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TESTIMONY 2013
C.S.H.B. 937

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of C.S.H.B. 937, an effective policy that aims to strengthen communities by identifying the full spectrum of restorative justice programming available to youth at the local level. By pinpointing and examining the variety of programs offered within the community, Texas lawmakers can replicate and support community-based alternatives that are most effective, for long-term public safety gains and taxpayer cost savings.

RESTORATIVE JUVENILE JUSTICE

Rooted in a balanced approach, restorative justice programs in the juvenile justice setting prioritize rehabilitation – not only for youth engaging in delinquent conduct, but for victims and the community affected by that conduct.¹ Specifically, this approach to delinquency includes “repairing the victims’ harm, providing consequences for the crime, and [the] reintegration of [an] offender [back] into the community.”² Consequently, **restorative justice programming can lower recidivism rates and strengthen communities.**³

In 2009, the Texas Juvenile Probation Commission released a report identifying nine counties that have implemented one of the four most commonly known restorative justice programs: **victim-offender mediation.**⁴ This process, which allows interested victims a safe opportunity to discuss with criminal defendants how they were impacted by crime, has been utilized in Bexar, Dallas, Gregg, Jefferson, Kendall, McLennan, Montgomery, Tarrant, and Travis Counties.⁵ Unfortunately, less is known about **community reparative boards,**⁶ **family group conferencing,**⁷ or **circle sentencing**⁸ in Texas, the other three most widely used restorative justice programs.

Texas should identify and study ALL programs rooted in a balanced approach, so as to effectively help troubled youth and their communities reduce crime and save critical taxpayer dollars.⁹ Furthermore, to determine whether the core goal of each program is being reached, the measures used to evaluate a program’s success should be examined. Often, the success of a program is mistakenly measured by recidivism alone, when the ultimate goal is for youth to develop an understanding of the consequences associated with their delinquent conduct.¹⁰

KEY FINDINGS

- Youth who participate in restorative justice programs are less likely to recidivate, and such programming has been found to strengthen communities.¹¹
- Victim-offender mediation programs are the only type of youth reparative program that has been explored throughout Texas.¹²
- By identifying, supporting, and replicating successful restorative justice programs, Texas lawmakers can prioritize the reparative abilities of their local communities and better inform resource allocation.

Solution offered on reverse.

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT C.S.H.B. 937 BY REPRESENTATIVE FARIAS

- **C.S.H.B. 937 will help state leadership identify ALL restorative youth justice programs being used by Texas' largest juvenile probation departments.** By pinpointing and examining the variety of programs offered, Texas lawmakers can make informed decisions about resource allocation and potential program replication, which will benefit youth and improve public safety in Texas communities.
- **C.S.H.B. 937 will support best practices in restorative youth justice programming by requiring that the variables used for program evaluation be submitted for review.** By ensuring that such programs are evaluated with their root goal in mind (e.g., closure, development of victim empathy, etc.), juvenile justice practitioners will be able to truly measure program participants' success via changed behavior, not merely track participation in the program.

CONCLUSION

Again, I would like to thank you for allowing me the opportunity to provide testimony in favor of C.S.H.B. 937, a smart-on-crime policy that will help local and state leadership identify the most successful approaches for rehabilitating youth. The Texas Criminal Justice Coalition strongly urges you to support this bill and implement evidence-based programming in juvenile justice.

Citations

¹ Office of Juvenile Justice Delinquency and Prevention, *Guide for Implementing the Balanced and Restorative Justice Model*, <http://www.ojjdp.gov/pubs/implementing/balanced.html>.

² Nancy Rodriguez, "Restorative Justice at Work: Examining the Impact of Restorative Justice Resolutions on Juvenile Recidivism," *Crime & Delinquency* (2007), 53, 355.

³ Kathleen J. Bergseth and Jeffrey A. Bouffard, "The long-term impact of restorative justice programming for juvenile offenders," *Journal of Criminal Justice* (2007), 35, 433-451.

⁴ Texas Juvenile Probation Commission, *Victim Offender Mediation Programs in Texas*, January 2009.

⁵ *Ibid.*

⁶ Community reparative boards aim to develop a set of proposed sanctions that are openly discussed with the juvenile, with the ultimate goal of reparation. These boards are commonly made up of a small group of citizens that have been impacted by the crime.

⁷ Family group conferencing brings together all individuals impacted by a youth's delinquent conduct (e.g., family, friends, and key supporters of both), with the ultimate goal of finding a resolution to the incident.

⁸ Circle sentencing brings together all parties impacted by a youth's delinquent conduct (e.g., family, friends, and key supporters of both), as well as the juvenile justice system, with the goal of reaching a consensus on an appropriate sentencing plan. A traditional peacemaking structure is used to accommodate a comfortable agreement among everyone involved.

⁹ Gordon Bazemore and Jeanne Stinchcomb, *A Civic Engagement Model of Reentry: Involving Community Through Service and Restorative Justice*, 2004.

¹⁰ Stephanie Fagliano, *How Victim-Offender Mediation Impacts Juvenile Offenders: What it Offers and who it Benefits*, Stanford University, May 2008.

¹¹ Nancy Rodriguez, *Restorative Justice at Work: Examining the Impact of Restorative Justice Resolutions on Juvenile Recidivism*, *Crime & Delinquency* (2007), 53, 355.

¹² Texas Juvenile Probation Commission, *Victim-Offender Mediation Programs in Texas*, January 2009.