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## HOUSE 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

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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

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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

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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 two  
25 year period, the program served sixty-five clients and follow-up  
26 tracking showed that there was an eighty per cent decrease in  
27 recidivism (Matthews, S. and G. Larkin (1999). *Guide to*  
28 *Community-based Alternative for Low Risk Juvenile Offenders.*  
29 *Topeka, KS: Koch Crime Institute.*); and

30



1           WHEREAS, a study of the Hollow Water First Nation Community  
2 Holistic Circle Healing program conducted by Native Counseling  
3 Services of Alberta reported that, over a ten-year period, only  
4 two out of one hundred seven participants re-offended; and  
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6           WHEREAS, the Hollow Water study contrasted this two per  
7 cent recidivism rate for program participants against "typical"  
8 recidivism rates over the same period of time, such as a  
9 thirteen per cent recidivism rate for sex offenders and a  
10 thirty-six per cent rate for any form of recidivism in Canada  
11 (Native Counseling Services of Alberta (2001). *A cost-benefit*  
12 *analysis of Hollow Water's Community Holistic Circle Healing*  
13 *Process*. Ottawa, Ontario, Canada: Aboriginal Corrections Policy  
14 Unit, Solicitor General of Canada.); and  
15

16           WHEREAS, in 2001, the University of Cambridge conducted  
17 seven experiments where four hundred who attended restorative  
18 justice conferences were compared with four hundred offenders  
19 who did not; and  
20

21           WHEREAS, during the restorative justice conferences, which  
22 each lasted from one to three hours and often occurred in prison  
23 settings, the participating offenders listened to victims  
24 describe the harm their crimes had caused; and  
25

26           WHEREAS, the victims who participated in the conferences  
27 found the process to be helpful and positive, while the  
28 participating offenders described the meetings as "traumatic" as  
29 well as life-changing; and  
30

31           WHEREAS, the report on the experiments found that, over a  
32 two-year period, the rate of reconviction fell by different  
33 rates in different parts of the United Kingdom -- for example,  
34 the rate of reconviction for violent offenders in Thames Valley  
35 fell by fifty-five per cent and the rate of reconviction among  
36 career burglars in London fell by 15.5 per cent; and  
37

38           WHEREAS, the report on the experiments estimated that for  
39 every £1 spent on delivering the conferences, £9 was saved in  
40 costs to victims and the criminal justice system; and  
41

42           WHEREAS, the Hawaii Restorative Circles program, renamed  
43 "Huikahi Restorative Circles", from the Hawaiian words "hui"  
44 meaning group and "kahi" meaning individual, is a reentry



1 program mandated as part of Act 8, First Special Session Laws of  
2 Hawaii 2007; and

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

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

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

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

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

38  
39 WHEREAS, impartial grant reviewers for the federal  
40 government recently stated that the Huikahi Restorative Circles  
41 "provide an innovative approach to an often overlooked facet of  
42 an offender's reentry into the community--the interaction--past,  
43 present, and future--with the inmate's family. The appreciation  
44 for cultural sensitivities will translate to other populations.



1 The inclusion of a thoughtful 'transition plan' it presents is a  
2 good next step opportunity for both family and inmates."  
3 (Attachment to a letter dated November 17, 2009 from James H.  
4 Burch, II, Acting Director of the Bureau of Justice Assistance,  
5 to Lorenn Walker); and  
6

7 WHEREAS, a recent evaluation of Pono Kaulike, a similar  
8 restorative justice program, revealed that, out of a group of  
9 thirty-eight participants and a control group of twenty-nine  
10 individuals, the people who participated in the Pono Kaulike  
11 program had a significantly lower rate of recidivism -- eighteen  
12 per cent, compared to the control group which had a fifty-one  
13 per cent rate of repeating crime (Walker, Lorenn and Hayashi,  
14 Leslie (2007). *Pono Kaulike: A Hawaii Criminal Court Provides*  
15 *Restorative Justice Practices for Healing Relationships.*  
16 *Federal Probation.* 71(3):18-24.); and  
17

18 WHEREAS, the Huikahi Restorative Circles Program has been  
19 recognized both nationally and internationally; now, therefore,  
20

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

MAR 08 2010

