

Oregon Youth Authority

2012

Government-to-Government Report
On Tribal Relations



Supporting the rights and needs
of Oregon's tribal youth

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Oregon's federally recognized tribes

This annual "Government-to-Government Report on Tribal Relations" describes the ways in which the Oregon Youth Authority (OYA) and the nine federally recognized tribes in Oregon worked together during 2012 to improve outcomes for Native American youth in the juvenile justice system.

The nine federally recognized tribes in Oregon are the:

- Burns Paiute Tribe;
- Confederated Tribes of Grand Ronde;
- Confederated Tribes of Siletz;
- Confederated Tribes of the Umatilla Indian Reservation;
- Confederated Tribes of Warm Springs;
- Coos, Lower Umpqua and Siuslaw Tribes;
- Coquille Tribe;
- Cow Creek Band of Umpqua Indians; and
- Klamath Tribes.

Highlights from 2012

Several significant events occurred during 2012:

- Leadership changes took place within OYA.
- The OYA Tribal Liaison announced his retirement.
- Umatilla Tribe requested access to OYA close-custody beds.
- Members of Umatilla Tribal Board of Trustees toured OYA's RiverBend close-custody facility.
- Members of Umatilla Tribes Board of Trustees participated in ceremony with youth at RiverBend Youth Correctional Facility.
- Klamath tribes hosted OYA foster care presentation.
- OYA continued to chair Public Safety Cluster meetings.
- OYA and volunteers continued to provide services for Native American youth.
- OYA held case management meetings with Warm Springs tribe.
- OYA conducted case management meeting with Klamath tribes.
- Rogue Valley Youth Correctional Facility hosted its first powwow.

Oregon Youth Authority

Serving Oregon's most at-risk youth

The mission of the Oregon Youth Authority is to protect the public and reduce crime by holding youth offenders accountable and providing opportunities for reformation in safe environments.

OYA does this by exercising legal and physical custody of offenders adjudicated to OYA by juvenile courts, and physical custody of young offenders sentenced by adult courts. The agency serves the state's most delinquent youth ages 12 through 24 who commit crimes before their 18th birthday.

OYA manages approximately 1,800 youth offenders at any given time. Approximately 1,050 youth are in communities on probation or parole. The remainder — approximately 750 youth — live in secured close-custody facilities. Approximately 5 percent of youth in OYA's custody are Native American.

Research shows that the most effective way to encourage youth to lead crime-free lives is by providing the appropriate combination of culturally specific treatment and education. To that end, OYA engages tribal governments in four significant ways:

- Individually, through government-to-government relationships, as established in a memorandum of understanding with each tribe;
- Collectively, through the OYA Native American Advisory Committee;
- Collaboratively, through implementing and coordinating culturally relevant treatment services for Native American youth in OYA custody; and
- Through the coordination and chairing of Public Safety Cluster meetings.

OYA leadership changes

2012 brought significant changes within OYA. First, Governor Kitzhaber asked OYA Director Colette S. Peters to take over as Director of the Oregon Department of Corrections. Ms. Peters was extremely supportive of the tribes and tribal relations. Her leadership, dedication, commitment, compassion, and insights were

greatly appreciated by OYA's many tribal partners. Second, OYA's former Deputy Director, Fariborz Pakseresht, was appointed by Governor Kitzhaber and confirmed by the Oregon Legislature as the new OYA Director. Mr. Pakseresht brings a wealth of knowledge, leadership and commitment to serving young people. Joe O'Leary, former public safety advisor to Governor Kulongoski, is now the Deputy Director for OYA. OYA has been fortunate to have a succession of leaders who remain highly committed to working with the tribes and young people.

OYA Tribal Liaison change

Jack Lawson, OYA's Tribal Liaison, retired November 15, 2012. OYA was honored to benefit from his service for so many years. He did an outstanding job of serving the tribes, urban Native American communities, youth, state government, and OYA. Over the years, Mr. Lawson developed personal relationships and ties to each of the tribes and communities throughout Oregon that advanced the shared goal of improving outcomes for Native American youth in the juvenile justice system. His efforts have made a significant and positive difference for hundreds of Native American youth in Oregon.

Native American youth in OYA

OYA has legal or physical custody of approximately 1,800 youth offenders, of whom approximately 80 self-identify as Native American. Of those, 63 are juvenile commitments and 17 are adult commitments sentenced under Measure 11 or waived to adult court.

Relative to Oregon's population, Native American youth are over-represented in the juvenile justice system and in OYA. Native American youth make up approximately 2 percent of Oregonians ages 10-17, but 5 percent of the youth committed to OYA.

OYA and tribal relations

Communication liaisons

The government-to-government relationships between tribes and OYA support OYA's mission of public safety, accountability, and reformation for youth offenders. These relationships also enhance community safety by increasing the opportunities for successful reintegration of tribal youth returning to their communities.

OYA is represented in these relationships by Jack Lawson, the agency's Tribal Liaison. Each of Oregon's nine federally recognized tribes also has identified a key contact to be the first link in communications between OYA and the tribes. Each key contact is a vital liaison who provides opportunities to identify mutual concerns, resources for youth offenders, and activities in OYA and communities. These individuals are instrumental in enhancing communications between OYA and the respective tribes, and also serve on OYA's Native American Advisory Committee.

Memoranda of understanding

To establish formal relationships with Oregon's tribal governments, OYA has entered into or is in the process of negotiating memoranda of understanding (MOUs) with each tribe, pursuant to ORS 182.162-166. While the MOUs are tailored to meet the individual needs and concerns of each tribe, the agreements generally identify areas of mutual concern including services to Native American youth, mutually agreed upon roles and responsibilities, and methods for promoting effective communications and positive relationships.

Each MOU generally includes assurances that tribal youth are identified when they enter OYA custody, that tribal and Native American youth in OYA receive culturally appropriate services, and that tribes have opportunities to participate in planning the reformation and transition services for their youth as the youth change placements or leave OYA custody.

OYA currently has MOUs with seven Oregon tribal governments:

- Burns Paiute Tribe;
- Coos, Lower Umpqua and Siuslaw Tribes;
- Coquille Tribe;
- Confederated Tribes of Siletz;
- Confederated Tribes of the Umatilla Indian Reservation;
- Cow Creek Band of Umpqua Indians; and
- Klamath Tribes.

Although OYA has yet to finalize MOUs with the Confederated Tribes of Grand Ronde and the Confederated Tribes of Warm Springs, the agency continues to pursue agreements with these tribes. In addition, OYA continues to conduct its relationship with the tribes as if an agreement exists. This ensures consistent support for all nine federally recognized tribes in Oregon. OYA remains hopeful an agreement with the Grand Ronde and Warm Springs tribes will be achieved in the future.

Public Safety Cluster

The Public Safety Cluster (PSC) convenes state public safety agencies and tribal officials to discuss and address tribal-specific public safety issues and issues of mutual concern. OYA's Tribal Liaison serves as chair of the PSC.

The PSC met three times in 2012. All of the meetings were hosted by the Department of Public Safety Standards and Training (DPSST). These meetings brought together state and tribal public safety agencies, departments, commissions, and judicial systems. OYA and the PSC are appreciative of the DPSST for their continued support and collaboration with the government-to-government meetings.

The PSC meetings provide a forum for identifying issues affecting public safety in tribal and Oregon communities. These meetings enable participants to share ideas, information, and strategies to promote safer communities throughout Oregon. In addition, these meetings enhance government-to-government relationships among state agencies and tribal public safety partners.

Starting in 2013, due to the retirement of OYA's Tribal Liaison, the Department of Corrections will begin coordinating, planning, and chairing the PSC.

Native American Advisory Committee

The Native American Advisory Committee (NAAC) is formulated to assist OYA with matters concerning Native American communities throughout Oregon. The committee comprises representatives from the nine federally recognized tribes within Oregon and identified community representatives throughout the state.

NAAC's primary functions are to:

- Establish community links between OYA and the Native American community;
- Recruit volunteers to support services offered by OYA for Native American youth in OYA close-custody facilities;
- Consult regarding transition and aftercare services for Native American youth;
- Develop staff training on Native American culture and tribal structure;
- Recruit and retain Native American staff within OYA to sustain an employee workforce that reflects the diversity of the youth offender population;
- Consult on the cultural competency of programs, services, and policies regarding Native American youth within OYA; and
- Establish resources for out-of-home placements (foster homes).

Topics of advisory committee meetings have included:

- Priorities of the tribes,
- Review of Native American youth in OYA custody,
- OYA's Tribal Notification Policy, and
- Services to Native American and tribal youth.

During 2012, committee members continued to meet regularly to articulate the priorities of each tribe and identify ways in which the committee may better serve tribal and OYA interests and needs. The tribes and OYA agree NAAC should focus on system issues, policy reviews, and development of resources for youth.

Statewide Advisory Committee

OYA maintains an advisory committee of juvenile justice partners and stakeholders to provide input and information on issues and events affecting juvenile justice, as well as to advise OYA on its policies and practices. The tribal NAAC co-chair continues to represent tribal concerns on the Statewide Advisory Committee and to share tribal issues that need to be addressed by all of the agency's stakeholders.

Ongoing support

OYA's leadership remains committed to maintaining ongoing, open communications with the tribes in Oregon, and to developing ways to ensure better outcomes for Native American youth in the custody of OYA.

OYA and individual tribes

Confederated Tribes of Warm Springs

The Confederated Tribes of Warm Springs Community Counseling continued to meet quarterly with OYA's Central Oregon Juvenile Probation and Parole Supervisor, a representative from the Jefferson County Juvenile Department, and the OYA Tribal Liaison to strengthen the partnership and collaboration between the tribe and OYA, and to establish a continuum of services for tribal youth offenders as they prepare to re-enter the Warm Springs community. The group discussed collaborative services for Warm Springs tribal youth, reviewed Warm Springs tribal youth cases, and agreed to continue to identify and collaborate on resources and strategies for Warm Springs tribal youth in OYA custody. Recognizing the benefit of these meetings, the tribe and OYA have agreed to continue to hold these meetings on a quarterly basis.

Confederated Tribes of the Umatilla Indian Reservation (CTUIR)

CTUIR requested access to OYA close-custody beds. ORS 042A provides OYA with the authority to contract with tribes for close-custody beds. However, the statute also states the tribe shall pay reasonable costs for the service. The tribe is the adjudicating entity and as such the tribe would retain jurisdiction over their youth and be the paroling authority and set sentencing.

During the course of 2012, several meetings took place between tribal and OYA administrations. The purpose of the meetings was to establish procedures, responsibilities, protocols and costs associated with the services. A draft copy of the contract has been sent to the Attorney General's office and OYA is continuing to wait for response.

CTUIR Vice Chairman Leo Stewart and Board of Trustee member Fred Hill toured the RiverBend Youth Correctional Facility in La Grande for the first time. They were able to meet with youth and staff and view site of the facility's sweat lodge. The youth in the facility enjoyed meeting with them, and both Mr. Stewart and Mr. Hill expressed an interest in attending a sweat lodge ceremony with the

youth. Mr. Hill was able to do so, but Mr. Stewart was unable to schedule a time for the ceremony prior to the retirement of OYA's Tribal Liaison.

Klamath Tribes

OYA contracts for foster care services for youth needing additional services and supports in a community setting. It is important to note that OYA foster care is a continuum of sanctions for youth, and that ICWA does not apply to these services. Therefore, a certified foster care provider for the Department of Human Resources or the Indian Child Welfare Act would need additional certification from OYA. At present OYA does not have any Native American or tribal foster care providers for Native American youth.

To assist with recruitment of Native American foster care providers, the Klamath Tribes hosted a forum, in conjunction with OYA, to provide information and answer questions about the OYA foster care system. Klamath tribal members and the community at large were invited to the presentation. This forum provided an opportunity for the community to become more aware of OYA and services to youth, and provided opportunities to collaborate on resource development.

The Klamath Tribes have the most youth in OYA custody as compared to the other Oregon tribes. As a means to better communicate and collaborate with the tribe regarding their youth in OYA custody, a case management meeting was coordinated with the tribe. The meeting was attended by Tribal Chair Gary Frost, members of tribal council, and tribal health representatives. OYA Juvenile Parole and Probation officers and OYA's Tribal Liaison also attended the meeting.

A shared commitment

Reconnecting Native American youth with cultural traditions

Services provided to Native American youth in OYA custody promote personal responsibility, accountability, community safety, and reintegration into family and community. Services include transitional assistance, culturally relevant treatment and interventions, culturally relevant social and spiritual activities, and tribal support resources.

Many of the Native American youth who enter OYA have not had contact with their tribes and cultural or spiritual traditions prior to entering the juvenile justice system. While these youth will receive interventions from the ongoing cognitive behavioral and other treatment programs offered by OYA, the exposure to and practice of Native American values and traditions provides a uniquely important opportunity for many Native American youth to become acquainted with their culture and heritage for the first time. OYA views these services as crucial to the treatment and reformation needs of Native American youth.

OYA encourages tribes to engage with their youth while the youth are in close-custody facilities or in community placements. Tribes are welcome and encouraged to conduct ceremonies and rituals specific to their tribal traditions.

Coordinating treatment services

OYA juvenile probation and parole officers (JPPOs) working out of OYA field offices are responsible for both the direct supervision of youth offenders in the community and for case management of youth in OYA's close-custody facilities. JPPOs coordinate multi-disciplinary team (MDT) meetings for youth to develop and monitor treatment plans.

In coordinating treatment services for youth offenders, the JPPOs have direct contact with tribes. OYA's Tribal Notification Policy directs JPPOs to notify the tribes and the OYA Tribal Liaison when a youth in OYA's custody is identified as a tribal youth. Additionally, tribes are included as MDT core members for their

youth, enabling them to participate in planning and service delivery to tribal youth.

Providing culturally relevant services

OYA recognizes that treatment and reformation efforts are more effective when provided in the context of each youth's culture. OYA is the only juvenile justice agency in the United States with an Office of Minority Services (OMS) dedicated to meeting the specific cultural and linguistic needs of minority youth. OMS coordinates a variety of cultural events, provides culturally specific support groups, provides staff training, and coordinates and provides gang intervention services through a curriculum developed by OMS.

OMS services provide Native American and tribal youth opportunities to participate in sweat lodge and pipe ceremonies, talking circles, powwows, culturally relevant support groups, and individual meetings with staff, contracted providers, and volunteers. In addition, OYA welcomes and encourages tribal participation if tribes wish to conduct a ceremony for their youth in OYA custody.

These services provide youth with positive identity development, strengthen resistance to negative peer associations, offer increased options for positive thinking and behavior, and generally support and enhance other treatment opportunities in OYA. Participation in these programs provides youth with opportunities to incorporate values from Native American cultures into their thinking and beliefs, which then become part of the youths' treatment and reformation

Supporting minority youth transition

OYA's Office of Minority Services continues to employ two full-time transition specialists, Funaki Letisi and Johnny Demus, who coordinate treatment and aftercare for youth returning to their communities from close-custody facilities. Mr. Letisi provides transition services for youth living in Marion, Polk, Multnomah, and Washington counties; Mr. Demus provides transition services for youth living in Clackamas, Washington, and Multnomah counties. Native American youth eligible for these transition services include not only enrolled youth from Oregon's tribes, but also youth whose tribes are outside Oregon.

The goal of the Minority Youth Transition Program is to have minority youth be successful in their community following incarceration in a youth correctional facility. This is accomplished through a collaborative effort that includes tribes, contracted service providers, the youth's parole officer, and other community resources. The transition program has a pool of community contractors who provide culturally specific and language-appropriate services for youth as they return to their communities.

Collaborating on facility programs

OYA has 10 close-custody facilities located throughout Oregon. It takes many OYA staff, contractors, and volunteers working together to meet the objective of incorporating and maintaining services for Native American youth in these facilities.

OYA's coastal Oregon facilities are:

- Camp Florence Youth Transitional Facility (Florence)
- Camp Tillamook Youth Transitional Facility (Tillamook)
- North Coast Youth Correctional Facility (Warrenton)
- Tillamook Youth Correctional Facility (Tillamook)

OYA's eastern Oregon facilities are:

- Eastern Oregon Youth Correctional Facility (Burns)
- RiverBend Youth Transitional Facility (La Grande)

OYA's southern Oregon facility is:

- Rogue Valley Youth Correctional Facility (Grants Pass)

OYA's Willamette Valley facilities are:

- Hillcrest Youth Correctional Facility (Salem)
- MacLaren Youth Correctional Facility (Woodburn)
- Oak Creek Youth Correctional Facility (Albany)

Each facility offers a range of events from sweat lodge ceremonies to powwows and other opportunities to honor and celebrate Native American culture. Support for these events is provided through a network of tribal and other volunteers.

Improving outcomes through successful re-entry

OYA received a three-year federal grant award in late 2009 from the U.S. Bureau of Justice's Office of Juvenile Justice and Delinquency Prevention. The purpose of this Second Chance Re-entry Grant is to improve outcomes for youth released to parole from OYA close-custody facilities. The overall goal is the development and maintenance of a comprehensive infrastructure to provide youth with needed alcohol and drug treatment and other transitional supports such as access to appropriate mental and physical health services, education and vocation training, employment, housing, independent living skills, and other re-entry services.

The project design establishes two primary council structures: the Statewide Re-entry Advisory Council and three regional re-entry committees. Tribal representatives have been invited to serve as members on the Statewide Re-entry Advisory Council and the regional advisory committees.

Looking ahead

Training opportunities for OYA staff

OYA staff attended 2012 Tribal Information Day in May at the Oregon Capitol. Among those attending were OYA Deputy Director Fariborz Pakseresht, MacLaren Youth Correctional Facility Native American Services Coordinator Steve Llanes and OYA Tribal Liaison Jack Lawson.

All new employees of OYA receive an orientation on tribal governments and Senate Bill 770. Training on tribal governments during new employee orientation ensures that all OYA employees will have a basic awareness of tribes within Oregon and OYA's government-to-government relationships with them. Cultural competency training is required for all OYA staff working with youth offenders.

All new OYA employees are expected have a basic awareness of Native American cultural values, beliefs, social norms, and customs. This training begins laying the foundation for new employees to work with minority youth and describes the need for culturally relevant services.

In addition, OYA began rolling out a new agency-wide performance system during 2011 that incorporates cultural competence as a key goal for OYA's workforce. An initiative led by the Office of Minority Services is under way to improve the agency's ability to hire, train, and retain diverse and culturally competent staff.

Ongoing relationship building

OYA continues to be actively committed to building, maintaining, and supporting strong government-to-government relations with Oregon's nine federally recognized tribes.

OYA's Native American Tribal Liaison continued during 2012 to meet with the tribal communication liaisons to share information, coordinate services, resolve concerns, review and negotiate memoranda of understanding, and provide updated reports to tribal councils.

With the retirement of the agency's Tribal Liaison, OYA will actively recruit for a qualified replacement and refill the position. The agency views this position as a critical member of the agency's administrative team to continue to build and strengthen the relationship between OYA and tribes. OYA will invite the tribes to be part of the recruiting process.

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