



OFFICE OF THE RAMSEY COUNTY ATTORNEY

John J. Choi

SENT VIA EMAIL

March 17, 2025

The Honorable Tina Liebling, Co-chair  
Judiciary Finance & Civil Law  
5<sup>th</sup> Floor Centennial Office Building  
Saint Paul, MN 55155

The Honorable Peggy Scott, Co-chair  
Judiciary Finance & Civil Law  
2<sup>nd</sup> Floor Centennial Office Building  
Saint Paul, MN 55155

***RE: Support for HF 104 - Confidentiality established for restorative justice practices  
participants, and data classified***

Dear Esteemed Legislators,

I am writing to encourage you to support HF 104, a bill that will create a privilege in state law for restorative practices, similar to the privilege that currently exists for alternative dispute resolution (Sec. 595.02, subd. 1a). Restorative practices are rooted in multiple indigenous communities around the world and have been used for generations to respond to harm through a participatory process in which a person who has caused harm voluntarily engages with any person who was harmed (if they choose) and community members to identify the harm caused and how it negatively impacted people, agree on what is needed to repair the harm, and identify and address the underlying causes to decrease the likelihood of future harm. Restorative practices are utilized throughout the state in Minnesota, in multiple contexts, and may be used in our communities as a direct response to harm (without legal system involvement), alongside or following the traditional legal system process.

In Ramsey County, we are increasingly incorporating restorative practices into our menu of options to procure meaningful accountability, as restorative practices help people who have caused harm to understand the real impact of their actions and develop empathy, decreasing the likelihood they will repeat that harmful behavior. A preliminary analysis of our data has found that young people referred to our office for delinquent behavior were three times more likely to be re-referred within 6 months when we processed them through the traditional legal system, than when we referred them directly to community-based accountability, which incorporates a variety of restorative practices, including restorative circles, asset-based case management, and family-group decision-making.

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As we strive to continue to improve the quality of justice in Ramsey County, building trust with the people directly impacted by crime and violence is absolutely crucial to our success. Restorative practices improve our ability to better serve victim/survivors of harm, as they report more satisfaction with the options they have to participate and the measure of healing they can realize through the process.

One of the mantras of our traditional legal system is the adage that 'anything you say can and will be used against you.' Ensuring that what happens in the context of a restorative process is privileged when it comes to the legal system is imperative to any restorative practitioner's ability to facilitate an authentic process, which relies on trust, honesty and integrity. This is critical to securing meaningful accountability, which can lead to healing for all those involved.

I strongly urge you to support HF 104 to ensure restorative practices are able to advance accountability, healing, and justice, uninhibited by whatever proceedings we may pursue in the traditional legal system.

Sincerely,



John Choi  
Ramsey County Attorney