



# OREGON YOUTH AUTHORITY

## Policy Statement

### Part III – Youth Services (Community)



Subject:

#### Tribal Notification - Community

Section – Policy Number:

**B: Intake – 1.0**

Supersedes:

**III-B-1.0 (06/08)**

Effective Date:

**10/02/2019**

Date of Last

Revision/Review:

**None**

**Related Standards and References:**

- [ORS 182.162 -168](#) (Relationship of State Agencies with Indian Tribes)
- [Executive Order 96-30](#) (State/Tribal Government-To-Government Relations)
- Performance-based Standards (PbS), *Juvenile Correction and Detention Facilities*; Programming; PEP24
- [OYA policy](#): II-E-1.3 (Tribal Notification - Facility)

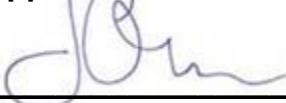
**Related Procedures:**

None

**Policy Owner:**

Deputy Director

**Approved:**



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Joseph O'Leary, Director

#### I. PURPOSE:

Oregon state law requires state agencies to develop and implement tribal relations policies. This policy provides guidelines for relations between OYA and federally recognized tribes in Oregon and identifies staff roles in documenting tribal information. This policy refers to youth placed in the community.

#### II. POLICY DEFINITIONS:

**Federally recognized tribes:** American Indian/Alaska Native tribes that have a special government-to-government relationship with the federal government because of treaties or agreements between the two nations. The federal government has certain obligations to these tribes and tribal members. The federally recognized tribes of Oregon are: Burns Paiute Tribe; Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians; Coquille Indian Tribe; Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Grand Ronde; Klamath Tribes, Confederated Tribes of Siletz Indians; Confederated Tribes of Umatilla Indian Reservation; Confederated Tribes of Warm Springs.

### **III. POLICY:**

OYA identifies American Indian/Alaska Native youth and works with tribal governments to provide effective, culturally-relevant services to those youth in order to reduce recidivism and protect public safety.

The Oregon Legislature has determined that state agencies must develop and formalize government-to-government relationships with Oregon's federally recognized tribes. In addition, Oregon state law requires that state agencies develop and implement tribal relations policies.

OYA recognizes the unique status of tribal governments as being sovereign nations and is committed to the government-to-government relationship with Oregon's nine federally recognized tribes. In pursuit of developing these relationships, OYA strives to develop and maintain with each Oregon tribe Memoranda of Understandings (MOUs). The MOUs outline the protocols for the relationship between OYA and Oregon's federally recognized tribes.

OYA's Tribal Liaison/Native American Program coordinator is the agency's primary liaison between federally recognized tribes, both in Oregon and in other states, and OYA. The Tribal Liaison/Native American Program coordinator will facilitate communication links between tribal representatives and OYA for the purpose of working together to achieve mutual goals, identify policy issues of interest to the tribes, provide training to supervisors/managers and facility and field staff on tribal governments, and discuss issues of mutual interest or concern.

### **IV. GENERAL STANDARDS:**

- A. As a means of collaborating with all federally recognized tribes, OYA will make diligent efforts to identify American Indian/Alaska Native youth committed to OYA custody and determine their tribal affiliation. Identification and determination are made during the intake process or at such time as OYA becomes aware of a youth's American Indian/Alaska Native status.
- B. Role of the Juvenile Parole/Probation Officer (JPPO)
  - 1. During pre-commitment meetings, the JPPO will seek clarification from juvenile department staff regarding a youth's tribal status.
  - 2. Once an American Indian/Alaska Native youth committed to OYA custody identifies as a member or descendant of a federally recognized tribe, the JPPO will contact the OYA's Tribal Liaison/Native American Program coordinator to obtain tribal representative contact information.
  - 3. The JPPO or designee is responsible for documenting Native American designation and tribal affiliation in JJIS by accessing the "Tribes" population group and selecting the appropriate tribal affiliation subcategory.

4. The JPPO will work collaboratively with OYA's Tribal Liaison/Native American Program coordinator and the tribal representative to seek input on the most appropriate type, level, and provider of services that best meets the needs of the youth.

The JPPO will notify tribal representatives (as core members) and the Tribal Liaison/Native American Program coordinator of Multidisciplinary Treatment (MDT) meetings, so they may provide input during the meetings.

5. The JPPO will facilitate the provision of identified services and establish a communication plan with the tribal representative. The communication plan will include, but not be limited to, regular updates, key case plan decision points, and other significant events involving the youth. JPPO will document any specific youth-related tribal contacts in the youth's JJIS notebook.
6. The JPPO will notify the Tribal Liaison/Native American Program coordinator when events occur, or are anticipated to occur, that require additional sensitivity to the tribe (e.g., critical incidents, suicide attempts, escapes/runaways, unexpected termination, abbreviated transition, etc.)

C. Role of Tribal Liaison/Native American Program Coordinator

1. The Tribal Liaison/Native American Program coordinator will make the initial notification to the appropriate tribal representative upon determination of a youth's affiliation. This notification will be made as soon as reasonably practicable but not more than 30 days from the determination.
2. The Tribal Liaison/Native American Program coordinator will document in JJIS tribal contact information, including but not limited to, telephone number, contact, time and date, and enrollment status.
3. The Tribal Liaison/Native American Program coordinator will act as liaison and facilitator between OYA and the tribal representative when events occur, or are anticipated to occur, that require additional sensitivity to the tribe.
4. The Tribal Liaison/Native American Program coordinator is available to consult on Native American services, tribal resources and other information to support tribal youth during MDT meetings, Agency Case Reviews (DOC early transfers), and decisions about American Indian/Alaska Native youth in OYA custody.

**V. LOCAL OPERATING PROTOCOL REQUIRED: NO**