

ISSUE PAPER #1

INDIANS
and the
CRIMINAL JUSTICE SYSTEM
in
OKLAHOMA

Statistical Analysis Center
Oklahoma Crime Commission
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ISSUE PAPER SUMMARY

Indians and the Criminal Justice System in Oklahoma

An issue paper prepared by the Statistical Analysis Center of the Oklahoma Crime Commission discusses the major crime problem for Oklahoma's Native American population—offenses involving substance abuse.

The paper notes that over three-quarters of all the Indian arrests which occurred in the state in 1978, were for substance abuse-related offenses. Included in the paper, are county-by-county statistics regarding Indian arrests in general, and drunkenness arrests, in particular.

A brief summary is provided of resources used for treatment of Indian substance abuse problems, and the number of Indians served by those programs in 1977. Also noted, are some preliminary statistics on the percentage of Indians employed by several criminal justice agencies in the state.

In closing, the paper suggests some broad future directions for research and programs to help address Indian substance abuse problems in the state.

INTRODUCTION

This issue paper is the first in a series of brief summaries of major crime problems in the state of Oklahoma, planned by the Statistical Analysis Center of the Oklahoma Crime Commission.

The purpose of these papers is to gather data relevant to a particular crime problem from a variety of sources, and disseminate that information to key audiences in a succinct format.

It is not the intention of the Statistical Analysis Center that these papers be in-depth research documents, although materials contained may indicate areas needing further research.

PROBLEM SUMMARY

Since Oklahoma has the largest Native American population of any of the states, the Statistical Analysis Center of the Oklahoma Crime Commission believes that adequate emphasis should be given to crime problems within this "minority" group.

In 1978, there were a total of 146,726 arrests in the state of Oklahoma; 57.7% of those arrests were related to substance abuse (drugs and alcohol)*. There were 20,822 Indian arrests made in that same year; over three-quarters (77.3%) of those arrests were for substance abuse-related offenses. (See Tables I and II for highest rated offenses.)

The alcohol-related offenses are a much larger part of the Indian crime problem than are drug offenses, which represent only 2.3% of all Indian arrests. Of the three alcohol-related crimes, "public drunkenness" is the greatest problem for all racial groups.

Table III, depicts data relevant to drunkenness arrests for each Oklahoma county. Although Indian arrests account for only 14.2% of all arrests in the state, Indian drunkenness arrests account for almost twice as many or (28.1%) of all the drunkenness arrests. This 28% is only a state average; in some counties, Indians comprise much higher percentages of the drunkenness arrests (e.g., Blaine County - 84.9%, Dewey County - 76.3%, Adair County - 72.6%). Furthermore, some counties show much higher percentages of Indians arrested for drunkenness - as opposed to arrests for other offenses - than the state average of 61.9% (e.g., Adair County - 91.3%, Bryan County - 88.9%).

* Substance abuse-related offenses are as follows: Opium or Cocaine; Marijuana; Synthetic Drugs; Other Drugs; Driving Under the Influence; Liquor Laws; and Drunkenness.

Although drug abuse is not nearly as large a crime problem for Indians as is alcohol abuse, certain types of drugs and/or dangerous substances do represent a problem for Oklahoma's Native American population.

The two main sources for drug abuse data are the Uniform Crime Reports (arrests), and the CODAP (Client Oriented Data Acquisition Process) data (outpatient/inpatient admissions to federally funded, state and privately operated drug treatment programs).

According to the Uniform Crime Report data for 1978, the major category of drug abuse for all races was marijuana (representing almost 80% or more of all drug arrests for each racial group). In view of this, it is interesting to note in Table IV, that marijuana is the top-ranked primary drug problem only for Indian admissions to drug treatment programs, and not for other racial group admissions. Both Table IV and Table V indicate that inhalants are also a serious problem for Indians in Oklahoma. It should be noted, furthermore, that a much higher percentage of the Indian admissions are under 26 years of age (72%), than of Black (37%) or White (51.25%) admissions. (The youthfulness of the Indian group may partially explain why considerably more of the Indian group left drug treatment programs without completing the program or were discharged for noncompliance with rules.)

Finally, information collected by the State Department of Mental Health Census on June 30, 1978, indicates that although schizophrenia is the primary diagnosis for all racial inpatient and outpatient groups, Indians are overrepresented in the alcoholism/drugs primary diagnosis category (Tables VI and VII).

RESOURCES

During FY-1977, 53 alcoholism treatment centers reported serving a total of 11,624 clients - of whom 12% (1,395) were Native Americans.* State or privately operated drug treatment programs reporting through CODAP admitted 1,460 clients - of whom 4% (57) were Indian. The Native American Center also has an outreach program which deals with Indians abusing inhalants. (There are a total of 9 Indian Alcoholism Programs in the state, funded primarily through National Institute of Alcohol Abuse and Alcoholism funds.)

Although employee racial origin data was not available for all relevant service agencies, preliminary statistics indicate that Indians are underrepresented as employees in the criminal justice system. For example, approximately 2.5% of the law enforcement employees are Indian, and 5.5% of the Department of Corrections employees are Native American.**

FUTURE DIRECTIONS

Further research should be done to determine the reasons for the very high percentages of Indians arrested, especially for drunkenness, in certain areas of the state. Such research may help to ascertain whether such arrests are due, for example, to differential treatment by law enforcement, or to Indian cultural patterns which condone public inebriation.

Educational and other primary prevention programs should be instituted in communities with high incidences of Indian arrests/admissions to treatment programs for substance abuse. Serious consideration should be given to research regarding nutritional factors which may predispose individuals to substance abuse, in developing primary prevention programs.

* Oklahoma State Department of Mental Health Fiscal Year 1978 Annual Report.

** Sources: Department of Corrections; Law Officer Register (1978-1979).

Law enforcement agencies should make serious efforts to recruit Native American officers on a full or part-time basis in areas having high concentrations of Indian population and/or high arrest rates for Indians.

Law enforcement and other criminal justice agencies (prosecutors, courts, correctional agencies) should make every effort to divert Indians charged with substance abuse offenses to programs designed to treat those problems, rather than continuing to process such offenders through the criminal justice system.

Treatment programs for Indian substance abusers should take into consideration the cultural differences of the various Indian populations in the state in developing services. Outreach services and Native American employees should be utilized in programs located in areas with a substantial Indian population.

Sources: "Racial Differences in the Indian and Prevalence of Alcohol Abuse in Oklahoma". Dick Gregory, M.S., Oklahoma State Department of Mental Health Division on Alcoholism.

TABLE I

1978 Adult Arrests Statewide		
OFFENSE	Percent of All Adult Arrests	Percent of All Indian Adult Arrests
Drunkenness	35.4%	65.7%
D U I	19.2%	11.4%
Total Narcotics	5.7%	1.9%
Larceny/Theft	4.9%	1.7%
All other Part I and Part II	34.8%	19.3%

(Indian Adults accounted for 15.3% of all adult arrests)

TABLE II

1978 Juvenile Arrests Statewide		
OFFENSE	Percent of All Juvenile Arrests	Percent of All Indian Juvenile Arrests
Larceny/Theft	16.5%	12.6%
Runaway	12.8%	13.2%
Burglary/B&E	12.2%	9.9%
Total Narcotics	7.9%	4.8%
Drunkenness	7.4%	19.9%
All other Part I and Part II	43.2%	39.6%

(Indian Juveniles accounted for 7.9% of all juvenile arrests)

A total of 20,822 Indian arrests were reported in 1978, totaling 14.2% of all arrests.

TABLE III

COUNTY	TOTAL POP. (1970)	INDIAN POP. (1970)	% OF TOTAL POP.	TOTAL ARRESTS (1978)	INDIAN ARRESTS	% OF TOTAL ARRESTS	TOTAL DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS AS % OF TOTAL DRUNKENNESS	INDIAN DRUNKENNESS AS % OF TOTAL INDIAN ARRESTS	INDIAN DRUNKENNESS AS % OF TOTAL IND. POP.
ADAIR	15,141	4,150	27.4	640	434	67.8	546	396	72.6	91.3	9.6
ALFALFA	7,224	33	0.5	231	36	15.6	16	0	0.0	0.0	0.0
ATOKA	10,972	582	5.3	621	89	14.3	311	70	22.5	78.7	12.1
BEAVER	6,282	7	0.1	71	0	0.0	20	0	0.0	0.0	0.0
BECKHAM	15,754	137	0.9	1,039	52	5.0	358	37	10.4	71.2	27.0
BLAINE	11,794	801	6.8	1,015	649	63.9	562	477	84.9	73.5	59.6
BRYAN	25,552	1,030	4.0	1,288	233	18.1	847	207	24.5	88.9	20.1
CADDO	28,931	4,080	14.1	1,534	920	60.0	562	417	74.2	45.3	10.2
CANADIAN	32,245	1,168	3.6	2,646	316	12.0	566	191	33.7	60.4	16.4
CARTER	37,349	1,070	2.9	2,594	466	17.9	1,038	315	30.3	67.6	29.4
CHEROKEE	23,174	4,418	19.1	2,301	964	41.9	1,279	685	53.6	71.1	15.5
CHOCTAW	15,141	908	6.0	1,127	244	21.7	682	203	29.8	83.2	22.4
CIMMARRON	4,145	12	0.3	108	3	2.8	19	2	10.5	66.7	16.7
CLEVELAND	81,839	1,524	1.9	4,704	228	4.8	1,159	113	9.7	49.6	7.4
COAL	5,525	437	7.9	183	25	13.7	59	12	20.3	48.0	2.7
COMANCHE	108,144	3,343	3.1	7,314	727	10.0	761	188	24.7	25.9	5.6
COTTON	6,832	337	4.9	288	61	21.2	87	27	31.0	44.3	8.0
CRAIG	14,722	891	6.1	684	57	8.4	160	25	15.6	43.9	2.8
CREEK	45,532	1,913	4.2	3,028	336	11.1	889	153	17.2	45.5	8.0
CUSTER	22,665	800	3.5	3,410	1,688	49.5	1,810	1,265	69.9	74.9	158.0
DELAWARE	17,767	3,511	19.8	624	186	29.0	287	121	42.2	65.1	3.5
DEWEY	5,656	253	4.5	172	86	50.0	59	45	76.3	52.3	17.8

TABLE III (Continued)

COUNTY	TOTAL POP. (1970)	INDIAN POP. (1970)	% OF TOTAL POP.	① TOTAL ARRESTS (1978)	INDIAN ARRESTS	% OF TOTAL ARRESTS	TOTAL DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS AS % OF TOTAL DRUNKENNESS	INDIAN DRUNKENNESS AS % OF TOTAL INDIAN ARRESTS	INDIAN DRUNKENNESS AS % OF TOTAL IND. POP.
ELLIS	5,129	18	0.4	145	3	2.1	22	0	0.0	0.0	0.0
GARFIELD	55,365	436	0.8	2,472	123	5.0	851	89	10.5	72.4	20.4
CARVIN	24,874	492	2.0	1,267	28	2.2	566	14	2.5	50.0	2.9
GRADY	29,354	355	1.2	1,337	75	5.6	556	49	8.8	65.3	13.8
GRANT	7,117	35	0.5	107	5	4.7	33	4	12.1	80.0	11.4
GREER	7,979	77	1.0	155	0	0.0	9	0	0.0	0.0	0.0
HARMON	5,136	22	0.4	205	0	0.0	84	0	0.0	0.0	0.0
HARPER	5,151	27	0.5	85	0	0.0	21	0	0.0	0.0	0.0
HASKELL	9,578	428	4.5	312	20	6.5	67	4	6.0	20.0	0.9
HUGHES	13,228	1,520	11.5	752	282	37.5	436	199	45.7	70.6	13.1
JACKSON	30,902	226	0.7	1,197	14	1.2	333	6	1.8	42.9	2.7
JEFFERSON	7,125	52	0.7	376	2	0.6	140	1	0.7	50.0	1.9
JOHNSTON	7,870	615	7.8	275	102	37.1	132	51	38.6	50.0	8.3
KAY	48,791	1,865	3.8	2,907	1,277	44.0	1,443	956	66.3	74.9	51.3
KINGFISHER	12,857	257	2.0	459	79	17.3	152	48	31.6	60.8	18.7
KIOWA	12,532	490	3.9	382	77	20.2	159	49	30.8	63.6	10.0
LATIMER	8,601	714	8.3	322	42	13.1	112	21	18.8	50.0	3.0
LEFLORE	32,137	1,406	4.4	2,618	304	11.7	1,352	164	12.1	54.0	11.7
LINCOLN	19,482	292	1.5	721	67	9.3	234	30	12.8	44.8	10.3
LOGAN	19,645	116	0.6	964	21	2.2	185	6	3.3	28.6	5.2
LOVE	5,637	107	1.9	378	12	3.2	141	3	2.1	25.0	2.8

TABLE III (continued)

COUNTY	TOTAL POP. (1970)	INDIAN POP. (1970)	% OF TOTAL POP.	TOTAL ARRESTS (1978)	INDIAN ARRESTS	% OF TOTAL ARRESTS	TOTAL DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS AS % OF TOTAL DRUNKENNESS	INDIAN DRUNKENNESS AS % OF TOTAL INDIAN ARRESTS	INDIAN DRUNKENNESS AS % OF TOTAL IND. POP.
MC CLAIN	14,157	226	1.6	751	31	4.2	270	16	5.9	51.6	7.1
MC CURTAIN	28,642	2,493	8.7	1,415	326	23.1	894	277	31.0	85.0	9.1
MC INTOSH	12,472	1,550	12.4	828	85	10.3	283	31	11.0	36.5	2.0
MAJOR	7,529	27	0.4	222	7	3.2	34	2	5.9	28.6	7.4
MARSHALL	7,682	330	4.3	373	30	8.1	195	21	10.8	70.0	6.4
MAYES	23,302	2,496	10.7	1,988	353	17.8	786	223	28.4	63.2	8.9
MURRAY	10,669	470	4.4	1,196	110	9.2	314	24	7.7	21.8	5.1
MUSKOGEE	59,542	3,022	5.1	4,232	423	10.0	1,353	238	17.6	56.3	7.9
NORLE	10,043	474	4.7	366	110	30.1	159	68	42.8	61.8	14.4
NOWATA	9,773	423	4.3	197	2	1.1	42	1	2.4	50.0	0.2
OKFUSKEE	10,683	1,278	12.0	297	129	43.5	100	50	50.0	38.8	3.9
OKLAHOMA	526,805	10,341	2.0	38,525	3,608	9.4	8,471	2,110	24.9	58.5	20.4
OKMULGEE	35,358	2,147	6.1	2,051	517	25.2	842	309	36.7	59.8	14.4
OSAGE	29,750	2,565	8.6	1,894	426	22.5	726	214	29.5	50.2	8.4
OTTAWA	29,800	2,055	6.9	1,420	82	5.8	322	56	17.4	68.3	2.7
PAWNEE	11,338	783	6.9	742	134	18.1	321	85	26.5	63.4	10.9
PAYNE	50,654	626	1.2	2,017	139	6.9	492	66	13.4	47.5	10.6
PITTSBURG	37,521	1,541	4.1	1,699	150	8.9	430	73	17.0	48.7	6.7
PONTOTOC	27,867	1,313	4.7	2,373	430	18.2	792	246	31.1	57.2	18.7
POTTAWATOMIE	43,134	2,018	4.7	2,454	648	26.4	803	335	41.7	51.7	16.6

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TABLE III (continued)

COUNTY	TOTAL POP. (1970)	INDIAN POP. (1970)	% OF TOTAL POP.	TOTAL ARRESTS (1978)	INDIAN ARRESTS	% OF TOTAL ARRESTS	TOTAL DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS ARRESTS (1978)	INDIAN DRUNKENNESS AS % OF TOTAL DRUNKENNESS	INDIAN DRUNKENNESS AS % OF TOTAL INDIAN ARRESTS	INDIAN DRUNKENNESS AS % OF TOTAL IND. POP.
PUSHMATAHA	9,385	654	7.0	488	78	16.0	217	50	23.1	64.1	7.7
ROGER MILLS	4,452	294	6.6	118	37	31.4	41	23	56.1	62.2	7.8
ROGERS	28,425	1,672	5.9	1,273	78	6.2	411	46	11.2	59.0	2.8
SEMINOLE	25,144	2,643	10.5	1,852	730	39.5	1,014	532	52.5	72.9	20.1
SEQUOYAH	23,370	2,037	8.7	2,137	299	14.0	1,164	196	16.8	65.6	9.6
STEPHENS	35,902	476	1.3	1,955	33	1.7	403	14	3.5	42.4	3.0
TEXAS	16,352	50	0.3	855	4	0.5	188	0	0.0	0.0	0.0
TILLMAN	12,901	233	1.8	252	2	0.8	58	1	1.7	50.0	0.4
TULSA	401,663	11,041	2.7	15,455	1,313	8.5	4,289	843	19.7	64.2	7.6
WAGONER	22,163	799	3.6	1,308	79	6.1	552	49	8.9	62.0	6.1
WASHINGTON	42,277	1,241	2.9	1,915	65	3.4	551	33	6.0	50.8	2.7
WASHITA*	12,141	103	0.8	258*	9*	3.5	66*	1*	1.5	11.1	1.0
WOODS	11,920	31	0.3	272	10	3.7	33	2	6.1	20.0	6.5
WOODWARD	15,537	61	0.4	745	21	2.9	226	11	4.9	52.4	18.0
TOTALS**	2,559,229	98,468	3.8	146,726	20,822	14.2	45,882	12,888	28.1	61.9	13.1

* NOTE: 1978 Arrest Data is the latest available.

**NOTE: TOTALS - Washita County arrest figures excluded.

TABLE IV

1977 CODAP STATISTICAL REPORT
STATE OF OKLAHOMA

ADMISSIONS BY RACE

CODAP Category	Number of Admissions	Primary Drug Problems	Age	Sex	Race	Employment Status	In Education or Skill Program	Reason for Discharge	
White Admissions 19% Readmissions 6% Transfers	1,188	25% Heroin	.25% 0-11	68% Male	100% White	67% Unemp.	16% Yes	1,049 Discharged 22% Completed Treatment 52% Left 12% Transferred 8% Referred 3% Noncompliance 2% Incarcerated .7% Death	
	75% First Admissions	19% Other Opiates	10% 12-17	32% Female		6% Employed Part-time	84% No		
	19% Readmissions	13% Marijuana	41% 18-25			26% Employed Full-time			
	6% Transfers	11% Amphetamines	33% 26-34						
		10% Alcohol	16% 35-65						
		9% Barbiturates	.5% 66+						
		3% Inhalants							
		3% Tranquillizers							
		5% Other							
	Black Admissions 33% Readmissions 6% Transfers	215	71% Heroin	2% 12-17	76% Male	100% Black	70% Unemployed		12% Yes
60% First Admissions		14% Alcohol	35% 18-25	24% Female		3% Employed Part-time	88% No		
33% Readmissions		4% Marijuana	43% 26-34			27% Employed Full-time			
6% Transfers		3% Other Opiates	21% 35-65						
		2% Amphetamines							
		2% Barbiturates							
	4% Other								
Indian Admissions 16% Readmissions 2% Transfers	57	26% Marijuana	36% 12-17	65% Male	100% Indian	63% Unemployed	35% Yes	55 Discharged 20% Completed 65% Left 9% Noncompliance 5% Referred	
	81% First Admissions	21% Inhalants	36% 18-25	35% Female		12% Employed Part-time	65% No		
	16% Readmissions	19% Alcohol	20% 26-34			25% Employed Full-time			
	2% Transfers	11% Other Opiates	9% 35-65						
		7% Amphetamines							
		5% Heroin							
	5% Barbiturates								
	5% Other								

TABLE V

1977 Admissions to CODAP

Facilities in Oklahoma, by Race and Type Drug

DRUG CATEGORY	White	Black	Indian	Hispanic	Other	TOTAL ADMISSIONS
Heroin	64%	34%	0%	1%	1%	456
Opiates + Synthetic Opiates Other than Heroin	94%	3%	3%	0%	1%	236
Marijuana	82%	47%	8%	0%	6%	196
Alcohol	73%	20%	7%	0%	1%	161
Amphetamines	92%	3%	3%	0%	2%	135
Barbiturates	94%	3%	3%	0%	0%	119
Inhalants	75%	0%	23%	0%	2%	52
Tranquillizers	97%	3%	0%	0%	0%	36
Sedatives or * Hypnotics	86%	3%	7%	3%	0%	29
Hallucinogens	88%	6%	6%	0%	0%	17
Cocaine	100%	0%	0%	0%	0%	9
Over-the-Counter	100%	0%	0%	0%	0%	6
Illegal Methadone	100%	0%	0%	0%	0%	5
Other	86%	0%	0%	0%	14%	7

* Excluding Barbiturates

** Mexican-American

TABLE VI

Primary Outpatient Diagnosis, by Race *

DIAGNOSIS	Indian	Black	White
Schizophrenia	24.6%	52.0%	33.8%
Neuroses	11.2%	5.7%	15.2%
Alcoholism/Drugs	12.4%	8.6%	7.5%
Brain Syndrome	4.2%	8.9%	5.9%

*From Oklahoma State Department of Mental Health Census, June 30, 1978.

TABLE VII

Primary Inpatient Diagnosis, by Race *

DIAGNOSIS	Indian	Black	White
Schizophrenia	40.0%	67.4%	57.6%
Brain Syndrome	17.2%	13.9%	19.4%
Alcoholism/Drugs	12.2%	4.8%	7.2%

*From Oklahoma State Department of Mental Health Census, June 30, 1978.

SOURCES

Oklahoma State Department of Mental Health Fiscal Year 1978 Annual Report, Oklahoma State Department of Mental Health.

Client Oriented Data Acquisition Process (CODAP) summaries for 1977, Oklahoma State Department of Mental Health.

Oklahoma Uniform Crime Report for 1978, Oklahoma State Bureau of Investigation.

END