

Programs bring offenders and victims face to face

By Jim Adams
Staff Writer



For Mollee Layer, justice goes beyond revenge.

After the Chaska teacher's car was vandalized by a student last spring, she agreed to forego the usual juvenile court proceedings. Instead she, the student and his family met in a courthouse conference coordinated by Carver County Juvenile Officer Paul Schnell.

"I felt really betrayed," Layer said recently. "I had worked with the kid for two years and dealt with his misbehavior before. I My feelings were really hurt."

The conference in the Chaska courthouse represented one of the latest twists in restorative justice. Minnesota is considered a national leader in the movement that emphasizes repairing the damage caused by crime rather than

simply punishing the criminal. About 25 agencies in the state use such programs, including offender repair crews and victim-offender mediation, officials said.

Layer said she could have asked that the 13-year-old boy pay to repaint her new Honda Accord. It got scratched when he ran over the hood, top and trunk with pebbles wedged in his sneaker soles - to win a \$ 10 bet. But knowing that the boy had already been in trouble because of drinking and drug use, she opted to insist that he enter chemical dependency treatment.

The boy apologized, but initially wasn't interested in seeking treatment.

"He had been in court before, and chemical dependency treatment had been ordered but never

happened," Schnell said.

But, he added, "The conference had a significant impact on his father, who forced him into treatment."

Layer said she called the boy in late August and learned that he had been in drug treatment most of the month and was attending support-group meetings.

"He said, 'I am sorry for everything in the past two years,' " Layer said. "He sounded so much more mature and confident in his voice. He never would have sounded that way before or said those things."

A voice for victims

A conference such as the one Layer attended "elevates the role of the crime victim finally so that their needs are served and they have input into the process of determining restitution," said Mark Umbreit, director of the year-old Center for Restorative Justice and

Mediation at the University of Minnesota.

During the past 15 months, Sgt. Al Campbell of the Anoka Police Department has coordinated 23 family conferences for Anoka juveniles and knows of only one of those youths who was arrested for a new crime. Most participants report being pleased with the results, although at least some victims would like to see harsher penalties imposed.

A recent family group conference in Anoka involved five high school students from Meadow Creek Christian School in Andover. They had stolen a female classmate's check-book and used \$182 in forged checks to buy pizzas.

After a conference included the five students' families, the victim and her family, and merchants, the youths apologized and signed an agreement to pay about \$260 in restitution to



Mike Cooper, 15, left, and supervisor Pat Daly worked last week to build a door for a stockroom at an Eagan women's shelter. Cooper said he was earning money to pay for \$1,500 in vandalism damage he did.

the victim's family and merchants.

"Sitting down and talking to them, it was hard for me," said one of the offenders, a Ham Lake teenager who asked not to be identified. The victim "was a friend, and I kind of betrayed her."

His mother said: "It was helpful for the boys to meet the people that these actions affected and to have the parents of the offenders let them know that we also couldn't tolerate this kind of behavior. It was making them realize what they had done was wrong, but it also was giving them hope. I felt there was a healing and forgiveness for the most part -and another chance."

Promoting healing

In 1992, Umbreit surveyed mediation programs in Minneapolis; Albuquerque, N.M.; Oakland, Calif. and Austin, Texas, and found that restitution was completed 81 percent of the time by offenders involved in mediation compared with 58 percent of the time for offenders who didn't meet their victims.

The study also found that victims who met their offenders were significantly less fearful of being harmed again. Fewer offenders committed crimes after mediation than did offenders without mediation, but the difference was not statistically significant.

Facing your victim and ashamed family members during a conference is often tougher than going to court, participants say.

"One disdainful look from somebody you care about - from your grandmother or mother or brother - is worth 1,000

lectures from a police officer or a judge who you don't know or care about," said Ted Wachtel, a Pennsylvania educator who has organized seminars to train conference coordinators. He said more than 70 people are registered to attend a training session this month in Bloomington.

Kay Pranis, restorative justice planner for the Minnesota Corrections Department, said the most comprehensive efforts are underway in Dakota County, which began using mediation in 1980 and has won federal grants to implement restorative justice programs.



Stephanie Haider says Youth Repay finds jobs for juvenile offenders, who then use the money they earn to pay restitution.

"Our goal is to promote the healing process," said Mark Carey, Dakota County's community corrections director. "When a crime occurs, we like to use the offender as an asset to repair the harm. Under the present criminal justice system, we tend to punish offenders and view them as a deficit."

Carey said the county has 21 restorative programs, including a new crime repair crew. Two or

three carefully screened offenders and a coordinator are sent to clean up graffiti or repair vandalism, said program leader Peter Amish. About 10 projects have been completed, he said.

Another restorative effort, Youth Repay, finds jobs - such as reroofing a YMCA camp building - for unemployed juvenile offenders so they can earn money to make restitution to their victims. One striking feature is that the youths' wages come from Dakota County's victim restitution fund, which is replenished by court fines paid by other offenders, said program coordinator Stephanie Haider. The youths are paid \$5 an hour, which is directly applied to their restitution debts.

A few days ago, Mike Cooper, 15, and four other juvenile offenders were building a wall and door for a food storage area in a battered women's shelter in Eagan. Cooper said he was earning money to repay \$1,500 in vandalism damage he did to a railroad building in Farmington.

Over the past year, Cooper said, he has learned a lot of carpentry and earned almost \$ 1,000 while working on retaining walls, foot bridges, fences and other projects.

"You learn not to do anything illegal because you are going to pay for it," Cooper said.

The victim, however, was less satisfied. Jodi Nicholson, 18, whose checks were forged, said more serious punishment was warranted, especially for two of the youths who were 18.