

February 2023

Testimony SB 5505

My name is Dr. Deltra Ferguson. I am Executive Director for **Resolve Center for Dispute Resolution and Restorative Justice** of southern Oregon. **Resolve** has been serving the people of Jackson, Josephine and surrounding areas for nearly 33 years. Resolve helps people manage conflict through mediation, repair harm and build community through restorative justice, and advance peace through resolution education and training. Resolve's professional mediators, restorative justice practitioners, and community volunteers are dedicated to building safer, healthier, and more equitable communities at home, at work, and at school.

I urge support for Senate Bill 5505 continuing funding for the Criminal Justice Commission and supporting the value of restorative justice as part of effective justice reform.

For the 2021-23 biennium, funding through the Criminal Justice Commission was awarded to Resolve to meet increasing referrals from Jackson County Juvenile Justice for VAYA (Victim Assistance/Youth Accountability) for youth diversion, and to develop programming, partnership, and capacity for a restorative justice program for young adults (ages 18-24) in partnership with the Jackson County District Attorney's Office.

VAYA programming is designed to ensure those harmed are supported and empowered, offenders are meaningfully held accountable, and the community is engaged in the justice process. Throughout the restorative justice process, youth who have caused harm participate in a series of skills-building classes and restorative interventions with support from our restorative justice practitioners.

The development phase of the Young Adult Program has included meetings with staff from the Jackson County DA and other partners, to form relationship, and to determine participant eligibility and other programmatic details before piloting actual cases. For the young adult restorative justice program: It is a requirement of the grant that cases are "pre-plea" diversion (not part of a special court program). Resolve's pilot cases will be incidents where the DA chooses not to press charges, until the offender has had a chance to be successful through diversionary restorative justice programming.

This new young adult program is fledgling and will take years to fully develop. But it's worth it. RJ with young adults will keep people out of the criminal justice system. It is incredibly cost effective.

I know you are aware of the need for justice reform. Restorative justice expands access to justice for all Oregonians. Our prisons are crowded disproportionately with people from BIPOC communities. Innovative, trauma informed approaches such as restorative justice have an important role to play in the success of justice reform.

I would like to conclude my testimony with a story from VAYA. Thank you for your thoughtful contemplation of this requested support, and for your leadership.

Deltra Ferguson, PhD
Executive Director Resolve

Restorative Justice in a Rural Oregon Community

Resolve's VAYA program was joined by a youth who had caused a very serious and impactful car accident. This young person chose to evade law enforcement and engage in a high-speed chase, endangering an entire community before eventually experiencing a horrifying crash that left the youth and his passenger severely injured and caused considerable damage to a facility operated by Oregon Department of Fish & Wildlife (ODFW).

When entering VAYA, this youth expressed remorse for the recklessness of their choices from the incidents of that night. They were simply grateful to have walked away, and that no one had died. They had said a few apologies and felt like it was time to lock this event deep in their past. Through VAYA, we worked with this youth to discover that more was needed to make things right, and went through the steps for all involved to truly heal and move forward.

The restorative process started with the harmed passenger. This passenger had an ongoing relationship with the responsible youth, and stated a need to feel validated and supported in their journey of recovering from the severe injuries and coping with the trauma. The responsible youth learned a great deal from this exchange, took responsibility, and committed to offer support for the passenger.

At this stage, one might think that the restorative justice journey would be at a satisfying close, however, there was still a damaged small rural community that needed help with reconciliation. Upon reaching out to the impacted supervisor at ODFW, Resolve staff learned how much more could be done.

The impacted worker for ODFW shared a story of a brief exchange with the responsible youth's father in a parking lot where the father said that ODFW was overexaggerating the cost of repairs and "snaking this family out of money". Recognizing that a conflict was brewing, our RJ practitioners decided to arrange a dialogue to take place at the site of the crash, between this ODFW supervisor, the youth, and the youth's parents.

During the dialogue the responsible youth was able to retrace his choices. The ODFW supervisor outlined to the youth and his parents exactly what it was like responding to this damage; highlighting the specialized nature of the facility, the amount of skilled labor necessary for repairs, and the way the damage threatened water supply for an entire agricultural region. This facilitated dialogue was educational, emotional, and conciliatory for the youth, their family, the supervisor from ODFW and this rural community.

-Tim Rasmussen, MA – Restorative Justice Specialist at Resolve