

MAR 11 2022

SENATE RESOLUTION

URGING THE JUDICIARY TO PARTNER WITH SUPPORTING AGENCIES AND
REQUEST GRANT FUNDS UNDER THE VICTIMS OF CRIME ACT TO
ESTABLISH AND SUPPORT A RESTORATIVE JUSTICE PROGRAM IN EACH
COUNTY TO ALLOW VICTIMS AND OFFENDERS AN OPPORTUNITY TO
PARTICIPATE IN RESTORATIVE JUSTICE.

1 WHEREAS, studies show that restorative justice programs
2 reduce crime, reduce repeat offenses, divert individuals from
3 the criminal justice system, reduce the costs of criminal
4 justice, increase crime victims' healing and well-being, reduce
5 the backlog of court cases, and provide victims and offenders
6 with greater satisfaction than traditional criminal justice
7 often allows; and

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9 WHEREAS, the restorative justice process is a powerful
10 healing tool that brings offenders, victims, and their
11 respective personal supporters together in a carefully managed
12 and safe environment; and

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14 WHEREAS, the restorative justice paradigm focuses on
15 victims and the harms done to them, the obligations those harms
16 create for offenders and the community, and how to make things
17 right as much as possible; and

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19 WHEREAS, restorative justice may occur at any level of the
20 criminal justice process, including when police first encounter
21 a crime, during the screening process, before a hearing is
22 scheduled, before sentencing, or following conviction, and if
23 successful, restorative justice can lead to the transformation
24 of people, relationships, and communities; and

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26 WHEREAS, restorative justice builds a sense of empathy
27 among the parties involved and can lead to creative, sustainable
28 resolutions beyond the scope of a more traditional court system;
29 and
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1 WHEREAS, for restorative justice to take place, the
2 offender must admit to the crime, and both the victim and
3 offender must be willing to participate; and

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5 WHEREAS, an impartial, trained, and experienced facilitator
6 meets with the parties to discuss the program's goals and plans
7 a restorative justice process; and

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9 WHEREAS, after adequate preparation, the facilitator and
10 parties meet and the resulting agreements may resolve the case;
11 and

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13 WHEREAS, pilot projects in the State, such as Pono Kaulike
14 on Oahu and the Restorative Justice Program of the Department of
15 the Prosecuting Attorney of the County of Hawaii, have been
16 offered with positive results, leading to restorative justice
17 pilot projects being highlighted by the Federal Probation
18 Journal, Honolulu Magazine, and KITV News; now, therefore,

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20 BE IT RESOLVED by the Senate of the Thirty-first
21 Legislature of the State of Hawaii, Regular Session of 2022,
22 that the Judiciary is urged to partner with supporting agencies
23 and request grant funds under the Victims of Crime Act to
24 establish and support a restorative justice program in each
25 county to allow victims and offenders an opportunity to
26 participate in restorative justice; and

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28 BE IT FURTHER RESOLVED that certified copies of this
29 Resolution be transmitted to the Chief Justice of the Supreme
30 Court of Hawaii and the prosecutor of each county.

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33 OFFERED BY: 

