

Program launched to reduce recidivism, strengthen community

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Recently, the Yurok Tribe and Humboldt County Superior Court and Humboldt District Attorney's Office signed an agreement that will allow adult Yurok citizens facing certain criminal charges an opportunity to defer prosecution and instead enroll in the Yurok Wellness Court's comprehensive, culturally centered Wellness Diversion program.

"The primary goal of this program is to provide each participant with the ability to choose a new life path and become a contributing member of the community," said Yurok Chief Justice Abby Abinanti. "The holistic program will help individuals confront the root cause of their irresponsible behavior and move forward in a good way."

"With the agreement we memorialized today, I anticipate many successful outcomes from the Yurok Wellness Diversion Program-- a program of opportunity and accountability, guiding eligible participants towards a productive, law-abiding life," added Humboldt County District Attorney Stacey Eads.

Under this agreement, Yurok citizens charged with specific misdemeanor and felony violations of the penal code may be eligible for Yurok Wellness Diversion pursuant to stipulated agreement with the District Attorney or Court-initiated misdemeanor diversion via California Penal Code Section 1001.95. The Humboldt County Superior Court, in collaboration with the Yurok Tribal Court, district attorney and defense

counsel, will determine if the individual is eligible to participate in the Yurok Diversion Program. Only adult Yurok citizens charged with misdemeanors and certain non-violent felonies may take part in the program.

If the individual qualifies and consents to diversion, the Yurok Tribal Court will develop a tailored wellness plan for the participant and oversee its implementation through culturally integrated case management. The plan may include: referrals for addiction and mental health treatment, Yurok cultural engagement activities, educational and vocational training, job placement, housing assistance and additional types of supportive services if needed. The Yurok Wellness Court will also perform home visits and drug screening. The diversion period may last 6 months to two years.

Throughout the duration of the diversion period, Wellness Court staff will send monthly reports on the participants' progress to the district attorney and defense counsel. At the end of the diversion period, or upon earlier graduation from the Yurok Wellness Court, the criminal charges will be permanently dismissed. If the participant routinely fails to perform the actions outlined in the wellness plan, the case will be terminated by the Yurok Wellness Court and the original charges may be reinstated by the prosecutor.

The Yurok Diversion Program Memorandum of Understanding (MOU) will open the door for other Tribes to start similar programs. The agreement may serve as a starting point for negotiation and/or a template for tribal diversion terms. Any tribe with a tribal wellness court may seek to begin a tribal diversion program and enter a Memorandum of Understanding with a district attorney and superior court.

Representatives from the Yurok and Hoopa Tribal Courts, Humboldt County Superior Court, Humboldt County Conflict Counsel, Humboldt County Public Defender's Office, and Humboldt County District Attorney's office collectively developed the procedures for Yurok Tribal Diversion Program.

On a case-by-case basis, the Humboldt County District Attorney's Office and Superior Court have been diverting cases to the Yurok Wellness Court since August of 2021. The MOU will streamline the diversion process. To date, four Yurok citizens have completed the diversion program and two more are successfully moving through it.

In addition to Wellness Diversion, the Yurok Tribal Court offers an Adult Wellness program for adult applicants with pending charges or supervision violations, civil violations in the Yurok Tribal Court, or other agency agreement or court order requiring participation in the Wellness Court. The Yurok Tribal Court also co-administers Joint Jurisdictional Family Wellness Courts in the Humboldt and Del Norte Superior Courts.

Presided over by tribal and state court judges, the Joint Family Wellness Court helps families break the cycle of addiction. A Family Wellness program is also available in the Yurok Tribal Court for families with reunification-type cases who are ineligible for Joint Jurisdiction. The Yurok Wellness Court has helped dozens of tribal citizens transform their lives. Many of the court's clients have secured full-time employment, reunited with their children and reengaged with their culture.

To learn more about the Yurok Wellness Court, please visit <https://yuroktribalcourt.org/programs/wellness-court/>

