

## Fresno VORP recognized for contribution to Restorative Justice movement

by Ron Claassen

Victim offender reconciliation is a significant part of, and a major stimulant for, a much larger movement which has taken on the name Restorative Justice. It is a growing movement. For example, in December the National Institute of Corrections put on a satellite videoconference focused on Restorative Justice. It was picked up by 350 sites and viewed by more than 20,000 people. These people cover a wide spectrum and are interested in Restorative Justice for many different reasons.

The content and definition of Restorative Justice are still being shaped. Because of your support for our local VORP, our program has contributed to this conversation. Two years ago, I wrote a series of thought pieces in this newsletter focused on the Fundamental Principles of Restorative Justice. (Check our web site at <http://www.fresno.edu/pacs/docs> for an article summarizing the series.) In May of that year these Fundamental Principles were adopted as a starting point for the United Nations Alliance of NGOs Working Party on Restorative Justice. These Fundamental Principles were also included as part of the handout material for all 350 sites of the NIC videoconference.

The discussion is continuing. Several internet discussion groups are very active and many new books have been written, all influencing the thought surrounding Restorative Justice.

One recent book is **Restoring Justice**, by Daniel Van Ness and Karen Heetderks Strong. It is a book worth reading if you are interested in an overview of the history, understanding more about why restorative justice is important, what it is they see are the major objections, and what it could become. I think it makes a significant contribution to the ongoing, defining discussion.

On pages 42-43, Dan and Karen summarize the chapter entitled "Restorative Justice" by addressing four questions (excerpted below):

### 1. What is restorative justice?

- It is a different way of thinking about crime and our response to it.
- It focuses on the harm caused by crime: repairing the harm done to victims and reducing the future harm by preventing crime.
- It requires offenders to take responsibility for their actions and for the harm they have caused.
- It seeks redress for victims, recompense by offenders and reintegration of both within the community.
- It is achieved through a cooperative effort by communities and the government.

## Pastor shares in reconciliation experience at VORP Community Justice Conference

edited by Ron Claassen

Our story this month is written by a pastor who participated in one of our Community Justice Conference style VORP meetings. We are now receiving some non-violent felony cases before they go to court. If, in the Community Justice Conference process of recognizing the injustice, considering how to restore equity as much as possible, and considering the future, agreements are reached, the court then makes these agreements the Restorative Justice sentence. Because of the extra responsibility and opportunity, more people are in the meeting, including extended family of the offender, teachers, pastors, business people, police, probation, other community resource people, and as much additional support for the victim as they want. The story below is one of these cases told by a pastor who was present. To protect the identity of the victim and offender, some names and details have been changed and I am not including the name of this pastor.

As a clergyman I get unusual requests all the time. A few weeks ago I was asked to accompany a student of the religion school to a meeting. She informed me that she had been involved with stolen money. I was surprised and a bit taken aback. This was one of my students who had learned the Ten Commandments just

the year before. Well, here she was, asking for help, and it sounded like she was in a jam. She told me that there was going to be a meeting between her, her parents, and the victims in the case, the Brown family.

My experience of the current legal system has taught me that often it does not correct the offense, nor make the person change. Given this, I was dreading the upcoming meeting. I was called a few days later by a VORP caseworker, Janet. She informed me of how the meeting was going to transpire. Both the victims of the case and one of the offenders, Sarah, were going to be speaking to one another in a supervised meeting. My responsibility was to be on the Sarah side in the meeting. I had remembered seeing something like this process on TV. I was bracing for what could be a very emotional and expressive meeting.

I was hoping for a good resolution to this for both the youth and the people who were robbed. I arrived at the meeting location early and was met by the VORP mediator who seemed rather relaxed about the upcoming meeting. We were at a public library in an unoccupied room. As the time neared, I was in the library with a friend of Sarah's. Finally, the doors opened and all the parties entered the room together. I felt a

See 'VORP Community...', page 2

### 2. How is restorative justice different from what we do now?

- It views criminal acts more comprehensively: rather than defining crime only as lawbreaking, it recognizes that offenders harm victims, communities and even themselves.
- It involves more parties: rather than giving key roles only to government and the offender, it includes victims and communities as well.
- It measures success differently: rather than measuring how much punishment has been inflicted, it measures how much harm has been repaired or prevented.
- It recognizes the importance of community involvement and initiative in responding to and reducing crime, rather than leaving the problem of crime to the government alone.

### 3. How does restorative justice respond to crime?

- It emphasizes victim recovery through redress, vindication and healing.

- It emphasizes recompense by the offender through reparation, fair treatment and habilitation.

- It establishes processes through which parties are able to discover the truth about what happened and the harms that resulted, to identify the injustices involved and to agree on future actions to address those harms.

- It establishes evaluation processes through which the community and government may consider whether new strategies to prevent crime are needed.

### 4. How does restorative justice seek to prevent crime?

- It builds on the strengths of community and the government. The community can build peace through strong, inclusive and righteous relationships; the government can bring order through fair, effective and parsimonious use of force.
- It emphasizes the need to repair past harms in order to prepare for the future.

See 'New book...', page 2

## VORP Community Justice Conference teaches valuable lessons, says clergy member

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bit uneasy since I knew only Sarah well. I had met her mother on Sundays but had only seen the father a few times. Here we were all around a large table waiting to see what the outcome would be.

The VORP mediator started by explaining the rules and how the meeting would proceed. I felt an uneasiness in the room. Having not been directly a part of the crime I wondered how they must feel. It was obvious on their faces that it was hard for them. It was taking a lot of cour-

age to be there and the VORP people had done a lot of preparation work for this case. After all were introduced, the victims were asked to relate what had happened. It was difficult to watch both people express their painful feelings.

The Browns shared their story of how her billfold was stolen from work. She had been paid earlier that day and had a large amount of cash in order to pay bills. Mr. Brown had recently been laid off from work and they were struggling to get by on one paycheck. The loss of \$550.00 was a hardship for them. They were embarrassed to explain to their creditors that they had been robbed and were unable to pay their bills as they had planned. Not only had they been robbed, but they felt violated. And not only by the offender. It had taken nearly a year in the criminal justice process for this meeting to transpire. The resolution was long overdue according to the victims and they wanted to go on with their lives. Tears were flowing now, both the victims and the offender.

Next, Sarah told her story. While out with friends, she passed by where the victim worked, and one of her friends went inside while she remained outside. Later, her friend appeared in a hurry. They went to a park at which time the stolen

billfold was produced. She stated that she was surprised and had no idea that her friend had planned to steal the billfold. When her friend divided up the money, she accepted a third of it. Later that day, they went shopping and spent the stolen money. By this point in the story, Sarah was sobbing. She apologized over and over again for taking the money and for the hardship it caused their family. To my surprise, the recognizing of the injustice went well as did the accepting of an apology.

We spent some time talking about how equity was going to be restored and how much should be repaid by Sarah. Not only had the money been taken from the billfold, but the victim had to take time from work to report the theft and apply for a new driver's license. After some discussion, it was agreed that Sarah would find a job to repay the money. A written apology would be delivered by Sarah to the Brown family. The restitution agreement was recorded and the future accountability was considered. All parties agreed and signed as witnesses.

When we finished, I felt that we were a part of something very powerful. Healing had taken place. It wasn't easy to do, but I felt a real sense of restitution and reconciliation. I was happy to have been a part of it, although it was emotionally exhausting. Sarah was very fortunate that this crime had been resolved in this way. Due to the amount of money involved, she could have been involved in a very different process with very different results. I believe in the end, justice was best served. The victims were able to let one of those involved with the theft know how much pain it had caused in their lives. They had begun to recover from their hurt and feelings of being violated. The two others who were involved in the theft are still in the legal system and hopefully full restitution will be achieved.

No doubt Sarah has learned a very valuable lesson which will be etched in her mind.

## VORP relies on YOU!

Please don't wait. VORP can only grow if financial support grows. If you aren't actively supporting VORP with volunteer time, prayer, or financial support, we are praying that you will begin this month. The need is great!

## Volunteer Mediators Needed

VORP mediators learn and practice peacemaking skills they can use in the home, workplace, and congregation.

The next trainings are scheduled on September 12 & 13; September 18, 25 & October 2; and November 7 & 8.

Call 291-1120 for details.

## New book recognizes Fresno VORP as Restorative Justice leader

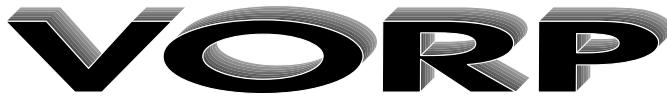
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- It seeks to reconcile offenders with those they have harmed.
- It helps communities learn to reintegrate victims and offenders.

Dan and Karen and I are friends. They have been working with Chuck Colson's prison ministries—Justice Fellowship and Prison Fellowship—for many years. I was asked to review and comment on Chapter 5: Encounter. I thought it might be of interest to you who support VORP in the Central Valley that what we are doing is recognized as significant and being given credit. Discussing the meetings between victims and offenders they say:

"These meetings give victims and offenders the opportunity to pursue three basic objectives: to identify the injustice, to make things right, and to consider future actions." The footnote here reads: "In the VORP of the Central Valley program in California, director Ron Claassen has helped develop mediator training that presents the basic components as they are discussed here. We are indebted to Claassen and this program for much of this section." This contribution to which they refer has been made possible by those of you who have faithfully contributed both time and money to make our VORP and the following story of Restorative Justice possible.

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