研究ノート

Transformative Justice : Diminishing Boundaries through the Healing Garden Project at the Oregon State Penitentiary

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本稿は，2019 年 7 月 16 日に愛媛大学で開催された有本美幸先生（Western Oregon University）による講演「Diminishing Boundaries : The Healing Garden Project」に関するもので，本講演において主要なトピックとして取り上げられた「ヒーリング・ガーデンに」についての紹介である。日本において未だ紹介されていない内容であるためその資料価値は高く，また，当日参加した学生諸君にとっても優れた教材になると考えたため，ここに掲載させていただくこととした。

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Abstract

Redemption should be granted to anyone, even inmates who must make amends for the hardships they have caused. Restorative justice helps offenders ask for and find redemption from society, including from their victims. While the concepts of restorative justice are appealing, the traditional justice system makes it difficult to accomplish. However, even though restorative justice and transformative justice share similarities,

transformative justice takes a more progressive approach to transform offenders for the better. Thus, a healing garden will be the place for inmates to reflect on their past, learn from their mistakes, and focus on the future regarding how they will contribute to society. By itself, this project has already shown “healing” effects on the inmates involved. This paper presents discussions that include a brief history of restorative justice, a look at transitioning to transformative justice, how the Oregon State Penitentiary（OSP） healing garden project was initiated and became a reality, and how the surrounding communities became a part of this project.

Keywords : transformative justice, prison, healing garden

Introduction

Redemption should be granted to anyone, even inmates who must make amends for the hardships they have caused. Restorative justice helps offenders ask for and find redemption from society, including from their victims. However, achieving restorative justice is very challenging and can hardly be utilized especially for inmates who committed felonies. As an alternative, transformative justice is a way for inmates to seek redemption by actively transforming themselves for better.

Correctional facilities acknowledge the effects of nature which include improved social functioning and reduced behavioral and mental problems. Since nature promotes inmates’ overall well-being, it is increasingly common that correctional facilities are introducing/utilizing some forms of the nature therapy（Van Den Berg and Custers 2011 ; Oregon Youth Authority 2016 ; Richards and Kafami 1999）.

The healing garden project at Oregon State Penitentiary（OSP） embraces transformative justice using the healing power of nature. In this paper, how transformative justice is being achieved and how nature promotes transformation of inmates are discussed.

Nature and Healing

According to Koschnitzki (2011), the roots of the healing garden can be traced back to the Middle Ages. Earlier in history, a primary purpose for healing gardens was for folk remedies by growing herbs, but people began recognizing the therapeutic aspects of gardens in the late 18th century (Koschnitzki 2011). Since then, this new discovery has been applied to different populations to improve existing conditions. Exposure to nature through various media appears to promote wellness of human beings.

Proposed by Wilson (1984), Nature-Assisted Therapy (NAT) was defined "as an intervention with the aim to treat, hasten recovery, and/or rehabilitate patients with a disease or a condition of ill health, with the fundamental principle that the therapy involves plants, natural materials, and/or outdoor environment, without any therapeutic involvement of extra human mammals or other living creatures" (Annerstedt and Währborg 2011 : 372). NAT does not refer to a particular therapeutic method ; rather it includes broad applications to different individuals even to inmates. Therefore, the use in the correctional field has become more common than ever, but when it comes to "gardens" it is likely to include horticultural activities. For example, Rice and Remy (1998) and Van Nes (2006) introduced an herb garden in women's prison ; Lindemuth (2007) introduced prison gardens with different purposes from the architect perspectives. More recently, a meta-analysis on the effects of NAT on human health shows consistent support for this method and concluded that NAT is a relevant public health resource for diverse populations (Annerstedt and Währborg 2011). Regardless of the type of facility, studies were conducted in and exposure to nature seems to offer promising outcomes. A handful of research shows the effects of nature on human beings in both medical and Criminal Justice fields. For example, the exposure to nature reduces depression and anxiety (Clatworthy, Hinds, and Camic 2013 ; McCaffrey 2007), PTSD symptoms (Poulsen, Stigsdotter, and Refshage 2015), and Alzheimers (Chapman, Hazen, and Noell-Waggoner 2008 ; D'Andrea, Batavia, and Sasson 2007), improved physical and behavioral symptoms (Goto et al. 2013, 2017 ; Kuo 2015 ; Marcus and Sachs 2013 ; Marcus et al. n. d. ; McCaffrey 2007), and makes the recovery process faster (Ulrich 1984). Additionally, learning horticultural has

an impact on the quality of life for those in assisted living (Collins and O'Callaghan 2008).

Now, some may question, "Why should a Japanese healing garden be used?" A study about visual preference for garden design suggests that the Japanese garden is the most preferred garden style to view (Goto 2012). Also, a garden landscape provides a sense of solitude, yet separation and connection exists at the same time (Nakagawara 2004). Lack of privacy and one's own time is one of the challenges among institutionalized population. The structure of Japanese garden may offer "mental away-time" to some extent.

Inmates commonly suffer mentally and emotionally during their incarceration. As much research suggests, nature has positive effects on patients; hence, practitioners expect similar effects of nature to be observed in a prison setting. For example, in the criminal justice field, horticultural program such as gardening improves psychological and social functioning in jail (Rice and Remy 1998), in-prison horticultural therapy mitigates drug offenders' vulnerability to their addiction (Richards and Kafami 1999), gardens within the walls reduce stress among inmates (Lindemuth 2007), nature images improve behavioral issues in prison (Richards and Kafami 1999), and nature video calms inmates in solitary confinement and reduces the time spent in Intensive Management Unit which is only at the Snake River Correctional facility (Nadkarni et al., 2017 a.; Nadkarni et al., 2017 b). Also, recidivism among participants of a horticultural (green house) program at Rikers Island Jail was significantly lower than those who did not participate in this program (Jiler 2009).

Does Healing Matter in Prison?

One of the early developments on the effects of prison environment is conducted by Moore (1981) in Michigan. According to Moore, the condition of the cell such as its location (interior v. exterior), relative privacy, and noise level have an impact on inmates' physical health. Specifically, Moore examined the number of sick calls to the infirmary. This research suggested that deprived privacy, the inside of cells (looking into the prison yard) and the noise level affected inmates' physical health (Moore 1981 : 29-32). In general, inmates are not able to keep their privacy for the sake of everyone's safety, which

in turn leads to their vulnerable well-being. The healing garden can be one solution for this. The operational plan of the healing garden is to allow a small group of inmates who signed up to spread out in the garden area and spend time as they wish. Although this may be a temporary privacy and alone time, knowing of the availability of the garden and relatively humane treatment in that quiet moment can promote inmates' well-being and rehabilitation, which in turn makes it easier for the staff to carry out their daily tasks.

As mentioned, inmates deeply suffer emotionally and mentally in addition to environmental challenges. Many things that we take for granted outside the walls are missing such as privacy, liberty, goods and services, autonomy, and quiet time (Regoli, Hewitt, and Kosloski 2018 : 225) which coincides with Moore's findings (1981). Moreover, inmates experience constant fear, an unwritten hierarchy and codes among them, and separation from their family and friends. If exposure to nature has positive effects on patients, it is not a surprise that nature works for inmates as well. Victor Hassine was long committed to prison reform using his law degree and writing skills while serving life without possibility of parole until he ended his life after almost 40 years of incarceration (Hassine 2011). A healing garden may not be the only solution for suicide prevention, yet, it could serve as a safe haven for inmates or at least reduce their emotional pain.

Being incarcerated itself is a punishment and additional pain should not be added (Banks 2012). At the same time, prison is considered a "total institution" (Goffman 1961) where inmates are re-socialized. Therefore, for rehabilitative and learning purposes, privileges taken for granted outside are not allowed. However, is a garden a luxury for inmates ? In general, access to nature is quite limited in prison. The idea of offering a nature-surrounded area is relatively new. As already shown, some research suggests positive outcomes from nature access. Gardens used in medical therapy are often called "horticultural therapy gardens, therapeutic gardens, and rehabilitation gardens" (Annerstedt and Währborg 2011 : 372). A healing garden in prison also falls under this category targeting inmates and, potentially, staff.

While the public may think they are criminals and deserve any hardships in prison, what they are not fully aware of is the reality that the majority of inmates will be released to rejoin local communities. What corrections can do is to resocialize them by altering

their mindset for the better so they can become productive citizens. Despite current efforts the field of corrections takes, recidivism rates are still high partly due to the abrupt transition into community that is full of difficulties (housing, employment, etc). In particular, the first year after release is crucial for their successful reintegration due to the fact that almost 44% will be rearrested within that first year, with that number continuing to increase, then leveling off (Alper, Durose, and Markman 2018). To survive the critical period, inmates must develop the skills to manage these challenges while being incarcerated.

Mandracchia, et al. point out that inmates tend to hold "thinking errors" or thinking patterns such as Control (e. g. power hungry), Cognitive Immaturity (e. g. self-pitying), and Egocentrism (e. g. blaming others for one's own actions) (Mandracchia, et al. 2007). Essential for successful reintegration into society is the abolishing of such thinking patterns and rebuilding a prosocial mindset that leads to emotional healing. Therefore, a healing garden is believed to be beneficial to inmates and to holding them accountable. As stated above, incarceration per se is punishment (Banks 2012) and inmates already paid the price ; hence, adding more pain to inmates must be unconstitutional. As such, access to nature should be considered a tool for rehabilitation and redemption, and not a luxury. To that end, let me discuss why transformative justice, along with restorative justice, is important to making amends.

Restorative Justice

Prior to restorative justice, corrections had been offender-centered and focused on offender rehabilitation ; however, without victim participation and community support, offender rehabilitation per se was far from a balanced approach. Then the Restorative Justice initiative which is traced back to the 1970s and rooted in the practices of North America and New Zealand Natives came around (Zehr, et al. 2015 : 21). Following that lead, in his legacy book *Crime, Shame and Reintegration* (1989), Braithwaite offers a foundation and theoretical framework of restorative justice, which brought a restorative justice movement in the United States. Braithwaite asserted that, on one hand, crime

hurts ; on the other hand, justice should heal the harm caused by an offense (Braithwaite 2004 : 28). Having involved all parties, the entire process of restorative justice aimed to restore the damage done by the crime. The entire process of restoring the harm done by a crime must involve all affected parties. By initially considering the issue of victimology, light was shed onto an often-forgotten party. Restorative justice departed from the traditional system where most offenders are sentenced through plea bargaining. Thus, victim-offender mediation became a common form of restorative justice practiced to empower both sides and is common form of restorative justice practiced in North America and Europe, with its definition having expanded over the years (Braithwaite 2004 : 28).

How could we restore the damage when a complete reversal of the impact of a crime is unattainable ? To some extent, traditional retributive system is necessary, but whose justice is it when victims are excluded from the correctional standpoint ? One approach to restorative justice is victim-centered and includes the victim's involvement in the sentencing process to rectify the harm done. However, in reality, most offenders are sentenced through plea bargaining as previously mentioned. Hence, the victim's voice is not heard or reflected in the system. The other approach to restorative justice can be done more practically either through restitution or offender integration. Similarly, there is a high hurdle for this approach because offenders must be supervised in the community and victims must be willing to give offenders this opportunity. Although the inflicted harm cannot be restored in a true sense, different measures have been taken to make amends. In addition, the majority of the incarcerated will reenter the community. Therefore, as a forward thinking, successful reintegration into society can be considered "restoration" (Cullen and Jonson 2017 : 149) and corrections need to depart from punitive justice for successful reentry into community.

Why is restorative justice appealing ? Certainly, the most compelling reason is to lower recidivism. Another selling point is that it has a "benefit to all" (Cullen and Jonson 2017 : 152). However, as mentioned above, many cases do not meet this ideal scenario. Although a meta-analysis designed to measure the overall effectiveness of restorative justice concludes that restorative justice leads to lower recidivism (Cullen and Jonson 2017 ; Latimer, Dowden, and Muise 2005), there still might be a self-selection effect. That is,

offenders who make themselves accountable and wish to make amends participate in the restorative justice practice. Therefore, the positive outcomes are not surprising to see. In addition, the most outspoken limitation is that the magnitude of intervention provides little to nothing (Cullen and Jonson 2017). Unlike problem-solving courts and correctional interventions, restorative justice does not target the identified causes or predictors of the offense that brought the offenders into that situation, and intervention coming from restorative justice is "too weak to change serious offenders" (Cullen and Jonson 2017 : 163). If the traditional restorative justice model is the goal, such challenges are more likely. Therefore, with the lead of New Zealand and Canada, the definition of restorative justice was expanded to "the circle to include supporters of offenders, supporters of the victim and sometimes other kinds of stakeholders from the community" (Braithwaite 2004 : 28). If this is the case, transformative justice can be the solution to these criticisms of restorative justice.

From Restorative to Transformative Justice

While sharing the same background with restorative justice, transformative justice takes a more ambitious approach. With an understanding of difficulties in pursuing restorative justice, "Transformative Justice sets out to transform them [offenders] for the better" (Center for Justice & Reconciliation n. d.). In a sense, such undertakings like the Healing Garden Project at Oregon State Penitentiary (OSP) may not fit the traditional definition of restorative justice, but it aims for transformation instead.

The Healing Garden Project represents transformative justice because the inmates involved already started to show an altruistic attitude with the implementation of the garden. Not everyone is interested in the healing garden and the project will be out of inmates' hands after their release, yet they care about everyone at OSP including staff, inmates everywhere and communities that potentially benefit by the healing garden. The effects of this project have certainly been like a stone thrown into water where the ripples formed on the water's surface, which spread further and further without disappearing. More importantly, one of the criticisms regarding the underlying problems is tackled

through incarceration, but with proper programming, inmates may be able to transform themselves into being responsible individuals and their environment can be transformed into more bearable setting.

By being actor-oriented, transformative justice includes local communities and empowers inmates who have fewer rights (e. g. Gready and Robins 2014). As Sered identified, corrections hold four major objectives : Human growth, accountability, collective efficacy, and making amends (Sered 2018). Working within these objectives, transformative justice holds inmates accountable while also recognizing the human growth potential for those people whose opportunities were blocked. For offenders, understanding the harm caused by their own behavior is the first step in developing human empathy and remorse, and learning to make connections. In broader sense, transformative justice also uses the notion of "collective efficacy" (details in a later section) which is the ability of a community to achieve a set goal by working together for a common good (Sampson, Raudenbush, and Earls 1997). Thus, it leverages the power of reaching out to surrounding communities. The resulting sense of belonging becomes a driving force for change. Many organizations and people have donated money, scholars are involved, and grass-root supporters are actively engaged. A circle of partnerships has been gradually expanded while the core concept of making amends is considered a part of the process of healing. This is not a punishment ; rather, it is redemption. Therefore, the offenders are transformed for the better, and one of the important outcomes of transformative justice is achieved.

Oregon State Penitentiary

Have you watched the movie "Bandits" released in 2001 (Levinson and Peyton 2001) ? This comedy was in part filmed at the Oregon State Penitentiary. Some may even recall the famous prison break by a getaway truck. Several correctional officers played as inmates in the movie, and those officers talked openly about their experience. This institution is where the Healing Garden Project started its journey almost five years ago. I will introduce this garden project as a part of transformative justice and how this

potentially help inmates, staff, and society.

Let me start with brief description of the Oregon State Penitentiary (OSP). Situated in Western Oregon, OSP was built in 1866 and is located in the state capital, Salem. OSP currently houses over 2,000 inmates, and it has special housing units including Mental Health Housing and a Death Row Unit. In addition, the facility operates an Institution Work Program (Oregon Department of Corrections n. d. -a). OSP not only offers institutional programs, but it also promotes many prosocial activities. As of October 1, 2019, there are fourteen inmate-led clubs, and each club has its own interest (Oregon Department of Corrections n. d. -a). Regardless, organizing/joining a club is taken as facilitating personal growth, learning opportunities, and developing leadership skills that prepare inmates for smooth transition. Although the institutional goals may change depending on the changes in custody leadership (Lindermuth 2007). OSP is considered one of the most liberal or progressive maximum-security prisons in the United States. In Oregon, recidivism rates as defined as a conviction on a new felony within three years are about 35% which is much lower than the national average (Oregon Department of Corrections n. d. -b).

The Journey

The Asian Pacific Family Club (APFC) is the inmate-led and self-funded club that has been taking the lead for the Healing Garden project. One of the inmates came up with an idea about building a Japanese-style healing garden in the prison in 2014. At that time, the Veteran's Memorial was built within the OSP premise by the lead of the Veteran's Club. Therefore, APFC was inspired by the Veteran's Memorial and learned how to make that happen including raising the funds (personal communication with APFC).

The one inmate and the other APFC members researched about the healing gardens and "proposed an unlikely and creative way to transform their own environment (personal communication with APFC)." Eventually, the team successfully reached out to the world-renowned Japanese garden Hoichi Kurisu to discuss about this idea. After four years of endless efforts, this project obtained an approval from the OSP administration. The final

contract was signed on February 13, 2019 (Oregon Department of Corrections n. d. -c), and the garden will be built at the site of Veteran's Memorial. The whole idea is of the healing garden as redemption for inmates—reasonable space being free from the crowd and noise to provide time to reflect upon their lives, meditate, etc. Also, as shown above, research has proven that access to nature or even an image of nature reduces aggression, depression, anxiety, stress, or any negative emotions and promotes physical and emotional well-being.

The initial idea was just about a koi pond. Since then, some members of APFC formed a core project team, brainstormed, and became passionate about doing something positive and beneficial to anyone. While the idea grew bigger, the team had no clue how to carry out with little or no money. With the support of the Veteran's Club and the prison administration, the team started to raise money and submitted a number of grant applications to local communities (NAKASEC 2018).

Hoichi Kurisu, renowned landscape architect and Japanese garden designer, came to the rescue. He visited OSP multiple times, developed empathy with the inmates through his observations of the prison structure then created a garden design for the Club. He described in his presentation at Willamette University and Western Oregon University that green plants grew out of a tiny cracked asphalt and the garden can do that to a heart hardened by long incarceration (Kurisu, February 2018 ; Kurisu, May 2018).

The APFC raised most of the construction expenses (almost $ 500, 000 as of October 1, 2019) through grants and donations from the community and individuals (Oregon Department of Corrections n. d. -c). As Kurisu mentioned, "The process itself is healing" (Garden Time 2018). The members involved started thinking about benefits for "others" which used to be lacking. This project is their raison d'être and energy for positive changes. Many community organizations and private citizens have supported this project by organizing fundraisers, reaching out to the media outlets, and simply spreading the word. Some have even been helping inmates as community volunteers. Prison is the most deprived place for human beings and incarceration itself is already punishment. There is no reason for society to create more pain for a population that is one of the most forgotten. They are still human beings who have made mistakes, yet the majority of the

inmates are receptive to institutional rehabilitation. With over 95% of inmates eventually being released to community (Hughes and Wilson n. d.), the obligation of corrections is to have them prepared for their release and help them become productive citizens.

On Thursday, February 21, 2019, a ground purification ceremony ("Jichinsai") was performed at the proposed construction site. Not only personnel from the Oregon Department of Corrections, Superintendent and major officers of OSP, APFC members, and some community supporters were invited. The ceremony was authentic and performed by a Shinto priest ("Kan-nushi") and Shinto Maiden ("Miko"). This special Japanese ceremony was arranged by one of the volunteers. Now, a Grand Opening was held on November 6, 2019 with the director and executive staff of Oregon Department of Corrections, donors, and involved community members have been invited.

As mentioned previously, many organizations and individuals have donated money for this project, scholars are involved, and grass-root supporters have become actively engaged. Through the involvement of stakeholders, the APFC Club's motto "Diminishing Boundaries and Overcoming Differences" is being accomplished.

Collective Efficacy

In their work in Chicago areas, Sampson, Raudenbush, and Earls defined the notable conceptual framework of collective efficacy as "social cohesion among neighbors combined with their willingness to intervene on behalf of the common good" (1997 : 918). They found that collective efficacy is the key to reducing the level of violence in disadvantaged and unstable residential areas (1997). Although collective efficacy improves crime conditions in communities outside institutional walls, the notion can also be applied to a prison setting. The disadvantage of chaos and instability certainly represents prisons ; and as such, collective efficacy or the ability to change through community cohesion is vital for the healing garden project. Community cohesion is not limited to that among inmates but expanded to outside communities. Inside and outside together, everyone involved has worked in solidarity not only to transform their living environment but also inmates themselves. This eventually leads to reduction of violence, misbehavior, rule breaking,

and disciplinary sanctions are analogous to findings in the Chicago study (1997).

Through the healing garden project, involved inmates started to break barriers among themselves and become united beyond their race/ethnicity, sentence, religion, living block, background, etc. Moreover, the involved party wishes to accomplish this project for common good — benefits to anyone including staff and support communities. Therefore, transformative justice has been promoted through collective efficacy developed within and beyond prison.

Criticisms against the Healing Garden

Speaking of the purposes of punishment, five primary purposes should be noted : Retribution, Deterrence, Rehabilitation, Incapacitation, and Restitution. Retribution is essentially punishment which is proportionate to crime (= eye for an eye/just desert). Deterrence means prevention of crime both by a general population and former offenders. Rehabilitation is treatment of the offenders to change them through intervention. Incapacitation is to make offenders harmless to the rest of society through incarceration. Restitution is to pay back the debt to society and restore the damage being caused. Restorative justice is a part of restitution model that attempts to achieve restoration by involving all affected parties. As mentioned, transformative justice is a new form of restorative justice and restoring harm by transforming themselves. Transformative justice embraces all purposes — inmates are still incarcerated and punished (retribution), they transformed themselves as a result of rehabilitation, which in turn, they will not reoffend (deterrence), and as long as they are in prison no harm will be causes (incapacitation), and they can pay back their debt to society by becoming a productive citizen (restitution). Thus, the healing garden project can be justifiable (e. g. Seiter 2017).

Americans today appear to favor a less punitive approach and seek sentencing reform ; however, some criticisms against the healing garden construction are inevitable. For example, a common criticism is that inmates do not need the healing garden. They could meditate or reflect their life without using the garden and this project is beyond basic humane treatment. Another issue is safety concern. The public anticipated potential

dangers such as inmate altercation and trafficking of contraband items inside the garden. Inmates have access to “natural” weapon（water, branches, rocks, etc）in the garden and can hide prohibited items to pass along to other inmates. The last one is how the money is used. Although money was raised by inmates some say such money should be used for some other things to help inmates. For example, as stated above, reentering society is very challenging. Some may think money should be used for skill-related classes and to give away upon release instead of using money for the garden, which has unknown effects.

All stakeholders are aware of these criticisms, yet each believes that it is worth a try. This project was not brought about for selfish reasons. Rather, this has been a long-term learning and transforming process and potentially benefits to everyone behind the walls. OSP and APFC have engaged in risk management and implement strict safety measures. Regarding money, it is unreasonable to use the money for different purposes. We understand that re-entry phase is challenging, and much support should be given. However, the money was raised particularly for the healing garden. People/organizations that approved this project made financial contributions. Therefore, the third criticism is beside the point. The inmates are not shut down by criticism ; rather they take such criticisms sincerely because criticism makes things better. If we do not take a chance, no reform can be done.

The Healing Garden Impact Study

Although some studies indicate that gardens, exposure to nature, or horticultural experiences have positive impacts on our well-being, how this “healing” garden effects on both inmates and prison staff is virtually unknown. Since this is the very first experiment of its kind at a maximum-security prison in the United States, all that my co-investigator and I could do at this moment is to imagine anticipated directions.

We surveyed of inmates in June 2019 to obtain the baseline information such as the inmates’ emotional well-being, the meaning of “healing,” and their demographic characteristics. We obtained over 500 responses and we will conduct a survey after construction when a sizable population can use the garden. In addition, a focus group

study and two post-garden surveys are expected at a later time. Using pre-garden survey, we will explore correlations between emotional state and demographic characteristics. With just a glance through the data, we found that a majority of inmates mentioned the need to be exposed to nature, be healed inside, and believe that the garden is beneficial to any inmate. In addition, even looking outside without actually participating in construction appears to be emotionally uplifting. More meaningfully, this project connects inmates beyond their age, race, origin, religion, etc instead of dividing them. The journey to the Japanese healing garden represents the APFC club motto "diminishing boundaries" in two ways : among inmates and between prison and surrounding communities. At the end of the post-garden surveys, we hope to see the positive impact of the healing garden on inmates.

Conclusion

According to the most recent data published from the U. S. Department of Justice and the Bureau of Justice Statistics, over 95% of all state inmates are released at some point in their life (Hughes and Wilson n. d. ; Kaeble 2018). However, no one wants to welcome angry people into one's community. The healing garden itself teaches how to reduce negative emotions and promote positive energy through meditation and/or contact with the nature. The inmate who is the project manager and an initiator of this healing garden said that it had been almost 20 years since his incarceration, and this project finally allowed him to touch trees, boulders, and dirt (Inmate, personal communication, March 1, 2019). Now, as the opening ceremony approaching, the eyes of the inmates on the healing garden project team are glowing with pride and hope through transformation of self and their environment.

As previously indicated, while this project may bring positive effects, the administration, OSP staff, inmates, researchers, and even supporters are aware of potential negatives/dangers. Common adverse outcomes might be a lack of oversight, potential fight inside the garden, hiding a weapon/contraband, conspiracy among inmates, and/or fairness regarding eligibility of use. Also, some may still see the garden as luxury and

question about the purpose of punishment. Some may suggest using that big money for education, vocational training, or post-release financial aid to establish a new life. However, we do not know how it will go once we start the project. Department of Corrections and OSP have chosen to try anything once instead of worrying about something that has not happened yet. Also, this project per se is a part of education and vocational training. Obtaining construction skills should help inmates build a foundation after their release. All stakeholders remain positive but are ready for operational difficulties and unexpected outcomes.

As Lindermuth points out (2007), changes in custody leadership greatly affects approval of construction, usage of the garden area, or even access to the gardens by both inmates and staff. As of today, the Superintendent and Assistant superintendent are strong advocates for the healing garden project and prison improvement. At the same time, healing among participating inmates has already started as Hoichi Kurisu mentioned. This has been educational for involved inmates and they grew as respectful humans.

While over 95% of all state inmates in the U. S. will eventually be released to community (Hughes and Wilson n. d. ; Kaeble 2018), in 2017, convicts in Japan sentenced to incarceration including partial probation, 99% are expected to be released within 10 years (The Ministry of Justice n. d.). Other than those with exceptionally long confinement sentences and/or the death penalty, the vast majority of inmates return to a community within 10 years. Although the types of offenses committed are different between the United States and Japan, community resources and acceptance toward ex-convicts are equally challenging. For swift rehabilitation, fairness, and "just-desserts," humane opportunities such as the healing garden in prison may even fit the old Japanese old saying coming from Confucianism "Hate not the person but the vice." Meanwhile, studies consistently show a high-level of the public's punitive attitudes (Matsubara 2017). At the same time, Matsubara (2017) also observed that mitigated sentencing has apparently been given since the mid-2000s. In that case, ideally speaking, if a new idea like the healing garden does not become burden to the tax-payers, then the public will be more likely to accept the inmate-led project instead of seeing it as a luxury. However, from realistic perspectives, boundaries between free society and institutions will not be diminished unless

preference for retribution is mitigated. From my personal observation, Japanese inmates are much rigorously controlled than those at OSP. The Ministry of Justice may argue that inmates' recidivism rate is lower than in the U. S. because such restrictions. However, the reincarceration rate within three years of release in Oregon is only 17. 2%, which is lower than that in Japan at 28% (The Ministry of Justice n. d. ; Schmidt, Sanchagrin, Officer, and Riggs 2018)[1]. Consequently, I would think that a more humanistic approach might reduce current recidivism much more. As both an outsider and an insider, I wish to explore a similar project being carried out in the nation that originated healing gardens, Japan.

Transformative justice takes form in the healing garden project which simultaneously accomplish rehabilitation of offenders and redemptions. Among a variety of techniques and measures implemented in the field of corrections, hopefully this project will bring positive effects on inmates and be recognized as an evidence-based practice. Transformative justice should be taken notice as a paradigm in corrections.

References

Alper, Mariel, Matthew R. Durose, and Joshua Markman. 2018. *2018 Update on Prisoner Recidivism : A 9-Year Follow-up Period (2005-2014)*.

Annerstedt, Matilda and Peter Währborg. 2011. "Nature-Assisted Therapy : Systematic Review of Controlled and Observational Studies." *Scandinavian Journal of Public Health* 39(4) : 371-88.

Banks, Cyndi. 2012. *Criminal Justice Ethics : Theory and Practice.* Thousand Oaks, CA : SAGE Publications.

Braithwaite, John. 1989. *Crime, Shame, and Reintegration*. Cambridge, U. K. : Cambridge University Press.

Braithwaite, John. 2004. "Restorative Justice and De-Professionalization." *The Good Society* 13 (1) : 28-31.

1) Among those who were released. The most recent Japanese data is based on the 2013 cohort ; therefore, to match the year, I also used the 2013 cohort from the Oregon data. The 2014 cohort data is available (18. 7%). The Oregon data shows the percentage of released inmates who reincarcerated for a new felony crime.

Center for Justice & Reconciliation. n. d. “Restorative Justice and Transformative Justice : Definitions and Debates | RJ Library | Restorative Justice.” Retrieved February 23, 2019 (http://restorativejustice.org/rj-library/restorative-justice-and-transformative-justice-definitions-and-debates/11558/#sthash.XGUSkQ31.wRtxFEP9.dpbs).

Chapman, Nancy J., Teresia Hazen, and Eunice Noell-Waggoner. 2008. “Journal of Housing for the Elderly Gardens for People with Dementia.” *Journal of Housing for Elderly* 21(3-4) : 249-63.

Clatworthy, Jane, Joe Hinds, and Paul M. Camic. 2013. “Gardening as a Mental Health Intervention : A Review.” *Mental Health Review Journal* 18(4) : 214-25.

Collins, Claudia C. and Angela M. O’Callaghan. 2008. “The Impact of Horticultural Responsibility on Health Indicators and Quality of Life in Assisted Living.” *HortTechnology* 18(4) : 611-18.

Cullen, Francis T. and Cheryl Lero Jonson. 2017. *Correctional Theory : Context and Consequences*. Thousand Oaks, CA : SAGE Publications.

D’Andrea, Sonia J., Mitchell Batavia, and Nicole Sasson. 2007. “Effect of Horticultural Therapy on Preventing the Decline of Mental Abilities of Patients with Alzheimer’s Type Dimentia.” *Journal of Therapeutic Horticulture* 18 : 8-17.

Garden Time. 2018. “Prison Garden－YouTube.” Retrieved March 5, 2019 (https://www.youtube.com/watch?v=fdheYYh2Igg&feature=youtu.be).

Goffman, Erving. 1961. *Asylums : Essays on the Social Situation of Mental Patients and Other Inmates*. New York, NY : Anchor Books.

Goto, Seiko. 2012. “Visual Preference for Garden Design : Appreciation of the Japanese Garden.” *Journal of Therapeutic Horticulture* 22(1) : 24-37.

Goto, Seiko, Thomas J. Gianfagia, John P. Munafo, Eijiro Fujii, Xuting Shen, Minkai Sun, Bertram Emil Shi, Congcong Liu, Hiroshi Hamano, and Karl Herrup. 2017. “The Power of Traditional Design Techniques : The Effects of Viewing a Japanese Garden on Individuals With Cognitive Impairment.” *Health Environments Research and Design Journal* 10(4) : 74-86.

Goto, Seiko, Bum Jin Park, Yuko Tsunetsugu, Karl Herrup, and Yoshifumi Miyazaki. 2013. “The Effect of Garden Designs on Mood and Heart Output in Older Adults Residing in an Assisted Living Facility.” *Health Environments Research and Design Journal* 6(2) : 27-42.

Gready, Paul and Simon Robins. 2014. “From Transitional to Transformative Justice : A New Agenda for Practice.” *The International Journal of Transitional Justice* 8 : 339-61.

Hassine, Victor. 2011. *Life without Parole : Living and Dying in Prison Today*. Fifth. edited by R. Johnson and S. Tabriz. New York, NY : Oxford University Press.

Hughes, Timothy and Doris James Wilson. n. d. “Bureau of Justice Statistics Reentry Trends in the U. S. : Highlights.” *Bureau of Justice Statistics*. Retrieved January 3, 2019 (https://www.bjs.gov/content/reentry/reentry.cfm).

Jiler, James. 2009. “Restoring Lives, Transforming Landscapes : The Green House Program at

Rikers Island Jail." *Restorative Commons : Creating Health and Well-Being through Urban Landscapes* 179-87.

Kaeble, Danielle. 2018. *Time Served in State Prison, 2016*. Retrieved October 8, 2019 (https://www.bjs.gov/content/pub/pdf/tssp16.pdf)

Koschnitzki, Ken. 2011. "Healing Gardens Seneca, SC The History of Healing Gardens." Retrieved March 17, 2019 (https://www.scribd.com/document/393170016/Healing-Gardens-Eco-Art-LLC)

Kuo, Ming. 2015. "How Might Contact with Nature Promote Human Health ? Promising Mechanisms and a Possible Central Pathway." *Frontiers in Psychology* 6 : 1093.

Latimer, Jeff, Craig Dowden, and Danielle Muise. 2005. "The Effectiveness of Restorative Justice Practices : A Meta-Analysis." *The Prison Journal* 85(2) : 127-44.

Levinson, Barry (Director) and Harley (Writer) Peyton. 2001. "Bandits (2001)." *Metro-Goldwyn-Mayer (MGM)*. Retrieved January 3, 2019 (https://www.imdb.com/title/tt0219965/).

Lindemuth, Amy L. 2007. "Designing Therapeutic Environments for Inmates and Prison Staff in the United States : Precedents and Contemporary Applications." *Journal of Mediterranean Ecology* 8 : 87-97.

Mandracchia, Jon T., Robert D. Morgan, Sheila Garos, and J. Travis Garland. 2007. "Inmate Thinking Patterns." *Criminal Justice and Behavior* 34(8) : 1029-43.

Marcus, Clare Cooper, Related Pages, How Does, Your Personal, and Environment Impact Your. n. d. "Taking Charge of Your Health & Wellbeing What Are Healing Gardens ?" *University of Minnesota*.

Marcus, Clare Cooper and Naomi A. Sachs. 2013. *Therapeutic Landscapes : An Evidence-Based Approach to Designing Healing Gardens and Restorative Outdoor Spaces*. Hoboken, NJ : Wiley & Sons.

Matsubara, Hideyo. 2017. "人々はなぜ厳罰化を支持するのか？/Why do Japanese people support "Tough on Crime" policy ? [translated by Miyuki Arimoto]" *The Legal Process in Contemporary Japan : A Festschrift in Honor of Professor Setsuo Miyazawa's 70th Birthday* 159-79.

McCaffrey, Ruth. 2007. "The Effect of Healing Gardens and Art Therapy on Older Adults with Mild to Moderate Depression." *Holistic Nursing Practice* 21(2) : 79-84.

Moore, Ernest O. 1981. "A Prison Environment's Effect on Health Care Service Demands." *Journal of Environmental Systems* 11(1) : 17-34.

Nadkarni, Nalini M ; Schnacker, Lance ; Hasbach, Patricia ; Thys, Tierney ; Crockett Emily Gaines. 2017a. "From Orange to Blue : How Nature Imagery Affects Inmates in the 'Blue Room.'" *Corrections Today* (February 2017) : 36-41.

Nadkarni, Nalini M., Patricia H. Hasbach, Tierney Thys, Emily Gaines Crockett, and Lance Schnacker. 2017b. "Impacts of Nature Imagery on People in Severely Nature-Deprived

Environments." *Frontiers in Ecology and the Environment* 15(7) : 395-403.

Nakagawara, Camelia. 2004. "The Japanese Garden for the Mind : The 'Bliss' of Paradise Transcended." *Stanford Journal of East Asian Affairs* 4(2) : 83-102.

NAKASEC. 2018. "Oregon State Penitentiary－Johnny." Retrieved March 10, 2019 (https://www.youtube.com/watch?v=F0B2_BJSW2M).

Oregon Department of Corrections. n. d. -a. "Oregon State Penitentiary (OSP)." Retrieved February 25, 2019 (https://www.oregon.gov/doc/about/Pages/prison-locations.aspx).

Oregon Department of Corrections. n. d. -b. *Oregon Department of Corrections Recidivism of New Parolees and Probationers : All Offenders-Updated*. Retrieved October 25, 2019 (https://www.oregon.gov/doc/Documents/recidivism-rates.pdf)

Oregon Department of Corrections. n. d. -c. "Notice of Intent to Award 291-2367-18." Available on Oregon Procurement Information Network (ORPIN) (http://orpin.oregon.gov/open.dll/welcome?language=En)

Oregon Youth Authority. 2016. "Nature Imagery in Prisons Project at the Oregon Department of Corrections." Retrieved November 1, 2019 (https://www.oregon.gov/oya/research/ResearchBrief-NatureImageryPrisonsProject.pdf)

Poulsen, Dorthe Varning, Ulrika K. Stigsdotter, and Anne Dahl Refshage. 2015. "Whatever Happened to the Soldiers? Nature-Assisted Therapies for Veterans Diagnosed with Post-Traumatic Stress Disorder : A Literature Review." *Urban Forestry and Urban Greening* 14(2) : 438-45.

Regoli, Robert M., John D. Hewitt, and Anna E. Kosloski. 2018. *Exploring Criminal Justice : The Essentials*. Burlington, MA : Jones & Bartlett Learning.

Rice, Jay Stone and Linda Remy. 1998. "Impact of Horticultural Therapy on Psychosocial Functioning Among Urban Jail Inmates." *Journal of Offender Rehabilitation* 26(3-4) : 169-91.

Richards, Henry J. and Debra M. Kafami. 1999. "Impact of Horticultural Therapy on Vulnerability and Resistance to Substance Abuse Among Incarcerated Offenders." *Journal of Offender Rehabilitation* 29(3-4) : 183-93.

Richards, Henry J. and Debra M. Kafami. n. d. "Impact of Horticultural Therapy on Vulnerability and Resistance to Substance Abuse Among Incarcerated Offenders." *Journal of Offender Rehabilitation* 29(3-4) : 183-93.

Sampson, Robert J., Stephen W ; Raudenbush, and Felton Earls. 1997. "Neighborhoods and Violent Crime : A Multilevel Study of Collective Efficacy." *Science* 277(5328) : 918-24.

Schmidt, Michael, Ken Sanchagrin, Kelly Officer, and Courtney Riggs. 2018. "Oregon Recidivism Analysis." *Criminal Justice Commission*. Retrieved October 11, 2019 (https://www.oregon.gov/cjc/SAC/Documents/May2018RecidivismReport-Final.pdf)

Seiter, Richard P. 2017. *Corrections : An Introduction*. New York, NY : Pearson.

Sered, Danielle. 2018. "Transforming Our Responses to Violence." Pp. 157-178 in *Decarcerating*

America : From Mass Punishment to Public Health, edited by E. Drucker. New York, NY : The New Press.

The Ministry of Justice. n. d. “平成 30 年版犯罪白書（White Paper on Crime 2018）.” Retrieved February 24, 2019（http://hakusyo1.moj.go.jp/jp/65/nfm/mokuji.html）.

Ulrich, R. S. 1984. “View through a Window May Influences Recovery from Surgery.” *Science* 224(2) : 420-21.

Van Den Berg, Agnes E. and Mariëtte H. G. Custers. 2011. “Gardening Promotes Neuroendocrine and Affective Restoration from Stress.” *Journal of Health Psychology* 16(1) : 3-11.

Van Nes, Claudia. 2006. “Herbs Heal in Women’s Prison.” *The Herbarist* (72) : 14-16.

Zehr, Howard, Lorraine Stutzman Amstutz, Allan Macrae, and Kay Pranis. 2015. *The Big Book of Restorative Justice*. New York, NY : Good Books.