

MAR 11 2022

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# 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

8  
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

13  
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

18  
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

25  
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

30



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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

12  
 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,

19  
 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

27  
 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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OFFERED BY:


