

People in the Criminal Justice System and Community Advocates

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from Flathead Reservation

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Focus Groups on Flathead Reservation

June 1, 2016

Two separate focus groups

- One group of people who were formerly incarcerated or jailed and still involved in the criminal justice system
- One group of people who are currently in tribal jail

25 participants: 12 men and 13 women

More than 158 combined years in the system

More than 50 years combined spent in jail, prison, or both

Customized treatment plans and sentences

Every experience is unique.

High revocation rate may be attributed to sentencing conditions that are not tailored to the rehabilitative needs of the individual.

People feel overwhelmed by probation conditions.

The expenses of fines, fees, and treatment costs are difficult to meet.

People are judged by the crime and not by the person.

“Everyone wants us to change, but when will they let us”

Themes from Flathead Reservation

Increase efficiencies

Filling out paper and wasting 6 months

“First five weeks of START wasn’t changing lives, but I did my iceberg and anger ladder to fill time.”

There were no drug/alcohol classes in jail even though almost everyone there is there for drug charges.

Has to be a way to determine priority of who needs what programming to meet the treatment requirements and get out on time.

“So much time wasted without getting to the source of the problem.”

“The parole board or MASC can recommend prerelease; however, the prerelease has to accept you.”

Themes from Flathead Reservation

Accept treatment from all facilities

“I was continually starting over.”

“System didn’t honor courses provided by the tribe or on reservation”

ACT classes offered by the tribes but not state certified are not honored for purposes of reinstating driver’s license after a suspension of DUI

People describe classes and treatments not counting from one facility to the next.

Breaking sobriety becomes a new crime and drives people underground rather than getting help.

Themes from Flathead Reservation

Peer support services are not treatment but are critical for success

During one of the group discussions, someone mentioned how they were struggling after release. Other participants immediately offered phone numbers and an invitation to a group.

Support services and peer services are essential.

People to help out—some numbers of people to call

What motivates people to stay sober: family and work

Outstanding warrants

Warrants show up at release—often petty warrants for failure to appear on minor traffic offenses or misdemeanors.

“Out on probation and held at gunpoint for warrants I didn’t know about.”

Advance housing opportunities

“Housing is an issue. Stable housing is a bigger issue.”

Some housing restrictions don't feel right. Someone was denied more stable housing because there was another felon living there. But, it was the most stable option for both of them.

“DOC should offer low interest \$1,000 loans to help with housing opportunities beyond immediate release. Having loans would help get housing because we often have bad credit, criminal record, etc.”

Themes from Flathead Reservation

Expand employment possibilities

Ban the box

“I admitted to my probation officer that I drank. The P.O. increased the consequences and treatment conditions which made it too difficult to become employed.”

“Too many obligations and hard to find someone to hire me and work around that.”

“Evening groups are great.”

“Even jobs like firefighting are now restricting people with violent offenses.”

Transportation and driving while suspended

“I can’t drive to work. I need a license to get to work. I need a job to get more money. Cycle.”

“You have to call 24 hours ahead of time for the bus. Sometimes the bus doesn’t come. Then what?”

“My last DUI was when I was 23. Every other offense since then has been driving while suspended. I’m 31 now. I’m on probation until 2021.”

5 of the 6 people we met with who were held in Tribal Jail had spent time there for driving while suspended. One person we met with was doing a 52-day sentence for driving while suspended. He continually drove on a suspended license because he had to work to support his family.

People shared experiences of being treated poorly

“I’m god in here. Don’t talk about the Rez here.”

“I said I love you to my mom on the phone in Salish. The guard hung up my call and gave me a class 2. I was immediately locked up. That was my first week there.”

“I could not speak my ‘foreign language.’”

“I did not receive letters from my mom because they were written in Salish.”

The Native community has unique needs

2-hour faith passes are insufficient and time must be saved up to attend 4–6 hour sweats

“I don’t agree with my sponsor—I don’t relate to the AA Christian model. Everything else is in compliance but the contact with my sponsor. Alternatives to AA conditions. I need to drive.”



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Focus Groups in Missoula

June 2, 2016

Three separate focus groups

- Two groups of people who were formerly incarcerated or jailed and still involved in the criminal justice system

26 participants: 16 men and 10 women

More than 325 combined years in the system

More than 107 years combined spent in jail, prison, or both

- One group of community advocates

19 participants

Customized treatment plans and sentences

“Every experience is unique.”

“People are judged by the crime and not by the person. The parole board said to me, ‘the nature of the crime requires more time.’ I’d done everything. I had no marks. I didn’t get paroled.”

“What do I gotta do to earn a second chance?”

“No matter what you do, it’s just not good enough.”

Improve quality, consistency of information driving decisions

There’s too much variation in charging documents. Feels subjective.

Presentence Investigations (PSI) and Reports of Violation are inconsistent; need consistent recommendations based on the risk and needs of the person who committed the crime.

Accept treatment from all facilities

“Took every treatment I could inside, now I have to go through it again.”

“We're continually starting over (in every new facility).”

“System doesn't honor prior work or treatment from one facility to the next.”

Make room for exceptions and success—one size does not fit all

“School, practicums, and licenses have restrictions on some types of crimes. There should be paths to demonstrate rehabilitation.”

“A relapse is not a new crime.”

“Completed treatment but did not pay fees, so I was noncompliant.”

Increase opportunities and efficiencies during incarceration or detention

“Incarceration/detention is a waiting game. Waiting for treatment. Waiting for parole.”

“Plenty of down time to start the treatment.”

People cannot afford to pay bonds and spend too much time in jail.

Coordination with mental health providers and other criminal justice professionals means a lot could be happening during the dead time to prepare for release.

Increase access to good treatment

“Longer isn’t better. Quality over quantity.”

“No one ever asked me about my big problem. I needed 1 on 1 counseling.”

“I could play pinochle and do thinking error reports at the same time.”

“Damn near impossible to work and meet treatment requirements.”

“Takes a long time to get to the underlying issues.”

Improve access to peer support services

“Not enough meetings in rural Montana to stay sober.”

“Support services and peer services are essential.”

“Need to recruit people who’ve been in the system, who know what it’s like.”

Peer support is beneficial from those who have “been there, done that.”

People feel very drawn to giving back and supporting others coming out of jail and/or prison.

Expand employment possibilities

“It’s not just a criminal record that makes housing and employment difficult, it’s the lack of credit.”

“Everything that works (education, job, house) is harder to get because of a record.”

“15 applications a day I filled out. My brother drove me up and down the street and I dropped off application at every spot on both sides”

Reentry requires skills that many haven't developed

All parolees need skills to seek employment.

People need to come out with financial literacy, Medicaid, SNAP, IDs.

“This new parolee staying at the transition house asked me how to make chili dogs—he really didn't know, so I got out a can of beans...”

Expand case management and transitional support

People come out beat down; support is needed to teach people how to advocate for themselves.

People want to know how to learn and navigate the resources in a community; community partners need to know where to make referrals.

Understanding priorities and where to begin is difficult for many. Initial case management would help ensure long-term success.

“I desperately need case management and don’t qualify.”

Probation officers were recognized as providing case management services.



"I stepped out the front door and stood. I looked to my left and I knew the guy from the inside. I looked to my right and I knew that guy too. And, here we are. Outside. Standing just like we would on the block. And nothing has changed."

Advance housing opportunities

“We need stability, a structured living situation in the community, when we get out.”

“People coming out go to homeless shelter, short-term stay, then motels or under the bridge.”

“The shelter isn't really safe for people who have some form of PTSD.”

“When you don't have other things, a place to live, job, just treatment, you go back to what you know.”

“There should be a housing incentive program for landlords.”

Housing is the only way to keep people in treatment.

We have a really low vacancy rate in the city. People end up in unsafe, unaffordable motels or homeless shelters.

Registration requirements pose real barriers to housing.



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Thank You

Karen Chung, Policy Analyst

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