

ENLARGING THE HEALING CIRCLE

ENSURING JUSTICE FOR AMERICAN INDIAN CHILDREN

Report on the 5th Annual Ethnic and
Cultural Diversity Training Conference



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The conclusions reached and recommendations made are those of the Coalition and are not necessarily those of the commentators.

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EXECUTIVE SUMMARY

American Indians are vibrant—having survived near annihilation, they are now a population of more than two million in the United States. They are thriving, although their progress rarely garners widespread attention. With this growth both numerical and developmental, however, modern struggles have emerged, coupled with persistent historical problems. American Indian youth, for example, too often become tangled in a juvenile justice system that poses unique and longstanding complications. But the difficulties facing American Indian children go as unnoticed as their achievements. American Indians, in spite of evidence to the contrary, are considered by much of the general public to be vanishing or “settled,” if they are considered at all. Ignoring the needs and strengths of American Indian youth and families is a national shame.

American Indian youth, who comprise 1% of the U.S. youth population aged 10-17, are arrested for some offenses at double or triple the rates statistically expected. Young offenders living on reservations are confined in facilities hundreds of miles away from their tribes, disconnecting children from loved ones at a time when family and community support are vital. For troubled American Indian youth growing up in urban areas, the juvenile justice system can be insensitive to tribal culture, taking missteps and missing opportunities to reach youth.

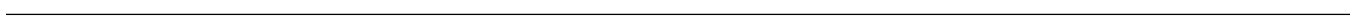
There are, fortunately, focused efforts and committed people dedicated to fortifying American Indian youth and families. Whether working for federal agen-

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Ignoring the needs of American Indian youth and families is a national shame.

cies, such as the Bureau of Indian Affairs, or community programs, such as Dream Weavers Inc., service providers emphasize common guidelines for engaging troubled American Indian youth:

- 1 Recognize the differences and strengths of American Indian tribes and partner with them when serving youth;
- 1 Consider how culture, environment and family history might stimulate delinquent behavior and can be used in prevention and intervention initiatives;



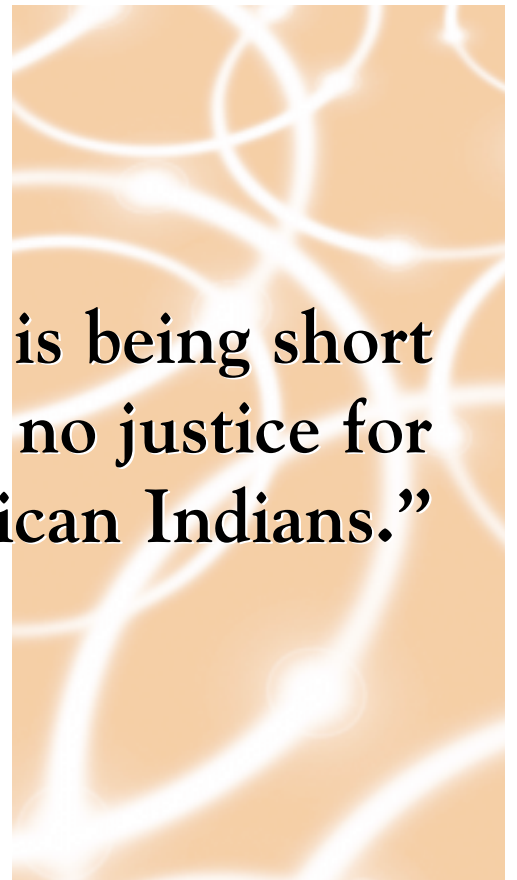


- 1 Address youth issues as family issues, realizing that children may not be the only ones in need of treatment and services;
- 1 Always look for ways to connect or reconnect American Indian youth to supportive communities;
- 1 Detect and, if present, remove the pitfalls of substance abuse, depression and gang involvement from the lives of American Indian children.

In addition, people experienced in working with American Indians provided insights that have been used by the Coalition for Juvenile Justice to craft more directed and detailed policy and program recommendations cited at the end of this report.

Yet, before a single policy or practice can be adopted, understanding is needed. The public as a whole, as well as service providers, juvenile justice employees and law makers, must become educated on both the wellsprings of potential and the difficulties facing American Indian youth and families. This report will help. It provides candid and thoughtful commentary on contemporary American Indian issues, a cultural and historical context for tribal relationships with the justice system, and tactics for addressing dominant dilemmas. But, remember, this is just an important first step.

**“As long as funding is being short
changed, there will be no justice for
American Indians.”**





“Without the young people there is no family.”



INTRODUCTION

More than 300 people, hoping to find the elusive answers to critical problems, gathered to open the Coalition for Juvenile Justice (CJJ) 5th Annual Ethnic and Cultural Diversity Training Conference with prayer. Their prayers were directed toward resolving the challenges facing American Indian youth—an invisible population to most U.S. citizens and the future of a proud but beleaguered people.

American Indian youth are overrepresented in the juvenile justice system, but national data mask the inequality. American Indian youth, aged 10-17, comprise only 1% of the national youth population and 1% of total juvenile arrests, according to a U.S. Department of Justice report¹. However, more than one-third of U.S. states have no federally-recognized, American Indian tribes within their borders. This means that in states with significant American Indian communities, American Indian youth are found far too frequently in the back of squad cars, rather than in the front of classrooms. Too many of them are confined to cells instead of living freely in neighborhoods.

This atrocity facing American Indian youth and the juvenile justice system is called minority overrepresentation, and federal legislation exists which is designed to eliminate it. The federal Juvenile Justice and Delinquency Prevention Act calls for ongoing studies to determine if minority youth are treated unequally and for the implementation of strategies to eradicate the problem if it is detected. CJJ, comprising 56 juvenile justice advisory groups in the states, territories and District of Columbia, is the national nonprofit organization charged with providing training and assistance related to the Act.

To that end, CJJ, American Indian youth, adults, and tribal elders, as well as community leaders, child advocates, service providers, and law enforcement officers, met in Phoenix, Arizona, for a three-day conference. Participants came to learn effective strategies that could help American Indian youth remain at home with family and in the community while becoming productive citizens. They came to reclaim their children.

Most of the participants had for years worked in some capacity to strengthen American Indian tribes. They had achieved incremental improvements and witnessed a multitude of broken promises. Some believed that greater progress is afoot, others were more skeptical, but all of them agreed with Conference Chair Alfredo Ramirez of Norfolk, Nebraska, when he said at the opening session, “Without the young people there is no family.”

This report chronicles the dominant issues and debates raised and explored



by conference participants and speakers, who offered experience, expertise, recommendations, and hope for the future of American Indian youth. It is the collective voice of dedicated people.

PORTRAIT OF AMERICAN INDIAN YOUTH

The American Indian population, totaling 2.4 million people, is growing steadily and getting younger, spreading developmental resources thinner². From 1991-93, the American Indian and Alaska Native birth rate was 26.6 births per 1,000. As a rough comparison, the birth rate among the U.S. general population was 15.9 births per 1,000 in 1992³. Forty-three percent of the American Indian population is under age 20. Adequate role models, health services, schools, and youth programs, however, are not expanding to meet increasing demand.

Therefore, American Indian youth are growing up with insufficient support and limited opportunities, and many of them are not faring well. American Indian youth are overrepresented in the juvenile justice system. For a litany of charges, they are being arrested far more often than would be expected, given their relative number in the general population. American Indian youth are 1% of the U.S. population, aged 10-17⁴. But, for example, they comprise 2% of total juvenile arrests for larceny-theft. In terms of percentages, the difference between 1% and 2% might not seem very large. The human reality, though, is quite staggering: for some offenses, American Indian youth are arrested twice as often than they statistically should be.

Reversing this trend among American Indian children is particularly difficult because they live in two distinct environments. There are those who call a

“We have to build a foundation of trust. The American public needs to learn about us.”

reservation home, and those who do not. “There may only be 40 miles distance between a kid on a reservation and one off of it,” says Brandon Ferguson, age 17, who spent the first six years of his childhood on the Pine Ridge Reservation in Nebraska, “but between them a whole change of life occurs.”

Ferguson, who presently lives in Chadron, Nebraska, says American Indian youth living off reservations and in cities enjoy the diverse fortunes of a me-



tropolis, where America's economic boom thumps strongest. Unemployment rates and crime are at all-time lows. Higher education is more attainable than ever and the job market is wide open. American Indian youth raised in such prosperity have better chances of achieving it, goes the logic. The reservations—which have a 37% unemployment rate on average—cannot compete with the opportunities for financial and educational advancement that cities offer⁵. Ferguson tells of American Indians who graduated from college and returned to the reservation only to discover that they are underpaid and overqualified for most of the available jobs.

Yet, Manne Lasiloo, age 19, former President of the Akimel O'Odham/Pee Posh Youth Council in Phoenix, Arizona, warns that life in urban areas has its shortcomings, citing cultural isolation as the greatest source of stress. American Indian children off the reservations are dogged by the pressures of assimilation. Striving to "fit in," while being separated from native rituals and languages, can cause identity crises and depression, according to Lasiloo.

Kevin Shendo, age 27, Coordinator and Cofounder of the Pueblo of Jemez Native American Youth Empowerment Program in Jemez Pueblo, New Mexico, concurs that tribal culture—particularly language—sustains many American Indians. "Language is the essence of our life and our spirit," says Shendo. When he temporarily left his tribal community for several months, he reveals he felt "lost." "I had a language that I could not speak to anyone," he says, "and traditions I could not perform." In an attempt to keep in contact and to stay grounded, a lot of urban American Indian youth regularly use weekends to visit relatives on the reservations, says Lasiloo.

Reservations have a powerful appeal. Just four hours north of Phoenix, Highway Junction 160 leads to Tuba City, Arizona, which rests in the heart of the Navajo reservation. It is a land of tremendous beauty and contradictions, striving to preserve its culture in modern times. American Indians on the reservation, especially the youth, dress in the same blue jeans, khakis, and shirts that clothe most non-Indian youth; however, they add vibrant tribal garb to their attire. They cook fry bread at home, yet work at McDonald's after school. It is common for teenagers to drive deep into the desert for tribal ceremonies and celebrations—enjoying loud heavy-metal, reggae or rap music as they travel in their cars.

Amid this paradox, the reservation retains an immutable sense of community. "We don't really have a homeless problem," a Navajo police officer explains. "If you lose your home a family member takes you in." This societal embrace can also be spiritual. On reservations, American Indian youth are able to draw strength from ancestors and land that, as Lasiloo says, have provided for his people "from what we believe is the beginning of time."

Recognizing the distinctions between the reservations and outside communities is vital to effectively engaging American Indian youth. Programs and services need to be tailored to address these cultural, societal and familial differences



and concerns. People trying to build a rapport with American Indian youth need to immerse themselves in both worlds. A failure to understand the particular cultures and perspectives that impact American Indian youth can only lead to more lost children.

ROLE OF THE FAMILY

American Indian families have a long history of being incredibly loyal, compassionate, wise and extended across generations and blood ties. Elgean Joshevema, Hopi Tribal Elder and Counselor, shares the naming ritual of his people in which adult relatives and community leaders affirm their love and commitment to newborns. “This process gives a foundation to a Hopi child’s life,” states Joshevema. Other American Indians, spanning generations, also speak fondly of the guidance and affection they receive from their families. Service providers like Dr. Wayne Mitchell, a behavioral health professional with the Indian Health Service (IHS), concur that most American Indian communities are robust and suggest that, “There needs to be more connections between the youth and the elders.” Yet, Mitchell also notes that even the best families need reinforcements.

And many families—healthy and dysfunctional alike—are struggling to reach their young on and off the reservations. Parents in the city are concerned that their children are not learning enough about their heritage and may fall prey to urban decay. On the reservations, families seek ways to erase disillusionment from their children’s outlook on the future. In both settings, adults may also be grap-

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pling with their own troubles: work-related stress, financial obligations, domestic violence, or substance abuse, among others.

Rick Thomas, author of *Red Road to Recovery*, says that the problems of



parents weigh heavily on their children. If a family is unable to afford to eat regularly, then concentrating in school becomes more difficult. If dad is beating mom, then going home becomes a source of stress to be avoided. Beyond worrying about and reacting to family strife, Thomas says that in some instances youth actually assume the roles of parents.

To illustrate his point, Thomas, a recovering alcoholic, reveals a shameful episode from his life as a young man, when an eight-year-old girl was more mature than he was. Following a wild night of drinking, Thomas remembers, “I woke up hung over, didn’t know where I was, or who I was with.” As he tried to regain his bearings, a little girl walked into the bedroom and asked the woman next to him, “Mommy, are you sick?” The woman groaned that she was. The little girl left the room and minutes later returned with fresh coffee and breakfast. Then, the little girl went off to school.

Under such circumstances, where parents *and* youth are wrestling demons, Alton Lick, National President of Juvenile Corrections Administrators and Directors, believes the whole family must receive treatment. He highlights the achievements of Mending the Circle, a pioneering family-therapy program based in urban Fargo, North Dakota. Mending the Circle accepts and treats troubled American Indian youth and their families through referrals from schools, county social services and juvenile courts. Utilizing 339 hours of mentoring, six elder activities and 955 hours of intensive, in-house therapy, the program has treated 17 families. It has been 80% successful at keeping families together. Lick cautions, “We need more numbers and time before we can certify this as a great program. But the early signs are good.” Families in turmoil can be mended.

A HISTORICAL PERSPECTIVE

Engaging the U.S. Government to Adequately Assist American Indian Youth and Families

American Indian youth need and yearn for assistance from their families and other sources. That much is clear. “These kids will turn 30 and wonder, ‘Who was there for me when I was 15?’” says Amber Curley, 21, a performing artist and college student. “The answer is?” she asks, rhetorically.

The answer is potentially explosive. While many advocates believe that the U.S. government should sustain and increase its efforts to help American Indian families function and reduce the number of youth in the juvenile justice system, there are those who feel passionately that relying on the federal government is not sensible—given the disappointing historical record the U.S. has had with tribes and American Indian nations. A debate on the topic of trust sparked a firestorm of emotion: “They [U.S. politicians] don’t give a damn about us!” says a middle aged, American Indian man. “The power is theirs, now and forever,” says another.



“We stand here decade after decade and the same bull— happens.”

This viewpoint of well-founded skepticism is best articulated by George Tomer, age 51, Director of the Penobscot Nation Judicial System in Old Town, Maine. Tomer has spent most of his life advocating for American Indian issues. “I’ve seen the feds from top to bottom,” he says. Serving as a member of the American Indian Policy Review Commission that delivered a thorough report to Congress in May of 1977, Tomer led a task force that investigated issues concerning federally non-recognized and terminated tribes. Presently, Tomer openly questions the U.S. government’s dedication to American Indians, although he resists being labeled a cynic. “I’m optimistic,” he says, “but, on such a small scale. You go to these conferences and hear beautiful speeches, but how long can the good feelings last?”

A review of the relationship between the sovereign American Indian nations and broader tribal communities, and federal and state judicial systems, reveals sources of friction and recrimination. According to Tom LeClaire, an American Indian and an Assistant U.S. Attorney from Phoenix, Arizona, the independent powers of the tribal justice system were first recognized by the U.S. Supreme Court in 1883. In that year, the court heard the federal government’s case against American Indian Brûle Sioux, Chief Crow Dog. Chief Crow Dog had already been convicted in tribal court for the murder of another American Indian chief, Spotted Tail, and had been sentenced to support the victims’ dependents. Thinking the tribal court’s decision too lenient and, therefore, invalid, federal prosecutors brought the case into the U.S. justice system, even though the crime occurred on a reservation. The U.S. Supreme Court, in ruling that the U.S. government had no jurisdiction over crimes committed on American Indian land, stated: “Indians are entitled to the best form of government—self-government.”

LeClaire says, however, that in 1885 the U.S. Congress created federal jurisdiction to investigate and prosecute certain crimes. The initial congressional

Beyond worrying about and reacting to family strife, in some instances youth actually assume the roles of parents.

encroachment on tribal court jurisdiction went unchallenged in the U.S. court system, but sent a disturbing signal to American Indians that their judicial sovereignty only went as far as the U.S. federal government deemed appropriate.

Later the federal courts were granted jurisdiction over juvenile cases along



with the tribal courts, making it possible for juveniles to be tried twice for the same offense. The U.S. Constitution does not protect American Indian youth from double jeopardy. The passage of the American Indian Civil Rights Act of 1968 extended most of the Bill of Rights to American Indians. Yet, the Act most notably restricted tribal courts from imposing “conviction of any one offense, any penalty or punishment greater than imprisonment for a term of one year.”

Today, there are 558 federally recognized American Indian tribes that operate as separate sovereign nations, and, therefore, deserve to have a nation-to-nation relationship with the U.S. Generally, this means that their dealings would bypass state government. But very little is as it should be in this matter. The rest of the regulations outlining the boundaries between the tribal and U.S. governments are considerably complex, perplexing and uneven: tribal courts have no jurisdiction over non-Indians, even for crimes committed on reservations. Non-Indians who commit an offense on tribal land should be brought to justice in the state or federal court system; this, however, occurs sporadically. The federal government holds overruling jurisdiction on juvenile offenses until a youth reaches age 21. Some state police have the right to patrol tribal land, but tribal police cannot conduct investigations off of the reservations.

It is a tangled and frustrating judicial web. Youth in any of the federally recognized and sovereign tribes are subject to federal prosecution for criminal acts committed on reservations. Since the federal government does not own or operate any juvenile detention facilities, American Indian youth are often shipped to public and private facilities hundreds of miles from their homes. Parents and other relatives can be separated from their children for weeks. Court procedures can be foreign and frightening to the offender. Traveling to hearings and hiring legal counsel can be economic impossibilities for the family. These unique and problematic ramifications of the juvenile justice system—unintentional or otherwise—breed ill will.

Shortcomings of the federal judicial system regarding American Indian youth raise questions about the U.S. government’s commitment to funding other efforts that contribute to youth development. Numerous advocates ask out loud if the government is truly willing to invest in tribes; is the federal judicial system indicative of other government agencies designed to aid American Indians?

These concerns, although pointed, are not a criticism of the quality of government services. What assistance American Indians receive from agencies such as the Bureau of Indian Affairs (BIA) and IHS are reputable. The grievance is that services and initiatives rarely last or reach far enough, says Ted Quasula, Director, Office of Law Enforcement, BIA. Quasula recounts examples of several beneficial federal programs that were supported by three- or five-year federal grants. Once the grants expired, tribes found themselves unable to sustain the efforts, and effective initiatives disappeared.

Financial constraints also hinder longstanding services. Federal employee



Richard Armstrong of BIA says American Indian programs “need better funding...and need technical assistance to see to it that services are really being delivered.” Praising the dedication of IHS staff, 65% of whom are American Indian/Native Alaskan, Dr. N. Burton Atiko, IHS, reveals that the healthcare institution “if it stretches things [such as funding, supplies, staff, etc.], can do about 60% of what it should be doing.”

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has been expanding its outreach to American Indians, says Heidi Hsia, a Program Manager in the State Relations and Assistance Division of OJJDP. In December, 1999, OJJDP awarded 34 American Indian and Alaskan Native tribal communities nearly \$8 million in Tribal Youth Program grants. The Tribal Youth Program is an annual initiative designed to prevent and control youth violence and substance abuse, says Hsia, and program funds can be used for prevention or intervention initiatives. The grants, however, expire after three years, and may leave the effective local programs in the financial peril described by Quasula.

The Honorable Steve Verkamp, a federal magistrate who has lived among tribes in Flagstaff, Arizona, speaks candidly about the “constant struggle to get funding for American Indian programs.” He suspects that American Indian programs will constantly be underfunded, until the tribes gain a stronger political voice. Until then, Verkamp warns, “As long as funding is being shortchanged, there will be no justice for American Indians.”

Raising the political visibility of American Indian issues, especially issues affecting children, reopens questions of trust. Can the U.S. government be a reliable partner in efforts to raise children free of the juvenile justice system? Cynthia Mala, Executive Director of the North Dakota Indian Affairs Commission, thinks yes. In fact, she considers engaging the federal government an imperative. Explaining that tribes do not currently have the means to implement all the necessary reforms, Mala says that those opposed to creating links with the U.S. government “have to become cognizant of the political reality: we have to build a foundation of trust. The American public needs to learn about us.”

FOCUSING THE WORK

Major Contributors to American Indian Juvenile Delinquency

Efforts to protect and serve American Indian youth in and out of the juvenile justice system, are met with clear and prevalent obstacles. Three key issues—all preventable—plague American Indian children and families: substance abuse, depression and gang involvement. Independently, any can be a path to damaging behavior. Among American Indian youth, though, these three roads to destruction converge with alarming frequency.



Substance abuse, depression and gang involvement fuel a vast majority of the offenses for which American Indian juveniles are disproportionately confined. Children sinking further into depression, for instance, may consume more alcohol to cope or join a gang for acceptance. Yet, the interrelationships among the dangerous trinity of issues are not always identified. While there are programs designed to free kids from substance abuse, depression or gangs, unless the relationship among the three is understood and addressed, treatment services and strategies are likely to fail.

SUBSTANCE ABUSE

Among American Indian youth, substance abuse has the most visible relationship to delinquency and violence. Two percent of all juveniles nationwide arrested for both public drunkenness and driving under the influence in 1997, as well as 3% of all juveniles arrested for liquor law violations, were American Indians⁶.

Alcohol fuels adult crime as well, nearly 49% of convicted American Indian adult jail inmates reported use of alcohol at the time of their offenses in 1996; when violent offenders are examined separately, alcohol use at the time of offense skyrockets to 71%⁷.

Unfortunately, alcohol reaches many American Indian children while they are in the womb, reports author and substance abuse specialist, Rick Thomas. Approximately 1 in 99 American Indians are born with Fetal Alcohol Syndrome (FAS), a debilitating disease that affects the children of mothers who drink alcohol during pregnancy. In the general U.S. population, approximately 1 in 500 babies are born with FAS⁸. Children with FAS can experience a range of

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problems from organ dysfunction and life-threatening seizures to hyperactivity and erratic behavior, which make them especially susceptible to court involvement.

American Indian youth unaffected by FAS are still highly vulnerable to being introduced to alcohol in early childhood, according to Dr. Wayne Mitchell of



IHS. “They can be as young as eight or nine years old and have a drinking problem,” he says. Enforcing the law and treating children with a substance abuse problem are especially difficult on reservations, where detention and treatment programs are sparse. “It’s not uncommon for a juvenile to ride around in the back of a squad car until they sober up somewhat, because we simply don’t have the facilities,” says Ted Quasula, Director of the Office of Law Enforcement of BIA in

National data show that 73% of the children in juvenile facilities displayed mental health problems during screening.

Albuquerque, New Mexico.

Substance abuse treatment programs such as Desert Vision, a consortium of twelve regional treatment centers for American Indian tribes headquartered in Sacaton, Arizona, have achieved success only when they address more than a youth’s alcohol abuse. Although Theda G. Kresge, Program Director of Desert Vision, warns that, “You cannot rubber stamp a treatment program,” she believes there is usually a link between mental health issues and substance abuse. Kresge feels that evaluating mental health issues is vital to the substance abuse treatment process. Once the mental health needs of a youth are determined, Kresge says program coordinators have to be realistic about whether their treatment centers are adequate. “I know the limitations of our program,” she says, “and there are some kids we’re not equipped to handle.” Youth admitted to Desert Vision are assessed immediately for suicidal tendencies, and in 1999, seven children were referred by Desert Vision to facilities better able to manage the needs of potentially suicidal youth.

In addition to addressing mental health problems as they relate to substance abuse, Kresge, like other youth-development service providers, emphasizes the importance of getting the whole family to participate in treatment. In her twelve recommendations for counselors, four of them explicitly involve the family: make decisions with the patient’s family history in mind; communicate openly with the family; be prepared to offer treatment options to the entire family; and develop aftercare plans with the family.



DEPRESSION

As a contributor to crime, depression is far more insidious than alcohol. “Many [American Indian youth] are depressed and don’t even know it,” says Virginia Goodman, Director of Project Infinity, a school truancy- and dropout-prevention program for urban American Indian students. Furthermore, those children who do realize they are depressed might be unable to articulate the reasons why. Manifestations of depression may appear as behavior ranging from slightly withdrawn to suicidal or from erratic to criminal.

Rick Thomas sees depression as an epidemic that enters the lives of American Indian kids in early childhood. He says that by the time an American Indian youth living on a reservation reaches age nine, on average, they have buried three to five people close to them. The resulting despair can be overwhelming and recurring, but barely discernible. Between ages nine and 12, disillusionment with their surroundings and future prospects can intensify, leading depressed American Indian youth to experience “psychological suicide.” “Psychological suicide,” says Thomas, “is how we destroy ourselves with our minds.” Feelings of hopelessness and fatalistic thoughts cloud a preteen’s thoughts and judgments during this stage. If the chronic depression persists, American Indians ages 13 to 24 are prone to commit physical suicide, he says. Depression is also a major complication for American Indian youth living off the reservation, says 19-year-old Manne Lasiloo.

The ramifications of depression and suicide, in particular, pose a well-recognized problem in American Indian communities. The incidence of suicide among American Indian young people, ages 15-24, was nearly triple the U.S. population rate for the same age group in 1989-91. The American Indian and Alaskan Native suicide rate for ages 15-24 was 37.5 per 100,000 versus 13.2 per 100,000 nationally in 1989-91⁹.

No prevention or intervention program that focuses squarely on the topic of depression, however, was presented during the conference. Depression and mental health issues at-large seem to be addressed as means to eliminate other obstacles to healthy youth development, such as substance abuse, gang involvement and truancy. How are American Indian youth that suffer from a consuming sense of depression, but not engaging in delinquent behavior identified and treated? What services are available to children who experience the loss of a relative or friend through suicide? These questions were not answered in Phoenix; a search for recent suicide data specifically related to suicide among American Indian youth did not bring immediate answers, although there are several organizations working on the wider issue of youth suicide.

Some research reveals that a vast majority of juvenile offenders are suffering from depression or other serious forms of mental illness. Data collected from site visits of 95 public and private juvenile facilities nationwide show that 73% of the children in those facilities displayed mental health problems during screening,



according to the National Mental Health Association¹⁰. The incidence and characteristics of severe mental health problems, especially those that result in youth attempting or contemplating suicide clearly warrant attention.

GANGS

Gangs wrap self-destructive and criminal behavior into a package of glittery materialism and “false family ties.” Little Dawn Star Wesaw, a 23-year-old Pima/Shoshon, ex-gang member and public speaker for Dream Weavers, Inc. in Glendale, Arizona, says that as a child she initially thought being part of a gang was “cool,” giving her the strength and material things she craved. As a member of the Bloods, Little Dawn Star felt she had a network at her fingertips, willing to protect her from enemies and avenge any insult she endured. Then, her eyes were opened.

Little Dawn Star was first introduced to the Bloods at age eight by her uncles, who are now in prison. At age 14 she was officially inducted into the gang by allowing herself to be “jumped in.” This meant being beaten by all the other Bloods and sexually assaulted by dozens of male gang members. For the next three years, she participated in drive-by shootings and armed robberies, and gave her body to the demands of males in the gang.

Little Dawn Star’s family never gave up on her even as she went in and out of jail. She realizes now how lucky she was to have a strong support system that she repeatedly took for granted: loving, patient parents, an older sister/role model, and a strong spiritual base. Eventually, Little Dawn Star did return to her true family and culture, but not before paying a steep price. To leave the gang, she had to undergo a “jump down,” another beating from the jilted gang members far worse than the induction ritual. Little Dawn Star nearly died as a result, but she feels her freedom was worth it.

Now Little Dawn Star can shop at the mall without fear, walk through her neighborhood without being harassed, or go to the movies wearing a dress. She has her life back. She is completing college and is engaged to a young man, who has also left the Bloods. Now Little Dawn Star works for Dream Weavers, Inc.

Dream Weavers is a national organization that provides motivational, educational and spiritual workshops focusing on gang intervention and prevention strategies for rural and urban American Indians. According to the organization’s president and founder, Wauneta Lone Wolf, there are 113 identified American Indian gangs. Officer Shannon Lewis of the Arizona State Gang Task Force says that most gangs on reservations start when youth begin to mimic the hierarchy, dress, and attitudes of large East and West Coast gangs like the Bloods, Crips and Latin Kings. Many reservation gangs go on to create affiliations with their counterparts in nearby cities; some are using the Internet to recruit and conduct illegal business across state lines.



Lewis says that his task force counters this growing gang syndicate by following a specific intervention and treatment spectrum. The spectrum includes gang prevention, intervention, suppression and follow-up initiatives that incorporate reinforcement from positive adult role models. The goal, says Officer Lewis, is to give youth enticing, productive alternatives to gang life.

According to numerous other youth development professionals, much of gang prevention has to do with helping American Indian youth channel their frustrations, avoid loneliness and constructively pass the time. Little Dawn Star, for example, did not come from a broken family. She did, however, live in an area where her options to accomplish anything of importance or impact were limited. Gangs are a new and glamorized outlet for American Indian youth on the reservations. Those that choose gang life rarely understand fully what they are choosing. The Honorable Gerald P. Richard, Chair of the Arizona Supreme Court Commission on Minorities, believes most American Indian gangs are in their infancy and can be uprooted through prevention and intervention measures. “The time [for outreach efforts] is now,” he says. “Crime is down and there is no push to just ‘crack down on kids.’ We can work with them.”

SOMETHING HOLY MOVING

Something Holy Moving—Rick Thomas spoke these powerful words in his tribal Lakota tongue: ***Taku Wakan Skan Skan***. He explains that the saying refers to a force or spirit that is collecting, solidifying and pushing forward. It can be used to describe personal growth. It can be said of tribal revitalization. It is a perfect mantra for American Indian evolution—*Something Holy Moving*.

American Indians seem reinvigorated to claim their children from substance abuse, depression, gangs and the juvenile—and criminal—justice systems. Hopeful, yet, aware of current political realities, American Indians are poised for progress. Kevin Shendo says that “today the battle is on paper” and “warriors fight with their mind.” Shendo’s sentiments are widely shared. There is an understanding that the next steps to secure better services and treatment for American Indian youth must be strategic as well as passionate. And, while change will not come quickly, there is no time to lose. “It’s taken generations for our people to get where we are today,” says Cynthia Mala, “and progress will take a couple more generations.”



NOTES

¹ National Center for Juvenile Justice. (Sept. 1999). Juvenile Offenders and Victims: 1999 National Report. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

² Population estimates Program, Population Division, U.S. Census Bureau, Washington, D.C. 20233.

³ Indian Health Service. (Web site search). Part 3—Natality and Infant/Maternal Mortality Statistics.

<http://www.ihs.gov/publicinfo/publicactions/trends96/96tr3.pdf>

⁴ National Center for Juvenile Justice. (Sept. 1999). Juvenile Offenders and Victims: 1999 National Report. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

⁵ Bureau of Indian Affairs. U.S. Department of the Interior On the Web. <http://www.doi.gov/bia/aitoday/aitoday.html>

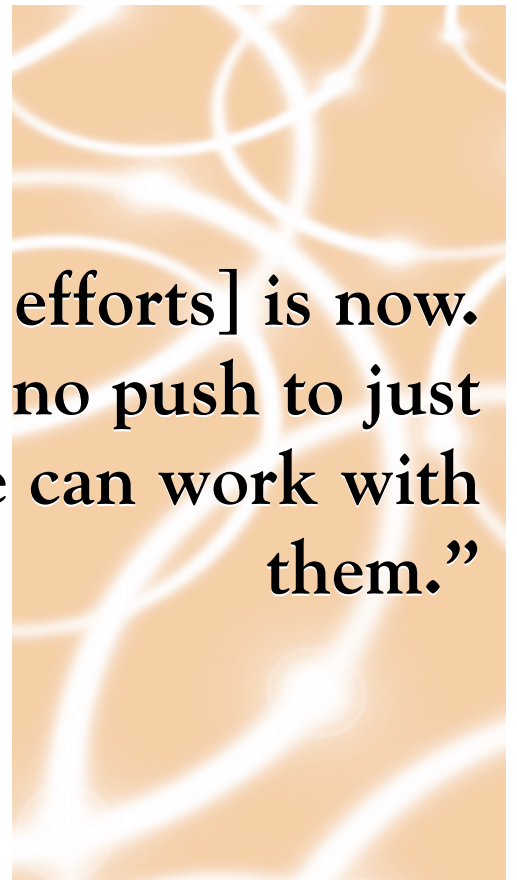
⁶ National Center for Juvenile Justice. (Sept. 1999). Juvenile Offenders and Victims: 1999 National Report. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

⁷ Greenfeld, L.A. & Smith, S.K. (Feb. 1999). American Indians and Crime. Washington, DC: Office of Justice Programs, U.S. Department of Justice.

⁸ Representative, Nighthorse Campbell, B. (March 1992). Testimony before U.S. House of Representative Interior Committee.

⁹ www.indian-suicide.org

“The time [for outreach efforts] is now. Crime is down and there is no push to just ‘crack down on kids.’ We can work with them.”





RECOMMENDATIONS FOR ELIMINATING MINORITY OVERREPRESENTATION AMONG AMERICAN INDIAN YOUTH

Based on the themes of the Coalition for Juvenile Justice 5th Annual Ethnic and Cultural Diversity Training Conference, the following is a series of recommendations for community leaders and policy makers in communities, states, and territories with American Indian populations:

For the Attorney General of the United States

- 1) Confer with tribal leaders at least once a year to discern how American Indian youth can be served equitably by the U.S. Department of Justice.
- 2) Raise public and departmental awareness about the challenges facing American Indian youth in regard to the juvenile justice system.
- 3) Increase the U.S. commitment to American Indian youth and families, advocating for increases in the amount and duration of Tribal Youth Program grant awards and expanding collaborative initiatives with tribal communities.
- 4) Focus departmental efforts to reduce substance abuse, depression and suicide, and gang activities in tribal communities.

For the Congress of the United States

- 1) Increase the amount of federal formula grants directed toward diverting American Indian youth from the juvenile justice system.
- 2) Commission and fund federal agencies to conduct more research on the effects of substance abuse, gang activity and depression on American Indian youth and delinquent behavior.

For Federal Agencies Working with Indian Affairs

- 1) Involve the entire family in treatment and service initiatives.
- 2) Testify to the needs of American Indian youth and families, and advocate for more funding to adequately serve tribal communities.

For Tribal Courts

- 1) Confer openly with state and federal law enforcement agencies to examine ways to divert American Indian youth from the juvenile justice system.
 - 2) Establish and replicate intervention and aftercare programs that reconnect American Indian youth offenders to tribal communities.
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For Governors and Juvenile Justice State Advisory Groups

- 1) Governors need to appoint at least one American Indian adult and, whenever possible, an additional youth member to State Advisory Groups.
- 2) State Advisory Groups need to have a subcommittee that examines minority overrepresentation in the juvenile justice system through collaborative efforts with the state Governors, researchers, service providers, law enforcement agencies, American Indians, and the media.
- 3) Supplement federal formula grants with other funding sources when appropriate to combat minority overrepresentation among American Indian youth.
- 4) Educate State Advisory Group members and the public about the culture and current conditions of the tribes and native people in their locales.

For Juvenile Justice Administrators

- 1) Ensure that treatment programs for American Indian youth in the juvenile justice system draw upon the strengths of tribal culture.
- 2) Screen American Indian juveniles for mental health illnesses, such as depression, to determine the best treatment options.
- 3) Implement alternatives to incarceration for American Indian young offenders.
- 4) Keep relatives and positive role models connected to those youth that must be confined for their offenses.
- 5) Support prevention initiatives that divert American Indian youth from the juvenile justice system.

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For Youth and Family Treatment and Service Providers

- 1) Assess and consider the implications of family history and dynamics, as well as culture, spirituality and environment, when addressing the needs of American Indian youth.
- 2) Offer options that allow the families of troubled youth to receive treatment or support services when appropriate.
- 3) Form partnerships with juvenile justice facilities to address the needs of confined juveniles and to serve American Indian youth released from detention facilities.

For all Policymakers, Law Enforcement Officers, and Service and Treatment Providers

- 1) Conduct ongoing cultural sensitivity/diversity trainings on American Indian culture for staff and volunteers.
 - 2) While recognizing American Indian sovereignty, work with Tribal Councils to reduce jurisdictional barriers.
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