

HB 2204 A STAFF MEASURE SUMMARY

Carrier: Rep. Bynum

House Committee On Rules

Action Date: 06/18/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-3-0-0
Yeas: 4 - Fahey, Holvey, Salinas, Smith Warner
Nays: 3 - Bonham, Drazan, Zika
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Gillian Fischer
Meeting Dates: 6/18

WHAT THE MEASURE DOES:

Directs the Oregon Criminal Justice Commission (CJC) to establish program to award grants to public and private entities for restorative justice programs and to adopt rules to administer grant programs. Specifies that adopted rules must define restorative justice for purpose of grant eligibility and specify application process and eligibility criteria. Requires candidates, to be eligible, to demonstrate coordination with community-based organizations in application and the ability to work collaboratively with system partners, including local law enforcement entities, courts, district attorneys, and defense attorneys. Requires applicant to demonstrate how the applicant will center the experiences of those harmed, encourage those who have caused harm to take responsibility and repair the harm, and support persons who have been harmed, impacted community members, and responsible parties in identifying solutions that promote healing, including promoting dialogue and mutual agreement. Requires CJC to convene advisory committee to evaluate and approve grant awards established by measure. Directs CJC to report to Legislative Assembly on progress in adopting rules, convening an advisory committee, and awarding grants no later than September 15, 2022 and September 15, 2023. Sunsets reporting requirement January 1, 2024. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Differences between restorative justice and current criminal justice approach
- Pivot focus from punishment of offender to repairing harm caused to victim and community
- Examples of programs involving restorative justice principles

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Oregon has convened several working groups to analyze the sentencing and corrections policies that drive correctional population and costs, including a 2011 Commission on Public Safety. There are two methods by which length of stay in prison could benefit public safety: incapacitation (the reduction of current criminal involvement because offenders are physically held in prison) and deterrence (the reduction of future criminal involvement because of the increasing severity of the current penalty). Incapacitation is effective at preventing individual offenders from committing crimes but it comes at a substantial cost. Between 2000 and 2010, Oregon's prison rate increased by nearly 50 percent growing to 14,000 inmates with a total biennial corrections budget over \$1.4 billion.

The Justice Reinvestment Program is one approach Oregon has taken to spending resources with the goals of reducing recidivism while also decreasing prison use, protecting the public, and holding offenders accountable. Restorative Justice programs are another alternative approach to traditional criminal justice processes.

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Restorative Justice is a community response to crime and other misconduct that focuses on addressing the harms done to victims and communities by holding offenders meaningfully accountable for their offenses. Examples of restorative justice practices include victim and offender dialogue meetings, restorative community service, and restorative community panels or boards.

House Bill 2204 A directs the Oregon Criminal Justice Commission to establish a program to award grants to public and private entities for restorative justice programs and to adopt rules and convene an advisory committee to administer the grant program as directed by the measure.