

Tribal Courts and Minor Consuming Alcohol Cases: Researching Recidivism and Responsiveness

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Why Do Research on Tribal Courts?

- Research studies can convince policy makers to expand alternative sentencing programs
 - Lots of experiential evidence
 - Few existing studies on tribal court effectiveness
 - Alaska
 - National
- Research studies can help refine new or existing alternative sentencing programs
 - Gauge participant attitudes and responses
 - Measure recidivism rates for effectiveness of treatment

Challenges to Alaska Tribal Court Research

- Jurisdiction
 - State courts
 - Alaska court procedures
 - Tribal court sentencing procedures
 - Referral from state to tribal courts
 - Tribal court jurisdiction
 - Initial jurisdiction
 - Informal diversionary programs

Alaska Tribal Court Research Cont.

- Geography
 - Travel expenses
 - Data collection
 - Existing sources
 - Collection of new data
- Statistical reliability
 - Sample size
 - Nonuniformity of sentences

Why Study Minor Consuming Alcohol Cases?

- Pervasive problem throughout Alaska
 - Problem in both urban and rural communities
 - Can lead to more serious offenses
- MCA cases provide a natural experiment
 - Same offense across different courts
 - Large sample size yields generalizable results
 - Multiple sentencing options, but common measures of effectiveness
 - Relatively easy to track repeat offenders
 - Can build in research mechanics as programs expand

How Do You Measure Effectiveness?

- Recidivism
 - Does the youth commit another MCA?
 - Does the youth subsequently commit more serious offenses?
 - Does the type of court/sentence effect these variables?
- Attitudinal measures
 - How does the youth feel about participating in different courts?
 - Does the youth gain awareness of impact of MCA?
 - How does community feel about healing process?

How Do You Study Recidivism?

- Identify offenders in a way that can be traced but which also maintains confidentiality
- Identify measures of recidivism
 - Failure to meet conditions of sentence
 - Subsequent MCA or other offense
 - Charge
 - Conviction/sentence
 - Set triggers for when measures are met
- Determine how long study will last

How Do You Study Attitudinal Measures?

- Survey contents
 - Basic demographic information
 - Levels of satisfaction with process
 - Changes in attitude toward alcohol use
- Survey participants
 - Youth offenders
 - Parents?
 - Alternative sentencing panel and court personnel?
- Survey mechanics
 - Post-sentencing
 - One-page; numerical measures