

VORP values voluntary involvement

by Ron Claassen

We say that VORP is a voluntary process for victim and offender. The Redress program, a mediation program for employees of the United States Postal Service says it is a voluntary program for handling workplace conflicts. In schools, we say that our Peer Mediation Programs are voluntary. When voluntary programs like VORP, Redress, or School Peer Mediation Programs demonstrate their effectiveness, there is a temptation to make them mandatory. Is voluntary important? Is voluntary important for the entry point, the entire process or just the agreements? Are any of these ever entirely voluntary?

Offenders are referred to VORP by the probation department, sometimes as a diversion from the court process, sometimes as an alternative sentencing process, and sometimes as part of a sentence imposed by the court, and sometimes as part of a program while incarcerated. If an offender has agreed to participate in the VORP process, the victim is invited. If they both agree, a joint meeting is arranged.

In the Redress program, any employee who contacts a counselor with a complaint regarding a conflict with a supervisor or other employee is informed of the possibility of a mediation, conducted by an approved outside mediator. If the employee voluntarily agrees to a mediation, the supervisor is expected to participate in good faith.

In schools, if two students have a conflict, they are often referred to the Peer Mediation Program, often as an alternative to being sent to meet with the Vice-Principal, counselor or other person responsible for discipline.

What do we mean when we say voluntary? This is what Webster's dictionary says about the word voluntary: (1) proceeding from the will or from one's own choice or consent; (2) unconstrained by interference: self-determining; (3) done by design or intention: intentional; (4) of, relating to, subject to, or regulated by the will; (5) having power of free choice; (6) provided or supported by voluntary action; (7) acting or done of one's free will without valuable consideration or legal obligation.

Staff Transition

Sara Rickard and Maria Cockroft have completed their work with VORP. They served us well and have left Fresno to continue their Mennonite Voluntary Service work in Chicago. Sara will be teaching English as a second language and Maria will be doing a peacemaking project with children.

Margaret Braun (third year student at Bethel College in Kansas) and Jeremy Pusy and Darren Brassington (graduate students at Fresno Pacific University) very capably assisted us through the summer.

Sarah and Paul Hebblethwaite from Lafayette, Indiana have just arrived for a two-year Mennonite Voluntary Service term with VORP. We thank God for all of these wonderful young people and their willingness to serve. Please stop by and get acquainted with Paul and Sarah.

In the programs mentioned above, there are two choices that participants are "encouraged" to make "voluntarily": 1. Whether or not to enter the process and 2. Whether or not to make any agreements.

In VORP, when we receive a referral, the trained volunteer mediator starts the VORP process by meeting with the offender and their family or at least one adult if the offender is juvenile. At this meeting they listen to the offender's experience leading up to, during, and after the offense. The VORP mediator discusses with them what a VORP process is like and emphasizes that any agreements must be voluntarily agreed to by all of the parties at the meeting, excluding the mediator. The VORP mediator assures them that they will not be forced to accept an agreement that they do not think is a constructive one for everyone. The VORP mediator then invites them to consider if they are willing to participate in a VORP mediation process with the victim for the purpose of trying to find ways of resolving this that would be constructive for everyone.

If they decide to participate, the victim is contacted and a similar meeting is conducted by the VORP mediator. We start with the offender so that the victim is contacted only if the offender agrees. This is done with the intention of preventing the victim from being victimized again by an offender who is not willing to participate. If they both agree to meet, the date and place are arranged. The meeting starts by confirming that all have come voluntarily and for the purpose of searching for a constructive resolution for everyone. If they arrive at agreements, meaning that they are voluntarily agreed to by all parties, then these agreements are written into a formal agreement that is signed by all parties. We encourage all parties to sign only if they are signing voluntarily. Our VORP agreements usually cover at least the following areas: (1) Do we agree that the injustices

See 'Learning, healing...', page 2

Graffiti case resolved using VORP process

by Margaret Braun
with Ron Claassen

Our story this month is from Margaret Braun who co-mediated with Sara Rickard. Margaret is a member of College Community Mennonite Brethren Church and will be a third year student at Bethel College in Newton, Kansas. Names have been left out and some details have been changed to protect identities.

This was no ordinary graffiti case! What the two offenders had written expressed hate, some at everyone there but much of it directed at one person, the manager of the business.

Individual meetings: The first young man was quiet and reserved. The step-father attended, but did not offer input, while the mother was the main talker. She recounted for us the pain, anguish and embarrassment that the offender suffered after acknowledging what he did. The offender described that night and with hindsight reflected on why it shouldn't have happened. He spoke to us about the Bible study that he is currently forming with some friends and how he felt truly sorry for what he had done.

The second offender seemed less willing and ready for the VORP process although by the end of our meeting, he said he wanted to right the wrong he had done. He had a long record of similar occurrences. Unfortunately his family also seemed less excited about supporting him. They did agree to work with us though.

When speaking to the victim, the manager of the business, we got to hear the event described from a very different standpoint. The feelings were very intense. The violation was deep. Yet the victim was willing to work with the boys to search for an acceptable agreement, but was firm that the whole amount for the repairs needed to be paid. His personal interest in the boys' lives and their relations with the community were evident.

I did not feel the pressure of leading the mediation, so I had the opportunity to observe and try to understand the process. Using the "VORP Peacemaking Model" Sara was able to help them navigate through what seemed to be a very natural and constructive process. Although both sides knew what happened, until that point they only knew their side. The "recognizing injustices" part of the meeting helped them describe what happened and express their feelings to one another.

As each offender told their story the victim repeated it in his own words, they all began to understand what was going on that night when this crime happened. Each boy expressed that they now saw what they had done as a stupid thing and that they had not been thinking. The manager also told his experience and expressed how when it first happened he really felt scared, intimidated, embarrassed and angry having much of this hate language directed at him. The boys took turns summarizing what he

See 'Offenders promise...', page 2

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Learning, healing are voluntary, cooperative processes

Continued from page 1

or violations have been recognized? (2) Do we agree that the following items (maybe apology, restitution, or other constructive acts) will restore equity as much as possible? (We realize that there is some portion of equity that is not covered by these.) (3) Do we agree that the following items, if completed, will create a safer, more civil and constructive future for everyone involved and do we have clear arrangements for follow up meetings and an accountability process? (4) Do we agree that all of these agreements are respectful, reasonable, and restorative for all of the parties?

In all of the mediation programs mentioned above, the participants are involved in the first place because of a negative experience. What these programs do is to offer the participants a chance to decide how they want to approach the problem and then to decide if they think they have arrived at some agreements that will transform the negative experience(s) into something less negative or perhaps even into a positive.

Voluntary participation does not mean that if one doesn't choose this option, the problem will just go away. The context for these programs is that if you don't choose to deal with it using mediation, or if you try this way and can't find a way to improve the situation, then some other process will be imposed. Voluntary, in these cases, means that the parties are given a choice about which process to use and are not forced to participate in a mediation or to make any agreements even if they choose to participate in mediation. In the case of Redress, it is assumed that all su-

perisors will enter the process if the employee wants to enter it. However, when it comes to agreement, the agreement must be voluntarily.

Some are suggesting that VORP should be more like the Redress program in this entry part of the process. They are suggesting that if the victim wants to participate in a mediation, the offender should be required to participate. The second part would continue that any agreements made must be voluntary on all sides.

Perhaps the question could be put another way. It seems to me that if someone is adamantly opposed to entering the process, it is very unlikely that it will be productive. If, however, we think of a continuum from totally opposed to totally in favor, we might say that it is not appropriate to force someone into a mediation who is on the totally opposed end of the continuum.

We do know that there is a significant difference in what happens after a meeting if the decisions are voluntarily agreed to by all of the parties. The relationship of the parties is more cooperative when the agreement is arrived at voluntarily by all parties. And, the completion rate of the agreement is much higher when all say they have agreed as opposed to a contract or decision imposed where at least one of the parties says that they had no choice.

Learning and healing are voluntarily and cooperative processes. My experience is that if the parties decide they want to find a constructive agreement for both, they can. The question seems to be how to create an environment where the parties voluntarily decide to be constructive with each other. The VORP process has proven to be very successful in creating this environment.

Offenders promise 'never again'

Continued from page 1

had said. The one least willing now asked, and "how do you feel now?" He said that even though it had been painted over, if you look closely, you can still read it. "I still feel bad!"

It appeared to me that this talking and summarizing facilitates crucial understanding and recognition that is essential to building trust and beginning the restorative process.

In discussing restitution, the monetary part was the easiest. Each offender committed to paying for half the damage. The personal side of "restoring equity" was trickier. After verbal apologies and much discussion, each offender promised to write a letter of apology to the victim. Because the crime had affected many people, the letters were to be shared with those involved. This part of the agreement was a way for the boys to express their apologies and commitment to change to the larger community, and create a larger circle in which they would be held accountable in the future.

At the end of the meeting "future intentions" seemed clear. After talking to the victim and understanding that what they did affected real people in real serious ways, the offenders made promises to never do this type of thing again.

As Sara was writing the agreement, there was some silent time. The offender, who initially was least willing, voluntarily expressed to the victim again, "I'm very sorry for doing this

to you." The manager responded with appreciation and expressions welcoming him back to the community since he had accepted responsibility and now is making things as right as possible.

In my opinion another great part about the meeting was that the parents of one of the offenders finally realized that their son had been doing some pretty bad things. They pledged their commitment to spend more time together and work with their son to create a better future. Seeing the parents and young people making commitments to work with each other seemed like another big step on the road to healing.

Thanks Margaret and Sara. "Blessed are the Peacemakers!"

Volunteers needed!

VORP mediators learn and practice peacemaking skills they can use in the home, workplace, and congregation. The next three trainings are scheduled on: September 10 & 11; October 5, 12 & 19; and November 12 & 13.

For participants who agree to take three cases, the cost of the training is only \$20; for others, the cost is \$100.

Call VORP for details at 291-1120

VORP relies on your contributions

This is a good month to make a resolution to continue or to start supporting VORP financially.

The VORP Peacemaking Model can have a powerful and positive impact on people and communities. If each person receiving this newsletter gave \$20 per month, VORP could double its case load.

Please consider making a modest yet significant contribution to building a safer and more peaceful community.



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