

Article 4: Evolving Past the Criminalization of Mental Wellness Challenges and Reentry

Catching Up With COSSUP, October 2024

The intersection of mental health and the criminal justice system has long been fraught with challenges, particularly for American Indian/Alaska Native (AI/AN) communities. The criminalization of mental health issues, compounded by a lack of access to culturally appropriate interventions, has resulted in disproportionately high incarceration rates among American Indians/Alaska Natives. Addressing these issues requires a shift toward more compassionate and effective strategies, including diversion programs and alternatives to incarceration that consider cultural contexts. For more information, read the first article in this series, [“Setting the Stage for Reentry and Reintegration”](#); the second article, [“Cultural Reconnection and Resource Resilience in Tribal Communities”](#); and the third article, [“Overcoming Stigma Related to Substance Use and Mental Health in Tribal Communities.”](#)

Lack of Culturally Tailored Diversion Programs

One of the significant challenges is the limited access to deflection/diversion programs that are culturally tailored for AI/AN. Diversion programs, which can include mental health courts, drug courts, and other community-based interventions, aim to redirect individuals with mental health or substance use disorders (SUDs) away from the criminal justice system and into appropriate treatment. However, these programs often fail to consider the cultural backgrounds of AI/AN individuals, leading to inadequate support and ineffective outcomes.

For AI/AN populations, who may face unique cultural, historical, and social challenges, standard diversion programs often do not address critical aspects such as cultural identity, traditional healing practices, and community support structures. The lack of culturally

competent care can alienate individuals, reduce engagement in treatment, and ultimately contribute to recidivism.

Need for Alternatives to Incarceration

Alternatives to incarceration are crucial for providing effective behavioral health interventions. Incarceration can exacerbate mental health issues, lead to loss of social support, and limit access to necessary treatment and rehabilitation services. For AI/AN, the need for culturally relevant alternatives is even more pressing because of historical trauma and mistrust of mainstream institutions. Alternatives to incarceration, such as community-based rehabilitation programs, restorative justice practices, and therapeutic treatment, offer pathways that prioritize healing and reintegration over punishment. These alternatives can be effective in addressing the root causes of criminal behavior, such as untreated mental health conditions or SUDs, while also being sensitive to cultural needs and values.

Steps for Developing a Successful Reentry Program

1. Community Assessment and Engagement

- **Needs Assessment:** Conduct a thorough assessment to understand the unique needs, challenges, and resources available within the community.
- **Stakeholder Engagement:** Engage with community leaders, elders, families, and formerly incarcerated individuals to gather insights and build trust. This includes collaborating with tribal justice systems, social services, and other local agencies.

Article 4: Evolving Past the Criminalization of Mental Wellness Challenges and Reentry

Catching Up With COSSUP, October 2024

2. Holistic Support Services

- **Mental Health and Substance Use Disorder Services:** Offer culturally sensitive counseling and treatment for mental health issues and substance misuse, which are often prevalent in reentry populations.
- **Employment and Education:** Provide job training, employment assistance, and educational opportunities tailored to the needs and context of the community. Examples may include training for trades and business for those rural and remote areas where there are limited opportunities for employment.
- **Housing Assistance:** Address housing needs, since stable housing is critical for successful reentry and recovery. Tribes are eligible to apply for the Bureau of Justice Assistance's [Comprehensive Opioid, Stimulant and Substance Use Program](https://www.bja.gov/programs/opioid-stimulant-and-substance-use-program) and allocate a portion of the application budget for transitional and recovery housing needs. Consider additional funding opportunities, such as U.S. Department of Housing and Urban Development Indian Housing Block Grant (IHBG). Here is the fiscal year 2024 IHBG solicitation for reference: https://www.hud.gov/program_offices/cfo/gmomgmt/grantsinfo/fundingopps/IHBGCompetitiveGrant.
- **Culturally Connected Activities:** Connect individuals to their communities in spiritual and cultural events and activities.

3. Legal and Advocacy Support

- **Legal Assistance:** Help individuals with legal issues, such as criminal record expungement, child support, navigating tribal and state laws and involvement in multiple jurisdictions.

- **Policy Advocacy:** Advocate for policy changes at the tribal, state, and federal levels that support reentry efforts, such as reducing barriers to employment and housing.

4. Building Support Networks

- **Mentorship and Peer Support:** Establish mentorship programs that connect participants with community members who can provide guidance and support.
- **Family Reunification:** Offer services that facilitate family reunification and support healthy relationships. Consider integrating fatherhood and men's programming services

5. Monitoring and Evaluation

- **Program Evaluation:** Develop metrics to evaluate a program's effectiveness, including measurement of recidivism rates, employment outcomes, and participant satisfaction.
- **Continuous Improvement:** Use feedback from participants and community members to continuously improve a program.

Potential Solutions and Considerations

Implementing peer support and mentorship programs can significantly aid individuals during the reentry process. These programs pair individuals with mentors who have successfully navigated similar challenges, providing guidance, encouragement, and practical assistance. In AI/AN communities, mentors can also serve as cultural guides, helping individuals reconnect with their heritage and traditions, which can be a vital part of their healing and recovery journeys. Peer support and mentoring can be paired with fatherhood, men's, women's, and healthy relationships programs, to name a few. Long-term group programs can provide ongoing support for the reentry and recovery processes, which can, in turn, encourage a feeling of belonging among individuals.

Article 4: Evolving Past the Criminalization of Mental Wellness Challenges and Reentry

Catching Up With COSSUP, October 2024

Enhancing Access to Culturally Competent Services

Access to culturally competent services is a critical component of successful reentry for AI/AN. However, numerous barriers hinder access to these services, including cultural and linguistic differences, geographic isolation, and a lack of culturally trained service providers.

Barriers to Access

Cultural and linguistic barriers are significant obstacles to mainstream reentry and recovery services. Many AI/ANs may feel uncomfortable or misunderstood in settings that do not reflect their cultural values or communicate in ways that are familiar to them. This can lead to disengagement from services, misunderstandings with service providers, and ultimately, a lack of effective support.

Geographic isolation also poses a challenge, since many AI/AN communities are located in rural areas with limited access to health care and social services and limited transportation resources. This isolation can make it difficult to find providers who are not only geographically accessible but also culturally competent.

Importance of Cultural Sensitivity

Cultural sensitivity in service provision is not merely about language translation or superficial cultural awareness. It involves a deep understanding of the historical and sociocultural context of AI/AN communities, including issues such as historical trauma, cultural identity, and traditional healing practices. Service providers who are culturally competent are better equipped to build trust, effectively communicate, and provide services that are truly responsive to the needs of AI/AN clients.

Potential Solutions and Considerations

Cultural competency training is essential for bridging the gap between AI/AN communities and service providers. Tribal agencies can play a crucial role in this area by collaborating with external providers to deliver training that covers cultural awareness, communication strategies, and the integration of traditional practices into treatment and support services. Such training helps ensure that providers

are not only aware of cultural differences but are also respectful and supportive of those differences in practice.

Examples of Programs

Several programs have successfully integrated culturally competent practices to support Native American communities in the areas of reentry, rehabilitation, and mental wellness. Here are some examples:

1. Healing to Wellness Courts

Healing to Wellness Courts are a culturally adapted version of drug courts, specifically designed for AI/AN communities. These courts integrate traditional healing practices with contemporary judicial processes to address substance use disorders. They focus on holistic rehabilitation, involving community support and cultural activities, such as sweat lodge ceremonies, talking circles, and involvement of tribal elders. The emphasis is on healing and restoring balance rather than punitive measures.

2. White Bison's Wellbriety Movement

The Wellbriety Movement, led by the White Bison organization in Colorado Springs, Colorado, promotes healing from addiction and mental health issues within Native American communities. It integrates traditional Native American values and teachings, such as the Medicine Wheel and 12-step programs that are adapted to include cultural elements. Wellbriety programs focus on holistic recovery that includes physical, emotional, mental, and spiritual well-being.

3. The Red Road to Wellbriety in the Native American Way

This is a culturally adapted recovery program that uses a curriculum based on Native American cultural values and teachings. It emphasizes sobriety, community, and spiritual growth, integrating traditional storytelling and cultural rituals. The program has been successfully used in various settings, including reservations, urban Indian centers, and correctional facilities.

Article 4: Evolving Past the Criminalization of Mental Wellness Challenges and Reentry

Catching Up With COSSUP, October 2024

4. Cultural Competency Training Programs

Various organizations and agencies, such as the Indian Health Service (IHS) and the Substance Abuse and Mental Health Services Administration (SAMHSA), have developed cultural competency training programs. These programs train health care providers, social workers, and criminal justice personnel to understand and respect Native American cultural values, traditions, and communication styles. This training is critical for improving service delivery and outcomes for Native American individuals in reentry and rehabilitation settings.

5. Native P.R.I.D.E.

Native P.R.I.D.E. offers curricula and programs such as the Good Road of Life, a trauma-informed, culture and resilience-based curriculum that utilizes peer support to overcome multiple risk factors, including historical and everyday trauma and substance misuse. Native H.O.P.E. is another curriculum that focuses on addressing suicide prevention, substance misuse, violence, bullying, and depression. It intentionally creates a safe and sacred place through culture, spirituality, and humor. These programs are used in various correctional and community settings to support the reentry and recovery of individuals by fostering family cohesion, cultural identity, and community involvement.

6. The Talking Circle Model

Talking circles are a traditional Native American practice used to facilitate open communication and emotional healing. Many rehabilitation and reentry programs have adopted this model as part of their counseling and support services. The approach emphasizes respect, listening, and shared leadership, creating a safe space for individuals to share their experiences and receive communal support.

7. Cultural Healing Programs in Correctional Facilities

Some correctional facilities have incorporated cultural healing programs that include traditional practices such as sweat lodges, smudging ceremonies, and access to spiritual advisors. These programs aim to support the spiritual and emotional well-being of Native American inmates, helping them reconnect with their heritage and identity, which is crucial for their rehabilitation and reentry process.

8. Circles of Support and Accountability

A restorative model features community members in a long-term process that supports individuals reentering the community who may lack prosocial support, are isolated, and are struggling to create a lifestyle that is inconsistent with harming themselves or others. Members are trained facilitators in restorative practices and meet up weekly with individuals to help them navigate their daily lives and provide support and accountability.

The National Criminal Justice Training Center of Fox Valley Technical College, along with its partners, **provide tribal-specific training and technical assistance (TTA)** to address the barriers, challenges, promising approaches, and reentry and recovery program implementation support areas, **including the various curricula, addressed in this article. Tribal TTA may be requested via the COSSUP resource center:** <https://cossup.org/Program/TTA>. (Select “Tribal” as the TTA type.)