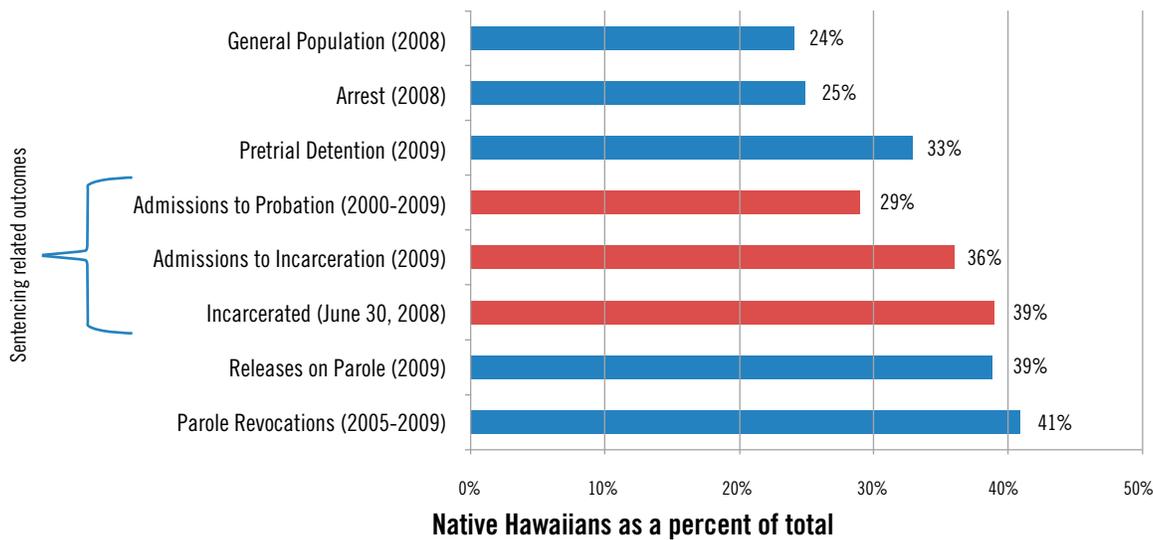


THE IMPACT OF THE CRIMINAL JUSTICE SYSTEM ON NATIVE HAWAIIANS

The disproportionate impact of the criminal justice system on Native Hawaiians accumulates at each stage. Native Hawaiians are also more likely to receive a sentence of incarceration over probation.



Sources: Hawai'i State Department of Health, Office of Health Status Monitoring, special tabulation from the Hawai'i Health Survey, January 22, 2010. <http://hawaii.gov/dbedt/info/economic/databook/2008-individual/01/>; Hawai'i Criminal Justice Data Center; Office of Hawaiian Affairs, "Databook 2006: Public Safety," March 2006. www.oaha.org/pdf/databook/2006/DataBook2006PublicSafety.pdf; Hawai'i Department of Public Safety, 2008 Annual Report (Honolulu, HI: Department of Public Safety, 2008). <http://hawaii.gov/psd/administration/publications/annual-reports/department-of-public-safety/PSD-AnnualReport2008.pdf>

Note: Admissions to incarceration or probation are the result of sentencing.

The disparate impact of the criminal justice system on Native Hawaiians is apparent at every stage of the criminal justice system, starting from arrest and continuing through parole. The impact is cumulative, starting with a relatively small disproportionality at arrest, but revealing itself to be more distinct at sentencing and incarceration. Disproportionate representation at entry into the system is exacerbated by pretrial detention, which has been found to relate to an increased likelihood of incarceration; subsequently, time spent away from community and family while in prison can make transition back to the community difficult, potentially increasing the likelihood of returning to prison. The cycle repeats itself and notably, negative cyclical effects are concentrated on Native Hawaiian communities.

Given a determination of guilt, Native Hawaiians are more likely to get a prison sentence than all other groups

An analysis of data from the Hawai'i Criminal Justice Data Center, controlling for age, gender, and type of charge, found that for any given determination of guilt, Native Hawaiians are much more likely to get a prison sentence than almost all other groups, except for Native Americans. Importantly, the other major group of defendants after Native Hawaiians, Whites, are only about 67 percent, or two-thirds, as likely as Native Hawaiians to be incarcerated if judged guilty.¹

Native Hawaiians receive longer prison sentences than most other racial or ethnic groups.

Controlling for severity of charge, age at arrest and gender of the person charged, Native Hawaiians are sentenced to 119 days more in prison than Tongans, 73 more days than Native Americans, 68 days more than Hispanics, and 11 days more than Whites.

Native Hawaiians are sentenced to longer probation terms than most other racial or ethnic groups.

A multivariate analysis controlling for severity of the charge, age, gender and race shows that Native Hawaiians also serve more time on probation than other racial and ethnic groups, except for Hispanics. On average, a Japanese person is sentenced to 14 fewer days of probation than a Native Hawaiian person, and Whites are sentenced to nearly 21 fewer days of probation than Native Hawaiians.²

Native Hawaiians make up the highest percentage of people incarcerated in out-of-state facilities.

In 2005, of the 6,092 people who were under the custody of the Public Safety Department, which includes people in jails, 29 percent (1,780) were in facilities operated by other states or private companies on behalf of states. Of the people in out-of-state facilities, 41 percent are Native Hawaiians.³

Hawai'i has the largest proportion of its population of women in prison,⁴ with Native Hawaiian women comprising a disproportionate number of women in the prison.

While Native Hawaiian men and women are both disproportionately represented in Hawai'i's criminal justice system, the disparity is greater for women. Forty-four percent of the women incarcerated under the jurisdiction of the state of Hawai'i are Native Hawaiian. Comparatively, 19.8 percent of the general population of women in Hawai'i identify as Native Hawaiian or part Native Hawaiian.⁵

Parole revocations contribute to the number of Native Hawaiians in prison in Hawai'i.

Although Hawai'i released 644 people from prison to parole in 2009, 249 people were also returned to prison by revoking parole. Native Hawaiians had one of the lowest ratios of release to revocations. For every five Native Hawaiians released, two Native Hawaiians had their parole revoked (2.5:1 ratio). Japanese people have a slightly lower ratio (2.4:1) and Chinese people having the highest, with eight people being released for every one person returning to prison on a parole revocation.⁶

1 Hawai'i Criminal Justice Data Center, 2000-2008.

2 Hawai'i Criminal Justice Data Center, 2000-2008.

3 Office of Hawaiian Affairs, "Databook 2006: Public Safety," March 2006. www.oaha.org/pdf/databook/2006/DataBook2006PublicSafety.pdf.

4 Heather C. West, William J. Sabol, and Matthew Cooper, *Prisoners in 2008* (Washington, DC: Bureau of Justice Statistics, December 2009).

5 U.S. Census Bureau, "Hawai'i, S0201. Selected Population Profile, Native Hawaiian alone or in any combination, 2006-2008 American Community Survey," December 31, 2009.

6 Hawai'i Criminal Justice Data Center, 2009.

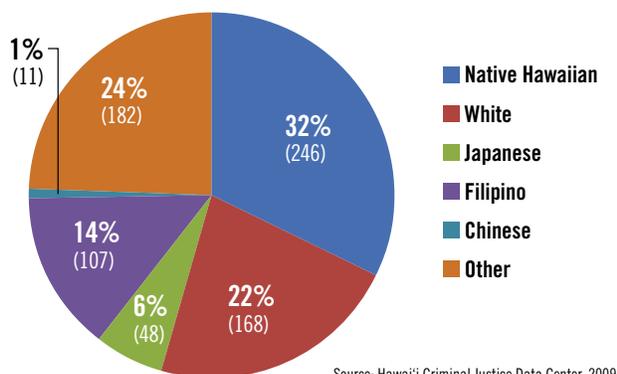
PUNITIVE RESPONSES TO DRUG USE AND NATIVE HAWAIIANS

The issue of substance use and abuse is important for the Native Hawaiian community because of its correlation to cultural trauma (the result of a history of systematic marginalization by some dominant group). Research indicates that one symptom of cultural trauma is substance use and abuse.¹ Native Hawaiians also report personal trauma more than other racial or ethnic groups in Hawai'i² which can also contribute to self-medication through substance use.

Native Hawaiians bear a disproportionate burden of the punitive response to drug use.

Hawai'i's criminal justice approach to drug use was a significant contributor to the total number of people admitted to prison or jail in 2009 (762 or about 13 percent), but has even greater significance for Native Hawaiians. As seen in the pie chart, Native Hawaiians made up the largest portion (32 percent) of the people admitted to prison for drug offenses in 2009.³

Native Hawaiians made up the largest portion of people who are admitted to prison for drug offenses in 2009.



This concentrated impact of incarceration for Native Hawaiians is most evident when considering that approximately 80,000 people in Hawai'i over the age of 12 reported using illicit drugs in the previous month. Compared to numbers of people that report using drugs, a relatively small number are arrested and then sent to prison or jail; about 2,000 were arrested for drug offenses in 2009 and 726 were admitted to prison or jail, 32 percent of whom were Native Hawaiian.⁴

Native Hawaiians do not use drugs at drastically different rates from other races or ethnicities, but go to prison for drug offenses more often than people of other races or ethnicities.

According to the 2004 Hawai'i State Treatment Needs Assessment Program dataset, *Native Hawaiians do not use drugs at widely dissimilar rates to other races or ethnicities*, although there is some variation. Irrespective of the variation in drug use rates, the percent of Native Hawaiians that report drug use does not match the proportion of the total number of people admitted to prison or jail for drug offenses.

Native Hawaiians are charged with the majority of offenses related to methamphetamine, but report using this drug at only slightly higher rates than people of other races or ethnicities.

The use of methamphetamine in Hawai'i, particularly by Native Hawaiians, is a growing concern. Methamphetamine accounts for the most charges of all drug offenses. Although Native Hawaiians do report lifetime use and current use of methamphetamine at slightly higher rates than other groups, Native Hawaiians are still charged with the majority of offenses related to methamphetamine, by

a wide margin. Data from the Hawai'i Criminal Justice Data Center shows that Native Hawaiians make up between 16 and 38 percent of charges for all categories of drugs, but account for the largest proportion of charges for methamphetamine (38 percent).

Policing, sentencing structures and the availability of treatment contribute to disproportionality.

The reasons for the disproportionate impact of the criminal justice system on Native Hawaiians related to drug offenses are varied, but include a variety of social factors unique to indigenous people, as well as the way the criminal justice system works to react toward drug use and abuse.

- Drug arrests are often considered to be the result of proactive policing, as drug offenses are not generally reported to the police.⁵ Thus, police may have more discretion concerning whom they arrest for drug offenses than for property or violent offenses, for example. One study out of New York City found that police would return to the same neighborhoods, often neighborhoods of color, to make marijuana arrests.⁶
- Hawai'i has a mandatory sentence for possession/sale/trafficking of methamphetamines of at least 10 years.⁷ Because Native Hawaiians make up the largest proportion of people charged with methamphetamine-related offenses,⁸ they are more likely to receive one of these mandatory sentences, which will extend the term they spend in prison compared to other drug offenses.
- Differences in the availability of drug treatment for some groups of people compared to others can be an important factor in the disparate impact of the criminal justice system on communities. Native Hawaiian admissions to treatment do vary widely across data sets and geographic regions. The Hawaiian Department of Health reports that in 2006, Native Hawaiians represented between 29 percent of treatment admissions to 91 percent depending on geographic region.⁹

A public health response to drug use, rather than a criminal justice response would improve life outcomes, support communities and save Hawai'i money.

A shift to treatment outside the criminal justice system would succeed in reducing the number of people going to prison or jail for drug use, reduce the number of Native Hawaiians entering the system for drug offenses, promote public safety and save Hawai'i money that could be reallocated to other social institutions. For example, a Washington State Institute for Public Policy study found that spending one dollar on drug treatment in prison yields nearly six dollars in benefits in terms of increased public safety and monetary benefits. In contrast, an investment of one dollar in community-based drug treatment yields over \$18 in benefits. Funding programs in the community yields a higher return on the investment.¹⁰

1 Aboriginal Healing Foundation, *Historic Trauma and Aboriginal Healing* (Ottawa, Ontario: Aboriginal Healing Foundation, 2004), cited in Kai Dupont and others, *The Hawai'i: A Training Program for Working with Native Hawaiians* (Honolulu, HI: University of Hawai'i, 2009).
2 State of Hawai'i Department of Human Services, *A Statistical Report on Child Abuse and Neglect in Hawai'i in 2008* (Honolulu, HI: Department of Human Services, 2008). www.hawaii.gov/dhs/protection/social_services/child_welfare/ChildAbuse
3 Hawai'i Criminal Justice Data Center, 2009
4 Substance Abuse and Mental Health Services Administration, "Appendix C: Tables of Change between the 2005-2006 and the 2006-2007 Model-Based Estimates (50 States and the District of Columbia), by Measure," February 11, 2010. www.oas.samhsa.gov/2k7/State/AppC.htm#TabC-1; Federal Bureau of Investigation, "Uniform Crime Report," Crime in the United States, Table 69 Arrests by State, www.fbi.gov/ucr/ucr.htm; Hawai'i Criminal Justice Data Center, 2008.
5 Philip Beatty, Amanda Petteuti, and Jason Ziedenberg, *The Vortex: The Concentrated Racial Impact of Drug Imprisonment and the Characteristics of Punitive Counties* (Washington, DC: Justice Policy Institute, 2007).
6 Harry G. Levine and Deborah Peterson Small, *Marijuana Arrest Crusade: Racial Bias and Police Policy in New York City 1997-2007* (New York, NY: New York Civil Liberties Union, 2008). www.nyclu.org/files/MARIJUANA-ARREST-CRUSADE_Final.pdf
7 Haw. Rev. Stat. § 712-1240.7 (2009) & Haw. Rev. Stat. § 712-1240.8 (2009)
8 Hawai'i Criminal Justice Data Center, 2009
9 Department of Health, Fiscal year 2006 admissions to treatment, Personal communication.
10 Steve Aos, Marna Miller, and Elizabeth Drake, *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates* (Olympia, WA: Washington State Institute for Public Policy, 2006). www.wsipp.wa.gov



WHAT ARE THE FACTORS THAT CONTRIBUTE TO DISPARATE TREATMENT IN THE CRIMINAL JUSTICE SYSTEM?

In many respects, racial disparities among Hawai'i's prison population are the products of actions that occur at different stages in the justice system, beginning with the decision to make the initial arrest. Research suggests that the effects of race may be direct or indirect and may accumulate as an individual continues through the system itself.¹

The experiences of Native Hawaiians, correctional officers, treatment providers and advocates explain the processes that result in a disproportionate representation of Native Hawaiians in the criminal justice system. Differences in the way that Native Hawaiians experience the system are often the result of the way the criminal justice system operates, but other experiences seem to be the result of a long history of stereotypes and cultural and personal trauma.

This factsheet includes a general overview of the potential factors that contribute to the disparate treatment to Native Hawaiians. When there are specific examples from Hawai'i or related to Native Hawaiians, they are included.

DISPARATE TREATMENT BEFORE THE COURTS: Although there is no specific study of the court system in Hawai'i and the effect it might have on sentencing, national studies have found that appearing before the court with private counsel is associated with a lower likelihood of conviction than using a court-appointed public defender.² Youth of color are more likely to rely on the indigent defense system, which often includes public defenders that are overburdened and under-resourced with higher caseloads than private attorneys. Nationally, white youth are twice as likely as African American youth to retain private counsel.³

DISCRETIONARY PAROLING PRACTICES: GOOD TIME DOES NOT EQUAL LESS TIME: The discretionary nature of minimum sentence setting and release determinations outside the court are concerning for formerly incarcerated Native Hawaiians. The real determination of sentence appears to be not set by a judge, but by the Hawai'i Paroling Authority, which people that come into contact with the system see as using arbitrary criteria.

Given the cumulative impact of the criminal justice system on Native Hawaiians and the evidence that Native Hawaiians cycle through the system more than people of other racial and ethnic groups, sentence-setting and discretionary parole based on offense history will likely contribute to the disproportionate number of Native Hawaiians in the prison system in Hawai'i.

INTERACTIONS WITH CORRECTIONAL STAFF: BAD TIME EQUALS MORE TIME: Interactions between people in prison and guards can contribute to the amount of time that a person ultimately spends in prison. Infractions within the prison walls, sometimes subjectively determined by correctional officers and not always serious in nature, can lead to changes in custody that will then impact the chances that a person can participate in certain programs or services that make a person eligible for release. Some correctional officers view their position of power as one that does not require interpersonal problem-solving, which could contribute to perceptions about behaviors.

TRAUMA OF INCARCERATION: Incarceration is traumatic for all people. It devastates families, destabilizes communities and cuts people off from jobs and education that improve life outcomes and help keep people out of prison once they are released. Incarceration also re-traumatizes people that have already experienced trauma in their lives. For Native Hawaiians, the impact of trauma is particularly salient because of strong connections to family, the land and community.

Imprisoning people from Hawai'i on the continent seems to be the most damaging to Native Hawaiians. It contributes to the growing prison population and exacerbates the disproportionate impact of the system on Native Hawaiians because they are cut off from supportive communities and families that give them a reason to exit prison as soon as possible. Even the absence of familiar surroundings and changes in weather is traumatizing.

LACK OF PROGRAMS AND SERVICES IN PRISON TO PREPARE A PERSON FOR RETURNING TO THEIR COMMUNITY: Often, people in prison are required to participate in specific programs and services in order to be eligible for release. Without the completion of those programs, a person can be denied parole. However, programs and services frequently fill up, leaving no available spots for everyone who needs to participate. Not only are people in prison prevented from earning the earliest release possible, they could also potentially get to the end of their sentence and be released without the services that might facilitate reentry and prevent return to prison. Complicating a successful re-entry process is that some people are returning from prison after serving their time on the continental United States because they are placed directly into the community without adequate resources to sustain themselves.

CULTURALLY INAPPROPRIATE OR UNAVAILABLE REENTRY SERVICES: Research shows that culturally relevant and appropriate interventions and services are the most effective for helping Native Hawaiians participate fully in the community.⁴ For example, traditional social work modalities typically rely on self-determination, which is individualistic and is Northern European or North American in orientation. Pacific cultures, including Native Hawaiians, tend to see themselves as part of a collective group or community.⁵ In order to effectively provide services for reentry or some other wellness promotion initiative, a provider must be aware of the totality of community context, interdependence, and, also, the role that oppression by other groups has played.⁶ The application of Western values to a culture that does not share them makes it difficult to ensure successful implementation of initiatives or services.

MANDATORY SENTENCES AND SENTENCING ENHANCEMENTS: In Hawai'i, methamphetamine is the only drug that carries a mandatory sentence. According to data from the Hawai'i Criminal Justice Data Center, Native Hawaiians are more likely than any other racial or ethnic group to be charged with a methamphetamine-related offense,⁷ contributing to the disproportionate representation of Native Hawaiians in the prison system.

1 Carl E. Pope and William Feyerherm. Minorities and the Juvenile Justice System: Research Summary (Washington, DC: Office of Juvenile Justice and Delinquency Probation, U.S. Department of Justice, 1995).

2 Patti Puritz, A Call for Justice: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings (Washington, DC: National Juvenile Defender Center, 1995).

3 E. H. Hoytt, V. Schiraldi, V., B.V. Smith, and J. Zidenberg, Pathways to Juvenile Detention Reform: Reducing Racial Disparities in Juvenile Detention. (Baltimore, MD: Annie E. Casey Foundation, 2002).

4 Noreen Mokuau, "Culturally-based solutions to preserve the health of Native Hawaiians," in Benjamin Young (ed.) Health and Hawaiian Culture (Honolulu, HI: University of Hawai'i Press, 2005).

5 George Kanahale Ku kanaka: Stand tall (Honolulu, HI: University of Hawai'i Press and Waiaha Foundation, 1986) cited in Noreen Mokuau, "Culturally-based solutions to preserve the health of Native Hawaiians," in Benjamin Young (ed.) Health and Hawaiian Culture (Honolulu, HI: University of Hawai'i Press, 2005).

6 Patricia L. Ewalt and Noreen Mokuau, "Self-Determination from a Pacific Perspective," Social Work 4, 1995.

7 Hawai'i Criminal Justice Data Center, 2008.



COLLATERAL CONSEQUENCES, CRIMINAL JUSTICE INVOLVEMENT AND NATIVE HAWAIIANS

Imprisonment and conviction carries with it a set of collateral consequences that extend well beyond the sentence imposed by the court. Many Hawaiians coming out of the criminal justice system are denied the opportunity to finish school; they lose or cannot obtain a driver's license; they are deprived of the right to vote; they cannot find stable employment; and they are simply unable to support their families. These collateral consequences push the limits of "punishment to fit the crime" and effectively deprive a person convicted of an offense of any second chance at effectively living in, and contributing to, a community. The consequences of criminal justice involvement include the following:

BREAKING UP THE FAMILY - Not only are Hawaiians separated from their families during incarceration, but many will be permanently separated. Hawai'i state law allows family courts to terminate parental rights when a child has been removed from a parent.¹ Incarcerated parents who lose their children may never get them back and for many women in Hawaiian prisons, this is a common occurrence. In addition, persons with a criminal history are barred from becoming foster or adoptive parents, and simply living with, or being married to, a person convicted of a crime limits the individual family rights.²

LOSS OF THE FAMILY HOME - The Housing Opportunity Program Extension Act of 1996 imposed a mandatory three-year ban from public housing on anyone who was evicted due to drug-related illegal activity.³ Although successful completion or compliance with a rehabilitation program can reinstate eligibility, the Act grants state public housing authorities broad discretion to make their own standards about who qualifies for public housing. Housing is the foundation for maintaining all other aspects of successful participation in society. Laws that regulate where a person, and ultimately his or her family, lives can have severe negative effects on individuals and on communities.

LIMITED EMPLOYMENT AND VOCATIONAL OPPORTUNITIES - While Hawai'i has laws designed to prevent discrimination in the hiring of people convicted of offenses there is little done to enforce the laws and protect those who have been released from prison to the community. Despite these laws, employers frequently screen applicants based on criminal history, through legal or illegal means and discriminate, citing other reasons not to hire.⁴ In addition, the State may refuse or revoke any license to practice some type of employment, permit, registration or certificate of a person convicted of a felony if the conviction is directly related to the trade for which the license is held.⁵

EXCESSIVE FINES - The inability of a person with a criminal record to find employment is often compounded by large fines imposed by the criminal court. Theoretically, the courts are strictly bound not to issue fines if the person cannot pay; however, the statutory language does not provide the court with criteria to assess their financial ability, so the matter is largely in the court's discretion.⁶

LOSS OF DRIVER'S LICENSE - A person convicted of a drug offense (which includes alcohol) will lose his or her licenses for a minimum of six months and up to three years, depending on the number of previous offenses and level of intoxication.⁷ This loss often has tremendous ripple effect for individuals and families— including the ability to get to and from work, to search for employment or housing, visit relatives, obtain child care and to keep appointments with parole or probation officers as a term of community supervision. The loss of a driver's license is even more problematic on islands or in jurisdictions with no public transportation.

DIMINISHED EDUCATIONAL OPPORTUNITIES - Arguably one of the most effective means of reintegrating into society and building a productive future after incarceration is through education – especially post-secondary education. However, federal law disqualifies students convicted of drug-related offenses from receiving financial aid.⁸ The waiting time to become re-eligible ranges from one year to life, depending on the number of previous offenses.⁹

EXCLUSION FROM CIVIC AND POLITICAL PARTICIPATION - In many states, people convicted of certain offenses are denied civic participation, including the right to vote or sit on a jury. Voting and jury service are the primary ways that most citizens participate in the political process. Voting, in particular, allows people of Hawai'i to have a say in shaping the policies that affect their lives. People convicted of felonies in Hawai'i are not permitted to vote until their sentence is discharged.¹⁰ Although the right to vote is automatically restored once a person is released from prison, the correction agencies' system of data sharing does not always submit a person's re-eligibility to his or her county, so a released individual may have difficulty exercising the right to vote. Since Native Hawaiians are disproportionately more likely to receive a criminal conviction, they are more likely to have their voting rights taken away, leaving a large section of some communities disenfranchised and unable to help make decisions to change and better their own communities.

1 Hawai'i. Rev. Stat. § 571-61.

2 Hawai'i. Rev. Stat. § 346-19.7.

3 42 U.S.C.A § 1437.

4 Lau, *supra* note 22.

5 Hawai'i. Rev. Stat. § 831-3.1 (c).

6 Hawai'i. Rev. Stat. § 706-641(3)(a).

7 Hawai'i. Rev. Stat. § 291E-41(b)(6).

8 Debbie A. Mukanel & Paul N. Samuels, *Statutory Limits on Civil Rights of People with Criminal Records*, 30 *Fordham Urb. L. J.* 1501, 1508 (2003); 20 U.S.C. § 1901 (r)(1).

9 Debbie A. Mukanel & Paul N. Samuels, 2003; 20 U.S.C. § 1901 (r)(1).

10 Hawai'i. Rev. Stat. § 831-2.

NATIVE HAWAIIAN RESILIENCY, CULTURAL STRENGTHS AND REDUCING INCARCERATION

When considering recommendations for reducing the impact of the criminal justice system on Native Hawaiians, it is necessary and most effective to access the protective nature and strength of Native Hawaiian culture for Native Hawaiians. This is important because a one-size-fits-all approach to reducing racial disparities is not likely to work, and research shows that Native Hawaiian cultural values and traditions are supportive and healing and promote resiliency for Native Hawaiian people.¹ In addition, the participation of Native Hawaiians in the development of recommendations is critical to their success. This factsheet includes the experiences and perspectives of Native Hawaiians who participated in the project.

Resilience, generally, refers to the ability of people to cope, recover, and even, transcend psychosocial, physical and spiritual challenges. Cultural resilience refers to the capacity of a cultural group to maintain and develop values, knowledge and skills crucial to proactively engaging challenges associated with cultural, historic and other types of trauma.² Resiliency is a central feature of not only ensuring that Native Hawaiians do not come into contact with the criminal justice system, but that if they do, that they are able to leave the system and never return.

Native Hawaiian cultural practices have a healing, restorative quality for Native Hawaiians, generally, but particular, supportive, strengthening facets include:

HONORING THE SACRED, FORGIVENESS AND SUCCESSFUL ENTRY BACK:

Making Native Hawaiian culture central to the reentry process is important to Native Hawaiians coming out of prison. Building on cultural pride and positive identity construction could help Native Hawaiians return to communities. Research by A. Aukahi Austin regarding ethnic pride and resiliency as related to substance use and violent behavior shows that ethnic pride serves as a protective or even preventative factor against violence and encourages resiliency after a violent experience.³

People participating in this project explain that the principle of the pu'uhonua, a city of refuge or sanctuary, could be applied to the criminal justice system. When a person emerges from the system, they are forgiven and they can return to the community without the continued burden of the criminal justice system. This idea is particularly important as it pertains to the restrictions placed on formerly incarcerated people regarding jobs, education and housing.

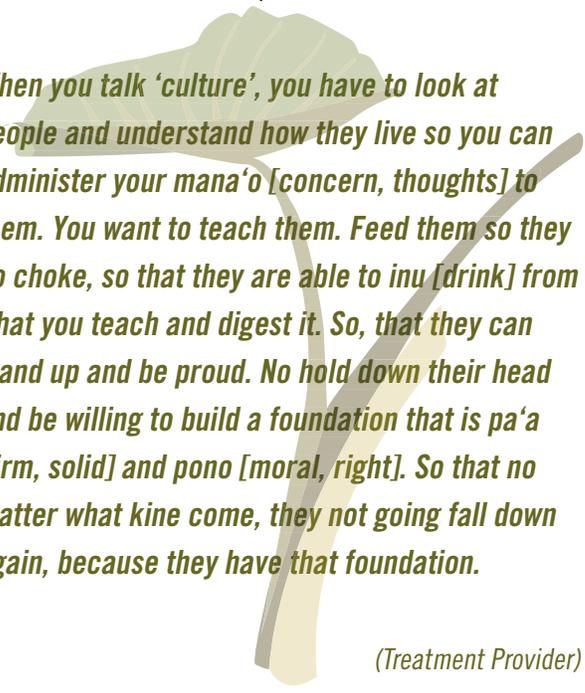
KULEANA (RESPONSIBILITY WITHIN THE CONTEXT OF THE COLLECTIVE):

Kuleana, or responsibility to the greater good, is another cultural strength that is central to the process of helping Native Hawaiians either stay out of the criminal justice system or return to communities after prison. According to survey research from Kamehameha Schools and a Hawai'i Community Survey, Native Hawaiians have strong ties to their communities and are involved in community service. Fifty-one percent of Native Hawaiians participate in community organizations, with 48.7

percent taking leadership roles when they are involved in the community.⁴ Participants in this project confirmed the importance of kuleana, as well.

PILI, CLOSE RELATIONS AND FEEDING WITH LEARNING: Native Hawaiian culture draws strength from community and family building, as well as communication. For example, the process of ho'oponopono, which is a ritualized process of "setting to right; to make right; to restore and maintain good relationships among family and family-and-supernatural powers," was once practiced daily. Ho'oponopono involved prayer with family and a discussion of problems and resolutions. The values associated with ho'oponopono are love and affection (aloha); unity, agreement and harmony (lōkahi); and family and community ('ohana).⁵ It is a sacred, culturally valuable process that draws on family and community for support and healing.

Some of the participants in this project recommend courses that teach language and history to convey culture prior to leaving prison. Learning in prison, especially if it is done as a partnership, could help people transition and move forward after prison.



When you talk 'culture', you have to look at people and understand how they live so you can administer your mana'o [concern, thoughts] to them. You want to teach them. Feed them so they no choke, so that they are able to inu [drink] from what you teach and digest it. So, that they can stand up and be proud. No hold down their head and be willing to build a foundation that is pa'a [firm, solid] and pono [moral, right]. So that no matter what kine come, they not going fall down again, because they have that foundation.

(Treatment Provider)

- 1 Noreen Mokuau, "Culturally-Based Solutions to Preserve the Health of Native Hawaiians, in B. Young (ed.) Health and Hawaiian Culture (Honolulu, HI: University of Hawai'i Press, 2005)
- 2 Marlyn A. McCubbin, "Typologies of resilient families: Emerging roles of social class and ethnicity," Family Relations 37(3), 1988, 247-54
- 3 A. Aukahi Austin, "Alcohol, Tobacco, Other Drug Use, and Violent Behavior Among Native Hawaiians: Ethnic Pride and Resilience," Substance Use and Misuse 39 (5), pp. 721-746, 2004
- 4 S.K. Kana'iaupuni, N. Malone, and K. Ishibashi, Ka huaka'i: 2005 Native Hawaiian Educational Assessment (Honolulu, HI: Kamehameha Schools, Pauahi Publications, 2005).
- 5 Noreen Mokuau, "A Family-Centered Approach in Native Hawaiian Culture," Families in Society: The Journal of Contemporary Human Services 71 (1990)

