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February 7, 2023

RE: Support for SB 586

Chair Prozanski, Vice Chair Thatcher, and members of the committee,

As the Wasco County District Attorney, I am writing to support Senate Bill 586 and the creation of confidentiality protections for restorative justice programs.

Restorative justice is important to Wasco County and its journey to establishing survivor centered approaches to harm. My office is currently working in collaboration with Six Rivers Dispute Resolution Center, one of the programs funded by the Criminal Justice Commission's Restorative Justice Grant program, to develop a restorative justice program for crime survivors. As we work to create a new pathway for healing and accountability, it has become clear that full confidentiality protections for people engaging in the program are necessary.

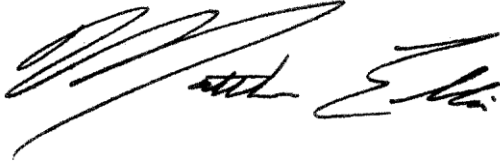
For example, part of the program we are developing includes the use of survivor support circles. These circles will provide healing spaces for survivors to connect, express themselves, and share the impacts of their harm as they prepare for a face to face dialogue with the person who harmed them. Currently, there is no law requiring confidentiality for restorative justice programs, which prevents us from being able to promise that statements made in the circle will remain secret.

Similarly, confidentiality protections are critical for the facilitated dialogue, which exists as the central piece of the restorative process. Though the relevant parties and system partners plan to enter into agreements to restrict their access to the statements, this provides only partial protections and does not prevent another party from attempting to seek the statements for other legal proceedings. The inability to ensure complete confidentiality threatens to impact a responsible party's ability to fully engage in the program and, consequently, a survivor's ability to get access to this healing process. The lack of confidentiality also impedes a responsible party from being able to take full accountability. Without the ability to open up and be completely honest about their actions, a responsible party does not have the opportunity to truly reckon with their actions and face the impact of their crime

Restorative justice offers a powerful alternative to the traditional criminal legal response. It has huge potential to provide important support for survivors of crime, while also reducing reliance on incarceration and helping offenders remain in the community. The reduction in recidivism

rates and in cost are also important factors and further underscore the value in expanding and protecting such programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Ellis". The signature is fluid and cursive, with the first name "Matthew" written in a larger, more prominent script than the last name "Ellis".

Matthew Ellis

Strang, H. & Sherman, L.W. (2003). Repairing The Harm: Victims and Restorative Justice. Retrieved from URL: <https://www.researchgate.net/profile/Lawrence-Sherman/publication>