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RISK AND RESILIENCY FACTORS IN PREDICTING RECIDIVISM AMONG NATIVE AMERICANS ON A MONTANA RESERVATION

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Risk and Resiliency Factors in Predicting Recidivism among Native Americans on a Montana Reservation

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Background: According to a 2014 report, approximately 1 in 100 American adults are incarcerated, which represents a 500% increase over the past 40 years and accounts for the largest population of prisoners in the world. Despite research that suggests incarceration is not an effective deterrent for crime, incarceration continues to increase at a historically unprecedented rate. Mass incarceration disproportionately affects communities of color. In Montana, Native Americans are overrepresented at all levels of the correctional system. In addition, Native American ex-offenders are just over twice as likely as non-Native Americans to recidivate and be returned to a correctional institution, mostly for technical violations. Many of these technical violations could be due to an invalid risk assessment that places them in higher or lower risk categories than the risk they actually pose for re-offense. There is a general lack of research regarding the predictive ability for general risk assessment with Native American offenders, and the research that is available is mixed. The Level of Service Inventory-Revised (LSI-R) is one of the most widely used recidivism risk assessments. Studies have shown low to moderate predictive ability for the LSI-R in Native American offender populations. Critics have argued that Native American offenders have culturally-specific risk and resiliency factors that are not captured by current risk assessment tools. *Method:* This study utilized de-identified archival data collected in partnership with the Flathead Reservation Reentry Program (FRRP). Participants included 166 federally recognized adult male (n = 101, 60%) and female (n = 65, 40%) tribal members who were criminally involved and currently living on or planning to return to the Flathead Reservation upon release from a correctional facility. Intake data was collected from February 2016 through February 2017. Outcome data, collected until February 2018, included any new charge that resulted in a conviction for up to one year from the participant's intake date. *Results:* Hierarchical Binary logistic regression analysis showed that culturally-specific factors (i.e., Historical Loss Scale, Historical Loss Associated Symptoms Scale, and the Cultural Connectedness Scale) predicted recidivism over and above the offender's risk level, as determined by the LSI-R. Additionally, ROC analysis (AUC = .65) and scale reliability (Cronbach's alpha = .48) found poor utility for the LSI-R within the present Native American sample. Post-hoc analysis identified education/employment, family/marital discord, and anger/avoidance from the Historical Loss Associated Symptom Scale as risk factors and frequent thoughts about historical loss, increased cultural connection (specifically increased cultural participation) as resiliency factors. *Discussion:* These results begin to address the gap in recidivism research on risk assessment of Native American offenders and illustrate the need for inclusion of culturally specific factors in risk assessment with Native American offenders.

TABLE OF CONTENTS

ABSTRACT……..…….iii

CHAPTER

I. INTRODUCTION……...1
- a. Incarceration and Arrest Rates in the United States…….…….……1
- b. Recidivism in the United States……...…4
- c. Incarceration and Arrest Rates in Montana…….…….…6
- d. Recidivism in Montana……..8
- e. Native American Incarceration and Arrest Rates in Montana…….…..9
  - i. A Brief History of Native Americans in the Montana Correctional System ……13
  - ii. Jurisdiction in Indian Country……19
- f. Native American Recidivism Rates in Montana……..25
- g. Reintegration……26
  - i. Barriers to Reintegration…….....26
  - ii. The Risk-Need-Responsivity Model……31
    1. Risk Assessment……..…….……..……33
    2. Risk Assessment with Native American Offenders……..…...35
- h. Cultural/Historical Factors and Recidivism…….38
  - i. Historical Loss and Associated Symptoms…….....38
  - ii. Cultural Connectedness as Resilience…….42
- i. Second Chance Reentry Project ……..……45
- j. Flathead Reservation Reentry Program's Target Population……..…48
- k. Rationale and Hypotheses…….....49

II. METHODS……51
- a. Participants……..51
- b. Measures……..52
  - i. Reentry Intake Assessment Tool…….....52
  - ii. Level of Service Inventory-Revised……...…..……...……52
  - iii. Historical Loss Scale……53
  - iv. Historical Loss Associated Symptom Scale……54
  - v. Cultural Connectedness Scale…….55
- c. Procedure…….……55
  - i. Data collection within the Reentry Program……...…55

III. RESULTS……..57

IV. DISCUSSION …….……..66
- a. Risk Factors for Recidivism……70
- b. Resiliency Factors for Non-Recidivism……..74
- c. Implications for Reentry Planning with Native American Offenders…….76
- d. Limitations and Future Directions……..78

REFERENCES……..82

APPENDICES…….101

CHAPTER I

Risk and Resiliency Factors in Predicting Recidivism among Native Americans on a Montana Reservation

Incarceration and Arrest Rates in the United States

Over the past half century, the United States has increasingly become fixated on the penal system as a solution to social problems, which has resulted in a slew of other social problems, but at the core is the phenomenon of mass incarceration. The rate of incarceration in the United States has more than quadrupled in the past four decades (Carson, 2014). According to a 2014 report, approximately 2.2 million people (1 in 100 American adults) are currently incarcerated, which represents a 500% increase over the past 40 years and accounts for the largest population of prisoners in the world (National Research Council, 2014). In 2014, American prisons held approximately 25% of the world's population of prisoners, despite only representing 5% of the world's population (National Research Council, 2014). The Sentencing Project (2015) argues that the extreme growth in incarceration rates is not associated with a rise in crime: instead changes in sentencing laws and policy explain most of the increase. For example, Nellis (2013) found that the population of prisoners who are currently serving life has showed a four-fold increase since 1984, despite the decline in the rate of serious violent crime over the past 20 years. The FBI's Uniform Crime Reporting Program estimated that in 2014 violent crime showed a 16.2% decrease from 2005 and a 18.6% decrease in property crime rates.

Mass incarceration, however, has not affected all communities equally. Racial disparities in incarceration rates and sentencing have had a significant impact on minority communities. Everett and Wojtkiewicz (2002) found that African Americans, Hispanics, and Native Americans received relatively harsher sentences than Whites and concluded that the disparity could only be

partly explained by offense-related characteristics. The United States Sentencing Commission (2012) found that Black males in the federal system received sentences that were on average 20% longer than the sentences given to White males. In addition, Rehavi and Starr (2012) found that Black males in the federal system receive longer sentences than their White counterparts who were arrested for the same crime and had similar criminal histories. Alarmingly, Droske (2007) showed that Native Americans who were prosecuted for aggravated assault in Federal court received sentences that are 62% longer than defendants who were prosecuted in State court for the same offense.

Alexander (2012) asserted that "no other country in the world incarcerates so many of its racial and/or ethnic minorities" (p. 6). Racial minority inmates (i.e., Black, Asian, Native Americans) currently make up 41.2% of the prison population (Federal Bureau of Prisons, 2016), despite only representing 22.9% of the total U.S. population (U.S. Census Bureau, 2015). Ethnic minority inmates (i.e., Hispanic) make up 32.8% of the federal prison population, despite only representing 17.4% of the total U.S. population (U.S. Census Bureau, 2015). Scholars and civil rights activists have argued extensively that America's drug laws and the political motivation behind "the war on drugs" campaign represent a new era akin to the Jim Crow laws.[1] The popularity of the association between America's drug laws and the racial disparity in mass incarceration is apparent in Michelle Alexander's 2012 best seller, *The New Jim Crow: Mass Incarceration in The Age of Colorblindness.*

Among many other important things, Alexander (2012) highlighted two important claims. First, contrary to what one might assume, governments implement punishment (e.g., incarceration, mandatory minimum sentencing laws, truth in sentencing laws, and three strikes

[1] Jim Crow laws refer to a series of laws and ordinances enacted between 1887 and 1965 that essentially legalized segregation by denoting "equal" but separate access to public places for racial and ethnic minorities.

laws) “as a form of social control, which is often unrelated to actual crime patterns” (p. 7). Second, prison is not a successful intervention for preventing crime. Many sociologists and criminologists during the mid-1970’s predicted that the prison system would become obsolete based on the convergence of criminology research that found prison was not a significant deterrent for crime. In fact, the National Advisory Commission on Criminal Justice Standards and Goals (1974) echoed the failure of the prison institution and recommended that “the most hopeful move toward effective corrections is to continue and strengthen the trend away from confining people in institutions and toward supervising them in the community” (p. 48), arguing that “prisons heighten offenders’ weaknesses and erode inmates’ capacity for responsibility and self-government” (p. 49). Further, the commission recommended that all major institutions for juveniles be phased out over a five-year period and that no new institutions for adults be built. Since 1973, contrary to the experts’ recommendations, incarceration rates and prison construction boomed. Between 1970 and 2005 alone, the number of people incarcerated rose by 700%. In a 2010 report to congress, Kirchhoff stated that from 1990 to 2005 the number of state and federal adult correctional facilities increased by 43%. Beale (2001) found that in the mid 1990’s, during the peak of the prison construction boom a new U.S. prison opened (on average) every 15 days. As the financial toll of housing and feeding the growing number of inmates began to weigh on the state and federal budgets, the government began to rely on private companies to build and run prisons. Kirchhoff’s (2010) report to congress stated that “of the 153 prisons and jails that opened between 2000 and 2005, 151 were private institutions. The number of private facilities under contract to states or the federal government rose by 57% during that five-year period” (p. 15). Additionally, Shapiro of the America Civil Liberties Union (ACLU) (2011)

reported that in just a 20-year period (from 1990 to 2009) the number of people incarcerated in private prisons rose from 7,000 to 129,000; representing a 1600% increase.

The profit margin for private prisons has been estimated at about $3 billion dollars in annual revenue, with many of the chairmen, presidents and CEO's raking in millions of dollars in executive compensation (Shapiro, 2011). The political, bureaucratic, and economic interests created by mass incarceration and the privatization of prisons have been termed The Prison Industrial Complex. The Prison Industrial Complex is a "sector dependent on government funds, with a vested interest in the continuation or expansion of the prison system" (Kirchhoff, 2010, p. 21). The profit margin gained from privatizing prison and the subsequent development of the Prison Industrial Complex provides motivation and political power, for those who benefit monetarily, to maintain current legislation that keeps incarceration rates high and sentences long (Shapiro, 2011). The profit margin for private prisons, as well as tough drug enforcement, stringent sentencing laws, and high rates of recidivism can explain most of the unprecedented increase in incarceration and arrest rates in the United States over the past 40 years.

Joan Petersilia (2007) summed up the distaste for mass incarceration in her book, *When Prisoners Come Home: Parole and Prisoner Reentry*, by stating,

> the criminal justice system is increasingly viewed as ineffective at reducing recidivism, incredibly expensive, and destructive of the lives of both victims and offenders. Ultimately, overly punitive approaches to criminal punishment fall equally heavily on the offender's family and the community to which he returns. (p. 12)

Recidivism in the United States

Recidivism can be defined and measured in several different ways (i.e. the re-arrest, re-conviction, or re-incarceration of an ex-offender). Two of the most common ways to measure

recidivism is by any new arrest or by a re-conviction resulting in a return to a prison institution. One of the barriers in summarizing national recidivism data is that state, federal and local institutions do not use a standardized operational definition of recidivism, which often results in disjointed and incomplete recidivism outcome data.

Recidivism, which generally refers to an offender's relapse into criminal behavior, is becoming a topic of increasing concern for policy makers, legislatures, and researchers as high recidivism rates have been identified as a key contributing factor to mass incarceration. Since the mid-70's the "tough on crime" rhetoric has prioritized getting the criminals off of the streets in order to enhance public safety, despite the plethora of evidence that suggests mass incarceration does not deter crime. Additionally, the priority of incarceration has left minimal resources for offenders once they were detained and even less for their reintegration back into society. For the most part, the social constructs that facilitated crime for the offender prior to incarceration remain in place when the offender returns to the community. Moreover, the offender has a felony record that will further reduce the availability of resources which were largely inaccessible to the offender prior to incarceration. These examples of the social dynamics that are in place for prisoner reentry have created a "revolving door" system for offenders that contribute to the deterioration of families, communities and public safety.

The Bureau of Justice Statistics (BJS) most recent and comprehensive study on recidivism followed 404,638 state prisoners from their release in 2005 to 2010. The study found that 67.8% were re-arrested within three years and 76.6% were re-arrested within five years of release. However, the study also showed that only 49.7% of the released state prisoners returned to prison within three years of their release, and 55.1% returned to prison within five years of their release. Thus, depending on the preferred operational definition of recidivism, the study

showed a national three-year recidivism rate of approximately 67.8% or 49.7% respectively (BJS, 2014). The statistics are stark regardless of the how one defines recidivism. The "revolving door" phenomenon of recidivism is a national crisis.

Moreover, ex-offenders are being arrested and sent back to prison primarily for technical violations or minor public order offenses. For example, of the state prisoners who were re-arrested, 25% were arrested for a probation or parole violation, while 39.9% were arrested for some other public order offense such as failure to appear, disorderly conduct, public nuisance, missing a scheduled meeting with a parole officer, being present in a facility that primarily serves alcohol, failing a drug test, missing three or more sessions with a counselor, or being fired/failing to obtain employment in a specified time period (BJS, 2014). Thus, the majority of re-arrests were not due to committing a new crime; rather, about 65% of the re-arrests were due to non-compliance of their release conditions or a minor public order offense.

Most importantly, the report showed that a small portion (16%) of the released offenders represented 50% of the total arrests (1.2 million arrests) made in the five-year follow-up period (BJS, 2014). In other words, one of the greater burdens on the criminal justice system consists of a small subset of repeat low-level offenders, evidenced by the multitude of arrests, yet most not significant enough to send the offender back to prison.

Incarceration and Arrest Rates in Montana

The national trends have extended to Montana in that a drastic increase in incarceration and arrest rates have been observed across the state. A 2015 U.S. Department of Justice report found that Montana had a 56% increase in jail inmates over a 16-year period (from 1999 to 2013), which represents the largest percent increase out of all 50 states (Minton et al., 2015). Montana's jail incarceration rate (i.e., 360 per 100,000 people) is also the highest of its neighbors

(i.e., Idaho = 280 per 100,000; North Dakota = 260 per 100,000; South Dakota = 260 per 100,000; and Wyoming = 320 per 100,000).

Not only have arrest rates increased, but the 2015 report also showed that the average length of stay in Montana jails was 21 days, which is three days longer than the average of 18 days reported for West and Midwest jails (Minton et al., 2015). The adult male inmate population in Montana has increased 5.3% over five years (from 2010 to 2015), while the adult female inmate population grew 28.4% over the same five-year period (Montana Department of Corrections, 2015).

Chung, Fisher, and Call (2016) reported that the overall crime rate in Montana has decreased 18% from 2000 to 2014. More specifically, property crimes (i.e., burglary, larceny-theft, and motor vehicle theft) have decreased by 31% and are currently at their lowest in over 25 years. Violent crimes (i.e., murder, rape, robbery and aggravated assault) showed a 4% increase from 2009 to 2015 but remained lower than reported violent crime rates from the early to mid-2000's. Aggravated assaults accounted for 51% of the increase in the violent crime rate. Despite the overall decrease in reported crime, the total number of arrests increased by 12% (about 4,000 arrests) from 2009 to 2015. Further, they explained that arrests for revocation, probation/parole violations, and failures to appear (FTA) accounted for about 45% of the increase in total arrests. Thus, despite the overall reduction in crime the arrest and incarceration rates are at an all-time high. Almost half of the 12% increase in arrests (about 2,000 arrests) is accounted for by low-level offender recidivism.

In a 2016 report to the Montana Commission on Sentencing, Chung, Fisher, and Call reported that Montana's prison population is currently over capacity and projections show an increase of 17% by 2025. Estimates showed that expanding capacity to account for projected

incarceration could cost the state "tens to hundreds of millions of dollars over nine years" (p. 3). From 1979 to 2013 Montana increased its state and local Corrections budget at a rate of 254% higher than its budget increases for public education (U.S. Department of Education, 2016). In fact, just over the past five years, the annual general funds expenditure for Montana Department of Corrections increased by $14.5 million. Montana is following the disturbing national trend of prioritizing corrections spending over education spending. Further, Montana already dedicates less money per pupil than the national average for public education spending (U.S. Department of Education, 2016). Research has well established the link between low educational attainment and criminal behavior and subsequent risk for recidivism (Groot & van den Brink, 2010). Edgerton (2004) convincingly argues that "Montanans, as they have so many times in the past, have set as a priority, warehousing thousands of their citizens in cramped and increasingly expensive prison cells" (p.111).

Recidivism in Montana

Rates of recidivism in Montana are comparable to the national average. In a 2006 report to the Department of Corrections (DOC) and Pre-release Centers of Montana, Conley and Shantz (2006) found a general recidivism rate of 45% (398 people out of 885 people) for adult offenders who successfully completed pre-release stays. Of the 28% who did not successfully complete pre-release stays, almost all of them were returned to a correctional institution for technical violations. The Montana Department of Corrections (2015) reported a three-year return rate (i.e., the entrance or return to any correctional program) of 43% for male offenders, which remained relatively stable from 2002 to 2011. Females showed a three-year return rate that ranged from 34% to 44% during that same time period. Montana DOC (2015) also reported that over half of

the inmates who recidivated did so in the first year of their release with the second highest recidivism rates occurring within the second year of their release.

Conley and Shantz (2006) also found that 93.1% of pre-release center residents who were surveyed had a substance abuse or chemical dependency disorder either at the time of admission or discharge. Interestingly however, chemical dependency/substance abuse was not a significant predictor of recidivism in their model.

Congruent with the national trend, the vast majority of recidivism rates in Montana are due to technical violations rather than committing a new crime. Conley and Shantz (2006) reported that 84.9% of individuals who recidivated were returned to the institution for a technical violation only, while 8.9% of those who recidivated committed a new crime, and only 6.2% were returned for committing both a new crime and a technical violation.

High rates of recidivism in Montana have an impact on state and local community resources as well as an economic impact. The Council of State Governments Justice Center reported that "the primary driver of costs and growth in Montana's criminal justice system, including the growth in arrests, alternative facility admissions, and prison admissions, is people who are cycling back for technical violations" (Reynolds, Chung, Barbee, Call, & Vinson, 2016, p. 13).

Native American Incarceration and Arrest Rates in Montana.

Chung, Fisher, and Call (2016) reported that arrests for American Indian/Alaska Native (AI/AN)[2] people in Montana accounted for 19% of all arrests from 2009 to 2015. In addition,

[2] Determination of American Indian status within the correctional system varies widely. Many correctional institutions use self-report methods, while other correctional services utilize federal funding for serving AI/AN people require their being enrolled in a federally recognized tribe. Tribal enrollment is set forth in tribal constitutions and varies from tribe to tribe. Common enrollment procedures include proof of lineal decendency from a base roll, blood quantum, tribal residency, or community recognition (U.S. Department of the Interior, n.d.)

they concluded that the increase in arrests for AI/AN people in Montana were driven by supervision violations or failure to appear, rather than committing a new crime.

Native Americans are disproportionally represented in Montana's correctional system. While representing 6.6% of Montana's general population (US Census Bureau, 2015), Native Americans make up 17% of Montana's offender population. Native American women make up 35.8% of the female prison population, while Native American men account for 19.6% of the male prison population (MDOC, 2015). This racial disparity in incarceration rates has remained relatively stable since 1997 (MDOC, 2015).

At mid-year 2014, over half of the total Montana state Native American offender population (both male and female) self-identified as either Salish-Kootenai, Chippewa-Cree, or Blackfeet (see Figure 1 below). More specifically, 93 of the 496 Native Americans in the Montana prison system self-identified as Salish-Kootenai, 91 self-identified as Chippewa-Cree and 79 self-identified as Blackfeet (MDOC, 2015).

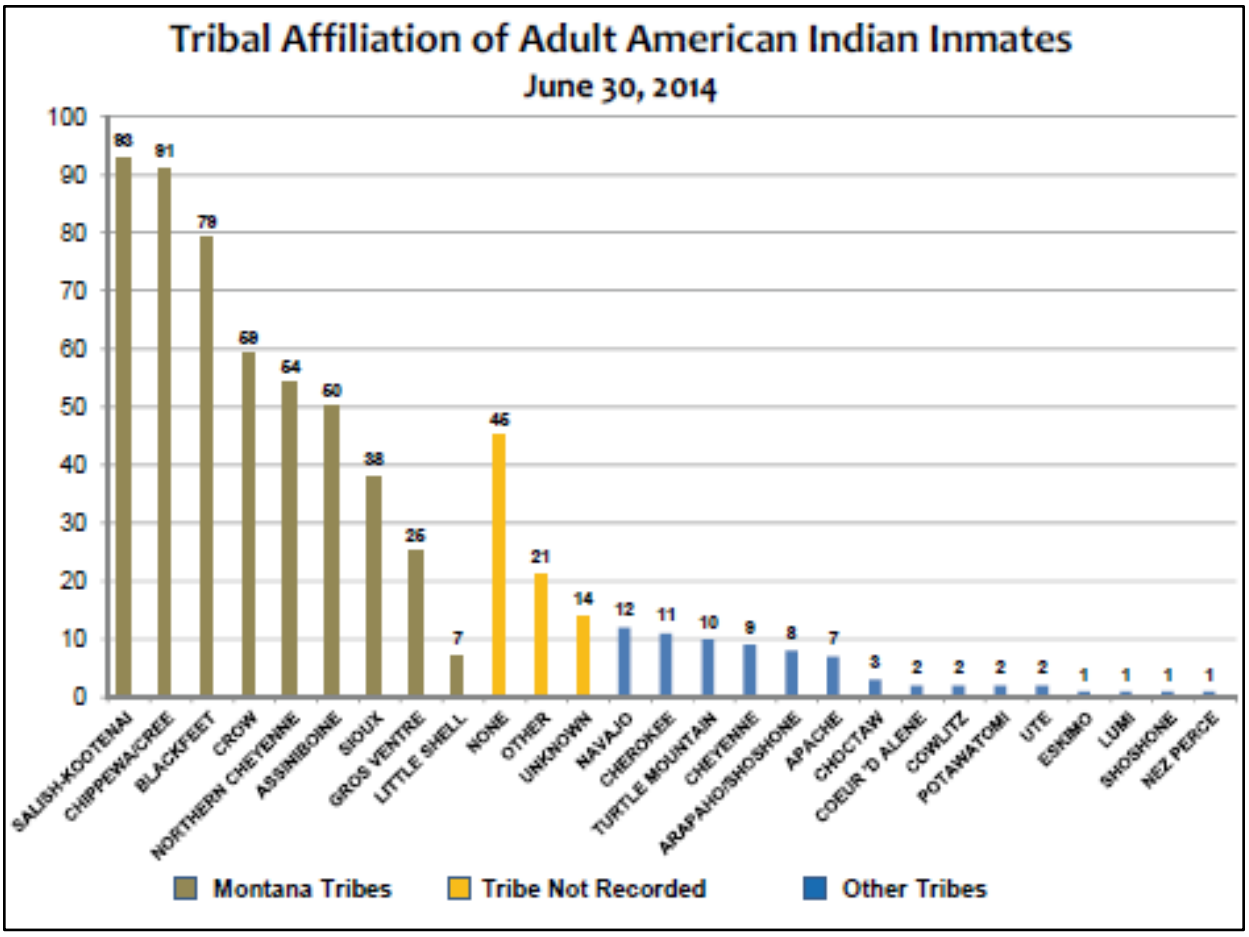

Figure 1. Tribal Affiliation of Montana Adult American Indian Inmates. This figure depicts the number of male and female inmates at mid-year 2014 who self-identified as American Indian and reported their tribal affiliation (MDOC, 2015, p. A-16).

Even more troubling is that these figures only include offenders who commited a crime in a Montana state jurisdictional area. Six out of the seven Montana reservations are subject to federal criminal jurisdiction. For this reason, about one-third of the Federal District of Montana's caseload consists of crimes committed by Native Americans (U.S. Sentencing Commission, 2013). Further, the number of Native American federal inmates has increased by 27.2% from 2009 to 2013. During fiscal year 2013, there were 1,419 Native American federal offenders, most of which were male (81.2%), 34 years old (on average) at the time of sentencing, and

received an average sentence of 49 months. Almost half of the total number of offenders had little or no prior criminal history. Of the 1,419 total Native American offenders, 117 had cases from Montana (U.S. Sentencing Commision, 2013).

Luana Ross, a professor of Gender, Women, and Sexuality Studies, University of Washington and member of the Confederated Salish and Kootenai Tribes, argued that the overrepresentation of American Indians in the corrections system is a function of early U.S. and tribal relations where political and economic motivations contributed to the social construction of Native American deviance. Her 1998 book titled, *Inventing the Savage: The Social Construction of Native American Criminality*, is an extension of her 1993 doctoral dissertation that qualitatively explored and contrasted the experiences of Native American and White women in Montana Women's Correctional Center (WCC). Her dissertation highlighted the alarming racial disparity of incarcerated Native American women in Montana as well as the historical and present-day injustice they experienced within the correctional institution. She also explored the effects on the family system when Native mothers are behind bars. Ross (1993) found that racism, sexism, and homophobia played a major role in the lives of the incarcerated women. The Native American women described instances of racism and cultural misunderstanding on the part of correctional officers, which often resulted in being written up for misconduct, solitary confinement, or relocation to the maximum-security side of the prison resulting in loss of basic privileges. Ross (1993) concluded that incarcerated Native American women experience prison differently than White women. In particular Native American women were often perceived as "more dangerous," which resulted in a disproportionate number of Native American women moved to the maximum-security side. She found that this stereotype also resulted in harsher treatment from correctional officers, less access to medical care and mental health resources,

racial discrimination in job placement, and less access to educational programs and opportunities within the WCC.

Despite the longstanding racial disparity in the Montana State Prison male population, there is no research to date investigating the Native American male inmate experience in Montana State Corrections. There have been, however, several attempts by journalists and political figures to raise awareness of the issue. For example, in the 2005 Legislative session, Carol Juneau, a Montana State Senator from Browning, proposed a bill that would delegate funding to a study investigating the racial disparities in Montana State Prison (Seldon, 2005). However, despite the approval of such a study in the 2005 Legislature, the proposal was considered low-priority, and was not carried out (Franz & Novakova, 2007). In place of a "costly and lengthy study", the Department of Corrections hired Myrna Kuka, a Montana tribal member, to act as the American Indian Liaison. The position had been in place for six years prior to Myrna's hiring; however, she was the first Montana tribal member to be appointed to the position. In 2013 Harlan Trombley, also a Montana tribal member, assumed the role as the American Indian Liaison and continues to hold the position today. In his role, Trombley acts as an advocate for American Indian inmates' religious rights and helps American Indian family members navigate the Montana Correctional System (Associated Press, 2013).

A Brief History of Native Americans in the Montana Correctional System. Since European contact, Native Americans have been imprisoned in a multitude of ways including confinement in forts, on reservations, in boarding schools, orphanages, "insane asylums," jails and prisons (Deloria & Lytle, 1983; Hand, Hankes, & House, 2012; O'Brien, 1993; Ross, 1998).

> Native Americans disappear into Euro-American institutions of confinement at alarming rates. People from my reservation simply appeared to vanish and magically return. [As a

> child,] I did not realize what a "real" prison was and did not give it any thought. I imagined that all families had relatives who went away and then returned. (Ross, 1998, p. 1)

Ross (1998) argued that Native American criminality in Montana's correctional system is a function of colonialism, criminalizing Native American culture for political and economic gain, and ultimately resulting in the loss of tribal sovereignty. The westward expansion of railroad and economic demand during the late 17th and 18th Century increased contact and inevitably increased hostility toward Native Americans in the western states. However, despite the increase in conflict and hostility tribal nations were regarded as sovereign entities. Explicitly recognized in the U.S. Constitution of 1787, tribal nations had the right to self-govern through inherent sovereignty (Wilkins & Lomawaima, 2001). Although the Constitution confirmed this right, American Indian tribes had been self-governing with effective indigenous justice systems for centuries prior to colonization (Deloria & Lytle, 1983). American Indian justice systems were guided by customary laws, traditions, and oral teachings from tribal elders (Hand, Hankes, & House, 2012; Melton, 1995; Yazzie, 1996). The goal of indigenous justice systems was to mediate conflict, restore tribal harmony, and ensure restitution or compensation by focusing on restoring balance and relationships rather than ascertaining guilt and exacting punishment (Deloria & Lytle, 1983; Hand, Hankes, & House, 2012; Melton, 1995; Yazzie, 1996). In an analysis of Indigenous justice systems, Peat (1996), wrote: "traditional Native American justice is rooted in notions of relationship and dialogue rather than adversarial dispute, harmony and balance rather than proof and guilt, and renewal rather than punishment" (as cited in Hand, Hankes, & House, 2012). Indigenous views of laws came from the natural world and were intertwined with tribal values and ways of life (Hand, Hankes, & House, 2012; Melton, 1995).

These concepts of justice stood in sharp contrast to the European laws, written by the pens of distant men that sought retribution for victims through the establishment of proof, guilt, and the enforcement of punishment (Hand, Hankes, & House, 2012; Melton, 1995; Ross, 1998). The clashing of these concepts eventually led to further attempts to forcibly assimilate Native Americans to subscribe to a Euro-American view of justice; first by means of war and military force and then by means of legislation that systematically eroded and delegitimized American Indian justice systems and inherent rights of sovereignty (Deloria & Lytle, 1983, Hand, Hankes, & House, 2012; Ross, 1998; Wilkins & Lomawaima, 2001). This clashing of worldviews was apparent in the events that led up to the Baker Massacre in Montana and the resulting action taken by President Ulysses S. Grant that marked a major shift in tribal and U.S. relations. The prompting-incident of the Baker Massacre was the rape of a Blackfeet woman and the assault of her husband, Owl Child, by a White Montana trader and rancher. Owl Child enacted the tribally-prescribed punishment for rape and assault on the White man by taking his life (Big Head, 2009; Upham, 2010). The "murder" of the White man by Owl Child enraged White citizens, who demanded protection from the "lawlessness" of the "savage Indians" (Big Head, 2009). In response, the White man's "murder" was retaliated with full military force. On January 23, 1870, four companies of the 2nd U.S. Cavalry, and 55 mounted men of the 13th U.S. Infantry led by Major Eugene Baker went looking for Owl Child who was reported to be with Mountain Chief's band (Upham, 2010). Major Baker and his men came upon Heavy Runner's band who had been previously established by the government as peaceful. Despite Heavy Runner's attempts to display his safe-conduct document, he was shot and killed while approaching the military men, which also prompted the full military attack (Upham, 2010). Over 200 Blackfeet Indians were murdered. Most of them were women, children, and elders who were already suffering from

smallpox (Big Head, 2009; Upham, 2010). Reactions to the massacre were varied; although, the general attitude seemed to shift from a sense of fear of tribal nations to one of pity (Prucha, 2014). Following the Baker Massacre, in 1871 President Grant adopted a Peace Policy which sought to decrease conflict with Native American tribes by forcing American Indians onto reservations and keeping them there by military force (Prucha, 2014). In order to ensure compliance, President Grant enacted the Indians Appropriation Act of 1870-1871. This Act declared that "no Indian nation would henceforth be recognized for the purposes of making treaties" (Deloria & Lytle, 1983, p. 5). Not only did the Act mark the end of the Treaty Era, but it also completely reversed and undermined tribal sovereignty, resulting in Native Americans becoming wards of the state while Indian policies were set to be legislated by U.S. congressional acts without tribal consent (Deloria & Lytle, 1983).

The loss of tribal communities to self-govern and handle crime within the jurisdiction of their Indigenous justice systems led to various attempts to criminalize Native American culture (Deloria & Lytle, 1983; Hand, Hankes, & House; O'Brien, 1993). Ross (1989) argued that the first social construction of "Native deviance" in Montana began as a means to procure Native American land and resources. In 1887 Native American's occupied land of more than 138 million acres. By 1934, The General Allotment Act, which allowed the President to allot Indian land to tribal members and reserve the "excess" land for White settlers, reduced tribal lands to 48 million acres with many reservations left in a checkerboard pattern of Native and White land ownership (Merjian, 2010). In 1905 and prior to the "opening" of the Flathead Reservation, William H. Smead, a White man acting as the Flathead Reservation Information Agent, "urged White people to obtain [free] land [on the Flathead Reservation] before the richest soil was allotted to Natives" (Ross, 1998, p. 37). Toole (1959) showed that by 1909 through aggressive

federal policy, White people owned more than 1 million acres of Indigenous land in Montana, and between 1910 and 1922, White settlers secured approximately 93 million acres; over 40% of the entire state of Montana. By 1978, Native American people held only 2.4% of the total land in Montana. Smead and other prominent political figures justified the theft of Native American land through the notion of "helping" Native American people to effectively assimilate. In addition to the theft of Native land, Smead advocated for the depletion of Flathead's wealth by "ridding the land of Native ponies" to make way for cattle ranchers. In a 1905 Pioneer Press newspaper article, Smead wrote:

> Were it not for the large number of ponies of an inferior grade ranging upon the reservation, it would be an ideal stock country. These little ponies are very destructive to ranges and considering their numbers they have during the past few years been a heavy tax upon the ranges. With the opening of the reservation these herds of Indian ponies will necessarily be disposed of. (Smead, 1905, p. 67, as cited in Ross, 1998)

After stripping Montana Native Americans of their land and resources (including the decimation of the buffalo in the 1800's) and the prohibition of Native Americans to leave their reservation, they were reduced to relying on the federal government for food. When the federal government did not provide food, many Native Americans faced prosecution for leaving the reservation "illegally" and hunting without a state hunting license. Ross (1998) wrote that

> crimes of resistance by impoverished yet courageous Natives [Americans] are noticeable in the number imprisoned during the late 1800s for vagrancy (i.e., leaving the reservation without permission) and in the early 1900s for stealing horses and cattle (grand larceny) from White men, burning jails (arson) and neglecting to send children to boarding schools. (pp. 43-44)

According to the 1925 Superintendent's Annual Statistical Report (as cited in Ross, 1998), 41% of offenses on the Flathead reservation were cases of adultery, while 26% of all arrests were gambling offenses. These offenses could result in a 100-day jail sentence or the offender could choose to receive 30 lashes. Ross (1998) argues that the prosecution of adultery had a criminalizing effect on Native American culture, as the concept of marriage and monogamy differed from Western practices.

Many White Montanans saw the acts of adultery and gambling as "immoral" and "evil sins" that resulted from an inferior culture and uncivilized religion. This general feeling of disgust toward Native people and their cultural practices was evident in the 1901 Commissioner of Indian Affairs' proposal that

> Indian dances and so-called Indian feasts should be prohibited. In many cases these dances and feasts are simply subterfuges to cover degrading acts and to disguise immoral purposes. You are directed to use your best efforts in the suppression of these evils. (O'Brien, 1993, p. 6)

Although the Indian Religious Crime Act, which made any type of Native American dance or ceremony illegal, had been in effect since 1883, the focus for Indian Agents of the Northern Plains was the destruction of the Sun Dance and Ghost Dance (Rhodes, 1991). Prosecution of these crimes were punishable by imprisonment, and in the case of Sitting Bull, Big Foot and his followers at Wounded Knee (as well as many others prior to the Wounded Knee Massacre), these "crimes" were punished by death. Rhoades (1991) argued that the interpretation of the Ghost Dance as a militaristic uprising by Euro-American settlers leading to the Massacre at Wounded knee "represents the nadir of white man's inhumanity and religious intolerance" (p. 16). He argued further that the same ethnocentric bias that culminated in such an interpretation of the

Ghost Dance is present today through the judicially constructed legal doctrines that largely defined and shaped present-day relations with tribal governments and entities.

Additionally, Ross (1998) argued that through corrupt policies, illegal land seizures, acquisition of Native land and resources, Tribal sovereignty was reduced to a fragile concept for most Native Tribes in Montana (and elsewhere). She argued that the legacy of "unequal distribution and control that were initially established by force," has now been institutionalized. "In Montana, as elsewhere, Native people remain socially, culturally, politically, and economically oppressed" (p. 52).

Jurisdiction in Indian Country. Adding to the complexity of Native American and United States relations is the multifaceted and confusing maze of federal, state, and tribal criminal jurisdictions. Determining jurisdiction depends on the race of the accused as well as the race of the victim/s, the precise location that the alleged crime occurred, and the type of crime committed (U.S. DOJ, 2016). Attorney Russell Barsh (1980) highlighted the absurdity of tribal/state/federal jurisdictional issues wherein "Indian reservations are the only places in the United States where the criminality of an act relies exclusively on the race of the offender and victim" (as cited in Ross, 1998, p. 27). The multiplicity of jurisdictions adds an additional barrier for Native American offenders and in some cases results in a "double-jeopardy like" situation (Wilkins & Lomawaima, 2001).

> The accused ordinarily confronts two jurisdictional "layers," general federal criminal laws applicable everywhere in the United States and concurrent state criminal law defining both related and separate offenses. On an Indian reservation the accused confronts as many as six jurisdictional layers, with as many as four possible forum-law outcomes: federal-federal, federal-state, state-state, and tribal-tribal. This does not mean

that reservations are safer, only that it is harder for reservation residents to know fully their rights and liabilities, and easier for jurisdictional conflicts to arise. (Barsh, 1980, p. 3)

This jurisdictional maze is the result of a trail of laws including the General Crimes Act, The Assimilative Crimes Act, The Major Crimes Act, The General Allotment Act, and Public Law 280, that slowly chipped away at the ability of sovereign tribal nations to self-govern and handle crime on their own reservations (Smith, 2004).

Table 1. *Jurisdiction in Indian Country*

Offender	Victim	Crime	Location	Jurisdiction
Tribal member	Tribal member	Enumerated/ Felony	Indian Country	Tribal and Federal *except on reservations or states that have been conferred under P.L. 280. In this case the State has jurisdiction.
Tribal member	Non-Tribal member	Misdemeanor	Indian Country	Tribal only
Tribal member	Non-Tribal member	Enumerated/ Felony	Indian Country	Tribal and Federal *except on reservations or states that have been conferred under P.L. 280. In this case the State has jurisdiction.
Tribal member	Tribal member	Misdemeanor	Indian Country	Tribal only
Non-Tribal member	Tribal member	Misdemeanor or Enumerated/ Felony	Indian Country	Federal or State
Non-Tribal member	Non-Tribal member	Misdemeanor or Enumerated/ Felony	Indian Country	Federal or State
Tribal member or Non-Tribal member	Tribal member or Non-Tribal member	Misdemeanor or Enumerated/ Felony	Outside Indian Country	State only

(U.S. DOJ Offices of the United States Attorney, 2011, p. 689)

With the encroachment of White settlement into Indian land, the government perceived a need to protect White citizens from tribal justice systems, despite their sovereign status. The failure of the U.S. Government to recognize the longstanding Indigenous justice system as valid resulted in the ongoing dismantlement of tribal sovereignty through varies legislation, justified by ignorance and racism. In 1817, Congress passed the General Crimes Act, which awarded the Federal Government jurisdiction over crimes committed on Indian reservations that involved non-Indians. Thus, tribal jurisdiction was reduced to crimes in which both defendant and victim were Native American. This Act was the first of many to strip away the ability for tribal nations to protect their own tribal members from prosecution in non-Indian court systems. In 1825, The Assimilative Crimes Act was passed which expanded the number of crimes committed on a reservation that could be tried by federal courts; this was accomplished by including state criminal laws that weren't already included in federal criminal law. However, this Act only applied when a non-Indian was involved in the crime as either defendant or victim.

Despite the Indians Appropriation Act of 1870-1871 that essentially legislated Native Americans to be considered wards of the government, most crimes that only involved Native Americans continued to be handled within the tribe by the prescribed tribal protocol. This was largely the case until the passing of The Major Crimes Act in 1885, which became a pivotal change in U.S. and tribal relations. The Major Crimes Act arose in response to outrage by White citizens over a homicide case in 1881 between two Lakota men, Crow Dog and Spotted Tail. Richmond Clow (1998) recounted the infamous homicide case of two political Lakota leaders that were bound by the Lakota virtues: "bravery, fortitude, wisdom and generosity" (Clow, 1998, p. 210). After Spotted Tail committed a series of actions that broke tribal protocol, including: unilaterally deciding to send Lakota children to Carlisle Boarding School without consulting the

Council, bringing his own children home from boarding school (again without consulting the Council), embezzling tribal funds, publicly humiliating another Lakota leader (Crow Dog), and stealing another man's wife (a relation of Crow Dog), Crow Dog and other tribal leaders disapproved of his actions during Council. After the Council concluded and as Crow Dog and his wife were leaving the meeting area, Spotted Tail rode up to Crow Dog on his horse and allegedly pointed a revolver at him. Crow Dog allegedly responded by "instinctively firing his rifle without aiming" (Clow, 1998, p. 223) killing Spotted Tail. After the "murder," the Lakota community sought "immediate termination of the conflict and reintegration of all persons involved into the tribal body" (Harring, 1994, p. 104). Following traditional Lakota jurisprudence, the two families settled the case for a restitution to be paid by Crow Dog in the amount of $600 in cash, eight horses and one blanket (Clow, 1998; Harring, 1994). Crow Dog would also be responsible for the care and protection of Spotted Tail's family (O'Brien, 1993). Nevertheless, White citizens expressed their disapproval of the settlement and Euro-American law enforcement bestowed upon themselves a duty to not allow such "primitive lawlessness" to continue, thereby, ordering the arrest and trial of Crow Dog. Shortly after the order, Crow Dog was arrested and locked in a military cell in Niobara, Nebraska where he sat for one year awaiting trial. A Dakota Territory Court jury (obviously not of his peers) convicted Crow Dog of murder and sentenced him to hang. However, before his sentence could be carried out, the U.S. Supreme Court reversed the decision thereby upholding inherent tribal sovereignty. The controversy heightened already tense race relations between Whites and Native Americans and strengthened the stereotype held by most Whites, that Indians were "lawless and dangerous" (Clow, 1998; Harring; 1994; Ross, 1998). Two years later Congress, ignoring the U.S. Supreme Court decision and failing to accept tribal justice systems as valid, passed The Major Crimes Act

of 1885 (Clow, 1998; Harring, 1994). The Major Crimes Act gave federal courts unilateral jurisdiction over seven major crimes committed by Native Americans, regardless of non-Indian involvement in the alleged crime. The Act was later amended to extend the number of major crimes to 14 (Barsh, 1980; Hart, 2010; Ross, 1998; The Committee on Indian Affairs, 1995).

The years between 1953 and 1968 have been termed the "termination" era in federal-tribal relations. During this time, the goal of Congress became to reduce the federal assistance to Native Americans by assimilation into the White culture (The Committee on Indian Affairs, 1995). The enactment of Public Law 280 was a result of the concern regarding high crime rates perceived as "lawless Natives" by many White citizens who had resettled on Indian reservations (Ross, 1998). Enacted in 1953, the Act mandated that six states assume criminal and civil jurisdiction over Indian reservations within their state borders. It also authorized the remaining 44 states "optional" jurisdiction (The Committee on Indian Affairs, 1995). Most tribes strongly opposed P.L. 280 in fear that States could increase "optional jurisdiction" at their own will, thus, weakening tribal sovereignty. Montana was not one of the six states assigned mandatory state jurisdiction under P.L. 280; however, in 1963 Montana passed legislation to assume jurisdiction over criminal and civil matters on the Flathead Indian Reservation (The Committee on Indian Affairs, 1995). Although all Montana reservation lands were significantly reduced through various legislation, the Flathead Indian reservation was significantly impacted by homestead entry, creating checkerboard ownership patterns and complicated jurisdictional issues. This historical event later played a part in the passage of P.L. 280 for the Flathead Reservation due to the high numbers of "concerned" White citizens living within the Flathead Reservation boundary. Although the Confederated Salish & Kootenai Tribes (CSKT) Tribal Council supported the legislation, not all tribal members were in agreement (Ross, 1998). All other

Montana reservations remained under federal jurisdiction for crimes committed by Indians. In 1994 CSKT sought to withdraw from P.L. 280 in order to increase tribal sovereignty and develop a culturally-appropriate justice system. The state of Montana offered a partial retrocession of P.L. 280, which allowed CSKT to reassume exclusive jurisdiction over misdemeanor crimes committed by Indians. Under the memorandum of agreement, the State of Montana resumed jurisdiction over all felony crimes committed by Indians (The Committee on Indian Affairs, 1995). Up until 2015, Montana tribes (in addition to most other U.S. Tribes) did not have authority to prosecute non-Indians even if the crime was committed on the reservation against one of the tribal members. Jurisdiction for these crimes resided with the State for crimes on Flathead Reservation and the federal government for the remaining six Montana reservations. The only exception to this rule came with the passage of the Violence Against Women Act in 2015, which authorized the opportunity for Tribal court systems to prosecute certain crimes of domestic and dating violence regardless of the defendant's race (The Committee on Indian Affairs, 1995). The Act came in response to the disturbingly high rate of rejection by federal prosecutors to try rape cases committed by non-Indians against Native American women. In 2011, The Department of Justice (DOJ) reported a 65% rejection rate for rape cases (that were previously established as prosecutable) against Native American women on reservations, despite the fact that approximately one in three Native American women are raped in their lifetime with the majority of the cases (86%) committed by a non-Indian offender (U.S. DOJ, 2004). Many tribal members perceive this state and federal overreach, while neglecting to protect Tribal members, as yet another example of Indigenous exploitation and colonization. Ross (1998) argues that the "federal government has embraced conflicting policies regarding Native people,

shifting from genocide to expulsion, exclusion and confinement, and later to supposed assimilation – the rhetoric was integration, the reality was confinement and domination." (p. 32).

Native American Recidivism Rates in Montana. Native Americans are not only overrepresented in Montana correctional institutions, but they also have a disproportionally high risk for recidivism in Montana. In the 2006 report to the Montana Department of Corrections, Conley and Shantz reported that the only predictive factor in their model for recidivism (out of eight other predictor variables) was the race of the offender (coded as a binary variable; Native American/Not Native American). In other words, they concluded that "Native Americans are just over twice as likely (2.1 times) as others to be returned to institutional status in Montana" (Conley & Shantz, 2006, p. 14). This substantial racial disparity could not be explained by other known risk factors such as gender, age, education, criminal history, or mental health diagnosis.

In 2009, the Department of Corrections received a grant to address the racial disparity in recidivism rates. Myrna Kuka, who was acting as the DOC American Indian Liaison, commented on the awarded grant stating that "many [American Indian] offenders return to the system due to technical violations that are preventable. Without a doubt, cultural misunderstandings contribute to this, and DOC is working to address the hurdles some offenders may face" (*Corrections Gets Grant*, 2009). More recently, Majel Russell, a Native American attorney and former Chief Prosecutor for Confederated Salish and Kootenai Tribes responded to the recent reports of high recidivism for Montana Native Americans by stating: "American Indian offenders simply can't comply with the terms of their probation" (DeHaven, 2016). Russell offered solutions such as efforts to defray the offender-paid cost of drug tests, mental health evaluations and often lengthy drives some have to make to meet with a parole or probation officer. Additionally, Jim Taylor, Legal Director at the ACLU of Montana, responded to the

Native American recidivism rate in Montana stating, "there's literally been no interest in drilling down and really seeing what's going on. We think there needs to be more study done by the state and more training throughout the system on cultural differences and the effects of historical trauma" (DeHaven, 2016).

Reintegration

Increasing fiscal constraints have forced lawmakers to reconsider their overreliance on the prison system (The Sentencing Project, 2008). More recently, practitioners, policymakers, advocates, researchers, and the public have a growing interest in supporting the reentry of inmates back into society as an intervention in the cycle of recidivism. Approximately 95% of incarcerated individuals will eventually be released back into their communities and more offenders are reintegrating into their communities than ever before. Since 1990 an annual average of 590,400 inmates have been released from state and federal prisons, while about 5 million ex-offenders are under some form of community-based supervision (DOJ, 2014). Petersilia (2003) describes prison reentry as beginning from the day of incarceration and includes "all activities and programming conducted to prepare ex-convicts to return safely to the community and live as law-abiding citizens" (p. 3). The Sentencing Project (2008) highlighted the importance of reentry programs noting that "just as investing in programming at the front end of the system can prevent individuals from entering prison, it is essential to require programming at the post-incarceration stage to reduce the chances of returning to prison for new crimes" (pp. 18-19).

Barriers to Reintegration. There are several barriers for individuals leaving a correctional institution and attempting to reintegrate into a community. One of the immediate barriers is housing. The majority of returning prisoners report that they stay with a family

member or friend immediately post-release (Roman & Travis, 2004). However, for most offenders who are on parole or some type of supervision, it is not as easy as asking a simple favor from a family member or friend. Many times, the parole or probation officer has to visit the home and approve the request, which places the family member or friend in a position of responsibility over the offender. There cannot be any alcohol, drugs, or legally owned guns within the home, and all residents of the house must consent to random searches. Many parole agencies do not allow returning prisoners to stay in a home if any of the residents have a criminal record. Prior to 2014, if the family member or friend is receiving state assistance that contributes to the household (i.e., Temporary Assistance for Needy Families [TANF], or TANF-subsidized housing), they are at risk for losing eligibility for their assistance, due to the lifetime ban for felony drug offenders enacted during Bill Clinton's 1996 welfare reform law (Roman & Travis, 2004). According to Hager (2016) only six states continue to enforce the full lifetime ban from state assistance for felony drug offenders, while 18 states have abandoned the outdated policy. Montana is one of 26 states that currently enforce a partial ban extending eligibility to one-time offenders who are in compliance with probation/parole and have met all other sentence conditions (Hager, 2016). Drug offenses, violent offenses, and sexual offenses also significantly reduce eligibility into locally-run, privately owned or state-funded housing programs. Resources that are available to returning offenders such as federally subsidized and administered housing (i.e., HUD Housing, Section 8 Housing) often have multiple-year-long wait lists and have lengthy, cumbersome application processes that require an address or phone number for correspondence and/or telephone interviews. Given that the majority of offenders return to impoverished communities, family systems and local resources are usually already overburdened and inaccessible to most returning prisoners.

Maintaining employment is usually a requirement for most parole conditions; however, obtaining employment is one of the biggest barriers ex-offenders face when they reenter their communities. Research has shown that incarceration is associated with limited future employment opportunities and earnings potential, which is ironically one of the strongest predictors for desistance of crime (Laub & Sampson, 2001; Pager, 2008). Holzer (1996) found that over 60% of employers surveyed in four major cities were unwilling to hire an applicant with a criminal record. Holzer, Raphael and Stoll (2002) conducted a follow-up survey analysis and found that little had changed since the early 90's; overall employer willingness to hire ex-offenders remained low across the labor market.

Montana State Prison's work program, called Montana Correctional Enterprises (MCE), provides vocational education, on-the-job training, and work experience to over 500 male and female inmates in industry, vocational, and agricultural programs. The Montana Department of Corrections (2015) found a 19.5% reduction in recidivism for offenders who worked in MCE for more than one year when compared to offenders who were released without participation in an MCE program. Many critics argue, however, that admission into these kinds of programs are, at best, reserved for offenders who already have skills or who are already at a very low risk for re-offense. Furthermore, many work-release, educational, and vocational programs have been cut or significantly reduced as a function of the financial burden of mass incarceration as well as the relatively recent "tough on criminals" public sentiment and political rhetoric (Petersilia, 2003).

The Sentencing Project (2008) reported that parole violations have doubled as a source of admissions to prison and now represent one-third of all admissions since 1980. Steen and Opsal

(2007) found that people of color[3] are returned to prison for parole violations more often than their White counterparts. Since the decision to seek incarceration in response to parole and probation violations is largely left up to parole and probation officers, it is unclear whether overt or subtle racial bias played a role in making these decisions; however, the racial disparity is experienced anecdotally throughout the justice system.

Racial disparity in arrest rates, incarceration rates, sentencing, and recidivism speaks volumes about the struggles racial minorities experience in avoiding the criminal justice system. Alexander (2012) argued that the structure of our society has remained largely unchanged since the collapse of Jim Crow laws in the 1960's; however, the element that has changed is the language of colorblindness that is used to justify the discrimination, exclusion, and social contempt toward people of color. She argues that the structure of the criminal justice system disproportionately labels people of color "criminals," and once

> you're labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service—are suddenly legal. (Alexander, 2012, p. 2)

Denial of these crucial benefits or opportunities only dims the light at the end of the tunnel for many people of color who are attempting to reintegrate back into their communities. The Sentencing Project (2008) reported that people of color are more likely to be incarcerated than White offenders, which removes the offender from vital local resources including family and social support. Further they note that "the consequences have grown more obvious over time as minority communities experience reduced social cohesion, severance of important family ties,

[3] "People of color" is a term often used to describe individuals who are of a racial or ethnic minority. While Native Americans and Alaska Natives are often included, the reader is cautioned to remember Native Americans and Alaska Natives have a status that is politically based, rather than racial.

income losses, and a growing population of children of incarcerated parents" (The Sentencing Project, 2008, p. 16). Shapiro (2011) stated "mass incarceration has further weakened depressed communities by depopulating them and stripping even nonviolent former prisoners of opportunities to find employment and meaningfully reenter society" (p. 9).

Kubrin and Stewart (2006) found that offenders who returned to disadvantaged neighborhoods recidivate at a greater rate than the offenders who returned to resource rich or affluent communities. People in tribal communities and on reservations live below poverty level in disproportionate numbers. In fact, American Indians live below poverty level at higher rates than any other racial group (Census Bureau, 2014). In addition, these communities often have lower educational attainment than their non-native counterparts and lower high school graduation rates across the nation (U.S. Department of Education, 2016). Low educational attainment has been associated with delinquency as well as a higher risk of recidivism. These risks are compounded when ex-offenders are denied access to resources such as financial aid that could help them access educational and vocational opportunities. Lochner and Moretti (2004) proposed that a mere 10% increase in high school graduation rates may result in a 9% decline in criminal arrest data. The 2015 Montana Graduation and Dropout Report showed a graduation rate of 86%, yet, American Indian students in Montana showed a graduation rate of only 66%. Although the state graduation rate showed an overall 6% increase from 2011 to 2015, the racial disparity in graduation rates continues and has far reaching consequences. Considering the established link between low educational attainment and involvement with the justice system, compounded by the elevated risk of low educational attainment for American Indian students, it seems that the state's poorly funded educational system may play a role in contributing to the racial disparity in the state correctional system starting as early as elementary school.

The Risk-Need-Responsivity Model. Criminogenic needs arose in correctional research as an attempt to refine risk assessment of offenders and ultimately to better understand and predict recidivism. The majority of correctional research over the past 40 years has come from the Canadian correctional system but has been generalized to the U.S. correctional system. Andrews, Bonta, and Hoge (1990) finalized the Risk-Needs-Responsivity (RNR) Model, which has since become the gold standard model in the assessment and treatment of offenders (Blanchette & Brown, 2006). The model illustrated the use of three core principles (i.e., the Risk Principle, the Need Principle, and the Responsivity Principle) that should guide clinical intervention with criminal offenders.

The Risk Principle states that the offender's risk for recidivism must be matched with the appropriate level of treatment (Andrews, Bonta, & Hoge, 1990). For example, high risk offenders should get the highest intensity/allocation of treatment. Without the understanding of this principle, it may seem attractive to some to allocate as many resources as possible to all offenders, regardless of risk. However, this approach not only results in wasted resources, but it may also cause more harm. For example, Bonta, Wallace-Capretta, and Rooney (2000) found that low-risk offenders who received intensive services had more than double the recidivism rate (32%) than the low-risk offenders who received minimal levels of treatment (15%). In the same study, the high-risk offenders who did not receive any intensive treatment services had a recidivism rate of 51% but the high-risk offenders who did receive intensive services had almost half the recidivism rate (32%). Necessarily, the appropriate application of this principle requires a reliable and valid risk assessment tool. Many of the early risk assessments consisted of professional judgment. By the mid-70's, an understanding of the factors that predicted recidivism was established in order to refine the risk assessment process, which launched the second

generation of risk assessment guided by evidence-based data (Bonta & Andrews, 2007). Two major problems arose from this approach. The first problem was that the established risk factors were based on their predictive ability alone and were not guided by a theory. The second problem was that most of the established risk factors were static or historical and unchangeable (i.e., criminal history, age, gender, etc.). The risk assessment provided little information or guidance to treatment providers about how to best intervene. Consequently, researchers set out to establish theory-driven risk models that incorporated dynamic (or changeable) risk factors (i.e., antisocial peers or friends) in addition to the static factors (i.e., criminal history) established in the second generation (Bonta & Andrews, 2007). Dynamic risk factors formed the basis of what Andrews, Bonta and Hoge (1990) called criminogenic needs; factors that were significantly associated with recidivism. The establishment of criminogenic needs formed the foundation of the second principle: the Need Principle.

The Need Principle states that criminogenic needs must be assessed and targeted in treatment. Andrews, Bonta, and Hoge (1990) pointed out that not all offender needs are criminogenic; in fact, they may be important to the offender in many ways, but they are not related to risk for recidivism. This distinction was important because it allowed treatment providers to prioritize needs in a population who often present with many complicated needs. Andrews and Bonta (2010) later refined the list of criminogenic needs to include only those with the most predictive ability and referred to these needs as the Central Eight. The Central Eight are mostly dynamic and consist of the following factors: (a) criminal history, (b) pro-criminal attitudes, (c) pro-criminal associates, (d) antisocial personality pattern, (e) employment/education, (f) family/marital conflict, (g) substance abuse, and (h) leisure/recreation. Guided by Social Learning Theory, Andrews and Bonta (1995) developed The

Level of Service Inventory-Revised (LSI-R) to address the Risk-Need portion of the RNR Model. Most of the risk assessments used today include the Central Eight risk/need factors in their measures of risk.

Finally, the Responsivity Principle seeks to maximize the benefit of cognitive-behavioral treatment by providing customized treatment appropriate to the offender's learning abilities and style as well as personal motivation and strengths. This principle has two components: general and specific responsivity. General responsivity refers to the use of cognitive social learning theory methods to influence and change behavior (i.e., prosocial modeling and behavioral reinforcement). Whereas specific responsivity takes individual characteristics (i.e., gender, learning style, race, etc.) into account allowing for a customized approach to therapy.

Risk assessment. Over the past 40 years, risk assessment has evolved from its traditional methods, now referred to as first-generation risk assessment which was informed mainly by unstructured professional judgment to fourth-generation risk assessment which include actuarial-based standardized assessments (e.g., Static-99, Colorado Actuarial Risk Assessment Scale, and Level of Service Inventory-Revised). Research has since shown that actuarial approaches to risk assessment yield better predictive accuracy than assessments based upon professional judgment (Bonta, 1996; Grove & Meehl, 1996). Today there is broad consensus among researchers and in the field of corrections that actuarial risk assessments should form an important part of the offender assessment process (Andrews, Bonta, & Wormith, 2006).

Risk assessment is utilized at many stages throughout the criminal justice system; however, it is most commonly used to determine an appropriate level of supervision after incarceration as well as the level and intensity of treatment services that an individual may need to address the offender's unique criminogenic needs.

The LSI-R is one of the most popular and widely used offender risk assessment tools in the world. In 2010, Andrews, Bonta and Wormith reported that the Level of Service Inventory (LSI) assessments were used in 23 states, Puerto Rico, Australia, Singapore, Scotland, Ireland, the Isle of Jersey, Croatia, and nine of 13 Canadian jurisdictions. The LSI instruments are founded on a General Personality and Cognitive Social Learning (GPCSL) Theory of criminal behavior, which links criminal behavior to an individual's assessment of the costs and benefits associated with pro-social behavior versus pro-criminal behavior. The theory states that criminal behavior is likely when the reward and cost benefit for crime outweighs the reward and cost benefit for prosocial behavior (Bonta & Andrews, 2007). The 54 items of the LSI-R measure ten areas or domains of risk that map directly onto the Central Eight Criminogenic needs. These ten areas include: (1) criminal history, (2) education/employment, (3) financial, (4) family/marital relationships, (5) accommodation, (6) leisure/recreation, (7) peers/ companions, (8) alcohol/drug problems, (9) emotional/mental health, and (10) attitudes/orientations (Andrews & Bonta, 1995). The LSI-R is administered as a clinical interview by a trained professional. Each item is initially scored as a yes/no or on a 1-4 scale, which is then translated to a final item score (0 = *risk item present* or 1 = *risk item not present*). The composite score, which can range from 0 to 54, is divided into one of three risk classifications (i.e., minimum risk, medium risk, and high risk) with higher composite scores signifying a higher prevalence of criminogenic risk factors and subsequently a greater risk to the community. Lower composite scores on the LSI-R represent a lower prevalence of criminogenic risk factors and should indicate the presence of social and individualized insulators from future criminal activity (Andrews & Bonta, 1995). Proposed cut-off scores vary depending on gender, setting, and purpose (Andrews & Bonta, 1993); however,

there has been concern regarding the reliability and validity of objective standardized risk/needs assessment instruments applied to minority populations.

Gendreau, Little, and Goggin (1996) conducted the first meta-analytic review of the predictive validity of the LSI-R in relation to general recidivism and found a moderate effect size (Pearson r = .33). Although the LSI-R was not statistically more predictive than other commonly used risk assessments, Gendreau and colleagues recommended the use of the LSI-R above the other available risk measures due to the inclusion of criminogenic needs. In 2009, Campbell, French, and Gendreau conducted another meta-analytic review and compared risk assessment instruments for their ability to predict violent recidivism. They found satisfactory predictive ability across all risk measures (average Pearson r = .25), but no statistical differences between measures.

Risk assessment with Native American offenders. Despite the LSI-R's widespread use with Native American offenders in the criminal justice system, the findings have been mixed in regard to its predictive ability for this subgroup of offenders. James Bonta (1989) found that the LSI-R predicted general and violent recidivism equally well for Aboriginal Canadian offenders as well as non-Aboriginal Canadian offenders. However, several other studies have found that Aboriginal, Native, and Indigenous offenders tend to have higher mean scores (about 1 SD) when compared to their White counterparts. While some claim that the higher scores are consistent with higher rates/risk of recidivism for Aboriginal, Native, and Indigenous offenders, others argue that current risk assessments consistently mis-categorize Aboriginal, Native, and Indigenous offenders, which results in higher rates of recidivism (Wormith, Hogg, & Guzzo, 2015). Accurate risk assessment is a critical piece of addressing recidivism by ensuring that offenders are placed in risk categories that correlate with the appropriate level and type of

treatment or programming. Consistent mis-categorization of Native American offenders could exacerbate recidivism by placing them at a higher level of risk than they actually pose for reoffence and subsequently placing them into unnecessary treatment conditions that interfere with other reentry needs.

Gutierrez, Wilson, Rugge, and Bonta (2013) conducted a meta-analysis examining the predictive ability of the Central Eight criminogenic needs/factors for recidivism with Aboriginal (i.e., First Nations, Metis) offenders compared to non-Aboriginal offenders in the Canadian correctional system. The review included a total of 49 independent samples (57,315 Aboriginal and 204,977 non-Aboriginal offenders) and found that the Central Eight risk/need factors significantly predicted general and violent recidivism for Aboriginal offenders. However, three of the Central Eight factors predicted recidivism significantly better for non-Aboriginal offenders (i.e., criminal history, alcohol/drug, and antisocial pattern). The authors conclude that there is certainly overlap in criminogenic risk factors for Aboriginal and non-Aboriginal offenders; however, they wondered if there may be culturally specific risk factors for Aboriginal offenders that are not accounted for in the Central Eight. Further, they wondered how the applicability of the Central Eight (via risk assessment tools such as the LSI-R) fared with Aboriginal offenders compared to non-Aboriginal offenders. To address this question, Wilson and Gutierrez (2013) conducted a meta-analysis of the predictive ability of the LSI-R from 12 separate studies comparing Aboriginal/Indigenous offenders and non-Indigenous offenders from Canada, the United States and Australia. They found that overall, the LSI-R significantly predicted general and violent recidivism for Aboriginal/Indigenous offenders. However, when the predictive ability of the LSI-R with Aboriginal/Indigenous offenders was compared with the non-Indigenous offenders, the LSI-R did significantly worse in predicting recidivism. More

specifically, Wilson and Gutierrez (2013) found that five of the eight subscales (representing the Central Eight) on the LSI -R predicted general recidivism significantly better for the non-Indigenous offenders than it did for the Aboriginal/Indigenous offenders. Similarly, Wormith, Hogg, and Guzzo (2015) found that two factors (the criminal history factor and peers/companions factor) on the LSI-R were significantly less predictive of general recidivism for Aboriginal offenders in Canada. Wilson and Gutierrez (2013) conducted a secondary analysis of calibration accuracy for the LSI-R total scores. Results showed that the LSI-R was better calibrated with Aboriginal offenders with higher total scores (i.e., 19+) and appeared to be under-classifying low-scoring Aboriginal offenders. This finding was corroborated in Wormith, Hogg, and Guzzo's (2015) study. The researchers provide several possible explanations for these findings including the argument that the lack of or decreased predictive ability of current risk assessments (e.g., the LSI-R) can be attributed to the failure to account for culturally specific factors and unique cultural and historical experiences of Aboriginal and Indigenous people (i.e., a cultural-bias in risk assessment). Gutierrez and Wilson (2013) echoed the need for inclusion of culturally specific factors that have been mentioned in the literature as potential recidivism risk factors for Aboriginal/Indigenous offender populations such as cultural isolation and loss of pride in heritage (Heckbert & Turkington, 2001), loss of native language (Ellerby & McPherson, 2002; Mann, 2009), and the impact of residential schools (Mann, 2009). Further, they urged future research to empirically test the predictive ability of these culturally specific factors speculating that "it may be that low-scoring Aboriginal offenders score high on culturally specific items that are not currently captured in the LSI, which would in turn account for their under-classification" (p. 216).

Most of the current research regarding the predictive validity of the LSI-R with Aboriginal and Indigenous populations has been focused on Aboriginal/First Nations people in the Canadian criminal justice system. While it is likely that Aboriginal/First Nations offenders share common experiences and history with American Indian/Alaska Native (AI/AN) offenders in the United States criminal justice system, it is unknown how generalizable the findings from Canada are to AI/AN offenders in the U.S. system. With that being said, the general consensus about the applicability and predictive validity of the LSI-R with Native and Indigenous offenders is that the Central Eight criminogenic factors are generally applicable, and that the LSI-R predicts general recidivism at acceptable levels. However, there are many caveats to consider. Most notably, the consistent finding that some Native offenders tend to be under-classified by the current LS scoring system, which then results in higher than expected recidivism rates. Many researchers have speculated that the LSI-R may be missing important culturally specific information that better accounts for risk, especially for offenders who score low but show higher recidivism rates than their scores might predict (Wilson & Gutierrez, 2013; Wormith et al., 2015).

Cultural/Historical Factors and Recidivism

Historical Loss and the Associated Symptoms. American Indians and Alaska Natives have survived tremendous losses since colonization and continue to experience incredible losses because of colonization. The concept of historical trauma and historical loss has been a major point of interest in Native American research and clinical fields within the past few decades. Duran and Duran (1995) described Intergenerational Posttraumatic Stress Disorder, which originated in research with victims of the Nazi Holocaust. Native Americans and Jewish people shared the parallel experience of ethnic cleansing; however, the exception is that the world has

not recognized the Native American Holocaust. Duran and Duran (1995) argue that the world's denial of this history has created a major barrier to recovery for many Native American people. In their 1995 book, *Postcolonial Psychology*, Duran and Duran highlight a study by Shoshan (1989) who found that among Jewish survivors of the Holocaust

> violent sudden separation from their closest family members determined the extent of survivors' individual traumas. Uncompleted mourning and the depression and somber states of mind it created were absorbed by their children from birth on. Children of survivors react to the lack of memories and absence of dead family members. (Shoshan, 1989, p. 193, as cited in Duran & Duran, 1995, p. 31)

Further, Yehuda et al., (1998) found a significantly higher lifetime prevalence of psychiatric disorders among offspring of Holocaust survivors when compared to offspring of non-Holocaust survivors. Namely, they found that 50% of the offspring sample presented with clinically significant symptoms of Post-Traumatic Stress Disorder (PSTD) despite reporting no differences from the control group in the experiences of past traumatic events. More importantly, they found that parental exposure to trauma explained PTSD symptoms in their offspring. A follow-up study found significantly lower cortisol levels in the offspring of Holocaust survivors who also had PTSD compared to a control group (Yehuda et al., 2000). Yehuda et al. (2007) argued that lower cortisol levels in offspring are the result of an epigenetic change that occurs on the cortisol gene in the mother in response to an environmental stressor. These findings suggest that there may be an avenue for epigenetic transmission of trauma. Duran and Duran's (1995) conception of Intergenerational Posttraumatic Stress Disorder, which later became known as the "American Indian soul wound" (Duran, Duran, Brave Heart, & Yellow Horse-Davis, 1998) shared overlap with their colleagues Brave Heart and DeBruyn (1998) who discussed a similar

phenomenon among Native American people but termed it Historical Trauma and Unresolved Grief. Native researchers Braveheart and DeBruyn (1998) theorized that historical losses including the loss of lives, land, language, and culture experienced by Native Americans along with "chronic trauma and unresolved grief across generations" (p. 60) perpetuated by a long legacy of oppressive and racist governmental policies contribute to the "high rates of suicide, homicide, domestic violence, child abuse, alcoholism and other social problems among American Indians" (Braveheart & DeBruyn, 1998, p. 60). Building on the conceptual framework of historical trauma, Whitbeck, Adams, Hoyt, and Chen (2004) developed and normed an empirical measure of historical loss (i.e., Historical Loss Scale) as well as a measure of its associated psychological symptoms (i.e., Historical Loss Associated Symptom Scale) using a Native American sample. Whitbeck and colleagues highlighted the importance of the operational definition of the term *historical* as it relates to these losses.

> These losses are so salient because they are not truly "historical" in the sense that they are now in the past. Rather they are "historical" in the sense that they began a long time ago. There has been a continual, persistent, and progressive process of loss that began with military defeat and continues through to today with loss of culture. (Whitbeck et al., 2004, p. 128)

Whitbeck and colleagues (2004) found that approximately 25% of the Native American adults in the sample reported thoughts pertaining to historical loss daily or several times a day, and that those thoughts have negative emotional consequences. The Historical Loss Associated Symptom scale measured a two-factor psychological response to thoughts about historical loss. Symptom factors include anger/avoidance and anxiety/depression. Individual symptoms or reactions to thoughts about historical loss can include: (a) sadness, (b) a loss of sleep, (c) nervousness, (d)

loss of concentration, (e) feeling isolated, (f) anger, (g) shame, (h) uncomfortableness around White people, (i) rage, (j) fearfulness or distrust of White people, (k) re-experiencing historical loss, and (l) avoiding reminders of historical loss (Whitbeck et al., 2004).

Whitbeck and colleagues concluded that it is likely that "high-impact" individuals (those who have at least daily thoughts concerning historical loss) may be more responsive to more proximal stressors and that the combination of historical and contemporary stressors exact a higher toll on physical and emotional wellbeing (Whitbeck et al., 2004, p. 128).

With the multitude of struggles that justice-involved individuals face on a daily basis, it is likely that overlap exists between those individuals who report daily thoughts concerning historical loss and those who recidivate and cycle back through the justice system.

There is no research to date investigating the relationship between historical loss and its associated psychological symptoms and recidivism. There is, however, research showing associations between historical loss and its associated symptoms with other known risk factors for recidivism. For example, Whitbeck, Walls, Johnson, and Morrisseau (2009) found that thoughts about historical loss were associated with depressive symptomology in American Indian adolescents even after controlling for family factors, perceived discrimination, and proximal negative life events. Whitbeck, Chen, Adams, and Hoyt (2004) found that thoughts about historical loss mediated the previously established relationships between perceived discrimination and alcohol abuse. The model explained 30% of alcohol abuse for American Indian women and 19% of alcohol abuse for American Indian men. Additionally, Lawrence (2012) found that thoughts about historical loss predicted symptoms of depression and alcohol abuse among study participants of the Choctaw Tribe. Additionally, he found that cultural buffers (i.e., spirituality and religiosity) moderated the effect of historical loss on symptoms of

depression and alcohol abuse. It seems that, despite the numerous risk factors for Native Americans across health and social domains, family structure, cultural identity, and community affiliation are often strong, providing resilience both individually and collectively within the community (LaFromboise & Dixon, 1981).

Cultural Connectedness as Resilience. Native American individuals, families, and tribes have shown incredible resilience in the face of genocide, colonization, forced relocation onto reservations which not only served to separate tribal nations, but also removed them from their homeland and sacred sites, restricted hunting, and disrupted cultural ceremonies and transmission of knowledge that was largely place-based (Braveheart & DeBruyn, 1998; Brave Heart, Chase, Elkins, & Altschul, 2011; Thornston, 1987; Whitbeck et al., 2004). Native American people survived the destruction of their families through boarding schools and rampant, racist, and aggressive removal by child welfare agencies (Evans-Campbell, 2008; Halverson, Fournier & Crey, 1997; Puig & Byers, 2002). Native American spirituality has survived early Christianizing efforts employed to extinguish and replace Native American belief systems, as well as governmental prohibition of Native American spiritual practices by the passage of the Indian Religious Crimes Act of 1883 until the American Indian Religious Freedom Act of 1978 (Irwin, 1997; Locust, 1988; Michaelsen, 1985). It is no wonder so many Native American scholars, tribal healers and elders, and tribal program philosophies argue what they all know to be true: Native American culture *is* resilience.

Bassett, Tsosie, and Nannuack (2012) interviewed six Native American healers about their perspectives on traumatic injury and healing. A major theme throughout the interviews was the importance of cultural identity and a spiritual connection. For example, one of the Native Healers responded:

> In the city, in Western medicine, the best part of their environment is pharmacy. And you're giving that kind of medicine to people who are used to getting their medicine from somewhere else. It's not all there. They need that spiritual support . . . our culture is medicine. Our Creator doesn't make mistakes. That's sort of the basic thing I teach people who don't know their culture who want to know, "Why should I learn it?" I tell them—I ask them first, "Do you believe in God? Do you believe in the Creator?" Yeah, I do. "You think He makes mistakes or She makes mistakes?" No, He doesn't make mistakes. I go, "He gave you your culture, right? Where do you think that culture came from?" It came from God, okay, so when you don't have it, that culture is medicine to you. (Bassett, Tsosie, & Nannuack, 2012, p. 25)

A central theme identified by Grandbois and Sanders (2009) in their qualitative study of resilience among Native American elders was that "resilience is embedded within Native American cultures and is an integral aspect of the seamless fabric of the culture" (p. 577). Heavy Runner and Morris (1997) maintain that spirituality is at the core of survival for Native Americans and that cultural teachings unearth individual resilience by honoring traditional values and strengthening Indigenous worldviews. In a qualitative investigation of how Alaska Native culture fosters resilience, Wexler (2014) found that culture acts as a protective factor in the face of hardship by providing individuals with a sense of identity, feelings of commitment, and purpose.

There is very little research investigating the role of culture and spirituality in recidivism. A review of the literature found only one article. Angell and Jones (2003) explored whether being a member of the Lumbee First Nation and residing in a Lumbee county acted as a protective factor for recidivism. They found that affiliation with the Lumbee culture was

associated with reduced rates of three-year recidivism rates for violent and drug-related offenses for members of the Lumbee First Nation. Despite the lack of research regarding recidivism, there are a number of studies that have investigated the role of culture and spirituality with behaviors that are considered to be risk factors for recidivism. For example, a strong sense of Native American cultural identity and spirituality have been shown to function as protective factors for engagement in risky behaviors such as substance use and suicidal behavior (Dick, Manson, & Beals, 1993; Garroutte, Goldberg, Beals, Herrell, &Manson, 2003; Herman-Stahl, Spencer, & Duncan, 2002; Lester, 1999). Harris and McFarland (2000) found that for both adults and youth, greater identification to their Nez Perce culture was significantly related to lower alcohol use. Among youth, greater identification with spirituality was also related to lower drug use. Stone, Whitbeck, Chen, Johnson, and Olson (2006) found that participation in American Indian traditional activities and traditional spirituality had significant positive effects on alcohol cessation. Additionally, a strong cultural identity and spirituality among Native Americans have been associated with general well-being and positive mental health (Roman, Jervis, & Manson, 2012).

Pu and colleagues (2013) found that American Indian female adolescents' self-efficacy and a higher reported interest in learning more about their culture was associated with less violence in peer interactions. For American Indian male adolescents, they found that high levels of interest in learning about their culture was associated with increased self-efficacy to avoid violence. Further, Whitbeck, Hoyt, Stubben, and LaFromboise (2001) found that traditional culture was associated with academic success in fifth through eighth grade students residing on three reservations in the Upper Midwest. Low academic achievement has been associated with delinquency in youth and subsequent recidivism in adolescents and young adults (Archwamety,

& Katsiyannis, 2000; Katsiyannis, Ryan, Zhang, & Spann, 2008). Moreover, an evaluation of three Tribal Reentry Programs that were designed to target culture-based protective factors such as cultural identity, spirituality, and family/social connections, in justice-involved youth residing on three reservations, found that the youth who successfully completed the programs showed improvements in almost all domains. More specifically, American Indian youth who completed the program showed an increased sense of responsibility, increased sense of pride and self-worth, emotional health and well-being, increased cultural knowledge and identity, a higher degree of school and community engagement, and a decreased rate of substance use (McKay, Lindquist, Melton, & Martinez, 2013).

Second Chance Reentry Project

The Second Chance Act was signed into federal law on April 9, 2008 with bipartisan support. The passing of this Act authorized and directed federal funding for state and federal reentry programs. Following a 2011 national forum on reentry and recidivism, the Bureau of Justice Assistance (BJA) within the U.S. Department of Justice formed the Statewide Adult Recidivism Reduction Program to help executive-branch policymakers and state corrections departments plan and implement system-wide reforms to reduce recidivism. Under the program a Second Chance Act grant program was enacted to help states and communities develop and implement reentry services (Department of Justice, 2015). In 2009, the Bureau of Justice Affairs (BJA) awarded the Confederated Salish and Kootenai Tribal Defender's office the Justice and Mental Health Collaboration Program grant to address co-occurring mental illness and substance abuse within offender populations to reduce recidivism. Over the course of two years (2010-2012), holistic services were offered to tribally enrolled offenders who met criteria for a co-occurring mental health and substance use disorder. Holistic services included legal defense,

legal advocacy, case management (e.g., housing, transportation, and financial services and advocacy) and psychological services (chemicals dependency/mental health assessment, treatment planning, and/or counseling). Program analysis found that offenders who had a high level of participation in the program were significantly less likely to reoffend (Fox, Hansen, Sherwood, & Swaney, 2016). A similar program in Canada, also funded through the Bureau of Justice Affairs Second Chance Grant, offered cognitive-based services to Reentering Native American/Aboriginal offenders. They found that only 38% of Native offenders who participated in the cognitive-based reentry program re-offended while 90% of the control group of Native offenders reoffended (Place, McCluskey, McCluskey, & Treffinger, 2000). In October 2015, BJA awarded the Second Chance Act Reentry Program for Adults with Co-Occurring Substance Abuse and Mental Disorders Grant to the Confederated Salish and Kootenai Tribal Defender's office, which formed the Flathead Reservation Reentry Project (FRRP). The Flathead Reservation Reentry Project uses a holistic defense model to address issues and barriers related to reentry. The Holistic Defense model, established by the Bronx Defenders, addresses underlying social and environmental problems that may have contributed to a client's involvement in crime through support from a holistic and interdisciplinary team of legal and social support advocates (Lee, Ostrom, & Kleiman, 2014). The Flathead Reservation Reentry Program staff includes a case manager who conducts the initial intake with all potential participants to determine who meet criteria for the program. The Reentry Intake Assessment Tool (RIAT) is combined with the LSI-R, to determine an initial risk level for recidivism and identify criminogenic needs in order to form a treatment plan for each offender. The case manager was trained and supervised by Clinical Psychology Interns in clinical interviewing, and the administration and scoring of the LSI-R. The purpose of using the LSI-R as opposed to the

updated version (LS/CMI) with updated gender-referenced norms and responsivity factors (which are essentially add-on features to help guide treatment case planning) was because the tribal case management system was already in place and because the LSI-R has a broad and established research base (including some research with Native American offenders) for the criminogenic factors in question.

After entry into the program, the case manager connects the offender to resources in the community, assists with housing applications, employment applications, Medicaid and Social Security benefit applications, and makes appropriate referrals for substance use treatment, mental health treatment, and other tribal programs available to assist Native offenders returning to the reservation. The Clinical Psychology interns provide mental health and chemical dependency assessments for the Tribal Court and follow-up treatment if deemed necessary. They also offer individual, couples, and group psychotherapy to address cognitive, emotional, or behavioral barriers to reintegration and recidivism risk reduction. The Reentry Attorney does outreach with Native Americans who plan to reintegrate onto the Flathead Reservation and assists with parole planning. He also consults and assists Native American offenders with collateral consequences following criminal convictions, such as eviction, driver's license revocations, and criminal registration requirements (i.e., violent offender registration or sexual offender registration). The Flathead Reservation Reentry Program also includes a driver's license restoration program, to assist in the reinstatement of driving privileges, as well as a cultural mentoring program that facilitates connection between program participants and their tribal community and cultural identity by meeting with volunteer cultural mentors who are approved by the Culture Committee of the appropriate tribe (i.e., Bitterroot Salish, Upper Pend d'Oreille, or Kootenai). The form, type and intensity of cultural mentoring is ultimately established by the respective Cultural

Committee, but some cases in the past have included individual counseling with cultural mentors, mediations with persons wronged, or meeting with tribal elders. The Flathead Reservation Reentry Program also collaborates with Confederated Salish and Kootenai Tribes' (CSKT) Department of Human Resource Development (DHRD) to assist program participants in obtaining work experience and accessing transportation.

Flathead Reservation Reentry Program's Target population. The Confederated Salish and Kootenai Tribes of the Flathead Nation is located in rural northwestern Montana. The Flathead Reservation is approximately 70 miles long by 40 miles wide, comprising about 1.2 million acres. Out of the approximately 7,753 members, about 5,000 live on the Flathead Reservation. Of the Native Americans living on the Flathead Reservation, CSKT tribal members are a minority on their own Reservation with many more Native Americans from other tribes and Whites living there. Timber industry sales are a primary source of income for the Tribes, in addition to revenue from the Séliš Ksanka Qlispé Project (a hydroelectric plant), a full-service resort and casino, S & K Electronics, S & K Technologies, and S & K Holding that offers business loans to tribal members (Montana Governor's Office of Indian Affairs, 2016). In 2014, the unemployment rate was 19% with 34.7% of Tribal members living below the poverty line. Young adults aged 18-34 years, which is the age group most likely to be involved with the justice system, had an unemployment rate of 22%, and 28% did not have a high school diploma (U.S. Census, 2014).

The CSKT Defender's Office (2015) showed a 32% recidivism rate from Tribal Court. Of the offenders who recidivated, 66% had a co-occurring mental health diagnosis and substance use disorder. The Flathead Reservation operates under Public Law 280 jurisdiction, which directs Montana State to prosecute felonies charges against Native Americans committed on the

Flathead Reservation. Misdemeanors and some low-level felonies are prosecuted in CSKT Court system. The target population for the Flathead Reservation Reentry Program includes adult CSKT members or members of other federally recognized tribes who were charged with a crime on the Flathead Reservation (i.e., misdemeanor or low-level felony), are transitioning back into the tribal community from a correctional facility, and who are most at risk for recidivism (as measured by the RIAT and LSI-R).

Rationale and Hypotheses

The overall goal of this study is to identify risk and resiliency factors for recidivism among Native American offenders involved in the criminal justice system, in order to improve our risk assessment practices with this population. Results could inform reintegration programs on how to better identify, target, and intervene at dynamic risk factors specific to Native American offender populations and increase exposure to protective factors to reduce recidivism. For the purposes of this study, recidivism will be defined as any new conviction. This operational definition will measure an actual relapse into criminal behavior rather than accounting for arrests due to minor technical violations. Hypotheses include:

1. Cultural factors, as measured by the Historical Loss Scale, Historical Loss Associated Symptoms Scale and Cultural Connectedness Scale, will account for a significant proportion of variance in recidivism, over and above what is accounted for by the LSI-R.
2. More specifically, low scores on the Historical Loss Scale will be associated with a greater likelihood of recidivism (low scores = more frequent thoughts about historical loss).
3. Increased symptoms of historical loss, indicated by high scores on the Historical Loss Associated Symptom Scale, will be associated with a greater likelihood of recidivism.

4. Increased cultural connectedness, indicated by high scores on the Cultural Connectedness Scale, will be associated with a decreased likelihood of recidivism.

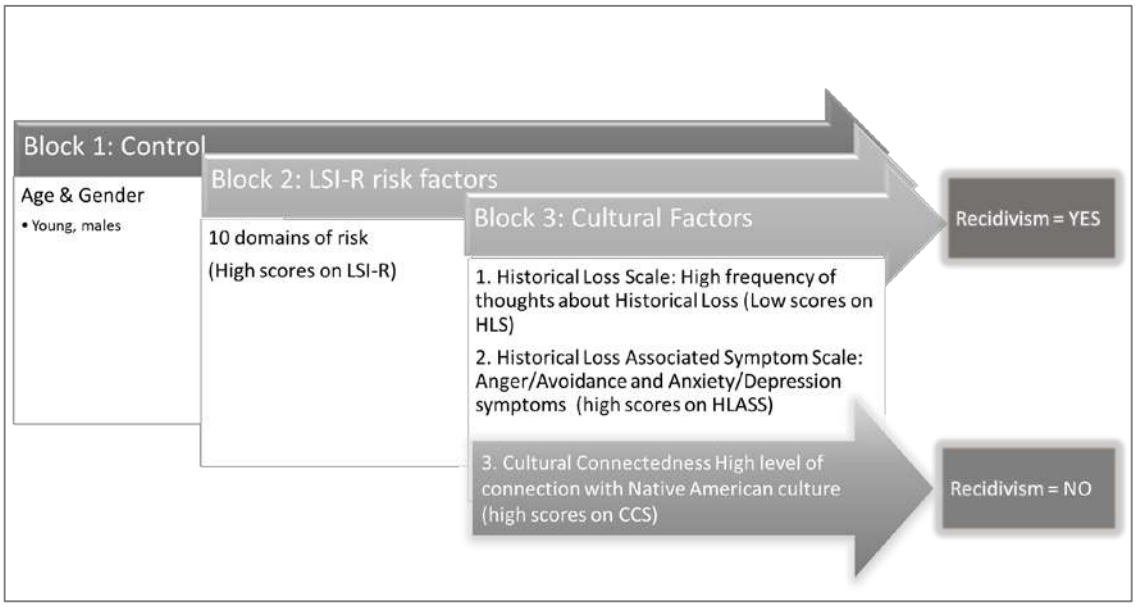

Figure 2. A visual representation of proposed factors that will predict recidivism.

CHAPTER II

Methods

Participants

This study utilized de-identified archival data that was collected as part of the Flathead Reservation Reentry Program funded by the BJA Second Chance Act Reentry Program for Adults with Co-Occurring Substance Abuse and Mental Disorders Grant. Participants included 166 federally recognized adult male and female tribal members who were criminally involved and currently living on or planning to return to the Flathead Reservation upon release from Montana State Prison, CSKT Jail, Lake County Jail, Missoula County Jail, or a prerelease center. Intake data was collected from February 2016 through February 2017. Outcome data, collected until February 2018, included any new charge that resulted in a conviction for up to one year from the participant's intake date.

The sample consisted of 101 male (60%) and 65 female (40%) participants ranging in age from 18 to 58 years (M = 33.56, SD = 9.64). The sample was primarily made up of members of the Confederated Salish and Kootenai Tribes (80%), with representation from Blackfeet (7.8%), Rosebud Sioux/Assiniboine Sioux (5%), Crow (1.2%), and less than 1% from the following tribal nations: the Three Affiliated Tribes, Colville, Kickapoo, Northern Arapaho, Northern Cheyenne, Navajo, Nez Perce, Prairie Band Potawatomi, Puyallup, Rocky Boy, Turtle Mountain, and Yakama. Most were unemployed/seeking employment (78.7%) with 6% employed seasonally and 9% employed full-time. At the time of intake, no participant reported having post-secondary education. Rather, 32% reported having a high school diploma, 30% reported some high school and a GED. Additionally, 28% reported having some high school without a GED, and 9% reported leaving school in 9th grade or below. The majority of participants (79%)

reported having at least one child and 46% of them have shared or sole custody. Only 34% of participants reported having stable permanent housing, while 43% reported temporary housing, 19% reported they were "couch surfing," and 3% of the participants reported they were sleeping outside.

Almost half of the sample (49%) were on state probation at the time of intake, while only 8% were on tribal probation and 42% were not on any form of probation/supervision. A significant proportion of the referring crimes (82%) were substance-related. Of those, 43% were related to alcohol, 7% were related to marijuana, 4% were related to prescription pills, 19% were related to methamphetamine, and 8% were related to multiple substances. In addition, the majority of referring crimes were non-violent (76%) and non-sexual offense(s) (98%).

Measures

Reentry Intake and Assessment Tool (RIAT). The RIAT is a clinical interviewing guide developed by Fox and Hansen (2016) that includes demographic information, criminal history, educational history, employment history and income information, family history, housing issues, substance use history, medical and mental health history, and current needs and goals (see Appendix A). The RIAT is administered orally in conjunction with the LSI-R by the FRRP case manager, who was trained and supervised by clinical psychology interns (who possessed the requisite educational level required for test administration). Items were combined into one interview in order to avoid repetition of questions during the needs assessment process. Administration time for the RIAT and LSI-R varies but is generally completed in 60 to 90 minutes.

Level of Service Inventory-Revised (LSI-R). The LSI-R, developed by Don Andrews and James Bonta (2000), is a 54-item inventory designed to classify the level of risk of

recidivism for each offender as well as to help identify criminogenic needs that can aid in post-conviction supervision, security, and treatment decisions (see Appendix B). The LSI-R measures 10 subcomponents of recidivism risk (i.e., criminogenic factors/needs) including: criminal history, education/employment, financial, family/marital, accommodation, leisure/recreation, companions, alcohol/drug problems, emotional/personal, and attitude/orientation. Each item represents a potential risk factor and is scored as a 0 (= *no*) or 1 (= *yes*), or on a 0 to 3 rating (0 = *a very unsatisfactory situation with a very clear and strong need for improvement,* 1 = *a relatively unsatisfactory situation with a need for improvement,* 2 = *a relatively satisfactory situation with some room for improvement,* 3 = *a satisfactory situation with no need for improvement*). Each item is then translated to a score of 0 (= *risk indicator present*) or 1 (= *risk indicator not present*) and summed to create a total composite score that can range from 0 to 54. Andrews and Bonta (1993) proposed cut-off scores for risk level classification vary depending on gender, setting, and purpose; however, this study did not utilize cut-off scores in order to maximize predictive ability.

Historical Loss Scale. The Historical Loss Scale (HLS) is a 12-item inventory developed and normed by Whitbeck and colleagues (2004) with a Native American population (see Appendix C). The HLS measures the frequency of thoughts about losses that many Native Americans have experienced, such as: loss of land, language, or culture. Each of the 12 items represents a type of loss and asks the participant to rate how often he/she thinks about each loss. The response categories are 1 = *several times a day*, 2 = *daily*, 3 = *weekly*, 4 = *monthly*, 5 = y*early or at special times*, and 6 = *never*. The HLS has been used across the United States with many American Indian tribes and Alaska Native samples. It has shown high internal reliability (Cronbach's alpha = .92) and high loadings (ranging from .62 to .86) on a single factor solution

(i.e., historical loss) that explained 58% of the variance in the component measures of historical trauma identified by tribal elders (Whitbeck et al., 2004).

The Gunning Fog readability score for the Historical Loss Scale was 7.4, which suggested that the test could be read and understood by individuals who left full-time formal education after 7.4 years. Further, results corroborated prior findings, in that the scale showed high internal consistency within this sample (Cronbach's alpha = .94).

Historical Loss Associated Symptom Scale. The Historical Loss Associated Symptom Scale (HLASS) was developed in conjunction with the HLS (Whitbeck et al., 2004). The HLASS is a 12-item scale that measures the frequency of emotional responses to the thoughts about historical loss (see Appendix D). The scale measures two factors of symptoms associated with historical trauma: anger/avoidance and anxiety/depression. Each item lists an emotional reaction or symptom of historical loss and is associated with a set of the following responses: 1 = *never*, 2 = *seldom*, 3 = *sometimes*, 4 = *often*, 5 = *always*. The instructions direct the participant to refer back to the HLS when answering each item of the HLASS and rate how often the participant experiences each symptom when he/she thinks about these losses. Total scores can range from 12 to 60 with high scores indicating more symptoms of historical loss. The HLASS has shown high internal reliability (Cronbach's alpha = .89) and has been used widely with American Indian/Alaska Native samples.

The Gunning Fog readability score for the Historical Loss Associated Symptom Scale was 4.6, which suggested that the test could be read and understood by individuals who left full-time formal education after 4.6 years. Further, the scale showed high internal consistency within the sample (Cronbach's alpha = .90).

Cultural Connectedness Scale. The Cultural Connectedness Scale (CCS) is a 5-item scale (see Appendix E) that was developed by Hansen and Fox (2016) in consultation with the CSKT Holistic Defense Team and Flathead Reservation Reentry Program staff. The items were chosen to represent salient Native American cultural aspects that were previously identified by clients of CSKT Holistic Defense Program. The scale asks participants to rate their connection, perceived access, participation, desire to learn, and knowledge of their Native American culture. Each item corresponds with a 4-point to 6-point scale. Total scores can range from 5 to 24 with higher scores indicating stronger or higher degree of perceived cultural connection. In the present study, the CCS showed good internal consistency (Cronbach's alpha = .72) with all 5-items adding to the overall consistency.

The Gunning Fog readability score for the Cultural Connectedness Scale was 9.8, which suggested that the test could be read and understood by individuals who left full-time formal education after 9.8 years. The scale showed an acceptable level of internal consistency (Cronbach's alpha = .72), with no item detracting from the overall internal reliability.

Procedure

Data collection within the Reentry Program. Potential clients were referred to the Flathead Reservation Reentry Program from a variety of agencies, including the Tribal Defenders, Tribal Probation, Montana Department of Corrections, State Parole and Probation, State Office of the Public Defender, Tribal Behavioral Health, community providers, grant stakeholders, as well as via self-referral or with a referral from family, friends, and community members. Individuals who were eligible for the program included any adult member of a federally recognized tribe, had recent involvement with the criminal justice system, and planned to return to the Flathead Reservation from federal, state, or tribal jails, prison, or pre-release

centers. After the FRRP grant manager received the referral, an intake appointment was scheduled with the FRRP case manager. Upon intake, the case manager introduced the client to the Reentry Program model and collected a signed informed consent (see Appendix F) to participate in the program as well as have their de-identified information included in program analysis and follow-up studies. The case manager conducted the intake interview using the Reentry Intake Assessment Tool (RIAT) (see Appendix A), which included a 45-minute interview, recidivism risk assessment (i.e., LSI-R), and collected demographic, legal, and background information to inform the case management treatment plan. After the interview, each client completed a paper and pencil form of the Historical Loss Scale, the Historical Loss Associated Symptom Scale, and the Cultural Connectedness Scale. The measures were scored by the case manager and entered into a data storage system by the FRRP grant manager.

Data for this study was collected, stored, and de-identified by the Flathead Reentry grant manager. De-identified data for the present study was received from FRRP and entered into SPSS statistical software package (IBM Corporation, 2013) for analysis. Participants with significant missing data points (i.e., did not complete the self-report measures due to time constraints) were not included in the analysis. All predictor variables were coded as continuous variables, while the outcome variable was coded as a binary categorical variable (i.e., *recidivism yes* = 1 and *recidivism no* = 0). Recidivism was measured as any new conviction that occurred in the first year after intake into the Flathead Reservation Reentry Program.

CHAPTER III

Results

Assumptions of independence, non-multicollinearity, linearity of independent variables, and log odds were met. A summary of intercorrelations and descriptive statistics for the predictor variables are presented below in Table 2. (See Table 3 under Appendix G for a summary of intercorrelations between control variables and sub-factors of predictor variables.)

Table 2.

Summary of Intercorrelations, Means, and Standard Deviations of the LSI-R, HLS, HLASS, and CCS.

		LSI-R Total	HLS Total	HLASS Total	CCS Total	Mean	Standard Deviation
LSI-R total	Pearson Correlation	1	-.013	.243**	-.162*	28.72	6.618
	Sig. (2-tailed)		.870	.002	.037		
	N	166	166	166	166	166	166
HLS Total	Pearson Correlation	-.013	1	-.598**	-.339**	41.89	13.032
	Sig. (2-tailed)	.870		.000	.000		
	N	166	166	166	166	166	166
HLASS Total	Pearson Correlation	.243**	-.598**	1	.097	32.38	9.848
	Sig. (2-tailed)	.002	.000		.216		
	N	166	166	166	166	166	166
CCS Total	Pearson Correlation	-.162*	-.339**	.097	1	15.10	3.554
	Sig. (2-tailed)	.037	.000	.216			
	N	166	166	166	166	166	166

*Correlation is significant at the 0.05 level (2-tailed),
**Correlation is significant at the 0.01 level (2-tailed).

Overall, results showed a 35.5% one-year recidivism rate for the 166 participants who participated in the Flathead Reservation Reentry Program, which represents a significant reduction compared to the national rate of 45%, the most current Montana State Prison recidivism rate of 47%, and the target recidivism goal of 50%, which was set by the BJA Second

Chance Act Reentry Program. However, these results are preliminary and only account for the first year of recidivism outcomes. While research shows that the first year of reentry is associated with the greatest likelihood for re-offense, most recidivism data is reported at three years post-release; thus, more data is needed to compare recidivism outcomes to national or state trends.

Receiver Operating Characteristic (ROC) analysis showed that the LSI-R performed significantly better than chance (AUC = .658; p = .002) in predicting recidivism outcomes, However, it only categorized 65.8% of participants correctly, which suggests that in general the measure had poor utility in this sample. For example, ROC curve coordinates suggested an ideal cut-off score of 29, which is associated with a correct prediction of recidivism for 67.8% of the sample. However, this would be associated with a 40% false positive rate (See Figure 3). Further, reliability analysis showed poor internal consistency (Cronbach's alpha = .48) within the sample.

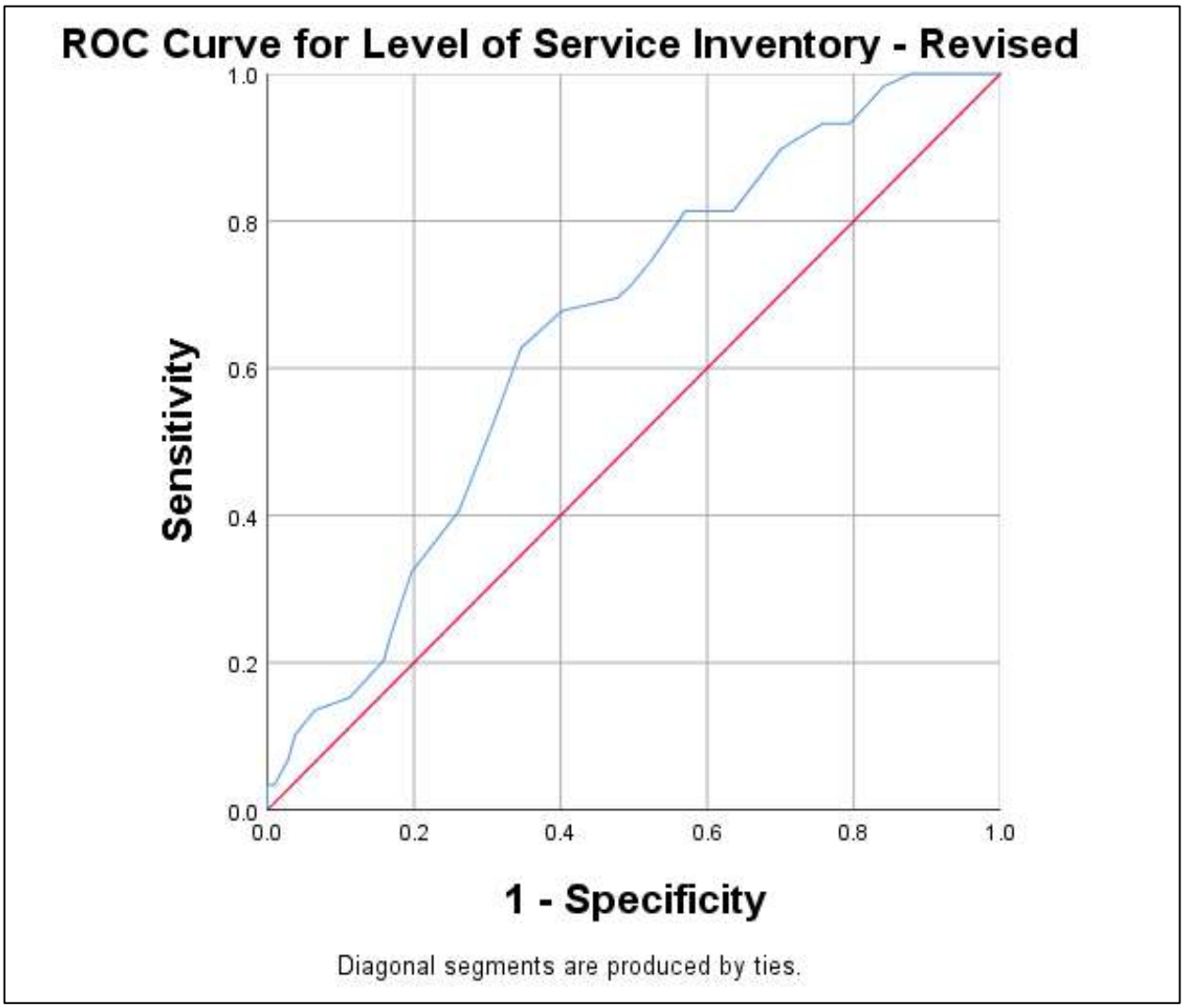

Figure 3. Graph depicting Receiver Operating Characteristic analysis on the Level of Service Inventory-Revised for predicting recidivism outcomes for Native American Offenders.

A hierarchical binary logistic regression analysis was performed using IBM SPSS Statistics version 25 to test the hypothesis that cultural factors will account for a significant proportion of variance, above and beyond what is already accounted for by a commonly used recidivism risk assessment tool (LSI-R), while controlling for age and gender (see Table 4 below).

Table 4.

Hierarchical Logistic Regression Analysis Summary for Factors Predicting Recidivism

						95% C.I. for Exp(B)	
		B	S.E.	Sig.	Exp(B)	Lower	Upper
Step 1[a]	Age	-.023	.019	.232	.977	.941	1.015
	Gender	.839	.390	.031*	2.315	1.078	4.973
Step 2[b]	LSI-R Total	.104	.031	.001**	1.110	1.045	1.179
Step 3[c]	HLS Total	-.015	.018	.414	.985	.950	1.021
	HLASS Total	-.016	.023	.490	.984	.940	1.030
	CCS Total	-.119	.055	.031*	.888	.797	.989
	Constant	-.480	1.957	.806	.619		

Notes. *$p < .05$, **$p < .01$, *** $p < .001$.
a. -2 log likelihood = 212.367, model χ^2 (2, N=166) = 3.678, p = .159, Nagelkerke R = .030, PAC = 64.5%
b. -2 log likelihood = 197.818, model χ^2 (3, N=166) = 18.227, p = .000***, Nagelkerke R = .143, PAC = 68.1%
c. -2 log likelihood = 192.590, model χ^2 (6, N=166) = 23.456, p = .001**, Nagelkerke R = .181, PAC = 69.3%

The overall model reached statistical significance, $\chi^2(6, N = 166) = 23.456$, $p = .001$, and explained about 18% of the variance in recidivism outcomes (Nagelkerke R = .181). The model had a Percent Accuracy in Classification (PAC) rate of 68%, suggesting that it would correctly predict recidivism outcomes about 68% of the time. Step two (adding LSI-R total scores) significantly improved the model's predictive ability to account for 14% of the variance in recidivism outcomes, with a 4% increase in the PAC rate (68%). Step three (adding cultural factors) significantly improved the model's predictive ability ($p = .001$), and increased the variance explained by an additional 4% (Naglekerke R = .181), and PAC rate from 68% to 69%. This finding suggests that the addition of culturally specific factors statistically improved the

model's ability to predict recidivism outcomes which provides support for the primary hypothesis.

Considering all other variables in the model, LSI-R total scores and self-reported levels of cultural connectedness significantly predicted recidivism outcomes. More specifically, a one unit increase in LSI-R scores was associated with an 11% increase in likelihood for recidivism. Conversely, a one unit increase in self-reported cultural connection (CCS Total) was associated with an 11% decrease in likelihood for recidivism. Frequency in thoughts about historical loss (as measured by the HLS) and the associated emotional responses to those thoughts (as measured by the HLASS) did not show significant results in the model. This finding prompted further analysis into the data, which led to the discovery of specific patterns among participants' response styles, suggestive of an interaction effect between the HLS and the HLASS that was not accounted for in the initial model.

As expected, gender was a significant predictor of recidivism outcomes in the model. Results suggested that males were 2.3 times more likely to recidivate, while females showed a 55% reduction in likelihood for recidivism. This finding matches the trend of national and state recidivism data; however, it was important to explore based on mixed findings for Native American female offenders (Holsinger, Lowenkamp & Latessa, 2003; 2006) and recent debate within the criminology/corrections field that question the use of LSI-R (and other mainstream risk measures) with female offenders, asserting that women generally have unique motivations to engage in criminal behavior and thus specific risk assessment needs. For example, Bloom and colleagues (2003) identified several female-specific responsivity factors such as mothering concerns, adult victimization, and women's health, that should be included in the assessment process in addition to informing the modes and delivery of rehabilitation services. Further,

Holsinger and colleagues (2003) found that males scored significantly higher than females on six of the ten domains of the LSI-R (family/marital, leisure/recreation, companions/peers, alcohol/drug use, and attitudes/orientation), while females scored significantly higher on two of the ten LSI-R domains (financial and emotional). See Table 5 below for a summary of gender comparisons for mean scores on predictor variables.

Table 5.

Summary of Means Comparisons through Independent Samples t-Tests for Gender Differences Within Predictor Variables.

	Gender	*N*	Mean	*SD*	*t*	*Df*	*Sig (2-tailed)*
Age	Female	65	34.00	10.147	.470	164	.639
	Male	101	33.28	9.341			
LSI-R Total	Female	65	31.00	5.486	3.690	164	.000**
	Male	101	27.26	6.890			
HLS Total	Female	65	39.29	12.841	-2.082	164	.039*
	Male	101	43.56	12.942			
HLASS Total	Female	65	34.40	10.476	2.144	164	.034*
	Male	101	31.08	9.243			
HLASS Anxiety/Depression	Female	65	14.85	4.800	2.917	164	.004*
	Male	101	12.68	4.574			
HLASS Anger/Avoidance	Female	65	19.55	6.967	1.163	164	.247
	Male	101	18.40	5.767			
CCS Total	Female	65	14.72	3.394	-1.111	164	.268
	Male	101	15.35	3.650			
CCS-Cultural Connection	Female	65	2.46	1.236	-1.219	164	.225
	Male	101	3.16	1.065			
CCS-Cultural Access	Female	65	3.08	1.108	-1.712	164	.089
	Male	101	3.38	1.094			
CCS-Cultural Participation	Female	65	2.83	1.282	-1.310	164	.192
	Male	101	3.10	1.292			
CCS-Cultural Desire	Female	65	3.42	.768	1.417	164	.158
	Male	101	3.24	.802			
CCS-Cultural Knowledge	Female	65	2.46	.639	-.325	160[a]	.746
	Male	101	2.50	.843			
LSI-R Criminal History	Female	65	5.17	2.043	-1.422	164	.157
	Male	101	5.65	2.202			

LSI-R Education/Employment	Female	65	6.89	1.288	2.928	160 [a]	.010*
	Male	101	6.05	2.406			
LSI-R Financial	Female	65	1.52	.562	3.436	164	.001*
	Male	101	1.19	.644			
LSI-R Family	Female	65	2.51	1.147	1.555	164	.122
	Male	101	2.22	1.188			
LSI-R Accommodation	Female	65	1.29	.805	1..677	164	.095
	Male	101	1.06	.915			
LSI-R Leisure	Female	65	1.09	.785	1.130	164	.260
	Male	101	.95	.792			
LSI-R Companions	Female	65	3.09	1.355	.927	164	.355
	Male	101	2.90	1.261			
LSI-R Substance Use (Alcohol/Drugs)	Female	65	5.57	2.236	3.212	164	.002*
	Male	101	4.42	2.273			
LSI-R Emotional	Female	65	2.75	1.016	6.222	152 [a]	.000**
	Male	101	1.67	1.201			
LSI-R Attitudes	Female	65	1.06	.998	-.547	164	.585
	Male	101	1.16	1.181			

Note: [a]Equal variances not assumed
*p = 0.05 level (2-tailed)
**p = 0.01 level (2-tailed)

In the present study, male participants showed a 38 % recidivism rate, while female offenders showed a 31% recidivism rate. Independent samples *t*-tests showed no significant differences in age or self-reported level of cultural connection (for both total scores and individual items) between male and female participants. However, results showed significant gender differences on the HLS, the HLASS (specifically, the anxiety/depression subscale of the HLASS), LSI-R total scores, and four out of the ten LSI-R domains (education/employment, financial, substance use, and emotional). In general, female participants generally reported a significantly higher frequency of thoughts about historical loss as well as increased symptomology associated with historical loss. More specifically, female participants scored significantly higher on the anxiety/depression subscale of the HLASS, which likely explains the significant gender difference for the overall HLASS total scores.

Overall, female participants showed significantly higher mean LSI-R total scores than their male counterparts. Additionally, females scored higher than males on all four of the ten identified risk domains (education/employment, financial, substance use, and emotional), despite showing lower rates of recidivism. These findings, although somewhat preliminary, provide support to previous arguments for gender-specific criminogenic factors and important basis for further investigation within a Native American offender population to identify gender-specific risk and resiliency factors. Unfortunately, the sample size is too small in the present sample to investigate the relative importance of factors within the model separately for each gender to determine predictive factors of recidivism. However, this is an important and relevant question that should be investigated in follow up studies.

Due to detecting of a potential interaction effect between the HLS and the HLASS, as well as interest in exploring the predictive ability of the subscale factors for each measure, a post-hoc, hierarchical, binary, logistic regression was performed using IBM SPSS Statistical package version 25 (see Table 6).

Table 6.

Post-Hoc Hierarchical Logistic Regression Analysis Summary for Factors Predicting Recidivism

						95% C.I. for Exp(B)	
		B	S.E.	Sig.	Exp(B)	Lower	Upper
Step 1[a]	Age	-.027	.023	.248	.973	.930	1.019
	Gender	1.126	.484	.020*	3.082	1.194	7.958
Step 2[b]	LSI-R: Criminal History	-.126	.102	.214	.881	.722	1.075
	LSI-R: Education/Employment	.360	.126	.004**	1.433	1.119	1.835
	LSI-R: Financial	-.177	.355	.619	.838	.418	1.682
	LSI-R: Family	.496	.205	.016*	1.642	1.099	2.455
	LSI-R: Accommodation	.270	.245	.269	1.310	.811	2.116
	LSI-R: Leisure	-.309	.290	.287	.734	.415	1.297
	LSI-R: Companions	.243	.161	.132	1.275	.929	1.749
	LSI-R: Substance Use	.020	.096	.837	1.020	.845	1.232
	LSI-R: Emotional	.015	.193	.938	1.015	.695	1.483
	LSI-R: Attitudes	.320	.179	.074	1.377	.969	1.958
Step 3[c]	HLS Total	.102	.051	.043*	1.108	1.003	1.223
	HLASS: Anxiety/Depression	-.032	.062	.605	.969	.858	1.488
	HLASS: Anger/Avoidance	.207	.097	.033*	1.230	1.017	1.093
	HLASS: Anger/Avoidance by HLS Total	-.006	.002	.013*	.995	.990	.999
	CCS: Cultural Connection	.186	.209	.374	1.204	.799	1.815
	CCS: Cultural Access	-.303	.214	.156	.738	.486	1.123
	CCS: Cultural Participation	-.448	.197	.023*	.639	.434	.940
	CCS: Cultural Desire	.299	.324	.356	1.349	.714	2.548
	CCS: Cultural Knowledge	.133	.299	.657	1.142	.635	2.053
	Constant	-7.589	3.483	.029	.001		

Note, *p < .05, **p < .01, *** p < .001.

a. -2 log likelihood = 212.367, model $\chi 2(2, N=166) = 3.678$, p = .159, Nagelkerke R = .030, PAC = 64.5%

b. -2 log likelihood = 180.834, model $\chi 2(12, N=166) = 35.212$, p = .000***, Nagelkerke R = .263, PAC = 71.7%

c. -2 log likelihood = 166.097, model $\chi 2(21, N=166) = 49.948$, p = .000**, Nagelkerke R = .357, PAC = 73.5%

The post-hoc model in Table 6 provides a break-down of the sub-factors in each measure, which helps provide some clarity on which sub-factors within the model are most important in predicting recidivism outcomes. Consistent with the previous findings, this overall model is a significant model for predicting recidivism outcomes in our sample, $\chi^2(21, N = 166) = 49.948$, p = .000. Results showed at step one (control variables entered), the model was non-significant,

as it only accounted for about 3% of the variance in the outcome variable and had a PAC of 64% (which was the baseline PAC with no variables entered). On step two (LSI-Factors entered), the model's predictive ability was significantly improved, $\chi^2(12, N = 166) = 35.212$, $p = .000$, to account for approximately 26% of the variance in recidivism outcomes and the model's PAC improved to 72%. On step three (cultural factors and interaction term entered), the model's predictive ability was significantly improved again, $\chi^2(21, N = 166) = 49.948$, $p = .000$, to account for approximately 36% of the variance in recidivism outcomes and the model's PAC improved to 74%.

Within the model, statistically significant predictive factors from the LSI-R included the education/employment risk factor ($p = .004$), the family risk factor ($p = .016$) (i.e. family/marital discord and/or family members who are involved in criminal activity), and the pro-criminal attitudes/orientation category approached significance ($p = .07$) as a potential risk factor for recidivism. More specifically, a one unit increase in the education/employment risk category was associated with a 43% increase in the likelihood for recidivism. Additionally, a one unit increase in the family/marital risk factor was associated with a 64% increase in the likelihood for recidivism.

Statistically significant cultural factors (entered on step three), included the HLS ($p = .043$), the anger and avoidance subscale of the HLASS ($p = .033$), the interaction between the anger and avoidance subscale of the HLASS and the HLS ($p = .013$), the cultural participation item from the CCS ($p = .023$), and the cultural access item approached significance in the direction of a protective factor for recidivism at, $p = .15$. Given the other factors in the model, results showed that a one unit increase in HLS total scores is associated with an 11% increase in likelihood for recidivism. However, recall that the HLS is reverse coded; thus, this finding

suggests that decreased frequency in thoughts about historical loss is associated with an 11% increase in the likelihood for recidivism. Further, a one unit increase in the anger and avoidance subscale from the HLASS is associated with a 23% increase in likelihood for recidivism, suggesting that increased symptoms of anger and avoidance in response to thoughts about historical loss constitutes a risk factor for recidivism. However, the presence of a significant interaction term for anger and avoidance subscale of the HLASS and the HLS suggests that as scores on the anger and avoidance subscale of the HLASS increase, the effect (i.e. log odds ratio) of HLS scores on the likelihood for recidivism decreases. A potentially simplistic interpretation of this finding suggests that it may be relatively protective for many participants to think about historical losses and have an emotional response to those thoughts (as measured by the HLASS), however, those who experience increased levels of anger and avoidance in response to thoughts about historical loss show at a higher risk for recidivism. Conversely, results also showed that a one unit increase in cultural participation was associated with a 36% decrease in the likelihood for recidivism. The cultural access item from the CCS also approached significance as a protective factor, suggesting that it may be an area of interest/consideration in future research or intervention toward reducing recidivism for reentering Native American offenders.

CHAPTER IV

Discussion

Overall the results of this study supported the primary hypothesis that cultural factors will account for a statistically significant proportion of variance in recidivism outcomes, over and above one of the most commonly used recidivism risk assessment tools (LSI-R) in a sample of Native American offenders, providing support for the notion that Native American offenders may have unique criminogenic factors that are not currently captured in mainstream risk assessment measures. Further, these findings corroborate prior studies that found sub-optimal performance of mainstream recidivism risk measures in Native American offender populations. Despite the LSI-R's statistical significance in the model, it performed in the *poor* range (AUC = .678) as a standalone measure. More specifically, ROC curve analysis shows that it performed statistically significantly better than chance (i.e., AUC = .50), however, the Area under the Curve (AUC) statistic is expected to fall between .8 to .9 to signify good measure utility or performance. Cronbach's alpha, which is commonly reported in assessing psychometric properties of a scale, showed poor internal consistency (Cronbach's alpha =.48).

Although the LSI-R has previously demonstrated strong psychometric properties (Cronbach's alpha r = .72; interrater reliability = .94, and temporal stability = .80), most of the validation research has been based on White-Canadian offenders. Among U.S.-based samples, the proportion of African American offenders ranged between 20.3% (Andrews & Bonta, 2003) and 50.4% (Lowenkamp et al., 2001). Examinations of the validity of the LSI-R among offenders of Hispanic and Native American ethnic heritage are even more limited, with proportions of samples as low as 0% to 1.7% (Andrews & Bonta, 2003).

Given the underrepresentation of minority offenders in U.S. studies of LSI-R validity, there has been an increasing call within the criminology literature for further investigation regarding the measure's predictive ability for minority groups. Ostermann and Salerno (2016) found weak predictive utility for the LSI-R across race (i.e., Black, White, and Hispanic) and gender (i.e., male and female), especially for Black male offenders (Pearson's r = .1558; AUC = .5872). Similarly, Schlager and Simourd (2007) found weak predictive ability (r = .09) and low internal consistency (Cronbach's alpha = .55) for the LSI-R in a sample of African American and Hispanic offenders.

An important consideration, however, was presented by Baird (2009), of the National Council on Crime and Delinquency, who argued that Cronbach's alpha is an inappropriate measure of validity, as it was designed to measure the internal consistency of one single construct in a classically-constructed scale. Since the LSI-R (and most other risk assessment measures) are criterion-referenced scales intended to measure multiple constructs, it has been argued that Cronbach's alpha is an inappropriate measure. Instead, Baird argues that measures of discrimination (e.g., Cohen's *d*, AUC, or regression) and calibration (e.g., PAC rate or degree of match between expected and observed rates) are more effective in evaluating a criterion-referenced scales' utility. Nevertheless, suggested alternative measures such as ROC, AUC and regression also indicated poor utility in this study.

Contrary to James Bonta's (1989) early study that found equal predictive ability for Aboriginal offenders and non-Aboriginal offenders in Canada, the present results echo the findings of more recent studies that found decreased predictive ability for Aboriginal/Native American offenders (Gutierrez, Wilson, Rugge & Bonta, 2013; Holsinger, 2003; 2006: Wilson & Gutierrez, 2014). While it remains unclear why the LSI-R underperforms in Aboriginal/Native

American offender populations, Wilson and Gutierrez (2013) and Wormith, Hogg, and Guzzo (2015) proposed several hypotheses including systemic and institutionalized racism within the criminal justice system that leads to inaccurate assessment and/or increased likelihood for detection of criminal behavior or technical violations. Additional hypotheses proposed that there may be difficulty measuring the central eight criminogenic factors across cultures, or that the central eight are present within Aboriginal offenders, but they have more risk factors that are not measured, including culturally specific factors. The results in this study support Gutierrez and colleagues' latter assumption, but it is still possible that institutionalized racism or implicit bias also play a role in the LSI-R's decreased accuracy in predicting recidivism. For example, it may be the case that low-scoring Native American offenders who recidivated may have been at increased risk of being caught (i.e., detection), or an increased risk of being violated by their probation officer (i.e., implicit bias or racism).

Risk Factors for Recidivism

As expected, results indicated that low educational levels and unemployment represent a risk factor for recidivism. More specifically, results suggested that a one unit increase in the education/employment risk factor category was associated with a 43% increase in the likelihood for recidivism. This finding is consistent within criminological/sociological literature that has linked poor educational performance, increased use of discipline in school, and early drop-out rates with increased risk for incarceration. Scholars and politicians have termed this pervasive phenomenon the school-to-prison-pipeline. Research has shown racial differences in frequency and severity of discipline that begins as early as elementary school. For example, Skiba and colleagues (2011) found that Black students were 2.19 (elementary) to 3.78 (middle) times as likely to be referred to the office for problem behavior as their White peers. Additionally, they

found African American and Hispanic American students were more likely to receive expulsion or out of school suspension as consequences for the same or similar problem behavior compared to their European American peers. The growing racial gap in school suspensions has been documented by the U.S. Department of Education Office for Civil Rights (2001) and reflected in local and state data as well. In June 2017, the Assiniboine and Sioux tribes on the Fort Peck Indian Reservation filed a complaint, backed by the Montana ACLU, alleging mistreatment of Native athletes by high school coaches, disciplinary policies aimed only at Native students, preferential hiring of non-Native teachers and staff and an overall failure to connect with Native students and their families. More recently, in March of 2018, U.S. District Judge Steven Logan ruled in favor of students from the Havasupai Tribe who previously filed suit against the U.S. Government for failure to provide even the basics in education. Felicia Fonseca reported in a *Washington Post* interview (2018, April 5) about a 12-year-old boy who attends Havasupai and has repeatedly faced suspension and arrest for behavior that his attorney stated is linked to a disability. The complaint against the U.S. Government reported a gross lack of resources at the school, including that only two courses (Math and English) were taught and without a sufficient number of textbooks or a functioning library, no after-school sports teams/clubs, health/mental health resources, ADA incompliance, and inadequate teaching staff that frequently resulted in school shut-downs for weeks at a time. These examples are not uncommon on Indian reservations across the country and the federal government has repeatedly acknowledged the failure to provide adequate education for Native American children (Jewell, 2013). These examples highlight the obvious and subtle paths that serve to form what has become known as the school to prison pipeline. The phenomenon has been well-established; however, intervention has proved more complex. The National Council on Disability (NCD) appropriately

acknowledged long-standing racial disparities in academic achievement, over-referral to Special Education classrooms and disparate enforcement of rules and discipline, by attributing these disparities to implicit bias and non-compliance with disability and other civil rights laws (NDC, 2015). In conclusion to their 2015 report titled, *Breaking the School-to-Prison Pipeline for Students with Disabilities,* The National Council on Disability stated that:

> special educators and the Office of Special Education and Rehabilitative Services (OSERS) should play a leading role in both special and general education reform. However, improved implementation of disability laws alone will not eliminate persistent racial disparities in special education. Enforcement activities must also address race head on to finally ameliorate the problem of disproportionality in special education. (p. 10)

While it remains clear that there are systemic issues that must be addressed in order to address the school-to-prison pipeline, focus on building resiliency factors and fostering cultural connectedness and identity building within Native American students and schools may offer a buffer within the currently flawed system.

Results also suggested that of the other factors in the model, family and marital discord was a risk factor for recidivism. Specifically, a one unit increase in the family/marital risk category was associated with a 64% increase in likelihood for recidivism. Anecdotally this finding makes sense based on the notion that lack of immediate support can increase a person's risk of unsuccessful outcomes. It also makes sense based on the increased importance placed on relationships within Native American collectivist-based value systems. Interestingly, however, Wilson and Gutierrez (2014) found that the family/marital risk domain was one of the two least predictive factors, along with the leisure risk domain, for recidivism among Aboriginal offenders in Canada. The family/marital risk category assesses the offender's reported dissatisfaction with

marriage or intimate relationship, non-rewarding parental relationships, non-rewarding relationships with relatives, and family members' past criminal involvement. The discrepancy in findings may be based in locally-specific cultural conceptualizations about what constitutes family relationships, or it could reflect incongruence in the way the question is worded or interpreted by Aboriginal and Native American offenders. In considering future risk assessment development for Native American offenders, it may be important to explore the approach in which this specific risk category is assessed. Additionally, this category may be better reflected by a combination of other assessment measures such as the Adverse Childhood Experiences questionnaire, indicators of attachment problems, or family and community support measures.

Results also showed support for the inclusion/assessment of culturally specific risk factors such as the emotional response to thoughts about historical losses, (i.e., historical trauma), as measured by the Historical Loss Associated Symptoms Scale. In particular, the results showed that a one unit increase in the anger/avoidance subscale of the HLASS was associated with a 23% increase in the likelihood for recidivism. Surprisingly, the anxiety/depression subscale was not significantly associated with recidivism outcomes. One potential explanation for this finding could be that participants who scored higher on the anxiety/depression subscale were more likely to isolate and internalize their distress, while participants who scored higher on the anger/avoidance subscale were more likely to externalize and act out or use illicit substances to avoid intrusive thoughts and feelings of anger regarding historical losses. Another explanation could lie in gender differences in a historical loss response style. Female participants scored significantly higher than male participants on the anxiety/depression subscale of the HLASS and were also less likely to recidivate. While there were no significant mean differences between genders on the anger/avoidance subscale, there

may still be a profile difference related to recidivism outcomes. Despite having lower mean scores on several risk categories of the LSI-R and scoring, on average, four points lower than females for the total LSI-R risk score, male participants were 2.3 times more likely to recidivate than their female counterparts. Given the discrepancies, it seems there is a substantiated need for further investigation into the unique gender-specific risk and resiliency factors for recidivism.

Finally, results showed that the attitudes/orientation risk domain approached significance (p = .07) as a potential risk factor. This domain measures an offender's attitude toward crime (i.e., supportive of crime), whether the offender is unfavorable toward convention, and/or has a poor attitude toward his/her sentence or supervision. Although the factor didn't quite reach statistical significance, it may be important to consider in future measure development or intervention planning as it was also found to be one of the stronger predictors of recidivism outcomes in Wilson and Gutierrez's (2014) meta-analysis.

Resiliency Factors for Non-Recidivism

Interestingly, results showed that increased frequency of thoughts about historical losses, as measured by the HLS, represented a resiliency factor for avoiding crime. Given the other factors in the model, results suggested that a one unit increase in the HLS (which translates to decreased frequency of thoughts about historical loss) was associated with an 11% increase in likelihood for recidivism; thus, those who reported thinking less often about historical losses showed an increased risk for recidivism. Within the literature base, increased thoughts about historical losses have previously been associated with poor physical and mental health outcomes (Lawrence, 2012; Whitbeck, Chen, Adams, & Hoyt, 2004; Whitbeck, Walls, Johnson, & Morrisseau, 2009). One potential explanation for this disagreement could be a reflection of the increased societal awareness regarding social justice. It may be that Native Americans are more

aware of the historical injustices and in the era of social media, are increasingly exposed to material that increased the frequency of their thoughts about historical losses without negative outcomes. Increased exposure may also reflect increased access to support through shared discussion, validation, and community. However, results also showed a significant interaction effect between the HLS and the anger/avoidance subscale from the HLASS, suggesting that as scores on the anger/avoidance subscale increase, the "protectiveness" of the HLS on recidivism outcomes decreases. Thus, in the absence of increased anger/avoidance reactions, frequent thoughts about historical loss may reflect healthy adjustment or accurate social awareness. This finding is important in providing contrary evidence to a common myth that talking about or focusing on historical losses can be detrimental to individuals simply by increasing the frequency of thoughts. An important caveat, however, is that there must also be a treatment component in addressing potential historical loss symptomology.

Overall, self-reported levels of cultural connectedness represented a resiliency factor for non-recidivism. Particularly, self-reported participation in cultural activities proved to be the most significant factor in predicting success (i.e., non-recidivism). In the initial model, a one unit increase in self-reported cultural connection was associated with an 11% decrease in likelihood for recidivism. The second model suggested that a one unit increase in self-reported level of cultural participation (from the CCS) was associated with a 36% decrease in likelihood for recidivism. This finding supports previous research that has identified cultural connection and participation in cultural activities as protective factors for the development of negative health outcomes, suicide, substance use, and criminal activity. Moreover, it supports the notion that so many Native American elders and people know to be true, which is that cultural connection is key in maintaining balance, which then dictates everything else: healthy body, heart, spirit, and

mind. This finding, although intuitive, supports intervention efforts geared toward inclusion of cultural activities and increased access to cultural resources and elders.

Implications for Reentry Planning with Native American Offenders

Despite the LSI-R's general underperformance in this sample, a few factors provided enough predictive power to establish statistical significance within the model. Namely, the education and employment risk factor, the family/marital risk factor, and the attitudes/orientation risk factor (approached significance) seem to be the most important risk factors for recidivism within this sample. These findings highlight the importance of access to educational resources as preventative or intervention strategies to reducing recidivism and increasing public safety. About one-third of the sample reported that they had a high school diploma upon intake, while the rest of the sample reported lower education levels. There is no doubt that the presence of the Salish Kootenai College on the Flathead Reservation has increased access and provided a foundation for post-secondary education for many Native Americans. However, this data suggests that key prevention strategies must start early, as the majority of participants did not finish high-school. The findings from this study underscore the importance of the curriculum development spurred by Indian Education for All and the revitalization strategies initiated by the Séliš Qlispé Culture Committee and the CSKT Tribal Education Department. An April 19, 2018, *CharKoosta* article, "Canoe culture returns to Flathead," details how "whenever we restore a part of our culture we become more whole" (para. 19). Interventions geared toward fostering resiliency through cultural connection, identity and participation, as well as talking about historical losses and processing emotional responses during childhood and early adolescent years may be of critical importance in facilitating successful outcomes and preventing criminal behavior; thus, interrupting the school to prison pipeline.

Opportunities for employment can be sparse in Montana in general and pose additional difficulties in rural areas, such as the Flathead Reservation. Having a criminal history adds another barrier for those seeking employment. Important intervention factors could focus on addressing collateral consequences of being convicted of a crime and connecting the offender to vocational rehabilitation programs. This finding supports the Flathead Reservation Reentry Program's intervention efforts to focus on addressing collateral consequences through driver's license restoration, holistic defense, and comprehensive case management. Notably, since 2011, FRRP reported 117 successful driver's license restorations, and a 65% success rate (i.e., non-recidivism) within their cultural mentoring program. Within the past two years, FRRP reported that from the 277 participants in the program they assisted 90 clients in obtaining employment, 60 clients to enroll in Medicaid, 31 clients to obtain housing (who were previously homeless or in unstable housing), 14 clients to enroll in inpatient substance use treatment, and 100 clients to received in-house mental health services (i.e., psychotherapy or chemical dependency/mental health assessment) (FRRP, 2018).

Finally, cultural factors such as historical loss, and its associated symptoms and cultural connectedness are important and often overlooked factors in the likelihood of recidivism for Native American offenders. Including these factors in risk assessment could result in more relevant and meaningful treatment recommendations which could impact recidivism outcomes. This finding could also support the inclusion of culturally specific and/or tribally specific interventions aimed at addressing historical loss and its associated symptoms. Tribal reentry programs could work to facilitate increased access and participation in cultural activities and utilization of traditional value-based frameworks to guide intervention (e.g., relationship-based,

restorative, holistic, etc.). This approach could shift the paradigm from reducing risk to fostering resiliency.

On a broader level, these results should encourage tribal programs to emphasize data tracking and program evaluation based on local norms and populations. The present study echoes previous findings in that, despite the wide use of general recidivism risk assessments in the U.S. with Native American offenders, these assessments provide less than optimal predictive value, and may even lead to negative outcomes if the individual is categorized inaccurately.

Limitations and Future Directions

Flores, Lowenkamp, Holsinger, & Latessa. (2006) argue that the validity of the LSI-R depends on the staff's training (formalized training in the use and interpretation of the LSI-R) and the agency's experience with utilizing the LSI-R. While it is possible that the procedural implementation of the LSI-R within the Flathead Reservation Reentry Program allowed for some error (i.e., administered by a case manager who was trained and supervised by clinical psychology interns in conjunction with a clinical interview), it is unlikely that it wholly explains the decreased accuracy and calibration, as other studies investigating the LSI-R's predictive ability with ethnic minorities have shown similar findings. Furthermore, additional measures were put into place to address this point. The case manager had relevant experience in data management and a bachelor's level education. She is also a tribal member from the Flathead Reservation, which facilitated rapport and cultural competence in the administration of the LSI-R. Additionally, the case manager was trained and supervised by the MA-level clinical psychology interns who had sufficient education and training to administer the risk assessment. It could be argued that the combination of the case manager and the clinical interns provided an optimal balance between formalized training and cultural expertise, as many researchers have

often cited lack of cultural knowledge/training as a potential explanation for measurement underperformance in minority populations. Nevertheless, formalized training should be included in future studies or practice that utilize the LSI-R.

Future analysis should seek to investigate program effectiveness, and the role of program participation on recidivism risk and resiliency assessment. It is common for recidivism data to include participants at various levels of engagement with community resources; however, it may be possible that highly effective reentry interventions (e.g., particularly cultural interventions or other interventions that are not offered in traditional correctional settings) skewed outcome data to reflect lower than usual recidivism risk. Future analysis should attempt to parse out this factor as a potential confound. In addition, future studies should investigate gender differences in criminogenic factors in order to guide effective interventions and future risk and resiliency risk development.

Many criminologists reject the notion of subpopulations having specific criminogenic factors based on the Social Learning Theory. While these results provide support to the contrary, it is important to note that there may be some differences in theory and application of the criminogenic factors that could play a role in the racial or cultural differences. For example, the questions included on the LSI-R that account for the accommodation risk factor (i.e., "unsatisfactory/lack of pride" in living arrangement, having three or more address changes within the last year, and living in a "high crime" neighborhood) may not fully capture the essence of "accommodation" risk in Native American populations. Both anecdotal evidence and previous research has established the importance of stable housing in the reduction of recidivism; however, the accommodation factor did not significantly predict recidivism outcomes. Thus, there may be significant overlap in the common criminogenic needs in addition to culturally

specific factors, but the approach to measuring the criminogenic factors may need to be further assessed to ensure the items are accurately capturing and measuring the intended construct.

Finally, future analysis of the present data could focus on building a more comprehensive model, based on these findings that include additional proxy measures related to the identified risk and resiliency factors. For example, the LSI-R could be replaced with alternative information collected that represents the central eight criminogenic factors. Further, in investigating successful and unsuccessful outcomes, it may be beneficial to broaden the outcome variable to include additional measures of success that is not often captured by the traditional binary model of recidivism (i.e., yes or no). As Ann Miller, the managing attorney from FRRP noted, "the participants benefit in a holistic way that cannot be reduced to a pass or fail. We need to shift our thinking to a holistic approach," which includes the way we define success in recidivism research (A. Miller, personal communication, January 18, 2016).

These results support the assertion that Native American offenders have unique criminogenic factors that could be addressed by the development of a risk assessment tool specific to Native American offender's criminogenic needs. Despite the current model's statistical significance, it still only correctly classifies about 74% of the offenders, leaving a little over one-quarter to essentially fall through the cracks. Further analysis and data, including qualitative data, is needed in order to gain a deeper understanding of the unique experiences of Native offenders that lead to successful or unsuccessful outcomes during the reentry process. Accurate risk assessment for Native American offenders will depend on the inclusion of both unique static and dynamic factors. Potential unique static factors could include Adverse Childhood Experiences (ACE), as several studies have concluded that increased ACE scores are associated with increased risk of violent behavior (Duke, Pettingell, McMorris, & Borowsky,

2010), sexual abuse (Jespersen, Lalumière & Seto, 2009), drug use/addictive behavior (Felitti, 2003), and criminal convictions (Reavis, Looman, Franco & Rojas, 2013). Moreover, research has well-established the link between those who were previously victimized and those who engage in violent behavior. Research has shown that Native Americans are just over twice as likely to be victims of violence (USDOJ, 2004). Including this factor in risk assessment as a static factor could be important in predicting subsequent recidivism and could also highlight an opportunity for intervention through reentry services. Unique dynamic factors should include culturally specific factors such as those included in the present study (i.e., historical loss and its associated symptoms and cultural connectedness factors) as well as other factors identified by the tribal population.

Finally, it's important to highlight and gain a deeper understanding of the resiliency factors that characterizes the majority of the participants in the present study. For instance, approximately 70% of clients scored within the moderate to high risk category on the LSI-R; however, only 35.5% recidivated. Undoubtedly, there are more resiliency factors that are not currently captured in the assessment process. Follow-up qualitative research may facilitate increased understanding of the factors that lead the participants to have successful outcomes, despite the challenges and the recidivism risk factors they face in their daily lives.

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Appendix A

Reentry Intake Tool with Integrated LSI – R items

CSKT Holistic Defense Team Re-Entry Services Intake (RIAT)

Intake Date:_____ Referral Source: _____
Intake By: _____ Reason for referral_____
Intake completed _____in Jail OR _____Post Release
Last day of incarceration: _____ Where: _____

Demographics:

Name: _____ DOB: _____/_____/_____ Age _____[4]

Gender: ☐ Male ☐ Female

Physical address: Mailing Address (if different)

_____ _____

_____ _____

Telephone: _____ Message #: _____

Tribal Affiliation ☐ CS&KT UO_____ ☐ Other: _____

Court Information: Criminal History

Current Tribal Cause #(s):_____

☐ Violent Offense- registered ☐ Yes ☐ No
☐ Sexual Offense- registered ☐ Yes ☐ No
☐ Substance Related, if checked, what substance(s)? _____

Defense Attorney: _____ Prosecutor: _____

Probation/Parole: ☐ Yes ☐ No Probation/Parole Officer: _____

Educational History:

Do you have a high school diploma? ☐ Yes ☐ No From where? _____

Do you have a GED? ☐ Yes ☐ No Highest grade completed? _____

Higher Education/Specialized Training? _____

Are you currently a student: ☐ Yes ☐ No If yes, ☐ Full-time ☐ Part-time

[4] Highlighted areas represent data that will be used in the present study. All other data from the RIAT will be stored separately.

Name of school: _____ Degree/Certification: _____

Employment and Income Info:

Employed? ☐No ☐No-Seeking Employment ☐ Yes-Seasonal ☐ Part-time ☐ Full-time

If yes, where? _____ Salary? _____ Hours/week or season? _____

If seeking, what type of employment are you seeking? _____

Have you served in the Military? ☐ Yes ☐ No

Do you receive a per capita? ☐ Yes ☐ No ☐ Has been assigned elsewhere for:_____

Do you receive any other type of income (TANF, SSI, Unemployment, Retirement, etc.)?

☐ Yes ☐ No Type(s):_____ Amount: _____

Do you receive Food Stamps? ☐ Yes ☐ No Amount: $_____/month

Do you have insurance? ☐ Yes ☐ No

Type(s) (IHS, Medicaid):_____ Is your insurance: ☐ Active ☐ Inactive

If yes, how long, when, where? _____

Do you have a legal guardian or payee? ☐ Yes ☐ No
If Yes, Name: _____ Relationship: _____

Address: _____ Telephone: _____

Family: ☐ Single ☐ Married ☐ Divorced ☐ Significant Other ☐ Widowed ☐ Separated

Do you have any children? ☐ Yes ☐ No If yes, how many?_____ CPS involvement? Y/N

Ages/Sex?_____ Whom do they reside with(custody)_____

Are you working with any other caseworkers? ☐ Yes ☐ No Who?_____

Housing issues:

Homeless? ☐ Sleeping outside/shelter ☐Couch-Surfing ☐ Temporary ☐ Stable/Permanent

Substance Use: (excludes nicotine and caffeine)

Are you currently in substance abuse treatment? ☐ Yes ☐ No

If yes, where/counselor?_____

37. Have you ever been told that you have an alcohol problem or diagnosis? ☐ Yes ☐ No

38. Have you ever been told that you have a drug problem or diagnosis? ☐ Yes ☐ No

Specify

drug/s_____

Have you ever entered treatment for substance abuse? ☐ Yes ☐ No

If yes, how many times, and where?_____

Did you complete? ☐ Yes ☐ No, why didn't you complete? _____

Are you currently interested in drug/alcohol treatment/counseling? ☐ Yes ☐ No

Why? _____

Medical/Mental Health History:

Do you currently have any medical conditions or physical disability? ☐ Yes ☐ No

If yes, which conditions do you have? _____

Are you currently taking any medication(s) for physical conditions? ☐ Yes ☐ No

If yes, which medications for what conditions? _____

Has anyone every told you that you have a mental health diagnosis? ☐ Yes ☐ No

If yes, what was the diagnosis? _____

Are you currently receiving mental health treatment? ☐ Yes ☐ No

Are you currently taking any medications for mental health issues? ☐ Yes ☐ No

If yes, which medications for what conditions? _____

Have you taken any medications in the past for psychiatric/mental health issues? ☐ Yes ☐ No

If yes, what? _____

Do you feel you have any mental health problems that haven't been diagnosed? ☐ Yes ☐ No

If yes, what? _____

Have you ever been hospitalized for any mental health reason? ☐ Yes ☐ No

If yes, were these hospitalizations: Psychiatric Emergency Room (ER) visits? ☐ Yes ☐ No

Inpatient hospitalizations? ☐ Yes ☐ No

Which hospital(s)? _____

Appendix B

Level of Service Inventory – Revised

LSI-R Score Sheet

LSI-R: The Level of Service Inventory-Revised

by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Name:_____ Identifying Number:_____

Date of Birth:___/___/___ Sex: M F Date:___/___/___

Referral Source:_____ Reason for Referral:_____

Disposition:_____ Present Offenses:_____

The LSI-R is a quantitative survey of attributes of offenders and their situations relevant to the decisions regarding level of service. The LSI-R is composed of 54 items. Items are either in a "yes-no" format, or in a "0-3" rating format, based on the following scale:

3: A satisfactory situation with no need for improvement

2: A relatively satisfactory situation, with some room for improvement evident

1: A relatively unsatisfactory situation with a need for improvement

0: A very unsatisfactory situation with a very clear and strong need for improvement

Place an "X" over the appropriate response for each question, whether it be a simple "yes" or "no", or a rating number. The answers will transfer through to the scoring sheet beneath for quick tallying of the LSI-R score. Be sure to see the manual for guidelines on rating and scoring. For missing information, circle the question number.

Criminal History

No	Yes	1.	Any prior adult convictions? Number:___
No	Yes	2.	Two or more prior convictions?
No	Yes	3.	Three or more prior convictions?
No	Yes	4.	Three or more present offenses? Number:___
No	Yes	5.	Arrested under age 16?
No	Yes	6.	Ever incarcerated upon conviction?
No	Yes	7.	Escape history from a correctional facility?
No	Yes	8.	Ever punished for institutional misconduct? Number:___
No	Yes	9.	Charge laid or probation/parole suspended during prior community supervision?
No	Yes	10.	Official record of assault/violence?

Education/Employment

When in labor market:

No	Yes	11.	Currently unemployed?
No	Yes	12.	Frequently unemployed?
No	Yes	13.	Never employed for a full year?
No	Yes	14.	Ever fired?

School or when in school:

No	Yes	15.	Less than regular grade 10?
No	Yes	16.	Less than regular grade 12?
No	Yes	17.	Suspended or expelled at least once?

For the next three questions, if the offender is a homemaker or pensioner, complete #18 only. If the offender is in school, working, or unemployed, complete #18, #19 and #20. If the offender is unemployed, rate 0.

3	2 1	0	18. Participation/performance
3	2 1	0	19. Peer interactions
3	2 1	0	20. Authority interactions

Financial

3	2 1	0	21. Problems
No	Yes		22. Reliance upon social assistance

LSI-R: The Level of Service Inventory - Revised

by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Remember, the rating scale is as follows:

3: A satisfactory situation with no need for improvement
2: A relatively satisfactory situation with some room for improvement evident
1: A relatively unsatisfactory situation with a need for improvement
0: A very unsatisfactory situation with a very clear and strong need for improvement

		Question Numbers
Family/Marital		
Dissatisfaction with marital or equivalent situation	3 2 1 0	23.
Non-rewarding, parental	3 2 1 0	24.
Non-rewarding, other relatives	3 2 1 0	25.
Criminal-Family/Spouse	No Yes	26.
Accommodation		
Unsatisfactory	3 2 1 0	27.
3 or more address changes last year	No Yes	28.
High crime neighborhood	No Yes	29.
Leisure/Recreation		
Absence of recent participation in an organized activity	No Yes	30.
Could make better use of time	3 2 1 0	31.
Companions		
A social isolate	No Yes	32.
Some criminal acquaintances	No Yes	33.
Some criminal friends	No Yes	34.
Few anti-criminal acquaintances	No Yes	35.
Few anti-criminal friends	No Yes	36.
Alcohol/Drug Problem		
Alcohol problem, ever	No Yes	37.
Drug problem, ever	No Yes	38.
Alcohol problem, currently	3 2 1 0	39.
Drug problem, currently Specify type of drug:_____	3 2 1 0	40.
Law violations	No Yes	41.
Marital/Family	No Yes	42.
School/Work	No Yes	43.
Medical	No Yes	44.
Other Indicators Specify:_____	No Yes	45.
Emotional/Personal		
Moderate interference	No Yes	46.
Severe interference, active psychosis	No Yes	47.
Mental health treatment, past	No Yes	48.
Mental health treatment, present	No Yes	49.
Psychological assessment indicated Area:_____	No Yes	50.
Attitudes/Orientation		
Supportive of crime	3 2 1 0	51.
Unfavorable toward convention	3 2 1 0	52.
Poor, toward sentence	No Yes	53.
Poor, toward supervision	No Yes	54.

LSI-R: The Level of Service Inventory - Revised

by D. A. Andrews, Ph.D., and James L. Bonta, Ph.D.

Name:_____ Identifying Number:_____

Date of Birth:___/___/___ Sex: M F Date:___/___/___

Referral Source:_____ Reason for Referral:_____

Disposition:_____ Present Offenses:_____

Instructions: Add up the number of X's in column A and record the number in the appropriate box. Do the same for column B. Add the totals for columns A and B for the total LSI-R score. Refer to the Male or Female Profile Sheet for charts of the LSI-R total score. Note: X's that fall in the blackened areas are not counted. Circled numbers represent missed questions.

Column A

Criminal History
1. Number of prior convictions ☐
2.
3. Number of present offenses ☐
4.
5. Number of times punished for institutional misconduct ☐
6.
7.
8.
9.
10.

Education/Employment
11. Type of drug associated with current drug problem (if any)
12. ☐
13.
14.

School
15. Other indicators of drug problem
16. ☐
17.

Employed
18. Area of psychological assessment indicated
19. ☐
20.

Financial
21. Total from Column A and Column B is:
22.

Total number of X's in column A ☐ → TOTAL LSI-R SCORE ☐ ← Total number of X's in column B ☐

Column B

Family/Marital
23.
24.
25.
26.

Accommodation
27.
28.
29.

Leisure
30.
31.

Companions
32.
33.
34.
35.
36.

Alcohol/Drug Problem
37.
38.
39.
40.
41.
42.
43.
44.
45.

Emotional/Personal
46.
47.
48.
49.
50.

Attitude/Orientation
51.
52.
53.
54.

Interviewer:_____ Date:___/___/___

Appendix C

Historical Loss Scale

Instructions: Our people have experienced many losses since we came into contact with Europeans (Whites). Some of the types of losses that people have mentioned to us, are listed below. Please check the box that best describes how often you think of each type of loss.

Items

1. The loss of our land
2. The loss of our language
3. Losing our traditional spiritual ways
4. The loss of our family ties because of boarding/residential schools
5. The loss of families from the reservation to government relocation
6. The loss of self-respect from poor treatment by government officials
7. The loss of trust in whites from broken treaties
8. Losing our culture
9. The losses from the effects of alcoholism on our people
10. Loss of respect by our children and grandchildren for elders
11. Loss of our people through early death
12. Loss of respect by our children for traditional ways

Response Categories

1 = Several times a day
2 = Daily
3 = Weekly
4 = Monthly
5 = Yearly or only at special times
6 = Never

Appendix D

Historical Loss Associated Symptom Scale

Instructions: Now, I would like to ask you about how you feel when you think about these losses. (Please check the box that best describes your response to each item)

Items

How often do you feel . . .

1. Sadness or depression
2. A loss of sleep
3. Anxiety or nervousness
4. A loss of concentration
5. Feel isolated or distant from other people when you think of these losses
6. Anger
7. Shame when you think of these losses
8. Uncomfortable around white people when you think of these losses
9. Rage
10. Fearful or distrust of the intentions of white people
11. Feel like it is happening again
12. Feel like avoiding places or people that remind you of these losses

Response Categories

1 = Never
2 = Seldom
3 = Sometimes
4 = Often
5 = Always

Anxiety and Depression subscale score = sum of items 1-5
Anger and Avoidance subscale score = sum of items 6-12

Appendix E

Cultural Connectedness Scale

Instructions: Please circle the option that best matches your experience. If you are currently incarcerated, please answer these questions regarding the times that you were not incarcerated

1. **How would you describe your connection to your traditional Native American culture?**
    1- I feel isolated from my traditional Native American culture
    2- I do not feel isolated, but I do not feel a connection to my traditional Native American culture
    3- I feel a slight connection to my traditional Native American culture
    4- I feel connected to my traditional Native American culture
    5- I feel a strong connection to my traditional Native American culture

2. **How would you describe your access to your traditional Native American culture?**
    1- No access
    2- Limited access
    3- Some access
    4- Good access
    5- Full access

3. **How often do/did you participate in your traditional Native American cultural activities?**
    1- Never
    2- Yearly
    3- A few times per year
    4- Monthly
    5- Weekly
    6- Daily

4. **How would you rate your desire to learn or participate in your traditional Native American cultural activities?**
    1- No desire
    2- Minimal desire
    3- Moderate desire
    4- Strong desire

5. **How would you rate your knowledge of your traditional Native American culture (language, history, etc.)?**
    1- Not knowledgeable
    2- Slightly knowledgeable
    3- Somewhat knowledgeable
    4- Very knowledgeable

Appendix F

Informed Consent

Confederated Salish and Kootenai Tribes Defenders Office
INFORMED CONSENT FOR RE-ENTRY SERVICES

The Tribal Defenders Office provides mental health services for individuals meeting certain requirements in the Flathead Reservation community. The provisions of mental health services in conjunction with legal services are an innovative effort on behalf of the Tribal Defenders Office to better meet the needs of the community. You should be aware of the following when you receive psychological services at the Tribal Defenders Office.

1. Confidentiality and Record Keeping: We keep records of the services we provide for you. In general, all information provided by you during the course of your involvement with the Tribal Defenders Office is kept strictly confidential and may not be used or released without your express, written permission. However, by seeking psychological services at the Tribal Defenders Office, the client agrees to the release of information relevant to his/her treatment within the Defenders inter-professional holistic defense team. These limited disclosures are strictly for the purpose of improving treatment, case management, and legal services and may occur with the Referring Defender, Ann Sherwood (Managing Defender), Crystal Matt (Case Manager), and/or Dr. Michael Scolatti (Supervising Clinical Psychologist). De-identified information from your file (such as statistics) may be used for Quality Assurance and Improvement activities, administrative services, and research purposes. Finally, State and Federal laws set limits on our ability to respect confidentiality in certain instances. Your therapist may be required by law to break confidentiality if:

    a. There is reason to suspect that a minor, elderly person, or person with disabilities is experiencing maltreatment though either abuse or neglect, or has experienced such maltreatment in the past;
    b. There is a strong possibility that you may harm yourself or others if action is not taken;
    c. If otherwise legally impelled (e.g., court order or other requirement of law).

2. Confidentiality Agreement: Student therapists and Tribal Defenders staff strongly respect the confidentiality of all individuals seeking psychological services. All attempts will be made to maintain client confidentiality with the exception of legitimate training, clinical or legal purposes.

3. Psychological Services: The Tribal Defenders Office is committed to the ongoing training and supervision of therapists. Therefore, your therapist will be working under the direction of a senior supervisor (Michael Scolatti, Ph.D.). The supervisor will provide assistance to the therapist throughout the period during which services are rendered.

4. Nature of Services: You are entitled to know – at any time while you are receiving psychological services from the Tribal Defenders Office – the nature of the specific services you are provided. The anticipated outcome, risks, and benefits, and alternative services to you (including no treatment) in sufficient detail to ensure that you understand your service options. Your therapist should also provide sufficient opportunity to ask questions and receive answers. Finally, you are entitled to contact the therapist's supervisor with any concerns you may have regarding the services you receive.

5. Possible Distress: Psychotherapy can have both risks and benefits. Since therapy often involves working on difficult aspects of a person's life, clients can sometimes experience uncomfortable feelings like sadness, guilt, anger, or frustration. However, psychotherapy has also been shown to have significant benefits for some people who go through it. Therapy often leads to better relationships, solutions to specific problems, changes in problematic behavior, and significant reduction in feelings of distress. There are no guarantees on what you will experience or on the results of therapy for you.

6. Client's Rights and Grievances: Individuals receiving psychological services from the Tribal Defenders Office have the right to be treated respectfully, appropriately, and ethically. A client may seek recourse if at any time s/he feels that her/his rights have been violated, or if s/he feels that s/he has not received adequate, appropriate or ethical treatment. If you have a grievance, you must first inform your therapist of the nature of your complaint. Your therapist will attempt to discuss your concerns and to negotiate a satisfactory resolution. Your therapist will also make note of your complaint and the attempted resolution in your file. If you are not satisfied with informal resolution of the complaint, or do not feel comfortable discussing your complaint with the therapist, you may ask to meet with your therapist's supervisor.

7. Assessments: The recipient of assessment services understands that the individual conducting the assessment will choose tests and assessments that are suitable for the described purposes. (In psychological terms, their reliability and validity for these purposes have been established). These tests will be given and scored according to the instructions in the tests' manuals so valid scores will be obtained. These scores will be interpreted according to scientific findings and guidelines from the scientific and professional literature.

8. Therapy Policies: By seeking psychological services at the Tribal Defenders Office, clients agree to make a strong commitment to their treatment and agree to abide by the ascribed policies. As a recipient of psychological services, you are responsible for the following:
    a. Attendance: You are expected to attend scheduled appointments and to arrive on time.
    b. Cancellations & Missed Appointments: Please call as soon as you know you need to cancel an appointment. Twenty-four hours in advance is preferred. If you miss an appointment, please be in contact with your therapist to reschedule.
    c. After Hours Contact: The Tribal Defenders Office is not a crisis facility and your therapist will not be available to you at times. After hours emergency

psychological services can be obtained through contacting Tribal Law & Order or by going to the nearest hospital emergency room.

I hereby acknowledge that the above issues and policies have been fully explained to me and that all of my questions have been answered. I hereby consent to receive psychological services from the Tribal Defenders Office according to these provisions. I also agree to comply with my above-named responsibilities as a client receiving psychological services and understand that my non-compliance may be grounds for the suspension of discontinuation of my treatment:

_____ _____

Signature of Client Date

_____ _____

Signature of Interviewer/Clinician Date

Appendix G

Table of Intercorrelations Between Sub-Factors of Predictor Variables

Table 3.

Summary of Intercorrelations Between Control Variables and Factors of the LSI – R, HLS, HLASS, and items of the CCS.

Variable	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1. Age	1	-.037	-.008	-.173*	.081	.114	-.025	-.055	.113	-.168*	.032	-.095	-.113	.138	.068	.103	.079	.007	-.009	-.064
2. Gender	-.037	1	.110	-.198*	-.259**	-.121	-.130	-.088	-.072	-.243**	-.424**	.043	.160*	-.222**	-.090	.132	.095	.102	-.110	.024
3. LSI-R Criminal Hx	-.008	.110	1	.087	.002	.037	.043	-.087	.137	.178*	.169*	.164*	.041	-.055	.111	-.025	-.001	.014	-.038	-.042
4. LSI-R Ed/employment	-.173*	-.198*	.087	1	.280**	.198*	.204**	.253**	.057	.078	.229**	.127	-.030	.066	-.004	-.162*	-.132	-.130	.002	.027
5. LSI-R Financial	.081	-.259**	.002	.280**	1	.166*	.142	.166*	.046	.095	.230**	-.029	-.191*	.072	.108	-.102	.010	-.042	.009	.079
6. LSI-R Family	.114	-.121	.037	.198*	.166*	1	.344**	.219**	.124	.151	.267**	.150	.072	.298**	.029	-.117	-.177*	-.138	-.149	-.069
7. LSI-R Accomodation	-.025	-.130	.043	.204**	.142	.344**	1	.130	.083	.200**	.064	.056	-.025	.204**	.148	-.047	-.096	-.015	-.032	.098
8. LSI-R Leisure	-.055	-.088	-.087	.253**	.166*	.219**	.130	1	.030	-.059	.042	-.035	.193*	.043	-.119	-.258**	-.122	-.291**	-.207**	-.139
9. LSI-R Companions	.113	-.072	.137	.057	.046	.124	.083	.030	1	.172*	.234**	.111	-.076	.181*	.100	.021	-.093	-.040	-.064	-.076
10. LSI-R Alc/Drg	-.168*	-.243**	.178*	.078	.095	.151	.200**	-.059	.172*	1	.316**	.081	-.025	.222**	.184*	-.076	-.088	.079	.072	.032
11. LSI-R Emotional	.032	-.424**	.169*	.229**	.230**	.267**	.064	.042	.234**	.316**	1	.053	-.074	.310**	.107	-.119	-.133	-.037	.031	-.038
12. LSI-R Attitudes	-.095	.043	.164*	.127	-.029	.150	.056	-.035	.111	.081	.053	1	.010	.012	.104	-.030	-.041	.001	-.173*	.038
13. HLS total	-.113	.160*	.041	-.030	-.191*	.072	-.025	.193*	-.076	-.025	-.074	.010	1	-.434**	-.610**	-.146	-.075	-.272**	-.510**	-.256**
14. HLASS Anxiety/Depression	.138	-.222**	-.055	.066	.072	.298**	.204**	.043	.181*	.222**	.310**	.012	-.434**	1	.585**	-.107	-.065	.097	.194*	.170*
15. HLASS Anger/Avoidance	.068	-.090	.111	-.004	.108	.029	.148	-.119	.100	.184*	.107	.104	-.610**	.585**	1	-.068	-.010	.124	.208**	.164*
16. CCS- Cultural connection	.079	.095	-.001	-.132	.010	-.177*	-.096	-.122	-.093	-.088	-.133	-.041	-.075	-.065	-.010	.482**	1	.405**	.245**	.385**
17. CCS- Cultural Access	.103	.132	-.025	-.162*	-.102	-.117	-.047	-.258**	.021	-.076	-.119	-.030	-.146	-.107	-.068	1	.482**	.332**	.255**	.300**
18. CCS- Cultural Participation	.007	.102	.014	-.130	-.042	-.138	-.015	-.291**	-.040	.079	-.037	.001	-.272**	.097	.124	.332**	.405**	1	.387**	.358**
19. CCS- Cultural desire	-.009	-.110	-.038	.002	.009	-.149	-.032	-.207**	-.064	.072	.031	-.173*	-.510**	.194*	.208**	.255**	.245**	.387**	1	.262**
20. CCS-Cultural Knowledge	-.064	.024	-.042	.027	.079	-.069	.098	-.139	-.076	.032	-.038	.038	-.256**	.170*	.164*	.300**	.385**	.358**	.262**	1

Note. *. Correlation is significant at the 0.05 level (2-tailed); **. Correlation is significant at the 0.01 level (2-tailed).