

SENATE, No. 3070

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Pou and Gill

SYNOPSIS

Establishes “Sexual Violence Restorative Justice Pilot Program.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/10/2020)

1 AN ACT establishing a “Sexual Violence Restorative Justice Pilot
2 Program.”

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. The Attorney General shall establish a three-year “Sexual
8 Violence Restorative Justice Pilot Program” to implement a
9 restorative justice program for survivors of sexual violence. The
10 Attorney General shall implement this program by entering into an
11 agreement with an organization to design the program and provide
12 technical assistance and an agreement with a separate organization
13 to conduct the program. The Attorney General shall select the
14 organizations, who are to have expertise in trauma informed care
15 and not be associated with any law enforcement agency, through
16 requests for proposals. Both organizations shall be compensated.

17 b. Through the direct participation of survivors of sexual
18 violence, including survivors who have chosen not to report the act
19 of sexual violence to law enforcement, the program shall implement
20 restorative justice practices which include, but are not limited to,
21 upholding the principles of survivor autonomy, restoring a sense of
22 control and independence to survivors, and emphasizing outcomes
23 that are essential to the survivor’s healing process.

24 The pilot program shall be established in one northern, one
25 central, and one southern county in this State, as determined by the
26 Attorney General.

27 c. The Attorney General, in conjunction with the organizations
28 selected pursuant to subsection a. of this section, shall submit a
29 report evaluating the effectiveness of the pilot program to the
30 Governor and, pursuant to the provisions of section 2 of P.L.1991,
31 c.164 (C.52:14-19.1), the Legislature within 90 days of completion
32 of the program. The report shall evaluate the pilot program and
33 recommend whether the pilot program should be continued,
34 expanded, or made permanent.

35 d. For the purposes of this section, “restorative justice” means
36 an approach to repairing the harm caused by a crime through direct
37 involvement of those affected, including the victim, the victim’s
38 family and friends, and the community, for the purpose of fulfilling
39 the victim’s expectations for justice while also holding accountable
40 the person who caused the harm, and which may be implemented
41 through varying formats, such as sharing circles, victim impact
42 panels, and facilitated conferences.

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44 2. This act shall take effect immediately and shall expire upon
45 the filing of the report required pursuant to subsection c. of section
46 1 of P.L. , c. (C.) (pending before the Legislature as this
47 bill).

STATEMENT

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This bill requires the Attorney General to establish a three-year “Sexual Violence Restorative Justice Pilot Program” to implement a restorative justice program for survivors of sexual violence.

The Attorney General is to implement this program by entering into an agreement with an organization to design the program and provide technical assistance and an agreement with a separate organization to conduct the program. Under the bill, the Attorney General is to select the organizations through requests for proposals. The organizations are to have expertise in trauma informed care and are not to be associated with any law enforcement agency. In addition, the bill requires that both organizations be compensated.

Under the bill, through the direct participation of survivors of sexual violence, including survivors who have chosen not to report the act of sexual violence to law enforcement, the program is required to implement restorative justice practices which include, but are not limited to, upholding the principles of survivor autonomy, restoring a sense of control and independence to survivors, and emphasizing outcomes that are essential to the survivor’s healing process. The pilot program is to be established in one northern, one central, and one southern county in this State, as determined by the Attorney General.

The bill defines “restorative justice” as an approach to repairing the harm caused by a crime through direct involvement of those affected, including the victim, the victim’s family and friends, and the community, for the purpose of fulfilling the victim’s expectations for justice while also holding accountable the person who caused the harm. Restorative justice may be implemented through varying formats, such as sharing circles, victim impact panels, and facilitated conferences.

Finally, the bill requires the Attorney General, in conjunction with the organizations selected pursuant to the provisions of the bill, to submit a report evaluating the effectiveness of the pilot program to the Governor and the Legislature within 90 days of completion of the program. The report is to evaluate the pilot program and recommend whether the pilot program should be continued, expanded, or made permanent.