
SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FACILITATE THE
DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES PROGRAM IN
HAWAII CORRECTIONAL FACILITIES.

1 WHEREAS, according to a study of United States Department
2 of Justice statistics conducted in 2002, fifty per cent of
3 American inmates will return to prison within two years of their
4 release; and

5
6 WHEREAS, a restorative circle is a group planning process
7 for individual inmates, their families, and prison staff that
8 results in a written transition plan for the inmate preparing to
9 leave prison; and

10
11 WHEREAS, the transition plan details the inmate's needs,
12 including the need for reconciliation with loved ones, any non-
13 related victims not present at the circle, and the inmate
14 personally, and addresses other needs, such as housing and
15 employment necessary for the inmate to create a successful life
16 by establishing goals for the inmate to meet; and

17
18 WHEREAS, a restorative circle makes it clear to inmates
19 that they are responsible for their lives by the decisions that
20 they make; and

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22 WHEREAS, an internal self-study was completed for the
23 Healing/Sentencing Circles Program at Whitehorse, Yukon
24 Territory by an outside consultant, revealing that, over a
25 two-year period, the program served sixty-five clients and
26 follow-up tracking showed that there was an eighty per cent
27 decrease in recidivism (Matthews, S. and G. Larkin (1999). *Guide*
28 *to Community-based Alternative for Low Risk Juvenile Offenders.*
29 *Topeka, KS: Koch Crime Institute.*); and

30
31 WHEREAS, a study of the Hollow Water First Nation Community
32 Holistic Circle Healing program conducted by Native Counseling



1 Services of Alberta reported that, over a ten-year period, only
2 two out of one hundred seven participants re-offended; and
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4 WHEREAS, the Hollow Water study contrasted this two per
5 cent recidivism rate for program participants against "typical"
6 recidivism rates over the same period of time, such as a
7 thirteen per cent recidivism rate for sex offenders and a
8 thirty-six per cent rate for any form of recidivism in Canada
9 (Native Counseling Services of Alberta (2001). *A Cost-Benefit*
10 *analysis of Hollow Water's Community Holistic Circle Healing*
11 *Process*. Ottawa, Ontario, Canada: Aboriginal Corrections Policy
12 Unit, Solicitor General of Canada.); and
13

14 WHEREAS, in 2001, the University of Cambridge conducted
15 seven experiments where four hundred offenders who attended
16 restorative justice conferences were compared with four hundred
17 offenders who did not; and
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19 WHEREAS, during the restorative justice conferences, which
20 each lasted from one to three hours and often occurred in prison
21 settings, the participating offenders listened to victims
22 describe the harm their crimes had caused; and
23

24 WHEREAS, the victims who participated in the conferences
25 found the process to be helpful and positive, while the
26 participating offenders described the meetings as "traumatic" as
27 well as life-changing; and
28

29 WHEREAS, the report on the experiments found that, over a
30 two-year period, the rate of reconviction fell by different
31 rates in different parts of the United Kingdom -- for example,
32 the rate of reconviction for violent offenders in Thames Valley
33 fell by fifty-five per cent and the rate of reconviction among
34 career burglars in London fell by 15.5 per cent; and
35

36 WHEREAS, the report on the experiments estimated that for
37 every £1 spent on delivering the conferences, £9 was saved in
38 costs to victims and the criminal justice system; and
39

40 WHEREAS, the Hawaii Restorative Circles program, renamed
41 "Huikahi Restorative Circles", from the Hawaiian words "hui"
42 meaning group and "kahi" meaning individual, is a reentry
43 program mandated as part of Act 8, First Special Session Laws of
44 Hawaii 2007; and



1
2 WHEREAS, the funds appropriated for the continuation and
3 expansion of the Huikahi Restorative Circles program by Act 8
4 have not been released; and

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6 WHEREAS, the Huikahi Restorative Circles program has been
7 operating with private funding and community goodwill; and

8
9 WHEREAS, since 2005, the Huikahi Restorative Circles
10 program has included more than three hundred participants, with
11 a one hundred per cent satisfaction rate; and

12
13 WHEREAS, John Braithwaite, Ph.D., Australian Research
14 Council Federation Fellow, professor at the Australian National
15 University, recipient of the 2006 Stockholm Prize in
16 Criminology, author of many books and publications, including
17 *Crime, Shame and Reintegration*, and recognized as a major force
18 in the restorative justice movement says, "Hawaii is a world
19 leader in innovation for reentry planning for prisoners because
20 of its work on Restorative Circles. We all look forward to the
21 next stage in this Hawaiian leadership toward a more effective
22 way to prevent crime by reintegrating released inmates into a
23 supportive community"; and

24
25 WHEREAS, Shadd Maruna, Ph.D., corrections expert and law
26 professor at Queen's University Belfast in Ireland, and author
27 of numerous publications, including the book *Making Good: How*
28 *Ex-Convicts Reform and Rebuild Their Lives*, says, "I have long
29 been deeply impressed with Hawaii's innovations in the area of
30 prisoner reentry and especially the work with the Modified
31 Restorative Circles. As an outsider, I assume the small island
32 geography and the historical traditions of Hawaii make the place
33 particularly amenable to community-based solutions to the issues
34 of crime and reintegration. Yet, beyond this, it also takes
35 policy innovation and political courage"; and

36
37 WHEREAS, impartial grant reviewers for the federal
38 government recently stated that the Huikahi Restorative Circles
39 "provide an innovative approach to an often overlooked facet of
40 an offender's reentry into the community--the interaction--past,
41 present, and future--with the inmate's family. The appreciation
42 for cultural sensitivities will translate to other populations.
43 The inclusion of a thoughtful 'transition plan' it presents is a
44 good next step opportunity for both family and inmates."



1 (Attachment to a letter dated November 17, 2009 from James H.
2 Burch, II, Acting Director of the Bureau of Justice Assistance,
3 to Lorenn Walker); and
4

5 WHEREAS, a recent evaluation of Pono Kaulike, a similar
6 restorative justice program, revealed that, out of a group of
7 thirty-eight participants and a control group of twenty-nine
8 individuals, the people who participated in the Pono Kaulike
9 program had a significantly lower rate of recidivism -- eighteen
10 per cent, compared to the control group which had a fifty-one
11 per cent rate of repeating crime (Walker, Lorenn and Hayashi,
12 Leslie (2007). *Pono Kaulike: A Hawaii Criminal Court Provides*
13 *Restorative Justice Practices for Healing Relationships.*
14 *Federal Probation.* 71(3):18-24.); and
15

16 WHEREAS, the Huikahi Restorative Circles Program has been
17 recognized both nationally and internationally; now, therefore,
18

19 BE IT RESOLVED by the Senate of the Twenty-fifth
20 Legislature of the State of Hawaii, Regular Session of 2010, the
21 House of Representatives concurring, that the Department of
22 Public Safety is requested to facilitate and support federal
23 grant proposals for the funding of the Huikahi Restorative
24 Circles program to address the backlog of requests from
25 incarcerated individuals wanting to make amends for their past
26 behavior; and
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28 BE IT FURTHER RESOLVED that the Department of Public Safety
29 is requested to obtain an annual report from the provider of the
30 Huikahi Restorative Circles program; and
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32 BE IT FURTHER RESOLVED that certified copies of this
33 Concurrent Resolution be transmitted to the Governor, the
34 Director of Public Safety, and the Attorney General.

