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Trauma-Informed Court Systems

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What We Will Discuss Today

- What we mean by trauma-informed
- Why this is particularly important for tribal communities
- How trauma presents in the court
- Practical suggestions for promoting healing and resilience in court systems



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Trauma-Informed

Realizes	Recognizes
Responds	Retraumatization

SAMHSA 2015

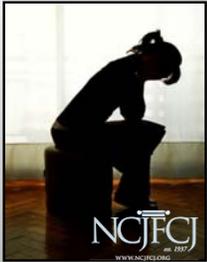


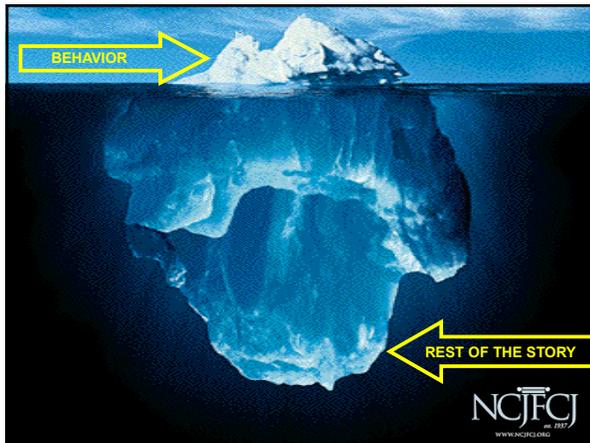
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Types of Potentially Traumatic Experiences

- Abuse and Neglect
- Accidents
- Interpersonal Violence
- Domestic Violence
- Medical Procedures
- Natural Disasters
- War or Terrorism





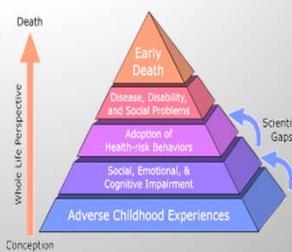
BEHAVIOR

REST OF THE STORY

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Adverse Childhood Experiences (ACEs)

- Twice as likely to smoke
- Seven times more likely to be alcoholics
- Six times more likely to have had sex before the age of 15
- Twice as likely to have been diagnosed with cancer
- Ten times more likely to have injected street drugs



- **Twelve times as likely to have attempted suicide**

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What Does This Mean for Tribal Communities?

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Historical Trauma

- Dr. Maria Yellow Horse Braveheart (1999) conceptualized **historical trauma** as “a constellation of characteristics associated with massive cumulative group trauma across generations.”

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A phenomenon labelled **intergenerational trauma** (or historic trauma, collective trauma, transgenerational grief, historic grief) has been seen in the descendants of survivors of trauma, and has been defined as:

A collective complex trauma inflicted on a group of people who share a specific group identity or affiliation—ethnicity, nationality, and religious affiliation. It is the legacy of numerous traumatic events a community experiences over generations and encompasses the psychological and social responses to such events.

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Data and Risks

- AI/AN children experience child abuse and neglect at a rate of 16.5 per 1000 children (U.S. Health and Human Services, 2007)

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- Tribal youth are 2 ½ times more likely to experience trauma from exposure to violence than non-tribal peers. (Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, 2014)

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- Tribal children and youth experience PTSD at a rate of 22% - the same rate as veterans returning from Iraq and Afghanistan and triple the rates of the general population. (Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, 2014)

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- AI/AN men are more than twice as likely to commit suicide as other gender or racial groups.
- For Native youth ages 15-24 in IHS service areas, suicide death rate is four times higher than the national average.

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How Trauma Looks in Court

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Trauma Reactive Interaction



Trauma is a risk factor for trauma.

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Trauma Assessment

Conceptual Framework:

1. Public Health Perspective

Society and its institutions ought to play a central role in preventing and maintaining collective health and well-being* continuity and care across systems

*Good for all – whether injured or not



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2. Hurt People Hurt People

Instead of “sick or well” or “victim or offender” embrace the orientation that all of those coming in contact with the justice system are likely to have been physically or psychologically injured in some way.



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3. Conditions of Healing

What conditions are needed to promote healing and resilience in children and families?



Core Conditions of Healing

- Safety



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Core Conditions of Healing

- Agency (Self-Determination or Choice)



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Core Conditions of Healing

- Connectedness



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Assessing Current Court Practice

Environment Persons Practice



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Practical Ideas

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Creating a Trauma-Responsive Court System

The NCJFCJ preliminarily defines “trauma-responsive” court/system to mean a system in which environments, practices, policies, and persons limit unnecessary stress and promote healing in those who have been trauma-exposed, to include court consumers *and* court professionals.

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Examining Trauma in the Court

- ▶ Examination of environment, practice, policy and persons from “A to Z” through a lens of safety, agency, and connectedness.

Look for:

- ▶ Trauma triggers
- ▶ General stress
- ▶ Navigability
- ▶ Interaction of stakeholders with each other and parties



National Perspective

- ▶ Burnout and turnover
- ▶ No inoculation training (secondary traumatic stress)
- ▶ Environmental stressors
- ▶ Difficult to navigate
- ▶ Challenges engaging families in process
- ▶ Challenges in applying knowledge about trauma



Culture



Seven Grandfather Teachings

- Love (Zaagi'idiwin)
- Bravery (Aakwa'ode'ewin)
- Humility (Dibaadendiziwin)
- Honesty (Gwekwaadiziwin)
- Respect (Minaadendamowin)
- Wisdom (Nbwaakaawin)
- Truth (Debwewin)





Environment

- Promote SAFETY
- Create an environment conducive to limiting arousal
- Low stress process



Safety

- Victims need a place to sit where they will feel safe from their perpetrators



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Safety

- People need to feel safe coming into the court, within the courtrooms, and in waiting areas



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Process Not Stressful



- Clients have somewhere to meet with their attorney or advocate.
- Individuals do not have to wait for long periods of time for their hearings



Limiting Environmental Stimulation

- Environment should be comfortable temperature
 - Noise
 - Light



- How does the art make people feel?









Persons

- › Create a shared definition of trauma
- › Prioritize secondary traumatic stress
- › Solicit opinions of community members
- › Promote diversity in court professionals



Policy

- › Implement a policy that eliminates presumptive shackling for juveniles appearing in court.
- › Implement policy on children in court.
- › Implement a policy on how to handle domestic violence cases, to ensure safety of victim parent and child.



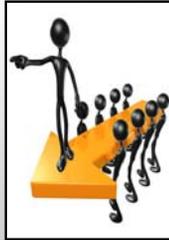
Practice

- › Trauma screening
- › Engage youth in the court process (encourage attendance)
- › Engage parents in the court process
- › Promote healing environment through positive interactions with the court
- › Promote positive pro-social connections for youth and families



Additional Ideas

- › Judicial leadership and collaboration
- › Ask questions (e.g., why do we do X, Y, Z?)
- › Ensure staff are trained and on the same page
- › Implement universal precautions
- › Practice and model self care
- › Engage persons of character
- › Remember what makes you unique - Culture



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Questions? Comments?
Feel Free to Contact Me:

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SAVE THE DATE! October 11-13th, 2017

The National Tribal Judicial and Court Clerks' Conference and NAICJA Annual Meeting will be held at the at the ISLETA RESORT AND CASINO in Albuquerque NM on October 11-13, 2017.



For more information & RFP, see NAICJA.org

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**Training and Technical Assistance (TTA)
is Available to Tribes**

Please contact us for any training or technical assistance requests as NAICJA is a TTA Provider for CTAS Program Areas 3, CTAS Program Area 7 and TCCLA. We are also available to discuss other training and technical assistance needs related to other areas to strengthen tribal justice systems.

Requests can be made through the NAICJA website:
<https://naicja.wildapricot.org/Request-Training-and-Technical-Assistance>

We look forward to hearing from you!

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Thank you!

For more information on this session, training or technical assistance needs/requests, please contact Gina Jackson - gina@naicja.org
