SENATE CONCURRENT RESOLUTION

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

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

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

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

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

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

WHEREAS, a study of the Hollow Water First Nation Community Holistic Circle Healing program conducted by Native Counseling...
Services of Alberta reported that, over a ten-year period, only two out of one hundred seven participants re-offended; and

WHEREAS, the Hollow Water study contrasted this two per cent recidivism rate for program participants against "typical" recidivism rates over the same period of time, such as a thirteen per cent recidivism rate for sex offenders and a thirty-six per cent rate for any form of recidivism in Canada (Native Counseling Services of Alberta (2001). A Cost-Benefit analysis of Hollow Water's Community Holistic Circle Healing Process. Ottawa, Ontario, Canada: Aboriginal Corrections Policy Unit, Solicitor General of Canada.); and

WHEREAS, in 2001, the University of Cambridge conducted seven experiments where four hundred offenders who attended restorative justice conferences were compared with four hundred offenders who did not; and

WHEREAS, during the restorative justice conferences, which each lasted from one to three hours and often occurred in prison settings, the participating offenders listened to victims describe the harm their crimes had caused; and

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

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

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

WHEREAS, the Hawaii Restorative Circles program, renamed "Huikahi Restorative Circles", from the Hawaiian words "hui" meaning group and "kahi" meaning individual, is a reentry program mandated as part of Act 8, First Special Session Laws of Hawaii 2007; and
WHEREAS, the funds appropriated for the continuation and expansion of the Huikahi Restorative Circles program by Act 8 have not been released; and

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

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

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

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

WHEREAS, impartial grant reviewers for the federal government recently stated that the Huikahi Restorative Circles "provide an innovative approach to an often overlooked facet of an offender's reentry into the community—the interaction—past, present, and future—with the inmate's family. The appreciation for cultural sensitivities will translate to other populations. The inclusion of a thoughtful 'transition plan' it presents is a good next step opportunity for both family and inmates."
WHEREAS, a recent evaluation of Pono Kaulike, a similar restorative justice program, revealed that, out of a group of thirty-eight participants and a control group of twenty-nine individuals, the people who participated in the Pono Kaulike program had a significantly lower rate of recidivism -- eighteen per cent, compared to the control group which had a fifty-one per cent rate of repeating crime (Walker, Lorenn and Hayashi, Leslie (2007). Pono Kaulike: A Hawaii Criminal Court Provides Restorative Justice Practices for Healing Relationships. Federal Probation. 71(3):18-24.); and

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

BE IT RESOLVED by the Senate of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, the House of Representatives concurring, that the Department of Public Safety is requested to facilitate and support federal grant proposals for the funding of the Huikahi Restorative Circles program to address the backlog of requests from incarcerated individuals wanting to make amends for their past behavior; and

BE IT FURTHER RESOLVED that the Department of Public Safety is requested to obtain an annual report from the provider of the Huikahi Restorative Circles program; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, the Director of Public Safety, and the Attorney General.