

Prison for graffiti will make matters worse

By Lorenn Walker

While prisons can keep dangerous people from harming the general public, the current move to impose harsher punishment and imprison people for third-time graffiti is a terrible idea that would lead to more serious problems for our community.

Almost 50 percent of our prisoners are right back in prison within two years of their release. The recidivism rate climbs higher every year after that. If prison worked to change people's behaviors, they would not keep committing crimes after they get out. And to all of you who respond to this by saying, "Well, prison prevents crime while the person is there because he is locked up, so it works during the imprisonment period," stop kidding yourselves.

Crimes are committed in our prisons, which harms our community and costs us money. Most people who commit crimes eventually will get out of prison and return to our community. It is shortsighted to ignore that many of these people will become more hardened criminals as a result of having gone to prison.

Prison is a dangerous place. Putting a tagger in prison is likely to make him a more hardened criminal in the future. In the past, the Hawai'i Attorney General's Office has said in federal court that prison is such a dangerous place, anyone who commits a crime should have known about this danger beforehand, and that by committing the crime, he assumed the risk of being harmed in prison.

There is no doubt that inmates learn from each other. We hope that they will learn good things such as why they should not commit crimes, but unfortunately more often they learn bad things from each other. The parole board even has a rule that ex-convicts cannot associate with each other while on parole, which is partly to prevent them from working together to commit crimes.

Prison costs our community a lot of money in terms of the actual cost for housing inmates, and the future costs of more crime. We need to avoid prison especially for those who commit nonviolent crimes. Instead of imposing prison and automatic sentences for graffiti, restorative justice should be used.

Restorative justice (RJ) provides personal processes in which victims' needs are addressed, and offenders face how their misbehavior harmed others and what they can do to repair the harm. RJ can provide unique solutions to fit the particular needs of the people involved.

RJ processes provide meaningful exchanges, often between victims and offenders and their families, which can influence the offenders' future behavior. There is a big difference between someone telling you what you must do, compared with your understanding why someone needs something, and your wanting to help them.

This difference helps explain why RJ programs are significantly better at restitution compliance than court-ordered restitution.

Many studies from all over the world have shown RJ programs decrease recidivism and increase both restitution payments and participant satisfaction. Our own Honolulu Police Department was part of a nationally published experimental study in 2000 that showed restorative processes did all of this for many of the 100 juveniles and the 300 other people from our community who participated in the program.

While we have no recidivism data yet, a current RJ project at a Hawai'i prison showed it increased listening skills, and that the inmates appreciated learning this skill. Eighty percent of the inmates in the pilot RJ training program took the time to write on their satisfaction surveys that listening was one of the most important things they learned.

This is an important outcome. Listening requires the listener to control his or her behavior for the benefit of another person. People who listen are likely to be more empathic than others who do not listen, and empathic people are unlikely criminals.

RJ processes are an opportunity for people to learn empathy compared to being scorned in court and put into a dangerous prison. We should implement RJ if we really want to decrease graffiti and improve our community.

Lorenn Walker, J.D., M.P.H., is a public health educator working in violence prevention and resiliency development. She wrote this commentary for The Advertiser.