



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
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TO: The Honorable Amy A. Perruso, Chair  
The Honorable Jeanne Kapela, Vice Chair  
House Committee on Higher Education & Technology

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

SUBJECT: House Concurrent Resolution 76, Urging the University of Hawaii to Establish a  
Restorative Justice Research Institute, or Hookaulike, at the William S.  
Richardson School of Law  
Hearing: Wednesday, March 22, 2023; 2:00 p.m.  
State Capitol, Room 309

Chair Perruso, Vice Chair Kapela, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC) **supports** House Concurrent Resolution 76, related to the Hookaulike at the University of Hawaii. This establishes the Hookaulike: A Criminal Legal System Institute for Restoration and Healing, at the University of Hawai'i William S. Richardson School of Law.

The Commission's mandate (HRS 353L) specifies that one member be appointed by the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, to ensure that in Native Hawaiian culture-based practices with an emphasis on healing and reducing recidivism is represented in the Commission's work. In the same way that the Legislature recognized the importance of including these requirements in 2019, the Legislature continues to recognize the importance of an inclusive and fair criminal legal system devoted to restoration and healing, particularly addressing the disparate challenges facing Native Hawaiians, Pacific Islanders, and people of color in the criminal legal system.

Allowing the opportunity for the University of Hawai'i William S. Richardson School of Law to design an inclusive and fair criminal legal system for restoration and healing aligns with the Commission's priority to facilitate the transition to a therapeutic and rehabilitation corrections system. Additionally, shifting to a restorative and healing model versus a punitive model has been proven to positively effect recidivism rates and keep the jail and prison population down. For these reasons, we support this bill.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-900-2200 or at [christin.m.johnson@hawaii.gov](mailto:christin.m.johnson@hawaii.gov). Thank you for the opportunity to testify.

**HCR-76**

Submitted on: 3/21/2023 11:59:08 AM

Testimony for HET on 3/22/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this resolution.

Mahalo nui,

Cards Pintor



# ‘ŌNAEHANA KULANUI O HAWAI‘I

## Legislative Testimony

### Hō‘ike Mana‘o I Mua O Ka ‘Aha‘ōlelo

Testimony Presented Before the  
House Committee on Higher Education and Technology  
Wednesday, March 22, 2023 at 2:00 p.m.

By

Camille Nelson, Dean

William S. Richardson School of Law

Jonathan K. Osorio, Dean

Hawai‘inuiākea School of Hawaiian Knowledge

Tetine Sentell, Interim Dean

Thompson School of Social Work and Public Health

William Chapman, Dean

School of Architecture

And

Michael Bruno, Provost

University of Hawai‘i at Mānoa

HCR 76/HR 77 – URGING THE UNIVERSITY OF HAWAII TO ESTABLISH A RESTORATIVE JUSTICE RESEARCH INSTITUTE, OR HOOKAULIKE, AT THE WILLIAM S. RICHARDSON SCHOOL OF LAW

Chair Perruso, Vice Chair Kapela, and Members of the Committee:

My name is Camille Nelson, and I serve as the Dean of the William S. Richardson School of Law, at the University of Hawai‘i Mānoa, and with the support from the leadership at Hawai‘inuiākea School of Hawaiian Knowledge, the Thompson School of Social Work and Public Health, and the School of Architecture, we support the intent of HCR 76/HR 77. As the University of Hawai‘i continues our efforts for the passage of HB 877 HD1, we believe that HCR 76/HR 77 can be a catalyst with this effort.

UH respectively request the committee consider this friendly amendment:

"Urge the University of Hawai‘i to conduct a study regarding the establishment of a restorative justice institute or Ho‘okaulike at the William S. Richardson School of Law and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024."

As a professor of Criminal Law, Criminal Procedure, and Professional Responsibility whose scholarship explores these doctrinal areas through the lens of identity theories such as critical race theory and cultural studies, I can testify that there is a long and ugly history of oppression of native people and people of color in the criminal legal system,

including in Hawai'i. Unfortunately, scant attention is paid to the societal factors that lead to involvement in the criminal legal system and little investment is made in rehabilitation, restoration, and healing, as opposed to discipline, punishment, and ostracism.

The emphasis on restoration and healing with Ho'okaulike recognizes the complexity of challenges often confronting people involved in the criminal legal system, such as the social determinants of health (economic instability, access to quality education, access to quality health care, neighborhood contexts, and built environments, and social and community supports and context). These challenges often disparately impact communities of color. They have contributed to intergenerational poverty, grief, fear, trauma, alienation from, and distrust of, the criminal legal system. With the study related to the Criminal Legal System Institute for Restoration and Healing, we have an opportunity to learn more about the details of a place-based approach grounded in restorative, inclusive, and healing interdisciplinary frameworks, an approach that recognizes and respects the distinct and unique history of this State, and which would include Hawai'i at the forefront of States grappling with these issues.

A study regarding the establishment of a restorative justice institute provides a way to solicit and develop community input into reforming the criminal justice system in Hawai'i, one that involves the very people who are most at risk, including people who are negatively impacted by the aforementioned social determinants of health, which in turn disparately affects neighborhoods with large communities of Pacific Islanders, Native Hawaiians and other people of color.

Thank you for the opportunity to provide testimony on these measures.