

# Community-Focused Policy Advocacy: Evaluating Hawai'i's Historical Trauma Legislation

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## Abstract

*Research aimed at reducing health disparities must move beyond the academic and provide practical value. Developing policy briefs that provide a description of the current policy framework along with evidence-based recommendations that can be shared with decision-makers is one way to accomplish this. Researchers, then, can lend their authority to increase awareness moving the policy process forward. The purpose of this paper is to outline a way to develop policy briefs and provide an example of this methodological framework through a case study. The case study was developed as part of a community-engaged research project exploring the conceptualization of historical trauma among Native Hawaiian youth. The policy brief was developed by first searching the Hawai'i State Legislature database in Westlaw limiting the search to the past 10 years for legislation related to historical trauma, structural racism, or related concepts. The results encompassed 104 bills and resolutions, of which 11 passed and 93 failed to pass. Successful legislation acknowledged the role of racism to health and supported the use of trauma-informed care but stopped short of addressing historical trauma. Several gaps were identified including a failure to address collective trauma or trauma specific to colonization suggesting a reluctance to acknowledge intergenerational trauma as an element of present experiences. The policy brief developed for this project was provided to community partners to support their advocacy efforts. This manuscript showcases a process researchers can use to analyze legislative records and develop policy briefs that can support their community partners.*

## Keywords

*policy analysis, community-engaged research, historical trauma*

## Abbreviations and Acronyms

ACE = adverse childhood experiences  
AI = American Indian  
HLS = Historical Loss Scale  
HT = historical trauma  
NH = Native Hawaiian

## Introduction

Research is most impactful when it has practical influences. One way to accomplish this is to ensure results are disseminated to decision-makers in a form where they understand its value and implications.<sup>1-3</sup> When advocating, community collaborators double as constituents allowing them to reach legislators through multiple angles.<sup>4,5</sup> A spectrum of community-engaged research exists. At one end lies community-engaged research where the community is involved in some, but not all aspects of a project, and at the other is community-based participatory research, where the community drives the research from beginning to end as full participants.<sup>6,7</sup> Research in Indigenous

communities is particularly well suited for the latter model.<sup>8</sup> Because of prior bad experiences, Indigenous communities may be less open to new research without the ability to engage in the design and re-assert control when needed.<sup>9-11</sup> Regardless of the type, community-engaged research honors the special knowledge that community members have, including the critical role they play in guiding researchers to issues of importance.<sup>1-3</sup>

## Academics as Policy Advocates

Similar to community-engaged research, translational research seeks to produce results that are meaningful and that benefit humans.<sup>12-14</sup> While translational research is often discussed in reference to basic science, the idea of translating research into something usable can be transferred across disciplines.<sup>15</sup> For example, legislators focused on evidence-based policy making require research to justify policy action.<sup>16</sup> Translational research, then, provides an opportunity to translate dense academic work into evidence that legislators can use to inform policymaking.

The idea of engaging in the policy process can be uncomfortable for some academics.<sup>17-19</sup> Scientists, especially, worry that advocacy may damage their reputation of neutrality, calling into question future work. However, policy advocacy, when supported by evidence, increases social justice.<sup>20</sup> Within the Native Hawaiian (NH) community there is a history of advocacy, including civil disobedience, that has resulted in several successful grassroots-oriented policy advocacy campaigns.<sup>21</sup> Despite these efforts, there are persistent issues where community advocacy on its own has not yet proven successful. Academics and other experts have an opportunity to add value in support of community efforts.<sup>22</sup> While people tend to associate advocacy with testimony and lobbying activities, it can also take the form of educating legislators, issuing policy briefs, and disseminating research results in a more understandable format. These differing types of advocacy, varied by audience, require different skill sets.<sup>23</sup> Academics can complement community advocates who often draw on morality and emotion in addition to facts, by lending legitimacy of their built expertise<sup>24</sup> when developing a policy brief.

A concise, unbiased, evidence-based, policy brief is an excellent way for academics and researchers to support community.<sup>23,25-26</sup> Policy briefs start with a problem and then summarize research on a topic to provide an accurate description of the current policy framework before providing several recommendations for future action. Because these briefs are intended for decision-

makers, bureaucrats, and legislative staff who have significant policymaking experience, but limited specialized knowledge, the use of plain language is critical.<sup>27</sup> Incorporating policy briefs as part of the research design provides reciprocity to community stakeholders while diversifying one's dissemination strategy.

### Example of Policy Brief in Support of Community Advocacy

In a recent research project exploring whether and how NH justice-involved and at-risk youth experience historical trauma (HT), the researchers incorporated the development of a policy brief in their research design. HT is the cumulative, emotional, and psychological wounding in a person's lifespan and across generations in a community.<sup>28</sup> Considering the extensive, detrimental impact that colonization has had on Indigenous communities, research focused on American Indian (AI) HT has grown in recent years. Laying much of the groundwork is Braveheart who articulated the concept of HT among AI and identified a number of associated symptoms.<sup>28</sup> Building on this work, Whitbeck et al<sup>29</sup> developed a Historical Loss Scale (HLS) and the Historical Loss Associated Symptom Scale. Using these scales, scholars have found that thoughts of historical loss are associated with increased stress, emotional distress, and substance dependence.<sup>30,31</sup>

With similar, though not identical, histories of colonization and loss, the application of the HLS to NH provided mixed results.<sup>32</sup> A qualitative study on NH HT found distinct ways that NHs described historical loss compared to AIs.<sup>33</sup> These results were validated by this study, which identified several unique understandings of historical loss among NH justice-involved youth.<sup>34</sup> In order to provide evidence of the link between NH HT and NH disparities, including high rates of chronic disease, cancer mortality,<sup>35,36</sup> obesity,<sup>37</sup> substance misuse,<sup>38</sup> depression,<sup>39</sup> adverse childhood experiences (ACE),<sup>40</sup> and incarceration,<sup>41</sup> a measure specific to NH is needed.

Some decision-makers, under the guise of colorblind policy, resist acknowledging HT, which minimizes the effects of colonization by situating it solely in the past. Because of this, a well-written policy brief can help decision-makers understand the issue, articulate the need for change, and identify possible action. This paper explores how academics can use their relative power to advance policy change. The paper then discusses the methodological framework before providing a case study of a NH HT policy brief to illustrate how to integrate policy briefs in the research dissemination process.

## Method

This research project is informed by Indigenous principles, which elevate reciprocity<sup>42</sup> in research. Prior to beginning the research project, the team met with criminal justice stakeholders and the NH community to better understand their needs. It became apparent that despite advocacy efforts in the legislature, NHs, especially juveniles, were still overrepresented in the criminal justice system. Collectively, the research team and community collaborators determined that incorporating a policy brief into the research project would be beneficial.

There are a number of ways to create policy briefs; however, most have similar attributes.<sup>26,43-46</sup> The showcased methodology incorporates 5 steps. This methodological framework was developed by the lead author after years of practical policy experience as well as teaching policy analysis at post-secondary institutions. It clarifies the process for analysis of the current policy framework, while focusing on identifying feasible policy alternatives. Moreover, it incorporates socializing the brief among community collaborators and stakeholders for feedback, which many of the existing methods do not.

To understand Hawai'i's current policy context, the team searched, within the last 10 years, 3 databases within Westlaw: Hawaii Historical Proposed Legislation, Hawaii Historical Enacted Legislation, and Hawaii Revised Statutes Unannotated. The following boolean legal search string was used: "Native Hawaiian"/1 health or wellbeing', "Native Hawaiian"/p youth', 'Historical trauma', 'Intergenerational trauma', "Native Hawaiian"/5 incarceration', and "Native Hawaiian"/1 health or wellbeing'. Boolean legal search terms allow researchers to search for all the instances where a term falls within a certain number of words as another term. For example, 'Native Hawaiian'/5 incarceration searches for all legislation that references 'Native Hawaiian' within 5 words of incarceration.

After reviewing for topical relevance, a total of 104 unique measures resulted from the search, which were saved for further analysis. See **Table 1** for a Sample of a Policy Matrix. Once data from the relevant measures (n=11) were summarized and extracted, the current policy framework was outlined before identifying gaps and providing 2 feasible recommendations. Prior to finalizing the policy brief, community partners reviewed the draft and provided feedback.

Year	Measure	Title	Sponsors	Senate Committees	House Committees	Passed	Project's summary
2021	HCR11 HD1 SD1	Requesting the Hawaii State Commission on the Status of Women to Convene a Task Force to Study Missing and Murdered Native Hawaiian Women and Girls.	Eli, Belatti, Branco, Decoite, Hashimoto, Ichiyama, Kapela, Kitagawa, Lowen, marten, Matayoshi, Matsumoto, McKelvey, Mizuon, Morikawa, Nakamura, Nakashima, Nishimoto, Perruso, Takumi, Tam, Tarnas, Todd, Wilderberger, Yamashita, McDermott	HWN, JDC/WAM	HHH, JHA	Yes	Calls for the creation of a task force to conduct study on missing and murdered NH women and girls. Names HT (ie, land dispossession, sexual violence, incarceration etc.) among NH women and girls as an area of concern.

HWN=Hawaiian Affairs, JDC=Judiciary, WAM=Ways and Means, HHH=Health, Human Services, & Homelessness, JHA=Judiciary & Hawaiian Affairs, NH=Native Hawaiian, HT=historical trauma

## Results

The highlighted framework for developing a policy brief requires 5 steps: (1) clearly describe the problem; (2) analyze current policy; (3) identify efficacy and gaps; (4) develop of policy alternatives; and (5) socialize among community for feedback (Figure 1).

### Step 1: Description of the Problem

Articulating a strong problem statement is critical to political advocacy. The issue must be framed in a manner where policy-makers and the public will perceive it as a problem for which policy can provide a solution.<sup>23</sup> The description of the problem must sufficiently detail the importance of the problem.<sup>43</sup> Collaborating to frame the problem statement will aid in providing the structure of the brief. Once the articulation of the problem is agreed upon, it is important to test that problem statement to identify possible assumptions and causal connections.

### Step 2: Analyze Current Policy Framework

Once all relevant laws, policies, and pending legislation have been identified, it is helpful to create a matrix that lists important policy information, including a summary of the law or pending

measure.<sup>23</sup> Because the legislative process is highly political it is critical to capture the political environment in which the law was considered by including sponsors and committee referrals.<sup>18,23,47</sup> Categorizing laws and policies may support critical evaluation and gap analysis in Step 3 if the topic has a heavy policy footprint. However, a topic with fewer policies may not require this sub-step.

### Step 3: Identify Efficacy and Gaps

Cataloging the efficacy of the current policy system facilitates identification of areas for improvement.<sup>43</sup> Communicating with experts, community members, and other stakeholders can also help determine the efficacy of certain policies along with existing gaps.

### Step 4: Develop Policy Alternatives

Because a policy brief is intended to be informative rather than persuasive, it is critical that policy alternatives are informed by evidence.<sup>48,49</sup> Using the research in Step 2 as a baseline, policy alternatives should be feasible. A feasible alternative must be clearly worded, justified, and implementable.<sup>18,43</sup> In other words, even if the scientific literature points to a drastic policy solution, one should consider whether this is a viable option.<sup>50,51</sup> On the

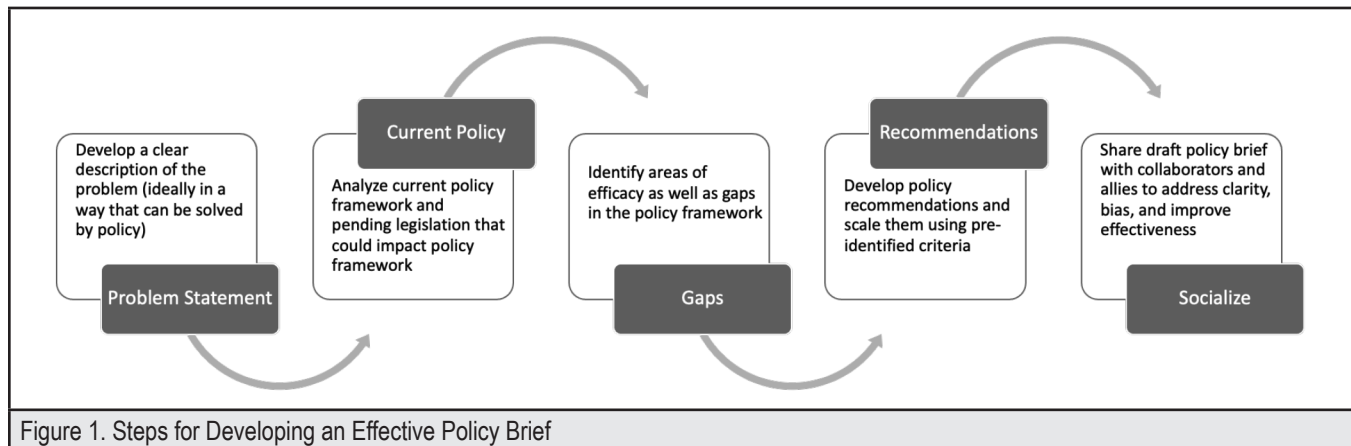


Figure 1. Steps for Developing an Effective Policy Brief

other hand, even an alternative that is unlikely to be adopted does not warrant exclusion as it may serve to spotlight the upper limits or may help contrast other alternatives.

The first step in identifying appropriate alternatives is to brainstorm as many policy solutions as possible. Next, a decision matrix is created listing each possible solution while evaluating its viability in several categories. Decision matrices should always include doing nothing as an option to provide a baseline.<sup>52</sup> Weights can be included for each category when certain criteria are more important in determining viability or raw numbers can be used, depending on preference and need.

### **Step 5: Socialize Among Community for Feedback**

Policy advocacy is a strategic endeavor and while a policy brief should strive to be unbiased, it must also be effective. Socializing the draft among community collaborators and allies is crucial to improving the brief. Socialization helps identify areas for clarification, additional feasible alternatives, and real-world examples that illustrate policy concepts.<sup>53, 54</sup>

### **Case Study**

In a research project exploring the conceptualization of HT among NH youth, a policy brief, was developed, which serves as an example of this methodological framework.

#### **Step 1: Description of the Problem**

The initial problem statement focused on the lack of programs addressing HT; however, a full accounting of programs had not been undertaken to support this proposition. After consulting our collaborators, the researchers refocused on wellbeing - settling on the high rate of incarceration, suicidality, depression and other symptoms associated with HT, which reduces individual wellbeing and Hawai'i's economic productivity.

#### **Step 2: Analyze the Current Policy Framework**

Data was extracted from the 11 measures that passed into law; however, failed measures were also analyzed. One recent measure, HR90, declared racism as a public health crisis and recognized racism as the root of HT. Another, HCR130, apologized for the banning of *‘Ōlelo Hawai‘i* (Hawaiian language) in public schools while describing the resultant disparities. Successful legislation tended to be related to individual trauma, including Act 209, which established a trauma-informed task force in the Department of Health to make recommendations for trauma-informed care; and SB2482, which created a temporary Office of Wellness and Resilience to support issues and solutions identified by the task force. Although these measures show strides towards acknowledging and healing trauma, the review revealed that successful legislation focuses on individual trauma and not intergenerational, colonial, or HT.

#### **Step 3: Identify Efficacy and Gaps**

Analyzing failed measures allows us to identify some gaps. For example, both HR90 and HCR130 were resolutions, which do not carry the full force and effect of law. Rather, resolutions express the “sentiments” or “beliefs” of the House, Senate, or entire Legislature and can be used in litigation to interpret the intent of the legislature. Moreover, while these resolutions acknowledge the ongoing effects of colonial trauma, they do not carry appropriations or direct remediation by any state entity. This dissonance continued in March 2020 when SR91 and SCR131 were introduced outlining the negative impact of ACEs and encouraging the incorporation of NH cultural practices that address HT in preventative interventions. Both measures were referred, however, no hearings were held likely due to COVID-19 impacts and Hawai‘i’s stay-at-home order.<sup>55-57</sup>

#### **Step 4: Develop Policy Recommendations**

When brainstorming for policy options, the team considered community collaborator feedback, existing literature, and other jurisdictions. One suggested policy solution was to develop a mandatory comprehensive HT intervention within all public schools. However, given that, to date, Hawai‘i’s legislature failed to pass a law referencing HT, this alternative’s adoption is deemed unlikely. After analyzing the policy options from the brainstorming session, the team used a decision matrix with researcher-developed weights to identify 4 policy options, Hawai‘i’s legislature should: (1) acknowledge HT; (2) establish a NH HT Task Force to study and address HT; (3) continue to eliminate status offenses and support restorative diversionary programs; and (4) fund programs that heal HT. The weighting structure was informed by dialogue with community collaborators as well as political considerations. See **Table 2** for a Decision Matrix of all selected recommendations.

While the legislature may harbor concerns that acknowledging HT could create liability, the first option was included despite its low score because of its symbolic value. The higher weighting placed on viability of passage reduced the overall appeal of this alternative; however, the need to acknowledge past and ongoing harms is imperative for community healing. Alternatively, establishing a NH HT Task Force to investigate the impact and trauma of colonization, including boarding schools, land loss, and displacement scored much higher.<sup>58, 59</sup> Drawing upon actions by other jurisdictions and the incremental nature of this alternative further increases the appeal of this option. The same analysis was conducted across all alternatives.

#### **Step 5: Socialize Among Community for Feedback**

Sharing and socializing the draft brief among our community collaborators and allied stakeholders was a critical step in the process. Our collaborators clarified the exact audience and intended use of the brief leading us to include local examples

Table 2. Policy Alternative Decision Matrix					
Criteria	Weights	Option 1: Legislature acknowledge NH HT	Option 2: NH HT Task Force	Option 3: Eliminate status offense & Support restorative programs	Option 4: Fund programs that heal HT
Effectiveness of Addressing Problem	2	+	+	+	+
Ease of Implementation	1	+	+	+	+
Cost of Implementation	2	+	+	+	+
Viability of Passage	3	-	-	+/-	+/-
Public Optics	2	+/-	+	+/-	+
Time to Results	2	-	+/-	-	-
Total +		4	5	5	5
Total -		3	2	3	2
Net value		1	3	2	3
Weighted total +		7	9	10	10
Weighted total -		7	5	5	5
Final Weighted value		0	4	3	5

NH=Native Hawaiian, HT=historical trauma

Note: This sample matrix provides frequently used criteria along with sample weights. An option that meets the criteria receives a +, while an option that does not meet the criteria receives a -. Options that neither fully meet, but do have some elements of a criteria may receive a +/- . All of the + and - are added up and then multiplied by the appropriate weights to receive a final weighted value, which is then used to compare across the policy options.

to illustrate the types of programs that could be supported. The third and fourth alternatives incorporated clear examples of organizations with programs such as Adult Friends for Youth, which serves high-risk youth using behavioral redirection,<sup>60</sup> and Residential Youth Services and Empowerment (RYSE)<sup>61</sup> at Kawaihoa Youth and Family Wellness Center,<sup>62</sup> which supports NH houseless youth. These examples illustrate the feasibility of the alternatives increasing the brief's effectiveness and versatility.

## Recommendations

Reciprocity is critical when conducting community-engaged research among Indigenous communities. Given the NH history of advocacy and civil disobedience, social justice minded researchers may want to support NH advocacy efforts by developing policy briefs. There are 5 steps to drafting a policy brief: (1) clearly describe the problem; (2) analyze current policy framework; (3) identify efficacy and gaps; (4) develop policy recommendations; and (5) socialize draft for feedback. However, based on the team's experience in developing the NH HT policy brief there are a few additional considerations to share.

First, communication is key to policy advocacy. The decision whether to develop a policy brief should be decided early in the collaboration and should consider the utility of this activity. Because the US governance system encourages experimentation, prior efforts may have occurred, which may be unknown without talking to others. Conversations that extend beyond the

scope of the project will allow researchers to better understand the historical context, including prior advocacy efforts.

Second, work smarter, not harder. Make use of legal databases whenever possible. Most states publish laws and pending bills on the state legislature's website; however, not all states have invested in the infrastructure to easily search these documents. Obtaining access to a legal research database through a public law library, court library, or by collaborating with an attorney will speed up the research process.

Third, practical solutions are generally the best solutions. Unlike in the ivory tower, an advocacy solution that is practical from both a policy stance and financial stance is ideal. Incrementalism is often preferred since it is less risky, so framing a proposal as an expansion and the next logical step in a progression is pragmatic.

Finally, don't be afraid to directly engage in advocacy. While one of the benefits of academics developing policy briefs is that it draws upon their legitimacy as unbiased experts, it is also important that researchers take their place as members of the community. As such, it is entirely appropriate for academics to support their collaborators and advocate for a specific position or a change in policy. Being able to articulate one's positionality helps retain legitimacy as researchers as well as community members.

Growth occurs in moments of discomfort. Developing policy briefs and supporting policy advocacy may be uncomfortable for academics. However, engaging in this type of work allows researchers to give back to the community and helps to build a stronger relationship between researcher and community, which can begin to repair damage from past extractive research techniques. Drafting policy briefs is one way to refocus research around social justice and lead to a more translation-oriented paradigm.

## Conflict of Interest

None of the authors identify a conflict of interest.

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