



Oregon

Kate Brown, Governor

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TO: Senator Prozanski, Chair
Senate Judiciary Committee, State of Oregon

FR: Juliet Britton, J.D.
Executive Director
Psychiatric Security Review Board (PSRB)

RE: Written Comment for February 13, 2017, Hearing on SB 65 (no fiscal)

Good morning, Chairman Floyd Prozanski, Vice-Chair Thatcher, Senators Dembrow, Linthicum, and Manning. Thank you for the opportunity to speak to you this morning. My name is Juliet Britton; I am the Executive Director of the Oregon Psychiatric Security Review Board.

In an effort to expand the services available to victims of crimes committed by those under PSRB supervision, Senate Bill 65 would allow the PSRB to formally stand up a Restorative Justice Program (RJ). Establishment of an RJ program is within the Board's current statutory authority and informal RJ experiences have occurred; however, the Board is looking for statutory privacy protection to ensure for those who participate in a RJ program know that the process will be not open to the public and remain confidential.

Overview of RJ

Restorative Justice is a response to a harmful incident that seeks the direct inclusion of all involved in efforts to meaningfully address the harm. Nationwide surveys of victims/survivors routinely show that victims are not left satisfied during the criminal justice process. The focus of RJ is to address the needs of those most affected by the harm, as opposed to punishment of the person who offended. RJ occurs outside the formal criminal justice proceedings, typically well after the crime has been committed. What's the goal of RJ?

- 1. Fewer people struggling with the aftermath of crime.**
- 2. Victims can become thriving survivors.**

3. PSRB clients can move forward in their own recovery by contributing meaningfully to this process.

RJ is always initiated by the victim, includes a thorough vetting process and is purely voluntary before a trained, neutral facilitator brings together both parties and allows the victim to ask questions, often resulting in the victim receiving answers he or she has never been given in hopes of moving forward in their own recovery.

There are thousands of RJ programs throughout the U.S. and world in criminal justice settings, community corrections, juvenile departments, state Departments of Corrections (including Oregon), schools, and neighborhood associations, to name a few. The satisfaction rate of victims and offenders who have participated in the Oregon Department of Corrections RJ program is extremely high.

In 2015, the Board created an RJ Advisory Council to explore whether an RJ program would make sense in the PSRB setting and if so, what the program should look like. In December 2016, the Council submitted its final recommendations to the Board, including a recommendation for statutory protection as described in SB 65. The Council also recommended that the RJ experience and operations be conducted by an entity with mental health and clinical experience. The Board envisions creating a program in which an outside provider (most likely a university with a Department of Psychology) would be the conduit between the victim and the PSRB client. SB 65 would assist in preserving the integrity and purpose of RJ in that statements made in the RJ process would not be introduced at any later proceeding, including a PSRB hearing, or be releasable to the public. Both victims' advocates on the Council and attorneys believed that a confidential RJ program would maximize participation and candor in the RJ process. Additionally, if a letter bank were created, wherein clients write letters of apology to the victim, and these letters were stored in a PSRB record, the statutory protection of SB 65 would keep those confidential except to the victims.