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◆ BUILDING COMMUNITY...PEACE BY PEACE ◆

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REDUCED SENTENCE FACILITATED BY LAVORP'S RESTORATIVE JUSTICE PROGRAM

This did not start out as a Court case for LAVORP, rather with a call from a business owner who had been victimized* by an employee. Could we help?

First was a visit with the defendant to learn of his willingness to be in a Victim-Offender Conference. He agreed. Then a meeting with the victim to apprise him of the LAVORP process and get the OK to move forward. He agreed to a Conference.

As background, the defendant had been a close friend of the victim and attended the same church. As a youngster he worked in the business and was a guest in the homes of some of the family. Growing up he pursued other avenues and now in his early 20's returned to work in the business. Falling on financial hard times, he entered the victim's home and stole \$1,400. He was arrested and facing up to twenty-three months in prison for theft by unlawful taking and burglary.

Because the defendant was incarcerated, the Conference had to be held in the Lancaster County Prison. A good part of the Conference was devoted to talking about the crime and its ramifications, especially the harm caused to the victim. The defendant acknowledged guilt, was remorseful and wanted to make amends. The victim spoke of the broken trust, how he was impacted and got questions answered. He also explained that \$1,300 additional was missing from daily receipts. The defendant acknowledged that and even offered that he thought the amount was closer to \$3,000 that he stole.

The Conference resulted in the following Agreement: 1) defendant agreed to work with a Budget Counselor upon release to arrange payment schedules for those to whom he owed money 2) that the victim wished for the defendant to be released with time served so that he could return to the community and become a contributing member and work to pay off his debts. The Agreement was signed and copies were sent to the Public Defender and Assistant District Attorney. Additionally, LAVORP sent a letter to both attorneys explaining the human side of the situation which resulted in the request for time served.

There was going to be a straight Guilty Plea with the potential of a twenty three month sentence. The victim attended the Sentencing Hearing. The Judge allowed for victim input at which time the victim stated his desire for time served. The Judge took that into consideration and made the sentence a min of eleven months and max of twenty three with a release date forty-four days later, amounting to nine months of incarceration. The Judge did admonish the defendant that the Court takes home invasion very seriously and that he did not want to see the defendant back in the Court.

This is not a situation of being "soft on crime." Rather, recognizing that Restorative Justice can play a significant role in how the harm caused by crime is addressed, especially considering the victim's wishes.

* Actually four victims, but a singular person used for simplicity.