



NEWS

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# Accountability and Restorative Justice

by Ron Claassen

The City of Fresno Interagency (made up of most public and several community organizations) has set a goal of reducing crime in Fresno by 50 percent by the year 2000. I was recently asked to serve on the Community Corrections committee, an ad hoc committee charged with designing a plan.

Community Corrections can reduce crime by doing something with an identified offender so that they don't reoffend. One attempt to accomplish this is to do something to control the offender in a way they can't repeat. Another way is to do something with an offender so they control themselves and decide not to repeat. People who have been observing VORP for over 14 years now believe that a VORP type response moves offenders in the direction of internal control.

Everyone agrees that accountability is a central component to reducing crime but we often mean very different things. I volunteered to work on this topic.

I started by asking a police officer what he thinks of when he thinks about accountability. He said that a kid needs

to be punished every time he breaks the law. I said, "you want punishment." He said, "I want them to 'learn their lesson.'" I said, "you hope that what is done will help them learn something." He said, "I want them to accept responsibility for what they have done." We then talked about what we mean by responsibility

and who an offender should be accountable to. We agreed on the following:

## Accountability Is Successful If:

- (1) The offender doesn't reoffend.

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# Mediator modifies mindset after meeting mislabeled 'monster'

by Amy Holiday  
with Ron Claassen

Our story this month is from Amy Holiday. Amy attends Wesley United Methodist Church. This story is only of her first meeting with the offender and family. While we usually focus on the entire mediation, her experience in this first meeting with the offender seemed like one very worth sharing. She hasn't been able to contact one victim. The second victim is in the process of moving and has requested that a meeting wait until about a month from now.

My husband asked me if I wanted to take the VORP training with him, and I simply said, "Yes." I knew very little about the organization but figured that it couldn't hurt to learn the VORP process of mediation. I am a licensed clinical social worker and work for the California Department of Corrections at a local state prison.

It really surprised me when I felt apprehensive about starting my first case. I noticed how I kind of procrastinated in setting up a meeting with the offender and his mother to discuss the VORP process. I read over the information about the offense that I was given by the referring agency, "Mandatory Restitution for Burglaries." "Incredible," I thought, "Plural? Two residences? This must be a real winner. Age 15. A real monster child." I pictured one of the inmates at the prison, one of the heavily tattooed, violent types.

I arrived at the cute, well-manicured home with sweaty palms. Mom invited me in and introduced me to Kevin. We sat at the dining room table and what transpired has forever changed me. Kevin was not a monster at all. Kevin was a very tall, thin and gangly boy whose face was smooth as silk. He wore coke bottle thick glasses and listened to my every word as if his life depended on it.

I learned that Kevin had never been in trouble with the law before this incident. I learned that Kevin was anxious to prove to his grandparents, aunts, uncles, and mother that he is not the "criminal" that his actions suggest.

I invited Kevin to read aloud from the VORP offender guidelines pamphlet. He hesitated, looking at both his mother then me. Then haltingly and with much labor he read each word, misreading about every third word. When he finished a section of the reading, his mother burst forth with excitement and said, "Kevin usually won't read for anyone! You know, he's been in Special Education for learning disabilities his whole life. Kevin, now that wasn't so bad, was it?" Kevin began to smile, and we had a mini-celebration around the table.

From there we discussed so many things. We talked about choice of friends and learning how to say, "No!" to peers who suggest doing things he knows is wrong. We talked about listening to that little voice he said was inside, which told him he should say "no." We talked about the importance of education and his hope for improving his reading skills. We talked about how trust is developed when agreements are made and kept and what happens when trust is breached. We talked about the victims in the burglaries he committed and what they must be feeling. We talked about his plan to earn at least some of the victim's out of pocket costs. (He said he would call all of his relatives and ask if he could be paid to do some odd jobs for them.)

We laughed. We were serious. We were contemplative. No, this was not a monster. This was a teenage child. This was a teenager who wanted to make things right. This was a child in need of a process like VORP.

When I left their home I had a sense that things had changed for me. I now see what is missing in our current system. The inmates I deal with every day are so removed from their victims, their crime.

I phoned the VORP office to report my work to that point. I was excited to relay my experience and offhandedly mentioned, "What I imagined and what I saw were two different things."

Thanks Amy!!

Blessed are the Peacemakers!

## VORP relies on your contributions!

VORP's \$45,000 in City Funding was for only one year and it has ended. It was used to improve our systems and staff support for volunteers. We increased from 45 cases per month to over 60 cases per month. The funding ended in September.

The board has developed a realistic and ambitious plan to maintain the momentum gained this last year. It is based on increased contributions from board members, chuches, individuals (based on your pledges), and businesses together with several small grants. But it will only happen if you who have made pledges contribute what you have pledged and if at least 100 of you who receive the newsletter but have not yet made a financial contribution decide to contribute at least \$50 during this next year.

You could save me, our staff and board members a lot of anxiety by making your contribution this month. Please consider the value of accountability and reconciliation in our community as you decide how to distribute your charitable giving.

# Accountability: VORP process can aid crime reduction efforts

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(2) The offender learns his/her "lesson" on how to live in community without violating others (this assumes a teaching/learning component).

(3) The accountability plan/agreement/decision has a positive, healing effect on those who have been violated by the offense (victim, community, family).

(4) The offender emerges from the accountability process with greater respect for officials, community, and self.

(5) The accountability process creates stronger community and a safer environment.

(6) The accountability process is viewed as respectful, reasonable, and restorative by all parties (victim, community, family, offender, officials, etc.).

#### **Proposed Accountability Process:**

(1) Accountability is required for every offender.

(2) Accountability is to:

- Victim for personal, property, and relational violation.

- Community for violation of community standard of fairness and safety (violation of law).

- Self and Family for personal, relational, and goals/standards/values violation.

(3) Except in serious violence cases, offender and family are required to consider and encouraged to choose a cooperative accountability process (VORP, Community Justice Conference, Family Group Conference, etc.) to recognize the injustice, to make agreements to restore equity as much as possible, and to make agreements to prevent the same or a similar violation in the future.

(4) Cooperative accountability process agreements are made in presence of family, victim(s), and representatives of the community (may include school, faith community, business, police, probation, social services, etc.) The victim, offender, and others craft an agreement that is acceptable to all present.

(5) If offender and family choose not use the cooperative accountability process or agree to the process but don't keep agreements made, an outside authority accountability process (peer court or police/probation team for minor offenses, court for more serious offenses) is utilized to impose appropriate sanctions (always tested by whether they are respectful, reasonable, and restorative for all parties).

(6) All agreements or imposed sanctions must be followed up. In cooperative agreements family and friends assist probation in this follow-up. Completion of accountability plan successfully is celebrated.

VORP has been traditionally used to develop a part of an accountability plan (usually that part which addresses the violation of the victim). Occasionally a VORP process is used to develop the entire plan. When we do that we usually increase the size of the group (including more family, more victim support, more community and system officials) and call the process a Community Justice Conference.

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