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## SENATE JOINT RESOLUTION NO. 362

Offered January 14, 2009

Prefiled January 14, 2009

*Directing the Virginia State Crime Commission to study restorative justice. Report.*

Patron—Norment

Referred to Committee on Rules

WHEREAS, victims and survivors of violent crimes have often been devastated by and deal with long-term negative effects from the commission of those crimes; and

WHEREAS, some victims and survivors in other states and jurisdictions have benefited from a variety of forms of restorative justice including dialogue directly with the offender; and

WHEREAS, a significant percentage of offenders reoffend and some do not accept responsibility for the consequences of their crimes; and

WHEREAS, other states have succeeded in reducing recidivism and increasing the acceptance of responsibility by offenders for their crimes through the use of restorative justice; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission be directed to study restorative justice. The Crime Commission shall study the various forms of restorative justice, specifically including victim-offender reconciliation programs as permitted under § 19.2-11.4 of the Code of Virginia.

In conducting its study, the Virginia State Crime Commission shall investigate the legal and practical issues surrounding the different types of restorative justice. This study shall also include possible recommendations relating to the preferred types of restorative justice and on the procedures and implementation steps necessary to allow for the use of restorative justice and victim-offender reconciliation programs as a part of the criminal justice system. The outcome of this study is designed to benefit victims and survivors of violent crimes and shall not have any effect on an offender's sentence or liability under the law.

Technical assistance shall be provided to the Virginia State Crime Commission by the Department of Corrections. All agencies of the Commonwealth shall provide assistance to the Virginia State Crime Commission for this study, upon request.

The Virginia State Crime Commission shall complete its meetings by November 30, 2009, and the Director shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2010 Regular Session of the General Assembly. The executive summary shall state whether the Virginia State Crime Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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