

Victim - Offender Mediation

Vol. 4 No. 4

Conference 1993

Victim-Offender Mediation Association

ASSOCIATION FINDS COMMON GROUND AND A NEW NAME IN CHICAGO

Clear blue Chicago skies, a sailboat dotted Lake Michigan, and the tunes of Irish folksinger, Whitey O'Day, greeted guests at the Association's conference kick-off bar-b-que on June 10. Loyola University--Lakeshore Campus provided a peaceful and picturesque environment for the conference entree and pursuit of its 1993 theme, "Seeking Common Ground."

Immediately following the informal lakeside dinner, attendees strolled across the shaded campus for Lynette Hanthorn's keynote address, "Common Ground Amid Shifting Paradigms." Hanthorn was joined in her slide show presentation by Rumen Valchev of Bulgaria. The two shared their perceptions of the implications of finding common ground for dispute resolution in a country attempting to create an identity after 45 years of communist domination.

Conference-goers were challenged to start seeking common ground for their diverse programs by Friday's morning plenary, "Facilitating Common Ground". In follow-up discussion groups, the perspectives of religious, probation, and expansionist victim-offender programs were assessed. A variety of practical workshops and thought-provoking plenaries continued throughout the conference, emotional highlights being Howard Zehr's photographic exhibit, "The Meaning of Life" and Sue Molhan's sharing of her meeting with her son's murderer.

Association members participated in a strategic planning session for the organization and found a common ground for properly presenting the new North American alliance by choosing to rename the group the Victim Offender Mediation Association.

Much was learned, much was shared, much was felt, and much was planned at this tenth annual training and conference. The results follow in this traditional conference summary issue.

See you in Winnipeg next June!

--Harriet Fagan

Harriet Fagan serves as coordinator of the annual conference in her capacity as Director of Communications for PACT, Inc.

KEYNOTE: COMMON GROUND AMID SHIFTING PARADIGMS

Presenters: Lynette Hanthorn of the Center for Creative Justice in Ames, Iowa and Rumen Valchev of the Center on Negotiation and Conflict Resolution, Bulgaria

Lynette Hanthorn, Administrator and Founder of the Center for Creative Justice in Ames, Iowa and a worker with the Iowa Peace Institute of Grinnell, Iowa and the Human Resources Group of Cedar Rapids, spent one month during the summer of 1992 giving presentations on conflict management and mediation in Bulgaria. The impact both professionally and personally was the subject of Lynette's keynote address.

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Victim-Offender Mediation is published four times a year for the U.S. Association for Victim-Offender Mediation by the PACT Institute of Justice, 254 S. Morgan, Valparaiso, IN 46383.

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Editor is Harriet Fagan.

Victim-Offender Mediation encourages letters and articles from readers for possible publication but reserves the right to edit for space and style. Direct all responses to the attention of: "Editor, Victim-Offender Mediation."

Keynote . . . (continued from page 1)

Lynette compared her journey through Bulgaria to the journey mediators encounter during mediations. She reflected on the introspection which both her journey and mediation always seems to offer and the continual opportunities to grow from each case. This essentially results in a continually evolving paradigm as we are changed through our perceptions and experiences.

Perceptions, Lynette related, create, mold and rework our attitudes which then create our own personal paradigms. Although affected by the mediation and its participants, Lynette stressed the need to concentrate on the process of mediation and leave our perceptions at the door.

Lynette led the conference through a pictorial tour of Bulgaria during which she stressed the beauty of the land, the vitality of character of the people and the reflection of both the beauty and character in Bulgaria's children.

The results of Lynette's conversations with Bulgarians affected her deeply. It changed how she views responsibility, how she seeks meaning at different levels now, and how we have control over the choices we make and little else. She stressed we don't have control over the choices themselves but simply the decision, the choice we choose.

The result of 45 years of communism was drastic. Lynette reflected, and Rumen Valchev confirmed, the lack of trust which exists among and between Bulgarians. With trust so imperative to mediators and the mediation process, the introduction of conflict resolution and mediation will be challenging.

Lynette then began addressing specifics which reflect both the Bulgarian dilemma and the mediation challenge. From a standpoint of perception, under Communist domination for over 40 years, she reported the Bulgarians no longer had their own identity. They were told how to think; how to act; how to feel. As a result, according to Lynette, they don't know who they are or even who they are supposed to be. She related that confused state to the mediation setting and questioned, "Do we check ourselves; do we know ourselves?"

Mediators approach a mediation with a certain intentionality. We frame our mission or purpose. Bulgarians currently, neither personally nor nationally, identify specific goals other than the lofty ideal of freedom. Relative to trust, Bulgarians like telling people what to do even though they don't know if they can trust others or themselves. Nor have they had the

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Keynote . . . (continued from page 2)

experience (and success) in telling people what to do. Process was controlled by the state and as a result was not trusted, i.e., neither people nor process were trusted. Mediators seem to have natural trust. Trust is to be given and not earned with participants owning the process which they necessarily accept as being positive.

Bulgarians have viewed the misuse of power. Although mediators are outside the process and participate only with permission, Bulgarians may view mediation as an opportunity for mediators to use their power to make the decision. As Bulgarians do not 'ask permission,' they view mediation as a process which requires them to give up power to someone else (the mediator). How do we dishonor the process by controlling it?

Mediation is an intimate process. People come to the table and often meet themselves for the first time. Certainly this is true in Bulgaria. Lynette stressed the difference between encountering and confronting and the need to foster an atmosphere of partnership and safety. From the Bulgarian perspective, they are facing a cultural revolution which will require a redefinition of the very culture of Bulgaria in order to make partnering safe. The process, especially in Bulgaria, must allow time for process understanding, trust and safety.

Lynette added that there is a parallel opportunity in both Bulgaria and the United States to know and understand the mediation process. She spoke of the cultural vacuum which existed in the summer of 1992 and how difficult it was to move the country forward while in parallel fashion defining what the new culture would be.

She spoke also of the human reaction in all of us to change. Are we willing to even have change in our lives? Relative to mediation, do the participants understand and buy into the change necessary to make the process and agreement work? Lasting change is heart change. Lastly, Lynette spoke to those things needed for change and related each to the Bulgarian situation as well as to mediation and mediators themselves. In order to change we must: 1) Believe in self; 2) Set our intention and align actions to intention; 3) Accept that we are co-creators (we change for ourselves and others) 4) Commune with all living things; 5) Create a spiritual support system 6) Accept our mistakes (they are lessons too).

Hanthorn challenged conference participants to shift our paradigms, change how we think about ourselves and change the world.

Rumen Valchev followed Lynette with a brief overview of the status of conflict resolution now nearly one year after Lynette's visit. They have in fact begun the process of familiarizing students with conflict resolution alternatives via the educational system. Their intent is to create a culture of mediation—not a short term process as Rumen admitted.

There were many cultures in Bulgaria which need to be recreated as well as a new nationalism created. Without civic structures, conflicts are currently not solved in a constructive way. Bulgarians, at least as a result of the past domination, are very positional with attitudes and behaviors based upon position. Rumen related how some mediation techniques will have to be restructured to fit behavior patterns. As a result they need to concentrate on interest based mediation since positions have a tendency in Bulgaria to change so dramatically.

Before, the communists emphasized intellect and de-emphasized emotion and feelings. As a result of the fall of communism, emotionality is on the rise relative to personal sensitivities. Rumen then presented perhaps the greatest challenge. Bulgarians are in the process of recreating culture. As a result, they are not only recreating a national culture but personal culture too.

Rumen's question (and challenge) was that perhaps now was the time to align personal, national and even world culture to a new paradigm—one of PEACE.

--Dave Ells

Dave Ells operates the Face-to-Face Program in Littleton, Colorado.

Plenary FACILITATING COMMON GROUND

Panel: Zena Zumeta (Facilitator), Ron Claassen, Deborah Thompson, Kim Pate, Howard Zehr

Ruth Andrews opened the session with a statement that this plenary was intended to be a discussion of differences. It grew out of some sense of unorthodox expressed by programs relative to the whole, i.e., panelists feeling their programs are not mainstream to the Association (United States Association for Victim-Offender Mediation now the Victim-Offender Mediation Association).

Zena Zumeta, Director of Ann Arbor Mediation Center and President of the Academy of Family Mediators, asked each panel member to take a minute to explain the core of their program(s) as a basis not only for comparison but for seeking the common ground of the plenary.

Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies (Ottawa, Ontario) and Chairperson of the Network in Canada, presented a community based model. She summarized her programs as focused on women in conflict with the law. They offer a broad continuum of alternatives in conflict resolution to include VORP/VOM. Participants in the process drove training, staffing and to a large extent the processes themselves. They long ago recognized the limitations of their core program and have evolved to a goal of process/output being defined by the participants vs restitution or reconciliation as the result.

Ron Claassen, Director of the Fresno VORP, summarized his church based model. He defined his program as motivated by a biblical vision of shalom (peace). The goals include encouraging and assisting churches in justice, reconciliation and peacemaking. Their goal is reconciliation. Training is based upon biblical principles and funding for the program is provided through church and individual donations. Their Board of Directors are all Christian, and decisions, made following prayerful consideration, are by consensus. Training is open to anyone who desires to be a peacemaker. The Fresno VORP sees VORP as a part of a larger restorative justice vision; an encouragement to the justice system to be more restorative.

Deborah Thompson, consultant to the Supreme Court of Ohio Dispute Resolution Program Coordinator on Juvenile Mediation Programs, provided an overview of

a system based model. It was started as a more balanced approach to justice providing more equitable treatment to victims, connecting the community, empowering the offender, and personalizing the impact of crime. She described the process as pre-sentence with the goal being a contract. Reconciliation was not an explicit goal but rather a desired objective. They are funded by the state.

Howard Zehr, Director of the Mennonite Central Committee, U.S. Office of Criminal Justice, presented himself as the "purist". He stressed the need for diversity within a context of getting comfortable enough to accept variety, creativity and reactivity. "What's good for one may not be good for another, let alone all", Howard stated. There will always be pressures on us to be co-opted and diverted from what we are all about. As a result: a) We need to be very clear on what our mission is- b) Our organizational basis needs to be unambiguous. c) We need to understand the pressures created by funding sources, etc. d) We need to be challenged in supportive ways in a non-judgemental way as an Association.

In summary statement, Howard cautioned, "We need to cast doubt on the concept of punishing people in all we do."

Zena then asked the question, "What makes you feel unorthodox?"

"The Ohio justice system, noted Deborah Thompson, is focused on punishment; their mediation program is not--thus creating a sense of unorthodoxy. The program is viewed as 'soft' by the system even though viewed as punishment by offenders. Even victims are often surprised by the constructive basis of mediation vs. punishment and thus wonder where it fits in the system.

Kim added that the balance of the program (victim and offender) is unorthodox when compared with the system focus on offenders. Also, mediation offers a "real" alternative. Kim sees another unorthodox point in that the program creates unfamiliar alliances both outside and inside the system. Kim confirmed the lack of restorative justice or reconciliation as a goal. Their vision is more expansive than traditional to include how government agencies can create alternatives without being punitive.

Ron agreed with both Kim and Deborah and stated he feared VORP/VOM programs might be seen as 'exclusive' in some way. Zena then asked, "What will sustain VORP/VOM over the long run if it is to be sustained?"

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Common Ground . . . (continued from page 4)

The panel provided the following responses: a) funding b) research which will withstand scrutiny c) community buy-in (and more involvement in the process) d) church buy-in e) recognition by government officials and agencies f) recognition of the vision that we are working at a deeper level g) a need to listen with more genuine interest in people who have been most critical h) challenge the process itself i) demythologize the process j) do it all in a form worth sustaining.

Zena then provided her summary as follows: Language: What do we mean when we say . . . (whatever it is we say)? What do we mean by "VORP," "VOM," "reconciliation," "peace," and perhaps "mediation" itself? she urged incorporation into the continuum a community role, a victim role as well as the role of the criminal justice system.

Zena challenged the session relative to coalition building in order to change the existing paradigm and to address the process as restorative, empowering and healing. She asked whether we viewed our individual program selves, even within the context of the Association, as separatist or elitist or do we share common values with many of those in the system.

Zumeta stressed the need to remain conscious of the hurt caused by the division about us and within us. We ourselves need healing to make us a strong movement. She closed by stating that it is our heart connections which allow us to question with caring and healing.

--DE

Discussion Group: Religious Perspective

Facilitator: Ron Claassen, Director of VORP of Fresno in California

After the plenary featuring church, community, and system based panelists, twelve participants met in a breakout session to discuss the role of religion in victim offender programs.

Ron Claassen facilitated the session. Half of the participants are affiliated with VORP programs and most of those are affiliated with churches. Discussion ranged from the threat of program co-optation to the exclusivity of victim-offender programs, to the broader issue of cultural diversity.

Several participants emphasized the value of religious affiliation when working in a justice system that emphasizes punishment. Participants discussed how dependence on funding can co-opt a well-intentioned program. Affiliation with an institution that articulates restorative values can help guard against co-optation. Level of religious program affiliation among the group varied. The highest level of involvement lay in the Fresno program, which is funded privately and where board members are affiliated with local churches, and volunteer mediators are recruited heavily through churches.

Although none of the programs represented used religious terms when working with victims or offenders, Claassen explained that in their training and amongst themselves, VORP volunteers did share a religious understanding. Using Christian categories, he said that an offender's acknowledgment of wrongdoing could be understood as a "confession," an offender's promise to make things right could be understood as "repentance," both parties' openness and caring could be understood as "agape" (unconditional love), and the restoration of right relationship could be understood as "grace." Ron emphasized that secular understandings of the victim offender mediation process could be translated into many different religious traditions.

Although the Fresno program serves people regardless of religious affiliation, some breakout group participants questioned whether the Christian emphasis served to alienate or exclude potential volunteers who . . . (continued on page 6)

Regional Notes

Religious . . . (continued from page 5)

might not be comfortable with a Christian approach. One participant asked whether various religious and non-religious communities ought to have their own, separate mediation programs, although a couple of participants questioned the feasibility of this model.

In the earlier plenary session, panelist Kim Pate had pointed out that most mediation programs seriously lack cultural diversity, whether they call themselves church based, system based or community based. This lack of diversity not only prevents a program from solving community problems, but can reinforce community divisions.

Several participants in the group questioned whether the debate over church based programs was not masking a larger issue of the dominant culture bias in the field of mediation. Within the Christian community, for example, there are very different views on the causes of crime and appropriate responses. Different Christians hold varying understandings of justice depending on their experience of ethnicity and class.

Claassen referred participants who were interested in further reading to David Augsburg's *Mediation Across Cultures*, and to research currently being done by John Paul Lederer.

--Rick Mockler

Rick Mockler is Director of VORP of Oakland in California

Discussion Group: Probation Perspective

Facilitator: Deborah Thompson, volunteer coordinator for VOMP in Hamilton, Ohio.

Thompson runs a preadjudicated Victim Offender Mediation Program. She is not in the probation department but rather works directly with the court. She does do a lot of work with the probation department. This is a system based program which is offender oriented. It brings more options to the court other than placing an offender on probation or placing the offender in jail. This system also allows the offender to see what affect the offense he committed had on the victim. By seeing the affect the offense had on the victim chances are he will not commit a similar crime. At the very least the offender does not move on to more serious offenses.

When asked what she thought was unorthodox about her program; Thompson felt the program is not a punitive measure. Although reconciliation is an end goal; they don't use the term in talking to the parties involved. Many times she feels the victim comes into a meeting wanting the proverbial pound of flesh but go away feeling more at ease with what has happened. The same can be said for the offender; they go into mediation thinking about just getting this behind them. But once the offender meets with the victim and sees that this had such an emotional and psychological affect on the victim they see the consequences of their actions.

Something positive always comes from a mediation. The victim and the offender benefit in some way. The victim finds out that the offender is usually just like anyone else. If it is a kid, he is just like any other kid in the neighborhood. If they saw this person walking down the street, they would never suspect that this person would commit any crime. The meetings always make the offender think about what they did, because now they are facing their victim. Although it is not a punitive measure, it takes a lot to meet the victim face to face. When crimes are committed, the offender doesn't place a face with his actions. By meeting the victim face to face, the crime becomes very real and very scary.

It was the consensus of the group that there should be some type of standards required for each organization. This would make each organization across the country basically the same no matter if it exists in Florida or Alaska. There also should be no difference between a system based program and a community based program. Right now one of the biggest differences is that in a system based program the court has the power to uphold a contract, whereas, in a community based program there really isn't anything the organization can do to make the parties follow through with the contract.

--Bob Fry

Bob Fry is a volunteer mediator with Porter County PACT in Valparaiso, Indiana.

SOUTH

Anderson County VORP was assisted by the Oak Ridge High School Student Council in raising \$850 through a chili fundraiser. The University of Tennessee is conducting research on recidivism and participation in VORP based on the Anderson County program.

ciliation, which sponsors VORP of Orange Co., sponsored a "Boot Scootin' Sunday" charity hoe-down featuring line and two-step lessons and western wear and ranch vacation giveaways.

Word comes from Texas about a "Saturday Night Live" VOM parody having been broadcast on last spring's season closer. A tape recording is being sought. Do you have one?

MIDWEST

The PACT Institute of Justice and Valparaiso

University's Department of Sociology and School of Law are co-sponsoring "Justice 1994:

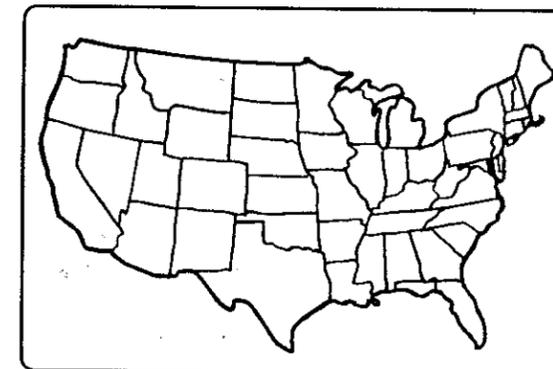
Prisons, Prisoners, and the Artistic Experience" next April 1-15. An April 8 symposium will include such restorative justice leaders as Howard Zehr, Mark Umbreit, and John Gehm as well as writers such as Jimmy Santiago Bacca. Call the Institute to be placed on a mailing list.

The State of Minnesota is receiving strong encouragement from leading newspapers to take a serious look at restorative justice.

WEST

The Seattle/King County VORP has officially changed its name to Mediation Services for Victims and Offenders.

The caseload at VORP of Orange County California has quadrupled in the past year. The program has expanded the training program to incorporate four sections: core, advanced, training for trainers, and cross training. Always innovative in the area of fundraising, the St. Vincent de Paul Center for Community Recon-



EAST

Moving way east across the Atlantic--Mediation UK (formerly FIRM, Forum for Initiatives & Reparations) is circulating a questionnaire to determine who is practicing in mediation in the UK

so that plans for development of victim/offender mediation programs can move forward.

The Community Mediation Program in Dutchess County New York is supplementing its services with VORP to assist the courts with selected property, harassment and burglary issues.

The State Correctional Institution at Graterford and Graterford, Pennsylvania VORP sponsored a national conference entitled "Justice for all: VORP-a Unique Approach to Criminal Justice" on October 1.

Ellen Thompson of Hudson, New York reports that an amendment to Section 6 of Article 1 of the state's constitution proposed for 1994-95 provides for the right to a victim-offender mediation in counties having programs.

The American Probation and Parole Association conference in Philadelphia included a workshop entitled "Both Sides Now; Victim/Offender Programs."

Discussion Group: Expansionist Perspective

Facilitator: Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies, Ottawa, Canada

Kim opened the floor for topics for discussion early in the session. It quickly became a session in which the lingering questions of the participants came to the fore to be explored by the group.

Questions that arose were: Is there a need to modify and expand models of VO(R/M)P for sexual abuse cases? Is there a need for further mediation services within the VOMP framework? Is VORP appropriate for correctional institutions? How does one get a broad diversity of participation from the community?

There seemed to be a great deal of interest in the subject of initiating VO(R/M)P's in correctional institutions. Marie Hamilton, who has been conducting conflict resolution workshops in Pennsylvania prisons, introduced her program and highlighted concerns surrounding Victim-Offender Mediation in prison. Foremost among the perceived difficulties was getting hard-nosed corrections officials to "buy into" the VOMP concept.

One intriguing rhetorical question that was raised within the discussion group was, "Is VORP a tool of the middle class to reinforce middle class values?" It is certainly true that most mediator pools are made up primarily of middle class females. Efforts by many programs to diversify their volunteer staffs have been mixed. Most client bases for VORP's are on the lower end of the socio-economic ladder. Are largely white, middle class VOMP staffs and volunteers inadvertently imposing a middle class idea and values on others? Perhaps this thought merits more discussion and a workshop of its own at a future conference.

The discussion group session ended with a tidbit from panel moderator, Ruth Andrews: "Mediation is an excuse for listening."

--Mark Stein

Mark Stein operates Mediation First in Louisville, Kentucky.

Discussion Group: Facilitation to Reach Common Ground

Presenter: Zena Zumeta, Ann Arbor Mediation Center, Ann Arbor, Michigan

Zena Zumeta opened the discussion of unity and diversity by stating her strongly held belief that diversity is simply an expression of the unity. Where we go wrong as humans is that we get caught up in the diversity. Diversity has an infinite charm to us. Each of us finds something in every expression of the unity which is so exciting to us. We delight in that aspect and explore it. Then we begin to believe we are different and start talking about how we are different. We forget to go back and look at how we are all expressions of the same unity. We tend not to appreciate the unity as much as we appreciate the diversity. In the end, this results in appreciating neither the unity nor the diversity - nor ourselves - and leaves us feeling fragmented. True appreciation of diversity is appreciation of the unity. Unity is as important as diversity.

Looking at the common ground and what is the core across us is a very helpful activity. Zena feels victim offender mediation is very spiritual work, and yet we have a shyness about expressing what it means to us and what it is that draws us to it. As facilitator in the plenary, she felt that when the discussion among the church based, system based, and community based presenters got to the level of expressing the depth of what they were feeling and experiencing in mediation the presenters were saying much the same thing only using different words. We get caught up in semantics.

The theme of spirituality in mediation generated much agreement in the group discussion. Participants found the annual conference to be one opportunity for sharing what we feel and why we are in the mediation field. What we have is very delicate and the world does not support it. We have to be very careful to support it in ourselves and each other. These conferences are opportunities for nurturing. We should also provide similar opportunities for our volunteer mediators.

Zena proposed what she considered to be a radical, unorthodox suspicion that we are in victim offender mediation work because of what it does for us. It feeds our soul. Participants responded

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Facilitation . . . (continued from page 8)

in agreement. Many spoke of a pull from outside themselves to mediation.

Mention was made of the feelings of tension and alienation between and among church based, community based and system based mediation programs and the lack of feeling connected to the larger entity. It was suggested we look first at our similarities, or our common ground, and when we feel safe with one another we can look at our differences. To look only at our differences encourages a feeling of alienation. If we focus on our goals, then we can see the common ground.

--Sandy Snyder

Sandy Snyder is Executive Director of the VORP in Oakridge, Tennessee.

THE MEANING OF LIFE: PHOTOGRAPHING & INTERVIEWING LIFE PRISONERS

Presenter: Dr. Howard Zehr, Mennonite Central Committee Office of Criminal Justice, Akron, Pennsylvania

Howard Zehr's exhibit, "The Meaning of Life," involves photographs of life prisoners and their statements regarding what life imprisonment means to them. Zehr, a professional photographer, is also a writer, criminal justice consultant, and Director of the Mennonite Central Committee's Office of Criminal Justice. Unlike much prison photography, the exhibit does not emphasize the bars, tattoos, or prison garb. The portraits display inmates in ordinary street clothes, and the written statements convey a sense of the inmates as human beings: brothers and sisters, parents and children communicating the mean of "life without parole." The impact of this personalization is very moving.

In describing the project, Zehr reported that Pennsylvania has 2,500 life prisoners and that, as with many other states, the number is fast increasing because of harsher sentencing policies. Zehr said he has found that many people, including liberal death penalty opponents, have not considered the significance of a life sentence.

Zehr shared that his project required the permission of the State Commissioner of Corrections, but that he worked closely with the lifer prisoners' organization inside of the institution.

He interviewed each prisoner he photographed, and each inmate received a matted 8" x 10" print of him or herself. Aware of the impact that his project has on the prisoners themselves, Zehr said that one of the greatest effects of the project was in helping prisoners to see and hear themselves more clearly.

The language of photography, Zehr pointed out, has historically been one of hunting and taking. Since the 1880's, people photographed have often felt something was taken away from them. Zehr said that he strove for a more collaborative approach in his efforts and that he tried to operate under the metaphor of "receiving and giving an image" rather than "taking a picture."

Zehr cited a Catholic theologian, Robert Shreider, who has written on the subject of social justice and reconciliation. Shreider says that human beings construct meaning around narratives and that social oppression functions to erode that meaning. Zehr described justice as "recreating peoples' narratives." He added that for mediators working with victims and offenders, the challenge is to ask questions that help people to articulate their experience and reconstruct meaning. He said that the role of many biblical psalms is lamentation, a cathartic expression which reclaims meaning for the laments.

Zehr continued that in coming to terms with their life sentence, prisoners grappled with questions about life that many of us have never had to confront. He said that he found inmates looking for meaning in their lives and ways in which they could contribute something positive to society and come to terms with victims.

Zehr would like the public to gain a sense of the evolution of a person after the court has sentenced him/her to life. His interviews underscored how young inmates were when initially sentenced, how they typically grew up in abusive situations, and how they grew and matured during their time in prison. He observed that within a prison, lifers represent a stabilizing influence but that the public tends to freeze their perception of inmates at the point at which the inmate committed the offense.

Aside from his photography project, Zehr described work he is doing with Dr. Judy Hall of Drexell University to create a Victim Offender Reconciliation Group in a local prison. The pro

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NEW MEMBERS

Agency

McLaughlin Youth Ctr Anchorage, Alaska
VORP/Central Arizona Phoenix, Arizona

Individual

ennifer Brown Santa Clara, California
Judy Berman-Yamaa Corvallis, Oregon
Susan Cary Gainesville, Florida
Lesley Dinesen W. Topsham, Vermont
Rhyena Halpern San Diego, California
Kenneth Ives Chicago, Illinois
Susan Nurse Regina, Saskatchewan

Student

Mark Bakker Carrboro, N. Carolina
Danni Deaver Miami Beach, Florida
Mary Rupert Spokane, Washington
Katrina Russells New Paltz, New York
Steven McCoy Crescent City, California

VICTIM LIAISON AND MEDIATION: A PARTNERSHIP

Presenters: Brenda Bauer and Jan Brenk, Minnesota Citizens Council, Minneapolis, Minnesota

The Victim Liaison Program and the Mediation Services Program are relatively new and separate programs of the Minnesota Citizens Council on Crime and Justice. Both work within the adult criminal court system at the misdemeanor and gross misdemeanor levels (excluding domestic fifth degree assault).

Victim Liaison Program

Victim Liaison began in 1991. To the best of Bauer and Brenk's knowledge, they are the only program working exclusively with victims of adult misdemeanor crimes. To consider misdemeanor crimes as unimportant is simply not correct. Examples of charges of careless driving and driving on a revoked license, both of which resulted in death, were cited.

Victim Liaison acts as a conduit of information between the victim and the prosecutor's office. Following arraignment, the program sends a two-page letter to the victim. This letter is a combina-

tion of information (court date, victim's rights, sentencing options) and a survey for the victim to complete. Victims mail their responses, call the program office, attend court, or any combination of these.

The process followed for misdemeanor crimes and average time frames are:

arraignment - formal charge to read to defendant; sentencing follows immediately if defendant chooses to plead guilty.

pretrial hearing - approximately one month after arraignment. Defendant is required to attend; victim notified of hearing, attendance is optional. Victim Liaison Program may present victim's wishes and loss. Case may be referred to Mediation Services with continuance of several weeks to arrange mediation. Successful completion of restitution contract may result in dismissal of charge.

trial - follows approximately two months after pleading not guilty at pretrial hearing.

Plea options are: a) guilty or not guilty plea entered b) guilty pleas is entered; however if all court sanctions are fulfilled, case is dismissed after one year (Minnesota statute 609.135). c) continued without plea - no plea entered, case may be dismissed after one year if court requirements met. If mediation is undertaken, both parties sign confidentiality agreement.

Mediation Services Program

Mediation Services Program became operational in 1993. To date 70 referrals have been made and 12 mediations have been conducted. Each mediation has resulted in contract agreement. The majority of referrals come from the Victim Liaison Program and are generally made prior to the pretrial hearing. The time frame between referral and pretrial hearing is used to explore the mediation option with the victim and to conduct a background check of the defendant (defendants with extensive prior offenses or violence are screened inappropriate). No contact is made with the defendant prior to the pretrial hearing as to do so in Minnesota would be a violation of the defendant's rights.

Mediation cannot take place without the express consent of the defense attorney, the prosecuting attorney, the victim, and the defendant. Fulfillment of contracts is monitored by the program with progress reports to the prosecutor, defense attorney, and probation. (continued on page 11)

Life . . . (continued from page 9)

gram, which is voluntary and for which inmates receive no sentence credit, brings victims into the prison. The project is one of a growing number of similar efforts around the country.

--RM

Liaison . . . (continued from page 10)

A small number of referrals have come to Mediation Services from the probation restitution unit when that unit either has had difficulty collecting restitution or the amount is disputed. These referrals may include felony offenses and may include defendants who pleaded not guilty.

Minneapolis has had a juvenile mediation program since 1985. Observed differences between juvenile and adult mediation are (1) fewer victims will choose to be involved in adult mediation as there is no longer the motivation of participating in order to help the juvenile and (2) mediation tends to be either very short and friendly or very long and quite hostile.

Tips for developing adult mediation program:
a) anticipate mediation will be little understood and considered a "social do-gooder" program coddling defendants b) learn nomenclature of adult system - i.e. "defendant" rather than "offender" c) continually dialogue with and educate prosecutors, defense attorneys, and judges d) observe territorial boundaries.

--SS

TOOLS FOR EVALUATING MEDIATOR EFFECTIVENESS

Presenters: Lynette Hanthorn, Director of the Center for Creative Justice, Ames, Iowa; Mark Stein, Mediation First, Louisville, Kentucky

Myers-Briggs is basically a personality type test that evaluates what a person's feelings or preferences are. The test can be used to initially find out what type of personality the mediator has, what training the person may need, and areas or situations for which this person may best be suited.

There are eight basic areas for placing the type: Extraversion, Introversion, Sensing, Intuition, Thinking, Feeling, Judging, Perceptive.

Extraversion means the person relates better with the outer world of people rather than the inner world of ideas. E's like action, are good at meeting people, impatient with long slow projects, act quickly on impulse sometimes without thinking, like to have people around and communicate freely.

Introversion people relate better to the inner world of ideas than to the outer world of people and things. They like it quiet to concentrate, are very good at dealing with details, have shorter term memory, get frustrated because of interruptions, work very well alone, and may experience problems communicating with other people.

The Sensing people would rather work with known facts than look for new possibilities and relationships. They only like new problems if there is a standard way of dealing with things and like using skills already learned. This group seldom makes error of facts, is good at precise work and is very patient with details. The Intuition type people would rather look for new possibilities and relationships than work with known facts; they like solving new problems, dislike repetition and doing things the same way, enjoy learning new skills, have bursts of energy and work with a lot of enthusiasm and are impatient with routine details.

The Thinking types base judgments more on impersonal analysis and logic than on personal values or beliefs and don't show much emotion. They are often uncomfortable dealing with

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CREATING VOLUNTEER POOLS

Presenter: Gary Moe, Director of Mediate First in Minneapolis, Minnesota

Moe is the Director of Mediate First and of the Mediation Training Institute as well as a volunteer mediator for the Minnesota Citizens Council. Moe emphasized the need to create diversity within the volunteer pool as well as to energize that pool. Diversity, itself, creates energy.

Job 1 is to determine volunteer needs. No volunteer program should proceed until it is understood what the volunteers will do. Moe identified the following as necessary in order to create strong volunteer pools not only in terms of recruitment (and what to ask for and look for) but how to sustain energized pools of volunteers: Create a job description for each volunteer position; Identify roles/expectations for staff and volunteers; create a handbook of process flows, policies, procedures, etc.; involve staff in the training (walk the talk); communicate (internal and external); keep volunteers informed; be a cheerleader (talk about successes).

Moe emphasized that the most effective recruiting technique continues to be person-to-person contact. "What makes a good volunteer and what does a recruiter look for?" Gary asked. "Virtually anyone who is caring and committed." He especially emphasized the "caring and committed" as needed to sustain the mission and vision. Gary added that people with special skills are as likely to volunteer as anyone else.

Gary presented what he considers to be the keys to successful volunteer recruitment and retention: assure you are a good agency with good people; have a worthwhile mission and provide meaningful service; have enough real work to do; have ready access to good coaching; have on-going training and constructive feedback; create a sense of purpose and accomplishment; sustain collegiality between staff and volunteers. The importance of communicating respect for the volunteers was stressed. From a perspective of workload, once volunteers are trained and on-board, load them down. Volunteers like to be asked to do more and to sense dependency. As a result, they shouldn't

be allowed to drift but should remain in contact.

Lastly, Moe emphasized the need to communicate trust not only verbally but in a variety of ways. --SS

THE VORP SALES CALL: MARKETING VOM

Presenters: Gay Kaufman, Southeast Nebraska Mediation Center, Beatrice, Nebraska; Carolyn McLeod, Minneapolis Citizens Council Mediation Services, Minneapolis, Minnesota (Both served as last minute substitutes for the originally designated presenter, who was called away in an emergency.)

Carolyn is the Assistant Director of the Citizens Council Mediation Services, Minnesota Citizens Council and has been associated with and involved in the growth of the conflict resolution and VOMP in Minneapolis.

Gay Kauffman is the Director of a new mediation program in Beatrice, Nebraska as well as the driving force in the legislation which resulted in start-up of not only her program but several others across Nebraska in the past year.

Carolyn and Gay presented two short roleplays presenting different approaches to 'selling VORP/VOM'. The basic question addressed was, "What works best when marketing VORP/VOM within a tradition bound criminal justice system?"

The first roleplay was centered on how much better the victim felt as a result of the process and how satisfied everyone was with the agreement and the process.

The second roleplay was centered on what VORP/VOM can do to relieve caseloads and reduce costs (what we can do for you).

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Sales . . . (continued from page 12)

The difference was obvious (although presented as such). The point: the system is much more interested in ways to reduce caseloads and cost than in how good people feel as a result of participating. What can we do for you versus how good people feel. This is not to say that feeling good isn't okay but rather that the system focuses on how we can help.

Carolyn talked of the turf issues we must be aware of or become aware of prior to marketing our programs. Issues such as "Who creates sentence components, the DA or the Judge? To effectively market our programs, we must do our homework. We need to understand within the system who does what to whom. Who has the power?"

Discussions included what worked best with different agencies including: district attorney's office, probation, the court, community services and victim assistance. With different and often opposing positions each is still looking for assistance in accomplishing his/her mission just as we are. It always ends up to be a cooperative venture relative to what we do well but what we can do for each other. --DE

COMING TOGETHER: PRACTICING WHAT WE PREACH

Presenters: Andre Bullock, Citizens Council, Minneapolis, MN. and Nabil Oudeh, Center for Community Justice, Elkhart, IN.

The session began with consideration of the question, "What do we preach about inclusiveness in our programs and how does that translate when relating to each other?"

Discussion followed on participants' individual programs and their efforts to be inclusive of the church, community and judicial systems' approaches to victim-offender mediation. Although, the effort existed, each of these entities felt alienated in some way. The presenters pointed out that our strongest quality as VOM programs is an ability to ask, "Are we doing our best?" and "Where are we going?"

There was a lack of clarity as to why the division among church, community and system based programs exists. It seems we all have the same goal but different ways of getting there. One train of thought was that VOM is a piece of the larger mediation pie and includes the various entities mentioned above.

The next question asked was, "What does inclusion mean?"

The group responded that all mediation procedures should be part of the educational systems and that mediation should be an ongoing program that involves grade and high schools. Inclusion means an open door that does not exclude any of the ism's. We all need to work for peaceful resolution of conflict. Inclusion is open, receptive and does not shut anyone out. It means thinking of who should not be at the table and inviting them. It is finding an identifier based on common ground. Inclusion is not only for those one can see but those beyond our visual limitations and including those on the periphery.

Question three was "What are we doing about inclusion, regarding clientele, our workplace, our boards of directors?"

Consensus was that inclusion is a state of mind. One cannot support people without making them a part of oneself. We need to stop talking about what we should or might have done and

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VORP RESEARCH: AN OVERVIEW OF THE LITERATURE

Presenter: Dr. John Gehm, Executive Director, PACT, Inc., Valparaiso, Indiana

As an organizing tool, Gehm divided the literature review into five categories and then highlighted relevant research.

1. Contextual studies: Place victim offender mediation and restorative justice into a historical framework. There is a rich history of research projects and theoretical papers from the 1950's and 60's which explored a new, non-punitive framework for justice.

Arthur Eglash found that making amends for harm done can have rehabilitative effects for some of the institutionalized population. Berscheid and Walster, using a conceptual framework called "equity theory," concluded that individuals were more likely to compensate a victim if they had resources adequate to cover the loss or if the requirement for compensation was not exaggerated. Richard Korn argued for the transformation of the current justice system "based on retaliation and disablement" to a system "based on reconciliation via restitution." The Tulsa Juvenile Court in the early 70's put some of this early theory into practice by having offenders negotiate directly with victims in situations where restitution was complicated. They found a very high degree of victim willingness to meet.

2. Perceptual studies: Surveys and opinion polls focusing on how persons inside and outside the system view VORP. Researchers at Rutgers University surveyed probation officers and victim service providers concerning their perceptions of the value of providing the opportunity for face-

to-face encounters between victims and offenders. There was a wide discrepancy between the two groups with considerable skepticism on the part of victim service providers as to the value and appropriateness of VORP. In the 80's Hughes and Schneider surveyed actual programs with a victim offender mediation component. They found great diversity in the programs. Strongest programs had the support of the juvenile judges. Administrators of the programs felt mediation had a higher degree of success than did the mediators. A British survey of the general public found little acceptance of the concept of meeting face to face with females and the elderly the least favorable.

3. Outcome and evaluation studies of VORP programs: To date there have been few studies by outside researchers. A study of the Tulsa Juvenile Court did find face to face contact with the victim positively affected recidivism. Since other variables also correlated with a lower re-offense rate, it is difficult to conclude the face to face contact alone was the cause. A 1989 study of five mid-west program sites found high levels of contract compliance.

4. Proximate outcome or evaluation studies: Inferences may be drawn from these due to similarities to VORP. Anne Schneider conducted a thorough study on restitution and recidivism. Offenders were assigned to restitution only, restitution and counseling, probation only, or no sanction. Offenders were followed for several years. The group assigned to restitution only had a statistically significant lower re-offense rate, both in number of offenses and in their seriousness. She concluded the process of making restitution provides continuing tangible outcomes that culminate in successful completion.

5. "New direction" studies: Descriptive studies of where VORP is being applied in new contexts. Best known of these are victim offender reconciliation groups in prisons and the victim impact panel approach which Mothers Against Drunk Driving has promoted.

Conclusions which may be drawn with a very high degree of certainty are: a) Victim offender mediation is adaptable to a variety of settings, using a number of differing program models. This approach to justice has a broad theoretical grounding and is not just a passing fad. b) On

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Overview . . . (continued from page 14)

average, 55 to 65% of victims agree to participate. c) Contract agreement will be reached in 90% of the mediations. d) Contract agreements are very creative. About half will include monetary repayment. What is considered an "acceptable" agreement is very much a function of program norms.

Conclusions which can be stated with a moderate degree of certainty, due to less research to date, are: 1) Restitution agreed upon in mediation is paid at a higher rate of fulfillment than is court ordered restitution. There are several possible explanations for this which have yet to be explained. 2) Mediation reduces victim anxiety about future re-victimization. 3) Meeting with the victim lessens the re-offense rate by offenders.

Research does not support the following: 1) VORP is a diversion or alternative. Instead it is an additional program which can be said to have value in its own right. 2) For which victims VORP is appropriate. We do not yet know this answer. VORP should continue to be offered as an option with no victim group ruled automatically in or out. --SS

SCHOOL MEDIATION

Presenter: Artemus Carter, Cleveland State University, Cleveland, Ohio

Artemus Carter is the Director of the Street Law Leadership Program at Cleveland-Marshall College of Law, Cleveland State University. Carter introduced the workshop attendees to the school mediation concept used by the Community Youth Mediation Program at the Law and Public Service Magnet High School in Cleveland, Ohio. Having been involved in the program from its inception, Artemus was in an excellent position to present a view of sustained school mediation successes. He was one of the first youth mediators trained by the program.

Referrals to the program came from school administrative staff. The program was used as an intervention short of mandatory expulsion and

suspension. Students were trained as 'conflict managers' and ultimately, students trained students. Although adults were involved in the training model, from high school to elementary school students trained students. Students training students also results in reduced training costs. Artemus emphasized an additional 'system' savings when beginning conflict management at the elementary level; trained conflict managers do not require additional training as they move on to middle school and high school.

Artemus talked of Student-Teacher mediation--mediating conflict between student and teacher. There was an initial concern relative to power balance, but as the initial request was from a student the mediation was conducted and was successful. One such mediation between an entire class and a substitute teacher resulted in a code of conduct with some specific focus on behavior for substitute teachers.

Artemus related that mediation worked because no one told the participants the solution. The students became a part of the solution and thus had ownership.

Since the program was initiated in a culturally rich school, Artemus learned quickly the value of knowing your audience. That is, cultural diversity was not only recognized, the diversity was instructed in mediator training and honored at each mediation. He emphasized the need not only for culturally diverse mediators but a program which responds to cultural diversity. --DE

Tools . . . (continued from page 11)

other's feelings, may hurt people's feelings without even realizing it, like analyzing and putting things into logical order, decide on things impersonally sometimes without paying attention to people's wishes and are able to reprimand people or fire them when necessary.

The Feeling type base judgments on personal values and beliefs rather than using impersonal analysis of logic, tend to be aware of other people and their feelings, enjoy pleasing people even on unimportant things, don't like telling people unpleasant things and tend to be sympathetic and like harmony. The Judging types like a planned, decided, orderly way of life better than a flexible, spontaneous way; they like to plan things and follow through with their plans. This group likes to get things done quickly, may decide on things too quickly, and dislike to interrupt a project even for a more urgent one.

The Perceptive type likes flexibility and a spontaneous way of life better than a planned, decided, orderly way. This person adapts well to changing situations, doesn't mind leaving things open for alterations, may have trouble making decisions, and may start a lot of projects at once and have problems finishing them.

Once the test is taken and scored, a type assessment can be made and the relative strengths in certain areas identified. There will be four letters that tell the preferences for: EI, SN, TF, and JP. Of course, a person can be a combination of types. For example, he/she could be primarily thinking, but also have feeling.

When the test results are totaled, a trainer can see what a mediator's strong points are and conduct training to enhance those strong points or try to increase the areas that may be low. For instance, if a person scored 17 in judging and 0 in perceptive, a trainer might decide to train the person to be more perceptive. A trainer would not "train" someone to be more one way than another. The test is useful for the individual to focus on balancing strong and weak characteristics or moving in one direction or another.

When assigning cases, this test can be very helpful also. If a case is strictly a monetary case, someone could be assigned who is ESTJ. If the case involves a lot of feelings and is not really a monetary issue, someone who is INFP may fit the bill. In cases with co-mediators, opposites

should be matched so that they compliment each other. --BF

Preach . . . (continued from page 13)

"just do it". We must be aware of our terminology when we make statements like, "Stay in large groups for safety when you go out" or "Don't go into that neighborhood," both actual quotes heard during the conference.

Furthermore, other organizations should be included in each segment of mediation. Perhaps a mediation conference could be held that is inclusive of all segments of mediation as well as being culturally varied. The Association should look at creating regional directors that are accountable to the national Board of Directors. VOMA also must follow its own example by utilizing and identifying mediation/mediators for conflicts among personnel within the organization.

--Sherry Walker

Sherry Walker is a mediator with the Center for Dispute Settlement in Rochester, New York.

DEVELOPING A DIVERSE PROGRAM

Presenter: Rick Mockler, Director of VORP of Oakland in California

"Conflict comes from diversity--not variety." So began Rick Mockler's session on diversity. "Mediators need to meet and name differences." Diversity, according to Mockler, is at the heart of mediation; intolerance is the root of violence.

Rick looks to the day when people in the VORP/VOM movement reflect the diversity of those we serve. Many programs wrestle with ways to bring minorities into more involvement as volunteers and board members with little success.

Mockler believes that being sensitive to differences is just the first step in becoming more inclusive. Our programs are not structured in a way that is meaningful and relevant to mediators of the non-dominant culture. This discomfort manifests itself in the entire range of program services and expectations.

A discussion was held to grapple with the meaning and consequences of terms such as "dominant culture".

Trainers tend to focus on "process", on how mediation is "done", with little regard for nuances relevant to diverse points of view. Trainers need to commit to developing exercises and constantly filter the "how to" information through the diversity lens.

Obviously, much is left to be said and considered on the topic of "diversity", but Rick Mockler's session continued the dialog with some provocative insights as a reminder that we all need to remain diligent.

--Ruth Andrews

Ruth Andrews coordinates the St. Joseph County VORP in South Bend, Indiana

JUST WHAT EXACTLY ARE YOU TRYING TO SAY?

Presenter: Lynette Hanthorn, Center for Creative Justice, Ames, Iowa

What do you think are some of the main sources of difficulty in communicating with people? Some things that might come to mind are gender, sarcasm, economic and cultural levels, assumptions, inconsistency, and influences of personality. Hanthorn pointed out that there are four components of conflict: differences, perceptions, feelings of threat, and issues of power.

We base everything on two main things and that is fear and love. Fear, of course, is a negative and love a positive. As Lynette put it, "Life is not to be feared; it should be understood." FEAR stands for False Evidence Appearing Real. Only ten percent of the fear we have is justified. Most people when asked what their biggest fears are would list things such as death, failure, loneliness, and pain. The top five fears are conflict, commitment, intimacy, rejections and speaking up. Many times people would rather just sit there and not say anything than to possibly say something about which they are even a little unsure.

The two components of communication are verbal and nonverbal. The verbal aspect amounts to seven percent of our communication while the other ninety-three percent is nonverbal. Nonverbal communication involves fifty-five percent body actions and thirty-eight percent tone. Thus, a lot of what a person says may be taken the wrong way because of the tone in which it is presented. People have to watch their body actions and make sure that those actions are consistent with what is being said. If a person says something and his/her body action contradicts this, the receiver may think the person is being sarcastic or take the message another way.

When two people are communicating, a relationship exists and a relationship requires 100%. Consequently, communicators need to give each other 100%. If there is not 100% given, one of the people involved may feel left out or that the matter isn't important to the other person

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Plenary

CONFRONTING YOUR SON'S MURDERER: A MOTHER'S MISSION

Presenter: Sue Molhan, Parents of Murdered Children, Cranston, Rhode Island

August 14, 1983: Sue Molhan lay in bed restlessly awaiting the late night return of her 20-year old son Stephen. Instead a policeman came to her door. All he knew was that Stephen was in the local hospital emergency room. Frantic to learn more, Sue called the emergency room. She waited "on hold" as precious minutes ticked by. Desperate for information, she drove herself to the emergency room. Eventually she was told by a nurse that Stephen had been shot in the head and was believed to be brain dead. Three days later, Sue made her last decision as Stephen's mother by requesting he be removed from the respirator.

Thus began Suzanne Molhan's story to a very attentive conference plenary crowd. Sue continued to share her ordeal of a long quest for closure on her son's senseless murder. Hundreds of questions began haunting Sue. Nearly all of these questions would remain unanswered for nine long years. Only a few bits of information would surface. The police arrested Alfred, a 27-year old drug dealer with no prior police record. High on valium and Southern Comfort, Alfred had attempted to rob three persons that night. One escaped; one survived five shots in the back; Stephen died. Alfred robbed Stephen of a Timex watch and a thin gold chain. Total value was about \$25.

Thirteen months later when Alfred came to trial, Sue felt totally excluded from the judicial process and was denied the opportunity to make decisions. She felt coerced by the State into accepting a plea bargain and bullied away from a full fledged trial. Sue believes the criminal justice system failed her and prolonged her grief. Her questions went unanswered. Sue left the courtroom vowing to start a support group for victims like herself and to someday get answers to her questions.

Eight years later Sue heard of the pioneering work in mediating non-violent offenses done by Dr. Mark Umbreit. She had not gotten "over it" as well meaning friends had suggested she would. Suicide had been twice attempted. Sue sought mediation as a way to bring closure and to strengthen offender accountability. She wanted Alfred to know her pain. Dr. Umbreit agreed to work on the first violent offense mediation.

Sue's request for mediation was brought to Alfred. She was to learn of his agreement on Mother's Day. Finally, Sue felt some of the lost power returning. Ten months were to be spent in preparation. With her therapist Sue role played questions and possible responses. There were hours of phone conversation with Dr. Umbreit, the man who would be the mediator. Time was spent in selecting a news media that would film the mediation with sensitivity. All the while there was the fear that Alfred might change his mind and withdraw from the mediation possibility.

When the meeting was at last realized, Sue began the mediation by asking, "Why did you shoot my son? Why did you kill him?" Sue finally obtained answers to questions which no one but Alfred could provide. Some brought relief; Stephen was not buying drugs from Alfred. Others brought anguish; Stephen was still alive when Alfred robbed him. Alfred stated he was very sorry and hoped Sue would not have to suffer any more. He felt his 27-year sentence was a severe punishment. However, Sue asked Alfred if one of his children were murdered what he would want for the murderer, and he said "to die." Sue told Alfred she might never be able to forgive him.

The mediation lasted two and a half hours. Sue was emotionally and physically drained at the end. However, there were no regrets. She was extremely glad she had pursued the mediation possibility. Finality and closure were gained. Before the meeting she was a "bitter" person; now she sees herself as a "better" person. After nine years the healing process has finally began. If Sue were to put a caption on Stephen's gravestone it would be, "May we all rest in peace". Alfred, too, felt a sense of relief following mediation. He felt good at being able to help someone. He hopes Stephen forgives him; he tries to forgive himself, and he prays to God for forgiveness.

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Son . . . (continued from page 18)

Sue now lectures on improving methods in mediating for victims and will continue to support enthusiastically the value of mediation in violent offenses as an option in the criminal justice system. Her advice would be for victims to seek professional help in preparing for mediation, not to put any limits on the amount of time victims may need to prepare, and not to place unreasonable expectations or demands on victims (such as forgiving the offender). The purpose or focus of mediation is not to forgive the offender although it could certainly happen, but to hopefully get answers for closure and healing to begin.

Molhan stresses that mediation should take place after a sensible length of time has passed. It is important in her estimation not to attempt a meeting too soon after the crime. Also, victims should be aware that both parties must be in total agreement and that either party can back out at any time. Victims should be well prepared for such a disappointment.

--SS

Say . . . (continued from page 17)

and they just don't care. If this occurs, the person can feel rejected and things may compound at that point. Giving 100% means blocking out all disturbances that may occur such as telephone calls, noise, people interrupting and such. If the other person can't be given 100% attention at that point, they should be told that so that they don't feel they are being ignored or get the impression that they aren't important.

Since we are thinking, feeling people, our emotions are very involved in our communication. Emotions are a very important aspect of communication. As Hanthorn put it, "Communicating involves the four F's: Feelings First, Facts Follow".

Hanthorn provided some hints for making communication more effective.

1. Paraphrase what the person says so that everyone knows exactly what was said and meant.

2. Be open and honest about your feelings and position.

3. Use agreement messages with the person when you agree with what they are saying.

4. Use "I" messages with the other person, so that the person knows where you stand.

5. Have a purpose for the communication. There should be some type of goal. Think about the purpose of communicating. Is the purpose to inform, to clarify, to relate or what? If there is a goal try to reach that goal. Acknowledge that a relationship exists when you communicate and that you don't want to hurt that relationship by not giving it 100%.

--BF