

## **BLACKFEET EXECUTIVE SUMMARY**

The Blackfeet Alternative Court was in existence between January 1998 and September 2000. Forty adult participants went through the Alternative Court in that period; 18 participants or 45% graduated. The remainder of the participants were either terminated (10 or 25%), fled the jurisdiction (6 or 15%), or were in the program when it ended (6 or 15%). Twenty-one of the 40 participants (52.5%) have at least one post-program alcohol or drug arrest by March 2004. There is not a statistically significant relationship between completion status and recidivism; graduates are just as likely to be arrested for a drug or alcohol charge after leaving the program as are participants who were terminated, fled the jurisdiction, or were in the program when it ended. Nor is there a statistically significant relationship between gender and recidivism, males and females are equally likely to be arrested for a drug or alcohol charge after leaving the program. However, there is a significant amount of time before the majority of participants, especially graduates, re-offend that hints at a decrease in substance abusing behaviors with occasional relapses. In addition, the longer participants, especially graduates, spend in the program, the fewer the post-program charges. Sixteen (40%) of the participants have gone 3 or more years with no alcohol or drug arrest after leaving the program.

The Blackfeet Alternative Court had many strengths. Most importantly the court had a very strong treatment component; a full-time chemical dependency counselor exclusively for the Alternative Court participants, good integration of culture into court during its last year, and a residential treatment center for families. The court also had a very committed team with a great deal of enthusiasm for the wellness court concept.

Additionally we have anecdotal information some of the Alternative Court participants regained their self-esteem and self-worth.

A review of the key components of the Alternative Court shows the strengths were:

- Committed Team at Beginning,
- Concerned and Caring Team,
- *Policy and Procedures Manual* Used as Checklist,
- Presence of Public Defender,
- Team Members Know Community Members,
- Exclusive Full-Time Chemical Dependency Counselor,
- Integration of Culture into Alternative Court,
- Pikuni Family Treatment Center,
- Monitoring as Structure and Accountability in Participants' Lives,
- First and Second Judges as Team Players,
- Team Attendance at National Trainings as a Group during Planning Stage,
- Attendance at National Conferences to Stay Abreast,
- Alternative Court as a Mentor Court to Other Tribes, and
- Tribal Council Members Involved in Planning Stages.

The Blackfeet Alternative Court had an excellent start with a committed team and full-time dependency counselor, but a series of setbacks (core team changes, a judge who was not perceived as a team player, appellate decisions critical of Alternative Court procedures, and non-chemically dependent drug dealers accepted as participants), none

fatal by itself, but cumulatively fatal to the success of the court, eventually ended the Alternative Court. However, in the short life of the court, approximately half of the 40 participants successfully achieved a life free from drug and alcohol abuse as measured by recidivism. The Alternative Court, being one of the first four tribal wellness courts, had a great deal of trial-and-error learning during the implementation of the court. No doubt the lessons learned the hard way will be remembered should the Blackfeet Tribal Court implement another treatment-based court such as a juvenile wellness court or a family court. The weaknesses of the Blackfeet Alternative Court were:

- Core Team Changes,
- No Tribal Leader or Elder on Team,
- Policy and Procedures Manual Not Approved by Resolution,
- Program Requirements Not Enforced,
- Acceptance of Drug Dealers into Alternative Court,
- Alternative Court Used to Avoid Incarceration,
- Family Not Involved in Treatment,
- Lack of Organized Aftercare,
- Blackfeet Appellate Court Held Alternative Court Did Not Follow the *Policy and Procedures Manual*,
- Incarceration Not a Therapeutic Sanction
- Third Judge Not Perceived as a Team Player,
- Incomplete Information in Case Files,
- Difficulty in Training New Team Members,
- Lack of Support and Interference from Tribal Council,

- Frequent Turn-Over on Tribal Council,
- Law Enforcement Not Integral Part of Team, and
- Lack of Community Outreach.