

1995 Conference brings Restorative Justice vision to Fresno community leaders

by Ron Claassen

A new year seems like a good time to look forward, to examine our vision. But when we think of vision or visionary we may think of something or someone utopian; something that doesn't exist or someone who may be considered a bit (or a lot) out of touch with reality.

A vision is something that doesn't yet exist and is currently seen only in our imagination. It is rooted in values, spirit, ideas, and ideals. In our imagination we see images of people, programs, interactions, and procedures which incorporate these values and ideals.

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Vision motivates us and guides us. Vision provides us with a picture of a desired state of affairs which isn't reality yet and may seem very remote. It also provides us with direction as we make the day to day practical decisions. We must always ask ourselves if what we are doing and deciding today is leading us in the direction of the vision.

People and programs that don't have vision will likely find themselves floundering about, flitting from here to there, or getting stuck in a rut. Vision gives us the freedom to wander about, experiment, and make changes with less fear or threat. We can do this because we test our changes against our vision: Is this change/decision moving us in the direction of our vision? Our visions need to permeate all of our lives and programs.

The visual image of our vision may change as we gain new insights and as current reality changes. Yet the core values are not likely to change. Some core values that permeate my personal vision are agape/love (an unconditional commitment to be constructive), justice, and shalom/peace (peace between people and with God as a result of right relationships, not fear).

In preparation for our fall Restorative Justice conference in Fresno, we articulated a vision for the Fresno communities as "all people living civilly together in a balance of freedom and responsibility."

The conference focused on

how can we respond most constructively when people violate others and their property and the law (ideally law being

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that line beyond which we agree one is no longer in an acceptable balance between responsibility and freedom). We envisioned a Restorative Justice System. This would be a system in which all actions would be tested by whether they promote safety, respect, reparation, and restoration of all those individuals and relationships impacted by the violation/crime incident.

We recognized that not all offenders will be willing to be responsible and accountable and not all victims will be willing to be constructive with the one who offended them. But we think one important part of a Restorative Justice System is that all victims and offenders should be offered the opportunity and assistance to recognize and repair the alienation, hurt, and

damage and to make accountable agreements to provide direction for a more peaceful future. We recognized that this shalom/peace (peace between people and with God as a result of right relationships, not fear) is God's vision expressed in the Bible.

We listened to a Youth Justice Coordinator (Matt Hakiaha) and a Judge (Fred McElrea) tell of their experience in New Zealand. In 1989 a significant change was legislated. The new legislation required all youth who violate the law to participate in a Family Group Conference before they go to court. If they refuse to be cooperative with the Family Group Conference, their case is then forwarded to the court.

The Family Group Conference includes the offender, the arresting officer, the offender's family (including parents, grandparents, uncles, aunts, etc.), victim and victim advocates, and others who were impacted by the incident. Their purpose is to encourage the offender to recognize and accept responsibility and to devise a plan which they can all agree on to repair the

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Recent case shows value of VORP Community Justice Conferences

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At VORP we have been experimenting with including more people in our meetings. The court has assigned some misdemeanor cases to us to follow a very similar procedure utilizing an enlarged VORP meeting. We are calling those meetings Community Justice Conferences (CJC).

We are encouraging the offender to invite at least four extended family members, someone from their school, someone from their faith/church community. We encourage the victim to invite several support persons. We invite one or two people to represent the commu-

nity at large. Our experience is limited. To this point our groups have not included everyone mentioned above but have always been larger than offender, parent, and victim.

Elaine Enns and I worked together as co-mediators on several of the first cases. We have been experimenting with process and have now shared our initial insights with our veteran volunteer mediators who are working on similar CJC cases. I would like to share a recent CJC/VORP experience. Names and some details have been changed to protect identities.

Kyle had brought a sports cap

to school which is against the school rules because of gang identification. The incident escalated to the point where he was removed from the classroom and school, and charged with a misdemeanor, threatening to harm his teacher. In the preparation meeting with Kyle and his mother, we invited them to think about extended family members they might want to include in the CJC/VORP meeting. Kyle immediately said, "not Grandma J." Mother said, "but she's your favorite person and you know that she likes you." Kyle said, "that's exactly why I don't want her to be there." After

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Negative threats give way to positive actions through CJC/VORP

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mother explained that Grandma J. would be there to help him and that she could recognize what he had done and still love him, he decided to invite her. (In New Zealand some are calling this re-integrative shame.)

Mrs. Thompson, the teacher, said that she was really interested in this process and wanted the best for Kyle but had felt very threatened by him. She agreed to meet and perhaps bring along some support people. She wasn't sure she needed any others. She knew Kyle's family.

At the beginning of the meeting the conversation was almost entirely between Kyle and Mrs. Thompson. We followed the VORP Peacemaking Model and after substantial discussion and agreement we asked the entire group to help us think together if the violation/injustice

had been adequately recognized, and if their agreements restored the equity and provided an accountable plan for their future so that the violation/injustice(s) wouldn't be repeated. Grandma J. turned to Kyle and said to him, "don't you really think that your frustration at school is going to be hard to control until you learn to read well enough to keep up with the class?" He agreed and some additional agreements were made to work at the reading problem. It included reading stories at home to smaller brothers and sisters. The quality of the agreement was considerably better because of Grandma's presence and wisdom. The agreement has been completed and the court has been dismissed the case.

Community explores Restorative Justice at 1995 conference

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damages to individuals and relationships and to be accountable for making changes in ways to prevent the same type of offense from reoccurring. The plan must be approved by everyone present.

Since 1989 the number of cases that proceed to juvenile court has been reduced by 80 percent. Their experience indicates that in 80 percent of the cases that would otherwise go to court, come to agreement and a court hearing is not necessary. In that same time period, and as a

result of the decisions and plans devised by both the Family Group Conferences and court, the number of Juvenile Incarceration facilities has been reduced from 23 to three.

These are dramatic results and they could be duplicated in all of our communities, for juveniles and adults. Models like this add content and help focus the Restorative Justice vision picture.

Over 100 people attended the conference. This included 22 probation officers. A shortened presentation was attended by 30 additional city and county leaders including police, schools, department of social services, and six judges. Sixty-eight participants returned written forms (most who didn't return forms were from out of the area) and 96 percent indicated interest in further training and in incorporating Restorative Justice into their sphere of influence.

My hope is that faith/church communities, schools, the justice system; and the entire community, will incorporate Restorative Justice into their vision and make the decisions that will move our society toward the vision.

Vision is more than just a dream. It is that image of our desired state of affairs that reaches all the way back to our current action.

VORP relies on your contributions!

If Restorative Justice is part of your vision, consider a contribution to VORP as a way of helping to move us in that direction.

To handle more cases, provide more training and support for volunteers, and work on more coordination with the justice system will require additional finances.

If you have been receiving this newsletter and haven't yet begun to contribute, 1996 is a great time to start.

Individual and church

financial support is essential and provides the ongoing stability. VORP wants to be accountable to those who support Restorative Justice.

This is a great month to make a resolution to begin regular monthly contributions of \$10, \$20 or \$50. If you prefer quarterly or annual contributions that of course is welcome also.

If you would like to discuss your contribution please call Ron Claassen at 291-1120.

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