

Dear Co-Chairs Sollman and Evans and members of the Joint Committee on Ways and Means Subcommittee on Public Safety,

My name is Tristen Edwards. I am an attorney at Metropolitan Public Defender and a Coordinating Committee member of the Restorative Justice Coalition of Oregon. I also co-chair the Oregon Criminal Defense Lawyers Association's Diversity Equity and Inclusion committee and serve as a member of the Racial Justice Council's Criminal Justice Reform Committee.

I am writing to support the Criminal Justice Commission's Restorative Justice Grant Program. Restorative justice provides a powerful alternative to the current criminal legal system. As a public defender, I have born witness to the lack of accountability the system has to offer. When someone is arrested and charged with a crime, they have every reason to deny their actions. They are told that any statements about the offense will be used against them and are required to enter a plea of not guilty at their first appearance. From that point forward, they are separated from their support network, either because of incarceration or the detrimental impacts that can come from even confiding in a close friend. This isolation and inability to talk about the crime prevents people from being able to explore the impacts of their harm and truly hold themselves accountable.

A responsible party's inability to talk about or reckon with their actions also impacts the people who have been harmed. I have spoken to many victims and survivors, who have told me that what they want is to understand why the crime occurred and to get answers to their questions about the harm. One day, when I was covering an arraignment shift, I watched a mother come into the courtroom to make a statement. Her son was the victim in a murder case. When she came up to speak, she turned to the defendant and asked him several questions – what gave you the right to do this? Why did you do this? How could you have done this? Her pain was palpable. And yet the system could not accommodate her desire to gain answers about the harm. She was told that she could not speak to the defendant, that he could not answer her questions, and that there would be no opportunity for the foreseeable future for her to satisfy her need to know more. As the defendant was ushered out of the courtroom, I heard him say "I'm sorry" as his attorneys urged him not to say anything. In this moment, I was struck by the obstacles the criminal legal system creates for healing and accountability.

On the flip side, I have met many people within restorative justice spaces, who have had the opportunity to heal and develop true accountability through participation in facilitated dialogue. I have heard from responsible parties, who were confronted with the human impact of their crime and empowered to work towards repairing the harm. I have met people who have committed terrible acts of violence and have been transformed by restorative justice. I have also had the privilege to hear stories of harmed parties, who found healing and increased feelings of safety after being able to sit in a restorative circle with the person who harmed them.

Restorative justice offers an incredible opportunity to responsible and harmed parties alike. By shifting the focus from punishing the offender to healing the person who has been harmed, restorative justice presents an alternative way to addressing harm in our community. This approach is inapposite to the criminal legal system, which is based on punishment and isolation.

In contrast, restorative justice is based on community, relationships, healing, and accountability. Restorative justice recognizes that wrongdoing does not make someone less human and it does not exclude them from our community. Instead, that wrongdoing creates an obligation to work towards accountability and towards repairing the harm, to the extent possible. And the results are impressive. Programs across the nation and the globe have shown incredible success in reducing recidivism and increasing survivor satisfaction.

Because of the creation of the Restorative Justice Grant Program in 2021 and the resulting growth in the use of restorative justice, Oregon is poised to become a leader in this space and in the use of effective and humane alternatives to our current system. I am grateful to the Oregon legislature for establishing this program and urge you to continue the investment for the sake of all Oregonians.

Through my work with the Restorative Justice Coalition of Oregon (RJCO), I have had the great fortune to be in community with all the funded programs and to witness the awesome work they are doing. RJCO facilitates a monthly meeting for the cohort of funded programs, where programs can meet, share information, relay best practices and lessons learned, and help each other grow. Though the programs are similar in mission, they each have their own unique qualities. These differences are very promising for the growth of restorative justice in Oregon as each program is growing in its expertise on how to handle specific crime types in different ways. We have programs that refer cases post-conviction, pre-indictment, pre-charge, and even pre-arrest. We have programs that handle misdemeanors to felonies to community referrals. And, most importantly, these programs are regularly in conversation with each other to pass on valuable information and ensure that everyone is supported as they work towards building effective and impactful system alternatives.

Oregon is in desperate need of the healing power of restorative justice. The vast majority of my public defense clients have been the victims of terrible crimes, often having experienced extreme violence and/or sexual abuse. My clients struggle with the trauma of their past experiences and many of them enter the system because of their trauma. Hurt people hurt people. Promoting healing processes should be considered an integral part of public safety and of sustaining healthy communities.

The Restorative Justice Grant Program is a promising and important step in the right direction. As the funded programs continue to develop and as more counties begin to explore the use of restorative justice, Oregon has the potential to undergo a powerful cultural change that will lead to lowered rates of crime, more healing for survivors, and a deepening of our commitment to community.

Sincerely,

Tristen Edwards