

## Restorative Justice 13-1254 –Bill Summary

Sponsors: Rep. Pete Lee 303 866-2932/ Sen. Linda Newell 303 956-9448

**HB13-1254** expands and clarifies Restorative Justice as adopted in Colorado in 2007, 2008 and 2011. Significant provisions of this bill include establishing a juvenile pilot program, commission of a study and collection of data to document the results of new and existing programs, adding members to the State RJ Coordinating Council, making changes to how the process is initiated and imposing a surcharge.

**1. Pilot Program-** There will be a Pilot in two new districts, the 10<sup>th</sup> and 19<sup>th</sup> (Weld/Larimer and Pueblo) and two existing ones, the 12<sup>th</sup> and 20<sup>th</sup> (Alamosa and Boulder). Prior to filing charges, DA's would identify first offense juveniles who committed non-traffic misdemeanors or Class 3, 4, 5 and 6 felonies and screen them for participation. If the juvenile successfully completes the restorative justice process, no petition/charges would be filed. Juveniles will pay a \$125 fee to participate.

**2. DCJ Data Collection-** in order to obtain empirical data about the capability of restorative justice to reduce costs, lower recidivism and increase satisfaction of victims and offenders, the Pilot Programs will report data to DCJ. Data will include the numbers and demographics of juveniles who met the criteria, participated, did not participate, reached reparation agreement, completed the agreement, as well as the results of a satisfaction survey, and rearrests. Victim satisfaction data will also be assessed.

**3. State Coordinating Council Data Collection-**The Council will develop a data base of existing restorative justice programs including jurisdictions, types of practices used, costs, fees, background, training and experience of facilitators as well as information about participants and cases and outcomes, and report this information to the Judiciary Committees.

**4. Initiation of RJ-** To expand the utilization of restorative justice practices, the bill allows for juvenile and adult offenders, as well as District Attorneys and other law enforcement personnel to request restorative justice, in addition to victims. Offenders would not be permitted to contact victims directly. District Attorney's would remain the point of contact with victims to determine if the victim wants to participate, submit a victim impact statement or have a surrogate participate.

**5. State Coordinating Council Additions-** The bill provides for additions to the State RJ Council one each appointed by the State Board of Parole, the Juvenile Parole Board, the Department of Corrections, from a victims group and three restorative justice practitioners.

**6. \$10 Surcharge-** This charge will be assessed against any adult or juvenile convicted or adjudicated of a crime to be used to support restorative justice programs and the State Council.

**7. Victim Right Act-** added the phrase, "which includes victim offender conferences" to the term "restorative justice practices" to clarify the language.