

Dear Members of the House Judiciary Committee,

The ACLU of Vermont is writing in support of H.41 An act relating to referral of domestic and sexual violence cases to community justice centers. H.41 balances the desire to expand access to community justice centers with adequate safeguards for victims and communities.

The ACLU of Vermont supports restorative justice practices as a means to repair harm to victims and provide rehabilitative opportunities to people who have committed crimes. Restorative justice provides an alternative that can help break the cycle of over-incarceration for many offenses. Restorative practices focus on repairing the harm that has been done, rather than simply punishing someone who has committed an offense by locking them up. Restorative practices in the criminal legal system bring people who have committed crimes together with victims of crime, their families, and other community members to identify and address the damage caused by crime.

H. 41 would allow the referral of domestic and sexual violence cases to community justice centers if a detailed set of best practices and conditions are met via a memorandum of understanding (MOU) between the community justice center and a member organization of the Vermont Network Against Domestic and Sexual Violence. The bill would not require that people charged with crimes related to domestic and sexual violence to be referred to community justice centers, but it does provide a path forward to expand discretion to refer people charged with these crimes if the community justice center has developed adequate programing.

The proposal of amendment being reviewed by the committee further expands those safeguards by adding more parties to the process of designing and approving memorandums of understanding. These MOUs would require community justice centers to work with local experts in domestic and sexual violence to develop the models they intend to use an ensure they meet the acceptable standards for training, survivor safety, confidentiality, voluntary engagement, data collection, and evaluation.

The ACLU of Vermont asks the committee to support H.41 in order to expand access to restorative justice practices while providing adequate safeguards for everyone involved in the process.

Sincerely
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