Planning a Problem-Solving Justice Initiative

A Toolkit for Tribal Communities

CENTER FOR COURT INNOVATION

About the Toolkit for Tribal Communities

This planning toolkit is designed to help tribal justice practitioners assess their current justice systems and develop new or enhanced approaches that build upon community traditions and strengths. The toolkit is not a training device, but a practical guide to help tribal justice practitioners work through the steps of planning a problem-solving justice initiative. The materials are informed by the Center for Court Innovation's work planning, implementing, and operating problem-solving justice programs, our experience working with tribal justice systems, and the input of experts in the field.

How do I use the Toolkit?

This toolkit is designed for use by tribal communities with varying levels of expertise. Some practitioners may want to follow the toolkit step-by-step, while others may use the toolkit to clarify planning methods, generate ideas, or address specific challenges that arise during the planning process.

A series of worksheets is included to help tribal justice practitioners work through the planning steps outlined in the toolkit. Each worksheet is identified by a letter (Worksheet A, B, C, etc.).

Some terminology may be unfamiliar, so a glossary of terms is included at the back of the toolkit. Additional training resources and written materials are also included in a bibliography.

The Center's Tribal Justice Exchange provides free training and technical assistance to tribes and may be contacted for additional support or more information about the materials included in this toolkit.

About the Tribal Justice Exchange

The Tribal Justice Exchange provides technical assistance to tribal communities seeking to develop or enhance their justice systems. Funded by the Bureau of Justice Assistance, the Tribal Justice Exchange has three major goals: (1) ensuring that tribal communities have access to training and technical assistance about the latest problem-solving justice practices; (2) encouraging formal collaborations between tribal and state justice systems; and (3) identifying and disseminating best practices developed in Indian Country that could help strengthen public safety initiatives elsewhere in the United States.

The Tribal Justice Exchange offers a range of free services designed to meet these goals:

- On-site assistance for tribes working to plan or implement new justice system initiatives.
- Off-site assistance via telephone, videoconferencing, and email.
- Hands-on support for planning and implementing problem-solving courts, including Healing to Wellness Courts, domestic violence courts, youth courts, and other models.
- Publications related to problem-solving justice and promising practices in Indian country.
- Research and evaluation assistance, including helping tribal courts to evaluate justice system programs and measure program success.
- Technology-related assistance, including assessment of technology needs and cost-effective options for technology enhancement.
- Trainings and presentations at national conferences.

The Tribal Justice Exchange is part of the Center for Court Innovation, a national non-profit organization that seeks to help create more effective and humane justice systems by planning and implementing operating programs, performing original research, and providing reformers around the world with the tools they need to launch new strategies. Since 1993, the Center has helped design and implement strategies for improving the performance of justice systems nationally and internationally. The Center currently operates more than two dozen demonstration projects, each of which is experimenting with new solutions to difficult problems like addiction, mental illness, delinquency, and domestic violence. What unites all of these projects is an underlying philosophy known as problem-solving justice. This is the idea that the justice system should do more than simply process cases—it should actively seek to address the problems that bring people to court.

For more information about the Tribal Justice Exchange, visit
www.courtinnovation.org/tribal

About the Bureau of Justice Assistance

The Bureau of Justice Assistance, part of the U.S. Department of Justice, strengthens the nation's criminal justice system and helps America's state, local, and tribal jurisdictions reduce and prevent crime, reduce recidivism, and promote a fair and safe criminal justice system. BJA focuses its programmatic and policy efforts on providing a wide range of resources, including training and technical assistance on law enforcement, courts, corrections, treatment, reentry, and justice information sharing to address chronic and emerging criminal justice challenges nationwide. BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and tribal justice strategies to achieve safer communities.

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Background

"Indian tribes are at the forefront when it comes to alternative justice solutions because of the impact of tradition on the development of their court systems."

Associate Supreme Court Justice
Darrell Dowty, Cherokee Nation

What is a problem-solving justice initiative?

A problem-solving justice initiative seeks to achieve better results for victims, families, communities, and court-involved individuals by addressing the underlying issues that lead to crime, poverty, domestic violence, drug and alcohol addiction, child abuse and neglect, and other community challenges.

Why do we need problem-solving justice initiatives?

Many tribes today operate adversarial, Anglo-style justice systems that are built upon "western" court procedures and laws. Unfortunately, Anglo-style courts generally do not address the unique cultural backgrounds of Indian communities and tend to ignore traditional methods of dispute resolution. What's more, tribal and state courts are beginning to agree that the conventional, adversarial approach to justice has not always been effective at changing the behavior of offenders, protecting victims, strengthening communities, or promoting public trust in justice. Problem-solving justice initiatives use innovative strategies and existing community resources to address problems that conventional justice systems have often failed to address.

What does problem-solving justice look like?

Problem-solving justice initiatives include both small-scale changes and large-scale overhauls. A smaller project may seek to create meaningful alternatives to incarceration that build on community strengths and values, such as elder mentoring, restorative community service, mental health services, substance abuse treatment, cultural education programs, and countless other examples. A larger project may create a new specialized court to address a specific problem in the community. Common examples include Healing to Wellness courts, domestic violence courts, community courts, mental health courts, and youth courts. A problem-solving initiative may also seek to revitalize a traditional approach to justice, like peacemaking or sentencing circles, to replace or supplement the

community's existing court system. The problem-solving justice approach is flexible—it responds to each community's unique needs and strengths.

How would problem-solving justice work in tribal courts?

Many tribes today are moving away from the western, adversarial court model and returning to more traditional approaches to justice. As part of this process, some tribal courts have been drawn to the problem-solving justice approach, which seeks to address the underlying causes of crime, provide needed help to victims and offenders, and heal and strengthen the community. Tribal leaders from across the country have expressed support for this kind of approach, explaining that it is more consistent with traditional approaches to justice and enables tribes to build on community strengths and values.

Planning a Problem-Solving Justice Initiative

Engaging local stakeholders and conducting a community needs assessment are critical first steps to planning a problem-solving justice initiative. Planners should seek broad community input, as community members and stakeholders are in the best position to prioritize needs, set goals, and identify resources to address the community's most pressing challenges. The time and effort that goes into the initial planning and development of a problem-solving justice initiative will pay off by leading to broader community support and a more successful project.

PART 1

The Planning Team

Successful problem-solving justice initiatives typically are led by a planning team consisting of individuals and agencies that are committed to the project's success. The planning team explores ideas, sets project goals, generates community support, identifies potential obstacles, and leads the project's implementation. Ideally, the planning team should meet frequently (weekly or biweekly at the beginning stages) to keep momentum going.

Planning teams may include the following:

- Judges
- Prosecutors
- Defense attorneys, legal service providers, lay advocates
- Court administrators (e.g., chief clerk)
- Probation officers
- Law enforcement
- Community agencies (e.g., school officials, substance abuse treatment providers, mental health services, victim advocates)
- Tribal elders
- Tribal council members
- Community members

Deciding who to include on the planning team may be simple if there is an established working group, or it may be more complex and politically sensitive. Use →Worksheet A: *Developing a Planning Team* to help you determine who should be part of the planning team.

Suggested Activities:

1. First Meeting—Introducing Key Partners

The individual or agency leading the planning team should develop a clear, written agenda for the first meeting and distribute it to all attendees in advance. At the meeting, the lead agency should begin by reviewing the agenda and providing an overview of the planning team's purpose. It may be useful to have attendees explain their expectations for the planning team and what expertise or perspective they bring to the group.

At the conclusion of each meeting, the lead agency should assign tasks for the planning team members to complete before the next meeting. Delegating specific tasks to the team members can help keep everyone invested in the project and ensure that the work load is distributed fairly. Assigned tasks might include drafting meeting minutes, researching key issues, making presentations to the team, and conducting community outreach.

2. Second Meeting—Organizing the Planning Team

The second meeting is an opportunity to formalize each person or agency's commitment to the project. Develop a list of important topics to be discussed. If your project is complex, it may help to create subcommittees to focus on different aspects of the program. The following list includes some fundamental planning areas:

- **Operations:** planning the day-to-day operation of the program and developing protocols to define each agency's role and responsibilities.
- **Outreach:** engaging the community in the planning process, educating the community about the project, and generating community support.
- **Training:** developing training programs to prepare project staff and partner agencies for project implementation.
- **Technology:** identifying technology needed to operate the project.
- **Research:** developing a strategy for gathering data and evaluating project success.

3. Subsequent Meetings

Each planning meeting should seek to accomplish some tangible goal, whether deciding on a logo for your project or setting a deadline for a grant application. Each meeting should have a written agenda that outlines the topics to be discussed and a sign-in sheet to track attendance

Each meeting should conclude with a date and time for a subsequent meeting. In addition, the planning team should create a list of specific tasks to be completed before the next meeting, and each task should be assigned to a specific individual(s) and given a deadline for completion. If, at the conclusion of a meeting, no tasks have been assigned to planning team members, meetings can become unproductive and team members can become disengaged. Delegating more responsibility to team members can help keep everyone involved and invested in the project.

HINT

End each planning meeting by assigning specific tasks to team members and setting clear deadlines for completion.

PART 2

The Needs Assessment

A needs assessment is a detailed snapshot of the community. Its purpose is to give planners a thorough understanding of the community's key challenges as well as the resources that may be available to help address those challenges.

Why do a needs assessment?

A needs assessment is a key step in moving from an idea to a concrete project. It allows planners to test their assumptions and demonstrate to the community that they are serious about soliciting local input. If done correctly, it can help generate support from tribal leaders, the community, and potential funders.

An effective needs assessment should include these steps: (A) developing a preliminary goal, (B) developing a mission statement, (C) identifying & engaging stakeholders, (D) collecting and analyzing data, (E) creating a community resource map.

A. Developing a Preliminary Goal

Most problem-solving justice initiatives begin with a broad preliminary goal. It may be helpful to begin by completing this simple sentence: "Our goal is to...."

Justice system planners rarely set out on a new project without a general idea of where they are headed. In fact, problem-solving justice initiatives are often launched in response to a specific crisis or a chronic local problem. What's important to remember is that preliminary goals will eventually be refined based on the information gathered during the needs assessment. Ultimately, the project's goals will be broken down into objectives, action steps, and performance measures, all of which as described later in this toolkit.

> **EXAMPLE**
>
> A preliminary goal might be "reduce substance abuse in the community" or "to improve victim safety in domestic violence cases."

B. Developing a Mission Statement

A mission statement is a short description of the project's purpose. Planning a

new project can be a lengthy, intensive, and complex undertaking. A clear mission statement can help your planning team maintain a consistent, unified approach throughout the planning process. When introducing your project to others, the mission statement can be used as a one-sentence explanation of what your team is trying to accomplish. See →Worksheet B: *Developing a Mission Statement.*

C. Identifying and Engaging Stakeholders

Stakeholders are individuals and agencies who may be affected by your project or who may have useful information about how your project is planned or implemented. They may be able to provide resources, such as data, staff, or expertise that can move your project forward.

Stakeholders might include justice system personnel, like court administrators, judges, police, prosecutors, defense attorneys, probation, parole, corrections, and other officials. In addition, it is important to engage stakeholders from outside the justice system, such as treatment providers, victim advocacy agencies, health organizations, school officials, and community members.

See →Worksheet C: *List of Possible Stakeholders* for a checklist of potential agencies to contact. It is a good idea to reach out to a wide audience to solicit information and feedback. Planning teams frequently overlook important stakeholders because they assume that they understand the problems facing the community and the resources available to address it. However, stakeholders often surprise planners with unexpected information, and they may be able to provide additional resources that the planning team did not anticipate, such as office space, supplies, vehicles, computers, telephones, technology, drug-testing kits, and countless other examples. Below are four different strategies for engaging stakeholders:

1. CONDUCT STAKEHOLDER INTERVIEWS. One-on-one structured interviews with key stakeholders can provide a fuller understanding of the community's problems and possible solutions. Use →Worksheet D: *Stakeholder Interview Protocol* to guide your interview questions and help gather information about each stakeholder.

> **EXAMPLE**
> One tribal planning team, in the process of developing a new court, met with the tribe's substance abuse treatment agency to discuss the planning and implementation of the court. Unprompted, the director of the treatment facility offered to place a staff member in the court one day per month to conduct assessments of court-involved participants.

2. ASSEMBLE FOCUS GROUPS. A focus group is a facilitated discussion with a group of individuals who can provide valuable input into the community's challenges and possible solutions. Often, a focus group is used to bring together several individuals of similar background (for example, a group of police officers or a group of school officials). The group setting allows the participants to have a more interactive discussion and comment on each other's input and ideas. To keep the meeting manageable, focus groups generally should not exceed 8-10 participants. See →Worksheet E: *Focus Group Protocol* for more information about planning and conducting a focus group.

3. ADMINISTER A COMMUNITY SURVEY. Conducting interviews and focus groups with key stakeholders will help identify a community's strengths and challenges; however, these tools may not provide a full picture of how a community feels about itself. A community survey asks regular community members for their input and can provide planners with a valuable perspective that is often missing from the planning process. See →Worksheet F: *Community Survey* for an example of a tribal community survey.

D. Developing a community resource map

Community resource mapping is the process of identifying and documenting assets, such as social service agencies, schools, and faith organizations that can serve as potential resources or partners in a problem-solving justice initiative. Even the most experienced planners are unlikely to know all of the resources available in the community. Mapping community resources enables planners to identify what assets and services currently exist, where there are unmet

needs, and how the justice system and community agencies can work together to fill in the gaps. Even the smallest communities may find resource mapping to be a fruitful exercise. Below are some tips for how to map your community's resources:

1. DON'T REINVENT THE WHEEL. Assess what you know and what information already exists. Some tribal agencies may already compile the information you are seeking.

2. CREATE A DIRECTORY. Meet with people and agencies that offer services and create a directory of agencies, contact persons, and other additional information that might be helpful in the future (hours of operation, eligibility, costs). During these meetings, brainstorm ways that the person or agency could be involved in your project. Use →Worksheet G: *Community Resource Mapping*.

3. CREATE MEMORANDUMS OF UNDERSTANDING. In some cases, it makes sense to create a memorandum of understanding (MOU) or memorandum of agreement (MOA) with agencies you plan to collaborate with on a regular basis. MOUs and MOAs define organizational roles and responsibilities and can be particularly helpful in guiding the partnering agencies through personnel changes or other challenges.

E. Collecting and Analyzing Data

The mention of data makes many people, including some experienced justice system practitioners, nervous. Most of us are not trained researchers. But data does not have to be overwhelming. When it comes to conducting an effective needs assessment, the reason for gathering data is simply to understand the community's problems more fully. By looking at real numbers, planners can test their own understanding of the problems facing the community and sharpen their focus. Data enables planners to better define the problem and set goals.

There are several steps to collecting and analyzing data.

1. BRAINSTORM. What do you want to know? What time period will you look at? What geographic area? What will you use for comparison data? Use →Worksheet H: *Sample Data Collection Checklist* and →Worksheet I: *Brainstorming Data Needs* to help decide what data you need and who will be responsible for collecting it.

2. PRIORITIZE THE INFORMATION YOU NEED. After identifying what you want to know, look back at your planning timeline and at your available resources. What is the most important data to collect? How much time do you have to gather it?

3. DEVELOP A PLAN FOR COLLECTING DATA. Now that you know what data is most important for your project, answer the following questions:

- Who will collect the data? It is best to specify an individual rather than a department or agency.
- Where will the data come from? Identify the specific agency or person who keeps each type of data you're trying to collect.
- How will the data be stored?
- How will the data be analyzed and reported back to the core planning team (a report, a spreadsheet, a graph, community surveys, etc.)?
- What rules, procedures, or ethical requirements will you need to consider?
- Who will have access to the data once it is collected? After the project is implemented?
- Will you need parental consent to collect data from some community members (e.g., juveniles)?
- How will you store the data to ensure confidentiality?
- How can this data be used in the future? Explain in writing how the data can be used (e.g., "only for use by the planning team in developing a coordinated response to domestic violence on the reservation").
- Who else can help? Consider seeking assistance from local colleges or technical assistance providers who may be able to provide feedback on your data collection plan.

4. COLLECT DATA. Keep in mind that data can quickly become overwhelming. Organizing your data and maintaining it for future analysis is important. Instruct the individuals responsible for collecting data to keep the planning team

informed of how the process is going and report any problems to the group to allow for troubleshooting.

5. ANALYZE DATA. What does the data tell you? By looking closely at your data, you can confirm your understanding of the problems facing the community or, even more importantly, refine your understanding of the problems. Often, data can reveal important trends or issues that may not have emerged from stakeholder interviews or community surveys. When this happens, the data will help you refine your goals and design a better initiative. If your planning team wants help analyzing your data, consider reaching out to a local college for assistance, or contact one of the technical assistance providers listed in the Training Resources section of this toolkit.

> **EXAMPLE**
> One tribe sought grant funding to address methamphetamine use among tribal members. After analyzing data from the tribal police, court, and treatment provider, however, the planning team discovered that alcohol abuse was a much more pressing challenge for the tribe. Based on their data analysis, the tribe decided to revise their plan to focus on alcohol abuse.

PART 3

Refining Your Goals

After completing the needs assessment, planners will have a wealth of information at their disposal, including justice system data, stakeholder input, and a resource map. The next challenge is to use this information to develop a problem-solving justice initiative that fits the community's needs and resources.

A. Revisiting Your Mission Statement

After completing the needs assessment, revisit your mission statement and determine whether it still represents your project's purpose and approach. Ask the following questions:

- Has our mission changed? In what ways?
- Has our understanding of the problem expanded or narrowed in focus?
- Has our definition of the community expanded or narrowed in focus?

B. Creating a Name

Brainstorm a number of words or phrases that describe your project and represent the community to be served or the problem to be addressed. A name is a marketing tool that can be used consistently in meetings, promotional materials, media events, and grant applications. It is your opportunity to define your project, rather than letting others do it for you in a way that might be inaccurate.

C. Refining Project Goals

A goal describes the desired result or outcome of the project rather than the specific actions or steps needed to achieve those results or outcomes. Goals are designed to translate your mission statement into real-world results and should respond to one or more of the problems identified in the needs assessment.

> **EXAMPLE**
>
> If the goal is to make the community's roads safer, an appropriate objective might be to reduce DWI-related accidents by 50 percent annually.

D. Developing Specific and Quantifiable Objectives

An objective is a more specific statement of the outcome to be achieved under each goal. Each goal should have at least one objective, although it can have more than one. In developing objectives for your project, it can be helpful to follow the "S.M.A.R.T." approach: objectives should be Specific, Measurable, Achievable, Relevant, and Time-Specific. See →Worksheet J: S.M.A.R.T.: *A Framework for Setting Objectives* to learn the steps for defining your initiative's objectives.

E. Identifying Action Steps to Achieve Objectives

After developing "S.M.A.R.T." objectives, the next step is to identify the actions that are needed to achieve each objective. Action steps are the specific strategies that project staff will employ or the specific tasks that project staff will perform to ensure that each objective is reached. Whenever possible, action steps should be assigned to a specific person or agency and given a timeframe for completion. Use →Worksheet K: *Developing Goals, Objectives, and Action Steps* to outline the goals, objectives, and action steps for your project.

> **EXAMPLE**
>
> If an objective is to reduce DWI-related accidents by 50 percent annually, some action steps to achieve that objective might include increasing DWI police patrols during late-night hours and requiring offenders to install ignition interlock devices in their cars.

F. Developing a Budget

The budget outlines all of the costs associated with your project. It is usually entered into a spreadsheet or table, and it is typically accompanied by a budget narrative, which explains in words how the project's costs have been determined.

Each line in the budget lists an item, its cost, its computation, and its total. For example, a budget line may list the purchase of 6 computers (item), $700 per computer (cost), 6 computers x $700 each (computation), and $4200 (total).

Make sure that each expense in your budget is justified, financially reasonable, and directly related to the project. Using the budget narrative, explain how the funds will be used wisely and appropriately. The budget can be used for grant applications and also to explain the costs of your project to tribal leaders, stakeholders, and the community.

For many people, creating a budget can be intimidating. However, the budget is an indispensable component of both grant applications and the successful implementation of your project, and it is easier than it seems. See →Worksheet L: *Understanding the Components of a Budget* for information on the different categories that make up a standard budget.

G. Developing a Process Evaluation

As your planning team makes progress in the planning of your problem-solving justice initiative, consider the importance of developing a process evaluation. This step may be undertaken during the planning stages or in the early stages of implementation.

A process evaluation is one of the most commonly overlooked steps in planning a new justice system initiative. It documents your program's design and implementation, describes the program's operations, and assesses whether the program was implemented as intended. Developing a process evaluation will allow your planning team to step back and assess the implementation of your problem-solving justice initiative before it progresses too far. A process evaluation should describe the size and characteristics of the population served by the project, the services or interventions provided, and the expected outcomes.

A process evaluation may include:

- Interviews with key staff about their job duties and impressions of the program's effectiveness in addressing community problems.
- Interviews/focus groups with stakeholders on their impressions of the program, including whether the original goals are being achieved.
- Observations of courtroom practices, case processing/handling, intake/ assessment sessions, and staff meetings.
- Data on the population served, including basic demographics, prior court involvement, program retention rates, and recidivism rates after program participation.
- Data on your specific program, including number of clients served, time from program entry to exit, reasons for exiting the program, and number of service providers involved in the program.
- Interviews/focus groups asking participants about their level of satisfaction with the program. This may be the most difficult information to gather and is not absolutely necessary to the process evaluation.

After completing the interviews and collecting data and documentation, the evaluator should write a report that includes the following elements:

- Description of the program, including its mission, goals, and objectives.
- Description of the steps the planning team took in designing and implementing the program.
- Description of program operations, including any change from the original program design.
- Identification and description of intervening events that may affect implementation and outcomes.
- Documentation such as meeting minutes, reports, memorandums, newsletters, forms, program literature, press clippings, or conference presentations about the program.

Why bother? A process evaluation can demonstrate to funders, stakeholders, and the community that the program is rigorous and committed to looking at evidence. This is particularly important since funders generally expect comprehensive evaluations to support requests for future funding. Additionally, in the event that the program is not meeting its original objectives, the planning team can use the data to identify and address any weaknesses in the program design or early implementation process.

It is generally advisable to have an objective outsider act as your evaluator. Consider a technical assistance provider or another agency with experience in research evaluation. Contact the Center for Court Innovation for further ideas.

QUESTION

What is the difference between a process evaluation and an impact evaluation?

A Process Evaluation looks at the project in its early phases and reflects on how the project works. An Impact Evaluation looks at the project's outcomes and reflects on why the project works.

H. Developing an Impact Evaluation

An impact evaluation measures the effectiveness of your project. Impact evaluations measure success by comparing your participant group with a control group of non-participants. In this way, you can measure statistical rates of success for the participants who were enrolled in your program.

One way to develop an impact evaluation is to compare the number of re-arrests from the time of program entry to one year later. If 5 percent of your participants were rearrested during the time period, but 35 percent of the control group was rearrested, you can show that your program reduced recidivism during the one year time period. This information allows you to show your stakeholders and funders the quantitative difference your program makes in the lives of the participants. Other evaluation measurements can tell you whether participants:

- responded to early intervention/prevention programs,
- were reunited with their children more often,
- graduated from programs such as GED classes or domestic violence batterers' programs, or
- changed their behavior, such as fewer binge drinking episodes or fewer suicidal threats.

An impact evaluation is the most effective way to determine if a program is achieving its intended impact. Impact evaluations may be costly or time-consuming, but they are increasingly important as policymakers look to support evidence-based programs.

PART 4

Conclusion

Each tribal community faces unique strengths and challenges. This toolkit was designed to provide a basic framework for your planning process no matter what challenges you choose to address or what kind of initiative you decide to pursue. The worksheets in this toolkit offer a series of concrete tools that your team can use throughout the planning process, from developing a mission statement to evaluating the success of your project after it has been fully implemented. During the process, your team will work together to map existing resources, determine where collaboration is possible, set clear goals and objectives, and implement an initiative that addresses important challenges and strengthens your community.

Glossary

This glossary of terms provides definitions relevant to the contents of this toolkit and may not include definitions outlined by tribal, federal, or state laws.

Budget Narrative

A written description or justification of each item of your budget. It explains how you estimated the costs of the project and describes why the particular line item is necessary to your project.

Budget Worksheet

A table listing all project costs and showing how they were calculated. A budget worksheet is usually accompanied by a budget narrative.

Memorandum of Agreement/Understanding (MOU/MOA)

An agreement between two or more agencies outlining each organization's role and responsibilities to each other. A representative from each agency should sign and date the document, and all interested parties should have copies on file.

Needs Assessment

A planning process designed to help planners understand the community's strengths, challenges, and resources. Planners use the needs assessment to design an initiative that meets the community's particular needs and builds on the community's unique strengths. Needs assessments can take many forms, but they typically include identifying and engaging stakeholders, collecting and analyzing data, and mapping community resources. Upon completion, planners should summarize their findings in a needs assessment report.

Planning Team

A core group of stakeholders who are responsible for planning and implementing the problem-solving justice initiative. This group can also be referred to as an Advisory Board, Steering Committee, or other common terms.

Problem-Solving Justice Initiative

Generally, these initiatives seek to address the "revolving door" of the criminal justice system by addressing the underlying problems that often bring people to court in the first place. These initiatives rely heavily on collaboration between stakeholders. Problem-solving justice seeks improve outcomes for victims, offenders, and the community as a whole.

Stakeholders: Agencies or individuals with a stake in solving a particular public safety problem. This can include both justice system insiders (judges, police, probation officers, attorneys) and external voices (schools, victim advocates, clergy or faith healers, treatment providers, etc.).

Bibliography

Center for Court Innovation Publications
Available on www.courtinnovation.org

- *Building Support for Justice Initiatives: A Communications Toolkit*
- *Evaluating Your Program: Worksheet No. 10*
- *Mapping Community Resources*
- *Problem-Solving Courts: A Brief Primer*
- *Process Evaluation 101: An Overview for Justice Practitioners*
- *Using Data to Build Your Program: Worksheet No. 2*
- *Surveying Communities: A Resource for Community Justice Planners*

Other Documents

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime — Training and Technical Assistance Center (TTAC): *Strategic Planning Toolkit,* https://www.ovcttac.gov/views/resources/dspStrategicPlan.cfm.

U.S. Department of Justice, Office of Justice Programs: *Budget Detail Worksheet,* http://ojp.gov/grants101/developbudget.htm.

Training Resources

American Probation and Parole Association

www.appa-net.org

Institute for Native Justice

www.institutefornativejustice.com

Justice Solutions Group

www.justicesolutionsgroup.com

National Child Welfare Resource Center for Tribes

www.nrc4tribes.org

National Congress of American Indians

www.ncai.org

National Council of Juvenile and Family Court Judges

www.ncjfcj.org

National Criminal Justice Association

www.ncja.org

National Criminal Justice Training Center
Fox Valley Technical College

www.ncjtc.org

National Indian Child Welfare Association

www.nicwa.org

National Indian Justice Center

www.nijc.org

National Tribal Child Support Association

www.supporttribalchildren.org

National Tribal Judicial Center at the National Judicial College
www.judges.org/ntjc

National Tribal Justice Resource Center
www.naicja.org/training/ntjrc

Native American Rights Fund
www.narf.org

Native Nations Institute
www.nni.arizona.edu

OJJDP Tribal Youth Program
www.tribalyouthprogram.org

Pretrial Justice Institute
www.pretrial.org

Southwest Center for Law and Policy
www.swclap.org

Tribal Access to Justice Innovation
www.tribaljustice.org

Tribal Judicial Institute at the University of North Dakota
law.und.edu/tji

Tribal Law and Policy Institute
www.tlpi.org

**U.S. Department of Justice
Tribal Justice and Safety**
www.tribaljusticeandsafety.gov

Planning Worksheets

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Worksheet B: Developing a Mission Statement

Worksheet C: List of Possible Stakeholders

Worksheet D: Stakeholder Interview Protocol

Worksheet E: Focus Group Protocol

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Worksheet K: Developing Goals, Objectives, and Action Steps

Worksheet L: Understanding the Components of a Budget

Developing A Planning Team

Convening a planning team is one of the most important steps in developing and implementing a problem-solving justice initiative.

To convene an effective planning team, begin by filling out this worksheet, which asks a series of questions about <u>who</u> should be involved in the project. As you answer the questions below, you may realize that more specific information is needed to determine who should be involved.

> **EXAMPLE**
> You want to create a tribal court juvenile diversion program that limits reliance on detention and provides elder mentoring and cultural education.

The following questions will help guide you during the development of the planning team:

1. Which agencies currently have contact with the target population for your project?

    Probation, tribal police, court administrators, judges, tribal prosecutors, school administrators, a family court lay advocate.

2. Which programs are currently used as part of sentencing? Should those agencies that oversee these programs be included on the planning team?

    Alternative high school program for at-risk youth. This program should not be included in the planning team because it is located off tribal land and only a small handful of tribal juvenile offenders are referred to the alternative high school.

3. Are there programs or initiatives that, if added, would enhance services for the target population? Should those agencies running the programs be included on the planning team?

    The tribe's substance abuse treatment center, which provides youth education programs about tribal identity and substance abuse; job shadowing program that links tribal youth with tribal council members but currently only serves high-performing youth.

4. Are there individuals or agencies that should be included in the planning process for political reasons?

    The Coalition of Tribal Elders, which is suffering from a drop in membership and might see their exclusion from the planning team as a reflection of their membership difficulties.

5. **Once stakeholders are identified, what is the best strategy for approaching them?**

   We should develop a talking points memo that can be left with the point person, explaining the mission of the project and including our contact information. Detail the need for the project: recidivism among juveniles approaches 80% in the community, and the current alternative high school diversion program is not a realistic option for the majority of the tribal youth adjudicated in the court system.

6. **What kind of commitment will be required of planning team members?**

   Agencies should be willing to assign a dedicated staff member to the planning team. Each agency's assigned representative should attend biweekly planning team meetings and commit at least 10 hours per week to planning-related tasks.

7. **Is each agency willing to provide an overview of services and a site tour, if appropriate, to other stakeholders to explain current case flow process?**

   The tribal court can accommodate a site tour on Wednesday afternoon, when court is not in session. The court administrator is available to demonstrate how a juvenile hearing is processed from start to finish.

8. **Is each agency willing to participate in, and if necessary, lead relevant trainings?**

   The lead probation officer has recently attended a state-wide training on the increase in female youth adjudicated for drug and alcohol offenses and the suspected causes.

9. **Will the agency participate in developing the project?**

   Agency A will sign Memorandum of Understanding and agrees to attend planning meetings, provide access to agency data, and to be a member of the grant writing group.

Roster of the Planning Team

Name	Agency	Role	Primary Contact Info

Name	Agency	Role	Primary Contact Info

Developing a Mission Statement

Mission statements are broad statements of purpose that answer the question, "Why does our planning team exist?"

A mission statement should state the main issues your team wants to address and the team's general approach to addressing those issues. Mission statements are generally 1–2 sentences.

Create a Mission Statement using the following guide.

The purpose of the Planning Team is to [insert your vision for your community]

_____

_____

_____

_____

... by addressing [insert problem statement]

_____

_____

_____

_____

> **EXAMPLE OF MISSION STATEMENT:** Our planning team seeks to reduce the use of alcohol and drugs among tribal youth by developing programs that help young people feel more connected to the tribe's culture and traditions and that provide young people with opportunities for healthy recreation and entertainment.

EXAMPLE:

The Tribal Justice Exchange seeks to help strengthen tribal justice systems and promote tribal sovereignty by providing technical assistance to tribes that want to develop new problem-solving justice initiatives.

EXAMPLES OF "VISION"

- Create a safer community
- Break the cycle of substance abuse and incarceration
- Improve the tribal court system

EXAMPLES OF "PROBLEM STATEMENTS"

- Lack of safety planning for domestic violence victims
- Tribal code adopted an "Anglicized" court system which does not include tribal cultural values
- The increasing drop-out rates for tribal youth ages 15–18

After you finish, reread your mission statement. Does is reflect your team's values? Does it encompass the core issues you hope to address as a planning team?

WORSHEET C

List of Possible Stakeholders

The following list of possible stakeholders provides a general overview of agencies and organizations that may be interested in collaboration. This list is not meant to be exhaustive; there are countless other agencies and individuals that could serve as partners in a problem-solving justice initiative.

JUSTICE SYSTEM REPRESENTATIVES

1. Judges
2. Prosecutors
3. Court administrators
4. Court staff
5. Defense attorneys
6. Legal advocates
7. Police/law enforcement
8. Probation/pretrial services
9. Corrections

OTHER TRIBAL GOVERNMENT REPRESENTATIVES

1. Tribal council/business committee
2. Tribal leaders
3. Health agencies
4. Employment agencies
5. Housing agencies
6. Public welfare agencies
7. Schools (administrators, teachers, students)

NON-GOVERNMENTAL AGENCIES AND INDIVIDUALS

1. Non-profit organizations
2. Community organizations
3. Religious institutions/leaders
4. Businesses
5. Community activists/leaders
6. Community members

Stakeholder Interview Protocol

This worksheet offers recommended steps for conducting stakeholder interviews. The purpose of these interviews is to gather input from key individuals and agencies.

_____ Develop a list of key stakeholders to interview.

_____ Assign members of the planning team to conduct the interviews.

_____ Set a deadline for all interviews to be completed.

_____ Finalize the interview format and questions using the template below.

_____ Determine the appropriate sequencing of the interviews.
      EXAMPLE: Should law enforcement be interviewed before or after probation? Perhaps you think law enforcement will provide information that is important to use in the probation interview.

_____ Schedule and conduct the interviews. Modify questions as appropriate, and add questions if needed to collect detailed information.

_____ Prepare a written summary of each interview after it takes place (if appropriate, include actual quotes for future reference). Retain summaries and interview notes.

_____ Synthesize the results of all stakeholder interviews into a single, written summary to be used as a resource in preparing the Needs Assessment Report.

_____ Use feedback from the interviews to adjust planning objectives as needed.

WORKSHEET D

Stakeholder Interview Questions

The following is a suggested template for interviewing stakeholders about their agency's services, the population they serve, and the way they work with the tribal court system. Make these worksheets available to your planning team so that everyone understands the agency's role and keep them in a binder so that you can reference them later.

1. What is the agency's mission?

2. What services or programs does the agency provide? Who is the target population? (At-risk youth, ex-offenders, domestic violence victims, etc.)

3. How are these services or programs delivered?
    (Inpatient treatment, workshops, community meetings, one-on-one sessions, etc.)

4. How does the agency receive referrals?

5. At what point in the criminal or civil process does the agency have contact with clients? (at arrest, post-arraignment, upon release from jail, etc.)

6. How does the agency communicate with the court?

7. What are the agency's confidentiality policies?

8. What problems does the agency see in the justice system?

9. Which other organizations does the agency work with and how are services coordinated?

10. How will the new problem-solving justice initiative affecting the agency?

11. How can the agency assist the planning team?

Focus Group Protocol

This worksheet offers recommended steps for conducting focus groups. Usually, focus group participants are individuals who have not been interviewed separately. Focus groups are often used to bring together several individuals from a similar background or profession and allow them to have an open, interactive discussion about the issues involved in the project.

How to do it

Assemble groups of no more than 8-10 people. Choose a setting that will be comfortable and convenient for participants. Focus groups may be facilitated by a team member or an independent facilitator as appropriate. Begin each focus group with a brief explanation of why you have assembled the group.

Checklist

The following is a checklist of recommended steps when conducting focus groups:

_____ Decide on the number of focus groups to be conducted and the topic of each.

_____ Identify the facilitator(s) for each focus group.

_____ Develop a list of participants to invite to each focus group.

_____ Finalize the focus group format and questions using the template below.

_____ Determine the appropriate sequencing of the focus group sessions.
EXAMPLE: Should a focus group of school officials be held before or after a focus group of students? Does it matter?

_____ Schedule and conduct the focus groups.

_____ Record and prepare a written transcript of each focus group session.

_____ Synthesize the results of all focus groups into a single, written summary to be used as a resource in preparing the Needs Assessment Report.

_____ Use the feedback from the focus group sessions to adjust planning objectives as needed.

Preparation

Whenever possible, make refreshments and light food available at focus group sessions to help promote a welcoming, conversational atmosphere. Each focus group participant should wear a name tag. Invite the focus group participants to introduce themselves to the group.

The facilitator should begin by providing a brief overview of the needs assessment process and the purpose of the focus group. The facilitator should then guide the conversation, encourage the focus group members to share their thoughts, and clarify important points. Note-taking will not be required since each focus group should be taped and transcribed.

Following is a sample script for use by the facilitator(s). It is important that there be consistency from focus group to focus group in how the project is explained and which questions are asked.

Introduction

"Thank you for taking the time to meet with me. [Name of tribe] has formed a planning team to explore the development of [insert name or description of project]. This focus group is part of a needs assessment process, which includes collecting and analyzing crime, demographic, and other data; conducting interviews with justice system stakeholders; and conducting focus groups like this to ensure full consideration of the views and opinions within the justice system and the community."

Then give a brief description of the problem-solving justice initiative you are proposing, including your mission and preliminary goals.

Summary of the Procedure

"The focus group will last approximately two hours, with a break in the middle. The discussion will be taped. We will seek your permission for any quotes attributable to you in the materials produced for the project; otherwise, you should be assured that nothing said in this room will be attributed to one particular person.

During the course of our discussion, I will be asking questions and soliciting your thoughts and opinions on the following topics: [give a brief list]."

Focus Group Questions

The following is a suggested template for leading a focus group. The discussion should be tape recorded and transcribed if possible. Make the written transcriptions available to your planning team and keep them in a binder for reference throughout the needs assessment process.

I. Community Strengths

Main Question:

What are the main strengths of the tribal community?

ADDITIONAL PRODS

• What would people say are the best things about living in this community?

• What are some important community resources in this area (e.g. schools, parks, community-based organizations, political leadership, geographic locations, and other positives).

II. Public Safety Issues

Main Question:

What are some of the more pressing public safety concerns within the tribal community?

ADDITIONAL PRODS

• Are "quality of life" or "lifestyle" offenses a concern in this area? Which kinds of offenses in particular?

• Are more serious crimes an issue? Which in particular?

• Is juvenile crime an issue? What kinds of juvenile crime?

• To your knowledge, are there other types of illegal activities or conditions that raise concerns?

III. Other Community Concerns and Problems

Main Question:

Other than the public safety issues that you have already mentioned, what would you say are the primary concerns or problems currently facing the community?

ADDITIONAL PRODS FOR EACH PROBLEM MENTIONED

• Who or what would you say is causing the problem you've mentioned?

• What are the visible signs that this problem exists in the community?

• Which community members would you say are most adversely affected by this problem?

IV. Justice System

Main Questions:

1. What are some strengths in how the tribal justice system responds to public safety issues?

2. What are some of the more pressing concerns about the way the justice system currently responds to public safety issues?

3. What do you think the justice system — police, prosecutors, courts — could do differently to respond to the public safety problems you've mentioned?

4. Aside from what we've already discussed, what are some current frustrations with the justice system?

ADDITIONAL PRODS

• Have you noticed any improvements in the way the justice system responds to public safety concerns?

• What feedback have you heard from colleagues, members of the public, or the media about the way the justice system responds to public safety issues?

• Considering the community strengths and concerns you've discussed, are there any other specific challenges you'd like to mention?

V. Other Information

Main Questions:

1. Are there other persons you recommend we speak with as part of this process?

2. Do you have reports, data, or publications that you recommend we review as part of our assessment?

Community Survey

This community survey was developed by the Center for Court Innovation for a tribal community planning a problem-solving justice initiative. The tribal planning team used the survey to interview community members about public safety, their experiences with the court system, and perceived strengths and weaknesses of the tribe. Using this information, the tribal planning team was able to focus their planning objectives around community responses and include community members in the planning of their problem-solving justice initiative. Not all questions in this survey will be appropriate for every tribal community.

Instructions for Interviewers

Please review the survey instructions and the survey materials carefully prior to administering it.

Administering the Survey

Start the survey by reading the short introduction and instructions to each participant. Make sure that each participant understands the instructions and the consent to participate. The survey is voluntary; no one is required to respond to a question if they choose not to, and respondents can terminate their participation in the survey at any time. Do not mark surveys with any names or identifying information—the survey is meant to be confidential and anonymous.

While administering the survey, make sure each participant understands each question prior to giving a response. Read the questions and answer choices slowly and carefully, and give the participant the opportunity to request that you repeat any questions or answer choices that they did not completely understand.

Refusals

Participants have the option of refusing to participate in the survey.

- When a person refuses to participate in the survey, mark the survey with the phrase "Refused to Participate" and the date.

- It is important to track how many people refuse to participate, but do NOT record their names or any identifying information.

- Individuals who agree to participate in the survey may nonetheless refuse to respond to specific questions. In addition, participants may elect to stop their participation at any time. Please mark any questions in the survey that participants refuse answer with the phrase "refused to respond." These questions need to be marked clearly because there may be questions for which "do not know" is a response choice, but not knowing the answer and refusing to give an answer are two different and equally important responses.

- If a participant decides to terminate their participation at some point during the survey, please make a notation next to the question at which they stopped.

Alternate Answers

If a participant gives an alternate answer that is not one of choices provided in the survey, please make a clear and succinct notation to capture what the participant stated as their response. It is important to mark any alternate answers that a participant may give in order to collect good and complete data.

Also be sure to record an alternate response whenever a participant chooses "other" in response to a question.

NOTE: The Community Survey begins on the next page.

Community Survey

Hello, my name is _____. I'm here on behalf of the (NAME OF PLANNING GROUP). We are conducting a survey to learn how the (NAME OF PLANNING GROUP) can best serve the needs of tribal members. I would like to ask your opinions about crime and other issues that we are trying to address in the community. This survey will take about 15 minutes.

This survey is for research purposes only. Your participation in this survey is voluntary and your responses will be kept anonymous and confidential. This means that your responses to the survey cannot be directly associated to you in any way. You may choose to stop this interview at any time and you may also refuse to respond to a question.

Would you like to participate?
If yes, begin with Q1 below. If no, thank the person and note the person's refusal on the survey along with the date of refusal. It is important to track how many people refuse to participate but you should NOT record their names.

Community Survey

The Community

What is your relationship to the tribe? Circle one

1. Tribal member living the tribe's land

2. Tribal member living on another tribe's land

3. Tribal member living on non-tribal land

4. Member of another tribe living on the tribe's land

   If yes, which tribe? _____

5. Member of another tribe married to a tribal member

   If yes, which tribe? _____

6. Non-Indian married to a tribal member

7. Non-Indian living within the tribal land boundary

8. Non-Indian living off tribal land but employed on tribal land or having regular business on tribal land

9. Other _____

How many years have you lived/worked on tribal land? If less than 1, put 0

_____

Community Problems/Safety

If the respondent lives on tribal land:

Please tell me whether you feel safe, unsafe, or neutral in the following locations:

Circle one: **1.** Safe   **2.** Neutral/no opinion   **3.** Unsafe

In your home	1	2	3
On the roads	1	2	3
Other areas of tribal land	1	2	3
Border areas outside tribal land	1	2	3

Now I am going to ask you some questions about issues facing the tribe. After each issue, tell me whether you think it is a:

Circle one: **1.** Big problem   **2.** Minor problem   **3.** Not a problem   **99.** Don't know

Public drinking/intoxication	1	2	3	99
Alcohol abuse	1	2	3	99
Drug abuse	1	2	3	99
Drug dealing/sales	1	2	3	99
Gangs	1	2	3	99
Theft	1	2	3	99
Assault (fighting, etc.)	1	2	3	99
Domestic violence/family disputes	1	2	3	99
Rape/sexual assault	1	2	3	99
Guns	1	2	3	99
Child abuse/neglect	1	2	3	99
Juvenile delinquency	1	2	3	99
Hunting violations	1	2	3	99
Mental illness	1	2	3	99
Unemployment	1	2	3	99
Property disputes (including grazing permits and home site leases)	1	2	3	99

Out of concern for your own safety, do you do any of the following?

Circle one: **1.** Always   **2.** Sometimes   **3.** Never

Avoid certain parts of the tribal land	1	2	3
Stay in at night	1	2	3
Not travel alone	1	2	3
Carry a weapon	1	2	3
Have someone stay at your home when you're away	1	2	3

Before I ask the following question, I want to stress that all of your responses will be kept confidential and will be used for research purposes only. I'd like to know whether **anyone you know** *has been a victim of any of the following crimes* **within the last 12 months**. *If participant answers "Yes" to any of these questions, ask, "Was the perpetrator under 18 years old?"*

Circle one: **1.** Yes   **2.** No   **3.** Don't Know

Circle one in each column:	KNOW VICTIM		PERP UNDER 18		
Robbery	1	2	1	2	99
Burglary of home	1	2	1	2	99
Car theft	1	2	1	2	99
Other property theft	1	2	1	2	99
Identity theft	1	2	1	2	99
Assault	1	2	1	2	99
Domestic violence	1	2	1	2	99
Rape/sexual assault	1	2	1	2	99
Been shot at	1	2	1	2	99

Rape/sexual assault	1	2	1	2	99
Been stabbed	1	2	1	2	99
Other violent crime Specify: _____	1	2	1	2	99

Now I would like to know whether you have been a victim of any of these crimes **within the last 12 months.** *If participant answers "Yes" to any of these questions, ask, "Was the perpetrator under 18 years old?"*

Circle one: **1.** Yes   **2.** No   **3.** Don't Know

Circle one in each column:

	KNOW VICTIM		PERP UNDER 18		
Robbery	1	2	1	2	99
Burglary of home	1	2	1	2	99
Car theft	1	2	1	2	99
Other property theft	1	2	1	2	99
Identity theft	1	2	1	2	99
Assault	1	2	1	2	99
Domestic violence	1	2	1	2	99
Rape/sexual assault	1	2	1	2	99
Been shot at	1	2	1	2	99
Rape/sexual assault	1	2	1	2	99
Been stabbed	1	2	1	2	99
Other violent crime Specify: _____	1	2	1	2	99

Now I am going to ask you some questions about additional issues in the tribal community. After each issue, tell me whether you think it is a:

Circle one: **1.** Big problem   **2.** Minor problem   **3.** Not a problem   **99.** Don't know

Garbage removal	1	2	3	99
Littering	1	2	3	99
Roads needing repairs	1	2	3	99
Poor road lighting	1	2	3	99
Abandoned buildings	1	2	3	99
Graffiti	1	2	3	99
Needed repairs to homes	1	2	3	99
Electricity	1	2	3	99
Plumbing	1	2	3	99
Transportation to services	1	2	3	99
Panhandlers	1	2	3	99
Shoplifting	1	2	3	99
Illegal dumping	1	2	3	99
Prostitution	1	2	3	99
Vandalism	1	2	3	99
HIV and AIDS	1	2	3	99
Homelessness	1	2	3	99
Suicide	1	2	3	99

What would you identify as the strengths of the tribal community?

Circle one: **1.** Strong   **2.** OK   **3.** Weak   **99.** Don't know

Young people in the community	1	2	3	99
Older people in the community	1	2	3	99
Religious institutions	1	2	3	99
Health clinics/medical centers	1	2	3	99
Schools	1	2	3	99
Afterschool programs	1	2	3	99
Recreational centers	1	2	3	99
Parks/public areas	1	2	3	99
Social service agencies	1	2	3	99
Outpatient substance abuse services	1	2	3	99
Inpatient substance abuse programs	1	2	3	99
Mental health services	1	2	3	99
Culturally-based supportive services	1	2	3	99

Specify: _____

Have you personally used or had a case processed through this community's tribal courts?

1. Yes   **2.** No

If yes, what type of case was it? (Circle all that apply)

1.   Criminal case (e.g., drugs, alcohol, assault, theft, domestic violence)

2.   Family dispute (e.g., divorce, separation, spousal support)

3.   Child case (e.g., custody, child support, neglect, abuse, delinquency)

4.   Housing case

5.   Domestic violence

6.   Hunting or other environmental regulation

7.   Other civil matter (e.g., enrollment dispute, contract, will/inheritance)

8.   Property disputes (e.g., grazing permits, home site leases)

9.   Peacemaking
   If peacemaking, indicate whether the case was (CIRCLE ONE):
   Circle one: **A.** referred to peacemaking by a judge   **B.** a walk-in case

10. Other _____

When you used or had a case processed through a tribal court, how would you characterize your experience?

Circle one: **1.** Positive   **2.** Neutral   **3.** Negative

Have you ever observed or participated in a court hearing in a non-tribal court?

Circle one: **1.** Yes   **2.** No

If the respondent answered "yes" to the previous TWO questions, [ask]:

Which court hearing did you find to be more consistent with tribal culture and values?

Circle one: **1.** Tribal Court   **2.** Non-tribal court

In your opinion, what level of priority should the (NAME OF PLANNING GROUP) give to each of the following types of cases/issues?

Circle one: **1.** Highest Priority   **2.** High Priority   **3.** Medium Priority   **4.** Low Priority   **5.** Lowest Priority   **99.** Don't know

Public alcohol use	1	2	3	4	5	99
Drug abuse	1	2	3	4	5	99
Drug dealing/sales	1	2	3	4	5	99
Gang activity	1	2	3	4	5	99
Assault/fighting	1	2	3	4	5	99
Domestic violence	1	2	3	4	5	99
Rape/sexual assault	1	2	3	4	5	99
Harassment	1	2	3	4	5	99
Theft	1	2	3	4	5	99
Child abuse/neglect	1	2	3	4	5	99
Juvenile delinquency	1	2	3	4	5	99
Hunting violations	1	2	3	4	5	99
Littering/dumping	1	2	3	4	5	99
Property disputes	1	2	3	4	5	99
Family law	1	2	3	4	5	99
Other : _____	1	2	3	4	5	99

In your opinion, how important are each of the following features of a tribal court system?

Circle one: **1.** Very important   **2.** Somewhat important   **3.** Not important   **99.** Don't know

Access to representation by trained lawyers	1	2	3	99
Right to be heard by a judge	1	2	3	99
Judges who are trained lawyers	1	2	3	99
Judges who have cultural background/awareness	1	2	3	99
Formal court rules (like rules of evidence)	1	2	3	99
A "typical" courtroom that includes a judge's bench, areas for the plaintiff and defendant, a jury box, a gallery for observers, etc.	1	2	3	99
The ability to represent yourself without a lawyer	1	2	3	99
The ability to be represented by a non-lawyer in court (for example: court advocate, family member, tribal elder)	1	2	3	99
The availability of alternative methods of dispute resolution (for example: peacemaking, mediation)	1	2	3	99
A court system that uses unwritten tribal customs and tradition[s] when making decisions	1	2	3	99
A focus on punishment for wrongdoers	1	2	3	99
A focus on community restoration and healing instead of punishment	1	2	3	99

What services would you like to see the tribal courts provide more of in the future?

Youth

Let's talk about **youth** *crime and other* **youth** *issues that may exist in the tribal community. After each issue, tell me whether it is a:*

Circle one:　　**1.** Big problem　　**2.** Minor problem　　**3.** Not a problem　　**99.** Don't know

Alcohol use	1	2	3	99
Drug dealing/sales	1	2	3	99
Drug use	1	2	3	99
Fighting	1	2	3	99
Vandalism	1	2	3	99
Disorderly conduct	1	2	3	99
Loitering	1	2	3	99
Bullying (online or in person)	1	2	3	99
Gang activity	1	2	3	99
Rape/sexual assault	1	2	3	99
Dating violence	1	2	3	99
Truancy (kids not in school)	1	2	3	99
Using weapons	1	2	3	99
HIV and AIDS	1	2	3	99
STD's/STI's	1	2	3	99
Unintended pregnancies	1	2	3	99
Lack of after-school programs	1	2	3	99
Lack of educational supports	1	2	3	99

Lack of mentoring	1	2	3	99
Unsafe homes	1	2	3	99
Lack of job training	1	2	3	99
Other : _____	1	2	3	99

Community Conflict

How much of a problem are the following disputes in the community?

Circle one: **1.** Big problem   **2.** Minor problem   **3.** Not a problem   **99.** Don't know

Between members of the same family	1	2	3	99
Between members of different families	1	2	3	99
Between neighbors	1	2	3	99
Between tribal members and non-members	1	2	3	99
Between strangers	1	2	3	99

Have you been in involved in any of the following disputes in the past 12 months?

Circle one: **1.** Yes   **2.** No   **99.** No answer/Don't know

Between members of the same family	1	2	99
Between members of different families	1	2	99
Between neighbors	1	2	99
Between tribal members and non-members	1	2	99
Between strangers	1	2	99

Has anyone you know been in involved in any of the following disputes in the past 12 months?

Circle one: **1.** Yes   **2.** No   **99.** No answer/Don't know

Between members of the same family	**1**	**2**	**99**
Between members of different families	**1**	**2**	**99**
Between neighbors	**1**	**2**	**99**
Between tribal members and non-members	**1**	**2**	**99**
Between strangers	**1**	**2**	**99**

In the future, would you refer these disputes to a free service that offers alternative (non-court) dispute resolution?

Circle one: **1.** Yes   **2.** No

If "No": Why not?

Demographics

Circle one: **1.** Male **2.** Female

How old are you?

Circle one: **1.** 17 years or younger **2.** 18–24 years **3.** 25–45 years **4.** 46–60 years **5.** 61+ years

What racial group do you consider yourself a part of? [optional]

Circle one: **1.** Native American **2.** White/Caucasian **3.** Black/African American **4.** Hispanic/Latino

5. Other _____

What is your primary language?

Circle one: **1.** Indigenous/native language speaker **2.** English **3.** Other

Where do you currently live?

Circle one:

1. Your own home

2. A home/apartment that you rent (on your own or with others)

3. Living with family or friend in their space

4. Shelter/temporary housing

5. Homeless

Have you been employed within the past six months?

Circle one: **1.** Yes **2.** No

Have you ever been interviewed for this survey before?

Circle one: **1.** Yes **2.** No **99.** Don't know

<u>WORKSHEET G</u>

Community Resource Mapping

Below is an example of a completed Community Resource Mapping form. See the next page for a blank form that can be copied and used to create your own directory.

Category: Substance Abuse Treatment Provider

Circle Health Center
_____
Organization name

P.O. BOX 43   Syracuse   NY   13202
_____
Address   City   State   ZIP

Contact:

James Dawson   266-4332   jdawson@circlehealth.com
_____
Name   Phone   Email

Alternate Contact:

Eliza Grossbeak   266-4331   egrossbe@circlehealth.com
_____
Name   Phone   Email

Services Provided/Population Served:

Comprehensive adult inpatient and outpatient substance abuse treatment & counseling. Spanish language

group therapy available. Family group counseling available first and third Wednesday of the month (6-8pm).

Cost:

Tribal government contracts with Circle Health to provide services for 200 outpatient/ 25 inpatients per year.

Additional services contracted at $300/day inpatient. Outpatient negotiable.

Opportunities For Collaboration/Additional Comments:

Circle Health has agreed to provide a counselor at the Healing to Wellness Court on Thursday afternoons.

Counselor will screen clients for drug/alcohol dependency and make recommendations to the judge.

WORSHEET G

Community Resource Mapping

Below is a blank Community Resource Mapping form that can be copied and used to create your own directory.

Category:

_____

Organization name

_____

Address   City   State   ZIP

Contact:

_____

Name   Phone   Email

Alternate Contact:

_____

Name   Phone   Email

Services Provided/Population Served:

_____

_____

Cost:

_____

_____

Opportunities For Collaboration/Additional Comments:

_____

_____

Sample Data Collection Checklist

The following list outlines the types of data your team may want to collect when planning a problem-solving justice initiative. Although this list is extensive, it is not exhaustive and there may be additional data your team will identify as important for project planning.

Tribal communities often have difficulty locating reliable sources of data. The tribe may not have the resources to collect data in a formal manner. Moreover, neighboring authorities, like the county sheriff's office, may not separate data by specific tribe. For these reasons, the planning team may have to get creative and find data in unlikely places. A list of possible sources of data is listed at the end of this document.

NOTE: The ideal data is not always available. For example, a tribe may not have data detailing the percentage of community members who use illegal drugs. Nonetheless, it may be possible to gather enough information about substance abuse behavior to show that it is an ongoing problem. Consider the following data sources: a major employer of tribal members conducts random drug tests monthly, and a local hospital conducts urine screens for all admitted patients. These samples could show that positive tests for methamphetamine are increasing, or that the number of community members testing positive for cocaine is decreasing.

I. Community Demographics

A. Population

1. Population served/membership

   a. Total population served by tribe (including non-Indians)

   b. Total tribal membership

   c. Tribal members living outside tribal boundary

   d. Member of another Nation living within tribal boundary

   e. Non-Indians living within tribal boundary

2. Primary language of community members

   a. English

   b. Native language

   c. Other (Spanish, French, etc.)

3. Age

   a. 0–17

   b. 18–64

   c. 65+

   d. Population trends (i.e. What percentage of the community is over 65 years of age now compared with 10 years ago? Are non-enrolled Indians having more children than enrolled members?)

4. Gender

   a. Overall male/female breakdown

   b. Male/female breakdown by age group

5. Household

   a. Average number of children per household

   b. Percent of one-parent households

   c. Percent of two-parent households

   d. Number of grandparents raising grandchildren alone

   e. Number of households comprised of grandparents, children, and grandchildren

B. Economic

1. Poverty levels

   a. Percent identified at or below 100% of the federal poverty level

   b. Percent receiving public assistance/TANF

   c. Percent receiving Medicaid or other free medical coverage

   d. Percent of children receiving free/reduced lunch

2. Employment

   a. Percent of population employed

   b. Percent receiving unemployment benefits

   c. Percent of population employed by tribe

   d. Percent of population employed off tribal land

   e. Major employers/ industries (government, health, gaming, etc.)

   f. Median income of residents

3. Housing

   a. Housing options: single family homes/ trailers, apartments, duplexes, co-ops (multi-family homes)

   b. Number of housing units owned by the tribe

   c. Availability of elder housing (nursing homes, assisted-living facilities, elder apartment complexes, etc.)

   d. Percent of residents who are homeless and/or in transitional housing

   e. Number and type of transitional housing options: victim shelters, homeless shelters, youth shelters, etc.

C. Education

1. Education levels

    a. Percent completing high school/GED

    b. Percent completing some college

    c. Percent completing four year college

    d. Percent completing graduate level/professional college

2. Graduation rates

    a. Percent completing high school in four years

    b. Percent completing GED programs

3. Truancy rates

    a. Percent of students classified as persistent truants

        i. Elementary/primary school

        ii. Middle school/junior high school

        iii. High school

    b. Number and type of anti-truancy programs/services

4. Literacy rates

    a. Percent of student who read below grade level

    b. Percent of students who read at or above grade level

    c. Number and type of pro-literacy programs/services

    d. Literacy rates in indigenous language vs. English language

D. Health

1. Availability

    a. Number of health centers/clinics/hospitals on tribal land

    b. Availability of health centers/clinics/hospitals within driving distance of tribal land

    c. Number of private practice physicians/dentists/psychiatrists

2. Substance abuse data

    a. Percentage of residents reporting illegal drug use (heroin, meth, crack/cocaine, marijuana, etc.)

    b. Percentage of residents reporting legal drug use (alcohol, peyote, medical marijuana, prescription drugs, etc.)

    c. Trends (increases/decreases) in drug use on tribal land

    d. Percentage of residents engaged in chronic, long-term substance abuse

    e. Percentage of chronic, long-term substance abuse among youth under the age of 18

    f. Number and type of substance abuse treatment providers providing services to residents (inpatient, outpatient, detox, etc.)

3. Mental health data

    a. Number of residents reporting mental health issues (depression, suicidal ideations, bipolar disorder, etc.)

    b. Percentage of deaths attributed to overdose/suicide

    c. Percentage of deaths attributed to overdose/suicide and including alcohol/drug use

    d. Number of mental health providers available

    e. Number and type of mental health services available (suicide prevention hotline, workshops and classes, etc.)

4. Child abuse/neglect data

    a. Number of founded/indicated cases per year

    b. Number of enrolled children involved in abuse/neglect proceedings

    c. Number of non-member Indian children involved in abuse/neglect proceedings

    d. Number of foster care placements annually

    e. Number of foster care units available

    f. Total number of children currently in foster care

II. Crime Data

A. Law enforcement

1. Arrest data

    a. Demographics of arrestees (age, race/ethnic group, prior arrests)

    b. Type of crimes (property; person; moving violations; probation violation)

    c. Location of arrest

    d. Arresting agency: tribal police, BIA, FBI, state, etc.

2. Reporting rates by crime and location

3. Detention facilities/holding cells

    a. Number of beds

      i. Youth

      ii. Adult

    b. Average length of stay

    c. Off-tribal land vs. on-tribal land

4. School safety

    a. Arrests resulting from school incidents

    b. Numbers and types of incidents

5. Budget and staffing for tribal law enforcement agencies

    a. Number of officers

    b. Number of vehicles (squad cars, vans, etc.)

    c. Number of non-deputized staff

    d. Equipment Costs

6. Cross-deputization agreements

B. Prosecution information

1. Conviction rates by charge

    a. Declination rate

    b. Prosecution rate

    c. Conviction rate

2. Budget and staffing

    a. Number of prosecutors

    b. Staff costs

    c. Operating costs

C. Probation/parole

1. Number of individuals under supervision

2. Demographics of individuals under supervision

3. Types of offenses charged against ex-offenders
(i.e., what crimes are repeat offenders committing?)

4. Budget and staffing

    a. Number of probation/parole officers

    b. Staff costs

    c. Operating costs

III. Court Data

A. Charges filed

1. Number and type of charges filed annually

    a. Property crimes

    b. Drug use/trafficking

    c. Domestic violence

    d. Assault/battery

    e. Sexual assault/rape

    f. Firearms

    g. Property crimes

    h. Moving violations (DWI, speeding, driving without a license)

    i. Neglect/abuse of a child/elder

2. Charging trends
(i.e. increase/decrease in violent criminal charges)

B. Private party disputes/cases

1. Number and types of cases filed annually

    a. Family dispute (divorce, spousal support)

    b. Child case (custody, child support, guardianship)

    c. Property disputes (grazing permits, leasing, landlord/tenant)

    d. Contracts/ small claims (bill of sale, employment)

    e. Tribal government (elections, enrollment, civil rights)

2.   Number of cases requiring a trial

C. Criminal defendant demographics

1. Number of defendants with prior charges

2. Percentage represented by defense attorneys/legal advocates

3. Basic demographic data of defendants (enrolled tribal member, age, gender, etc.)

D. Disposition data

1. Types of dispositions used by court

2. Frequency of each disposition

3. Types of "alternative" (i.e., non-jail, non-fine) sanctions used by court

4. Frequency that each type of alternative sanction is used

5. Compliance data

E. Peacemaking/mediation data

1. Number of cases

2. Types of cases

3. Number of parties

4. Number of agreements

F. Case flow information

Step-by-step map of how cases currently flow through the justice system (from arrest to disposition and compliance)

POSSIBLE SOURCES OF INFORMATION:

- Tribal government
- Tribal agencies
  - *Tribal court*
  - *Indian Health Services*
  - *ICWA office*
  - *Tribal police or probation*
- School district
- State government
- Local business association
- Tribal college library or librarian
- Tribal elders
- Local BIA offices
- U.S. Census/American Fact Finder
- Bureau of Justice Statistics' *Census of Tribal Justice Agencies in Indian Country, 2002*
- Bureau of Justice Statistics' *Jails in Indian Country, 2009*

Brainstorming Data Needs

Working as a team, identify the types of data most needed to support successful project design and implementation.

In the table below, identify the specific data needed, who might have the data, which team member will be responsible for getting the data, and a deadline for data collection.

Data Needed	Who Can Provide?	Who Will Get It? When?
E.g., Number of juveniles transported to detention facilities located off tribal land in last year	E.g., Tribal police administrative clerk	E.g., Name of planning team member and a deadline for collecting the data

Data Needed	Who Can Provide?	Who Will Get It? When?

S.M.A.R.T.: A Framework for Setting Objectives

Specific:

The activity, behavior, or outcome is quantifiable—it can be expressed as a rate, percentage, number, or frequency.

- "Is the objective quantifiable?"
- "How can we turn this into a number that makes sense?"

Measurable:

The objective can be tracked, evaluated, reported on, and compared to other similar objectives.

- "How will we measure this?"
- "What are the costs of measuring the objective?"
- "Who will be responsible for measuring?"
- "How can technology help us to do this?"

Achievable:

The objective is agreed to by the parties who will be responsible for achieving it and is realistically attainable.

- "Is this a realistic objective?"
- "Who needs to be involved?"
- "How will we make sure that everyone knows why this is important?"
- "What needs to happen to get agreement from other key stakeholders?"

Relevant:

The objective has some anticipated impact and is important to the organization and individuals involved in achieving it.

- "Why is this objective important to the project and to the people responsible for getting it done?"
- "How might achieving this objective help the project?"

Time-specific:

The objective must have well-defined start and completion dates.

- "What needs to be done when?"
- "Is the timeframe appropriate?"
- "What will happen if we need to adjust the timeframe?"
- "Does this timeframe fit with other relevant timeframes (e.g., strategic plan goals)?"

EXAMPLE:

- **A non-specific objective** would be "to provide services to youth."

- **A specific objective** would be "to provide weekly trauma-focused group therapy to ten girls, ages 13-18."

Developing Goals, Objectives, and Action Steps

This picture illustrates how Goals, Objectives, and Action Steps fit together. Your initiative may have one or more major goals. Each goal will have a few specific objectives, and each objective will be broken down into many small action steps. Examples of Goals, Objectives, and Action Steps are provided in the chart below. On the next page, you will find a chart that you can copy and use for outlining the Goals, Objectives and Action Steps for your project.

GOAL

OBJECTIVES

ACTION STEPS

What is the difference between a Goal, an Objective, and an Action Step?

Definition	Goal A broad statement of what the initiative will seek to accomplish.	Objective Specific and measurable goals that are S.M.A.R.T.	Action Step The actual strategies that will help you meet your objectives and goals.
Example 1: Domestic Violence	To enhance the tribal justice system's capacity to respond to incidents of domestic violence.	Increase the number of domestic violence offenders who graduate from a court-mandated batterer program by 10% in the next 18 months.	Order domestic violence offenders into batterer program at first court hearing and hold compliance hearings every two weeks for first 6 weeks; then every three weeks for life of the program.
Example 2: Alternative Sanctions	To reduce the tribal court's reliance on fines for criminal offenses.	Develop five (5) community service options for indigent offenders convicted of low-level criminal behavior.	Hire a part-time community service coordinator to oversee work crews.
Example 3: Youth At-Risk Behavior	To reduce the incidence of juvenile drug and alcohol abuse.	Eliminate alcohol or drug-related auto fatalities at a popular youth hangout.	Dispatch one patrol car to monitor the entrance of the recreation area on weekends from 10pm to 3am.

Our Goal is to:

_____

Objective A:

_____

_____

Action Steps:

    i. _____

    ii. _____

    iii. _____

Objective B:

_____

_____

Action Steps:

    i. _____

    ii. _____

    iii. _____

Objective C:

_____

_____

Action Steps:

    i. _____

    ii. _____

    iii. _____

Understanding the Components of a Budget

A budget outlines two major types of expenses: personnel costs (current employees and new hires) and non-personnel costs (equipment, supplies, travel, etc.). The major categories to consider for your budget include:

1. **Personnel:** List each person working for your project, including their position title. Identify their annual salary along with the percentage of their time devoted to the project.

   > **EXAMPLE**
   > KC earns $40,000/yr and will devote 25% of her time to the project.
   > Computation = 25% (or 0.25) x $40,000. Total = $10,000.

2. **Fringe Benefits:** These are the same as employee benefits, and they can include retirement accounts, health insurance, life insurance, unemployment insurance, and other benefits provided by the employer. Check with the person's employer to determine the appropriate fringe benefit rate.

   > **EXAMPLE**
   > KC's fringe benefit rate is 30% of her salary.
   > Computation = $10,000 (the amount of KC's salary devoted to the project) x 30% (or 0.30). Total = $3,000.

3. **Travel:** This section should clearly explain the purpose of the travel (training, conference, meetings, technical assistance, etc.). Be sure to include all of the estimated costs, including registration fees, airline tickets or mileage (for driving), taxi or other ground transfer fees, hotel or lodging, and meals not provided as part of the registration costs.

   > **EXAMPLE OF HOTEL COSTS**
   > 3 people travel to Regional Tribal Conference for two nights. Hotel lodging costs $90/night.
   > Computation = 3 people x 2 nights x $90. Total = $540 for lodging.

4. **Equipment:** Equipment is defined as non-expendable tangible property that has a useful life of more than two years, such as a photocopy machine, a police cruiser, or an office desk. Explain in the budget narrative why you need this item and how you intend to purchase it (seek three bids from office warehouse, purchase at a discounted rate from the tribal government, etc.). You may have to justify why purchasing the item is more financially prudent than renting it.

5. **Supplies:** This includes any items that will be consumed during the project, such as office supplies, training materials, paper, and any other item that would cost less than $5,000.

6. **Consultants and Contracts:** Make sure to explain the service to be provided, the fee or rate of pay, the time the consultant will devote to the project, and the expenses associated with the work.

> **EXAMPLE**
> Peacemaker consultant, paid at a rate of $25/hour, working 7 hours/day, 2 days/week.
> Computation = 25/hour x 7/hour workday x 2 days/week. Total = $350 week.

7. **Other costs**, particular to your circumstances.

Budget Summary

At the end of the budget, make sure to include a budget summary. A budget summary will show the total of each type of expense (numbers 1–7 above) and add those totals to explain the **grand total** of the entire project.

For an example of a budget, see →Section 4: *Bibliography* for a link to the →*Budget Detail Worksheet* from the U.S. Department of Justice.

EXAMPLE	
Personnel	$150,000
Fringe Benefits	$13,000
Travel	$12,000
Equipment	$400
Supplies	$800
Consultant	$1,800
Total	**$178,000**

Notes