

February 13, 2025

RE: Confidentiality for Restorative Practices, HF 104

Dear Members of the Minnesota Legislature,

We write in strong support for this bill that would protect information gathered in restorative practices from being used in any court or administrative proceedings.

In recent years, the Minnesota Legislature has taken bipartisan steps to expand restorative practices through creation of the Office of Restorative Practices and the Veterans Restorative Justice Act. This is an additional opportunity for the State to promote the growth of restorative practices at the community level and allow all participants to engage authentically.

Restorative practices bring together individuals who have been harmed and caused harm along with the community to provide solace for those harmed and meaningful accountability for those who cause harm. Oftentimes, these restorative practices are more impactful than the traditional court system in ensuring accountability and reducing recidivism.

Confidentiality in restorative justice processes is especially critical in cases of sexual violence, where two of every three sexual assaults go unreported to the legal system, and the ones that do almost never end with a conviction. The Rape, Abuse, and Incest National Network reports that 97% of rapists walk free.

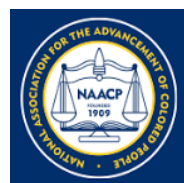
While most victims/survivors of sexual violence do not seek legal action, these victims/survivors still want accountability from their perpetrator. Accountability via a community-based restorative process is hindered by the fact that statements made in this setting could be leveraged to punish perpetrators in court.

This bill is essential to creating a landscape where perpetrators of crimes can take accountability for their actions without fearing that their confessions and apologies will be weaponized against them in court. Notably, this does not mean that victims cannot seek legal responses before or after engaging a restorative intervention. It would leave the legal system intact and simply provide victims an additional choice for how to navigate healing and meaningful accountability.

We, the undersigned, urge support for this important policy shift that will serve the interests of victims/survivors and public safety in Minnesota.



DOMESTIC ABUSE PROJECT



Minnesota Indian Women's Sexual Assault Coalition



VIOLENCE FREE MINNESOTA

