

Therapeutic Justice: Lessons from the Shingle Springs— El Dorado County Joint Jurisdiction Healing to Wellness Court

Hon. Suzanne Kingsbury

Hon. John Smith

Hon. Korey Wahwassuck

Hon. Christine Williams



Shingle Springs Band of Miwok Indians and El Dorado County, California



Joint Jurisdictional Court 2014

GENERAL BACKGROUND

The Joint Jurisdiction Project Concept

- The Superior Court of El Dorado County and the Shingle Springs Band of Miwok Indians Tribal Court are working to establish a first-of-its-kind, joint-jurisdictional project that will create a collaborative court for juvenile and family cases across the two jurisdictions.

Shingle Springs Band of Miwok Indians

- Established in 1916 through land purchase by BIA.
- 330 Tribal Members.
- 80 residents on the reservation.
- Located within El Dorado County

El Dorado County

- One of 58 Counties in California.
- Rural “Cow County”.
- Population 181, 737.
- Geographically large county.
 - 5 Courthouse locations.



Location

CALIFORNIA TRIBAL LANDS

- Tribal Lands
- County Boundary

Sources: U.S. Census Bureau (2011), ESRI (2006), TANA (2006).
 AIR1100040_3 16 May 2011

CHALLENGES AND STRENGTHS

Challenges

- Historically, conflicts between Tribe and County.
- California is a PL-280 State.
 - Increased conflicts.
 - Decreased Tribal justice system development.
- Still lack of trust in both communities.
- Tribal Youth getting lost in the system.
 - Charter School.
 - Juvenile records.

Strengths – Intra - Tribal

- Shingle Springs believes Wellness Court is good governance.
- General funds available to fund the court.
- Established a Wellness Board of key personnel and officials to recommend Wellness plans for individuals.
- Robust health clinic with many services on the reservation.

Strengths – Intra - County

- El Dorado County has extensive experience with “specialty” court models and success
- County Leaders are favorable to progressive approaches to juvenile justice

Strengths – Inter

- Strong relationship with El Dorado County Court since Tribal Court began.
- Tribal Court State Court Forum
- Collaboration on Truancy Cases
 - Student Attendance Review Board (SARB)

JOINT JURISDICTION PLANNING

The T.A. Grant

- Tribal Court and County Courts already working together.
- Informal, not a lot of structure.
- Applied for the Technical Assistance grant to develop a Joint Jurisdiction Court.
- Based on the Leech Lake Band of Ojibwe-Cass County Wellness Court Model
- We were honored to be selected!!!

The T.A. Team

- Our Consulting T.E.A.M. (Together Everyone Achieves More) includes:
 - Judge Korey Wahwassuck – Minnesota District Court of Itasca County
 - Judge John Smith – Minnesota Court of Appeals
 - Attorney Jennifer Fahey – Jennifer Fahey Consulting, Boston, Massachusetts
 - Allison Leof, PhD – Oregon Health and Science University

First Step - Key Players

- We identified the departments/agencies from the tribal and county sides that we needed in our planning process.
- We invited specific people from each of these to attend in-person planning meetings.
- Shingle Springs Band of Miwok Indians designated to host these meetings.

EVERYBODY CAME!!!

The Planning Process

- Facilitated 3 meetings with all the players.
 - 2-3 days of consecutive meetings.
 - May, July, and October 2014
- Agreed upon ground rules to ensure everyone has a voice in our planning.
- Creating a manual to guide us as we implement our planning.

Team Building

- We have had 3 very productive in person meetings.
- Key Players from the County and Tribal Side attended a Tribal Wellness Court training as a big team!
- We have gotten to know each other and some work has already begun as a result.
- Increased understanding and respect every time we interact.

Tribal Youth Involvement

- Youth attended a portion of the last planning session.
- Presented their thoughts about the concept.

An outline of the collaborative court

KUCH'IM:UPUSHNU':ANU:SH

Vision and Mission

- Collaboratively created a Vision and Mission:
- The Court's Vision: One safe, strong community of thriving families created through trust and healing.
- The Court's Mission: Joining together to provide justice through trust, respect, and love by empowering youth and families to create positive change.

Goals – Part 1

- Administer justice in a safe and supportive environment.
- Reduce incarceration.
- Reduce crime and prevent re-offenses.
- Improve public safety.
- Empower and support our youth and families.

Goals – Part 2

- Promote self-sufficiency through positive behavioral change.
- Promote community and family connections.
- Create more effective, cooperative interventions.
- Foster positive community relations.
- Celebrate cultural diversity and understanding.

Target Population

- We agreed as a team to include:
- Juveniles and “transitional youth”
- Up to age 24.
- Not limited to drug offenses.
- No offense restrictions, but...

Screening

- Participants have to be screened and determined to be eligible.
- Ideally we would like to develop a multidisciplinary screening team.

Wrap-around

- We are planning to use a wrap around model to serve the whole family.
- Could mean having a youth who has a “dependency” case where we are providing services across several generations.

Division of Work

- We will be relying on county probation for supervision of this caseload.
- We will be relying on Tribal Health and Wellness Center for the majority of services.
- County DA and Public Defenders will play a role as well as Tribal Attorney.
- Plan to involve County CASA with special tribal recruitment and training.

Division of Work (2)

- Social Services from both sides.
- Law enforcement from both sides.
- Judges from both sides.
- Continued participation from the larger steering committee/advisory group regarding policies and procedures.

We still have work to do but it will be done
and we will be successful in our goals

Questions?



OHSU Project TEAM



- Oregon Health and Science University Project TEAM
- Project TEAM is dedicated to helping tribes and local governments create, implement and manage joint jurisdiction collaborations. Our goals are to improve justice outcomes while building positive community relationships.
- Stay tuned for future TA opportunities

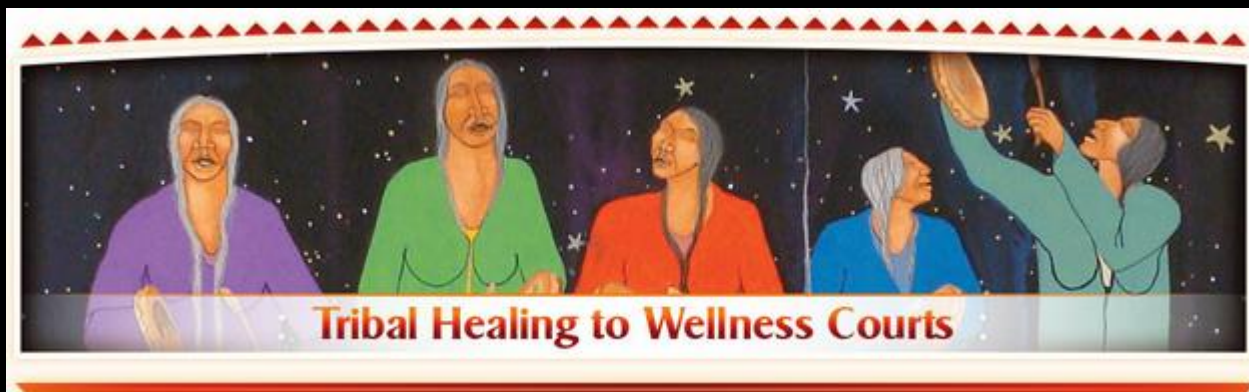
Tribal Law and Policy Institute

- Training and technical assistance for all Tribal Healing to Wellness Courts

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