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Victim-offender programs offer healing Mediation, dialogue aim to satisfy families, help willing prisoners

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By CINDY STOWELL / The Daily Texan

The United States prison system has a recidivism rate of 41 percent according to the U.S. Department of Justice. This means that within three years of ending a prison term, nearly half of all former inmates find themselves as inmates again. Texas-based programs are working to lower the number of repeat incarcerations, but their progress is considered too alternative to be universally implemented.

By involving offenders and their victims in mediated confrontations, these programs seek to help not only victims, but their assailants as well.

At the moment, there is not enough research to document how mediation programs affect people, but Marilyn Armour, an assistant professor of social work, is working hard to ensure that some day there will be.

Restorative Justice

Armour worked as a social work clinician before her first husband's suicide propelled her in a different direction.

"This event was a catalyst in my awareness of the long-term nature of healing, the stigma that it leaves in society and the need for interventions that are effective," said Armour. "This has a lot to do with why the concept of healing means so much to me."

Armour started working at the UT School of Social Work in 2001 and has since received numerous awards including the 2005 Outstanding Graduate Faculty Teaching Award given by the Graduate Studies Department, but her research is also a source of pride for her. Armour's research delves into an area she feels has been neglected for too long: the family members of violent crime victims and how they are victims as well.

While studying the range of emotions and feelings that a victim's family experienced, she noticed a reoccurring theme: Family members felt that they did not have rights. The U.S. legal system handles murder as a crime against the state rather than a crime against the victim's family, said Armour. For example, information about a perpetrator's police case has been denied to family members, limiting them to the role of a trial witness and nothing more. After noticing this trend, Armour began studying a technique that includes family members in the justice process through direct interaction between them and the offender- a process called restorative justice.

"Restorative justice is a philosophic approach to responding to crime with the aim being to repair the harm that is caused by a criminal act and restore balance in the community," Armour said.

Origins of Healing

In 1992, a mother's request to face her daughter's murderer started Texas down the path to its restorative justice program, which is one of the oldest in the country. Texas' State Coordinator of the Victim-Offender Mediation/Dialogue Program, Eddie Mendoza, explained the origin further.

"From that experience, we found that the victim and offender had received a lot of, I don't want to use the word 'healing,' but understanding. The victim was able to get answers regarding the crime, and the offender was able to provide those answers," said Mendoza.

The mother's simple request paved the way for the official program, which began in 1993. Since its inception, the program has helped mediate 192 dialogues.

The development of the official program started in 1993 when guidelines and protocols were developed to oversee the mediated dialogues. In fact, there is a state law that gives victims of violent crime the right to request a meeting with the offender, said Mendoza.

What happens after that point depends on how willing the offender is to talk with the victim's family.

The process of understanding

After a request has been filed, it usually takes between three to four months for the case to be assigned a mediator. The mediator talks with the offender to see if he or she is willing to participate in the program, said Mendoza. The program is completely voluntary, and the process has no effect on the offender's parole status. Implicit in this agreement is that the offender has to take responsibility and admit guilt for his or her crime. If the offender does not want to meet, then he or she is given an option of corresponding with the victim through letters or taped messages. If that offer is declined, then the family may meet with a surrogate offender, another person in prison for unrelated reasons who is willing to talk with different victims to promote understanding.

Should the offender agree to meet the family members, the goal is to have a face-to-face meeting after six months of preparation. The victim and the offender are prepared for the confrontation, and the mediator constantly assesses the situation. At any point leading up to the meeting, it can be called off by the victim, the offender or the mediator. This preparation consists of intense work, soul searching, grief inventories and empathy exercises in which both parties try to relate to each other's point of view, said Mendoza.

With permission from the warden, victims go on a tour of the prison facility in which the offender is held, the day before the meeting is to occur. This is done to give the victim a

sense of safety and to answer questions they might have about the offender's day-to-day life.

The meeting opens on the following day with a set of rules provided by the mediator, said Mendoza. The average meeting lasts three to four hours, but stretching to seven or eight hours isn't unheard of.

The meeting usually follows a pattern in which the survivor expresses intense emotions and asks specific questions of the offender, said Mendoza. From there, the family shares stories about the victim and the offender will share his or her past and future plans.

"It is here that the two begin to discover a common ground," said Mendoza.

After the meeting, the victim and offender are debriefed and are subject to follow up discussions from the mediator.

Bridges to Life

While the Victim-Offender Mediation/Dialogue Program is limited to offenders who are incarcerated for long periods of time or are on death row, there is another restorative justice program that handles mediation involving less serious crimes in a different format.

This program was designed by a faith-based, non-profit corporation called Bridges to Life. It was founded in 1998 by John Sage, whose sister was murdered in Houston. He experienced a victim-offender meeting and wanted to spread the benefits to others.

Bridges to Life pairs six randomly assigned volunteer offenders with three to four "free world" volunteers, including facilitators and surrogate victims, said Bridges to Life regional coordinator for Central Texas, Deborah Hartman.

Inmates are enrolled through word-of-mouth or through the prison chaplain, which makes it difficult to recruit members in prisons in which the program is not yet implemented, Hartman said. The inmates enroll for different reasons: because the sessions are held in air conditioning, because they want to talk to women or because they genuinely want to change.

As of March, 1,777 inmates have gone through the Bridges to Life program and 1,532 have been released, with a relapse rate of only 12.7 percent.

"I look at it as a victim program that helps offenders," said Hartman.

Despite the success of this program, Bridges to Life has yet to expand beyond Texas.

"I think it has stayed marginal because it doesn't reach large masses of people, so most of the research has not been particularly rigorous," said Armour.

Steps toward forgiveness

While these programs have existed for a while, the effects that they have had on the victim, the offender, and society have not been examined thoroughly. This was the situation in which Armour found herself when she and Mark Umbreit of the University of Minnesota began to study the results of the first 40 mediated dialogues in Texas and Ohio, homes of the longest-running mediation programs.

She interviewed participants to find out answers to questions such as why the offenders and victims wanted to take part in the restorative justice process, what each party gained from the meeting, and how restorative justice promotes the healing process.

"Offenders said that they had the same concerns about how they are perceived by the victim's family and how what they did wrong doesn't define them. Plus, they see it as an opportunity to give something to the person that they harmed. I suppose that ultimately that can make them feel better about themselves. Only 15 percent wanted to seek forgiveness," said Armour.

The participants of the Victim-Offender Mediation/Dialogue Program from both sides viewed the program positively. "Ninety-seven percent were satisfied from the process and 80 percent reported major life changes," said Armour.

After the mediated discussions, the families of victims took steps toward forgiveness, not in the sense of excusing actions, but letting go of anger and vengeance, said Armour.

The behavior of the offenders often changes after the mediation; there are fewer disciplinary problems within the prison, said Armour.

Because of the huge success of the Victim-Offender Mediation/Dialogue Program, it is expanding to other parts of the country.

"I hope that it becomes more widely used. Because of what Texas and Ohio have done, there are now 12 to 15 states putting together these programs," said Armour.

"I constantly get calls from other states who want to implement the Texas model, and use us as a model for their state," said Mendoza.

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