

BILL NO: House Bill 997

Title: Criminal Procedure – Restorative Justice Program

Hearing Date: 02/22/2022

Position: AGAINST BILL

My name is Simeranjit Kaur, and I am a Junior at American University studying for a B.A. in Justice and Law, with a minor in Public Administration and Policy. At American University, I am a Community Based Research Scholar, which means I'm trained to conduct advanced research in partnership with community-based organizations. My capstone project examined what restorative justice is and how to implement it, especially as it relates to domestic violence and sexual assault. I am here today to voice my opinion on House Bill 997 and urge that it should not be passed.

The restorative justice framework is intended to be used as an *alternative* to the criminal justice system, and it is more likely to be successful for the parties involved when it's used before conviction. That is, restorative justice is supposed to divert parties from going through the traditional criminal justice system. It is my understanding that, if passed, House Bill 997 would mean that restorative justice program become an option for the parties involved after the conviction. If this is implemented, the program is less likely to bring upon a positive response or impact.

Secondly, law enforcement officials should not be the facilitators of the program. This is contrary to the intent of an effective restorative justice program. One study found that participants in a restorative justice program believed that the presence of law enforcement reinforced existing systemic discrimination, especially when the survivor and responsible party were of a minority group. In addition, many law enforcements officers have acknowledged that police intervention cannot disrupt the cycle of abuse, especially in restorative justice frameworks.

I respectfully urge the members of this committee to amend certain elements of this very important legislation, despite the positive intentions behind the Bill. A Maryland restorative justice program would be most effective if it were run by a non-profit entity, if the restorative justice processes occurred as an alternative to the traditional criminal justice department, and if the intervention involved victim specialists who are trained to support victims through what can be a challenging and sensitive process. Thank you for your time today.