

OPINION

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Face-to-face meetings between victims and offenders can get remarkable results

When our kids get into trouble with the law, are there more appropriate consequences than punishment? Our judge in Justice Court must have thought so a few years ago as he considered the fate of a juvenile in his court.

The case has since become one of the great stories from Judge Wyckman's bench. A young man appeared before him in court facing serious vandalism charges. Apparently the youthful offender went on a rampage in a north side warehouse and caused several hundreds of dollars in property damage. Believing that the youth needed more than punishment and fines, Judge Wyckman arranged a face-to-face meeting between the offender and the victim, the owner of the warehouse.

At first the owner was apprehensive about meeting the offender, but the Judge's gentle reminder to the owner of his anger and loss encouraged him to confront the young offender.

At the meeting the owner was able to express his feelings of anger about the senseless destruction of his property. He was also able to describe in detail the hardship and financial loss that the juvenile's crime had caused him. The offender in turn was able to give some sort of an explanation for his actions, which in part stemmed from trouble at home. In this way he was able to let the owner know it was not a personal attack on him.

In this face-to-face meeting the offender took responsibility for his crime, promised it would not happen again and offered to make it up to the warehouse owner. Working together, they came up with a restitution plan that involved the offender working at the warehouse to directly repair the damage. This plan was approved by the Judge along with more traditional punishment.

Remarkably when the offender completed the restitution work the



LEE
COPENHAGEN
GUEST
COLUMNIST

owner was so pleased that he offered him another job for the rest of the summer. He also volunteered to write letters of reference for him.

The youth had learned something from the experience, which benefited both victim and offender. In a traditional court

proceeding, the offender would never have to experience a direct confrontation with the victim, and he probably would not have the opportunity to understand that his violence against property had real effects on a real human being.

By working for and getting to know the victim, he was able to really comprehend the consequences of his foolish and violent acts. The victim gained because the offender worked for him for free and because he got the satisfaction of helping a needy kid.

A current adaptation of these face-to-face meetings, or mediation dialogs, between victims and offenders continue today in Gallatin County. Over the past year, the County Youth Probation Office has been referring juvenile offenders to the Montana Conservation Corps who in turn contact the Dispute Resolution Center of Central Montana to conduct victim-offender mediation dialogs. Participation of the victim is always voluntary and only offenders who have admitted their guilt can take part.

The Dispute Resolution Center mediators have found that these face-to-face confrontations are much more difficult for the offender than facing a judge and/or time in cus-

tody. The offender is held accountable and must personally make amends to the victim for his criminal behavior. Specific agreements for restitution, written and agreed upon by the offender and victim, can be very creative.

Some involve physical labor, community service and/or payment schedules, while others have also included letters of apology and classes on anger management or substance abuse. These restitution agreements are often much more appropriate and focused on both repairing the actual damage and harm the crime caused the victim and helping the offender not to re-offend.

Victim-offender mediation dialogs are holding juvenile offenders accountable for their criminal actions. The process acknowledges that the juveniles may make mistakes, but if they do, they still must make amends by working hard to repair the damage their actions caused. The process encourages the offender to stop his criminal behavior. The victim is restored both financially and emotionally. The community is restored because we have been successful in repairing the harm and guiding the youth away from the criminal path.

If you find yourself or a family member in the position of being a victim of a youth crime, please consider participating in a victim-offender mediation dialog. This is an opportunity to have a direct impact on a juvenile offender. It is one way, as community members, we can help teach our youth to control unacceptable behavior, to delay gratification and to respect the rights of others.

Lee Copenhagen is a former Wyoming sheriff's department juvenile crime investigator and an outspoken advocate for balanced and restorative justice on the Community Corrections Board. He has been a volunteer mediator with the Dispute Resolution Center for three years.