

VOMA Quarterly

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Restorative Justice and Jewish Law

by David Lerman

In March, 1994, the members of Temple B'nai Jeshurun of Des Moines, Iowa awoke to find neo-nazi graffiti and swastikas scrawled on their synagogue. Des Moines rallied around the Jewish community. Zealous investigation led to the arrest of the perpetrators: a 19-year-old male disciple of the Aryan Nation and his 17-year-old girlfriend, both with no prior records. They were charged with felonies for their hate crime.

Prior to trial, Fred Gay, a deputy district attorney, approached the Temple's Rabbi, Steven Fink, with a suggestion: would the Temple members be interested in meeting with the two perpetrators to explain to them the damage done by their act of hate-vandalism and possibly to work out a sentence? Rabbi Fink and the Temple leadership agreed.

The defendants pled guilty, and sentencing was put off to accommodate the proposed meeting. A 4-hour facilitated session--part of Des Moines' Victim Offender Reconciliation Program (VORP) - was held, during which Temple members, including two Holocaust survivors, and a former Israeli military officer, met with the offenders.

It soon became clear that the two - boyfriend and girlfriend - were classic "wannabes." The boy came from a broken home, was the proverbial 98-pound weakling, and had a hearing disability. When he was 16, the boy ran away from home and was taken in by the Aryan Nation, whose members brain-washed him. He later returned to Des Moines where he hoped to become the leader of the disparate groups of neo-Nazis in the area. The desecration of the Temple was his first

public "action" against the enemy. The young woman was extremely unsure of herself. They had been inculcated into neo-nazi thought as just "something to do," without really understanding what it meant.

During the VORP session, various synagogue members expressed the opinion that the "book be thrown" at the offenders. Others argued that simply putting these individuals in jail would only create true hard-core neo-Nazis, or victims of another sort. After much debate, the synagogue members and the defendants agreed upon the following sentence: 100 hours of service to the synagogue under the supervision of the Temple's custodian, 100 hours of study of Judaism and Jewish history with the Rabbi, a referral to a hearing specialist for the young man, a requirement that the young man remove the nazi tattoos on his arms, and attainment of employment skills and psychological assessment of both the offenders as well as fulfillment of requirements for a GED. After successful completion, the charges against them would be dismissed.

Thus, instead of simply being put in jail, the offenders learned about Jewish history and culture, including the Holocaust, had individual needs met, and took responsibility for their actions. Their future connection to the community at large was also considered. While working with the custodian, an older, wizened, jack-of-all-trades, they gained confidence in themselves and eventually finished their high school equivalency exams. They got married and had a child. Rabbi Fink and the custodian

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The Victim-Offender Mediation Association is an association of individuals, organizations, governmental entities, educational institutions, and students with an interest in mediation, restorative justice, or the criminal justice system.

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were invited to the wedding.

Restorative Justice

This innovative disposition occurred because of the foresight of the Polk County (Des Moines) Attorney's Office in adopting programs reflecting Restorative Justice principles. While our current criminal justice system determines who broke what law and when and how do we punish that person, Restorative Justice explores the ways in which crime harms relationships between people and within community. Crime is viewed as a violation of the victim and the community, not only the state. Therefore, the offender becomes accountable to the victim and the community, not the state as represented by the prosecutor. Punishment for past behavior and concern for public safety are not cast aside, but empowering individual victims in their search for healing, impressing upon offenders the human consequences of their actions, and promoting community involvement in the justice process become equally important. The process focuses on healing for the future of the main actors: the victim, the offender and the community.

Restorative Justice and Jewish Law

Jews have traditionally been intimately involved in the criminal justice system. Perhaps it is our long-standing devotion to justice and our people's tradition of legalistic thinking which has led many of us to work as lawyers, judges, social workers, and criminologists. Our traditional texts reveal that our forebears understood a justice system which looks remarkably like today's restorative justice. The justice system found in Jewish law does not differentiate between civil law and the religious-spiritual life of the Jewish people. Thus, Rashi, the 11th century Jewish scholar said "A courthouse must be close to a place of worship" to ensure that justice is truly done. Restorative justice brings a new spiritual dimension to the criminal justice system. It relies upon a more holistic approach, seeking shalom (the Hebrew root of shalom also means wholeness). It seeks to involve all the actors and emotions called upon by a criminal act.

Judaism requires a person to have some commitment to fellow humans. That commitment must be in terms of justice. But justice is not a passive principle calling upon us to do no harm to anyone. Nor is it to be activated only when one's own welfare is at stake. Justice is a positive principle requiring an active allegiance for its own sake: "Seek peace and pursue it" (Psalms 34:15). The Talmud notes that all other commandments are to be observed only when the occasion offers itself; however, in regards to this commandment, Jews are to constantly seek its fulfillment (Simon Greenberg, Foundations of Faith #1).

Jews know that repentance on Yom Kippur atones for sins between humans and the Creator. Maimonides, the great 12th century Jewish philosopher, wrote that sins between humans will never be forgiven until the offender restores the property to the victim, or makes other financial restitution. But that is not enough: the victim must be appeased. Appeasement means asking for forgiveness and assuaging the emotional discomfort caused by the offending act (Rambam, Hilchot t'shuvah, ch.2-#2). Our current criminal justice system rarely allows for true repentance by the offender. Rather, we often see what amounts to a rehearsed pronouncement about "being sorry" during the course of a guilty plea, when the victim is not likely to be present.

The role of community is paramount in righting wrongs in Jewish law. Cities of refuge were created (Numbers 35:9) as a sanctuary for those who committed unintentional murder. But were these cities barren outposts, a la Australia of the 18th century? No, they were inhabited by Levites, learned teachers and good role models. Thus, those who committed the terrible wrong of unintentional murder (punishable by prison today) were sent to live amongst people who would serve as role models on how to live their lives as productive members of society; they were not sent to prison.

The principles of restorative justice are firmly rooted in Jewish tradition. We owe it to ourselves, our communities, and our heritage to become involved in assisting our local criminal justice systems to adopt restorative justice principles and practices. A total overhaul is not what is needed: our current adversarial and retributive justice system is necessary for many criminal cases where there is a real question of culpability, and where there is a need to separate a predatory individual from society. Yet, restorative justice principles will help our communities re-weave the social fabric which continues to be torn asunder from within by many things, including fear of crime. As people become more involved in the process, their fear will decrease, and our communities will re-assert the internal social control necessary to successfully prevent crime.

David Lerman is an Assistant District Attorney in Milwaukee, Wisconsin.

His views are not necessarily representative of the Milwaukee County District Attorney's Office.

He also produces a Jewish radio program "Celebration of a People."

REFLECTIONS ON THE 14TH ANNUAL VOMA CONFERENCE EXPLORING RESTORATIVE JUSTICE AND COMMUNITY TRANSFORMATION

DES MOINES, IOWA "HUGE SUCCESS"

by Kathy Hall and Claudia Henning, Des Moines Site Committee Co-Chairs

Last September was certainly a busy time in our city! We had prepared for almost a year, and the time finally arrived! The stage was set. Everything was working like a well-rehearsed play. As Conference participants and trainers arrived, our wonderful cast of volunteers efficiently registered them and answered their questions about Des Moines.

Bring the VOMA Conference to Des Moines was a collaborative effort. Volunteers donated many hours and much energy. We extend our appreciation to the many volunteers, and a special thanks to the following individuals: Michelle Bliss, Mary Daily Lange, Mary McCoy, Marla Potts, Jon Wagner, JoAnn Young, Pat Johnson, Lolya Lipchitz, Dawn Peterson, Steve Schoode, Sheila Wagner, and Maureen Stolley. Also, the VOMA Planning Committee joins us in

acknowledging with gratitude the individuals and groups of Iowan artists who contributed to the exhibit at the Conference.

As people filtered into the trainings and workshops, we noticed large numbers of Iowans participating. It was certainly a rewarding moment. Bringing this educational and networking opportunity to those in our state was an important consideration in hosting and planning the event. Reflecting on the recent conference, we are quite happy to label it a "huge success."

Kathy Hall is Regional Coordinator of Iowa Mediation Services. Claudia Henning is a mediator with the Polk County Restorative Justice Center.

They were both the 1997 VOMA Conference Site Committee Chairs.

IMPRESSIONS OF A VOMA CONFERENCE FIRST TIMER

by P. Karren Baird-Olson, Ph.D.

About ten years ago, shortly after the murder of my three year old granddaughter Shelena Skye, I learned about a grassroots movement that advocated for conflict resolution with both victims and offenders -- a process promoting healing for both individuals and communities. I wanted to learn more about this movement because my family, friends and I had been sorely bruised by the adversarial approach of the criminal justice system. As a criminologist, I was not surprised by our secondary victimization. I have long been disenchanted with a justice system that often, if not usually, compounds the emotional, physical, and/or spiritual harm inflicted by the original injury. Yet as I dealt with the anguish of the loss of our little one, I could see that the man who had killed her had also been a victim of both structural and interpersonal violence.

At the VOMA Conference, I would finally meet some of the people involved in the mediation process of restorative justice. I was apprehensive. Was I seeking an illusive dream? Was I spending all this money to go to the Conference in a futile effort to find a more

constructive means to deal with conflict and the consequences of violence?

I found I was not disappointed by the Conference. In addition to meeting many kindred souls whose heads are connected to their hearts (including a number of "recovering lawyers"), many of my peacemaking views about dealing with trauma, even extremely violent loss, were validated. I am excited about the courage of the Texas and Oregon criminal justice professionals doing trail-breaking victim/violent offender mediation work. I am also impressed by the international status of the movement.

When Don Streufert spoke, as the tears streamed down my face, I found myself over and over silently thanking the Great Spirit! At last I had found someone who shared my personal/professional struggle to resolve the unspeakable--the violent taking of innocent life. What I learned at the Conference has not only contributed to my professional knowledge but also, more importantly, it has facilitated the final stages of my personal healing process.

TRAINING FOR TRAINERS

by Trish Charo and Barb Toews

When a trainer walks into a room and begins a workshop, her trainees have many expectations. They want to receive knowledge and creativity. They expect an atmosphere where learning can take place with the least amount of boredom.

Now picture a roomful of trainees who are trainers in their own right. Although most of this audience are experts in their field, they too have the same expectations for knowledge, creativity and an atmosphere of learning with the least amount of boredom. At the VOMA Training Institute in Des Moines, Karen Ridd, the courageous trainer, was up for the challenge of presenting a "Training for Trainers."

Karen began the training by leading a discussion on the underlying premises of the training. The first premise was that trainers are not "full vessels" pouring their knowledge into the trainees' "empty vessels." Rather, we all come to trainings with full vessels of knowledge from which we are challenged to pour back and forth among us. The second premise was that many skills used in mediation can also be used by trainers as well. Effective listening, patience, centering, respect and consensual processing (just to name a few!) are important skills for creating a successful learning experience in a training.

During the two-day Training for Trainers, Karen filled

the trainees with information on at least 101 new ways to teach mediation skills, ranging from asking questions to handling zingers, and how to make time-tested, often despised, role-plays more challenging and fun. We played games with M&Ms and we played games with brownies. Standing in a circle, we threw socks to each other to demonstrate collaboration. We shared zingers we have heard or feared we would hear, and we worked together in small groups to find appropriate zinger responses. We discussed how to set up and debrief role-plays, how to keep people from overacting, and how to deal with trainee resistance to role plays.

Through many activities, we shared creative and innovative tools for educating about restorative justice. Using our collective experience we had a great deal of fun and learned to be learners as well as trainers. As the workshop ended, we left the room better trainers. We also left with some of the courage, style and tremendous skills displayed by Karen. We believe that everyone who participated in Karen's Training for Trainers' workshop walked away giving something of themselves and receiving a lot in return.

Trish Charo is Director of a community-based diversion program for juveniles in Deleware County, Pennsylvania.

Barb Toews is Director and Lead Trainer for the

DES MOINES: SOME THOUGHTS FROM A RECOVERING LAWYER

by Jack Alkire

Since 1992 I have participated as a volunteer mediator with the Seattle, Washington VORP. My "day job" has involved litigation of business disputes as a partner in a large, Seattle-based law firm. For the last two years, I toyed with the idea of attending a VOMA Conference. I finally made it last year to Iowa, and I am glad I did. Of the thousands of things I learned (or relearned), here are a few key points I took home with me:

The mission of restorative justice is to couple resolution of conflict with restoration of positive

family and community values. This is neither novel nor complex. The persistent human need for positive family and community connections is thousands of years old, and found in every culture worldwide.

The restorative justice model is based on hope and--despite the detractors who would claim such a foundation is naive, silly, or just plain stupid--the bare fact remains that human civilization as we know it simply would not exist without this hope.

While I never heard the phrase used in Des Moines, I felt the entire week was, in a sense, an exercise in

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"tough love." Our hearts were open, but so were our eyes and ears.

I stopped in Minneapolis on the way back to Seattle and grabbed a copy of the Sunday Star Tribune. Its editorial page was devoted to an article on "Promising Initiatives--Community Can Indeed Curb Crime." What an intriguing concept, yes? The editorial touched on (1) community (Sam "collars" a ten-year-old troublemaker and calls his aunt Tee Tee); (2) collaboration (Honeywell Corp. supports block clubs and hires neighborhood residents); and (3) communication (school officials actually talking with parents). Gee whiz., do you think these guys in Minneapolis are on to something?

Today, American litigation, both civil and criminal, is a civilized (or perhaps not so civilized) form of guerilla warfare. People (both clients and lawyers) lie, cheat, steal, sell their mothers and daughters, do anything, TO WIN. (I speak metaphorically of course.) To win what? To win "the case." What is "the case"? Well, in

civil litigation, it is usually about money. Experience in these matters informs us that "winners" are few and far between. Usually both sides get less than expected (in large part because expectations are too high) and the lawyers "win" the most, through fat fees.

So after 23 years I've pretty much had it. Effective October 1st of last year I have gone on reduced status at my law firm. I will devote much of my new-found free time to mediating business disputes (for a fee), volunteering as a VORP mediator, and tending to some family business affairs. And this change feels so good.

We are indeed in the midst of a "quiet mutiny" from the established system of justice (my own career change is a perfect example of this). Des Moines was just great. Best regards to all my new VOMA friends. See you next year.

Jack Alkire is a "reduced-status" lawyer and volunteer VORP mediator in Seattle, Washington

A CIRCLE OF DREAMS

by Louise Stowe Johns

In a large circle on Saturday afternoon, the 14th Annual International VOMA Conference came to an official close. As the "feather" was passed, participants spoke from the heart about Restorative Justice. Some responded to the question of whether Restorative Justice is a revolution or reform, averring it to be neither. A quote shared with the circle from the poet Rilke is quite apt, "If we live the question, the answers will come." One of the plenary leaders noted that to him, justice that restores is a "circle of dreamers."

That observation of our being dreamers caught my imagination. There are dream analysts who say all the characters in dreams are actually different manifestations of the dreamer. Using dreams as a kind of metaphor, I will share with you my perspective on the Training and Conference.

In role-playing during training we became offender and victim, parents, friends, authority figures and mediators. Sometimes we were surprised as we slipped easily into roles we have never been in life. In those roles we caught glimpses of ourselves in the dream as

offender, victim, or another member of the community. We saw ourselves capable of acts of mercy and acts of violence.

Then came the nightmares as we grieved with victims such as the Streuferts in their remarkable struggle to come to terms with the brutal murder of their college-age daughter in 1991. The film "Glimmer of Hope" about their efforts was shown in the opening plenary. The presence of the parents, Don and Mary Streufert, had a sobering effect. Yet their comments around the film were illuminating and inspiring. For me, as one who has mediated crimes of violence, it underscored the need for patience in "getting to the table" as one is sensitive to complex needs of victim and offender.

During the week, I sensed tension between persons whose passion is more for the victim than for the offender. I sensed tension between those who see religion to be the absolute foundation of their work, and those whose base is humanitarian without reference to a deity. We do not have to be of one

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DIRECT & INDIRECT MEDIATION: Implications for Expanded Restorative Justice Practice

by Mark Umbreit Ph.D.

During the past twenty years, the field of victim offender mediation - the most vivid expression of restorative justice - has expanded throughout North America and Europe to an extent that none of those involved in the early days would have ever imagined. The initial victim offender reconciliation project in Kitchener, Ontario in 1974 had truly ignited an international movement. Today there are nearly 300 victim offender mediation programs throughout the United States, as indicated in a recently completed national survey conducted by the Center for Restorative Justice & Mediation at the University of Minnesota (a more detailed report on this survey will be presented at a future date). Also, there are approximately 26 programs in Canada and more than 600 in Europe, with 368 in Germany alone and 43 in the United Kingdom.

As the field has grown, it has become clear that a great deal of diversity exists in how programs actually implement the mediation process. A recent cross-national analysis of victim offender mediation programs in four cities of the U.S., four provinces of Canada, and two cities of England (Umbreit & Coates, 1993; Umbreit, 1994, 1995; Umbreit & Roberts, 1996) found that while mediation in North America nearly always involves a face-to-face "direct mediation," the vast majority of victim offender mediation sessions in England, and to some extent other parts of Europe, involve "indirect (shuttle) mediation" in which the mediator serves as a go-between, meeting separately with the victim and offender to address their needs for information and exploration of restitution or reparation, but with no face-to-face meeting.

In the study of two of the most well established victim offender mediation programs in England (Umbreit & Roberts, 1996), of those cases mediated, 84% involved indirect mediation and 16% involved direct mediation (8% of the total referred cases resulted in direct mediation). It would be easy for those of us in North America to be critical of wide spread use of indirect mediation when the practice of victim offender mediation in the United States and Canada is so strongly grounded in restorative justice principles

of a face-to-face dialogue between the victim and offender. Yet, such a response is far too simplistic and avoids important lessons that both we and Europeans can learn from such practices.

Americans could learn from the experience of Europeans in use of indirect mediation when direct mediation is simply not appropriate in certain cases. Perhaps Europeans could learn from the extensive experience of direct face-to-face mediation in North America.

In most victim offender mediation programs in North America, if one or both parties indicate that they do not want to participate in a face-to-face meeting the case will proceed no further and the mediation program will refer it back to the court or prosecutor or probation office. Given the fact that approximately 50% of cases referred to VOM programs in the United States do not result in a direct mediation, a rather large number of referred cases drop out of the process with no further assistance being provided. One suggestion is that in cases where direct mediation is not of interest to one or both parties, an opportunity is presented to respond to the genuine needs and interests of the parties by providing indirect mediation. This further assistance would be consistent with the basic principles of restorative justice. The mediator could act as a "go-between" by calling, or preferably meeting with both parties, to relay important information about the offense and developing a plan for restitution or reparation. By doing this, instead of dropping the case and not even including it as a case that received assistance from the program, the victim and offender would still have some of their needs met related to gaining more information about the offense, understanding some of the impact and having some input on a plan for restitution or some other agreement (such as a written apology). In addition to the restorative justice value of doing this for the victim and offender, this practice of "indirect mediation" would be of value to the referral source. Instead of receiving a large number of case files back without an agreement, the referral source could receive many more cases back with a

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negotiated restitution plan or other agreement, whether it was determined through face-to-face direct mediation or indirect mediation.

Currently in the U.K., only a small percentage of cases referred to victim offender mediation programs result in a face-to-face meeting. Cultural issues related to styles of communication (i.e. openness towards public expression of feelings) are likely to account for fewer direct mediations. In addition, there are questions about the effects of adult vs. juvenile programs, strangers vs. prior relationships, serious vs. minor crimes, diversion vs. post-sentence (for example some would maintain that encouraging a face to face meeting between an adult offender involved in a serious crime and the victim is far more difficult than encouraging a meeting with a juvenile offender of a minor offense in a diversion program). Another factor which merits discussion is the manner in which the mediation program is presented to the victim and offender, which does not focus as fully on the opportunity to meet face-to-face with the other party. Rather, the programs tend to initiate the indirect mediation process by sharing information, determining needs and exploring the possibility of a reparation agreement without initially offering the option of a direct mediation. After the indirect mediation process has occurred, the option of direct mediation is then only subsequently presented. By this time, many needs are met and most victims and offenders do not express an interest in meeting each other. Masters (1997) suggests that there may be a "closure risk"; victims seem to gain a high level of closure from just meeting with and receiving information from the mediator. While a recent study of mediation in England (Umbreit & Roberts, 1996) found a high level of satisfaction with indirect mediation, a somewhat higher level of satisfaction was expressed by those involved in direct mediation.

Programs in Europe could learn from the North American experience with direct mediation. European programs might consider first offering the option of a face-to-face meeting, pointing out the potential benefits and risks, and only then offering indirect mediation once it is clear that one or both parties do not want direct mediation.

One could certainly ask why such a major emphasis should be placed on direct mediation. After all, if people choose indirect mediation why not simply leave

it at that? Research, however, has consistently shown that the major value of restorative justice and the mediation process is that of humanizing the experience of criminal justice, for both victim and offender. The process of meeting each other and entering into a dialogue about the crime and its affect on both parties has been found to lead to a greater experience of satisfaction and perception of fairness, less fear for victims and more understanding by offenders of the full impact of their behavior. For these reasons, a strong case could be made, especially in North America, that the option of direct mediation should first be offered, emphasizing both potential benefits and risks, and then offering indirect mediation when it becomes clear that direct mediation is not of interest to the involved parties. However, given the evolution of practice of practice in the U.K. and elsewhere in Europe towards using more indirect mediation, a case could also be made for initially offering both options (along with their potential benefits and limitations) and allowing the participants to choose. In either case, the most important factor is be sensitive to adapting the mediation process as much as possible to the needs of the participants, rather than the needs of a "one size fits all" model.

NOTE: A special thanks is owed to Annie Roberts (Co-Principal Investigator with the English study of VOM), Jean Wynne, Coordinator at the Leeds Mediation and Reparation Service, and Barbara Tudor, Director at the Coventry Reparation Scheme. Without their continued support and assistance, the study of these two victim offender mediation programs in England could not have occurred.

Mark S. Umbreit is the Director of the Center for Restorative Justice & Mediation, School of Social Work University of Minnesota.

VOMA Committee Reports

EXECUTIVE COMMITTEE

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

VOMA has undergone a significant amount of change over the past year. It feels as if we've moved from the "sleep-deprivation stage" after a birth, into watching the toddler take off and run. We have made a successful transition to our new administrative entity, Restorative Justice Institute, and as of the last VOMA Board election in June, we have increased our Board from eleven to fifteen active and committed board members. Our first meeting together was at the Des Moines Conference last September, where we made the decision to discontinue board meetings on the internet and to empower committees to carry out the work of the Association. We continue to encourage members to join VOMA committees (Committee Chairs are listed after each name under the Board list). We welcome your comments, suggestions and willingness to join committees in setting goals and objectives for the upcoming year. At our 14th annual conference in Des Moines, we explored the theme "Restorative Justice and Community Transformation." It was exciting to have Kay Pranis and Judge Barry Stuart bring their combined knowledge and experience about restorative justice and community building. Their presentation challenged all of us to continue to work at transforming our communities and the criminal justice structures we work with through the development of relationships within our communities, rather than through the imposition of power from the structures themselves. They reminded us to take the structures out into the community, rather than try to get the

community to come into the structures. We thank them for their willingness to be with us at the Conference. As a Board and as an organization, we too have been called upon to look at relationships, beginning with ways to be more inclusive of different programmatic models. Our renewed emphasis on inclusiveness has also raised our awareness of the much needed work we have to do in the area of cultural and racial diversity. As we look at our commitment to create change within our communities and criminal justice structures, we must also be committed to including all of the voices represented, including our communities, the criminal justice structures we work in, and our own association as well. Your suggestions and willingness to help us in determining how VOMA can meet this exciting challenge are welcome. Finally, we thank you for your work in the field of restorative justice and in victim offender mediation. As board members of VOMA, we truly believe that all of us working together can bring about a change in how our society thinks and responds to crime and conflict. As an organization and as members of the Board, we are committed to assisting you do that in any way we can. Please get involved and help us make VOMA the type of organization you want it to be. And remember, the Board and the organization are here to serve members. We can't do that if you don't let us know what you need. Call, write or e-mail us. We look forward to working together with you during 1998.

CONFERENCE PROGRAM AND SITE COMMITTEE

by Marty Price and Kathy Hall

The Conference Program and Site Committee are pleased to announce that the 15th Annual VOMA Training Institute and Conference will be held in Tucson, Arizona, at the Holiday Inn City Center, from Tuesday, September 15 through Saturday, September 19th. Mark these important dates on your calendars now!

The theme of the Training Institute and Conference will be "Innovative Practices in Restorative Justice and Victim-Offender Mediation." The Institute and Conference will seek to stimulate discussion and the sharing of experience around these questions:

- What innovative practices in victim-offender mediation are being used; how do they work and how well do they work?
- What other innovative practices and programs of Restorative Justice are being used; how do they work and how well do they work?
- How can we determine whether programs that are being labeled "Restorative Justice," are truly restorative?
- What is the importance of community involvement and how can it be achieved?

-What standards and guidelines are needed to assure that Restorative Justice programs will provide their services competently and ethically?

As in past years, there will be a three-day Training Institute, followed by two days of Conference workshops. As always, a five-day "beginning track" will address the needs of those who come to learn the basics of victim-offender mediation and restorative justice-how to mediate juvenile offenses/criminal cases and how to set up and run a victim-offender mediation program.

For the first time, this year, as a part of our "Innovative Practices" theme, we will be offering a Training and Conference "track" devoted to the mediation of severely violent crimes. Other "tracks" will focus on a variety of intermediate and advanced issues.

Watch for more details in upcoming issues of the VOMA Quarterly and in the Training Institute and Conference brochure.

PUBLICITY COMMITTEE

By Carolyn McLeod and Kimberley Fink-Adams

This Committee has developed a good foundation for its future work. Since 1995, the Publicity Committee (then called the Public Relations Committee), has been working on creating a thoughtful, comprehensive media policy for VOMA itself, as well as guidelines for member organizations. The need for a media policy arose out of concerns about controversial media coverage of victim offender mediations in the early 90's.

Current VOMA Board Members Carolyn McLeod and Kimberley Fink-Adams, who began working together on the media policy during summer 1997, have made the following recommendations to the VOMA Board:

- 1) VOMA's Media Policy will reflect the intent of the Ethics and Training Standards of Practice for VOM mediators, which are currently being developed by the Ethics and Training Standards Committee.
- 2) This policy will make a clear distinction between what's considered educational and beneficial and what's sensationalistic and detrimental.
- 3) Maintaining the integrity of the VOM process will be of utmost concern in determining what is conducive for media coverage, as well as what kind of media coverage is appropriate.

4) Confidentiality of participants will be of primary concern in decision making around media exposure.

5) VOMA will provide media contact guidelines for member organizations, recognizing that individual organizations have their own procedures for dealing with media requests.

6) VOMA will seek to build positive relationships with media entities who can be helpful in promoting the mission and work of VOMA, Restorative Justice, and victim offender mediation/conferencing/dialogue.

Since the last VOMA Conference in Iowa, the Publicity Committee has not been able to meet via phone or internet, as the list of volunteers is missing. For those of you who so kindly put your name on the sign-up list, or didn't sign up at the conference but are interested in working with this Committee, please contact Carolyn McLeod, WACO Govt. Ctr., Court Services #530, Stillwater, Mn. 55082; or call her at (612) 430-6948; or via e-mail: McLeod@co.washington.mn.us.

If any VOMA member or member organization is contacted by a media representative for a VOMA perspective, or if you're not quite sure how to handle a media request, please contact Lorraine Stutzman-Amstutz, VOMA Board Co-Chair.

FUNDRAISING COMMITTEE

by Ann Warner Roberts, Fundraising Committee

Currently, the Fundraising Committee is evolving in its aims and goals. One idea is to address the issue of resources at two levels: 1) VOMA member organizations and 2) VOMA as a national/international organization. For the latter we have received two suggestions. The first is that we need to find ways to create more ethnic diversity among our members and that this is an area for which funds could be sought. Secondly, we have had a suggestion that VOMA be the mechanism for people to contribute their airline frequent-flier miles to enable those who need scholarship assistance to attend the annual VOMA conference. If any members have ideas or an interest in pursuing these ideas, please contact Ann Warner Roberts.

Whenever I ask professionals what the greatest challenge is to spreading Restorative Justice practice, whether through VOM, group conferencing or other initiatives, the answer is invariably "we need more money." I would suggest that we broaden this need and call it "support and resources." I believe programs need both of these to not only survive but to thrive, and this may allow for more creative strategies in building and growing our practices. Your questions and suggestions for fundraising and development are welcome as all VOMA members can participate in this committee's work. Many of you have vast experience and others are new to the game, and hopefully this committee will provide an opportunity for plenty of information sharing.

ETHICS AND TRAINING STANDARDS COMMITTEE

by Doris Luther

Emerging from the 1994 VOMA conference, this committee was formed with two goals:

- 1) to develop recommended ethical guidelines for practicing mediators that define their role and ethical obligations to clients.
- 2) to create a VOMA endorsed, but not enforced, introductory training curriculum.

For the past year, out-going Ethics Committee Chair Niki Stewart has been gathering and reviewing existing ethical guidelines, such as those for the Academy of Family Mediators, Society for

Professionals in Dispute Resolution and Dr. Mark Umbreit and Jean Greenwood's "Criteria for Victim-Sensitive Mediation and Dialogue with Offenders," created as a result of a grant from The Office of Victims of Crime, U.S. Department of Justice.

Umbreit and Greenwood's "Criteria" comes very close to what we feel would fit for VOMA's ethical standards. We have been given permission to use this work as the "backbone" for VOMA's policy (with the understanding that we give credit to the authors and The Office of Victims of Crime). Niki, Doris and other committee

(See "Doris" continued on page 10)

VOMA Committee Reports (cont. from page 8)

("Doris" Continued from page 9)

members are currently reviewing the material with an eye toward VOMA format and adaptation. The 1997 Board meeting at the Des Moines Conference resulted in identification of a third goal for this committee: to develop a media policy for VOMA administration, and media guidelines for VOMA's general membership. The Public Relations Committee Chair Carolyn McLeod has agreed to work on the media policy. Doris Luther, new Chair for the Ethics and Training Standards Committee also sees a fourth goal for the Committee: to develop recommended standards for trainers in Victim-Offender Mediation. In an effort

to clarify the necessary steps to implement these goals, Doris has completed a draft of goals and objectives to be reviewed by committee members. The Ethics Committee clearly has a lot of work to do, but this is a very exciting time to be involved in this project, and we hope others will want to join us!

PUBLICATIONS COMMITTEE

by Beverly Moore

The Publications Committee has been hard at work on this issue of the VOMA Quarterly. Many thanks go to Committee members Kate Hunter, Barb Toews, Trish Charo, Julie Andrews, and P. Karren Baird-Olson for their input into the Quarterly's lay-out design, editing and proofreading.

Future issues of the Quarterly will include articles on international VOM programs and VOM in corrections, victimology, race and ethnic relations from an academic perspective, in addition to members' articles and information on the annual Conference. If you are interested in helping out with future issues, have any suggestions for Quarterly themes, or have an article you want considered for publication, please contact Committee Chair Beverly Moore. (see VOMA Board of Directors page 9)

You've probably noticed that the VOMA Quarterly arrives at your mailbox at more or less three-month intervals. The Publications

Committee is working to develop a publication calendar so that the Quarterly will be published on-time every three months. We thank you for your patience when we're a little late, and hope to keep to a better publication schedule in the future.

VOMA's Web Page continues to receive lots of "hits" on the Internet. Hundreds of inquiries about victim offender mediation have been answered thanks to VOMA's electronic information page. Board member Marty Price is currently working with Web Page master-minds to continue to improve our on-line information. If you are interested in working on the Web Page, please contact Marty Price. (see VOMA Board of Directors page 9).

("Circle" Continued from page 5)

theological mind in order to be in service to our communities, nor do we have to be in agreement to support one another. We can agree that all life has meaning. Even with days that were intense, the result was to draw us closer to fellow practitioners and dreamers. The level of respect for one another was palpable.

The last VOMA Conference I attended several years ago was in North Carolina. It was good to see how VOMA has matured in its depth of experience and leadership. In each workshop or training it was evident that there are many persons with extensive experience, serving with effectiveness in their communities. We were diverse in age, but less diverse in ethnicity which caused concern among participants. Representation from the South was meager. However, overall VOMA can be proud of where it is and look to

a bright and restorative-focused future.

When we dream, we are confronted with our fears and animated by our hopes. To be faithful in our work, we will need to come to terms with both. The theme of the Conference, "Restorative Justice and Community Transformation" implicitly acknowledged the significance of our dreams and our roles in those dreams. As a member of the closing circle noted, "Espousing the principles of Restorative Justice gives one a modest opportunity to make a living and a wonderful opportunity to make a difference."

Louise Stowe Johns is a Pastor in Union Springs, Alabama, and is working on her Ph.D. of Ministry in Restorative Justice.

Newsletter Submissions

Please submit articles or ideas for articles to be printed in this Quarterly for consideration.
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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 QUARTERLY PUBLICATION, AN ANNUAL DIRECTORY OF MEM-

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Telephone _____ Fax _____ Amount Enclosed _____

e-mail address _____ New?_____ Renewal?_____

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