

Tribal Risk-Need Resilience Tool

Developing and Piloting a Tribal RNR Tool



Contents

Risk Need Responsivity Principles

Appropriate use of RNR to Reduce Recidivism

What we know about RNR tools with Native Populations

Building a Tribal Specific RNR Tool

Piloting and Assessment Process

Risk-Need-Responsivity Theory: The Three Core Principles

Risk Principle: Who to target.

- Intervention is most effective with higher-risk individuals (risk of re-offending).

Need Principle: What to target.

- Assess and target “criminogenic” needs (i.e., needs that fuel criminal behavior).

Responsivity Principle: How to intervene.

- Tailor intervention to the characteristics and learning styles of the individual.

What is Resilience?



The power to overcome or grow through difficult experiences



Highlight, and uplift the resilience of each individual

The Risk Principle



Vary the intensity of intervention (treatment & supervision) by risk level.

Higher-Risk

- Provide more structured supervision.

Lower-Risk

- Intervention can be harmful: **Why?**
 - Interferes with work or school.
 - Increases contact with higher-risk peers.
 - Can stigmatize and produce psychologically damaging effects.

Supported
by close to
400
studies!

Risk-Need Based Interventions

High Risk/High Need

- Intensive intervention

Low Risk/Low Need

- *Off-ramp* ASAP (e.g. pretrial release, fine/short community service, conditional discharge)

Low Risk/High Need

- BRIEF intervention with voluntary referral to services

High Risk/Low Need

- Address criminogenic thinking and behavior

Tribal Justice Tools Survey

Tribal Courts Technology and Risk/Need Tools



How useful is the tool for understanding your population?

Quotes from participants:

"Not sure. Sometimes we are surprised by level of criminogenic risk and so we change our level of supervision based on that."

"Somewhat useful"

"Not all that helpful"

"I feel that it could be altered to better suit the Native American population."

Developing a Tribal RNR Tool

From Beginning to End

Project Team

Center for Court Innovation

- Tribal Justice Exchange Team
- Research Team

Confederated Salish and Kootenai Tribes

- Behavioral Health Department - Dr. Desiree Fox
- Public Defenders Office - Ann Miller

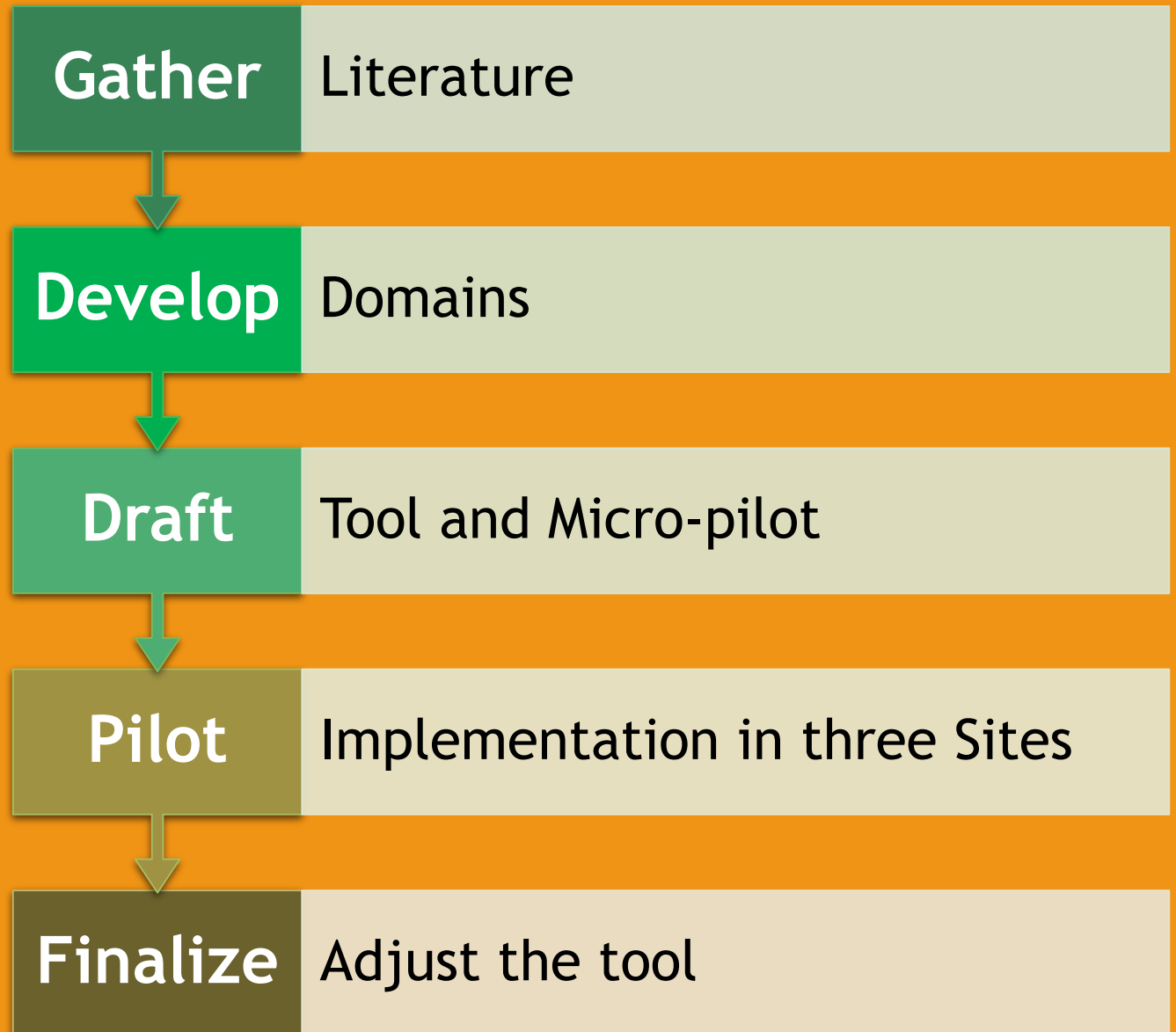
Advisory Board

15 members



Law enforcement, probation, judges, prosecutors, public defenders, Clinical Psychologist, reentry, researchers and TA providers

Project: Overview



Literature Review

Researching the use of RNR tools on Tribal
Populations



Literature Review

Reviewed 50+
publications

Including
publications
from Canada
and Australia

Findings Among Current Tools

- Existing tools not designed for indigenous defendants
- Lower predictive validity
- Concerns of over-classification of risk
- Protective factors are not considered
- Phrasing is unsuitable



Building the Tool

Guiding the Process



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Process of Drafting the Tool



Team Values



Initial draft



Team reviewed question by question



Advisory Board review section by section



Culture and community review

Tool Considerations and Challenges



Ethical Considerations

RNR tool racial bias

Reducing incarceration

Do we assign risk to trauma?

Risk vs. resilience

How to avoid harm

Creating the Draft

Identifying Tool Domains and Questions



Risk Factors

Static risk factors

- ▶ Criminal history
 - ▶ # of arrests
 - ▶ # of convictions
 - ▶ type of offenses
- ▶ Current charges
- ▶ Age at first arrest
- ▶ Current age
- ▶ Gender

Dynamic risk factors/needs

- ▶ Antisocial attitudes
- ▶ Antisocial friends & peers
- ▶ Criminal Thinking
- ▶ Family/marital factors
- ▶ Education/employment history
- ▶ Pro-social leisure activities
- ▶ Substance use and misuse

What's missing from this list?

Overview of Domains

Domains

- ▶ Demographics
- ▶ Family Structure
- ▶ Childhood
- ▶ Education
- ▶ Employment & Income
- ▶ Housing
- ▶ Time Structure
- ▶ Culture and community

Domains cont.

- ▶ Resilience against colonialism and oppression
- ▶ Discrimination
- ▶ Post-traumatic growth
- ▶ Substance Use
- ▶ Relationships and community ties
- ▶ Past justice involvement

The Final Draft

The Tool We Are Piloting



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Overview of Tool



Tool contains 170 Questions



Administering at Pre-trial



Completion Time 1-1 hour
and 15 minutes

Demographics

Information for data collection purposes

Information for case management and client engagement

How to capture identity information:

- Native/Indigenous/Tribal/Name of Tribe
- Gender/Male/Female/Two-Spirit/Trans/Non-binary

How do you refer to yourself?

Native / Native American

American Indian

Tribal

Indigenous

Specific tribe: _____

Family Structure & Childhood

Questions focus on:

§ Relationship status/stability

§ Dependents and family living situation

§ Foster care involvement

§ Experience with school and education

§ First IPV Safety check

Do you need
support caring
for children
(yours or
others)?

Yes No

If yes, what
kind of support?

Education

If yes, what kind of support:

- Highest level of education
- Experience with boarding school
- Identifying personal knowledge and skillsets
- Identifying where their knowledge came from
- Ask if they have skills they can teach others
- Are there areas they want to learn and grow in?

What do you have experience, skills, or knowledge in?

Taking care of family members (children, elderly, ill person)

Handy work / construction work / fixing things
 Mechanic / auto skills

Storytelling
 Crafts/Artwork/Carving
 Music

Working with tribal agencies
 Leadership skills
 serving/helping others

Computers, tech, or social media
 Budgeting and/or financial skills

Humor
 Other:

Employment

Questions:

- Current or seasonal employment

Considerations:

- Employment may be difficult to secure in rural tribal communities
- Do people need support connecting to employment or training?

Income

Questions:

- What is a person's overall income

Considerations:

- Individuals may have income from the tribe or other sources
- Do people have enough income to live?
- Do people have enough income to afford what they want?

Do you have
specific
education or
employment
goals?

Yes No

If yes, What are they?

Housing

- **Questions:**

- Ø Stability of housing
- Ø Identification of housing needs

- Ø **Considerations:**

- Ø Do people feel safe in their homes
- Ø Access to HUD or tribal housing
- Ø Flag needs for stable housing



Identifying Housing Instability



Where do you live/stay?



How long have you been there?



How many places have you stayed in the past year?

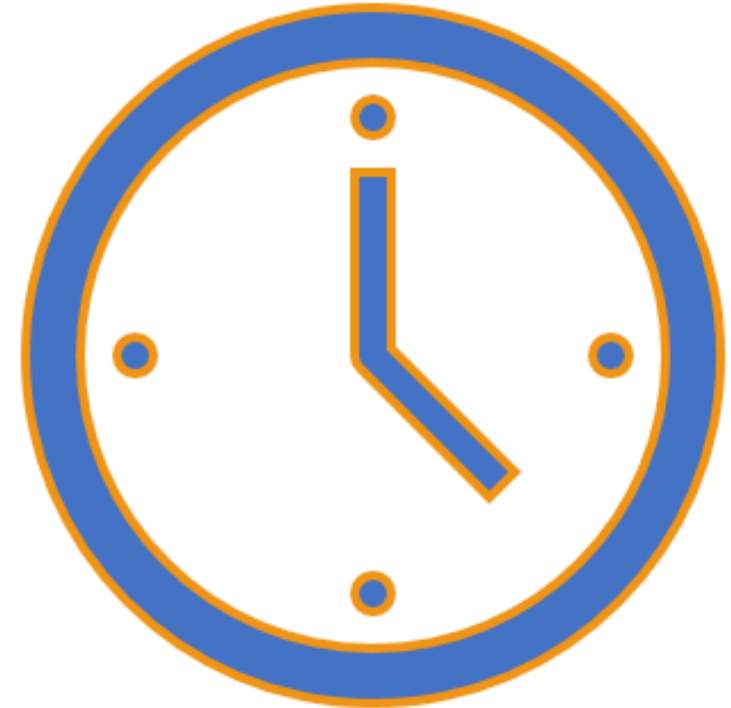


[Interviewer only] Is the person's current living situation stable? Yes
No Unsure

Time Structure

Replaces the concept of Leisure:

- How does a person structure their time?
- Do they have free time?
- How would they like to fill that free time?



Medical / Physical Health

Behavioral Health (substance use or mental health)

Court

Work

Probation/Supervision

Public assistance


Child welfare

Appointments for others (e.g., children)

Other: _____

Why have you missed or had trouble getting to these appointments?

**Do you have trouble making it
to any appointments?**



Community and Cultural Connectedness

- Culture and community as a protective or resilience factor
 - NOT a Risk Factor
- Identify their level of engagement, knowledge, desire, and access to community and culture
- Ask about their perception of their identity as a source of meaning and strength
- Other forms of culture are also important!
 - Culture with a little 'c'

On a scale from 1-10, how would you describe your connection to your Native culture?

How often do/did you practice or participate in your Native cultural activities?

I believe that I play a role in my Native community: _____

I look to my Native background/heritage for guidance in my life: _____

How does your Native culture show up in your life (e.g., how you live your life, your worldview, how you go about things, etc.)?

Resilience Against Colonialism and Oppression

Both Parts of
Historical Loss
Scale

Seeks to
identify areas of
historical and
cultural loss

Identify
resilience
through loss

Historical Loss Scale

How often do you think of each loss?

When thinking on these experiences, how often do you have the following feelings?

Item	Several times a day	Daily	Weekly	Monthly	Yearly /only special times	Never	N/A
87. The loss of our land							
88. The loss of our language							

Feeling	Never	Seldom	Sometimes	Often	Always	N/A
99. Sadness or depression						
100. Anger						
101. Anxiety or nervousness						
102. Uncomfortable around white people when you think of these losses						

Discrimination

Other Tools:

Distrust of Authority:

- Relates to criminal thinking
- Relates to anti-social thinking
- Correlates with increased risk score

Tribal RNR Tool:

Distrust of Authority may be Legitimate:

- And based on:
 - Personal experiences of discrimination
 - Historical experiences of discrimination
- Reframed questions to acknowledge this
- Ask about experiences of discrimination

Internal/External Discrimination

Within Tribal Lands	Outside of Tribal Lands
<p>114. Do you believe that you (or members of your family) have been treated negatively in the past by members of your tribal community because of your family status (tribal affiliation, clan, or history of infractions committed long ago against the tribe by members of your own family, etc...)? Yes/No/Don't know/Not Applicable</p>	<p>121. When you are off tribal land/reservation do you believe you or tribal members are discriminated against because of your Native status/identity? Yes/No/Don't know/Not Applicable</p>
<p>115. Do you believe that you (or members of your family) have been treated negatively by others in your tribal community because of one or more of your non-Native identities and/or statuses (sexual orientation, age, race, etc...)? Yes/No/Don't know/Not Applicable</p>	<p>122. Do you believe that you or tribal members have been treated negatively in the past because you live on the reservation/tribal lands? Yes/No/Don't know/Not Applicable</p>

Post-Traumatic Growth and Mental Health

Strong Focus on Resilience

- Methods of coping, survivance, and healing
- Highlight strengths and personal growth

Mental Health

- Previously Diagnosed
- Flag for further assessment

Trauma

- Identifying/flagging trauma



	Not at all	Very little	Sometimes	Quite a bit	A lot
129. Turn to faith/spirituality (e.g. pray)					
1. Connect with culture or tradition (e.g., sweat lodge, elders)					
129. Connect with and/or support others (e.g., talk to friends)					
130. Connect with nature (e.g. go to the woods, water)					

How much do you?

Substance Use



IDENTIFY HISTORY OF
TREATMENT



CAGE-AID
QUESTIONS ON USE



GENERATE FLAGS --
> NOT TO DIAGNOSE

Have you ever been in substance use treatment?

If yes, when were you in treatment(s)?

Currently

Not now, but in the past year

More than 1 year ago

Criminal
Record

Jurisdictions of
arrest

Offender
registration
and compliance

Criminal History

Do you regularly
spend time with
people who are
not involved in
criminal activity?

Yes / No

If yes, how many?

None 1 2 3+

Piloting the Tool

Testing the Effectiveness



Pilot Sites:



PILOT SITE A



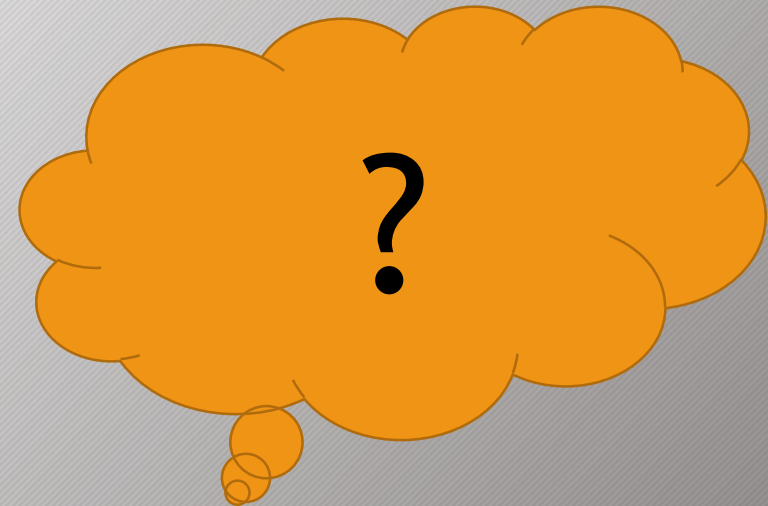
PILOT SITE B



PILOT SITE C

Mystery Pilot site

Pilot Site D



Preparing to Pilot

Meeting With All Stakeholders



IRB and Tribal IRB Applications



Developing Needs Flags



Tool Administration Manual



Tool Administration Training

Tool Administrator Training



Instructions for Use



Interview
Approaches



Planning Protocols
for Disclosure



Addressing Safety
Concerns

Finalizing Pilot Preparations



Technology Walk Through



Cultural Vetting

Objectives for Data Collection and Analyses

Examine whether the tool is reliable and valid.

- Questions within the tool consistently measure what we are trying to measure.
- e.g. questions within the culture and community domain consistently measure culture and community

Does the information we gather accurately measure risk and need in the population?

- i.e. the domains we measure are predictive of recidivism or other outcomes of interest

Explore the ways in which systems can best utilize the RNR tool

Data Collection Schedule

RNR Tool

- Interviews - electronically or paper
- ~300 across 3 sites
- 8 months

Recidivism

- 6 months - official data (DCJS, tribal court data, etc.)
- ~12-month data collection period
- Occurring concurrently with RNR Tool collection

Interviews with Stakeholders

- Brief qualitative interviews with stakeholders
- 1 month occurring at the end of project period



QUESTIONS?



Piloting in Your Court

- Are you interested in being a pilot site?
- Can you administer at pretrial?
- What is your pretrial caseload?

Contact us?!



Contact Info:

Adelle Fontanet, Esq.

Associate Director, Tribal Justice Exchange

Melanie Fritzsche, Esq.

Senior Program Manager, Tribal Justice Exchange

Tribaljustice@courtinnovation.org



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