

Community Service Project

A program alive and well in Warm Springs



Helen Robinson—Community Service Project director

The Community Service Project is alive and doing well in the Warm Springs community. The project was born after the people in Warm Springs expressed the idea they felt there should be another way to handle justice for people who were convicted of misdemeanors.

They suggested having people serve time in the community doing things that needed to be done helping others instead of the courts giving jail time. It has been over a year since the project was put into effect and it appears to be working.

Helen Robinson was hired nearly eight months ago to

oversee the project. Her office is located in the Alcohol and Drug building within the Probation and Parole office.

Her job is to find community service work for those individuals sentenced to the program and to keep track of the hours they put in on community work. Robinson stated one of the difficult parts of her job is finding enough work in the community which is of service, especially during the winter months.

The program is set up to help those people who are usually first offenders and have committed a misdemeanor. It is a program for their first offense. Work is done around

the community in the form of cleaning up areas and doing jobs which would normally be done by utilities crews. People put out muscle and sweat in place of money for fines.

If there are jobs identified in the community this program could take care of, please call the Probation and Parole Department and ask to speak to Ms. Robinson. The department is ever on the lookout for new jobs of service to do for the community.

Robinson has been at her job since August of 1981. She lives in Madras with her two sons, Ephriam age 3 and Seth age 5. She moved into the Central Oregon area from Seattle after she became employed in the program.

Juvenile probation officer has no day in court

When it is necessary for a young person to go through the court system "it's a long process," juvenile probation officer Hamilton Greeley admitted.

Some cases, Greeley explained, are pretty serious but in most cases the juvenile is referred back to tribal court because of age.

When a young person is picked up for deviant behavior he is taken to the police station. There his parents are immediately notified. Upon their arrival to pick the juvenile up, they are required to sign a document agreeing to bring the child to court. Court for the youth is generally held within a 24-hour period.

A juvenile is not held more than 24 hours at the police station without a hearing. At a hearing the judge reads the juveniles' rights to him. The juvenile has all the rights of an adult, according to Greeley, except the right to a jury trial.

Until deletion of the juvenile legal aide position a juvenile pleading not-guilty would see a legal advocate. The advocate

would then investigate the case on the juvenile's behalf.

With elimination of this position Greeley feels the juvenile could suffer. "Everytime there's a cut juveniles are the first to be cut," Greeley observed. With nearly 400 juvenile cases in a year, the advocate was kept busy. Now the legal system "doesn't give children any representation," Greeley said.

A juvenile can speak for himself at the trial or he may have a spokesman who is recognized by the court. But if the juvenile wants a legal representative he must get his own now, and pay for representation himself. Any investigation must be done on his own.

If a juvenile pleads guilty the juvenile judge makes a decision. If, however, the judge feels a decision can't be made, a pre-sentence investigation is made. Greeley is responsible for this.

During a pre-sentence investigation interviews are held with the client and his

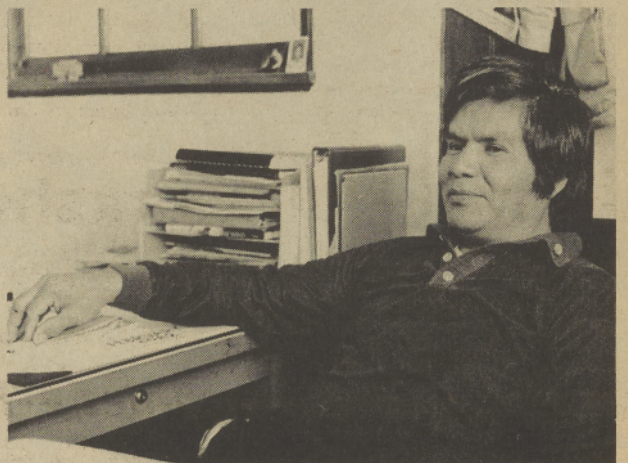
parents "to find out what is happening in their lives," Greeley explained. He hopes to find the reason behind the juvenile's behavior in committing an offense.

Greeley goes back to the beginning of the child's life in his investigation. He looks at the strength of the family relationship and whether or not it is a beneficial situation for the child.

After the investigation is complete Greeley reports his findings to the court. His complaint about the process is the time it takes to make a decision after his report is submitted. He says, "In six months, I've never had to appear in court."

With a completed investigation the judge can make a decision in the case of a juvenile. A formal judgement decree can then be issued.

If the juvenile is put on probation there are rules and regulations he must adhere to. Some of those rules are: You



are to follow exactly the directions of your parents or guardians; attend school regularly unless excused; obey all school rules; do no associate with minors or adults who are in possession of alcoholic beverages and non-prescribed drugs; keep your probation officer notified of change of address; obey all the laws of the land; and report to the

probation officer on certain days.

Greeley stresses that the job of the probation officer is not counseling. He does encourage education in some way, though.

When the probation period is completed Greeley informs the court. The case is closed, "hopefully, forever," he says.

Juvenile Coordinator

A friend to kids in trouble

"Each department has its own ideas of what will work for juveniles. I'm supposed to bring all of that together."

Juvenile coordinator Harry Hintsala is a "friend" to the juvenile not an advocate, he

states, juvenile coordinator, Hintsala takes a holistic approach to helping each juvenile that comes to him. He addresses the problem, he says, by treating the mind, body and spirit.

The goal of the juvenile coordinator, as defined by Tribal Council, is to keep juveniles out of the court system and divert them into an informal process. Hintsala's diversion program is aimed at doing just that.

The diversion program designed by Hintsala centered on the individual. The in a positive manner. The process begins after consulting with juvenile judge Anita Jackson prior to a juvenile's court hearing.

It is determined whether or not the youth needs to go through the court. It might be more beneficial for the juvenile to enter a diversion program centered on the individual. The youth could pay for his deviant behavior in a way profitable to both the community and the himself by performing scheduled activities including educational recreational and cultural enrichment.

Certain criteria are considered when determining whether or not to refer a

juvenile to the juvenile coordinator. Some of those criteria include: previous number of court contacts; seriousness of the offense; age of the youth; attitude of the youth and parents; school attendance and resources in the tribal community for the care and treatment of the child.

The juvenile coordinator, after reviewing the juvenile's case, will make a recommendation to the juvenile judge. The youth will either go through the formal court process or go to an informal conference and the diversion procedure.

Looking at the juvenile not just as someone having committed a crime but as someone who needs guidance, Hintsala works out a program just for him. To occupy spare time the youth may be required to spend some time in recreational pursuits. Meetings with the juvenile's family are held with the purpose of helping the juvenile organize

his time in a constructive manner. Counselors at the school are contacted to learn more about the juvenile and to provide in-school guidance.

"Getting him involved in the community in a positive manner" is Hintsala's goal with each juvenile he sees. For a youth who claims he's bored, Hintsala tries to fill idle time and ill-used leisure time with activities that would be fulfilling to the juvenile. The juvenile gets guidance and supervision during the designated time he is in the diversion program, with improving his outlook in mind.

Hintsala feels that juvenile delinquency is now "snow-balling." He feels, too, that the diversion program "will have a positive impact." With guidance and community involvement the juvenile then has a chance to become a productive member of the community.

