



Testimony submitted to the Joint Committee on the Judiciary
In Support of S.847/H.793– An Act promoting restorative justice practices
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The League of Women Voters of Massachusetts (LWVMA) supports “more sentencing alternatives” and “the use of adequately-funded, supervised alternative punishments for: offenders who commit nonviolent crimes against the person, first offenders, non-habitual criminals, offenders who commit minor crimes, and offenders where mitigating circumstances exist.” Therefore, we strongly support this bill sponsored by Sen. Eldridge and Rep. Garballey.

Passage and implementation of this bill will support the expanded use of Community-Based Restorative Justice (CBRJ) programs, which have already been implemented in 18 communities in Massachusetts¹, as well as in 35 other states². In randomized trials using restorative justice through diversion or to supplement criminal or juvenile cases, there were reductions in reoffending in 10 out of 12 cases, finding that it worked “*best for the most frequent and serious offenders.*”³

Studies have shown that CBRJ programs provide greater satisfaction for victims⁴, give affected community members more of a role, reduce recidivism and give police and the courts more options to address crime.⁵ The program helps hold offenders accountable, explores the impact of the crime on the community, helps those affected reach a consensus and creates a constructive plan of repair.

This bill clearly defines the voluntary nature of a CBRJ program and its intent to encourage the participation of local community members, including those specifically harmed, in holding youthful and other offenders accountable for their actions through a set of specific actions to be undertaken by the offender to repair damage to the community.

Of the 18 communities that already have CBRJ circles, many of them have active League members who have observed the value of this program in their communities and are interested in seeing more communities have access to this program.

The establishment of an advisory committee whose members have been trained in CBRJ practices to track and study the referral to and use of CBRJ programs as well as an Office of Restorative Justice within the Judiciary Department to monitor and provide technical assistance to CBRJ programs will support the implementation of best practices and increase the effectiveness of these programs in communities across the state. However, we are concerned

that, for this program to expand to poorer communities, there will need to be a funding mechanism for community implementation, which this bill does not currently include. We are especially hopeful that diverting young and/or first-time, non-violent offenders into restorative justice programs will aid in community healing and will give individuals a second chance without involving the courts.

Thank you for your consideration.

¹ <http://www.c4rj.com/whoweare.communities.php>

² <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2016/07/20/victims-and-offenders-come-together-to-make-their-own-justice>

³ <https://link.springer.com/article/10.1007%2Fs11292-015-9247-6>

⁴ <http://www.denverpost.com/2016/10/20/mother-slain-toddler-restorative-justice/>

⁵ http://www.d.umn.edu/~jmaahs/Correctional%20Assessment/rj_meta%20analysis.pdf