

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
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No. \_\_\_\_\_

**COMMENTS ON HOUSE CONCURRENT RESOLUTION 188  
REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO  
FACILITATE THE DELIVERY OF THE HUIKAHI RESTORATIVE CIRCLES  
PROGRAM IN HAWAII CORRECTIONAL FACILITIES.**

by  
Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, March 18, 2010; 9:00AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) thanks the legislature for their interest PSD facilitating the delivery of the Huikahi restorative circles program in Hawaii Correctional Facilities.

In all jail and prison facilities across the country, security of those incarcerated, the staff, visitors, and the public must be paramount in decisions related to access to the facility, the operations of programs, etc. In the case of the restorative circles, PSD supports the intent of the restorative circles process and has had several discussions with those that conduct the restorative circles process as the Department believes the circles should be held in the least restrictive environment possible, which we believe may facilitate a more productive process for all involved. PSD previously provided this recommendation along with some serious concerns in writing to those the conduct the restorative circles process.

In addition, due to several events that have occurred during the restorative circles process at the Waiawa Correctional Facility, restorative circles have been halted at that facility while an investigation is completed. The issues of concern are various and directly affect the state with respect to liability and the security of the facility with respect to attempts to introduce contraband into the facility by circle participants.

PSD will continue to work with those that conduct the restorative circles process in the hopes of having the circles provided in the community where introduction of contraband into the facilities is not an issue.

Thank you for the opportunity to provide testimony on this matter.

# COMMUNITY ALLIANCE ON PRISONS

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## COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, March 18, 2010

9:00 a.m.

Room 309

**STRONG SUPPORT - HCR 188 - Huikahi Restorative Circles**

**[PBSTestimony@capitol.hawaii.gov](mailto:PBSTestimony@capitol.hawaii.gov)**

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a diverse community initiative working to improve conditions of confinement for Hawai'i's incarcerated individuals, enhance the quality of justice, and promote public safety by supporting smart justice policies. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that almost 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

HCR 188 requests the Department of Public Safety to facilitate the delivery of the Huikahi Restorative Circles program in Hawai'i correctional facilities.

Community Alliance on Prisons is in strong support of this measure. Huikahi Restorative Circles derive from indigenous practices of addressing wrongdoing. We have been involved in this process since 2005 and have seen the transformative impact this process has fostered. The Chair of HPA even testified that he saw the transformative effect that this process had on individuals who came before the board.

The Huikahi Restorative Circles program has garnered international acclaim from renowned researchers and criminologists as cited in the resolution.

Huikahi Restorative Circles is a reentry strategy that assists an individual with reintegration and promotes understanding and trust. Inherent in the process is accountability. Before an individual can request a circle, she/he must take responsibility for the harms done and have a strong desire to make amends and reconcile with those harmed.

A July 2008 press release from the University of Cambridge in England cited several studies that found that restorative practices have reduced recidivism and crime by 27%.

The report cites seven experiments. The experiments compared almost 400 cases where offenders had attended restorative justice conferences to some 400 cases where they had not. During the conferences offenders listened to victims describe the harm the crimes had caused. Each conference lasted from one to three hours, often in prison settings. Victims found the process helpful and positive, while some offenders have described the meetings as "traumatic" as well as life-changing.

The Sheffield report estimates that £9 of costs to victims and the criminal justice system was saved for every £1 spent on delivering these conferences.

Many individuals leave prison with huge debt and huge guilt, Huikahi Restorative Circles give an individual and their family the chance to start making amends before the individual returns home. Restorative justice works at reconnecting those bonds that have been frayed or broken.

Despite the positive outcomes, PSD has been the biggest barrier to this program. They have limited the process at Waiawa so that there is a waiting list of people who request circles. Many individuals have been released before a circle could even be scheduled because of the limitations imposed.

At a presentation on PSD's 'comprehensive' reentry program the legislature was told that the program has had a hard time finding individuals to participate. This is absolutely UNTRUE. There are waiting lists for individuals wanting to make amends to those they have harmed.

Hawai'i *must* employ practices that have proven efficacy for the good of all.

Mahalo for this opportunity to testify.

## aquino1-Ruffalyne

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 17, 2010 1:06 AM  
**To:** PBStestimony  
**Cc:** pohuku@yahoo.com  
**Subject:** Testimony for HCR188 on 3/18/2010 9:00:00 AM

Testimony for PBS 3/18/2010 9:00:00 AM HCR188

Conference room: 309  
Testifier position: support  
Testifier will be present: No  
Submitted by: Evern E. Williams  
Organization: Individual  
Address: 3220 Esther Street Honolulu, HI 96815  
Phone: 808-392-1486  
E-mail: [pohuku@yahoo.com](mailto:pohuku@yahoo.com)  
Submitted on: 3/17/2010

Comments:  
This is a worthwhile program.

**aquino1-Ruffalyne**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 17, 2010 1:12 AM  
**To:** PBStestimony  
**Cc:** pohuku@yahoo.com  
**Subject:** Testimony for HCR188 on 3/18/2010 9:00:00 AM

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**Comments:**

Huakahi Restorative Circles Program has demonstrated and positive results. In the long run it saves money and restores human beings back to being productive and contributors to their community. Please pass this legislation.