

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 203, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 2, after "juvenile" insert "**and restorative**".
- 2 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 3 "**(b) As used in this SECTION, "restorative justice" means**
- 4 **community-based criminal justice that:**
- 5 (1) **requires an offender to acknowledge the offender's**
- 6 **wrongdoing and make reparations to the victim and the**
- 7 **community; and**
- 8 (2) **maximizes the input and participation of the offender,**
- 9 **victim, and members of the community in an effort to:**
- 10 (A) **prevent crime; and**
- 11 (B) **restore the victim and the community after a crime has**
- 12 **occurred to a condition as close as possible to the condition**
- 13 **of the victim and the community before the crime**
- 14 **occurred."**
- 15 Page 1, line 5, delete "(b)" and insert "(c)".
- 16 Page 1, line 5, delete "fifteen (15)" and insert "**eleven (11)**".
- 17 Page 2, delete lines 1 through 5.
- 18 Page 2, line 6, delete "(c)" and insert "**(d)**".

1 Page 2, between lines 13 and 14, begin a new paragraph and insert:

2 **"(e) In addition to the issues described in subsection (d), the**
3 **commission shall examine the concept of restorative justice and, if**
4 **appropriate, make recommendations to the general assembly to**
5 **develop and implement restorative justice programs in Indiana.**

6 **(f) In forming its recommendations under subsection (e), the**
7 **commission shall consider the following matters to the extent that**
8 **time permits:**

9 **(1) Whether implementation of restorative justice principles**
10 **within Indiana's criminal justice system would be**
11 **appropriate.**

12 **(2) Whether restorative justice would significantly change the**
13 **experience of victims and members of the community with**
14 **respect to the criminal justice system.**

15 **(3) Whether the current philosophy and focus of the criminal**
16 **justice system:**

17 **(A) conform to Article 1, Section 18 of the Constitution of**
18 **the State of Indiana; and**

19 **(B) address the needs of the community.**

20 **(4) Whether restorative justice is a more effective way of**
21 **making offenders accountable to the victim and community as**
22 **compared to the current criminal justice system.**

23 **(5) Whether there is a role for punishment in a restorative**
24 **justice or any other community based justice model.**

25 **(6) Whether restorative justice interventions serve as a**
26 **deterrent to crime.**

27 **(7) What the experiences of other states have been after**
28 **adopting restorative justice principles as a guide for their**
29 **departments of correction, probation services, and**
30 **community corrections programs.**

31 **(8) Whether there is support in Indiana communities or state**
32 **agencies for implementing restorative justice principles.**

33 **(9) What the philosophy of restorative justice means and how**
34 **it differs from other criminal justice philosophies.**

35 **(10) Whether empirical data shows that restorative justice**
36 **programs work.**

37 **(11) What types of offenders may be appropriate candidates**
38 **for restorative justice programs."**

- 1 Page 2, line 14, delete "(d)" and insert "(g)".
- 2 Page 2, line 21, delete "1999." and insert "**2000.**".
- 3 Page 2, delete lines 22 through 29.
- 4 Page 2, line 30, delete "(f)" and insert "(h)".
- 5 Page 2, line 37, delete "(g)" and insert "(i)".
- 6 Page 2, line 42, delete "(h) Eight (8)" and insert "**(j) Six (6)**".
- 7 Page 3, line 4, delete "(i)" and insert "(k)".
- 8 Page 3, line 6, delete "(j)" and insert "(l)".
- 9 Page 3, line 9, delete "(k)" and insert "(m)".
- 10 Page 3, line 9, delete "1999." and insert "**2000.**".
(Reference is to SB 203 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Senator Garton, Chairperson