



Best Tribal Practices in Juvenile Delinquency

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Objectives

1. Learn the Juvenile Delinquency process at Choctaw Nation
2. Learn when, why and how to detain a juvenile
3. Learn the impacts of detention on a juvenile
4. Learn 3 innovative solutions in juvenile delinquency



"The juvenile justice system tends to re-traumatize rather than heal the youth who come into contact with it. AI/AN are one of the most vulnerable populations in the United States and have an enormous amount of trauma to overcome. Time and again, advocates, researchers and federal reports have made clear that this is a population that needs **support, treatment, and rehabilitation** instead of incarceration and punishment."

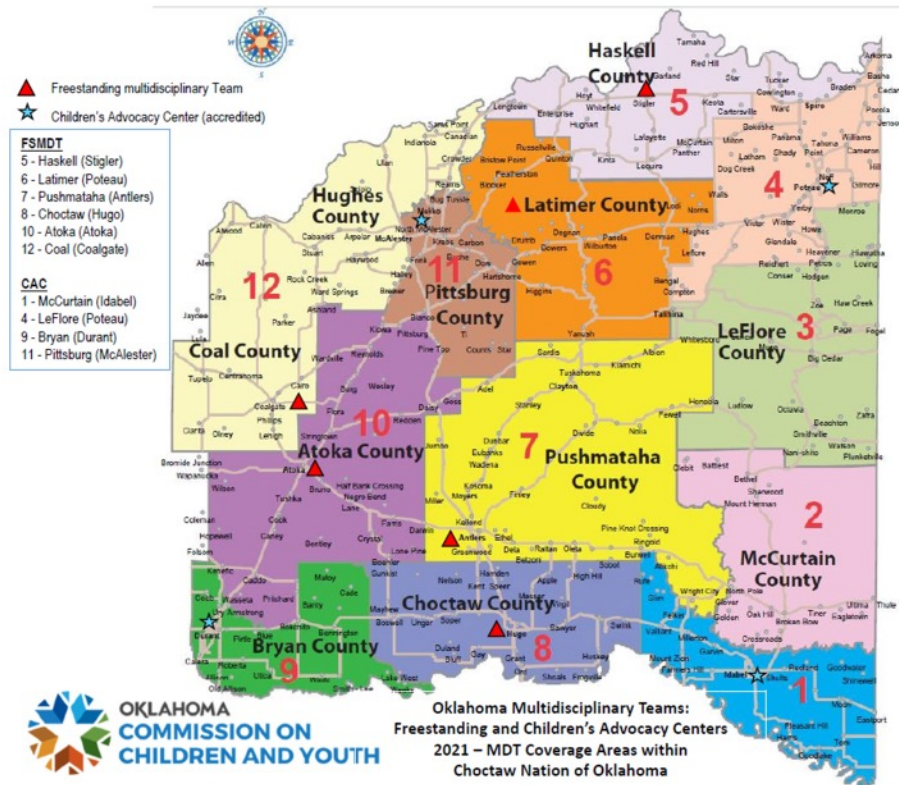
"Tribal Juvenile Justice," National Congress of American Indians

*Let us put our minds together
and see what life we can make
for our children.*

-Sitting Bull



Choctaw Nation Jurisdiction



OKLAHOMA
COMMISSION ON
CHILDREN AND YOUTH

Oklahoma Multidisciplinary Teams:
 Freestanding and Children's Advocacy Centers
 2021 – MDT Coverage Areas within
 Choctaw Nation of Oklahoma

Objective 1

Learn the juvenile delinquency process at Choctaw Nation



Goals for Juvenile Delinquency Cases, Part 1

Issues	Goals	Notes
Safety	• Ensure the juvenile's safety, the public's safety, and the safety for the household	Low risk? Moderate? High?
Poverty	• Cannot be a factor in detention or charging decisions	No other safe place
Crime	• Do not detain for status offenses • Do not charge status offenses	Illegal for minors but not adults: Runaways, truancy, curfew, underage drinking
Victim Services	• VA should initiate contact within 24 hours of receipt of the case • Assign a VA in every SA case • Encourage therapy for the victim and family	



Goals for Juvenile Delinquency Cases, Part 2

Issues	Goals	Notes
Service Plan	• Offer as many services as possible • Encourage therapy for the family	Rehabilitative, not punitive
Case Outcomes	• Diversion • Reduced stays in detention • Low recidivism • Rehabilitation	Privacy
Membership & Culture	• Obtain tribal membership for every child • Connect to as many tribal services as possible	Connect to community

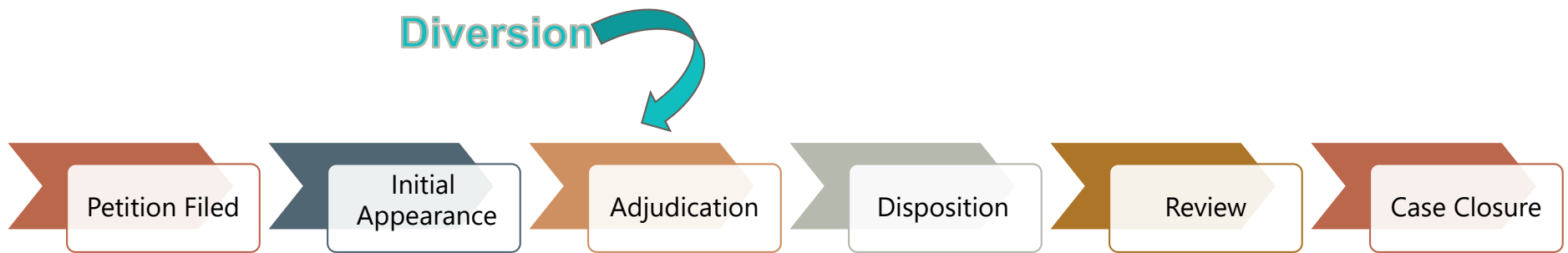


Goals for Juvenile Delinquency Cases, Part 3

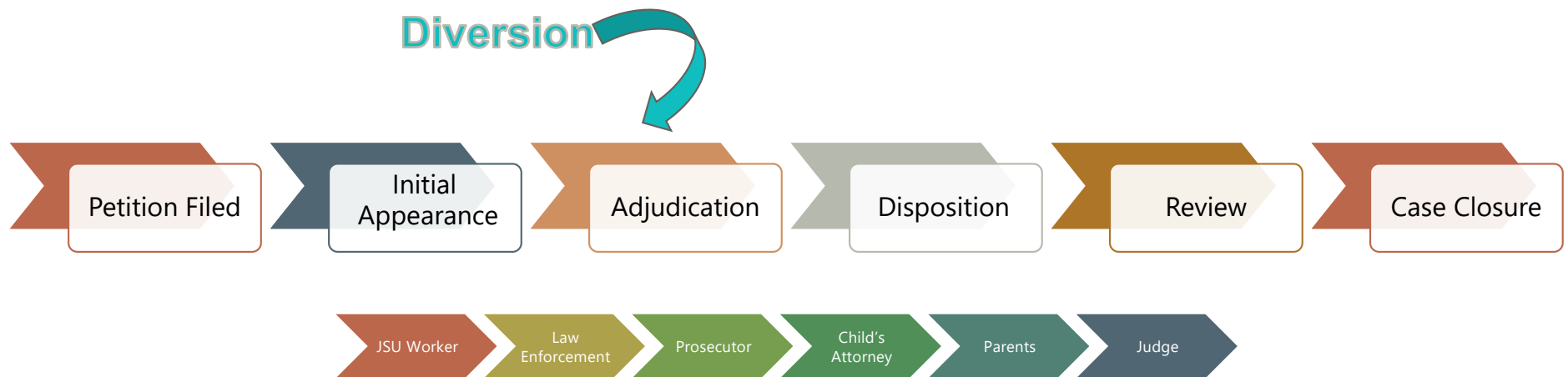
Issues	Goals	Notes
Legal Representation	• Children will always meet with their attorney, who will explain their options and the process • Children will appear in person as much as possible	
Internal Excellence	• All documents are timely filed • Increased collaboration within the team and with agency partners • Everyone knows their job and is confidently able to perform their job, and knows who to ask for help • Everyone on the team knows and feels as though they are a valued member of the team • Provide victims with 2 weeks' notice of hearings	

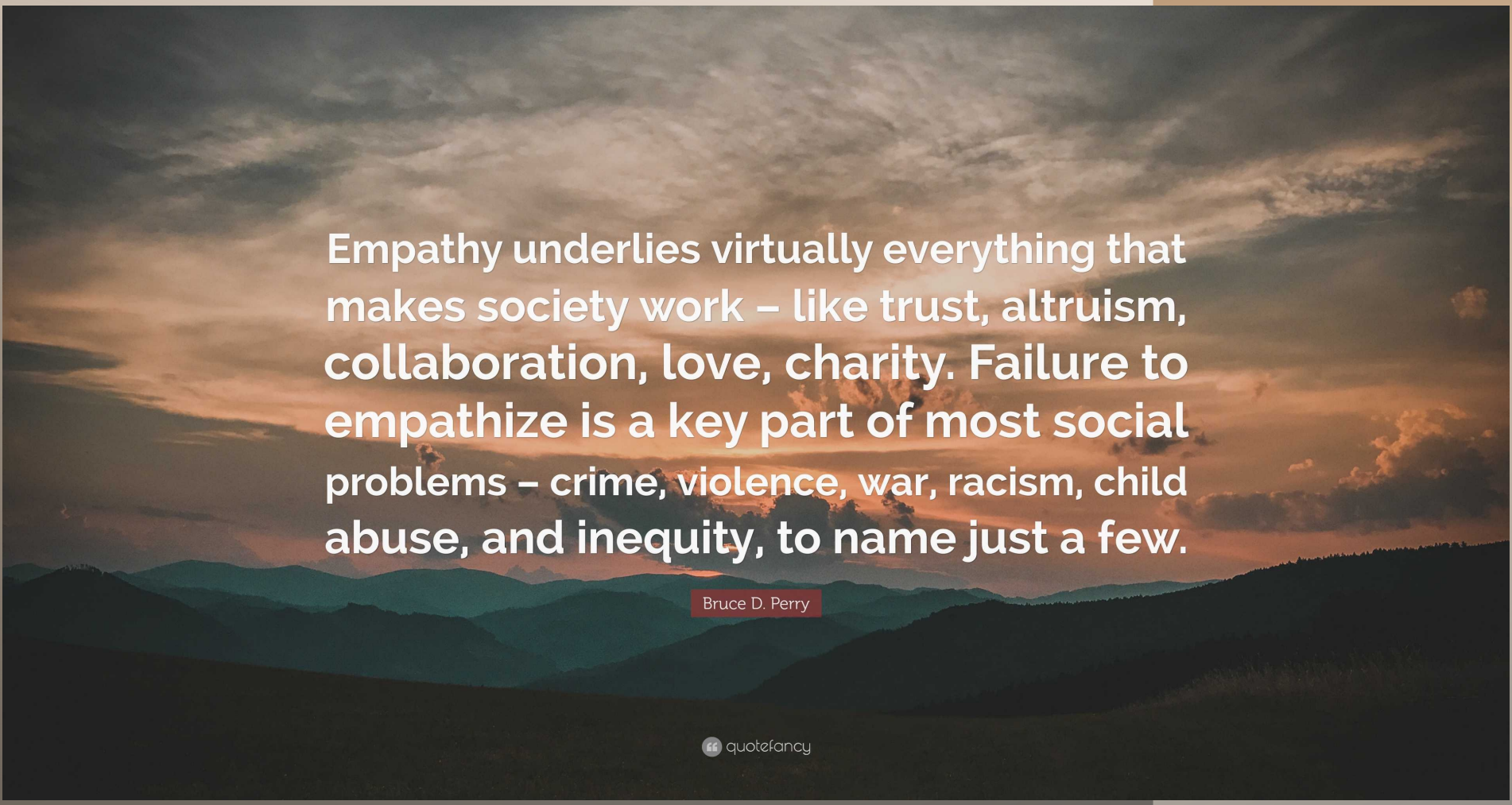


Juvenile Delinquency Case Process



Juvenile Delinquency Case Process: A Team is Required!



A dramatic landscape featuring rolling mountains in the foreground and middle ground, silhouetted against a sky filled with heavy, dark clouds. A bright light source, likely the sun, is positioned behind the clouds in the center, creating a strong glow and illuminating the scene with a warm, orange and yellow light. The overall mood is contemplative and powerful.

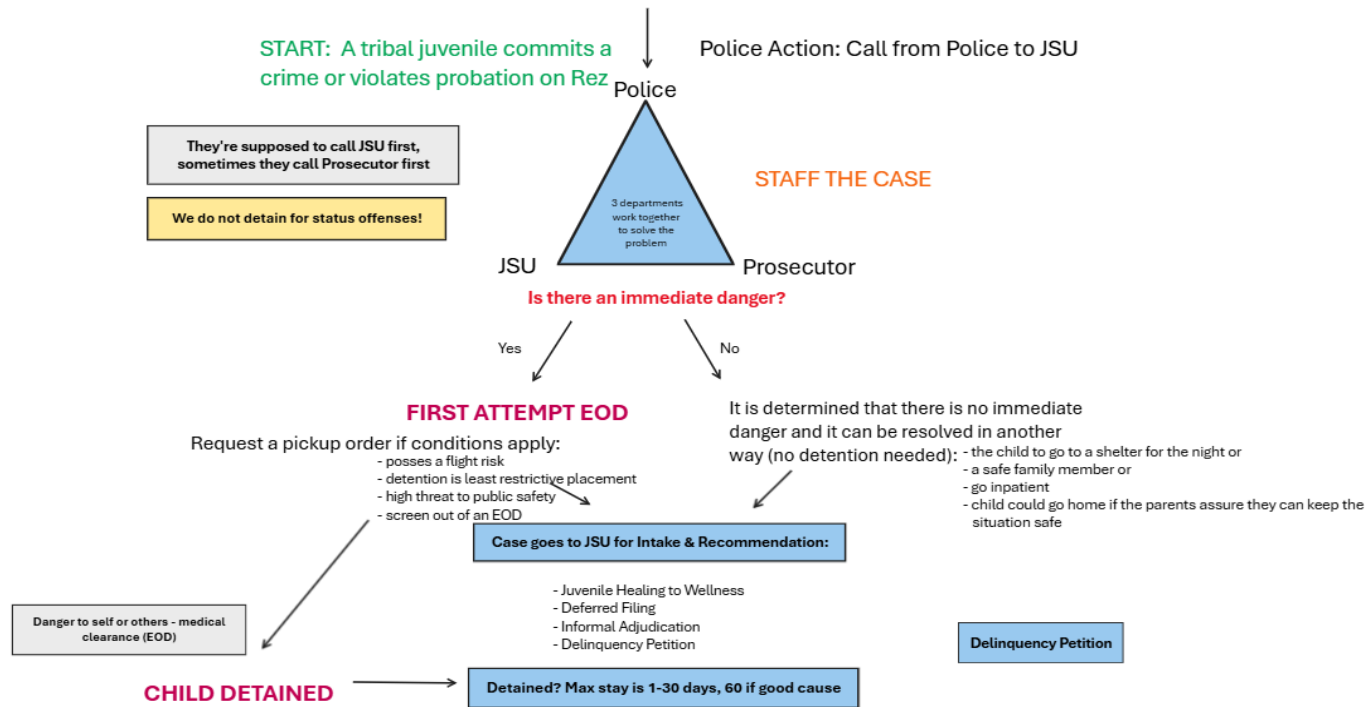
Empathy underlies virtually everything that makes society work – like trust, altruism, collaboration, love, charity. Failure to empathize is a key part of most social problems – crime, violence, war, racism, child abuse, and inequity, to name just a few.

Bruce D. Perry

Objective 2

Learn when, why, and how to detain a juvenile

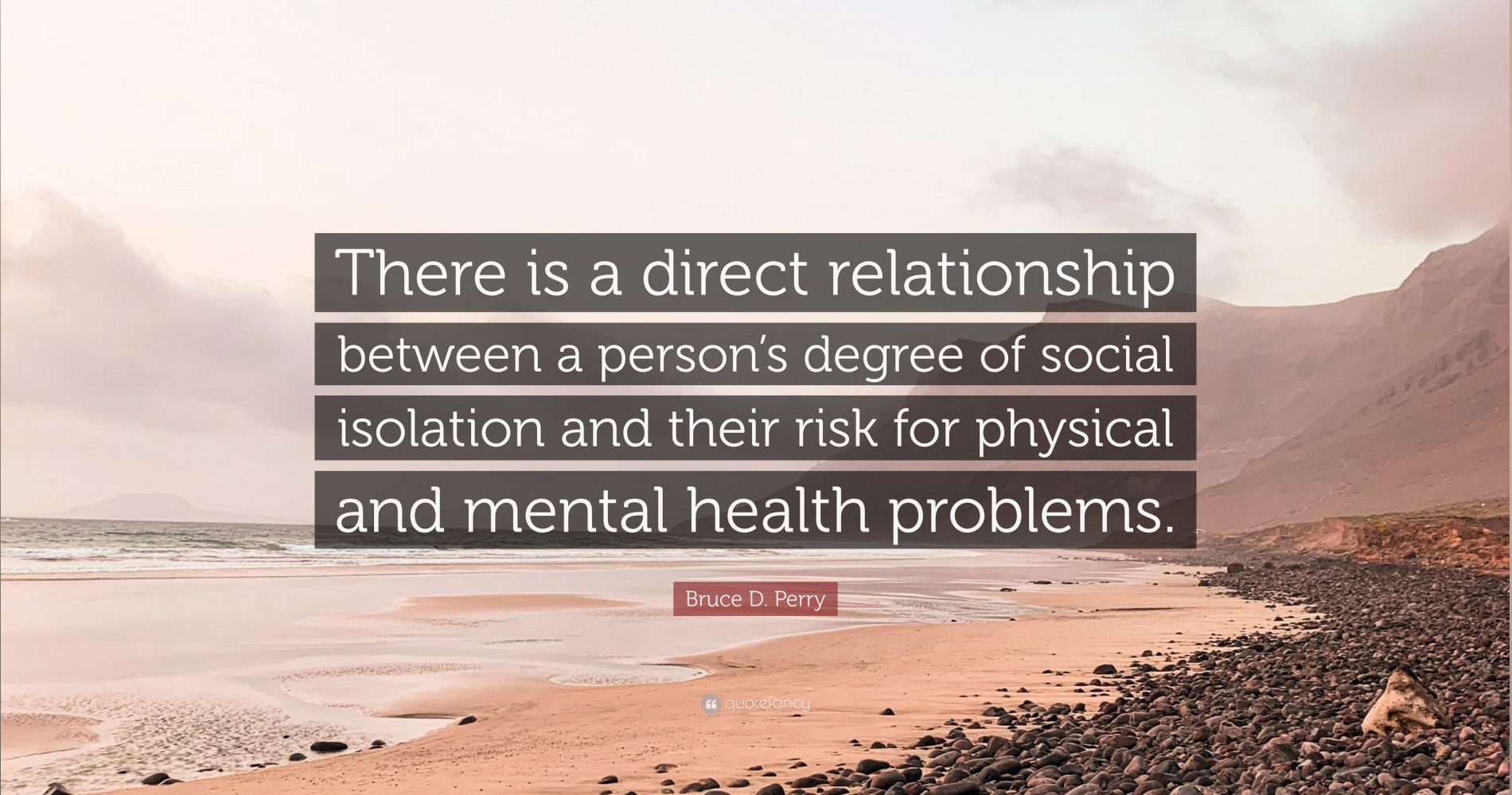
Detaining a Juvenile



Things to Consider When Detaining Juveniles

- Safety must be the primary reason
- Use a safety assessment tool
- What is the level of risk?
- Did we attempt de-escalation?
- Did we attempt diversion?
- Did we remain objective?
- Did we attempt an EOD?





There is a direct relationship
between a person's degree of social
isolation and their risk for physical
and mental health problems.

Bruce D. Perry

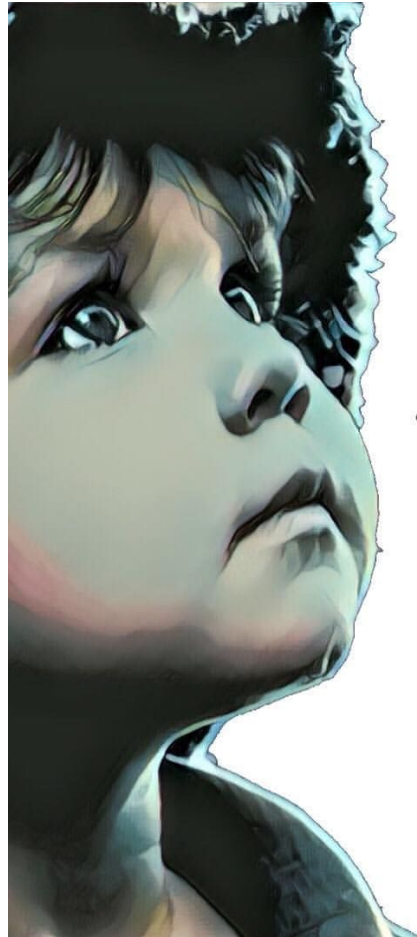
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Using A Safety Assessment Tool



Objective 3

Learn the impacts of detention on a juvenile



THE MOST IMPORTANT THING
THAT PARENTS NEED TO
UNDERSTAND IS THAT THE
BRAIN OF THEIR CHILD WILL
BECOME EXACTLY WHAT THE
CHILD WAS EXPOSED TO.
...THAT IS THE BEAUTY OF THE
HUMAN BRAIN. IT IS THE
MIRROR TO THE CHILD'S
DEVELOPMENTAL EXPERIENCE.

Bruce D Perry

*NVR
Northampton*

Impacts of Detention: Psychological

- **Increased anxiety, depression, and stress:** Separation from family, confinement, and uncertainty can heighten emotional distress
- **Trauma responses:** Many detained youths experience or witness violence, strip searches, restraints, or isolation, which can be traumatizing
- **Lower self-esteem:** Being treated like an offender can cause identity issues and internalized stigma
- **Suicidality risk:** Juvenile facilities have higher rates of suicidal ideation and attempts



Impacts of Detention: Social

- Strained family relationships:** Limited visitation, shame, and emotional distance can create long-term conflict or disconnection
- Stigmatization:** Youth may be labeled as “troublemakers,” affecting how peers, teachers, and community members treat them
- Exposure to delinquent peers:** Detention often mixes youth with varying levels of risk; peer influence can increase the likelihood of future offending

Impacts of Detention: Educational

- **Interrupted schooling:** Juveniles often fall behind academically due to gaps in curriculum or poor educational quality inside facilities
- **Lower likelihood of returning to school:** Many do not re-enroll or struggle with reintegration
- **Special education needs unmet:** Detention settings frequently fail to provide adequate support for learning disabilities or behavioral disorders



Impacts of Detention: Behavioral & Developmental

- **Increased risk of reoffending:** Research shows detention can increase, rather than decrease, future delinquency
- **Delayed social and emotional development:** Adolescence is a critical developmental phase; detention can stunt growth in communication, autonomy, and emotional regulation
- **Institutionalization effects:** Juveniles become dependent on structure and struggle with decision-making once released

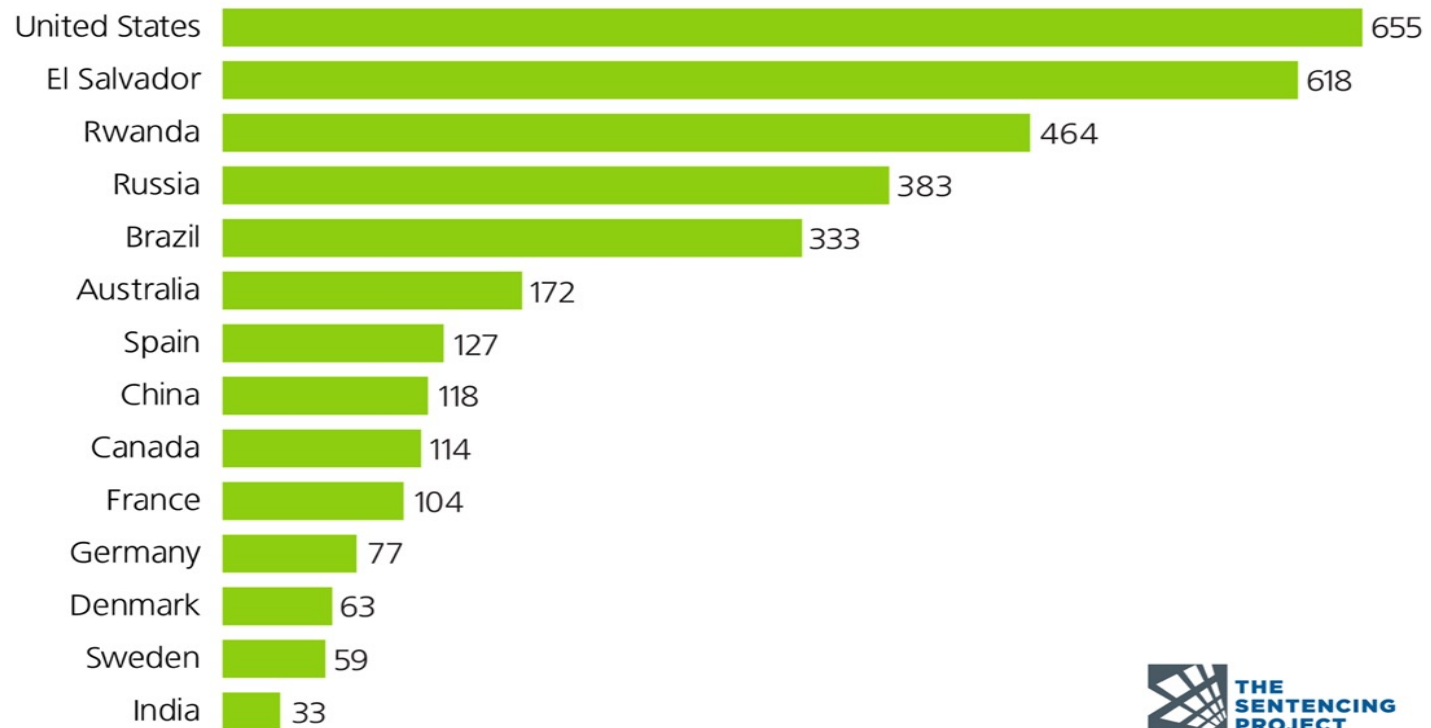
Impacts of Detention: Physical

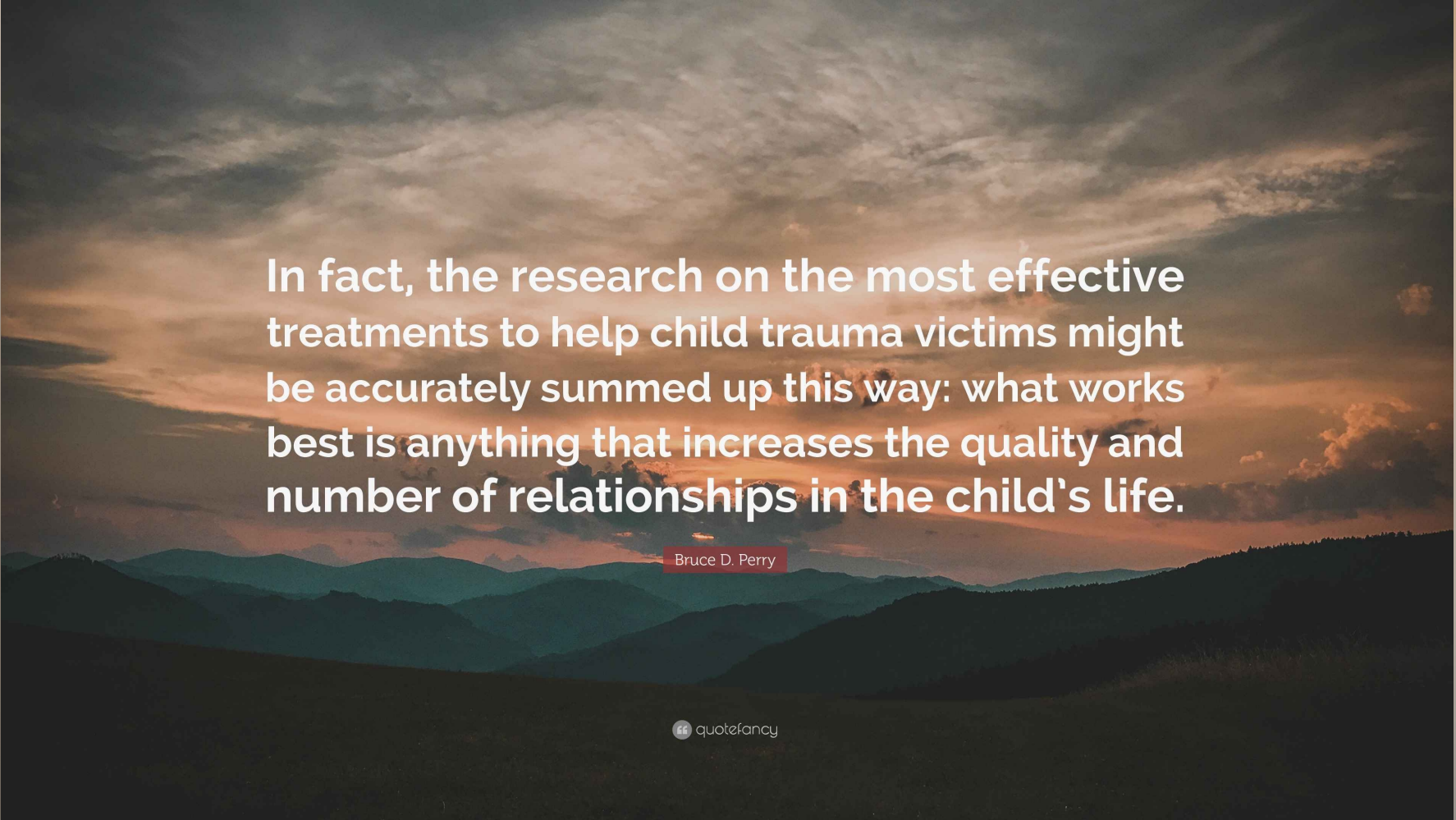
- **Limited access to healthcare or inconsistent treatment**
- **Poor nutrition and lack of exercise** in some facilities
- **Increased risk of physical victimization** from peers or staff in poorly supervised environments

Impacts of Detention: Long-Term

- **Reduced employment opportunities** due to disrupted education or a juvenile record (even if sealed, it can still indirectly affect opportunities)
- **Difficulty forming stable relationships** due to trauma, stigma, or mistrust
- **Higher risk of adult incarceration** if support systems are not strong after release

International Rates of Incarceration per 100,000



A dramatic landscape photograph featuring a range of mountains under a vast, cloudy sky. The sky is filled with textured, dark clouds, with a warm, orange glow from the sun low on the horizon. The mountains in the foreground are dark and silhouetted, while the background shows more distant, hazy mountain ranges. The overall mood is contemplative and powerful.

In fact, the research on the most effective treatments to help child trauma victims might be accurately summed up this way: what works best is anything that increases the quality and number of relationships in the child's life.

Bruce D. Perry

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Objective 4

Learn 3 innovative solutions in juvenile delinquency

3 Innovative Solutions



MISSISSIPPI
CHOCTAW

MCBI's Tribal Juvenile Detention
Alternatives Initiative



United Keetoowah Band of
Cherokee Indians:
Cherokee Talking Circle (CTC)



Ft. Smith, Arkansas :
De-Escalation and Diversion

MCBI's Tribal Juvenile Detention Alternatives Initiative

1. Cultural practice known as *Immannumpuli*
2. Informal process with a behavior contract
3. Teen Court
4. Healing to Wellness Court
5. Peacemaking Court
6. Transitional Living Programs
7. The Green Re-Entry program *Osapausi Amasalichi*
8. GPS Monitoring



MISSISSIPPI
CHOCTAW

United Keetoowah Band of Cherokee Indians: Cherokee Talking Circle (CTC)



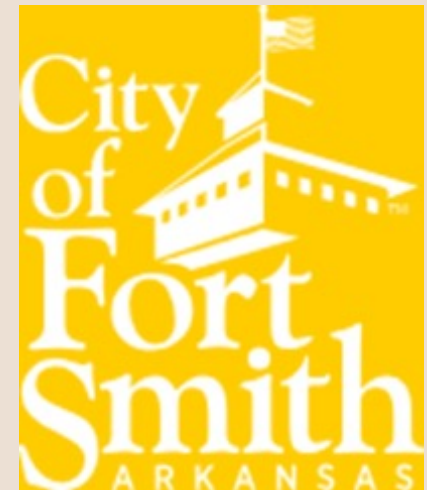
A culturally-based intervention project for juveniles with substance abuse issues and based on the cultural concept of self-reliance.

CTC is a school-based, manualized intervention that consists of 10 sessions. Keetoowah–Cherokee students meet weekly for 45-minute sessions over 10 weeks. They are led by a counselor and a cultural expert in the format of a talking circle. Students who participate in CTC pledge to the group that they will maintain confidentiality of what is shared during the sessions. The manual uses both English and Cherokee languages.

Ft. Smith's De-Escalation & Diversion

All officers are trained in de-escalation techniques and they utilize an app in the field for LE to determine if diversion will work over detention for juveniles.

Changing the mentality of the workforce and community took some time to shift from a traditional approach to a more community-policing approach, but they were motivated by shifts toward a community-demand for a change in approach to policing, and an internal desire to reduce the risk of liability involved with transports and detention.



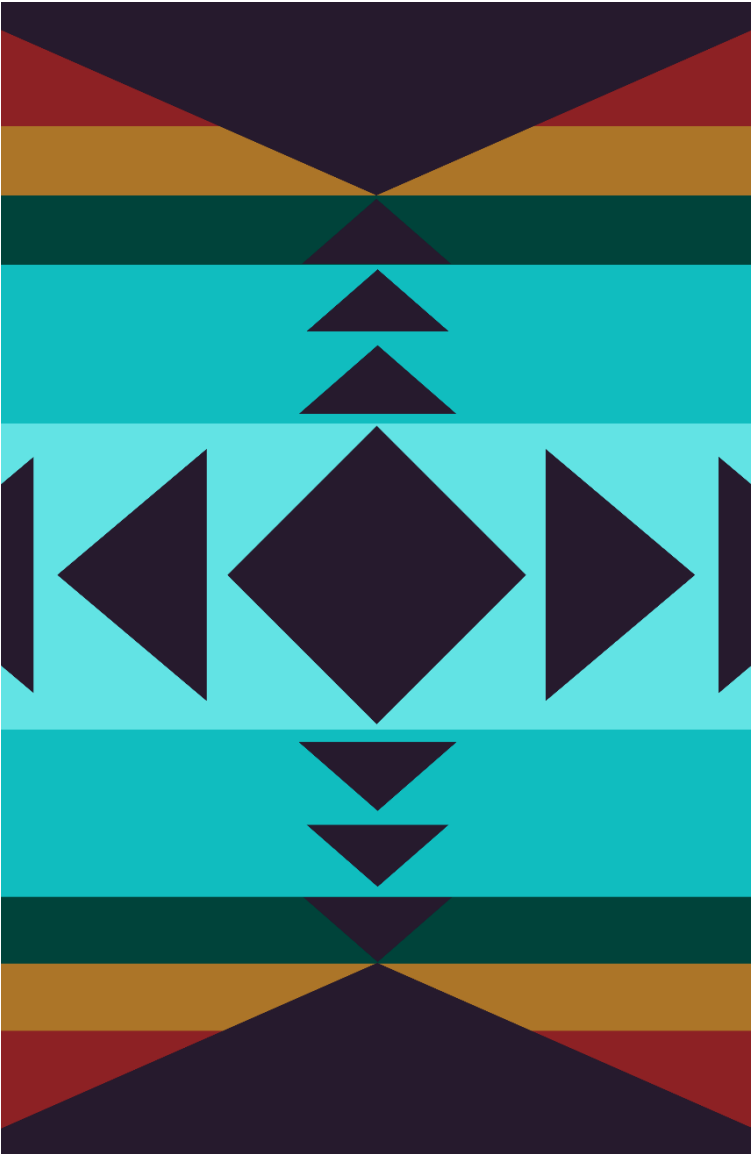
The Importance of Collaboration

Planning and implementation of unique programs requires thoughtful and intentional gathering of the stakeholders for multiple collaborative sessions.

MBCI STAKEHOLDERS:

- | | |
|-----------------------------------|---------------------------------------|
| 1. OFFICE OF COURT SERVICES | 9. CHOCTAW CHILDREN & FAMILY SERVICES |
| 2. CHOCTAW YOUTH JUSTICE CENTER | 10. CHOCTAW BEHAVIORAL HEALTH |
| 3. CHOCTAW DETENTION FACILITY | 11. DEPARTMENT OF NATURAL RESOURCES |
| 4. OFFICE OF THE ATTORNEY GENERAL | 12. ELDERS |
| 5. CHOCTAW POLICE DEPARTMENT | 13. DEPARTMENT OF CHAHTA IMIMI |
| 6. JUVENILE PROBATION OFFICE | 14. TRIBAL COUNCIL MEMBERS |
| 7. DIVERSION COORDINATOR | 15. CHOCTAW SCHOOL SYSTEM |
| 8. CHOCTAW LEGAL DEFENSE | 16. CHOCTAW BOYS & GIRLS CLUB |





Small Group Projects

Use a safety assessment tool to determine whether the juvenile in your scenario should be detained.

- If your juvenile should not be detained, how will you justify the decision to your leadership if they disagree?
- If your juvenile should be detained, what is an appropriate length of stay, and what factors will you rely on to determine when the juvenile is released?
- Why should detention be an option of last resort?
- Could you arrest an adult for this same thing?

Closing Considerations

Making decisions about the children in your community requires ongoing team discussions and education. How would you respond to the following questions?

- Have you set goals or done strategic planning with your team?
- Have you identified agency partners and community stakeholders that need further education on your subject area?
- Do you or members of your team regularly attend diverse training topics designed for native communities across the nation?
- Does your team meet regularly with agency partners to discuss recurring issues?
- Does your team engage in team building activities with your agency partners?
- Has your team been trained in bias, historical trauma, and cultural humility?
- Would you feel comfortable attending public community cultural events?



Did you know?

1 in 10
children

are sexually abused
before age 18

90%
of victims
know their
abuser

Abuse & trauma
negatively impact
*health &
well-being*

but...

9 out of 10
DON'T report

the abuse when it occurs



nearly **2 out of 3**
NEVER
report the abuse

Child sex abuse affects a disproportionately high number of our juveniles.

These children will not disclose if they think they are going home to their abuser.

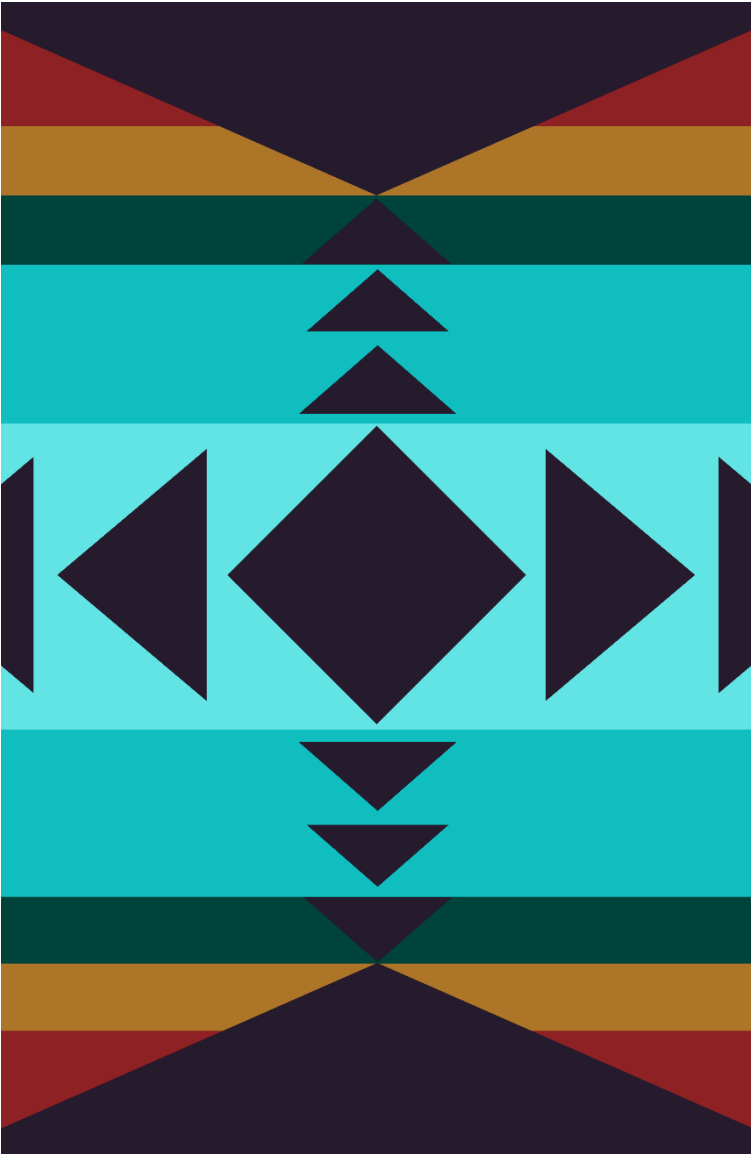
Never say, "the child had every opportunity to disclose but didn't."

Always assess a child's safety – even when the child is the aggressor in a situation.

We must ask, "what happened to make the child behave this way?"

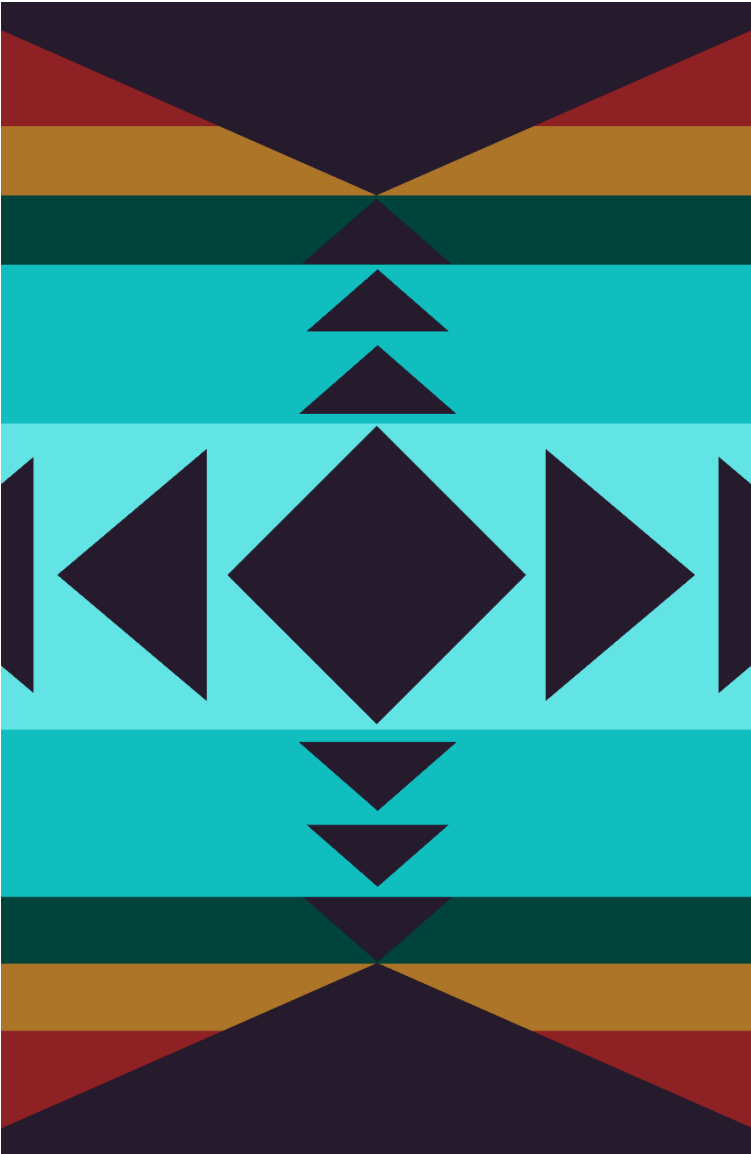
Questions & Answers





Resources

- Tribal Juvenile Justice Backgrounds and Recommendations, National Congress of American Indians, April 11, 2019
- Tribal Youth Incarceration, The Sentencing Project, August 2025
- Why Youth Incarceration Fails, An Updated Review of the Evidence, The Sentencing Project, December 2022
- School Threat Assessment Toolkit, National Center for School Safety, 2024



Yakoke!

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