



February 16, 2023

Senator Sollman, Co-Chair
Representative Evans, Co-Chair
Joint Committee on Ways and Means Subcommittee on Public Safety
900 Court Street, NE. Salem, OR 97301

Co-Chair Sollman, Co-Chair Evans, and Members of the Committee,

As District Attorneys of counties all over Oregon, we support renewing funding for the Criminal Justice Commission's Restorative Justice Grant Program. The restorative justice programs funded by this measure help us further our goals of enhancing community safety, supporting victims of crime, and reducing the pressure on our overburdened criminal justice system.

Using restorative justice to respond to crime in appropriate cases improves community safety by reducing recidivism. Restorative justice programs require offenders to take accountability, understand the impacts of their actions, and complete a plan to repair the harms they caused. This reduces recidivism by increasing the offender's sense of accountability and remorse, and by supporting offenders to avoid repeating the behavior in the future. The reduction in recidivism is often marked compared to those in similar situations who did not engage in restorative justice (Gascon 2019; Baliga 2017; Sherman et al. 2015; Shapland 2008). System and community partners in restorative justice programs provide necessary services, such as substance abuse treatment or anger management counseling, that also help offenders to avoid reoffending.

The restorative justice process empowers victims of crime by allowing them to exercise agency and control over the situation in the aftermath of a crime, which is one of the most important ways in which they can recover from the harm they have suffered. In many restorative justice processes, victims of crime can directly communicate with the offender. Direct communication allows the victim to express the harm they experienced to the offender and hear the offender take responsibility for the crime. Many victims seek to better understand how and why the crime occurred, and how to prevent similar harms from happening in the future. Through dialogue, they can better achieve this sense of understanding and closure that the traditional criminal justice system is less equipped to provide. Victims are also often active participants in determining the course of action the offender must take to repair the harm they caused. Most victims who participate in restorative justice programs report less fear of the offender, less anger at the offender, more feelings of safety and security, and a greater ability to move

on with their lives (Baliga 2017; Sherman et al. 2015; Strang 2003). In a procedural justice sense, victims also often find restorative justice more transparent because they are involved and have more input in the outcome. The opportunity to actively engage in the process allows victims to choose whether and how to participate in their own healing.

Diversion to these programs also allows us to conserve scarce prosecutorial and judicial resources to be used in other cases that require them. In some counties, the current backlog of cases and a severe lack of public defenders has led to defendants going unrepresented and cases being dismissed for Sixth Amendment violations. This is part of the reason system alternatives like restorative justice are incredibly important, especially now.

For these reasons, we ask that the legislature approve continued funding for the Restorative Justice Grant Program, and, in so doing, strengthen our ability to provide justice, community safety, and victim support.

Sincerely,

Mike Schmidt, Multnomah County District Attorney
Steve Gunnels, Deschutes County District Attorney
Matthew Ellis, Wasco County District Attorney

Sources

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Shapland, J. et al (2008) Does Restorative Justice Affect Reconviction? The Fourth Report from the Evaluation of Three Schemes. Ministry of Justice Research Series 10/08. London: Ministry of Justice. Retrieved from URL: http://webarchive.nationalarchives.gov.uk/20090215211157/http://www.justice.gov.uk/docs/restorative-justice-report_06-08.pdf

Sherman, L.W., Strang, H., Mayo-Wilson, E. et al. (2015). Are Restorative Justice Conferences Effective in Reducing Repeat Offending? Findings from a Campbell Systematic Review. *J Quant Criminol* (2015) 31: 1. Retrieved from URL: <https://doi.org/10.1007/s10940-014-9222-9>

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