

State Restorative Justice Laws

Alabama

- Code of Ala. § 12-25-32 (2008)
 - Restorative justice is part of Alabama’s sentencing commission guidelines. It is a type of “intermediate punishment” that includes types of punishment other than active incarceration, including community service work, probation and educational programs. These types of punishment are considered less severe than active incarceration, but can be given in addition incarceration.
 - Restorative justice includes: victim impact panels, voluntary victim offender conferencing, voluntary victim mediation.

California

- Cal Pen Code § 422.86 (2007); Cal Pen Code § 8052 (2007)
 - Restorative justice is part of intermediate sanctions which are punishments other than simple incarceration. It includes mandatory victim restitution and victim-offender reconciliation. Restorative justice is also listed as part of the public policy for the state in that the practice is a principle goal of sentencing for hate crimes.

Colorado

- C.R.S. 19-2-213 (2007); 2008 Colo. HB. 1117; C.R.S. 19-2-309.5 (2007)
 - There is a law for a restorative justice coordinating council. It defines that scope of the council and who should be members. The restorative justice laws of this state are focused towards juvenile corrections.
 - The new law approved March 31, 2008 (HB. 1117) includes restorative justice in the children’s code. It authorizes the use of a youth diversion program that, whenever possible, includes restorative justice practices. Restorative just includes victim-offender conferences with consequences such as apologies, restoration, community service, and counseling.

Florida

- Fla. Stat. § 985.155 (2008)
 - Law establishes a Neighborhood Restorative Justice Center and outlines who must be members of the restorative justice board. This program is focused toward juvenile corrections and is part of the deferred prosecution program.

Hawaii

- HRS § 353H-31 (2008)
 - The restorative justice practice is more of a goal of the state rather than a full-fledged program. The law authorizes funding for different types of adult offender reentry programs one option being restorative justice. Restorative justice includes family or community impact panels, family impact educational classes, victim impact panels, and victim impact educational classes.

Illinois

- 730 ILCS 5/3-2.5-5 (2008)
 - The law establishes the Department of Juvenile Justice that will embrace the state's philosophy of restorative justice that will fulfill the state's intent: "It is the intent of the General Assembly to promote a juvenile justice system capable of dealing with the problem of juvenile delinquency, a system that will protect the community, impose accountability for violations of law and equip juvenile offenders with competencies to live responsibly and productively."

Kansas

- K.S.A. § 75-7038 (2006)
 - Authorizes the commissioner of juvenile justice to make grants for counties for the development, implementation, operation and improvement of juvenile community correctional services including restorative justice programs.

Louisiana

- La. R.S. 46:2605.2 (2008)
 - Establishes the Louisiana Juvenile Justice Planning and Coordination Board that will, among other things, facilitate training in areas of restorative justice and help community, local and regional entities to develop planning and coordinating capacity in the principles of restorative justice.

Maine

- 34-A M.R.S. § 1214 (2008)
 - Establishes the Office of Victim Services in which they help victims get certain benefits like the benefits of restorative justice including restitution and victim compensation.

Minnesota

- Minn. Stat. § 611A.775 (2007)
 - Authorizes a community-based organization, in collaboration with a local governmental unit, to establish a restorative justice program. The law also describes what a restorative justice program includes and outlines the goals to be obtained from them.

Missouri

- § 217.440 R.S.Mo.; § 558.019 R.S.Mo.
 - Authorizes the director of the department of corrections to establish restorative justice programs to include acts and expressions of remorse by offenders, community service while incarcerated, and victim-oriented programs. The second law outlines restorative justice methods that the court can order at their discretion.

Montana

- Mont. Code Anno., § 2-15-2012 (2007); Mont. Code Anno., § 2-15-2013 (2007); Mont. Code Anno., § 2-15-2014 (2007); Mont. Code Anno., § 46-15-411 (2007)

- It is the intent of Montana to divert appropriate offenders who are at low risk for violence from incarceration to community programs based on restorative justice and to divert funds from the department of corrections to the department of justice to support an office of restorative justice and to support community programs based on restorative justice. The laws also establish the office of restorative justice within the department of justice.

New Mexico

- 2008 N.M. ALS 6
 - The state allotted twenty-five thousand dollars (\$ 25,000) to develop and implement a restorative justice program as an alternative method to deal with school-based offenses in the Santa Fe public school district as part of the Public Education department projects' funds for the fiscal year of 2009.
 - Not really a restorative justice law, just indicates that the practice is initiated in the state.

Utah

- Utah R. Judicial Admin Rule 7-304 (2008)
 - When a youth is put on probation, a probation officer is required to file a correction plan within 30 days. The plan should be based on the Protective Risk Assessment (PRA). The balanced and restorative justice model must be used when implementing this plan.

Vermont

- 28 V.S.A. § 2a (2007); 28 V.S.A. § 910a (2007); 28 V.S.A. § 910 (2007); 28 V.S.A. § 101 (2007)
 - The laws outline the policy of the state that principles of restorative justice be included in shaping how the criminal justice system responds to persons charged with or convicted of criminal offenses. It indicates how restorative justice programs are to be implemented and what activities will be required by offenders.

Washington

- 2008 Wa. ALS 104
 - The law states that the legislature finds that men and women who are incarcerated have the need to develop pro-social behaviors. They believe that restorative justice is one of the basic skills that incarcerated criminals need to learn upon returning to the community to live crime-free lives.

Wisconsin

- Wis. Stat. § 16.964 (2007)
 - Allows the office of justice assistance to make grants to counties to enable them to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs.