

January 30, 2023

TO: Chairman Smith and Judicial Proceedings Committee Members

FROM: Robert J. Rhudy, Maryland Alliance for Justice Reform

RE: Support for Senate Bill 27, Criminal Procedure—Restorative Justice Program

The Maryland Alliance for Justice Reform (MAJR) supports this proposed legislation. MAJR is a nonpartisan, all-volunteer organization of nearly 2,000 Marylanders who advocate for evidence-based legislation and policy changes in Maryland's correctional practices.

I am an attorney and mediator and serve on MAJR's board and executive committee. I served during 1986-2004 as executive director of the Maryland Legal Services Corporation and have since engaged in providing mediation services, training and management. During 2004-2009 I served on the board of directors of Community Mediation Maryland. In 2005 I created Senior Mediation and Decision-Making, Inc., and during 2009-2012 I created and managed the Maryland Court of Special Appeals' mediation program. I continue to mediate in numerous areas in my professional and voluntary capacities.

Restorative justice mediation and facilitation views criminal acts more comprehensively than our judicial and penal systems as it recognizes how offenders harm victims, communities and themselves by their actions. The ultimate aim is of healing if survivors of crime can receive appropriate emotional and material reconciliation, the harm can be redressed by seeking to repair the damages caused, and the offender can be reconciled with the victim and reintegrated back into his or her social and family network.

Around 2005 several of Maryland's eighteen community mediation programs began providing restorative justice services in misdemeanor cases around the state under Community Mediation Maryland's leadership. During the same period a few community mediation programs also following CMM's lead began providing mediation to incarcerated persons nearly release with their families to assist with their reintegration with their families and communities. (As you likely know, CMM's executive director then and now is Delegate Lorig Charkoudian.) CMM can provide information from objective evaluations of those programs on positive participant satisfaction and reduced rates of recidivism of former offenders participating in these Maryland programs. As one example, the data indicates that offenders charged with domestic violence misdemeanors exhibited substantially reduced rates of recidivism than nonparticipants in the restorative justice programs.

There is a substantial data regarding restorative justice practices in criminal justice around the United States and other countries available to the proposed Restorative Justice Council for the development and operation of a Maryland restorative justice program as proposed in this bill. For example, the American Bar Association initially endorsed the use of restorative justice in 1994 and has since issued numerous endorsements and reports on such practices. These reports and many others cite the positive outcomes of restorative justice on reduced recidivism, victim healing, and community reintegration.

We urge you to support this bill to implement restorative justice in our state's incarceration program. Thank you for your consideration.

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