Native Youth in Juvenile Justice
March 2024

CALIFORNIA TRIBAL FAMILIES COALITION
The mission of the California Tribal Families Coalition is to promote and protect the health, safety and welfare of tribal children and families, which are inherent tribal governmental functions and are at the core of tribal sovereignty and tribal governance.

CTFC is a successor organization to the 2017 California ICWA Compliance Task Force which can be found at: www.caltribalfamilies.org
ICWA and JJ – Not ideal alignment

- ICWA = children and youth have their tribe there with them.
- Children and youth removed from their home based on a criminal activity are not covered by ICWA, except in some circumstances.
- Dual Jurisdiction youth
- At risk or will not go home
"It is the intent of the Legislature and the administration for counties to use evidence-based and promising practices and programs that improve the outcomes of youth and public safety, reduce the transfer of youth into the adult criminal justice system, ensure that dispositions are in the least restrictive appropriate environment, reduce and then eliminate racial and ethnic disparities, and reduce the use of confinement in the juvenile justice system by utilizing community-based responses and interventions."

-SB 823
The Office of Youth and Community Restoration (OYCR)

- Falls under California Health and Human Services Agency instead of the Department of Corrections and Rehabilitation
- Responsibility has shifted to individual counties with alternative programs and funded by the state with approval of each county plan by the OYCR
- Alternatives include: any of the types of treatment referred to in Section 727, or a juvenile home, ranch, camp, or forestry camp
- If none of these are available within the county, the court may commit the minor to the county’s juvenile hall or a secure youth treatment facility if the youth meets the criteria
The OYCR and CTFC: Our Collaboration

• Developing a survey to map the future of the juvenile justice system for juvenile county probation departments and courts

• Holding listening sessions

• Developing training for probation officers, tribal leaders, youth and service providers on delinquency and dependency processes

• Review and advise OYCR regarding tribal issues intersecting with state juvenile justice systems
What We’re Hearing in Tribal Listening Sessions

“What has been your current experience working with the juvenile justice system (detention, delinquency or incarceration) in your communities?” responses reflected the following summarized concepts:

- Need to figure out what youth are into at the time and leverage that to get them involved in programs. For example, our tribe offers employment and education services and we get them to participate by hosting fun activities and advertising on TikTok but sometimes the logistics around security, background checks, getting people who work at the detention centers to work with our staff, etc. are really challenging.
- All trails lead back to culture.
- Tribes need to measure their own data because the state and county data is incomplete and inaccessible for tribal staff.
- At [TRIBE], we measured 5 years ago and estimated that 10% of our youth were involved in juvenile justice and/or CWS.

“Interventions must happen earlier, when kids are having challenges in school and academics, is when we need to be reaching them.” – Tribal leader participant
What We’re Hearing from Probation Officers

54 Responses from Current POs in California in Fall 2023:

- 50% work in small <200k counties.
- 43% work in the Central Region
- 41% are Managers
- 74% worked in jj 10+ years
- 46% of respondents identified as “White” followed by 42% as “Hispanic, Latino or Spanish Origin”

93% agreed that they “see an importance for Native American youth in the system to maintain cultural and spiritual connections and practices.”

56% said “No” or “I don’t know” when asked if their probation department staff received training on the potential impacts of multi-generational trauma on Native probationers and their families.
So What is Next & What Role Do Mental Health Providers Have?

• **We are moving in the right direction.** Rates of Native youth in the juvenile justice system is on the decline, GAO documented that rates nationally were down 40% from 2010 to 2016.

• **Holistic and culturally driven interventions work.** We know it anecdotally, and now we’re working with partners to document and build up the data.

• **But unless tribes and tribal service providers know where their youth are in the system, we can only do so much.** That’s where you come in! In your role, how could you connect a tribal youth involved in jj back to their community?
More Resources

- **SB 823**: [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB823](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB823)


- Juvenile Justice in CA Historical Timeline: [https://www.cdcr.ca.gov/juvenile-justice/historical-timeline/](https://www.cdcr.ca.gov/juvenile-justice/historical-timeline/)

- The Board of State and Community Corrections: [https://www-bscc.ca.gov/m_bscsboard/](https://www-bscc.ca.gov/m_bscsboard/)
More Resources


• The California Dept. Of Corrections and Rehabilitation Budget: https://lao.ca.gov/Publications/Report/4686#Division_of_Juvenile_Justice_Closure
Thank you!

And don’t forget to follow us on the Gram @caltribalfamilies