

Sharing the Spirit of Wisdom: Tribal Leaders Listening Conference

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Executive Summary

Although violent crime rates in tribal communities are two to three times higher than the national average, the communities have been unable to address the causes due to a long history of a lack of resources. In addition to crime, violence, and the fear of victimization, insufficient educational resources, inadequate access to appropriate health care, and overwhelming rates of alcohol and substance abuse threaten the safety and future of Indian families and children.

To address these concerns, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) convened a Tribal Leaders Listening Conference September 27–28, 2004, in Washington, DC, to foster collaboration between tribes and the federal government on issues and challenges affecting tribal youth. Tribal leaders from 12 regions and representatives from OJJDP, other U.S. Department of Justice offices, and the U.S. Departments of the Interior and Health and Human Services participated.

During the summer, conference participants had gathered at regional focus groups in San Francisco, CA (June 22–23), and Green Bay, WI (August 30–September 1). These sessions served to initiate discussions and shape the content of the final conference.

Conference presentations and discussions addressed the following topics:

- Historical overview and government-to-government relations.
- Juvenile justice: Courts, jurisdiction, law enforcement, and detention facilities.

- Health care: Access to services, addressing domestic violence and child abuse.
- Prevention/intervention/treatment: Alcohol/drugs, mental health, and spirituality.
- Education: No Child Left Behind, national curriculum for Indian law and Indian history.
- Resources: Regionalization, Alaska considerations, and grant funding.
- Technical assistance: Geographic and technological challenges.

A full summary of conference discussion of each topic and the recommendations that came out of these discussions is included in the report. Sample recommendations from the conference follow.

- Both native people and those who work in and around Indian country must focus on moving beyond the past.
- Training for states on tribal issues could be federally mandated, with a penalty for not complying.
- Promote accountability. Native people need to be committed to *wanting* to change their current quality of life.
- Emphasize prevention. The current emphasis on remediation should be replaced by an emphasis on prevention strategies for youth and parents alike.

- For effective prevention, intervention, and treatment programs to be sustainable, tribes must relearn the Indian cultural structure, which should include keeping tribal members within the community for treatment and rehabilitation.
- Tribes in the planning stages of developing new programming efforts need resources and reference materials on both effective, culturally competent programs and service providers and tested strategies and best practices.
- Spirituality should be a vital part of treatment, prevention, and intervention strategies.
- When developing parenting and community interventions, include education about traditional native values and practices and respite and support for both parents and children.
- Involve representatives from tribal communities in the development of requests for proposals.
- Lengthen grant funding cycles and include continuation opportunities for tribes that can demonstrate successful progress in program development. Many tribes are unable to fully sustain programs after grants end, resulting in frequent termination of viable programs.
- Provide the technological resources required for the grant application and reporting process to the tribes that need these resources and/or provide for alternate methods of applying and reporting.
- Tribal representatives should be included in the process of identifying priorities for Indian country, including the development of a potential series of pilot programs.
- The criteria for what constitutes Indian country in terms of qualification for funding should be redefined, as the current criteria are ineffective.

While the discussion and recommendations from the conference are a promising beginning, successful partnership between the Department of Justice and the tribes will require a long-term strategy that is developed collaboratively. Robert Flores, OJJDP Administrator, suggested the need to identify common themes. Three themes are key. First, no one knows tribal communities better than tribal leaders. Second, if possible, all areas of the justice system should plan collaboratively with regard to Indian country. Finally, protecting culture means understanding what is needed to strengthen families and should look beyond the influences that are affecting the tribes' ability to maintain local culture and traditions.

Introduction

To fulfill its policy on Indian sovereignty and government-to-government relations with Indian tribes, the U.S. Department of Justice (DOJ) endeavors to forge strong partnerships with Indian tribal governments. The following six principles guide Department interactions with the Indian tribes:

- Recognition of the sovereignty of Indian tribes.
- Commitment to operate on the basis of government-to-government relations with Indian tribes.
- Commitment to strengthen and assist Indian tribal governments in their development and to promote tribal self-governance and self-determination.
- Commitment to be guided by the federal trust responsibility arising from the United States' legal and historical relationship with the Indian tribes.
- Commitment to safeguard the civil rights of American Indians.
- Commitment to respect and protect tribal religion and culture.

President Bush and former Attorney General John Ashcroft have cited these principles, and J. Robert Flores, Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), a bureau of DOJ's Office of Justice Programs, invoked them in June 2004 when he extended an invitation to tribal leaders to participate in a Tribal Leaders Listening Conference in Washington, DC, September 27–28, 2004, and two regional focus groups prior to the conference. The purpose of the focus groups, which took place in San Francisco, CA, and Green Bay, WI, was to initiate discussion about issues of concern to those who work with tribal youth and thereby shape the content of the final Listening Conference.

This report presents the compilation of both focus groups and a summary of the Listening Conference proceedings. The report also includes background information on OJJDP and the Office's Tribal Youth Program, the planning of the Listening Conference, and the state of juvenile delinquency in Indian country. A participant list is provided in appendix B.

Tribal Youth Program

Established by Congress in 1999, the Tribal Youth Program (TYP) is part of the Indian Country Law Enforcement Initiative, a joint initiative of the U.S. Departments of Justice and the Interior to improve law enforcement and juvenile justice in Indian country. TYP supports and enhances tribal efforts to prevent and control delinquency, improve the juvenile justice system, and support mental health and substance abuse services for American Indian and Alaska Native youth.

TYP promotes safe communities in Indian country by funding projects and activities to help the tribes:

- Reduce, control, and prevent juvenile delinquency.
- Develop interventions for court-involved youth.
- Improve tribal juvenile justice systems.
- Develop programs to prevent alcohol and substance abuse among youth.
- Develop comprehensive mental health services.

TYP respects tribal sovereignty by engaging the community in a comprehensive planning process to develop responses that preserve tribal customs and traditions. The planning process is analogous to a journey in that it takes the tribe through the steps of identifying where they are now, where they want to go, and how they will get there. The planning process also includes identifying benchmarks that will assist the tribe in recognizing when they have achieved their goals.

Currently, 239 federally recognized tribes receive funding through TYP. These funds support initiatives such as mentoring programs, equestrian programs, treatment beds at the Healing Lodge of the Seven Nations in Oregon, and Boys & Girls Clubs throughout Indian country. The program serves not only youth, but communities. Mentoring traditional and spiritual ways cannot be measured by job descriptions.

OJJDP Administrator J. Robert Flores visited TYP sites in Arizona and Utah in 2003 as part of an 8-day tour of Indian country. Shortly after this tour, Mr. Flores again visited Indian country to provide welcoming remarks at the Window Rock, AZ, conference, Holding Up Both Ends of the Sky: Juvenile Justice Partners in Indian Country. This conference hosted the first nationwide tribal videoconference from Indian country. The 2-hour program was broadcast live in 32 states and could be viewed online through streaming video.¹

¹ The video of the teleconference "Holding Up Both Ends of the Sky: Juvenile Justice Partners in Indian Country" can be viewed at the Juvenile Justice Teleconferencing Website, www.juvenilenet.org/jjtap/archives/index.html/.

Background

The Office of Juvenile Justice and Delinquency Prevention provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. Its mandate encompasses the promotion of programming to prevent, reduce, and control juvenile delinquency in Indian country. The Tribal Leaders Listening Conference was undertaken in fulfillment of this mandate. The objective of the Listening Conference and the focus groups that preceded it was to bring tribal representatives together for the following purposes:

- Identifying youth issues deemed important within their regions.
- Prioritizing those issues.
- Discussing the role of government in effectively addressing the prioritized issues.
- Presenting their findings in an open forum conducive to discussions between these leaders and representatives of the federal government at the policymaking level.

Identifying Tribal Leaders

OJJDP invited 36 tribal leaders, representing the 12 regions of Indian country. These regions were identified by using the Bureau of Indian Affairs (BIA) process for consulting and communicating with Indian country. Distribution by region is shown in the following table.

Tribal Representatives Participating in the Listening Conference

Region	States	Number of Representatives
Alaska	Alaska	3
Navajo Nation	Arizona	1
Southwest	Colorado and New Mexico	3
Western	Arizona, Nevada, and Utah	3
Pacific	California	3
Eastern Tribes	Alabama, Connecticut, Florida, Louisiana, Maine, Mississippi, New York, North Carolina, and Rhode Island	4
Northwest	Idaho, Montana (Flathead, Kootenai, Salish), Oregon, and Washington	4
Rocky Mountain	Montana, Wyoming	3
Great Plains	Nebraska, North Dakota, and South Dakota	3
Midwest	Michigan, Minnesota, and Wisconsin	3
Eastern Oklahoma	Eastern Oklahoma tribes	3
Southern Plains	Kansas, western Oklahoma, and Texas	3

The use of elders and traditional practitioners as resources and adherence to certain basic social protocols proved critical to the success of the focus groups. Drawing upon the elders present helped demonstrate the seriousness of the Listening Conference and recognized, respectfully, the elders' place in native culture. The elders had the opportunity to express their traditional practices, which represents their role in native society, namely to give spiritual guidance in matters of culture and tradition and thereby promote community development. In every session participants followed traditional protocols, such as the offering of tobacco and use of prayer to open and close the meetings.

Juvenile Delinquency in Indian Country

Crime has declined throughout the United States, except in Indian country, where statistics indicate that the incidence of crime by and against American Indians, particularly juveniles, far surpasses that of ethnic groups in other areas. The crime rate for American Indians and Alaska Natives is 656 incidents per 100,000 citizens—150 incidents more per 100,000 citizens than the rate for the general U.S. population (Hickman, 2003).

Although violent crime rates in tribal communities are two to three times higher than the national average (Wakeling et al., 2001), these communities have been unable to address the causes due to a long history of a lack of resources. In addition to crime, violence, and the fear of victimization, insufficient educational resources, inadequate access to appropriate health care, and overwhelming rates of alcohol and substance abuse threaten the safety and future of Indian families and children.

The data compiled below document the severity of the issues confronting Indian country.

Alcohol and Substance Abuse

A recent bulletin from the National Survey on Drug Use and Health (NSDUH), *Risk and Protective Factors for Substance Use among American Indian or Alaska Native Youths* (Office of Applied Studies, 2004), reported that rates of cigarette smoking, binge drinking, and illicit drug use among youth ages 12–17 were higher for the American Indian/Alaska Native (AI/AN) population than for other racial/ethnic groups. The same bulletin also indicated that risk factors

for alcohol and substance abuse were higher among AI/AN youth than among youth of other races, as shown in the following tables.

Youth Who Perceived Moderate to No Risk From Risk Factor Activity

Activity	Percentage of Youth Ages 12–17*	
	American Indian/ Alaska Native	Other Racial/ Ethnic Groups
Smoking 1 or more packs of cigarettes per day	46.7	36.3
Having 4–5 alcoholic drinks once or twice per week	67.8	61.6

* Estimates based on combined 2002 and 2003 NSDUH data.

Parents Who Do Not Strongly Disapprove of Risk Factor Activity

Activity of Youth Ages 12–17	Percentage of Parents*	
	American Indian/ Alaska Native	Other Racial/ Ethnic Groups
Smoking 1 or more packs of cigarettes per day	17.9	10.3
Having 1–2 alcoholic drinks nearly every day	15.2	11.2

* Estimates based on combined 2002 and 2003 NSDUH data.

Protective Factors for American Indian/Alaska Native Youth as Compared With Youth of Other Racial or Ethnic Groups

Protective Factor	Percentage of Youth Ages 12–17*	
	American Indian/ Alaska Native	Other Racial/ Ethnic Groups
Individual		
Participation in youth activities	73.8	85.7
Attending religious services 25 times or more during the past year	18.4	33.0
Family		

Parents discussed dangers of substance use with youth	54.8	58.5
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* Estimates based on combined 2002 and 2003 NSDUH data.

The 2003 National Survey on Drug Use and Health showed that the AI/AN population has the highest rate of lifetime illicit drug use, at 62.4 percent. Of the AI/AN respondents surveyed, 12.1 percent reported current drug use (Office of National Drug Control Policy, 2004). In addition, more AI/AN youth than other youth believe that the majority of their peers use alcohol, marijuana, and cigarettes. Twenty-five percent of AI/AN youth believe all or most of their peers get drunk at least once a week, as compared with only 19 percent of other racial/ethnic groups.

Youth Gangs in Indian Country

In 2001, the National Youth Gang Center surveyed Indian communities across the United States about gang activity. Of the 577 tribal leaders who received the survey, 300 (52 percent) completed and returned it (Major et al., 2004). Twenty-three percent of the respondents reported having active youth gangs in their communities during 2000. The study results suggest that larger Indian country communities are more likely to experience gang activity, with the following factors contributing to gang development: poverty, substance abuse, family dysfunction, the development of cluster housing, and a decreased connection to traditional culture and in the traditional ties to cousins. Nearly 75 percent of all reported gang members were younger than 18 years of age. Criminal activity by gang members most often involved graffiti, vandalism, and drug sales. A review of the survey findings suggests that the social problems contributing to gang involvement, rather than the gangs themselves, are the most critical concern.

Tribal Youth in Prison

The increasing number of American Indian youth in Federal Bureau of Prisons (BOP) custody is of particular concern to American Indian tribes and DOJ. The confinement rate for American Indian youth is disproportionate in 26 states. Between 29 and 42 percent of youth in secure confinement in Alaska, Montana, North Dakota, and South Dakota are AI/AN. Between 1994 and 2001, the Federal Bureau of Prisons system experienced a 50-percent increase in the number of incarcerated AI/AN youth. By mid-2000, 16 percent of inmates in custody in Indian country facilities were juveniles (Building Blocks for Youth fact sheet).

Education

According to the National Center for Education Statistics, the dropout rate of AI/AN students is twice the national average and the highest of any racial or ethnic group in the United States. Approximately 3 of every 10 AI/AN students drop out of school before graduating from high school, both on reservations and in cities.

- In many areas, both on and off reservations, AI/AN dropout rates have reached epidemic proportions, e.g., 67 percent in Gering, NE, 81 percent in Winner, SD, and 71 percent in Black River Falls, WI.
- For many AI/AN youth, achieving academic success while maintaining strong cultural ties—that is, learning to walk their native, culturally strong path on practical feet—continues to be a daunting challenge.
- Nine percent of AI/AN youth surveyed reported an average grade of D or lower for the past semester, compared to 6 percent for other racial/ethnic groups.

Employment Opportunities

Unemployment, which is often associated with crime and substance abuse, is a severe problem in Indian communities, reaching levels as high as 85 percent on some reservations. Nearly one-third (31.6 percent) of Indian people live below the poverty level, compared with 13.1 percent of the general population (Coalition for Juvenile Justice, 2000).

Mental Health

Suicide is the second leading cause of death for AI/AN youth between the ages of 15 and 24; the suicide rate for these youth is 37.5 per 100,000—nearly three times the national rate of 13.2 per 100,000 (Coalition for Juvenile Justice, 2000). A 2001 BIA study reported that 19 percent of AI/AN high school youth had seriously considered suicide during the preceding year (Office of Indian Education Programs, 2001).

During a 12-week period from November 2004 to February 2005, eight young Native American adults committed suicide in separate events on the Standing Rock Sioux Reservation in North Dakota and South Dakota. A few weeks later, 300 miles away on the Red Lake Reservation in Minnesota, a 17-year-old boy killed his grandfather and grandfather's partner in the family home. He then went to school and took the lives of two adults and five classmates. Then he killed himself (Walker, 2005).

Of youth ages 7–17 who committed suicide between 1981 and 1998, 17,954 were white (86 percent), 1,958 were black (9 percent), 443 were American Indian (2 percent), and 415 were Asian (2 percent). Because white youth were 80 percent of the juvenile population during this

period, they were overrepresented in juvenile suicides. More specifically, the suicide rate for white juveniles (31 per 1 million) averaged nearly twice the rates for black juveniles and Asian juveniles (both at 18 per 1 million). However, the suicide rate for American Indian juveniles (57 per 1 million) was almost twice the rate for white juveniles (Snyder and Swahn, 2004).

Tribal Leaders Listening Conference, Washington, DC:

Summary

The Tribal Leaders Listening Conference was held in Washington, DC, on September 27–28, 2004, to identify and address the multitude of issues affecting native youth. Representatives of the following federal agencies attended the conference: the Office of Juvenile Justice and Delinquency Prevention, OJP; the Office of Tribal Justice, DOJ; the American Indian and Alaska Native Affairs Desk, Community Capacity Development Office, Office of Justice Programs, DOJ; the Community Capacity Development Office; the Bureau of Justice Statistics, OJP; the Bureau of Prisons; the Division of Alcohol and Substance Abuse Prevention, Bureau of Indian Affairs; the Office of Law Enforcement Services, BIA; and the U.S. Attorney for Minnesota.

Overview of Conference Proceedings

Opening Ceremony

The conference opened with a procession of tribal leaders into the Great Hall of the Robert F. Kennedy Building. Davis E. Washines of the Yakama Nation in Washington State sang the honor and memorial songs for the procession. Mr. Washines was traditionally dressed and accompanied himself with his tribe’s traditional bells. After the procession, Karen Honanie of the Hopi Tribe in Arizona offered words of welcome and prayer and performed a cedar and sage blessing of all meeting participants. She stated, “No one can bring change to this world by themselves, so let’s all put our hearts and minds together to make a good life for our children.” This opening ceremony set the tone for the conference.

Next, Tracy Toulou, Director of the Office of Tribal Justice, U.S. Department of Justice, introduced the conference participants. In his welcoming remarks, Mr. Toulou asked that the Great Hall be filled with the voices of all participants.

Welcome and Introduction

J. Robert Flores, OJJDP Administrator, extended greetings from the President, the Attorney General, and the Deputy Director of the Office of Justice Programs. Stating that we have a responsibility to ensure that every citizen receives equal justice, regardless of where he or she comes from or lives, Mr. Flores affirmed that he was honored in the service of the American people to participate in the task of securing justice for youth.

Citing issues that have risen to the forefront of the nation’s consciousness—crime, juvenile delinquency, education, health care, substance abuse, and keeping children safe from predators—Mr. Flores acknowledged that tribal communities face daunting challenges and that relationships between the federal government and the tribes need to improve. In particular, the government must find ways to improve services and to bring resources to Indian country to address the issues, concerns, and challenges raised by tribal leaders.

Referring to the conference’s theme, “sharing the spirit of wisdom,” Mr. Flores invoked the words of Chief Sitting Bull, “Let us put our minds together and see what kind of life we can make for our children.” These words, said Mr. Flores, should guide the participants’ discussions of programs and policies to create a world where all Indian children will not simply survive, but have the opportunity to live up to their fullest potential and take their rightful place as

contributing members of our communities and our society. This, he said, was the Listening Conference's mission, in which our children need us to succeed.

Conference Background

Laura Ansera, Program Manager for OJJDP's Tribal Youth Program, next provided information on the origins of the conference and led the way into the tribal leaders' portion of the agenda.

Ms. Ansera thanked Velma Mason, Division Chief, Alcohol and Substance Abuse Prevention, Bureau of Indian Affairs, and the Bureau for their assistance in contacting the 12 BIA regional offices and identifying tribal leaders to participate in the three events. The Bureau of Indian Affairs, Ms. Ansera said, was instrumental in identifying and bringing together a balanced cross-representation of the nations.

Presentations by Tribal Leaders

The agenda on day 1 included presentations on the topics identified by the San Francisco and Green Bay focus groups in preparation for the Listening Conference:

- Historical overview and government-to-government relations.
- Juvenile justice: Courts, jurisdiction, law enforcement, and detention facilities.
- Health care: Access to services, addressing domestic violence and child abuse.
- Prevention/intervention/treatment: Alcohol/drugs, mental health, and spirituality.
- Education: No Child Left Behind, national curriculum for Indian law and Indian history.
- Resources: Regionalization, Alaska considerations, and grant funding.
- Technical assistance: Geographic and technological challenges.

A summary of recommendations and a question and answer session followed these presentations. The conference discussion of each topic and the recommendations that came out of these discussions are presented below under “Listening Conference Discussion by Topic.” The complete conference agenda is included in the appendix.

Additional Presentations

On the opening day of the conference, Thomas Heffelfinger, U.S. Attorney for the State of Minnesota, gave a luncheon presentation on Youth Issues in Indian Country. Statistician Steven Perry from the Bureau of Justice Statistics provided information on resources available to support the tribes in developing data management systems. He presented highlights of resources available to support tribal law enforcement, including statistics on crime and victimization in Indian country, law enforcement, courts, and staffing. Mr. Perry also discussed the collection of criminal justice statistics, focusing on the census of tribal justice agencies and the types of data gathered by the census. The data for this census took more than 2 years to collect.

Conclusion of Day 1

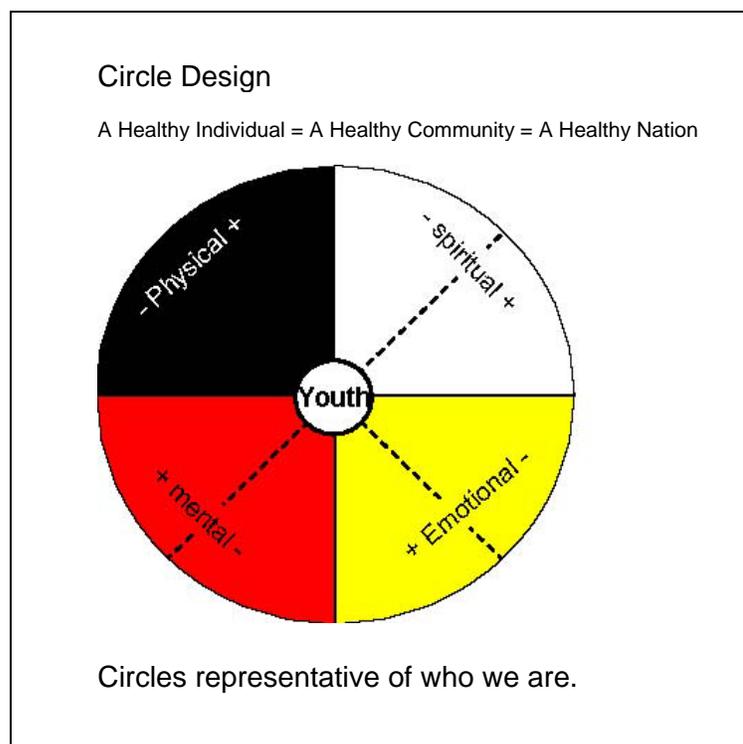
Abraham Chopper of the Fort Peck Tribe in Montana closed the first day of the conference with a traditional blessing. On Monday evening, the Canadian Embassy hosted a reception and dinner for the delegation. Highlighting the evening were presentations by Terri Colli, Director of Public Affairs at the Canadian Embassy, who spoke on the status of relations between Canadian natives and the U.S. government, and Bruce Bernstein, Assistant Director for Cultural Resources at the National Museum of the American Indian, who gave an overview of the museum.

Day 2

Margaret Garcia of the Pueblo of Zuni in New Mexico opened the second day of the conference with a prayer in the language of her people. The morning was given to a roundtable discussion of the seven topics presented the previous day. The circle concept highlighted the morning's discussion, beginning with a presentation of the design the leaders created during the Green Bay, WI, focus group.

Circle Design

This design reflects the common elements from the six collective designs created by the four groups at the Green Bay, WI, focus group meeting. The design represents the positive and negative aspect of each of the four areas of personal growth—physical, spiritual, emotional, and mental—which are in turn necessary for the wholeness of individuals,



families, clans, communities, tribes, and the country. Youth, at the center of the medicine wheel, need a balanced blending of positive and negative from each of these areas to be healthy. When an individual is out of balance, the entire circle/wheel is thrown off and cannot properly function within the community. Balance is needed for the community's youth, in support of the family

unit, for the tribe, and for the nation. For additional discussion of the circle design, see appendix A.

In addition to this circle design, the conference demonstrated the significance of the circle to Indian people in many other ways, including its relation to how native people learn and how tribal communities function. The importance of the circle concept and design to the Listening Conference was fitting because in addition to being philosophically significant, as described above, the circle is fundamental to the tribal approach to problem-solving—that is, problems are solved by bringing things around to the beginning to identify the root cause.

Following the morning’s dialog, Walt Lamar, Director of the BIA’s Office of Law Enforcement Services, gave a presentation on law enforcement in Indian country at a working lunch. After lunch, Dr. Mason spoke about the Strategic Tribal Empowerment Prevention Plan (STEPP) and the self-determination concept. Both presenters took questions from the tribal leaders.

Announcement of Grant Awards

An Office of Justice Programs press release on September 27, 2004, the closing day of the conference, announced more than \$21 million in awards to assist tribal communities with law enforcement and justice system improvements. This announcement provided details of the Bureau of Justice Assistance’s Tribal Courts Assistance Program (TCAP) grant awards, the OJJDP Tribal Youth Programs (TYP) awards, Tribal Juvenile Accountability Discretionary Program awards, and the Office for Victims of Crime’s awards to tribal communities for victim assistance programs. These awards include funds for alcohol and substance abuse prevention;

juvenile and mental health programs; improvements to the investigation, prosecution, and handling of child abuse cases; victim assistance; and criminal history records enhancements.

Listening Conference Discussion by Topic

This section summarizes the conference discussion of the topics given priority by the focus groups that met in San Francisco, CA, and Green Bay, WI, prior to the conference:

- Historical overview and government-to-government relations.
- Juvenile justice: Courts, jurisdiction, law enforcement, and detention facilities.
- Health care: Access to services, addressing domestic violence and child abuse.
- Prevention/intervention/treatment: Alcohol/drugs, mental health, and spirituality.
- Education: No Child Left Behind, national curriculum for Indian law and Indian history.
- Resources: Regionalization, Alaska considerations, and grant funding.
- Technical assistance: Geographic and technological challenges.

The summary also incorporates other issues of concern addressed in the focus groups preceding the conference, as well as recommendations by topic.

Historical Overview and Government-to-Government Relations

- The statistics on AI/AN youth are disturbing. However, more important than the statistics might be finding an answer to the following question: What are we going to *do* about them? As departments, are we going to work together, address the issues, improve our method of communication, and work collaboratively to make positive change in response to the

statistics? Native people have been here since the dawn of creation, and so have our legends, cultures, and traditional ways.

- Leaders in Indian country must lead by example. We can accomplish more together than any of us could individually. As goals are set, it is important to keep them in sight and to keep moving in that direction.
- Sovereignty is the power of the people. The United States entered into more than 700 treaties with Indian nations. Throughout the centuries, federal Indian policies have shifted from extermination to assimilation to termination and then to self-determination. Most recently, Congress supported Indian self-governance as a matter of national law. Conference participants were asked to commit to the establishment of fair and equitable laws that will allow the indigenous Indian nations to continue with their movement toward self-determination and self-governance.
- Tribal leaders have something to offer the federal government. Tribal leaders should be at the table when programs and policies are being developed to look at comprehensive solutions and discuss goals and priorities. The federal government should view the tribes as equal partners, not as dependents. The leaders at the conference want to see the tribes as part of what makes this nation great.

Additional Discussion

- Many native communities are aware of the historical trauma that contributes to their current condition.
- Community commitment is necessary for change to take hold. Change is difficult, and often it appears easier to continue in old patterns than to collectively make a commitment to a new lifestyle.
- Leadership is necessary to promote principal planning and self-determination. Many tribes lack the visionary leadership that can foster an environment conducive to long-term strategy development that incorporates and encourages individual capacity building.

- The negative impact of colonization and trauma has eroded traditional parenting practices and values in tribal communities.

Recommendations

- Both native people and those who work in and around Indian country must focus on moving beyond the past.
- Training for states on tribal issues could be federally mandated, with a penalty for not complying.
- Promote accountability. Native people need to be committed to *wanting* to change their current quality of life.
- Emphasize prevention. The current emphasis on remediation should be replaced by an emphasis on prevention strategies for youth and parents alike.

Juvenile Justice: Courts, Jurisdiction, Law Enforcement, and Detention Facilities

- Tribes are hindered by a lack of jurisdiction in rural areas where revenue is lacking and resources are insufficient to support the protection of U.S. borders.
- Jurisdiction on reservations is affected by the status of the offender—that is, whether the offender has native and/or tribal status. However, the law does not define the designation of an Indian. If status is going to continue to be a factor in determining jurisdiction, then such a definition is needed.
- To rehabilitate youth, effective methods of reducing recidivism are necessary. Many tribes are seriously in need of basic law enforcement services. Detention facilities are inadequate in many respects. A recent change for BIA law enforcement affects the ability to house juvenile offenders. In the absence of holding facilities, juveniles in need of services outnumber the available beds. Tribal leaders at the conference agreed that the solutions to these issues lie closest to the problems. They suggested that strategies incorporating local resources,

complemented by flexibility in use of government resources, will lead to effective community solutions.

- Youth and young adults in prison/detention settings frequently feel safer than they do at home.
- Primary factors affecting juvenile justice in tribal communities include drugs, alcohol, and property crimes such as theft, arson, destruction of property, and other crimes that make the community a less desirable place to live.
- The cost of training a law enforcement officer can be \$40,000–50,000, and many tribes cannot afford to pay officers enough to keep them on the reservation. Once trained, they move to cities and regions where salaries are higher.

Additional Discussion: Jurisdictional challenges exist between tribes, states, and federal law enforcement agencies.

Recommendation: BIA law enforcement need to provide additional assistance to review and amend tribal codes to reflect current laws.

Health care: Access to Services, Addressing Domestic Violence and Child Abuse

- When redefining social conditions, Indian people must reclaim the positive parts of ancestral tribal culture. Cultural traditions can be used as tools to heal Indian communities. Although many tribes never lost their culture and traditions on the journey, the history of violence they endured has affected who they are. To be effective, programs need to reflect the culture, history, and needs of individual tribal communities.
- As the federal government has recognized more tribes, the amount of resources has not increased proportionately. The Indian Health Service cannot keep up with the increasing number of tribal members.

- Treatment facilities are not equipped to recognize and handle dual-diagnosis cases, which are a major portion of the current caseload. Tribal members who are sent off the reservation for treatment frequently return to the offending environment without sufficient tools to support positive change and repeat the same cycle of behavior.
- Many tribes face challenges in being recognized by insurance companies as third-party providers and, consequently, in receiving reimbursement. Frequently, the denials that keep tribes from qualifying relate to the size of the building or the Americans with Disabilities Act.

Additional Discussion: Heal the nation (canary scenario): Coal miners brought canaries into the mines where they worked. If the canary died, the miners knew the air was unsafe and they would need to leave the mine. In much the same way, the health of native people can be seen as the forerunner of the state of the nation. As the mental and physical health of Native Americans deteriorates, can that of the remainder of the U.S. population help but follow the same track, unless change is implemented to heal the current condition?

Prevention/Intervention/Treatment: Alcohol/Drugs, Mental Health, and Spirituality

- Many youth use alcohol and drugs because they are spiritually dead. Being asked the same questions repeatedly keeps some tribal people from accessing help. Different programs may have similar goals relating to alcohol and substance abuse; however, frequently the programs are not working together. The result is a duplication of services and reporting. If programs worked together, patients might only need to have one intake assessment. Streamlining funding sources so that only one set of reporting requirements is necessary could, therefore, help more tribal youth receive the treatment they need.
- For effective prevention, intervention, and treatment programs to be sustainable, tribes must relearn the Indian cultural structure, which should include keeping tribal members within the community for treatment and rehabilitation.

- Not all tribes have access to the same technology and resources, nor will they all progress at the same rate. Change is longer in coming to remote rural reservations. When developing programs, funding agencies should take these factors into consideration and allow for the range of resources and technological capabilities among the tribes.
- For Indian people, drugs and alcohol are a “dis-EASE”—i.e., the bad consequences result from uncomfortable feelings. Prevention is paramount. Parents are the indicator of family health. Helplessness cannot produce positive, healthy citizens. Indian parents cannot tell Indian children about how they should be and what they should do; we need to ask them and help identify techniques that will work for them as individuals.

Additional Discussion

- Many tribal members may have several issues affecting their mental health, including fetal alcohol syndrome, drug and alcohol addiction, and other addictions.
- Native youth are challenged to develop a positive, “native-centric” identity and self-esteem as protective factors against ongoing community challenges.
- Traditional treatment options are often not available to tribal members. This is particularly true in the case of grant-funded programs. However, in working effectively with tribal youth, the most valuable resources for supporting positive change are often the connection to family, community, and traditional ways of life.

Recommendations

- As awareness of dual conditions becomes more readily recognizable, effective treatment strategies, programs, and even facilities with the capacity to address these mental health issues become increasingly necessary.

- Tribes in the planning stages of developing new programming efforts need resources and reference materials on both effective, culturally competent programs and service providers and tested strategies and best practices .
- Spirituality should be a vital part of treatment, prevention, and intervention strategies.

Education: No Child Left Behind, National Curriculum for Indian Law and Indian History

In April 2004, President Bush signed the Indian Education Executive Order. This, along with the first order signed by President Clinton in 1998, attests to the importance the U.S. government places on government-to-government relations with American Indians regarding educational needs. No Child Left Behind should be approached in a manner consistent with tribal traditions, languages, and cultures.

Additional Discussion

- Many federal and state government agencies that provide funding to tribal communities do not appreciate the differences required in service delivery when working with these communities.
- Engaging parents and members of the extended family in becoming involved in youth programs and activities is very difficult, if not impossible, in some tribal communities. Schools feel discipline is the parents' responsibility, and many parents put this responsibility on the schools' shoulders. Youth are left without positive, responsible adults to be involved in their lives.
 - Relevant example given by Davis Washines: "When I was in the 3d grade, I had a teacher who told me, 'Some day you are going to be the first Indian president of the United States.' I believed those words until about junior high. The influence that the support and faith of one person can have on a little Indian boy or girl can be very powerful. Each of us has the ability to help change in a positive way the lives of our children."

- The alcohol-related death rate of native youth is 17 times higher than the national average.
- Suicide and attempted suicide are issues that have affected youth in tribal schools for a long time.

Recommendation: When developing parenting and community interventions, include education about traditional native values and practices and respite and support for both parents and children.

Resources: Regionalization, Alaska Considerations, and Grant Funding

- Tribal members in recovery can sometimes make the best counselors, as they understand the issues and what worked for them. Education helps with theory, but putting theory into practice is different, and the cultural and experiential background can assist those in recovery.
- The current situation took generations to evolve and solutions will also require time. The job of this conference is to lay the groundwork for the next generations.
- More time should be spent working with the tribes to develop quality proposals. Many viable tribal programs are not funded because the quality of the application, rather than the quality of the proposed program, is poor.

Additional Discussion: Alaska Issues

Alaska has additional challenges in delivering training and technical assistance on grants. These challenges are as follows:

- Vast geographic distances are serviced by few roads.
- English is the second language for a large number of Alaska Natives.

- Aboriginal claims were settled differently in Alaska, resulting in a very different landscape of federal Indian law.
 - “Regionalization” is a term used in a policy debate concerning Alaska tribes.
 - The debate ranges from proposals to regionalize funding to regionalizing the tribes themselves.

Recommendation: Allow tribes to exercise their sovereignty in developing long-term programs based in culture and tradition and that meet the needs of individual communities.

Additional Discussion: Grant Funding

- Consider a grant funding formula that might level out the funding table that agencies apply to their grants. One possibility would be to award the first 30 percent of available funds in an even split to all tribes that apply, the second 30 percent based on population, and the final 40 percent based on the solicitation issue.
- Many tribes are unable to fully sustain programs after grants end, resulting in frequent termination of viable programs. Discontinued efforts create additional gaps in services to tribal members.
- Restrictions on grant funds and how they can be used may prevent some tribes from seeking potential grant funding.
- Matching funds present challenges for many tribes and may keep some from applying for funds.
- Some grant programs discourage the use of traditional or cultural approaches to problem-solving.
- Current methods of data collection do not accurately reflect tribal circumstances. The federal census is not counting all reservation Indians.

Recommendations

- Involve representatives from tribal communities in the development of requests for proposals.
- Improve the language of grant solicitations by incorporating alternative definitions for the variety of scenarios that make up Indian country and allow more flexibility in the requirements of who can apply for funding. Translating the definition of “Indian country” differently may be necessary.
- Empower the tribes to develop their own solutions. Tribal control is necessary for tribal solutions to the problems facing juveniles in Indian country.
- Lengthen grant funding cycles and include continuation opportunities for tribes that can demonstrate successful progress in program development.
- Reduce restrictions on how grant funds are spent to assist tribes in developing programs specific to their individual community’s needs.
- Reduce or eliminate matching fund requirements.
- Create set-asides for AI/AN communities, transform grants into entitlement funding, use state block grant monies to create population-based funding for tribes, and provide technical assistance for grant applications.

Technical Assistance: Geographic and Technological Challenges

- The technological capability of many tribes is insufficient to meet federal guidelines for application and report submission. This lack of technological capability compromises grant compliance and, consequently, a tribe’s access to funding. Further, lack of access to technology and networking may prevent tribes from obtaining information about funding opportunities and may also detract from a tribe’s ability to collect and report data.

- Funds sent to states to address the needs of Indian country frequently do not reach the tribes, particularly the smaller and more remote tribes.

Additional Discussion

- The geographic isolation of many reservations and lack of transportation for youth affect access to prevention and treatment services.
- Many tribes lack the skills necessary to establish, administer, sustain, and maintain programs to prevent alcohol and drug abuse and violence in their communities.

Recommendations

- Provide the technological resources required for the grant application and reporting process to the tribes that need these resources and/or provide for alternate methods of applying and reporting.
- Create grants that specifically address the development of infrastructure as a means of promoting community capacity building.

Conclusion: Recommendations and Next Steps

Circle Concept

The tribal leaders requested that the federal agencies make available to the tribes the means to communicate to the federal agencies the concept of circle learning in a way that linear learners would understand. They also requested that the circle concept and concentric learning be shared with the President and with DOJ officials not present at the conference.

Inclusion of Tribal Leaders

The tribal leaders made the following recommendations:

- Tribal representatives should be included in the process of identifying priorities for Indian country, including the development of a potential series of pilot programs.
- Tribal leaders should be included in conferences and meetings for mental health service providers.
- The criteria for what constitutes Indian country in terms of qualification for funding should be redefined, as the current criteria are ineffective.
- District meetings between the tribes and the BIA should be held.

Velma Mason of the BIA Division of Alcohol and Substance Abuse Prevention indicated that it is prepared to assist with the strategic development of Tribal Action Plans that would incorporate juvenile justice issues.

Other Recommendations

- DOJ and BIA funding guidelines are inconsistent. Tribal leaders recommended a meeting with DOJ and BIA leaders to address making guidelines culturally relevant and cohesive, reduce duplication of effort, and provide consistency in policy development and program requirements.
- Any federal partnership to set forth goals and initiatives that will affect tribal communities should include tribal representation.
- Mr. Flores will work with the Coordinating Council on Juvenile Justice and Delinquency Prevention to identify a representative sample of tribes. The tribal leaders recommended that these representatives have the authority to speak on behalf of the tribes they represent and that a future meeting of the Coordinating Council be held in Indian country.
- Future meetings might further explore:

- The pros and cons of alcohol-free reservations.
- How to handle juveniles accused of major crimes.

Although these recommendations represent a promising beginning, a successful partnership between the Department of Justice and the tribes will require a long-term strategy that is developed collaboratively. Mr. Flores suggested the need to identify common themes. Three overarching themes are key. First, as Mr. Flores indicated, no one knows tribal communities better than tribal leaders. Second, if possible, all areas of the justice system should plan collaboratively with regard to Indian country. Finally, protecting culture means understanding what is needed to strengthen families and should look beyond the influences that are affecting the tribes' ability to maintain local culture and traditions.

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Appendix A. Summary of Focus Groups

Two regional focus groups met prior to the Listening Conference held in Washington, DC, in September 2004. The purpose of the focus groups, which took place in San Francisco, CA, on June 22–23 and Green Bay, WI, on August 30–September 1, was to initiate discussion about issues of concern to those who work with tribal youth and thereby shape the content of the final Listening Conference. Groundwork was laid at the San Francisco meeting and built on during the Green Bay meeting, resulting in the following seven main topical areas to be presented during the open forum in Washington, DC:

- **Historical overview:** Including government-to-government relations and opportunities for improvement.
- **Justice:** Including tribal courts, jurisdiction, law enforcement, and detention facilities.
- **Health care:** Including teen pregnancy, sexually transmitted diseases (STDs), fetal alcohol syndrome, drug-endangered children, domestic violence, and child abuse.
- **Prevention/intervention/treatment:** Including alcohol, drugs, mental health, and spirituality.
- **Education:** Including national curriculum on Indian history and Indian law.
- **Resources:** Building on the benefits of funding going directly to tribes. Including regionalization—Alaska and impact on various tribes, grants, tribes’ assistance in developing RFPs, and flexibility with grant requirements, language, description, and funding timelines.
- **Technical assistance:** Including lack of resources and geographic challenges.

Following is a condensed, combined summary highlighting the detailed issues and points discussed that led to the main topical areas presented in Washington.

Problems/Issues

Several themes emerged as participants discussed problems and issues affecting Indian youth:

- Parenting.
- Youth self-esteem and identity.
- External systemic influences and resources.
 - Dominant culture and historical trauma.
 - Community apathy.
 - Tribal administration and tribal government.
 - Federal government.
 - State government.
- Quality of interventions with youth.
 - Treatment (community based, outpatient).
 - Detention.
 - Regional treatment centers.
- Alcohol and other substance abuse.
 - Youth.
 - Parents.
 - Community.
- Delinquency.
 - Gang and other violence.
 - Truancy.
- Other mental health issues.

- Suicide.
- Trauma.
- Prevention.
- Education.

Focus group participants identified alcohol and drugs as two major problems facing Indian youth, including the proliferation of methamphetamine labs in Indian country. These two problems give rise to numerous other problems. Participants identified the following ways alcohol and drug issues within Indian families affect Indian youth:

- Child neglect.
- Crime.
- Deculturalization (loss of spiritual connections).
- Domestic violence.
- Deterioration of family structures and parenting skills.
- Lack of or low-quality educational programs (leading to school dropout).
- High suicide rates.
- High unemployment.
- Low self-esteem.
- Lack of healthy community activities.
- Physical abuse.
- Sexual abuse.

Contributing factors include, but are not limited to:

- Geographic remoteness (great distance from adequate services).
- Transportation.
- Lack of preventive programs.
- Lack of culturally sensitive programs.
- Inability to sustain programs when funding ends.
- Need for juvenile detention centers.
- Lack of or insufficient aftercare/long-term treatment facilities and programs.
- Shortages of probation and parole services to monitor youth.
- Law enforcement issues (jurisdiction, communication, and cooperation).
- Lack or shortage of social services programs and workers.
- Lack of residential treatment centers close to reservations.
- Inability to compile data needed for grants.
- Lack of technical capabilities (e.g., computers).
- Need for technical assistance (e.g., with grant writing).
- Sovereignty concerns.
- Imposition of federal standards on tribal programs and treatment, detention, or other facilities.

Issues that have hampered efforts to address these problems include the following:

- **Length of grant funding periods:** Grant periods are too short. A 3-year funding period for a new program was given as a common example: The program takes at least 1 year to develop and another year to implement, leaving only 1 year of program operation before the grant

ends. Many tribes are unable to fully sustain programs after grants end. The result is that programs either become ineffective or must be terminated before their positive effects can be realized. The knowledge that they will be unable to sustain grant programs on a long-term basis can cause tribes to avoid applying for grants.

- **Stringent grant requirements:** Requirements of grant solicitations are too stringent for many tribes to comply with. Requirements to include specific data in an application place a tremendous burden on the tribes with the greatest need because they lack the technical sophistication to collect such data. These tribes find themselves in a “catch 22” situation: They need funding to establish technical capabilities but cannot provide the data necessary to successfully apply for the funding. This situation also helps to create a disparity in funding. The larger, more technically advanced tribes are able to submit better grant applications and, therefore, receive more funding, while the smaller, less technically advanced tribes remain unfunded and fall farther behind in program development.
- **Restrictions on how grant funds are spent:** Restrictions on spending of grant funds hamper many tribes in developing programs specific to the needs of their communities. The eligibility requirements for services make many programs ineffective. For example, providing services only for first offenders or nonviolent offenders leaves a large segment of tribal youth without access to the services they need to return to healthy lifestyles. Other restrictions that may be attached to grants also discourage the use of traditional or cultural approaches.
- **Requirements for matching funds:** Many solicitations require the applicant to provide matching funds. These requirements exclude many poor tribes without the resources to match the funds, leaving those with the greatest needs unfunded or underfunded.
- **Roadblocks to funding streams when dealing with states:** The states use statistics defining problems in Indian country to obtain block grants from the federal government, but when the money is allocated, the states often do not include the tribes in the services provided. A misconception exists that the tribes’ issues are taken care of by agencies such as the Indian Health Service (IHS) and BIA. Rural Indian areas compete with larger metropolitan areas for funding for the infrastructure necessary to maintain programs. The centralization of money is

prohibitive to Indian areas that are geographically remote. Tribes located closer to larger population centers can share infrastructure with state or municipal programs and use those services as a base. Tribes in remote Indian country do not have this advantage and cannot access adequate long-term funding to develop such infrastructure.

- **Lack of traditional treatment:** The lack of traditional treatment concerned many participants. This concern is grounded in the understanding of the youth as the future of the people. The youth have lost their sense of identity as being members of their own tribes. They have excluded themselves from their tribe's language, culture, and traditions. Using traditional healing could reconnect youth with who they are and help set them on the path to a healthy, productive lifestyle.
- **Detention:** Alternatives to the U.S. court system and to incarceration are necessary.
- **Accountability:** Native people need to be committed to *wanting* to change their current quality of life.
- **Prevention:** The current emphasis on remediation should be replaced by an emphasis on prevention strategies for youth and parents alike.
- **From history to healing:** Many native communities are aware of the history of trauma that has contributed to their current condition. Too often, awareness ends with that recognition, and individuals remain in a "poor me" type of mindset. Native people and those who work in and around Indian country need to focus on moving beyond the past.
- **Faith-based initiatives:** Greater emphasis on spirituality in treatment, prevention, and intervention strategies is needed. Spirituality is the foundation of native people and should be incorporated into more programming areas.
- **Lack of resources:** Resources for youth programs are definitely lacking. Many tribes have no youth-based activities and are unable to allocate funding for youth programs.
- **Identity/attitude:** Youth may have been raised in dysfunctional circumstances or may not have positive role models within their homes or communities. They are looking for somewhere to belong and develop a "chip-on-the-shoulder" attitude as a defense mechanism.

- **Lack of understanding:** Many tribes have a general lack of understanding of government policy and political systems that makes it difficult for them to compete effectively for funding and other resources.
- **Tribal vision/Indian vision:** Many tribes do not have a collective, common vision for their tribe that reflects native tradition and values.
- **Continuity/consistency:** With turnover in tribal government and gaps in program funding, most tribes' financial and human resources are not consistent enough to enable programs to remain effectively in place.
- **Defining prevention programming:** Defining, and then implementing, effective prevention programs is sometimes difficult. In general, society has become reactive, not preventive.
- **Education:** Many tribes have no access to quality educational resources. The curriculums of the various types of schools serving native learners—BIA schools, tribal schools, public schools—do not appear to be standardized in any way.
- **Community involvement:** When new programs are implemented or funding becomes available for new initiatives, motivating the community to support the efforts is difficult.
- **Community commitment:** Change is difficult, and continuing in old patterns frequently appears easier than collectively making a commitment to a new lifestyle.
- **Principal planning and self-determination:** Many tribes lack visionary leadership that can help develop and promote an environment for long-term strategy development that incorporates and encourages individual capacity building.
- **Mental health issues:** Many tribal members may have several issues that affect their mental health, including fetal alcohol syndrome, drug and alcohol addiction, and other addictions. As awareness of these multiple conditions becomes more readily recognizable, the need for effective treatment strategies, programs, and even facilities with the capacity to address these mental health issues increases.
- **Parental involvement:** Engaging parents and extended family members in being involved in youth programs and activities is extremely difficult in some tribal communities. Schools feel

discipline is the parents' responsibility, whereas many parents put this responsibility on the schools' shoulders. Youth are left without positive, responsible adults to be involved in their lives.

- **Flexibility:** More flexibility is needed within program definitions to fit the unique geographic, demographic, and physical circumstances of working in Indian country.
- **Political agendas:** Many tribes are strongly affected by political agendas that further impact their capacity to successfully compete for funding.
- **Lack of tribal organization:** Even when funding is available, the agencies within the tribe receiving the funding may not work effectively together to implement programs and share resources. Whereas the need is great, the resources are limited and fragmented, available in short spurts that result in programs fading away and new efforts being created as additional resources become available.
- **Tradition and culture:** Many school systems are not working together with local tribes and do not educate Native American children in their own heritage. Frequently, mistakes become barriers to advancement. Tribal communities need to encourage continued progress despite temporary setbacks.

Solutions

The overarching themes for solutions could be consolidated into four areas:

1. Parenting and community interventions that include education about traditional native values and practices as well as respite and support for both parents and children.

- Educate parents, family, and other community members about preventive actions and rehabilitative options, and make sure they know it is not okay to give up on tribal youth. Group members were vocal about wanting to help both Indian and non-Indian communities for the betterment of all children, not only Indian children.
- Creation of a curriculum for general Indian education.

2. The development and/or expansion of programs for youth that address a positive native identity and enhance self-esteem—e.g., gang resistance education, education about traditional native culture, and programs that impart a sense of belonging and value for youth within the native community.

- Creation of an environment in which tribal communities believe they are being empowered to develop their own solutions.
- Education on barriers to be addressed within the tribal community.

3. Federal respect of native sovereignty and federal oversight to enforce state coordination with tribes.

- Development of policies or protocols for individual tribes to work with state and local law enforcement.

4. Native set-asides, transforming grants into entitlement funding, population-based funding for tribes out of state block grant monies, and technical assistance provision for grant applications.

- Educate the agencies and governments that provide grant funding about the problems Indian communities experience with existing grant processes and requirements. Funding entities need to understand the following:
 - Indian people see the solutions to their community problems in the spiritually based, whole-family approaches that existed before colonization. In particular, participants felt that federal guidelines attached to funding sources should be relaxed to allow tribes to use funds for culturally appropriate purposes.
 - Three-year programs are insufficient. In many cases, these programs end after 3 years because of the tribes' inability to absorb the program costs. A longer period of time for

implementation would help maintain progress through inevitable transitions in tribal government and political power within tribal communities.

- Funds sent to states to address needs in Indian country are not reaching the tribes.
- Many of the tribes have the commitment and expertise to address their communities' problems. Tribes need to commit to projects before funding is made available so that commitment, rather than funding, drives the programs.
- Many remote or rural tribes do not have Internet access or the expertise to develop adequate technical capabilities. This point is critical. Although the federal agencies are attempting to make funding sources more accessible, not all tribes have the technical capacity to access that information or to collect the data needed for successful grant applications. Many of the tribes are able to recognize the major problems and trends that exist in their communities but are unable to articulate those problems through statistical information. The funding agencies should explore alternatives for supporting data that would meet the requirements of grant solicitations.
- Use of a team approach to design Request for Proposals (RFPs) to determine funding and the scope of work for initiatives.

Participants defined their recommendation for improvement in coordination of activities between OJJDP and the tribes as a vision of OJJDP and tribal leadership working together to develop RFPs and collaborating to create a more effective interpretation of information that defines Indian country in terms of qualifications for funding. The group recognized the following barriers to this vision: identifying which tribal leaders would be involved and obtaining a viable cross-representation of "Indian country."

Final Topical Areas

As noted earlier, by the end of the focus group sessions, participants identified the topical areas to be presented during the open forum in Washington, DC. The following main topics were identified:

- **Historical overview:** Including government-to-government relations and opportunities for improvement.
- **Justice:** Including tribal courts, jurisdiction, law enforcement, and detention facilities.
- **Health care:** Including teen pregnancy, sexually transmitted diseases (STDs), fetal alcohol syndrome, drug-endangered children, domestic violence, and child abuse.
- **Prevention/intervention/treatment:** Including alcohol, drugs, mental health, and spirituality.
- **Education:** Including national curriculum on Indian history and Indian law.
- **Resources:** Building on the benefits of funding going directly to tribes. Including regionalization—Alaska and impact on various tribes, grants, tribes' assistance in developing RFPs, and flexibility with grant requirements, language, description, and funding timelines.
- **Technical assistance:** Including lack of resources and geographic challenges.

Presentation Format: Healing Circle

Focus group participants embraced the healing circle as the basic concept of their presentation format for the Washington, DC meeting. They created six circles to illustrate the need for physical, spiritual, emotional, and intellectual balance within all relationships. (These slides are at the end of this section). The presentation also illustrates the focus on Indian youth, who are at the center of each circle.

Medicine Wheel

The medicine wheel has four sections (slide 1):

- Spiritual
- Mental
- Emotional
- Physical

Spiky Circle

The tick marks around the outer circle signify problems identified as common (indicative) to Indian country (slide 2). All issues being equal, everything flows to the center of the circle toward wellness and positive outcomes. For the well being of youth and the community the tribes must come to terms with the needs of family and important issues impacting tribal government:

- Feedback and recommendations from tribes.
- Government-to-government relation training.
- Spirituality.
- Positive lifestyle models. Exposing children to lifestyles that model positive choices and opportunities opens them to alternatives to gangs and substance abuse. Programs that link children with mentors, peer assistance, and elders can show them alternatives and help them make better choices.

If new projects and proposals are based on a foundation that reflects these components, then long-term change is possible.

Circles and Wheel

Participants began with the circle and the four elements and then went on to identify negative and positive components on each side of an element. However, this approach resulted in a focus on the problems. Solutions represent no beginning and no ending; thus, the circles surround each other and gradually expand outward, with youth in the center; then family; culture and identity; health (physical, mental, and emotional); housing; education; and employment (slide 3). The outer circle represents government-to-government relations, sources of funding, and the ability to access funding. This outer circle protects all the inner circles, each of which directly influences the youth.

Solutions must focus on prevention, as this is the only way to move from reaction to action, and must include education, parenting skills, daily living skills, social activities, dinners, and powwows. Second to prevention are intervention strategies. Tribal communities need resources to help address substance abuse, child abuse and neglect, problems with repeat offenders, and school dropouts; create afterschool programs; and provide career planning, job shadowing, and vocational education. Counseling and health care also fall within the category of intervention. Combining western medicine with traditional ways is important for dealing with chronic problems.

GOALS: Have wellness, self-sufficiency, employment, higher education, strength, hope, and job training.

A Healthy Individual = A Healthy Community = A Healthy Nation

Feather Medicine Wheel

The wheel is divided in four equal parts, representing the four parts of the self that are necessary to be healthy: the physical, spiritual, intellectual, and emotional (slide 4). The circle uses these four primary areas to conceptualize both the interrelated challenges the tribal communities face (slide 5) and the solutions to these challenges (slide 4):

- Physical (black):
 - Prevention.
 - Intervention.
 - Treatment.
- Spiritual (white):
 - Education—No Child Left Behind.
- Intellectual (yellow):
 - Justice.
 - Tribal courts.
 - Law enforcement.
 - Tribal sovereignty and jurisdiction.
 - Detention facilities.
- Emotional (red):
 - Improve government-to-government relations.

Questions:

- What are the strengths—and why?
- What is not working—and why?

- Where do we go from here? What is needed?

The feathers represent the solutions:

- Tribal representation in the drafting of RFPs.
- Longer term grants.
- More grant flexibility.
- Allocation of resources directly to tribes.
- Equal eligibility for tribal resources.

Notes on the Presentation Format

The format chosen for the presentation relies on ways that were always in place. Everything in the world is circular and moves in circles. Not only the good things but the bad things—poverty, drug addiction, alcoholism—operate in cycles.

The underlying theme of preventing juvenile crime and delinquency is the center of the circle.

The issues and problems related to this theme form circles around this center:

The center) Problems) Solutions)

Wolf clan: Pathmaker, den mothers—provide the basis.

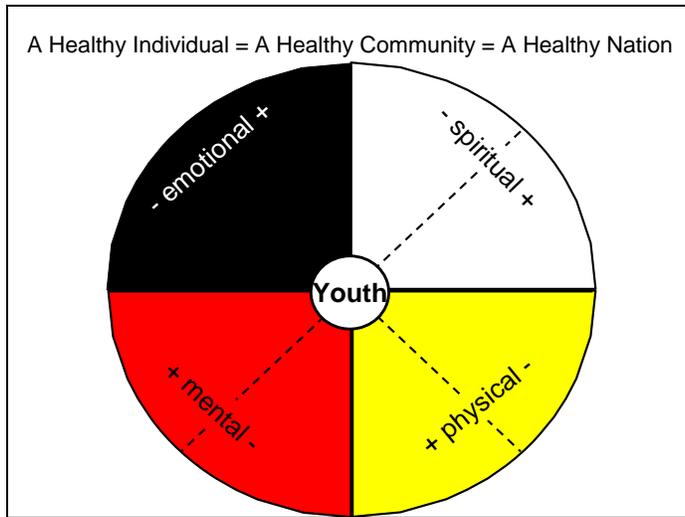
Bear clan: Most like humans—gatherers.

Turtle clan: Protector, represents responsibility—responsible for governmental affairs.

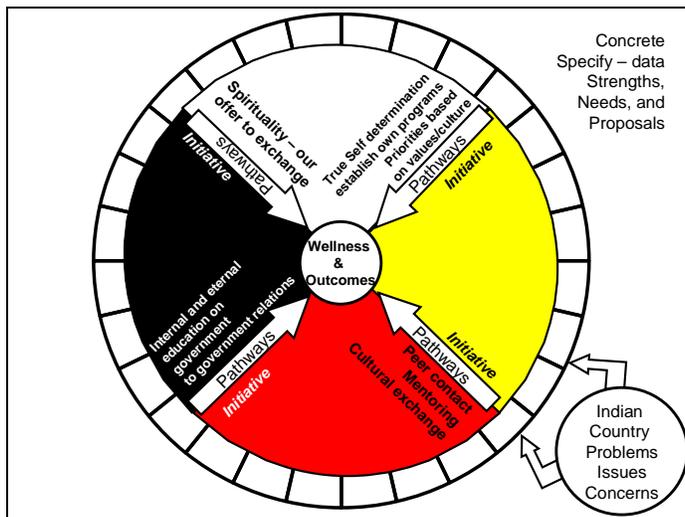
There are three things to be presented:

- History and traditions.
- Issues and problems.
- Solutions.

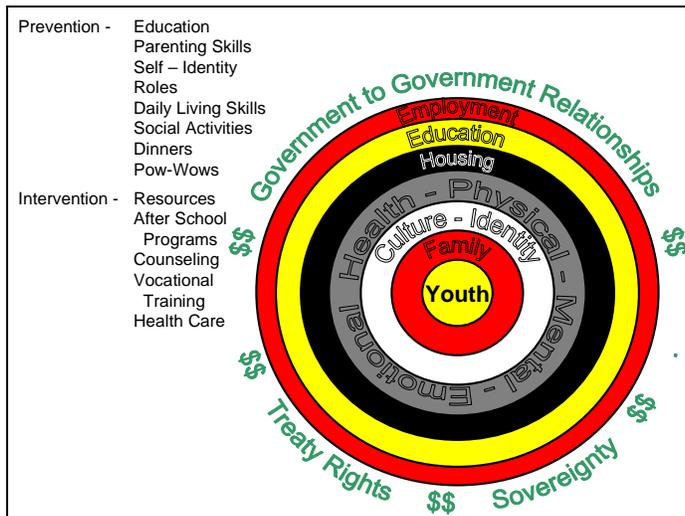
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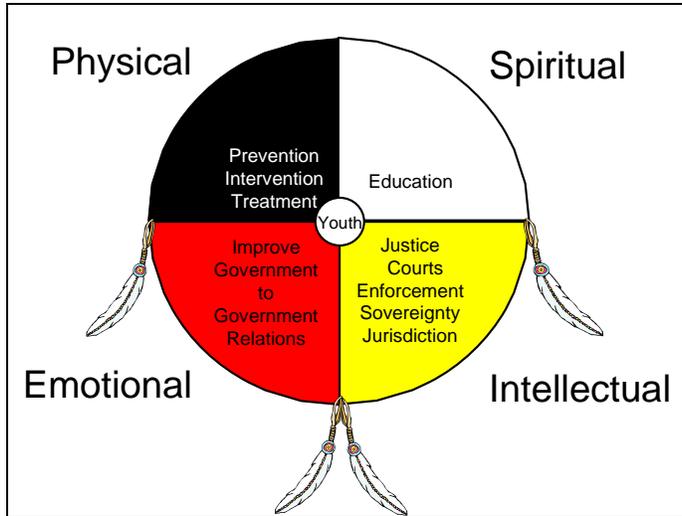
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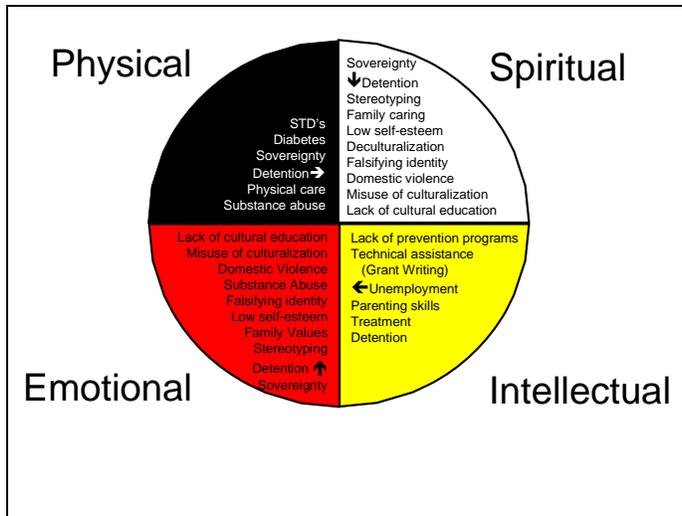
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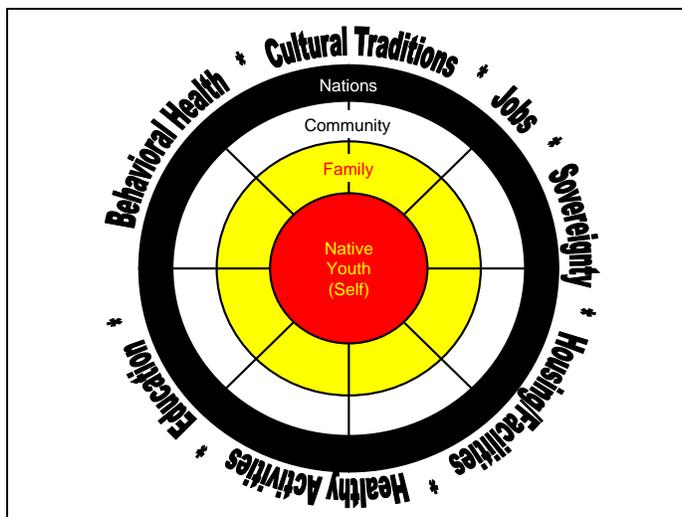
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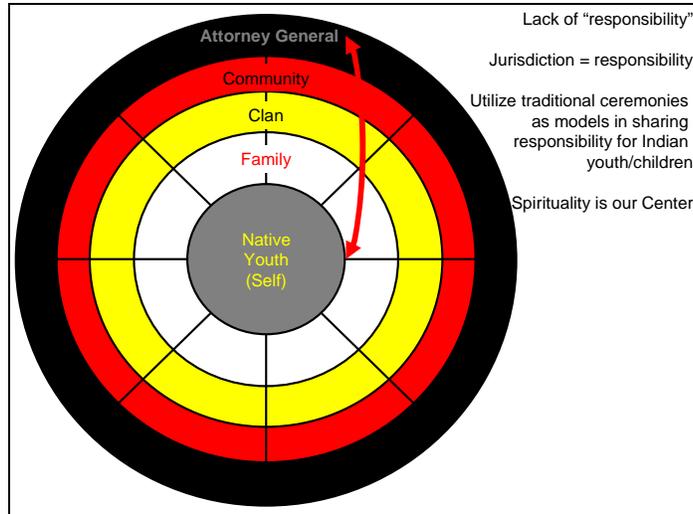
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Slide 6



Slide 7



Additional Materials

Participants included the following two narratives in focus group material as illustrative of problems facing Native American youth.

Native American Youth: Fact Sheet

(<http://www.buildingblocksforyouth.org/issues/nativeyouth/facts.html>)

Recent federal reports and other studies reveal alarming statistics on the condition of Native American youth, identifying the problems of violence and delinquency, substance abuse, depression, and suicide. Some of these key findings are:

- Native American youth represent 1 percent of the U.S. population, yet they constitute 2 to 3 percent of the youth arrested for such offenses as larceny-theft and liquor law violations.
- Native American youth between the ages of 12 and 20 are 58 percent more likely to become crime victims than whites and blacks.
- Native American youth are disproportionately placed in secure confinement in comparison to their population in 26 states. For example, in four states (South Dakota, Alaska, North

Dakota, and Montana, native youth account for anywhere from 29 percent to 42 percent of youth in secure confinement).

- As of February 2001, 74 percent of youth in custody in the Federal Bureau of Prisons system were Native American youth, an increase of 50 percent since 1994.
- At midyear 2000, Native American youth accounted for nearly 16 percent of inmates in custody in Indian country facilities.
- Alcohol-related deaths among Native Americans ages 15–24 are 17 times higher than the national averages. The suicide rate for Native American youth is three times the national average.
- From 1992 through 1996, the average annual rate of violent victimization among native youth 12 years and older was substantially higher than the victimization rates for other children.

A close look at the confinement of Native American youth in South Dakota shows further the disparities for Native American children in the justice system. South Dakota's Native American youth population is approximately 13 percent, but Native Americans accounted for approximately 45 percent of the youth incarcerated at the South Dakota State Training School in 2000. The dangerous conditions of confinement and abusive practices at the facility (e.g., placing youth spread-eagled in four-point restraints) led to a class-action lawsuit and a federal investigation. Moreover, prior to the litigation most native children in the South Dakota juvenile system were deprived of access to cultural and spiritual activities for Native American youth.

Native Youth in the Juvenile Justice System

(<http://www.buildingblocksforyouth.org/issues/nativeyouth>)

Following the death of a young girl in the juvenile boot camp program at the South Dakota State Training School in 1999, reports of routine use of shockingly harsh methods of discipline and

restraint at the facility surfaced. The Youth Law Center conducted an investigation in response to these allegations, and subsequently filed a federal class-action lawsuit to protect the children confined in the facility. Through the litigation, the Center was able to obtain video footage shot by staff at the facility after the Governor had ordered facility staff to videotape all incidents of “use of force” by staff on young people at the facility. “Out of Control,” a sampling of the videotaped footage obtained in the lawsuit, dramatically demonstrates that staff regularly used excessive and abusive force on young people. It shows staff forcing youth into four-point metal handcuff restraints, overwhelming youth with “cell entry teams” dressed in riot gear, spraying youth with pepper spray for minor misbehavior, leading youth around the facility on a leash, and attaching youth to a large “restraint board.” Many of the young people were suicidal or had other mental health problems.

As in many juvenile facilities around the country, there were a disproportionate number of youth of color in the South Dakota facility. Thus, despite the fact that Native American youth account for only about 10 percent of the adolescent population of South Dakota, native youth constituted 40–45 percent of youth in the facility. In addition, during the Youth Law Center’s investigation and subsequent lawsuit, it was discovered that in addition to being overrepresented in the facility compared to their representation in the state, native youth in the facility were very often treated more harshly than white youth, with Indian children making up almost 90 percent of the children in the most secure units in the facility. Moreover, the Center also discovered that native youth were being punished for speaking in Lakota, which was considered a violation of facility rules.

The Youth Law Center filed the lawsuit in February 2000, and reached a settlement with the state in December 2000, to end the abusive practices, and provide adequate mental health and educational services, and appropriate training for facility staff. During 2001, Center attorneys and experts monitored the facility.

As the state came into compliance with the settlement, there were enormous changes at the facility: the use of restraints was virtually eliminated, isolation in rooms was used on a very limited basis, two full-time mental health clinicians were hired and the amount of time for a contract psychiatrist was doubled, and a comprehensive training program was developed for staff. Equally important, the entire atmosphere of the facility changed, as punitive repression was replaced by an emphasis on active programming with clinical support. The population of the lockdown unit went from full-capacity 43 when the litigation began to 3 or 4, and those youth spent the day programming with the non-lockdown units and only slept in the secure unit. The population of the facility was over 120 when the litigation commenced, but by June 2001 it was 51 (girls were removed from the facility immediately after the lawsuit was filed). The state officials also changed the policy prohibiting youth from speaking Lakota, began providing cultural diversity training for staff, and brought in Native American staff to provide culturally appropriate activities for native youth.

In December 2001, the state closed the State Training School. Despite the improvements that had been made following the lawsuit, the closing of the facility in many respects was a major victory for the children and families of South Dakota.

Although the Center prevailed in the lawsuit, it is clear that the struggle to find justice for Native American youth in the juvenile justice system is not over. Recent federal reports and other studies reveal alarming statistics on the status of Native American youth: Native American youth represent 1 percent of the U.S. population, yet they constitute 2 to 3 percent of youth arrested for such offenses as larceny-theft and liquor law violations. Additionally, Native American youth between the ages of 12 and 20 are 58 percent more likely to become crime victims than whites or blacks. Alcohol-related deaths among Native Americans ages 15–24 are also 17 times higher than the national average; and the suicide rate for Native American youth is three times the national average.

Appendix B. OJJDP and Tribal Leaders Listening Conference

Meeting Agenda and Participant List

Office of Juvenile Justice and Delinquency Prevention and Tribal Leaders Listening Conference

U.S. Department of Justice
Robert F. Kennedy Building, Great Hall
Washington, DC
September 27–28, 2004

Monday, September 27, 2004

- 9:00 a.m.–9:30 a.m. Traditional Opening
- ❖ Honor Song/Memorial Song by **Davis E. Washines**, Yakama Nation, WA, Northwest Region
 - ❖ Cedar and Sage Blessing by **Karen Honanie**, Hopi Tribe, AZ, Western Region
- 9:30 a.m.–10:00 a.m. Welcoming Remarks and Introduction of Tribal Leaders and Observers
- ❖ **Tracy Toulou**, Director, Office of Tribal Justice
- 10:00 a.m.–10:15 a.m. Introductions of Federal Representatives
- ❖ **Tracy Toulou**, Director, Office of Tribal Justice
- 10:15 a.m.–10:40 a.m. Welcome and Introduction
- ❖ **J. Robert Flores**, Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- 10:40 a.m.–11:00 a.m. OJJDP and Tribal Leaders Listening Conference Background
- ❖ **Laura Ansera**, Program Manager, Tribal Youth Program, OJJDP
- 11:00 a.m.–11:15 a.m. Current Issues and Trends
- ❖ **Leo Stewart**, Confederated Tribes of the Umatilla Indian Reservation, OR, Northwest Region
- 11:15 a.m.–11:30 a.m. Historical Overview Presentation:
- Government-to-government relations
 - Opportunities for improvement
 - ❖ **Chief Gilbert Blue**, Catawba Indian Nation, SC, Eastern Region
 - ❖ **Councilwoman Sheri Williams**, Lummi Nation Tribal Council, WA, Northwest Region
 - ❖ **Rodney Clarke**, Klamath Tribes, WA, Northwest Region

- 11:30 a.m.–11:45 a.m. Break
- 11:45 a.m. –1:00 p.m. Working Lunch: Youth Issues in Indian Country
 ❖ **Thomas Heffelfinger**, U.S. Attorney, Minnesota
- 1:00 p.m.–1:15 p.m. Justice Presentation
- Tribal courts
 - Jurisdiction
 - Law enforcement
 - Detention facilities
- ❖ **Patricia Broken Leg-Brill**, Rosebud Sioux Tribe Wanbli Wiconi, SD, Great Plains Region
 - ❖ **Donna Troesper**, Eastern Shoshone Tribe, WY, Pacific Region
 - ❖ **Judge Dave Raasch**, Stockbridge-Munsee Band of Mohicans, WI, Midwest Region
- 1:15 p.m.–1:30 p.m. Health Care Presentation
- Teen pregnancy and STDs
 - Fetal alcohol syndrome, drug-endangered children (methamphetamine)
 - Domestic violence and child abuse
- ❖ **Margaret Garcia**, Pueblo of Zuni, NM, Southwest Region
 - ❖ **Tonia Teeple**, Bay Mills Indian Community, MI, Midwest Region
 - ❖ **Leo Stewart**, Confederated Tribes of the Umatilla Indian Reservation, OR, Northwest Region
- 1:30 p.m.–1:45 p.m. Prevention-Intervention-Treatment Presentation
- Alcohol/drugs
 - Mental health
 - Spirituality
- ❖ **Rodney Clarke**, Klamath Tribes, WA, Northwest Region
 - ❖ **Dara Komacheet**, Absentee Shawnee Tribe, OK, Southern Plains Region
 - ❖ **Karen Honanie**, Hopi Tribe, AZ, Western Region
 - ❖ **Tribal Sheriff Carl Tsosie**, Pueblo of Picuris, NM, Southwest Region
- 1:45 p.m.–2:00 p.m. Education Presentation
- No Child Left Behind
 - Film clip B Taking children to boarding schools
 - National curriculum on Indian history and Indian law
- ❖ **Davis E. Washines**, Yakama Nation, WA, Northwest Region
 - ❖ **Abraham Chopper**, Fort Peck Tribal Council, MT, Rocky Mountain Region
- 2:00 p.m.–2:15 p.m. Break

- 2:15 p.m.–2:30 p.m. Resources ▾ Benefits of Funding Going Directly to Tribes
- Regionalization ▾ Alaska and impact on other tribes
 - Grants ▾ Tribes at the table to develop RFPs
 - Flexibility with grant requirements, language, description, and length of funding timelines
- ❖ **Lisa Jaeger**, Tanana Chiefs Conference, AK, Alaska Region
 - ❖ **Angelina Arroyo**, Habematolel Pomo of Upper Lake, CA, Pacific Region
 - ❖ **Duane Silk**, Standing Rock Sioux Tribe, ND, Great Plains Region
- 2:30 p.m.–2:45 p.m. Technical Assistance Presentation
- Resource geographical challenges
- ❖ **Zenia Borenin**, Akutan Traditional Council, AK, Alaska Region
 - ❖ **Richard Showalter**, Navajo Nation, AZ, Navajo Region
- 2:45 p.m.–3:15 p.m. Summary of Recommendations
- Presenting goals and outcomes
 - Positive accomplishments
- ❖ **Chief William Phillips**, Aroostook Band of Micmacs, ME, Eastern Region
 - ❖ **Chief Tarpie Yargee**, Alabama-Quassarte Tribal Town, OK, Eastern Oklahoma Region
- 3:15 p.m.–3:45 p.m. Question and Answer Session
- 3:45 p.m.–4:00 p.m. Traditional Closing
- ❖ **Abraham Chopper**, Fort Peck Tribe, MT, Rocky Mountain Region
- 4:00 p.m.–5:00 p.m. Tribal Debriefing of Day’s Events
- 5:00 p.m.–6:00 p.m. Break and Transport to the Canadian Embassy, 501 Pennsylvania Avenue NW
- 6:00 p.m.–8:00 p.m. Working Dinner
- 6:00 p.m.–6:15 p.m. Status of Relations Between Canadian Natives and United States Government
- ❖ **Terry Colli**, Director of Public Affairs, Canadian Embassy
- 7:15 p.m. –7:45 p.m. Overview of the National Museum of the American Indian
- ❖ **Bruce Bernstein**, Assistant Director for Cultural Resources, National Museum of the American Indian
- 7:45 p.m.–8:00 p.m. Questions and Answers
- 8:00 p.m. Adjourn

Tuesday, September 28, 2004

9:30 a.m.–9:45 a.m.	Invocation ❖ Margaret Garcia , Pueblo of Zuni, NM, Southwest Region
9:45 a.m.–10:45 a.m.	Roundtable Discussion of Topical Areas and Question and Answer Session
10:45 a.m.–11:00 a.m.	Break
11:00 a.m.–noon p.m.	Roundtable Discussion of Topical Areas and Question and Answer Session (continued)
Noon–1:00 p.m.	Working Lunch: Law Enforcement in Indian Country ❖ Walter Lamar , Director of Law Enforcement, Bureau of Indian Affairs
1:00 p.m.–1:15 p.m.	Break
1:15 p.m.–3:30 p.m.	Preserving the Past and Fulfilling the Future: Next Steps <ul style="list-style-type: none">• Listening to ourselves B activity• Introduction of Strategic Tribal Empowerment Prevention Plan (STEPP) B Self-Determination Concept ❖ Dr. Velma Mason , Bureau of Indian Affairs
3:30 p.m.–3:45 p.m.	Closing Remarks
3:45 p.m.	Traditional Closing
4:00 p.m.	Conference Adjourns

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