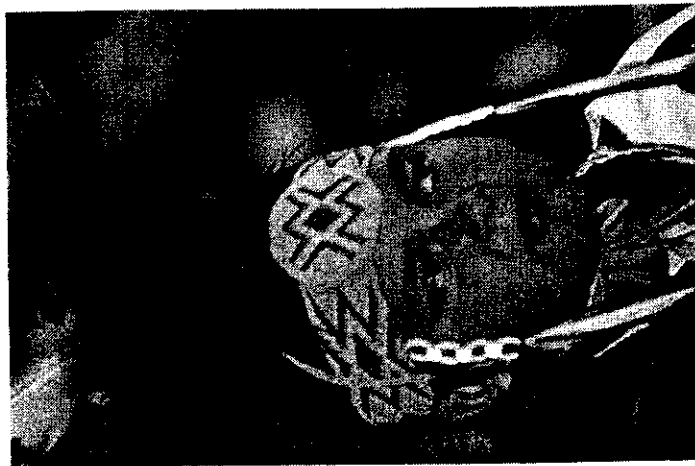


Native American Juvenile Justice in Nevada



Presented to:
Nevada Legislative Committee
on Juvenile Justice

By:
State of Nevada Indian Commission

May 18, 2004

EXHIBIT 41 JuvJustice Document consists of 48 pages
☐ Entire document provided.
☒ Due to size limitations, pages 1 through 4 provided.
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Meeting Date 5-18-04

American Indian Youth and Delinquency – Fact Sheet

- ✓ comprise 0.9% of the national youth population. They constitute 2-3% of the youth arrested for such offenses as larceny-theft and liquor law violations.
- ✓ youth between the ages 12-20 are 58% more likely to become crime victims than Whites and Blacks.
- ✓ the U.S. Constitution does not protect American Indian youth from double jeopardy - they can be tried for the same offense in tribal and state or federal court.
- ✓ Alcohol-related arrests for American Indians under age 18 are twice the national average.
- ✓ Alcohol-related deaths among Native Americans ages 15-24 are 17 times higher than the national average
- ✓ Depression and delinquent behavior can lead to suicide. Suicide among Native American young people, ages 15-24 (37.5 per 100,000), is nearly three times that of the U.S. national rate (13.2 per 100,000).
- ✓ As of February, 2001, 74% of youth in custody in the Federal Bureau of Prisons system were Native American youth, an increase of 50% since 1994.
- ✓ At midyear 2000, Native American youth accounted for 16% of inmates in custody in Indian country facilities.

SOURCES:

U.S. Department of Justice; and Enlarging the Healing Circle (CJJ, 2000)
the Annie E. Casey Foundation
OJJDP/Building Blocks for Youth.

General Information Overview:

1. Native Americans living on tribal lands do not have access to the same services and programs available to other Americans, even though the government has a binding trust obligation to provide them.
2. Indian communities face chronic under-funding of their justice systems and few have comprehensive juvenile delinquency prevention, intervention and sanction programs.
3. Although violent crime arrest rates have declined throughout the United States, they continue to rise in Indian country – including an increasing number of violent crimes committed by juveniles in Indian Country.
4. Gang involvement in Indian country is a serious concern extending from local communities
5. Alcohol related arrests and deaths among American Indians is higher than other races – including Nevada
6. Tribal Mental Health programs are under- funded, under-staffed and treatment and rehabilitation services and facilities for AI/ANs are out of state or very costly.
7. Nevada:
 - ~ only one Juvenile detention holding facility for entire state for tribal youth arrested for tribal incidents (Hawthorne – due to limited BIA funding for services)
 - ~ Duck Valley Sho-Pai Tribe has a new juvenile detention facility with emphasis in service for it's tribal area only
 - ~ One tribal jail in Nevada operated by BIA in Owyhee
8. As of January 2004, Nevada's Dept. of Corrections American Indian male inmate population was 180 (1.8% of total of 9756). This is an increase from 152 in 1999.



Key National Recommendations:

(Coalition for Juvenile Justice on American Indian Youth and the Juvenile Court System on Native American Juvenile Justice)

- ❖ Policy makers must ensure that counseling and treatment programs for American Indian youth in the juvenile court system draw upon the strengths of tribal culture.
- ❖ Policy makers must support and implement community-based alternatives to incarceration for American Indian young offenders.
- ❖ While recognizing American Indian sovereignty, policy makers must work with Tribal Councils to reduce jurisdictional barriers.



- ❖ Incarcerated youth must have access to quality education, life skills training, mental health treatment and rehabilitative experiences.
- ❖ Policy makers, police officials, officers of the court and correctional providers must work together to remove racial inequities from the juvenile court system.