

# Oregon Youth Authority

Senate Bill 770  
Government-to-Government Report  
December 15, 2005

## **I. Introduction**

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

OYA has legal or physical custody over approximately 2,000 youth offenders, of which approximately 40 are identified as Native American. Services include housing at one of the agency's seven close custody facilities and four transitional facilities located throughout the state. OYA's field offices manage youth offenders who are either on parole from a close custody facility or who have been placed on probation to receive out-of-home services such as residential treatment or foster care as an alternative to confinement.

All OYA services are intended to provide public safety and accountability for youth offenders while providing reformation opportunities for those youth.

The OYA engages tribal governments in two significant avenues: (1) In government-to-government relationships, as outlined in the Memorandum of Understanding; and (2) through implementing and coordinating culturally relevant treatment services for Native American youth in OYA custody.

Following is a list of some examples of the collaborative efforts between the OYA and tribes:

- Allowing opportunities for monthly family sweat lodge ceremonies, in a close custody facility, for a youth offender enrolled with the Grand Ronde tribe.
- Collaborating with the Warm Springs tribe for culturally specific interventions and services for one of their youth in the Hillcrest Youth Correctional Facility.
- Assisting youth to enroll in their tribes.
- Tribal involvement in hiring the Native American services coordinator at the MacLaren Youth Correctional Facility.
- Ongoing efforts to re-establish the OYA Native American Advisory Committee.
- Tribes assisting in activities for youth.
- Coordinating transition and aftercare services for Native American youth.

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

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

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

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

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

### **Disproportionate Minority Contact**

State law directs the OYA to address Disproportionate Minority Contact in juvenile corrections (DMC). Under direction of the Governor's office, OYA plays a leadership role in planning for and conducting the Governor's Summit on Minority Over-Representation in the Juvenile Justice System. The status of Native American youth and the role of tribes play important parts in identifying and addressing issues of Native American over-representation.

### **Memoranda of Understanding**

In establishing the government-to-government relationship with Oregon's tribal governments, the OYA has pursued Memoranda of Understanding (MOUs) as the formal basis of the relationship with each tribe, pursuant to ORS 182.162-166.

While each MOU is tailored to meet the individual needs and concerns of each tribe, they generally identify areas of mutual concern, identify services to youth of particular interest to the tribe and OYA, establish mutually agreed-upon roles and responsibilities, and identify key contacts in order to promote effective communication and positive relationships.

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

OYA signed an MOU with the Coos Tribes in 2005. Therefore, the OYA now has an MOU in place with six of the nine Oregon tribes: Klamath, Cow Creek, Coquille, Siletz, Burns Paiute, and Coos.

Warm Springs Tribes: On November 8, 2005, OYA's tribal liaison and the Warm Springs tribal Chief Executive Officer made a joint presentation to the Warm Springs tribal council seeking approval of the MOU. Lack of time prevented a full explanation of the MOU, so another work session is being scheduled to answer questions and resolve any concerns.

Confederated Tribes of Grand Ronde: The OYA has been working on the MOU proposal provided by Grand Ronde. The OYA and the Grand Ronde tribe will be meeting in December 2005 to continue the negotiation of that MOU.

Confederated Tribes of the Umatilla Indian Reservation: A draft MOU has been presented to the tribes' Law and Order Committee and to the General Council. The Law and Order Committee would like to tour some of the OYA facilities before signing the MOU, and those tours are being scheduled.

### **Tribal Notification Policy**

The OYA adopted a formal Tribal Notification Policy in 2005 to recognize the need to have a more clearly defined process. This policy has strengthened our commitment for tribal notification by clearly outlining roles and responsibilities within the agency to identify tribal youth, notify the tribes that tribal members are in OYA custody, and clarify expectations that OYA staff are to notify the tribal liaison of significant events in a youth's case. This policy is intended to ensure that OYA has timely communication with tribes on issues and events important to the tribes.

### **2005 Governor's Summit on SB 770**

Three OYA staff attended the 2005 Governor's Government-to-Government Summit at Portland State University: Phil Lemman, Deputy Director of the Oregon Youth Authority; Lonnie Jackson, Director of the Office of Minority Services (OMS); and Jack Lawson, OYA's tribal liaison and Native American Coordinator. The attendees were appreciative of comments made by Antone Minthorn, Sue Schaeffer, and Jackie Mercer complimenting the OYA for services to tribal members and assistance in obtaining a federal grant.

### **Public Safety Cluster**

Lonnie Jackson, Director of OMS, has been designated as chair of the Public Safety Cluster. This is the first change in leadership in this cluster since the beginning of the state and tribal relations under Executive Order 96-30. The OYA appreciates the leadership and effort given by the Department of Public Safety, Standards and Training to initiate and develop this work.

OYA's tribal liaison will continue to be an active participant by representing the agency in the Public Safety Cluster meetings.

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

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

A member of the agency's Native American Advisory Committee sits on OYA's statewide advisory committee to allow tribal needs to be identified and addressed by all of the agency's stakeholders. At the present time, George Nagel, a Siletz tribal member, represents the Siletz Tribe on the Native American Advisory Committee and also serves on the statewide OYA Advisory Committee.

## **Native American Advisory Committee**

The OYA has been working throughout the year with a group of representatives from a few tribes to revitalize the OYA Native American Advisory Committee, with Ron Hudson, from the Grande Ronde Tribe, serving as Committee co-chair. Among the agreements that will be forwarded to all of the tribes are recommendations to rename the "Committee" to a "Board" and make it a formal part of OYA's government-to-government relationship with each tribe, adopt a draft mission statement and listing of roles, responsibilities and work plan items for the Board, and an agreement to formally request that each tribe appoint a representative to the Board. We hope to be able to report next year that all tribes are actively participating in the Board.

## **Training Opportunities for OYA staff**

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

- In 2005, all new employees of the Oregon Youth Authority received an orientation on tribal governments and Senate Bill 770.
- Staff are beginning to be trained on OYA's Tribal Notification Policy.
- Phil Lemman, Deputy Director, and Lonnie Jackson, Director of OMS, attended training at Tribal Information Day at Oregon's Capitol Building.

In addition, cultural competency training is required for all OYA staff working with youth offenders. This training includes information on the statutory requirements for state agency relationships with tribes and is coordinated with the OYA Training Academy. It is provided both during New Employee Orientation and as an annual staff update.

## **Gang Intervention Funding**

In January 2005, the Legislative Assembly made one-time funding for gang intervention services available to the OYA to pass through to Oregon communities. The OYA made those funds available to Oregon tribes as well as counties. Although the OYA received notices of interest from tribes, no tribes applied for the funds. These funds were not renewed in the 2005-07 biennium.

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

#### **Culturally Relevant Services**

The OYA recognizes that treatment and reformation efforts are more effective when provided in the context of the youth's culture. OYA's services offer youth opportunities to participate in sweat lodge and pipe ceremonies, talking circles, culturally relevant support groups, and individual meetings with staff and volunteers. Participation in these services provides youth with opportunities to incorporate values from Native American cultures into their thinking and beliefs. These services also provide for positive identity development, build and strengthen self esteem, offer youth increased options for thinking and behavior issues, and generally support and enhance other treatment opportunities in OYA.

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

In 2005, the MacLaren Youth Correctional Facility hired Steve Llanes as the Native American Services Coordinator for the facility. Steve was selected over other candidates for his commitment and passion for working with the young men utilizing traditional values and ceremonies from Native American culture. Prior to his selection, Steve was a long-time volunteer for the agency, contributing immensely to programs and working with the young men. At this time we would like to thank Lisa Leno, from the Grand Ronde tribe, for her participation in the interviewing and selection process.

In addition to the regularly scheduled sweat lodge ceremonies, MacLaren coordinates a monthly sweat lodge ceremony for a Grand Ronde tribal youth in the facility and his family.

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

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

#### **Sweat Lodge Protocols**

In late 2004, the sweat lodge at the Tillamook Youth Correctional Facility was cancelled. The cancellation was due to an experience of a youth while exiting the sweat lodge; he stood up quickly, became faint and fell. The facility doctor determined that the sweat lodge posed a risk to the health of the youth and subsequently would not give any youth the health screening they

needed in order to participate. This action did not affect the provision of sweat lodges in other OYA facilities.

Although canceling the sweat lodge ceremonies at our Tillamook facility was unfortunate, it did expose an area in our sweat lodge protocols which needed to be reconsidered. Through a process of meetings with medical personnel, OYA administrators and management, a change in the protocols was proposed and adopted by the agency.

The new protocols no longer require a medical screening and clearance prior to the participation in the ceremony but, rather, rely on an informed consent process. As a part of this process, prior to participating in the sweat lodge, youth would receive information on what they should know to manage themselves while participating in the ceremonies. This is especially applicable to youth who may be on medications and want to participate.

Through this experience, the OYA was able to review the current practices at the time and was able to develop and implement a protocol which strengthens the Native American youth's ability to have access to these very important ceremonies.

Initially, the tribes were not made aware of the issue at the Tillamook Youth Correctional Facility, which created considerable concern from some of the tribes. In the aftermath of the concerns raised, there has been considerable follow up with the tribes regarding the sweat lodge availability in Tillamook. The OYA has committed to notifying the tribes regarding any changes in the availability of services provided for the benefit of Native American youth in OYA's custody.

### **Cultural Events**

Both the MacLaren and Hillcrest Youth Correctional Facilities hosted annual Pow Wows in 2005. The Pow Wows provide community participation by tribes and Native American organizations, allow new or renewed youth contact with their tribe's culture and traditional values, and educate all youth offenders on Native American culture. The OYA appreciates the generosity of the Warm Springs Tribe and the Leno family from Grande Ronde for providing and preparing the salmon, and the Native American Rehabilitation Association (NARA) for the drums and singers for these events. Youth offenders and OYA staff gain a lasting benefit from participating in the Pow Wows.

### **Minority Youth Transition**

The OYA OMS continues to employ a full-time transition specialist who coordinates treatment and aftercare for youth returning to their communities. This specialist works with all Native American youth residing in Marion, Washington, Clackamas, Lincoln, and Multnomah counties. These youth include not only tribally enrolled youth from Oregon's tribes, but also youth whose tribes are outside Oregon. The transition program has several community contractors that provide specific services for the youth as they return to their communities.

## **Community Partners**

Tragically, the OYA is not a stranger to suicides and suicide attempts. Recognizing that Native American youth are high risk for suicides, especially Native American youth in juvenile corrections, the OYA assisted and supported the NARA in its successful application for a suicide prevention grant from recently available federal funds generated by Senator Gordon Smith's initiative. NARA will be working with Oregon's tribes, Native American communities, and the OYA to develop suicide prevention strategies for Native American youth.

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

A law enacted in 2003 requires certain OYA crime reduction services to be based on scientific research (SB 267, codified at ORS 182.515-525). The OYA retains a strong commitment to culturally relevant treatment opportunities as it advances its obligations under SB 267. The OYA's Native American Coordinator is working with OMS staff members and other agency-wide efforts to develop and implement curricula which contain evidence-based criteria and are culturally relevant to Native American and other minority youth. As a member of the agency's Curriculum Review Committee, which reviews treatment curricula for potential use in the OYA, the coordinator developed criteria for the committee to review the curricula's ability to provide for differing cultural perspectives. In addition, the coordinator is working with the Case Planning initiative to incorporate cultural competency language into youth case planning and to incorporate cultural competency principles into the program assessment tool used by OYA.

## **Ongoing**

The agency's Native American Coordinator continues to meet with the tribal key contacts to share information, coordinate services, resolve concerns, review and negotiate the Memorandum of Understanding and provide update reports to tribal councils.

The OYA is actively committed to building and supporting strong government-to-government relations with Oregon's nine federally recognized tribes.