

## ***Huikahi Restorative Circles: A Public Health Approach for Reentry Planning***

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*Oh, it was good. It brought me some closure with Ken. Gave me a different way of looking at him. It's addiction.*

*He's choosing it over his family. I'm still cautiously optimistic about him, but I'm 100 percent for Rachel.*

*I'm absolutely sure she'll make it.*

*—Marta, March 2010.*

Five years earlier, in March 2005, Marta, Ken's maternal aunt, along with Ken, his girlfriend Rachel (mother of his three children), and his drug treatment counselor at Waiawa Correctional Facility, participated in the first *Huikahi Restorative Circle*. This restorative reentry planning process developed in Hawaii was reported in the June 2006 issue of this journal (Walker, Sakai & Brady, 2006). This paper is a follow-up report on the satisfaction of Marta and other Circle participants and includes recidivism results for incarcerated people released from prison for at least two years who had participated in Circles.

It has been four years since Ken was paroled from prison, and three since his parole was revoked after he relapsed. He is now re-incarcerated at a private prison in Arizona. Marta, who raised Ken after his mother died, reflected on her experience in the 2005 Circle five years later:

The Circle addressed a lot of issues for me. I had a lot of guilt. I worried that I didn't spend enough time with him. There was a lot of self-blame. But talking in the Circle helped me deal with that. Now I realize we all have trauma and we all do the best we can. Every day I think, "I did the best job I could." He had a good upbringing. I did my best. His choices now are all his own.

Besides raising Ken, Marta spent over 25 years as a police sergeant for the Honolulu Police Department. She told Ken's Circle facilitator:

We're on the opposite sides. I arrest 'em and try and get 'em into prison, and you're trying to keep 'em out. But we're both in the same circle. We're workin' for the same thing—to keep people safe.

According to John Braithwaite, an internationally renowned expert in restorative justice, "Hawai'i 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" (Hawai'i Legislature, 2010 p. 3).

## **Huikahi Restorative Circle Process & Development**

The *Huikahi Restorative Circle* is a group process for reentry planning that involves the incarcerated individual, his or her family and friends, and at least one prison representative. The process was developed in 2005 in collaboration with two community-based organizations—the Hawai'i Friends of Civic & Law Related Education and the Community Alliance on Prisons—and the Waiawa Correctional Facility located on the island of O'ahu.

The process was originally called *Restorative Circles*, but was renamed *Huikahi Restorative Circles* to distinguish Hawaii's reentry planning process from other restorative processes. In Hawaiian, *hui* means group, and *kahi* means individual. Together the word *huikahi*, for purposes of this process, signifies individuals coming together to form a covenant. The addition of *Huikahi* to the name was a result of the input of a Native Hawaiian prison warden.

While the modern restorative justice movement is about 30 years old, many trace its roots back to “most of human history for perhaps all the world's peoples” (Braithwaite, 2002, p. 5). Circle processes are a fundamental practice of the restorative justice movement (Zehr, 2002), and Peter Senge, co-founder of the MIT Organizational Learning Center, believes “no indigenous culture has yet been found that does not have the practice of sitting in a circle and talking” (Isaacs, 1999, p. xvi).

Today research confirms that restorative justice is an evidence-based practice that reduces criminal recidivism (Sherman & Strang, 2007), and there is a growing movement to use restorative practices in reentry for incarcerated people returning to the community (Bazemore & Maruna, 2009).

### **Huikahi Circles Provide a Solution-Focused Approach**

While restorative justice provides the theoretical underpinning for the Huikahi Circles, its facilitators utilize solution-focused brief therapy language during the process. Solution-focused therapy acknowledges that a therapeutic process “happens within language and language is what therapists and clients use to do therapy” (de Shazer, 1994, p. 3). In this way, language is used to help people discover their inherent strengths and establish their goals and ways to achieve them. Insoo Kim Berg, a co-founder of solution-focused brief therapy, assisted in the design of the Huikahi Circle process.

Solution-focused brief therapy is recognized as a *promising* evidence-based intervention by the federal government (OJJDP, 2009). Solution-focused approaches have been successfully used in restorative programs by courts to reduce violence (Walker & Hayashi, 2009). The *Solution-Focused Judging Bench Book* details how a solution-focused approach can assist the courts in administering justice (King, 2009).

### **Huikahi Circles Apply Public Health Learning Principles**

Many corrections experts have called for a “public health” approach to deal with criminal behavior (Zimbardo, 2007; Schwartz, 2009), and specifically for dealing with prisoner reentry (Travis, 2005). In addition to a public health approach for traditional prevention uses, public health also offers a rich history for designing optimal learning programs.

Public health educators have worked to improve the health outcomes for populations for generations. “Modern public health practice extends far beyond the historic focus on infectious disease and environmental threats” (Novick & Morrow, 1987, p. 29). Health education is probably one of the oldest and most successful disciplines working to change the behavior of humans. “Both science and social factors form the basis for public health interventions” (Novick & Morrow, 1987, p. 4).

The World Health Organization (WHO) considered and established criteria that health educators should use in working to change behavior (WHO, 1954). The WHO specifies that learning is

more likely to occur with a focus on individuals' goals; positive motivation; group settings; and experiential activity-based processes. This is consistent with established research by Albert Bandura that *enactive learning* is the most effective learning approach (Bandura, 1997).

Huikahi Circles (like most restorative interventions) applies the criteria recommended by WHO. The Circles are based on the people's positive motivation to repair harm and to take responsibility for their futures. The Circles are group processes, self-directed, goal-oriented, and an active learning experience for participants.

Additionally, Huikahi Restorative Circles meet the "five principles of effective reentry" that corrections reentry expert Jeremy Travis advocates for in *But They All Come Back: Facing the Challenges of Prisoner Reentry* (2005).

"Each of the five principles requires action:

1. prepare for reentry;
2. build bridges between prisons and communities;
3. seize the moment of release;
4. strengthen the concentric circles of support; and
5. promote successful reintegration" (Travis, 2005, p. 324).

### **Huikahi Circles Provide Healing**

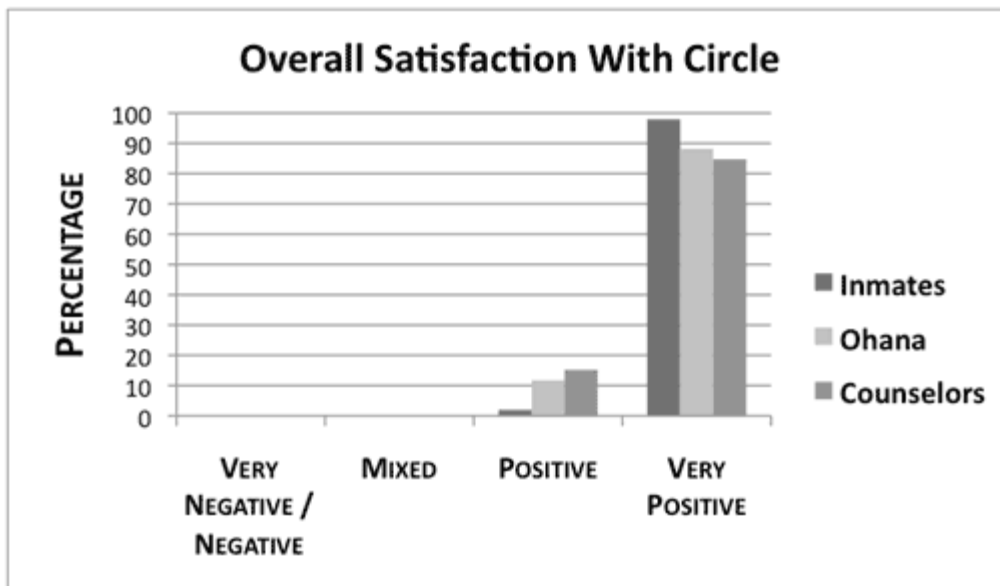
While crime prevention and decreasing recidivism are important objectives of the Huikahi Circle reentry planning process, an equally important objective is to provide healing for people harmed. Healing for people with incarcerated loved ones is vital. "The victim's physical and emotional wounds must be healed. And the social bonds that connect individuals to one another must be reestablished" (Moore, p. 241, 1995).

Even when the loved ones of imprisoned individuals are not the direct victims of the crime, they often suffer trauma as a consequence of the incarceration. Many lose a vital economic support when their partner or family member goes to prison (Travis & Waul, 2004). Children with incarcerated parents experience serious emotional and physical consequences, such as increased drug use, sleep disturbances, stress, depression, and feelings of guilt and shame (Robertson, 2007).

In addition, recent research on the mental health consequences for victims of violent crime suggests that the traditional criminal justice system's response is often a source of secondary victimization and further trauma. Restorative justice practices are advocated to avoid the detrimental mental health consequences victims experience as a result of their contact with the adversarial criminal justice system (Parsons & Bergin, 2010). The criminal justice system lacks mechanisms to address the damaging effects incarceration has on the loved ones of imprisoned people. Just as restorative alternatives are suggested for the immediate victims of violent crime, so too are they appropriate for the other victims of crime—the family and loved ones of the incarcerated individual.

### **Huikahi Circle Results**

Since 2005 a total of 52 Huikahi Circles have been provided. Two incarcerated people had follow-up re-circles. A total of 50 incarcerated people, [4](#) 45 men and 5 women, had Circles. Altogether, 280 people (family, friends, prison staff/counselors and incarcerated individuals) participated in the Circles. Following each Circle, participants filled out surveys about their experience. One hundred percent of all participants reported that the Circle they participated in was a *very positive or positive* experience.



In addition to the full Huikahi Circles, 39 Modified Huikahi Restorative Circles, 9 for incarcerated women and 30 for men, have been provided in Hawaii. <sup>2</sup> The Modified Circles developed as an alternative for people whose loved ones were unable or unwilling to attend a full Circle in a prison (Walker, 2009).

A total of 140 incarcerated people have applied for the Circles during a five-year period. They mainly learned about the process from other incarcerated people who had Circles or applied for one. To date 37 percent of the total applicants have been able to have Circles. A lack of resources and institutional support prevents delivering all the Circles requested. In addition, although all of the Circle participants requested a re-circle, to date only 2 have been provided because of a lack of funding.

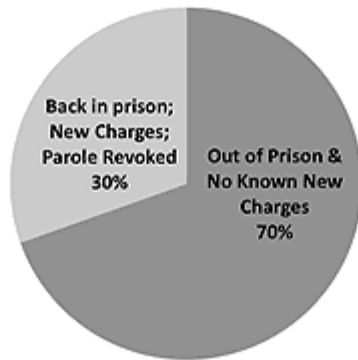
### Recidivism Results

Samples to date are too small to make any judgments about whether the Circle process prevents repeat crime, but the percentages are promising. A total of 23 people who had Circles have been out of prison for two years or more. Ten of the 23 have been out of prison for three years or more. Out of the 23, 16 people (14 men and 2 women) have remained out of prison without any new known charges against them. Seven men are back in prison either for new arrests, new charges, or violations of parole. Approximately 70 percent have not been in contact with the criminal justice system and the remaining 30 percent have either been charged or convicted of new crimes, or violated the terms of their parole, and are back in prison.

Methodology for determining recidivism rates varies. A recent study of people out of Hawaii prisons for three years revealed a 54.7 percent recidivism rate <sup>3</sup> (Hawai'i Interagency Council on Intermediate Sanctions, 2009).

Although the sample size of the Huikahi project is small, and reviewed subjects who were out of prison for only two years, the 30 percent recidivism rate is significantly smaller than the overall state 54.7 percent rate. Because of a lack of support from the current state executive office (Brady & Walker, 2008), this project has been unable to provide necessary follow-up contacts and re-circles. In light of the limited services provided, the project's preliminary recidivism rate remains promising, but it is inconclusive that the Circles prevent repeat crime.

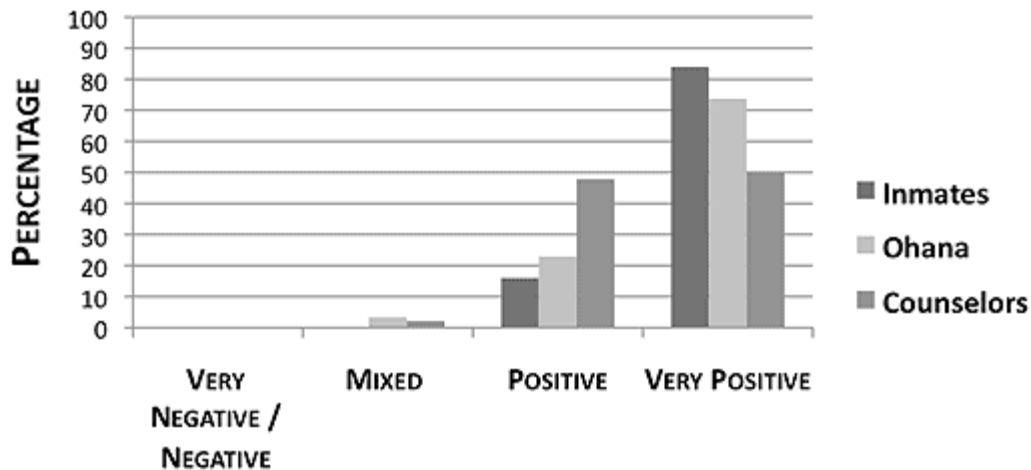
### Status of 23 Circle Participants Who Had Been Out of Prison for 2 years



### Satisfaction and Healing Results

Loved ones who participated in Huikahi Circles report high levels of satisfaction with the Circle process and indicate that they have begun to heal. Out of the 169 loved ones who participated, 124 felt “very positively” and 42 felt “positively” while only 3 felt “mixed” regarding their forgiveness toward the incarcerated person. In addition, 117 felt very positively, 50 felt positively, and 5 felt mixed that the Circle helped them reconcile with the incarcerated person. Participant optimism that the incarcerated loved ones would stay out of prison as a result of the Circle was rated highly also.

### Circle Made Participants More Optimistic About Inmate Staying Out of Prison



A telephone survey with loved ones of the men who relapsed, were re-arrested, or are back in prison shows that the Circle process continues to be highly valued despite the recidivism.

### Participant Satisfaction Results After Recidivism

The loved ones of incarcerated people who had Huikahi Circles, were released, and came back into contact with the criminal justice system, continue to believe that the Circles had healing benefits. Follow-up with family members revealed that their experiences in the Circles were not lessened by the fact that the formerly incarcerated people re-offended.

One family member said, “The Circle helped give my son the tools he now has and it taught him how to apply them.” This mother attributed her son’s re-offending to his drug addiction.

Family members in other cases reported that although their loved one had re-offended, the Circles helped bring the family closer together. “We said things in the Circle we’d never talked about before,” said one relative. In this way, family members see the Circles as a benefit not only for the incarcerated individual, but for the family dynamic as a whole. Even when family members felt that they would not participate in a Circle again, they reiterated their positive experiences with the process. Many wanted other families and incarcerated people to have the same opportunity to participate in Circles.

Additionally, the girlfriend of a man who had a Circle in 2005 but relapsed and has been in a private Arizona prison since September 2009 said:

Without a doubt the Circle helped him. It reinforced him maintaining sobriety. It *put the cards on the table* with his other friends who attended. They had no idea he was using and after the Circle we could all talk about how to help him. It helped him stay out of prison for four years . . . It absolutely helped me heal. I had things I needed to say about how I was affected. The Circle validated my feelings.

### **Huikahi Circles Build and Strengthen Healthy Family Connections and Support**

“If we hadn’t had the Circle [in 2005] I wouldn’t have gotten to know Rachel so well,” says Marta.

The non-profit that provides the Circles paid for Rachel, who then lived in the continental United States, to come to Hawaii for Ken’s Circle. It was through that introduction that Marta came to know Rachel and develop a relationship with her. As a result Rachel and Ken’s three young children came to live with Marta. Later after his release Ken, along with Rachel, lived with Marta. Since Ken was re-incarcerated, Rachel and the children have continued to live with Marta. Because of the relationship between the two women that developed through the Circle, the three children have lived in a stable home for five years.

“She pays rent and doesn’t know it, but I’m savin’ it all up for her as a little nest egg for when they move out,” says Marta.

The Circles provide a conduit for building healthy family support between participants who are not incarcerated. Imprisonment harms families and children (Travis, et al., 2005). “Children of imprisoned parents are often described as the forgotten victims of imprisonment” (Robertson, 2007 p.7). Parental incarceration often creates immediate and long-term problems for children (Travis, et al., 2005).

As Marta and Rachel’s experience demonstrates, Huikahi Circles offer a way to develop relationships and support children hurt by incarceration. The latest research shows that 52 percent of people incarcerated in state prisons and 63 percent of the people in federal prison are parents of minor children (Glaze & Maruschak, 2008). How these children can be helped should be considered and made a vital feature of prison interventions. Focus on the individual incarcerated person is insufficient to assist families and communities.

### **Conclusion**

Huikahi Circles provide a process for incarcerated individuals and their loved ones to find ways to heal from the harm created by crime and imprisonment. The Circle gives all parties an opportunity to give voice to their own experience while collaborating with the incarcerated individual to create a plan that meets his or her needs for a successful transition back into the community. Even when the incarcerated person is re-incarcerated after a Circle, the positive outcomes for families remain significant.

In addition to the need for reconciliation, incarcerated people have other basic needs, including developing and maintaining a support system, locating and keeping housing, and maintaining physical and emotional health, which includes staying clean and sober. How they can meet these needs is addressed during the Circle. Meeting these basic needs has been shown to shut the “revolving door” of prisons for a significant number of formerly incarcerated people (Howerton et al., 2009).

“Correctional administrators recognize that it is probation and parole failures, not new prison admissions (due to convictions) that fuel our current prison crowding crisis” (Byrne, Taxman & Young, 2002, p. 15). We need to continue with these endeavors to reintegrate formerly imprisoned people. We must find solutions and stop giving up on people. Especially disturbing is that many people who abuse substances suffer from mental health issues, and a large number of them are in prison (Mumola, 1999). Instead of treating them as people with health problems, and working toward helping them get well and dealing with their addictions, we have mainly punished and criminalized them. Sadly, and with moral disregard, it seems prison has become the mental health institution of the day in the United States.

The families portrayed in this paper, and whom we have had the honor of meeting throughout the five years of the Huikahi Circle program, continue to inspire us with their deep insight and with their unbending love and optimism for their family members, who at times seem to love drugs more than their parents and children.

“He is basically a good person. He’s just lost and keeps turning to drugs. It breaks my heart. I might have to use *tough love* with him at times, but believe me it is a well of *endless love*, and no matter what, I will never give up on him,” said Harold’s mother, two years after his Circle, his relapse, and his return to prison. This hopeful sentiment is the foundation on which to build a successful reentry program.

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collection between the pretrial instrument and other assessment instruments.

<sup>6</sup> Unlike the other assessment tools, the outcome used in the construction of the Pretrial Assessment Tool was either a new arrest or failure-to-appear. Failure-to-appear was included as an outcome because one of the major goals of the pretrial tool was to assist court actors in the decision to release or hold the defendant prior trial. A major concern of court actors in making this decision involves both the potential for new criminal activity and the likelihood that the defendant will appear at court date.

<sup>7</sup> The number of cases excluded for each tool because they have more than four items missing were:

pretrial sample = 0, community supervision sample = 3, prison intake sample = 10, reentry sample = 2.

<sup>8</sup> Latessa et al. (2009) provides a thorough description of the priorities in cases management, included analyses for each instrument that provide the likelihood of recidivism for each domain.

<sup>9</sup> Latessa et al. (2009) provides the scoring sheets that list all items for each assessment instrument.

<sup>10</sup>  $r$  values are reported here to indicate the predictive validity of each assessment instrument because they are widely understood and easy to interpret. Receiver Operating Characteristics (ROC) analyses were also performed to gauge the predictive validity. The Area Under the Curve (AUC) values that resulted from these analysis are as follows: Pretrial Assessment Tool AUC=.65,  $p<.00$ ; Community Supervision Tool male AUC=.71,  $p<.00$ ; Community Supervision Tool female AUC=.69,  $p<.00$ ; Prison Intake Tool male AUC=.67,  $p<.00$ ; Prison Intake Tool female AUC=.69,  $p<.00$ ; Reentry Tool male AUC=.65,  $p<.00$ , Reentry Tool female AUC=.77,  $p<.00$ .

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<sup>1</sup> Two men who applied for Circles in prison were out when they had theirs. One was held at his mother's home and one at a church.

<sup>2</sup> An additional Modified Huikahi Restorative Circle was provided to an incarcerated woman in a California jail as part of a training program for probation officers. The woman, four of her incarcerated friends, and two support people who worked in the jail participated, and all reported the process was very positive. The city in California is working with a community-based organization to replicate the Circle program. A non-profit in upstate New York is also working to replicate it.

<sup>3</sup> This average rate includes people on parole and probation and those who were released directly out of prison without parole or probation ("maxed out"). The recidivism rate for people who maxed out was markedly higher at 61.5 percent.

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