


Addressing Responsivity Issues with Criminal Justice-Involved Native Americans

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Live Broadcast: November 19, 2015

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This webinar is being presented today with funds from the Bureau of Justice Assistance.

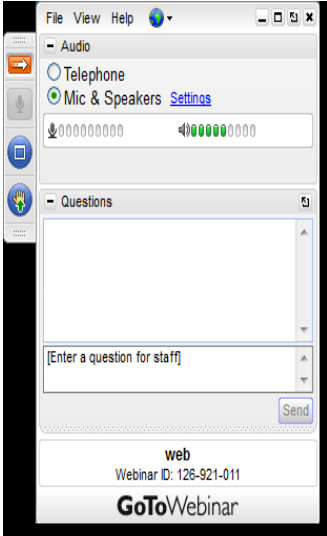

Bureau of Justice Assistance
U.S. Department of Justice

This webinar is funded by Grant No. 2012-IP-BX-Koo3 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice & Delinquency Prevention, the Office of Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of views or opinions in this webinar are those of the presenter and not necessarily reflective of the position or policies of the U.S. Department of Justice.




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Responsivity Issues

Kimberly Cobb
American Probation and Parole Association

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Risk, Need & Responsivity (RNR) Issues Affecting Native Americans

- Native American (NA) offenders are involved in criminal and juvenile justice systems handled by tribal, county, state, and federal agencies.
- Therefore several levels of justice practitioners, administrators, and policy makers come into contact with NA supervisees at various stages of the criminal or juvenile justice system.

- Lack of Indian-specific risk and needs assessment tools. To date, there has not been a risk and need tool validated or normed for NA populations.
- Programs incorporating culture or built upon cultural values, methods, or practices have not received sufficient evaluation to be considered evidence-based practices (EBP).
- Limited inclusion of criminal justice-involved NA individuals in studies.
- General risk and need assessment tools are not created for subpopulations.
- Limitations with case planning and interventions due to cultural knowledge and awareness




What is Responsivity?

The Responsivity Principle: (How)


refers to targeting interventions and services according to each individual offender.





Three Kinds of Responsivity

1. Offender character traits
2. Traits of the individual working with the offender
3. The program components



SEPTEMBER 2014

Federal PROBATION

*a journal of correctional
philosophy and practice*

**SPECIAL FOCUS ON: THE RESPONSIVITY PRINCIPLE IN
COMMUNITY CORRECTIONS**

Reconsidering the Responsivity Principle: A Way to Move Forward
By Guy Bourgon, James Bonta

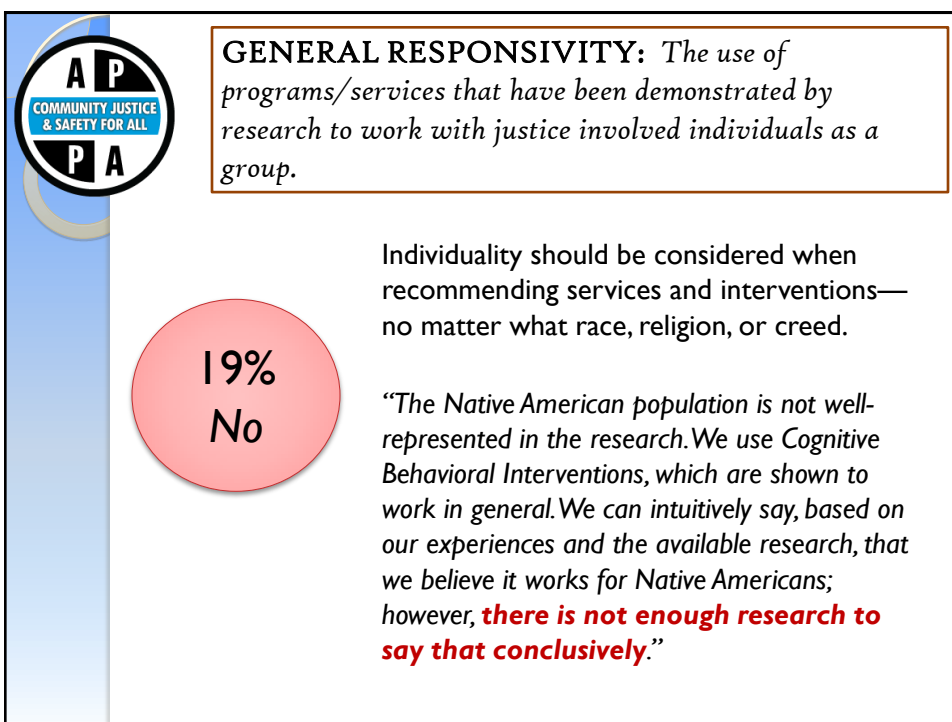
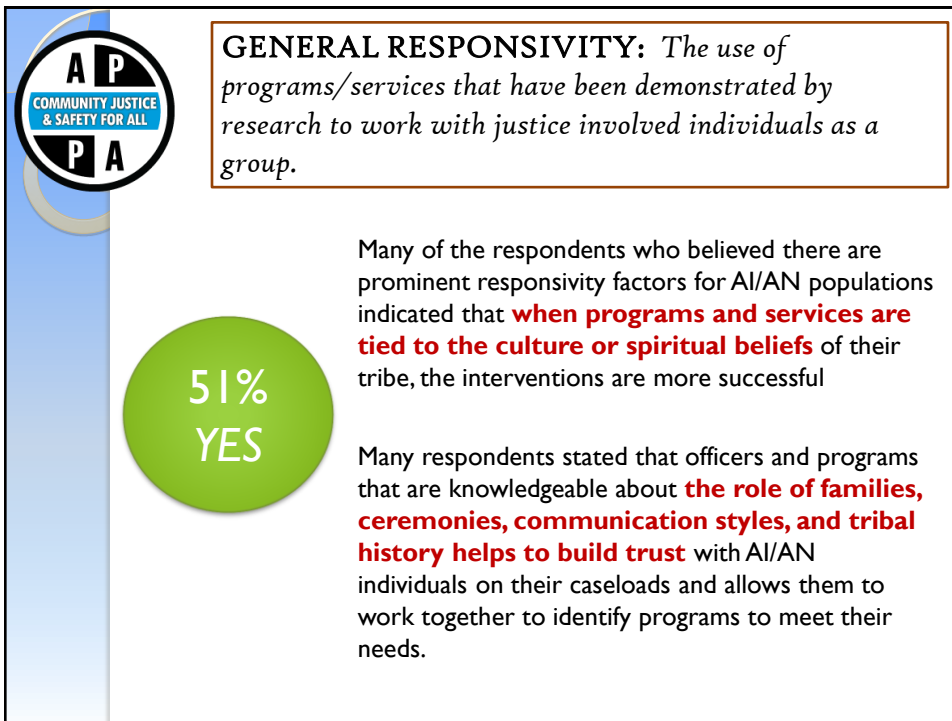
The Neglected "R"—Responsivity and the Federal Offender
By Thomas H. Cohen, Jay Whetzel


Health Coverage for People in the Justice System: The Potential Impact of Obamacare
By Risdon N. Slate, Laura Usher

Addressing Responsivity Issues with Criminal Justice-Involved Native Americans
By Ada Melton, Kimberly Cobb, Adrienne Lindsey, R. Brian Colgan, David J. Melton

Second Generation of RNR: The Importance of Systemic Responsivity in Expanding Core Principles of Responsivity
By Faye S. Taxman

Google:
"Federal
Probation
Journal"






Specific Responsibility: *Refers to individual, personal factors that can enhance the treatment response.*

60% YES

- Connection to the tribe
- Live on/off reservation
- Involvement in/connection to:
 - Ceremonies
 - Spiritual beliefs
 - Family involvement
- Generational alcohol/SAB
- Lack of trust
- Communication styles
- Historical trauma
- Fetal Alcohol Syndrome
- Transportation issues
- Lack of employment/educational opportunities



Using Core Correctional Practices to Build Engagement

Brian Colgan
*Supervisory United States Probation Officer
District of Arizona*

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Operationally, Responsivity is:

“Responsivity is about how we promote client engagement and client learning most efficiently and effectively.”

Bourgon & Bonta (2014)

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Adapted from Bourgon & Bonta, 2014

Change requires Learning


Learning requires Engagement


Engagement requires a Relationship

No Relationship, No Engagement

No Engagement, No Learning

No Learning, No Change

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What we can do to improve?


Holsinger, et al. (2006)

Added significance of the one-to-one contacts officers have with Justice-Involved Native Americans

“... extra care needs to be given to”:

- **Relationship Building**
- *Communication Styles*
- *Understanding Culture & Terminology*


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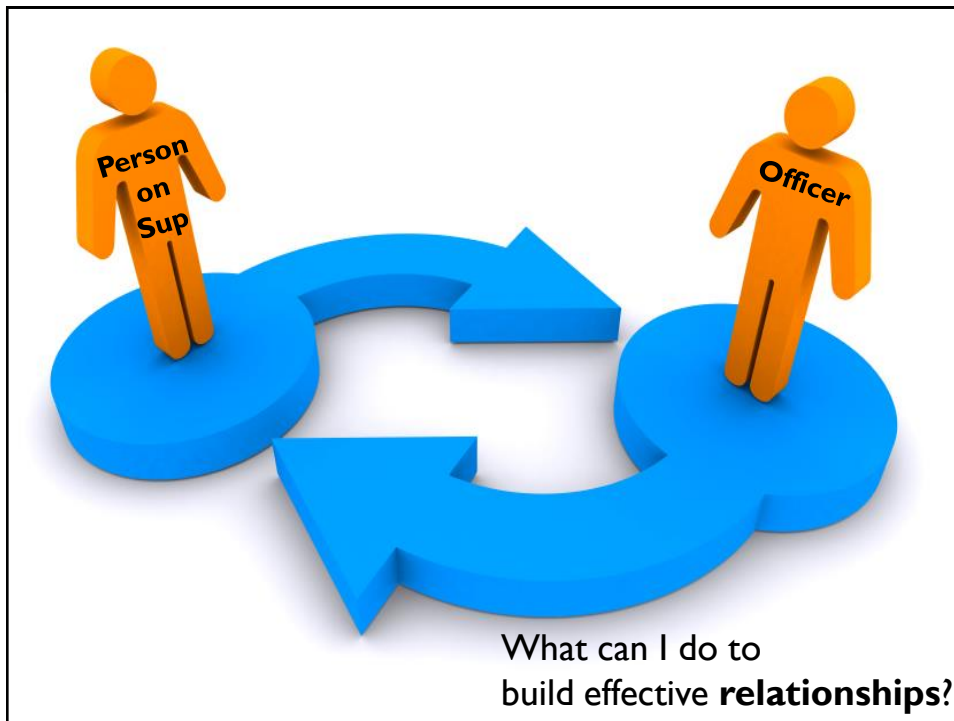



What is Culture?

“The attitudes and behavioral characteristics of a particular group.” (adapted from the on-line Oxford dictionary)

- Roles
- Expectations
- Boundaries
- Frame of Reference


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Core Correctional Practices

Andrews (1979), Andrews & Kiessling (1980)

- *STICS (Bonta, et al.)*
- *WWICs (Trotter)*
- *EPICS (University of Cincinnati)*
- *STARR (U.S. Courts)*
- *EPCIS II (Lowenkamp et al.)*
- *IBIS (Lowenkamp & Koutsenok)*
- *PCS (Taxman)*





Core Correctional Practices

Relationships are characterized by:

- Warmth
- Empathy
- Enthusiastic, non-blaming communication

Andrews (1979), Andrews & Kiessling (1980)


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Core Correctional Practices

Consider this (for CJ individuals):

“Research suggests that when a relationship between an officer and client is characterized as caring, warm, and enthusiastic, combined with respect, fairness and trust, the relationship can reduce the likelihood of recidivism (Dowden & Andrews 2004; Kennealy, Skeem, Loudon & Manchak, 2012)” from Chadwick, Dewolf & Serin 2015

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Core Correctional Practices

Structuring characterized by:

- Effective Reinforcement
- Problem Solving
- Pro-social modeling
- Skill building

Andrews (1979), Andrews & Kiessling (1980)

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What we can do to improve?

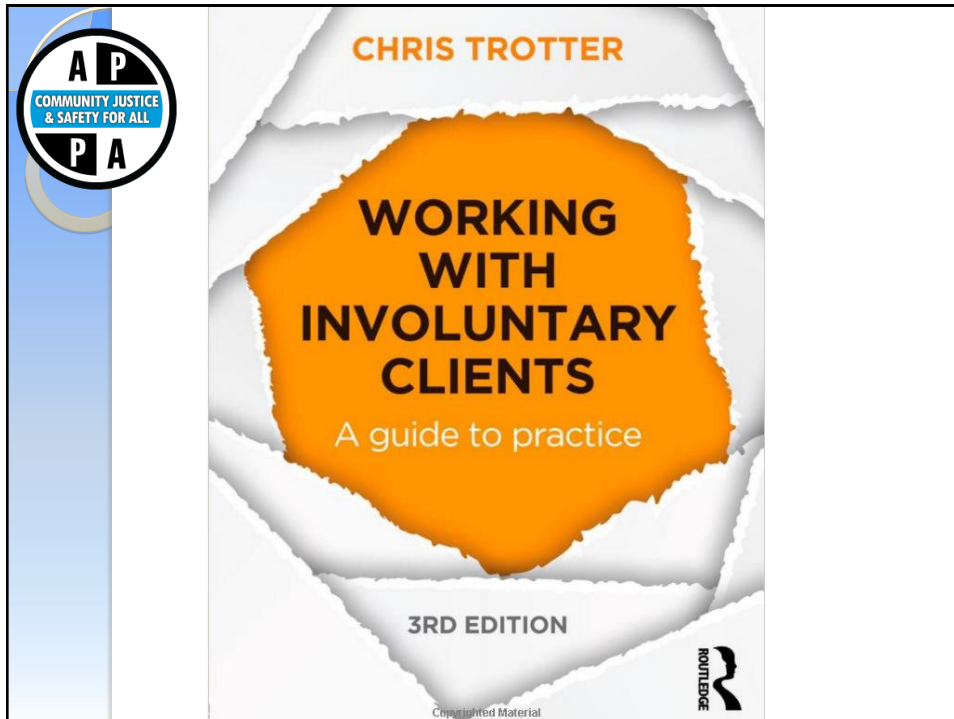

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Added significance of the one to one contacts officers have with Justice Involved Native Americans

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Role Clarification

The research suggests that role clarification should be viewed as one of the key skills in working with involuntary clients.

(Shulman 1991; Jones & Alcabes 1993; Andrews & Bonta 2010; Trotter 2004, 2013)

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Role Clarification


“Outcomes are improved for involuntary clients when workers focus on helping them to understand the roles of the worker and the client”

Trotter (1996)

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Polling Question







Role Clarification

Involves ongoing discussions about:

- The purpose of supervision
- **The person's goals (what they hope to accomplish)**
- The dual roll of the officer
 - Boundaries
 - Assistance
- How the officer's authority will be used
- Confidentiality


Trotter (1996) Trotter, McIvor & Sheehan (2012)


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Role Clarification (STARR)

1. Identify the agency's goals. (ASK)
2. **ASK them what they hope to accomplish on supervision & beyond.**
3. Identify what you hope to accomplish. (ASK)
4. Define the supervision process: what is negotiable & non-negotiable; the roles of those involved. (ASK)
5. Identify & discuss confidentiality. (ASK)


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Role Clarification

“... we found that a worker's focus on the potential consequences of not complying with conditions of a court order was often related to poor outcomes”

Trotter (1996); Trotter, McIvor & Sheehan (2012)


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Role Clarification

“On the other hand, helping clients to understand the purpose of the intervention and what was negotiable and not negotiable was related to good outcomes.”


Trotter (1996); Trotter, McIvor & Sheehan (2012)

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Role Clarification (*STARR*)

1. Identify the agency's goals. (ASK)
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Motivational Interviewing for Criminal-Justice Involved Native Americans

Adrienne Lindsey
Arizona State University
Center for Applied Behavioral Health Policy

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Polling Question





Why Motivational Interviewing?

- 180 RCTs demonstrating its effectiveness (Hettema, Steele, & Miller, 2005; Rubak, Sandbaek, Lauritzen, & Christensen, 2005)
- cultural congruence:
 - respecting one's autonomy
 - avoiding confrontation
 - emphasis on listening
 - focus on respect
- demonstrated effectiveness with NAs in the areas of: smoking cessation, reductions in alcohol consumption, increasing HIV testing, reduction in fetal alcohol syndrome rates (Daley et al., 2010; Foley et al., 2005; May et al., 2009; Woodall et al., 2007)
- Stronger effect with NA clients (.79) than White/Caucasian clients (.26) (Hettema, Steele, & Miller, 2005)



MI with Criminal Justice Populations

- Review of 13 peer-reviewed MI studies with offenders and 6 dissertations
 - 10 RCTs
- Change goals: reducing substance abuse, DV, and/or recidivism
- Results:
 - Study participants improved their motivation/readiness to change in 8/10 studies that measured that variable
 - Study participants reduced their substance use in 3/4 studies measuring that variable

(McMurrin, 2009)



MI with Criminal Justice Populations (cont'd)

- Sample: male & female probationers, most with alcohol/drug-related charges
- Compared officers using an MI style versus usual supervision style
- Treatment group demonstrated significant improvements in :
 - Criminal thinking
 - Anticipating rearrest/reincarceration
 - Perceived personal/life problems
- Significant reduction in alcohol/drug scores on problem inventory for MI group compared to control group

(Harper & Hardy, 2000)



Types of MI Learning


- Randomized control trial comparing types of MI learning, conducted by Bill Miller & Terri Moyers
- Percentage of professionals/providers using MI after various forms of training (n=140):
 - Manual only: **22%**
 - Workshop only: **37%**
 - Workshop and feedback (on a work sample): **60%**
 - Workshop and coaching: **60%**
 - Workshop + coaching + feedback: **78%**

(Miller, Yahne, Martinez, Moyers, & Pirritano, 2004)



Next Steps


- 1) Participate in an MI training/workshop(s)
- 2) Submit work samples to a supervisor or in-house MI coach (alternative: live observation)
- 3) Participate in ongoing MI supervision

Additional MI Resources

Native American Motivational Interviewing:
Weaving Native American and Western Practices

A Manual for Counselors in
Native American Communities



Kamilla L. Venner, PhD (Alaska Native)
Sarah W. Feldstein, MS
Center on Alcoholism, Substance Abuse and Addictions
Department of Psychology
University of New Mexico

Nadine Tafuya, MSW, LISW (Mesquero Apache)
Nadine Tafuya and Associates
Native American Substance Abuse Prevention Programs
Technical Assistance and Program Evaluation

© 2005 Venner, Feldstein & Tafuya

*Native American Motivational Interviewing:
A Manual for Counselors in Native
American Communities*

<http://casaa.unm.edu/download/nami.pdf>

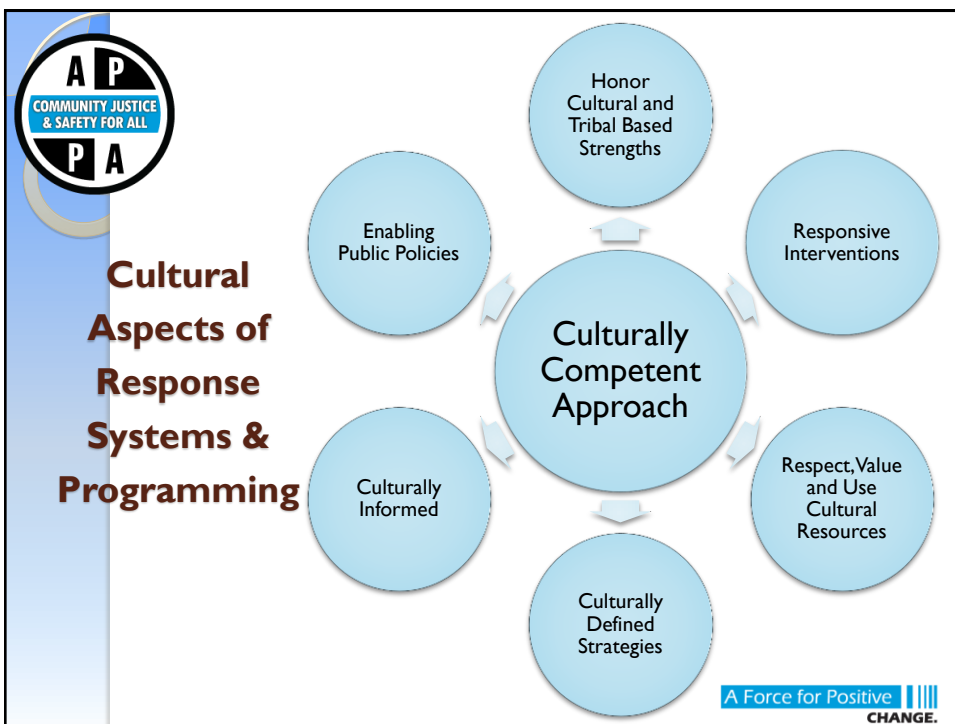
*Enhancing Motivation for Change: A
Learner's Manual for the American
Indian/Alaskan Native Counselor*


<http://www.oneskycenter.org/wpcontent/uploads/2014/03/AmericanIndianTrainersGuidetoMotivationalInterviewing.pdf>



Ada Pecos Melton
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Importance of Culture Working with Tribal Clients

Programs incorporate cultural or tribal based elements to:

- Heighten awareness
- Responsivity factors
- Unique factors
- Costs Effective


Cultural programming presents opportunities:

- Cultural education, awareness, & skill building
- Use community-based resources
- Address infringement of cultural rights and privileges

Use of culture provides:

- Support that Individuals are familiar with,
- Address issues that conventional interventions can't
- Increases grounding and connectedness that some people may need to make changes in other aspects of their lives

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Differences of Evidence-Based Practice (EBP) and Practice-Based Evidence (PBE)

Evidence-Based Practice


- Decisions are made based on research studies or program evaluations
- Research & evaluation studies are selected and interpreted according to specific EBP norms or characteristics.

Practice-Based Evidence

- Programs incorporating culture have not been evaluated enough to be considered evidence-based practices.
- Cultural practices often referred to being around since time-immemorial, results can be seen, but changes haven't been measured.

With out the EBP mark, programs are considered to lack credibility and shouldn't be replicated.


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Differences of Evidence-Based Practice and Practice-Based Evidence

<u>Evidence-Based Practice</u>	<u>Practice-Based Evidence</u>
<ul style="list-style-type: none"> • These norms disregard theoretical and qualitative studies and consider quantitative studies according to a narrow set of criteria of what counts as evidence. 	<ul style="list-style-type: none"> • PBE refers to methods and/or approaches that have longstanding usage, but that have not been formally evaluated or researched. • For example tribal or culture-based methods for peacekeeping or peacemaking, healing ceremonies.

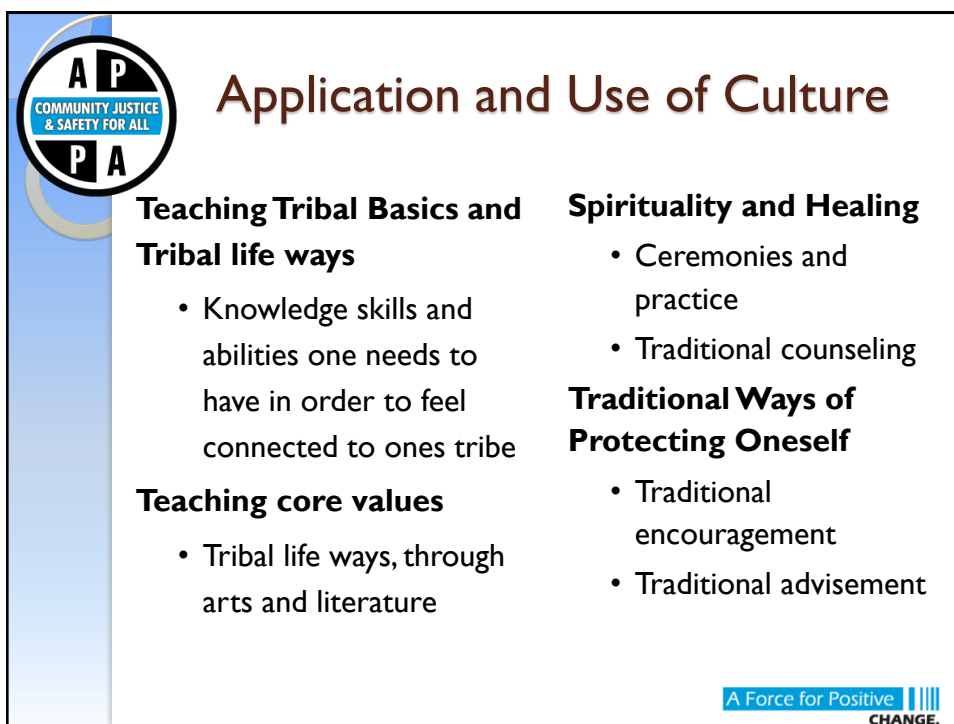
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Differences of Evidence-Based Practice and Practice-Based Evidence

<u>Evidence-Based Practice</u>	<u>Practice-Based Evidence</u>
<ul style="list-style-type: none"> • EBP tend to be policy or programs proven to influence positive change behavior. • Tend to be the gold standard for program evaluation and replication. • Policies or programs may or may not fit within tribal contexts. 	<ul style="list-style-type: none"> • Locally defined PBE builds on Tribe's cultural knowledge, beliefs, traditions and practices and identifies the most appropriate ways for use in program strategies. • Tribal protocols may also apply, i.e., oral tradition for obtaining help, family spokes persons, traditional payment, etc.

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Challenges to Incorporating Culture

- Access to cultural experts, practitioners
- Time & resources constraints
- Competing interests
- Cultural competence
- Cultural differences


System Readiness

- Enabling policies and procedures
- Culturally Informed staff
- Intergovernmental relationships
- Cultural fidelity

Outreach & Involvement

- Being informed about cultural programming by tribal programs.
- Personal interaction when asking tribal experts, practitioners, etc. to share their cultural knowledge.

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Programmatic Role of Culture

Culture has a significant role in administering tribal justice programs and services on four levels.


1. Knowledgeable program staff.
2. Clients level of cultural competence or proficiency needs to be assessed and services provided accordingly.
3. Interventions and programs need to promote both in order to adequately address individual needs and determine the most appropriate course of action.
4. Programs need to incorporate interventions and remedies that reflect the culture of the tribe being served.


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Ongoing Cultural Guidance

- Building ongoing strategies to guide program design, development and implementation.
- Individuals that are not from the Tribe provide services to tribal citizens; as a result, providers need guidance from culturally informed tribal experts.
- It is helpful to have concurrence from recognized tribal experts to ensure cultural appropriateness or validity in programs.
- Having a protocol for setting up short-term work groups, put in place just long enough to design a component or complete a task.


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TRIBAL COMMUNITY PROFILE

A community profile provides information to help gain understanding about the environment in which tribal individuals live.


- Tribal Demographics
 - Population, land, location
- Economic Factors
 - Jobs, housing, education
- Government Structure
 - Constitutional, tradition, village
- Leadership Structure
 - Elections, appointments, titles
- Justice System
 - Jurisdiction, court, law enforcement, corrections
- Allied Services
 - Victim services, Behavioral & Health, Tx Options
- Cultural based resources
 - Spiritual, ceremonies, arts


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Program Guidelines


1. Protocols for consultation with governmental and community level groups.
2. Cultural guidance protocols to maintain ongoing input and advice.
3. Policies and procedures to guide staff.
4. Specific program components that outline the cultural features, target population to be served, what will be done, the dosage, and frequency.
5. Adaptations of another Tribe or ethnic group's culture-based program or practice should begin with validating their relevance and appropriateness to use in the local program.
6. Sustainability strategies should be included in the plan to ensure continuance of ongoing and new cultural-based programming.

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Cultural Programming Expectations

- Increase collaborative planning for culturally germane services and programs.
- Increase service collaboration among tribal and community-based cultural resources such as spiritual leaders and other cultural experts.
- Increase knowledge and use of tribal culture to reduce behavioral problems during and after confinement.
- Institutionalize culturally relevant and appropriate programs for services and programs.
- Increase in human capital to provide cultural programming.

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- This webinar has been recorded and will be available for future viewing in a few days.
- The PowerPoint materials will be made available along with the link to the recorded webinar.
- If you have any follow up questions, please contact:

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