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TRIBAL-RESEARCHER PARTNERSHIP REPORT

Final Report

2021

Northwest Portland Area Indian Health Board
Northwest Tribal Juvenile Justice Alliance
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Executive Summary

In response to the Tribal-Researcher Capacity Building Grant opportunity issued by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ), the Northwest Portland Area Indian Health Board formed a new inter-tribal workgroup—the NW Tribal Juvenile Justice Alliance (NW TJJA)— over the 18-month grant period we met collaboratively design a research study to evaluate and disseminate juvenile justice best practices for AI/AN youth in the Pacific Northwest, aligning with DOJ research priorities. The need for this inclusive, strategic planning process is significant. While AI/AN youth in the region experience disproportionate rates of juvenile justice involvement, no planning body is presently convening decision-makers to elevate these important health and safety research questions in AI/AN communities.

Findings from this process suggested the need to develop protocols for data surveillance, policy analysis, and implementation of cultural practices and Tribal Best Practices throughout the juvenile justice system. Additionally, findings suggested that Tribal communities in the Pacific Northwest are supportive of and prepared to engage in the NW TJJA to better serve AI/AN youth involved in the juvenile justice system.

NW Tribal Juvenile Justice Alliance: To fulfill our proposed aims, NPAIHB—with support of NPC Research—formed this collaborative inter-tribal workgroup, which comprised 43 stakeholders, including juvenile justice professionals from state agencies (including probation, corrections, youth and family and rehabilitative services), Tribal law enforcement, and human services from Washington, Oregon, and Idaho. Additionally, the Alliance included Tribal youth. The NW TJJA convened to identify culturally relevant juvenile justice interventions, best practices, and sources of available data (to improve local decision-making). Informed by this material, Alliance members guided the design of a study to assess and share juvenile justice best practices to assist AI/AN youth in the Pacific Northwest.

We conducted 4 focus groups, including the **2019 NPAIHB THRIVE Conference Stakeholder Focus Group**, a **Quarterly NPAIHB Board Meeting**, a **Northwest Portland Area Indian Health Board Youth Delegate Focus Group**, and the **Oregon Nine Tribes Prevention Focus Group**. These participants have specific experience supporting youth in their respective Tribal communities and have localized knowledge about the extent and nature of Tribal juvenile justice issues and needs. We also took the opportunity to conduct adult and youth surveys at the **Native American Rehabilitation Association of the Northwest (NARA) Annual Conference**: This conference is focused on substance abuse and dependency treatment and recovery. Surveys were collected between November 13 and 15, 2019. Forty-one adult and 10 youth surveys were collected to gather information about people’s perspectives related to Tribal juvenile justice issues. Finally, we conducted **Key Informant Interviews** of stakeholders who work with both Tribal communities and the juvenile justice systems in the three-state region. Additionally, we connected with Dr. Sujata Joshi, who is a data surveillance specialist at the NPAIHB.

Data gathered through this project identified two needs to be addressed that impact AI/AN youth involved in the juvenile justice system: 1) *data surveillance and a need to improve inter-agency coordination with Tribes to support the needs of AI/AN youth involved with and transitioning out of corrections*; and 2) *the need for Tribal Best Practices (TBP) and cultural activities to be made available for AI/AN youth who are involved in the justice system*. This project highlighted the need to expand data collection and communication efforts between juvenile justice agencies and Tribes in the Pacific

Northwest, and to help juvenile justice agencies develop better systems for monitoring AI/AN youth they are serving.

A primary need identified was for TBP and cultural activities to be made available for AI/AN youth who are involved in the justice system. “Culture as prevention,” i.e., access to culturally responsive treatment and activities, was a consistent theme that was identified throughout this project. The NARA conference survey respondents, youth and adults, shared thoughtful perspectives on AI/AN youth in the juvenile justice system. There were two themes that were very strong throughout the responses: access to cultural knowledge and access to treatment services. During the NPAIHB Youth Delegate focus group, NW TJJA meetings, and the Oregon Nine Tribes meetings, participants shared concerns that AI/AN youth do not have access to treatment options or activities that include their culture.

Culture was noted in the context of prevention and intervention. Interestingly, it was also stated that the criminal justice system could be improved for AI/AN youth by implementing Tribal courts and having more American Indian staff; cultural activities such as powwows, sweats, and drumming; and more overall support from Elders or “Cultural Advocates.” The key informants echoed this finding and suggested that the Oregon Youth Authority and the Washington Youth and Family Rehabilitation Department fund and support efforts to develop policy and hire staff to ensure that AI/AN youth involved in the juvenile justice system have access to culturally responsive treatment, cultural activities, and cultural advocates.

Additionally, participants identified the need for more culturally relevant assessments, and highlighted the adaptation of the Screening, Brief Intervention, and Referral to Treatment (SBIRT) to AI/AN youth as a successful example. SBIRT represents an innovative, evidence-based approach to addressing substance use with medical patients. [Reclaiming Futures](#) is an organization that works with local jurisdictions to implement developmentally appropriate and evidence-based treatment responses sustained by community supports. Reclaiming Futures has adapted SBIRT with two Tribal communities, Yurok and Southern Ute Tribes, and is open to continuing to work with Tribal communities to adapt SBIRT to their specific cultural needs.

Program Narrative

In response to the **Tribal-Researcher Capacity Building Grant** opportunity issued by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ), the Northwest Portland Area Indian Health Board formed a new inter-tribal workgroup—the NW Tribal Juvenile Justice Alliance (NW TJJA)—that has been meeting over the last 18 months to collaboratively design a research study to evaluate and disseminate juvenile justice best practices for AI/AN youth in the Pacific Northwest, aligning with DOJ research priorities. The need for this inclusive, strategic planning process is significant. While AI/AN youth in the region experience disproportionate rates of juvenile justice involvement, no planning body is presently convening decision-makers to elevate these important health and safety research questions in AI/AN communities.

The NW TJJA met to identify culturally relevant juvenile justice interventions, best practices, and sources of available data (to improve local decision-making). Informed by these data, NW TJJA members guided the design of this study to evaluate and disseminate juvenile justice best practices for AI/AN youth in the Pacific Northwest, in accordance with DOJ's areas of interest. The NW TJJA identified key stakeholders who were interviewed and then provided feedback on the research proposal. Additional data were collected through focus groups, surveys, and key informant interviews. The findings of these data sources informed the development of the research study and proposal to NIJ.

Findings from this process suggest the need to develop protocols for data surveillance, policy analysis, and implementation of cultural practices and Tribal Best Practices throughout the juvenile justice system. Additionally, findings suggest that Tribal communities in the Pacific Northwest are supportive of and prepared to engage in the NW TJJA to better serve AI/AN youth involved in the juvenile justice system.

Literature Review

The National Congress of American Indians (NCAI) provided an issue brief in 2019, with an overview of the challenges that AI/AN youth face in the juvenile justice system, highlighting policy changes that would improve the experience of AI/AN children and support at-risk AI/AN youth. Tribal governments have the sovereign right to exercise their responsibility to take care of their youth, including the ones who end up in criminal justice systems, and they rely on collaborations and partnerships with other stakeholders to do so. However, federal and state justice systems are ill-equipped and not suited to support the unique needs of AI/AN youth who encounter the juvenile justice system at unprecedented rates. Authors provide extensive alarming statistics of historical issues and current disparities facing AI/AN youth leading to their over-incarceration and high risk of incarceration. Additionally, there are systemic issues and the continued erasure of AI/AN peoples by the federal government contribute to ongoing oppression. There continue to be severe gaps in services, along with jurisdictional complexities, such as living on or off a reservation, and federal jurisdiction (where many AI/AN youth end up) not having a youth component. NCAI states, “juveniles make up only 1 percent of the federal criminal caseload, however approximately half of the federal juvenile justice cases involve AI/AN youth. Because the federal government does not run any juvenile facilities, AI/AN youth convicted in federal court may be imprisoned in contracted state or local facilities far from their homes and communities” (NCAI, 2019, p. 8).

NCAI suggests that Tribes assert their sovereignty in Tribal prosecution and intervention noting, when AI/AN children are placed in culturally competent Tribal court systems, they can better receive

appropriate rehabilitative support. Authors highlight the following points from their analysis of the unique challenges facing AI/AN youth: prioritize healing and treatment, understand jurisdictional complexities, enlist Tribal governments, create culturally sensitive supports, reform federal policy that affects AI/AN youth in federal prisons, and increase flexible funding available to Tribal governments and programs. Additionally, authors suggest the following set of policy recommendations that will best support AI/AN youth:

- Encourage Tribal Courts to Handle a Larger Share of Indian Juvenile Justice Cases
- Develop and Support More Culturally Appropriate Programs
- Increase Collaboration Between Tribal, State, and Federal Governments
- Increase Funding for Tribal Youth Services and Juvenile Justice
- Reform Existing Federal and State Programs to Better Support AI/AN Youth

NCAI also offers examples of Tribally led/culturally based, restorative justice-based alternative programs across the country. The Center for American Indian Resilience (CAIR) (2019) takes a strengths-based perspective and asserts that “American Indians have prospered in the face of adversity,” while acknowledging that these successes have largely been ignored. To rectify this situation, the CAIR promotes examining community assets and the role of traditional knowledge, collective memory, and cultural strategies in supporting positive outcomes. Such a model of traditionally grounded, trauma-aware, and community-centered resilience frameworks could and should be replicated in juvenile justice and public safety to promote the most effective healing and support. In this way, the trauma endured by AI/AN people is both an important context of hardship, and a setting for unique strength that is equally vital for advocates and reformers to understand (NCAI, 2019, p. 6).

Hand, Hanks, and House (2012) describe how Tribal restorative systems aim to reestablish balance and harmony within individuals, both for perpetrators and victims within a community. They provide examples from Tribes such as the Navajo Nation that explain this harmony process and present a table comparing ‘Restorative versus Retribution’ justice systems. A history is given of Tribal sovereignty and colonial U.S. government jurisdiction, including a table outlining legislative acts affecting Tribes since 1871 to the present. The Major Crimes Act of 1885 is explained in detail and describes the Supreme Court case involving Crow Dog. Another table is provided outlining laws acknowledging Tribal sovereignty since the 1970s that are most relevant to restorative justice (Hand, Hanks, & House, 2012).

Dispute resolutions of Ojibway/Cree versus Euro-Canadian systems are tabled side-by-side and their study shows Indigenous methods focus on healing, restorative justice, and reintegration into the community; while Euro-Canadian methods focus on control, punishment, and isolation. Studies also show that the Indigenous worldview of interconnectedness with all living beings is not only important for environmental consequences but also has profound sociological implications (Hand, Hanks, & House, 2012). Colonial and capitalist systems promote individuality, consumerism, and competition; and justice systems are punitive, adversarial, and a “systemic cancer.” These characteristics are evident in the U.S. criminal justice system, which has the highest incarceration rate in the world, yet the highest recidivism rate, proving the system does not work, the authors note. They argue that colonial oppression still affects Tribal sovereignty and, through much loss of traditional justice systems, protective factors promoting respect and harmony have decreased while a rise in interpersonal and community conflict has increased. Many modern Tribal courts and justice systems mirror Euro-centric justice models and do not foster traditional conflict resolution practices (Hand, Hanks, & House, 2012).

The Center for Native American Youth (CNAY) at The Aspen Institute (2017) addresses key issues affecting AI/AN youth throughout the country, as well as youth-reported surveys, through the “GEN-I” roundtables, outlining priority needs in their communities. Of those issues, language and culture, education, employment, and mental and emotional health were of top importance to AI/AN youth. AI/AN youth suggest making educational institutions safer and culturally affirmative learning places. Their suggestions include implementing AI/AN people’s history into curriculum, providing spaces for AI/AN youth to gather and support one another, and conducting more research on effective disciplinary strategies for AI/AN youth to encourage better attendance and end the school-to-prison-pipeline trend. These youth argue that institutions such as foster care and the criminal justice system play a huge role in removing AI/AN youth from their families and destroying culture.

Additionally, CNAY (2017) suggests several ways to improve mental health data, including coordinating with the 12 Tribal data epicenters throughout the country and ensuring data are not misclassified. The CNAY also notes a paramount need for better and culturally relevant mental health resources. AI/AN youth suicide and opioid use are crises and Tribal communities have the highest rates of both across all races & ethnicities. A greater understanding of the intersection of mental health and opioid use as well as a better inclusion of Tribal communities in developing strategies for tackling these issues is needed. A focus on AI/AN youth civic engagement is a strong theme throughout the report and many different AI/AN youth in a variety of capacities are highlighted, showing what they are doing to overcome issues affecting their communities. Protecting sacred sites, land, and waterways are movements often lead with a strong AI/AN youth presence; youth present mitigation and protection strategies as well as develop petitions, advocate, conduct research, and lead protest movements.

The Government Accountability Office (GAO) (2018) was asked to conduct a study analyzing the unique challenges AI/AN youth face in the justice system, the extent to which they are involved in justice systems, federal grant programs that could help prevent or address delinquency among AI/AN youth, and the extent to which Tribal governments and AI/AN organizations have access to them. They report risk factors such as high poverty and substance misuse make AI/AN youth susceptible to being involved with the justice systems at the state, federal, and local levels. GAO found that from 2010 through 2016, state and local arrests of AI/AN youth declined by almost 40 percent from 18,295 in 2010 to 11,002 in 2016, mirroring a nationwide trend across racial groups. While most AI/AN youth who came into contact with a justice system were involved in state and local systems rather than the federal system, AI/AN youth were overrepresented in the federal system (18% of youth) compared to their percentage in the nationwide population (1.6%), which is due to federal jurisdiction over certain crimes involving AI/AN people. Comprehensive data on AI/AN youth involvement in Tribal justice systems were not available for this analysis. GAO’s analysis showed several differences between AI/AN and non-AI/AN youth in the federal justice system. The majority of non-AI/AN youths’ involvement was for offenses against a person, while the majority of non-AI/AN youths’ involvement was for public order offenses (such as immigration violations or drug or alcohol offenses). In state and local justice systems, the involvement of AI/AN and non-AI/AN youth showed many similarities, such as similar offenses for each group.

This report addresses the risk factors AI/AN youth face; “exposure to violence; substance abuse; poverty; limited job market skills; and tribal communities’ limited funding for mental health, education, housing, and other services,” (GAO, 2018, p. 8); however, the report does not address systemic and historical factors such as racism, settler-colonialism, trauma, intergenerational trauma, profiling, police brutality, etc., where many risk factors originate and how cyclical issues continue.

American Youth Policy Forum with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Pearson, 2009) reviews project grants awarded by the OJJDP Tribal Youth Program (TYP), which supports Tribal efforts that prevent juvenile delinquency and improve the juvenile justice system for AI/AN youth. Its 2009 report reviewed findings from five different TYP site visits in 2007 and 2008 with the following Tribal communities: Confederated Tribes of Grand Ronde, Oregon; Mille Lacs Band of Ojibwe, Minnesota; Old Harbor Village, Alaska; Absentee Shawnee Tribe, Oklahoma; and Mescalero Apache Tribe, New Mexico. Programs were selected for review based on their program maturity and geographical diversity, and all Tribes reviewed were recovering from the effects of the 1954 Termination Act.

Focus groups and interviews with 137 individuals were conducted in these case studies, with a review of community experiences with the TYP program, their future plans for their youth, and reviews of the program from the youth perspective, with “Themes of Successes” and recommendations. The goal of these case studies was understanding how these programs work in communities, to better understand how to strengthen youth in Indian Country. Each community used the TYP funding in ways relevant to their community needs, their resources and capacity, and Tribal history and future goals/plans. In all the communities reviewed, TYP seemed to be the only after school and weekend program for AI/AN youth, engaging families and building networks with Tribal and other partnerships. Statistics show that the TYP is decreasing delinquency and risky behaviors amongst youth (Pearson, 2009). Themes that emerged from youth views about TYP included:

- gives them opportunities to use their time productively,
- helps them learn about their culture,
- creates opportunities for them,
- helps them avoid negative behaviors and manage their problems, and
- helps them improve school performance.

Gorn (2016) also conducted a study of TYP programs, which included a summary of evaluations, funding, program needs, and methodology, as well as an extensive list of recommendations from the Tribal communities themselves. The author’s overall conclusion supported the expansion of TYP programs to further serve youth and Tribal communities due to numerous successes and positive outcomes. Gorn reviewed the key components of the “Resource Basket TTA Center,” whose purpose is to help rural Alaskan Native communities support healthy, resilient, and culturally connected AI/AN youth. This Center aims to shift the focus from the negative to the positive, reframing youth from “problems to fix” to future leaders and culture bearers. In a study conducted with First Nation youth in Canada, Sasakamoose, Scerbe, Wenaus, and Scandrett (2016) found connections with culture, family, and community served as protective factors against symptoms of mental health issues and risks associated with historical loss and grief. These authors suggest a strengths-based approach to First Nation youth mental health is crucial, shifting perceived deficits away from individuals and placing mental health problems into the appropriate context, e.g., residential schools, colonization, etc. The authors also describe how using yoga is a means to aid neurodecolonization, connect with mind and body, and heal negative effects of colonialism.

Sasakamoose et al. (2016) argue there is a pressing need for innovative health-based interventions for Aboriginal youth that consider cultural beliefs and practices of each Aboriginal group under study. They also suggest recognizing resilience and viewing health holistically to understand and address the health-related concerns of First Nations, Métis, and Inuit (FNMI) youth. The authors conclude more programs

like this can help youth respond to trauma by teaching strategies, coping mechanisms, and neurodecolonizing practices, and increasing development of positive adaptive responses.

The Centers for Medicare & Medicaid Services (CMMS) conducted a series of descriptive case studies examining how certain states engage in consultation with Tribes and obtain the advice and input from programs operated by the Indian Health Service, Tribes, or Tribal organizations under the Indian Self-Determination and Education Assistance Act, or urban Indian health organizations under Title V of the Indian Health Care Improvement Act (Marx, 2013). Case studies examined Washington, Oregon, and Minnesota as three states that have a perceived history of successful State-Tribal consultation. This study did not focus on issues or consultation policies, it highlighted the perspectives of both State and Tribal representatives interviewed for this project on successful and unsuccessful consultation efforts in implementing policy changes to the Medicaid and Children's Health Insurance (CHIP) programs. Lessons learned may help implement successful State-Tribal consultation plans elsewhere. This report includes names of Tribal organizations contacted and a legal overview of federal consultation requirements.

Marx (2013) reported overall positive State-Tribal processes. Respondents noted that involvement and support of Tribal and State leadership, an established State-Tribe relationship, and genuine, meaningful, and open communication were most important to successful consultation. In contrast, respondents noted barriers to successful consultation included obstacles created by consultation requirements, including overdemand for consultation, State or Tribal staff turnover, and resource limitations preventing participation in consultations. The report concludes with an extensive list outlining recommended strategies for effective consultation, including—but not limited to—a suggestion to “acknowledge the sovereignty of tribal nations by engaging collaboratively in consultation as equal partners. Identify and work toward shared goals and outcomes. Ensure ongoing training in tribal history, state-tribal relations, and consultation protocol for state and tribal staff, particularly those involved in the consultation process” (Marx, 2013, p. 7).

Tribal Healing to Wellness Courts

There have been significant studies addressing the effectiveness of Tribal Healing to Wellness Courts (Flies-Away, Garrow, & Sekaquaptewa, 2014; Jackson, Mackin, Rodi, & Van Schilfgaarde, 2017; OJJDP, 2017 a, b and c; Panasiewicz, Panasiewicz, & Van Schilfgaarde, 2017). The Office of Juvenile Justice Delinquency Prevention (OJJDP, 2017 a) defines Tribal Juvenile Healing to Wellness Court (TJHWC) as a judicial system promoting accountability, healing, and Tribal life-ways for court-involved youth who suffer from addiction to alcohol and illegal substances. A system of rewards and consequences, or sanctions and incentives, may be implemented within TJHWC to support youth behavior change. This system can help youth on their path to wellness. OJJDP's fact sheet presents five suggestions with explanations on how to develop a reward and consequence atmosphere. They include understanding youth behavior, conferring with the team, being creative, looking to the community, and reflecting (consistently reviewing the team's processes) (OJJDP, 2017 b). TJHWC applies focused judicial responsiveness in conjunction with treatment, mentorship, cultural connectivity, and community engagement to support youth sobriety, wellness, and future autonomy with a holistic, individualized, case plan to support the wellness and healing of the individual while also providing for accountability. Designed in collaboration with Tribal perspectives, blending Indigenous knowledge and western bodies of knowledge, the TJHWC overarching goals are to support systematic change and to increase positive legal system outcomes for AI/AN youth. TJHWC is not limited by common judicial practices or conventional court procedures; therefore, this model has a unique opportunity to create the best possible outcomes and problem solve for AI/AN youth (OJJDP, 2017 c).

The OJJDP developed the “Tribal Healing to Wellness Court–specific resource” (2017 a) to help support Tribal justice systems and courts. This publication gives a history and overview of drug courts and how they have been adapted to better fit Tribal justice systems. It also provides a description of challenges, including implementing traditional customs, high proportions of alcohol abuse cases, and resource limitations. The Bureau of Justice Assistant (BJA) describes the evidence-based “Seven Program Design Features” alongside the “Tribal 10 Key Components” (Flies-Away, Garrow, & Sekaquaptewa, 2014) and explains that multiple components can be applied to the seven BJA features and should be kept in mind when applying for funding as the Bureau gives priority for program using these components in their design. However, the authors argue no research has been done to review how these components could be used in TJHWC and are specifically designed for state drug courts. The Ten Tribal Key Components discussed are as follows (Flies-Away, Garrow, & Sekaquaptewa, 2014):

- 1) Individual and Community Healing Focus: Using a team approach to achieve physical and spiritual wellbeing and to promote community wellbeing and Native-nation building.
- 2) Referral Points and Legal Process: Participants enter wellness courts through various referral points that promote tribal sovereignty and legal (fair) due process.
- 3) Screening and Eligibility: Eligible court-involved substance-abusing parents, guardians, juveniles, and adults are identified early through legal and clinical screening for eligibility and are promptly placed into the Tribal Healing to Wellness Court.
- 4) Treatment and Rehabilitation: Tribal Healing to Wellness Court provides access to holistic, structured, and phased alcohol and drug abuse treatment and rehabilitation services that incorporate culture and tradition.
- 5) Intensive Supervision: Participants are monitored through intensive supervision including frequent and random drug and alcohol testing. Participants and families benefit from team-based case management.
- 6) Incentives and Sanctions: Incentives (rewards) or sanctions (consequences) are used to encourage participants to comply with wellness court requirements.
- 7) Judicial Interaction: Ongoing involvement of the Tribal Healing to Wellness Court judge and wellness court team and participants is essential.
- 8) Monitoring and Evaluation: Process and performance measurement and evaluation are tools used to monitor and evaluate the achievement of program goals, identify needed improvements to the Tribal Healing to Wellness Court and to the tribal court process, determine participant progress, and provide information to governing bodies, interested community groups, and funding sources.
- 9) Continuing Interdisciplinary and Community Education: Promote effective Tribal Healing to Wellness Court planning, implementation, and operation.
- 10) Team Interaction: The development and maintenance of ongoing commitments, communication, coordination, and cooperation among Tribal Wellness Court team members, service providers and payers, the community and relevant organizations, including the use of formal written procedures and agreements, are critical for success.

Additionally, OJJDP developed a TJHWC handbook (2017 c) outlining processes and supportive tools used in the TJHWC. No two TJHWCs are alike and this handbook is designed to support both newly developing and established TJHWCs. It is an introductory resource that does not make final determinations related to the components that should be included within all TJHWCs. Sections are designed to support teams that may be working through a strategic planning process to implement or expand a TJHWC—explanations, detailed action plans, and worksheets such as reflections are included

in the handbook. The handbook is divided among three sections: Planning, Implementation, and Service Provision for Tribal Youth, with each section providing detailed, culturally appropriate methods on how to identify and implement the resources given. Authors note that substantial incorporation of two resources— “Tribal Healing to Wellness Courts Ten Key Components, 2nd Ed., developed by the Tribal Law and Policy Institute” and “The Juvenile Drug Treatment Court Guidelines, Office of Juvenile Justice and Delinquency Prevention, 2016”—inform this handbook.

The Tribal Law and Policy Institute developed the Tribal Healing to Wellness Court (THWC) Publication series, and the second edition of the THWC Treatment Guidelines (Panasiewicz, Panasiewicz, & Van Schilfgaarde, 2017). The goal of the Tribal Healing to Wellness Court treatment model is to greatly reduce the recidivism rate of alcohol-and drug-misusing defendants, and to reflect the application of Western-style drug court approaches to traditional AI/AN dispute resolution and healing processes, which include physical and spiritual healing. These guidelines draw upon national drug court standards and best practices, and the experiences of hundreds of adult and juvenile drug court programs, operating in various environments and serving a wide range of individuals addicted to alcohol and/or other drugs, and are meant as a guide for Tribal courts to adopt practices applicable to them along with traditional healing practices. The authors explain THWC contribute to the ongoing community and nation-building process of Indigenous Tribal governments and must be adapted and guided by each Tribal community.

NPC Research (Jackson, Mackin, Rodi, & Van Schilfgaarde, 2017) presented at the “National Association of Drug Court Professionals” conference in 2017. They provided an overview of the Gottlieb Process/Outcome Study (2005) highlighting successes and challenges of this research. The study integrated Tribal-specific, culturally relevant treatment (on reservations) aimed to reduce recidivism. NPC described lessons learned from a study of a Tribal/County collaborative treatment court focused on adults with charges of Driving While Intoxicated (DWI). The presentation reviewed results from a 10 key component review and process, outcome, and cost analyses. A comparison group had a significantly higher chance of rearrests than the DWI court program participants (65% fewer arrests) 1 year after their initial DWI arrest. High risk/high need participants benefited the most from the program compared to the comparison group and low-risk people had slightly worse outcomes than the comparison group. Additionally, a cost study was examined, which showed cost benefit per participant would save courts \$8,946 due to reduced recidivism and projected the 3-year savings would be \$22,365 per person (Jackson, Mackin, Rodi, & Van Schilfgaarde, 2017).

Although, the NW-TJJA is not considering the implementation of a TJHWC, the TJHWC model provides a framework for understating how juvenile justice systems can work with Tribal communities to promote accountability, healing, and Tribal life-ways for court involved youth who suffer from addiction to alcohol and illegal substances.

Tribal Best Practice

Over 20 years ago, Evidence Based Practices (EBP) were identified as a policy and research agenda with the goal of improving outcomes related to mental health and substance use among children. Tribal communities quickly developed criticism of EBP, specifically that EBP was not responsive to the unique characteristics of the intervention population, for example their age, context, community norms and other life experiences. Tribal prevention advocates and Indigenous researchers began to promote Tribal Best Practices (TBPs) in place of EBPs, because EBPs were not tested on AI/AN populations and it is believed EBPs are not necessarily effective tools for meeting the needs of AI/AN people (Cruz & Spence,

2005; Kelley, Witzel, & Fatupaito, 2017). These advocates developed both a framework and adaptation tools, based on oral traditions, observations, intuition, and metaphysical realms. TBPs are value based with a subjective body of evidence that spans thousands of years. Elders and community members carry the knowledge and intellectual wisdom of a Tribe that constitutes a TBP. Using a TBP template developed by Cruz (2019) and the State of Oregon and the authors worked collaboratively with Tribal prevention coordinators to identify TBPs they were using in substance misuse prevention efforts.

To address the gap in prevention literature and to support the use of TBPs in the prevention of AI/AN youth substance use, Kelley, Witzel, & Fatupaito (2017) reviewed programming in three Northern Plains tribes. First, the team attended a 2-day training in May 2015, offered by Caroline Cruz, an expert in the field, to document TBPs used to prevent substance use in AI/AN youth. Using a TBP template developed by Cruz and the State of Oregon, the authors worked collaboratively with Tribal prevention coordinators to identify TBPs they were using in substance abuse prevention efforts.

These TBPs are evidence that communities have practices in place to address substance use and build resilience among AI/AN youth. Other TBPs that are being implemented by Tribes involved in the prevention initiative include horseback and healing rides, run/walk events, traditional sweat lodge, Sundance, talking circles, powwows, community “block party” gatherings, beading, sewing, canoe journey, and preparation of traditional foods. Empirical evidence was not the goal of these TBPs; Tribes know these practices work. However, to meet funding agency demands, evaluations were developed and administered by the Tribe with assistance from the evaluation team. Even though these TBPs have never been documented in this manner, they have been used for thousands of years.

Cruz and Spence (2005) provide recommendations for Oregon Tribes; Oregon Tribes should be allowed time to develop research and evaluation tools relevant to their communities, Tribes should be briefed on the intent of SB 267 and given potential impacts, and Tribes should be allowed to classify programs as being culturally validated or culturally replicated by a panel of Indigenous researchers.

Repeatedly, two common recommendations appear from every study, article, and report: give Tribes more control over their juvenile justice systems and reduce the reliance on secure detention; and allow Tribes to create programs where AI/AN youth involved in the juvenile justice system can have access to TBP, cultural activities, and culturally specific prevention interventions. However, Rolnick (2016) argues these goals are nearly impossible to implement. One major factor is the convoluted and confusing jurisdictional web AI/AN youth reside in causing them to be invisible and neglected in state and federal systems and ill-served in Tribal systems. Another factor is the lack of accurate and consistent data surveillance systems.

Statement of the Problem and Research Questions

American Indian and Alaska Native Youth

As of 2017, there were an estimated 5.6 million people who were classified as AI/AN alone or in combination with one or more other races. This racial group comprises 1.7% of the total U.S. population (Office of Minority Health Website). Demographically, the AI/AN population is younger than other segments of the U.S. population, making them particularly vulnerable to adolescent health concerns. Approximately 33% of the AI/AN population is under the age of 18, compared to 26% of the U.S. total population (Office of Minority Health, 2015). AI/AN youth are disproportionately impacted by high rates of alcohol and substance use, which increase their eligibility for Office of Juvenile Justice and Delinquency Prevention (OJJDP) programs and services. To improve health and safety outcomes for AI/AN youth, OJJDP programs and services must be responsive to their unique worldview and social context.

There is a clear need for further research in this domain. Relatively little is known about AI/AN youth delinquency patterns, including the types of crimes and severity of crime committed on or off reservations (Indian Law & Order Commission, 2015). Comprehensive data addressing Tribal, state, and federal juvenile justice are lacking due to complex jurisdictional issues in Indian Country (U.S. Department of Justice, 2015). Criminal jurisdiction can vary depending on the location of the crime (on or off reservations), the type of crime (major crime, victimless crime), the offender's identity (American Indian, Non-American Indian), and the victim's identity (American Indian, Non-American Indian, or victimless crime) (Rolnick & Arya, 2008). These data are not collected consistently across jurisdictions. The OJJDP requires funded programs to gather "disproportionate minority contact" data, but many states do not gather these data on AI/ANs (for example, in the Pacific Northwest, Washington does, Oregon and Idaho do not).

While the data are inaccurate and inconsistent, it is clear that AI/AN youth are overrepresented in juvenile justice systems. AI/AN youth are more likely than White youth to receive the most punitive sanctions, a large proportion of the federal juvenile justice population comprises AI/AN youth, and AI/AN youth served more than double the tribal justice system maximum sentences (U.S. Department of Justice, 2011) (OJJDP, 2016). OJJDP (2016) reported that when comparing AI/AN youth to White youth, controlling for prior record, offense type, gender, and age, AI/AN youth experience unequal treatment within many juvenile justice systems. This disparity is compounded by lack of access to health services, behavioral health treatment and prevention services, and culturally responsive affordable legal services for AI/AN youth.

Northwest Tribes

The Northwest Portland Area Indian Health Board (NPAIHB) is a Tribal nonprofit organization that serves the 43 federally recognized Tribes in Oregon, Washington, and Idaho (Pacific Northwest or NW). The NPAIHB has collaborated with the NW Tribes, states, federal agencies, and community partners on AI/AN health research, surveillance, and policy change for over 35 years. The location of AI/AN reservations in the Pacific Northwest is shown in Figure 1.

Figure 1: Map of member Tribes in Oregon, Washington, and Idaho

Over 344,000 AI/ANs reside in OR, WA, and ID, representing 6.6% of the nation's AI/AN population. Indian reservations are widely dispersed across the NW. The Tribes vary in size, culture, and location, ranging from the Confederated Tribes of the Yakama Nation with about 10,000 enrolled members; Umatilla and Warm Springs in OR, and the Colville in WA with about 2-4,000; to smaller reservations throughout the 3-State region, with <1,000 enrolled members each.

AI/AN in the Pacific Northwest differ from the general population on several demographic, social, and economic measures (Table 1) that contribute to juvenile justice outcomes.

Table 1. Selected demographic and socio-economic characteristics for AI/AN and the total population in Idaho, Oregon, and Washington.

	AI/AN	Total population
Median age (years)	29.8	37.0
Percent of population between 10 and 24 years of age ^b	26.0	20.6
Percent of adults with less than a high school degree	15.6	10.2
Unemployment rate among people 16 years and older	10.8	6.6
Median per capita income (dollars)	\$16,155	\$25,925
Poverty rate	27.1	15.5
Childhood poverty rate	31.4	20.5
Percent of households receiving Food Stamp benefits	32.3	15.5
Percent of population without health insurance	23.8	15.6

All data from U.S. Census Bureau 2010-2012 American Community Survey 3-year estimates except: b. 2010 Census American Indian and Alaska Native Summary File.

As a result, AI/ANs in the NW experience numerous health and safety disparities. Life expectancy at birth for Northwest AI/ANs is 6.8 years lower compared to non-Hispanic Whites in the region. Compared to Whites, Northwest AI/ANs are twice as likely to die from unintentional injuries, diabetes, chronic liver disease, and homicide. According to Department of Justice (DOJ) records, AI/AN youth in this region experience disproportionate rates of juvenile justice involvement (OJJDP, 2017 c).

In a summary of Oregon juvenile justice data (Johnson & Mackin, 2018), AI/AN youth had increased property crime rates in 2016, in contrast to other racial groups that experienced declining rates over the prior 4 years. AI/AN youth also had increased detention admissions in Oregon (while most other groups have seen declines) over the prior 4 years. AI/AN youth were overrepresented in the proportion of the

population with a school disciplinary referral and are the only racial group with notably higher rates of out-of-school compared to in-school suspensions (that is, most groups are more likely to get an in-school suspension when they get in trouble; AI/AN youth are more likely to get sent out of school). The graduation rate, while increasing for other groups, is not increasing at the same rate for AI/AN students in Oregon. AI/AN students had a 65% graduation rate for 2017-18, compared to 79% overall.

In Washington, AI/AN youth represent 1.9% of the population, 5% of the juvenile justice involved youth, and 6% of detained youth. AI/AN youth were more likely to have misdemeanor-only offenses (56%) and felonies (6.1%) than other groups. AI/AN youth were more likely to receive special education services than any other race/ethnicity at 15.5%, and 64% are on free and reduced priced lunch plan, while 14.8% of AI/AN juvenile offender dropped out of high school.

Idaho, unfortunately, does not make AI/AN juvenile offender data publicly available. The last report to be published on disproportionate minority contact was in 1994. Fortunately, more recently, two grant-funded efforts have provided some limited juvenile justice by race, by the National Center for Juvenile Justice and the Idaho Statistical Analysis Center (see Data Surveillance section of this report).

Tribal-Researcher Partnerships

To address research needs identified by Tribes in our region, the NPAIHB guided a multi-stakeholder planning process to collaboratively design a study that aligns with DOJ research priorities, to:

- Identify, test, and expand best practices that improve juvenile justice systems for Tribes in the Pacific Northwest,
- Ensure that non-Native justice systems are improving life outcomes for AI/AN youth who interact with their services, and
- Build Tribal capacity to access and utilize data that support quality improvement at the community-level.

Members of the NW Tribal Juvenile Justice Alliance (NW TJJA) used the 18-month planning process to identify promising practices, in preparation for rigorously evaluating and disseminating systems of care that improve juvenile justice outcomes for AI/AN teens and young adults in the Pacific Northwest, focusing on “Juvenile Healing to Wellness Courts” programs (Purpose Area 8) and Tribal Youth Programs (Purpose Area 9).

Program Aims

The current project aimed to convene, monitor, and support collaborative research and surveillance activities carried out by a network of research partners and community experts. The research team planned and facilitated 6 regional planning meetings and quarterly NPAIHB Board Meetings.

- **Hypothesis 1:** Joint timelines and data collection tools will improve inter-agency coordination, ensuring that each partner’s research and surveillance activities are successfully carried out.
- **Hypothesis 2:** The collaborative planning process will inform the identification of best practices that improve juvenile justice systems for Tribes in the Pacific Northwest.
- **Hypothesis 3:** Collaborative planning activities will improve the coordination and rigor of our resultant DOJ study.

Methods

Our research and planning partners are deeply committed to using community-based participatory research (CBPR) methods, and to research that informs public health practice. The team is experienced using CBPR to engender collaboration and involve communities in the research process (Minkler & Wallerstein, 2003). CBPR embraces:

- local participation in research,
- immediate use of research products to address local needs,
- steps to minimize power discrepancies between researchers and participants, and
- praxis resulting in local empowerment.

We aimed to foster a mutually beneficial learning environment between Tribes, AI/AN youth, and regional stakeholders to guide the study's scope and design, collection of data, interpretation of results, and dissemination of findings. Data were collected utilizing several methods: NW TJJA meeting notes, focus groups, key informant interviews and surveys. The inclusive, iterative planning process worked to ensure all research partners actively weighed in on and contributed to research decisions, and in doing so, improved the scientific rigor and feasibility of our resultant study design.

NW Tribal Juvenile Justice Alliance: To fulfill our proposed aims, the Northwest Portland Area Indian Health Board formed a collaborative inter-tribal workgroup – the NW Tribal Juvenile Justice Alliance (NW TJJA). The NW TJJA comprised 43 stakeholders including juvenile justice professionals from state agencies including probation, corrections, youth and family and rehabilitative services, Tribal law enforcement, and human services from Washington, Oregon, and Idaho. Additionally, the Alliance included Tribal youth. The NW TJJA convened six times over 18 months to identify culturally relevant juvenile justice interventions, best practices, and sources of available data (to improve local decision-making). Informed by this information, Alliance members guided the design of a study to evaluate and disseminate juvenile justice best practices for AI/AN youth in the Pacific Northwest, aligning with DOJ research priorities.

2019 NPAIHB THRIVE Conference Stakeholder Focus Group: The THRIVE conference goal is to provide youth with positive protective factors (i.e., creative self-expression, healthy coping skills) that build cultural pride/resilience in themselves and teach new skills for youth to take back to their communities. On June 27, 2019, the NW TJJA took the opportunity to gather information from Tribal stakeholder perspectives on issues related to Tribal juvenile justice issues, by hosting a stakeholder focus group with AI/AN youth chaperons who attended the THRIVE conference. These participants have a specific experience supporting youth in their respective Tribal communities and have localized knowledge about the extent and nature of Tribal juvenile justice issues and needs.

Participants shared what programs or services their communities offer, what they have seen that has been effective, and what gaps in services there are. Participants identified several programs and services they believed to be effective, including restorative justice programs, collaborative efforts with local law enforcement, and cultural activities such as the Canoe Journey and Healing of the Canoe prevention intervention. Specifically, participants identified a need to work with families “creating opportunities for family bonding (like Canoe journey) [they don’t have activities at home that are promoting bonding]; activities where the family can learn together; then look for opportunities to sneak in a little [culture].

The family approach is really effective for us. They provide incentives – youth didn't have the motivation to join in." One theme was centered on "culture as prevention," accessing cultural activities, cultural programming, opportunities for "rites of passage" for youth, and community spaces for youth and family to gather.

Participants also identify gaps in services. "Programs and services in our community are not consistent, and referrals/assessments are optional (court has different levels), it feels like at-risk youth often slip through the cracks, until things escalate (we see them again several years later and the situation is serious). Even when youth are assessed, the language used for referring to treatment is unclear and there is miscommunication." Additionally, participants identified the need for including youth in the decision-making process and to include family services.

There were plans to follow up with this group at the 2020 THRIVE conference by holding another stakeholder focus group to present findings and to gather stakeholder feedback on the proposal of the continuation of the NW TJJA project, but due to the COVID-19 crisis, the conference was cancelled and there are no plans to reschedule.

Quarterly NPAIHB Board Meeting: The 43 NW Tribal Delegates meet quarterly to discuss health promotion activities carried out by NPAIHB staff. NW TJJA staff attended quarterly board meetings to update the NW Tribes on the status of NW TJJA priorities, plans, and data collection efforts; to interpret and contextualize study data; and to disseminate effective interventions, policies, and practices. The NW TJJA project was presented to the delegates on January 15, 2020 and was discussed during the Behavioral Health Workgroup during the quarterly board meeting. NW TJJA staff presented a project update, providing an opportunity for questions and feedback during this presentation. During the meeting, delegates of the Washington Tribes brought up a concern that the state of Washington Department of Children Youth and Family does not have a Tribal Youth Advocate who is actively working with the federally recognized Tribes of the state. These delegates also provided resources and identified Tribal youth programming as best practice programming.

We had plans to follow up with this same group at the July 2020 meeting by holding another stakeholder focus group to present findings and to gather stakeholder feedback on the proposal of the continuation of the NW TJJA project, but due to the COVID-19 crisis, the conference was cancelled and there are no plans to reschedule.

Northwest Portland Area Indian Health Board Youth Delegate Focus Group: Youth Delegates are AI/AN youth who represent the Tribes in Idaho, Oregon, and Washington. They collaborate to share their voice on health programs and policies and to learn more about health and wellness careers. Youth Delegates serve a 1-year term (with the current delegates' term running from July 2019 – June 2020), and are the official youth policy body for the Northwest Portland Area Indian Health Board and its member Tribes. This diverse group of AI/AN youth (ages 14-24) must be enrolled members or a descendant of one of the 43 NPAIHB member Tribes located in Idaho, Oregon, and Washington. Youth Delegates provide recommendations to the NPAIHB and other state and federal agencies about health programs and policies that affect young people.

On January 20, 2020, at the NPAIHB Quarterly Board meeting, the NW TJJA team conducted a focus group with 5 of the Youth Delegates to ask questions about the impact of the juvenile justice system on their communities and suggestions for the NW TJJA to develop programming to address these issues (Appendix A). Each participant brought personal, cultural, and knowledge about the juvenile justice

system, as well as ideas on how to improve and break barriers associated with incarcerated youth. A major concern among participants was avoiding recidivism. A few ways that they suggested preventing youth from entering the system was implementing programming and policy changes. Since staff turnover is an issue when it comes to working with the juvenile justice system and Tribal communities, participants recognized the need to make change at a policy level, such as adding questions to intake forms used to identify youth. These added questions would help increase access to resources for youth and allow Tribal communities to help their citizens. Another concern was addressing the environment that youth found in the system come from. For many youths who are incarcerated, transgenerational trauma, disconnection to culture, internalized colonization, and systemic racism all factor into the behavior displayed and can lead some to become involved in the justice system. The need for truth and reconciliation as well as understanding each individual's situation will help identify how to keep them from entering the system. With a lack of resources, which Tribal communities face in a number of ways, communication between Tribes and the juvenile justice system seemed to be another avenue to preventing recidivism. Giving youth the opportunity to meet with people within their Tribe helps create connections and relationships to their people. This factor is important, especially when programs such as the Youth Academy and Healing Lodge have had such success in connecting youth to their cultures. Furthermore, the creation of programs that work to educate, break stigma, include culture, and create opportunity for youth after they exit the system were voiced as priorities. As youth begin their lives, the need for preventative measures such as keeping community centers open late and providing mentors are integral to guiding them down the right path and away from the justice system. This needs assessment will help create those opportunities for youth that will change how policy impacts them and will work to decrease the growing number of AI/AN youth found in the juvenile justice system.

Oregon Nine Tribes Prevention Focus Group: Oregon AI/AN youth services staff, managers, and leaders have been meeting on a quarterly basis for over 20 years. The location of the meetings rotates between the Tribes, which take turns hosting the gatherings. They invite partners from collaborating organizations and state agencies to share information and receive feedback as well. The NW TJJA staff and contractor have been attending these meetings to both provide information about the NW TJJA project and to gather information and build collaboration with the Oregon Tribes. This group has been quite vocal about issues related to Oregon Youth Authority (OYA; Oregon's state-level juvenile justice agency) data surveillance systems and services that Tribal citizens have access to. The OYA Tribal Liaison position participates in the Oregon Nine Tribes meetings and provides critical resources to this group. The OYA Tribal Liaison was identified as a key stakeholder and interviewed for this report. Additionally, we identified the Oregon Nine Tribes meeting as an opportunity to conduct a focus group to provide guidance on the development of the NW TJJA project.

On December 4, 2019, the NW TJJA held a stakeholder focus group with participants of the Oregon Nine Tribes Prevention meetings. These participants have specific experience in prevention and treatment in their respective Tribal communities and have localized knowledge about the extent and nature of Tribal juvenile justice issues and needs.

Focus group participants highlighted the importance of culture and how in many instances there is a lack of resources available for Tribes to help AI/AN youth transition back into the community. Unlike in adult populations, some Tribal communities feel that they “don't have anything specific for youth transitioning from facilities to communities” which can create a cycle of criminal behavior. The need for culturally relevant and inclusive programming for AI/AN youth transitioning back into the community is essential to decrease and ultimately break the cycle, which will work to improve life for Tribal youth. Many who work with youth and the juvenile justice system reiterated how it “isn't much of a system at

all. It's broken." Tribal communities are all too familiar with this broken system as the number of AI/AN youth are disproportionately represented within the system. The lack of access to resources further perpetuates the increasing number of AI/AN youth within the juvenile justice system and was mentioned multiple times throughout the focus group. Alongside several other systemic and institutional issues, it was agreed that "barriers to Tribes having these programs is funding, staff turnover, being in rural areas" as well as lack of communication, state mandates, and outreach protocols. Without these needs met, Tribal communities' ability to address youth who are in the system or who are returning to the community is limited.

Although there is work being done to improve and decrease the number of AI/AN youth in the juvenile justice system, the importance of prevention was on the minds of those in the group. There was agreement for the need to develop "local infrastructure and capacity" to "get ahead of it [criminal behavior] before they are in the system." We need "training, funding... We need to do more at the front end, more prevention." Those who work with AI/AN youth understand the need for culturally relevant and appropriate programming to help keep youth out of the system and on a good path. There are barriers that needs to be addressed, which will help in the development and maintenance of such programs to help youth. In order to "give kids a better shot at being successful" special attention must be paid to the concerns Tribal communities and experts express, and how these concerns can be addressed to aid in creating healthier generations now and in the future (Appendix B).

Native American Rehabilitation Association of the Northwest (NARA) Annual Conference Adult and Youth Survey: This conference is focused on addictions treatment and recovery. Keynote speakers, general sessions, and cultural activities highlight various aspects of addictions treatment and recovery processes with AI/AN children, adults, and families. NW TJA took this opportunity to gather information about people's perspectives related to Tribal juvenile justice issues. Surveys were collected between November 13 and 15, 2019. A copy of the full report can be found in Appendix C.

Adult conference attendees, aged 21 to 73 years, completed 41 surveys. The average age of respondents was 43 years. Respondents were asked about their racial/ethnic background and instructed to *choose all that apply*.¹ The results are listed in Table 1.

Table 1. Race/Ethnicity of Adult Respondents

Race/Ethnicity	Percentage
American Indian/Alaskan Native	78%
White	22%
Hispanic/Latino/Latinx	17%
African American	5%
Asian/Pacific Islander	2%
Other	2%

¹ Because this question is "select all that apply" the total does not equal 100%.

Ten youth who attended the conference completed surveys. They ranged in age from 14 to 18 years old. The youth were asked about their racial/ethnic background and instructed to *choose all that apply*.² The results are listed in Table 2.

Table 2. Race/Ethnicity of Youth Respondents

Race/Ethnicity	Percentage
American Indian/Alaskan Native	80%
African American	30%
Asian/Pacific Islander	20%
White	20%
Hispanic/Latino/Latinx	10%
Other	0%

When asked about their gender, 90% indicated *female* and 10% indicated *male*.

Key Informant Interviews: Through the NW TJA meetings and attendance at the Oregon Nine Tribes meetings, the project staff identified key stakeholders in Washington, Oregon, and Idaho. Stakeholders in Idaho did not respond to requests for interviews. Additionally, we connected with Dr. Sujata Joshi, who is a data surveillance specialist at the NPAIHB.

- Sujata Joshi: December 10, 2019** – Sujata Joshi, MSPH, has served as Project Director of the Northwest Tribal Epidemiology Center’s IDEA-NW project for 7 years. In this role, she oversees data linkages to address misclassification of AI/AN people in health datasets, analysis of data to understand the health status and disparities experienced by Northwest AI/AN communities, and dissemination of data to Tribes and other partners. Ms. Joshi has over 13 years’ experience as an epidemiologist. Prior to joining NWTEC, she served as an environmental epidemiologist for the State of Oregon and a Tribal epidemiologist for the Inter-Tribal Council of Arizona.
- Katie Staton: February 5, 2020** – Katie Staton is Tsimshian, enrolled in Sitka Tribes of Alaska. She currently is the steward for the Many Nations Longhouse at the University of Oregon. For 5 years she was the Tribal Liaison/Native American Programs Coordinator for Oregon Youth Authority. In this position she acted as the liaison between OYA and AI/AN serving agency in the Portland area, the nine Tribes of Oregon, as well as all Tribes of the United States.
- Leslie Riggs: February 27, 2020** – Leslie Riggs is an enrolled member of the Confederated Tribes of Grand Ronde. He is the Tribal Liaison/Native American Programs Coordinator for Oregon Youth Authority. In this position he acts as the liaison between OYA and the nine tribes of Oregon, as well as all tribes of the United States. He works with other Tribal partners, such as NARA, foster care providers, and the Department of Human Services. He works with the various parole and probation offices throughout the state and provides direct services to Tribal youth in OYA’s care.
- Derwin Decker: February 12, 2020** – Derwin Decker is Modoc, enrolled Klamath Tribes, and is the Native American Services Coordinator for the Oregon Youth Authority, Office of Inclusion and Intercultural Relations. He has 2 years’ experience working at MacLaren Youth Correctional

² Because this question is “select all that apply” the total does not equal 100%.

Facility. This position requires him to consistently educate others on Native American history, rights, and other issues as well as advocating for tribal youth and youth who identify as Native American.

- **Stanley Nix: February 18, 2020** – Stanley Nix is enrolled Alaskan Native Tsimshian and Haida and is also part Cherokee. He works as a Juvenile Rehabilitation Counselor Assistant (JRCA) with the Washington Youth and Family Rehabilitation Department as the Evidence Based Program (EBP) Tribal Outreach Specialist. He has worked for the State of Washington for 22 years, 11 years inside institutions (4 years as a Native Group leader, 7 years as a Culture Programs Co-Coordinator) and 11 years in Parole. Mr. Nix is an American Indian/Alaskan Native advocate, supporter, and consultant for agency program/policy development and provides EBP Tribal cultural enhancements developed in partnership with interested Tribal communities.

Project Findings

Data gathered through this project identified two needs to be addressed that impact AI/AN youth involved in the juvenile justice system 1) data surveillance and a need to improve inter-agency coordination with Tribes to better support the needs of AI/AN youth involved with and transitioning out of corrections; and 2) the need for Tribal Best Practices (TBP) and cultural activities to be made available for AI/AN youth who are involved in the justice system.

Data Surveillance

During this project, we did extensive exploration, through online searches, phone outreach, and interviews with key stakeholder, about the status of data on AI/AN juvenile justice-involved youth in Idaho, Oregon, and Washington. As mentioned above, only limited data were publicly available for Idaho and Washington.

Idaho: The National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, compiled juvenile justice data and system-level information for Idaho through a grant from the MacArthur Foundation that is available online (<http://www.jigps.org/idaho>). Their information presents arrest, detention, and commitment by race. The Idaho Statistical Analysis Center, through funding from the Bureau of Justice Assistance, compiled data in 2018 about justice-involved youth.³ This report lists the proportion of youth in custody by race (e.g., 2% are American Indian) but does not report other data by race. However, there do not appear to be juvenile justice data for youth in Idaho routinely available to the public.

Washington: The State of Washington passed a law in 2016 requiring an annual report of juvenile detention and the first report was produced by the Washington State Center for Court Research (WSCCR) in 2017.⁴ This report provides demographic information including race (AI/AN) of youth admitted to detention that year by county. Statewide, 5.1% of youth were identified as AI/AN. WSCCR also produced a report in 2016 looking at juvenile justice recidivism for a cohort of youth from 2013.⁵ The report indicates that it is the first recidivism report involving youth within a decade. This report

³<https://isp.idaho.gov/wp-content/uploads/sites/16/documents/CharacteristicsandOutcomesofJustice-InvolvedYouthInIdaho.pdf>

⁴<https://www.courts.wa.gov/subsite/wscrr/docs/2016DetentionAnnualReport.pdf>

⁵<https://www.courts.wa.gov/subsite/wscrr/docs/2013%20Juvenile%20Recidivism%20in%20Washington%20State.pdf>

found AI/AN youth were 3.3% of dispositions, 2.8% of diversions, and 4.1% of adjudications., The JJGPS produced comparable data for Washington State (<http://www.jjgps.org/washington>) that was described above for Idaho. Washington does not appear to have a system for making juvenile justice data for youth routinely available to the public.

Oregon: Comparatively, Oregon has a comprehensive data collection and reporting process. Their data system, the Juvenile Justice Information System (JJIS),⁶ is used throughout the juvenile justice system, for both county and state level staff and programs, including community-based and facility-based services. Oregon produces summary reports annually that are posted online, and some data are presented by race. Data are also available by request at the individual (youth) level for research purposes. There are some limitations to the system but OYA staff is currently working with the JJIS team to implement several enhancements, including fields to gather Tribal membership or affiliation.

Culture as Prevention, Treatment, and Healing

“Culture as prevention,” i.e., access to culturally responsive treatment and activities, was a consistent theme that was identified throughout this project. The NARA conference survey respondents, youth and adults, shared thoughtful perspectives on AI/AN youth in the juvenile justice system. There were two themes that were very strong throughout the responses. The first was *culture* and the second was *treatment services*. During the NPAIHB Youth Delegate focus group, NW TJJA meetings, and the Oregon Nine Tribes meetings, participants shared concerns that AI/AN youth do not have access to treatment options, or activities, that include their culture.

Mental health treatment, especially for trauma, was a clear theme throughout the responses. Not only is more mental health, substance misuse, and trauma informed treatment needed, but one insightful youth in the NARA survey wrote about countering the stigma associated with seeking help for mental health issues. Substance use treatment was included as a needed form of intervention. However, there was also some acknowledgment that it had been implemented in the juvenile justice system.

Culture was noted in the context of prevention and intervention. Interestingly, it was also noted that the criminal justice system could be improved for AI/AN youth by implementing Tribal courts and having more American Indian staff. Cultural activities, such as powwows, sweats, and drumming, and more overall support from Elders and the AI/AN community were suggestions. The key informants echoed this finding, and suggested that the Oregon Youth Authority and the Washington Youth and Family Rehabilitation Department fund and support efforts to develop policy and hire staff to ensure that AI/AN youth involved in the juvenile justice system have access to culturally responsive treatment and cultural activities.

The NW TJJA members identified two potential areas for further exploration: Tribal Best Practices (TBP) and the adaptation of the Screening, Brief Intervention, and Referral to Treatment (SBIRT) to AI/AN youth. There is not a one-size-fits-all TBP because all Tribes and their needs are not the same. Disparities for AI/AN youth create funding gaps for communities that need it most. TBP should be based on the community and cultural needs of AI/AN youth.

SBIRT represents an innovative, evidence-based approach to addressing substance use with medical patients. Its core components include:

⁶ JJIS: https://www.oregon.gov/oia/Pages/jjis_data_eval_rpts.aspx

- Regular and universal screening in the medical setting, regardless of medical complaint.
- Universal and routine use of validated screening tools.
- Consideration of substance use as a continuum rather than a dichotomous “addicted versus not addicted” judgment.
- Use of patient-centered change talk versus directive, prescriptive talk.
- Facilitating smooth, bidirectional transitions between primary care and specialty addiction treatment.

Reclaiming Futures is an organization that works with local jurisdictions to implement developmentally appropriate and evidence-based treatment responses sustained by community supports. Reclaiming Futures has adapted SBIRT with two Tribal communities, Yurok and Southern Ute Tribes. Through a collaborative process, Reclaiming Futures was able to adapt the SBIRT utilizing the following principles (Elkin, 2019):

- Engagement: Screening as an engagement opportunity
- Trust and Respect: A clearly communicated attitude of trust, respect, and appreciation for the youth’s perspective
- Discovery: Exchanging the usual assessment framework for one of coached but self-directed discovery for the youth
- Cultural Resonance: Walking the “Path Forward” emerged as a powerful metaphor to use
- Empowering: Trusting youth to make choices & chart their own life path
- Healing: Acknowledgement that the path forward may require healing and support
- Community Support: Not about the youth alone – acknowledges role of family and community
- Restorative: A circle process that addresses the need to restore ties and to mobilize support

The Southern Ute and Yurok SBIRT adaptations have helped juvenile justice service agencies to provide substance use screening for Tribal youth and to refer youth to services and care.

It was identified through the key stakeholder interviews, the Oregon Nine Tribes focus group, and the youth focus group, that there are Tribal community members who would like to volunteer with Oregon Youth Authority and Washington Youth and Family Rehabilitation Services. Currently there are obstacles in each state that hinder the recruitment and retention of these cultural advocates to access juvenile justice agencies to provide support to AI/AN youth. Nearly every person who participated in this project identified having cultural advocates from Tribal communities to provide cultural activities, access to cultural medicines, and mentorship as a primary objective.

Conclusion

This Tribal-Researcher Capacity-Building project highlighted the need to expand data collection and communication efforts between juvenile justice agencies and Tribes in the Pacific Northwest, and to assist juvenile justice agencies with better systems for monitoring AI/AN youth they are serving.

For the next phase of the project, we propose the following activities related to developing data infrastructure:

1. Start work with Oregon and its Juvenile Justice Information System (JJIS), since it has the most mature system and process for collecting, utilizing, and sharing data.
 - a. Work with JJIS staff to enhance data elements
 - i. Consider adding culture, community strengths, and an acculturation scale
 - ii. Change/simplify the data entry system that allows multi-racial youth to select all races that apply; ensure staff know to enter all applicable races
 - b. Work with JJIS staff to enhance staff training
 - i. Ensure staff throughout the county juvenile departments and at the state level are using race and Tribal identification/membership fields (drop down menu with nine Oregon Tribes and other Tribal affiliation); ensure staff are asking all youth if they identify as AI/AN.
 - ii. Ensure staff are letting Tribal Liaison(s) and AI/AN American Programs Coordinator know if AI/AN youth enter custody, change facilities, or leave a facility (ideally prior to release to help with the transition). They also should be notified if a youth is sent to isolation, is on a sleep program, or is on suicide watch.
 - c. Develop communication protocols and train staff to communicate earlier regarding Multidisciplinary Team meetings so Tribal representatives or family members can be invited.
 - d. Work with JJIS staff to summarize data to share with Tribes, such as:
 - i. What kinds of crimes are youth being adjudicated for?
 - ii. What key factors are contributing to these crimes being committed?
 - iii. Where are AI/AN youth in the juvenile justice system?
 - iv. How many AI/AN youth are served?
2. Identify and work with juvenile justice system information technology staff in Idaho and Washington to develop their data systems using Oregon as an example of strategies that can work.
3. Interview additional key stakeholders, including Tribal representatives who are liaisons with OYA, to identify how best to facilitate communication between Tribes and county/staff juvenile justice staff.
4. Provide funding for wraparound services, transportation (e.g., so family can visit youth in facilities [hotel/gas], so youth can attend community events and get to services), housing (for youth when they are released from a facility), community prosocial activities, additional outreach workers and activities coordinators, Native-specific mental health care (especially trauma treatment) in the community, and cultural education/training for staff.
5. Recruit and retain a pool of volunteers to act as cultural advisors in the juvenile justice system and through transition into the community. Provide a stipend to cover expenses including, but not limited to travel, liability insurance, and supplies.

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Appendix A: Tribal Youth Focus Group – Theme Matrix

Avoid recidivism	Programming Environment	Prevention Policy changes	Data surveillance Communication
Primary concerns	Jurisdictional issues Complex situation Prevention	In-take forms - add question Asking about ethnicity/tribal affiliation Protection	Trauma Advocates for youth Healing
Factors	Peer pressure Lack of resources Systemic racism	Disconnection/identity Tribal legitimacy Internalized colonization Accessibility issues	Jealousy Environment Hidden impact/transgenerational trauma
Examples	Youth academy (culture, communication, investment, mentors)	Healing lodge NARA	NAYA
Priorities	Sovereignty/Tribal rights Prevention Training around sovereignty Truth and reconciliation	Educate Break stigma/self-fulfilling prophecy Collaboration	Inclusion of cultures, community and mentors Native-only facility Create opportunity

Appendix B: Oregon Nine Tribes Collaboration Focus Group – Theme Matrix

Tribal concerns	State mandates Waiting Communication with tribes Confidentiality conflict MDT	Outreach Lack of notification Identification of bad behavior vs. criminal behavior Tribal sovereignty	Lack of tribal notification Advocacy needed Defining behavior (bad vs. criminal) - escalation Need for healthy activities
Barriers	Barriers Lack of funding Staff turn over Tracking Lack of youth programming No specific programs	Rural areas Transportation Identifying youth Intake forms Broken system Need for healthy activities	Juvenile employees Geographic barriers Near tribe vs. not Timelines Identification issues Paperwork conflict
Next steps	Research on isolation Suggestions Best practices Developing infrastructure and capacity	Collaboration with schools Prevention measures Virtual meetings	School to prison pipelines in tribal communities/schools Increase school involvement
Personal circumstances	Family	Stigma	Substance use

	Generational/intergenerational Lack of support (family)	Personal struggles Unidentified Native youth	Cycle Lack of opportunity
Institutional issues	Access Lack of inclusivity Programs not tribally specific Paperwork logistics Misidentification	Lack of consistency Scheduling of PO, treatment manager, etc. Identification issues Multi-racial	Intake forms Procedures Ethnicity identification Paperwork conflict Institutional confusion
Confusion	Jurisdiction Confusion Responsibility Lack of communication	Complicated Reciprocal Procedures Identification	Confusion Tribal readiness Intake forms
Community Differences	Regulations Cultural relevance	Transition difficulty Enrollment	Native/Non-native access
Available resources	OYA support and trainings (youth resources - mentorship) Virtual meetings Cultural mentorship	California example Alaska example - peace circle Available tribal resources	Cultural practices Handbook Peer mentor programs

NW TRIBAL JUVENILE JUSTICE ALLIANCE

Adult and Youth Juvenile Justice Survey Summary

FEBRUARY 2020



Submitted to:

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Submitted by:

NPC Research
Portland, OR

NW TRIBAL JUVENILE JUSTICE ALLIANCE SURVEY SUMMARY

In November 2019, the Northwest Portland Area Indian Health Board conducted surveys of adult and youth attendees at the NARA Spirit of Giving conference about their perspective of issues and services in the juvenile justice system as they relate to Native youth. The following summary contains the results of those surveys.

Adult Survey

Adult conference attendees, aged 21 to 73 years, completed 41 surveys. The average age of respondents was 43 years. Respondents were asked about their racial/ethnic background and instructed to *choose all that apply*.⁷ The results are listed in Table 1.

Table 1. Race/Ethnicity of Adult Respondents

Race/Ethnicity	Percentage
American Indian/Alaskan Native	78%
White	22%
Hispanic/Latino/Latinx	17%
African American	5%
Asian/Pacific Islander	2%
Other	2%

When asked about their gender, 56% answered female, 37% answered male, and 2% answered trans. Five percent of the survey respondents did not answer this question. Respondents were also asked what type of connection they had (if any) to the juvenile justice system. Thirty-seven percent of the respondents indicated that they had a personal connection, while 22% indicated they had a professional connection to the juvenile justice system; 41% did not have a connection to the juvenile justice system.

⁷ Because this question is “select all that apply” the total does not equal 100%.

PERCEPTIONS ABOUT NATIVE AMERICAN YOUTH INVOLVED WITH THE JUVENILE JUSTICE SYSTEM

Next, the survey had open-ended questions related to perceptions of the juvenile justice system. Responses are categorized into themes and summarized below. All answers to these questions are included as Appendices A-D.

Next to each theme heading is a percentage that represents the proportion of respondents whose answer contained that theme.⁸ Some responses contained more than one theme. In those cases, sentence sections that were not associated with the theme were removed.

Question #1: When you think about Native American youth who are part of the juvenile justice system, what is the main question or concern you have?

For this question, the main questions or concerns from respondents fell into 10 themes. An additional five fell into an “Other” theme. The six most popular themes are explained below. The remaining four are listed at the end of this section. Respondents each gave one answer and 40 respondents (98%) wrote something in response to this question.

Culture & Traditions (28%)

The greatest number of responses was associated with whether youth in the juvenile justice system have exposure to Native American culture and traditions. For example:

- Are values and traditions included?
- Cultural traditions are not being offered.
- Access to culture/understanding of unique cultural needs.
- That their culture is honored.

Fair Treatment & Equal Representation (15%)

The next most common theme had to do with Native American youth being treated fairly and being represented equally in the juvenile justice system. These are a sample of the responses:

- Fair treatment without prejudice.
- Are they being treated fairly?
- Are they being fairly represented in the legal system?

Community & Tribal Support (15%)

Different forms of support that youth in the juvenile justice system might need were mentioned in answers to the question, including Tribal support, family support, and teachers. Some of this support was described as it related to health services, urban resources, and outreach work. A few of these answers include:

- I think about how the community could support the youth, outreach works from Tribes and urban support resources.

⁸ Percentages represent the proportion of response out of all responses, excluding respondents who did not answer.

- What support system do they have at home, within their community or resources they can access?
- No involvement with community or people to support them.

Mental Health & Trauma (13%)

The themes of general trauma, family trauma, and generational trauma were included in some of the answers. Trauma-informed care and counseling were logical extensions of that theme. A sampling of this theme includes:

- Awareness, family trauma, treatment services.
- I worry that they are under supported, misunderstood, not receiving trauma informed care.
- Counseling the hurt.

Institutionalization (13%)

Respondents expressed concern about youth being “lost” or “stuck” in the criminal justice system. They were worried about patterns of behavior due to a lack of support or rehabilitation services.

- Becoming institutionalized, it's a critical time in life, don't want them to believe there isn't hope.
- I worry about youth becoming lost in the system and becoming institutionalized due to lack of rehabilitation.
- I worry about people getting lost in the system, family etc.

General Support (13%)

General support for youth once they are released from detention came up as a theme in some of the answers.

- What kind of support do they have once they are released?
- Support for them after they are released.
- No involvement with community or people to support them.

Other themes that came up less often than the previous six included Rehabilitation Efforts (10%), Substance Abuse Treatment (5%), Institutional Racism (5%), and Prevention (5%).

Thirteen perspectives did not fit into any of the above themes but are included in the list of all answers at the end of this document (Appendix A). Next, respondents were asked about how the juvenile justice system could be helpful.

Question #2: What is the most important thing the juvenile justice system can do to help Native American youth?

Themes to this question were grouped into nine categories plus a category for “other” that contained nine responses. Thirty-nine respondents (95%) wrote something in response to this question.

Culture & Traditions (49%)

Nearly half of all responses indicated the most important thing the juvenile justice system could do for Native American youth is connection to and practice of culture. Some of the responses are highlighted here:

- Provide resources and guidance for reconnecting with culture.
- Provide cultural teachings and support ceremony and sweats.
- Use their culture to help them heal and heal them down the right path – the Native path.
- Support cultural activities, recruit Native volunteers.
- I think maybe allow them to practice their cultural ceremonies and allow elders to come speak.
- Allow them to practice and learn their cultural ceremonies and traditions. Allow them to have cultural support.

Family, Tribal & Community Support (18%)

The support theme has some overlap with the theme of culture, but is focused more on the community, community members, and family.

- Place with other native families, education of the native culture, have native staff on board with resources.
- Community integration, cultural connections.
- Allow them to have cultural support. I think early intervention and family support is important before entering the system.

Mentorship (10%)

The idea of Tribal volunteers or mentors, also having cultural significance, appeared in the answers.

- Recruit native volunteers.
- Mentors from other nations.
- Connect them back to their tribe and mentors.
- Peer mentor and housing.

Prevention & Intervention Programming (10%)

Some respondents listed programs or program areas that they thought were important.

- If the child is not involved in the community, possibly a magnet program.
- Help intervene and educate the youth.
- Taking youth to a different organization or offering extra support.

Trauma & Substance Use Treatment (10%)

Respondents felt that mental health and substance use treatment were important to achieve the goal of helping Native American youth.

- Give them the option to take self-help groups.
- Trauma informed care.

- Help them get into a better living situation and rehab.

Question #3: What is the best thing you've heard about juvenile justice-related services for Native American youth?

Next, the respondents were asked to list the best thing they had heard about the juvenile justice system. There were 36 answers (88% of respondents) that fell into four themes. There were 5 answers that fell into the "other" theme.

Implementing Culture as Intervention (44%)

Cultural persons, programs, and practices were in almost half of the responses as the best thing about juvenile justice-related services.

- The Multnomah county juvenile center...has cultural appropriate programs for Native American youth,
- That they work with the Tribal communities and hear their voice regarding the needs of Native Youth.
- They are open to the idea of cultural services.
- They have some programs, sweats.
- The Tribal liaison position.
- I have heard of some places that allow ceremonies,

Youth Programming (22%)

Respondents were familiar with organizations that served Native American youth and they suggested these were the best thing about the juvenile justice system.

- NARA Youth Services.
- NAYA services.
- I know there is a youth treatment center.

Nothing (22%)

The same proportion of respondents who identified programs for Native American youth indicated that they did not know of anything that could be described as "best" about the juvenile justice system.

- I have not heard of anything.
- I am not sure they can help youth out.
- I have heard nothing.
- Honestly nothing.

Marginalized Groups (6%)

Finally, respondents identified females and transgender individuals as groups who were marginalized in the system.

- It's difficult for transgender thru the system such as; two spirit.

- Often females do not get services as frequently.

Question #4: What is one thing the juvenile justice system could do better for Native American youth?

There were 39 answers (95% of respondents) to the question about doing something better. These responses contained seven themes plus 10 responses that fell into an “other” category.

Cultural Practices & Activities (33%)

Not surprisingly, the central role of culture came up again; this time as something the juvenile justice system could do better for Native American youth. Some of those responses are listed here:

- Allow special escorted trips to Tribal homelands for the ability to help obtain closure and growth within their current challenge.
- Make more cultural activities available.
- Have culturally specific services that have will impact them in a healing way.
- Bring cultural practices into treatment services and encouraging family involvement.
- Help them get in touch with culture.
- They could provide them with more cultural solutions.

Native American Criminal Justice Personnel (10%)

Respondents repeated an earlier idea about Tribal Courts being helpful. However, answers indicated that there could be better representation of Native Americans in all personnel roles related to juvenile justice.

- Tribal Court.
- Keep the culture coming, Tribal courts.
- Having culturally specific juvenile court and counselors.
- Get more Native judges, court workers.

Therapy & Counseling (10%)

Mental health treatment services were a recurring theme. Different types of treatment, including culturally competent treatment, were suggested.

- Bring cultural practices into treatment services.
- Listen.
- Give them help such as therapy and counseling.

Family Involvement (8%)

The role of the family was important to improving the system for Native American youth. Sometimes ideas were general and other times they were specific to treatment orientation.

- Do family well checks.
- Encouraging family involvement.
- Relate more of the family.

Native American Education (8%)

Education was a theme that emerged. Specifically, Native American education was noted as a way to improve the system. However, life skills and vocational learning were also listed.

- Just to allow them to learn more about their heritage.
- Education resources college or trade school.
- Education of Native children.

Hope, & Dignity, Respect (8%)

Some of the responses seemed to be directed at personal interaction with elements of the juvenile justice system and a need for respect and compassion.

- More options on how to continue to give one their dignity and keep one feeling like humans.
- Just be understanding, sensitive and respecting of individual backgrounds.
- Give them hope.

Youth Survey

Ten youth who attended the conference completed surveys. They ranged in age from 14 to 18 years old. The youth were asked about their racial/ethnic background and instructed to *choose all that apply*.⁹ The results are listed in Table 2.

Table 2. Race/Ethnicity of Youth Respondents

Race/Ethnicity	Percentage
American Indian/Alaskan Native	80%
African American	30%
Asian/Pacific Islander	20%
White	20%
Hispanic/Latino/Latinx	10%
Other	0%

When asked about their gender, 90% indicated *female* and 10% indicated *male*.

PERCEPTIONS ABOUT NATIVE AMERICAN YOUTH INVOLVED WITH THE JUVENILE JUSTICE SYSTEM

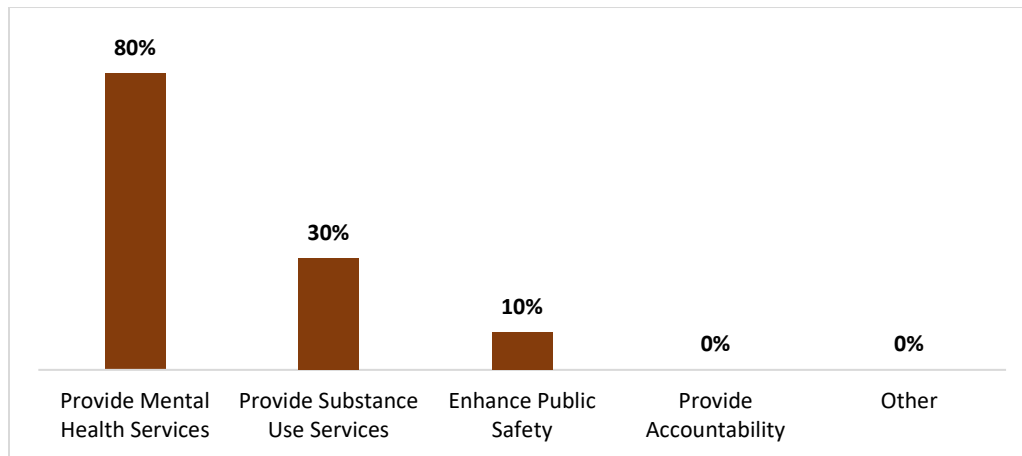
Just as with the adult survey, the youth survey contained questions related to perceptions of the juvenile justice system. Due to the small number of respondents, all youth responses are covered in this section.

For the first question, there were five answer options and youth were permitted to select more than one option, unlike in the adult survey. Youth were asked, “**What is the most important thing the juvenile justice system can do to help Native American youth?**” “Provide Mental Health Services” was the most popular answer, with 8 of the 10 respondents choosing this option. The next most popular

⁹ Because this question is “select all that apply” the total does not equal 100%.

option was “Provide Substance Use Services,” which was chosen by 3 of the 10 respondents. Finally, one youth chose “Enhance Public Safety” and no one chose “Provide Accountability” or “Other.” These results are shown in Figure 1.

Figure 1. What is the Most Important Thing the Juvenile Justice System Can Do to Help Native American Youth?



Youth were asked to describe their answer choice(s) to the previous question. Eight youth (80%) responded to this question. The only theme that was mentioned by more than one person was the availability of substance use and mental health treatment services. This was a strong theme, present in seven of the eight responses (88%).

One respondent expressed their perspective nicely when they wrote, “*I personally feel that... many have issues with their mental health. If you can help them with that problem, they could understand themselves better and maybe make a difference in their lives.*” The remaining treatment services-related answers are listed next.

Substance Use & Mental Health Treatment Service (88%)

- I hear a lot of "look at the drunk Native" although I don't really believe it, I feel like when those cases arise that there should be help.
- I think that helping with mental health services will help because a lot of youth Native Americas struggle a lot with trauma growing up.
- Pay for rehab.
- So they know how important mental health is.
- I feel a lot of Native Americans are stereotyped, so providing all services would very helpful I hope.
- I believe mental health and substance use [treatment] would be beneficial.

The eighth respondent wrote that they were not familiar with the juvenile justice system.

Next, the youth were asked, “**What is the best thing you've heard about the juvenile justice system for Native American youth?**” Six of the youth (60%) answered this question. Three youth indicated they had

not heard of anything. Two respondents wrote about cultural activities. The following is a list of all the responses to this question.

- I haven't really heard much, but I have a lot of opinions.
- I haven't heard of anything.
- I have not heard anything about it.
- Thrive¹⁰ because all different tribes come together and do fun activities and its very helpful.
- I've never heard about it. Allowing for powwows at correctional facilities and opportunity to practice and keep in touch with their culture and identity.
- I've never heard of it.

Respondents were then asked, “**What is one thing the juvenile justice system could do better for Native American youth?**” Eight youth (80%) wrote answers to this question. Three youth spoke of culture and three spoke of mental health or substance use treatment. A thoughtful respondent wrote, “Just help with working through trauma and helping youth realize we have support and reaching out doesn't mean we are weak.”

Other answers related to **treatment** were:

- Mental health services
- Provide mental and drug services and being more supportive of their culture.

Answers related to **culture** were:

- Drumming.
- Being more supportive of their culture. Such as involving them in their cultural activities.
- Teach more cultural things.

Answers that did not fall within a theme were:

- Provide the right schooling.
- Treating the cause of poor decisions rather than punishing the results of them.

Youth were asked if they had any experience with the juvenile justice system and then they were asked about their specific experiences. No youth responded to these questions; however, one respondent wrote that “Thrive, suicide prevention, treatment and counseling,” were helpful juvenile justice programs.

Finally, youth were asked if they had any additional comments. Two youth responded to this question:

- Culture is one of the best ways to stay away from drug addiction, abuse and other harmful lifestyles. Allowing for practicing of culture will help native youth stay out of the juvenile justice system.
- Fund basketball.

¹⁰ This comment likely refers to the annual summer *conference* for Native youth ages 13-19 called THRIVE, put on by the Northwest Portland Area Indian Health Board.

Summary

All respondents, youth and adults, shared thoughtful perspectives on Native American youth in the juvenile justice system. There were two themes that were very strong throughout the responses. The first is *culture* and the second is *treatment services*.

Culture was noted in the context of prevention and intervention. Interestingly, it was also noted that the criminal justice system could be improved for Native American youth by implementing Tribal courts and having more Native American staff. Cultural activities, such as powwows, sweats, and drumming and more overall support from Elders and the Tribal community were suggestions.

Mental health treatment, especially for trauma, was a clear theme throughout the responses. Not only is more treatment needed, but one insightful youth wrote about countering the stigma associated with seeking help for mental health. Substance use treatment was included as a needed form of intervention. However, there was also some acknowledgment that it had been implemented in the juvenile justice system.

APPENDIX A. ALL RESPONSES TO OPEN-ENDED QUESTION #1 (ADULT SURVEY)

Q: When you think about Native American youth who are part of the juvenile justice system, what is the main question or concern you have?

- Counseling The Hurt
- What/who is missing from the equation? Parents? Teachers? Spirituality
- I think about how the community could support the youth, outreach works form Tribes and Urban support Resources
- Becoming institutionalized it's a critical time in life don't want them to believe there isn't hope
- How could their problems been prevented
- I worry about youth becoming lost in the system and becoming institutionalized due to lack of rehabilitation
- I worry about people getting lost in the system, family etc.
- What happened, how can I be of assistance, what do you need, eat sleep
- what support system do they have at home, within their community or resources they can access
- Are the juveniles treated equal?
- Why do the Native folks have such a high % of youth in the system? How can you reduce then numbers?
- What is the curriculum being taught? Are values and traditions included? Are they receiving fair and appropriate representation
- How did they end up there? and at a young age will they be guided for a way out?
- Awareness, family trauma, treatment services
- I worry that they are under supported, misunderstood, not receiving trauma informed care
- Support for them after they are released
- where their rights protected
- Do they know the resources the tribes have for them. Are they actually engaged in the tribal health and services. Do they have anyone at Tribal health they feel comfortable talking with?
- Access to culture/understanding of unique cultural needs
- No involvement with community or people to support them. Cultural traditions are not being offered
- I think it is very sad. We need to look at systems we can put into place to prevent from entering the system
- Are they getting support for their trauma and generational trauma. Are they able to practice their cultural ways? Are their families involved in their treatment while incarcerated?
- What kind of support do they have once they are released. Are they being fairly represented in the legal system?

- I think about their safety but mainly their cultural religious practices
- What did they do? Were they in a good living condition and what was their family
- Are they getting to practice their spirituality
- Cultural alienation/assimilation, cultural activities available, suicide, less services for female youth
- That their culture is honored
- Incarceration because of no placement in foster care
- Is there going to be services or classes for them to help with their inner issues
- Are they being treated fairly, what brought them there
- Why are Native people targeted by the police?
- What cultural services are they [*unknown word*]
- Being stuck in the system
- Do they have a cultural outlet there? Can they do or do they have the ability to sweat? or culture club?
- How are they being supported in their culture
- Fair treatment without prejudices
- They won't learn right away. Be in and out of jail until an adult
- Are the opportunities for culture relevant classes or mentors
- Home imprisonment

APPENDIX B. ALL RESPONSES TO OPEN-ENDED QUESTION #2 (ADULT SURVEY)

Q: What is the most important thing the juvenile justice system can do to help Native American youth?

- Be Honest with Children
- If the child is not involved in the community, possible a magnet program
- Make a connection back to some resource for Native youth in the area, maybe have elders make a visit -support as much as you can.
- jail isn't the only way to help. take time to listen and show some empathy
- Help intervene and educate the youth
- They can give them life skills and 2nd chances
- help them get into a better living situation and rehab
- place with other native families, education of the native culture, have native staff on board with resources
- listen to the youth without judgement, Do soft hand off when taking youth to a different organization or offering extra support. Add culture to the system. A youth isn't a number, they are a member to a community who trailed off the and need guidance to their path.
- Respect their religion or beliefs sometimes, it difficult to have other understand about native culture
- Realize that a lot of the have different ways of learning their mainstream society!!! Continue culture activities and ceremonies.
- include values and traditions
- education on paths for the future. Keeping positive on how to re-enter back into society with grace.
- promote recovery services
- proper training for staff
- peer mentor and housing
- connect them back to their tribe and mentors
- provide access to culture and ceremony
- Community integration, cultural connections, Mentor form other nations
- Learn about Nature and culture. Development of culturally specific programs
- Allow them to practice and learn their cultural ceremonies and traditions. Allow them to have cultural support. I think early intervention and family support is important before entering the system.
- Creating traditional practices or program that give them hope and out positive futures
- I think maybe allow them to practice their cultural ceremonies and allow elders to come speak
- visit more often
- sweat lodge
- Support cultural activities, recruit native volunteers

- trauma informed care
- Emancipation of incarceration
- Give them the option to take self-help groups or talking circles
- Use their culture to help them heal and heal them down the right path -the Native path
- Alternatives to going to lock up
- Have cultural activities available
- Cultural recovery program
- Get down to their level somehow, be open to other traditions or background. Help them feel comfortable and give them the opportunity to feel that they belong once they are out and not just a statistic.
- Provide cultural teachings and support ceremony and sweats.
- they can do better
- More support groups
- Provide resources and guidance for reconnecting with culture
- let the home imprisonment [*unknown word*] feds be punishment

APPENDIX C. ALL RESPONSES TO OPEN-ENDED QUESTION #3 (ADULT SURVEY)

Q: What is the best thing you've heard about juvenile justice-related services for Native American youth?

- Place Native with Natives
- NARA Youth Services
- I feel that the prevention activities they to reconnect youth back to culture; sweats, drum etc.
- nothing
- NARA Youth Services
- Honestly nothing
- nothing
- I know there is a youth treatment center
- Haven't heard much. But would love to hear about things :). There is hope for our youth. The compassion for being there for the youth can make a difference.
- Its difficult for transgender thru the system such as; two spirit
- sweats and other cultural ceremonies
- that there are other in the community advocating for fair treatment and the continuing of traditions and values for Native youth who are incarcerated
- recovery is possible and advocated
- advocates and training to understand the root cause of the problem
- not sure
- NARA NAYA services
- Not heard of any, I believe in S OR they have a sweat lodge and powwow for youth
- Uhm...McClaren has a powwow
- I have heard nothing
- NA not heard of anything, but I do not work in the area
- I have heard of some places that allow ceremonies
- Native Culture is good for Natives and none alike
- [unknown word]
- offer sweats, often females do not get services as frequently
- NAYA
- I have not heard of anything
- I have not heard of anything
- getting workers who understand Native culture in place
- the Tribal liaison position
- They have some programs, sweats
- They are open to the idea of cultural services
- That they work with the Tribal communities and hear their voice regarding the needs of Native Youth

- I am not sure they can help youth out
- Sweat lodge
- The Multnomah county juvenile center located very close to I84 and Halsey has cultural appropriate programs for Native American youth
- all yourself by

APPENDIX D. ALL RESPONSES TO OPEN-ENDED QUESTION #4 (ADULT SURVEY)

Q: What is one thing the juvenile justice system could do better for Native American youth?

- Tribal Court
- Community involvement
- Have a MO with tribes for their youth. And for those who are not enrolled members. Has some kind of service for any Native youth.
- give them help such as therapy and counseling
- Not sure
- They could provide them with more cultural solutions
- help them get in touch with culture
- Education of Native children
- Gender talking circle with and Elder and MK. Education resources college or trade school. Life skills training
- help them understand their rights
- keep the culture coming, tribal courts
- more options on how to continue to give one their dignity and keep one feeling like humans because we all make mistakes we don't want to become these problems we want more (unknown word)
- do family well checks
- listen
- peer mentor
- international engagement
- not sure what they do
- provide access to C&C (see above)
- Remember they are human beings and need people from their tribes to interact and understand them.
- Having culturally specific juvenile court and counselors
- Bring cultural practices into treatment services and encouraging family involvement.
- Cultural and traditional programs
- just to allow them to learn more about their heritage
- more activities
- tobacco
- Recruit Native volunteers for female services
- more hands on and community
- help
- Give them hope
- Have culturally specific services that have will impact them in a healing way
- Get more Native judges, court workers and [unknown word] kids out of [unknown word]
- more cultural resources
- provide the same services for both boys and girls
- Just be understanding, sensitive and respecting of individual backgrounds

- Make more cultural activities available.
- I don't know if they are that good
- Have them do a daily check-in
- Allow special escorted trips to Tribal homelands for the ability to help obtain closure and growth within their current challenge
- relate more of the family [*unknown word*]