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Strategies for Creating Offender Reentry Programs in Indian Country



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The Office of Justice Programs (OJP), headed by Assistant Attorney General Laurie O. Robinson, provides federal leadership in developing the Nation's capacity to prevent and control crime, administer justice, and assist victims. OJP has seven components: the Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; the Office for Victims of Crime; the Community Capacity Development Office; and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. More information about OJP can be found at <http://www.ojp.gov>.

**STRATEGIES FOR CREATING
OFFENDER REENTRY PROGRAMS
IN INDIAN COUNTRY**

Prepared by



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On the Cover: 1. Navajo Nation Police badge, Paul Natonabah for CCDO, 2010; 2. Fingerprint card, Brand X Pictures, 2003; 3. Judge Theresa M. Pouley, Tulalip Tribe, 2006; 4. Open door jail cell, Navajo Nations Corrections Department, 2010; 5. Gila River correctional control room, Mark Goldman & Associates, Inc., 2005; 6. Navajo reservation scenery, Paul Natonabah for CCDO, 2010; 7. Barrow, AK, blanket toss, Mark Goldman & Associates, Inc., 2003.

FOREWORD

The Community Capacity Development Office (CCDO) is committed to holding annual roundtable discussions with tribal representatives to identify issues related to access to program participation, program needs and gaps, and other issues unique to Indian tribes. Through these discussions, tribal representatives have requested resources to assist tribes in their work with comprehensive community planning and implementation and tribal activity on programming for ex-offenders reentering tribal communities.

CCDO's responses to the tribal request follow:

- *Strategies for Creating Offender Reentry Programs in Indian Country* was written to provide guidance on promising practices and strategies related to offender reentry in Indian Country. It provides a historical overview, gives guidance in developing reentry programs, provides general reentry policy considerations and recommendations, highlights tribal reentry programs, and provides federal and other resources.
- Webinars will follow the release of *Strategies for Creating Offender Reentry Programs in Indian Country*. They will showcase tribal programs that are currently involved in offender reentry activity. Participants will have the opportunity to learn more about the programs and strategies and participate in question and answer sessions.
- Future articles for the "American Indian/Alaska Native" section of [*In-Sites*](#), the CCDO electronic magazine, will feature additional offender reentry stories from Indian Country.

Additionally, for more information on comprehensive community planning activities, please visit the [Comprehensive Communities Initiative Toolkit](#) and [Grants 101](#) to assist you in developing your initiatives.

Dennis E. Greenhouse, Director
Community Capacity Development Office, U.S. Department of Justice

ACKNOWLEDGMENTS

In 2006, the Community Capacity Development Office (CCDO) Director Dennis Greenhouse began hosting two Tribal-CCDO roundtables annually. To date, eight roundtables have been held. These roundtables helped to educate tribes about Weed and Seed, increase tribal participation in Weed and Seed, and identify further obstacles regarding access to program funds and participation. As a result of these meetings, issues from past roundtables have addressed policy issues such as appropriate population range and more practical requests such as this document.

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From October through December 2009, the American Indian Development Associates began collecting information from identified programs throughout the country to create this document. Ada Pecos Melton and her staff worked tirelessly to create this document. Thank you for all your hard work.

This document would not have been possible without all the tribal communities that shared information about the problems they experience and the strategies they are using to address these problems. Several programs answered our initial inquiry and five sites completed intensive interviews and endured endless phone calls and requests for additional information. To all the tribal programs representatives, thank you for all the work you do and for your input toward this document.

Thank you for the photographs used on the cover page. Permission was granted from the Tulalip Tribal Court, the Navajo Nation Corrections Department, and Mark Goldman & Associates. Tribal reservation scenes were photographed by Paul Natonabah.

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Strategies for Creating Offender Reentry Programs in Indian Country

INTRODUCTION

In an effort to understand the needs of Indian Country Weed and Seed communities, the Community Capacity Development Office (CCDO) of the Office of Justice Programs, U.S. Department of Justice (DOJ), hosts roundtable discussions with current and potential grantees. Eight roundtables have been held since 2006. The roundtables provide a forum for Indian tribes and native communities to voice their concerns and issues about the Weed and Seed Communities program administered by CCDO.

Weed and Seed, a community-based strategy sponsored by DOJ, is an innovative, comprehensive, multiagency approach to law enforcement, crime prevention, and community revitalization. The strategy aims to prevent, control, and reduce violent crime, drug abuse, and gang activity in designated high-crime neighborhoods across the country. The strategy involves a two-pronged approach: 1) law enforcement agencies and prosecutors cooperate in "weeding out" violent criminals and drug abusers; and 2) public agencies and community-based private organizations collaborate to "seed" much-needed human services, including prevention, intervention, treatment, and neighborhood restoration programs. A community-oriented policing component bridges the weeding and seeding elements.

Tribal participants have consistently requested that CCDO develop tribe-specific materials describing promising practices to help tribes in two areas:

- Plan and implement activities on comprehensive community development.
- Provide information on promising practices for offender reentry in tribal communities.

The information presented in this document will assist tribal justice practitioners, administrators, and policymakers in designing and developing reentry strategies for adult and juvenile offenders returning to their tribal communities.

- The **Historical Overview** section provides background information on coordination and collaboration challenges of tribal, state, and federal criminal justice authorities working with adult and juvenile offenders and ex-offenders in Indian Country. There are various reasons American Indian/Alaska Native (AI/AN) people become incarcerated in and transitioned out of tribal, state, and federal facilities. This section highlights the need for collaboration between these jurisdictions.
- The **Developing Reentry Programs in Indian Country** section is organized by justice system (law enforcement, community policing, tribal justice system, and corrections) followed by intervention and treatment initiatives and community

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restoration. Where tribal-specific information is not available, mainstream program information is provided.

- The **General Reentry Policy Considerations** section encourages tribes to develop or enhance policies and procedures, tribal government responsibilities, funding, and community roles.
- The **Recommendations** section provides information on practical design and development elements of tribal reentry programs.
- The **Conclusion** summarizes previous sections and transitions into case descriptions.
- The **Case Descriptions** section highlights successful reentry programs in Indian Country. Each case description includes tribal information, a program description, keys to success, and contact information. Some case descriptions include one or more of the following special features: administration and collaborative support, results and outcomes, and cultural relevance factors.
- The **Federal Funding** and **Resources** sections provide a variety of useful web sites and other information to assist tribes in developing or enhancing current reentry programs.

Methodology

The following research methods and approaches described below were used to gather information included in this document:

- Computer-aided searches were conducted for literature and program information.
- Key informant interviews were held to identify tribal-specific reentry programs and/or initiatives and to develop a referral list of possible respondents.
- A standard data collection instrument (DCI) was developed and used to gather tribal-specific program information related to reentry programs or initiatives.
- Mail and followup phone interviews were administered using the DCI.
- Several interviews with staff from identified promising programs were conducted to prepare case descriptions about the goals and objectives, implementation strategies, community collaborations, expected outcomes, and other key elements of programs and/or initiatives occurring with AI/AN populations.

HISTORICAL OVERVIEW

Indian tribes have always had mechanisms to maintain peace, law, and order and to resolve disputes and conflicts between community members and correct those who violate community laws and mores.¹ Indian tribes retain the inherent authority and responsibility for public safety and protection, determine the legal structure and forums to use in administering justice, and determine the relationship of the legal structure with other governing bodies. Due to a number of historical factors and policies, tribes do not exclusively handle criminal and juvenile justice matters in Indian Country.

Federal law, such as the Major Crimes Act of 1885 (18 U.S.C. §1153), authorizes concurrent jurisdiction between Indian tribes and the federal government over numerous crimes. Public Law 83-280 (Public Law 280) (18 U.S.C. §1162) refers to Indian tribes that are subject to state criminal jurisdiction under this law. Public Law 280 created state criminal jurisdiction for certain Indian tribes located in Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin. Other states were given the option to assume jurisdiction. A number of tribes have since had criminal jurisdiction “retroceded” back to the federal government.

Each of the 564 federally recognized Indian tribes exercises varying degrees of personal, territorial, and subject matter jurisdiction over criminal, juvenile, family, domestic relations, and other civil matters. Of those federally recognized Indian tribes, approximately 275 tribes have either a tribal court, traditional court, Court of Indian Offenses (CFR Court), or a combination thereof.² A 2002 Census of Tribal Justice Agencies in Indian Country found that of 314 participating tribes, 188 reported some form of a tribal justice system, 39 indicated use of an indigenous justice system, 46 identified a CFR court, and 175 identified a tribal court.³ Some of the reporting tribes may have dual justice systems—a tribal court and an indigenous justice system. For example, the Navajo Nation District Court and the Navajo Peacemaking System coexist for the Navajo people. Until recently, the Indian Civil Rights Act (ICRA) limited tribal court sentencing authority to 1 year of imprisonment and/or up to a \$5,000 fine. With the enactment of the Tribal Law and Order Act (Public Law 111-211) on July 29, 2010, tribal courts that meet certain requirements can now sentence offenders to up to 3 years imprisonment and/or up to a \$15,000 fine for each offense.

On July 29, 2010, President Barack Obama signed into law the Tribal Law and Order Act (Public Law 111-211) to strengthen tribal law enforcement and the ability to prosecute and fight crime more effectively, to help prevent crime, and to mandate collaboration and coordination between tribal and federal justice agencies for offender reentry purposes.

Most tribes have accompanying law enforcement departments operated either completely with tribal funds; with federal funds from the Bureau of Indian Affairs (BIA) through contracts, compacts, or direct services and/or U.S. Department of Justice (DOJ) grants; or through arrangements with state or county law enforcement agencies. The Federal Bureau of Investigation, U.S. Marshals Service, U.S. Attorney’s Office, Federal Bureau of Prisons, Federal Public Defenders, and U.S. Probation and Pretrial Services also provide investigation, prosecution, defense, supervision, and confinement services for felony crimes

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committed on Indian lands.⁴ Tribes or BIA manage the approximately 82 jails and detention facilities operating on Indian lands. Each tribe has differing law enforcement standards and priorities as determined by internal tribal needs and external state and federal policies.

A growing issue for Indian tribes is providing basic services to released American Indian/Alaska Native (AI/AN) offenders returning to tribal communities. The most recent DOJ *Jails in Indian Country* study found that at midyear 2008, tribal, federal, and state prison or jail authorities held 921 AI/AN offenders per 100,000 American Indian U.S. residents—an incarceration rate based on an estimated 28,400 American Indians confined in prisons or jails and 3 million in the U.S. resident population.⁵ The *Jails in Indian Country* study also indicated the incarceration rate for AI/AN offenders was about 21% higher than the overall national incarceration rate of 759 per 100,000 persons other than AI/AN offenders.

One response to the growing incarceration rate has been to increase the capacity of these facilities to hold more inmates. Entities that favor punitive sanctions for criminal offenders have increased bed space among Indian Country jail facilities. While bed space grows faster than the confined population in Indian Country,⁶ regional and tribal differences remain, such as the continuing need for more bed space, basic offender services, and other capabilities to maintain law and order in tribal communities and to ensure offender accountability.

There is a growing need for various solutions to the high and disproportionate rate of confined Indian offenders in secure facilities on and off Indian lands.

As federal, state, and tribal resources decrease and more budget restrictions develop, tribes and localities will have to contend with—

- Growing incarcerated populations (e.g., 5.8% increases in 2008).
- Systemic issues (e.g., coordination of offenders back to the community; disproportionate minority confinement of adults and juveniles) for tribal, state, and federal government entities.
- Balance of cultural-based programming versus mainstream services in jails and prisons.
- Community preparation.

The breadth and depth of these complexities at the federal, state, and tribal levels also affect juveniles who depend on their communities for reconciliation and support.

Tribal Challenges

The *Jails in Indian Country* study included 82 jails, confinement facilities, detention centers, and other correctional facilities in Indian Country, an increase from 68 facilities participating in 2004. The increased response included 21 new jails or those new to the survey.⁷ Approximately 11,135 AI/AN inmates were held in Indian Country jails (2,135) and local jails (9,000) that may have been contracted by tribal justice agencies or operated by BIA.⁸ Although some tribes own and operate their own jails, many tribes do not have

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resources to provide transitional programs to assist offenders with smooth reentry into their communities.

The study further indicates that from June 2000 to June 2008, violent and drug-related offenses were among the offenses for which inmates were held (see below).⁹

AI/AN Inmates, by Offense Type					
Percentage of AI/AN Inmates Held					
Offense Type	2000	2002	2004	2007	2008
Domestic violence		15	18	20	15
Assault			13	13	15
Rape or sexual assault			2	2	2
DWI/DUI	17	11	14	8	9
Drug law violations	8	6	7	7	5

These offense types require a higher need for transitional planning, in particular to ensure victim safety. Collaborative reentry planning with tribal agencies and facilities is essential to continue the rehabilitation process and should include interventions to hold offenders accountable for their criminal or delinquent behavior, including strategies for relapse prevention and recovery support for offenders incarcerated for alcohol- or drug-related crimes.

Indians and non-Indians may have different perceptions of wrongdoing and the most effective means to address crime. In the non-Indian community, a person who commits a crime is deemed a law breaker who must be punished. Many Indian communities, however, traditionally view offenses as misbehavior that calls for corrective action or mentoring or an illness that requires healing.¹⁰ Indians traditionally put their faith in modalities such as mentorship by a tribal elder or participation in traditional cultural ceremonies for treatment and healing.¹¹

Despite potential conflicts in worldviews and the costs associated with incarceration, tribes and BIA operate correctional facilities on tribal lands. Some correctional facilities attempt to provide reservation-based services with cultural components not available in mainstream facilities.¹² Many tribal communities have expressed concern about the welfare of detainees or prisoners and the lack of programs to improve behavior and restore detention and corrections to a higher level of responsibility.¹³

The clash between worldviews and practices becomes evident in correctional facility construction, operations, programming, and reentry planning for offenders, which lack cultural relevancy. Federal government policies and practices, based on national corrections standards, may offer little to no flexibility to accommodate tribal worldviews and practices. Current federal operations based on federal outcomes and predominate law enforcement and corrections culture may challenge good intentions to provide cultural components and tribal-based services to AI/AN offenders.

Furthermore, jails in Indian Country frequently operate under substandard conditions. Incarcerated AI/AN offenders often do not receive the benefits of being close to home. One

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partnership between federal and tribal correctional authorities on the Navajo Nation has pioneered a different approach whereby tribal practices and traditional values are included with national correctional standards in the policies and procedures of a federally funded juvenile correctional facility. While a good approach, it is challenging to harness the traditional tribal infrastructural and organizational capacities, which are inconsistent with confinement, and incorporate traditional tribal values into the ways tribal-based correctional facilities are operated.

A U.S. Office of Inspector General (OIG) study found that Indian jails are understaffed, overcrowded, and underfunded.¹⁴ High levels of suicides and escapes are common in some facilities. Mildly put, the OIG study confirms that BIA- and tribal-operated facilities had deplorable conditions putting both staff and inmates at high risk.¹⁵

The poor conditions, lack of programming, and transitional services of BIA and tribal jails require vast improvement to support offender success in addressing the root causes of their incarceration. Tribal jails should take advantage of available community assets by incorporating their indigenous justice practices and other culture-based strategies in construction, operations, programming, and transitional offender services. The success of reentry programs may then depend on the people and providers of the community, as well as tribal leadership action. The U.S. Departments of Justice and the Interior can assist by supporting development of tribal-appropriate programming and transitional services.

The federal government is able to assist correctional authorities by providing more culturally oriented tribal correctional policies regarding construction, operations, programming, and transitional services and by hiring or contracting subject matter experts and technical assistance providers with extensive experience working in Indian Country who have worked in the tribal justice system. In the next 3 years, more tribal correctional facilities will be added with funds appropriated under the American Recovery and Reinvestment Act of 2009 to support new jail construction and/or renovation.

State Challenges

Tribal-state relations vary among tribes and states from progressive to non-existent. Law enforcement and criminal justice processes are among the most complex issues that must be addressed when developing offender reentry programs.

For most tribes, state law enforcement is limited for tribal apprehension or prosecution. Federal law has determined that a state has jurisdiction over an offender when a non-Indian commits a crime against another non-Indian on tribal lands or when a non-Indian commits a victimless crime on tribal lands. However, due to Public Law 280, law enforcement agencies in a number of states have concurrent jurisdiction in criminal cases and some civil and juvenile matters occurring on (some) tribal lands. As a result, AI/AN offenders living in the affected Public Law 280 tribes may be processed through the states' district courts. If a conviction results in incarceration, AI/AN offenders serve their time in state facilities. The *Jails in Indian Country* study indicated that more than half (14,264) of AI/AN inmates were

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held in state prisons or facilities. This high number of inmates highlights the importance of tribal-state relations to jointly develop programming and offender reentry plans.

The lack of formal relations between tribal and state criminal justice authorities compromises justice for victims and tribal communities. Offender accountability may disappear if tribal-state relations are poor. The lack of tribal-state relationships prevents—

- Involvement of tribal criminal and juvenile justice representatives, who could assist in all aspects of transitional planning.
- Proper notification by state authorities to tribal authorities that the state is housing an Indian offender or will release an offender.
- Service agencies from coordinating and collaborating to develop an offender rehabilitation or care plan and to help with eventual reintegration.
- Tribal justice and other service agencies from remaining in contact with tribal members serving sentences in off-reservation prisons or facilities.

Where there is communication, staff in state criminal and juvenile justice systems may lack training to establish consultation policies and procedures and develop culturally competent programming or reentry plans. With further training and mentoring by tribal representatives, staff will be able to incorporate the vital links with an offender's family and tribal service providers to develop the supportive environments an ex-offender needs to become a contributing member of his or her family and community. The investment in training and action is minimal in comparison to the ex-offender relapsing into a life of crime and returning to a correctional setting.

Additionally, enhanced training and coordination activities by staff in state criminal justice systems will assist in their work with AI/AN offenders who reside in urban areas or off tribal lands in small towns. State systems trained in culturally competent services may use this working knowledge and apply programming and reentry plans to AI/AN offenders in the various state systems.

Jurisdiction complicates tribal-state relations. Many tribes have checkerboard tribal lands, meaning that the tribal lands have pockets of private, state, and federal lands interspersed among tribal lands. With multiple landowners in these checkerboard areas, there may be multiple jurisdictions involved. In these areas, it is less about the victim or offender and more about who has jurisdiction—tribal, state, or federal authorities. It is incumbent upon these jurisdictions to coordinate supportive services—including housing, transportation, employment, and recovery services—and to engage ex-offenders who return and reside in this type of environment.

As a process, tribal-state collaboration needs to begin at the initial stages of an offender's confinement in a state facility and continue as the offender is released. Public policies at the state and tribal level can support and even mandate that such relationships be developed. Training of state criminal justice system staff will enhance the smooth transition of an offender through—and exiting—the system. Formal and informal intergovernmental

relationships are necessary to provide adequate and effective services to ex-offenders, their families, the tribal community, and the general public.

Federal Challenges

Federal prosecutors, courts, and corrections have unique prosecutorial, case processing, and correctional responsibilities over AI/AN offenders for offenses covered by the Major Crimes Act and the Indian Country Crimes Act. Crimes committed by Indians on tribal lands make up a large percentage of federal crimes prosecuted by U.S. Attorneys throughout Indian Country, excluding those affected by Public Law 280. American Indians and Alaska Natives constitute less than 1% of the total U.S. population; however, Indian offenses amount to nearly 10% of the overall federal cases.¹⁶ Nationally, Indian offenses constitute more than 20% of murders and assaults prosecuted in federal court and nearly 75% of all manslaughter and sexual abuse cases.¹⁷ The *Jails in Indian Country* study reported 1 in 10 AI/AN inmates (2,135) were held in a federal prison resulting from a federal conviction and sentence.¹⁸

American Indians and Alaska Natives make up less than 1% of the total U.S. population; however, Indian offenses amount to nearly 10% of the overall federal cases.

Federal prisons or contracted correctional facilities often lack—

- Formal relationships with tribal criminal justice authorities.
- Tribal involvement in planning the return of Indian offenders.
- Notification policies or procedures to inform tribal authorities that they have custody of a tribal citizen or that an ex-offender is returning.
- Culturally relevant care or services.
- Culturally competent staff to assist returning ex-offenders in obtaining supportive services relevant to their needs.

Offenders committed to federal prisons are also often incarcerated far from their tribal communities. Federal prisons or contracted correctional facilities are not located in every state, resulting in many offenders being sent to out-of-state facilities. These facilities may, or may not, receive more resources to support prisoners' faith-based needs and treatment. The AI/AN prisoner population is a minority group within the federal prison system, which contributes to the facilities' ability to meet Indian-specific treatment or religious or reentry planning goals. Distance contributes to the difficulties that AI/AN prisoners face in maintaining family or community connections and that facilities have in accessing culturally competent practitioners to provide culturally relevant treatment, religious or spiritual services, reentry planning, and other resources to AI/AN prisoners.

Small steps have been made to work with tribal governments. More formal relationships with Indian tribes, together with policies and procedures on reentry, need to be developed to facilitate a smooth transition for the offender, federal and state authorities, and tribal communities.

Juvenile Challenges

The problems with ineffective or nonexistent communication between state or federal institutions and tribal governments also severely affect juveniles as most juvenile offenders will return to their families or tribal communities. The lack of notification inhibits tribal involvement in creating culturally relevant plans for AI/AN juvenile offenders during their incarceration and in providing culturally relevant services and treatment for their transition back home.

Some states, such as New Mexico, allow some type of programming for continuing cultural connections. At the federal level, attempts are also made to maintain reasonable provisions for visitation by family and placement of juveniles in facilities near their home communities. Still, many Indian families often do not have the resources to travel far distances for visitation. Distance and family support are important factors when looking at the rates of incarcerated AI/AN youth and the lack of post-incarceration services in federal facilities. Seventy-nine percent of youth in federal custody are American Indian, mostly males, 17–20 years old, with extensive histories of drug and/or alcohol abuse and violent behaviors.¹⁹ Further, there is no federal parole system for juvenile offenders upon their release from confinement.

With returning juvenile offenders from short- or long-term confinement or custodial placement, a number of issues affect transition, including psychological and physiological needs, confidentiality protections, access to education, and other concerns discussed below.

Psychological and Physiological Concerns

Youth in the preteen through adolescent years experience profound changes in their bodies, emotions, and minds. Attitudes, moods, and demeanor can make a 180-degree turn in an instant for some youth. Friends can become foes during a simple change in classes at school. The desire to be part of the crowd conflicts with the desire to be an individual. Often being a part of the crowd can cause youth to engage in risky behaviors just to belong (e.g., joining gangs, selling and/or taking drugs, drinking alcohol). Addictions and negative actions that can affect a youth's life forever are initiated at this age. Time may have little meaning or value to some young people, but can mean so much in terms of the changes in their bodies, friends, pop culture, and attitudes. Therefore, a return from any separation from the family or tribal community should include a reentry and reintegration plan for youth returning from short- and long-term confinement or custodial placements. The plan may include, but not be limited to, the following:

- Ongoing positive social interactions.
- Continual screening for substance abuse.
- Ongoing counseling.
- Reintegration into the fabric of tribal life (e.g., ceremonial activities and events).

Educational Concerns

Short and prolonged confinement interrupts a youth's educational experience. It is essential to include a plan to continue or resume school for a returning youth. This may include strategies for tutoring, afterschool support, and remedial assistance to help the young person transition to the community educational system or for arranging alternative education services.

The educational process for youth is particularly important because the lessons learned during adolescence often set the tone for the remainder of a young person's life. The return home should not only include a formal education plan, but should also incorporate life and cultural-based skills and other learning activities to stimulate physical, emotional, mental, cultural, and spiritual growth.

Confidentiality

Confidentiality standards are much higher for juveniles than for adults. This higher standard exists for the protection of the child. A mistake made by a child should not unduly influence his or her life as an adult, and thus the protections exist to keep the child free from prejudice and labeling. Discrimination in the workplace and in schools has created the need to protect criminal and juvenile delinquency records, especially records related to mental health or addictions treatment. However, at the family and community levels, such confidentiality may not be possible. Thus, a confidentiality policy should seek to address directly rumors and innuendos coming from the community, while at the same time protect the child from institutional discrimination in the workplace and in schools or by insurance carriers or health providers.

Despite all the reentry challenges faced by federal, state, and tribal jails or correctional facilities, there are some efforts being made to rectify lack of communication and relationships among these entities. Some tribes and states have made significant investments to foster the collaborative efforts necessary to promote successful offender reintegration into tribal communities. There are plenty of opportunities to improve plans for care and reintegration of AI/AN offenders. Promising reentry practices, initiatives, and strategies are not only beneficial to offenders, but also promote safety for tribal communities. On the other hand, inadequate transition planning compromises public safety and increases offender recidivism, devaluing the purpose of incarceration as a deterrent for further criminal behavior.²⁰

DEVELOPING REENTRY PROGRAMS IN INDIAN COUNTRY

Successful reentry programs provide a way for offenders to come back into the community and allow victims to feel safe and secure. Successful reentry programs also allow the community to be less concerned about the actions and intentions of the returning offender.

Reentry is a process and not an event. It necessitates that tribes resolve reentry issues with culture-based methods and approaches to reintegrate offenders back into their tribal communities. Reentry is not limited to the physical process of how offenders will return to their families and communities, but also includes how various stakeholders and partners will assist with transitional services and discharge planning; arrange for structured services to support ex-offenders and their families; and ensure victim and community protection and safety. Reentry should begin from the time a person begins his or her confinement to a secure facility and should involve not only multidisciplinary entities such as mental health, courts, corrections, and housing, but also the same entities from both state and tribal authorities.

Strategies To Develop Tribal Reentry Programs

Reentry planning is essential to an offender's transition into the community after long-term confinement and is also important for offenders who serve shorter terms. For juvenile offenders, reentry planning is necessary because their confinement is always terminal, and inevitably most youth return to their home communities to live with their parents or other relatives. Strategic planning components for successful reentry programs may include the following:

- Identifying stakeholders and providing the rationale as to why they should participate in reentry.
- Defining the roles of participating stakeholders.
- Articulating the stakeholder benefits for participation in reentry.
- Understanding the challenges for stakeholder participation.
- Identifying the knowledge, skills, and abilities needed by stakeholders to participate in reentry programs.
- Identifying the resources needed for a reentry program or initiative.

Justice System

Law Enforcement

Strategies under this component focus on strong working relationships among tribal criminal justice administrators and practitioners from tribal law enforcement, courts, and jails or corrections. Stakeholders include tribal police, prosecutors, judges, probation and parole officers, and jails and correctional staff.

Tribal law enforcement agencies (LEAs) play one of the most important roles in creating reentry programs because—

- Law enforcement often serves as the point of contact for information sharing and data exchange—in particular, for notification regarding returning offenders held in county, state, or federal correctional facilities. For example, law enforcement is often the tribal agency that receives sex offender notifications sent by county sheriffs.
- Not all tribes have probation offices or support program services to assist returning offenders. Law enforcement may be the only tribal resource available to external agencies that can assist in planning services for returning offenders and their families and/or to notify communities and victims.
- Law enforcement is not equipped to address the support services that ex-offenders need, such as housing, jobs, education, and counseling. Therefore, creation of collaborative partnerships between law enforcement and allied service agencies is essential.
- Collaboration and coordination with law enforcement is important to carry out some of the ongoing supervision and enforcement aspects for returning ex-offenders (e.g., parolees, sex offenders).
- It is important for law enforcement to promote internal tribal reentry partnerships that will help to coordinate support for returning offenders while addressing community or public safety and safety for allied service providers and tribal officers.

Site visits conducted by the International Association of Chiefs of Police (IACP) of 15 non-tribal LEAs showed that many LEAs engage in reentry efforts informally and are effective in aiding in the development of reentry strategies. The IACP study identified law enforcement involvement in reentry-related components or activities in the following areas.²¹

- Enhanced supervision.
- Information sharing.
- Notification sessions.
- Joint home visits.
- Joint patrols.
- Partnership building.
- Intelligence exchange.
- Community outreach/engagement.
- Joint curfew checks.

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A tribal reentry plan may include roles for tribal LEA involvement in some or all of the above components or activities along with involvement in initiatives for building intergovernmental relations and intergovernmental and/or interagency agreements; promoting local public policy regarding legislation, codes, and program policies supporting reentry; and engaging the community.

Community Policing

Community policing emphasizes collaboration between law enforcement and the community to identify problems of crime and conflicts and to involve all elements of the community in the search for solutions to these problems.²²

This strategy engages governmental service agencies to seek out community input about various crime concerns. For example, tribal citizens from a southwest Pueblo community voiced concerns over the sudden return of serious violent offenders and sex offenders to their villages.²³ Most citizens were concerned about the lack of notification by any governmental official about the offenders' return and expressed these concerns to their village officers at the village meetings, which in turn were presented to the tribal government. The offenders were those prosecuted federally for felonies enumerated under the Major Crimes Act, but the criminal act occurred on tribal land. Other offenders were prosecuted by the state for crimes committed off tribal land. Tribal government officials led by the tribal probation office in collaboration with tribal law enforcement conducted community meetings to obtain more input on the citizen's concerns. These meetings resulted in involvement of federal agencies, such as the U.S. Attorney's Office, U.S. Probation and Pretrial Services, and the Federal Bureau of Prisons, to develop solutions. One solution included the design, development, and implementation of an intergovernmental agreement between the pueblo and state probation office to provide notice of an ex-offender's return to the pueblo to the tribal probation office. This notice allowed the local village officials to provide input on whether or not to allow the offender to return to the village. While the pueblo does not have a specific reentry program, the tribal probation office is involved with this aspect of reentry and in assisting in assembling the services needed to support the returning offender.

Efforts to involve the tribal community are essential to be able to use the community as a resource. Generations of tribal citizens and families stay in the same village, home, or location and can make lasting contributions to the community. Long memories exist, as do long-term relationships and family, community, clan, or spiritual ties.

Any reentry effort should identify as many ways as possible to engage the tribal community by 1) listening to community needs and concerns about returning ex-offenders; 2) engaging the community in developing solutions; 3) identifying cultural-based resources that can be used to support reentry plans; and 4) helping communities create the resources they need to support ex-offenders while at the same time ensuring community safety. These aspects coincide with the five elements of community justice found to be essential foundations for community involvement by an evaluation of eight Reentry Partnership Initiatives funded by OJJDP:²⁴

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- Operate at the neighborhood level.
- Solve problems.
- Decentralize authority and accountability.
- Give priority to a community's quality of life.
- Involve citizens in the justice process.

These elements provide a starting guide for tribes to develop community engagement strategies. In the context of reentry, the community is viewed as best suited to influence an offender's choices because of the people who, by virtue of their natural relationship with the offender, have the greatest potential impact on the offender's behavior or are most affected by that behavior. Therefore, it is essential that reentry program developers engage communities to inform establishing workable and achievable reentry strategies and programs.

Tribal Justice System

While LEA coordination and involvement are important, partnerships with tribal justice systems such as tribal courts are necessary when creating tribal reentry programs.

Tribal courts—

- Often include management of prosecution and probation services because of the lack of financial resources to have separate offices.
- Are often where different stakeholders converge to address the needs of incarcerated offenders and those affected by offenders' actions, such as their families and/or victims and their families.
- May serve as the point of contact for information sharing and data exchange. This may include notification of returning offenders held in county, state, or federal correctional facilities, especially with tribes that do not have their own LEA or probation services.

Tribal courts have the capacity to design and implement reentry programs. The Leech Lake Band of Ojibwe has used its drug court as a means for an offender's transition back into the community.

Tribal courts also have the capacity to design and implement reentry programs. After seeing a need to aid drug offenders, several tribes have developed healing-to-wellness courts (i.e., drug courts) to encompass prosecution and treatment issues. In mainstream society, drug or wellness courts have incorporated offender reentry programs as part of an ex-offender's transition. Throughout the country, drug courts have expanded the role of courts and judges in sentencing, which had traditionally ended with issuance of the judgment order. While no tribal reentry courts were found during this study, at least one tribal drug court included released offenders on dockets. The Leech Lake Band of Ojibwe²⁵ Drug Court meets regularly with local, county, and state officials to support recovery of Leech Lake's Wellness Court participants (see case description on pages 29–30).

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In addition to expanding the roles of judges at tribal wellness courts, agreements with state court judges could be created to aid in the transition of juveniles. The U.S. Department of Justice's (DOJ's) Office of Juvenile Justice and Delinquency Prevention (OJJDP) has identified two promising reentry court approaches that could be used for transitioning American Indian/Alaska Native (AI/AN) youth: 1) case-defined reentry court; and 2) stand-alone reentry court.

Case-Defined Reentry Court

In a case-defined reentry court, a sentencing judge can retain jurisdiction over a case during the entire life of the sentence. This reentry approach presents an opportunity for tribal courts that use off-reservation jail or correctional facilities or that make minimal use of long-term confinement.

Some states allow tribal access to state-operated facilities. For example, the New Mexico Children's Code (NMCC) authorizes tribal court judges to access state resources, including state facilities when needed, for short-term confinement to conduct diagnostic evaluations and/or for long-term confinement. Furthermore, the NMCC recognizes—

*. . . A tribal court order pertaining to an Indian child that accesses state resources shall be recognized and enforced pursuant to the provisions of intergovernmental agreements entered into by the Indian child's tribe and the department or another state agency. . . . The tribal court, as the court of original jurisdiction, shall retain jurisdiction and authority over the Indian child. . . .*²⁶

This statute recognizes tribal court orders to gain access to state correctional facilities while the tribe retains exclusive jurisdiction of juvenile cases for the life of the sentence. However, an important requirement to implement this provision is the establishment of an intergovernmental agreement. To date, only the Mescalero Apache Tribe and the Pueblo of Jemez have signed an intergovernmental agreement with the State of New Mexico and lead the way for the remaining tribes and pueblos in the state to replicate.

Additionally, the NMCC requires the State of New Mexico to contact an Indian child's tribe to notify them of the child's involvement in the state juvenile justice system, including correctional facilities, and to consult with the tribe in preparing rehabilitation plans. For all incarcerated youth, the NMCC requires development of a reentry plan 3 to 6 months prior to the youth's release from an institution—which also applies to Indian youth incarcerated by a tribal court order.

Stand-Alone Reentry Court

A stand-alone reentry court maintains an exclusive docket of reentry cases. For tribal courts already managing a drug or wellness court, the expansion possibilities are to include reentering offenders serving time for drug-related offenses. Most tribal drug or wellness courts are limited to drug-related crimes and exclude violent crimes. A stand-alone reentry

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court could include more than drug-related crimes, such as violent or serious crimes, sex offenses, domestic violence, property crimes, and so forth.

Judges actively engage correctional administrators and oversee the period of imprisonment preceding release and post release. The purpose of this specialty court is to help reduce recidivism and improve public safety through judicial oversight and to increase judicial and corrections partnerships. The OJJDP reentry model guide identifies the responsibilities assigned to reentry courts, which are to 1) review offenders' reentry progress and problems; 2) order offenders to participate in various treatment and reintegration programs; 3) use drug and alcohol testing and other checks to monitor compliance; 4) apply graduated sanctions to offenders who do not comply with treatment requirements; and 5) provide modest incentives for consistently clean drug tests and other positive behaviors.

Through these elevated partnerships, the common goal of successful offender reintegration requires extensive cooperation and coordination between corrections officers and tribal court judges to prepare offenders for release. It also requires extensive collaboration with allied community-based service agencies to leverage the resources needed in transitioning offenders back into the tribal community. Research of reentry courts in nine states revealed that commonly provided services include mental health counseling, physical health care, substance abuse treatment, family counseling, employment and vocational assistance, educational assistance, and housing assistance.²⁷

Similar to healing-to-wellness courts, active judicial authority is applied to the reentry court to provide graduated sanctions and positive reinforcement and to gather resources for offender support. Reentry courts promote a threefold strategy that 1) seeks to improve the supervision of offenders; 2) prepares communities to address public safety concerns; and 3) provides services to aid offenders in reentering society.²⁸

In either model, tribal prosecutors and probation officers have prominent roles in how cases are presented for court review and participate in designing reentry plans. In particular, probation officers usually assemble the needed services and provide case management and monitoring, including supervision upon release.

Corrections

Similar to local, county, and state governments across the country, tribes need to develop reentry and reintegration programs to support returning offenders and tribal communities. Tribal governments and corrections staff need to develop reentry plans by following the best practices listed below:²⁹

- Begin offender reentry and reintegration processes while the offender is in prison and emphasize internal motivation and lifestyle changes.
- Incorporate accountability (external control) methods strengthened by community, tribal, or culture-based interventions.
- Utilize needs and risk assessments to determine the types of services needed, especially to target high-risk offenders.

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- Identify duration, quantity, and intensity of interventions, supervision, and support. (This may include 12 to 24 months of structured processes, if appropriate, based on need.)
- Emphasize prison, structured reentry (transition), reintegration, and continuity of care at the community level.
- Develop support mechanisms (informal social controls) for the returning person.
- Prepare the receiving community or village so they have an opportunity to become allies.
- Communicate offender responsibility and expectations by the tribe and/or local community to the releasing agency and offender.
- Ensure quality of services (e.g. staff, program design, partnerships).
- Develop strategies to reduce recidivism.
- Provide extensive training for tribal program staff and tribal officials and education for families and the community.

While specific reentry programs from tribal jails or correctional facilities were not found, at least three tribes have received 2009 funding from OJJDP to develop and implement juvenile reentry programs. OJJDP is also providing tribal-specific training and technical assistance to its tribal grantees. In mainstream programs, a promising model is being followed to develop reentry programs for short- and long-term confinement. The model includes four components:

- **Assess:** Assess the offender's clinical and social needs, together with public safety risks.
- **Plan:** Plan for the treatment and services required to address the offender's needs.
- **Identify:** Identify required community and correctional programs responsible for post-release services.
- **Coordinate:** Coordinate the transition plan to ensure implementation and avoid gaps in care with community-based services.

These core components may be used by tribal program staff to develop a reentry framework and to support successful transition. An important element to add to the above components is culture- or tribal-based resources. As previously noted, AI/AN offenders in short- or long-term confinement are often disconnected from tribal culture, language, food, spirituality, counseling, and family. The lack of contact between the offender and the community hinders transition and reintegration progress.

One tribal-specific program in New Mexico helps juvenile offenders in state facilities to maintain their cultural ties by providing a tribal-specific curriculum on various topics, traditional sweat lodges, drumming lessons, spiritual counseling, talking circles, storytelling, and native arts and crafts. This includes special events, such as pueblo feasts, pow-wow exhibitions, cultural education, and a newly added mentoring initiative. The primary purpose of the Cultural Services Program to Incarcerated Youth is to promote the use of cultural resources by the Indian youth and the facility as part of the youth's treatment plan while incarcerated and as part of the reentry plan (see case description on pages 31–32).

Intervention and Treatment

Best practice recommends that prisoner reentry programs begin during incarceration and continue throughout an offender's transition and stabilization within a community.³⁰ Furthermore, the DOJ Prisoner Reentry Initiative, a federal collaboration with the U.S. Departments of Education, Health and Human Services, Housing and Urban Development, and Labor, focuses on three phases that comprehensive community initiatives and antidrug coalitions can adapt to fit their needs. The phases include the following:

Phase 1: Protect and Prepare (institution-based preparation): Prepares offenders to reenter society. Services include education, mental health and substance abuse treatment, job training, mentoring, and full diagnostic and risk assessment.

Phase 2: Control and Restore (community-based transition): Works with offenders before and immediately after their release from correctional institutions. Services include assessment, education, monitoring, mentoring, life-skills training, job-skills development, and mental health and substance abuse treatment.

Phase 3: Sustain and Support (community-based, long-term support): Connects those who have left justice system supervision with a network of social service and community-based organizations for ongoing services and mentoring relationships.

For ex-offenders, it is especially important to understand the risk factors that may still exist in the community or home environment to which they are returning to live. Therefore, all three phases play a critical role in supporting successful reentry and transition.

While there are many programs and services enlisted to support returning offenders, these are made available primarily through referrals. Another option is a comprehensive community reentry support and relapse prevention group for AI/AN ex-offenders recently released into the community after incarceration. One example is the Warrior Down program.

Warrior Down is a part of the Wellbriety for Prisons initiative and the White Bison movement. The founders of Warrior Down recognized the frustrations offenders released from prisons encounter as they attempt to stabilize their lives yet run into various challenges. Warrior Down is a community support program that helps ex-offenders find employment, return to school, and connect with emotional, mental, physical, and spiritual resources. It is a peer support program that helps ex-offenders obtain the resources they need while gaining confidence in the recovery process.

The Warrior Down program partners with community services, family services, and law enforcement agencies that provide support for AI/AN ex-offenders reconnecting with their communities after incarceration. Transitional housing and work release centers are also included in this program. Ex-offenders are invited to participate in the Warrior Down support group. Participants receive individual and ongoing group support, including a personal needs assessment to identify areas where support is needed. The program helps participants

navigate social service systems that can be overwhelming and frustrating and can become barriers to successful community reentry. Warrior Down is located in several different states including Washington, California, and Idaho. The program is constantly expanding as the initiative works to provide training through the Wellbriety for Prisons program.

Maintaining parental ties is another critical aspect of preparing offenders for reentry and resuming or rebuilding their parental responsibilities to their children. Short- and long-term absences of parents due to incarceration have many impacts on children regardless of their age. One program aimed specifically at AI/AN children of incarcerated parents matches mentors to children ages 4–17 and helps them cope with the parents' absence. The Building Bridges program in New Mexico relies on culture-based resources to help children and youth maintain ties to their parents while incarcerated and continues through the parents' release (see case description on pages 33–35).

Community Restoration

Community restoration is aimed at improving living conditions, enhancing home security, allowing for low-cost physical improvements, developing long-term efforts to renovate and maintain housing, and providing educational, economic, social, recreational, and other opportunities.³¹ For ex-offenders, this aspect is one of the most critical elements needed for successful transition. If offenders have a safe and affordable place to live, a job, access to education, and enough money to pay for living expenses, they are more likely to maintain a program of recovery.

Competency development is essential to help the returning offender have a meaningful life in the community. This includes the competency to find a job and keep it or to get an education. Other aspects include the ability to handle stressful situations and temptations to use alcohol or drugs and to cope with mental illnesses. Competencies are necessary to provide alternatives for the returning offender. If there are no alternatives for work, school, or other activities, the probability of recidivism increases. Any reentry program should include many strategies to support the returning offender.

A compelling example of competency development in Indian Country has been developed by tribes in Oklahoma and Michigan. The Muscogee (Creek) Nation Reintegration Program works with ex-offenders to meet immediate and long-term needs (see case description on pages 36–38). The Keweenaw Bay Indian Community provides safe and affordable housing and employment for tribal members and other Indians through a tribal housing program (see case description on pages 39–41). Both programs are examples of what tribal governments may do to help their tribal citizens regain personal integrity and community respect and to live productive lives.

GENERAL REENTRY POLICY CONSIDERATIONS

In order to establish consistency with offender reentry, it is important for tribal governments to develop policies and procedures articulating their roles and responsibilities with this process. A reentry policy establishes the general intent regarding ex-offenders returning to tribal communities and provides a method for tribal communities, especially for victims, to provide input into the reentry process.

Developing a reentry policy requires that a philosophical decision be made early that will provide adequate direction to the process. That philosophy hinges on whether the reentry process will be centered solely on the offender and the agencies involved or whether the process will involve the offender, victims, families, and local community programs, as well as the supervising agencies. The latter is more culturally appropriate for tribal communities whose citizens have lived in the same community for generations.

The narrowly focused process requires little beyond statutory notice requirements and the released inmate's willingness to comply with conditions of release. Not involving all the possible tribal stakeholders and supervising agencies contributes to—

- High offender recidivism.
- Victims not feeling safe.
- Victims and the offenders' families remaining at odds.
- Communities reacting to the offender and family with suspicion and fear.

If an approach is taken that includes all the stakeholders, the likelihood of reoffending is lowered. This also encourages the victim's and offender's families to reconcile enough to live peaceably in the same community and helps the community perceive the ex-offender in a more positive view rather than as a threat.

Development and implementation of reentry policies by tribes should address three major areas: 1) tribal government responsibilities; 2) funding; and 3) tribal community roles. These three integrated areas are the keys to making any reentry policy work, regardless of the nature of the policy.

Tribal Government Responsibilities

Each tribe has the governmental authority to enter into intergovernmental agreements and maintain the tribal police, courts, and other agencies and is the entity that receives funding from federal, state, and other sources. The tribe's governmental role automatically creates an expectation that the tribe will be implementing the reentry policy and providing necessary services under that policy. However, creating a new level of bureaucracy should not be an outcome of the reentry policy, unless there are no other options. If at all possible, the policy implementation should occur through the integration of reentry policy activities into existing agencies and programs, such as probation and parole, counseling programs, and victim assistance programs.

Funding

Funding is an important part of reentry activities. A reentry policy will result in additional responsibilities being placed on existing programs. If there are sufficient numbers of reentering offenders, there may be a need to establish a special office to coordinate services or even provide direct services. Both of these options will require additional funding. Reentry is fast becoming the major corrections issue in the country. Due to the large increases in the incarceration of American Indian/Alaska Native (AI/AN) people starting 15–20 years ago, today there are large numbers of offenders being released. This trend will continue and may become an even greater issue in the near future. Reentry is a national concern and has resulted in a number of federal and state program initiatives that can provide resources for reentry, such as those funded by the Second Chance Act (Public Law 110-199). By establishing a reentry policy and developing the accompanying intergovernmental agreements and programmatic activities, tribal governments can better position themselves to approach funding agencies for assistance.

Tribal Community Roles

Tribal communities are affected by the actions of ex-offenders. Regardless of when or where the offense occurred, the tribal community shares the responsibility of restoring the families and affected individuals after the offense. In most instances, AI/AN offenders return to their tribal communities upon release. Tribal communities and families will be the first to experience any violations of the offender's release agreement. As a reentry policy is implemented at the tribal community level, a number of questions will need to be answered:

- How will local tribal communities and villages and the tribal government share authority and responsibility under a reentry policy?
- Can local tribal communities and villages obtain resources that will provide the skills and services necessary to support reentry and reintegration of ex-offenders returning from long-term placement or treatment?
- How can continuity be maintained from one tribal, state, or federal administration to another?

Some of these issues can be answered through comprehensive policy and others will need to be addressed as the need arises, following the principles that guided the development of the policy.

RECOMMENDATIONS

The following are recommendations that support ongoing development of tribal reentry programs:

1. **Conduct needs assessments**—A needs assessment may be done through focus groups with multidisciplinary groups working in tribal communities to identify reentry programs and initiatives. Programs are generally focused on serving the target population while initiatives refer to efforts such as development of intergovernmental relations, intergovernmental or interagency agreements, supporting legislation, policies and procedures, or community education and awareness. While initiatives can be included in program goals, they can often be pursued separately.
2. **Research incarceration facilities**—Use or build upon the U.S. Department of Justice’s *Jails in Indian Country* studies to research conditions of confinement and reintegration practices in each facility. Tribes can share this information with planning groups, leadership, and evaluators.
3. **Review data and implement studies**—Conduct further studies of tribal reentry programs and initiatives through various data collection activities, such as program reviews and obtaining community input through a mix of survey strategies or community talking circles with different target populations. Study targets could include each component of the tribal justice system such as law enforcement, courts, prosecution, probation, jails or correctional facilities, allied agency support services, and private businesses or organizations. Research areas could include programs and services, intergovernmental relations and agreements, public policy development, and other related areas.
4. **Request training and technical assistance**—Support is needed as a tribe develops a comprehensive reentry program, as is training to create intergovernmental relations, agreements, and policies and procedures. Requests by tribes to internal, regional, or national resources should be focused on requesting experienced technical assistance providers who have demonstrated experience in tribal justice systems, offender reentry, tribal cultures, tribal government systems, and relations between federal, state, and tribal governments. For example, depending on available resources, a tribe may request technical assistance from a state or federal agency concerning offender reentry and to identify the qualifications of the technical assistance provider, such as demonstrated work experience in tribal justice systems.
5. **Develop model reintegration policies**—Policies are needed for tribal, state, and federal courts to use as references in developing programs and procedures.
6. **Develop culturally competent programming and training curricula**—Resources that incorporate specific tribal reintegration issues, concerns, and needs are in demand. To build internal facility capacity, administrators, practitioners, and

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policymakers need knowledge of more effective ways to work with Indian nations regarding the needs of imprisoned American Indian/Alaska Native (AI/AN) offenders. Culturally relevant curricula is needed to help internal facility staff to become culturally literate and to gain the knowledge, skills, and abilities they need to develop programs and access cultural-based resources to assist AI/AN prisoners while in confinement and as they prepare for reentry.

7. **Conduct tribal planning sessions**—Sessions involving tribal, state, and, where appropriate, federal practitioners are needed to design and implement tribal reentry plans. This could include various delivery methods including online training and technical assistance. This planning would also enable tribes to build programs that collect the type of evidence-based data needed to evaluate program effectiveness, document what works, and enable self-evaluations or program evaluations conducted by external evaluators.

CONCLUSION

Indian tribes confront serious issues as tribal governments dealing with tribal citizens returning home from short- or long-term incarceration. This raises questions about the rehabilitation of the offender and the safety of the victim, family, and community as well as process questions and intergovernmental issues. Nationally, reentry is a growing concern shared by tribal governments. Tribal governments are becoming more proactive as they look for options and ways to meet the reentry and reintegration needs and concerns of ex-offenders and the tribal communities they may return to upon release.

Reentry, while raising issues and presenting problems, also provides an opportunity to validate and encourage the traditional tribal processes. Any long-term solution to reentry requires the development of policies that govern reentry processes, service delivery, and community expectations of offenders. Tribal governments have the opportunity to develop policies that affirm and include tribal communities in the reentry process. Tribes have the opportunity to develop tribal and culture-based processes designed to maintain harmony and balance. Policies based on traditional philosophies, ceremonies, and approaches may help to reduce negative response to an offender's return to the community or village. Using tribal- or culture-based restorative or reparative principles to address reentry issues will help communities and villages become a resource in the reentry and reintegration process.

CASE DESCRIPTIONS

The following are case descriptions of successful reentry programs in Indian Country:

Leech Lake-Cass Wellness Court: Joint Tribal-State Jurisdiction Initiative³²

Founded:	2006 Joint Powers Agreement between the Leech Lake Band of Ojibwe and Cass County of Minnesota; and with Itasca County, MN, in 2007
Service Area:	Leech Lake Band of Ojibwe
Target Population:	Convicted adult Ojibwe and other Indian and non-Indian alcohol or drug offenders
Budget:	Unspecified state and federal funding
Funding Sources:	Minnesota State Court Administrator's Office and the U.S. Department of Justice, Bureau of Justice Assistance (BJA) Tribal Courts Assistance Program

Program Description

In the spirit of creating formal agreements between tribal nations and other governmental bodies, the Leech Lake Band of Ojibwe Tribal Court took a huge step forward and set precedent in the nation with its groundbreaking intergovernmental agreement with a Minnesota District Court. In 2006, Leech Lake, Minnesota's Ninth Judicial District, and Cass County District Court entered into a formal agreement to form a unique problem-solving court. The Leech Lake-Cass County Wellness Court was made possible by a Joint Powers Agreement (JPA) that would allow the courts to achieve their mutual goals of improving access to justice more effectively and efficiently, administering justice for effective results, and fostering public trust, accountability, and impartiality. In 2008, the Itasca County District Court entered into an identical agreement with the Leech Lake Tribal Court. The Wellness Court was created with grant resources from the Minnesota State Court Administrator's Office and the BJA Tribal Courts Assistance Program. The court is a post-conviction, post-sentencing DWI court founded on the 10 principles of drug courts and handles the cases of both tribal members and non-Indians. The mission of the Wellness Court is to enhance public safety by providing hope and opportunities for appropriate treatment with accountability, thereby improving the quality of life within families and the community.

The JPA is characterized by involvement of the tribe and state through their respective courts. Often a JPA includes joint resource sharing (e.g., judicial and court staff time), tribal treatment providers, law enforcement participation, and sharing costs or funding.

There is a multijurisdictional, multidisciplinary core team made up of representatives from tribal, county, state, and other agencies that preside together over hearings. Under the JPA, the two court systems work collaboratively and creatively for better results for those involved in the adult and juvenile justice systems. Involvement in the Wellness Court has

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brought unprecedented recognition not only for the Leech Lake Band of Ojibwe Tribal Court, but also for tribal sovereignty in general.

Special Features

An interdisciplinary team of prosecuting attorneys and tribal, county, and state agency representatives meet weekly for case management that promotes recovery support for the Wellness Court's participants. In January 2008, interactive videoconferencing was installed at the Leech Lake Court, which enables Wellness Court sessions to run simultaneously in the tribal court and participating district courts.

Keys to Success

- Written JPA.
- Multijurisdictional resource sharing.
- Use of technology to lower travel costs and enable cross-jurisdictional participation.
- Multidisciplinary approach to offender supervision, treatment, and support.

For More Information

Leech Lake Band of Ojibwe Tribal Court

115 Sixth Street, NW, Suite E • Cass Lake, MN 56633 • 218-335-3682

Cultural Services Program to Incarcerated Youth

Founded:	2000
Service Area:	New Mexico Children, Youth and Families Department's four juvenile justice facilities
Target Population:	American Indian youth in state facilities
Budget:	\$25,000 annually
Funding Source:	State of New Mexico Children, Youth and Families Department

The lack of access to culturally relevant and appropriate services is among the issues affecting American Indian youth in short or long-term confinement in facilities controlled by the New Mexico Children, Youth and Families Department (CYFD). To remedy this situation, the New Mexico Children's Code adopted provisions that mandate access to culturally relevant treatment and services to American Indian clients. Incarcerated American Indian youth often come from rural and distant New Mexico tribes or pueblos.³³ For a variety of reasons, these youth have little contact with their families or tribal service providers while in CYFD custody. One common reason for the limited family contact is the distance from home to the child's placement or lack of transportation. The lack of contact with family and/or tribal service providers negatively affects the rehabilitation, treatment, and reentry plans for incarcerated Indian youth.

Program Description

American Indian Development Associates (AIDA) strives to provide culturally appropriate services, as well as to offer mentorship to American Indian clients in state juvenile correctional facilities. Cultural advisors and mentors help to provide services that create a sense of community and cultural familiarity for incarcerated youth. The Cultural Services Program works with male and female clients in gender-specific and/or mixed groups. The clients range from 14 to 21 years old. The majority of clients served in the facilities are Navajo with a smaller proportion being Pueblo, Apache, or members of tribes from other states.

Activities include implementation of the American Lung Association's Not on Tobacco (N-O-T) for American Indian Teens cessation curriculum, traditional sweat lodges, drumming lessons, spiritual counseling, talking circles, storytelling, and arts and crafts. Special activities and presentations are conducted quarterly and include presentations on traditional subsistence, youth leadership, and empowerment.

A volunteer mentoring initiative was recently added to the program. The mentoring component utilizes motivated, responsible American Indian adults who are willing to maintain a one-on-one relationship with the incarcerated Indian youth. Mentors meet with a youth in the facility about once a week to assist youth in working toward established goals or to work on setting further goals for the future.

Administration and Collaborative Support

Through the project, AIDA collaborates with the CYFD tribal liaison, CYFD program managers, and CYFD youth care specialists to see that the programming is carried out in accordance with the safety and security policies of the facilities. AIDA consultants are the pivotal agents ensuring that incarcerated youth are engaged in culturally enriching activities that promote positive Indian identity. The mentors also provide an invaluable role through their volunteer services and the one-on-one contact that youth yearn for and need.

Results and Outcomes

- Program youth stay connected to Indian culture and maintain their Indian identity through the services provided by this program.
- Indian youth have access to culture-based methods, approaches, values, and philosophies to address their behavioral issues. At each facility, CYFD staff report that youth who participated in the cultural program were less likely to have behavioral problems when they returned to their regular programming schedule.
- Involvement of adult Indian males and females helps youth know that the Indian community cares and is invested in helping them learn and/or maintain cultural connections.
- Through the Cultural Services Program, AIDA has also been able to implement cultural training for the CYFD facility administration and staff. This training is beneficial to the staff and to the youth who participate in programming. The cultural training gives staff a context to relate to some of the issues Indian youth experience. The training increases cultural understanding and education about the significant uses of culture as a resource for Indian youth in their plans of care.

Keys to Success

- Recruitment of adult Indian male and female mentors.
- Ongoing orientation and training for cultural advisors and mentors.
- Building a pool of cultural advisors who help develop cultural talent and teach skills to the youth through hands-on activities or cultural teachings.
- Building partnerships with local community-based programs that offer similar culturally based activities, which add more support and community outreach to the youth in the facilities.
- Building partnerships with local college students who can share their experiences as successful young Indian people, which motivates clients to see that they too have potential to make better choices for their lives.

For More Information

American Indian Development Associates

2401 12th Street, NW, Suite 213 • Albuquerque, NM 87104 • 505-842-1122

Building Bridges Mentoring Program

Founded:	2003
Service Area:	Urban and rural American Indian youth in Bernalillo and Sandoval Counties in New Mexico
Population:	Families, children, and youth of incarcerated parents
Budget:	\$100,000 annually
Funding Source:	U.S. Department of Health and Human Services, Administration for Children and Families

In the United States, more than 2 million children have a parent in jail or prison. In New Mexico, more than 10,000 children have a parent who is in a state, federal, or local correctional facility. Children of prisoners, like other children, have basic needs. They need a safe place to live and people to care for them in their parents' absence. First Nations Community Health, an Albuquerque-based nonprofit, recognized the need for these children to maintain positive relationships with people who care for them and created the Building Bridges Mentoring Program.

Program Description

Building Bridges Mentoring Program (BBMP) is a nonprofit organization that aims to promote positive, healthy outcomes for American Indian youth by facilitating a culturally sensitive mentoring relationship between a caring adult volunteer and a youth ages 4–17. The program goals are to have a positive impact on a mentee's school attendance, academic performance, self-esteem, and confidence and to promote healthier community relationships.

The program uses a collaborative approach involving staff and volunteers and, of further interest, it includes the schools along with participating children, their families, their respective communities, and other organizations. Their joint goal is to improve the quality of life for children and youth of incarcerated parents. BBMP collaborates with other entities to complement the services provided by other agencies and to avoid duplication of efforts. Integral collaborative partners are programs that foster or maintain the vital connection between children and youth and the incarcerated parent. Children and youth with a parent in a correctional institution are able to have access to unique services that provide opportunities and treat this population with respect rather than stigmatize them.

Participating children and youth are matched with an appropriate adult based on factors determined during intake. The matches—a child or youth (mentee) and an adult (mentor)—then can opt to participate in group activities provided by BBMP or to maintain their relationship on an individual basis. Although participation in group activities is optional, there is a high participation rate among the mentees and their volunteer mentors. All activities are sponsored by BBMP and are free of charge to the matches. Building Bridges goes above and beyond its focus of facilitating mentoring relationships to provide support systems to the families of participating children and youth.

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Examples of the services and activities provided include the following:

- Sweat lodges.
- Traditional arts and crafts.
- Talking circles.
- Participation in pow-wows or other traditional events.
- Youth conferences aimed at prevention of risky behaviors common among children and youth.
- Holiday-themed events open to families of participating youth.

Children and youth are referred to BBMP by many different agencies that have a vested interest in the well-being of a child or youth. Clients participate on a voluntary basis and may be referred through a self-referral, their school, social services agencies, the correctional facility where their parent(s) are located, or law enforcement agencies. Children and youth are eligible to participate in BBMP if they—

- Have one or both parents incarcerated.
- Live in Bernalillo or Sandoval Counties.
- Are 4–17 years old.
- Can make a 1-year commitment to the program.

Cultural Relevance

Matching mentees to mentors based on cultural criteria is a strategy that is used to ensure that the program maintains cultural relevance. BBMP strives to provide cultural-based activities facilitated by knowledgeable cultural advisors that take place at least twice per month. Implementing these activities is a way to guarantee that clients' relationships to their communities and tribes are maintained and/or strengthened.

Administration and Support

BBMP is maintained by a small staff and is highly dependent on volunteer mentors. The full-time staff consists of one program manager and one case manager. Currently BBMP has more than 22 volunteer mentors without whom the program would not be possible. Building Bridges is guided by an 18-member advisory board that assists in planning activities and making certain that the program is meeting its identified goals. Furthermore, formal interagency agreements with external agencies provide additional services and strengthen the program's functioning and sufficiency.

Results and Outcomes

The program utilizes standardized pre- and post-evaluations to measure different factors of a client's self-esteem and confidence. BBMP also tracks student progress in schools to measure whether their mentoring relationships are effective in meeting the identified goals of having a positive impact on academic attendance and performance. BBMP staffers are also able to witness the positive changes in the mentees' attitudes, behavior, and demeanor by

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visual observations during activities and events hosted by the program. Staff members recognize that clients are able to establish a healthy relationship with their mentors and are able to witness relationships established between clients and their incarcerated parents.

Keys to Success

- Ongoing recruitment of volunteer mentors from tribal communities.
- Recruitment of volunteer elders to assist in cultural awareness for programming and activities provided to clients/mentees.
- Continued collaboration with other service providers with goals to enhance the well-being of American Indian youth.
- Partnerships with local service providers who can continue to identify youth in need of services and make formal referrals.

For More Information

Building Bridges Mentoring Program

5608 Zuni Road, SE • Albuquerque, NM 87108 • 505-262-6539/6559

Muscogee (Creek) Nation Reintegration Program

Founded:	Passed by tribal law August 2004; office established March 2005
Service Area:	Muscogee (Creek) Nation, East-Central Oklahoma
Target Population:	Adult reentering offenders (MCN citizens)
Budget:	\$782,959 annually
Funding Sources:	Muscogee (Creek) tribal gaming revenues, Harvard University's Honoring Nations Award

The Muscogee (Creek) Nation (MCN) recognized the unique needs of individuals who have been involved in the criminal justice system and developed one of the first-ever tribal reintegration programs. There is evidence that each year more than 600,000 inmates are released from federal and state prisons and return to their families and communities. Of the 2.1 million prison inmates now in prison, 95% will be released without intervention, and more than two-thirds will be rearrested. MCN believes that in order to have a successful transition back into the community, it is vital to provide ex-offenders with resources that can assist in a successful reintegration and transition. Therefore, MCN expends costs toward rehabilitating its citizens rather than toward prosecution and/or incarceration.

Program Description

MCN has established a means to create safer communities for tribal citizens by offering services to an un-served population in need of support systems. The national award-winning MCN Reintegration Program serves ex-offenders who are transitioning from a correctional facility back into the tribal community. MCN strives to decrease recidivism and enhance public safety through rehabilitation. The program aims to break the chains of addiction and criminal behavior. MCN's philosophy is to build stronger families and communities by reconnecting offenders with a culture where they can thrive and succeed.

The MCN Reintegration Program encompasses many components that work with ex-offenders to meet immediate and long-term needs. Essential and short-term necessities are met through parole and court advocacy; specialized reentry classes; clothing, food, and employment referrals; and job advocacy. Some long-term goals are met through mental health and substance abuse referrals, resources to attain educational opportunities, and assistance with temporary and long-term affordable housing.

The MCN program serves approximately 350 clients annually. In addition to client self-referrals, it receives referrals from tribal court, law enforcement, probation, corrections and detention, social services, family members, and workforce agencies.

To be eligible for services, certain criteria must be met:

- Must be a Muscogee (Creek) Nation citizen released from an in-state correctional facility.
- Must have the willingness to work.

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- Must have the desire to change and be willing to adapt to a post-release reintegration plan.
- Must not have any outstanding criminal charges.
- Must reside in a Muscogee (Creek) Nation jurisdiction.

Cultural Relevance

The program incorporates components of the tribal system throughout all aspects of case management. The MCN program believes in enhancing and involving the community to promote the lives of citizens through a modern yet traditional wraparound process. Traditional ceremonial activities including Native American Church, sweat lodge ceremonies, and a native-adapted, 12-step program are offered to maintain the foundational connection to tribal-based healing.

Further, the program encourages and requires participants to give back to the tribal community as a way to demonstrate their gratitude for the support the tribe provides, for example by performing volunteer work at a nonprofit or for tribal elders. Elder services include mowing lawns, painting, light home maintenance, and tree trimming. Through this return of service, the community is able to alter the damaging stigma that is placed on the people who have been to prison. MCN believes that every citizen is important and that addressing the needs of all its citizens strengthens and contributes to tribal sovereignty.

Administration and Support

The MCN Reintegration Program staff, although not a large group, is a powerful group. Program staff members have been acknowledged by their peers as experts in the reentry field. The staff consists of one manager, three caseworkers, a juvenile specialist, a secretary, and a volunteer. One staff member has been awarded a Lifetime of Achievement Award and staff have been guest speakers at national conferences. The program works closely with probation, courts, law enforcement, and corrections to create sufficient wraparound services needed by clients.

Results and Outcomes

Since the MCN Reintegration Program was established, there has been a consistent rise in the number of clients served. The numbers validate the notion that the program is highly effective in assisting ex-offenders in accomplishing a successful transition. An internal program assessment indicates that there is a 97% success rate after a participant is involved for 1 year, measured by the attainment of pro-social behavior along with an absence of criminal behavior. The success rate also demonstrates that a positive impact is being made in the community and that citizens are not returning to jail or prison.

Other positive indicators include the following:

- Program participants have graduated from college, trade school, or vocational-technical schools.

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- Participants obtain gainful employment and become self-sustaining, positive, productive citizens.
- Participants have taken progressive steps to deter criminal behavior with area youth by sharing life stories and examples of how mistakes can change a person's life forever.

Keys to Success

- Provide information affecting reentry and transition to tribal, state, federal, and community stakeholders. Cultivate awareness for the need of reentry services.
- Use graduated sanctions when working with ex-offenders. Give participants a second chance. Use mistakes to help them learn how their treatment goals can be modified to make them more attainable and incur fewer failures.
- Target youth early on with prevention efforts. Make use of participants who have negative experiences to share and use the stories of offenders/ex-offenders to deter young people from making similar mistakes.
- Promote positive reentry conditions that support the practice of individual responsibility with and within the tribal community.
- Incorporate tribal and community traditions. All aspects of this program can be replicated with the incorporation of traditions and cultural beliefs to make it unique to each tribe or community.
- Foster a celebration of success of citizens and their contribution toward a renewal of family and spiritual growth, thereby celebrating their accomplishments.

For More Information

Muscogee (Creek) Nation Reintegration Program

615 East Corporation Street • Henryetta, OK 74437 • 918-652-2676

Keweenaw Bay Indian Community Supportive Housing Program

Founded:	Passed by tribal law August 2004; office established March 2005
Service Area:	Keweenaw Bay Indian Community, Ojibwa Lake Superior Band of Chippewa Indians
Budget:	Unspecified percentage of funding from the U.S. Department of Housing and Urban Development
Source:	Native American Housing and Self-Determination Act (NAHASDA)

The Keweenaw Bay Indian Community (KBIC) created a tribe-specific program that fits its own cultural practices. The U.S. Department of Housing and Urban Development (HUD) has a one-strike policy resulting from *HUD v. Rucker*, No. 00-1770. This policy compels tribes to be very strict with their tenants or guests caught using illegal drugs or are involved in drug-related criminal activity on or near the premises, even if the resident was unaware of the activity. KBIC modified the one-strike policy to address its underserved constituents. KBIC Supportive Housing Program opened its doors in 2006 to give those transitioning out of incarceration or treatment facilities a home. KBIC believes that with their basic need for shelter met, ex-offenders are not as likely to commit crimes as when they are wandering the streets. The KBIC Supportive Housing Program provides a way to keep the community-at-large safe by transitioning offenders who are tribal citizens and are looking to perform restitution.

Program Description

The KBIC Supportive Housing Program goal is to provide safe and affordable housing and employment for tribal members and other Indians. The program began as a general community-housing program, but has been expanded to include a supportive/transitional housing program. The supportive/transitional housing program recognized the unique needs of individuals who are transitioning out of criminal justice facilities and treatment centers or who are coping with homelessness. KBIC took an interest in community members who were challenged with the difficult transitional period upon release from a facility and acknowledged that both groups encounter some of the same challenges and need some of the same support services.

The program has been in existence since March 2006 and is quickly expanding. A high need for supportive housing has been demonstrated and the KBIC Supportive Housing Program is attempting to grow with the demand. The program has been successful as the community takes ownership of helping fellow community members who need a different approach to moving on and addressing their life issues. KBIC has been supportive in advocating for others to have a safe place to live. KBIC has recognized that if offenders are off the streets following their transition into the community, they are less likely to commit further criminal offenses.

Cultural Relevance

The program prides itself on being culturally relevant because it is the tribal community serving its own tribal members. The community's inclusiveness is a way to provide a safer environment for all tribal citizens. This includes those who have engaged in wrongful, criminal, or delinquent behavior and who need help setting a new and healthier path for themselves. The community is made up of families that whole-heartedly embrace the responsibility of helping one another. KBIC views its program as the traditional Indian way of including offenders in services and demonstrating to those people in need that they have the community's support.

Administration and Support

The KBIC Supportive Housing Program is made up of administration, staff, and caseworkers with regular input from a community steering committee and subcommittees. As a Weed and Seed Community grantee, KBIC has made significant improvement in its collaborative efforts and believes that it is stronger than it has ever been.

The program also works with representatives from other tribal departments including mental health programs, alcohol and drug treatment programs, tribal or local courts, police, and other external agencies as deemed necessary. Each of the subcommittees meets on a monthly basis to provide input, share concerns, and support program efforts.

Work with internal tribal departments is constantly developing as issues arise. Departments provide program input as well as direct services to clients. For example, if an offender is transitioning out of a facility or treatment center, the respective responsible departments will work with the ex-offender to pay security deposits and other necessary costs for the client to become initially stable. Further, if someone is at risk for eviction from a home, a caseworker can make a referral to a residential treatment center to assist with subsequent housing placements.

Results and Outcomes

With so many tribal members using the service, there is now a waiting list. Program staff view the number of individuals utilizing the services as an indicator of the program's success. Each client who is involved in the transitional component of the program is monitored with the use of an individual service plan (ISP). Each client's progress in relation to job searches, money management, and transition to self-sufficiency is evaluated on a regular basis. At the end of each specified timeframe, clients are re-evaluated and the ISP goals may be modified based on the client's progress. To date, data analysis indicates people are successfully moving on to own their homes, are successfully paying their bills, and are being more self-sufficient.

With any great program comes the increase in potential service recipients. The housing program, which was initially intended to provide supportive housing to all tribal members in need, is overwhelmed by having to pick between those law-abiding citizens who have jobs

and need a place to stay and those who are coming out of facilities needing a second chance to do well. There is a definite need for more housing units.

Special Features

In addition to the collaboration with many agencies throughout the community, KBIC is working on developing a special relationship with a proposed drug court program through the KBIC court. It was estimated that eight of nine people who will be processed through drug court will not have a permanent place to live. With the support of the Supportive Housing Program, offenders will have a place to live and to create stability with much more oversight through the drug court program. It is envisioned that the drug court will be the forum where all things will come together and accountability will be achieved. Police, judges, courts, probation, and the Supportive Housing Program will be linked together and report to one another to support mutual clients. The drug court will theoretically be the agency where all the entities can come together to discuss the successes and failures of offenders, and offenders will have the responsibility of reporting progress measures to all service providers involved.

Keys to Success

- KBIC takes control in developing culturally relevant and appropriate policies.
- KBIC uses HUD funding in a way that provides the most beneficial housing program to meet community needs.
- Supportive services promote collaboration and engage different departments within the tribal communities, thereby utilizing the strengths offered by each program.
- Uses cultural strengths, knowledge, and resources in the community to make the program culturally relevant, appropriate, and meaningful.
- Makes use of the tribal authority and tribal members to decide what works best for community people.
- Tracks individual progress in programs intended to better the lives of community members and utilizes the data to understand ways to improve programming or to continue as is.

For More Information

KBIC Supportive/Transitional Housing Program

220 Main Street, Suite 26 • Baraga, MI 49908 • 906-353-7117, ext. 114

FEDERAL FUNDING

The Office of Justice Programs (OJP), through a number of its bureaus, is working to reduce recidivism and its attendant fiscal and social costs and to increase the safety of our communities. This is a high priority of the Obama Administration and Attorney General Holder and one of the largest efforts is the Second Chance Act of 2007.

Through the provisions of this statute, OJP is able to increase its support of reentry demonstration projects that use validated assessment tools to determine the risks and needs of offenders. The Bureau of Justice Assistance (BJA) is overseeing projects designed to provide offenders in prisons or jails with necessary services, including educational, literacy, vocational, and job placement services to facilitate reentry into the community; substance abuse treatment and services that represent a full continuum of treatment services during incarceration and in community-based settings upon release; and coordinated supervision and comprehensive services for offenders upon release from prison or jail, including housing and mental and physical health care to include veteran-specific services.

OJP addresses the challenges that returning sex offenders bring to their communities through the Adam Walsh Act Implementation Grant Program. This program assists states, the District of Columbia, territories, and tribal jurisdictions with developing and/or enhancing programs designed to implement the requirements of the Sex Offender Registration and Notification Act (SORNA) of the Adam Walsh Child Protection and Safety Act of 2006.

Discretionary Programs

Program Name: Second Chance Act Adult and Juvenile Offender Reentry Demonstration Projects

Grantee: Competitive

FY 2010 Funding: \$37,000,000

OJP Sponsor: [BJA](#)

Web Link: www.ojp.usdoj.gov/BJA/grant/SecondChance.html

Program Contact: Thurston Bryant, 202-514-8082, Thurston.Bryant@usdoj.gov

Program Description

The Second Chance Act authorizes grants to state and local governments and federally recognized Indian tribes for demonstration projects to promote the safe and successful reintegration of incarcerated individuals into the community. Allowable funding uses include employment services, substance abuse treatment, housing, family programming, mentoring, victim services, and methods to improve release and revocation decisions using risk assessment tools.

Program Name: Second Chance Mentoring Program

Grantee: Competitive

FY 2010 Funding: \$15,000,000

OJP Sponsor: [BJA](#)

Web Link: www.ojp.usdoj.gov/BJA/grant/SecondChance.html

Program Contact: Thurston Bryant, 202-514-8082, Thurston.Bryant@usdoj.gov

Program Description

The Second Chance Act authorizes mentoring grants for nonprofit organizations and federally recognized Indian tribes. Project initiatives include mentoring adult offenders and offering transitional or other services to promote the safe and successful reintegration of formerly incarcerated individuals back into the community.

Program Name: Adam Walsh Act (AWA) Implementation Grant Program

Grantee: Competitive

FY 2010 Funding: \$9,250,000

OJP Sponsor: [Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking \(SMART Office\)](#)

Web Link: <http://www.ojp.usdoj.gov/smart/indiancountry.htm>

Program Contact: Victoria Jolicoeur, 202-514-4696, Victoria.Jolicoeur@usdoj.gov

Program Description

Grant projects must further jurisdiction compliance and clearly demonstrate specific requirements of SORNA that will be implemented as a result of funding support. Activities supported by this program may include the following:

- Developing or enhancing jurisdiction-wide SORNA sex offender registration programs or functions.
- Enhancing infrastructure to assist implementation of SORNA, such as for the collection, storage, submission, or analysis of sex offender biometric data (finger and palm prints) and DNA.
- Developing or enhancing law enforcement and other criminal justice agency information sharing at the jurisdiction level, as well as between jurisdiction-level agencies and local-level agencies, as it relates to SORNA sex offender registration and notification compliance and accountability.
- Implementing records management and conversion projects.
- Providing support for coordinated interagency efforts to comply with SORNA.
- Developing and implementing training for law enforcement and other criminal justice agency personnel responsible for sex offender registration and compliance related to SORNA implementation.

See Also:

Second Chance Act Adult and Juvenile Offender Reentry Demonstration Projects (www.ojp.usdoj.gov/ProgramPlan/section3.htm#secondchancereentry)

National Law Enforcement and Corrections Technology Center (NLECTC) System National Center (www.ojp.usdoj.gov/ProgramPlan/section9.htm#nlectc)

Training and Technical Assistance

Program Name: Comprehensive Approaches to Sex Offender Management (CASOM) Training and Technical Assistance Program

Grantee: Competitive

FY 2010 Funding: \$3,300,000

OJP Sponsor: [SMART Office](#)

Web Link: www.ojp.gov/smart

Program Contact: Jackie O'Reilly, 202-514-5024, jacqueline.o'reilly@usdoj.gov

Program Description

The CASOM program assists state, local, and tribal jurisdictions in improving their adult and/or juvenile sex offender management policies and practices by critically examining existing approaches to monitoring and managing the population; identifying significant gaps and needs in the monitoring and management of sex offenders programs; and developing programs to address the needs identified in existing programs.

Program Name: Second Chance Act: National Reentry Resource Center

Grantee: Council of State Governments Justice Center (Justice Center) (Continuation)

OJP Sponsor: [BJA](#)

Web Link: www.nationalreentryresourcecenter.org

Program Contact: Thurston Bryant, 202-514-8082, Thurston.Bryant@usdoj.gov

Program Description

The Justice Center recently established a National Adult and Juvenile Offender Reentry Resource Center (Reentry Resource Center) on behalf of BJA to provide education, training, and technical assistance for states, tribes, territories, local governments, service providers, nonprofit organizations, and corrections institutions on issues related to adult and juvenile offender reentry. The Justice Center will collect data regarding offender reentry from demonstration grantees and other agencies and organizations and will disseminate information to states and other relevant entities about best practices, policy standards, and research findings. The Reentry Resource Center will provide a "one-stop" location where the reentry field can easily obtain appropriate tools and materials; connect with peers across the country; identify and promote evidence-based practices; translate reentry research into user-friendly materials; deliver individualized, targeted technical assistance to BJA grantees to maximize the likelihood that they achieve proposed results; and advance the adult and juvenile reentry field generally.

See Also:

Training and Technical Assistance for Weed and Seed Communities
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#weedseedcommunities)

National Training and Technical Assistance Center (NTTAC)
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#nttac)

National Training and Technical Assistance Center for Youth in Custody
(www.ojp.usdoj.gov/ProgramPlan/section3.htm#youthincustody)

Alternatives to Conducted Energy Less-Lethal Devices
(www.ojp.usdoj.gov/ProgramPlan/section9.htm#lesslethaltechnologies)

Research and Statistical Programs

Program Name: Recidivism of Federal Offenders

Grantee: Competitive

FY 2010 Funding: \$300,000

OJP Sponsor: [Bureau of Justice Statistics \(BJS\)](#)

Web Link: www.ojp.usdoj.gov/bjs

Point of Contact: Howard Snyder, 202-616-8305, Howard.Snyder@usdoj.gov

Program Description

This project will track a sample of persons released from federal prison to determine their recidivism patterns. Federal Bureau of Investigation (FBI) and state criminal history records will be converted for comparison to a prior study of persons released from state prisons.

Program Name: Census of Probation Agencies/Offices

Grantee: Competitive

FY 2010 Funding: \$450,000

OJP Sponsor: [BJS](#)

Web Link: www.ojp.usdoj.gov/bjs

Point of Contact: William Sabol, 202-514-1062, William.Sabol@usdoj.gov

Program Description

This project will involve a study of serious mental illness among correctional populations. A census of probation agencies nationwide will be conducted to develop a roster of probation offices for two major purposes: 1) to examine such characteristics as staffing, caseload, and functions at the office and agency level; and 2) to use this information as a framework to develop a sample for a survey of probationers to meet congressional requirements of the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008. This act requires prevalence estimates of serious mental illness among correctional populations.

Program Name: Evaluation of the BJA Second Chance Act Adult Demonstration Projects

Grantee: Competitive

FY 2010 Funding: TBD

OJP Sponsor: [National Institute of Justice \(NIJ\)](#)

Web Link: www.ncjrs.gov/pdffiles1/nij/sl000937.pdf

Point of Contact: Marie Garcia, 202-514-7128, marie.garcia@usdoj.gov; Nancy Merritt, 202-305-8748, nancy.merritt@usdoj.gov

Program Description

NIJ seeks applications for a comprehensive outcome and impact evaluation of the selected adult demonstration projects funded under the Second Chance Act of 2007. The Second Chance Act of 2007 was signed into law on April 9, 2008, with the goal of increasing reentry programming for offenders returning to their families and respective communities. This solicitation seeks to award a cooperative agreement in order to measure the processes, outcomes, costs, and impacts of the programs that received funding under the Second Chance

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Act and to assess the effectiveness of the Second Chance Act in reducing recidivism among released prisoners.

Program Name: Recidivism of Offenders on Federal Community Supervision

Grantee: Competitive

FY 2010 Funding: \$300,000

OJP Sponsor: [BJS](#)

Web Link: www.ojp.usdoj.gov/bjs

Point of Contact: Howard Snyder, 202–616–8305, Howard.Snyder@usdoj.gov

Program Description

This program seeks assistance to work with BJS and the Administrative Office of the U.S. Courts through a cooperative agreement to conduct a recidivism study of offenders on federal community supervision. The successful applicant will be provided data from the Administrative Office of the U.S. Courts' Probation/Pretrial Services Automated Case Tracking System. This system maintains detailed information on each offender placed on federal supervision, including a summary of the offender's criminal history and the details of the case and of the supervision experience. The successful applicant will develop the overall design of the recidivism study, select the study cohort, and merge the databases provided into a researchable database capable of addressing the research questions. From these data, the successful applicant will assess the recidivism rates for various subpopulations and will identify factors that influence these rates, including attributes of the offender, the probation officer, and the probation office. In addition, the successful applicant will study the consistency of the criminal history information found in PACTS with the information found in FBI's III.

Program Name: Recidivism in the National Longitudinal Survey of Youth

Grantee: Competitive

FY 2010 Funding: \$350,000

OJP Sponsor: [BJS](#)

Web Link: www.ojp.usdoj.gov/bjs

Point of Contact: Howard Snyder, 202–616–8305, Howard.Snyder@usdoj.gov

Program Description

This program seeks proposals to conduct a research program that investigates the developmental patterns and correlates of recidivism using the data collected by the National Longitudinal Survey of Youth 1997 (NLSY97). The goal of this program is to develop a better understanding of the legal, social, economic, and educational factors that influence juvenile and criminal recidivism and successful reentry. The project will be conducted over an 18-month period beginning in October 2010 and will result in 1) a public access database that can service a range of recidivism studies; and 2) publications that delve into the various correlates of recidivism. Specifically, this project will determine which relevant recidivism research questions can be addressed by the NLSY97 data, create a research database from the NLSY97 data that can be used to answer these questions, and prepare reports that answer many relevant questions to aid BJS in its subsequent recidivism data collection activities.

See Also:

Crime and Justice Research and Evaluation: Investigator-Initiated
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#crimejusticeresearcher)

NIJ Visiting Fellowship Program
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#nijvisitingfellowship)

NIJ Ph.D. Graduate Research Fellowship Program
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#graduateresearchfellowship)

Building and Enhancing Criminal Justice Researcher-Practitioner Partnerships
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#researcherpractitioner)

W.E.B. DuBois Fellowship 2010
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#WEBDuBois)

BJS Visiting Fellows (www.ojp.usdoj.gov/ProgramPlan/section1.htm#bjsvisitingfellows)

American Statistical Association (ASA) Investigator Initiated Projects
(www.ojp.usdoj.gov/ProgramPlan/section1.htm#asainvestigator)

Research on Sentencing and Community-Based Alternatives to Incarceration
(www.ojp.usdoj.gov/ProgramPlan/section7.htm#researchonsentencing)

Criminal Justice Training Through The Use of Virtual Environments
(www.ojp.usdoj.gov/ProgramPlan/section9.htm#modelingandsimulation)

Developing and Evaluating Location-based Information Systems for Offender Supervision
(www.ojp.usdoj.gov/ProgramPlan/section9.htm#innovationincorrections)

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RESOURCES

Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System, National Center for Mental Health and Juvenile Justice, www.ncmhjj.com/Blueprint/intervention/reentry.shtml

Intensive Aftercare Program, Center for Delinquency and Crime Policy Studies, California State University, www.csus.edu/ssis/cdcps/iap.htm

Juvenile Re-entry, 180 Degrees, www.180degrees.org/juvenile-services.php#juvenileentry

Juvenile Re-Entry Services, Texas Criminal Justice Coalition, www.criminaljusticecoalition.org/tools_for_re_entry/juvenile_services

Juvenile Reentry: Recommendations for Policymakers, Policy for Results.org, policyforresults.blogspot.com/2010/01/juvenile-reentry-recommendations-for.html

Juvenile Reentry in Concept and Practice Webinar, National Institute of Corrections, <http://nicic.gov/Library/024245>

Juvenile Re-Entry Program, Saving Our Youth, www.savingouryouthva.com/juvenile_re-entry.html

A Model for Juvenile Justice Reentry Planning, Family Justice, www.familyjustice.org/index.php?option=com_content&view=article&id=388:a-model-in-juvenile-justice-reentry-planning&catid=98:2009&Itemid=82

Prisoner Reentry, Almanac of Policy Issues, www.policyalmanac.org/crime/archive/prisoner_reentry.shtml

Prisoner Reentry Institute, John Jay College of Criminal Justice, www.jjay.cuny.edu/centers/prisoner_reentry_institute/2710.htm

Re-Entry Policy Recommendations, Texas Criminal Justice Coalition, www.criminaljusticecoalition.org/tools_for_re_entry/recommendations

Reentry, Community Capacity Development Office, Office of Justice Programs, U.S. Department of Justice, www.ojp.usdoj.gov/ccdo/programs/reentry.html

Reentry, National Media Outreach Campaign, www.reentrymediaoutreach.org/links.htm

Reentry Initiative, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, www.ojp.usdoj.gov/BJA/grant/reentry.html

Reentry Policy Council, A Project of the Justice Center, Council of State Governments, www.reentrypolicy.org

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Reentry Web Site, U.S. Department of Justice, Office of Justice Programs, www.reentry.gov

Transition from Jail to Community Initiative, Urban Institute,
www.urbaninstitute.org/projects/tjc/index.cfm

Tribal Justice and Safety, U.S. Department of Justice, www.tribaljusticeandsafety.gov

Tribal Juvenile Detention & Reentry Resource Center, Office of Juvenile Justice and
Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice,
www.tribalreentry.org

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ENDNOTES

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