

POSITION PAPER FOR AGENDA ITEM

TO:	Board of County Commissioners
FROM:	Jacqueline Sartoris, District Attorney
DATE:	12/29/2025
SUBJECT:	Status and future of the DA's use of Restorative Justice in criminal case resolutions

Requested Action:

Informational Report-No Action

1. Brief background on prior use of Restorative Justice in our District;
2. Summary on pilot program to develop benefits, costs, offsets, and potential expansion;
3. Next steps including RFP and reporting back on results;
4. Informational - no impact to the County or grant budget.

Background & Purpose of Request:

In the midst of the pandemic, with Court cases at a complete standstill, the prior DA worked with the County to pivot to using an alternative case resolution known as “restorative justice” to resolve hundreds of misdemeanor (lower level) cases. Restorative Justice (RJ) took the cases outside of the Court process and moved them to a proven method to ensure defendants received at least a modicum of accountability for their conduct, with the opportunity to move past it. To create this program virtually overnight, in 2020 the County entered into a series of 2 6 month 10,000 contracts for a total of \$40,000 per year. One contract used a nationally recognized RJ provider who had been a long term prosecutor. That contract secured advice and the availability of the provider for the most serious cases of harm which required the most intensive work. The second contract was with a local RJ provider which held periodic RJ “circles” to allow defendants to engage in a group setting as part of resolving their case.

These contracts were in place when the current DA was sworn in in 2023. They were continued largely intact until June of 2024, when performance issues with one contractor led to the DA seeking out a different RJ approach. From January 2025 to the present, the DA's office embarked upon a pilot project to ascertain the feasibility of making a long term RJ program more cost-neutral to County taxpayers, by having defendants pay a fee or make at least a modest contribution to the costs of RJ when they can afford to do so. As part of establishing this program, the Commissioners approved the creation of an account for receipt of these funds (January, 2025), which were used to pay virtually the full cost of the pilot program.

That pilot project ended in December 2025, and has shown that this initiative can sustain an RJ program while allowing it to grow substantially and encompass a fuller suite of appropriate cases.

The DA is seeking to bring the Commissioners current with past practices and the results of this very small program; understand the potential scope of the future program, and be informed about the RFP for restorative justice that will be out for consideration in early January.

POSITION PAPER FOR AGENDA ITEM

Budget impact:

There is no impact to any County budget. For the moment we are asking that the \$40,000 currently appropriated to the RJ work remains as the program is brought to its full potential. While the program may not be completely cost-neutral, it is likely that the use of RJ can be fully realized without any increase in the current budget, and may result in some overall savings.

Funding Amount and Source:

\$40,000 for restorative justice in the current budget, the status quo since 2020.

Effective Date:

The RFP is currently being drafted and will be out for consideration January 5 for a period of 4 weeks. We anticipate making offers that include RJ starting with cases which are referred to our office in February. Those offers would begin to use RJ after arraignment, approximately 8 weeks later.

Attachments: (to be provided at Commissioner's meeting)

Summary of RJ numbers under 6 month pilot; cost and fees collected summary; sample paperwork used in the RJ program.