HOUSE DOCKET, NO. 665 FILED ON: 1/10/2025

HOUSE . . . . . No. 3303

The Commonwealth of Massachusetts

PRESENTED BY:

Simon Cataldo and Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an office of restorative justice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Simon Cataldo	*14th Middlesex*	*1/10/2025*
Sean Garballey	*23rd Middlesex*	*1/10/2025*
Paul J. Donato	*35th Middlesex*	*2/4/2025*

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HOUSE . . . . . No. 3303

By Representatives Cataldo of Concord and Garballey of Arlington, a petition (accompanied by bill, House, No. 3303) of Simon Cataldo, Sean Garballey and Paul J. Donato for legislation to establish an office of restorative justice within the executive office for administration and finance to build restorative justice capacity in the Commonwealth. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act establishing an office of restorative justice.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by adding the following section:-

Section 63. There shall be an office of restorative justice within the executive office for administration and finance, subject to appropriation. The office shall be under the supervision and control of a director who shall be appointed by the secretary of administration and finance. The director shall be a person with substantial training and professional experience in restorative justice and shall maintain complete impartiality with respect to the matters coming before the office and devote their full time to the duties of the office.

The office of restorative justice shall build restorative justice capacity across multiple disciplines and serve as the primary administrative and funding entity for publicly sponsored restorative justice initiatives in the commonwealth. The office shall be available to assist the

legislative, judicial and executive branches, counties, cities, towns, community organizations and members of the public with developing and expanding restorative justice initiatives. The office shall promote the implementation of chapter 276B of the General Laws and any other laws that provide for the use of restorative justice.

(a)For purposes of this section, the term “restorative justice” shall have the same meaning as in section 1 of said chapter 276B and include restorative practices rooted in community values and incorporating restorative principles. Restorative practices under this section shall include, but not be limited to victim-offender conferences, family group conferences, circles, community conferences and other similar victim-centered practices. Restorative practices may be used at any point before, during and after court involvement, to prevent court involvement and to support the healing of harm within communities.

(b)The office, in collaboration with communities and government agencies and consistent with restorative justice values, may: (i) design, develop, launch or fund restorative justice programs; (ii) create standards and guidelines for best practices for administering, providing training on and facilitating restorative justice programs operated or funded by the office; (iii) conduct restorative justice educational programs and provide other technical assistance; (iv) serve as a centralized repository for restorative justice resources; (v) establish policies and procedures to effectuate the purposes of this section, including, but not limited to, provisions for grant making, data collection, and evaluation of restorative justice programs operated or funded by the office; and (vi) take other actions to promote restorative justice within local communities and public entities of the commonwealth.

(c) The director shall convene a statewide advisory committee to guide the office of restorative justice in carrying out the purposes of this section. The statewide advisory committee shall consist of not more than 18 members trained in restorative justice practices; provided, that there shall be an equal number of government members and non-government community members on the committee; provided further, that the government members shall be from the legislative, judicial and executive branches and government-related statewide associations, including, but not limited to, representatives of public safety, law enforcement, victim services, health and human services, education, child welfare and legal agencies; and provided further, that the non-government community members shall be representatives of indigenous communities, survivors, formerly incarcerated, incarcerated populations, community-based restorative justice programs and practitioners working with juveniles and adults in communities, schools and criminal justice systems. Members of the committee shall be selected from diverse ethnicities, races, religions, ages, sexual orientations, gender identities, socio-economic statuses, differently abled, and geographical backgrounds from throughout the commonwealth. The members of the committee shall receive no compensation for their services but shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(d) The director may establish reasonable fees to be charged to public agencies for the provision of restorative justice education, consultation or other services authorized under this section, and may apply for and accept on behalf of the commonwealth any federal, local or private grants, bequests, gifts or contributions to aid in the financing of any of the programs or activities of the office. Fees, grants, bequests, gifts or contributions shall be received by the office and deposited in a separate account and shall be expended, without further appropriation, at the direction of the director for the cost of operating the office, including personnel, and for

programs funded by the office. The office may make agreements with public agencies and officers and may contract with other persons, including private agencies, corporations or associations, to carry out any of the functions and purposes of this section.

(e) Annually, the office shall annually prepare a report on its activities, including all income and expenditures, and file the report with the governor, the secretary of administration and finance, the secretary of public safety and security, the secretary of health and human services, the secretary of education, the chief justice of the supreme judicial court, the chief justice of the trial court, the chairs of the house and senate committees on ways and means, and the chairs of the joint committee on public safety and homeland security, the joint committee on mental health, substance use and recovery, the joint committee on the judiciary and the joint committee on education not later than December 31.