

Restorative Justice

A Presentation to the Senate Appropriations Subcommittee on Criminal and Civil Justice

Marina Byrd, Senior Legislative Analyst



OPPAGA

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Topics

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2 Literature Review

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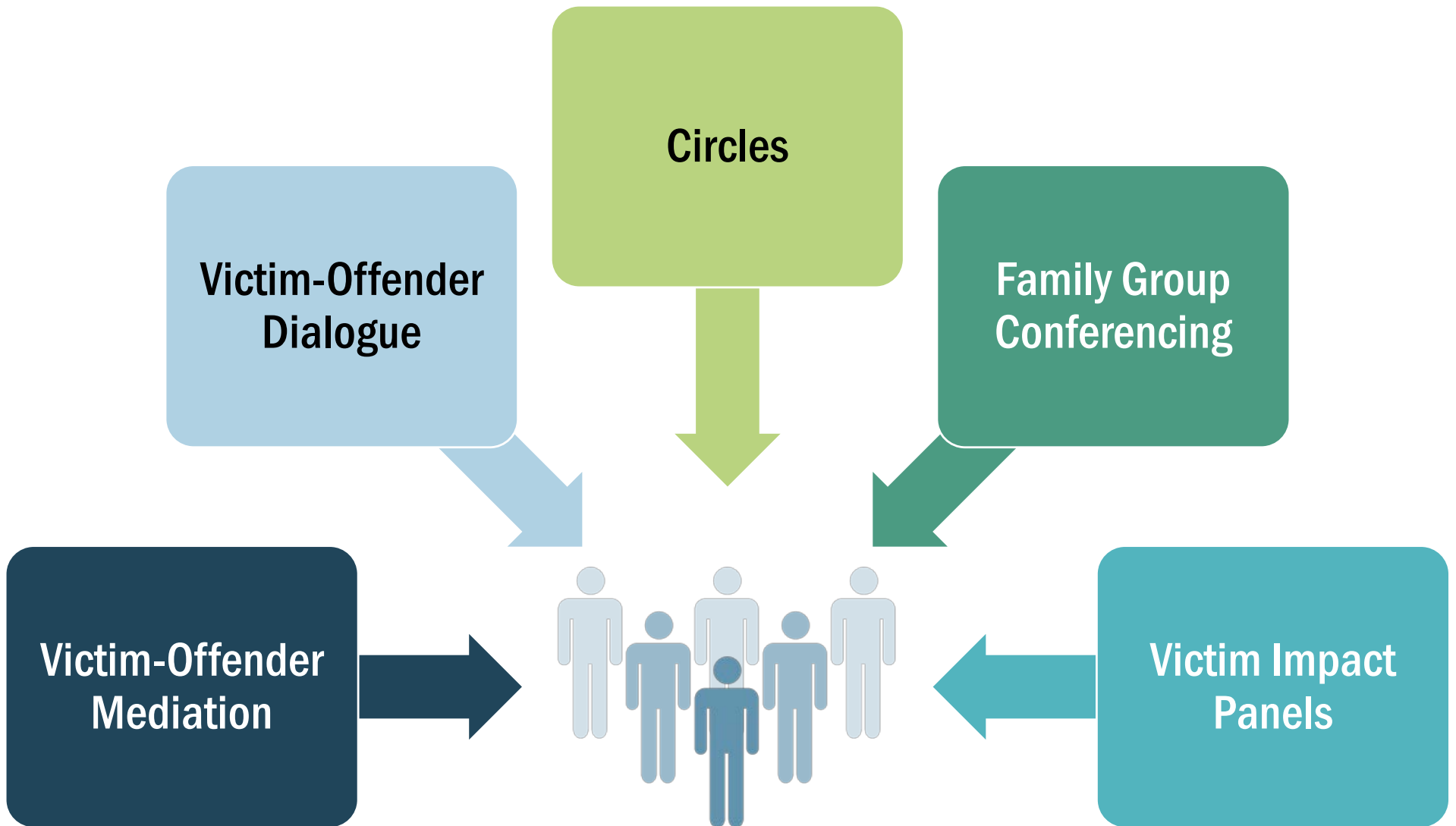
5 Legislative Considerations

What is Restorative Justice?

What is Restorative Justice?

Theoretical Framework	Main Themes	Use
<ul style="list-style-type: none">• Crime is a violation of people and relationships• Voluntary and victim-centered	<ul style="list-style-type: none">• Repair the harm caused by crime• Offenders must be held accountable• Stakeholder participation	<ul style="list-style-type: none">• Used in a variety of settings• In criminal justice, used from pre-adjudication to post-conviction

Restorative Justice Programs



Literature Review

Impact of Restorative Justice on Victims

Higher levels of satisfaction

- Process viewed as more fair
- Outcomes seen as more just

Improved attitudes

- More likely to forgive
- Less likely to want revenge
- Fewer post-traumatic stress symptoms

More likely to receive reparation

- Felt apologies were sincere
- Received higher amounts of monetary restitution

Potential for negative impact exists

- Mostly due to poor facilitation
- Restorative justice is expected but doesn't occur

Impact of Restorative Justice on Recidivism

Mixed results, but there are findings of reduced recidivism

- Among those who do reoffend, their offenses tend to be less severe.

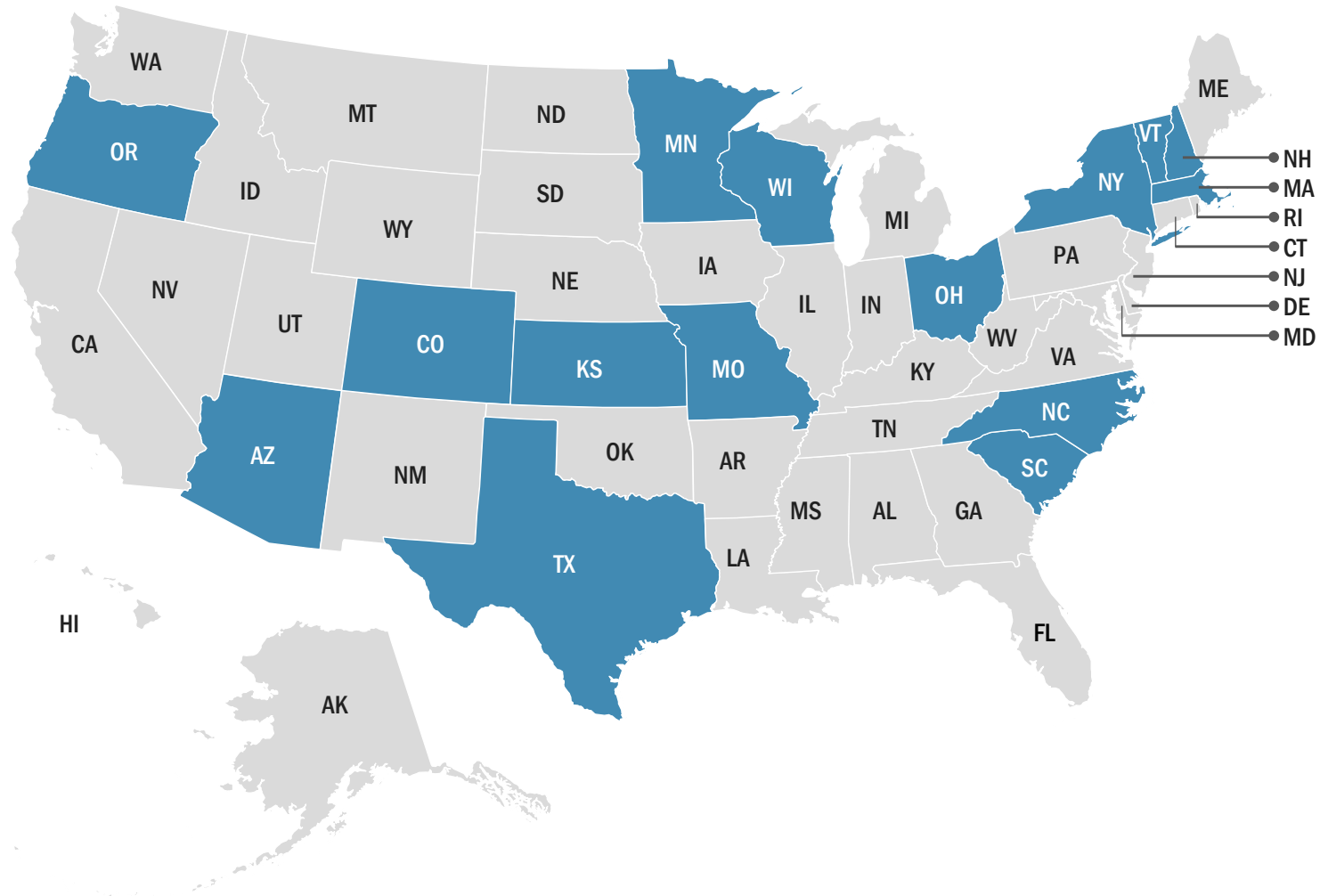
Multiple factors affect recidivism

- Differing definitions of recidivism
- The literature increasingly shows that restorative justice programming is more effective with adults and violent offenders.
- Whether or not the victim is present has an effect. Generally speaking, face-to-face meetings have a greater impact than processes that do not directly involve the victim.
- Programs that have preparation meetings with participants before the main session tend to have lower recidivism rates than those that don't.

Restorative Justice in Other States

Restorative Justice in Other States

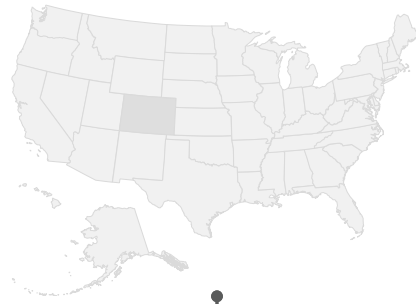
We interviewed 15 other states with programs run by state agencies or non-profits



Common Themes From Other States



Colorado



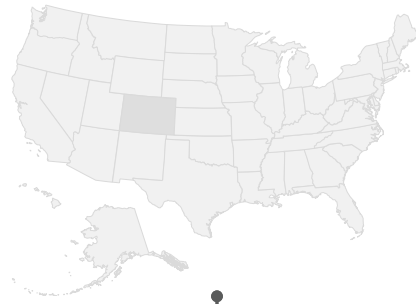
Statute

- Defines restorative justice as practices that emphasize repairing harm caused to victims and community by offenses
- Confidentiality protections
- Offense eligibility

Council

- Provides training and education, technical assistance, and a central repository of programs
- Stakeholder participation
- State standards

Colorado



Adult Corrections

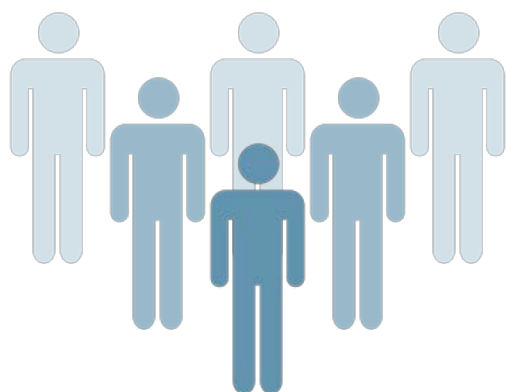
- Victim and offender meet with a facilitator for victim offender dialogue
- Offender criteria for participation
- Training for facilitators
- Victim notification

Longmont Community Justice Program

- Face-to-face meetings between the victim, offender, and volunteer facilitator
- Available for youth and adults
- Offender criteria for participation
- Local police department referrals to program

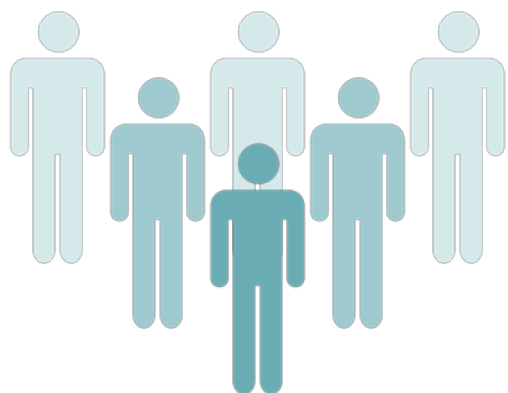
Restorative Justice in Florida

Restorative Justice Organizations



Florida Restorative Justice Association

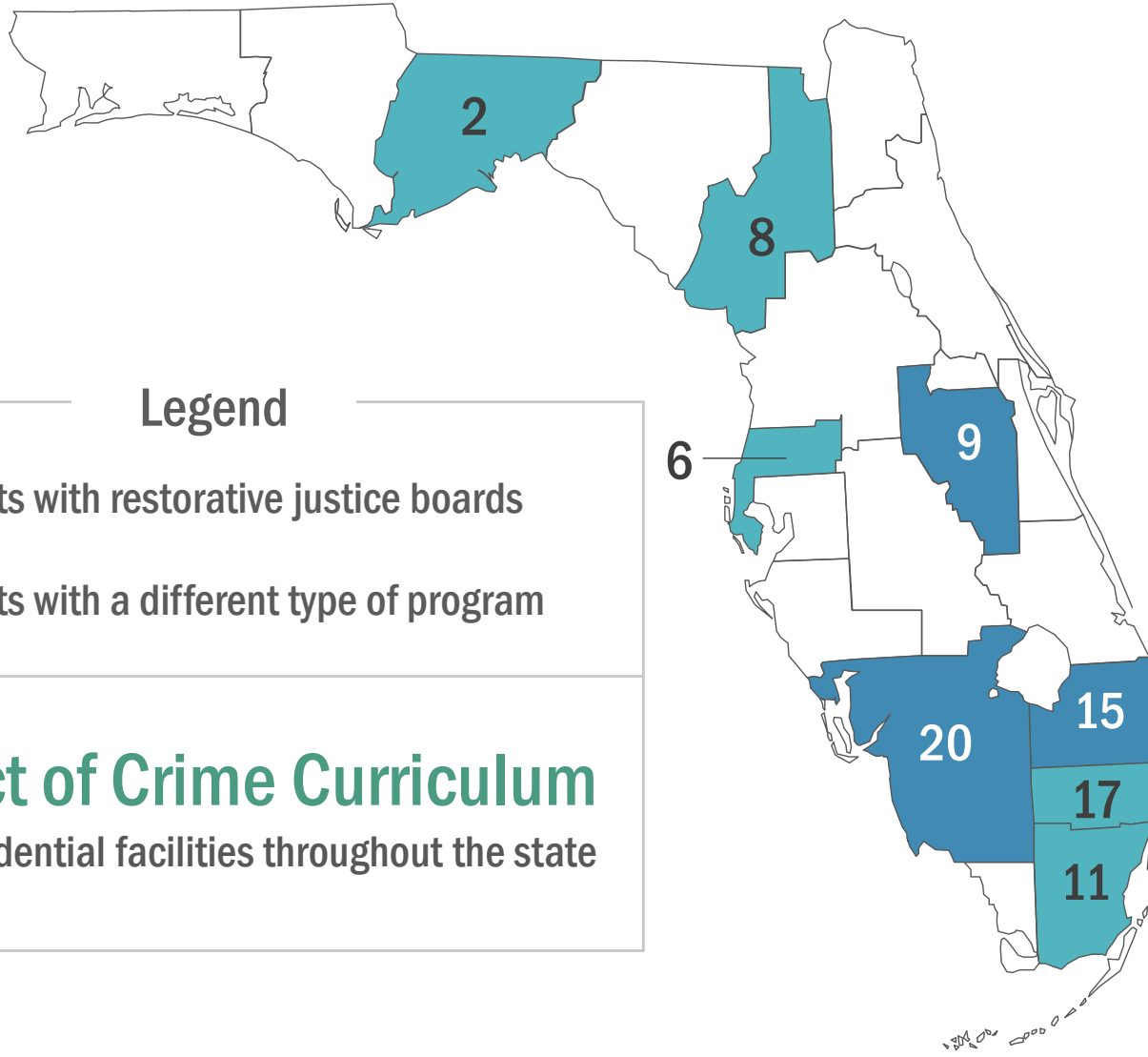
- Supports and advances restorative justice within the state
- Members include restorative justice facilitators, public administrators, law enforcement, state agency staff, judges, and educators





Restorative Practices Interagency Workgroup

- Promotes education, awareness, and capacity building of restorative justice in Florida state agencies
- Members include staff from FDC, DJJ, DEO, DCF, and the Office of the Governor

Restorative Justice in Florida for Youth



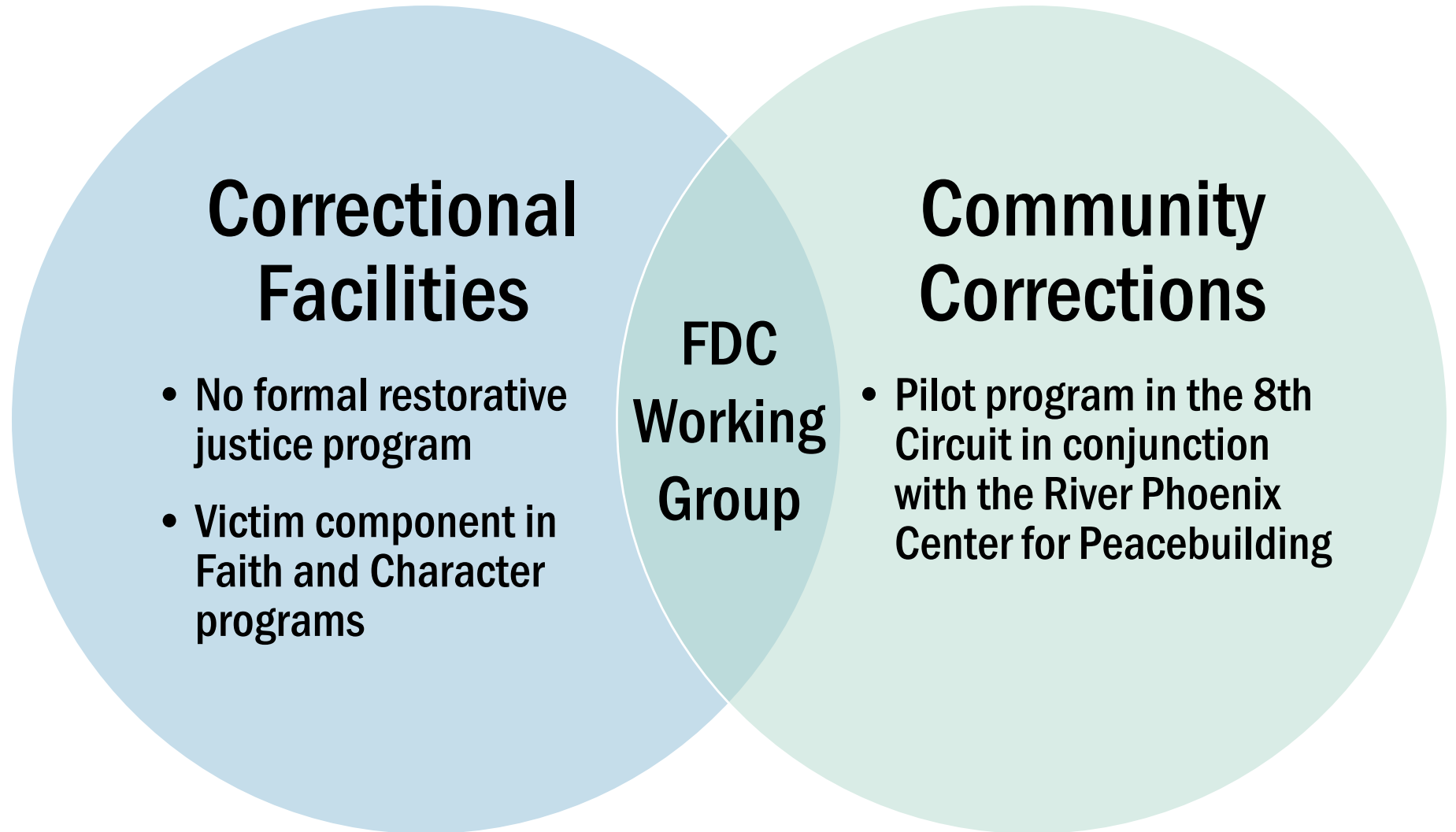
Legend

-  circuits with restorative justice boards
-  circuits with a different type of program

Impact of Crime Curriculum

at DJJ residential facilities throughout the state

Restorative Justice in Florida for Adults



Considerations for Legislation

Consideration

The Legislature could implement restorative justice programs and use solutions from other states to overcome barriers

Barriers

Potential Solutions

Lack of Guidelines

Create guidelines in statute or rule

No Contact Orders

Temporarily lift no contact order on a case-by-case basis

Funding

Use Victims of Crime Act (VOCA) federal funding and state funding

Logistics

Allow for victim travel, remote meetings, transfer of inmate

Staffing

Create new staff positions or use volunteers

Considerations for Legislation

Consideration

The Legislature could create a restorative justice advisory council

Restorative Justice Advisory Council

Monitor restorative justice and offer recommendations for guidelines and training standards

Take into account existing resources

Incorporate program ideas from other areas, such as education and health and human services

Include members from state agencies or other entities

Questions?

Contact Information

Marina Byrd

Senior Legislative Analyst

 (850) 717-0545

 byrd.marina@oppaga.fl.gov

Claire K. Mazur

Staff Director

 (850) 717-0575

 mazur.claire@oppaga.fl.gov

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