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Huikahi Restorative Circles: Group Process for Self-Directed Reentry Planning and Family Healing

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Abstract

The Huikahi Restorative Circle is a reentry planning group process that addresses individual incarcerated people's needs for achieving criminal desistence. The Circles use public health learning principles including applied learning experiences to increase self-efficacy and hopefulness, restorative justice, and solution-focused brief therapy language, which promote positive attitudes and healing. A primary strength of the Circles is treating individuals as their own change agents rather than the passive recipients of treatment directed by others. The author concludes that reentry planning resources are better invested in models similar to Huikahi Circles, which include the participation and decision making of incarcerated people and their loved ones, rather than professionally driven case management efforts.

Keywords: Reentry – Resettlement - Reentry planning - Group process - Public health - Health education - Public health learning principles - Restorative justice - Solution-focused brief therapy - Enactive learning - Desistance

Introduction

> "It's great you take responsibility for yourself and you want a Restorative Circle. What made you want to have one?" the facilitator asks the woman.
>
> "I want the lady to know I'm sorry for what I did. She trusted me and I took from her. I want to apologize. I don't want her to die thinking I'm not sorry."
>
> "Suppose you do have a Circle and the lady knows you're sorry, what do you hope will be different?" asks the facilitator.
>
> "Oh, I wish this burden I'm carrying would be lifted. I would be freer," she says wiping tears on the sleeve of her light blue hospital scrubs. The scrubs are the prison's uniform where the woman is incarcerated. Her last name is scribbled in black felt pen over the shirt pocket.

"Suppose the burden is lifted and you're freer, what exactly do you hope will be different for you?"

"I dunno," says the woman.

Thirty seconds of silence pass while the facilitator kindly waits for a reply and the woman's eyes dart left to right rapidly. She then looks up toward the corner of her right forehead, and says,

"Ya know, when I came in here eight months ago, I looked in mirror and I saw a devil. I looked really scary. My eyes were dark. I was fat. But since I been in here, I been taking classes, changin everything. I lost forty pounds. I see a new me in the mirror now. And I want that lady I hurt to know that. I wan' her ta know how sorry I am and I'm tryin ta making somethin good outta of this."

"Wow, how'd you do all that? Take classes, and change? Wanting to tell the lady you're sorry. What made you want to do all this? asks the facilitator.

"I jus knew it wasn't me, that devil in the mirror. My mom taught me to be good, and I got four daughters I teach to be good too. I made mistakes. I got mixed up with a man who's in prison now. I was on the wrong track, but I got off," she says.

"How did you get off that track?" asks the facilitator.

"I work. All my life, no matter what, I work."

"Oh wow, you are a hard worker! Okay, great! It's because you know you always work hard that makes you know you can change," replies the facilitator.

The forty-year-old woman, with light brown eyes, haired neatly pulled back into a ponytail, is incarcerated at Hawai'i Women's Community Correctional Center (WCCC) for theft. She was sentenced to spend at least two years in prison before being eligible for parole. She was being interviewed for a *Huikahi Restorative Circle* where incarcerated people and their loved ones determine what they want and how best to their achieve goals.

This paper describes the nature of the Huikahi Circle program; how it developed; the Circle process steps; and how this type of intervention can result in better outcomes than case planning and case management where professionals make decisions.

The Huikahi Circle is a facilitated reentry planning group process for individual incarcerated people, their invited supporters, and at least one prison representative.
The incarcerated person determines what they want and the group helps her determine how best to achieve her goals. It can result in better outcomes for people leaving prison or drug treatment programs than case planning and case management where professionals make decisions for others.

Background

The Huikahi Restorative Circle process applies basic public health education learning principals and uses restorative justice and solution-focused brief therapy approaches. Early evaluation results suggest the process is a promising intervention for reducing recidivism, and assisting incarcerated individuals' loved ones deal with the suffering and trauma of having a family member incarcerated, even when there is re-incarceration after exposure to the Circle intervention (Walker & Greening, 2010).

The Huikahi group process was envisioned in 2004 collaboratively between a prison warden, a community activist interested in prison reform, and the author, a public health educator (Walker, Sakai & Brady, 2006). The author is also a lawyer who formerly represented the state of Hawai'i as general counsel and in lawsuits brought against agencies including the state prison system and its employees. The author designed the Circle process with the assistance of the late Insoo Kim Berg co-founder of solution-focused brief therapy (Walker, 2008). The Huikahi Circle is similar to a previously developed model for foster youth aging out of Hawai'i state custody (Walker, 2005). The *E Makua Ana Youth Circle* (Youth Circle) process was inspired by Australian criminologist John Braithwaite (Braithwaite, 2004). Both the Huikahi and Youth Circles address what people need to transition successfully into a new status[1]. The key difference between the Huikahi and Youth Circle models are that the former also addresses an incarcerated person's and victims' reconciliation needs.

The Huikahi process, originally labelled *Restorative Circles* was renamed as *Huikahi Restorative Circles* in 2010 to distinguish this pilot reentry planning process from other restorative processes also called *restorative circles* (Walker & Greening, 2010). In Hawaiian, *hui* means group and *kahi* means individual. Together the words hui and kahi, for purposes of describing this group process, form *huikahi* and create a *covenant* in the form of a *transition plan* that the incarcerated person will follow. The incarcerated person, her invited group of loved ones and supporters, and a prison representative create the transition plan during the Huikahi Circle.

The Huikahi process was first introduced in 2005 at Waiawa Correctional Facility (Waiawa) on O'ahu for incarcerated people men classified as *minimum security.*[2] After the program was successfully provided at Waiawa for 16 months and 21 Circles were

[1] A foster youth status changes from state ward to independent emancipated adult and the status of an imprisoned person changes to parolee, probationer or free person. Planning for meeting transition needs is best considered early, for foster youth it would ideally begin at age 12 and for imprisoned people, at arrest or conviction.

[2] Hawai'i, Department of Public Safety (PSD), which controls adult jails and prisons, defines: "Minimum custody is for low risk prison and jail inmates who have 48 months or less to parole/release eligibility and have demonstrated through their institutional conduct and adjustment a minimal need for control and supervision, have no felony hold or detainer, have not been involved in a violent episode within the last 12 months, and did not escape or attempt to escape from the department within the last seven years" (Department of Public Safety, 2009 COR § 18.4).

provided for 21 incarcerated men and a total 123 people participating, the process was introduced at WCCC in July 2006.

In addition to incarcerating women classified as minimum security risks, WCCC incarcerates women classified as *maximum*[3] and *medium*[4] levels.

Foundations for Huikahi Circles

The Circle process assumes that people learn best when they are actively engaged in the learning process. This assumption is supported by Albert Bandura's extensive research about how people learn (Bandura, 1997).

Compared to being the subject of a *case plan* prepared by professionals, allowing an imprisoned person the opportunity to take the lead in planning for her or his reintegration is more likely to result in increased self-efficacy and learning (Bandura, 1997; Johnson & Johnson, 1994; Tharp & Gallimore, 1993). Telling people what they should do is the least effective way to increase human performance (Bandura, 1997), yet lectures persist in being the most common educational method (Jarvis, 2001).

Today judges, who traditionally sit in autocratic roles and are the final decision makers in adversarial processes, also recognize the importance of personal participation for effective learning. Judges are advised to allow drug court defendants to have a "voice" in determining the direction of their lives, which "regrettably has been lost in many drug courts" leading to decreased effectiveness (Burke p. 46, 2010). Additionally, a judicial bench book was published in Australia for courts that applies solution-focused brief therapy principles, which recognize the importance of individuals making decisions that affect their lives (King, 2009). In solution-focused brief therapy the client is considered the expert in their life and the therapist is seen more like a facilitator rather than a counselor (De Jong & Berg, 2008).

Huikahi Circle Apply Public Health Learning Principles

The Huikahi Circle process applies basic public health education learning principles (World Health Organization, 1952). Public health learning principles are activity based and experiential processes.

> "The fact that learning is an active process is of particular significance to the health educationist. He cannot assume that people learn merely because he disseminates health information." . . . "Learning takes place more effectively when the experience has meaning for the learner and he is able to see the full implications of the experience" (World Health Organization, 1954, p. 10).

[3] "Maximum custody will be reserved for inmates who have shown through their institutional behavior that they are unable to function appropriately in the general population, regardless of the amount of time left to serve" (Department of Public Safety, 2009, COR § 18.1).

[4] "Medium custody may include long term moderate and low risk prison inmates or marginal risk inmates. The inmate's institutional conduct and adjustment indicates a need for continuous control and frequent supervision. Medium custody is also assigned to parole/probation violators prior to a revocation hearing" (Department of Public Safety, 2009, COR § 18.3).

Many respected corrections experts endorse using a public health approach for rehabilitation of imprisoned people (Zimbardo, 2008; Travis, 2005; Maruna, 2001; and Schwartz & Boodell, 2009).

America's Failed Prisons and Reentry Strategies

The United States has the most people incarcerated in the world (Kings College London, 2010). Since 1973 the United State's prison population has grown by 705% (Pew Center on the States, 2010). In 2008, 1 in 100 adults were imprisoned. If current growth rates continue, 6.6% (1 out of every 15) of Americans born in 2001 will serve time in a prison during their lifetime (Committee Reports, 110th Congress, 2007 – 2008).

American's corrections spending is unsustainable having grown from $12 billion in 1988 to more than $50 billion in 2008, which is a faster growth rate than all state budget categories except Medicaid (Pew Center on the States, Press Release 1/27/10). Adding to cost is the price of recidivism. "Two-thirds of returning prisoners are re-arrested for new crimes within 3 years or their release" (Committee Reports, 110th Congress 2007 – 2008).

Hawai'i's recidivism rate, once the lowest in the United States at 5% in 1973 (Bishop, 1973), has exploded from to one of the highest at 54.6% in 2009 (Hawai'i House Blog, 2009). This precipitous increase in crime, incarceration, and recidivism endangers public safety and spending in Hawai'i and the nation.

Second Chance Act Promotes Family Relationships

The United States Congress passed the 2007 Second Chance Act recognizing that reentry programming is critical to reducing recidivism, and that reduction strategies need "to rebuild ties between offenders and families, while the offenders are incarcerated and after reentry into the community, to promote stable families and communities." (United States Code, 42 USC 17501, Title II, § 3(a)(2)). Rebuilding family ties is critical to decreasing recidivism: "families are an integral part of the mechanisms of informal social control that constrain antisocial behavior (Travis, 2005).

The majority of returning prisoners live with family members and/or intimate partners upon release (Baer, et al, 2006) and formerly incarcerated people often identify family support as what kept them from returning to prison (Visher, et al, 2006). At the same time, relationships with the incarcerated person are often strained. Loved ones are often direct and are universally indirect victims of the incarcerated person's crime and subsequent imprisonment. Children are particularly harmed by parental incarceration including depression, anxiety, low self-esteem, school-related difficulties, and substance abuse (Herman-Stahl, et al, 2008).

The Second Chance Act provides significant funding for states to develop effective reentry strategies, and "family centered programs are one of hallmarks of this legislation" (Committee Reports, 110th Congress (2007 – 2008). Hawai'i is one of 35 states designated as a "grantee of the Prisoner Reentry Initiative" and receives assistance from "The Center for Effective Public Policy (the Center) and its partners, The Urban Institute

and The Carey Group, [which] were selected by the Bureau of Justice Assistance (BJA) to serve as the training and technical assistance providers" (Center for Effective Public Policy, 2010).

As a recipient Hawai'i, along with the other 34 state grantees, received assistance including eleven "Coaching Packets designed to assist jurisdictions in the implementation of effective practices that will support successful offender outcomes" (Kempker, et al, 2010 p.1). The training recognizes the importance of "Engaging Offenders' Families in Reentry."

Evaluation Methodology

The author observed all of the 56 Huikahi Restorative Circles and 42 of the 43 *Modified Huikahi Restorative Circles* (described below) held to date. She interviewed all but four of the imprisoned people who applied for Huikahi Circles and she facilitated all but three of the Circles. She recorded the three Circles that she did not facilitate. She also evaluated the program for participant satisfaction by designing, collecting and analyzing a one-page survey that participants fill out after they participate in a Circle. To date 300 people have completed the surveys including the 56 incarcerated people, their loved ones, and prison staff who had the full Circles. There have been 42 people who had the Modified Huikahi Circles. The author evaluated the recidivism of incarcerated people who had both types of Circles by working with the PSD's parole office, to review the number of people re-incarcerated two years after having had a Circle. Additionally in the cases where subjects were re-incarcerated after a full Circle, the author or her assistant contacted at least one loved one who participated in the Circle[5] to determine sustained satisfaction with the process, despite the relapse and re-incarceration. What follows is a description of the Circle processes. These descriptions are based on a number of observations from different Circles rather than the description of one particular Circle.

Description of the Huikahi Circle Program

Huikahi Circle Process

The author works with a community based non-profit organization to provide the Circles. The program is introduced to incarcerated people by sending representative facilitators into a prison to explain the program. A one-hour presentation including a question and answer period is provided along with brochures explaining the process, and a one-page application form. A prison staff person is present who is the liaison for the incarcerated people applying for Circles and the community based provider.

When the program was presented at WCCC the audience was filled to capacity with 50 people and not all who wanted to attend were able to. Of the 50 attending, 44 submitted applications for a Circle to the prison liaison. When the liaison receives a Circle

[5] As described below, loved ones do not attend the Modified Restorative Circles, only other incarcerated friends participate as supporters.

application, she reviews it, and if acceptable[6], transmits it to the community organization, which schedules a time to interview the applicant in prison.

Huikahi Circle's Solution-Focused Interview

The interview process for a Huikahi Circle applicant takes about thirty minutes. The facilitator who will be convening and conducting Circle, and who will also prepare the written Circle summary and transition plan that results from the Circle, interviews the applicant.

Currently, not all people who apply and are interviewed for Circles can be provided one. The program is funded with private grants and pro bono efforts, and resources are limited. Priority for providing the Circles goes to people being discharged from prison soonest or who are facing other pressing family problems.

For example the woman interviewed above said:

> "My four daughters are 18 to 22. My 20 year old has a baby. They're all living together. They kept the house and are taking care of things with me gone. My oldest one is the rock holding everything together. They come every Saturday to visit. Right now they have some big problems and I'm trying to help them out best I can from in here, but it's hard. I'm worried."

This alerted the interviewing facilitator that the family had a pressing need for a Circle. Her case was prioritized and she received a Circle, which two of her daughters, her granddaughter, and a prison staff supporter attended shortly after her interview. Her two other daughters were unable to attend, but spoke with the facilitator before the Circle. They answered the same questions over the phone that they would have been asked at the Circle. The absent daughters' responses were recorded on paper by the facilitator who placed them in an empty chair. Their answers were read during the Circle by one of the other attending daughters.

Even if an incarcerated person only receives an interview as a result of the program there may still be some positive benefit. The interview is a *solution-focused interview* that engages the incarcerated person in a hopeful dialogue that emphasizes their strengths and ability to create a positive future (Walker, 2008). As illustrated in the opening passage of this paper, when the facilitator said, "It's great you take responsibility for yourself and you want a Restorative Circle" this language identified a strength of the woman, and complimented her on it. Complimenting people on their positive efforts is a common solution-focused language tool (De Jong & Berg, 2008).

Additionally, the facilitator's statement was a *formulation* (Garfinkel and Sacks 1970) by

[6] Because the applicants are incarcerated and in the custody of the state, the initial determination on appropriateness of a Circle for individual incarcerated people falls first to the prison. The criteria for the organization that provides the Circles is that the person takes responsibility for their future and wants to make amends for any harm caused others by their past behavior and incarceration. Whether the person meets these criteria is determined at an interview with them. To date all 140 people applying for Circles have met these criteria.

the facilitator in *co-constructing* her version of the incarcerated person's situation. The facilitator said that it was "great" the woman was taking "responsibility" for herself by applying for a Circle. These words formulated the facilitator's interpretation of the woman's wish to have a Restorative Circle. The woman *grounded* by immediately providing information about herself consistent with the facilitator's formulation, thus accepting the positive way of looking at her behavior contained in the facilitator's formulation.

> Grounding naturally occurs in all dialogue (Clark, 1996).
>
> [G]rounding is a collaborative process in which both participants are responsible for ensuring that they understand each other. Because each grounding cycle potentially creates new common ground, the speaker and addressee are continuously co-constructing a shared version of events.
>
> . . .
>
> Grounding is a sequential process that occurs constantly, moment-by-moment, as a speaker *presents* some information, the other person *confirms* that he or she understood it (or not), and the speaker *indicates*, implicitly or explicitly, that the other person has understood correctly (or not) (Clark, 1996; De Jong, *et al*, in press).

During the interview with the incarcerated woman, the facilitator offered a positive version of the woman's situation, which the woman accepted and it became common ground in the dialogue. Research on the application of solution-focused language compared to cognitive behavioral therapy, shows that the solution-focused approach results in more positive grounding (Smock, *et al,* 2010).

It is vital that incarcerated people's attitudes and belief systems be addressed in a positive way for reentry or resettlement.

In particular, addressing structural needs is the sine qua non of resettlement, but it is vital also to address attitudes and belief systems. Intervention programs should target hopelessness and give prisoners opportunities to experience agentic control. However counter-intuitive they seem, that prisoners and ex-prisoners may hold positive attitudes to prison should be recognized by key workers and incorporated as part of a person-centered approach to supporting resettlement (Howerton, *et al*, 2009, p. 458).

A goal of the Huikahi Circle interview is to increase the incarcerated person's optimism and understanding that they have control over their future. It helps them recognize that they have succeeded in achieving goals in the past. A frequent solution-focused question is: What are you most proud of having accomplished since you've been here in prison? This question will be asked of you at your Circle. What do you say?

Every incarcerated person asked this question to date has had a positive answer. This question grounds them into seeing their strengths and that they have achieved positive outcomes regardless of being incarcerated and their past misbehavior. Many also identify the positive things they have learned about themselves while imprisoned.

The approximately thirty-minute interview leaves incarcerated people feeling hopeful. The anecdotal evidence of this hopefulness is apparent in the people who have been interviewed. Typically people come to the interviews with depressed demeanors, heads down, a little nervous and anxious. The facilitators are coached to be friendly, smiling, and greet them with, "I'm happy to meet you," extending a warm handshake. As the participants are interviewed they become grounded by compliments on their strengths, the hopefulness of addressing their transition back into the community, and wanting to make amends with their loved ones and other harmed victims. As the interview progresses faces brighten, postures straighten; eye contact and smiles are shared more, with the participants becoming more relaxed.

During the interview the facilitator will review the information on the incarcerated person's one page application with them. The application provides information about age, education, the anticipated prison release date, charges currently being held in prison for, a list of people who were harmed from prior criminal behavior and incarceration, and the names of others who support them, including counselors and other professionals.

The facilitator gives the incarcerated person a brochure describing the Circle, which includes an agenda of the process. She circles the parts of the agenda that the incarcerated person will be responsible for providing information including the *opening* of the Circle, and says:

> "The Circle will begin with you opening it. You can do that anyway you'd like, with a poem, special quote, prayer, chant, song. Or you can ask someone in your Circle to say something for you. It's up to you to open the Circle in the best way that serves you and your supporters."

The other parts of the Circle where the incarcerated person has special obligations to provide information include her telling the group something she is especially proud of having accomplished since being in prison, discussed above, and how she wants her future to be different from her past, which are basically her goals.

The facilitator goes over the invitation list with the participant, finding out how to contact people and if they are likely to be receptive to coming to a Circle. The facilitator also may help the incarcerated person think of additional people to invite to the Circle. Other incarcerated people who are friends and supporters may be invited to Circles.

The facilitator tells the interviewee that they need at least one person not in prison to agree to come to their Circle in order to conduct one. They are also told if they are not provided a Circle while in prison they can contact the non-profit after their release and a Circle could be provided then. Out of the 56 Circles provided to date, two were held outside of prison after the incarcerated people who applied for them were released.

Convening Huikahi Restorative Circles

The facilitator who interviews the incarcerated person convenes and conducts the Huikahi Circle. The facilitator begins the convening process by calling the adults that the

incarcerated person listed as potential invitees. She describes the program and invites them to participate in a Circle saying something like:

> "Hello, I am [facilitator's name]. I am with Hawai'i Friends of Justice & Civic Education. I got your number from [name of incarcerated person]. I am calling because we provide Huikahi Restorative Circles for incarcerated people. [Name of incarcerated person] has applied for a Circle and listed you as someone s/he hopes would want to attend. The Circle is only for incarcerated people who take responsibility for trying to repair any harm caused by their past behavior and incarceration. [Name of incarcerated person] wants to reconcile and make amends with people s/he's hurt. We have interviewed and met with [name of incarcerated person] and believe s/he is genuinely wants to make things right with you and other loved ones harmed. Does this sound like something you might be interested in?"

The invited people called are also told the Circle is an opportunity for them to tell the incarcerated person how they have been affected by the past criminal behavior and incarceration, and what they need the incarcerated person to do to help repair the harm. These are standard restorative justice questions (Zehr, 2002). For most people this call is the first time anyone has ever shown an interest in hearing how they have dealt with their experience of having a loved one who committed a crime and is imprisoned.

Most people want to participate in the Circles or receive more information about them. An offer to mail a brochure about what to expect by participating in a Circle is made. When people are not sure about whether they want to attend or not, the facilitator asks if she can call back after they have had more time to think about it and review the brochure. The community organization's website is also provided.

People often ask when the Circle will be held and are told that every effort is make to conduct them according to the invited participants' schedules. Some prisons allow the Circles to be held on weekends and evenings. The Circles can be scheduled months in advance. It usually takes about 10 hours of work to convene the Circles, and arrange with all the invited people and the prison, when to schedule them.

Sometimes people are thousands of miles away, ill, cannot get off work, or cannot arrange to come to a Circle for other reasons. There is some funding for travel to bring people by airplane to O'ahu from a neighbor island for a Circle. In one case previously reported, bringing a mother to Hawai'i from a state on the continent for a Circle helped create a relationship that provided three young children with a stable home for at least five years (Walker, Sakai, & Brady 2006; Walker & Greening 2010). Unfortunately, there is insufficient funding for all the people who need travel expense assistance.

In cases where people cannot come, they are asked if they have time to answer questions that would be asked at a Circle. Some of these conversations can last well over one hour. Approximately 25% of the Circles include someone who cannot attend, but who offers information that is read aloud during the Circle. People who have provided information and not attended Circles also state they have benefited from the discussion.

The following are sample responses from three people who provided information for their loved one's Circle, but who could not attend, in response to: "How, if in any way, was this conversation helpful to you?"

> "People are concerned, people care. Helps families. Families have to communicate."
>
> "Being able to release to someone who cares. I feel some relief. It's a difficult subject I don't talk to many people about this. Got some healing. It's all right to talk—can't talk to everybody. You're an angel."
>
> "To get message to her about how I feel about her—having a third party helps me communicate with her easier. I wouldn't want to make anything harder for her. Coming from someone else will make her listen more."

Anecdotal evidence from the evaluations suggests these telephone conversations with loved ones are helpful to them. When people are initially called they are usually a little hesitant and guarded in their discussions, but as they talk more about their situations and experiences, they become relaxed and at ease. Many have cried over the telephone and almost all have expressed gratitude for having been contacted and for having their thoughts and feelings considered by someone involved with the justice system.

After convening the Circle, which includes setting a date with people invited who are coming and clearing their attendance with the prison, paper work for the Circle is prepared. Documents needed include: a blank Circle summary and transition plan to fill in during the process; a sign-in sheet with confidentiality agreement at top for all participants to sign and provide their mailing addresses to send them the completed Circle summary after it is prepared a few days after the Circle; one-page surveys for all the people who attended to fill out after the Circle; and if there are observers, evaluation forms for them to fill out during the process so they are engaged and can provide feedback about their Circle experience.

Steps in Conducting Huikahi Circle

The room is set up for the Circle by the facilitator and a recorder, most often a facilitator in training, who will record the discussion. Large poster paper is taped to a wall to write on with felt pens, and chairs are arranged in a circle with the incarcerated person to the left of the facilitator and the prison representative to the right. The prison representative can be a counselor or guard or anyone the incarcerated person chooses to sit with them. In descending order next to the incarcerated person are people closest to her. The participant is asked at her interview who she would like to sit closest to her. The person with least close relationship to the incarcerated person sits next to the prison representative at the other end of the circle with the facilitator in the middle.

After everyone arrives and a clipboard with the sign-in sheet has been passed around and all participants have signed it, the facilitator asks the incarcerated person,

> "Please open the Circle." After the opening, the facilitator says, "Thank you for coming today. Please tell us your names and your relationship to [name of incarcerated person]."

Next the facilitator says,

> "We're here today to help [name of incarcerated person] find ways to try and reconcile and make amends for her past behavior and make a plan for a successful life and transition back into the community. We assume everyone will speak one at a time and respect confidentiality."

The facilitator then asks the incarcerated person, "Please tell us what you're especially proud of having accomplished since being in prison here." Common replies to this include, having completed some school courses, staying off drugs and alcohol, being willing to admit to having been on the wrong path and wanting a better life.

After this the incarcerated person's strengths are identified by the group and listed by the recorder. If there are minor children in the Circle their strengths are attributed to the incarcerated person and the children's strengths are listed first. It is an especially inspiring part of the process to hear a group of people say what they like about someone and often joyful tears are shed. The facilitator closes this segment of the Circle usually saying:

> "Another strength of [name of incarcerated person] is her asking for this Circle and taking responsibility for trying to make things right, which brings us to the reconciliation stage of the Circle. "

Turning to the incarcerated person the facilitator asks: "Who was harmed by your past behavior and incarceration?" After the incarcerated person answers, the facilitator asks, "How were they harmed?" After the incarcerated person explains, the facilitator asks, "Back when you did those things," (invariably the discussion touches on what the incarcerated person did), "what were you thinking?" After the person explains with something like, "I was selfish and just thinking about myself," the facilitator asks, "And what do you think now about what you did back then?"

Asking the person to reflect on their past behavior and thinking, is an important opportunity. It is a chance to share their insight and to describe how they have changed, and "transformed" their life from "crime" to law abiding (Maruna, 2001). Sharing their transformation with others and hearing themselves say it, can strengthen and reaffirm their commitment to better behavior (Jenkins, 1990). This part of the Circle process was adopted from the *Real Justice Conferencing* script developed by Terry O'Connell, *et al.*, with the International Institute for Restorative Practices (IIRP) (O'Connell, Wachtel & Wachtel, 1999).

After the incarcerated person speaks, her loved ones in the group, beginning with those sitting furthest away from her, are asked: "How were you affected by [incarcerated person's name] behavior?" And, "What can [incarcerated person's name] do to help repair the harm?" After they say what they could use, which is typically, "Stay on a good

path, don't commit crimes or use drugs, get help if they need it before they do anything wrong." The facilitator asks the incarcerated person if they can do these things? When they agree to "stay clean and sober" they are asked, "What gives you hope you can accomplish that? You probably said it before, what is different this time that tells you really can stay clean and sober?"

Each loved one in the group describes how the incarcerated person has affected them and what she could possibly do to repair the harm. Each thing the incarcerated person agrees to do is included in the transition plan. After each related victim in the group has spoken and the incarcerated person has agreed to do as requested[7], the group focus turns to how the incarcerated person might reconcile with other loved ones not present in the Circle, and next with other unrelated or unknown victims.

The facilitator asks the incarcerated person, "What about anyone else who is not here today who has been hurt?" Plans are made for addressing these harms. When the victims are unknown, unable to be contacted, or it is in people's best interest that they not be contacted[8], the plan for reconciliation is often, "Stay clean and be a productive member of the community."

When the victim is related and identifiable, apology letters are often planned. The letter contents are discussed and follow restorative guidelines. In violence cases the group discusses the wisdom of sending a letter. If it is agreed that an apology letter is more likely to have good results for a victim than harmful results, a draft is reviewed and the final version is signed by someone at the prison and sent to the facilitator who will also write a cover letter to the victim. The facilitator will explain that the incarcerated person participated in the Circle and appears genuinely remorseful. Dates are set for when letters will be prepared and mailed and this information is included in the plan. Whether the incarcerated person has postal stamps and writing materials is also discussed. The reconciliation portion of the Circle is closed with the incarcerated person saying anything else they'd like to say to the group. At this point about two hours have passed in the Circle and a short break is taken. The group returns, and is told:

> "Now you're invited to brainstorm possible ways [name of incarcerated person] can possibly meet her other needs for transition back into the community."

Possible needs include: housing; financial and employment; documents, transportation; continued education (this can include anything and is approached as the normal human need for life-long learning); how they will maintain good emotional health (this usually includes an anti-relapse plan for substance abusers); physical health; and identifying who their support group is. Supporters are determined by asking the incarcerated person, "Who can you call when you need help?" The Circle addresses most of the needs

[7] Only once in all 56 Circles held to date has an incarcerated person said he would not agree to what his loved ones wanted. Three adult sisters wanted a young incarcerated man to agree he would never drink alcohol again, which he said he could not agree to.

[8] Many imprisoned people recognize they have harmed other people who were also engaged in criminal behavior or that it could frighten some victims if they contacted them. In these cases they usually decide that their living a crime and drug free life, and being a productive citizen, is the best way to reconcile.

included by corrections and reentry experts with The Urban Institute as "Needs and Recommendations" for assisting incarcerated people reentering the community (La Vigne, *et al*, 2008).

While a primary goal of the Circle is to create a transition plan that addresses how the incarcerated person will meet their needs for a successful life outside of prison, many of the ideas generated and contained in the plan will help make prison life more productive. Additionally solidifying support between Circle participants and the incarcerated person helps to strengthen relationships with law abiding supporters, which is necessary for desistance from crime (Shover, 1996).

A date for a follow-up Re-Circle is also identified and included in the plan. Finally, The Circle is *closed.* The facilitator requests:

> "To close our Circle we ask each of you to please compliment [incarcerated person's name] on anything positive you noticed or learned about them during the Circle or anything you want to say."

Beginning with the prison representative and following that order until the last person sitting closest to the incarcerated person, each shares what goodness they noticed about the incarcerated person. This is another segment that brings tears to many eyes. Loved ones and incarcerated people commonly report,

> "We have never heard our father talk like this."
> "Our family has never discussed these things before. It was so good."
> "I didn't know people loved me so much."

The incarcerated person is the last to speak. "Please tell us how this Circle was for you and anything else you want to say." They usually say something like,

> "Thank you so much for coming today and giving me another chance. I am so sorry. I love you so much."

Afterward, the Circle participants are asked to fill out a one-page survey about their experience. To date the 100% of the 300 people who have participated in the 56 Circles, including incarcerated people, their loved ones and prison staff, have reported that the process was positive. After filling out the surveys there is usually a little time for people to socialize, and depending on the prison requirements refreshments of juice, coffee, tea and cookies may be served.

Within a few days the facilitator prepares the Circle summary and transition plan, which is usually between five and ten pages. A copy is mailed to all the households participating, the prison representative, and the incarcerated person. The prison is also asked to deliver a copy to the parole board.

Two years after her Circle, a woman spoke to a group of incarcerated women about her experience:

> "I was just lookin at my plan today. It's hung up on my wall. And I did everything! My plan said I was gonna get my GED and I got it. Learn some computer classes, and I did. Everything I said I was gonna do I did!"

Modified Huikahi Restorative Circles

In addition to the Huikahi Restorative Circle model, the *Modified Huikahi Restorative Circle* model has been developed as an alternative for incarcerated people and their incarcerated supporter friends only (Walker, 2009). The Modified Circle is a positive alternative to the Huikahi Circle model when loved ones are unable or unwilling to come to the prison and participate in a Circle with the incarcerated person and a prison representative. The Modified Circle model was developed through a *Restorative and Solution-Focused Problem Solving Training* program for incarcerated people at Waiawa and WCCC (Walker, 2009; Walker & Sakai, 2006).

Despite not having loved ones present and participating, the incarcerated individual having the Modified Circle is able to develop a transition plan addressing their needs. The need for reconciliation and how they might make amends with harmed loved ones and other harmed people is also addressed. Considering and developing a reconciliation plan has worked to help some individuals repair damaged relationships and reestablish family support (Walker, 2009). The Modified Circle program has also generated ideas for other prison rehabilitation programs (Wexler, 2010).

To date 43 Modified Circles have been provided in Hawai'i and one in California Thirteen women and 30 men have had Modified Circles. Of the Hawai'i participants, 22 have been out of prison two years or more since their Circle, and 86% of them are still out of prison. Only three people who had Modified Circles, and have been out of prison more than two years since the intervention, are currently re-incarcerated. Additionally all the people who have had Modified Circles, and participants including PSD's Substance Abuse Programs manager, who were surveyed, overwhelmingly found the process positive. Sample comments from incarcerated participants about the benefits of the intervention include: "Allowing individuals to see qualities with themselves through the eyes of others." And "Insight about others that see me and about myself."

Unfortunately, not all who wanted Modified Circles were able to have one, again due to resource shortages and to PSD management. For unexplainable reasons current PSD management found the Modified Circles "posed a security risk" because the inmates may discuss things together, and because the process was not suggested when the pilot was first introduced in 2004[9] (Johnson, 2007). Currently the Modified Circles are only allowed through a special restorative justice and solution-focused training program for incarcerated people (Walker & Sakai, 2006).

Huikahi Circles Especially Helpful for Children

Of the 56 Circles held to date, 21 included minor children below the age of 18 years with a total 26 minors participating. Twenty-three of these were the children of the incarcerated person, one was a sister and two were a niece and nephew of an incarcerated

[9] The program provider attempted to explain to PSD administrators that the program was a pilot and therefore new and different processes would be implemented, but unfortunately this was not understood or for other reasons PSD chose not to allow the program to any incarcerated people except those in the special training program.

person. More children were invited and would have attended, but unfortunately Hawai'i state prisons consider visitation "to be privilege rather than a right afforded to inmates" (Department of Public Safety, 2010, COR.15.04 ¶ 3) and gives wide discretion to each prison warden in controlling visitation and in determining whether minors may visit relatives. Waiawa has changed head administrators three times since this program was developed in the last five years and each time different criteria were applied for allowing minors and adults to participate in Circles. Administrators at WCCC have been more accommodating and worked harder to bring children to meet with parents and relatives invited to Circles.

Facilitators do not interview minors. It is left to parents and guardians to decide whether to bring children to a Circle or not. Most understand the benefits of bringing children to meet in a Circle with an incarcerated parent or relative and usually bring them.

One 12-year-old child of an incarcerated father said the most useful thing about the Circle was that, "It was about the goals." Another 11-year-old child said that the most useful thing was, " The strength of my feeling and how I felt. And happy to see my dad." Most children report, "Seeing my dad" is the best thing about the Circle.

There is also benefit to adult children who participate in the Circles. Many say: "This was the first time our family ever talked about these things." Many have shed tears describing their suffering in having an imprisoned parent, and at the conclusion of the Circles they have all have look relieved and reported that their experience was positive. When contacted several years after their Circles, parents of formerly minor children who have reached adulthood reveal that emotional wounds remain healed, and they continue to be grateful that their children participated in the process.

Conclusion

Most reentry programs fail to address the harm suffered by loved ones who are likely to be closest to the incarcerated individual upon release, and who will provide their main support for transition (Naser & La Vigne, 2006). The American corrections system rarely provides opportunities for family members, especially children, as well as incarcerated people, to heal from the trauma caused by criminal behavior and incarceration (Zehr, 1990; Mills, 2008). This crucial aspect of reentry planning has received insufficient resources with recent financial reentry funding more often directed toward programs targeting those with mental health or substance abuse issues. While these areas are important, there has not been similar funding for programs focusing on rebuilding ties between incarcerated people and their loved ones.

Additionally, reentry planning should include what incarcerated people want and what they believe they need for a crime and drug free life inside and outside of prison. Case plans developed by professionals without the involvement and participation of the incarcerated person, and their loved ones who will support her when she leaves prison, are missed opportunities for meaningful rehabilitation. The Vera Institute of Justice offers

resources for case management that are strength-based and focus on family support for rehabilitation (Vera, 2010).

Hawai'i's PSD current policies and actions indicate that it does not appreciate the importance of family for the rehabilitation of incarcerated people. The small state consisting of seven inhabited islands occupied by about one million residents, imprisons one third (over 2000) of its incarcerated people (over 6000) in for-profit prisons thousands of miles away on the continental United States (Hawai'i Department of Public Safety, 2008). PSD's "comprehensive reentry plan" does not mention families, and instead relies on a "case management" system where each incarcerated person:

> [I]s assigned a case manager whose role is extremely critical because the case manager is the change agent. The case manager is responsible to draft the discharge plan specific to the offender's risk/needs and to monitor the offender's progress and compliance (Department of Public Safety, 2009 p. 2).

Incarcerated people are not included in the decision making aspects of the reentry planning process. The idea that a "case manage is the change agent" for an incarcerated person illustrates questionable policy and might help explain why Hawai'i has one of the highest recidivism rates in the United States. If "change agents" could be employed to make plans for and monitor incarcerated people to ensure they "progress" and comply with the law, it would seem that prison recidivism outcomes would be less. Most prison systems have been using the learning strategy of telling people what to do for years, and recidivism continues to be terrible. Without giving people the opportunities to engage in enactive learning processes, develop relationships with law abiding others, and finding ways to meet their needs for crime free lives; it seems unlikely they will desist from crime.

The funding for case planning by professionals as occurring in Hawai'i should largely be reallocated to provide for processes like Huikahi Restorative Circles that are driven by incarcerated individuals and include their loved ones. Professionals could be more successful in preventing recidivism by assisting incarcerated people in finding their own voices to tell their individual stories of how they can transform a life of crime and drug use to one of desistance (Maruna, 2006). Learning strategies based primarily on professionals and experts telling people what to do are not as successful in imparting knowledge to individuals as self-directed decision making (Bandura, 1997).

It will take leadership and commitment to fight the entrenchment of professionals and experts who want to simply manage and direct the lives of people coming out of prison. Professionals can best help incarcerated people by supporting them with resources including giving them opportunities to navigate their lives, and allowing them to tell their unique stories of transformation to desistance from crime and substance abuse.

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