

Meeting Minutes Task Force on the Intersection of Tribal and State Forensic Behavioral Health

Date: June 25, 2026

Time: 1:00-4:00 p.m.

Location: Hybrid

- In-Person Location:
 - OJD Education and Training Center (Room 529)
 - Justice Building, 5th Floor
 - 1162 Court Street NE, Salem, OR 97301
- Remote Location: WebEx Webinar

Members in Attendance: Lisa Nichols, Chief Judge Melissa Cribbins, First Lady of Oregon Aimee Kotek Wilson, Sharon Stanphill, Judge Denise Keppinger (Vice Chair), Chief Judge Gayleen Adams, Judge Naomi Stacy (Chair), Chief Judge Ronald Yockim, Chief Judge Karen Costello, Adrea Korthase, Chief Judge Patrick Melendy

Members Not in Attendance: Leslie Wu, Kimberly Lindsay, Cindy Cecil

Quorum: Yes (9)

Welcome

- Judge Stacy thanked everyone for attending and reviewed the purpose and goals of this Task Force
 - Identified the concern of balancing protecting a tribal court defendant's right to not be treated as a criminal when it's not the appropriate avenue for addressing the real issue of behavioral health with the goal of community safety
 - Judge Stacy noted that there have been multiple instances where there have not been available options outside of accessing the state criminal courts
 - Cases involving behavioral health have many intersections between tribal courts, providers, and state agencies
 - There is a disconnect between a tribal court ordering a defendant to receive services and state licensed providers being available/coordinated to do so
 - The Task Force will be looking at the current intersection of tribal court orders and accessing the behavioral health system in Oregon and asking how meaningful/effective it is, whether it is providing justice, and if/how it should be changed
 - This includes looking into existing relationships between tribes and states

Introductions and Goals from Representatives of Tribes

- Each member representing a tribe was asked to share:
 - 1. The key issues for their tribe in behavioral health;
 - 2. Their insight and experiences with accessing behavioral health services for tribal members; and
 - 3. The goals and hopes they have for this group.
- Chief Judge Yockim, Cow Creek Band of Umpqua Tribe of Indians (CCBUTI)
 - CCBUTI has had a tribal court since the early 1990s and has always had tribal justice systems embedded in CCBUTI's peacemaking process
 - CCBUTI is developing criminal, juvenile delinquency, and child welfare codes, which has brought up the question of when CCBUTI has jurisdiction over a tribal member and people living on trust lands
 - We need to always be aware of the unintended consequences of laws/rules that make it harder for the tribes to address these issues
 - Discussed a couple examples in which unintended consequences impacted the authority of the tribes
 - Goals:
 - Quickly identify the problems and services needed
 - Restore persons to being viable/contributing members of the community
 - Share services between the state and the tribes
- Chief Judge Karen Costello, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (CTCLUSI)
 - The Tribal Court was created in 2001, the peace giving court in 2005, and a wellness court in 2017
 - CTCLUSI encompasses four communities, none of which currently exercise their criminal jurisdiction
 - CTCLUSI is involved in a deflection program that involves a wellness court which depends on multi-jurisdictional relationships
 - Goals:
 - To know when tribal citizens are involved in court processes in foreign jurisdictions to be able to appropriately reach out for them to participate in wellness and peacekeeping court and in-clinic behavioral health programs
 - CTCLUSI established an agreement with community corrections to ask people if they are a member of a tribe

- Multi-jurisdictional and multi-disciplinary collaboration and education to eliminate barriers for tribal citizens to have their full citizenship recognized in their tribe, the state, and this country
 - Learn from everyone as CTCLUSI prepares to expand its jurisdictional reach
 - Support and strengthen collaboration and contribute something useful to the Task Force
- Chief Judge Patrick Melendy, Confederated Tribes of Grand Ronde (CTGR)
 - CTGR has many resources available for tribal members (e.g., behavioral health and community health programs)
 - Experience with behavioral health is ancillary to civil cases
 - Example: getting teenage tribal youth to engage in available services and triage/crisis intervention issues for youth that are in care (i.e., residential facility treatment requires traveling far)
 - Goals:
 - Improve resources for residential facility treatment
 - Resource sharing, educational information, learning from the Task Force
 - Expanding some of CTGR's jurisdiction
- Chief Judge Gayleen Adams, Confederated Tribes of Warm Springs (Warm Springs)
 - Tribal Court has existed since prior to 1969
 - The main issue is resource availability
 - The few times Warm Springs has placed a community member on civil commitment, the agency/hospital did not honor their court orders
 - Ended up partnering with Judge Hillman in Jefferson County to have Best Care in Madras provide help
 - Behavioral health center has appropriate staffing but did not previously have all the required certifications
 - Behavioral health cases are uncommon, but more and more people need mental health assistance
 - Goals: Continue partnering with other jurisdictions and assisting one another with building awareness and partnerships in case Warm Springs needs assistance in the future
- Chief Judge Melissa Cribbins, Coquille Indian Tribe
 - Mental health treatment is a challenge in Oregon, but the tribes feel it most acutely

- Have not had to do a behavioral health hearing yet, but have been preparing for if one is needed
 - Tribal Council has asked what would happen and what they can do, but answers are unclear
- Goals:
 - Develop concrete action steps on what can be done/achieved
 - Identify areas for collaboration between the state and tribes
- Chair Judge Stacy, Confederated Tribes of the Umatilla Indian Reservation
 - The main issues revolve around legislative, governance, and resource-based issues
 - Goals:
 - Offer better and more appropriate services
 - Have Full Faith and Credit for tribal court orders in behavioral health matters
 - The Oregon State Bar (OSB) has a legislative proposal specific to this piece that will be circulated so the Task Force can review it for concerns
 - Encourage tribal courts to have MOAs when possible
 - Recognition for the mental health authority of tribal providers
 - Offer culturally appropriate services
 - Improve continuum care and wrap-around services
 - Explore the resources offered by federal partners offering to help fill gaps in justice specific to mental and behavioral health
 - Look into what the federal government does in behavioral health cases
 - In the Task Force's final report, acknowledge the issues, show we've considered them, show where we're at, and outline the concrete steps we're aiming for

Introductions from Non-Tribal Representatives

- Each non-tribal representative was asked to share the below:
 - 1. Your experience in behavioral health; and
 - 2. The goals and hopes held for this group.
- Lisa Nichols, Oregon Health Authority (OHA), Behavioral Health Division
 - Currently works with OHA civil and forensic programs
 - Previously worked:

- As an Oregon Judicial Department (OJD) treatment court coordinator in Deschutes County
 - In a co-occurring residential treatment setting, corrections, and treatment court in Washington County
 - With people challenged with addictions and mental illness who entered the criminal legal system that way
 - Engaging with Warm Springs on rule changes in civil commitment
 - Helping coordinate work between CMHPs and the tribes and with tribal clients in dependency cases
- Goals: Learn more about the tribal courts, their processes, and the intersections with tribal behavioral health and CMHPs and how the state can better partner with the tribes
- First Lady of Oregon Aimee Kotek Wilson, MSW
 - Worked in community based practice, sometimes providing director's custody
 - Visited the tribes with the Governor and had conversations about the intersection of law and healthcare, tribal sovereignty, and cultural competency
 - Helped organize the Behavioral Health Talent Council
- Adrea Korthase, Office of the State Court Administrator
 - Currently an Indian Child Welfare Act Analyst for OJD
 - Previously worked at the Grand Ronde Tribal Court, Oregon Department of Human Services, National Council for Juvenile and Family Court Judges, and the National Judicial College with tribal and state courts, predominantly with child welfare
 - Goal: Improving resource availability
- Sharon Stanphill, Cow Creek Band of Umpqua Tribe of Indians
 - Currently the Chief Health Officer of Government Affairs for CCBUTI, but has worked with CCBUTI for around 30 years
 - Previously a healthcare provider helping to create the health care system and public health/behavioral health/prevention programs CCBUTI has today
 - Previously served on the Oregon Criminal Justice Commission
 - Current behavioral health challenges/barriers/impacts:
 - CCBUTI has seven county service areas that overlap with fellow tribal governments
 - It's about caring for the whole community, not just CCBUTI tribal members

- There aren't any youth regional centers in the immediate area and few inpatient residential facilities
 - It's not culturally appropriate to send tribal members far away from their homes and families for large amounts of time for treatment
 - Goals
 - Provide tribal members with good care that's culturally sensitive
 - Have funding not only go to the state, but directly to the Tribe too
 - More MOUs with community partners
 - Have deflection programs be just as successful as the IMPACTS grant
 - Eliminate barriers and difficulty getting funds to be able to provide wrap-around care and focus on the social determinants of health
- Vice Chair Judge Keppinger, Columbia County Circuit Court
 - Experience:
 - Currently handles the aid-and-assist docket and works on the Behavioral Health Advisory Committee for OJD and interacts with its subcommittees
 - Previously
 - Deputy District Attorney to the Columbia County mental health court, other specialty courts, and for aid and assist
 - Interacted with the tribes mostly through specialty courts and the dependency docket
 - Worked with NARA and medicine in Columbia County
 - Prosecutor for Columbia County's Justice Reinvestment Program
 - Goals:
 - Gain wisdom to bring into her courtroom and share with colleagues
 - Develop concrete solutions to the issues discussed in the Task Force
 - Share with state courts how the courts can be a partner to the tribes
- Non-Task Force Members Introductions
 - Channa Newell, Senior Counsel for Government Relations, OJD
 - Kiely Lyons, Analyst, OJD
 - Kari Ramseyer, Journeys A Center for Your Soul

- Works with some Grand Ronde tribal members through their mental health center

Rule Adoption

- Newell reviewed the draft proposed rules (included in the meeting materials)
- Chief Judge Yockim asked if there could be a situation where there may be a conflict of interest that a member would need to disclose?
 - Newell deferred that question to Sam Dupree
- Vice Chair Judge Keppinger moved for the adoption of the draft proposed rules dated June 25, 2026 and Chief Judge Yockim seconded the motion
 - Upon Chair Judge Stacy calling for a vote no “Nays” or “Abstentions” were heard, only “Ayes”

Introduction of the Tribes

- Chair Judge Stacy noted there will be a process for including the input, perspectives, and recommendations of urban tribal people who are not on reservations or tribal lands that have a significant relationship with state services
- Chair Judge Stacy asked if there was anything specific in the context of this Task Force’s work that anyone wanted to mention about their tribe?
 - Chair Judge Stacy noted CTUIR holds enhanced jurisdiction under the offenses listed in the federal Violence Against Women act to prosecute non-tribal members who live in tribal communities
 - She has seen issues, particularly at casinos and truck stops, where people don’t know they are on a reservation
 - Due to federal-tribal relationships and, likely, resource allocation issues, major crimes are often picked up by the federal government
 - Chief Judge Yockim asked if the federal government should be involved in the Task Force’s discussions?
- Chief Judge Yockim noted that the tribes have jurisdiction over tribal members in general, not just their own tribal members
- Chair Judge Stacy noted that, if members know anyone that has been through the mental health system (on or off reservation) or has engaged with the system, those are important perspectives to hear from
- Stanphill noted that, from the healthcare side, CCBUTI is trying to move towards expanding the behavioral health workforce, particularly for tribal members

Housekeeping

- Chair Judge Stacy asked how the Task Force can incorporate the perspectives of persons with lived experience into the discussions?
 - Nichols asked how those persons would be involved in the Task Force?

- Chair Judge Stacy replied that it would most likely be a tribal person, living on or off a reservation, who is engaged in a mental health system
 - Newell noted the intent behind the legislation was to have Task Force members act as liaisons to connect with those with lived experience so the person(s) would not necessarily need to speak directly to the Task Force
- Chief Judge Melendy asked if those with lived experience would attend future meetings?
 - He noted it would be good to have someone from their defense bar who works with clients that have behavioral health struggles speak to the Task Force
 - Chair Judge Stacy noted there will be time for public comment at each meeting for them to speak, or they could submit written comment
 - Chief Judge Costello asked if there was a way for someone to submit a comment without attending a meeting or writing?
 - Newell suggested we may be able to create a process for sharing a video clip in the future
- Korthase noted she works with Painted Horse Recovery Center in Portland (connected to the Oregon Department of Human Services), which provides peer members through the ICWA courts in Marion and Multnomah counties
 - Those peer members have lived experience and work with families outside of court as well; talking to them may be helpful
- Newell walked the Task Force through the public website and noted there will be a separate internal website members will have access to (being set-up)
 - Information on the internal and public sites are subject to public records and public meetings laws
 - Contact Us submissions are public, so, if someone wants to share sensitive information, tell them to let us know so we can contact them in a way that is not public
- Chief Judge Melendy asked if there were trainings Task Force members needed to complete?
 - Newell will look into that and let the members know
- Sam Dupree, Senior Assistant General Counsel for OJD presented a PowerPoint on public records and public meetings law
 - Chief Judge Melendy asked if members are talking at a non-Task Force gathering and the discussion crosses over with Task Force topics, is it okay to have that discussion?

- Dupree recommended being cautious
 - Factual information is fine to discuss, but discussing what direction the Task Force should go in or potential options for where it may go, should be avoided
 - A Task Force member could instead ask to put the topic on the agenda so it can be discussed at an official meeting
- Newell asked, when voting on recommendations, how may a conflict of interest (perceived or actual) be declared?
 - Dupree recommended members err on the side of caution in disclosing something that could potentially be a conflict
 - Stating on the record, making sure people are aware, and, if you think it's needed, recusing oneself from a particular vote
 - For the next meeting we can have some analysis of actual vs. perceived conflicts and how it works in Oregon law (advice from the Oregon Government Ethics Commission)
 - Chief Judge Yockim noted that speaking on behalf of one's tribe wouldn't create a personal conflict and Dupree agreed
- Chair Judge Stacy disclosed that she sits on the Indian Law Section of the OSB and was assigned to the subcommittee for legislative matters where there is a proposal being worked on that may have some overlap with the Task Force's work
 - She noted this could be discussed further if it becomes an issue

Public Comment

- There was no public comment
- Chair Judge Stacy reviewed proposed processes for collecting public comment
 - Judge Costello and Vice Chair Judge Keppinger thought they sounded good

Homework and Next Steps

- What do tribes need to know about state processes?
 - Learn about the state's civil commitment and aid and assist processes
 - During June legislative days, OHA had a presentation with updated graphics on how those processes work
 - It would be helpful for the Task Force to review those to help tribes determine how much they are currently equipped to engage with those processes
 - The state has been working on engaging tribes and bringing them into the state system when there's opportunities

- How has that work been going? What are the goals?
 - It's less about the tribes wanting to recreate Oregon's processes, and more about figuring out where the state and tribes are currently aligned
- Oregon state agencies should think about what they need to know about tribes
 - OHA should talk about some of the rule making and coordination efforts they have been charged to do
 - How far does that go? Where are some of the limits? What are they hoping to hear from tribes, particularly from tribal courts?
- Judge Yockim noted it's important to remember and respect that the different entities and agencies have a separation of powers and to recognize the different focuses and goals of each
- Chair Judge Stacy noted that a draft agenda would be sent to members for comment
- The next meeting should include discussion about the full faith and credit concept
 - We will see if someone from the Bar can attend the meeting
- After discussing state activities, we can move on to discussing collaboration
- Moving forward we will discuss what collaborative meeting time may look like and models and what that looks like in relation to the current tools available in Oregon
- Chair Judge Stacy asked members and others to feel free to provide comments and feedback on what the Task Force will discuss and focus on moving forward
- Newell noted that the meeting materials include documents discussing how court systems can interact with people who are experiencing mental health issues and recommended taking a look at those
- Newell will send a survey of potential future meeting dates to members

Adjourn