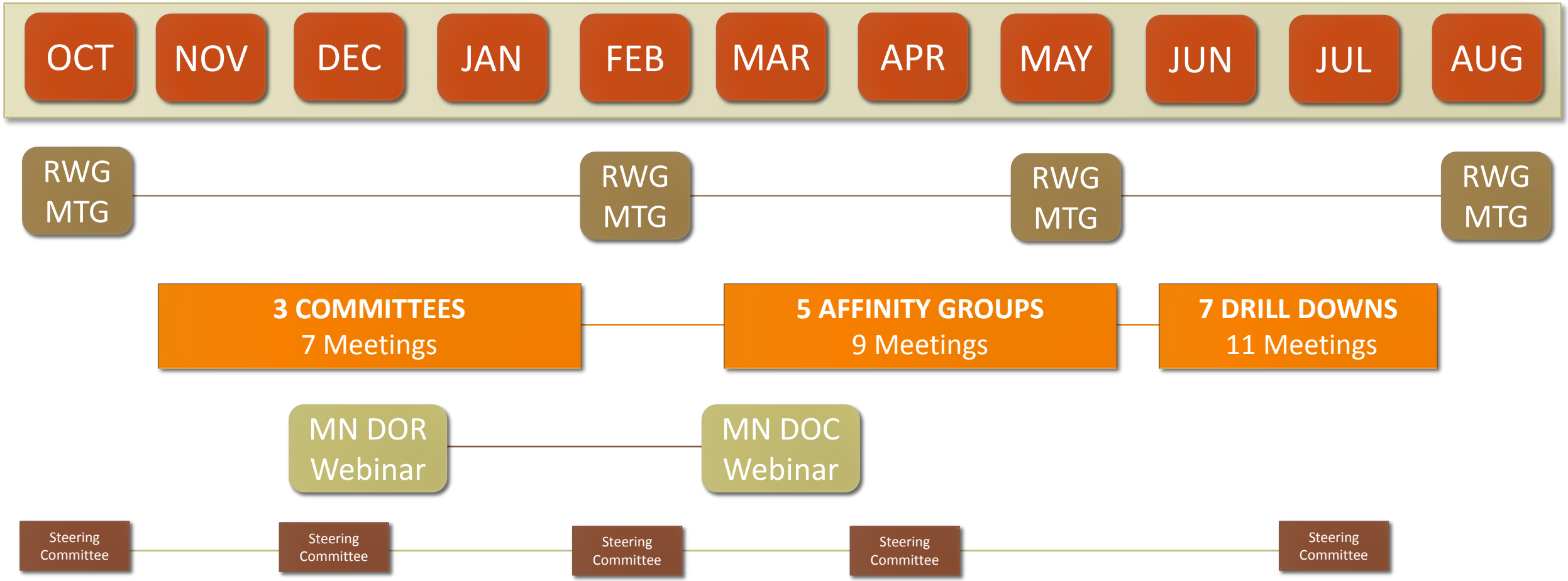
RESTITUTION WORKING GROUP

RWG MEETING AUGUST 4, 2014

AGENDA

- Welcome, introductions, overview of meeting
- History – how did we get here
- Recommendations
- Report to the Legislature
- Future– where do we go from here

Process Review



Process Review

Purpose of meetings

- Educate ourselves on the process in general, the process in other jurisdictions, and the parts of the process outside our own area of expertise.
- Identify themes/issues
- Develop recommendations

Recommendations – How they got on list

- **Affinity Group discussions**
  - Some recommendations identified as needing further refinement.
  - Some recommendations approved as to general concept
    - Noted on recommendations list as “General Concept from Affinity Group Meetings.”
    - Consistent with or supportive of many recommendations that came from Drill Down meetings.

Recommendations – How they got on list

- **Drill Down group discussions**
  - Recommendation only stayed on list if there was broad support for it. *No "borderline" recommendations!*
  - Recommendation not moved forward:
    - Group did not understand
    - Was too complicated to address
    - Fear of unintended consequences
    - Part of a bigger problem

Recommendations

- **Number:** 75
- **Type:** Statutory or practice
- **Grouped:**
  - Forms and payment plans
  - Information to offender
  - Information victim
  - Process (various types
  - Supervision
  - Strategies
  - Data privacy
  - Civil judgments
  - Training
  - General
  - Data
  - Technology
  - Overall
  - Ongoing

Recommendations – Keep in mind

- The recommendations are not a statutory agenda for the 2015 legislative session.
  - Recommendations requiring changes in the statutory framework will require multi-disciplinary effort — *a long term effort.*
  - A recommendation to the RWG will be to form a multidisciplinary drafting group to work on a proposal for statutory changes in 2015.

Recommendations – Keep in mind

- Recommendations were crafted without consideration of the financial resources to implement.
  - Aim of recommendation development process was to be aspirational—come up with strategies to make the process more efficient, better for victims, and better for offenders.
  - It is recognized that many will require resources to implement.

Recommendations – Keep in mind

- The language of the recommendations are not perfect. Some polishing will take place during the drafting phase.
- There is some repetition in the list. Consolidation of the recommendations will take place during the drafting process.
- Ultimately, the “statutory” vs. “practice” designation may need to be re-examined.

Recommendations – Today's process

"Consent agenda"

We are starting with assumption that, given the extensive discussion that took place to get recommendations on this list, there is support for recommendations, except those noted.

- There is the recognition that further discussion is necessary for statutory changes.
- Support for the recommendations does not mean support for the final statutory language.
- Many practice recommendations will be dealt with by stakeholder groups.

Recommendations – Today's process

- **Clarification:** Opportunity to get clarification on recommendation.
- **Opposition:** Opportunity to seek removal of recommendation from list.
  - If more than 1/3 in opposition—then off list.
  - If less than 1/3 in opposition—then dissenting opinion/statement included in report.

Clarification

- Identify number of recommendation with need for clarification.

Opposition

- Identify number of recommendation with opposition (put on board).
- Limited discussion (not prolonged debate)
- Show of support/opposition:
  - If more than 1/3 in opposition—then off list.
  - If less than 1/3 in opposition—then dissenting opinion/statement included in report.

Report to Legislature

AUG | SEPT | OCT | NOV | DEC | JAN

DRAFTING REPORT | REPORT LAYOUT | FINAL EDITING | DUE JAN 15

Report Review Team

- Review outline
- Review draft
  - Interim “check-in”
  - Final draft

Content

- Process
- Themes
- Data
- Recommendations

Report Review Team

- **Make-up**
  - At least two representatives from each stakeholder group: Advocates, prosecutors, supervising agents, court admin/court, and defense attorneys.
  - Steering Committee members
- **Responsibilities**
  - Review outline – conference call
  - Review draft
    - Interim drafting—review specific passages as requested
    - Final draft

What's Next

- **Proposal to continue the work:**
  - Create a RWG Drafting Committee to work on statutory changes in 2015.
  - Continued communication (e.g. about report, legislative interest, etc.)
- **Looking to members to indicate their interest:**
  - Participating on the 2015 RWG Drafting Committee.
  - Future collaborative efforts (as yet unnamed) to carry on the work
  - In getting updates related to restitution.

Conclusion