

26105104D

1 **HOUSE BILL NO. 489**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

4 *A BILL to amend the Code of Virginia by adding in Chapter 1.1 of Title 19.2 a section numbered 19.2-11.4:1,*  
5 *relating to restorative justice practices.*

6 Patron—Hope

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That the Code of Virginia is amended by adding in Chapter 1.1 of Title 19.2 a section numbered**  
10 **19.2-11.4:1 as follows:**11 **§ 19.2-11.4:1. Restorative justice practices.**

12 A. As used in this section:

13 "Restorative justice communication" means all communications, memoranda, work products, documents,  
14 and other materials, written or oral, that are made in the course of, or in connection with, any phase of  
15 restorative justice practice.16 "Restorative justice practice" means a voluntary participatory process in which parties who have caused  
17 harm, parties who have been harmed, or other participants gather to (i) identify and repair harm to the  
18 extent possible; (ii) address trauma; (iii) reduce the likelihood of further harm; or (iv) strengthen community  
19 ties by focusing on the needs and obligations of all parties involved. "Restorative justice practice" includes  
20 all phases of such a process, including referral, preparation, preenrollment, enrollment, postenrollment,  
21 facilitated dialogue or meeting, and postdialogue phases of the process.22 B. Except as provided in this section, restorative justice communications are not admissible or subject to  
23 discovery, and disclosure of such communications shall not be compelled in any judicial or administrative  
24 proceeding, arbitration, or mediation. No person involved in a restorative justice practice may testify in any  
25 judicial or administrative proceeding, arbitration, or mediation about any phase of the restorative justice  
26 practice except as required by subsection C.

27 C. The privilege afforded by this section does not apply if:

28 1. Disclosure is necessary to prevent death or serious harm;

29 2. Disclosure is necessary to comply with another law;

30 3. A court, tribunal, or administrative body requires a report on a restorative justice practice, but such  
31 report shall be limited to the fact that a restorative justice practice has taken place, an opinion regarding the  
32 success of the restorative justice practice, and whether further restorative justice practices are expected; or33 4. A person who participated in a restorative justice practice, including a practitioner, is called to testify  
34 by a party, but such testimony shall be limited to the fact that a restorative justice practice has taken place,  
35 an opinion regarding the success of the restorative justice practice, and whether further restorative justice  
36 practices are expected.37 D. Evidence that is otherwise admissible or subject to disclosure or discovery does not become  
38 inadmissible or protected from disclosure or discovery solely because it was discussed or used in a  
39 restorative justice practice.

INTRODUCED

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