

## Why GAO Did This Study

Native American youth face unique challenges when it comes to their contact with justice systems. Research shows that risk factors such as high rates of poverty and substance abuse make them susceptible to being involved with justice systems at the federal, state and local, and tribal levels. GAO was asked to examine the extent of Native American youth involvement in justice systems, and federal grant programs that may help address Native American youth delinquency.

This report examines (1) what available data show about the number and characteristics of Native American youth in federal, state and local, and tribal justice systems; and (2) federal discretionary grant programs that could help prevent or address delinquency among Native American youth, and tribal government and Native American organizations' access to those grants. GAO analyzed federal, state and local, and tribal arrest, adjudication, and confinement data from 2010 through 2016 (the most recent available) from DOJ and the Department of the Interior. GAO also analyzed DOJ and HHS grant program award documentation from fiscal years 2015 through 2017, and application information for a sample of the grant programs chosen based on the amount of funding awarded and other factors. GAO also interviewed officials from DOJ, HHS, and 10 tribal governments or Native American organizations chosen to include successful and unsuccessful applicants to the grant programs, among other things.

View [GAO-18-591](#). For more information, contact Gretta L. Goodwin, 202-512-8777, [GoodwinG@gao.gov](mailto:GoodwinG@gao.gov).

## NATIVE AMERICAN YOUTH

### Involvement in Justice Systems and Information on Grants to Help Address Juvenile Delinquency

## What GAO Found

GAO's analysis of available data found that the number of American Indian and Alaska Native (Native American) youth in federal and state and local justice systems declined across all phases of the justice process—arrest, adjudication, and confinement—from 2010 through 2016. During this period, state and local arrests of Native American youth declined by almost 40 percent from 18,295 in 2010 to 11,002 in 2016. The vast majority of Native American youth came into contact with state and local justice systems rather than the federal system.

**Number of Native American Youth Arrested by State and Local Agencies and Federal Agencies, 2010–2016**

	2010-2016	2010	2016
State and local (calendar year)	105,487	18,295	11,002
Federal (fiscal year)	246	60	20

Source: GAO analysis of Federal Bureau of Investigation (state and local) and U.S. Marshals Service data (federal). | GAO-18-591

Note: Both data sources use the race category "American Indian or Alaskan Native" but define it differently. Race information is based on various methods including self-identification and documentation. Federal data include youth in federal custody after a federal arrest and may not capture all arrests by federal law enforcement agencies.

However, more Native American youth were involved in the federal system than their percentage in the nationwide population (1.6 percent). For example, of all youth arrested by federal entities during the period, 18 percent were Native American. According to Department of Justice (DOJ) officials, this is due to federal jurisdiction over certain crimes involving Native Americans. Comprehensive data on Native American youth involvement in tribal justice systems were not available for analysis. GAO's analysis showed several differences between Native American and non-Native American youth in the federal justice system. For example, the majority of Native American youths' involvement was for offenses against a person, such as assault and sex offenses. In contrast, the majority of non-Native American youths' involvement was for public order offenses (e.g., immigration violations) or drug or alcohol offenses. On the other hand, in state and local justice systems, the involvement of Native American and non-Native American youth showed many similarities, such as similar offenses for each group.

DOJ and the Department of Health and Human Services (HHS) offered at least 122 discretionary grants and cooperative agreements (grant programs) from fiscal years 2015 through 2017 that could be used to address juvenile delinquency among Native American youth. DOJ and HHS made approximately \$1.2 billion in first-year awards to grantees during the period, of which the agencies awarded approximately \$207.7 million to tribal governments or Native American organizations. Officials from the agencies, tribal governments, and Native American organizations identified factors they believe affect success in applying for grant programs. For example, some tribal governments and Native American organizations found being able to call or meet with federal officials during the application process helpful but found that short application deadlines are a challenge.