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Incorporating Culture & Tradition into Tribal Healing to Wellness Courts



PRESENTED BY:

Donna Humetewa Kaye, TLPI Consultant

Presentation Objectives

- Review
 - History
 - Cultural Competence
- Explore
 - Existing Programs
 - Resources
- Apply
 - Methods
 - Activities



Tribal Healing to Wellness Court & State Drug Court Distinctions

- Indian Country
 - Jurisdiction
 - Tribal Courts
 - Peacemaking
 - Tribal Judges
 - Tribal Affiliation
 - Team members/community members
 - Specific Tribal Populations Served

- County/State
 - Jurisdiction
 - Western Model Courts
 - General Populations Served

Tribal People



Impacts & Cultural Disruption

History - Tribal Nations

Historical Trauma

1500-1750 Disease

- Small pox, Bubonic plaque, Measles, Yellow fever, Cholera,

1800 Decimation

- Influenza - the great death
- Wars & Assimilation
- *“If the savage resists, civilization, with the ten commandments in one hand and the sword in the other, demands his immediate extermination.”* Andrew Jackson, *The Indian Killer*, 1867 to Congress

1900 Boarding School – Assimilation

Addiction

- Alcohol/Drugs introduced by traders in Indian Country
- Cigarette Addicted 52% - highest among all other ethnic groups
- Childhood trauma increases smoking risks
- Daily smokers are 5 times more likely to abuse alcohol
- Alcoholism is at an all time high among native people
- Most violent crimes committed in Indian Country involve alcohol/drugs on both the part of the offender and the victim

Alcohol, Drug Use & Trauma Among Native Americans

- Wellness Court process is not a new
- Crime and conflict were historically addressed through customary and traditional methods
- Traditional native people focus on community
- Modern ways are individualized
- Community vision is what guides native people

Impacts of Addiction

- Tends to mask the real source of the problem
- Low Self-Esteem
- Trauma
 - Possibly stemming from historical trauma
 - Negative boarding school experience
 - Relocation
 - Assimilation
 - Child Abuse/Neglect....
- Loss of “connection” to:
tribal community, clan, peer group....

Appropriate Treatment

- Cultural competency
 - is one of the critical principals of care
- Visitors, non-native workers
 - require awareness that may take time and patience
- Careful consideration on the teams part
 - cultural teaching
 - customs & tradition
 - protocols & etiquette
- Tailor services to
 - individual based on his/her culture
 - giving respect to religious affiliation

Tribes have their own unique set of customs and traditions

Not all tribal members are open to their cultural ways

Contrasting Values

Native American

- Group (take care of community)
- Today-is a good day!
- Time
 - A right time/A right place
- Age-knowledge/wisdom
- Cooperate
- Be Patient
- Listen and you'll learn
- Give and share

Non-Native

- Self-take care of self
- Prepare for Tomorrow
- Time-use every minute
- Youth-rich, beautiful
- Competitive, be #1
- Learn to be Aggressive
- Speak up and be heard
- Take and save

Contrasting Values cont.

Native American

- Harmony-*live in harmony with all things*
- Balance
- Great Mystery/Intuitive
- Humility
- Spirituality (a way of life)

Non-Native

- Conquer
 - nature
- Skeptical/Logical
- Self
 - ego/attention/success
- Religion
 - daily/a part of life

CULTURAL SENSITIVITY

- Not all tribal customs and traditions are the same
- Not all methods of seeking traditional healing are the same
- Not all native people will be open to participating in cultural orientated activities



Through awareness of the conflicting values we can avoid confusion, anger, frustration that may lead to becoming unbalanced – physically, mentally and spiritually.

EXAMPLES

Methods:

- Involving Traditional people in the Planning and Development Process
- Establishing a Broad Based Community Development process
- Adopting a Traditional Name
- Traditional Healing Processes and Treatment Modalities
- Traditional or Community Based Sanctions
- Traditional or Community Based Incentives
- Extended Family and Community involvement
- Incorporating Traditional Dispute Resolution Mechanisms
- Traditional or Spiritual Component

Self Awareness and Etiquette

DO's

- Be honest and clear about your role and expectations and be willing to adapt to meet the needs of the community. Show respect by being open to other ways of thinking and behaving.
- Examine your own belief system about AI/AN people related to social issues, such as poverty, mental health stigma, teen suicide, and drug or alcohol use.
- Learn how the community refers to itself as a group of people (ex. Tribal name)
- It is acceptable to admit limited knowledge of AI/AN cultures, and invite people to educate you about specific cultural protocols in their community.

Self Awareness and Etiquette DON'Ts

- Avoid stereotyping based on looks, language, dress, and other outward appearances.
- Be careful about telling stories of distant AI/AN relatives in your genealogy as an attempt to establish rapport unless you have maintained a connection with that AI/AN community.
- Do not touch sacred items such as medicine bags, other ceremonial items, hair, jewelry, and other personal or cultural things.
- NEVER use any information gained by working in the community for personal presentations, case studies, research, and so on, without the expressed written consent of the Tribal government or Alaska Native Corporation.

Possible Causes

- Lack of cultural program
- Unclear how to start
- Tribe has not yet realized loss of cultural identity
- Participants response
 - Courts that they cannot identify with
 - What is cultural for them
 - Excuse not to participate
 - Participant states that it is against his religious/personal beliefs
 - old wounds
- Court's cultural component requires structure
 - Outside facilitator
 - No structured program
- Position that this is not a necessary component of the program
- THTWC judge or team not of the community
 - Lack of subject/cultural matter expertise

Values, Ethics, Philosophy

- By reviewing these concepts teams may have a better understanding of how to incorporate some of the more physical aspects of custom and traditions.
- You will hopefully, see that there are things that you are already doing that incorporate both custom and traditions.
- May make it easier for you to incorporate other aspects consistent with your tribe.

Values

- Underlying values of the tribe
- Thinking collectively
- Consider future generations
- Consensus in decision making
- Consider all points of view, obligations:
 - Family – clan - tribal nation - sharing of the labor -tribes view

Ethics

- Honor fellow man, elders, mothers, fathers
- Respect self, nature, community
- Living in harmony with others, and nature
- Kindness to self and others
- Live cultural code – *most tribes have a known cultural code*

Philosophy

- The general philosophy of the tribes/nations (universe)
- The search of the basic understanding of the truths of nature, living spirit in all things, living in harmony with others/all things etc.

Crafting your approach

- Attend council meetings and to report back on observations
- Learn about tribal government and decision making systems of the tribe
- Participate in cultural events (feasts, holidays, hunts, preparation of meals, story telling, ceremony's, etc.)
- Attend native language course
- Learn about family tree
- Take written history tests about tribal nation
- Have participants learn to greet the court in the native language

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- Gottlieb Report a study of what to consider
- Lessons Learned about incorporating culture and tradition into wellness courts
- On-site Technical Assistance
- The future of Tribal Healing to Wellness Courts

Lessons Learned from the First Four Tribal Wellness Courts

Key Component #4: Tribal Healing to Wellness Programs provide access to holistic, structured and phased, substance abuse treatment and rehabilitation services that incorporate culture and tradition.

Integrate Culture, not Religion, into the Wellness Court

- *Do not require participants to do activities that can be perceived as religious rather than cultural because many tribes are religiously diverse.*
- *Emphasize culture—how to build a sweat lodge, not religion—participating in a sweat lodge ceremony, to avoid conflict with individual religious beliefs*

Gottlieb Report

“...wellness courts need to achieve this level of treatment because treatment is a crucial component in a treatment-based wellness court. A principle of tribal wellness court philosophy is the integration of the traditional ways of healing to help fill the spiritual void the participant is now filling with drugs and alcohol. A wellness court that does not provide holistic, structured, phased treatment that incorporates the culture and tradition of the tribe is a court with a drug offense docket, not a true wellness court....”

Gottlieb Report

“....having the traditional teachings available was important even if the participant practiced another religion. I would recommend that they have some tradition, like the sweats be a part of it, not mandatory that they participate in it, but have it there available for them. But I do think they need to. If they’re a practicing Catholic or they’re into their religion, that’s fine too and I think they could also work with the Church, but I really think that Indians need to be [brought back to their culture], they’ve kinda fallen away from their tradition.” -Community Elder

Several wellness courts learned that there is a fine line between integrating culture and integrating religion into their wellness court programs.

Gottlieb Report

“it’s an issue of identity, our Indian people, particularly the acculturated tribes, we’re Indian people in a non-Indian world. Most of them have never been taught any tradition, they know nothing about how Indian people think...” Team Member

Even though I’d get tired, physically and emotionally, but spirit I was still strong to say “okay,” even though if I failed to go to a meeting or if I failed to do what I was supposed to, I’d go ahead and say, “I’m still here, alive, I can do it again, go another day.” That’s how I went on. - Adult Graduate

All four courts did integrate cultural traditions into the wellness court through a cultural education component. The cultural traditions included prayers, sage burning, sweats, talking-circles, fasting, preparing for the Sun Dance, learning tribal history, and learning how to build a canoe or tan a deerskin. Both team members and participants recognized the value of the participants learning about the traditional ways.

Summary

- Talk to elders
- Research
 - Tribal History -Emergency Stories -Migration -Clan lineage
- Listen
 - Story Telling -Language -Song
- Review & Compare
- Develop materials, brochures, posters & other publications
- Infuse cultural traditions in actual practice
 - “Tribal word of the week”
 - Assignments (sanctions) reflecting tribal teaching

Examples

- Hopi Youth Wellness Court
 - Baby Naming ritual, clan and community involvement
 - Corn, symbolism, use
- Little Traverse Bay Band of Ottawa Indians
 - White Feather Story
- Lower Ellwah Kellalum Healing Court
 - Community Involved Activities
 - Language Based Teaching
 - Elder involved classes



Crow Nation

- Apsalooke
 - Elder's Panel upholding Crow belief that words are sacred, role is to commit to prayer and to provide words of encouragement and wisdom for each participant. As a means to perpetuate and validate this belief, each participant is required to read an essay on lessons learned and future goals before the Elder's Panel as their final requirement for graduation.
- Crow Youth Wellness Court
 - Equine Therapy
 - Elder's Panel upholding Crow belief that words are sacred, role is to commit to prayer and to provide words of encouragement and wisdom for each participant. As a means to perpetuate and validate this belief, each participant is required to read an essay on lessons learned and future goals before the Elder's Panel as their final requirement for graduation.

Discussion

- Questions
- Comments
- Suggestions
- Stories....

References

- Vincent J. Felitti, The Origins of Addiction: Evidence from the Adverse Childhood Experiences Study (Department of Preventive Medicine, Kaiser Permanente Medical Care Program) (2004).
- Karen Gottlieb, Lessons Learned in Implementing the First Four Tribal Wellness Courts (National Institute of Justice) (2005).
- Tribal Law and Policy Institute, Tribal Healing to Wellness Courts-The Key Components (U.S. Department of Justice) (2003).

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The Tribal Law and Policy Institute is a Native American owned and operated non-profit corporation organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

www.tlpi.org

Tribal Law and Policy Institute Resources

- www.WellnessCourts.org
- Tribal Healing to Wellness Court Publication Series
 - Tribal 10 Key Components
 - Preliminary Overview
 - Judicial Bench Book
 - Program Development
- Webinars
- Training Calendar
- On- and Off-Site Technical Assistance



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