

# Tribal-State Corrections Collaboration Strategies for Meeting the Needs of Native Inmates

## Webinar Q & A

**Moderator:** Cabell Cropper (National Criminal Justice Association)

**Presenters:**

David Huerta (Director, Office of Recidivism Reduction, New Mexico Corrections Department)

Tex Joey (Native American Programs Coordinator, Office of Recidivism Reduction, New Mexico Corrections Department)

Steve de los Angeles (Chief Corrections Officer, Snoqualmie Indian Tribe)

Kelly Buchanan (Community Corrections Officer, Washington Department of Corrections)

**Cabell Cropper:** *First of all I was very impressed when Kelly and Steve mentioned it took five months, from start to finish, to get the MOU in place.*

1. What do you attribute the relatively short time frame you experienced in getting your MOU in place?, many other places have, have experienced much longer times to get these kinds of MOU's in place. How were you able to do it so quickly?

**Kelly Buchanan:** *We were able to do it so quickly because it is a carbon copy of the MOU that we have with local law enforcement agencies. We work in a field office that has eight or nine law enforcement agencies within our area. Several of our community corrections officers actually go out to those law enforcement officers and spend time out there. So their intention with developing this MOU between COC and the tribe was the same result we get from the law enforcement partners. Essentially, we were building on other relationships that had already been developed.*

2. Can you tell me a little bit about the number of people on your case load? How many tribal members and non-tribal members do you have?

**Kelly Buchanan:** *Right now, I have about 20 people on my case load. We have nine CCO's in my office and it runs the gamete between about 20 to 30 people on each of the CCO's case loads. I have no tribal members on my case load right now. I have had tribal members on my case load in the past.*

3. Steve, is there a tribal court? Do you have people on probation from the tribal court?

**Steve de los Angeles:** *No, we do not have anybody on probation through the tribal court right now. They are currently only handling child welfare cases.*

4. What is the rate of people on your case load successfully completing probation?

**Kelly Buchanan:** *So far, not many people successfully complete the program.*

5. How do you design programs that meet the variety of needs coming from different tribes and pueblos in New Mexico? You said that you had 22 tribes, how do the programs take into account the differing needs of those tribes?

**David Huerta:** *We have revised the different ceremonies they can participate in. The main focus is one of four elements, water, air, light and earth. Our policy focuses on participation in the sweat lodge; talking circle, pipe ceremony, smudging ceremony and spiritual counseling. Pueblo inmates utilize gathering in kivas.*

**Tex Joey:** *Yes, the sweat lodge itself is for the southwestern native people. We have 22 different tribes but 21 of which are pueblos. The pueblos have a kiva where they go to do a lot of their prayers and ceremonies. Other tribes like the Navajo's and the Apaches use sweat lodges. So in here with the institution, we focus more on using sweat lodges.*

6. Do you all partner with any particular community agencies when providing these services?

**Tex Joey:** *Right now some public health agencies are partners with the tribes and the state itself. We, more or less, affiliate with them.*

7. What are some of the community agencies that you partner with in providing services?

**Kelly Buchanan:** *All the treatment based agencies, chemical dependency, domestic violence and mental health. Social security so people can get social security cards and The Department of Health and Social Services so people can apply for benefits. Also, our law enforcement partners and there is some housing, like clean and sober housing. There are some full service agencies that help people get their driver's licenses back after they have had them revoked, sober support group agencies, etc.*

8. Both Washington and New Mexico are implementing the expanded Medicaid under the Affordable Care Act which will provide Medicaid benefits to inmates returning to the community from institutions. Have you all seen any changes or been engaged in the planning and implementing?

**Kelly Buchanan:** *No we have not. I believe that would be on the prison side of the business. I am strictly on the community corrections side. I do not know of any that have actually applied for this program.*

9. What about in New Mexico for people coming out of the institutions under community supervision?

**David Huerta:** *We have been proactive in that respect. We have met with the house services folks in the state and made the eligibility process available to an offender. This is not saying they are going to go right into Medicaid, it is saying they have to file for eligibility first. When they file for eligibility it pertains to Medicaid but it also pertains to food stamps, child care, and so forth. If they file for one, more than likely they are going to be eligible for something else. We have agreed that we are going to have a stand-alone computer in all of our facilities. A unit team back at the institutions will speak with the offender prior to their release and assist them with applying for eligibility. If they have a social security card, or birth certificate that needs to be scanned we will scan it. We will assess the offender and provide all of the eligibility requirement paperwork that will eventually get scanned back to the home office. Our unit team, staff and parole/probation folks have been trained or are in the process of being trained. The state of New Mexico has 13 kiosks that they were going to provide regional offices. Inmates out there can also have the opportunity to fill out the eligibility documents. However we did learn that the kiosks they were willing to give us are so antiquated and out dated that we are going to end up using stand-alone computers that come with scanners so the process can be expedited.*

10. Are there any issues around tribal sovereignty and the implementation of the act in New Mexico?

**Tex Joey:** *No, there were not any issues that I noticed.*

**Steve de los Angeles:** *No, I do not believe that there was. The tribal council was very engaging and really wanted this MOU.*

**Kelly Buchanan:** *The tribe was the initiator and the ones who were pushing it through.*

11. Does your initiative provide the same services to descendants who are not enrolled members of the tribe?

**Steve de los Angeles:** *No.*

12. How about in New Mexico, what kind of services or what kinds of programs can you offer to people who do not qualify for tribal membership?

**David Huerta:** *If I read the question correctly it would be yes, descendants are eligible. Once they are classified into our system they will be asked at that time if they want to participate in ceremonies. If they self-identify as Native Americans they are given a 90 day grace period to obtain tribal certification from their respective tribe. A certified letter from the tribe will also suffice for this purpose.*



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