

# Oregon Youth Authority

## Senate Bill 770

### Government-to-Government Report

#### December 15, 2006

## **I. Introduction**

The Oregon Youth Authority (OYA) is the primary state agency involved in Oregon's juvenile justice system. The agency provides services for youth who are adjudicated offenders ranging in age from 12 to 25 years old.

OYA has legal or physical custody over approximately 2,000 youth offenders, of which approximately 88 are identified as Native American. Services include housing at one of the agency's six close custody facilities and four transitional facilities located throughout the state. OYA's field offices manage youth offenders who are either on parole from a close custody facility or who have been placed on probation to receive out-of-home services such as residential treatment or foster care as an alternative to confinement.

All OYA services are intended to provide public safety and accountability for youth offenders while providing reformation opportunities for those youth. The OYA engages tribal governments in two significant avenues: (1) in government-to-government relationships, as established in a Memorandum of Understanding with each tribe; and (2) through implementing and coordinating culturally relevant treatment services for Native American youth in OYA custody.

The following is a list of some examples of the collaborative efforts in 2006 between the OYA and tribes:

- Bob Jester, OYA Director, presented testimony on OYA services to Native American youth to the Legislative Commission on Indian Services (CIS).
- Solicited and received appointments from each tribe to the OYA Native American Advisory Committee.
- Assisted Native American youth to enroll in their tribes, and other case-specific services, including offering regular family Sweatlodge ceremonies, coordinating adoption of a baby born to a tribal youth in OYA custody, collaborating with tribes to provide culturally-specific services.
- Co-sponsored a training with the Cow Creek Tribe to educate juvenile justice and tribal staff from southwestern Oregon on government-to-government relationships, and the local, state, and tribal services and processes affected by those relationships.
- Collaborated with the tribes to assist in providing culturally specific interventions and services, and participating in multi-disciplinary meetings to develop case plans and transition plans for tribal youth in OYA custody.

This report provides an overview of both the government-to-government relationship between OYA and the Oregon tribes, as well as detail some of the culturally specific treatment and reformation services offered to Native American youth in OYA custody.

## **II. Government-to-Government Relationship**

Jack Lawson, the Oregon Youth Authority's Native American Coordinator, is the agency's lead contact in the government-to-government relationship between the OYA and tribes. Mr. Lawson can be contacted by phone at (503) 378-6973, or email at [jack.lawson@oya.state.or.us](mailto:jack.lawson@oya.state.or.us).

The government-to-government relationship, which exists between the OYA and Oregon tribes, is an enhancement of the OYA's mission of public safety, accountability, and reformation for youth offenders. In order to accomplish this mission, the OYA cannot operate in a vacuum from community partnerships. As sovereigns, tribal governments are crucial partners in a relationship with the OYA, which provide unique opportunities for the tribes to be involved with delinquent youth from their communities, while in the custody of the OYA.

The Oregon Youth Authority values the government-to-government relationships with Oregon's federally recognized tribes and is looking forward to the upcoming year to enhance and strengthen those relationships.

### **Disproportionate Minority Contact**

State law directs the OYA to address Disproportionate Minority Contact (DMC) in juvenile corrections. Under direction of the Governor's office, OYA plays a leadership role in planning and conducting the Governor's Summit on Minority Over-Representation in the Juvenile Justice System. This year's summit theme, "Disproportionate Minority Contact: Challenging the Myths and Overcoming Barriers through Research and Data," was held in Portland November 20, 2006. The summit included four presentations on tribal strategies to address delinquent behavior with Native American youth:

- Peace Giving Court: A Proven Restorative Justice Model
- Stop! Listen! Our Children are at Risk
- Tribal Juvenile Crime Prevention Data and Tribal Best Practices
- There are Many Paths to Follow: The Debate Around Evidence-Based Practices

The status of Native American youth and the role of tribes play important parts in identifying and addressing issues of Native American over-representation in the juvenile justice system. A couple of examples are the tribal Juvenile Crime Prevention programs which have been implemented in tribal communities, and the Peace Giving Courts of the Coquille and Coos, Lower Umpqua and Siuslaw tribes.

The U.S. Census Bureau in 2004 estimated Native American youth comprised 1% of Oregon's youth age 10-17. In OYA, the percentage of Native American youth in overall custody is 4%. This represents a disproportionate percentage of Native American youth in the juvenile justice system.

## **Memoranda of Understanding**

In establishing the government-to-government relationship with Oregon's tribal governments, the OYA has pursued Memoranda of Understanding (MOU) as the formal basis of the relationship with each tribe, pursuant to ORS 182.162-166. While each MOU is tailored to meet the individual needs and concerns of each tribe, they generally identify areas of mutual concern, identify services to youth of particular interest to the tribe and OYA, establish mutually agreed-upon roles and responsibilities, and identify key contacts in order to promote effective communication and positive relationships.

Areas of mutual concern generally include ensuring that tribal youth are identified when they enter OYA custody, that tribal youth receive culturally appropriate assessments and services, and that tribes are notified and have opportunities to participate planning the reformation efforts and transition services for tribal youth as they change placements or leave OYA custody.

OYA currently has signed MOU's with six Oregon tribes, which are reviewed every two years. Developing and reviewing these agreements occurs on an ongoing basis.

## **Status of Outstanding MOUs**

Warm Springs Tribes: on Monday, October 16, 2006 the Warm Springs Chief Operations Officer and OYA Native American Coordinator presented the MOU before the Warm Springs tribal council. All issues from that meeting have been resolved except free access for tribal youth to OYA beds. State law allows tribes to commit youth to OYA facilities, but only on a fee-for-service basis. Tribes are not charged for tribal youth committed to OYA by state courts.

Confederated Tribes of Grand Ronde: the OYA has provided feedback on the MOU proposal provided by Grand Ronde. The OYA and the Grand Ronde are continuing their efforts to negotiate a MOU.

Confederated Tribes of the Umatilla Indian Reservation (CTUIR): The CTUIR and OYA have moved significantly closer to having an agreement on their MOU following a meeting held October 18, 2006.

## **Tribal Notification Policy**

The OYA adopted a formal Tribal Notification Policy in 2005 in recognition of the need to have a more clearly defined process. This policy has strengthened OYA's commitment for tribal notification by clearly outlining roles and responsibilities within the agency to identify tribal youth, notify the tribes that tribal members are in OYA custody, and clarify expectations that OYA staff should notify the tribal liaison of significant events in a youth's case. The OYA continues to monitor the effectiveness of the Notification Policy and provide training on the policy to OYA staff.

## **2006 Governor's Summit on SB 770**

Representing the Oregon Youth Authority at the 2006 Governor's Government-to-Government Summit at the Seven Feathers Resort and Casino in Canyonville were Lonnie Jackson, Director of the Office of Minority Services (OMS) and Jack Lawson, OYA's Tribal Liaison and Native American Coordinator.

### **Public Safety Cluster**

Lonnie Jackson, Director of OYA's Office of Minority Services (OMS), serves as the Chair of the Public Safety Cluster group, which convenes state public safety agencies and tribal officials to discuss and address issues of mutual concern. The group met three times in 2006, with all of the meetings hosted by tribal governments from Grand Ronde, Warm Springs and the Cow Creek Tribes.

The OYA is looking forward to continuing the work in the cluster group and meeting the challenges of making the meetings productive and meaningful for the members, as well as enhancing the government-to-government relationships among the state agencies and tribal public safety partners.

### **Native American Advisory Committee**

As a continuation of the efforts which began in 2005 with the OYA Native American Advisory Committee, the OYA approached each of Oregon's tribal chairs to designate a representative to the OYA Native American Advisory Committee. Each tribe has made an appointment. The tribal members have selected George Nagel, Siletz tribal employee, as the tribal co-char of the Native American Advisory Committee.

The OYA is continuing to meet with the representatives of the tribes to establish the framework and work plan for the OYA Native American Advisory Committee.

Unfortunately, this year the Coquille tribe lost a valued and respected tribal member who worked in the tribal Indian Child Welfare Act (ICWA) program. Wayne Grant was also a long time member of the OYA's Native American Advisory Committee. He was a loyal friend and strong advocate for Native American youth. He will be missed but not forgotten as we continue to work towards meeting the needs of Native American youth.

### **OYA's Statewide Advisory Committee**

OYA maintains an advisory committee of juvenile justice partners and stakeholders to provide input and information on issues and events affecting juvenile justice, as well as advising OYA on its policies and practices. A member of the agency's Native American Advisory Committee sits on OYA's statewide advisory committee to facilitate tribal needs to be identified and addressed by all of the agency's stakeholders. At the present time, George Nagel represents the Native American Advisory Committee on the statewide Advisory Committee.

## **Training Opportunities for OYA staff**

In 2006, there were three major training opportunities between the tribes and Oregon's juvenile justice system.

On April 5, 2006 the Native American Juvenile Justice Summit was held, hosted by the Confederated Tribes of the Umatilla Indian Reservation. The summit was coordinated by Christi Hildebran from the Native American Rehabilitation Association (NARA) with a grant from the state Juvenile Justice Advisory Committee. Coordinating and planning for the summit was an effort consisting of NARA staff, Grand Ronde tribal representatives, community partners and OYA staff. The summit participants had representatives from all nine Oregon tribes, local juvenile departments, OYA and community partners and contractors.

OYA staff attending the Native American Juvenile Justice Summit included the OYA Deputy Director, Native American Coordinator, OMS Transition Specialist, Community Resource Unit, Quality Assurance, and Parole and Probation Officers and their supervisors. In addition, the OYA Deputy Director, Phil Lemman led a training on Measure 11, and Christina Puentes, OMS Transition Specialist and Jack Lawson, Native American Coordinator, conducted a presentation on Native American gangs.

On April 6, the Tribal Evidence-Based Practice Summit was held. This training was in conjunction with the Native American Juvenile Justice Summit, hosted by the Confederated Tribes of the Umatilla Indian Reservation and coordinated by Caroline Cruz and John Spence. Several OYA personnel attended the one-day training.

On June 8, 2006 a Tribal and Juvenile Justice Training was held in Roseburg. This training was a co-coordinated effort between the Cow Creek tribe and the OYA. The training was hosted by the Cow Creek tribe with Sue Shaffer, Tribal Chair Person offering the opening remarks for the training. Participants in the training included representatives from the Cow Creek, Coquille, Klamath, Warm Springs and Confederated Tribes of the Coos, Lower Umpqua and Siuslaw, along with representatives from the OYA facility and field services and Klamath, Douglas, Coos and Curry County juvenile departments.

The goals of the training were:

- Increase knowledge of tribal governments for state and county juvenile justice employees
- Increase knowledge of Oregon's juvenile justice system for tribal employees, members or representatives
- Identify needs and resources for Native American and/or tribal youth
- Enhance communication linkages between state and tribal representatives concerning juvenile delinquency
- Develop interpersonal relationships between state, county and tribal personnel

OYA has received favorable comments and feedback from both the tribal and juvenile justice participants about the training, including recommendations to develop the training into an annual event.

The success of this training is dependent on the generosity and support of the Cow Creek Tribe, as well as the skills, willingness and knowledge of key people from the tribes, OYA and the Department of Human Services (DHS). Rhonda Malone, who assisted in coordinating the training, provided invaluable assistance in molding the training into a rewarding experience for the participants. DHS Tribal Liaison, Rick Acevedo, provided the training to juvenile justice workers on tribal governments. His wisdom and knowledge of tribes, tribal governments and their sovereignty always proves to be a rewarding and informational experience for the participants. OYA employees Steve Brinlee, OYA Foster Care Manager, Tom Johnson, OYA Assistant Field Services Manager and Ken Jerin, Superintendent, Rogue Valley Youth Correctional Facility did an excellent presentation providing the tribes with a comprehensive overview of Oregon's juvenile justice system. In addition, Sharon Pette, OYA Quality Assurance Manager, provided invaluable support in exploring key areas for engaging tribes as a quality assurance measure for the OYA.

While this training focused on tribes and juvenile justice representatives in the Southern Oregon region, future plans are to coordinate a similar training for the remaining tribes and juvenile justice departments. The OYA Native American Coordinator will be working with tribal representatives to organize and coordinate these trainings.

In addition, OYA's staff continues to receive ongoing training on tribal governments and issues. These trainings are conducted by the OYA Native American Coordinator and include tribal representatives when available. Trainings occur in all areas of the OYA including field offices (parole and probation), youth correctional facilities, and with community contracted providers.

- In 2006 all new employees of the Oregon Youth Authority received an orientation on tribal governments and Senate Bill 770
- Staff is continuing to be trained on OYA's Tribal Notification Policy
- Phil Lemman, Deputy Director, Lonnie Jackson, Director of OMS, Jack Lawson OYA Native American Coordinator, and Bill Bower, OYA Parole and Probation officer, attended training at Tribal Information Day at Oregon's Capitol Building
- Cultural competency training is required for all OYA staff working with youth offenders. This training includes information on the statutory requirements for state agency relationships with tribes and is coordinated with the OYA Training Academy. This training is provided both during New Employee Orientation and as an annual staff update

### **III. Services for Native American Youth**

#### **Culturally Relevant Services**

The OYA recognizes that treatment and reformation efforts are more effective when provided in the context of the youth's culture. OYA's services offer youth opportunities to participate in Sweatlodge and pipe ceremonies, talking circles, culturally relevant support groups, and

individual meetings with staff and volunteers. Participation in these services provides youth with opportunities to incorporate values from Native American cultures into their thinking and beliefs. These services also provide for positive identity development, build and strengthen self esteem, offer youth increased options for thinking and behavior issues, and generally support and enhance other treatment opportunities in OYA.

In addition, the OYA coordinates culturally specific treatment and services between Oregon's tribes and Native American youth in OYA custody. These services are either provided directly by tribes or by OYA through employees, volunteers, or contracted service providers.

An example of this is the regularly scheduled Sweatlodge ceremonies. MacLaren also coordinates a monthly Sweatlodge ceremony for a Grand Ronde tribal youth in the facility and his family.

The Hillcrest Youth Correctional Facility is unique to the OYA, in that it houses both young men and women. In order to meet the needs of both females and males, the facility has two contracted providers, one for girls and the other for boys. The contractors conduct Sweatlodge ceremonies, talking circles and support groups and meet with the youth individually.

The Rogue Valley Youth Correctional Facility, located in Grants Pass, has had a Sweatlodge on its grounds since 2001. The Southern Oregon Indian Center (SOIC) in Grants Pass has continued to be an active participant in the lives of the young men in the facility. The SOIC conducts regularly scheduled Sweatlodge ceremonies and support groups for the Native American youth in that facility.

The Tillamook Youth Correctional Facility and Camp Tillamook has contracted with tribal members of the Confederated Tribes of Grand Ronde to conduct Sweatlodge ceremonies for the youth in the facilities in Tillamook. In addition, a Grand Ronde tribal member has been volunteering in the Tillamook Youth Correctional Facility, teaching the young men to make Native American crafts.

### **Cultural Events**

Both the MacLaren and Hillcrest Youth Correctional Facilities continue to host annual Pow Wows. The Pow Wows provide opportunities for community participation by tribes and Native American organizations, allow new or renewed youth contact with their tribe's cultural and traditional values, and educate all youth offenders on Native American culture. The OYA appreciates the generosity of the Warm Springs tribe and the Leno family from Grande Ronde for providing and preparing the salmon, and the Siletz and the Native American Rehabilitation Association (NARA) for the drums and singers for these events. Youth offenders and OYA staff gain a lasting benefit from participating in the Pow Wows.

### **Minority Youth Transition**

The OYA Office of Minority Services (OMS) continues to employ a full-time transition specialist who coordinates treatment and aftercare for youth returning to their communities. This specialist works with all Native American youth residing in Marion, Washington, Clackamas,

Lincoln, and Multnomah counties. These youth include not only tribally enrolled youth from Oregon's tribes, but also youth whose tribes are outside Oregon. The transition program has several community contractors that provide specific services for the youth as they return to their communities.

### **Community Partners**

OYA submitted a supporting letter for the National Indian Child Welfare Association that aided in their successful grant application to the U.S. Department of Health and Human Services. The project is intended to improve the capacity of organizations serving at-risk Native American youth in the Portland metropolitan area.

### **Senate Bill 267 – Evidence-Based Practices**

The OYA's Native American Coordinator is continuing to working with OMS staff members and other agency-wide efforts to develop and implement curricula which contain evidence-based criteria and are culturally relevant to Native American and other minority youth. As a member of the agency's Curriculum Review Committee, which reviews treatment curricula for potential use in the OYA, the coordinator developed criteria to review the curricula's ability to provide for differing cultural perspectives for the committee. As a member of the Correctional Program Checklist evaluation team, the coordinator has continued to assist the agency to address responsivity factors in treatment programming for minority youth in reviews of individual treatment programs.

### **Ongoing**

The agency's Native American Coordinator continues to meet with the tribal key contacts to share information, coordinate services, resolve concerns, review and negotiate the Memorandum of Understanding and provide update reports to tribal councils. The OYA is actively committed to building and supporting strong government-to-government relations with Oregon's nine federally recognized tribes.