

# National Survey of Victim Offender Mediation Programs in the US

Overview of survey results reveals both diversity and connection among programs across the United States

By Jean E. Greenwood, M.Div.  
 and Mark S. Umbreit, Ph.D.

(Editors note: This article provides an overview of The National Survey Of Victim Offender Mediation Programs in The United States, conducted in 1996-1997 by the Center for Restorative Justice and Mediation, University of Minnesota, School of Social Work. The National Survey was designed to determine the number of victim offender mediation programs developing in communities throughout the United States. Following are some of the results of the survey and important themes that emerged from interviewing program staff.)

### Curiosity abounds among VOM practitioners:

- How many programs conduct face-to-face preparation with the parties?
- Is mediation always voluntary?
- What kinds of crimes are viewed as appropriate for VOM?

It is not unusual for VOM programs to operate with very little sense of how their policies and practices compare with the broader field of VOM. Many questions were addressed, and other questions raised, by an extensive survey conducted in the U.S. in 1996-97 by the Center for Restorative Justice & Mediation at the University of Minnesota, School of Social Work. This survey was made possible by a grant from the Office for Victims of Crime, U.S. Department of Justice.

Who was interviewed? Substantive phone interviews were

conducted with 116 programs from among the 289 programs identified. Types of programs interviewed:

- 43% - private, community-based
- 23% - church-based
- 16% - probation
- 8% - correctional facility
- 4% - prosecuting attorney's office
- 3% - victim services
- 2% or less - police, residential facility

Who refers cases to VOM programs? Probation officers were the most frequent source of referrals (29%), followed by judges (23%), prosecutors (15%), juvenile diversion (13%), police officers (10%), defense attorneys (7%), community members (2%), victim advocates (1%).

What kinds of cases are mediated? The three most common offenses referred to VOM programs, in the order of frequency, were: 1) vandalism, 2) minor assaults, and 3) thefts; 33% of

cases referred were felonies, while 67% were misdemeanors. Programs working only with juvenile offenders and their victims represented 45% of the sample, those working only with adult offenders, 9%, those working with both, 46%. Mediations are conducted at various points in the justice process: 34% diversion; 28% post-adjudication but pre-disposition; 28% post-disposition; 7% at various points; 3% prior to court.

Are mediations ever conducted in cases of more severe violence? Programs responded affirmatively as follows:

- 33% - assault with bodily injury
- 18% - assault with deadly weapon
- 11% - negligent homicide
- 8% - domestic violence

See Survey on page 7

Contents			
<u>Regular Sections</u>		<u>Feature Articles</u>	
Member Connections	2	National Survey	1
World Connections	6	What Makes Mediation	
Training Connections	8	Meaningful?	5

## Welcome to the New VOMA Connections

VOMA is pleased to announce the new and improved VOMA Connections. As we enter the last year of this century and prepare for the next, our newsletter is changing. Our name, VOMA Connections, symbolizes the purpose of the newsletter - to connect you, our members, and others to the latest in the field of victim offender mediation and conferencing, nationally and internationally.

In addition to our new name, you will notice a whole new design and graphics, thanks to Mark Dixon, who comes to us from Eugene, Oregon with many years of professional experience in magazine lay-out.

The new VOMA Connections will include a variety of information - articles, interviews, case studies, a research and resource section, program information, photos, and more. In addition, look for our regular sections (world connections, member connections, training connections, etc.) for lots of interesting news.

A particularly exciting addition to the newsletter is upcoming in 1999—the *Research and Resource Bulletin* highlighting critical research in a brief and easy to read format along with the latest in videos, books, assessment tools and other essential resources. Watch for this valuable contribution by Dr. Mark Umbreit and colleagues at the Center for Restorative Justice and Mediation, University of Minnesota.

The next issue of VOMA Connections will feature an in-depth look at the nuts and bolts of fundraising and development. If you would like to contribute ideas for maximizing funding and resources, please submit your article to VOMA Connections by Feb. 1, 1999.

### 1998-99 VOMA *Board of Directors*

*Lorraine Stutzman Amstutz, Co-Chair*  
MCC Office on Crime and Justice  
2501 Allentown Road  
Quakertown, PA 18951  
215/536-2733; fax 215/536-2783  
email: amstutz@fast.net

*Jan Bellard*  
Mediation Network of North Carolina  
P.O. Box 705, Brevard, NC 28712  
828/877-3728; fax 828/877-5060  
email: janbellard@citcom.net

*George Dash*  
87 Mackenzie Way  
Regina, Saskatchewan S495M8  
306/693-0780; fax 306/787-0088  
email: gdash@justice.gov.sk.ca

*Dave Doerfler*  
Texas Dept. of Criminal Justice  
Victim Services Div.  
P.O. Box 13401, Capitol Station  
Austin, TX 78711  
512/406-5441 or 800/848-4284;  
fax 512/452-0825

*Kathy Elton*  
Mediation Programs Coordinator  
Administration Offices of the Court  
P.O. Box 140241  
Salt Lake City, UT 84114-0241  
801/578-3982;  
email: kathye@email.utcourts.gov

*Kathy Hall, Secretary*  
Iowa Mediation Service  
1025 Ashworth Road, Suite 202  
West Des Moines, IA 50265  
515/223-2318; fax 515/223-2321  
email: amh335@aol.com

*Bruce Kittle, Co-Chair*  
The Restorative Justice Project  
University of Wisconsin Law School  
975 Bascom Mall  
Madison, WI 53706  
608/262-4013; fax 608/263-3380  
email: bakittle@facstaff.wisc.edu

*Mike Llado*  
2072 Mistletoe Court  
Tallahassee, FL 32311  
850/656-3379  
email: Peaceworks@planetdirect.com

*Doris Luther*  
P.O. Box 335  
Cumberland, ME 04021  
207/829-5775; fax 207/829-6894  
email: dluther@igc.org

*Carolyn McLeod*  
Community Justice Prog.,  
Washington Co. Court Serv.  
P.O. Box 6  
Stillwater, MN 55082-0006  
651/430-6948; fax 651/430-6947  
email: mcLeod@co.washington.mn.us

*Beverly Moore*  
Restorative Justice Program  
Community Mediation Services  
44 W Broadway, Suite 202  
Eugene, OR 97401  
541/344-5366; fax 541/687-8392  
email: mediate@efn.org

*Marty Price*  
VORP Information and Resource Center  
19813 N.E. 13th Street  
Camas, WA 98607  
360/260-1551; fax 360/260-1563  
email: martyprice@vorp.com

*Ann Warner Roberts*  
Center for Restorative Justice & Mediation  
University of Minnesota  
Dakota Co. Community Corrections  
1406 Palace Avenue  
St. Paul, MN 55105  
Tele/fax: 651/699-4532  
email:  
annwarnerroberts@compuserve.com

*Barbara Schmidt*  
KINnections Program  
Kansas Children's Service League  
1365 N. Custer  
Wichita, KS 67203  
316/942-4261; fax 316/943-9995  
email: bschmidt@kcsl.org

*Sue Wiese, Treasurer*  
Mediation Services - Franciscan Skemp  
LaCrosse County Administration Center  
400 N. 4th St., Suite B01  
LaCrosse, WI 54601  
608/784-7322; fax 608/784-5910  
email: wiese.susan@mayo.edu

*Administrator*  
Bill Preston, VOMA Administrator  
4624 Van Kleeck Drive  
New Smyrna Beach, FL 32169  
904/424-1591; fax 904/423-8099



# Request for Proposals for the 16th Annual VOMA Conference In Harrisburg, Pennsylvania

VOMA invites you to attend the 16th Annual International Training Institute and Conference, September 14-18, 1999, in Harrisburg, Pennsylvania. This conference promises to be better than ever. As in the past, the Conference will provide two programs:

The Training Institute from Tuesday, September 14th through Thursday, September 16th, will include VOM skills training at beginning, intermediate and advanced levels, group conferencing, circle process and sentencing and much much more.

The Annual Conference on Friday, September 15th and Saturday, September 16th will feature workshops on innovative practices in restorative justice and will address a multitude of issues relating to victims, community mobilization, cross-cultural processes, research and evaluation, and transforming systems.

If you have special topics you would like to see covered or have other ideas on how we can work together to make this the best conference ever, please feel free to

contact Bruce Kittle (listed below). In addition to useful and exciting workshops, seminars and training courses, VOMA wants to improve the quality and quantity of food service and other creature comforts in response to your suggestions.

Proposals for workshops, seminars and training courses should include: 1) name, address, phone, e-mail and resume of presenters, 2) description of topic and presentation, 3) short bio of presenters, 4) time required for presentation, and 5) audio visual needs. **The deadline for submission of proposals is December 31, 1998.** Receipt of proposals will be confirmed by written notice within two weeks of the date they are received. Presenters will be informed by March 15, 1999 if their proposal has been selected. Honorariums are offered.

Please mail written proposals for training courses, 1-hour workshops and plenary sessions to:

Bruce Kittle,  
Restorative Justice Project  
University of Wisconsin Law School,  
975 Bascom Mall  
Madison, WI 53706  
tel: 608-262-4013, fax: 608-263-3380  
e-mail: bakittle@facstaff.wisc.edu.

## VOMA Connections

VOMA Connections is published by the International Victim Offender Mediation Association. VOMA's mission is to provide inspiration, leadership and information-sharing in the development and support of various models of justice which create opportunities for dialogue between victims, offenders and their communities for the purpose of healing and restoration.

Submissions of articles, literature reviews, case studies, program news, and other interesting info is welcome for review. Send submissions to either:

### **Beverly Moore**

Restorative Justice Program  
Community Mediation Services  
44 West Broadway, Suite 202  
Eugene, OR 97401  
541/344-5366; fax 541/687-8392  
email: mediate@efn.org

or

### **Annie Roberts**

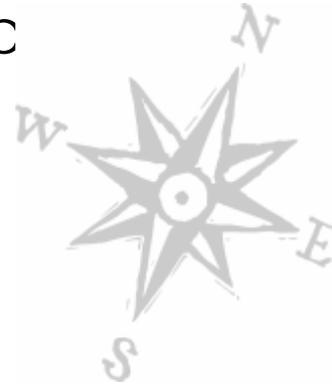
Center for Restorative Justice and  
Mediation  
University of Minnesota  
Dakota County Community Correctons  
1406 Palace Avenue  
St. Paul MN 55105  
tel/fax: 651/699/4532  
email: annwarneroberts@compuserve.com

## **Victim Offender Mediation Association**

4624 Van Kleeck Drive  
New Smyrna Beach, FL 32169  
tel: 904/424-1591  
fax: 904/423-8099  
email: voma@voma.org  
on-line @ www.voma.org

# Executive Committee Rep

by Lorraine Stutzman Amstutz, Co-Chair  
and Bruce Kittle, Co-Chair



Last September, the site committee for the 15th Annual VOMA Conference in Tucson, Arizona were true to their word... the weather and the arrangements were wonderful.

We appreciate the incredible amount of time and hard work they put into hosting us and look forward to having them come and relax with us in Harrisburg, PA, in 1999 for the 16th Annual Conference.

At the VOMA Board of Directors meeting held at the Conference, we welcomed new members Kathy Elton from Utah who will serve on the Electronic Communications Committee, Mike Llado from Florida who will serve on the Fundraising Committee, Jan Bellard from North Carolina who will serve on the Public Relations Committee, and George Dash from Saskatchewan (who unfortunately was unable to join us in Arizona) who will serve on the Membership Committee.

The new members joined ongoing board members Anne Warner Roberts (*Fundraising and Publications Committee*), Marty Price (*Electronics Committee*), Carolyn McLeod (*Publications Committee*), Kathy Hall (*Secretary*), Sue Wiese (*Treasurer*), Barbara Schmidt (*Conference Program Committee*), Beverly Moore (*Publications Committee*), David Doerfler (*Membership Committee*),

Doris Luther (*Conference Program and Ethics Committee*), Lorraine Stutzman Amstutz (*Co-Chair and Site Committee*) and Bruce Kittle (*Co-Chair and Program Committee*).

We are continuing the process of naming Advisory Board members and welcome suggestions for people in the field that can provide ongoing input as we seek to look at where VOMA is headed in the future. Those already agreeing to serve on the Advisory Board are Kay Pranis, Minnesota; Debbie Watters, Northern Ireland; Howard Zehr, Virginia; Wayne Northey, British Columbia and Mark Umbreit, Minnesota.

During the Board meeting, we spent time looking at fundraising issues to further the mission and vision of VOMA, as well as reviewing VOMA member benefits. We all look forward to providing members with more information via the Internet as well as adding a web page or link for VOMA members.

A new VOMA logo was approved, and we will soon have a new brochure to promote VOMA as a thriving organization within the field of victim offender mediation.

Last but not least, we are excited to announce that the 16th Annual Conference will be in Harrisburg, Pennsylvania in September. We look forward to seeing you there.

## VOMA On-Line

This issue of VOMA Connections and past VOMA newsletters, as well as conference schedules, links to related sites, and up-to-date information can be found on VOMA's web site at [www.voma.org](http://www.voma.org).

## E-mail Announcement List

VOMA members wishing to be on the e-mail announcement list should send their e-mail address to: [duanerh@fresno.edu](mailto:duanerh@fresno.edu)

Members who listed their e-mail address at the annual VOMA conference in Tucson and who have not received a confirming e-mail should likewise e-mail to: [duanerh@fresno.edu](mailto:duanerh@fresno.edu)

Others who want e-mail updates of the VOMA web page ([www.voma.org](http://www.voma.org)) should go to that page and subscribe through the netminder URL provided.



# What Makes Mediation Meaningful for Participants?

## A Look at Underlying Principles of Victim Offender Mediation

by Jean E. Greenwood, MDiv

Victim offender mediation continues to impress practitioners and participants alike with its potential to touch, to heal, to bring about positive change. Many in the field have pondered this transformative dimension, asking themselves: “What are the ingredients that produce such impactful results?”

Here are some possibilities:

**Telling Stories:** The “personal” is powerful - genuine stories of people’s experience and personal responses may evoke acceptance, empathy, and acknowledgement, insight and learning about self and other. The telling and hearing of these stories can be empowering, healing, and transformative for both storyteller and listener, as they engage in direct dialogue without undue intervention by the mediator.

**Structure:** Appropriate structure (eg. neutral third party facilitation, procedural guidelines, relaxed setting, intentional seating plan) can help to neutralize status and power and to promote mutuality, thus encouraging a safe environment conducive to dialogue, even in emotionally intense situations.

**Personal Responsibility and Empowerment:** Providing the parties with the opportunity to “own” their actions and feelings, express their

wants and needs, and then act on their own behalf facilitates a sense of personal power and responsibility. Presenting choices to the parties whenever possible (e.g., when and where to meet) also maximizes their capacity to feel empowered by the process. Human beings possess untapped inner resources that with encouragement may be elicited and utilized to address issues and resolve problems of importance to them.

**Cooperation and Creativity:** Discovering and communicating underlying information, needs, and interests can promote a collaborative spirit and encourage more satisfying results. Differences and conflicts can elicit creativity and a sense of possibilities otherwise unknown.

**Agreements:** Well-written agreements (e.g., clear, concrete, achievable/durable, accurate, personalized, reflective of the parties’ interests and needs) guide and focus behavior, thereby generating and enhancing results.

**Preparation:** Preparation is essential. Preparation with each party increases the potential effectiveness of the mediation session, by providing information, validating the parties’ experiences and feelings, engaging in dialogue about possible risks and benefits of mediation, supporting individual decision-making, and establishing rapport and trust. Self-awareness, inner quieting, and personal

focus enhance the preparedness of the mediator to facilitate the dialogue between the parties.

**Mediator’s Style:** The mediator’s presence (attitude, demeanor, focus, integrity, rapport with the parties) plays an important role in creating a safe space where genuine conversation between the parties may occur. Flexibility on the part of the mediator will allow the mediation process to be shaped by the needs of the parties. The use of specific techniques and strategies by the mediator must serve the larger goal of creating an environment in which respectful dialogue can occur. It is not necessary for the mediator or the parties to have answers and solutions before they begin the session. Mediators who trust themselves, their integrity, intuition, skills, and preparedness, and also trust the process and the participants, pave the way for meaningful interaction.



VOMA Recommended Ethical Guidelines Available

VOMA has recently completed Recommended Ethical Guidelines. For a copy of the complete Guidelines, contact VOMA.

# VOP Program in Oregon Combines VOM and Criminal Thinking Error Training

by Maureen Holen and Joanne Lescher

The Victim Offender Program (VOP) at Mediation Works, a Community Dispute Resolution Center in Medford, Oregon, is an interesting program to examine as it differs from other Victim Offender Mediation Programs.

VOP is something of a hybrid program. It combines elements of traditional VOM models with elements of conflict resolution and criminal thinking error training. The program also differs in that the juvenile offenders involved have already been adjudicated, and are required to participate in VOP as one of a variety of consequences that includes community service, restitution payments, lock up, etc.

Youthful offenders are referred to the program by Juvenile Department probation officers. The juveniles must first satisfactorily complete a series of classes before participating in a mediation process. The classes contain the following elements:

- how to identify and avoid using criminal thinking errors,
- developing empathy for others,
- the ripple affect of the juveniles' crimes,
- brainstorming positive choices,

- writing a letter of apology to the victim.

The classes consist of four, 1- hour sessions and require full participation from the offenders. The goal is to help offenders:

- develop victim sensitivity
- realize that they are not "bad people" but instead have made "poor choices"
- make healthier choices in the future.

Once the offender has completed all assignments and passed the class (which is a challenge for many), he or she is eligible to participate in the mediation process.

Of course, mediation only takes place if the victim of the crime is interested and willing to participate. Because financial restitution has already been set by the court, the mediation session focuses on bringing closure and healing, and addresses other non-monetary needs.

If the victim is unable or unwilling to participate, the mediation takes place between the offender and his or her parent(s). A mediation between the parent and child can often be just as effective for the juvenile offender as a meeting with the crime victim. Parents often feel victimized by their child's crime and have never been able to share those feelings with their son or

daughter. The mediation session provides an opportunity for both parties to share their feelings and experience of the crime in an environment of safety and support. Often, in these mediations between the juvenile offender and his/her parents, we have seen the first steps toward positive communication and true listening.

Although this program is new, the results so far have been promising and exciting. The juvenile offenders have learned to take responsibility for their actions and have been able to express sorrow and empathy for their victims.

Victims and parents have also been very pleased with the results of the program. Many have expressed to us that they are more able to move on with their lives and have fewer questions and fears about the crime they experienced.

Although only time will tell the long-term impact of the program, we are pleased with the results we have witnessed so far.

*For more information contact:  
Mediation Works  
33 North Central, Suite 306  
Medford, Oregon  
97501 541-770-2468*

# VOM Network Helps Programs in Pennsylvania

by Becky Glessner  
Somerset County Juvenile Court  
Victim/Offender Mediation Program

The PA VOM Network was established in 1997, as a result of the Restorative Justice Initiative throughout Pennsylvania's Juvenile Justice System. Founded by Jane Riese of York County and Beck Glessner of Somerset County, and supported by the Pennsylvania Commission on Crime & Delinquency, the network meets quarterly at PCCD offices in Harrisburg to discuss mediation issues and program development.

The purpose for this establishment was to connect with other restorative justice programs for juveniles across the state and to validate the Victim/Offender Mediation programs in Pennsylvania. The network currently has more than 20 members who represent such programs as Victim/Offender Mediation and Youth Aid Panels, along with representatives of the PA Dept. of Corrections, PCM (Pennsylvania Council of Mediators), Juvenile Court Judges Commission, and victim advocacy across the state. We are also very proud to have Lorraine Stutzman-Amstutz, co-author of the Pennsylvania Victim/Offender Conferencing Manual with Howard

Zehr, as a current member of the network.

If you would like more information on the PA VOM Network, please contact Sean McNalley, Allegheny Co. Victim/Witness Coordinator and Editor of the PA VOM Network Newsletter at 412-587-8260.



## Mediator Self-Assessment Tool Available

The Wisconsin Association of Mediators has created a Self-Assessment Tool for Mediators. It is an easy-to-use seventeen page booklet designed to guide one's overall practice of mediation and provide practical application to specific cases. It assists mediators to prepare for mediation, reflect on their strategies, and review their performance. This tool can be used independently, with a consultant, or as a guide for group discussion on high quality mediation. To order send \$5.00 check payable to:

The Wisconsin Association of Mediators  
PO Box 44578  
Madison, WI. 53744-4578  
Phone: 608-277-1771  
email: cow@mailbag.com

## Survey

*continued from page 1*

- 7% - sexual assault within family
- 6% - sexual assault by stranger
- 6% - murder
- 3% - attempted murder
- 8% - other

Is participation in mediation voluntary for victims and offenders? In all programs, victim involvement is always voluntary (100%). For most programs, it is also voluntary for offenders (79%), while others require the offender to meet the victim, if the victim is interested (21%).

Is an admission of guilt required for offenders to participate in mediation? In 65% of the programs, offenders are expected to admit guilt regarding the referred offense prior to participation. Other programs do not require a formal admission of guilt but rather an acceptance of some personal responsibility for the crime. A number of interviewees indicated they are now accepting cases involving a degree of ambiguity between the roles of victim and offender.

How often do mediation sessions result in written agreements? Of the cases mediated,

*continued on page 9*

# Nova Southeastern University Announces Distance Doctoral Program in Dispute Resolution

by Honggang Yang, Ph.D.

The Department of Dispute Resolution at NSU is launching a new Ph.D. program in a distance format to accommodate and meet the needs of working adults in the fields of peacemaking and conflict resolution. The development of distance doctoral studies is based on our residential academic programs that attract life-long learners from all over the world who are committed to academic excellence, social responsibility, and informed, reflective practices.

The distance Ph.D. program develops an optimal combination of innovative learning models, teaching approaches, and interactive media so that working adults do not have to relocate to study for their doctorate. It offers students weeklong, limited-residential institutes, on-line seminars, and individualized systematic studies. This flexible format will allow and encourage mid-career working adults to define and shape their intellectual and practice paths in a creative, rigorous, and structured fashion.

The 82-credit-hour program includes courses of theoretical foundations, history and

development of the field, research methods, practica, skill development, and substantive topic areas in the field. The program will admit its first group of distance doctoral students next summer in preparation for commencement of their Ph.D. studies in September 1999.

While the department is developing distance programs for the field, it will continue to support and enhance its residential programs (i.e., Graduate Certificate, M.S., and Ph.D. Programs) that are offered on campus.

The NSU is located in the beautiful, vigorous metropolitan area of Fort Lauderdale, and is the largest independent university in Florida. For more curriculum and admissions information about the residential and distance graduate programs, please contact:

Department of Dispute Resolution  
School of Social & Systemic Studies  
Nova Southeastern University (NSU), 3301 College Avenue  
Fort Lauderdale, FL 33314  
Phone: 954-262-3000  
fax: 954-262-3968  
toll free: 800-262-7978  
E-Mail: CR@ssss.nova.edu

Online at [www.nova.edu/ssss/DR/adr.html](http://www.nova.edu/ssss/DR/adr.html)



## 1999 Summer Peacebuilding Institute at Eastern Mennonite University

Applications for the 1999 Summer Peacebuilding Institute at Eastern Mennonite University are available. Last year representatives from 50 countries attended the Institute. Classes in 1999 include Introduction to Conflict Transformation, Trauma Healing and Reconciliation, Restorative Justice and Victim Offender Conferencing and many more.

*The deadline for applications is January 15, 1999.*

For Application contact:

Summer Peacebuilding Institute  
Eastern Mennonite University  
1200 Park Road  
Harrisonburg, VA 22802-2462  
tel: 540/432-4490  
fax: 540/432-4449  
E-mail: [ctprogram@emu.edu](mailto:ctprogram@emu.edu)  
on-line: [www.emu.edu/ctp/ctp.htm](http://www.emu.edu/ctp/ctp.htm)

**Survey**

*continued from page 7*

**National Restorative Justice Training Institute 1999**

Tentative Plans for the 1999 National Restorative Justice Training Institute at the University of Minnesota are available. Trainings include one-day, three-day and four-day classes, including Peacemaking and Sprituality:Touching the Soul of Restorative Justice; Restorative Justice in the 21st Century: Dangers and Opportunities; and Victims of Severe Violence Meet the Offender: A Journey toward Healing and Strength. For more information contact:

Center for Restorative Justice and Mediation  
 School of Social Work  
 University of Minnesota  
 386 McNeal Hall  
 1985 Buford Avenue  
 St. Paul, MN 55108-6144  
 612/624-8224  
 E-mail: crt4rjm@che2.che.umn.edu  
 on-line: www.che.umn.edu/ctr4rjm

**Training for Restorative Justice Trainers**

Practitioners with experience in one or more restorative justice efforts who wish to increase their capacity to train others within and beyond their own jurisdiction are invited to apply to two seminars scheduled in 1999.

The seminars, sponsored by the Office of Juvenile Justice and Delinquency Prevention, National Institute of Corrections Academy and Florida Atlantic University Community Justice Institute will be held in Florida (March 3-12) and Colorado (June 23-July 2).

Registration is limited to 24 participants per seminar.

For application information contact:

Phyllis Bebko at 954/762-5330  
 or  
 Mike Dooley at  
 1/800/995-6429, ext. 132.

What preparation is done with the parties -- or how are the parties prepared prior to the mediation session? In 78% of the programs, separate pre-mediation sessions are held in-person with victims and offenders. These sessions are conducted by the mediator (80%) or intake staff (20%).

What are the mediator's most important tasks? Programs identified these tasks as crucial, in order of importance:

- 1) facilitating a dialogue between victim and offender;
- 2) making the parties feel comfortable and safe; and
- 3) assisting the parties in negotiating a restitution plan.

How often is the co-mediation model used? Many programs routinely use co-mediators (70%), others only occasionally (23%), while others use only solo mediators (7%). Reasons for the use of co-mediation included: training new mediators, quality control, teamwork, case processing and debriefing, safety, balancing racial/ethnic/gender/age diversity, involving more community volunteers.

*continued on next page*

***“Follow-up to the mediation session is on the cusp of becoming an area for substantive and creative enhancement of VOM programming...”***

## Survey

*continued from page 9*

How many hours of training are required for mediators? The average number of hours required for mediator training was 31 hours, not including apprenticing expectations. Training includes an average of 11 hours spent in role playing.

### *Themes That Emerged —*

1) Impact of context: Procedures, practices, program design and viability are influenced by the attitudes, structures, and resources of the communities in which the programs are situated.

2) Isolation: VOM programs frequently operate in relative isolation, geographical or otherwise, from other programs, and, as a corollary, mediators often complete their cases having minimal contact with other mediators or staff.

3) More challenging referrals: Programs are being asked to mediate crimes of increasing severity and complexity.

4) Merits of preparation phase: While considered foundational by most programs, on-site pre-mediation preparation raises questions for some who question its necessity.

5) Enthusiastic staff: Program staff in VOM programs typically express

strong convictions about the positive impact mediation has on participants and communities.

• “When they walk into the mediation session, these are people who don’t trust each other or recognize any importance or commonality in each other. Then an hour and a half later they walk out recognizing their commonality.... It’s a sort of soul-purging for something that had happened to them - they get it off their minds and it’s really a revelation for them. They get it out and get on with their lives.”

• “When offenders are done with probation, the PO asks them what it is that will most help them not re-offend. Those who have experienced mediation often remark, “mediation was the hardest thing to do but I get it now - it made me think about the victim.”

• “Just even contacting the parties and acknowledging that they’ve been through an experience that’s different.... They don’t have this opportunity elsewhere in their lives to have a third person assist them through a recognition process. They come out saying, “this is really nice - everyone should have a chance to do this.”

6) Common vision: While a range of practices in select areas exists among VOM programs, the goals espoused and,

perhaps, achieved are relatively similar, typically articulated more as transformation than settlement.

7) Consensus on training: Considerable agreement exists among programs regarding the training format, the importance of role plays, and issues for mediators that need to be addressed, e.g., maintaining neutrality, appreciating diversity, dealing with difficult people, developing comfort with the expression of intense emotions. In addition, virtually all interviewees indicated that advanced training is necessary in working with cases of severe violence.

8) Potential of follow-up: Follow-up to the mediation session is on the cusp of becoming an area for substantive and creative enhancement of VOM programming, e.g., ongoing contact with victims, resourcing and referral for the participants, mentoring of offenders, training in jobsearch skills, supervision of community service.

9) Common challenges: Many programs report concerns about funding, referrals, building support in the community and in the justice system, developing collegial relationships with victim service

***“How useful is it to teach communication techniques, when they seem to work against a natural flow and authentic, spontaneous communication style?”***

providers, and eliciting the participation of victims in the VOM process.

10) Wrestling with issues:

- If certification for mediators becomes legislatively-mandated, will the field move in the direction of professionalism and away from volunteerism and the qualities of a “grassroots movement?”
- How do we maintain quality standards for mediators?
- How can we balance the needs of victims and offenders?
- Is it possible for offenders to be victimized by a VOM process that is strongly punitive and shaming?
- Is it helpful to have multiple supporters attend the mediation? Can the presence of too many “others” detract from the personal quality of the session?
- What is a helpful and appropriate role for parents of juvenile offenders in the mediation session?
- If VOM is sponsored by victim services or probation, will the neutrality of the program be jeopardized in the eyes of participants?
- Is mediation most useful as an

alternative to adjudication, treatment, or incarceration, or as a supplement to the normal court process?

- How can we deal with pressure from the court system for particular outcomes, e.g., quick settlement? Can we maintain positive relationships with referral sources while maintaining the integrity of the labor-intensive VOM process?
- At what point in a victim’s journey, following the crime, is it most beneficial for mediation to occur?
- Do we need an unequivocal confession of guilt by the offender before proceeding, or will the process itself elicit a stronger sense of responsibility in the offender? What if the victim wishes to proceed regardless of the offender’s attitude?
- How useful is it to teach communication techniques, when they seem to work against a natural flow and authentic, spontaneous communication style?
- How can we train mediators to be empathetic with the unique experiences of both offender and victim, while countering the danger of labeling, which identifies a person solely as “victim” or “offender?”

**Mark S. Umbreit, Ph.D.,** is Director of the Center for Restorative Justice and Mediation at the University of Minnesota. Mark is internationally known as a trainer, mediator, researcher and author.

**Jean Greenwood, M. Div.,** is a researcher, writer, trainer and speaker in the field of victim offender mediation and restorative justice. Jean has trained mediators across the nation and consulted with programs in Sweden and the United Kingdom.

---

A copy of the full National Victim Offender Mediation Survey can be obtained by contacting the:

Center for Restorative  
Justice & Mediation  
School of Social Work  
University of Minnesota  
386 McNeal Hall  
1985 Buford Avenue  
St. Paul, MN 55108  
612/624-4923



# VOMA Membership

- Agency membership is available to any organization that has an interest in the mediation process, the philosophy of restorative justice, or the criminal justice system. Annual agency dues are \$150.00.
- Individual membership is available to those persons interested and/or involved in victim-offender mediation and reconciliation programs. Annual individual dues are \$40.00.
- Student membership is available to full time students. Annual student dues are \$15.00.

VOMA membership benefits include the VOMA Connections, the Annual Directory of Members, access to VOMA resources, and agency discounts on the Annual Conference.

## Membership Application

Name/Contact Person \_\_\_\_\_

Title \_\_\_\_\_

Program Name (if agency membership) \_\_\_\_\_

Mailing Address

City \_\_\_\_\_ State/Province \_\_\_\_\_ Postal Code \_\_\_\_\_ Country \_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_ e-mail address \_\_\_\_\_ Amount Enclosed \_\_\_\_\_

**Victim Offender Mediation Association**  
4624 Van Kleeck Drive  
New Smyrna Beach, FL 32169