



DATE: February 9, 2023  
FROM: Sammi Teo, Public Policy Advocate  
RE: Support for SB 586 to strengthen restorative justice programs

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Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Committee on Judiciary,

Oregon Food Bank's mission is to eliminate hunger and its root causes. We pursue this goal in two key ways: we foster community connections to help people access nutritious food today; and we advocate to change policies that drive hunger and poverty.

### **The structure of our public safety system directly impacts rates of food insecurity.**

The structure of our public safety system affects how our communities heal and hold each other accountable, which in turn directly impacts rates of poverty and success. Traditional justice processes have failed us. Research shows that 67% of crime victims did not receive help following the incident,<sup>1</sup> and that amongst households with a formerly incarcerated family member, 70% struggle to meet basic needs, such as food and housing.<sup>2</sup> We need a public safety system that is built on accountability and opportunity – not one that re-traumatizes victims and makes it more difficult to heal and thrive in society.

### **Restorative justice results in higher survivor satisfaction and lower recidivism.**

Restorative justice seeks to repair the harm caused by crime by providing an opportunity for those harmed to express and address their needs, while holding those responsible accountable through dialogue and healing-centered agreements.

Restorative justice leads to healing for survivors. 91% of survivors who participated in a restorative justice process reported that they would participate again, and an equal number would recommend the process to a friend.<sup>3</sup> Studies found that participating in restorative justice **increases survivors' perception of safety, security, and closure**. In one randomized control trial, participating victims reported **substantially reduced post-traumatic stress symptoms**.<sup>4</sup>

Restorative justice generates a lower risk of recidivism than traditional justice processes. Restorative justice programs in San Francisco<sup>5</sup> and Alameda County<sup>6</sup> yielded **significant**

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<sup>1</sup> Study was conducted in Alameda County, California. [Alliance for Safety and Justice](#).

<sup>2</sup> [www.bread.org/article/mass-incarceration-a-major-cause-of-hunger](http://www.bread.org/article/mass-incarceration-a-major-cause-of-hunger).

<sup>3</sup> Baliga, S., Henry, S., & Valentine, G. (2017). Restorative Community Conferencing. Impact Justice & Community Works.

<sup>4</sup> Strang, H. & Sherman, L.W. (2003). Repairing The Harm: Victims and Restorative Justice.

<sup>5</sup> Gascon, G. (2019). Transformative Justice: Prosecution Strategies to Reform the Justice System and Enhance Community Safety. San Francisco District Attorney's Office.

<sup>6</sup> Baliga (2017).

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**reductions (e.g., a 44% decrease) in recidivism for youths** compared to those processed through the criminal system. One study reports that **annual offending rates among participating individuals dropped by 38 crimes per 100 offenders** as compared with those processed through the criminal system.<sup>7</sup>

### **SB 586 would allow participants of restorative justice programs to be open and honest.**

A central practice of restorative justice is dialogue. Typically, these dialogues include those directly impacted by the harm, the person who committed the harm, community representative(s), and one or more facilitators. The success of these conversations, and the preceding preparatory meetings, depends on the participants' ability to be open and honest.

However, in Oregon, there is no guaranteed confidentiality for restorative justice. This lack of protection presents an obstacle for these programs as well as for other communities hoping to benefit from the power of restorative justice. While confidentiality can be achieved through certified mediation or system partner agreement, these protections can be incomplete, temporary, or inaccessible. Without full confidentiality, participants risk having their statements used against them in court. This risk affects the ability of participants to speak openly and dampens the powerful impact restorative justice can have for survivors and for community safety.

To preserve the integrity of restorative justice, Oregon must create a statute that provides confidentiality for all stages of the restorative process. This will not impact traditional law enforcement operations. **It will simply allow communities another option for addressing harm, promoting healing, and fostering accountability, through a survivor-centered lens.**

This is why we urge you to support SB 586. Thank you.

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<sup>7</sup> Sherman, L., Strang, H., Woods D. (November 2000). Recidivism Patterns in the Canberra Reintegrative Shaming Experiments (RISE). Australia.