.

We will be meeting in the Conference room, the same room we met with Rick.

After introductory comments and an opening prayer by Ron, Rick will speak first and Joe will summarize. We decided that the closing prayer at the end of the meeting will be lead by Rick. If you want to change any of this, please just let me know and we can make changes.

Sincerely
Ron


The meeting included Rick and Sally Wall, Joe and Mary Aliva, and Roxanne and I. Joe and Mary arrived at 6:30pm and at 6:45 I met Rick and Sally at the entry. Rick said all of the arrangements sound good but he had decided that he didn't want to pray at the end of the meeting. He preferred that I would pray. I asked if it would be ok if when it was time for the closing prayer, I would hesitate a little and if he had changed his mind at that time he could go ahead and pray. He was carrying a brown paper bag. I didn't ask what was in it.

We went in to the conference room, were seated without handshakes, and after brief prayer and a few preliminaries, Rick started. Before he spoke he pulled out of the brown paper bag, an 8x10 picture of Amy. He placed it on the table facing Joe and Mary. He then proceeded sharing his experiences, facts and feelings. (As you can imagine, we have ample Kleenex available for these meetings.)

Near the end of the meeting Rick gave the picture to Joe and asked him to use it when telling the story at the DUI Classes. At the end of the meeting **Rick wanted to pray.** As we were leaving he shook hands with Joe and added, "I am very glad we met but I see no need for future meeting or other communication. Please keep up the good work you are doing (referring to the DUI classes)."

The next day I sent an e-mail confirming our conversation and agreements. We didn't receive anything back within a few days from Rick as we did with Derek. Finally, much later, we did receive an e-mail from him:

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Ron & Roxanne, So sorry for not responding for six months. Sally and I have been very busy. Please accept our apology, we do think of you often.

We pray all is well with the two of you. We have alot of love and respect for the work that you two are doing and have done. We also know that it is GOD working through you to make this world a better place. We pray for you daily.

How is Joe doing? Derek tells us that he is about done with his treatments. We are glad that Derek and Joe are communicating and choose to keep in touch. I am close to desiring the same thing. As we grow closer to GOD and time goes on, our outlook on different situations change. Please give him and his family our regard. Let them know we pray for him and the work of GOD that he is involved in. Maybe some day we can stand together to let people know that the worse of life's tragedies can be made into a positive situation, with GOD'S help and blessing, of course.

We hope to hear from you soon. In Christian Love, Rick & Sally

Sent on 07/17/2006 by ricksally@sosinet.net to rrclaassen@juno.com

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July 28, 2006 I received an e-mail from **Linda Wall, Amy's mother**, saying that she was interested in meeting with Joe. We had the preliminary meeting with her and decided together on the arrangements. **At the end of that preliminary meeting, she gave us a disk** and said that it had pictures of Amy's life on it and that she wanted us to look at it with Joe and Mary and then added, I should warn you that **it will take about 3 hours. The night before the meeting Joe and Mary came to our home and after dinner we** looked at pictures and videos of Amy's life. It started with her as a baby and ended by panning her room (as it was when Amy last left it), with Linda making comments about many of the items in the room, when she got them and what they had meant to Amy. It was a hard thing to do for all of us and especially for Joe.

On Aug 25, 2006 Linda Wall and her uncle, Joe and Mary Avila, and Roxanne and I met together in the VORP/Peacemaking Center conference room at the FPU main campus. **Linda was glad to hear that we had looked at the pictures of Amy. Linda does a lot of journaling and so chose to come with what she wanted to say all written out so that she could read it. It was very emotional for her, for Joe, and all of us.** She was overcome with emotion several times and we stopped the meeting and we took a walk outside. Each time I reminded her that we could stop anytime she wanted to stop and if/or when we would continue would be up to her. She chose each time to continue. **Later, after the speaking and summarizing and some more open discussion, Joe and Mary commented on the pictures of Amy and asked some questions about Amy. Linda really appreciated this. We discussed the idea of Joe using Amy's picture when he told the story.** With Derek and Rick, we had agreed that Joe would use Amy's name but not use her picture until he had permission from both parents. Linda gave her permission and even encouraged it.

Soon after the meeting Joe sent us some of his thoughts about the meeting:

It was evident that her pain and anger was just as intense as fourteen years ago. I am praying that, perhaps, with her releasing and directing this pain and anger towards me, she will begin to heal. I am thankful I had the opportunity to tell her how sorry I am for taking her daughters life and all the pain I had caused her, her family and community. Last Friday night was a fire I would not like to walk through again, but I will, if she desires to meet again.

We didn't have copies of the pamphlet with Joe's daughter's picture on it at the meeting. So we asked her if we could bring it to her. On Sept 18 I received this e-mail from Linda.

(read Sept 18, 2006 e-mail)

From: Linda Wall [mailto:Wall_L@madera.k12.ca.us]
Sent: Monday, September 18, 2006 8:37 AM
To: Ron Claassen
Subject: RE: Follow-up

Hi Ron & Roxanne ~ THANK YOU for your kind and considerate words. I feel God placed you in my life for this experience. He knew I would need someone that was very sensitive, compassionate and skilled @ helping me trek my way through this providing the tenderness and insight you both have. From the very beginning of this tragedy, there seemed to be a continual underlying of minimal or no respect on the 'courts' part, along with those involved in it. Our justice system can be quite unjust in many ways. By you both providing this 'service' it does help in this area, for me. I commend you both for your dedication to this area of healing. I know you have helped many. My Derek speaks very highly of you both, still. As for the confrontation itself, it was beneficial to me. I now have some sort of closure and relief. I'm able to have a sense of feeling less burdened and more clarity with some answers to my many questions. As for the pamphlet, meeting @ Starbucks' here in Madera would be fine. I can meet you any time this week after work; I get off @ 4:30p. I will be off from work tomorrow, of course. I take off from work each year for the day, in honor of my Amy, just to step off the world's spinning time to reflect, remember, mourn and whatever else I am feeling for that time. Give me a call here @ work, home or my cell phone & we can set up a time. Again, Thank you both ~~ Gratefully, Linda

Linda Wall,

We called to set up the time and it turned out that she chose to meet on Sept 19, the anniversary date of Amy's death. She chose to meet with us at Starbucks in Madera. We met late in the afternoon and she told us that this was the first anniversary that she had gotten out of bed. She said that once or twice during the day she had caught herself smiling and that really had surprised her. Again she thanked us for the meeting with Joe

and Mary. We asked if we could meet with her again, perhaps in a few months.

We have continued our meetings. We met just last week. We asked how she was doing and about Sept 18. She told us and then thanked us for asking.

The first time when they all came together was at our Restorative Justice Conference, Feb 13, 2009. I invited Joe and Derek to talk about their experience in an extended lunch. Their presentation was video recorded and it is the content of the DVD that has been circulating that has Amy's picture on it. I have a few extra if anyone is interested.

As the conference approached, we again wanted to avoid any unpleasant surprises, so we asked Joe and Mary and Derek and Kate about seating for the conference lunch and presentation. They chose to sit together with us. Rick and Sally and Linda and a friend asked if they could come to the conference lunch as well. They sat at separate tables near us. After the lunch and when others had left the room, they were all standing together in a large circle. At one point someone said something and they all laughed. It was amazing to watch.

I'd like to add just a few additional comments:

Joe Avila became the director of Prison Fellowship for Calif and Hawaii. He now focuses on organizing sporting events that are specifically for kids that have parents in prison. In that context and in many Prison Fellowship events, he often tells the Amy Wall story. At a recent dinner with Joe and Mary I asked him if he had an estimate of how many times he has told the Amy Wall Story. His estimate is 300. He added and it doesn't get easier.

Derek and his wife, Kate, have two children. They now live in St. Louis, MO. He completed his Ph.D. His dissertation was on Sibling Loss and Restorative Justice. I had the privilege of serving on his committee.

Before I retired, he and Kate came to Fresno for a week long class for implementing peacemaking, conflict resolution, and restorative justice in schools. Derek is now certified as a trainer for Discipline That Restores.

This experience, which is continuing, has had a powerful impact on Roxanne and I. Seeing their mutual work at forgiveness and the reconciliation and observing the healing they have experienced in the midst of such a tragedy has given us encouragement to always encourage people who experience injustice and violations to give God's restorative justice a chance. I hope that hearing their story will in some way encourage you to do what you can to work at Conflict Resolution and Peacemaking the Anabaptist Way.

Close with Prayer of St Francis.