

To Whom it may concern,

My name is Sidney Morgan, and I am a restorative justice practitioner who has been in practice for 22 years. I want to speak on the restorative justice process's need for confidentiality. In every restorative justice process, it is important to offer confidentiality to all parties involved. Confidentiality creates a sense of safety within the process that allows for the truth-telling within process to be fully seen and heard. Without confidentiality within the restorative justice process, participants will cease to engage with a restorative process at all. This will have great implications for the new Senate bill being passed in the state for more restorative justice processes within the criminal justice system. As a practitioner who has worked within the Juvenile Justice System and who has facilitated many processes between victims and offenders, confidentiality was one of the most essential guidelines for a strong and healthy process.

Suppose we use confidentiality dishonestly within this process. In that case, the process will fail, and we should not offer a restorative justice process as an alternative solution to a criminal situation. Furthermore, confidentiality allows the victims or those who have been harmed by crime to speak the truth about their experience to those who have caused them harm. Confidentiality also supports those who have caused harm or the offenders to share what they may not have been able to say before in a traditional court process to those they have impacted and caused harm to and take responsibility and engage in a true repair opportunity to those they have impacted or caused harm to.

I believe we can seek to ask permission to share the outcomes of a restorative justice process between parties who agree to be in the process together. Outside of asking parties for their permission to share what has been stated in a process, what has occurred in a process should not ever be shared publicly or against those who have caused harm in a court proceeding. These are the ways that the system continues to perpetuate cycles of harm under the title of restorative justice. What this creates is mistrust of the restorative process, where it would be beneficial to the parties who decide to be part of a process. The justice system needs to recognize and understand where its limitations are as well as the restorative process to the extent necessary and understand that this process has its limitations. In final thought, confidentiality needs to remain a key and crucial sacred guideline for the restorative process to be able to fully experience the process with its goal of making those who participate in it whole thank you.