

Welcome to the Webinar Alternatives to Incarceration in Indian Country

*June 20, 2013
3:00 – 4:30 pm*



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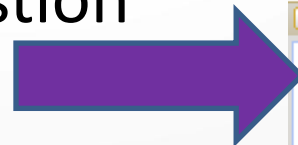


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If you have a question, you can submit that via the chat feature.

Simply type in your question here



X	Question	Asker

Objectives

- To define what is meant by Alternatives to Incarceration (ATIs) and discuss the importance of having ATIs along the justice continuum;
- To discuss no-cost; low-cost; and higher-cost examples of ATIs;
- To discuss strategies for and challenges of implementing ATIs;
- To highlight tribal communities that are successfully implementing ATIs in their community.



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Alternatives to Incarceration (ATIs) defined:

Responses to crime that do not
involve secure confinement



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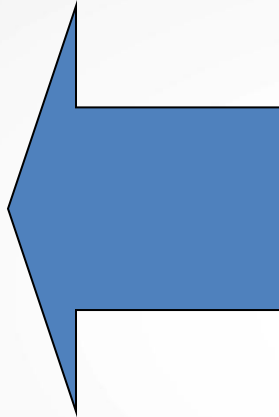
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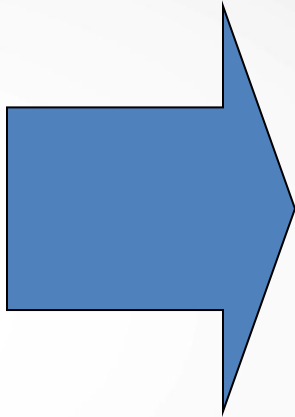
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Community
Supervision



Incarceration



Reentry
Services



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Who is in Tribal facilities?

- 99% of all crimes in Indian Country in the Southwest is attributable to alcohol/substance abuse
- 4 in 10 tribal offenders were held in local jails for alcohol related non-violent offense(s)
- In 2002 more than 57% were jailed due to technical violation(s)



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Tribal Law and Order Act (TLOA) Long Term Plan to Build and Enhance Tribal Justice Systems



August 2011



Tribal Justice Plan....

Addresses issues related to the
construction/renovation of
detention facilities

BUT

Spends a good deal of time
discussing the need for

*alternatives to
incarceration*



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No-Cost (virtually)

- Community Service Programs
- Elder's Panels/Sentencing Circles
- Work/School Release Programs



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Low Cost

- Home Detention/Curfew
- Mediation/Dispute Resolution
- Peacemaking Courts/Circles
- Specialty Courts
- Intermittent Sentences (*work/school release*)
- Programs utilizing Restorative Justice Principles
- Shock Incarceration/Probation
- Diversion Programs (drug court/teen court/



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Higher Cost

- Day Reporting Centers
- Electronic Monitoring Programs
- Halfway Houses
- Intensive Supervision Programs
- Probation/Reentry Programs



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Challenges to Implementing ATIs

- Cost
- Lack of information about variety of ATIs
- Community Support
- Leadership Support
- Staffing/Personnel
- Lack of facility/infrastructure
- Net-widening



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Benefits to ATIs

- Tailored Sentencing
- Cost Savings
- Public Safety
- Consistent with Tribal Attitudes
- Individualized Response to Crime/Behavior
- Menu of Options



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Mashantucket Pequot Tribal Nation Pretrial Intervention Program

Alternative to Prosecution

- Typically 1st Time Offenders
- Client must be amenable to rehabilitative process

Tribal Elders

- 3-Person Panel in addition to PTI Director
- Provide Oversight and Input from Tribal Community through Wisdom and Knowledge



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Lummi Nation

Alternatives to Incarceration

- Presented by Richard Hart
- Special Projects Officer / G.R.E.A.T Instructor
- Lummi Nation Police Department



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Lummi Alternative Programs

- Drug Court
- Re-Entry Court
- Deferred Sentencing
 - Plea Deals, no-jail time, extended probation
- Treatment in Lieu of Jail
- Probation EHM/GPS Monitoring
- High Risk GPS Monitoring (Police)
- Transitional Home (future plan)



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Intangible Benefits

- Community Relationships
- Positive Interactions with Offenders
- Officers Become Mentors
- Continuity of Service



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Tangible Benefits

- Reduced Jail Population
- Community Safety
- Reduction in Repeat Offenders
- High Success Rate
 - Lummi Program at 87.5% success in 2013 (to date)
- Cost Savings



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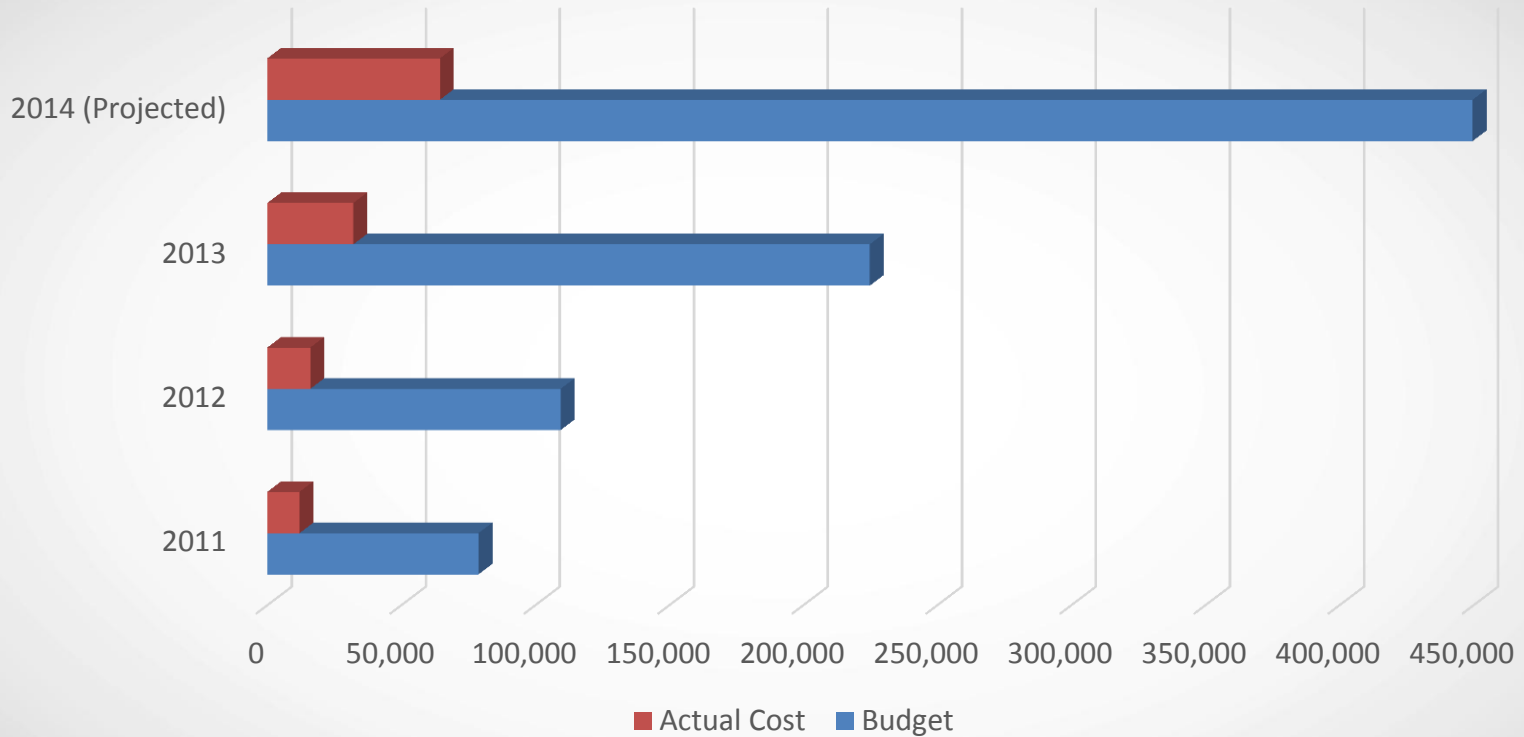
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Cost Savings



Clients: 2011 – 3 2012 – 4 2013 – 8 2014 – 16



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The What & Why of ATI for Tribal Youth Involved in the Tribal Juvenile Justice System

- 
- Increase Prevention Strategies
 - Increase Intervention Strategies
 - Increase of Asset Based & Holistic Youth Centered Approaches

- 
- Increase Family Involvement
 - Increase Community Supports
 - Increase of Cultural Teachings & Involvement

- 
- Decrease Reliance on Law Enforcement and Juvenile Detention Centers
 - Provide Non-Secure Options for Tribal Youth
 - Create Systematic Systems Change



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The What & Why of ATI for Tribal Youth Involved in the Tribal Juvenile Justice System

- Pre-adjudicated vs. Post-adjudicated ATI Programs
- Risk Levels are Appropriate for Program's services
- A Change in the Pattern of Detention Utilization
- Savings in Tribal Program Dollars
- Improvement in Public Safety
- Decrease in Juvenile Incarceration



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Developing ATI's for Tribal Youth in the Tribal Juvenile Justice System

- Examine current arrest rates, offense types, lengths of detention, recidivism rates
- Examine current pre, during, and post services offered to tribal youth and their families
- Identify potential ATI community partners and resources
- Secure Tribal & Community Leadership Support
- Develop Community Needs Assessment
- Develop Community Communication Plan
- Talking Circle/Focus Group with Youth involved with the JJ system



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No Cost/Low Cost/High Cost ATIs

- Restorative Practices & Healing Justice Services
- Ceremonies & Cultural Programs
- Service Learning
- Cultural Arts (Western & American Indian)
- Diversion Programs
- Mentoring Programs
- Equine Therapy
- Healing to Wellness Courts
- Peer Court
- Drug Court
- Circle of Care/Wrap Around Models of Case Management
- Educational Options
- Vocational Options
- Out of Home Placements
- JDAI



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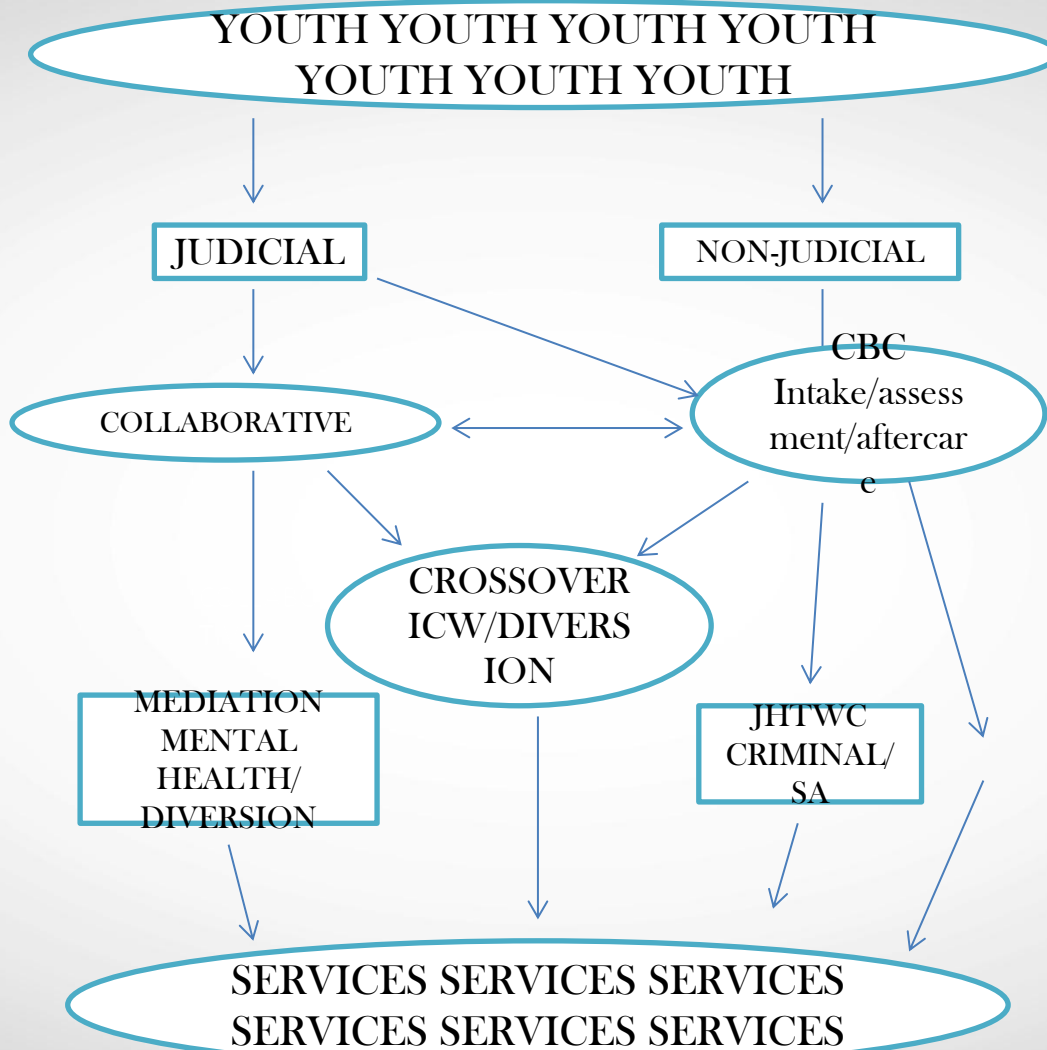


“Must Have Components for Tribal ATI”

- Empowering Youth & Family
- Promoting Healing From Trauma Caused by Physical and Psychological Abuse;
- Safe
- Weaving Family/Extended Family, Community, and Systems Together
- Substance Abuse & Behavioral Health Services Support
- Cultural Inclusion
- Appropriate Staffing & Training
- Data Collection & Evaluation



INDIAN COUNTRY YOUTH SERVICES MODEL



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Bamenim Anishinaabeg' "Care for the People"

Hon. Korey Wahwassuck
Leech Lake Tribal Court Judge



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Our Programs:

- Bamenim Anishinaabeg: “Care for the People”
- Juvenile Diversion
- Juvenile Delinquency
- Juvenile Re-Entry
- Adult Wellness (DWI/Drug) Courts



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Our Approach:

- Tribal-State Joint Powers Agreement
- Culture-specific; trauma-informed, strengths-based; family oriented; based on Ten Principles of Wraparound Process
- Focus on co-occurring disorders (mental health/substance abuse)
- Sustainability through reimbursement for services



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Our Partners:

- State District Courts/County Probation Departments
- Juvenile Detention Centers
- Treatment Facilities
- Local School Districts
- LLBO Departments/Divisions



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Resources Available from BJA

BJA ATI resources

Grant Programs

- Coordinated Tribal Assistance Solicitation – Purpose Area 3 (programming) www.justice.gov/tribal
- Coordinated Tribal Assistance Solicitation – Purpose Area 4 (facility infrastructure) www.justice.gov/tribal
- Drug Court Discretionary Grant Program www.bja.gov
- Justice and Mental Health Collaboration Program www.bja.gov

Training and Technical Assistance

- Tribal Justice and Safety Training and Technical Assistance <http://www.justice.gov/tribal/tta.html>



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Resources Available from OJJDP

OJJDP ATI resources

Grant Programs

- Coordinated Tribal Assistance Solicitation – Purpose Area 8 (TJDAG) www.justice.gov/tribal
- Coordinated Tribal Assistance Solicitation – Purpose Area 9 (Tribal Youth Program) www.justice.gov/tribal

Training and Technical Assistance

- OJJDP Tribal Youth Program website <http://www.tribalyouthprogram.org/>
- Tribal Justice and Safety Training and Technical Assistance <http://www.justice.gov/tribal/tta.html>



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Project

Tribal Correctional Options Technical Assistance Project

Contracting Agency: Bureau of Justice Assistance

Growing prison populations, mandated capacity limits on institutions, and tight budgets compel the development and utilization of innovative strategies for handling tribal offenders in ways that rehabilitate while ensuring public safety (Diggs, 2003). Further, the Tribal Justice Plan reinforces the need for and desire of tribal jurisdictions for correctional options/alternatives to incarceration.

The Bureau of Justice Assistance has awarded funds to the American Probation & Parole Association to provide office-based and on-site technical assistance to tribal jurisdictions seeking to explore, develop, or enhance correctional options/alternatives to incarcerations in their communities.

What are correctional options/alternatives to incarceration? They are programs designed to keep individuals out of correctional facilities and/or help individuals coming out of secure facilities transition back to the community (reentry).

Some examples of correctional options programs include:

- ❖ Day Reporting Centers
- ❖ Programs utilizing restorative justice philosophies
- ❖ Probation/Community Supervision programs
- ❖ Alternative Courts (healing to wellness courts, teen courts, elder panels, etc.)
- ❖ Halfway houses/Transitional Living Programs
- ❖ Work/school release programs
- ❖ Day Treatment Programs
- ❖ Electronic Monitoring Programs

▶ Available Products

- 📄 [Technical Assistance Request Form](#)
- 📄 [Why Correctional Options Make Sense for Indian Country \(presentation\)](#)
- ❖ [Information Sharing and Reentry - Overview](#) | [Participant Handout](#) | [Webinar \(wmv\)](#) | [Transcript](#)



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Please take a few minutes to take our survey. We do appreciate your feedback.

Thank you for participating today!
Have a great afternoon!



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