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Document Title: Tribal Strategies Against Violence: Fort Peck Assiniboine and Sioux Tribes Case Study

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Document No.: 206034

Date Received: June 2004

Award Number: 97-DD-BX-0031

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Tribal Strategies Against Violence

Fort Peck Assiniboine and Sioux Tribes Case Study

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January 2002

NIJ # 97-DD-BX0031

Prepared for the National Institute of Justice, U.S. Department of Justice, by ORBIS Associates under contract # 97-DD-BX 0031. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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EVALUATION OF THE *TRIBAL STRATEGIES AGAINST VIOLENCE* INITIATIVE

FORT PECK ASSINIBOINE AND SIOUX TRIBES CASE STUDY

1.0 INTRODUCTION

In FY 1995, the U.S. Department of Justice's Bureau of Justice Assistance (BJA) — working in conjunction with the Office of Justice Programs (OJP) American Indian and Alaska Native Desk — developed the *Tribal Strategies Against Violence* (TSAV) initiative. As a federal-tribal partnership, the TSAV initiative was designed to empower American Indian communities to improve the quality of life by fostering strategic planning to identify community problems and implement locally developed partnerships to address those problems. The ultimate purpose of the TSAV initiative was the development of comprehensive reservation-/community-wide strategies to reduce crime, violence and substance abuse.

Seven American Indian Tribes were selected to participate in this BJA demonstration program. These were: the Fort Peck Assiniboine and Sioux Tribes (Montana), Chickasaw Nation (Oklahoma), Duck Valley Shoshone-Paiute Tribes (Nevada), Grand Traverse Band of Ottawa and Chippewa Indians (Michigan), Puyallup Tribe of Indians (Washington), Rosebud Sioux Tribe (South Dakota), and the Turtle Mountain Band of Chippewa Indians (North Dakota).

1.1 TSAV Evaluation

In July 1997, ORBIS Associates was contracted by the National Institute of Justice (NIJ), U.S. Department of Justice (DOJ) to conduct an evaluation of the TSAV initiative. Four of the seven TSAV sites were selected by BJA to be included in this evaluation study. They were as follows:

- (1) The *Fort Peck Assiniboine and Sioux Tribes*: one of the initial two pilot sites selected by BJA in FY 1995
- (2) The *Chickasaw Nation*: awarded funds under an FY 1996 competitive process
- (3) The *Turtle Mountain Band of Chippewa Indians*: awarded funds under an FY 1996 competitive process
- (4) The *Grand Traverse Band of Ottawa and Chippewa Indians*: awarded funds under an FY 1996 competitive process

ORBIS' primary evaluation tasks were to:

- document how TSAV approaches had evolved at each of the four TSAV sites;
- document how each site had implemented its comprehensive strategies;

- □ analyze and report how differences in local cultures, physical environments or government structures at the sites may have affected implementation at the sites and may or may not have implications for potential success of TSAV in other American Indian communities; and
- □ provide useful evaluation findings for tribal and DOJ decision makers as well as other criminal justice stakeholders.

This *Case Study* is one of four completed for the evaluation of the TSAV initiative. It documents the activities implemented by the Fort Peck Assiniboine and Sioux Tribes during its three TSAV grant awards and assesses the program impact at the site. Comparable case studies have also been prepared for the other three TSAV sites. Additionally, a *Cross-site Analysis Report* has been prepared, containing an analysis of TSAV program impacts across the four evaluation sites. That report also presents conclusions about the overall TSAV initiative.

1.2 Framework of TSAV Initiative

From the onset of planning for, and throughout the implementation of, this initiative BJA placed great emphasis on TSAV needing to be “a **process** not a project.” This concept was reiterated and repeatedly reinforced by both BJA staff and the staff of its TSAV technical assistance provider, the National Crime Prevention Council (NCPC). *Process, not project* was the underlying theme for much of the training provided to grantees throughout the duration of the TSAV initiative.

In 1995, the Department of Justice approached two Tribes to serve as pilot sites for a new Department of Justice initiative. The Fort Peck Tribes was one of the two communities selected to commence this DOJ effort. It’s initial TSAV grant was awarded October 1, 1995. It is the only pilot site among the four TSAV sites included in this NIJ evaluation — the other three sites having been funded for the first time a year after the pilot projects began and via a grant solicitation process.

Unlike at the subsequent TSAV demonstration sites, funded in 1996 through a grant announcement, the Fort Peck TSAV initiative began in response to an August 1995 letter inviting the Tribes to submit an application “to support crime and violence reduction activities.” The invitation letter asked that the Tribes submit a narrative that incorporated several elements (e.g., brief descriptions of local partnerships and of economic, social and crime problems on the reservation; key decision makers to be involved in the TSAV planning process and how they would participate in the planning process; a brief description of existing coordination/cooperation efforts within the Tribe’s criminal justice system with other tribal, private, county state and federal agencies; a brief description of the existing community policing program and efforts to improve police-community relations; and an inventory of resources that could be directed toward the problem [sic] of family violence and juvenile delinquency). [Note: The invitational letter also alluded to “the FY 1995 program plan” however, the evaluation team was unable to obtain a copy of that document from either BJA or the local TSAV site personnel.]

From December 1995 through May 1996, BJA further delineated it’s conceptualization of the TSAV initiative as noted in other correspondence with the Fort Peck Tribes. The two pilot sites were told that the framework of the TSAV initiative was essentially to promote and implement comprehensive community-based program development regarding crime and violence issues. The TSAV program was seen as having been crafted to “promote the integration and practice of community policing and prosecution, reduce incidents of family violence and juvenile delinquency, and better assist residents

through the strengthening of partnerships among tribal service providers.”¹ Thus, it appears that BJA was fine-tuning its TSAV program goals and objectives through its experiences with the two initial pilot sites (the Fort Peck Tribes and the Rosebud Sioux Tribe) and that fine-tuning was reflecting in the subsequent 1996 Program Announcement for new demonstration projects and for the Fort Peck Tribes continuation grant award.

In formulating the TSAV initiative, BJA built upon the lessons learned from several past BJA-funded community-based prevention demonstration projects, i.e., the premise that (1) individual/agency actions are necessary but not sufficient to prevent crime and delinquency; and (2) by working together, people can make a difference in the quality of life for themselves, their neighborhoods, and their communities.

The overall planning model used by BJA for the TSAV initiative was based upon findings from several community policing demonstration projects. This planning model emphasized that:

- a multi-faceted planning team be formed;
- law enforcement and the courts can be engaged as partners;
- target area(s) be identified;
- community representatives be actively involved in the development, implementation, and monitoring of strategies for policing neighborhoods and delivery of other services; effective programs often begin with small, tangible victories and then, using the confidence gained, tackle larger issues; and
- effective programs be implemented with minimal funding generally directed toward staffing of a coordinator/community organizer, organizational overhead costs, and technical assistance.

Although at the time the Fort Peck Tribes began their pilot TSAV program, they were doing so in relation to four BJA-specified TSAV *goals*, by the time the FY 1996 TSAV Program Announcement was released, the number of goals for the Tribal Strategies Against Violence initiative had been modified to the following three:

Goal 1: *Improve a community’s capability to comprehensively address issues of crime, violence and drug demand reduction*

Goal 2: *Promote community-based program development involving the active participation of youth, community residents, educators, spiritual leaders, businesses, social services, criminal justice representatives and elected officials*

Goal 3: *Develop an effective culturally sensitive program model that can be replicated by other Native American communities*

¹ 2/14/1996 letter to Patty McGeshick (Fort Peck’s TSAV Program Administrator) from Todd Brighton (TSAV Program Manager at BJA)

As identified by BJA in the FY 1996 Program Announcement, there were also four key local objectives for the Tribal Strategies Against Violence initiative.² These objectives were expected to advance individual communities towards the overall three TSAV goals cited above.

- **Establish and/or enhance a diverse planning team and build partnerships** — representative of tribal service providers (i.e., law enforcement and courts, prosecution, social services, education, etc.), spiritual leaders, businesses, community residents and youth
- **Develop and implement cost-effective crime and violence reduction strategies** (including community policing, prosecution and prevention initiatives)
- **Provide youth with alternatives** to substance abuse and gang involvement
- **Enhance local capability to identify public and private resources**

² There were a total of seven objectives in the FY 96 TSAV Program Announcement; one related to provision of full-time staff to help guide the planning team in development and implementation of a Workplan; another related to provision of technical assistance to core team members by BJA. Neither of these objectives pertained directly to the content of the local programs. Another objective which related to community policing, prosecution and prevention initiatives was, for purposes of facilitating discussion of strategies in this report, subsumed under the second objective cited above.

2.0 CASE STUDY METHODOLOGY

Two ORBIS site visits were made to the Fort Peck Assiniboine and Sioux Tribes — the first in March 1998, which involved three evaluation team members, and the second in October 1999, which involved two evaluation team members. The evaluation activities undertaken for this case study included:

- (1) on-site interviews with affiliated program staff of the Fort Peck Tribes; key TSAV Core Team members; key tribal, county and municipal law enforcement personnel; TSAV program partners, the Tribal Chairman and tribal council members, and other community service providers participating in the local TSAV initiative's planning and implementation;
- (2) review of program documents in BJA's own files as well as of tribal and project documents collected on site; and
- (3) a survey of local TSAV stakeholders, and
- (4) analysis of statistical data from the Fort Peck Tribes' Department of Law and Justice, the Fort Peck Tribal Court, and the Wolf Point (MT) Police Department.

3.0 SITE HISTORY AND DESCRIPTION

3.1 Characteristics of the American Indian Tribe

The Fort Peck Assiniboine and Sioux Tribes are a federally recognized American Indian Tribe located in northeastern Montana. The governing body of the Fort Peck Tribes is the Tribal Executive Board which is composed of 12 voting members, and a Tribal Chairman, a Vice Chairman, Secretary -Accountant, and a Sergeant-at-Arms. Except for the Secretary-Accountant who is appointed to a two-term by the 12-member board, all members of the governing body are elected at large every two years.

The Fort Peck Reservation boundaries encompass 2.09 million acres of which only 378,000 are tribally owned trust land. Another 548,000 acres are held as individual allotments by Fort Peck tribal members. The remaining 54% of land within the reservation boundaries is owned, fee simple, by non-Indians and is not under tribal jurisdiction.

The Fort Peck Assiniboine and Sioux Tribes have an enrollment of approximately 10,600 members. About 62% of those tribal members currently live on the reservation. Assiniboine tribal members tend to reside on the western portion of the reservation, centered in the towns of Oswego, Frazer and Wolf Point. Sioux tribal members, on the other hand, tend to reside on the eastern portion of the reservation, centered in the towns of Poplar, Brockton, Riverside and Fort Kipp. Most of these communities are located along the southern boundary of the reservation and are connected to one another by U.S. Highway 2. That highway, which covers the 72 mile expanse from the western and eastern boundaries of the reservation, serves as the major east-west transportation system for all of northern Montana.

The primary commercial area on the Fort Peck Reservation is Wolf Point, a separate municipality, which serves as the county seat for Roosevelt County. About 1,200 tribal members — or about 18% of tribal residents — live in Wolf Point. These tribal members constitute about 60% of the town's residents. The Fort Peck Tribes' headquarters are located in Poplar — the next most populous town on the reservation. Poplar has a population of approximately 750 people, about 90% of whom are tribal members. Billings and Great Falls are the two closest urban areas to the reservation. Each is over 300 miles from Poplar.

Tribal records³ from 1997 reflect an unemployment rate among tribal members of about 52%. By October 1999, that rate had not changed significantly, according to persons interviewed on site. The tribal government serves as the primary employer of tribal members. More than 500 people are employed to operate over 32 tribal specific programs. In addition, the Tribes also operate *Assiniboine & Sioux Industries* (A&S Industries), a manufacturing enterprise specializing in Department of Defense products like camouflage netting. Although at one time this tribal enterprise employed as many as 400 persons, in March 1998 its employee count was only about 80.

Other enterprises on the reservation are owned by local Community Councils, formally recognized “subdivisions” of the tribal government. These bodies came into being as a result of a 1981 land docket settlement. The Community Councils were established as a way for local communities to

³ *Demographic and Economic Description* for 1997, made available by Secretary of Tribal Operations.

decide the best local use for their own portion of settlement funds. The Poplar Community Council used its money to build a new post office and a roller rink for its residents. Several other Community Councils chose, instead, to support economic development enterprises. For example, the Wolf Point Community Council invested its funds in two business enterprises, namely *Looking Eagle Manufacturing* and the *Silver Wolf Casino*, a small casino with about 100 video-poker/keno machines and live Bingo.⁴ Both of these small enterprises are owned and operated by the Wolf Point Community Council. They provide some employment opportunities and generate small profits for the Community Council.

The majority of the Fort Peck Tribes' membership lives in housing developments operated by the tribal Housing Authority. The Fort Peck Housing Authority operates over 1,200 units of housing for tribal members and their families. About half of these units are available for rent; the remainder are available for purchase under a number of different home ownership plans. Three-quarters of these Housing Authority homes are located in either Wolf Point (33%) or Poplar (42%).⁵ Others are located in Brockton, Frazer, Oswego and Fort Kipp. Although prior to the 1970s, most tribal houses were relatively isolated from one another, now, in most instances, tribal housing areas have houses relatively closed together. It was the opinion of several community people interviewed that this more recent cluster type housing has significantly changed the dynamics of tribal living patterns. Family dysfunction, crime, violence and substance abuse issues affecting the community are attributed, in part, to this change in tribal living patterns.

Law enforcement agencies. During the time period in which the Fort Peck Tribes operated their TSAV program, four different law enforcement agencies had jurisdiction on the Fort Peck Reservation, namely: the BIA Law Enforcement for the Fort Peck Agency; the municipal police departments of the city of Wolf Point and the town of Poplar; the Roosevelt County Sheriff's Office; the Montana Highway Patrol; and the Tribes' Department of Law and Justice's Branch of Public Safety-Uniform Division⁶ — which serves as the primary law enforcement agency on the reservation. Since the Wolf Point and Poplar Police Departments are adjacent to areas of tribal housing, they, with tribal police, operate under cross-deputization agreements.

In October 1996, shortly after the TSAV program commenced implementation, the Tribes contracted the Uniformed Police, Criminal Investigations and Adult Detention functions previously operated by the Bureau of Indian Affairs. (They did this under a P.L. 93-638 contract.) Before initiation of that contract, the Fort Peck Tribes had been responsible only for the juvenile services portion of the criminal justice system. Subsequent to the contract, all four divisions of the tribal law enforcement system — uniformed police, criminal investigations, juvenile/adult detention, and juvenile services — were consolidated under the Fort Peck Tribes' Department of Law and Justice.

⁴ The state of Montana does not allow for Class III gaming with slot machines and gaming tables. Unlike casinos at two other TSAV sites which are in states that allow for Class III gaming, the Silver Wolf Casino does not generate substantial profits.

⁵ Fort Peck Housing Authority printout of current and proposed housing data; February 12, 1997.

⁶ At the beginning of the TSAV grant, the Fort Peck Tribes were in the process of contracting law enforcement services/entities from the Bureau of Indian Affairs. By August of 1996, this had occurred and the result was the Tribes' Department of Law and Justice's Branch of Public Safety-Uniform Division.

In 1999, a tribal Police Commission was established to have oversight over the Tribal Police. In October 1999, the Fort Peck Tribes' police department consisted of 11 uniformed officers. However, the Police Chief stated that 20 more police officers were expected to be hired before December of that year. Funding for these new officers was coming from a three-year, \$2.3 million COPS grant. The grant was also being used for purchasing new weapons, equipment and ten new police vehicles.

Judicial Systems. The judicial systems with jurisdiction on the Fort Peck Reservation include the Fort Peck Tribal Court; the U.S. District Court for Montana and the U.S. Attorneys Offices for that judicial district; and the Ninth Circuit of the U.S. Court of Appeals.

The Fort Peck Tribal Court system consists of a Court of Appeals and the Fort Peck Tribal Court, the latter of which has two specific divisions: an Adult Criminal/Civil division, and a Juvenile Court division. The Fort Peck Court of Appeals is comprised of a Chief Justice and three Associate Justices. All four Justices must be trained as attorneys. The Court of Appeals hears appeals of cases that have gone before the Tribal Court.

The Fort Peck Tribal Court, in turn, is charged with hearing all complaints and disputes arising among tribal members on the Fort Peck reservation. Tribal Court is held in two separate facilities — one in Poplar and another in Wolf Point. All arraignments are held at the Poplar facility. The Fort Peck Tribal Court consists of four judges, i.e., a Chief Judge, two Associate Judges, a Juvenile Court Judge. None of the judges is required to be an attorney. In addition, other Tribal Court staff include the following positions: the Tribal Court Administrator and a Deputy Court Administrator, four Court Clerks, a Juvenile Clerk, a Supervising Prosecutor and two Prosecutors, an Assistant Prosecutor and Prosecutor's Clerk, a Public Defender and Defender's Secretary, two Guardians Ad Litem, one juvenile and two adult Probation Officers, and an Assistant Clerk/Receptionist. Oversight of the Fort Peck Tribal Court system is vested in the Law and Justice Committee of the Reservation Executive Board (i.e., Tribal Council), some of whose members have been ex-judges. The Tribal Court hears about 300 cases annually.

3.2 Characteristics of TSAV Target Areas

For most of its duration, the Fort Peck Tribes' TSAV program primarily targeted its TSAV goals to the Wolf Point and Poplar communities. By the end of the funding period, however, several strategies — such as those dealing with school violence prevention — had been expanded to include other communities on the Fort Peck Reservation.

Crime and violence on the Fort Peck Reservation are among the most serious problems faced by the Tribes. At the same time as the Tribes were beginning their TSAV program, in concert with other local jurisdictions they were also beginning to mobilize other initiatives to combat crime and violence and their extending ramifications for community members. The impetus for these new initiatives, including the TSAV program, had been a series of 23 murders and suspicious deaths between 1990-1995. These incidents had raised the reservation per capita homicide rate to 13 times higher than that of the state, and five times higher than the national rate.⁷

⁷ *Great Falls Tribune*, editorial column. September 10, 1996.

Law enforcement and Tribal Court personnel interviewed in March 1998 noted that alcohol and/or drug use were associated with almost every violent crime on the reservation. In their views, unemployment and poverty were key contributing factors to much of the family dysfunction and to many of the incidents of crime, violence, and substance abuse. Both law enforcement and court personnel also expressed concern about the extent to which violence had become accepted as “a way of life” among the Fort Peck Tribes.

From January - December 1997, according to the Fort Peck Tribe’s Department of Law and Justice, the main categories of adult criminal offenses — on the reservation — were disorderly conduct (328 arrests), driving under the influence or DUI (195), warrant (131), simple assault (124), delinquent child (108), domestic abuse (79), contributing to the delinquency of a minor (75), child neglect (69), criminal contempt (69). For juveniles, under tribal law enforcement jurisdiction, the main offenses were disorderly conduct (121 incidents), runaway (82), criminal contempt (55), theft (51), delinquent child (45).

Specifically at Wolf Point, the municipal law enforcement statistics for 1997 indicated that major criminal offenses were:

- □ disorderly conduct (58 charges), with 31% involving juveniles;
- □ theft (43 arrests), with 60% involving juveniles;
- □ criminal trespass (21 arrests), with 81% involving juveniles; and
- □ assault (20 arrests), with 45% involving juveniles.

As noted earlier, alcohol abuse is cited as a co-factor in most crimes. In 1998, the Chief Judge of the Fort Peck Tribal Court estimated that 98% of the disorderly conduct arrests involved alcohol abuse. Moreover, tribal law enforcement cited DUI as the number one problem with respect to traffic offenses and the former Tribal Prosecutor estimated that 90% of all cases before the court involved alcohol abuse.

As a reflection of the above cited data, the Fort Peck Tribes’ TSAV initiative focused on strategies aimed at implementing community policing and enhancing prosecutions; reducing the incidence of juvenile violence, gang activity and substance abuse; and on creating community partnerships.

4.0 PROGRAM STRUCTURE AND CHRONOLOGY

4.1 Formal Organization and Structure of the Fort Peck TSAV Initiative

The Fort Peck Tribes' TSAV program operated independently from any tribal department or program office. The TSAV program maintained office space in Wolf Point in a facility shared with the Tribal Police serving the western sector of the reservation. All formal reporting on the program was made directly to the Law and Justice Committee of the Tribal Council and to the Tribal Chairman.

There were two TSAV staff positions supported during the three grant periods. As originally conceived by BJA, there would not be any funds expended for TSAV staffing during the planning phase of the TSAV program. For this reason, initial administration of the TSAV program planning process (from October 1995 through February 1996) was vested in the Director of the Tribe's Sex Abuse Victims Treatment Program. [Note: this person later became the Director of the Crisis Center and remained on the Core Team throughout the duration of Fort Peck's TSAV program, thus providing continuity.]

In February 1996, a temporary support staff person was hired and given the title of TSAV "Coordinator." In May 1996, the TSAV Workplan was submitted and accepted by BJA. Upon acceptance of the Workplan, the Fort Peck Tribes' TSAV program was given approval to hire the Coordinator on a full-time basis. The title of the position was then changed to TSAV Project Manager. The individual serving in the position was a tribal member. At about the same time, the Tribes' Director of Juvenile Services was also hired, on a consultant basis, as a Technical Advisor to the Tribes' TSAV program. This individual was not a tribal member.

Within a few months, the individual just hired as the TSAV Project Manager was elected to the Tribal Executive Board (i.e., Tribal Council). In September 1996, another tribal member was hired to assume the TSAV Project Manager position. That individual remained in the position until the end of the TSAV program in October 1999.

In March 1997, the Tribes' Director of Juvenile Services, who had also been serving as the TSAV Technical Advisor, took a new job as Chief of Police for the town of Poplar. The TSAV Technical Advisor position was then assumed by a tribal member, who was a Montana State Legislator. That person served as the Technical Advisor during the second grant period. Then during the third grant cycle, the first TSAV Technical Advisor, who was still serving as the Poplar City Police Chief, again assumed the Technical Advisor position, this time on a consultant basis. This position was, however, rendered inactive some time prior to the end of the TSAV grant.

The local TSAV program was overseen by a Core Team. The primary members of this Team met on a regular basis for most of the duration of the TSAV initiative. During the second funding cycle, meetings were often as frequent as three to four times per month.

Four particularly key agencies were represented on the Core Team for most of the duration of the local TSAV initiative. This reinforced on-going involvement of important local players and stakeholders in the TSAV initiative. Those four entities were: (1) law enforcement — through participation of the Police Chiefs of both Wolf Point and Poplar, and the head of the Tribes' Department of Law and Justice (DLJ), (2) the Tribal Court — through participation of the Tribal

Court Administrator, (3) the tribal Planning Department — through participation of the chief Tribal Planner (who was, for all 4 years of the local TSAV initiative, also the Tribal Executive Board’s Secretary-Accountant), and (4) the Tribal Executive Board — through participation of one or more Tribal Councilpersons during the project period.

In addition, Core Team membership included relatively constant representation from other important tribal and non-tribal entities. From tribal entities, representation included the Director of the Crisis Center, staff from the Indian Child Welfare program, the Director of the Tribes’ Substance Abuse Treatment Center, the Director of the Tribal Education Department, and staff from DLJ’s Juvenile and Corrections programs. From non-tribal entities, there was representation from the municipal Police Chiefs and the Wolf Point Public Schools.

From time to time, and on an as-needed basis, participation from several other community entities occurred. For example, other law enforcement agencies, and other professional and community members attended Core Team meetings at appropriate junctures.

4.2 TSAV Planning Process for the Fort Peck Tribes

In 1995, when the Department of Justice decided to seek two Tribes to serve as pilot sites for its newly conceived TSAV initiative, several Department officials met with the (then) Fort Peck Tribal Chairman and the Tribal Council members to discuss the Tribes’ potential involvement. The reservation had just experienced a string of seven homicides in a two year period which gave the Tribe a per capita murder rate seven times that of the state of Montana and three times the national rate. Thus, in addition to responding positively to the DOJ invitation to be a TSAV pilot site, the Tribal Chairman and Tribal Executive Board (i.e., the tribal council) made the Fort Peck *Tribal Strategies Against Violence Initiative* a priority.

As articulated by the former Tribal Chairman and later Councilman, the local TSAV initiative was envisioned as a reservation-wide programmatic initiative which would, among other things, address systemic or structural problems — such as the interactions between tribal and federal courts — that tribal leaders felt impeded dealing with crime and violence issues effectively. This vision of TSAV was seen as entailing the following tasks:

- □ Identifying the instances of reservation crime by type and location.
- □ Identifying the agencies (City Police/Courts, BIA/Tribal Police, Tribal Courts, Social Services) that deal with specific types of crime in particular locations in order to develop a working relationship among all agencies.
- □ Improving reporting systems among those agencies, and perhaps centralize reporting and referral systems.
- □ Identifying gaps in those agencies’ abilities to be responsive to crime, violence and substance abuse, and identify resources — or additional **programs** needed — for filling the gaps in services or abilities.
- □ Having the TSAV Partnership serve as a forum for monitoring how the whole process was working — in terms of bridging obstacles to fulfilling agencies’ capacities to address crime, violence and substance abuse — in the various communities of the Fort Peck Reservation.

This Fort Peck vision of TSAV appears to have differed from that of BJA officials who were charged with administering the new pilot initiative. In contrast with Fort Peck’s vision, BJA staff

envisioned the TSAV pilot process as a chance to apply to tribal settings the “lessons learned” from the Community Coalitions Program (CCP) — one of DOJ’s national initiatives which focused on building community partnerships to implement research-based strategies for addressing crime, violence and substance abuse. Some of the specific CCP strategies are community policing, youth initiatives, and alternatives to incarceration.

In early August 1995, Mr. Shields received a memo from Robert H. Brown (then Chief, Crime Prevention Branch, DOJ) informing the Tribe that it had been identified as one of two pilot sites for the TSAV program, and requesting that the Tribe submit an application to the Bureau of Justice Assistance (BJA) for funding. In response to this invitation, Mr. Shields directed tribal staff to form a “task force” to proceed with further planning and to write the grant application. The first meeting of this task force was held on August 30th, 1995. This group comprised a cross section of relevant reservation programs and included the Tribal Operation Manager;⁸ the Tribal Court Administrator; two staff, respectively, from the tribal and BIA Juvenile Services programs; the Director of the Tribes’ Crisis Center; and a Tribal Council member.

Over the course of two weeks, the Fort Peck Tribes’ initial application was developed. It was submitted to BJA on September 13, 1995. The application narrative generally reflected the same components as identified in DOJ’s invitation to apply for TSAV funding.

That first TSAV application provided an extensive description of needs related to various factors that were seen as contributing to violence and crime on the Fort Peck reservation. In addition, the Fort Peck application identified several local partnerships which already existed on the reservation — some of which had just been established — and with whom the TSAV effort intended to collaborate. These partnerships included (1) cross-deputization agreements with county and municipal police departments; (2) a Child Protection Team agreement among the state, BIA, IHS, and tribal agencies which addressed child placement and treatment plans; (3) an intergovernmental task force dealing with Driving Under the Influence issues; and (4) the Community Partnership Coalition, a consortium of 31 local entities — including tribal, municipal and religious institutions, as well as public schools, and interagency authorities and task forces — whose objective was to coordinate social services, drug/alcohol/tobacco use prevention, and law enforcement efforts. The inclusion of these entities was seen as important to the TSAV initiative. The initial application also identified some specific gaps in existing services and support mechanisms that the TSAV initiative could potentially plan to target in order to address problems/needs which had been statistically documented.

On November 20, 1995, the Tribes’ Reservation Safety Committee — a committee of the tribal council — appointed a planning team consisting of eleven individuals. Among others, this group included three individuals who had been involved in writing the initial application: specifically, the Tribal Operations Manager, the Crisis Center Director, and the tribal Juvenile Services representative. Additionally, the group included a different representative from the tribal council, a BIA Police Officer, a community organizer, a traditionalist Spiritual Leader, and four representatives, respectively, from the tribal Education Department, Housing Authority, Health Care, and Probation Services.

⁸ In other documents, this person is also referred to as the Tribal Secretary/Accountant and, according to our interviews, in fact oversaw the Tribes’ Planning Department.

Over the seven month period of December 1995 to June 1996, the Tribes' planning team (and other local TSAV partners) had at least three site visits by either DOJ or NCPC staff to assist in development of the Fort Peck TSAV Workplan.

In general, the Fort Peck planning team's assessment of this TSAV planning period was that it had been a time of considerable frustration, stemming in large part from what they perceived as a TSAV initiative that was not fully defined at the federal level, nor for which clear expectations had been developed for grantees. Interviewees particularly noted that, considering the local collaborators' time commitments to existing programs for which they were already responsible, the expectation that planning team members would be able to devote sufficient time to the development of the TSAV Workplan — without having any paid staff to assist them, since BJA had discouraged that — was locally seen as an unrealistic BJA expectation.

Fort Peck's planning team members essentially characterized the first nine months as being “a period involving a lot of stumbling around in the dark” by both TSAV partners and Department of Justice staff. Of particular note is that the group felt that their own planning and start-up experience had provided DOJ with a much clearer sense of what could realistically be expected for the initiative once it was expanded to other sites in 1996. The planning team members specifically noted that the second TSAV solicitation (which was issued to extend the initiative to five new sites) was much more detailed than the first solicitation to which Fort Peck and Rosebud responded. They felt that these changes were a direct reflection of what BJA had learned from the more “stumbling process” that had been used for the two 1995 TSAV pilot sites.

For example, the concept of utilizing a Core Team to provide local oversight of the TSAV initiative had been adopted by BJA for its 1996 solicitation for additional TSAV sites. At Fort Peck, on the other hand, the concept of a “Core Team” had initially been a rather fluid notion. It was not until the end of the first year of implementation of the Fort Peck Workplan that a subset of individuals from the initial planning team had become identified as the “Core Team.” These individuals were the Tribal Operations Manager, the Crisis Center Director, the Tribal Court Administrator, the Chief of the Wolf Point Police Department, the Chief of the Poplar Police Department (earlier, this person had been the Tribes' Juvenile Services representative on the team). In addition to these five individuals, the chairman of the Reservation Safety Committee — i.e., a tribal council representative — was added to this group. Later, the TSAV Program Manager and the Principal of the Northside Middle School also became part of this “Core Team.”

Between the mid-December 1995 TSAV Orientation Workshop presented on the Fort Peck Reservation and the middle of 1996, the Fort Peck planning team produced several drafts of a TSAV Workplan. These drafts were submitted to DOJ and were reviewed by various DOJ staff, including the DOJ “Indian Desk” staff. Each time, after receiving DOJ comments, the Fort Peck planning team revised its draft. A final TSAV Workplan was approved in June 1996.

Based on comments made during interviews conducted by the Evaluation Team, it would appear that although contacts between DOJ representatives and the Fort Peck TSAV planning group members were extensive, the impact of those exchanges was ultimately lessened, and sometimes even counterproductive, due to the fact that so many different government representatives were involved.

The planning group felt that the messages being sent to the local stakeholders were not always consistent from the different DOJ visitors. This perceived lack of consistency in guidance and the

variation in sources of input were further compounded by the fact that sometime during this period, there was a change in the BJA staff responsible for administrative oversight of the TSAV program.⁹

The visit in May 1996 by BJA Evaluation Office staff was viewed by local stakeholders at Fort Peck as being particularly disruptive to progress. The visit was regarded by the local planning team members as being an evaluation of their planning efforts to date and they found this upsetting. The BJA Evaluation Office staff's own internal report (dated 7/8/96), however, corroborated the Fort Peck perception that the planning process had been less than clearly defined for the initial two pilot grantees. That report made several elucidating remarks. Specifically, with respect to clarity of the TSAV guidance given, the report states "The primary problem . . . in developing the required implementation plans was a general and specific lack of understanding of what they [the pilot grantees] were being asked to do. In addition, I feel that with new initiatives like TSAV the grantees need to know what their obligations are as a grantee, who to ask what questions and get answers, and clearer guidance of what is expected throughout the life of the grant." Moreover, in remarking on the technical assistance that Fort Peck had received up to that point from BJA and NCPC staff, the report states "BJA needs to better define its Technical Assistance approach" and Fort Peck "gained little from initial assistance they were given."¹⁰

4.3 TSAV Goals and Strategies for the Fort Peck Tribes

Three TSAV goals were pursued during the three years of funding. In the third grant period, the second goal was amended to become more inclusive of a broader array of youth violence issues. Furthermore, under all three goals, objectives were changed each year to be more specific or new objectives were added. The Fort Peck Tribes' three TSAV goals were as follows:

Goal 1: *To Implement Community Policing and Enhance Prosecution*

This goal was included in the Workplans for all three years of the Fort Peck Tribes' TSAV program. During the three years of funding, this goal's objectives and activities were intended to: develop activities which encourage youth to be involved in both the legal and legislative processes of tribal, state and federal governments; develop Youth Cadet Programs in the Poplar and Wolf Point Police Departments; provide alternative activities for at-risk youth; involve the community in identifying and prioritizing community concerns about crime; and employ the "balanced approach" model in the Tribal Juvenile Court to reduce the Court's reliance on youth incarceration

Goal 2: *To Develop Comprehensive Crime Prevention Programs Designed to Reduce Incidents of Juvenile Violence, Gang Activity, and Substance Abuse*

In the Workplans for the first two years of the Fort Peck Tribes' TSAV program, this goal was written as *To Reduce Child-to-Child Violence*; in the third year, the goal was amended to read as above. The Workplan objectives for this goal were intended to include: introduction and of and training on the Second Step curriculum for local schools to use in

⁹ Todd Brightman was replaced by Patricia Thackston

¹⁰ July 1996 memorandum from Bob Kinchner (Chief, Evaluation and Technical Assistant Office, BJA) to Todd Brightman (Program Manager, TSAV Program)

developing students' self-image and improved decision making and coping skills; increase community's awareness about and recognition of gang related activities; train a GREAT officer to educate youth on dangers of gang involvement; provide culture-based activities (e.g., Talking Circles, support groups and survival skills camp) to increase youth self-esteem and confidence; establish a Boys and Girls Club.

Goal 3: *To Develop Community Partnerships*

This goal was included in the Workplans for all three years of the Fort Peck Tribes' TSAV program. The objectives and activities intended to address this goal were to be: development of Memoranda of Agreement (MOAs) between the Tribe and other entities in order to enhance communication, collaboration regarding service provision and information sharing among potential partners; and develop a community resource guide for distribution about potential services.

4.4 Budget Information for the Fort Peck TSAV Program

The Fort Peck Assiniboine and Sioux Tribes received three TSAV grant awards during a project period of October 1, 1995 through October 31, 1999. The three grant awards totaled \$345,000.

- The first award of \$120,000 was initially made for an 18-month project period (October 1, 1995 - March 31, 1997). This grant period was subsequently extended to September 1997. \$30,000 of the award were to be used for Phase I (diagnosing assets, obstacles and local priorities) and Phase II (determining a strategic plan). These first two planning phases at the Fort Peck Tribes extended until June 30, 1996. The remaining \$90,000 was to be used for Phase III (program implementation.)
- A second grant award of \$120,000 was then made through September 1998. The purpose of this award was to sustain the work being done under Phase III.
- A third grant award of \$105,000 was issued for a 12-month project period (October 1, 1998 - September 30, 1999). This award was to support Phase III activities and Phase IV (sustainment). Ultimately, this grant was extended through October 31, 1999.

4.5 Site Monitoring, Reporting and Local Evaluation

TSAV applicants were not required to submit either a formative or summative evaluation plan as part of their application process. Not surprisingly, therefore, no evaluation of the Fort Peck Tribes' TSAV initiative was conducted at the local level — by the Tribe itself or an externally hired evaluator. It is noted, however, that ORBIS Associates' *process evaluation* of the Fort Peck Tribes' TSAV initiative did, to some extent, serve the purpose of an interim evaluation for the local program. The process evaluation findings and recommendations were summarized in the document, *Fort Peck Assiniboine and Sioux Tribes TSAV Evaluation Site Visit Report #1, August 1998*. Copies of that document were provided to all TSAV sites by the evaluators.

It is noted that in an August 8, 1997 internal memo from TSAV staff to the Director of BJA, the following statement was made: *The Fort Peck Assiniboine and Sioux Tribes will work with BJA, NCPC and local institutions of higher learning, as applicable, to develop an assessment tool to*

measure project impact. Despite this language, however, no evidence was found of such a tool being developed; nor was there evidence, through review of either Federal or local records, that BJA ever substantially pursued this issue with the grantee.

Responsibility for overall monitoring of this grant rested with BJA. This was done through regular phone contact, periodic site visits by BJA and NCPC staff, semi-annual TSAV meetings, and review of the grantee's progress reports.

Based on file review, it appears that the Fort Peck Tribes' TSAV report submissions to BJA were quite a bit more extensive than at the other three TSAV sites included in this evaluation. Whether this stems from the grantee having been one of the first 2 initial demonstration sites, and, thus, having commenced operation a year prior to the others is unknown. However, unlike at the other TSAV sites, Fort Peck appears to have quite regularly submitted both monthly and quarterly reports for the duration of its four years of funding. There was also a period of time, at least in 1996, when in addition to these monthly and quarterly reports, Fort Peck also submitted weekly reports to BJA. This was an unusually heavy reporting responsibility, but one which the files indicate Fort Peck, for the most part, adhered to.

5.0 IMPLEMENTATION OF LOCAL TSAV STRATEGIES

5.1 Approach to Implementing Community Policing and Enhancing Prosecution

The Fort Peck Tribes' TSAV strategies related to this approach, were undertaken under Workplan goal #1, *To Implement Components of Community Policing and Prosecution*. This goal was pursued during all three TSAV grant periods. The Tribe's 1995 Workplan, citing the "jurisdictional complexities on the Fort Peck Reservation," noted that because law enforcement is provided by multiple agencies, "community members . . . are [often] unclear as to how to deal with issues surrounding tribal and non-tribal offenses." Furthermore, the Workplan cited a number of factors creating "a lack of faith in the [tribal] judicial system. Among these factors were the one year terms for tribal prosecutors, the two year terms for Tribal Judges, and inconsistent sentencing by the [tribal] court. Also, noted was the Tribal Prosecutor not receiving adequate investigative reports, to successfully commence or proceed with prosecuting cases of domestic violence. The Tribes' FY 1995 and 1997 Workplans went on to cite the:

- "high rate of dismissal of domestic and family violence offenses in the Tribal Court . . . [and that of the] 272 criminal offenses of Domestic Abuse, Child Abuse and Child Neglect [in FY 1995] . . . 36% . . . were dismissed."
- "high rate of crimes committed by persons between the ages of 10-19 years . . . [such as] Theft, Criminal Mischief, Criminal Trespass, Youth in Possession of Alcohol, Disorderly Conduct, and Curfew Violations . . . with 46% of all offenses being alcohol related."
- "Confusion among law enforcement officers on jurisdiction, which impairs the officer's ability to be discretionary in enforcement . . . [and that since the Tribes] commission outside (non-tribal) law enforcement agencies to enforce Tribal laws against Indian violators, officers need to be educated before being commissioned on Tribal laws."

The Fort Peck Tribes' strategies to implement community policing and enhance prosecution included

(1) conducting outreach to youth for the purpose of improving attitudes about law enforcement; (2) providing at-risk youth with healthful alternative and preventive activities and interactions with parents/community; (3) increasing awareness among community members about Tribal laws and community policing/problem-solving; (4) increasing awareness among all reservation law enforcement agencies about multi-jurisdictional issues; and (5) amending tribal laws to enhance prosecution.

Outreach to youth to improve attitudes about law enforcement. Several youth attitudinal improvement activities were implemented. Among these were ongoing annual presentations about law enforcement by Tribal Court and Wolf Point police personnel to students at specific school sponsored events (e.g., Law Week in the high schools, Career Day for students in grades 4-6, etc.) The Brockton schools, through TSAV sponsorship, held an annual Law Day in which 12th graders took a field trip to the Tribal Court in Poplar to learn about the Tribal Court and Tribal laws. Additionally, Police Youth Cadet programs were initiated in the Wolf Point Police Department and the Tribal Police Department, both departments being TSAV partners.¹¹ At the end of the TSAV

¹¹ Efforts to establish Youth Police Cadet Programs specifically for the Poplar, Frazer/Oswego, and Brockton/Fort Kipp communities were being addressed through the Fort Peck Tribes Police Department.

program, the Wolf Point cadet program — started in Fall 1996 — had at least 16 youth (Indian and non-Indian) involved in several types of activities including ride-along patrols and bike patrol; presenting bike-safety workshops; providing security at school events; and volunteering at community service events for senior citizens, events such as “Make A Difference” Day. Started in June 1999, the Tribal Police Department’s Police Cadet/Reserve Officers program had eight youth cadets and seven youth reserve officers involved in ride-along patrols to learn policing procedures. These youth were also involved at seven powwows during the year, providing security, conducting alcohol checks, etc. Both youth cadet programs stressed youth learning about basic radio procedures, police-report writing, command structure, and community policing. The Tribal Police Reserve Officers were to become full-time Tribal Police officers if funding became available through the Tribes’ COPS grant application. Other police officer and youth interactions included police volunteering time at the Wolf Point Boys and Girls Club, a club established through the Fort Peck Tribes TSAV partnership.

Alternative/preventive activities for at-risk youth. Alternative activities for youth included community service projects such as graffiti paint-outs, beautification projects such as the Wolf Point High School Indian Club sponsoring an “Adopt a Mile” project, and Wolf Point cadets conducting a clean-up of a playground in tribal housing areas. Other prevention activities for youth included establishment of a support group for Children of Alcoholics through the Tribes’ substance abuse treatment center, another TSAV partner. As noted earlier, a Boys and Girls Club was established in Wolf Point with TSAV support. Although plans for developing similar clubs in Brockton and Poplar had not come to fruition by the end of the Fort Peck Tribes’ TSAV program, the tribal housing authority had specifically developed a budget item in its five-year Strategic Plan for the establishment of such centers. It was felt by TSAV partners interviewed in October 1999 that this strategy met a third year TSAV Workplan objective to “build the organizational capacity within the Boys and Girls Club to sustain efforts . . .” (which were actually under the broader Youth Crime Prevention goal).

Increasing awareness among community members about Tribal laws and community policing/problem-solving. During the first year of the Fort Peck Tribes’ TSAV program, an historic Mission Statement on Community Policing was developed and signed by 32 agencies, tribal and non-tribal. This Statement acknowledged the need for cooperation among law enforcement and community agencies. Moreover, it committed those agencies to work together to further community policing efforts. As a result of this, a Community Policing Task Force was established to promote community policing. This group was involved in developing and distributing brochures about the TSAV program, community policing, and domestic/family violence issues. The group also hosted community forums on community policing and was instrumental in establishing an annual Crime Victims Rights Week. Additionally, it disseminated crime prevention messages through the local cable television and radio stations.

The Task Force’s efforts ultimately met with varying degrees of success, especially in terms of gaining citizen involvement in reporting criminal activity. Neighborhood Watch programs were established in Wolf Point and Poplar, the two major population centers; however, similar programs did not gain a foot-hold in the other communities. More successful efforts of the Task Force were reflected in its work with the Tribes Violence Against Women Act (VAWA) program to hold community forums on domestic violence.

In Fall 1998, another TSAV partner, the Community Corrections Council (refer to Section 5.3 for elaboration), held a community forum in each of the six communities on the reservation. Each forum addressed the following four topics:

- ☐ inhalant abuse problems
- ☐ domestic abuse/violence
- ☐ Fort Peck Tribes Criminal Code
- ☐ Community Involvement/Responsibilities

These forums were intended to provide opportunities for community members to discuss the problems of inhalant abuse and family violence, review tribal laws regarding drug abuse and violence as well as discuss what their responsibilities should be regarding addressing crime and violence through community policing and other strategies.

In October 1999, the TSAV partners indicated that a special effort was being made by the Tribal Police to provide additional community forums on community policing and problem-solving; they noted that previous less successful efforts had primarily been sponsored by non-Indian law enforcement agencies.

Increasing awareness among all reservation law enforcement agencies about multi-jurisdictional issues. TSAV initiated activities in this area included hosting, in the first year of TSAV implementation, a forum on “Federal Prosecution in Indian Country.” This forum was actually conducted by the U.S. Attorney’s Office for Montana. All respective law enforcement agencies — tribal and non-tribal — participated. A Multi-jurisdictional Law Enforcement Task Force was also established which involved all law enforcement agencies on the reservation as well as the Federal Bureau of Investigation (FBI). This group met monthly, and over time, were able to generate several collaborative efforts. One outgrowth of the Multi-jurisdictional Law Enforcement Task Force was the Safe Trails Task Force, endorsed by the Fort Peck Tribal Executive Board and participated in by several jurisdictional entities. The ultimate goal of this Task Force was to provide smoother linkages among various investigative agencies in order to improve Federal prosecutions. It focused on streamlining investigations and providing for cross reporting by identifying the training needs of all area law enforcement agencies. One result has been an ongoing collaborative investigation into methamphetamine trafficking on the Fort Peck Reservation. As a result of this investigation — involving the FBI, Tribal Criminal Investigators, the Roosevelt County Sheriff’s Office and the Wolf Point Police Department — as of October 1999, 18 individuals had been arrested and six had been summoned for arrest on federal narcotics charges.

Amending tribal laws to enhance prosecution. Several amendments to the Fort Peck Tribes’ Criminal Offenses Code and Juvenile Code were made as a result of the Tribes’ TSAV partnerships. These include strengthening the sexual assault laws by changing statutory rape from a Class A misdemeanor to a felony; making the definition of “dangerous firearm” more expansive and specific; and expanding drug laws to include prohibitions against selling specific inhalants to juveniles. The Tribes’ drug laws were also augmented to provide for adjudication of minors possessing or using tobacco products. The laws relating to DUIs by juveniles were amended to provide for increasing penalties per offense. Furthermore, the penalty for adults supplying or encouraging underage drinking was made a Class A misdemeanor. Several amendments to the Tribe’s Juvenile Code were also enacted which provide for a more proactive and rehabilitative/preventive approach to dealing with juvenile offenders. These laws allow treatment and/or counseling as sentencing options and

focus on involving family and community resources in the juvenile adjudication process. Among the current sentencing program alternatives are the Family Wellness Court (i.e., Drug Court) program and the Adolescent Survival Skills Program.

The TSAV Workgroup that was involved in examining and reviewing the tribal laws and recommending revisions in laws, policies and procedures ultimately became the Community Corrections Council, a multi-agency problem solving team involved in improving the corrections system at the Fort Peck Tribes, especially with respect to the system's treatment of youthful offenders.

A new objective added to the third year TSAV Workplan at the Fort Peck Tribes was to develop a First Offender Program which would apply the principles of restorative justice when dealing with youthful offenders. At the time of the October 1999 site visit, this program had not been fully developed due to turnover in juvenile law enforcement officers, among other things.

Another Workplan activity that had not occurred by the end of the TSAV program was the production of a video for instructing youth — and using youth actors — about the Tribal Court system. This apparently was not accomplished due to the unexpectedly high technical complexity involved.

5.2 Approach to Reducing Incidents of Juvenile Violence, Gang Activity and Substance Abuse

The goal to *Reduce Child-to-Child Violence*, in the Fort Peck Tribes first and second TSAV Workplans, was changed in the third year *To develop comprehensive Crime Prevention programs to reduce incidents of juvenile violence, gang activity, and substance abuse*. As noted in the third year continuation application, “efforts must expand from just child to child violence to include a more focused effort in family violence [and] gang prevention, as well as substance abuse issues. Essentially, what was reflected in the expansion of efforts under this goal was a switch from an approach primarily school-based to an approach involving other community resources. The FY 1995 Workplan statistics cited that:

- □ Over a 30 week period in the 1995-96 school year, “there were 251 incidents involving anger and violence at the . . . Elementary School.”
- □ “91.6% of children involved in 5 or more individual incidents lived in single or blended families.”
- □ “70.8% of children involved in 5 or more individual incidents have themselves been reported as victims of neglect or sexual abuse, physical or other abuse.”

The third year continuation Workplan expanded on above statistics with the following:

- □ “In a 24 week period in the 1996-97 school year, there were 121 incidents involving anger and violence at the . . . Elementary School.”
- □ Youth Risk Behavior Surveys for the Poplar Schools showed:
 - Tobacco use: 7th - 8th grade: 49.5% grades 9-12: 48.3%
 - Marijuana use: 7th - 8th grade: 34.8% grades 9-12: 53.2%
 - Other drug use: 7th - 8th grade: 9.9% grades 9-12: 18.5%
- □ There had been 89 referrals for drug and/or alcohol treatment for juveniles reservation wide.

- □ There had been 629 juvenile cases in the Tribal Juvenile Court during 1997.
- □ 23% of young women [on the Fort Peck Reservation] responding to a questionnaire . . . stated that they had been victims of domestic violence; 28% indicated they were not happy in their relationships and that their mate had exhibited some risk behaviors associated with abusive relationships.
- □ Between January and March 1998, there had been 19 incidents of aggravated sexual violence against women and children.

Specific TSAV-supported strategies to reduce juvenile violence, gang activity and substance abuse included (1) implementing school-based programs to address youth violence; (2) developing and/or implementing community-based anti-gang programs to develop positive youth skills and parental support; and (3) developing and implementing culturally relevant initiatives to reinforce youth self-esteem and identity and providing youth with a cultural orientation as violence and substance abuse prevention measures.

School-based programs to address youth violence. Among the most successful efforts of the Fort Peck Tribes' TSAV program was implementation of the Second Step curriculum (a behavior modification programming to address child-on-child violence). By the 1998-99 school year, this curriculum had been introduced to grades K-7 in the Wolf Point and Brockton schools. Training was scheduled to be provided in November 1999 for 21 teachers from the Frazer and Poplar schools — the other remaining school districts on the reservation — and 13 new teachers in the Wolf Point and Brockton schools. It was anticipated that Frazer and Poplar would begin implementation of Second Step in the 1999-2000 school year. Furthermore, the November 1999 training was to include staff from the tribal Headstart and two day care centers in order that the Second Step Curriculum would also be implemented in those programs.

Also of note is that at the end of the TSAV program, plans were being made to assist the Wolf Point and Poplar high schools identify appropriate conflict resolution and anger management curricula to implement in those higher grades which Second Step does not address. One further TSAV partnership-initiated strategy was implementation of a Behavior Learning Center program at the Wolf Point Middle School. This program was delivers social skills training to at-risk students who may not have the needed parental support for learning appropriate group behaviors.

Since substance abuse is a co-factor in family violence, the Fort Peck Tribes TSAV Workplan also included in-class instruction in the Drug Awareness and Resistance Education (DARE) program. This service was provided to all reservation schools by a member of the Roosevelt County Sheriffs Office.

Community-based anti-gang programs. A major anti-gang activity initiated through the Fort Peck Tribes' TSAV partnership was implementation of the Targeted Outreach program as part of the Wolf Point Boys and Girls Club. The Targeted Outreach Program is a Boys and Girls Club program aimed at preventing youth from involvement with gangs. During the second year, the TSAV staff and the Boys and Girls Club sponsored a two-day workshop on gangs and gang behaviors for staffs and student bodies in the high schools of Wolf Point and Poplar. The purpose of the workshop was to raise awareness of potential gang problems in the community/reservation. Evening presentations were also made to familiarize parents with the problem of gangs. In the view of TSAV partners who were interviewed, the above activities met TSAV's intention of educating "parents, youth, teachers,

law enforcement, community members and tribal/local government [officials] regarding youth gang identification, behaviors and intervention.”

Other gang prevention activities were provided in 1998 to at-risk youth who participated in the TSAV-sponsored Survival Camps. For further discussion of this, the reader is referred to the section below pertaining to “culturally relevant initiatives.”

Several other TSAV Workplan activities, which had been intended to reinforce gang prevention, had not occurred by the end of the TSAV program. Among these unaccomplished activities were public forums to build public awareness of the effects gangs have on communities; training of a Gang Resistance Education and Awareness Training (GREAT) officer; and the addition of anti-gang amendments to the Tribal Code. TSAV partners, who were interviewed by the Evaluation Team, stated that they anticipated the above cited unaccomplished activities to be undertaken through the Community Corrections Council’s follow-up of TSAV plans. As an indicator of this, the Community Corrections Council members noted that another TSAV Workplan outcome to create a “plan to address the prevention, intervention and suppression of gang activity” was built into the Fort Peck Tribes’ Youth Opportunities grant application for which, in October 1999, the Tribes were still awaiting funding notification.

Culturally relevant initiatives to violence and substance abuse prevention measures. During the first two years of the Fort Peck Tribes TSAV initiative, most strategies dealing with youth substance abuse prevention centered around school presentations by TSAV partners and the SMART Moves (Skills Mastery and Resistance Training) program, a Boys and Girls Club program aimed at substance abuse prevention. During the 1998-99 school year, the SMART Moves program was also adopted by the Frazer School District.

While the above activities continued for the duration of the TSAV program, in the third grant year, a new objective was added to the TSAV Workplan which dealt with involving “Tribal elders and spiritual leaders in developing culturally relevant alternative activities to increase self-esteem, self-identify, and confidence through [reinforcing American Indian and tribal-specific] cultural orientation. The development of an Adolescent Survival Skills Program was an outcome under this objective. Sponsored by the Community Corrections Council (CCC), a TSAV partner, the program revolved around Survival Camps for tribal youth, ages 8-12. The camps were held in July/August of both 1998 and 1999. In 1998, the camp was focused specifically on youth already involved with the criminal justice system; in 1999, TSAV partners chose, instead, to focus on youth “before they get into the system.” Both years, the camps concentrated on prevention activities, stressing Assiniboine and Sioux cultural values and traditional survival skills. The camps were structured around making a 16-day trek along the rivers on the Fort Peck Reservation. In 1998, 18 youth participated in this event. At the conclusion, a ceremony was held in order for the community to honor these youth. As a result of their successful completion of the camp program, those youth who been in detention were released and those youth who were under the supervision of the CCC received a two week stay from their supervised program activities. In the 1999 Survival Camp, a total of 35 youth participated, although as noted above, that year participants were not necessarily Court referred or under CCC supervision. In the first year, camp participation included about 15 adult representatives from law enforcement agencies, treatment agencies, detention program staff and other TSAV partners, as well as an additional 12-14 adults who attended only day events at the camps. In the second year, there were over 60 adults from various tribal and community programs involved.

In conjunction with the 1998 camp, TSAV partners also sponsored a three day series of presentations by a national expert on Native gangs, and Native Youth gangs in particular. Her presentations, which were tailored to specific audiences — e.g., youth, law enforcement agencies, schools, community members and parents — addressed youth gang prevention/intervention strategies, youth self-esteem and spiritual awakening. In 1999, the tribal police cadets and reserves were added to the roster of camp participants, in an effort to present positive role models for other youth.

During the second year of the Fort Peck Tribes' TSAV program, another type of cultural activity was added. This was a traditional Assiniboine/Sioux curriculum on "Positive Indian Parenting", developed by the Women's Kinship Council. One of the objectives of this Council, which had been organized under the Fort Peck Tribes' TSAV program, was to teach Indian parents traditional parenting skills, including non-violent methods for disciplining children and youth. The curriculum they put together consists of 22 lessons of two hour presentations each. Lessons include nutritional planning and food preparation, positive traditional/contemporary child rearing practices (e.g., storytelling, communicating with and listening to children), and traditional arts/health/spiritual practices (e.g., beadwork, FAS, traditional thanksgiving). The curriculum culminates in seven lessons providing positive disciplinary techniques.

Other activities that occurred under this culture-related objective were the use of traditional "Talking Circles" and tribal storytelling in adult and youth support groups; workshops on hide tanning, traditional art and beadwork, which were done through the Fort Peck Community College; and workshops on traditional foods and food preparation, which were done through the Women's Kinship Council. A videotape of the Women's Kinship Council's activities was produced and is available for use by TSAV partners. It is also being used by the Wolf Point schools, as part of their Native American Week activities, another outgrowth of the local TSAV program.

5.3 Approach to Developing and Enhancing Community Partnerships

This goal appeared in all three Fort Peck Tribes' TSAV Workplans. The original TSAV Workplan, citing that no interagency agreements were in place to facilitate service delivery among various (e.g., tribal, BIA, municipal, county, state and Federal) agencies operating on the Fort Peck Reservation, noted two specific reasons for the lack of such agreements, namely (1) "the historic mistrust between tribal and non-tribal entities" and (2) the fact that "[tribal] governments as sovereign nations are hesitant to enter into partnerships where there is a perceived loss of tribal government control, or a return of control to a non-tribal entity." As to the latter fact, the Workplan also acknowledged that non-tribal entities had similar concerns about losing control, etc. The Year 3 TSAV Workplan at Fort Peck continued to make reference to the "lack of collaborative efforts by all existing Tribal, State, Federal, and community service providers."

It is under this TSAV goal that the Fort Peck Tribes developed various Memoranda of Agreement, across tribal and non-tribal agencies and entities. For example, during the first TSAV grant cycle, Memoranda of Agreement were developed among 27 community agencies for the express purpose of committing those agencies, in general, to participating in the TSAV partnership(s). Also, as noted in Section 5.1, some of these MOAs resulted in the Community Policing Task Force, the Multi-jurisdictional Law Enforcement Task Force and the Safe Trails Task Force, among other collaborative efforts. One of the most salient outcomes of these various task forces was the sharing of information among various investigative and law enforcement agencies, etc.

Also, in the first year of TSAV implementation was the development of what the TSAV partners referred to as an “historic” Mission Statement in support of Community Policing. This document, signed by 32 agencies, became the basis for the Community Policing Task Force (discussed in Section 5.1).

Other partnerships or coalitions were also put into place at the Fort Peck Tribes. For example, in April 1997, the Community Corrections Council was established by Tribal Resolution. This Council was established to review the Fort Peck Tribes criminal justice system, particularly its juvenile justice procedures, and to make recommendations for improvements to the system. Ultimately, the Council became the agent for implementation of TSAV strategies under Workplan Goal #1 which dealt with community policing and enhancing prosecutions. The Council was comprised of TSAV Core Team members — those representing various tribal programs/entities as well as the Police Chiefs of the two municipal police departments on the reservation — and representatives from other related local agencies (i.e., BIA, IHS) that provide services related to victim services and rehabilitation of offenders. The Council was still operative in October 1999 and was expected to be an on-going local effort.

An example of a successful formal partnership resulting from the TSAV program is the Community Resources Council (CRC). This Council was brought into existence in the third grant period to institutionalize the TSAV partnership across tribal agencies — while still involving the Wolf Point and Poplar Police Chiefs. One suggested strategy for accomplishing this was creation of a non-profit corporation, with 501(c)(3) status. For various reasons, this never occurred. However, at the end of the TSAV program, the CRC was still actively attempting to institutionalize the TSAV *process* of collaborative, cross-agency problem solving through various TSAV initiated efforts. Examples of successful pursuits were: (a) an Adult Drug Court grant to address the issue of DUIs, (b) a Boys and Girls Club “Pass-through” grant, and (c) additional grants for the Violence Against Women Act program.

There are also examples of other TSAV initiated *activities* under this goal that the evaluators felt were likely to continue after the end of the TSAV program at the Fort Peck Tribes. One of these is the annual revision and publication of the Fort Peck Tribes *Community Resources Guide*. Additionally, through efforts of the CRC, and as noted by interviewees, media efforts would probably continue — e.g., FPRC-TV and radio public service announcements, newspaper announcements, etc. — to educate the community and youth about various crime, violence and substance abuse (e.g., inhalant abuse and methamphetamine use) problems still facing the Fort Peck Tribes.

5.4 Extent to Which BJA’s Objectives for TSAV Were Addressed

As noted in the introduction to this Case Study, BJA’s *Tribal Strategies Against Violence* initiative was intended to help Native American communities address four key local objectives. Each of those objectives is addressed below, as is the extent to which the evaluators found evidence that the objectives were addressed at the Fort Peck Assiniboine and Sioux Tribes.

- 1. Establish and/or enhance a diverse planning team and build partnerships** — representative of tribal service providers (i.e., law enforcement, prosecution, social services, education, etc.), spiritual leaders, businesses, residents, and youth

At the Fort Peck Tribes, a variety of tribal and non-tribal entities participated in the local TSAV initiative. At the onset of the Fort Peck Tribes TSAV program, over 25 agencies/programs signed an MOA committing to the concept of TSAV— i.e., they agreed to join problem solving and planning efforts for crime, violence and substance abuse reduction and prevention. These signatories included staff of various tribal agencies: the Tribal Court Administrator, the Tribal Operations Specialist (who was also the TEB’s Secretary/Planner), the Director of the Tribes’ Department of Law and Justice (which includes all tribal law enforcement, corrections, juvenile services and detention programs), the Director of the Tribes’ Crisis Center, the Director of the Spotted Bull Treatment Center, the Chief Tribal Prosecutor, and representatives from the tribal Education Department and social services. The Tribal Chairman and several Tribal Executive Board members also signed this MOA. In addition, representatives of local Indian community groups, such as the Wolf Point Community Association, were signatories as were representatives from several non-tribal agencies such as the Wolf Point and Poplar Police and the Roosevelt County Sheriff’s Office. Most of these individuals remained active in the TSAV partnership throughout the duration of the TSAV initiative. Some individuals (e.g., the Tribal Prosecutor) did not remain active due to time constraints associated with his caseload. Other individuals (e.g., Tribal Executive Board members) became inactive when they no longer were in office; their representation was usually replaced by new board members.

The TSAV Core Team at Fort Peck also reflected diverse representation from the community, including very key entities, namely the Tribal Court, tribal government, tribal service agencies and both tribal and municipal police departments. For the most part, participation from these entities was consistently maintained throughout the duration of TSAV.

The Fort Peck Tribes’ TSAV efforts at establishing *partnerships* with diverse types of stakeholders was also quite successful. One outgrowth of this was the creation of several task forces, including a multi-jurisdictional task force — with representation from the FBI and all law enforcement agencies on the reservation — which led to investigatory collaboration. Formalization of a task force structure was expected to help solidify on-going collaboration. Another outgrowth of the TSAV initiated partnerships were MOAs among various tribal and non-tribal entities and a joint mission statement about community policing, signed by 32 tribal and non-tribal entities. Outreach to diverse players in the criminal justice system is also evidenced by the forum hosted by the Fort Peck TSAV program. This forum was actually conducted by the U.S. Attorney’s Office of Montana. Both tribal and non-tribal law enforcement agencies participated in this conference regarding Federal prosecution in Indian Country.

Fort Peck’s successful collaboration with other non-tribal entities is illustrated by its interaction with several public schools and the police departments, resulting in the participation of police officers in “Law Week” and “Career Day” at the local high school.

2. Develop and implement cost-effective crime and violence reduction strategies (including community policing, prosecution and prevention initiatives)

The Fort Peck Tribes’ TSAV strategies undertaken to reduce crime and violence were both short-term and long-term in nature. Short-term strategies included building greater

awareness about specific types of violence (e.g. domestic violence) and substance abuse problems in reservation communities. Long-term strategies were reflected in the numerous Tribal Code amendments that were made as well as in the creation of new institutions such as the juvenile Drug Court (Family Wellness Court) and the adult Drug Court (DUI Court). These resulted in important changes in certain aspects of the criminal justice system at the Fort Peck Tribes. For example, there was a strengthening of reporting and an enhancing of prosecution; a reduction in inconsistencies in enforcement and sentencing; and alternatives to incarceration and detention were provided.

At the start of the TSAV planning process, the rates of domestic violence in the community spurred TSAV partners at the Fort Peck Tribes to target improving prosecution of domestic violence and youth violence, as well as substance abuse — the one co-factor interviewees identified for 93-98% of offenses.

The Fort Peck Tribes' TSAV initiative did not target specific neighborhoods, although it did target specific communities for such crime reduction activities as establishment of a Boys and Girls Club and a Police Cadet program in Wolf Point — with the intention to expand to other towns. The Second Step violence prevention curriculum was first implemented in the Wolf Point schools and, then, expanded to schools in both Poplar and Brockton. A major focus of these efforts — particularly the violence prevention and social skills instruction for youth — was to improve the deteriorating social structure of families.

3. **Provide youth with alternatives** to substance abuse and gang involvement.

As noted in Section 5.1 of this report, at the Fort Peck Tribes there were a variety of activities provided to youth as alternatives to using substances and to becoming involved in gangs. The Wolf Point Police Department's Youth Cadet Program and the Fort Peck Tribal Police's Youth Cadet Programs were growing in participant numbers by the end of the TSAV program.

Furthermore, in addition to the Wolf Point Boys and Girls Club which was still active in October 1999, plans to expand this concept into the other Fort Peck Tribes' communities were being developed. As noted elsewhere, Boys and Girls Clubs programs such as Smart Moves and Targeted Outreach were being used to prevent youth from becoming involved in gang crime and violence, or from using alcohol, drugs and other substances.

In addition, a culture base alternative strategy — the Adolescent Survival Skills Program — had successfully been implemented and TSAV partners were committed to ensuring its long term implementation. Centered around the use of Survival Camps, this Program is based on research and theory regarding social control, social learning, cultural identify and values, and reality therapy. The objectives of the program are to (a) develop greater management for alternatives to incarceration, (b) use culture and education as the synergistic basis for providing support to at-risk youth, and (c) begin the process of reaching beyond basic individual survival to develop a higher sense of community, family and consequence. The focus of the program is prevention and intervention for youth and their families through skills development, competency development and community safety. The Survival Camps have involved youth in setting up and taking down traditional teepees as they make a 14-day

trek around the reservation, as well as in learning about traditional foods, medicines, values, relationships, etc.

4. **Enhance local capability to identify public and private resources**

By the fiscal year ending September 30, 1999, the Fort Peck Tribes had obtained funding for several new programs including Boys and Girls Club funding, Drug Court funding and STOP grant funds which were used to hire an Assistant Prosecutor to handle domestic abuse cases. The Tribes had also identified and applied for a \$203,000 Transitional Living Facility; a \$2.3 million Tribal Resources grant to expand and further train the tribal police force; a \$45,000 Office of Juvenile Justice grant to train a resource officer in GREAT (who would also supervise the Tribal Police Cadet program); and a \$500,000 Tribal Youth Program to staff the Transitional Living Facility with a recreational therapist and counselors.

6.0 TRANSFORMATIONS AS A RESULT OF TSAV

As several criminal justice researchers predicted at the onset of the TSAV initiative, there is, thus far, little or no statistical evidence documenting TSAV's impact on crime or violence. (Refer to Section 6.3 for discussion of the statistical data that is available.) In the absence of much quantitative data, qualitative data were relied on for the most part to assess what transformations, at the community level, may have occurred as a result of TSAV. There were two sources for that qualitative data: (1) interview data collected during the last site visit to the Fort Peck Tribes, and (2) survey data collected as the Tribe was closing its TSAV grant. Each is discussed separately below.

6.1 Interview Data

During the final evaluation site visit to the Fort Peck Assiniboine and Sioux Tribes, local TSAV Core Team members were asked to provide their assessments of the effect that TSAV had on the Fort Peck Reservation and participating local communities. Listed below are the primary changes in the community which Team members attributed to their TSAV initiative.

- Key among the changes attributed to TSAV were the partnerships created among various tribal and non-tribal entities on the Fort Peck Reservation. As the Wolf Point law enforcement partner noted in October 1999, the TSAV program “unified the community [and] gave us an avenue to [jointly] address our mutual concerns . . . now, when we have a problem, we have a group to work with to solve [the problem].”¹² Among specific successful partnerships cited by the Core Team were the Multi-jurisdictional Drug Task Force, the Law Enforcement Coordinating Council (which grew out of the Multi-jurisdictional Law Enforcement Task Force), the Community Corrections Council (which actually developed simultaneously with TSAV, but became the main group through which the strategies under the Community Policing and Prosecution TSAV Goal were implemented), and the Enterprise Community (a joint endeavor between the Tribes and Fort Peck Community College).
- Another important change that was cited is the growth in collaborations among tribal programs. As Core Team members noted, in the past, programs easily criticized one another; however, by the end of the TSAV program, staff of various programs who had worked together under TSAV realized that “by lifting the barriers among us, we found that we all faced the same barriers . . . [and this realization] gave us common ground for solving problems together.” As a result of TSAV collaborations, a better understanding of other programs — their purposes, policies, limitations, available resources, etc — also emerged. This better understanding, in turn, helped strengthen the collaborations as well as build new ones. For example, the TSAV partnering approach was used to apply for new programs such as STOP, Tribal Youth and Drug Court grants.
- Another more concrete example of change as a result of the TSAV program was an improved relationship with the schools, particularly the Wolf Point Schools. It was in the schools that the Second Step curriculum was first implemented as a TSAV strategy to address child-to-child violence. Core Team members cited the fact that, in 1995 when the TSAV program was started, in the Wolf Point schools, the ratio of Indian/non-Indian students was approximately 60%/40% at the elementary school; however, by high school,

¹² He further noted that working jointly with the Fort Peck Tribes “ruffled waters with the City Council . . . however, it has made a world of difference.”

the ratio was approximately 10%/90% — indicating that Indian students drop out at a considerable rate. The team members viewed this as evidence of an atmosphere of hostility toward Indian students in the Wolf Point School District. In October 1997, the ratio of Indian to non-Indian students at the elementary school was approximately 78%/22% and the ratio at the high school was approximately 46%/54%. The most recent data made available to the evaluation team indicated that, in October 1998 at the beginning of the new school year, the ratios of Indian to non-Indian students¹³ at the elementary and high schools were comparable to the 1997 figures — which would seem to indicate an improvement in the numbers of Indian students staying in school since 1995. The Core Team members noted that they felt the TSAV-initiated Second Step curriculum and the state-initiated Behavior Learning Center initiative were helping to address in-school problems between Indian and non-Indian students, as well as between Indian parents and the predominantly non-Indian school staffs. [As noted elsewhere, the Second Step curriculum was being implemented, to varying degrees, in the Wolf Point, Poplar and Frazer school districts.]

- New alternative sentencing mechanisms in the Fort Peck Tribal Court system were also cited as positive TSAV outcomes. Examples are (1) the Wellness Court (a Drug Court for youth offenders) which in 1999 was in its second year of implementation and (2) the “DUI Court” (an extension of the Drug Court to deal with adult offenders) which in late 1999 was being planned by the DUI Task Force, using Indian Highway Safety Grant funds received by the Tribal Health Department.
- The new laws and amendments to the Fort Peck Tribal Code (see Section 5.1) were cited as a very important outgrowth of the local TSAV initiative. It was noted that the Community Corrections Council (CCC) — which began as a strategy for jail population management — had been instrumental in examining the Tribes’ juvenile justice system and making recommendations for strengthening laws dealing with youth offenders as well as for building healthier response mechanisms (such as the Wellness Court) for dealing with youth offenders. The Elders Advisory Committee of the Community Corrections Council was also cited by the Tribal Law and Justice Department head as being impressive, noting that the committee had worked with the CCC to develop the concept of the Adolescent Survival Skills Curriculum.
- Specific new programs being implemented in the Fort Peck communities were also cited as direct outgrowths of the TSAV program. These included the Wolf Point Boys and Girls Club, the Youth Police Cadet Programs (lodges with both the Wolf Point Police and the Fort Peck Tribal Police), the Second Step program in the reservation schools, and the Survival Camps for Fort Peck Indian youth.

Core Team members also noted that several other programs/activities which now operate (or are pending operation) within the community were attributable to TSAV, even though those programs and activities had not been specifically associated with the TSAV Workplan nor a result of specific TSAV activities. Rather, those programs were credited for coming into being as a result of Core Team members’ participation at TSAV workshops, at which they had become aware of, and successfully pursued, certain new resources and collaborative opportunities. Those new programs were discussed in Section 5 of this report.

¹³ For the total school district, in October 1998, the ethnic distribution of students was 67.24% American Indian, 31.14% White, 1.24% Asian/African American, and 0.38% Hispanic.

A welcome, but unplanned, outcome of the TSAV activities was that for the first time (especially in Wolf Point) American Indian parents and program staff felt welcome in the schools. As one TSAV Core Team member noted, “it used to be that Indian parents were only asked to come in for parent-teacher conferences . . . and then only to discuss the negative things about his or her Indian child.” Interviewees felt that a much better relationship has now been built with the schools. Because of the dialogue initiated under TSAV, an annual Native American Week now takes place each year in September in all reservation schools. The Fort Peck Tribes’ program staff, tribal Elders and cultural specialists give classroom presentations about various aspects of American Indian or Assiniboine/Sioux culture or about various tribal programs. The use of Talking Circles is incorporated in classroom discussions. Native American Week also culminates in a Native American parade in Wolf Point in which all schools, reservation-wide, participate. The ultimate purpose of these events are to raise awareness among Indian and non-Indian students, school staff and community members about American Indian issues, to increase American Indian parental involvement in the schools, and to provide American Indian role models for Fort Peck Assiniboine and Sioux students. One further positive school-related outcome has been the strengthened role of the Wolf Point Indian Education Committee. This Committee “serves as a forum for discussing racism,” and represents a formal body to which Indian parents can appeal teacher behaviors which they feel have been unjust. To quote one interviewee, the “Indian Education Committee helps interpret ‘white’ actions that an Indian parent may not understand, and vice versa.”

6.2 Survey Data

During the summer and fall of 1999, as TSAV programs began to close their projects, a survey was conducted of the TSAV Core Team members and other stakeholders at each of the four TSAV evaluation sites. The survey design was modeled after a survey used in the evaluation of DOJ’s *Comprehensive Communities Program*. [A copy of the survey is attached.] The objective of the survey was to gauge TSAV stakeholders’ perceptions about:

- (1) what the serious crime, violence and quality of life issues were in the community and the extent to which the local TSAV initiative had addressed those issues;
- (2) the intent and ultimate outcomes of the TSAV program;
- (3) obstacles to successful implementation of TSAV activities;
- (4) decision-making processes utilized in planning and implementing TSAV locally; and
- (5) which local partners had, or had not, been involved in the TSAV initiative and reasons for any non-involvement of potentially key players.

It should be noted that there were some problems in getting respondents to fully complete the survey. This was particularly true with respect to survey items #8-12 which related to *partnership involvement* (#5 in the above listing.). Due to the low level of completion on those items, no analysis of responses is included for that topic in the survey discussion below.

Twenty-two (22) persons were identified by the Fort Peck Tribes’ TSAV Core Team as being stakeholders in the Fort Peck Tribes’ TSAV initiative. These individuals included TSAV staff and Core Team members; Tribal government representatives including from the Tribal Court; Tribal and municipal law enforcement representatives; representatives of Tribal/BIA health and social services agencies; public school representatives; and other tribal programs staff (housing, education, substance abuse, etc.). Each of the 22 identified individuals was asked to complete the survey. Eighteen of those 22 returned their survey forms.

Effectiveness in Addressing Local Concerns. Survey respondents were asked how effective they thought TSAV had been in addressing certain local concerns. Concerns about which respondents felt TSAV had been most effective were:

- ☐ building community awareness about violence,
- ☐ fostering cooperation among the TSAV partners,
- ☐ identifying additional funding to apply to targeted problems,
- ☐ improving services of TSAV partner agencies, and
- ☐ enhancing the system for dealing with domestic violence.

In other words, enhancing community awareness about violence being a problem and improving the ability of various community agencies (i.e., TSAV partners) to collaborate in their efforts to address community violence, particularly domestic violence, are regarded as having been the most successful outcomes of the local TSAV initiative. The fact that new funding to address the problems is specifically mentioned by respondents is a finding consistent with the evaluators' on-site findings that numerous new DOJ resources — COPS grants, Drug Court grants, etc. — were accessed by the Fort Peck Tribes during the life of the TSAV initiative.

It should be noted that at the Fort Peck Tribes, no areas of concern garnered cumulative ratings, by TSAV program stakeholders, of being either “somewhat ineffective” or “very ineffective.” The concerns about which TSAV was seen as having been least effective were:

- ☐ preventing substance abuse,
- ☐ reducing drug use,
- ☐ reducing drunk driving, and
- ☐ reducing family violence.

Similar to other sites, TSAV partners at the Fort Peck Tribes realize that prevention of substance abuse and reduction of various crimes and types of violence in the community requires a greater length of time before being able to attribute any positive results to TSAV. In other words, the TSAV partners recognized that, while a system had been put in place to address problems, actual resultant reductions in crime, violence and/or substance abuse could not — at that point — be properly assessed.

Remaining adult crime and violence issues. Survey respondents were asked what they regarded as the single most serious *adult* crime/violence problem still remaining on the Fort Peck Reservation at the conclusion of the TSAV program. They were also asked the extent to which they felt that problem was being addressed by local programs or resources. Nine respondents identified alcohol abuse as being the most serious problem still facing the community; all of those respondents agreed that the problem was being addressed by local programs/resources. Three respondents identified illegal drug dealing as the most serious remaining problem; two of those respondents felt that the problem was being addressed. Child sexual abuse was seen as the most serious problem by two other respondents; these respondents were split as to whether or not the problem was being addressed. Use of illegal drugs and drunk driving were identified by one respondent each as the

most serious problem; both felt the problem was being dealt with.¹⁴ [Note: Two of the 18 respondents did not respond to this item.]

It should be noted that while adult gangs were seen as the least serious remaining problem, there were nevertheless concerns expressed about drug use and drug dealing which may have been perceived as gang-related. Indeed, in 1999, a major multi-jurisdictional drug task force made arrests or indictments of 18 individuals on the Fort Peck Reservation who were involved in drug trafficking.

Remaining juvenile crime issues. Underage drinking was singled out by six respondents as being the most serious juvenile problem still facing the community; all of these respondents felt that this problem was being addressed locally. Four other respondents felt that illegal drug use was the most serious problem among youth; three of those individuals felt that the problem was being addressed locally. Two other respondents identified vandalism as the most serious juvenile problem; neither felt the problem was being addressed by local programs/resources. Another two respondents identified youth gangs as the most serious juvenile problem; both felt it was being addressed locally. Theft and inhalant abuse were each identified by two other respondents each as the most serious juvenile; both respondents thought the problem was being addressed. [Note: Two of the 18 respondents did not respond to this item.] To a lesser extent, several other problems were also seen as still being existent on the Fort Peck Reservation at the end of the TSAV program.¹⁵

As noted in Section 5.0, when the Fort Peck Tribes decided to target youth under their TSAV program, the partners chose to focus much of their effort on substance abuse and violence prevention activities, which included addressing the issue of youth gangs. That these issues were still seen, at the completion of the program, as being serious reinforces the deep-seated nature of the problems.

Quality of Life issues. Unemployment was singled out by five respondents as being the most serious quality of life issue still facing the community; however, all but one of these respondents felt that this problem was being addressed by some local entity[ies]. Four other respondents identified low educational achievement as being the most serious remaining quality of life issue; all four individuals felt that the problem was being addressed locally. Another three respondents identified poverty as being the most serious quality of life issue; none of whom felt it was being addressed locally. Two other respondents identified education-related problems (high youth dropout rate and lack of motivation) as the most serious quality of life issue; neither of these individuals felt the problem was being addressed locally. [Note: Four of the 18 respondents did not respond to this item.] To a lesser extent, several other problems were also seen as still being existent on the Fort Peck Reservation at the end of the TSAV program.¹⁶

¹⁴ To a lesser extent, the following other problems were seen as being still existent on the Fort Peck Reservation. In descending order of perceived seriousness, these were child neglect, family violence, drunk driving and traffic accidents, child abuse, theft, child sex abuse, sex assault, property crimes other than theft, and adult gangs.

¹⁵ To a lesser extent, the following problems were noted as still existent in the community. In descending order of perceived seriousness, these were curfew violations, child sex abuse, drunk driving, child abuse, and family violence. All of these received cumulative ratings between 2.0 (Some Problem) and 3.0 (Big Problem).

¹⁶ To a lesser extent, the following quality of life issues were noted as still existent in the community. In descending order of perceived seriousness, these were truancy and vagrancy. Both of these received cumulative ratings between 2.0 (Some Problem) and 3.0 (Big Problem).

Expectations of TSAV Impact. The survey asked TSAV partners about the extent to which the TSAV program had met their expectations — in terms of impact on crime, violence and substance abuse in the community. The cumulative rating (3.21) for all responses indicated that the TSAV program had met expectations slightly above the “about as expected” (3.0) rating. Two individuals noted that the program’s impact was a “great deal more than expected;” three individuals felt the program’s impact was “somewhat more than expected;” eight respondents indicated that the impact was “about as expected” and two individuals indicated that impact was “less than expected.” (Two others responded “don’t know.”) [One individual did not respond to this survey item.]

Obstacles to Implementation. The survey also asked respondents about obstacles to successful implementation of their local TSAV initiative. At the Fort Peck Tribes, the five most serious obstacles identified — in descending order — were those related to:

- finding funds for activities in the TSAV Workplan
- getting partners to think beyond their own area of focus and view problems across turf lines,
- generating community support for better addressing targeted problems/issues,
- acquiring adequate or appropriate data to back up targeted problems/issues, and
- conflict with BJA on priorities for TSAV goals/strategies.

The first and third obstacles cited above relate to difficulties encountered in getting contributions from community groups in support of TSAV-sponsored events or entities (see discussion about sustaining Boys and Girls Club). The other obstacles cited above allude to the difficulties faced by the Fort Peck TSAV partners in developing (and implementing) the original TSAV Workplan. This was corroborated by interview and other data from TSAV partners. As was noted by one TSAV partner at the June 1997 TSAV Training Workshop: “Hate, sweat, blood and tears went into establishing the goals. And the end product [the Workplan] is not only the TSAV, but a family — no room for denial or turfdom.” This statement certainly indicates the seriousness with which the TSAV planning process was undertaken at the Fort Peck Tribes.

What could have been done differently. When asked to identify what they might have done differently (were they to start anew) in implementing their TSAV program, the respondents’ comments were somewhat general and primarily related to actual “implementation strategies.” Specifically, one respondent noted that, were they to undertake the TSAV program again, they would “be more concise about roles and responsibilities . . . decide a plan of action and then stick to it.” Another respondent stated that there was a “need [for] more strategy [development].” Yet another individual noted that the partners could have “generate[d] greater support from the [Tribal Executive Board], community and police.” Two respondents cited budgetary recommendations that would not have been possible within BJA’s budget restraints: “Build a larger staff” and “Set aside more money for the community’s needs.” One respondent noted that, were TSAV to begin again, partners should “become more involved in all areas of the reservation” — i.e., rather than focusing so much of their efforts on Wolf Point and Poplar, they might have been better off using a strategy that was different from the TSAV planning model of targeting specific communities or segments of the population. Four respondents noted that there should have been more information sharing: “Keep committee members better informed,” “More advertising,” “More communication and public relations” and “Develop a weekly clearinghouse for greater information exchange.” The evaluators note that these responses are far less critical of the TSAV implementation than at several of the other TSAV evaluation sites. Moreover, these responses seem to reflect the fact that respondents’ expectations of the TSAV program were fairly realistically met.

When asked about the existence of any conflicts among partners, that might have affected decision-making, of the 15 individuals who responded to that survey item approximately half indicated that little or no conflict had occurred among any of the identified TSAV partners. However, four of the 15 respondents (or over 25%) checked the “Don’t Know” category; this response indicates either an unfamiliarity with the TSAV group dynamics on the part of those individual respondents or that those respondents were probably individuals involved in TSAV only at the activity level rather than at the planning or oversight level. The remaining respondents were split almost evenly between those who thought there was “a lot of conflict *impeding* decision-making” and those who thought there was “some conflict that *improved* decision-making.” No particular TSAV partner entity was cited by an overwhelming number of respondents as being a specific locus of conflict.

6.3 Crime Data

Crime statistics — Tribal Court data and Wolf Point Police data — specific to the Fort Peck Reservation were collected for FY 1995, FY 1996, FY 1997 and FY 1998. Charts indicating juvenile offenses statistics for FY 1996-1999 was also collected from the Fort Peck Tribes’ Department of Law and Justice. 1995 was the year that the Fort Peck Tribes’ TSAV program began its planning phase.

Because the Tribal Court data are based on the fiscal year and FY 1999 had just closed at the time of the site visit in October 1999, the evaluation team was unable to acquire data for that year. Similarly, the Wolf Point Police Department collects data on a calendar year; consequently, police data for 1999 were also not available at the time of the October 1999 site visit. Wolf Point Police Department data overlap with Tribal Court data because from 51% (in 1995) to 67% (1996) of the Wolf Point cases are referred to Tribal Court as shown in Table 1 on the next page. It should be noted that the Wolf Point Police Department was created in July 1994.

Table 1. Wolf Point Police Cases Referred to Tribal Court

Calendar Year	Total Wolf Point Police Cases ¹	Number WP Cases Referred to Tribal Court	Percentage of WP Cases
1995	609	391	50.8%
1996	487	327	67.1%
1997	511	313	61.3%
1998	455	246	54.1%

¹ Total number of notices to appear, warrants, summons and civil papers served — does not reflect parking citations which go only to the Wolf Point City Court

Table 1 above shows the number of Wolf Point (WP) Police cases — i.e., notices to appear, warrants, summons, and civil papers served — and the number/percentage of those cases which were referred to the Fort Peck Tribal Court. According to the 1995 Wolf Point Police Report, “1995 showed a 17.3% decrease in the criminal offenses and 3.2% increase in traffic offenses over 1994” when the police department was established. The crime rate appears to have remained stable reflecting the presence of this new law enforcement agency on the Fort Peck Reservation. The number of cases referred to Tribal Court was also fairly consistent for the four year period; according to the 1998 police report, “the decline in 1998 comes in fewer tribal charges filed by the Wolf Point Police in 1998.

Table 2. WP Police Referrals to Tribal Court by Offense Categories

Offenses	1995	1996	1997	1998
Criminal	217	216	202	190
Traffic	111	87	80	52
Civil	6	7	9	1
Animal-related	57	17	22	3

Table 2 above shows the breakdown of cases referred by the Wolf Point Police to the Fort Peck Tribal Court for the period 1995 to 1998. The number of criminal case referrals remained fairly stable while traffic, civil and animal-related offenses decreased more dramatically between 1995 and 1998.

Table 3. Wolf Point Police - Adult Arrests/Charges

Arrests/Charges	1995	1996	1997	1998
Assault	21	19	14	16
Aggravated Assault	0	0	0	3
Domestic Abuse	15	12	8	8
Child Abuse	1	1	0	0
Child Neglect	3	2	6	3
Contrib. to Delinq. of Minor	20	25	8	0
Criminal Mischief	6	5	6	6
Disorderly Conduct	45	54	45	46
Burglary	4	5	1	1
Theft	30	31	19	34
Criminal Possession of Drugs	2	0	3	3
Criminal Sale of Drugs	0	0	7	1
Driving Under the Influence	39	23	21	15
Careless Driving	11	7	12	11
Reckless Driving	6	5	2	4

Table 3 refers to Adult arrests/charges by category brought by the Wolf Point Police Department for the period FY 1995 - FY 1998. Cumulatively, over this four year period, the most frequently committed offenses were disorderly conduct (190), theft (114), DUI (98), assault (70), contributing to the delinquency of a minor (53), domestic abuse (43) and careless driving (41). For this four-year period, no statistically significant changes were found in any category of arrests or charges. However, the fact that DUI and “Contributing to the Delinquency of a Minor” offenses decreased dramatically warrant noting.

Table 4. Wolf Point Police - Juvenile Crime Statistics

Arrests/Charges	1995	1996	1997	1998
Assault	7	5	5	4
Aggravated Assault	0	0	0	0
Domestic Abuse	1	1	1	0
Criminal Mischief	21	10	7	15
Disorderly Conduct	4	14	13	13
Burglary	5	1	1	2
Theft	19	33	23	15
Criminal Possession of Drugs	0	0	2	0
Driving Under the Influence	0	2	0	1
Careless Driving	4	4	4	2
Reckless Driving	3	1	0	0

Table 4 above refers to Juvenile arrests/charges by category brought by the Wolf Point Police Department for the period FY 1995 - FY 1998. Over this four-year period, the most frequently committed offenses by juveniles were theft (90), criminal mischief (53), disorderly conduct (44), assault (21) and careless driving (14). No statistically significant changes were found in any category of arrests or charges. Interestingly, however, it is worth noting that there were very few DUI or drug possession cases in the Wolf Point community over this four year period.

Table 5. Fort Peck Tribal Court - Adult Offenses Statistics

Offenses	1995	1996	1997	1998
Criminal Offenses	1,293	1,579	1,715	2,044
All Traffic Offenses	521	607	647	1,039
DUI	289	255	350	364
Civil Cases	468	284	368	758

Table 5 above refers to rates for Adult offenses/cases — by overall category, except for DUI — adjudicated through the Fort Peck Tribal Court, for the period FY 1995 - FY 1998. There were dramatic increases in each category during this period of time: criminal offense (58% increase), traffic offenses (99% increase), DUI (26% increase), and Civil cases (62% increase).

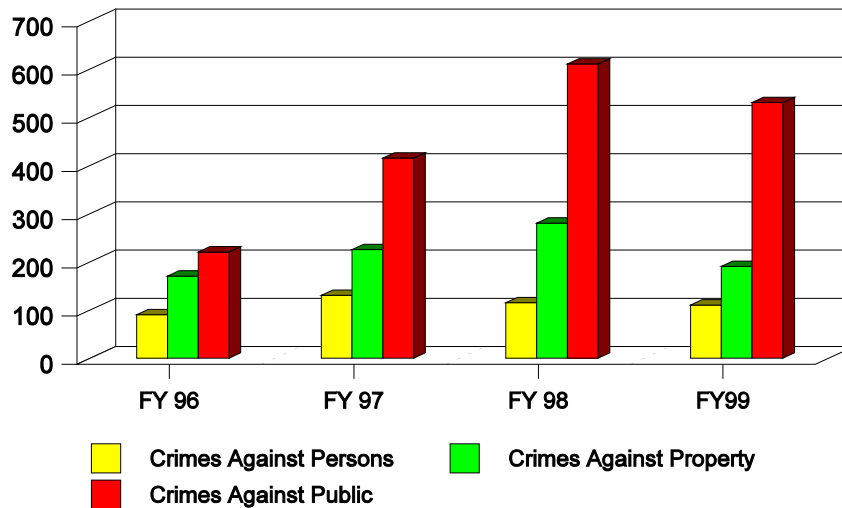
Table 6. Fort Peck Tribal Court - Juvenile Status Offenses

Offenses/Cases	1995	1996	1997	1998
Delinquency/Status Offenses	268	430	852	678

Table 6 refers to rates for all Juvenile status offenses adjudicated through the Fort Peck Tribal Court for the period FY 1995 - FY 1998. No statistically significant changes were found for the total Juvenile status offenses for this four-year period.

Charts 1 - 4 below and on the next few pages reflect data for juvenile offenses provided by the Fort Peck Tribes' Department of Law and Justice. [Note: No actual numbers were provided with these charts; thus, statistical tests could not be performed on the data.]

Chart 1. Juvenile Offense Categories



As shown in Chart 1, juvenile crimes against the public showed the most dramatic increase over the four year period with a slight drop occurring between FY 1998 to 1999. Juvenile crimes against persons and property remained fairly stable over the four year period, while crimes against the public tripled between FY 1996 and FY 1998, then dropped again in FY 1999.

Chart 2. Juvenile Crimes Against Persons

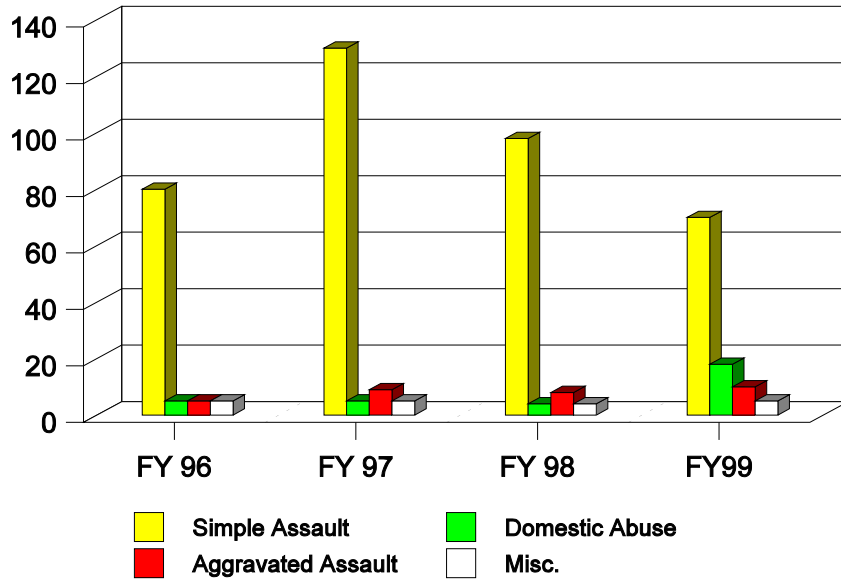


Chart 2 above indicates that simple assault accounts for the preponderance of juvenile offenses on the Fort Peck Reservation. The chart indicates that from a high point of over 120 simple assault cases in FY 1997, these offenses have been reduced dramatically, perhaps by as much as half (we note that no actual numbers were provided).

Chart 3. Juvenile Crimes Against the Public

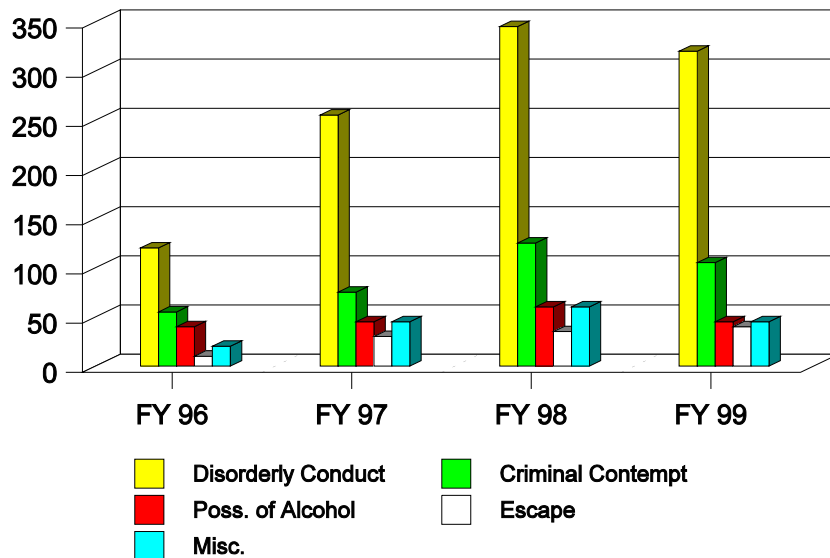


Chart 3 above also shows that the preponderance of crimes against the public were for disorderly conduct which rose to almost 350 in FY 1998, and then, slightly decreased in FY 1999. Possession of alcohol offenses appear to have remained fairly stable from FY 1996 to FY 1999 except for an increase in FY 1998.

Chart 4. Juvenile Crimes Against Property

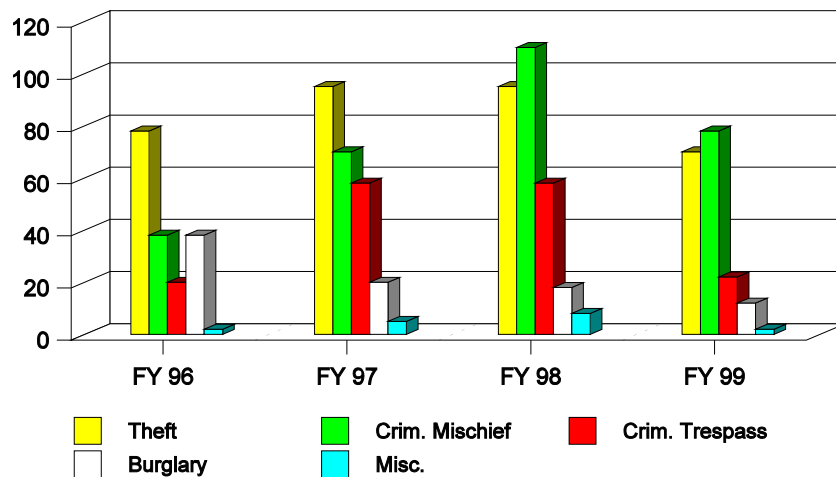


Chart 4 above

indicates that theft and criminal mischief accounted for the preponderance of property crimes committed by juveniles on the Fort Peck Reservation between FY 1996 and 1999. Criminal mischief offenses, in particular, increased dramatically from 1996 to 1998.

Charts 1- 4 reflect that by FY 1999 juvenile crimes in all three offense categories had risen since FY 1996. However, the charts also show a decrease from FY 1998 to FY 1999 in most offense categories — except for juvenile domestic violence which went from around five to 15 cases. Since actual data were not provided and statistical significance cannot be demonstrated, there is insufficient information for interpreting these data.

The charts also show that despite the general decrease in offense rates during FY 1999, disorderly conduct offenses were approximately three times what they had been in FY 1996, and criminal mischief offenses had more than doubled from what they had been in FY 1996. Possession of alcohol offenses remained fairly stable over the four year period, and low compared to other juvenile crimes. However, the reader is reminded that a third of the survey respondents considered underage drinking as the single most serious *remaining* problem among juveniles. This incongruence between numbers and perceptions may indicate that juvenile alcohol-related offenses are being handled as disorderly conduct and/or criminal mischief cases instead.

7.0 IMPLEMENTATION ISSUES AND INTERPRETATION

7.1 Site-specific Factors that Facilitated Implementation of TSAV

(a) *Role of TSAV Manager.* One facilitating factor for the Fort Peck Tribes TSAV was the role played by the TSAV Program Manager. Unlike at other TSAV sites, where the TSAV Directors served in greater leadership roles, the Fort Peck Tribes TSAV Program Manager's role was more as a facilitator among the various TSAV Core Team members and partners. This enabled the TSAV Workgroups to function as real workgroups, with the TSAV Program Manager acting as a coordinator of resources for them and as a task orienter. As was noted by the Tribal Court Administrator, "the good thing about TSAV was that there was a person to coordinate the partnering . . . it is okay to have coordination of tasks [among partners], but what is really needed is to have one person do certain tasks [which partners] don't have time for."

(b) *Core Team Composition.* A second facilitator at the Fort Peck Tribes was the Core Team's composition. As noted in Section 4.1 of this report, the Fort Peck Tribes' TSAV Core Team quite consistently had representation from four key entities: the tribal and municipal law enforcement, the Tribal Court, the Tribal Planning Department, and the Tribal Executive Board (i.e., the tribal council). The fact that these key agencies were represented in the planning, the implementation and the oversight of the TSAV program helped ensure that the TSAV partnership would evolve into ongoing collaborations which could be institutionalized within the tribal program structure as well as within various tribal and non-tribal groups (e.g., the Drug Task Force).

(c) *Multiple Roles of TSAV Players.* The dual, in some cases multiple, roles of several of the local TSAV players also helped facilitate successful local implementation of the initiative. For example, introduction of the Second Step curriculum in the Brockton Schools was facilitated by the fact that prior to being elected into that position in the second year of TSAV implementation, the Tribal Chairman had been employed in the Brockton school. As noted by one TSAV partner, "the school is the center of the community and [the Tribal Chairman] coordinated lots of [the school improvement efforts]." Thus, once he became Tribal Chairman, he was very supportive of TSAV efforts to expand the Second Step curriculum into the Brockton Schools.

Another example of multiple roles played by TSAV partners is reflected in the Women's Kinship Council's TSAV activities. Some of the key players involved with that Council were both TSAV Core Team members and leaders in one of the traditional women's societies in the Tribe. Having their participation, wearing multiple hats, gave cultural/moral stature to the efforts of the TSAV initiative.

(d) *Prior Tribal Experience.* One particularly important factor which facilitated the TSAV *process* at the Fort Peck Tribes was their prior experience in developing and utilizing community partnerships. The Tribes' original TSAV application listed several already existing community-wide partnerships on the reservation. These active partnerships included Voices for Children and the Fort Peck Community Partnership Coalition, described as "a collaboration effort of all existing tribal, state, federal and community social service provider programs." The Tribes' 1995 application also listed several task forces already active in the community. These included the FAS/FAE Work Group, the DUI Task Force, and "an inter-agency Police Task Force" (which in January 1997 became the Multi-jurisdictional Law Enforcement Task Force). The previous existence of these types of collaboration among community entities clearly facilitated comparable efforts under the

TSAV initiative. In fact, the TSAV partnerships were built upon some of these previous coalitions — e.g., the Multi-jurisdictional Law Enforcement Task Force was built upon earlier experiences of the inter-agency Police Task Force.

Furthermore, interviewees felt that the existence of Community Councils at Fort Peck provided background experience in “community-oriented government,” i.e., government that involves a broad spectrum of the community in problem solving and planning, forming partnerships, etc. The various Community Councils had resulted in establishment of various community resources/facilities (e.g., the Wolf Point casino, a bowling alley and skating rink in another community, a reservation-wide bus system) as well as changes in land use policy and election ordinances. These experiences were seen as providing a specific framework within which the TSAV objectives for partnering could be specifically applied.

7.2 Site-specific Factors that Inhibited Implementation of TSAV

(a) *Insufficient Tribal Council Involvement.* Several TSAV partners noted to the evaluation interviewers that more Tribal Council involvement in TSAV deliberations would have been advantageous. It was specifically mentioned that while the TSAV *process* — of collaborative problem-solving — would be institutionalized among tribal programs staff after the funding ceased, that the Tribal Executive Board provided only verbal/written support for the concept, rather than the funds or staffing needed to institutionalize the process after TSAV funding ended.

(b) *Initial TSAV Planning Process.* Several Core Team members repeatedly noted to the evaluators that the overall TSAV initiative, as it ultimately became defined, progressively emerged after a substantial learning process had taken place for BJA, and to a large extent through its initial interactions with the two TSAV *pilot* grantees. For example, the FY 96 Program Announcement for the five new *demonstration* grants reflected several changes in approach and numerous clarifications stemming from experiences with the initial pilot sites. Another example of how TSAV ‘evolved’ through cumulative ‘lessons learned’ was the 1999 BJA-sponsored Community Analysis and Planning Strategies (CAPS) training. This training was looked at very favorably by TSAV participants and was considered, by them, as essentially being an improved version of the community problem-solving and planning process with which the TSAV programs had begun. As was said at two other sites, rather than using the TSAV process laid out by BJA/NCPC during the early stages of the initiative, the entire TSAV effort would have greatly benefitted from having had CAPS-like training as the basis for grantees’ initial planning under the TSAV initiative.

(c) *BJA Oversight of Local programs.* According to several TSAV Core Team members at the Fort Peck Tribes, another impediment to the TSAV implementation was BJA’s imposition of a TSAV Technical Advisor role. This was the only TSAV site which was required to have that type of position. At other TSAV sites, in addition to the TSAV Director (or comparable title), there was usually another staff position which served some type of community outreach function. The titles often used were Community Organizer, Community Facilitator, or Field Specialist. Core Team members at Fort Peck felt that their own TSAV program resources might have been better spent on a comparable position, rather than directing those TSAV resources — which were considerable — to a Technical Advisor position which was not of their own choosing.

Several TSAV Core Team members stated to the evaluators that the imposition of the Technical Advisor position was only one example of BJA’s micro-managing of the TSAV program at Fort

Peck. In general, this micro-managing was perceived as having impeded the overall TSAV planning process. As one Core Team member noted, “BJA would say ‘do it your way,’ but then would tell us that wasn’t the right way.” The perception that BJA was micro-managing also carried over into supervision of the TSAV staff — which is normally regarded as a local, not federal, responsibility. BJA was seen as undertaking very intense and detailed oversight of the local TSAV Program Manager position, including requiring from that site far more frequent submission of reports to BJA — weekly, monthly, quarterly.

(d) *Problems for the Boys and Girls Club.* Several factors appear to have impeded a more successful outcome for the Boys and Girls Club in Wolf Point. Continuing staff turnover, lack of Board support, and lack of community support were particular problems. Management at the Club turned over at least three times; moreover, at one point the Club actually closed. According to the Club Director in October 1999 (who had been in his position since January 1999 and who was the only club staff), few Club board members even show up for board meetings. Moreover, there were very few volunteers at the Club, other than the police officers who sometimes donated time. The business community of Wolf Point was also not seen as having been particularly supportive. For example, no video rental outlet would even lend the Club a video for an evening’s entertainment. Furthermore, it was felt that the Wolf Point community tended to view the Boys and Girls Club as “something for Native Americans” when in fact its purpose is to bring together all youth in the community to participate in healthy activities. The membership reflected this perception with about 95% of member youth being American Indian — it was noted there was one African American girl and about 10 white children participating. This TSAV strategy was definitely experiencing impediments to its continued growth and sustainability.

7.3 Placement of TSAV Program Within Tribal Government Structure

As noted in 7.1 above, the fact that the TSAV Project Manager acted as a facilitator among TSAV partners was an important element of the TSAV program’s success. Partners included the Tribal Courts, the Department of Law and Justice, the Crisis Center, Juvenile Services. All of these entities fall under the Law and Justice Committee (formerly the Reservation Safety Committee) of the Tribal Executive Board. Furthermore, the fact that the TSAV Project Manager also reported directly to the Law and Justice Committee also enhanced program accountability by virtue of the Manager having to report to a Tribal Council Committee and to the Tribal Chairperson.

7.4 TSAV as a Planning Model for Other American Indian Tribes

The evaluators believe that the Fort Peck Tribes’ TSAV partnership, as implemented, embodied the BJA idea of a community-wide, cross-agencies problem-solving process. Although the Tribes had already had prior experience in the development and use of partnerships, the TSAV program further assisted the Tribes strengthen their experience with this type of planning process. In addition to the coalitions and task forces that already existed on the Fort Peck Reservation prior to TSAV (as mentioned in Section 7.1), several other task forces and committees were established as part of the TSAV process. For example, early on the TSAV partners established a Comprehensive Code of Justice Update Committee, the purpose of which was to review tribal law and to assess what needed revising or strengthening to assist prosecutions. Another TSAV-generated problem-solving coalition, the Multi-jurisdictional Law Enforcement Task Force, was established in 1997 and was later institutionalized as the Law Enforcement Coordinating Council.

The CAPS training, in particular, was cited as having been useful to the TSAV partners. [Note: Eight TSAV Core Team members attended the CAPS Training Workshop in Polsen, Montana, in Fall 1998; in April 1999, the CAPS trainer was brought to Frazer to provide training to other individuals on the Fort Peck Reservation.] As was noted by the Fort Peck Tribal Court Administrator, “We are comfortable with the strategic planning process. We can focus on issues, identify resources and plan how we’re going to address each issue with the resources we have. [And] we can integrate new people into the process.”

Unlike the two other reservation-based TSAV sites that were a part of this evaluation, which primarily or solely involved tribal entities as TSAV partners, the Fort Peck Tribes’ TSAV effort included two municipal police departments on the reservation as well as the county law enforcement. These were active partners in TSAV problem solving, planning and implementation. That the Tribal Police and these two non-tribal law enforcement entities have worked well together — and have continued to do so after completion of the TSAV program — is evidence of a strong linkage despite the political concerns which have jeopardized their cross-deputization agreements (see Section 7.8).

As a model for other Tribes, it is also important to remember something else mentioned by the Fort Peck Tribes’ TSAV partners regarding the initial experience they had with the TSAV planning process. Several TSAV partners specifically noted that other Tribes considering TSAV should “be clear to BJA that the community dynamic may differ” from Tribe to Tribe and that BJA’s expectations should not be generalized across all Tribes. Rather, BJA’s expectations need to take into consideration the individual dynamics of participating Tribes.

7.5 Turnover in TSAV Staffing

Tenure of the Fort Peck Tribes’ TSAV staff was, for the most part, constant. The TSAV Project Manager served in that position from Spring 1996 through the end of the TSAV program in October 1999. The other TSAV funded position, namely the TSAV Technical Advisor, which was a consultant position, was filled by the same individual from 1996 through early 1999, except for a period of a few months during the second grant period. This stability in local TSAV personnel, as well as a comparable stability of membership among TSAV Core Team members, positively contributed to the initiative’s success.

7.6 Involvement of Law Enforcement and Courts in TSAV Partnership

As noted in Section 4.1 of this report, the Fort Peck Tribes’ TSAV initiative benefitted from participation on the Core Team of the Police Chiefs from both Wolf Point and Poplar City Police Departments as well as the Director of the Tribal Law and Justice Department (which includes law enforcement, corrections, juvenile services/detention, and criminal investigations). Furthermore, the Poplar City Police Chief served, on a consultant basis, as the Technical Advisor to the Fort Peck Tribes TSAV program. These individuals brought their considerable experience and resources to the Core Team as it engaged in strategizing solutions to crime, violence and substance abuse problems identified in the TSAV planning process.

Furthermore, the Chief Court Administrator was a constant player on the TSAV Core Team. This individual also served on the Wolf Point Police Commission and, thus, brought a broad perspective and breadth of experience to the TSAV partnership. Her participation proved to be a critical link between the Tribal Court and the various law enforcement agencies.

7.7 Local Tribal Governance Factors

While TSAV staff and most Core Team members remained fairly constant throughout the TSAV program, there were several changes in local tribal leadership. During the period of October 1996 through October 1999, the Tribal Chairman's position turned over three times. Furthermore, there were turnovers in the membership of the Tribal Council. While these changes in leadership could have interfered with the tenure of many or all TSAV partners, for the most part this did not occur.

7.8 Jurisdictional Issues

The Fort Peck Reservation has several law enforcement entities, including two small municipal police departments and the Roosevelt County Sheriffs Office. Moreover, during the period of the TSAV program, the Federal Bureau of Investigation was actively involved on the reservation — and, as such, was represented on the Multi-jurisdictional Law Enforcement Task Force. There were, therefore, numerous jurisdictional challenges potentially at play for the Fort Peck Assiniboine and Sioux Tribes.

Until late in the last year of the TSAV program, these jurisdictional issues did not impede progress of TSAV efforts. Until then, the Fort Peck Tribes had effectively addressed most potential jurisdictional challenges by developing a variety of cross-jurisdictional cooperative arrangements, e.g., cross-deputization agreements and task forces.

For example, under previous cross-deputization agreements, the Wolf Point City Council had allowed Tribal Police to enforce state law — e.g., ticketing traffic offenders — and appear in City Court. Wolf Point Police, on the other hand, had been allowed to patrol and provide coverage to the tribal Westside Housing adjacent to the Wolf Point City limits. Wolf Point Police had also appeared in Tribal Court. Furthermore, the Wolf Point Police Chief had required his own officers to take a test on the Fort Peck Tribal Code, in addition to being POST-certified.

However, by May 1999, certain problems had arisen as a result of a new cross-deputization agreement that the state was negotiating with the Fort Peck Tribal Executive Board (TEB). Essentially, the agreement was to authorize municipal police to come onto Indian lands on the reservation, but did not include comparable reciprocity for tribal police on non-Indian land of the reservation — even if the tribal police were POST-certified, as required by state law in order for a police officer to enforce state law.

As a reaction to this inequity of cross-deputization authority, on May 10, 1999, the Fort Peck Tribal Executive Board (TEB) passed a resolution which essentially rescinded the cross-deputization agreement effective August 31, 1999, unless the reciprocity issue was satisfactorily resolved. In October, the Tribal Police and municipal police were notified that the tribal resolution had taken effect, thus nullifying the cross-deputization agreement. During an October 1999 interview, the Tribal Law and Justice Department Director stated to the evaluators that he hoped that the tribal resolution, rescinding the cross-deputization agreement, would be put aside. He further hoped that the State Attorney General's expressed interest in working on this tribal and state disagreement would soon resolve the conflict.

In the meantime, both municipal law enforcement, tribal law enforcement and court personnel were concerned that safety was being risked by the disagreement between the tribal and state governments

— as an issue of sovereignty — and that court cases might be jeopardized by defendants claiming that police did not have jurisdiction in given cases.

With respect to jurisdictional coordination at the federal level, collaboration was smoother. As noted elsewhere in this Case Study, all law enforcement agencies on the reservation — the two municipal agencies, the tribal and county agencies — were working with the FBI and the U.S. Attorney’s Office (U.S.A.O.) on the Drug Task Force. Additionally, the Tribal Court Administrator indicated that the U.S. Attorney’s Office’s relationship with the Tribal Court and the Tribal Criminal Investigations office had improved since 1998. Some of this improvement was credited to the fact that the U.S.A.O. was making pro forma stop-ins with tribal personnel whenever he was in the area. Another factor, credited for improving the relationship, was that there was a new Tribal Criminal Investigator who seemed to have developed a better relationship with the U.S.A.O than his predecessor had.

7.9 TSAV Lessons Learned Unique to this American Indian Tribe

The Fort Peck Tribes’ TSAV program was unlike the three other American Indian Tribes that were part of the TSAV Evaluation in that it involved in a meaningful way other law enforcement jurisdictions in addition to Tribal Law Enforcement. This partnership strengthened the relationship between the participating jurisdictions — particularly the relationship of the Tribal Police/Court with the Wolf Point Police Department. Interview data indicated that there is a high degree of mutual respect among the leadership of the Wolf Point Police, the Fort Peck Tribes’ Department of Law and Justice, and the Tribal Court. Further evidence of this is that the Tribal Court Administrator is on the Wolf Point Police Commission. This mutual respect cannot be directly attributable to the TSAV partnership since the relationships existed prior to TSAV; however, the TSAV partnership certainly strengthened these relationships among the Core Team members.

Another difference exhibited at this site is that the evaluation team was able to observe the transition of law enforcement from one being run by the Bureau of Indian Affairs into one that was tribally operated. A lack of funds adequate to achieve the goals of the new tribal administrators led to frustration with the BIA. New budgetary constraints put on the new Department of Law and Justice (DLJ) resulted in the loss of tribal police officers due to decreased salaries.

However, there was also a positive aspect of the transfer in that the new leadership of the Department were trying to change the public perception of Indian law enforcement on the Fort Peck Reservation. Noting that the BIA police had not been very “community oriented,” new DLJ leaders were introducing a “courtesy policy” among Tribal Police officers. This policy — to encourage police officers to be more courteous with the public — and new initiatives fostered under the community policing efforts of the new department were aimed at changing the negative image held by the former BIA police on the reservation.

8.0 FUTURE DIRECTIONS AND DEGREE OF INSTITUTIONALIZATION

8.1 TSAV Partnerships Created and Sustained

For purposes of this evaluation, a distinction has been made between formal and informal partnerships.

With respect to formal partnerships established as a result of TSAV, a formal Memoranda of Agreement was initiated committing 27 tribal and non-tribal agencies to the underlying concept of TSAV — joint problem solving on crime, violence and substance abuse prevention. Unfortunately, the attempt to get more definitive MOAs actualized proved to be more difficult than expected, and was apparently never finalized.

At the Fort Peck Tribes, a variety of tribal and other service providers participated in TSAV. At the conclusion of the TSAV program, many of these individuals were still participants in some of the cross-agency problem-solving teams that had been established as a result of the TSAV partnership.

The Community Resource Council institutionalized at this TSAV site included 14 key players, the majority of whom represented tribal entities. These included the Tribal Court Administrator, the Tribal Operations Specialist (who was also the TEB's Secretary/Planner), the Director of the Tribes' Department of Law and Justice (which includes all tribal law enforcement, corrections, juvenile services and detention programs), the Director of the Tribes' Crisis Center, the Director of the Spotted Bull Treatment Center, representatives from the tribal Education Department and social services, several Tribal Executive Board members, a representative of the Wolf Point Community Association (who was formerly a member of the Montana State Legislature) as well as the Wolf Point Police Chief. It was felt by TSAV partners that this body, operating under the original MOA, was highly likely continue to function.

Most of the Community Resource Council participants also serve on the Community Corrections Council (CCC). In addition, the CCC includes representatives from other tribal programs/entities, the Indian Health Service, the Bureau of Indian Affairs as well as community representatives. The Community Corrections Council was established by Tribal Resolution in April 1997 to “explore the alternatives [for sanctions and sentencing options] and to conduct studies into other Corrections and Criminal Justice systems for ways that will assist [the Fort Peck Tribes] adult and juvenile offenders in achieving meaningful rehabilitation; to search for funding for such endeavors; and to make the necessary recommendations to the Executive Board for changes in [the tribal] systems, and for implementation of the approved recommendations . . .”

At the time of the October 1999 evaluation site visit, CCC was developing and/or implementing long-range strategic plans for improving the Fort Peck Tribes' criminal justice system. Among other things, these efforts included large scale planning such as for establishing a Transitional Living Facility (for which planning funds had been secured) as well as smaller scale projects, such as securing funds to hire a psychiatrist for the Juvenile Detention Center. The evaluators believe that these efforts provide evidence that collaborative and team efforts are now seen, by participating programs and agencies at Fort Peck, as integral to their on-going responsibilities and objectives. These perceptions should help sustain long-term collaboration. As noted by the Court Administrator during the final evaluation site visit, “the [collaborative] process will live on through our planning teams . . . everything now involves some sort of team; even if it is often the same individuals.”

8.2 Institutionalization of TSAV as a Tribal Problem-Solving Process

Throughout implementation of TSAV, BJA staff stressed the importance of TSAV being viewed locally as a “process, not a project” that would be institutionalized, as a formal or informal partnership across agencies, by the conclusion of DOJ funding. As a comprehensive problem-solving *process* for addressing crime, violence and substance abuse, the Fort Peck Assiniboine and

Sioux Tribes' TSAV initiative appears to have met that BJA expectation. As discussed in Sections 5.1 and 6.1, the TSAV partners made substantial structural changes to the reservation's criminal justice system. Plans for more changes are underway. Furthermore, by the end of the TSAV program there was every indication that the *process* of collaborative problem solving had been institutionalized.