

VICTIM-CENTERED PROGRAMS

Enabling Victim-Centered Programs to Thrive: HB382

Prosecutors, crime survivors, and communities impacted by crime all agree: Georgia needs a diverse set of tools to address and repair harm. Enabling victim-centered programs, including restorative justice, will respond to this need while enhancing public safety and helping restore communities.

Georgia Justice Project has partnered with jurisdictions to create community-based approaches to dealing with crime and harm, assisted thousands of Georgians with a criminal record working hard to move on from their past, and worked with legislators, businesses, and other stakeholders to successfully advocate for 22 changes to Georgia law that improve public safety and reduce legal barriers to reentry.

What is Restorative Justice?

Restorative Justice IS

- **Victim-centered** – defendants answer to a crime survivor’s needs instead of a third party
- **Victim-led** – a case is only referred for restorative justice if the victim wants to participate
- **Trauma-informed** – trained facilitators lead dialogue between parties that can include the victim, defendant, and community members
- **An alternative** Georgia stakeholders are asking for that has proven effective in other states



Restorative Justice IS NOT

- **Soft on crime** – defendants answer for the harm they have caused directly to those most affected while remaining accountable to the justice system
- **Mandatory** – it is an alternative tool to address harm that victims and prosecutors can choose together

The Need: Evidentiary Privilege (HB382)

- Acknowledgment of wrongdoing from the defendant, open dialogue, and accountability are core to Restorative Justice; without a privilege, defendants may be less likely to participate even when the victim wants to
- Several states, including Texas, already make communications in victim-centered programs privileged
- Privilege would mirror similar Georgia privileges related to mediation, ADR, apologies made by health care providers, and discussions between a clergy member and a communicant



Victim-Centered Programs Benefit Everyone

- **Crime Survivors:** superior satisfaction rates to traditional system,¹ healing, and increased rates of restitution recovery²
- **Prosecutors:** a desired additional tool
- **Community:** substantially reduced recidivism rates,³ communal restoration
- **Defendants:** opportunity to make things right and take accountability while in some cases preventing life-long records and collateral consequences



Want to learn more? Visit [GJP.org/advocacy](https://www.gjp.org/advocacy) or contact Wade Askew, Policy Manager at Wade@GJP.org or 404.827.0027 ext. 214.

Sources:

1. Lode Walgrave, *Restorative Justice, Self-Interest, and Responsible Citizenship* 103-105 (2008).
2. E.g. Mark S. Umbreit et al., *Restorative Justice in the Twenty-First Century: A Social Movement Full of Opportunities and Pitfalls*, 89 MARQ. L. REV. 251, 280 (2005).
3. E.g. Jeff Latimer et al., *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*, 85 PRISON J. 127, 138 (2005)