

July 16, 2013

The Honorable Michael Barrett  
Senate Chair  
Joint Committee on Children, Families, and Persons with Disabilities  
Room 413 C  
State House  
Boston, MA 02133

The Honorable Kay Khan  
House Chair  
Room 146  
State House  
Boston, MA 02133

Dear Chair Barrett and Chair Khan:

Good afternoon ladies and gentlemen of the Massachusetts legislature, my name is Robert Bongiorno, I am the police chief in the community of Bedford, Massachusetts. I am here before you today to speak in support of Massachusetts Senate Bill 52, An Act Promoting Restorative Justice Practices.

I am here not only as the Chief of one community, but also on behalf of several of my brother and sister police chiefs from other communities in the northeast region, as well as several of my colleagues who belong to the Northeastern Massachusetts Law Enforcement Council (NEMLEC). Very specifically, I am here representing the police departments of Acton, Arlington, Ayer, Boxboro, Cambridge, Carlisle, Concord, Groton, Littleton, Stow and Wellesley.

Restorative justice is a collaborative decision-making process that involves the victims, the offenders and others to hold the offenders accountable and to acknowledge and take responsibility for their offenses. The offenders must also repair the harm they caused to victims and communities, and also work to help reduce the risk of re-offense by creating positive social ties within their communities.

As you will hear from my colleague in the judicial system, restorative justice has become an international movement guiding many adult and juvenile judicial programs, and in the process, receiving substantial federal support. It has proven especially successful in the K-12 communities of our school systems.

I am here to speak specifically about applications for restorative justice as it pertains to the law enforcement arm of this program. I began my police career in 1991 as a patrol officer in Concord, which is also where I was first introduced to the concept of restorative justice by Leonard Wetherbee, who went on to become chief of that police department, and who is now the chief of the Moultonborough, N.H. police department. Len was a leader on this front, and continues to support our many efforts to expand the applications of the program.

I will admit to some skepticism myself when I was first introduced to this concept. One of my greatest fears was that it was going to handcuff the efforts of police officers trying to maintain peace in their

communities. The last thing I wanted to do was hinder the efforts of our law enforcement system. As you can imagine, police officers were tentative, thinking we were kicking criminal justice tenets to the curb in favor of a “softer” approach to law enforcement.

I am here on behalf of police agencies to affirm that is NOT the case, and want to stress that for our departments, as we experienced with the ideals of community policing when it surged in the early 1990s, that restorative justice is simply one more tool we can use in our toolbox.

When a police officer graduates from the academy and joins a municipality, they are outfitted with their patrol belt, complete with service weapon, handcuffs, pepper spray, and in some departments, a bullet proof vest. Today’s contemporary police officer also needs to be supplied with tools such as conflict resolution skills, diversity training, courtesy, and alternative approaches to law enforcement. I am here to tell you restorative justice is just one of those approaches.

As it stands now, the subject who could potentially benefit from the restorative justice approach would first be identified by the police officer who interacts with the offender and who could best determine if he/she is an appropriate candidate for the program. The referral would then be forwarded to our partners at Communities for Restorative Justice (C4RJ) as well as our court system. But to be clear: from the law enforcement perspective, should the offender NOT complete the obligations as set in place by this program, he or she will immediately be referred back to the criminal justice system. We MUST maintain checks and balances in place so that the offenders do not see restorative justice as a way to skirt the law and avoid making the victims in these matters whole.

I spoke to you about community policing, which has shaped so much of what has occurred in our police departments over the past two decades. With reference to restorative justice, I will say the same thing that was heard when community policing was making headlines and changing the way our officers looked at their jobs – one size does not fit all. Each of our departments has to evaluate each of these cases, and indeed the individuals involved on a case-by-case basis.

I have already personally seen restorative justice yield positive results. Specifically, I can tell you of some high school student offenders who broke into a local school and committed multiple thefts, the restorative justice approached yielded extremely successful results. I also have knowledge of successful referral cases involving second time offenders, violent crimes and felonies.

Restorative justice is also a great opportunity for victims who want more options than the traditional criminal justice system. Since it is community based, it is also a big win for community members wanting to volunteer and strengthen their community.

The concept is the same whether you’re in a city the size of Boston or a town the size of Bedford. Our officers continuously take advantage of professional development. They are the experts on arrests, domestic abuse investigations, motor vehicle stops, evidence, due process, and searches. What I am looking for is an extension of that training, into a program in concert with our partners at C4RJ and in the courts, to introduce restorative justice on a larger scale. This will enable our officers to marry their

problem-solving skills to an innovative process to help make victims whole and to make a direct impact on the lives of both the victims and the offenders.

Thank you for your careful consideration of this important bill.

Very truly yours,

Robert Bongiorno  
Chief of Police