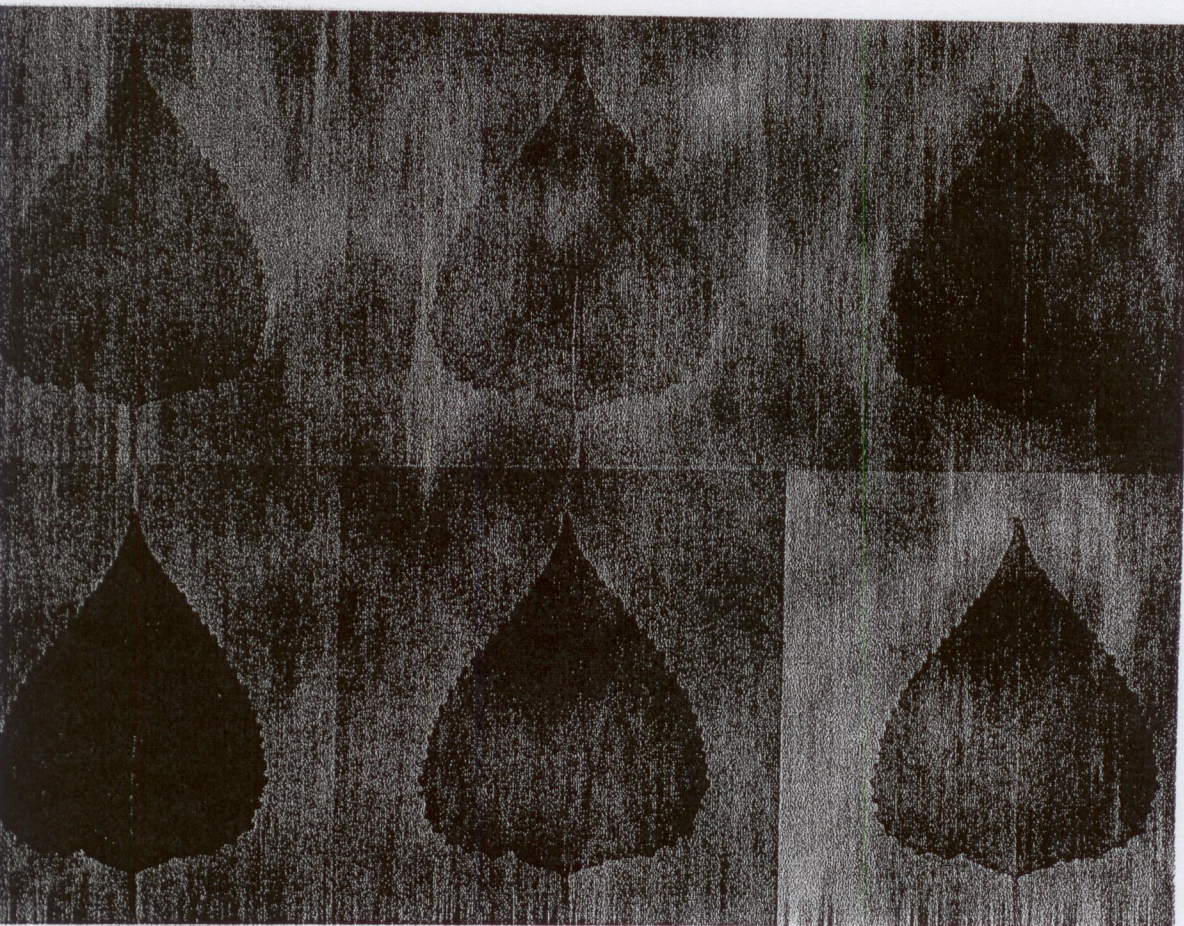

INTERVIEWING FOR SOLUTIONS

THIRD EDITION



PETER DE JONG | INSOO KIM BERG
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further aggravation. Teachers and parents are rightly concerned about this. So any intervention needs to be judged on its safety as well as its effectiveness.

CONCLUSION

Using a solution-focused support group approach is an accessible and effective strategy. No other strategy has been proven to be as successful in responding to incidents of bullying in primary schools.

READING 4

Implementation of Solution-Focused Skills in a Hawai'i Prison

Lorenn Walker

PROGRAM DESCRIPTION

This two-pronged pilot program was designed to decrease inmate recidivism while involving victims of criminal offenses to participate in reconciliation with the offenders and their victims (Walker, 2004). This program uses solution-focused (SF) (Berg, 1994; Berg & Reuss, 1997; De Jong & Berg, 2002; de Shazer, 1985, 1988, 1994) and restorative justice (RJ) (Zehr, 2002) approaches.

Even though SF and RJ approaches originated from two different fields, they both offer many useful tools to achieve the goals of this pilot project. The program is designed to offer both offenders and their victims the opportunity to forge better relationships and a better future whenever possible. The result is a self-directed healing process that restores the dignity of both victims and offenders, and others who may have suffered harm from the criminal behaviors. This process bypasses the involvement of lawyers, judges, and juries, thus focusing on repairing the harm after wrongdoing occurs, away from the criminal justice system that is built on blame and retribution.

Having been a victim of a serious criminal assault and later a practicing lawyer who represented the Hawai'i prison system in lawsuits, I wanted to remedy the system that strips away human dignity and mainly applies a punitive approach to rehabilitation. I was aware of how the system seems to victimize offenders and victims rather than restoring a more peaceful and productive resolution to serious wrongdoings.

Hawai'i, like the rest of the USA, suffers from almost 50% of inmates returning to prisons within two years after release (Department of the Attorney General of Hawaii, 2001). I became concerned that almost 90% of defendants plead guilty to charges before they are convicted and sentenced (Hall, 2003), and that our current system does not encourage reconciliation even though almost 50% of violent crimes committed are between people who know each other (Federal Bureau of Investigation, 2003). Our legal system largely ignores the needs of crime victims who are often the inmates' loved ones. Our program gives inmates and their loved ones an opportunity to address their need to rebuild their lives, beginning with reconciliation.

There are two parts to this program: (1) *Restorative Circles* for individual inmates and their loved ones; (2) *Facilitator Training on Restorative Justice as a Solution-Focused Approach to Conflict and Wrongdoing*, for selected inmates.

The program was conducted at a men's minimum-security prison in 2005 and is being expanded to three medium-security prisons in 2006 including the women's prison.

Restorative Circle

The Restorative Circle is designed to increase and solidify an inmate's support system in the community and family from which he comes and most likely will return to after release. It provides him an opportunity to develop an effective transition plan that he can realistically follow through on after leaving prison.

Eighty-six people participated in 15 Circle sessions offered in 2005. Even though many more wanted to attend Circles, the actual number of participants was limited by the prison. Fourteen Circles were held at the prison and one at a church because the inmate was released before it could be held at the prison. The following is a detailed description of the Circle in step-by-step fashion.

First, inmates who are interested in participating in a Circle complete a one-page referral form and submit it to their social worker or counselor. It is faxed to a Circle facilitator from a non-profit service agency. Second, an interview with the inmate is conducted by the facilitator in the prison. It is designed to gather information about the inmate's successes, competencies, and strengths, however small, and to offer information on what to expect to happen at the Circle (see Lee, Sebold, Uken, 2003). Compliments can include, "How have you stayed so healthy here in prison?" or "Suppose I ask your best friend, what would he or she say how you used your time here productively, what would he tell me?" The facilitator also asks the inmate to identify the people he cares about and who he thinks care about him, as well as to indicate what he wishes to gain from the Circle.

The people important to the inmate are invited to the Circle as well as a prison representative the inmate personally invites. Most often the inmate selects his favorite counselor. Only six people out of 100 invited in 2005 refused to attend, and a few were not allowed to attend due to a difficulty of security clearance.

Next, the tedious task of making the Circle happen begins: contacting all the invited people on the list, explaining what to expect, what will be discussed, how it can be emotional to participate in the Circle, and finding a date and time that will work for all the participants and the prison. These arrangements are made by the facilitator and take an average ten hours of time.

The entire Circle process takes about three hours. The Circle begins with the inmate opening it in any way he chooses: He may begin with a native Hawaiian chant, sing a song, play a guitar or ukulele, say a prayer, a poem, or give a prepared written statement that sets the tone for an apology and reconciliation.

Next, all the participants introduce themselves and the inmate tells his proudest accomplishments since he has been incarcerated. Each person identifies the inmate's strengths that motivated his or her participation in the Circle. It can be a very emotional time for the inmate since this may be the first time anyone acknowledged his positive attributes. We observed many become tearful. Finally, the inmate is asked last, "What other strengths do you have that were not mentioned here?"

The inmate's needs are next considered with reconciliation addressed first. The facilitator introduces reconciliation by telling the group that the inmate's desire for the Circle to seek reconciliation is another one of his strengths.

The reconciliation portion of the Circle follows the three basic restorative justice questions: (1) Who was affected by the past misbehavior? (2) How were they affected? (3) What might be done to repair the harm?

The inmate answers the first two questions, and then each of the inmate's loved ones addresses the second and third: "How were they affected? What might be done to repair the harm?" One universal condition that all participants address is that the inmate must stay away from drugs and alcohol. Not surprisingly, all participating inmates have agreed to either stop drug or alcohol use altogether or reduce its harmful effects.

SF language skills are applied throughout the Circle by the facilitators including scaling questions, SF listening, and re-framing deficits into strengths. During the agreement phase for reconciliation, inmates are often asked, "What gives you hope you can stay clean and sober?" and "On a scale of 1 to 10, where are you on staying away from drugs and alcohol?"

After the inmate and his loved ones make an agreement for reconciliation, his other practical needs are addressed: housing, employment, transportation, needed documents (i.e. social security card, birth certificate, etc.), maintaining his emotional health, and maintaining his physical health. A date for a follow-up Circle is also set by the group at the first Circle.

During the Circle, notes are kept on large sheets of butcher paper recording everything the participants say. From this information a Circle Summary is prepared after the Circle, which includes a detailed Transition Plan describing who will take what steps in order to complete a successful transition into the community. For example, it might be, "Clayton will write a letter apologizing to Shantel by November 2, 2005" or "Uncle Joe will write a letter to Mikka by December 4, 2005, about a possible job working in construction," and so on.

The Circle concludes with each of the participants complimenting the inmate on anything they observed during the Circle or on any changes they noticed about the inmate. Often the compliments are included as strengths in the Circle Summary. After the Circle ends there is time for the group to have refreshments and to socialize.

Inmate Training in SF Skills

In 2005 eighteen (18) inmates were trained in *Restorative Justice as a Solution-Focused Approach to Conflict and Wrongdoing*. They met for 12 weeks, two hours each week.

The inmates were introduced to a number of important SF skills by engaging in carefully designed activities. They worked in large groups, small groups, and dyads to learn the following skills.

Identifying Strengths In order to identify their own strengths, competencies, and resourcefulness, participants were introduced to ways to recognize these in themselves and in others. For example, they were asked to notice what is going right in their own lives, and to look away from "What's wrong with me?" Even though life in prison is not what they want, many participants are able to find pleasant experiences and some things were even going well for them. Every week the training began by asking each to tell the group a different version of "What is better?" and respond to, "What happened positive for you this week?" Major events such as, "My father finally wrote me a letter after three

years!" to more simple appreciations such as "I'm still here," or "I didn't get in any trouble this week" were mentioned.

After a few weeks of training, the group began commenting on how much they appreciated the opportunity to learn the skills they were being introduced to at the training and using outside the training sessions. Some inmates were surprised at how they appreciated being in prison and having the opportunity to learn so much there! One said, "This is really like a retreat to learn from." Each trainee received a paperback copy of *Man's Search for Meaning* by Viktor Frankl to keep.

Listening Listening was introduced to the inmates as a gift that one gives another—that listening is honoring and respecting someone else. True listeners focus on the speaker's concerns and ideas, and not their own. Out of 15 inmates who completed surveys on the training, 11 specifically stated that learning the *listening* skills was the most helpful thing they learned during the training. One inmate stated, "We were all given a gift: the gift of listening."

A great deal of hands-on training and listening practice was necessary in the beginning. For example, one exercise was designed to look for the strengths of a speaker who complained about life a great deal. This was practiced in small and large group and pairs as well as listening intently for the speaker's exact words and formulating responses by using the speaker's exact words. Inmates were also introduced to compassionate listening as developed by the Compassionate Listening Project (Hwoschinsky, 2001), where they learned that identifying the underlying values of people who are angry or upset can help to defuse hostile situations.

Inmates worked on mindfulness by practicing being present and returning to listening when they found their minds wandering. A number of trainees commented, "I never realized how much I just tell people what to do and that I don't listen to them much." "I always thought listening just meant to solve problems for people and just to give them advice."

Responding In addition to using a speaker's exact words, trainees were introduced to the use of open-ended questions (i.e. what, when, who, where, and how) for responding when listening. They practiced this skill frequently and they commented on how valuable it was. As the training progressed some said, "I never knew someone had so much to say about something!" "When he listened to me like that I just felt good at the end, like I took care of my own problem and he was just there listening to me."

Complimenting Inmates practiced noticing what others were doing well and complimenting them on it. At the end of each training session, each inmate complimented another inmate in the large group circle on some observations, always based on factual information. Frequently these compliments were about something the others did during the week. For example, "I want to compliment Frank for defusing a situation by listening to two angry people in our dorm last week." Several times inmates got up and hugged each other or engaged in a special friendship handshake (putting their hand into a fist and touching the other person's fist—like the "high five" hand clap together, but instead fist to fist).

Scaling Questions Frequently, the use of scaling questions in large group discussions was helpful, for example, for inmates to self assess their progress in interacting with others: "On a case of 1 to 10, how close would you say you are to staying calm in spite of being angry, where 10 is you are very confident and 1 is you are back to your old ways? What

number would you say you are at right now?" Trainees found many ways to adapt these scaling questions to their daily life in the prison.

CASE EXAMPLE: RESTORATIVE CIRCLE

"I want Ken to stay off drugs when he gets out. That's the most important thing for me. Me and the kids need him, and we need him clean and sober," says the young woman with long dark hair falling around her face. Tears are welling up in her red puffy eyes. Her name is Rachel. She is Ken's girlfriend and the mother of his children. She sits in a circle with Ken, Ken's aunt Martha, a prison counselor, and a facilitator, in old beat up metal chairs that are covered with plastic bursting at the seams in many places from wear and tear.

A recorder is busy writing everything said on large white sheets of butcher paper in one corner. About twelve windows around the room are open. Bright green palm trees and other tropical vegetation dot the mountains surrounding the building. Although the building and furniture are old and rickety and there are only dirt roads around the place, this is probably one of the most beautiful minimum-security prison settings in the United States.

The facilitator picks up on what is important to Rachel and the reconciliation process:

- F: Is that something you can do, Ken? Stay off drugs like Rachel wants?
- K: (Turning toward Rachel and taking both of her hands in his) For sure. I learned a lot here. I'm different now. I never want to go back to my old life. I'm over it, Rachel.
- F: What gives you hope you can do that, Ken?
- K: (Responding quickly, without any hesitation) I just know I can. I've been through the worst of my life already. I'm only 24 years old and sometimes it seems like I'm 100. So much has happened. My family is all that matters to me. I know I can do this.
- F: (Complimenting and asking for details). I think it's wonderful that you want to really prove to Rachel that you want to turn your life around, and what tells you that you can do it this time?
- K: Ya know, I really felt like quitting KASH BOX [drug treatment program at the prison] when it got hard, but I didn't. I hung in there and kept going. I really have changed.
- F: What will you do different when you get out of prison, Ken?"
- K: Well, one thing is I'm not going back to my old places and hanging out with a lot of my old friends no more. I'm gonna work my music and take care of my family. I've only seen the baby once and I don't want to miss any more of my girls' lives.
- F: That's great, Ken. So on a scale of 1 to 10, how sure are you about doing these different things when you get out?
- K: Ya know, I really think I'm 100% sure I'm never going back, but just to be totally honest I'm gonna say I am at 8.
- F: That's great Ken! What do you need to do to push yourself up one point, to a 9?
- K: I dunno. I guess I'm gonna need to stay good with my recovery and stay going to meetings on the outside. I don't wanna slip.
- F: Okay. Great. Rachel said she needs you to stay clean and sober to help repair some of the harm that happened from your past behavior, and you said that you can do

that. You also said that to stay with your recovery you will need to go to meetings and away from your old hangouts and friends. Is there anything else you will need to do that will help you stay clean and sober?

K: I think I need to stay close with my auntie and we should live by her.

F: Okay. How does that sound to you, Martha? Having Ken and his family living with you?

M: (Martha, with tears dropping off her cheeks) He knows he's always welcome. I have a place waiting for them to live and a car too. It's just all waiting till Ken gets out. They're my family and I want them with me as long as they want.

EVALUATION

After two years have passed, we plan to do an analysis of the recidivism rate for the 15 inmates who had the Circles and the 18 inmates who participated in the inmate training. In the meantime we obtained and analyzed satisfaction surveys of the inmates and of the prison staff on their perceptions of what the inmates learned from the Circles and from the inmate training.

Satisfaction with Restorative Circles

Surveys of 86 participants at the 15 Circles were reviewed, and show overwhelming satisfaction with the Circle process. Participants ranked eight different aspects of Circle as "very positive," "positive," "mixed," "negative," or "very negative." The measured variables included what participants believe about the Transition Plan developed at the Circle, if they think the Circle expanded the inmate's support system, and whether the Circle helped them with reconciliation and forgiveness concerning the inmate. The inmates' survey also asked if the "Circle helped me forgive myself and others."

Review of the 86 surveys showed that almost all participants found the process to be very positive or positive. An inmate's ex-wife, two prison counselors and one inmate indicated that their experience with the Circle was less than positive. The ex-wife said it was "negative" learning about the inmate's strengths at the Circle (the only negative rating on any of the 86 surveys). One counselor was "mixed" about whether he was "more optimistic about the inmate's success to stay out of prison as a result of the Circle." Another counselor felt "mixed" regarding his reconciliation and forgiveness toward the inmate. The inmate found that he was "mixed" about whether "the Circle helped me forgive myself and others." Otherwise all other surveys indicated "positive" and "very positive" results with the Circle.

Survey respondents were also invited to write comments about what they liked best, and what could be improved on, concerning the Circles. Almost all comments were overwhelmingly positive. One 36-year-old inmate said, "I found out my strong points, people can help me, I have a good support system and my Dad said he loves me." The only slightly critical comment came from an inmate's sister who said the process could be improved if "It wasn't so structured and I didn't feel obligated to say something." Her mother at the same Circle said, "Issues were brought out that had not been discussed in the past." Several Circle participants indicated relief that their families talked about things during their Circles that they never had before.

Satisfaction with Inmate Training

The inmates were overwhelmingly satisfied with the training. They were asked five questions concerning the training about whether they learned valuable information about themselves from it, good ways to deal with others, whether they understood forgiveness and reconciliation more, if the activities were good learning tools, and if they learned things that were helpful for them to stay out of prison in the future. These questions were answered with a 5-point scale scored as follows:

Very Positive [5] Positive [4] Mixed [3]
 Negative [2] Very Negative [1]

The 15 inmates who filled out the surveys found that they believed the training mostly very positive in all areas—they especially thought the activities they engaged in during the training were effective learning tools. The results of the survey were as follows:

Learned valuable information about self:	4.87
Learned good ways to deal with others:	4.87
Helped with forgiveness & reconciliation:	4.93
Activities were effective learning tools:	5.00
Learned how to help me stay out of prison:	4.87

The inmates also had the opportunity to write what they found most useful about the training. In addition to the 11 inmates who found the listening skills most helpful, one inmate said “forgiveness and understanding” and another said, “Feeling my emotions, and learning how to let it go after feeling it, not acting out on it.”

The warden of the prison, with 30 years’ experience working in corrections, found the training “Superb. It has the potential of positively impacting prison management by shifting the inmate culture from an adversarial stance to one based on understanding.”

CONCLUSION

So, while we have no data on recidivism yet because the program is too new, we do see many encouraging results from both the inmate trainings and the Restorative Circles. Some of these results have amazed us. For example, one inmate who could have been released decided to stay in the prison in order to participate in future training programs including becoming a tutor for a solution-focused inmate training program to be offered in 2006. Especially satisfying has been that many family members who had not seen or communicated with inmates for many years have participated in Circles. This is strengthening the family support for the inmate, which can only make transition out of prison easier. Having a concrete plan that describes exactly what an inmate and others will do to assist the inmate make a successful transition is badly needed throughout the prison system for all those being released.

Our program is being expanded to more prisons in 2006 in collaboration with the Hawai’i prison system. Legislative mandate and funding in support of this program is being sought at this time.