



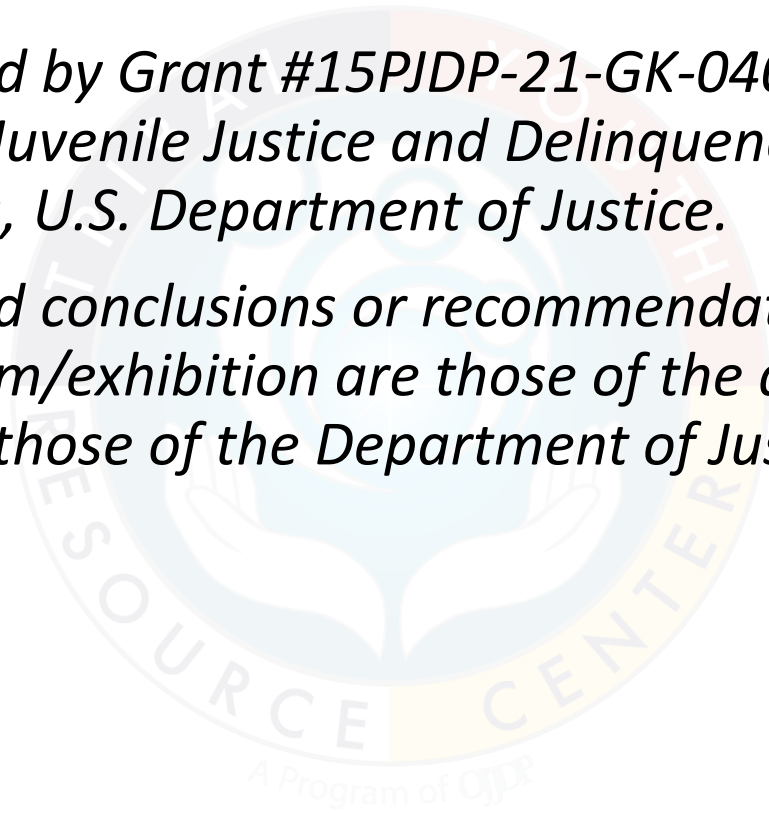
Topic 4 – Screening & Assessment in JHW Courts & Programs



Tribal Youth Resource Center
www.TribalYouth.org

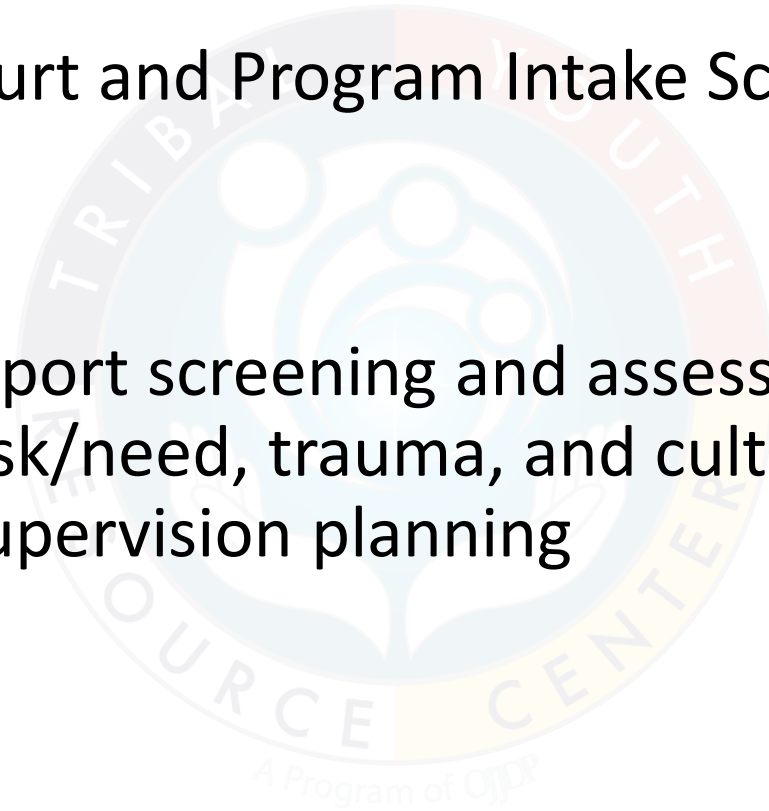
▶ BEFORE WE GET STARTED...

- *This project was supported by Grant #15PJDP-21-GK-04048-MUMU awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.*
- *The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.*



▶ LEARNING OBJECTIVES

1. Explore the JHW Court and Program Intake Screening Process and Program Eligibility
2. Identify tools to support screening and assessment of substance use, criminogenic risk/need, trauma, and cultural needs for case management and supervision planning



▶ Breakout Exercise

Instructions:

1. Rooms will be randomly assigned
2. There will be a facilitator to guide conversations
3. Turn on your camera if you can
4. Take space, make space – everyone having the opportunity to share
5. Every idea is valuable- no wrong thoughts

We need everyone's wisdom for the greatest results

▶ Breakout Exercise- Screening & Assessment in JHW Courts & Programs

- Which youth do you plan to serve? Why?
- Who should be eligible for your JHW court or program? Why?
- How is this informed by local data (what types of data)?
- What criteria do you want to use for your JHW Court?

**Tribal Healing to Wellness
Court Components**
KEY COMPONENT 3

Screening for Eligibility
Legal & Clinical

**Juvenile Drug Treatment
Court Guidelines**

Guideline 2.1
To
Guideline 2.5

Admission & Orientation

KEY COMPONENT 5

Intake
*Needs Assessments, including
Cultural Needs Assessments*

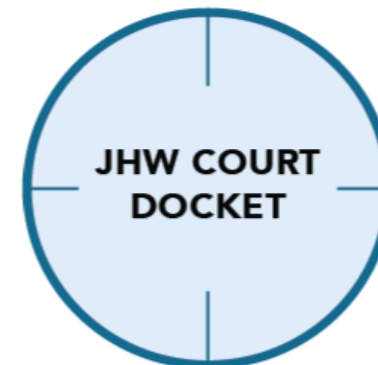
Guideline 4.1

KEY COMPONENT 1 & 4

Referral for Clinical Assessment(s)
Substance Use &/or Mental Health Disorder

Guideline 4.2

SCREENING, ASSESSMENT, & INITIAL PROCESSES



► SCREENING FOR ELIGIBILITY

Once reported or referred, candidates should be screened for their appropriateness for the JHW Court or Program.

1. Do they meet the eligibility criteria (both legal and clinical)?
2. Legal screening is usually conducted by the presenting officer/prosecutor, or probation officer
3. Legal screening consists of determining whether a candidate has an eligible trigger "offense" (e.g., possession or use of alcohol or a prohibited drug) or whether a past adjudication or conviction would prohibit their participation (e.g., adjudication or conviction of a felony-level offense that involved physical force or the use of a firearm)

EXAMPLES OF POSSIBLE ELIGIBILITY CRITERIA

- Age, Gender, etc.
- Court Status (e.g., pre-filing of the petition/charge or later in the court process)
- Past Tribal and/or State Court Involvement (Adjudications and Convictions)
- The severity of the alcohol and/or drug use problem (from experimentation through addiction)*
- Trauma History*
- Co-Occurring Mental Health Disorders*
- Nature of Treatment/Rehabilitation Needs*
- *Readiness to Engage*, Risk of Relapse/Recidivism
- "Risk, Needs, and Responsivity (RNR)" (high, moderate, or low risk of recidivism and needs)
- Family, Parent, Caregiver Involvement
- Strengths and Needs/Traditional Knowledge/Cultural Ways

**Clinical Screening Criteria*

▶ WHO IS ELIGIBLE TO PARTICIPATE?

Wellness Court Key Component 3

Eligible court-involved **substance-abusing ... juveniles ...** are identified early through legal and clinical screening for eligibility and are promptly placed into the Tribal Healing to Wellness Court.

The Juvenile Drug Treatment Court (JDTC) Guidelines, Guideline 2.1

Eligibility criteria should include the following:

- Youth with a **substance use disorder**
- Youth who are 14 years old or older
- Youth who have a moderate to high risk of reoffending

▶ COMMON QUESTIONS

- **Must the eligibility criteria for a JHWC require a criteria of "substance use" or a "substance use disorder"?**
 - **Yes.** The CTAS Solicitation for Purpose Area 8 references the Tribal Healing to Wellness Courts Key Components, which require the identification of "substance abusing juveniles."

▶ COMMON QUESTIONS (CONT.)

- **May a JHWC include youth experiencing school attendance problems ("truancy")?**
 - **Yes**, if this is set out in the Tribe's law and/or in the JHWC's Policies and Procedures Manual AND there is some indication of substance use
- **Caution:**
 - Avoid pulling low-risk youth into court and subjecting them to secure detention, higher-risk peers, and the stigma of being "court-involved"
 - If you think your target population is low-risk youth, consider:
 - Establishing a JHW Program instead of a JHW Court Docket

OR

 - Establishing a Truancy Court Docket using the Model Indian Juvenile Code (2016) provisions (Chapter 4 – Truancy) for your Tribal Law
 - (establishes a pre-court Tribal Truancy Board and prohibits any "out-of-home" placements" if youth subsequently goes to court)

▶ HOW DO WE KNOW WHAT THEY NEED?

Key Component 4 - Treatment and Rehabilitation

Tribal Healing to Wellness Court provides access to ... alcohol and drug abuse **treatment and rehabilitation services that incorporate culture and tradition.**

Key Component 5 – Intensive Supervision

Tribal Healing to Wellness Court **participants ... and their families benefit from effective team-based case management.**

JDTC Guideline 4.1.

Needs assessments should include information for each participant on:

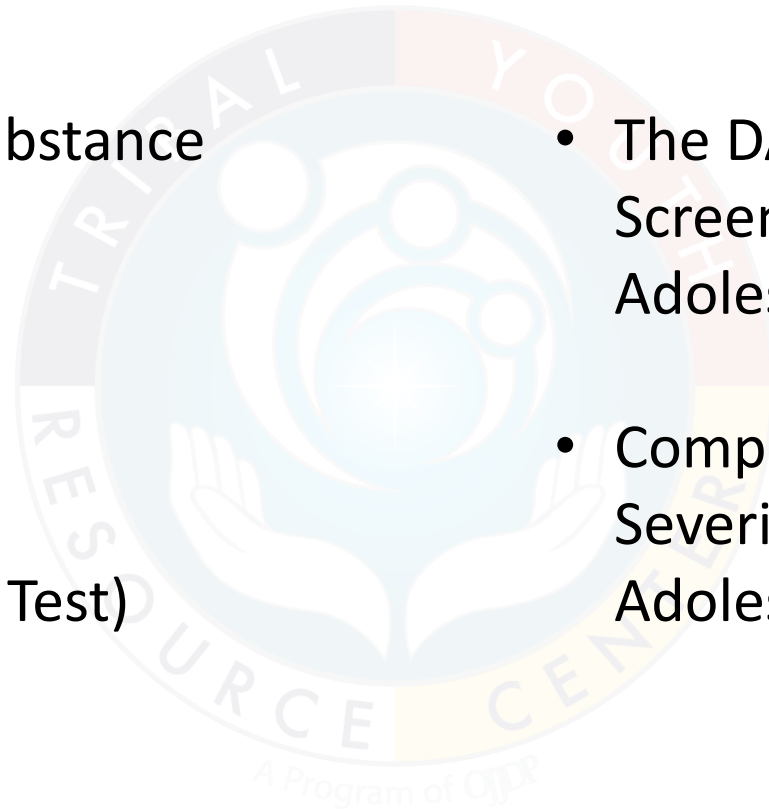
- Use of alcohol or other drugs
- Criminogenic needs*
- Mental health needs
- History of abuse or other traumatic experiences
- Well-being needs and strengths
- Parental drug use, parental mental health needs, and parenting skills

**see next slide*

► SCREENING TOOLS FOR ADOLESCENT SUBSTANCE USE

Examples:

- Adolescent SASSI-A3 (Substance Abuse Subtle Screening Inventory)
- CRAFFT 2.1
- The AUDIT (Alcohol Use Disorders Identification Test)
- The DAST-A (Drug Abuse Screening Test for Adolescents)
- Comprehensive Addiction Severity Index for Adolescents (CASI-A)





SCREENING FOR CRIMINOGENIC NEEDS

("Risk, Need, Responsivity (RNR)")

The best outcomes are achieved in the justice system when:

- The intensity of justice supervision is matched to participants' risk for criminal recidivism or the likelihood of failure in rehabilitation ("**Criminogenic Risk**")

AND

- Interventions focus on the specific disorders or conditions that are responsible for participants' crimes ("**Criminogenic Needs**")

Note: **Mixing participants with different levels of risk or need** in the same groups or programs has been found to increase crime, substance use, and other undesirable outcomes because it exposes low-risk participants to antisocial peers and values



▶ CRIMINOGENIC NEEDS

("Risk, Need, Responsivity (RNR)")

Term	What it Means	What it Does <i>Not</i> Mean	Examples of Predictive Factors
Criminogenic Needs	Risk factors for criminal recidivism that are potentially changeable or treatable	Risk factors for violence or dangerousness, risk factors that are unchangeable or historical in nature	Early onset of delinquency or substance use; prior treatment failures, prior criminal convictions or incarceration

▶ CRIMINOGENIC NEEDS (CONT.)

("Risk, Need, Responsivity (RNR)")

Commonly Administered Risk Assessment Tools assess for the following types of risk:

- Risk of General Recidivism, Technical Violations, and/or Failure on Community Supervision
- Risk of Violence or Dangerousness

(see slides at end of presentation for specific tools)

Note:

- No study has yet determined what risk scores, if any, predict better outcomes in jail or prison, as opposed to community dispositions (e.g., probation or treatment court)
- **Caution:** risk scores should never be used to decide who should be incarcerated and who should receive a community sentence
- The information garnered from these tools should be used to set conditions of treatment and supervision for persons involved in the justice system

▶ HOW DO WE KNOW WHAT THEY NEED WITH RESPECT TO CULTURE?

Key Component 5 – Intensive Supervision

Tribal Healing to Wellness
Court participants ... and their families benefit from effective team-based case management.

JDTC Guideline 4.2.

Case management and treatment plans should be individualized and culturally appropriate, based on an assessment of the youth's and family's needs

▶ EXAMPLES OF CULTURAL TOOLS

- Dr. Cecil White Hat's American Indian Traditional Family Roles Assessment Tool
- Anishinaabe Trauma Program, Anishinaabe Ishitwaawin Questions
- The Winnebago Tribe of Nebraska, Youth Crisis Intervention Center's Cultural Identity Scale
- Cultural Connectedness Scale CCS California Revised
- The Youth Council of Fresno American Indian Health Project's Youth Personal Balance Tool (YPBT)(a wellness/goal setting tool)



WINNEBAGO CULTURAL IDENTITY SCALE

Winnebago Tribe of Nebraska – Youth Crisis Intervention Center

Cultural Identity Scale

	No	Yes	Sometimes/Somewhat/ A little
Are you enrolled in the tribe?			
Which one?			
Do you identify with a certain tribe?			
If yes which one?			
Where you raised on a reservation?			
Which reservation or if no where were you raised?			
Do you know the name of your family's clan?			
Which Clan?			
Were you given an "Indian name"?			
What is your Indian name?			
Have you ever attended a boarding school?			
Name of boarding School:			
Are you familiar with some of your tribe's old stories?			
Do you understand your tribal language?			
Do you speak your Tribal language?			
Have you participated in a sweat lodge?			
Do you listen to Indian music? (i.e. Pow-wow, Peyote, Flute, etc.?)			
Have you ever participated in a "Hand Game"?			
Do you attend pow-wows?			
Do you dance at pow-wows?			
Do you have or do you own dance regalia?			
Do you sing at a drum?			
Do you hunt?			
Do you attend traditional ceremonies (such as naming or feathering ceremonies?)			
Do you attend Native American Church meetings?			
Do you attend church services?			
Do you feel you are comfortable living the "Indian way of life"?			
Do you ever feel like you don't fit in or feel uncomfortable at cultural ceremonies or activities?			
Do you know who the members of your Tribal Council are?			
Have you ever done a "family tree"?			
	Very Well	Fairly Well	I do not fit in at all.
How well do you feel that you fit in away from the reservation?			

Example: Winnebago Cultural Identity Scale (Questions 1-15; 16-29 on following slide): See image (left) for full PDF

No	Yes	Sometimes/ Somewhat/ A Little
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1. Are you enrolled in the tribe?
2. Which one?
3. Do you identify with a certain tribe?
4. If yes which one?
5. Were you raised on a reservation?
6. Which reservation? Or, if not, where were you raised?
7. Do you know the name of your family's clan?
8. Which clan?
9. Were you given an "Indian name"?
10. Have you ever attended a boarding school?
11. Name of boarding school:
12. Are you familiar with some of your tribe's old stories?
13. Do you understand your tribal language?
14. Have you participated in a sweat lodge?
15. Do you listen to Indian music? (i.e., Pow-wow, Peyote, Flute, etc.?)



WINNEBAGO CULTURAL IDENTITY SCALE (CONT.)

Winnebago Cultural Identity Scale (Questions 16-29)	No	Yes	Sometimes/Somewhat /A Little
16. Have you ever participated in a “Hand Game”?			
17. Do you attend pow-wows?			
18. Do you dance at pow-wows?			
19. Do you have or do you own dance regalia?			
20. Do you sing at a drum?			
21. Do you hunt?			
22. Do you attend traditional ceremonies (such as naming or feathering ceremonies)?			
23. Do you attend Native American Church meetings?			
24. Do you attend church services?			
25. Do you feel you are comfortable living the “Indian way of life”?			
26. Do you ever feel like you don’t fit in or feel uncomfortable at cultural ceremonies or activities?			
27. Do you know who the members of your Tribal Council are?			
28. Have you ever done a “family tree”?			
	Very well	Fairly Well	I do not fit in at all.
29. How well do you feel that you fit in away from the reservation?			

Winnebago Tribe of Nebraska – Youth Crisis Intervention Center

Cultural Identity Scale

	No	Yes	Sometimes/Somewhat /a little
Are you enrolled in the tribe? Which one?			
Do you identify with a certain tribe? If yes which one?			
Where you raised on a reservation? Which reservation or if no where were you raised?			
Do you know the name of your family's clan? Which clan?			
Were you given an "Indian name"? What is your Indian name?			
Have you ever attended a boarding school? Name of boarding school:			
Are you familiar with some of your tribe's old stories? Do you understand your tribal language? Do you speak your Tribal language?			
Have you participated in a sweat lodge? Do you listen to Indian music? (i.e. Pow-wows, Rap, Rock, etc.) Have you ever participated in a "Hand Game"? Do you attend pow-wows? Do you dance at pow-wows? Do you have or do you own dance regalia? Do you sing at a drum?			
Do you hunt? Do you attend traditional ceremonies (such as naming or feathering ceremonies)? Do you attend Native American Church meetings? Do you attend church services? Do you feel you are comfortable living the "Indian way of life"? Do you ever feel like you don't fit in or feel uncomfortable at cultural ceremonies or activities? Do you know who the members of your Tribal Council are? Have you ever done a "family tree"?			
How well do you feel that you fit in away from the reservation?		Very Well	Fairly Well
			I do not fit in at all.

Intake – Cultural Identity Scale Page 1



▶ SCREENING TOOLS FOR TRAUMA

- UCLA Child/Adolescent PTSD Reaction Index for DSM-5
- Traumatic Events Screening Inventory for Children and Parent Report Form
- Child and Adolescent Trauma Screen (CATS)
- Adverse Childhood Experience Questionnaire

JUVENILE HEALING TO WELLNESS COURT

PHASED PROGRESSION



Orientation

Youth participates in intake and assessment. Team supports youth stabilization and orientation.



Engagement

Youth engages in goal-oriented plans and treatment. Team engages in intensive supervision and support.



Enrichment

Youth participates in expanded development opportunities. Team supports community connection.



Transition

Youth builds upon the natural supports developed as part of the program. Team supports program graduation.



Continuity

Youth remains engaged in youth-serving programs. Team supports identification of after-care resources.

Developed by Anna Clough, Tribal Youth Resource Center, October 2020.
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Office of Justice Programs, U.S. Department of Justice.

EXAMPLES OF COMMONLY ADMINISTERED RISK ASSESSMENT TOOLS

Risk of General Recidivism, Technical Violations, and/or Failure on Community Supervision

- Correctional Offender Management Profiling for Alternative Sanctions (COMPAS)
- Federal Post Conviction Risk Assessment (PCRA)
- Inventory of Offender Risk, Needs, and Strengths (IORNs)
- Level of Service/Case Management Inventory (LS/CMI)
- Level of Service Inventory-Revised (LSI-R)
- Offender Profile Index (OPI)
- Offender Screening Tool (OST)
- Ohio Risk Assessment System (ORAS)
- Risk and Needs Triage (RANT)
- Risk Prediction Index (RPI)
- Static Risk and Offender Needs Guide (STRONG)
- Wisconsin Risk and Need Assessment Scale (WRN)

Taken from Douglas B. Marlowe's, "The Most Carefully Studied, Yet Least Understood Terms in the Criminal Justice Lexicon: Risk, Need, and Responsivity" (2018). Available at: <https://www.prainc.com/risk-need-responsivity/>

▶ EXAMPLES OF COMMONLY ADMINISTERED RISK ASSESSMENT TOOLS (CONT.)

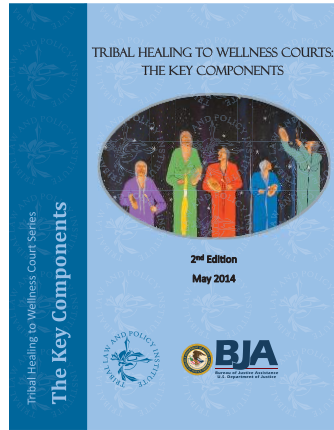
Risk of Violence or Dangerousness

- COMPAS – Risk of Violence Scale
- Historical, Clinical, Risk Assessment-20 (HCR-20)
- Ontario Domestic Assault Risk Assessment (ODARA)
- Psychopathy Checklist- Revised (PCL-R)
- Sexual Violence Risk-20 (SVR-20)
- Spousal Assault Risk Assessment (SARA)
- Static-99
- Violence Risk Appraisal Guide-Revised (VRAG-R)

Taken from Douglas B. Marlowe's, "The Most Carefully Studied, Yet Least Understood Terms in the Criminal Justice Lexicon: Risk, Need, and Responsivity" (2018). Available at:

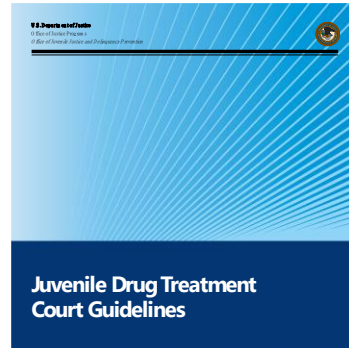
<https://www.prainc.com/risk-need-responsivity/>

JHWC KEY COMPONENTS, GUIDELINES, & RESOURCES



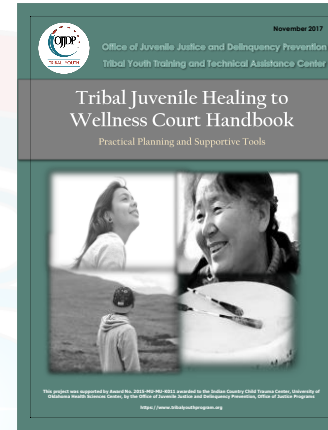
The Tribal Healing to Wellness Court Key Components

Available at:
<https://www.home.tlpi.org/tribal-healing-to-wellness-courts>



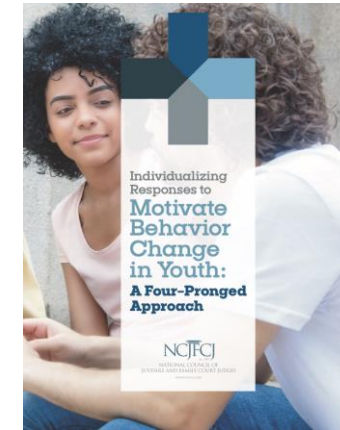
The Juvenile Drug Treatment Court Guidelines

Available at:
<https://ojjdp.ojp.gov/programs/juvenile-drug-treatment-court-guidelines>



The Tribal JHWC Handbook

Available at:
<https://ojjdp.ojp.gov/library/publications/tribal-juvenile-healing-wellness-handbook-practical-planning-and-supportive>



This resource includes approaches to motivating behavior change in adolescents in Juvenile Drug Courts (how to apply incentives and sanctions)

Available at:
<https://www.ncjfcj.org/publications/individualizing-responses-to-motivate-behavior-change-in-youth-a-four-pronged-approach/>



► Evaluation Polling Questions- 5 Minutes

- Questions are based on topic content just presented
- Polling provides overall opinion for improvement
- Polling is anonymous

