

Chair Bynum, Vice Chair Power, Vice Chair Noble, and members of the committee.

For the record, my name is Tristen Edwards. I am a public defender at Metropolitan Public Defender and I am appearing on behalf of the Racial Justice Council's police accountability and criminal justice reform committee as well as the Oregon Criminal Defense Lawyers Association.

Restorative justice is an approach to addressing harm that centers the needs of the survivor, fosters true accountability, and grounds itself in community and relationships. It is inapposite to our current system which is rooted in isolation. Prisons, jails, and the collateral consequences that accompany a criminal conviction all serve to isolate people from their communities. In restorative practices, the community plays an essential role. It facilitates access to services and holds space for both parties to come together in healing dialogue. Survivors have the opportunity to tell their story, to ask questions, and to contribute to the creation of an accountability plan that guides the responsible party in working to repair the harm they caused.

Restorative Justice is also about racial justice. It is sensitive to the fact that people of color are disproportionately represented on both sides of the aisle and it seeks to eliminate the racial disparities rampant in our current system.

In 2019, I represented a young woman, who was the survivor of harm. She was subjected to sex trafficking and experienced abuse that put her in a coma for three days. In my case, she was accused of stealing a car. I contacted the owner of the vehicle and he told me that he wanted an apology, a better understanding of what happened, and for my client to seek services. I petitioned the judge to dismiss her case contingent on her completion of each of the survivor's requests. The state opposed my motion, pushing for a prison sentence in spite of the survivor's needs, and the court ultimately denied my motion.

With this story I hope to underscore three points:

1. Our system is not a place of healing. It makes no room for survivors of harm to receive a genuine apology or get answers to their questions about the harm they endured. Given the abysmal recidivism rates for people coming out of prison, we cannot say that our system satisfies perhaps the most common need that survivors have: to know that what happened to them will never happen again.
2. There is no bright line between those who experience harm and those who commit harm. My client base is disproportionately composed of survivors of harm. They have suffered physical abuse, sexual abuse, neglect, abandonment, and every other form of mistreatment.
3. District Attorneys do not represent the needs of survivors. And the system is not designed to be responsive to those needs either. For this reason many people choose not to call the police. They would rather have nothing than everything our system has to offer.

This fund would provide counties with the opportunity to give survivors of harm another option. This fund would help us make inroads to developing a system that is responsive to the needs of the survivor while also acknowledging the humanity of the person who has caused the harm and their rightful place in our community. By promoting these principles we have the opportunity to shift our focus away from punishment and isolation and towards healing and accountability.

I thank you for the opportunity to speak on a topic for which I have a great passion and I would gladly speak further with anyone who is interested. Thank you.