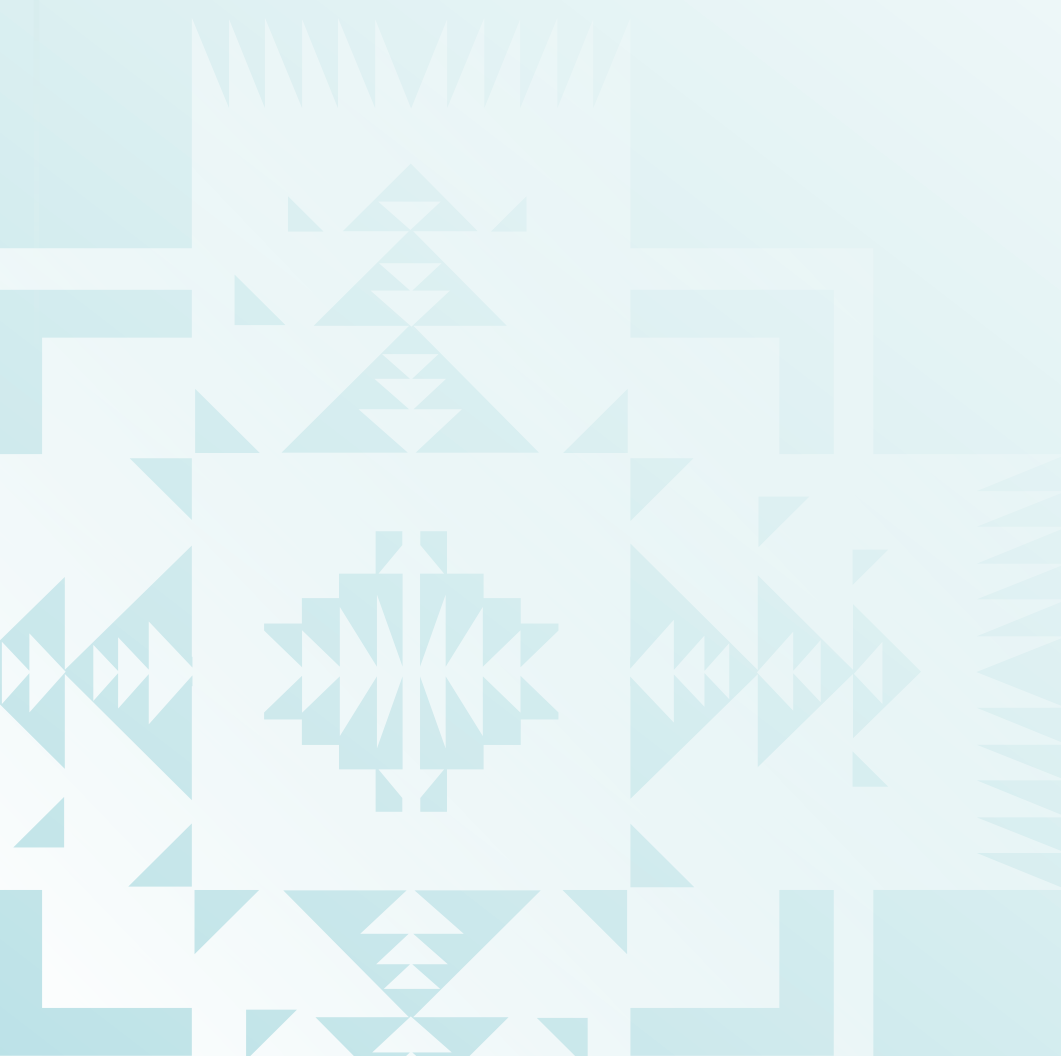
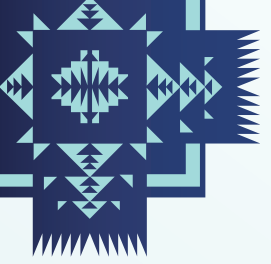




U.S. DEPARTMENT OF JUSTICE
2010 ANNUAL
TRIBAL CONSULTATION
— ◆ REPORT ◆ —

Working Together to End the Violence



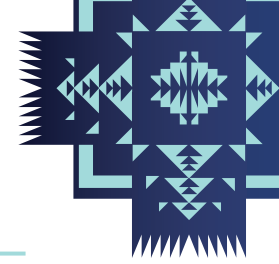


TABLE OF CONTENTS

Introduction 1

Day 1: Opening Ceremonies 2

 Department of Justice Welcoming Remarks 2

 Working Lunch: Presentation on Trafficking of Native Women 6

 Closing Comments and Recess 7

Day 2: Traditional Opening 7

 Tribal and Department of Justice Welcoming Remarks 7

 Closing Comments 8

 Closing Ceremonies and Adjournment 8

Testimony from Tribal Leaders 9

Themes:

Domestic violence in AI/AN communities is a problem of epidemic proportion. 9

Tribal domestic violence services are in dire need of increased funding. 12

Every tribe has unique funding and services needs. 14

Funding from the DOJ needs increased flexibility. 15

Current restrictions in DOJ funding interfere with providing services. 17

Matching funds requirements are difficult for tribal governments to meet. 18

Tribal domestic violence programs must be culturally responsive. 18

There are many specific and technical areas where VAWA needs improvement. . . 19

Tribes and reservations have severe and unmet law enforcement needs. 20

Trafficking of Native women is on the rise 23

More training and technical assistance is needed. 24

Tribes had a mixed response to the new CTAS grant process and offered suggestions 25

Grant peer review panels need education about Native issues. 27

Statistics for grant proposals can be very difficult for tribes to obtain. 28

General recommendations for OVW grant processes. 29

Tribal leaders were dissatisfied with the federal consultation process. 30

Increased collaboration is necessary for effective legal responses. 32

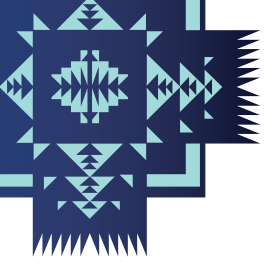
Declination rates must be studied and improved 34

Tribes are eager to see the successful implementation of the Tribal Law and Order Act. 35

Innovative and flexible approaches to developing tribal justice systems are needed. 38

Jurisdictional confusion must be addressed by increased education. 39





Legislation must recognize tribal court jurisdiction over non-Indians who commit crimes on Indian lands.. . . . 41

Federal laws and DOJ grant processes infringe on their tribal sovereignty.. . . . 42

Needs of tribes in Public Law 280 jurisdictions are not addressed. 43

Obstacles block tribes’ full implementation of SORNA and the Adam Walsh Act. 44

The DOJ is invited to visit tribes and learn more. 45

Tribes endorse the recommendations of the National Congress of American Indians, Task Force on Violence Against Women, and Restoration of Native Sovereignty and Safety for Native Women.. . . . 46

APPENDICES

Appendix A: Consultation Agenda 49

Appendix B: Facilitator Biographies. 55

Appendix C: Consultation Participants. 59

Appendix D: Consultation Documents. 79

Appendix E: Recommendation Papers 83

 National Congress of American Indians, Task Force on Violence Against Women: “Written Comments Prepared for the Department of Justice Annual Consultation on Violence Against Women Issues” 84

 Restoration of Native Sovereignty and Safety for Native Women: “Recommendations for 2010 Annual USDOJ – Tribal Nations Consultation on Violence Against Native Women”. 92

Appendix F: 2010 Update on the Status of Tribal Consultation Recommendations 97

 Introduction 100

 Part One: Implementation of VAWA. 101

 Part Two: Administering VAWA Grant Funds and Programs 105

 Part Three: Strengthening the Federal Response to Violence Against Indian Women 109

 Analysis of OVW Tribal Grant Programs. 113

 Fiscal Year 2010 OVW Tribal Grant Awards 114

 Fiscal Year 2010 CTAS Tribal Grant Awards 117

 Memo to United States Attorneys. 132

Appendix G: FY 2011 Budget Request 141





OFFICE ON VIOLENCE AGAINST WOMEN TRIBAL CONSULTATION REPORT

INTRODUCTION

The Department of Justice’s annual Tribal Consultation on Violence Against American Indian and Alaska Native Women is held pursuant to Public Law 109-162, Title IX, Section 903 of the Violence Against Women Reauthorization Act of 2005. This law requires the U.S. Attorney General to conduct an annual consultation with Indian tribal governments to address the federal administration of all tribal funds and programs established under the Violence Against Women Acts (VAWA) of 1994, 2000, and 2005. The statute further directs the Attorney General to solicit recommendations from the Indian tribes at an annual consultation concerning the following items:

1. administering tribal funds and programs;
2. enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
3. strengthening the federal response to such violent crimes.¹

The 2010 annual Tribal Consultation was held in Spokane, WA, at the Northern Quest Resort, on October 4 and 5, 2010. The first day of the consultation focused on the subject of violence against American Indian and Alaska Native (AI/AN) women. The second day was devoted to consultation on Department of Justice (DOJ) grant funding for tribal governments, focusing specifically on the Coordinated Tribal Assistance Solicitation (CTAS) process that was implemented in Fiscal Year (FY) 2010. In FY 2010, DOJ issued a single CTAS encompassing all DOJ tribal government-specific grant programs with the goal of gaining a better understanding of each tribe’s overall public safety needs and supporting a more coordinated approach to grant-making. In addition, the DOJ solicited recommendations for the FY 2011 tribal grant process.

Prior to the tribal consultation, the DOJ hosted a series of calls with interested tribal leaders to develop an agenda for the October event. This report provides a summary of the consultation event, themes that arose from the dialogue between the DOJ and tribal leaders, and recommendations for the tribal grant process. A second report entitled “Tribal Consultation Report on Coordinated Tribal Assistance Solicitation (CTAS),” which covered portions of the consultation that specifically addressed the new CTAS grant process and recommendations, can be accessed at www.tribaljusticeandsafety.gov and www.ovwtribalconsultation.com.

¹ Public Law 109-162, Title IX, Sec. 903



Day 1: Opening Ceremonies

The Deputy Director for Tribal Affairs from the Office on Violence Against Women (OVW), Lorraine Edmo (Shoshone-Bannock), opened the consultation by welcoming everyone to the event and introducing the facilitator, Chief Judge Theresa M. Pouley, JD, (Confederated Tribes of the Colville Reservation) of the Tulalip Tribal Court.

Ms. Edmo introduced the honor guard, Aimee Nechanicky, U.S. Navy Reserve, and David Roman, U.S. Marine Corps (retired), to bring in the flags while a flag song was presented. Andy Joseph, Sr. (Confederated Tribes of the Colville Reservation) provided the traditional opening, first in English and then in Salish. Ms. Edmo invited Nick Pierre (Kalispel Tribe of Indians) to offer a welcome.

Mr. Pierre thanked Mr. Joseph for his opening blessing and spoke about how the Northern Quest Resort and Casino has allowed the Kalispel Tribe of Indians to provide many services to its people, such as higher education. He also thanked the DOJ for meeting with the tribes and voiced his hope that the tribal consultation would help the process of stopping domestic violence.

After thanking Mr. Pierre and Mr. Joseph for their participation, Ms. Edmo introduced the Shawl Ceremony. The Shawl Ceremony is performed to honor women who are victims and survivors of sexual assault and domestic violence. Four shawls of different colors are presented and draped around chairs to remind everyone of the reasons for the tribal consultation. The purple shawl represents survivors and victims of domestic violence; the teal shawl is for the survivors and victims of sexual assault; the white shawl represents the murdered and missing women; and the black shawl represents the perpetrators, with the hope that they will join the movement against violence. Representatives from the White Buffalo Calf Woman Society, Tillie BlackBear and Nicole Witt, sang an honor song during the Shawl Ceremony.

Department of Justice Welcoming Remarks

Chief Judge Pouley followed the traditional opening ceremonies by introducing DOJ representatives to provide welcoming remarks. The first to speak was Judge Susan Carbon, Director of OVW. Judge Carbon stated that she was honored to attend her first tribal consultation and was moved by the opening ceremonies. She was aware that she joins in an ongoing conversation, and she looks forward to the dialogue with tribal leaders. Judge Carbon acknowledged Lorraine Edmo, the Deputy Director for Tribal Affairs for OVW, and Virginia Davis, the Deputy Director for Policy at OVW, among others. She emphasized that her entire staff has a firm commitment to ending violence against women, and she believes that the OVW office is poised to work more closely with tribal governments.

Judge Carbon shared that for many American Indian and Alaska Native women, domestic violence and sexual assault are a part of their reality. She went on to report that the rate of rape is unacceptably high at 20% for non-Indian women; and it is horrendous at 33% for Native women. Judge Carbon strongly believes that no woman, no one, should ever expect to be raped or beaten. She continued to speak about the many thousands of women who



have received support through the VAWA over the last 16 years. Judge Carbon concluded by stating, “While American Indian and Alaska Native communities face unique challenges, you also possess tremendous assets. You are in the best position to design the solutions that fit your communities.” The role of the Office on Violence Against Women and the Department of Justice, Judge Carbon explained, is to listen, learn, and offer help and support in any way possible.

“For American Indian and Alaska Native women, domestic violence and sexual assault are more than a remote possibility. I have heard young women talk about sexual assault with resigned voices, as though it were a rite of passage. No one should have to bear this reality—no one.”

~ Judge Susan Carbon, Director of the Office of Violence Against Women

Judge Carbon then introduced Associate Attorney General Tom Perrelli and described how his vision and integrity drive him to rigorously seek justice for victims, especially for American Indian and Alaska Native women. She acknowledged his commitment to honoring the government-to-government relationship.

Associate Attorney General Perrelli offered welcoming remarks to the consultation attendees. He thanked Judge Carbon and the Kalispel Tribe for hosting the tribal consultation.

Associate Attorney General Perrelli stated that he was heartened by the deep commitment shared by so many to ending the violence and to see so many people of good will and good faith working together. Mr. Perrelli asked the tribal leaders to judge the DOJ on its ongoing commitment as well as to reflect on the gains made and the large and small improvements in the ways that the DOJ works with tribal governments. Mr. Perrelli then discussed the Tribal Law and Order Act (TLOA) and how it was an extraordinary event when the bill became law. He stated that the DOJ is working with the White House and the Department of the Interior (DOI) to develop a schedule of implementation, and he acknowledged that implementation of TLOA will be an enormous feat. Mr. Perrelli then invited the tribal leaders to be actively engaged in the DOJ consultations around TLOA.

Associate Attorney General Perrelli spoke on two additional topics: federal prosecution of domestic violence and sexual assault cases and tribal government access to the federal National Criminal Information Center (NCIC) databases, both of which were raised by tribal leaders as areas of concern at the 2009 OVW Tribal Consultation. In regard to federal prosecutions, a memo was sent to all United States Attorneys instructing them to prioritize the prosecution of violent crimes in Indian Country, particularly crimes of violence against women and children. Mr. Perrelli also reported that the DOJ has added more Indian Country prosecutors and launched a community prosecution pilot project in several jurisdictions. The goal is to develop best practices so prosecutors and law enforcement can work together. The DOJ recognizes



the need for more resources and has requested an increase in funding for tribal programs. Mr. Perrelli referred to the cumbersome grant process and the launch of the Coordinated Tribal Assistance Solicitation (CTAS) this year to alleviate the lengthy process by consolidating all of the Department's tribal government-specific grants into one application. He stated that recommendations and issues around CTAS would be covered during the next day.

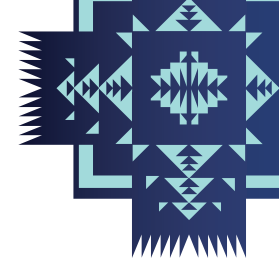
Associate Attorney General Perrelli spoke about tribal needs to access the NCIC database and explained that the DOJ has identified approximately 28 tribes that lack access. He explained that DOJ is working with these tribes to ensure that they have access and asked tribal leaders who do not have access to contact the federal personnel present during the consultation to let them know. Mr. Perrelli acknowledged that the database has not been readily accessible to all tribal law enforcement agencies.

Associate Attorney General Perrelli concluded his remarks by discussing the less tangible ways in which the Justice Department works to raise awareness about the issue of violence against American Indian and Alaska Native women. He invited the attendees to stop and talk with him and others from the DOJ about what more can be done and how the DOJ and the tribes can work together more effectively. Mr. Perrelli closed by referring attendees to the meeting materials, additional documents provided, and the information contained therein.

Judge Pouley thanked Associate Attorney General Perrelli and presented the format for the facilitated discussion portion of the session. Judge Pouley stressed that when providing testimony, speakers should try to keep their oral comments to 5 minutes. She encouraged written comment submissions.

Judge Pouley then introduced Leslie Hagen, Native American Issues Coordinator for the Executive Office for United States Attorneys. Ms. Hagen spoke about United States Attorneys' consultations that have taken place since February 4, 2010. These include federal districts that have large Indian populations. Ms. Hagen reported that the federal districts are preparing their operational plans and are working on the following elements:

1. **Communication.** The U.S. Attorneys are working expeditiously in cases involving violence against women to gather more information and ensure that prosecution decisions are communicated to tribal prosecutors before the statute of limitations expires.
2. **Investigations.** Because many law enforcement agencies can be involved in investigating violence against women cases in Indian Country, consultations are focusing on how investigators from Federal Bureau of Investigations (FBI), Bureau of Indian Affairs (BIA), and tribal law enforcement can cooperate most efficiently.
3. **Victim advocacy.** Many tribes, as well as BIA, FBI, and DOJ, have victim advocates working together. Consultations are working to increase their cooperation.
4. **Training.** Currently, a needs assessment is being conducted to determine if there are deficiencies with current training and if the federal government is being responsive to training needs among tribes.



5. **Outreach.** Each federal district has a law enforcement coordinator who participates in outreach activities.
6. **Accountability.** Each federal district is reviewed to see if standards are in place; for example, whether government-to-government time is allocated between the site office and the local tribes. Other areas being examined include Memoranda of Understanding, access to credible laboratories, access to competent and professional medical care, and additional resources available.

The operational plans will change as needed, especially in critical areas.

Judge Pouley then introduced Linda Baldwin, Director of the SMART Office (Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking). Ms. Baldwin offered an update from a summer consultation that her office conducted. The job of the SMART office is to assist and support the implementation of the Sex Offender Registration and Notification Act (SORNA). This is accomplished through technical assistance and funding through the Adam Walsh Act Grant Implementation Program. Many comments that pertain to statutory provisions in the act itself cannot be addressed except by modifying the law.

The July 27, 2011 deadline for implementation of SORNA is a major concern for the tribes. Also of concern is the process for determining that a tribe has not sufficiently implemented SORNA responsibilities. The Attorney General has the authority to determine this, and the determination must happen before involuntary delegation of the tribe's authority to the state. The SMART Office recognizes that resource barriers exist with regard to implementation and resource shortages may mean that tribes are unable to meet the deadlines. The SMART Office is piloting a new technical assistance program to increase outreach to the tribes and is planning outreach to tribes that have not yet received implementation grant funds. A pre-conference workshop on this topic will be held during the Tribal Justice, Safety, and Wellness session scheduled for December 6 to 8, 2010, in Palm Springs, CA.

The SMART Office continues to meet with congressional representatives to discuss issues of concern related to SORNA implementation in Indian Country. Ms. Baldwin stated that her office proposed that the BIA issue a written directive to implement and enforce SORNA. Ms. Baldwin concluded her report by reminding the audience that the SMART Office is interested in ongoing communication.

Judge Pouley thanked both Ms. Hagen and Ms. Baldwin for their reports and opened the oral testimony portion of the tribal consultation.

The oral and written testimony given by tribal leaders and designees is presented in detail following this summary of the consultation event, beginning on page 9 of the report.



Working Lunch: Presentation on Trafficking of Native Women

Brad Mitchell, Office for Victims of Crime, DOJ, presented information about trafficking of American Indian and Alaska Native women. This issue was raised during the 2009 OVW Tribal Consultation. Following the consultation, a focus group was convened and a report was released based on its findings.

The focus group was convened to assess the current knowledge base on sex and labor trafficking of Native women. The facilitator of the focus group was Judge Theresa Pouley. The findings covered both labor and sex trafficking. With regard to labor trafficking, little is known about who is involved, where it occurs, how often it occurs, and for what purpose(s). Law enforcement officials often do not know if a case is one of labor trafficking. The majority of the focus group discussion focused on sex trafficking of Native women.

A tremendous amount of anecdotal evidence of sex trafficking exists, but the lack of quantitative research is striking. Tribal communities may not be aware of the occurrence of incidents; furthermore, the communities are often not aware that the incidents are trafficking because of the lack of knowledge of trafficking definitions. Although reservations and villages may be culturally responsive and have culturally appropriate services available, they lack information. Conversely, urban areas that do specifically address sex trafficking may not have culturally appropriate services.

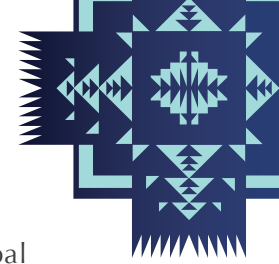
The focus group recommended training, increasing awareness, and building capacity in tribal communities to meet the needs of trafficking victims. Further research is needed on victim demographics, perpetrator demographics, and community resources for victim support and reintegration.

Judge Pouley provided comments about her role as facilitator for the trafficking focus group. She remarked that people who participated in the group identified historical trauma as a factor that plays into Native people's increased vulnerability to human trafficking. Judge Pouley also pointed out that women who are sexually trafficked are often victims of sexual abuse. She shared that increasing her knowledge about human trafficking has influenced how she approaches her job every single day.

Jean Louie (Coeur d'Alene Tribe of Indians), who serves as Secretary on the Executive Board of the Affiliated Tribes of Northwest Indians (ATNI), offered the luncheon blessing.

Following the working lunch, testimony from tribal leaders and designees continued.

Oral and written testimony from the consultation is presented in detail beginning on page 9 of this report.



Closing Comments and Recess

Judge Pouley initiated the close of the day by reminding tribal leaders of the optional tribal caucus to prepare for Day 2 in the Kalispel Ballroom from 6:00 p.m. to 8:00 p.m. She turned the floor back to Ms. Edmo.

Ms. Edmo thanked Judge Pouley for her excellent facilitation, the tribal leaders who attended and submitted oral and written comments, and the OVW staff and contractor for their assistance in organizing the tribal consultation. Ms. Edmo provided the email address for written comments and thanked Associate Attorney General Perrelli and Judge Carbon for attending.

Judge Carbon thanked the audience and said she appreciated the concrete and meaningful information provided by the tribal leaders. She noted that the information will be used to improve the federal government's response to the issues discussed during the consultation.

She reminded tribal leaders that the comment period is open for 30 days and encouraged submission of written testimony. She informed attendees that the report on this tribal consultation will be made available approximately 90 days from the conclusion of the consultation.

Associate Attorney General Perrelli thanked the audience for providing so much important information and for listening to the DOJ. He remarked that the coming year is very important, as implementing TLOA is essential to increase momentum and build on progress. He commended the tribal leaders for their efforts to ensure that TLOA was passed and stressed the need to continue a shared commitment to ensure it is fully implemented. He also reminded tribal leaders that the upcoming year will be critical because of the reauthorization of VAWA, which presents an opportunity to address some of the jurisdictional complexities in Indian Country. He closed by thanking everyone for their candor and hard work on addressing domestic violence and sexual assault.

Day 2: Traditional Opening

Ms. Edmo introduced the facilitator for the day, Eugenia Tyner-Dawson, Executive Director, Justice Programs Council on Native American Affairs, DOJ. Ms. Tyner-Dawson spoke about how honored she was to be at the tribal consultation. She introduced Carol Evans (Spokane Tribe of Indians), Chief Financial Officer of the Spokane Tribe, who provided the traditional opening.

Tribal and Department of Justice Welcoming Remarks

Ms. Tyner-Dawson introduced Mike Spencer (Spokane Tribe of Indians), Vice-Chairman of the Spokane Tribal Business Council, to give the tribal welcome.

Mr. Spencer thanked Ms. Evans for her traditional opening and the Kalispel Tribe for providing a beautiful place to share information, ideas, and recommendations about domestic violence with one another as well as to provide wellness for the people, women, and children. He noted that it takes an entire tribe to provide wellness for the people to overcome child abuse,



domestic violence, sexual assault, and other issues that people face on reservations. Mr. Spencer introduced the valuable players in the Spokane Tribe who strive to move forward with the Spokane people and assist with funding, methodology, and support for domestic violence and sexual assault victims. He closed by thanking the Kalispel Tribe again and welcoming all to the aboriginal homeland of the Spokane Tribe.

Ms. Tyner-Dawson thanked Vice-Chairman Spencer and introduced Karol Mason, Deputy Associate Attorney General, Office of the Associate Attorney General, DOJ.

Ms. Mason acknowledged Ms. Evans and Mr. Spencer. She then spoke about the importance of the consultation. Ms. Mason reiterated Associate Attorney General Perrelli's remarks from the first day of the consultation and his commitment to ending domestic violence and sexual assault.

Ms. Mason went on to discuss the development and implementation of the Coordinated Tribal Assistance Solicitation (CTAS) and DOJ's commitment to an improved process. A total of 237 applications were received for 10 CTAS programs, which resulted in more applications for a more diverse pool of grants and access for a larger number of tribes. She concluded by letting the audience know that the CTAS technical assistance committee designed an evaluation survey to be completed in order to help them improve the grant process for 2011-2012 and thanked everyone who already provided feedback on the CTAS launch.

Ms. Tyner-Dawson reviewed the agenda for the day. She stressed that the consultation is closed to the press, and it is being fully recorded and transcribed. She also reiterated that Ms. Edmo is the single point of contact for written testimony submission, which is open for 30 days. She publicly thanked the tribal leaders for providing insight into the agenda development and began the oral testimony portion of the tribal consultation.

The oral and written testimony given by tribal leaders and designees is presented in detail following the summary of the consultation event, beginning on page 9 of this report.

Closing Comments

Ms. Tyner-Dawson closed the day's session with a reminder that written statements will be accepted for 30 days and should be sent to Ms. Edmo. She gave the dates of the consultations related to TLOA implementation. Ms. Tyner-Dawson thanked everyone for attending and introduced Francis Cullooyah (Kalispel Tribe) to provide the closing traditional ceremonies.

Closing Ceremonies and Adjournment

Francis Cullooyah, Kalispel Tribe elder, spoke about the importance of the last 2 days and how all need to remember the reason for the discussion. He gave thanks both in English and Salish and offered a safe travels blessing for all.



Following Mr. Cullooyah’s closing, the Lot Mip drum group sang an honor song for the removal of the flags by the honor guard. The honor guard consisted of Aimee Nechanicky, U.S. Navy Reserve, and Grace Her Many Horses, Chief of Police for Rosebud Sioux Tribe. After the flag song, the Lot Mip drum group sang a safe travels song for all and closed with a celebration song.

TESTIMONY FROM TRIBAL LEADERS

Testimony from the 2-day consultation, including written testimony submitted by tribes, is organized here by themes. Each theme is followed by a summary of the comments presented under the theme and then by specific comments or excerpts from written testimony. Sources of the comments, either speakers or written testimony, are provided following each comment. In cases where DOJ representatives offered comments or responses on a theme, DOJ comments are noted at the end of the section.

THEME: Domestic violence in AI/AN communities is a problem of epidemic proportion, lacking appropriate response and prevention from the U.S. Federal Government.

Summary of Tribal Leader Comments

Many tribal leaders reported violence and abuse cases with no legal response, abuse cases that were abandoned because of jurisdictional and tribal membership issues, and unsolved homicides that were preceded by other forms of domestic violence.

Tribal Leader Comments

One in three Indian women is a victim of sexual assault. For any other population, this would be treated as a national crisis. We indict the federal government for insufficient recognition of this problem. We must strengthen the federal response.

Mato Standing High, Rosebud Sioux Tribe

“Our tribe is not addressing violence against women because we are mandated to by the OVW, but because of our own respect for women. We believe women are sacred, but this belief has eroded since colonization of our women. Unfortunately, now women’s protection depends on inadequate federal laws.”

~ Mato Standing High, Rosebud Sioux Tribe, Office of Attorney General



We are not satisfied with the services of the BIA or FBI in prosecution of abuse and sexual assault. They fail to prosecute perpetrators to such an extent that victims in our community feel that reporting assaults is worthless. We have repeatedly shared these problems with the DOJ, with little follow-up or result.

Velasquez W. Sneezy Sr., *San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker*

When extreme cases of domestic violence occur and there is no legal response, people are far less likely to report domestic abuse in the future. They learn that reporting is useless.

Kim Clausen, *Oglala Sioux Tribe, Tribal Council*

Parents who are cited for child neglect may have their children removed from the home, but there is no additional assistance for substance abuse, gambling, poverty, or other issues that are the root of the problem. We put them in jail instead of being able to offer real assistance to change how they live.

Jeanie Louie, *Coeur d'Alene Tribe of Indians, Tribal Council*

Our reservation community has been decimated by poverty, drug use, and alcohol. Most domestic violence cases involve these factors. Without drug and alcohol treatment, domestic violence services don't address the problem.

Kim Clausen, *Oglala Sioux Tribe, Tribal Council*

To address domestic violence, sexual assault, child and elder abuse, we need resources to address drugs, poverty, and law enforcement and jurisdictional issues.

Henry Cagey, *Lummi Tribe, Tribal Council*

While perpetrators currently receive jail time and short-term drug treatment, they are then returned to the same environment and frequently relapse. We need extended treatment for drug and alcohol users, and we hope the DOJ will consider transitional homes in the future.

Jeanie Louie, *Coeur d'Alene Tribe of Indians, Tribal Council*

Domestic violence, like other crimes, arises from drugs, alcohol, and family dysfunction. Prevention is critical, not just response.

Richard Marvin Armstrong, *Colorado River Indian Tribes, Tribal Council*

We need education for teenage mothers and fathers so they can learn how to be parents, and this support should come from many different agencies that work together and whose services are interconnected.

Roman Duran, *Pueblo of Tesuque, Lt. Governor*

Wrap-around services are appropriate for the range of needs that families face, to offer help before the situation becomes desperate. We have some of these services in our community, but there's not enough.

Steve Lozar, *Confederated Kootenai and Salish Tribes, Tribal Council, Designated Speaker*



Our current responses are reactive, not proactive, and they don't keep the offender from reoffending. We need to foster prevention that focuses on culture and tradition.

Richard Marvin Armstrong, *Colorado River Indian Tribes, Tribal Council*

Funding would help educate our people on these issues and would train villagers to intervene before something happens. However, we cannot rely on the legal system or get prevention assistance from them, because they only do jails and punishment. Prevention is what the council is after, and we need all the help we can get.

Crooked Creek Traditional Council *written testimony*

Elder abuse is also a part of this cycle of violence and substance abuse.

James Delacruz, *Quinault Tribe of Indians, Tribal Council*

Suicide in our community is at an all-time high; 90% of suicides are found to have been sexual abuse or sexual assault victims. We don't recognize and address problems soon enough.

Kim Clausen, *Oglala Sioux Tribe, Tribal Council*

Our tribe is not addressing violence against women because we are mandated to by the OVW, but because of our own respect for women. We believe women are sacred, but this belief has eroded since colonization of our women. Unfortunately, now women's protection depends on inadequate federal laws.

Mato Standing High, *Rosebud Sioux Tribe, Office of Attorney General*

The United States has an obligation under international human rights law to address violence against Native women, including finding funding to address this crisis. We send billions of dollars in international aid to address human rights violations in Africa and Bosnia, but money for Native America to address the same issues is unavailable because of a repetitive and limiting grant process.

Velasquez W. Sneezy Sr., *San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker*

It should be mandatory for IHS officials to be certified in doing rape kits. While people on reservations may be far away from hospitals, we do have health facilities available. We need the resources to provide care in times of crisis, at any time.

John Stensgar, *Confederated Tribes of the Colville Reservation, Tribal Council*

DOJ Comments

The DOJ understands that many perpetrators are also victims, and we understand that drugs and alcohol can play a significant role in domestic violence. We currently have eight pilot projects to address children exposed to domestic violence, and we expect increased funding for this in 2011. Two of these projects are in tribal locations.

Tom Perrelli, *Associate Attorney General, Department of Justice*



THEME: Tribal domestic violence services are in dire need of increased funding.

Summary of Tribal Leader Comments

Tribal leaders expressed gratitude for the DOJ funding that their tribes currently receive for domestic violence programs and for funding they have received in the past. They also uniformly expressed the need for greatly increased funding in all areas.

Tribal Leader Comments

The funding we receive has never been enough. Many needs are unfunded. We have to choose and prioritize among different needs when all of them impact public safety.

Lavonne Peck, La Jolla Band of Luiseno Indians, Tribal Chair

We are denied for grant funding, with no reasons as to why. We are a smaller tribe that competes with more wealthy tribes for funding, and we consistently lose out.

Nate Tyler, Makah Tribe of Indians, Tribal Vice-Chair

Federal grant awards need to be cycled sooner. Lapses in funding cycles cause layoffs and the elimination of needed services.

Fort McDowell Yavapai Nation written testimony

During the OVW consultation of 2007, 2008, 2009, the Rosebud Sicangu Lakota Nation and many other Indian Nations recommended that the project period for the Grants to Tribal Government Program be decreased from a 3-year period to a 2-year period. This recommendation would immediately increase available funding for life-saving services needed within tribal communities. Since 2006, OVW has forced tribal governments to stretch limited funds over a three year project period. Further, Indian tribes cannot reapply until after the three year period is completed, often leaving not only a funding gap, but also a critical service gap, between the end of one grant period and the beginning of another. No response has been provided to this recommendation and the project period has not changed. The end result is that the Grants to Indian Tribal Government Program that was intended to increase support for Indian tribes has become an ax to cut off services. We are shocked that the DOJ and OVW refuse to accept this recommendation when it has the discretion to make this simple change immediately without any Congressional act or other authorization.

Rosebud Sicangu Lakota Nation written testimony

There is immense need for additional federal resources and collaboration to enhance community education, training, victim assistance, and most notably to enhance the safety of Alaska Native and American Indians from domestic violence, dating violence, sexual assault, and stalking.

Fort McDowell Yavapai Nation written testimony



VAWA needs to be fully funded in order to reach its full potential. Increased and on-going funding is necessary to properly implement programs and processes under the current provisions of VAWA. Also increased funding for tribal courts would assist with the effective prosecution of all domestic violence perpetrators, both Indian and non-Indian. There are also other deficiencies that need to be addressed. For example, tribal domestic violence shelters should receive baseline funding similar to that received by state based shelters.

Tulalip Tribes *written testimony*

We need local Native services for people on our reservations. Families in need of services often refuse contact and services from non-Native service providers.

Samantha Thornsberry, *Cahuilla Band of Indians, Tribal Council, Tribal Domestic Violence Advocate, Designated Speaker*

In response to Judge Susan Carbon's question about whether the grant funding terms should be 2 or 3 years, a group of us have discussed her question. We propose that the term of funding be 10 years with automatic renewal at the tribe's request. Federal actions, including assimilationist policies that have eroded our culture, have been a major contributor to these problems. Consistent and sustainable funding would be one way of living up to your trust responsibility.

John Stensgar, *Confederated Tribes of the Colville Reservation, Tribal Council*

If self-governance tribes were funded properly, they would not need grants in order to protect and serve survivors of violent crime. The DOJ offers numerous grants and they help tribes meet their goals of ensuring the safety of Native women living on tribal lands. However, if self-governance programs were adequately funded, tribes would not need grants and instead would be able to design tribal programs that best meet their communities' needs - as was the intent of the program.

Washoe Tribe of Nevada and California *written testimony*

Self-governance compacting would be ideal for many of these programs. The primary advantages of that are the ability to administer funds as we deem most appropriate, and an integrated overall approach to the programs within the compact. Unfortunately, few of the programs needed to promote a healthy community and reduce crime and violence are subject to self-governance compacting. So the alternative for us is to look for ways to develop programs in ways that provide similar efficiency and culturally appropriate flexibility.

Lower Elwha Clallam Tribe *written testimony*



THEME: Every tribe has unique funding and services needs.

Summary of Tribal Leader Comments

Each tribe has a unique and specific situation that impacts its needs for funding and services.

Tribal Leader Comments

We are not a one-size-fits-all reservation. We have 1.4 million acres, with five mountain passes. There is very little on the reservation in the way of services. We have no hospital within the reservation boundaries, no safe houses, and no transitional housing. When we do receive grant funding, we have no facilities in which to provide services. Grant funders should come and visit, so they can understand our situation.

Shirley Charley, Confederated Tribes of the Colville Reservation, Tribal Business Council

Tribal grants should be able to fund shelter needs—not necessarily brick and mortar facilities, but some other form of space that is approved for use when a safe place is needed for immediate danger situations. As a small community, we can't ensure safety for victims when they are referred off-reservation to shelters, but we also have no space to use for shelter facilities. An ideal solution would be to purchase mobile units, like the portable classrooms used by our Health Department, to be used as temporary shelters.

Ruth Jewell, coordinator, Penobscot Nation Domestic Violence and Sexual Assault Services

The unique situation of tribes who do not have a land base must be recognized. Our tribe's service area covers seven counties in Washington State, and we do not qualify for state or county funding. We serve only tribal people but have no court or tribal police and no facilities for domestic violence services.

Debbie Medeiros, Cowlitz Tribe of Indians, Pathways to Healing Program

We have no funding to address these problems, and we cannot afford to attend consultations or trainings because of the lack of money.

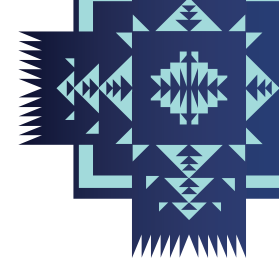
Crooked Creek Traditional Council written testimony

“With new systems to track and monitor convicted sex offenders recently implemented, we are aware of the nexus between domestic violence, child abuse, sexual abuse, aggravated assault, and drug and alcohol abuse.”

~ Colorado River Indian Tribes written testimony

It is well known that sexual assault of Indian women occurs at more than double that of other women and that crimes of sexual assault within tribal jurisdiction are seldom prosecuted. During the week prior to the 2009 annual consultation the RST Indian Health Service ran out of rape kits due to the number of rapes committed.

Rosebud Sicangu Lakota Nation written testimony



THEME: Funding from the DOJ needs increased flexibility to fund comprehensive family services and culturally responsive programs.

Summary of Tribal Leader Comments

Many tribal leaders and service providers mentioned the need for greater flexibility in grant programs to allow the inclusion of spirituality and tradition to create culturally appropriate programs. They also mentioned the need to provide services for children, families, and perpetrators. Multiple participants mentioned wrap-around services and Systems of Care as effective and holistic approaches.

Tribal Leader Comments

While the grant process seems to focus on Western approaches, we need the freedom to be creative and diverse in our projects and to incorporate our culture and traditions. We hope the DOJ can be open to those approaches because they are the proven remedies.

Sheri Yellow Hawk, Hualapai Tribe of Indians, Tribal Council

OVW is not considering the great need and lack of services available for Indian women and the high rates of victimization of Indian women in awarding grant funds. Less than 30 domestic violence shelter programs operate within tribal communities and far fewer rape crisis programs. We strongly recommend a focused approach of understanding the circumstances and lack of resources for Native women.

Rosebud Sicangu Lakota Nation *written testimony*

There is a need for more training to allow judges, police officers, prosecutors, and advocates to attend and provide domestic violence training. Travel funding should be open for all training that deals with domestic violence, sexual assault, dating violence, and stalking, not limited to OVW trainings.

Fort McDowell Yavapai Nation *written testimony*

In funds that are set aside for travel, tribes should not be limited to attending only DOJ/OVW sponsored trainings. Additionally, the lengthy approval process required to attend non-DOJ trainings often makes attending other trainings impossible, given the limited advance notice or short registration periods on some trainings. The mandate for tribes to set aside training and travel funds is beneficial, but we need the flexibility to use them.

Cowlitz Indian Tribe *written testimony*

While there is a critical law enforcement component in cases of domestic violence the community response is broader and must focus on addressing the root of the problem. For that reason DOJ's focus should be on supporting comprehensive, integrated programs that include, law enforcement, prosecution, victim-witness protection and treatment. Facilities with staff and doctors that are culturally sensitive are necessary and should be based within the community. Therefore, training of the officers, first responders, and medical staff and support for the construction and operation of community facilities are critical.

Spokane Tribe of Indians *written testimony*



The DOJ should remove the requirement to use funds for the victim only. We want to work with victims and perpetrators at the same events, to address people who are returning from incarceration, and to address the whole family system. Whether a person is a victim or a perpetrator just depends on where you interrupt the cycle of violence. If funding can be used for victims only, then we can no longer help a victim who goes on to commit violence.

Bobbi Outten, *Southcentral Foundation, FWWI Administrator, Designated Speaker*

Much of the work we do is crisis management. While it is important to provide shelter and a safe place, we also need to effect change in the offender. There should be more focus on the effect of domestic violence on children. Women are learning to fight back and are consequently arrested more frequently. What about perpetrators who have FASD [fetal alcohol spectrum disorder] or other behavioral health issues such as traumatic brain injury? Like women who are victims, these perpetrators often strike out from a place of frustration and are not suitable for a men's group on battering. We need more preventative options. Arresting offices need more education about domestic violence. Locally, judges know more than the officers on the street. Mandatory attendance at domestic violence classes is good, but batterers need lengthier programs. We try to meet informally with our state counterparts, and we find the exchange of ideas mutually productive. However, travel funding has not been readily available. These meetings provide good opportunities for cross-training and working on culturally appropriate DV treatment protocols.

Central Council of Tlingit and Haida Indians *written testimony*

There is tremendous need for additional resources and dollars dedicated to getting women out of violent situations. Through the Recovery Act, we were able to provide 4 transitional living home slots, but the actual need, according to our waiting lists, is 18 slots.

Oneida Tribe of Wisconsin Business Committee *written testimony*

There is a need for more flexible funding of voluntary services. For instance, Recovery Act funding was very specific on the fact that we cannot provide services to those on our waiting lists. This provides a gap in services for those that have a critical need in our community.

Oneida Tribe of Wisconsin Business Committee *written testimony*

There is a great need to provide a Domestic Violence Systems of Care approach. The critical elements that need to be addressed are: crisis intervention services, apartment living concept where women can live within the same apartment setting as their support system, and scattered home sites. It takes many years for women to become self-sufficient and this could be accomplished through a structured "Systems of Care" approach tailored for each community. In addition, our community needs continued and expanded culturally specific programming for men and continued and expanded Child Centers for interviewing Child witnesses.

Oneida Tribe of Wisconsin Business Committee *written testimony*



With new systems to track and monitor convicted sex offenders recently implemented, we are aware of the nexus between domestic violence, child abuse, sexual abuse, aggravated assault, and drug and alcohol abuse.

Colorado River Indian Tribes written testimony

THEME: Current restrictions in DOJ funding interfere with providing services.

Summary of Tribal Leader Comments

Funding restrictions create difficult approval processes for trainings and other activities. Many service providers mentioned that these restrictions made their work more difficult. One also warned about the need to document spending and use of funds in case of a DOJ audit.

Tribal Leader Comments

We are competing against each other and funds are limited. When we apply for a grant, there is so much restriction; we actually have to modify our whole department just to meet grant requirements.

Raymond Joe, Navajo Nation, Tribal Council

Grants to Indian Tribal Governments have gained flexibility in how funds are used, including the use of funds for community education, prevention campaigns, legal advocacy and representation, transitional housing, supervised visiting, and safe exchange programs. Although greater flexibility is helpful, the amount of funding overall is still limited, and service needs are still not met.

Fort McDowell Yavapai Nation written testimony

Current restrictions in VAWA prevent program managers from giving input on criminal codes, but in our community the program manager is the person who can speak most clearly about appropriate responses to domestic violence, because she works with it daily. Tribal council members rely on the expertise of service providers. This requirement needs to be changed so program managers can offer their expertise.

Shelley Chimoni, Pueblo of Zuni, Head Councilwoman

DOJ Comments

We recognize that the current needs outstrip the available funding, and the DOJ will seek more funding overall. We also hear tribal leaders' desire to interact in a more government-to-government fashion, ensuring that they have more independence and control in grant spending.

Karol Mason, Deputy Associate Attorney General, Department of Justice



THEME: Matching funds requirements are difficult for tribal governments to meet.

Summary of Tribal Leader Comments

Matching funds requirements are difficult for Native communities and do not encompass the extent to which all grant funding must be supplemented.

Tribal Leader Comments

The Makah receive federal funding for some projects, and we must supplement every single project we run with tribal dollars.

Nate Tyler, *Makah Tribe of Indians, Tribal Vice-Chair*

Tribes are prevented from applying for grants because they cannot meet the dollar matching requirements.

Tina Retasket, *Confederated Tribes of Siletz Indians, Tribal Council*

Matching funds are difficult to supply, especially for non-gaming tribes, and in-kind matching can be difficult to provide adequate documentation for.

Shelley Chimoni, *Pueblo of Zuni, Head Councilwoman*

In-kind matching or other types of funding should be allowed.

Sheri Yellow Hawk, *Hualapai Tribe of Indians, Tribal Council*

DOJ Comments

Hearing tribal leaders' remarks, we acknowledge that the issue of "matching funds" is more complicated than whether a grant explicitly requires dollar or in-kind matches, and includes the funding that tribes must use to supplement necessary programs.

Karol Mason, *Deputy Associate Attorney General, Department of Justice*

THEME: Tribal domestic violence programs must be culturally responsive.

Summary of Tribal Leader Comments

Standard domestic violence advocacy approaches do not meet the needs of Native women. Programs developed for Native communities must fit the traditions and culture of the community, not a one-size-fits-all solution.

Tribal Leader Comments

The standard domestic violence advocacy approach does not fit the needs of Native women. For example, mothers and children are not willing to leave their network of extended family and travel great distances to stay in a shelter where they are the only Native women. We need to develop services on the reservation that meet the needs of tribal people.

Samantha Thornsberry, *Cahuilla Band of Indians, Tribal Council, Tribal Domestic Violence Advocate, Designated Speaker*



Southcentral Foundation searched for a family violence program to model our services after, but we ended up developing our own, called Family Wellness Warriors, using a radically different paradigm. We include men in our programs, seeing them as part of the solution, not just the problem. We also involve spiritual beliefs.

Bobbi Outten, Southcentral Foundation, FWWI Administrator, Designated Speaker

THEME: There are many specific and technical areas where VAWA needs improvement. Tribes request participation in 2011 VAWA reauthorization to help address these concerns.

Summary of Tribal Leader Comments

VAWA reauthorization in 2011 should address jurisdictional gaps, implementation of the habitual offender and firearms provision, and technical changes to other sections. Tribes look forward to ongoing input in resolving these issues.

Tribal Leader Comments

The Tulalip Tribes request that the DOJ support reauthorization of VAWA in 2011, and support filling the jurisdictional gaps that have allowed non-Indian perpetrators to evade responsibility for their criminal actions for so long. We also ask to be at the table when VAWA is amended so we can work together to draft amendments that will be in the best interest of both nations. Statistics continue to show that Indian women are violated most often by non-Indian perpetrators who readily escape prosecution because of the jurisdictional gaps that exist with existing laws.

Tulalip Tribes written testimony

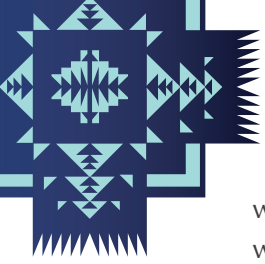
In order for the tribe and DOJ to be successful, the Department needs to be committed for an extended period and far more resources are needed to meet the needs of tribal communities. The Department cannot allow the VAWA program to fluctuate based upon the priorities of a particular administration.

Spokane Tribe of Indians written testimony

We recommend that VAWA be strengthened to recognize tribal authority over non-Indian perpetrators of domestic and sexual violence against Indian women occurring within the physical jurisdiction of the tribe. Additionally we ask that the tribe's civil jurisdiction over non-Indians who violate protection orders be clarified and strengthened to allow the routine punishment of civil contempt for violations along with the two typical punishments attached to a finding of civil contempt: fines and imprisonment.

Tulalip Tribes written testimony

Alaska Natives must be explicitly included in the VAWA §904 National Baseline Study. Due to its use of the phrase "Indian Country," the current statutory language of section 904(a)(1) is ambiguous with regards to the 229 federally recognized Indian tribes located in Alaska. The end result of the baseline study will be a report to Congress containing recommendations to enhance the effectiveness of federal, state, tribal, and local responses to violence against Indian



women. It is inconceivable that such a study can in any meaningful way fulfill this directive without the inclusion of Alaska Native Villages that comprise almost one half of all federally recognized Indian tribes. Recommendation: Amend section 904(a)(1) in a manner that ensures the inclusion of Alaska Native Villages in the national baseline study. This technical correction was included in the “VAWA Fix-It” bill (H.R. 3401), a bill introduced in July 2009, which, if passed, would clarify certain VAWA provisions and facilitate implementation of the law.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

For full implementation of VAWA 2005, DOJ should do the following:

- In consultation with Indian tribes, develop guidelines for the implementation of the habitual offender provision; conduct cross-training for Assistant U.S. Attorneys and tribal prosecutors for the investigation, charging, and prosecution of cases under this provision, and inform Indian tribes of the progress and steps made toward implementation of the habitual offender provision.
- Consult with Indian tribes to develop guidelines for the implementation of the firearms provision; conduct cross-training for Assistant United States Attorneys and tribal prosecutors for the investigation, charging, and prosecution of cases under the firearms provision; and inform Indian tribes of the progress and steps made toward implementation of the firearms provision.
- Ensure that the Director of OVW carries out her statutorily-mandated responsibilities to release the solicitation and to award a contract for the creation of the national tribal registry. The Task Force also recommends that the Director provide an update on the status of this statute during the annual 2011 OVW tribal consultation.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

Correct definitions of “rural area” and “rural community” in VAWA. Indian tribes were considered eligible entities under the OVW Rural Grant Program until the 2005 amendments to the definitions of “rural area” and “rural community,” and the redesign of the funding for the program based upon the number of state counties served. Prior to the 2005 amendments, Indian tribes relied upon this specific program as an important resource. The amendments and redesign of the program made many federally recognized Indian tribes ineligible under this grant program. Previously, all federally recognized Indian tribes were eligible entities but now eligibility is determined by geographic location connected to state based populations. Recommendation: Support amendments to the definition of “rural area” and “rural community” so that it is inclusive of all American Indian and Alaska Native tribes.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

THEME: Tribes and reservations have severe and unmet law enforcement needs.

Summary of Tribal Leader Comments

Many tribal leaders shared about the extremely limited law enforcement services available over vast geographic areas on their reservations, and reiterated the need for more services,



in particular, more personnel. Several leaders reported that while they had received funding for law-enforcement vehicles, training, and equipment, they could not use them because no funding was available to hire officers. Improved facilities and training are another important need, and technological systems to gather data and track offenders were specifically mentioned.

Tribal Leader Comments

Our small tribe does not have our own justice facilities or justice personnel. We collaborate with another tribe for one part-time public safety officer, whose time is split between two tribes separated by a great distance. We need services on our own reservation to secure the safety for our members that President Obama has recognized as a basic right.

Lavonne Peck, *La Jolla Band of Luiseno Indians, Tribal Chair*

We need grants for hiring and retaining law enforcement officers. Because we cannot pay the same rate as other jurisdictions, there is a high turnover rate among the police officers we are able to hire.

Suzanne Garcia, *Washoe Tribe of Nevada and Colorado, Assistant General Counsel, Designated Speaker*

Our tribal officers need equipment and training in procedure and response so they can respond correctly to domestic violence calls. Overall, we need to strengthen our infrastructure for a more holistic approach.

Richard Marvin Armstrong, *Colorado River Indian Tribes, Tribal Council*

Our NCIC statistics show that three-quarters of our calls are for domestic violence. Because of our lack of law enforcement funding and resources, many serious crimes like rape and murder are not investigated. Our outlying communities are not served at all by law enforcement, because they are too far away. Our reservation is at the Canadian border, and criminals enter our land and treat it as a playground because they know they can. We also face high incidences of drug and alcohol abuse, including prescription drug abuse. We supplement all grant funding we receive and are in dire need of more.

Leatha Kipp, *Blackfeet Nation, Blackfeet Law Enforcement Services*

We do not have enough resources to do basic patrolling. Our reservation has 34 cops, but we should have 134. Response time can be as long as 1 to 2 hours.

Kim Clausen, *Oglala Sioux Tribe, Tribal Council*

Training and technical assistance in law enforcement offered by OVW should be redesigned to be Native-specific and region-specific, because needs and circumstances vary greatly between California, Oklahoma, and Alaska.

Lavonne Peck, *La Jolla Band of Luiseno Indians, Tribal Chair*



We need assistance with working toward actual hiring of police officers once the three-year hiring grant expires. The Nez Perce Tribe, like many other tribes across the country, have a difficult time coming up with additional funds for full-time hire when there are so many needs to address and not enough money. If we could get extensions of the three-year limit for hiring, it would really help Indian Country provide long-term law enforcement where it is sorely needed. Continual funding would be even better.

Nez Perce Tribal Executive Committee *written testimony*

COPS grants requiring tribes hire and retain police officers for a specific amount of time sets the tribes up to fail. Funding shortfalls do not permit tribes to offer competitive salaries to law enforcement. Consequently, the following scenario occurs regularly: individuals accept employment with the tribe, obtain their POST certification, then leave the tribe when they are offered more lucrative employment from another jurisdiction. The tribe is left short staffed and faced with starting over with inexperienced officers and the same cycle. Tribes need adequate funding to employ officers if they are going to be held accountable for retaining them on the force.

Washoe Tribe of Nevada and California *written testimony*

We have declined to apply for law enforcement grants because we know there is no way we can retain offices after the 3-year grant term. We have hired and trained people only to have them go elsewhere because we can't compete with the salaries, and particularly the retirement benefits, offered by the state and county.

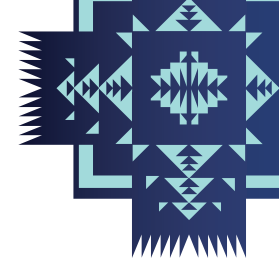
Janey Blackeye Bryan, *Duckwater Shoshone Tribe, Shoshone Chief of Police, Designated Speaker*

Colorado River Indian Tribes (CRIT) recognizes the crucial need for integrated case management hardware and software that will not only collect data, but also share essential information on domestic violence crimes and incidents. CRIT currently recognizes that we do not have an effective system or capability that would allow us to share intra-agency information baselines and evaluate the effectiveness of our programs and services.

Colorado River Indian Tribes *written testimony*

Improved inter-tribal record keeping would help track perpetrators who move from place to place. A DOJ grant or demonstration project should underwrite an effort like this.

James Delacruz, *Quinault Tribe of Indians, Tribal Council*



THEME: The trafficking of Native women is on the rise, even though there is little reporting or data collection and no prosecution or legal assistance for women or communities in this area.

Summary of Tribal Leader Comments

To more effectively address the trafficking of Native women, the DOJ should initiate comprehensive data collection to learn more about the causes, nature, and extent of trafficking. Connections between trafficking, prostitution, violence against Native women, and childhood sexual abuse should be recognized.

Tribal Leader Comments

Despite the rising level of trafficking of Native women in the United States, this is an area of criminal justice where little to no prosecution is taking place. Even after numerous discussions with other Indian tribes, Native women’s organizations, tribal non-profits, and the NCAI Task Force, we are unaware of a single case involving the trafficking of Native women being investigated, charged, or prosecuted.

The existing reports on trafficking suggest that the normalization of sexual exploitation of women and high rates of violence against women in Native communities perpetuates the cycle of trafficking. As such, in order to truly protect and honor Native women, we must begin to combat the growing problem of trafficking of Native women and girls from their reservation communities into urban areas. Trafficking of Native women across the national border into Canada and Mexico is also a growing epidemic in this country.

The federal government must resolve the jurisdictional maze by ensuring the effective prosecution of perpetrators and traffickers. In the long term, the confusion, inaction, and complexity that bar access to justice for Native women must be eliminated. DOJ should initiate comprehensive data collection regarding the trafficking of Native women. Until more is known about the causes, nature, and extent of trafficking of Native women in the U.S., it will be difficult to address the problem.

Native women should be included within federally funded services for prostituted and trafficked women. In addition, adequate funding should be provided to address childhood sexual abuse in Indian Country, often a common thread for Native women who are used in prostitution and trafficking.

Rosebud Sicangu Lakota Nation written testimony

DOJ Comments

For more information on the DOJ’s response to this issue, please see the summary of the working lunch on the trafficking of Native women (page 7, above). Brad Mitchell, Office for Victims of Crime, DOJ, presented a report on the findings gathered by a focus group on the trafficking of Native women.



THEME: More training and technical assistance is needed.

Summary of Tribal Leader Comments

Tribes request more and better training and technical assistance in the grant application process.

Tribal Leader Comments

Tribes need additional training, technical assistance, and education on the grant process. Native Americans generally are less familiar with current technologies. When graduates who can teach us more about technology return to the reservation, we can't offer careers or income on the reservation to allow them to stay.

Velasquez W. Sneezy Sr., *San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker*

The current RFP is scattered, fragmented, and needs to be reorganized. We need detailed feedback on our proposals so we can learn how to improve. We need better training and technical assistance to apply.

Debbly Carlson, *Washoe Tribe of Nevada and California, Grants Manager, Designated Speaker*

Tribal grant writers need to be able to work with other training providers, not just the official technical assistance providers. Some tribes have longstanding relationships with training providers and would like to continue using them. While we commend the effort involved in offering a separate training session [at this consultation], it would have been more beneficial to offer it at a time when tribal leaders could attend. Tribal leaders have ultimate fiduciary responsibility and need to understand and participate in grant application processes. We also encourage the DOJ to provide financial management training for tribes and assistance in grant compliance.

Shelley Chimoni, *Pueblo of Zuni, Head Councilwoman*

In the new combined application process, we lacked the time and ability to coordinate and collaborate among our various departments. Training and technical assistance that focuses on how to best combine the needs of multiple areas would be helpful.

Sheri Yellow Hawk, *Hualapai Tribe of Indians, Tribal Council*

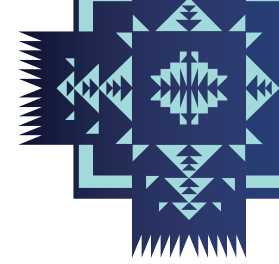
Some tribes are mature in their grant writing process and expertise, but many smaller tribes are not and cannot hire professional grant writers.

Henry Cagey, *Lummi Tribe, Tribal Council*

DOJ Comments

The DOJ plans to provide more training on the grant application process in the future, as well as offering training in grant management for awardees. We will also share sample grant applications to show examples of successful applications.

Karol Mason, *Deputy Associate Attorney General, Department of Justice*



THEME: Tribes had a mixed response to the new CTAS grant process and offered suggestions for future improvement.

Summary of Tribal Leader Comments

Tribal response to the current CTAS process was strongly mixed; while many appreciated the program's intention to streamline the application process, the implementation was difficult. Other tribal leaders also reported that the shortened application period harmed their usual grant preparation process. Tribal members had specific comments about the application form, as provided in the following list.

- We were forced to include information in the narrative that would have fit better in an abstract, like tribal population numbers.
- The budget narrative and outcome narratives should not be combined. Instead, the budget worksheet should include narrative under each calculation.
- The application was not set up to include tribes with no land base.
- There were redundant questions in all areas. We felt we were answering the same questions over and over.
- The page limit should be increased to 10 instead of eight. In our application, we sacrificed format and readability to fit in more text.

Tribal Leader Comments

The concept of CTAS was exceptional, but the implementation was below average. If a grantee is applying in only one program area, many things on the application are unrelated. Instead, grantees should be allowed to be program-specific in their applications, if they desire to do so.

Samantha Thornsberry, *Cahuilla Band of Indians, Tribal Council, Tribal Domestic Violence Advocate, Designated Speaker*

We were disappointed with how CTAS was implemented. There was not adequate communication or consultation or an indication that tribes supported CTAS. The rush in implementation left us feeling concerned that we would not be able to put a grant proposal together in time. We do not feel that we were adequately consulted and would have appreciated having more input. Additionally, the USET meeting conflicted with the tribal consultation in July, so many were not able to attend both.

Jane Root, *Houlton Band of Maliseet Indians, Director of the Maliseet Domestic Violence and Sexual Assault Program, Designated Speaker*

We recognize that the CTAS was being field tested this year. We agree with the need to consolidate and streamline the grant process. We also appreciate that the consolidated program recognizes the government-to-government nature of the relationship and gives us direct access.

Shirley Charley, *Confederated Tribes of the Colville Reservation, Tribal Business Council*



What worked well was one application. What didn't work well was the difficulty in writing and editing a combined application. The budget was a nightmare. It was unclear whether we were eligible to apply if we had received FY 2009 funding, and we received conflicting information from the DOJ on this when we inquired. Tribes with the most resources who can hire grant writers are favored in this new process. Tribes with fewer resources and more need are disadvantaged.

Lavonne Peck, *La Jolla Band of Luiseno Indians, Tribal Chair*

The CTAS process should include trainers that offer regional training and technical assistance. Combining the applications is a great idea, but it takes a very special skills set to pull police, law, youth, and domestic violence all together. We are thrilled to hear that the budget is being reworked in response to comments received at the Rapid City consultation. We are also glad for the DOJ's acknowledgment that the consultation process was not followed in implementing CTAS. Thank you for your recognition of that fact.

Theresa Gamon, *Ponca Tribe*

The CTAS process was very difficult for our tribe because of the widespread collaboration that it required. We had to get everyone to the table, and different groups fought for page space in the community profile. Even though many program areas were in conversation because of the CTAS process, we did not agree on priorities for funding. In the end, despite the fact that we completed an application and a budget, no one in the tribe evaluated the overall picture that the combined application produced.

Lori Jump, *Sault Ste. Marie Tribe of Chippewa Indians, Program Manager*

We appreciated the streamlined process because it increased interdepartmental communication, and we anticipate that it will also increase the accuracy of reporting. We shared internal resources and information with sister organizations. However, CTAS has not materially changed our grant process. We still have to apply to multiple programs to sustain our local services.

Doris Thompson, *Mississippi Band of Choctaw Indians, Tribal Council*

The combined process did not save time for us, and having 75 days instead of 6 months to complete the application did not help. We were unclear about how the application would be evaluated since so many program areas were combined. We don't see how the CTAS process supports tribal sovereignty.

Debby Carlson, *Washoe Tribe of Nevada and California, Grants Manager, Designated Speaker*

We recommend a yearly solicitation process, in-person consultations that are scheduled according to other conferences and tribal events as well as having at least one training and technical assistance workshop on the east coast. The DOJ should keep their website information current and develop closer relationships with USET and member tribes in the East.

Jane Root, *Houlton Band of Maliseet Indians, Director of the Maliseet Domestic Violence and Sexual Assault Program, Designated Speaker*



We cannot reapply for funds until after 3 years have passed, which leaves a gap in services. We have brought this concern before, and no response has been given for this recommendation.

Mato Standing High, *Rosebud Sioux Tribe, Office of Attorney General*

Some programs in justice and safety were not included in the combined process, such as methamphetamine programs. We needed a clearer definition of law enforcement, because we have officers who perform law enforcement duties within a variety of agencies. The consolidated budget worksheet needed to be more flexible to accommodate diverse categories.

Shirley Charley, *Confederated Tribes of the Colville Reservation, Tribal Business Council*

The short turnaround time for the CTAS grant was especially difficult for us because all our applications must be approved by the community council. The council needs time to read and consider the application, which shortens the time we have to prepare the application even further.

Annette Brown, *Salt River Pima-Maricopa Indian Community, Assistant General Counsel, Designated Speaker*

DOJ Comments

We recognize many of you are unhappy with the CTAS process. Please understand, we were trying to implement something that would help streamline the application process and make it easier. We are already working to improve the process. After the consultation in Rapid City, we began working on improving the budget worksheet based on comments we received. We also want to help tribes who were not successful or did not apply. Looking forward to 2011, our goal is to announce the RFP in January (based on interim budget figures) and close the solicitation in March, giving tribes three full months to complete the application.

Karol Mason, *Deputy Associate Attorney General, Department of Justice*

THEME: Grant peer review panels need education about Native issues.

Summary of Tribal Leader Comments

While there are Native peer reviewers involved in the CTAS process, educating peer review panels about Native issues can still be difficult.

Tribal Leader Comments

When non-Natives, or only one Native, are on a peer review panel, there is an education process that has to take place about the unique needs of Indian communities. For VAWA or any other peer reviews, please make sure that individuals serving on the panels have experience with domestic violence and family services. We offer to help you find more Natives to serve as peer reviewers.

Shelley Chimoni, *Pueblo of Zuni, Head Councilwoman*



THEME: Statistics for grant proposals on problem areas and program effectiveness can be very difficult for tribes to obtain.

Summary of Tribal Leader Comments

Many tribes reiterated that statistics of the type required in DOJ grant applications were not available for their communities and were very difficult to obtain.

Tribal Leader Comments

Tribal programs that seek grant funding need a relaxed requirement for evidence-based programs to open the door for culturally appropriate programs. They need the freedom to work with victims and perpetrators simultaneously and to include spirituality. They also need funding to collect evidence and perform evaluations of programs.

Bobbi Outten, *Southcentral Foundation, FWWI Administrator, Designated Speaker*

Family Wellness Warriors Initiative (FWWI) was developed by Alaska Native leaders as a culturally relevant treatment and prevention program. The program has served 1,500 people and is amassing positive evidence of effectiveness, but it does not yet meet the criteria to be considered an “evidence-based practice.” We request that DOJ provide funding for promising tribal programs to perform more rigorous evaluations of programs that will both demonstrate their effectiveness and establish them as evidence-based. The resources necessary to gain the “evidence-based” qualification for FWWI is especially important given that few, if any, programs that are already established as evidence-based programs have been proven effective with tribal communities.

Southcentral Foundation *written testimony*

The grant application process needs to reconsider evidence-based requirements. Tribes do not have the resources for evidence-based research. If a tribe says something will benefit us, then we as sovereign nations should have the right to determine what is best for our communities.

Theresa Gamon, *Ponca Tribe*

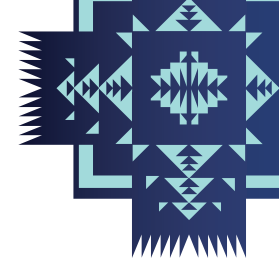
The Colorado River Indian Tribes (CRIT) recognizes the crucial need for integrated case management hardware and software that will not only collect data, but also share essential information on domestic violence crimes and incidents. CRIT currently recognizes that we do not have an effective system or capability that would allow us to share intra-agency information baselines and evaluate the effectiveness of our programs and services.

Colorado River Indian Tribes *written testimony*

DOJ Comments

The DOJ acknowledges the need for practice-based evidence. We need to look at the experience of survivors to evaluate what is effective and figure out how to fund the programs you have identified as effective.

Judge Susan Carbon, *Director of the Office on Violence Against Women, Department of Justice*



THEME: General recommendations for OVW grant processes.

Summary of Tribal Leader Comments

OVW grant application processes, awarding formulas and cycles, and required trainings do not match the needs of Indian tribes. Particularly, alternatives to state-based funding criteria and application requirements that better fit Indian tribes should be considered.

Tribal Leader Comments

Streamline the solicitation/application process to eliminate bureaucratic red tape. Continuing grantees should not be required to submit the same information regarding need, demographics, etc. Rosebud has been a grantee for 16 years and every year submits the same information. This information does not dramatically change on an annual basis. OVW should create an application system that stores basic information that can easily be updated. The states are not required to start from scratch and the states have far greater resources than Indian tribes.

Rosebud Sicangu Lakota Nation *written testimony*

Awarding funds should be based on need for services, not on formulas, and population caps should be eliminated.

Fort McDowell Yavapai Nation *written testimony*

OVW processing should be prioritized so that tribal grantees are funded within 90 days of OVW receiving the Congressional appropriation.

Rosebud Sicangu Lakota Nation *written testimony*

All technical assistance and training offered by the OVW that Indian tribes are mandated to attend should be relevant to Indian tribes and address the legal and jurisdictional circumstances of Indian tribes including the Transitional Housing Program, Legal Assistance Program, Grants to Encourage Arrest Program and others. Tribal staff is extremely limited and all training should be designed for Indian tribes specifically: tribal justice systems, tribal service providers, and rural geographic locations.

Rosebud Sicangu Lakota Nation *written testimony*

No funds under the Grants to Indian Tribal Government Program should be expended for other special projects or programs. Additionally, an accounting of tribal set-aside funds should be provided at the annual consultation.

Rosebud Sicangu Lakota Nation *written testimony*

While Indian tribes are eligible to apply under other OVW grant programs, the application is designed for state-based programs. These state-based requirements discriminate against Indian tribes and fail to recognize the sovereignty of Indian nations. 5% of the total score of an application is based on a section that describes the applicant's relationship/coordination with the state STOP plan. We, and the vast majority of Indian tribes, have no relationship with the state STOP plan. Why should Indian tribes be required to describe in grant applications the



relevancy of tribal projects to the state administrative plans under the STOP formula program? No relationship exists, and thus our application and that of other Indian tribes automatically loses 5% of the total score. Despite this, Indian tribes and non-profits are mandated to expend time completing this requirement.

Rosebud Sicangu Lakota Nation written testimony

OVW should launch a national initiative that is tribally based in substance and leadership, in consultation with Indian tribes and tribal non-profits serving Native women, to focus on the sexual assault of Indian women. State-based programs are designed to operate in the context of state law and in circumstances typically not applicable to Indian tribes. A proposal to address the sexual assault of Indian women needs to be developed in coordination with Indian tribes, not through state-based programs.

Rosebud Sicangu Lakota Nation written testimony

What affirmative steps will OVW take to assure that Native women’s organizations with demonstrated expertise in enhancing the safety of Indian women have the resources to share their experience with OVW tribal grantees?

Rosebud Sicangu Lakota Nation written testimony

THEME: Tribal leaders were dissatisfied with the federal consultation process on VAWA and offered proposals for improving the federal contribution and increasing consultation across federal agencies.

“Our hope is that these changes can become systemic to ensure they are sustained in the future and relatively impervious to changes in Administrations.”

~ Confederated Tribes of the Umatilla Indian Reservation written testimony

Summary of Tribal Leader Comments

Tribal leaders voiced dissatisfaction that BIA members and staff from other federal agencies were not present for the consultation and that DOJ’s participation in sustained dialogue with tribes has been uneven. Despite setbacks in consultation, tribes appreciated positive steps DOJ has taken and offered specific proposals for improvement in consultation processes.

Tribal Leader Comments

Tribal leaders and advocates for the safety of Native women have raised continuously the urgent and compelling needs of American Indian and Alaska Native women that seek safety from brutal physical and sexual assaults. While the tribal participants in these conversations have remained steady, the federal representatives have frequently changed. When federal



personnel change, the conversation has a pattern of returning to the starting point. New federal representatives ask for more time to understand the law, specifics regarding the impact of the law, and yet again soliciting tribal recommendations. This is a frustrating cycle that fails to address the urgent issues threatening the daily lives of Native women.

Rincon, Luiseno Band of Indians written testimony

Tribes have offered steady participation in these consultations. But federal personnel changes all the time and sets back the dialog. Instead of implementing improvements, there is repeated solicitation of feedback.

Germaine Omish-Guachena, Rincon Band of Indians, Executive Director of Strong Hearted Native Women Coalition, Designated Speaker

We are grateful and impressed with what the Department has accomplished since the Tribal Nations Listening Session a year ago. You not only listened, but have taken many suggestions to heart. Our hope is that these changes can become systemic to ensure they are sustained in the future and relatively impervious to changes in Administrations.

Confederated Tribes of the Umatilla Indian Reservation written testimony

OVW should strive to have a majority of its Indian Country consultation and input come from tribal nations and their representatives and ensure that the voices of other agencies, such as independent non-profits or technical assistance providers, do not drown out tribal voices. Tribal nations may have different views on the best approach to combating domestic violence in Indian Country.

Confederated Tribes of the Umatilla Indian Reservation written testimony

Other agencies should be present for this consultation, instead of staying separated in the silos that the federal government is used to.

Hope Lone Tree MacDonald, Navajo Nation, Tribal Council

Section 903 of VAWA 2005 should be amended to require that the Bureau of Indian Affairs, Office Justice Services participate in the annual consultation that takes place between the U.S. Attorney General and tribal governments on the federal administration of VAWA because the BIA plays a primary role in tribal law enforcement and investigation of crimes in Indian Country.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

State Attorney Generals should attend the consultation, as well as Bureau of Indian Affairs and Federal Bureau of Investigation officials. Although the Fort McDowell Yavapai Nation has established relationships with state and federal authorities, domestic violence cases referred for prosecution are not consistently prosecuted, and more collaboration and understanding is needed. Also, state and county agencies need to become more aware of tribal services and need to be willing to work with tribal agencies to enhance the safety of Native women.

Fort McDowell Yavapai Nation written testimony



The Bureau of Indian Affairs must coordinate with the Department of Justice and participate in consultation sessions. Reducing violence against women cannot occur until DOJ and BIA coordinate on relevant issues. For example, in Northern Nevada, cases are not referred to the U.S. Attorneys directly by the tribes. All cases are routed through a BIA investigator. TLOA's required reporting on declination will not be comprehensive or successful if it does not collect data on the BIA's referral role in situations like these. Without DOJ/BIA coordination, the TLOA will remain unfulfilled in Washoe Indian Country.

Washoe Tribe of Nevada and California written testimony

BIA officials should be present at these consultations because they are a necessary part of combating domestic violence and improving law enforcement in Indian Country.

Confederated Tribes of the Umatilla Indian Reservation written testimony

We challenge federal granting agencies to work together and build partnerships with other federal agencies. We hope the DOJ will take the lead in this.

Cynthia Toop, Native Village of Barrow Inupiat Traditional Government, Grants Manager, Designated Speaker

We are very pleased that the United States Department of Justice (DOJ) has issued a pre-consultation report for this year's consultation, and we hope that DOJ institutes this as a regular practice at all future consultations.

Rosebud Sicangu Lakota Nation written testimony

THEME: Increased collaboration between federal agencies and tribal, state, and local governments is necessary to ensure law enforcement response, criminal prosecution, and continued development of legal capacities for tribes and between governments.

Summary of Tribal Leader Comments

Many tribal leaders reported that cities, counties, and states do not consult with neighboring tribes regarding law enforcement and safety programs. DOJ monies given to cities and states should come with the requirement to consult with neighboring tribes on these issues. Especially with changes brought about by the TLOA, increased education and consultation is necessary.

Tribal Leader Comments

State troopers do not make arrests of drug dealers, even if they know who is dealing. Instead, they wait until drugs or alcohol creates a problem, and they arrest the user. They say that the villages have to do something about the dealers.

Crooked Creek Traditional Council written testimony, Evelyn Thomas, Council President



Despite the fact that Colorado River Indian Tribes council has adopted new domestic and family violence code, protection for victims and accountability for perpetrators requires continued collaboration between tribal, state, and federal entities for technical assistance, training, oversight, and funding.

Colorado River Indian Tribes *written testimony*

Tribal court orders should be recognized and enforced off-reservation as an element of the federal government's trust responsibility to Indian nations.

Henry Cagey, *Lummi Tribe, Tribal Council*

The relationship between tribal law enforcement and BIA officers needs to be improved, and the BIA needs to be more responsive to crimes committed on our reservations.

Janey Blackeye Bryan, *Duckwater Shoshone Tribe, Shoshone Chief of Police, Designated Speaker*

We operate many different social services programs in our community and these programs are funded and supported by relationships with an array of state and federal agencies, including BIA, DOJ, and HHS. Because of this, we are obliged to adhere to the administrative requirements of numerous agencies and our very limited staff and resources are spread all the more thinly to adhere to agency monitoring and reporting requirements.

Lower Elwha Clallam Tribe *written testimony*

The Nez Perce Tribe strongly supports the use of multi-disciplinary teams as between the tribe, the U.S. Attorney's Office and the FBI, for child abuse/neglect cases. We believe the draft Memorandum of Agreement is very workable and will greatly assist children in the judicial process. The goal for all of us is to try to reduce the trauma for the child and this effort is a good way to do that.

Nez Perce Tribal Executive Committee *written testimony*

In the state of Arizona, governments and other organizations use tribal populations in their headcounts to request funding, but this funding never reaches the tribes. Our contacts to such organizations and requests for consultation with them have been ignored.

Velasquez W. Sneezy Sr., *San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker*

Tribal leaders share a lack of state cooperation when addressing domestic violence and murder. State governments are slow to respond to emergency calls and frequently fail to prosecute felony crimes and assault.

Germaine Omish-Guachena, *Rincon Band of Indians, Executive Director of Strong Hearted Native Women Coalition, Designated Speaker*



DOJ Comments

Consultation by states with neighboring tribes is already required by STOP grants. We plan to check on states' follow-through on this requirement. In the February OVW conference, we had a panel discussion on state and tribal coordination, making it clear that the DOJ expects states to form meaningful partnerships with tribes and offering tools and information to increase their ability to work with tribal governments. We also recognize the unique needs of California tribes. The COPS pilot program in Mendocino, CA, highlights this sort of state and tribal government coordination.

Karol Mason, Deputy Associate Attorney General, Department of Justice

THEME: Declination rates by federal courts of cases referred from tribal jurisdictions must be studied and improved.

Summary of Tribal Leader Comments

Declination—when U.S. Attorneys decline to file charges in criminal cases—occurs at high rates for cases originating in Indian Country and severely inhibits the execution of justice in many domestic violence cases. The reason for these rates should be studied. Increased education and the adoption of formal reporting policies should ultimately help more cases be prosecuted.

Tribal Leader Comments

A comprehensive study should be performed to determine the reasons for high federal declination rates. It should be anonymous to encourage frank and honest responses. This would shed light on what barriers currently exist to federal prosecution and how those barriers can be addressed.

Confederated Tribes of the Umatilla Indian Reservation written testimony

Federal declination rates are extremely high. An anonymous study of federal prosecutors should be undertaken to determine the causes. Judges should be educated on Indian Country crimes and jurisdiction as well as encouraged to visit reservations.

Leo Stewart, Confederated Tribes of the Umatilla Indian Reservation, Vice-Chair of Board of Trustees

DOJ needs a formal policy, applied to all U.S. Attorney Offices, for when declination reports will be provided to tribal police and prosecutors. Detailed reporting in this area will help tribal law enforcement systems to improve. A well-crafted policy in this area will avoid discovery issues and grand jury information limitations. DOJ opposed this type of declination reporting in the TLOA on the grounds that such reports would become discoverable, when, in fact, reports ought to be considered work product, and thus not discoverable.

Confederated Tribes of the Umatilla Indian Reservation written testimony

DOJ should develop a strategy to educate U.S. judges on Indian Country crime issues and domestic violence issues in particular, even encouraging them to visit reservations. Presently, it seems that many federal judges do not have a good understanding of their important role



in law enforcement issues facing Indian Country, and do not see how their determinations in cases affect the ability of tribes to maintain law and order on reservations.

Confederated Tribes of the Umatilla Indian Reservation written testimony

THEME: Tribes are eager to see the successful implementation of the Tribal Law and Order Act.

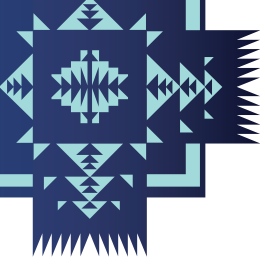
Summary of Tribal Leader Comments

Tribes are very pleased about the passage of the Tribal Law and Order Act (TLOA) but remain concerned about the timeline and resources for implementation of the TLOA. Tribal governments and organizations have many specific recommendations to improve the effectiveness of this pivotal piece of legislation.

Tribal Leader Comments

The National Congress of American Indians (NCAI) commends the Obama administration on the passage of the TLOA. It is critical for DOJ to take direct and immediate action to ensure the full and effective implementation of TLOA, including the following specific recommendations:

1. Hold the U.S. Attorneys accountable for proper reporting about declinations under Section 201 of TLOA, including the notification of tribal officials when a U.S. Attorney declines to prosecute a case so that, in the case of an Indian defendant, a tribe may decide the appropriate legal response according to tribal law. Proper notification of case status is also critical for the victims so that they can take necessary steps to protect themselves.
2. Work with tribes to develop the process by which a tribe can request concurrent federal jurisdiction, according to Section 201's options for PL 280 jurisdictions. DOJ should also conduct outreach and sponsor educational trainings after this process is developed to ensure that tribes are aware of this new right and how to exercise it.
3. Ensure that the Bureau of Prisons Pilot Project, which is mandated to house up to 100 offenders referred by tribal courts, is established by the statutory deadline and that tribes are informed and have adequate time to comment on how the pilot project will be structured. This project is a critical step in allowing tribes to effectively exercise the increased sentencing authority set out in TLOA Section 304.
4. Ensure that tribal justice officials always receive appropriate notification of prisoner release and reentry on Indian lands, as detailed under TLOA Section 601. U.S. Board of Prisons' standard procedure currently only notifies the referring jurisdiction. In cases of federal prosecution, when referral was made by a U.S. Attorney, the Attorney's office would receive notification, and not tribal justice officials, even if the case originated in tribal jurisdictions. Tribal justice officials must be included in notifications.
5. Host a consultation session at the Tribal Justice, Safety, and Wellness Conference in December 2010 on the new role and structure of the Office of Tribal Justice (OTJ) as a permanent DOJ component to allow tribal nations to give input on the role and responsibilities of OTJ.



6. Section 303 of the TLOA mandates that Indian law enforcement agencies have access to enter and obtain information from federal criminal information databases. Despite commendable work to increase tribal access to NCIC, further efforts are recommended to ensure the full effectiveness of this TLOA Section.
 - a. Ensure that all tribes have access to federal criminal information databases for entering information, as well as obtaining criminal history information. Access to the protection order, sex offender, and missing person national registries are critical.
 - b. The DOJ should host trainings for tribal judges and law enforcement officials to ensure effective coordination around entering information into national criminal information databases and to educate about existing communication gaps. Currently, tribal law enforcement official may have federal database access, but the tribal judges (who issue protection orders) do not, meaning not all pertinent information may be entered into the national database, compromising the effectiveness of tribal protection orders and the database.
 - c. The DOJ should create a task force to identify the outstanding barriers tribes face in acquiring full access to federal criminal history databases and develop a plan to resolve these issues.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

The Rosebud Sioux Tribe shares concurrent jurisdiction with the United States. Felony prosecution of rape cases is within the authority of the federal government. While the TLOA increases the maximum sentence that tribal courts can impose for rape from 1 year to 3 years, this maximum sentence is still lower than the standard national sentence for rape of 4 years. This jurisdictional limitation creates a serious gap in the safety of the lives of Sicangu women. It is an outrage and an insult to all Indian women that Indian tribes can only sentence a rapist to 3 years. Even more outrageous, at the same time that the United States has restricted tribal sentencing authority, it has not lived up to its responsibility to prosecute rape cases adequately.

Rosebud Sicangu Lakota Nation written testimony

Tribal authorities need to be made Special United States Attorneys to handle non-Indian misdemeanor crimes before federal magistrates. DOJ should implement a policy to accomplish this and can include minimum standards for appointment and the development of trainings to meet those standards.

Confederated Tribes of the Umatilla Indian Reservation written testimony

In the implementation of the TLOA and in the development of grant criteria, it is important to ensure that there is a critical mass of funding for tribes such as ours that are still in the process of building basic institutions. The institutions we lack are the kind that provide timely intervention and culturally appropriate preventive and remedial services.

Lower Elwha Clallam Tribe written testimony



DOJ and BIA should work to carry out sections of the TLOA to increase the issuance of Special Law Enforcement Commissions (SLECs), a credential necessary for tribal police officers to investigate non-Indian domestic violence crimes on reservations. We need DOJ's assistance to ensure that U.S. District Attorney Offices will assist the BIA in developing and implementing regional training programs, with a guarantee that SLEC cards will be issued upon meeting SLEC requirements.

Confederated Tribes of the Umatilla Indian Reservation *written testimony*

We are grateful for DOJ's support in getting this bill passed by Congress. We will be looking at funding internally, but we look to DOJ to help with training court personnel, law enforcement, public defenders, prosecutors, judges and others as we take on these additional responsibilities. We will be looking to update and reinforce our tribal codes to ensure that the longer sentences and higher level of legal representation are officially documented in our tribal laws. We look forward to working closely with DOJ personnel as the details of the Act are implemented across the nation.

Nez Perce Tribal Executive Committee *written testimony*

The TLOA extends the right to a public defender to individuals appearing in tribal court when they are potentially subject to felony sentencing, but also requires that the public defender meet certain licensing qualifications, which goes beyond general rights established in the U.S. Constitution. There should not be additional requirements for tribes to exercise this new prosecuting authority. Like states, tribal nations should have the option of establishing their own licensing requirements so long as they ensure the competence and professional responsibility of the lawyer.

Confederated Tribes of the Umatilla Indian Reservation *written testimony*

The landmark Tribal Law and Order Act increases accountability for federal agencies responsible for public safety in Indian Country and gives greater local control to tribal law enforcement agencies. We expect DOJ to listen to us and implement the Act in a manner that enhances tribal sovereignty and self-determination.

Spokane Tribe of Indians *written testimony*

Tribes will need much more additional funding to accomplish everything described in the Tribal Law and Order Act.

Kim Clausen, Oglala Sioux Tribe, Tribal Council

Several tribal leaders recommended the creation of an office similar to the SMART Office dedicated to implementing the TLOA. The TLOA needs an implementation timeline, as well as technical assistance in developing sentencing guidelines and criminal code.

Shelley Chimoni, Pueblo of Zuni, Head Councilwoman

There is a national movement for a constitutional amendment to protect the rights of victims of violence. The Colville Confederated Tribes and ATNI support this amendment.

John Stensgar, Confederated Tribes of the Colville Reservation, Tribal Council



DOJ Comments

The TLOA affords the opportunity for tremendous growth in tribal court systems. TLOA provides important momentum to build partnerships between state and local authorities and to improve relationships. The DOJ is interested in providing flexible funding for programs that work, and DOJ would like to hear from tribes about good examples of programs to use as models or as pilot projects. The White House, DOJ, and DOI are preparing a schedule for implementation, and there will be opportunities for further consultation as the schedule is developed and the act is implemented.

Tom Perrelli, Associate Attorney General, Department of Justice

THEME: Innovative and flexible approaches to developing tribal justice systems are needed.

Summary of Tribal Leader Comments

Assistance to tribes should allow flexible, culturally appropriate, and innovative solutions for developing tribal justice systems. Tribes also mention specific fixes for the Major Crimes Act and other legal assistance related to domestic violence and Indian child welfare.

Tribal Leader Comments

A comprehensive and transformative approach toward reducing crime by strengthening tribal criminal justice systems remains the only effective way to respond to issues of domestic violence and sexual assault. An example of such an approach is the Comprehensive Indian Resources for Community and Law Enforcement (CIRCLE) Project initiated by DOJ in partnership with the Northern Cheyenne Tribe, Oglala Sioux Tribe, and Pueblo of Zuni. The project provided funding and federal support to transform how components of tribal justice systems worked internally and in partnership and how they cooperated with non-justice agencies.

Spokane Tribe of Indians written testimony

The Department of Justice should support the use of grant funds to provide survivors of domestic violence and sexual assault with civil legal assistance. Frequently, survivors of domestic violence are in legal relationships such as marriage or domestic partnership with their abuser. Survivors need civil attorneys to assist them not only in terminating the legal relationship with their abuser, but in being awarded decent housing, fair property settlements, and custody of their children. Grants awarded by the Department of Justice should approve use of funds in this manner.

Washoe Tribe of Nevada and California written testimony

Despite the fact that tribal lawyers are offered DOJ training to become legal advocates, we are still not treated as having legal expertise and our jurisdiction is not acknowledged in state courts.

Velasquez W. Sneezy Sr., San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker



Tribes should not be pushed to establish Western-style courts. We comply with mandated legal training, but the most exciting ideas in Indian Country don't follow Western models. Tribes should be free to explore and implement their own ideas. The DOJ should offer resources and training outside of the current grant programs.

Philip Harju, *Cowlitz Tribe of Indians, Tribal Council Vice-Chair*

We recommend the creation of tribal model sentencing codes, along with model rules of evidence and criminal procedure. It's not easy or appropriate to adopt federal rules straight across. Tribes don't have the years of jurisprudence history that underlie federal codes, and we need time for the development of our own tribal legal systems.

Annette Brown, *Salt River Pima-Maricopa Indian Community, Assistant General Counsel, Designated Speaker*

A proposed pilot project for increasing tribal legal capacity is to reexamine the effectiveness of existing village judicial systems and councils. There are over 100 courts operating currently in Alaska. They have been maintained for generations and they are underutilized, partly because they are not given much credence by outsiders. In the case of violent crimes requiring incarceration, the tribe's banishment sanction would be secondary to state prosecution and imprisonment. But for lesser offenses, particularly first offenses, there might be great opportunities to test outcomes. Another aspect of such a pilot program would be the training of "tribal advocates," persons who would act as facilitators on behalf of the victim and her children, to ensure that treatment is culturally appropriate and thorough.

Central Council of Tlingit and Haida Indians *written testimony*

Domestic violence should be added to the list of prosecutable crimes under the Major Crimes Act, the list of felonies for which the U.S. Federal Government holds responsibility to prosecute and punish Indian offenders. It is currently not included.

National Congress of American Indians, Task Force on Violence Against Women, *written testimony*

DOJ should support Alaskan tribes and villages in their efforts to care for their people's welfare in cases like *Kaltag [Hogan v. Kaltag Tribal Council]*, where an Alaskan village's right to protect its children from sexual violence was established after 4 years of legal proceedings. This is too long in the lives of victims.

Central Council of Tlingit and Haida Indians *written testimony*

THEME: Jurisdictional confusion about prosecution and protection orders must be addressed by increased education for states and federal agencies.

Summary of Tribal Leader Comments

To protect women's safety, prosecute crimes, enforce protection orders, and overcome jurisdictional confusion, cross-training and outreach must be greatly increased between federal, state, and tribal law enforcement agencies.



Tribal Leader Comments

We need compacts that support tribal sovereignty, along with cross-training on federal, tribal, and state jurisdictions. The DOJ should consult with tribes to form protocol for referring violent crimes to federal law enforcement agencies.

Germaine Omish-Guachena, Rincon Band of Indians, Executive Director of Strong Hearted Native Women Coalition, Designated Speaker

The mix of tribal and non-member tribal Native Americans plus the high non-Native American population on the Reservation creates serious criminal jurisdiction problems that are an obstacle to prosecution and adjudication for tribal, state, and federal authorities. Another jurisdictional problem is non-Native Americans claiming “Tribal Status” which results in the dismissal of their charges from state court and referral to tribal prosecution, which has no criminal authority.

Colorado River Indian Tribes written testimony

The DOJ should issue a white paper to educate state and local law enforcement about jurisdictional issues. Non-tribal law enforcement officers need to understand that we are trained and competent in order to increase tribes’ sovereignty and strengthen our own law and policy. Worcester vs. Georgia needs to be fully implemented, so that tribal law can be applied to members and non-members equally on Indian lands. Jurisdictional confusion is common, and it impedes our ability to prosecute offenders and to work with state and local law enforcement.

John Stensgar, Confederated Tribes of the Colville Reservation, Tribal Council

The authority of tribal and BIA law enforcement officers need to be recognized on and off the reservation. Sheriffs and police chiefs do not thoroughly understand jurisdictional issues.

Janey Blackeye Bryan, Duckwater Shoshone Tribe, Shoshone Chief of Police, Designated Speaker

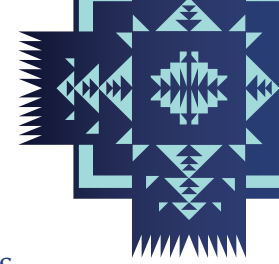
Indian nations must be able to exercise criminal jurisdiction over non-Indians on tribal lands, because non-Indians live, work, marry, and father children on Indian lands. We recommend that the DOJ prioritize the prosecution of non-Indians for crimes on tribal lands, publicize such cases to reverse the public myth of non-Indian impunity, and take measures to improve coordination among state, local, and tribal law enforcement to increase the successful prosecution of perpetrators.

Terri Henry, Eastern Band of Cherokee Indians, Tribal Council, and co-chair of NCAI VAWA Task Force

DOJ Comments

The DOJ hears the recommendations from tribal leaders about enforcement of protection orders and full faith and credit across different jurisdictions. This is a long-standing problem, and we want to work toward the respect of protection orders, no matter whom they are issued by or where they are issued.

Judge Susan Carbon, Director of the Office on Violence Against Women, Department of Justice



THEME: Legislation must be passed recognizing tribal court jurisdiction over non-Indians who commit crimes on Indian lands.

Summary of Tribal Leader Comments

The 1978 *Oliphant vs. Suquamish* decision, which denies tribal courts criminal jurisdiction over non-Indians who commit crimes on Indian lands, erodes the ability of tribal justice systems to provide safety for Native women; legislation reaffirming tribal authority over all persons on their lands is badly needed.

Tribal Leader Comments

The lack of tribal criminal jurisdiction over non-Indian offenders on Indian lands may be the key reason for the creation and perpetuation of disproportionate violence against American Indian and Alaska Native women. Indian women—4 out of 5 of whom describe their offenders as white—often have no criminal recourse against non-Indian offenders. These non-Indian perpetrators are well aware of the lack of tribal jurisdiction over them, the vulnerability of Indian women, and the unlikelihood of being prosecuted by the Government (or state government in P.L. 280 states) for their actions. NCAI’s recommendation is to restore tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, and stalking that commit said crimes within the exterior boundaries of the reservation. Or, alternatively, NCAI recommends establishing a pilot project under which tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, and stalking is fully restored for a handful of select tribes.

National Congress of American Indians, Task Force on Violence Against Women, written testimony

At the time *Oliphant* was handed down, the majority was fearful of being prosecuted in tribal courts. Statutory language needs to be updated so that citizens’ rights are protected regardless of race and tribal affiliation. The current exceptions to prosecution create the type of haven that the Adam Walsh Act describes. If there is an opportunity to explore a more comprehensive *Oliphant* fix, the Rosebud Sioux Tribe will be first in line.

Mato Standing High, Rosebud Sioux Tribe, Office of Attorney General

The TLOA did not fix *Oliphant*. An amendment to VAWA giving tribes jurisdiction over non-Indians in at least domestic violence cases is a crucial step in the right direction. It does no good to bolster community-based support services and networks (even though more are certainly needed) without addressing the underlying issue through system-based prosecutions in the tribal courts. This gap in tribal and federal jurisdiction defeats tribes’ ability to provide for the safety of its community.

Tulalip Tribes written testimony



The Oliphant decision is an enduring problem for ensuring the safety of Native women who live on tribal lands. The decision limited tribal authority to respond to criminal offenders without placing any responsibility on the federal government to prosecute non-Indian offenders on Indian lands. Even though the federal government has a trust responsibility to prosecute non-Indian offenders on Indian land, it does not have a legal responsibility to do so and cannot be held legally accountable if it fails to do so. Native women who wish to bring a case against non-Native men have no legal recourse.

Terri Henry, Eastern Band of Cherokee Indians, Tribal Council, and co-chair of NCAI VAWA Task Force

THEME: Tribal leaders expressed that federal laws and DOJ grant processes infringe on their tribal sovereignty.

Summary of Tribal Leader Comments

Many tribal leaders expressed their frustration at competing with other tribes for funding. They also expressed the sentiment that tribal sovereignty should allow tribes to determine their own needs and decide appropriate solutions, rather than being required to justify them to the DOJ through the current grant application process.

Tribal Leader Comments

Federal laws and policies frequently make us secondary citizens in our own homeland. On our reservation, we have five different definitions of what it is to be an Indian, and it is difficult to provide services when we are bound by these federal enrollment practices. We have split families, where some are enrolled and some are not, and this affects how we are able to serve our membership.

The federal government responds slowly to our concerns, and then demands that we consult on and implement their policies very quickly. We compete with other Indian nations for funding. Instead, funding should be made available so that we can provide holistic solutions as well as offering sustainability for the future. We ask for this as our inherent right, something that was promised us in treaties we have signed. We respectfully expect that you will carry through the promises guaranteed by those treaties.

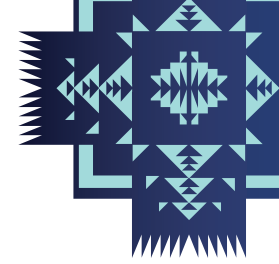
Steve Lozar, Confederated Kootenai and Salish Tribes, Tribal Council, Designated Speaker

We recommend that the DOJ pool resources that are allocated to tribal programs and allow tribal governments to assign resources to best meet the needs and provide for the services they have identified. To show true respect for tribes' inherent sovereignty, the DOJ should meet needs as the tribes have identified them.

John Stensgar, Confederated Tribes of the Colville Reservation, Tribal Council

If a tribe indicates a vital need with a resolution by its sovereign government, that statement of need should be enough for the DOJ to acknowledge its importance. They should not require focus groups and other validations. They should give deference to tribal leadership, membership, and government.

Philip Harju, Cowlitz Tribe of Indians, Tribal Council Vice-Chair



THEME: The needs of tribes in Public Law 280 jurisdictions are not addressed in current VAWA programs.

Summary of Tribal Leader Comments

Tribes in Public Law 280 jurisdictions shared their unique needs, which are not well-addressed in current VAWA programs.

“...without a baseline of services it is extremely challenging if not impossible to develop the focused services and responses that are so badly needed in Indian Country.”

~ Lavonne Peck, La Jolla Band of Luiseno Indians, Tribal Chair

Tribal Leader Comments

There are severe and unmet needs of American Indian and Alaska Native women within PL 280 jurisdictions. In consultations with DOJ on VAWA between 2006 and 2009, tribal leaders have presented concerns regarding the lack of state cooperation in response to sexual assault, domestic violence, and murder of Native women in these jurisdictions, including slow responses to emergency calls from reservations and Alaska Native villages, refusal to provide law enforcement assistance, refusal to negotiate and amend outdated law enforcement compacts, lack of training and understanding about concurrent tribal-state jurisdiction, failure to recognize and enforce tribal court orders of protection, and failure to prosecute felony crimes of domestic violence and sexual assault.

Rincon, Luiseno Band of Indians written testimony

National implementation of VAWA is not reaching everyone. The lack of services for women in PL-280 jurisdictions needs to be addressed. There are additional law enforcement needs and jurisdictional issues unique to PL 280 areas that need to be addressed in TLOA implementation.

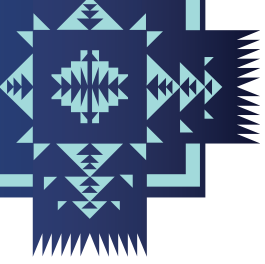
Germaine Omish-Guachena, Rincon Band of Indians, Executive Director of Strong Hearted Native Women Coalition, Designated Speaker

[...] work with tribes to ensure that baseline services such as public safety and health care are available in their communities. We understand the need to develop focused services and responses to specific crimes like violence against women, but without a baseline of services it is extremely challenging if not impossible to develop the focused services and responses that are so badly needed in Indian Country.

Lavonne Peck, La Jolla Band of Luiseno Indians, Tribal Chair

Recommendations to Enhance the Safety of Native Women:

- DOJ report on implementation of recommendations made during the OVW-sponsored Focus Group on Public Law 280 and the Sexual Assault of Native Women held December 31, 2007.



- DOJ assist in developing state-tribal law enforcement compacts that support tribal sovereignty and safety for Indian women and provide online access to such compacts.
- DOJ provide tribal, federal, and state cross-training on implementation of Tribal Law and Order Act specific to tribal-state concurrent jurisdictions.
- DOJ develop training on TLOA provisions for requesting federal/state/tribal concurrent jurisdiction.
- DOJ develop in consultation with Indian tribes a protocol for referring VAWA crimes to the FBI and U.S. Attorneys.
- DOJ provide training for tribal, state, and federal justice personnel on enforcement of VAWA statutes including the Domestic Assault by an Habitual Offender, Firearms Prohibitions Violations, Inter-jurisdictional Violations of Orders of Protection.
- DOJ support and assist Indian tribes to initiate retrocession when a state fails to hold perpetrators of domestic violence, rape, stalking, and murder accountable for their crimes.

Rincon, Luiseno Band of Indians written testimony

DOJ Comments

The DOJ has heard a lot about the challenge of PL 280 states. Fostering better collaboration has been a challenge, especially in California. We currently have a pilot project in Monterey, which we hope to expand. We talk about this issue now; our predecessors didn't. We share information with State Attorneys General and try to encourage better models for cooperation. We hear your suggestions and hope to continue to improve and reevaluate the success of our programs.

Tom Perrelli, Associate Attorney General, Department of Justice

THEME: Obstacles currently block tribes' full implementation of SORNA and the Adam Walsh Act.

Summary of Tribal Leader Comments

Tribes reported funding and record-keeping barriers that impede the implementation of SORNA and the Adam Walsh Child Protection and Safety Act of 2006.

Tribal Leader Comments

Tribal courts have only recently automated their record-keeping systems. In implementing SORNA, we're looking at what can reasonably be found within the system. Regarding an offender moving from community to community, tribal leaders can use software called TSORS. I have advocated for an additional field in that registry called "Other Tribal Affiliations." When we have that information on an individual, it makes it harder for reservation-hoppers to avoid being tracked.

Annette Brown, Salt River Pima-Maricopa Indian Community, Assistant General Counsel, Designated Speaker



Because the Colville Reservation is very remote, we have several communities on the borders that are havens. Names of registered offenders who have moved into Okanogan County are sometimes published in the paper, but there is reluctance from the tribal police department to publish names and photos. We've had to fight for 4 years to get this information printed.

Shirley Charley, *Confederated Tribes of the Colville Reservation, Tribal Business Council*

With many people living off-reservation, we thought a solution for SORNA implementation was to have Memorandum of Agreement with the state. But states have not implemented SORNA because no funding for implementation was provided. Even so, tribes are still being pressured to implement it or lose their jurisdiction to the state. For states who have not implemented SORNA, tribes should be exempt from having to implement it until the state does.

Liz Mueller, *Jamestown S'Klallam Tribe, Tribal Vice-Chair*

We would like to request funding to implement the Adam Walsh Act. We don't have the technology to do this. We lack equipment, manpower, and other necessary resources for implementation. We need funding.

Hope Lone Tree MacDonald, *Navajo Nation, Tribal Council*

The Makah attorney has already completed the draft and will implement SORNA by the end of the year. But implementation means we will have to add another position in law enforcement or judicial, and we will also need to supplement funding.

Nate Tyler, *Makah Tribe of Indians, Tribal Vice-Chair*

DOJ Comments

The SMART Office (Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking) has an Adam Walsh implementation grant program. Part of our FY 2011 request is additional funding up to \$20 million. While there is no federal budget yet, we hope for additional assistance to tribes that haven't been funded in the past.

Linda Baldwin, *Director SMART Office, Department of Justice*

THEME: The DOJ is invited to visit tribes and learn more.

Summary of Tribal Leader Comments

Tribal representatives urged DOJ members to visit their lands so they could see firsthand that each tribe faces specific needs and obstacles in providing resources for violence against women. Many other tribal leaders agreed that visiting was the best way to learn about tribes' specific needs. Many tribal leaders extended invitations to DOJ staff to visit their communities.

Tribal Leader Comments

DOJ staff needs to come out and see our situation in California. It is unique because of the number of tribes and because of complex jurisdictional issues. People from the East do not understand California. You need to see our reservations, demographics, and locations to fully understand them.

Lavonne Peck, *La Jolla Band of Luiseno Indians, Tribal Chair*



Several tribes today mentioned how crime and domestic violence doesn't always happen on the reservation. It gets exported and imported. It's imperative to see that we have unique issues as tribal nations. I want to remind the DOJ that one size does not fit all.

Richard Marvin Armstrong, *Colorado River Indian Tribes, Tribal Council*

Please come out and visit so you can see the problems we face. Spend 2 or 3 days with a family living in poverty and feel how they feel. Maybe then you'll understand why the grant process should be shortened. I invite you to the San Carlos Apache Indian Reservation to see what kind of program we have, and what kind of living traditions. See distances we have to travel to assist people.

Velasquez W. Sneezy Sr., *San Carlos Apache Tribe, Director of San Carlos Apache Tribal Domestic Violence Program, Legal Service Attorney, Designated Speaker*

DOJ Comments

In the past two years of this Administration, DOJ and OMB have taken the opportunity to visit tribal communities and Alaska Native Villages. DOJ participants on these site visits have included representatives from across the Department. We absolutely agree that we need to visit tribal communities and Alaska Native Villages to understand your needs first-hand. For example, we have visited several remote Alaska Native Villages and the Rosebud Reservation.

We have clearly heard that our proposed solutions do not work well across the board and that what works well for one community may not work for others. We are aware of size, land, jurisdictional, and service variables. Our goal is to design programs to address differences across communities. It may be that to fully address grant flexibility on a broad scale will require legislative changes, but we will do what we can short of that to address your concerns.

Karol Mason, *Deputy Associate Attorney General, Department of Justice*

THEME: Tribes endorse the recommendations of the National Congress of American Indians, Task Force on Violence Against Women, and Restoration of Native Sovereignty and Safety for Native Women.

Summary of Tribal Leader Comments

As noted below, tribal leaders endorsed the recommendations of NCAI and Restoration of Native Sovereignty and Safety for Native Women and requested that they be made part of the official testimony for this consultation.

Tribal Leader Comments

We support the recommendations of the NCAI Task Force on Violence Against Women, with this specific emphasis: The greatest jurisdictional barrier to holding perpetrators accountable is the jurisdiction of Indian nations over non-Indian offenders. Violence threatens our nation; what we face is similar to the epidemic of violence elsewhere in Indian Country. Since 2003, the NCAI has prioritized this issue. USET [United South and Eastern Tribes, Inc.] has enacted



a resolution on violence against women, and the Joint Council of the Cherokee Nation and Eastern Band of Cherokee Council did as well. The crisis is systemic in nature and is the product of U.S. law and policies preventing access to justice and safety for Indian women. These systemic barriers must be addressed at the highest level of U.S. government and removed.

Terri Henry, *Eastern Band of Cherokee Indians, Tribal Council, and co-chair of NCAI VAWA Task Force*

RST strongly supports the recommendations submitted by the National Congress of American Indians Task Force on Violence Against Women and respectfully requests that Attorney General Eric Holder respond to the issues and recommendations submitted by the Task Force.

Rosebud Sicangu Lakota Nation *written testimony*

The Washoe Tribe supports and adopts the comments made by NCAI's Task Force on Violence Against Women. Particularly, the Washoe Tribe emphasizes NCAI's recognition of and request for additional training of tribal prosecutors and U.S. Attorneys on the habitual offender statute.

Washoe Tribe of Nevada and California *written testimony*

The La Jolla Band supports recommendations provided in the October 2010 issue of Restoration Magazine, with these specific additions: We ask you to:

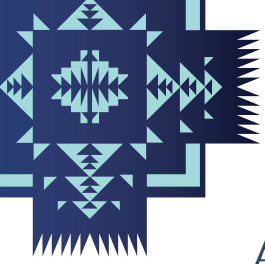
1. Plan formal consultation sessions on TLOA implementation immediately, with special attention to the realities and challenges of PL 280 jurisdictions; and
2. Work with tribes to ensure that baseline services such as public safety and health care are available in their communities. We understand the need to develop focused services and responses to specific crimes like violence against women, but without a baseline of services, it is extremely challenging if not impossible to develop the focused services and responses that are so badly needed in Indian Country.

Lavonne Peck, *La Jolla Band of Luiseno Indians, Tribal Chair*

Please see the article taken from Restoration Magazine. I would like to make it part of our official testimony. Restoration contains specific recommendations, including feedback from PL 280 focus groups and the December consultation session, that address the issues of this consultation.

Germaine Omish-Guachena, *Rincon Band of Indians, Executive Director of Strong Hearted Native Women Coalition, Designated Speaker*

The full text of the two endorsed documents, "Written Comments Prepare for the Department of Justice Annual Consultation on Violence Against Women Issues" from the National Congress of American Indians, Task Force on Violence Against Women, and "Recommendations for 2010 Annual USDOJ – Tribal Nations Consultation on Violence Against Native Women" from Restoration of Native Sovereignty and Safety for Native Women, is included in Appendix E: Recommendation Papers.



APPENDICES

Appendix A: Consultation Agenda

Appendix B: Facilitator Biographies

Appendix C: Consultation Participants

Appendix D: Consultation Documents

Appendix E: Recommendation Papers

**National Congress of American Indians, Task Force on Violence Against Women:
*“Written Comments Prepared for the Department of Justice Annual Consultation
on Violence Against Women Issues”***

**Restoration of Native Sovereignty and Safety for Native Women:
*“Recommendations for 2010 Annual USDOJ – Tribal Nations Consultation on
Violence Against Native Women”***

**Appendix F: 2010 Update on the Status of Tribal
Consultation Recommendations**

Introduction

Part One: Implementation of VAWA

Part Two: Administering VAWA Grant Funds and Programs

Part Three: Strengthening the Federal Response to Violence Against Indian Women

Analysis of OVW Tribal Grant Programs

Fiscal Year 2010 OVW Tribal Grant Awards

Fiscal Year 2010 CTAS Tribal Grant Awards

Memo to United States Attorneys

Appendix G: FY 2011 Budget Request



APPENDIX A: CONSULTATION AGENDA

Working Together to End the Violence

U.S. DEPARTMENT OF JUSTICE
2010 TRIBAL CONSULTATION

Sunday, October 3, 2010

2010 Tribal Consultation

4:00 p.m. - 7:00 p.m.

Registration

Pend Oreille Pavilion

Monday, October 4, 2010

**Day 1 – Violence Against Women Act
(VAWA) Consultation**

8:00 a.m. - 8:30 a.m.

Registration and Continental Breakfast

Pend Oreille Pavilion

Tribal leaders who wish to offer testimony should register to do so in the morning.

8:30 a.m. - 9:00 a.m.

Welcome & Introduction

Pend Oreille Pavilion

Traditional Opening & Shawl Ceremony

Welcoming Remarks

Susan B. Carbon, Director, Office on Violence Against Women, U.S. Department of Justice

Tom Perrelli, Associate Attorney General, U.S. Department of Justice

Overview of the Day's Agenda

9:00 a.m. - 9:30 a.m.

Report from Recent Consultation Sessions

Pend Oreille Pavilion

Lorraine Edmo (Shoshone-Bannock), Deputy Director for Tribal Affairs, Office on Violence Against Women, U.S. Department of Justice

Linda Baldwin, Director, SMART Office, U.S. Department of Justice

9:30 a.m. - 12:15 p.m.

**Consultation on the Federal Response to
Violence Against American Indian and Alaska
Native Women**

Pend Oreille Pavilion

12:30 p.m. - 1:30 p.m.

**Working Lunch: Presentation on Trafficking of
Native Women**

Pend Oreille Pavilion

Brad Mitchell, Office for Victims of Crime, U.S. Department of Justice

1:30 p.m. - 3:00 p.m.

**Consultation on the Administration of Grant
Programs Authorized in VAWA**

Pend Oreille Pavilion

U.S. DEPARTMENT OF JUSTICE
2010 TRIBAL CONSULTATION

3:00 p.m. - 4:15 p.m.	Consultation on Implementation of the VAWA and Tribal Priorities for Reauthorization of VAWA in 2011	Pend Oreille Pavilion
4:15 p.m. - 5:00 p.m.	Consultation on the Final Rule for Sex Offender Registration and Notification	Pend Oreille Pavilion
5:00 p.m. - 5:30 p.m.	Closing Comments and Recess	Pend Oreille Pavilion
6:00 p.m. - 8:00 p.m.	Optional Tribal Caucus	Kalispel Ballroom

This agenda was developed through a series of conference calls with tribal leaders convened by the Department of Justice. The topics identified in the agenda reflect the input that was received during those calls. Tribal leaders are, of course, not limited to these topics and are invited to bring forward any additional concerns or topics for consultation.

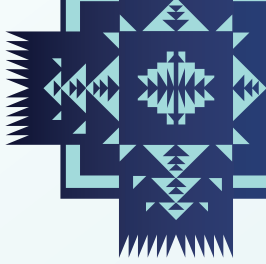
U.S. DEPARTMENT OF JUSTICE
2010 TRIBAL CONSULTATION

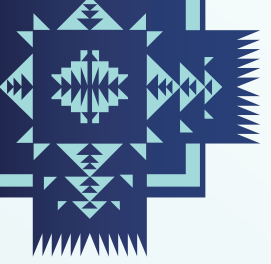
Tuesday, October 5, 2010

Day 2 - Consultation on DOJ Grantmaking

7:30 a.m. - 8:00 a.m.	Registration and Continental Breakfast	Pend Oreille Pavilion
8:00 a.m. - 8:10 a.m.	Traditional Opening	Pend Oreille Pavilion
8:10 a.m. - 8:25 a.m.	Tribal Welcome	Pend Oreille Pavilion
8:25 a.m. - 8:40 a.m.	DOJ Opening Comments	Pend Oreille Pavilion
8:40 a.m. - 8:50 a.m.	Overview of the Day	Pend Oreille Pavilion
8:50 a.m. - 9:30 a.m.	Coordinated Tribal Assistance Solicitation (CTAS) Overview	Pend Oreille Pavilion
9:30 a.m. - 11:00 a.m.	Tribal Leader Statements/Federal Discussion What barriers and advantages did previous years' grants application processes pose?	Pend Oreille Pavilion
11:00 a.m. - 12:00 p.m.	Tribal Leader Statements/Federal Discussion How did the CTAS process fare in meeting these barriers of previous years? What did/did not work well about the CTAS Process?	Pend Oreille Pavilion
12:00 p.m. - 1:30 p.m.	Working Lunch: Continue Consultation	Pend Oreille Pavilion
1:30 p.m. - 3:00 p.m.	Tribal Leader Statements/Federal Discussion What changes can be made to improve the process for Fiscal Year 2011 and beyond?	Pend Oreille Pavilion
3:00 p.m. - 4:00 p.m.	Tribal Leader Statements/Federal Discussion Other recommendations	Pend Oreille Pavilion
4:00 p.m. - 4:30 p.m.	Federal Follow-Up Actions	Pend Oreille Pavilion
4:30 p.m. - 5:00 p.m.	Closing Ceremony, Adjourn	Pend Oreille Pavilion

On each day, a separate partial day informational session for tribal policy and program staff is scheduled to run concurrently with the government-to-government tribal consultation session. This will provide a forum for the tribal technical staff to discuss detailed grant writing and management technical matters with DOJ staff. This is not a consultation session.

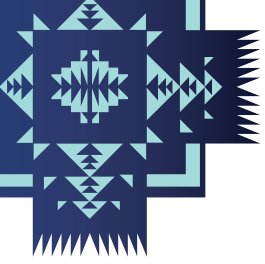






APPENDIX B: FACILITATOR BIOGRAPHIES

Working Together to End the Violence

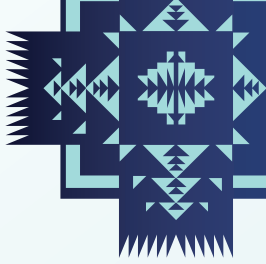


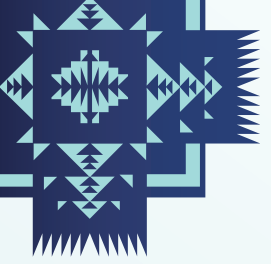
THERESA M. POULEY

Honorable Pouley is the Tulalip Chief Judge, an Associate Justice of the Colville Court of Appeals, and is the former Chief Judge of the Lummi Tribal Court. She also serves as a trial judge and appellate court justice for several other Northwest tribes and as a judge of the Northwest Intertribal Court System.

EUGENIA TYNER-DAWSON

Eugenia Tyner-Dawson is the Executive Director, of Justice Programs Council on Native American Affairs, and the Senior Advisor to the Assistant Attorney General for Tribal Affairs. She is a member of the Sac and Fox Nation and is a descendent of the Absentee Shawnee Tribe of Oklahoma. Ms. Tyner-Dawson has worked in law enforcement as a certified peace officer and has an extensive background in serving tribal governments and tribal organizations. For 11 years, she worked with her own tribe directing numerous tribal programs and volunteering as a deputy court clerk and reserve police officer.

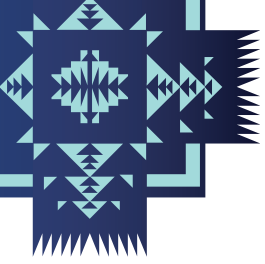






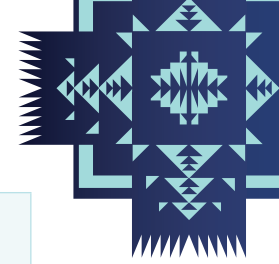
APPENDIX C: CONSULTATION PARTICIPANTS

Working Together to End the Violence

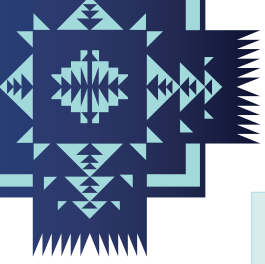


2010 CONSULTATION PARTICIPANTS

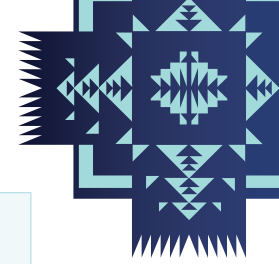
NAME	TITLE AND ORGANIZATION
Jackie Abrahamson	Domestic Violence Victim Advocate, Spokane Tribe Family Violence Program
Rodney W. Abrahamson	Council Member, Spokane Tribe of Indians
Crystal Adams	Grant Writer, Ute Indian Tribe
Jacqueline Agtuca	Violence Against Women Act Task Force, National Congress of American Indians
Desiree Allen-Cruz	Family Violence Services Program Manager, Confederated Tribes of the Umatilla Indian Reservation
Laura Ansera	Tribal Youth Coordinator, Office of Juvenile Justice and Delinquency Prevention
Beatriz Arakawa	Program Manager and Victim Advocate, Lower Elwha Family Advocacy, Social Services Department
Richard Armstrong	Chief of Police, Law Enforcement Services, Colorado River Indian Tribes
April Attebury	Court Administrator/Project Director, Karuk Tribe
Stephanie Autumn	Director, Education Development Center, Tribal Youth Program Training and Technical Assistance Center
Dianne Barker Harrold	Project Director for Tribal Victim Services, Unified Solutions Tribal Community Development Group, Inc.
Amanda Barrera	Councilwoman, Colorado River Indian Tribes



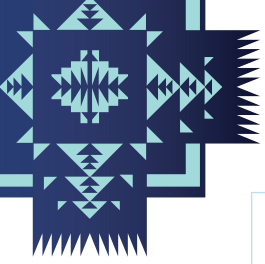
Charles Barth	Assistant United States Attorney, U.S. Department of Justice, District of New Mexico
Katrina Baum	Division Director, Violence & Victimization, U.S. Department of Justice, National Institute of Justice
Lanisha Bell	Executive Director, Mississippi Band of Choctaw Indians, Family Violence and Victim's Services
Vondell Bender	Shelter Staff, Hualapai Human Services
Tillie Black Bear	Consultant, Sacred Circle National Resource Center on Domestic Violence
Shasta Blackeye	Dispatcher I, Elko Central Dispatch
Janey Blackeye Bryan	Chief of Police, Duckwater Shoshone Tribe
Liisia Blizzard	Deputy Director, Kenaitze Indian Tribe
Martin Bohl	Judge, Kalispel Tribe
Michael Bovechop	Legislative Analyst, Puyallup Tribe of Indians
Michelle Brickley	Associate Director, U.S. Department of Justice, Office on Violence Against Women
Kaye Brisbois	Social Service Director, Spokane Tribe of Indians
Judy Bronco	Victim Advocate, Shoshone-Bannock Tribes Victim Assistance Program
Annette Brown	Assistant General Counsel, Salt River Pima-Maricopa Indian Community
Robert Brown Jr.	Team Leader, Federal, Military & Tribal Programs, U.S. Department of Justice, Office for Victims of Crime, Office of Justice Programs



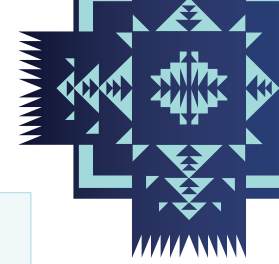
Dorothy Burke	Tribal Court Administrator, Colville Tribal Court
Tanya Busby	Program Coordinator, Karuk Tribe
Henry Cagey	Lummi Nation
James Candelaria	Assistant United States Attorney, United States Attorney's Office
Lana Cano	Member of the Public, Oglala Sioux Tribe
Susan Carbon	Director, U.S. Department of Justice, Office on Violence Against Women
Debby Carlson	Grants Manager, Washoe Tribe of Nevada and California
Glynette Carson McNabb	Assistant United States Attorney, U.S. Attorney's Office, District of New Mexico
Donavan Case	Lead Advocate, San Carlos Domestic Violence Advocacy & Legal Service
Bryan Cassadore	Chairman, Te-Moak Tribe of Western Shoshone
Shirley Charley	Business Council Member, Colville Confederated Tribes
Milton Cheemuk	Board of Directors, Norton Sound Health Corporation
Shelly Chimoni	Head Councilwoman, Zuni Tribe
Kimmy Clausen	Tribal Council, Oglala Sioux Tribe
Charles Clement	Chief Operating Officer, Southcentral Foundation
Sheilah Cleveland	Associate Judge, Colville Tribal Court
Dana Cleveland	Attorney, Colville Tribes Office of Reservation Attorney



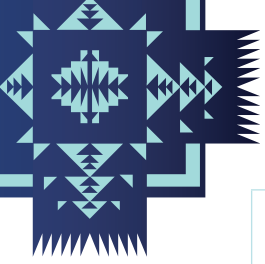
Florence Conrad	Council Member, Karuk Tribe
Rhonda Craig	Attorney Advisor, U.S. Department of Justice, Office of Justice Programs
Chris Cuestas	Gang Prevention Specialist, National Violence Prevention
Teresa Dameron	Senior Planner, Ponca Tribe of Nebraska
Virginia Davis	Deputy Director, U.S. Department of Justice, Office on Violence Against Women
James Delacruz	Councilperson, Quinault Indian Nation
Nicole Dennis	Program Specialist, U.S. Department of Justice, COPS Office
Jeanne Dennis	Advisory Board Member, Hualapai Tribal Women's Shelter
Harlan Dennis, Sr.	Advisory Board Member, Hualapai Tribal Women's Shelter
Sabrina Desautel	Prosecutor, Confederated Tribes of the Colville Reservation
Bruce Diedesch	Attorney, Spokane Tribe-OSTA
Libby Dill	Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Michigan
Carol Doney	Social Work Aide, Indian Health Service
Andy Dorr	Assistant Director, COPS Office
William J. Douglas	Chief Judge, Coeur d'Alene Tribal Court
Prairie Rose DuBray	Lead Project Associate, Sicangu Resource Management
Daniel Duenas	COP, Puyallup Tribe
Emma Dulik	Chief Judge, Makah Tribal Court



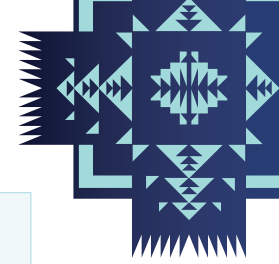
Deb Dunithan	Grantwriter/Planner, Shoalwater Bay Indian Tribe
Julius Dupree	Policy Advisor, U.S. Department of Justice
Mildred Duprey de Robles	Conciliation Specialist, U.S. Department of Justice, Community Relations Service
Roman J. Duran	Lt. Governor, Pueblo of Tesuque
Lorraine Edmo	Deputy Director for Tribal Affairs, U.S. Department of Justice, Office on Violence Against Women
Jolene Estimo	Grant Developer, Confederated Tribes of Warm Springs, Oregon
Michael Evans	Chief of Police, Squaxin Island Police Dept
Elizabeth Field	Program Analyst, Office of Justice Programs, Office of Audit, Assessment and Management
Nikki Finkbonner	Coordinator, Lummi Nation Victims of Crime Program
Honor Fisher	Victim Advocate, Colorado River Indian Tribes Attorney General
Glenn Fisher	Vice-Chairman, The Shoshone-Bannock Tribes
Tolani Franks	Grant Writer, Catawba Indian Nation
Cheryl Frisby	Administrative Assistant to the Council, Telida Tribal Council
Alene Garcia	Chief Judge, Hualapai Tribe
Suzanne Garcia	Assistant General Counsel, Washoe Tribe of Nevada and California
Lea Geurts	Probation Officer, Pyramid Lake Tribal Court



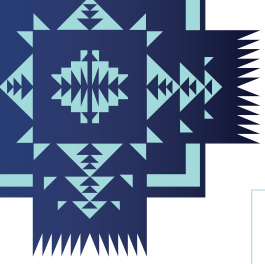
Karl Gilje	Chief of Police, Port Gamble S'Klallam Tribal Public Safety
Alma Goddard	Outreach Program Manager, Women Spirit Coalition, Washington State Coalition of Natives Against Domestic Violence and Sexual Assault
Rochanda Gourneau	Director, Hearts of Hope
Juliana Grant	Program Specialist, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART), U.S. Department of Justice
Sandra Greene	Domestic Violence Program Coordinator, Quinault Indian Nation
Loretta Greycloud	Program Coordinator, Inter-Tribal Council of California, Inc.
Leanne Guy	Founder & Executive Director, Southwest Indigenous Women's Coalition
Leslie Hagen	National Indian Country Training Coordinator, U.S. Department of Justice
Phineas Haglin	Detective Sergeant, Spokane Tribe
Lowell Halverson	Executive Vice President, Central Council Tlingit Haida Indians of Alaska (CCTHIA)
Philip Harju	Vice Chairman, Cowlitz Indian Tribe
Frank Harrill	Supervisory Senior Resident Agent (SSRA), Federal Bureau of Investigation
April Havatone	Court Administrator, Hualapai Tribal Court
Verna Henderson	Social Service Director, Lower Elwha Klallam Social Services
Leslie Hendrick	Chief of Police, Nez Perce Tribe
Terri Henry	Tribal Council, Eastern Band of Cherokee Indians



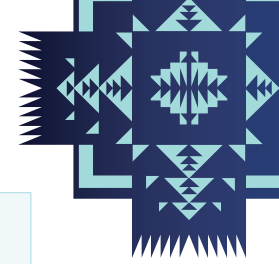
Monica Henry	Human Resources, Quileute Tribe
Grace Her Many Horses	Chief of Police, Rosebud Law Enforcement Services
Sandra Hicks	Contracts & Grants Administrator, Pyramid Lake Paiute Tribe
Marnie Hodahkwen	Assistant United States Attorney, United States Attorney's Office, District of Arizona
Susan Holly	Victim Advocate / Volunteer Coordinator, Lutheran Community Services
Loretta Howard	Program Coordinator, Women's Legal Advocacy Program, Bishop Paiute Tribe
Emily Hughes	Board Chair, Norton Sound Health Corporation
Gene Hughes	Acting Chief Judge, Tribal Court, Spokane Tribe
Troy Hunt	Planner, Navajo Department of Behavioral Health Services
Flora Hunter	Grant Writer, Hualapai Department of Planning and Economic Development
Michelle Iyatunguk	Director, Maniilaq Association
Katy Jackman	Staff Attorney, National Congress of American Indians
Bevra Jacobson	CSKT Victim Assistance Program Manager, Confederated Salish and Kootenai Tribes
Jeremy Jehangiri	Assistant United States Attorney, U.S. Department of Justice, U.S. Attorney's Office (EDCA)
Ruth Jewell	Program Coordinator, Penobscot Indian Nation
Audrey Jim	Domestic Abuse Manager, Shoshone Bannock Tribes



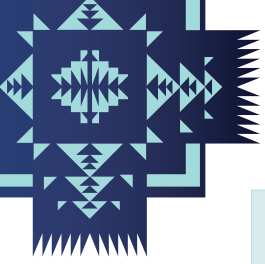
Raymond Joe	Councilman, Navajo Nation
Jenni Jones	DV/SA Advocate, Kalispel Tribe Healing Spirits Program
Yvette Joseph	Project Manager, Kauffman and Associates, Inc.
Lori Jump	Program Manager, Sault Ste. Marie Tribe of Chippewa Indians
Dennis June	FDS Manager, Torres Martinez Tribal TANF
Gale Jungemann-Schulz	Social Services Director, Ponca Tribe of Nebraska
Emma Jurado	U.S. Department of Justice
Dan Kamkoff	Executive Director, Northwest Intertribal Court System
Julie Kane	Managing Attorney, Nez Perce Tribe
Jennifer Kaplan	Attorney Advisor, Office on Violence Against Women, U.S. Department of Justice
Jo Ann Kauffman	President, Kauffman & Associates, Inc.
Linda Ketcher	Supervisory Social Worker, Bureau of Indian Affairs
Cathleen Kintner-Christie	Administrator, Kalispel Tribe of Indians
Leatha Kipp	Support Specialist, Blackfeet Law Enforcement Services
Dee Koester	Executive Director, Women Spirit Coalition, Washington State Coalition of Natives Against Domestic Violence and Sexual Assault
Debra Kondilis	Tribal Council Member, Penobscot Indian Nation



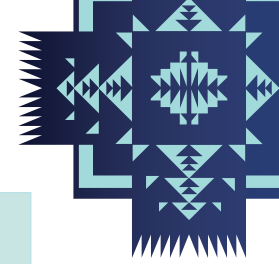
Charlene Krise	Squaxin Island Tribal Council Member, Squaxin Island Tribe
Lawrence W. La Pointe	Vice-Chairman, Puyallup Tribe of Indians
Bernadette LaForte	Program Manager/Advocate, Coeur d'Alene Tribe
Elmer Lamson	Compliance Specialist, White Mountain Apache Police Department
Mike Lasnier	Chief of Police, Suquamish Tribe
Brent Leonhard	Deputy Attorney General, Confederated Tribes of the Umatilla Indian Reservation
Roberta Little Light	Domestic Violence Director, Crow Tribe Domestic Violence
Darwin Long Fox	Chief Judge (attorney), Puyallup Tribe of Indians
Jeanie Louie	Tribal Council Secretary, Coeur d'Alene Tribe
Steve Lozar	Council Member and Secretary, CSKT Tribal Council, Confederated Salish and Kootenai Tribes
Angel Lund	Victim Advocate, Colorado River Indian Tribes Attorney General's Office
Hope MacDonald LoneTree	Councilwoman, Navajo Nation
Kristina Mahloch	Program Coordinator, Fox Valley Technical College
Angie Makomenaw	Domestic Violence Coordinator, Saginaw Chippewa Indian Tribe of Michigan
Yolanda Manning	Coordinator/Director, STOP Violence Against Native Women
Mary Kate Markano	Tribal Affairs Assistant, U.S. Department of Justice



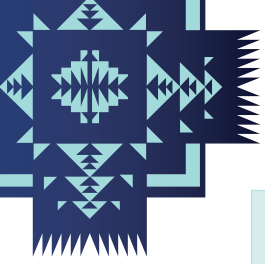
Marietta Martin	Program Development Manager, Tohono O'odham Nation Department of Health and Human Services
Anna Martinez	Senior Policy Advisor, Office on Violence Against Women
Elizabeth Martinez	Assistant U.S. Attorney, United States Attorney's Office, District of New Mexico
Karol Mason	Deputy Associate Attorney General, U.S. Department of Justice
Vonda Matthews	Senior Legislative Advisor, U.S. Department of Justice, Office of Community Oriented Policing Services
Aliceson McCormick	Social Services Director, Catawba Indian Nation
James McDevitt	U.S. Attorney, Eastern District of Washington
Beth McGarry	Deputy Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice
Donna McNamara	Tribal Prosecutor, Suquamish Tribe
Debbie Medeiros	Pathways to Healing Program, Cowlitz Indian Tribe
Rhonda Medicine Crow	Administrative Assistant, Inter-Tribal Council of California, Inc.
Rosa Melendez	Regional Director, U.S. Department of Justice, Community Relations Service
Angela Mendez	Tribal Health Director, Shoshone-Bannock Tribes
Weston Meyring	Tribal Prosecuting Attorney, Spokane Tribe of Indians
Linda Miles-Bennett	Assistant Director, Salt River Pima-Maricopa Indian Community



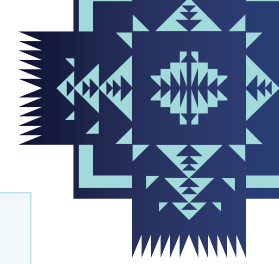
Frank Miller	Executive Director/Chief of Staff, Eastern Shawnee Tribe
Dale Miller	Chairman, Elk Valley Rancheria
L. Greg Miller	Director, Lower Brule Counseling Service
T. Peter Mills	Program Manager, Design & Construction Management, The Puyallup Tribe of Indians
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Paul Mueller	Chief Judge, Lower Brule Sioux Tribe, Lower Brule Sioux Tribe
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Misty Napeahi	Proposal Writer, Tulalip Tribes
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Rebecca K. Odor	Program Specialist, Administration for Children & Families
Germaine Omish-Guachena	Executive Director, Strong Hearted Native Women's Coalition, Inc.



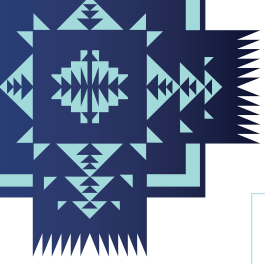
Peter Ortego	General Counsel, Department of Justice, Ute Mountain Ute Tribe
Jane Palmer	Research Assistant, National Institute of Justice
Lorraine Parlange	Attorney, Kalispel Tribe of Indians
Terri Parr Wynecoop	Staff Member, Affiliated Tribes of Northwest Indians
Sarah Pearson	Fellow, Office of Juvenile Justice and Delinquency Prevention
Sylvia Peasley	Business Council Member, Colville Confederated Tribes
La Vonne Peck	Tribal Chair, La Jolla Band of Luiseno Indians
Vicki Perez	Assistant Director Victim Services, Choctaw Nation of Oklahoma
Tracy Perez	CSKT Victim Assistance Program Domestic Violence Advisory Committee Member, Confederated Salish and Kootenai Tribes
Thomas Perrelli	Associate Attorney General, U.S. Department of Justice
Steven W. Perry	Statistician, U.S. Department of Justice
Aleta Poste	Regulator Process Coordinator, Squaxin Island Tribe
Mark Pouley	Chief Judge, Swinomish Tribal Court
Mike Poulson	Agriculture Natural Resource Director, Congresswoman Cathy McMorris Rodgers
Ruth Powsey	Shelter Staff, Hualapai Human Services
Gaylene Pretty Bird	Director, Sicangu Resource Management



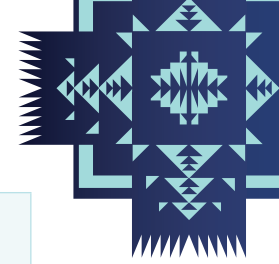
Ingrid Quam	Corporal, Zuni Police Department
Carolyn Quan	Domestic Violence Program Coordinator, Ketchikan Indian Community Tribal Health Clinic
Lisa Redford	Director - Planning and Grants, Three Affiliated Tribes
Wilverna Reece	Council Member, Karuk Tribe
Tina Retasket	Tribal Council Secretary, Confederated Tribes of Siletz Indians
Jack Roberts	Lead Grant Program Specialist, U.S. Department of Justice-COPS Office
Susan Roe	Assistant United States Attorney, United States Attorney's Office, Western District of Washington
Ida Roehl	Director, Community Services Department, Bristol Bay Native Association
David Roman	Substance Abuse Counselor, Torres Martinez Tribal TANF
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Gyasi Ross	Staff Attorney, Crowell Law Offices
Laurence Rothenberg	Deputy Assistant Attorney General, U.S. Department of Justice
Dawn Rowe	Domestic Violence Project Coordinator, Tonkawa Tribe of Oklahoma
Jo Royal	Telida Representative, Telida Tribal Council
Daniel Russell	Project Manager, Justice Solutions Group



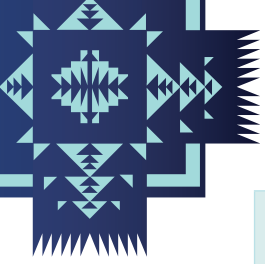
Rose Saddler	Domestic/Sexual Violence Advocate, Cultural Resource Department
Grace Sage Musser	Conciliation Specialist, U.S. Department of Justice, Community Relations Service
Michael Salabiye	Planner, Navajo Department of Behavioral Health Services
Gay Saunders	Grant Writer, Ute Indian Tribe
Wendy Schlater	Avellaka Program Director, La Jolla Band of Luiseno Indians
Charlene Shaifer-Jones	Financial Analyst, U.S. Department of Justice
Paul Siewell	Paralegal, Redding Rancheria
Monica Simeon	Principal Partner, Sister Sky Training & Development
Lucy Simpson	Staff Attorney, Indian Law Resource Center
Alice Skenandore	Executive Director, Wise Women Gathering Place
Harry Smiskin	Chairman, Yakama Nation
H. Sally Smith	Alaska Representative, National Indian Health Board
Cindy Smith	Tribal Judge, Suquamish Tribe
Velasquez W. Sneezy, Sr.	Director/Attorney, San Carlos Apache Tribal Domestic Violence Program
Justine Souto	Tribal Programs Consultant, Fox Valley Technical College - Criminal Justice Center for Innovation
Mike Spencer	Vice-Chairman, Spokane Tribe



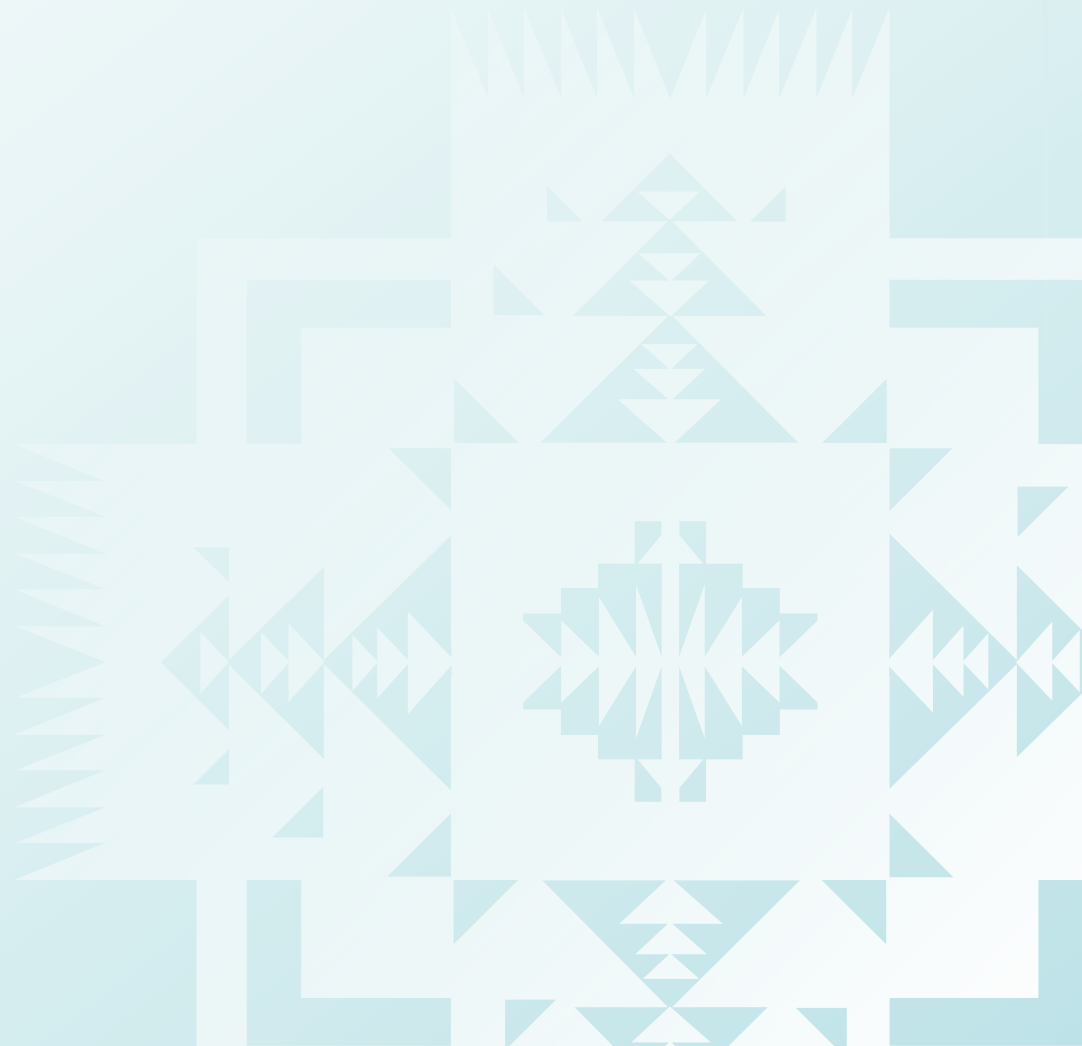
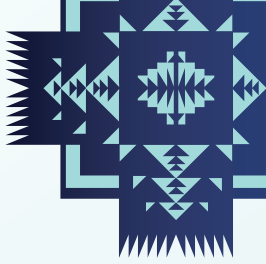
Consuelo Splawn	Assistant Director Project Empower, Choctaw Nation of Oklahoma
Mato Standing High	Attorney General, Office of the Attorney General
Michele Stanley	Tribal Council Member At Large District Rep, Saginaw Chippewa Indian Tribe
Mae Stensgar	Domestic Violence Committee Member, Colville Confederated Tribe TANF Program
John Stensgar	Business Council Member, Colville Confederated Tribes
Kyle Stetler	Policy Analyst, Government Accountability Office
Leo Stewart	Vice Chair Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation
James Stinson	SOWA
Laurie Sun Child	Director, Cultural Resource Department
Winona Tanner	Chief Judge, Confederated Salish and Kootenai Tribal Court
Shanna Tautolo	Grants & Contracts Officer, Pascua Yaqui Tribe
Doris Thompson	Tribal Council, Mississippi Band of Choctaw Indians
Samantha Thornsberry	Tribal Council Member, Cahuilla Band of Indians
Christopher Toal	Grant Writer/Planner, Puyallup Tribe
Cynthia Toop	Grants Manager, Native Village of Barrow
Tracy Toulou	Director, Office of Tribal Justice, U.S. Department of Justice

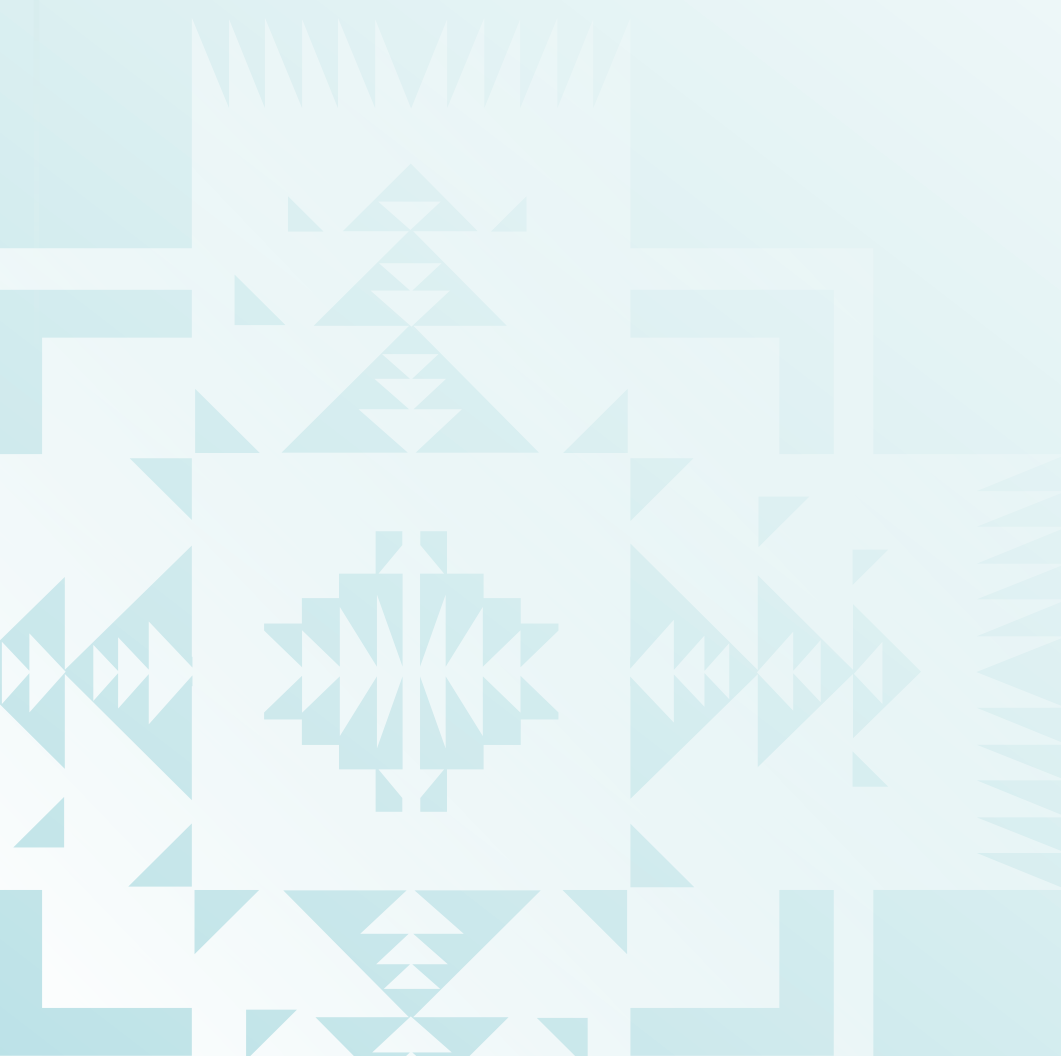
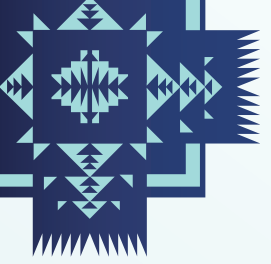


Joni Townsend	Fort Bidwell Indian Community Alcohol and Drug Counselor, Warner Mountain Indian Health
Martha Tulee	Student
Joseph Turrey	Councilman, Lower Elwha Klallam Tribe
Roxanne Two Bulls	Grant/Contract Manager, Oglala Sioux Tribe Department of Public Safety
Nate Tyler	Vice Chairman, Makah Tribe
Gena Tyner-Dawson	Executive Director, Justice Programs Council on Native American Affairs, U.S. Department of Justice
Ruby Verschoor	Indian Country Liaison; Assistant United States Attorney, U.S. Department of Justice, U.S. Attorney's Office, Eastern District of Washington
Jean Vitalis	Court Administrator, Makah Tribal Court
Lucy Weedman	Tribal Victims Services Response Coordinator, Bristol Bay Native Association
Tama Weinberg	Senior Analyst, U.S. Government Accountability Office
Valerie Welsh-Tahbo	Councilwoman, Colorado River Indian Tribes
Kyle West	Grant Writer, Kalispel Tribe of Indians
Traci Whelan	Assistant United States Attorney Tribal Liaison, United States Attorney's Office, Idaho
Audrey White	Program Specialist, Office of Audit, Assessment, and Management, Office of Justice Programs
Shivon White	Grant Writer, RJS & Associates, Inc.



Shena Williams	Program Specialist, Department of Health and Human Services
Susan Williams	Associate Director, U.S. Department of Justice, Office on Violence Against Women
Crystal Wilson	Fort Bidwell Indian Housing Assistant, Fort Bidwell Indian Community
Candice Wilson	Council Member, Lummi Indian Business Council
Angela Wood	Budget Officer, Office on Violence Against Women, U.S. Department of Justice
Marilyn Wright	Domestic Violence Program Director, Winnebago Tribe of Nebraska
Ralph Wyman	Director of Public Safety, Chehalis Tribe
James Wynecoop	Executive Director of Public Safety, Chief of Police, Kalispel Tribe of Indians
Sheri YellowHawk	Tribal Council Member, Hualapai Tribe
Thomas Younker	Vice-Chairman, Coquille Indian Tribe
Shelley Zavlek	President, Justice Solutions Group

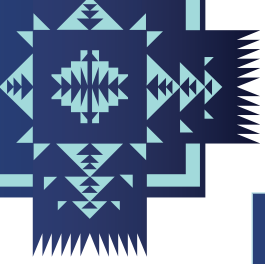




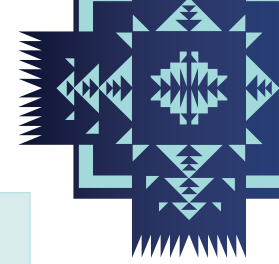


APPENDIX D: CONSULTATION DOCUMENTS

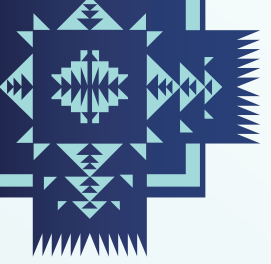
Working Together to End the Violence



ORGANIZATION / TRIBE	CONTACT PERSON	DOCUMENT TYPE	DESIGNEES
Cahuilla Band of Indians	Luther Salgado	Authorization Letter	Samantha Thornsberry
Chippewa Cree Tribe	Robert Swan	Written Testimony	
Choctaw Nation of Oklahoma	Gregory E. Pyle, Chief	Resolution Letter	
Colville Business Council	Shirley Charley, Law & Justice Committee Chair	Resolution Letter	
Confederated Salish and Kootenai Tribes of the Flathead Nation	E.T. "Bud" Moran, Chairman, Tribal Council	Authorization Letter	Steve Lozar
Winona Tanner			
Bevra Jacobson			
Tracy Perez			
Duckwater Shoshone Tribe	Virginia Sanchez	Authorization Letter	Janey Blackeye Bryan
Houlton Band of Maliseet Indians	Brenda Commander	Authorization Letter	Jane Root
Lower Elwha Klallam Tribe	Frances G. Charles, Chairperson	Resolution Letter	
Native Village of Barrow Inupiat Traditional Government	Thomas Olemaun, President	Authorization Letter	Cynthia Toop
Oneida Tribe of Indians of Wisconsin	Kathy Hughes, Vice-Chairman	Written Testimony	
Rincon Band of Luiseño Indians	Bo Mazzetti, Chairman	Authorization Letter/ Written Testimony	Germaine Omish-Guachena



RJS & Associates, Inc.	Robert Swan, RJS Founder/ Chippewa Cree Tribal Elder	Resolution Letter	
Salt River Pima-Maricopa Indian Community	Diane Enos, President	Authorization Letter	Annette Brown
San Carlos Apache Tribe	Wendsler Nosie, Sr., Tribal Chairman	Authorization Letter	Velasquez Sneezy
Southcentral Foundation	James Segura, Chairman	Authorization Letter	Bobbi Outten
Charles Clement			
Suquamish Tribe	Leonard Forsman, Tribal Chairman	Authorization Letter	Mike Lasnier
Donna McNamara			
Cindy Smith			
Turtle Mountain Band of Chippewa Indians	Richard Marcellais, Chairman	Authorization Letter	Rochanda Gourneau
U.S. Department of Justice	Thomas Perrelli	Invitation to Tribal Consultation	
Washoe Tribe of Nevada and California	Waldo W. Walker, Chairman	Authorization Letter	Suzanne Garcia
Debby Carlson			
Wise Women Gathering Place, Oneida Tribes of Indians of Wisconsin	Alice Skenandor, Executive Director	Written Testimony	





APPENDIX E: RECOMMENDATION PAPERS

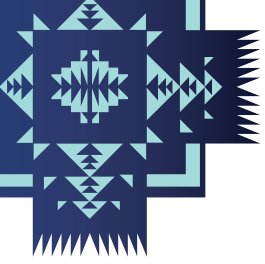
National Congress of American Indians, Task Force on Violence Against Women:

“Written Comments Prepared for the Department of Justice Annual Consultation on Violence Against Women Issues”

Restoration of Native Sovereignty and Safety for Native Women:

“Recommendations for 2010 Annual USDOJ – Tribal Nations Consultation on Violence Against Native Women”

Working Together to End the Violence



**National Congress of American Indians
Task Force on Violence Against Women**

**WRITTEN COMMENTS PREPARED FOR THE DEPARTMENT OF JUSTICE
ANNUAL CONSULTATION ON VIOLENCE AGAINST WOMEN ISSUES**

November 3, 2010

These comments are submitted on behalf of the National Congress of American Indians Task Force on Violence Against Women (“the Task Force”). The Task Force was formed in 2003 and represents a national movement of tribal members and organizations dedicated to the mission of enhancing the safety of American Indian and Alaska Native women.

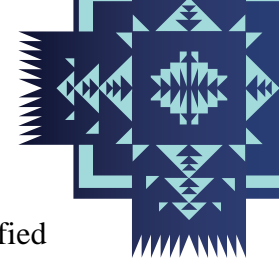
In recent years, the members of the Task Force have participated in numerous formal consultations, informal dialogues, conference calls, meetings, and Congressional hearings on the subject of violence against women. The Task Force has submitted its comments and recommendations for improving the safety of Native women and increasing the state and federal accountability to prosecute sexual assault and domestic violence crimes on Indian lands on many occasions and in many forums. The recent passage of the Tribal Law & Order Act is proof that the Task Force’s recommendations have not fallen on deaf ears. Congress and the Obama administration have heard the Task Force’s concerns and attempted to address them in this new law. Which is why, first and foremost, the Task Force would like to commend the Obama administration for its firm commitment to public safety in Indian Country and its support in helping get the TLOA enacted. However, the real work, the work of implementation, has only just begun. It is this new framework from which these comments are submitted.

The Tribal Law & Order Act

The TLOA addresses several concerns relevant to violence against Indian women that have been raised at prior DOJ consultations. The law has the potential to greatly improve public safety on Indian lands and help protect Indian women. However, it is critical that the DOJ take direct and immediate action to ensure full and effective implementation of all provisions of the bill, particularly those pertaining to the following areas.

1) Federal Accountability

Section 201 of the Act requires U.S. Attorneys to coordinate with tribal justice officials on the use of evidence when declining to prosecute or refer a reservation crime. Sharing of this



type of information is critical to keeping Indian women safe. Tribal officials need to be notified when a U.S. Attorney declines to prosecute sexual assault and domestic violence offenders so that, in the case of an Indian defendant, a tribe may decide the appropriate legal response according to tribal law. Separate from a decision to prosecute under tribal law, notification about the status of the case, advocacy services, and other related services must be given to the victim of the status of the case so that she may take the necessary steps to protect herself.

Recommendation: Hold U.S. Attorneys accountable for reporting duties and necessary coordination with tribal justice officials under the TLOA. The safety of Indian women depends upon it.

2) State Accountability

Section 201 provides tribes in P.L.280 jurisdictions with the option to request that the federal government reassume concurrent jurisdiction over crimes on Indian lands, particularly in areas where the state is doing an inadequate job of fulfilling its prosecutorial responsibilities. This lack of an adequate state response is especially problematic when dealing with sexual assault and domestic violence crimes because if the state fails to prosecute, non-Indian perpetrators may continue to commit horrific acts of violence against the same or a different victim.

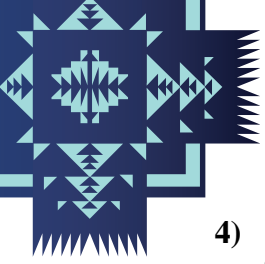
Recommendations: Work with tribes to develop the process by which a tribe can request concurrent federal jurisdiction. DOJ should also conduct outreach and sponsor educational trainings thereafter to ensure that tribes are aware of this new right and of how to exercise it.

It is worth mentioning that federal and state accountability are especially important in places like Oklahoma, where tribes face unique issues in investigation and prosecution of crimes as a result of the state's complicated Indian land base. Since allotment in the early 1900's, former-existing reservations have been mingled with non-Indian land, creating a checkerboard pattern of Indian land that is interspersed with non-Indian land. Tribes need additional programming and resources to address the practical issues that arise when serving victims in jurisdictionally distinct areas of Indian country, since services often cross tribal and state jurisdictional lines.

3) Enhanced Tribal Sentencing Authority

Section 304 of the TLOA grants tribal courts the ability to sentence offenders for up to 3 years imprisonment for any one offense under tribal criminal law if certain protections are provided. This is a significant improvement, although this maximum sentence still falls short of the average sentence of 4 years for rape in other jurisdictions. Crucial for our purposes, tribes must have the capacity to house the offender in detention facilities that meet federal standards, otherwise, the enhanced sentencing power is meaningless.

Recommendation: Ensure that the Bureau of Prisons Pilot Project—that is mandated to house up to 100 offenders referred by tribal courts—is established by the statutory deadline and that tribes are informed and have adequate time to comment on how the pilot project will be structured.



4) **Prisoner Release and Reentry**

Section 601 of the TLOA requires the U.S. Bureau of Prisons to notify tribal justice officials when a sex offender is released from federal custody into Indian country. In a meeting with representatives of the BOP in late September, NCAI staff were informed that the standard procedure for BOP when a prisoner is released is to notify the jurisdiction that referred the perpetrator. In other words, if a tribal prosecutor was to refer an offender to federal custody under the soon-to-be established pilot project, that tribal official would be notified upon the prisoner's release. However, if it was a federal prosecution, and the U.S. Attorney made the referral, the U.S. Attorney's office would be the one receiving notification of the release. This latter scenario creates problems for tribes because it appears as though there is no direct communication with tribal justice officials, even when the prisoner may be returning to Indian country.

Recommendations: Ensure that tribal justice officials are notified of prisoner release and reentry on Indian lands, regardless of the process by which this occurs (i.e., whether the BOP Director gives notice directly to tribal justice officials or whether he gives notice to the U.S. Attorney and the U.S. Attorney is responsible for relaying that message to tribal justice officials). In all cases of the reentry of a federal prisoner, it is also recommended that BOP provide tribal law enforcement the pending date and terms/conditions of release of the prisoner so that the tribe can be fully informed of any potential dangers posed to the victim and community. Proper implementation of this provision is critical to the safety of Indian women.

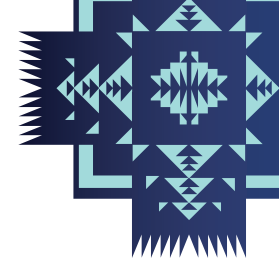
5) **Establishment of the Office of Tribal Justice as a Permanent Office**

The TLOA requires DOJ to establish the Office of Tribal Justice as a permanent component of the Department within 90 days of the date of enactment. OTJ is tribal nations' principal point of contact with in DOJ and the Department's primary source of legal and policy advice on Indian issues, including those pertaining to violence against Indian women. It is imperative that tribes are given the opportunity to weigh in on the specific roles and responsibilities OTJ will play in the future, as well as what OTJ's elevated status within the Department will mean.

Recommendation: Host a consultation session at the Tribal Justice, Safety & Wellness Conference to take place in early December in Palm Springs, California on the new role and structure of OTJ as a permanent DOJ component.

6) **Full Access to Federal Databases**

Section 905(a) of VAWA 2005 requires the Attorney General to permit Indian law enforcement agencies, in cases of domestic violence, dating violence, sexual assault, and stalking, to enter information into and obtain information from federal criminal information databases. Section 303 of the TLOA expands this authority to all crimes. In OVW's 2010 Update on the Status of Tribal Consultation Recommendations, OVW reports that only 28 tribal law enforcement agencies were identified that were unable to obtain NCIC access, about half of those now have access, and work is being done to ensure the remaining tribes obtain access. The Task Force congratulates DOJ on their efforts to ensure that all tribal law enforcement have NCIC access; however, the Task Force is worried that these numbers do not tell the whole story.



The Task Force has two central concerns. First, it fears that the DOJ’s definition of “access” does not include the statutorily mandated right to enter data into the NCIC, only the right to obtain it. Thus tribal victims of domestic violence and sexual assault that have obtained a tribal order of protection may be denied full access to enforcement of the order by justice services nationally because the order is not entered into the National Order of Protection Registry. While full faith and credit of a valid order is mandated under federal law, many instances continue to occur in which state law enforcement refuses to recognize or enforce a tribal order of protection.

Second, the Task Force suspects that even when tribal law enforcement agencies may have necessary access to obtain and enter data, the tribal judges who actually issue the orders of protection, do not. Consequently, many tribal orders of protection are not entered into the NCIC Protection Order Registry because of a lapse in communication between the tribal judge that issues the protection order and the tribal law enforcement official responsible for entering it into the NCIC database. In the context of management of convicted domestic violence and/or sex offenders nationally, the ability of Indian tribes to enter information into the NCIC regarding tribal conviction may be the only source other tribal, federal, or state prosecutors have to prior convictions that are important considerations in the charging or enhancements to the sentencing of a defendant.

Recommendations: Ensure that all tribes have the ability to access federal databases not only for the purpose of obtaining criminal history information, but also for entering such information into the database as well. Access to the protection order, sex offender, and missing person national registries is especially critical in the effort to increase the access to justice services and the safety of Native women. The Task Force also recommends that the DOJ host trainings for tribal judges and law enforcement to educate each about the gaps in the current system and how to facilitate better coordination to ensure that life-saving protection orders get entered into the NCIC database. Finally, the Task Force recommends that DOJ create a task force to identify the outstanding barriers tribes face in acquiring full access to federal criminal history databases and to develop a plan of action to resolve these issues.

These are just some of the provisions within the TLOA that will help protect the safety of Native women. The NCAI Task Force on Violence Against Women encourages the Department of Justice to fully implement all facets of the new law and to take measures to ensure that Congress adequately funds these and other critical public safety programs in Indian country.

Violence Against Women Act 2011 Reauthorization

The inclusion of a tribal title, the *Safety for Indian Women* title, within the Violence Against Women Act of 2005 was an historic achievement. VAWA 2005 clarified that the unique legal relationship of the United States to Indian tribes creates a federal trust responsibility to assist tribal governments in safeguarding the lives of Indian women. The NCAI Task Force recommends that the Department of Justice—in order to better fulfill its mission to protect the safety of Indian women—address the following issues in the upcoming VAWA reauthorization.

1) Tribal Jurisdiction Over Non-Indian Offenders



The lack of tribal jurisdiction over non-Indian offenders on Indian lands may be the key reason for the creation and perpetuation of disproportionate violence against American Indian and Alaska Native women. The 1978 U.S. Supreme Court decision in *Oliphant v. Suquamish Tribe* stripped Indian tribes of their inherent criminal jurisdiction over non-Indians unless such jurisdiction is specifically authorized by Congress. As such, Indian women—4 out of 5 of whom describe their offenders as white¹—often have no criminal recourse against non-Indian offenders. These non-Indian perpetrators are well aware of the lack of tribal jurisdiction over them, the vulnerability of Indian women, and the unlikelihood of being prosecuted by the Federal Government (or state government in P.L. 280 states) for their actions. This jurisdictional gap feeds the epidemic of violence against Indian women and is at odds with the United States’ recognition of tribal sovereignty and the policy of tribal self-determination. Further, it is in stark contrast to the purposes of the Violence Against Women Act that have guided our nation since its enactment over fifteen years ago.

Recommendation: Restore tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, and stalking that commit said crimes within the exterior boundaries of the reservation. Alternatively, establish a pilot project under which tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, and stalking is fully restored for a handful of select tribes. So long as tribes lack the legal authority to respond to crimes committed against Indian women, the violence will not cease.

2) Department of Interior Consultation with Tribes

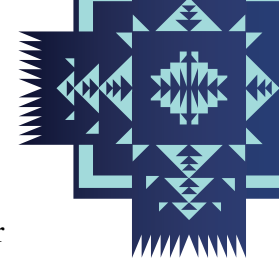
Section 903 of VAWA 2005 requires the Attorney General to conduct annual consultations with Indian tribal governments concerning the Federal administration of VAWA funds and programs for tribes. Despite the primary role that the Bureau of Indian Affairs’ plays in tribal law enforcement and investigation of crimes in Indian country, the Department of Interior is not mandated by VAWA to conduct annual consultations on issues related to violence against Native women.

Recommendation: Consider and support efforts to amend section 903 to require that the Bureau of Indian Affairs Office of Justice Services participate in the annual consultation with Indian tribes concerning sections 903(b)(2)-(3), “enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking[.]” and “strengthening the Federal response to such violence crimes.”

3) Inclusion of Domestic Violence within the Major Crimes Act

The Major Crimes Act was passed in response to the U.S. Supreme Court’s decision in *Ex parte Crow Dog* (1883), wherein it divulged Indian tribes of their authority to try and to punish serious Indian offenders and placed that authority squarely with the Federal Government. The underlying theory being that Indian tribes were not competent to deal with serious issues of crime and punishment. As a result, the United States is responsible for prosecuting Indians for a list of some 15 felonies. Domestic violence is not one of them.

¹ Patricia Tjaden & Nancy Thoene, U.S. Dep’t of Justice, *Prevalence, Incidence, and Consequences of Violence Against Women: Findings From the National Violence Against Women Survey*, 22 (2000).



Recommendation: Add domestic violence to the list of prosecutable crimes under the Major Crimes Act.

4) Inclusion of Alaska Natives in the VAWA §904 National Baseline Study

Due to its use of the phrase “Indian country,” the current statutory language of section 904(a)(1) is ambiguous with regards to the 229 federally recognized Indian tribes located in Alaska. The end result of the baseline study will be a report to Congress containing recommendations to enhance the effectiveness of federal, state, tribal, and local responses to violence against Indian women. It is inconceivable that such a study can in any meaningful way fulfill this directive without the inclusion of Alaska Native Villages that comprise almost one-half of all federally recognized Indian tribes.

Recommendation: Amend section 904(a)(1) in a manner that ensures the inclusion of Alaska Native Villages in the national baseline study. This technical correction was included in the “VAWA Fix-It” bill (H.R. 3401), a bill introduced in July 2009 which, if passed, would clarify certain VAWA provisions and facilitate implementation of the law.

5) Definition of “Rural Area” and “Rural Community”

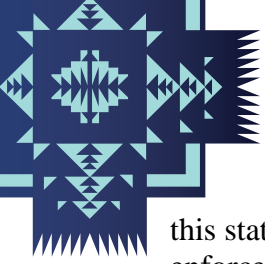
Since the enactment of VAWA in 1995, the unique responsibility of the United States to assist Indian tribes in creating safe communities and the urgent need to address epidemic levels of violence committed against Indian women have been recognized. Indian tribes were considered eligible entities under the OVW Rural Grant Program until the 2005 amendments to the definitions of “rural area” and “rural community,” and the redesign of the funding for the program based upon the number of state counties served. Prior to the 2005 amendments, Indian tribes relied upon this specific program as an important resource. The amendments and redesign of the program made many federally recognized Indian tribes ineligible under this grant program. Previously, all federally recognized Indian tribes were eligible entities but now eligibility is determined by geographic location connected to state based populations. This unintended consequence was in part due to the lack of expertise concerning the rural nature of most Indian tribes—that while they may be adjacent to a major city such as Phoenix or San Diego—are still characteristically isolated from services contained in the metropolitan area. There are reservations which may be made up of some of the most rural and remote land in the country that may not qualify as a “rural area” or “rural community” under VAWA’s current definition because at least part of the respective reservation lies within a metropolitan statistical area.

Recommendation: Support amendments to the definition of “rural area” and “rural community” so that it is inclusive of all American Indian and Alaska Native tribes.

Full Implementation of VAWA 2005

1) Habitual Offender Provision

VAWA contains a provision that makes it a federal crime for anyone who has two prior domestic violence convictions in federal, state, or tribal court to commit domestic assault within Indian Country. This provision is intended to give the federal government authority to intervene in repeat cases of domestic violence committed by tribal members that might not otherwise have risen to the level of a felony. To our knowledge, efforts to charge and prosecute offenders under



this statute have been minimal and few steps have been taken to ensure that federal law enforcement officers, U.S. Attorneys, and state authorities make use of this provision where appropriate.

Recommendations: In consultation with Indian tribes, develop guidelines for the implementation of the habitual offender provision; conduct cross-training for Assistant United States Attorneys and tribal prosecutors for the investigation, charging and prosecution of cases under the habitual offender provision; and inform Indian tribes of the progress and steps made toward implementation of the habitual offender provision.

2) Firearms Provision

VAWA makes it a federal crime for those convicted of domestic violence in tribal court to possess firearms. To our knowledge, only minimal steps have been taken to ensure that federal law enforcement officers, U.S. Attorneys, and state authorities comply with this provision. Firearms are extremely lethal and proper implementation of this provision has the potential to prevent the serious injury and murder of Native women. Because this is a federal crime and can only be charged by federal prosecutors, it is extremely important that U.S. Attorneys are trained and directed to charge offenders under this provision where appropriate.

Recommendations: Consult with Indian tribes to develop guidelines for the implementation of the firearms provision; conduct cross-training for Assistant United States Attorneys and tribal prosecutors for the investigation, charging, and prosecution of cases under the firearms provision; and inform Indian tribes of the progress and steps made toward implementation of the firearms provision.

3) Tribal Registry

VAWA requires DOJ to establish a national tribal order of protection and sexual offender registry. This registry is extremely important because several Indian tribes cannot directly enter into or access information from the national protection order or sex offender registries, but instead are dependent upon state systems. Congress authorized and has appropriated almost four million dollars to establish this national tribal registry. VAWA mandates that the Director of OVW issue a solicitation and enter into a contract to create and maintain this national tribal registry.

Recommendations: Ensure that the Director of OVW carries out her statutorily-mandated responsibilities to release the solicitation and to award a contract for the creation of the national tribal registry. The Task Force also recommends that the Director provide an update on the status of this statute during the annual 2011 OVW tribal consultation.

Tribal Nations Leadership Council

Lastly, the Task Force urges the Department of Justice to follow through on the Attorney General's commitment to establish a Tribal Nations Leadership Council within the Department to advise the Attorney General on justice issues that impact tribal nations. It has been almost a year since that commitment was made at the National Tribal Leaders Listening Session in Minneapolis, Minnesota last October. Despite a pledge to convene the first meeting of the



TNLC in May 2010, the membership of this group has not yet been publicly announced and no meetings have been held. We ask that you hold true to your word and establish the TNLC with all deliberate speed.

Thank you for the opportunity to submit these comments. The NCAI Task Force on Violence Against Women looks forward to a continued partnership on these issues moving forward. Together, we can reverse the current pattern of violence against Native women and the institutionalized barriers that obstruct their safety.

Juana Majel Dixon
1st Vice President, NCAI
Co-Chair, NCAI Task Force on Violence Against Women

Terri Henry
Councilwoman, Eastern Band of Cherokee Indians
Co-Chair, NCAI Task Force on Violence Against Women

Recommendations for 2010 Annual USDOJ – Tribal Nations Consultation on Violence Against Native Women

§903 directs the Attorney General and Secretary of Health and Human Services to each conduct annual consultations with Indian tribal governments concerning the federal administration of tribal funds and programs established under the Violence Against Women Acts of 1994 and 2000. It requires the Attorney General, during such consultations, to solicit recommendations from Indian tribes concerning:

- (1) administering tribal funds and programs;
- (2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
- (3) strengthening the federal response to such violent crimes.

In preparation for the 2006, 2007, 2008 and 2009 USDOJ annual consultations NCAI staff and Task Force coordinated preparatory caucuses for tribal leaders. During each caucus tribal leaders received a briefing and reviewed outstanding issues concerning the safety of Indian women. The caucus developed a list of recommendations each year regarding implementation of the Safety of Indian Women Title. This list was provided to the Department of Justice.

Although the recent passage of the Tribal Law and Order Act of 2010 responds to many of the barriers to the safety of Indian women, unresolved issues remain. It is widely acknowledged that criminal jurisdiction in Indian Country is overly complex and undermines the safety of Native women. This safety will not be a reality until Congress restores tribal jurisdiction over non-Indians who commit acts of domestic violence, dating violence, sexual assault, or stalking against Native women on tribal lands or who violate an existing state or tribal order of protection on tribal lands. The NCAI Task Force on Violence Against Women strongly encourages the Department of Justice to join with tribal leaders and call upon Congress to reaffirm tribal criminal jurisdiction over all persons within reservation boundaries.

In addition, the NCAI Task Force offers the following recommendations to aid the Department of Justice in its mission to protect the safety of Indian women.

Safety for Indian Women, §903 Consultation:

- (a) In General.—The Attorney General shall conduct annual consultations with Indian tribal governments concerning the Federal administration of tribal funds and programs established under this Act, the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902) and the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491).
- (b) Recommendations.—During consultations under subsection (a), the Secretary of the Department of Health and Human Services and the Attorney General shall solicit recommendations from Indian tribes concerning—
 - (1) administering tribal funds and programs;
 - (2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
 - (3) strengthening the Federal response to such violent crimes.

2010 USDOJ – Indian Nations Annual Consultation: Recommendations

“The unique legal relationship of the United States to Indian tribes creates a federal responsibility to assist tribal governments in safeguarding the lives of Indian women.”

a. Implementation of the Tribal Law and Order Act. Meaningful consultation and collaboration has been a cornerstone of the Obama Administration’s approach to Indian issues and the Tribal Law and Order Act provides a golden opportunity to facilitate this type of dialogue and partnership. Given the amount of action and significant coordination between tribal governments and federal agencies that is required under the Act, it is critically important that the USDOJ consult with tribes at each step of the implementation process. For example, the Act requires DOJ to establish the Office of Tribal Justice as a permanent component of the Department on or before October 27, 2010 (90 days from the date of enactment). As tribal nations’ principal point of contact within DOJ and the Department’s primary source of legal and policy advice on Indian issues, the Office of Tribal Justice has a key role to play in the Act’s implementation. Consequently, it is imperative that tribes be given the opportunity to weigh in on the leadership of OTJ prior to its establishment as a permanent DOJ component.

Recommendations:

- 1) Start planning formal consultation sessions on TLOA implementation Immediately.
- 2) Develop interagency workgroups, where necessary, to fulfill responsibilities under the Act.
- 3) Keep tribes apprised of USDOJ sponsored meetings and events regarding TLOA implementation via the Department’s Tribal Justice, Safety, & Wellness website.

b. Habitual Offender Provision. VAWA includes a provision creating a federal crime for anyone who has two prior domestic violence convictions in federal, state, or tribal court, and commits domestic assault within Indian Country. This provision is intended to give the federal government authority to intervene in repeat cases of domestic violence committed by tribal members that might not otherwise have risen to the level of a felony. To our knowledge, implementation of this statute is uneven and minimal steps have been taken to ensure that federal law enforcement officers, U.S. Attorneys and state authorities comply with this provision.

Recommendations:

- 1) Develop in consultation with Indian tribes guidelines for the implementation of the habitual offender provision;
- 2) Conduct cross training for Assistant United States Attorneys and tribal prosecutors for the investigation, charging and prosecution of cases under the habitual offender provision;
- 3) Inform Indian tribes of the progress and steps made toward implementation of the habitual offender provision.

c. Firearms Provisions. VAWA creates a new federal crime prohibiting offenders convicted of a domestic violence in tribal court from possessing firearms. To our knowledge, only minimal steps have been taken to ensure that federal law enforcement officers, U.S. Attorneys and state authorities comply with this provision. Firearms are extremely lethal and utilization of this statute holds the potential to prevent serious injury or the murder of Native women. This statute is a federal crime and can only be charged by federal prosecutors. It is extremely important that U.S. Attorneys are trained and directed to utilize this statute.

Recommendations:

- 1) Develop in consultation with Indian tribes guidelines for the implementation of the firearms provision;
- 2) Conduct cross training for Assistant United States Attorneys and tribal prosecutors for the investigation, charging and prosecution of cases under the firearms provision;
- 3) Inform Indian tribes of the progress and steps made toward implementation of the firearms provision.

d. Tribal Access to Federal Databases. VAWA §905(a) mandates that the Attorney General grant tribal law enforcement access to enter and obtain information from federal criminal databases cases of domestic violence, dating violence, sexual assault, and stalking. To date, we have not been made aware of any action to comply with this mandate and continue to hear from federal officials that tribal governments must go through the state in order to access the NCIC database. Tribal law enforcement agencies must have direct access to federal criminal databases to ensure the safety of Native women, particularly if the habitual offender and firearms provisions are to have any teeth.

Recommendations:

1. Identify which component of DOJ is responsible for implementation of §905(a) and provide Indian tribes contact information for the component;
2. Develop DOJ guidelines for the implementation of §905(a) and provide the guidelines to Indian tribes;
3. Issue a statement to Indian tribes that the system is now available for tribal law enforcement to access and enter information into the federal databases under §905(b).

e. Grants to Tribal Governments Program. VAWA 2005 statutorily combined tribal set-asides from 7 grant programs into a single program, the Grants to Indian Tribal Governments Programs (GITGP). The purpose of the single grant program is to enhance the response of Indian tribal governments to address domestic violence, sexual assault, dating violence and stalking. The establishment of this Program is an important step forward in streamlining access of Indian tribes to critical funding, but a number of concerns have been raised about the implementation of the grant program.

Recommendations:

1. The GITGP should receive the highest priority in the OVW schedule for grant making and award schedule. The lack of adequate resources available to tribal governments is well documented. Indian tribes lack the resources to maintain programs during gaps in access to continuation funding. Start-up and shutting down of tribal programs due to administrative issues is a tragic result of tribal programs not being prioritized by the OVW.
2. Pre-solicitation workshops should be conducted for Indian tribes needing assistance in completing the application process.
3. The GITGP should be funded within 90 days of OVW receiving the Congressional appropriation. All funds appropriated on an annual basis must be expended. Life saving funds should not sit in a Treasury account while women suffer.
4. Award date and access to funds should occur at the same time.
5. Project period should be no longer than a two-year period except at the request of individual grantees for extension of their grant project periods as allowed under OJP Financial Guidelines to complete implementation of their project goals and activities.
6. Population caps should be eliminated to address the specific and unique needs of the individual tribal grantees.
7. Administrative requirements not applicable to Indian tribes should be removed.
8. All technical assistance and training offered by OVW that Indian tribes are required to attend must be designed to specifically address the unique legal and jurisdictional circumstances of Indian tribes.
9. All training and technical assistance awards should be to organizations having expertise in working with Indian tribal governments and also expertise in addressing violence against Indian women, specifically domestic violence, sexual assault, stalking and dating violence as required under VAWA.

f. Tribal Nations Leadership Council. The intention to create the TNLC was announced by Attorney General Holder last October at the Department of Justice's Tribal Nations Listening Session on Public Safety and Law Enforcement in St. Paul, Minnesota. This new council was to meet twice a year, beginning in May 2010, to advise the DOJ on issues critical to Indian country, the hope being that it would successfully help facilitate open dialogue between the DOJ and tribal governments on matters of public safety. However, the TNLC has yet to convene for its first meeting and it is unclear whether or not its membership has been determined.

Recommendations:

- 1) Work closely with tribal leaders in each of the twelve BIA regions to select a tribal representative to sit on the new Tribal Nations Leadership Council.
- 2) Organize and host the first meeting of the TNLC before the year's end.

g. Consultation. VAWA requires that the DOJ conduct an annual consultation on violence against Native women.

Recommendations:

1. Jointly decide with tribal leaders, date, time, format, and facilitation for all consultations;
2. Set the date for the next annual consultation at the end of the prior one to allow for advanced planning and maximum participation of tribal leadership;
3. Immediately set the schedule for scoping calls to allow the opportunity for all tribal governments to participate in the preparatory call;
4. Allocate no more than one quarter of the total time of the consultation to presentations and allow three quarters of the time for statements and questions of tribal governments;
5. DOJ components charged with the responsibility for investigating or prosecuting perpetrators of violence crimes against Indian women should attend the annual consultation, of particular importance is the Office of the Attorney General, the United States Attorney; the Federal Bureau of Investigations;
6. OVW post on the OVW website prior to consultation a complete report on the amount of tribal set aside funds; grant awards allocated from tribal set aside funds; any remaining tribal roll over funds not allocated and why the funds were not allocated;
7. OVW prepare a compendium of the statements made by tribal leadership and copies of all written testimony to Indian tribes that participated;
8. DOJ issue a written response to the questions and concerns raised by Indian tribes during the consultations within 90 days of the annual consultation;
9. DOJ prepare an action plan for components of the Department to implement actions to address the concerns and recommendations made during the consultation by Indian tribes.

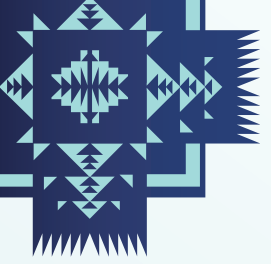
h. Tribal Registry. VAWA requires that the DOJ establish a national tribal order of protection and sexual offender registry. This registry is extremely important because the majority of Indian tribes cannot directly enter into or access information from federal databases regarding orders of protection or sex offender convictions but are dependent on state systems. Congress authorized and has appropriated almost four million dollars to establish this national system. The statute mandates that the Director of OVW issue a solicitation and enter into a contract to create and maintain this national tribal registry.

Recommendations:

1. The Director of OVW comply with the statute, release the solicitation, and award a contract for the creation of the national tribal registry.
2. The Director provide an update on the status of this statute during the annual consultation.

Quick Facts:

- Native women experience violent victimization at a higher rate than any other U.S. population.
- 34.1%, more than 1 in 3, Indian women will be raped in their lifetime
- 64%, more than 6 in 10, Indian women will be physically assaulted
- Indian women are stalked at more than twice the rate of other women





**APPENDIX F:
2010 UPDATE ON THE STATUS OF TRIBAL
CONSULTATION RECOMMENDATIONS**

Working Together to End the Violence



United States Department of Justice

Office on Violence Against Women

Working Together to End the Violence

**2010 Update on the Status of
Tribal Consultation Recommendations**

prepared for

**DOJ's Annual Tribal Consultation on
Violence Against American Indian and Alaska Native Women**

Spokane, WA

October 4, 2010




Table of Contents

<u>Section</u>	<u>Page</u>
Introduction	100
Part One: Implementation of VAWA	101
Part Two: Administering VAWA Grant Funds and Programs	105
Part Three: Strengthening the Federal Response to Violence Against Indian Women	109
Appendix	
A: Analysis of OVW Tribal Grant Programs	113
B: Fiscal Year 2010 OVW Tribal Grant Awards	114
C: Fiscal Year 2010 CTAS Tribal Grant Awards	117
D: Memo to United States Attorneys	132



Introduction

On October 30, 2009 the Department of Justice (DOJ) hosted its fourth annual government-to-government consultation on violence against American Indian and Alaska Native women. DOJ received recommendations from tribal leaders regarding the three consultation topics statutorily-mandated by Title IX of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005):

- Administering tribal funds and programs;
- Enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
- Strengthening the Federal response to such crimes.

Earlier this year, OVW issued a report on the 2009 consultation that includes a summary of the recommendations that were received from tribal leaders. In assembling the list of recommendations, OVW reviewed the official record from the event, as well as the written testimony and comments submitted by tribal leaders. This report is available online at www.tribaljusticeandsafety.gov.

The purpose of this follow-up report is to provide tribal leaders with a comprehensive update on the status of the recommendations from 2009; a review of progress made on implementation of the tribal provisions included in the Violence Against Women Act; and an update on recent initiatives DOJ has undertaken over the past year related to violence against Native women. The report is divided into three sections:

1. Implementation of Tribal Provisions in VAWA 2005
2. Administering VAWA Grant Funds and Programs
3. Strengthening the Federal Response to Violence Against Indian Women

Part One: Implementation of the tribal provisions in VAWA

The reauthorization of the Violence Against Women Act (VAWA) in 2005 included a number of provisions specifically aimed at ending violence against American Indian and Alaska Native women. Title IX, “The Safety for Indian Women Act,” honors the government-to-government relationship between the Federal government and tribal governments and aims to strengthen the capacity of Indian tribes to exercise their sovereign authority to respond to violent crimes against Indian women.

At the 2009 consultation session, many tribal leaders commented on the importance of full implementation of the tribal provisions in VAWA. In response to those comments, this document provides a section-by-section summary of what the Department of Justice has done to implement the tribal provisions in the years since VAWA 2005 was enacted and signed into law in January 2006.

Sec. 903 Consultation

Section 903 of VAWA 2005 requires the U.S. Attorney General to conduct an annual consultation with Indian tribal governments to address the federal administration of all tribal funds and programs established under the Violence Against Women Acts of 1994, 2000, and 2005. The statute further directs the U.S. Attorney General to solicit recommendations from the Indian tribes at an annual consultation concerning the following items:


1. Administering tribal funds and programs;
2. Enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
3. Strengthening the federal response to such violent crimes.

The Department of Justice held annual consultation sessions with tribes on violence against Native women in 2006, 2007, 2008, and 2009. The fifth annual consultation is scheduled to take place on October 4, 2010 in Spokane, WA. Reports from each of the prior consultation sessions are available on the consultation website at www.tribaljusticeandsafety.gov.

At the 2009 consultation, tribal leaders recommended that planning for the consultation should begin at least 6 months in advance of the event. With this in mind, on May 4, 2010, OVW hosted its first planning call to discuss possible sites for the 2010 consultation. All tribal leaders were invited to participate and approximately 20 tribal representatives joined the call. A second scoping call focused on developing the consultation agenda was held with tribal officials on August 25, 2010 and more than 50 tribal representatives participated. A third scoping call was held on September 8, 2010 with more than 40 individuals. A draft agenda was circulated for discussion and substantial changes were made to the agenda based on the feedback received.

Sec. 904 Analysis and Research on Violence Against Indian Women

Section 904 of VAWA 2005 authorized the National Institute of Justice (NIJ) to conduct analyses and research on violence against Indian women in Indian Country. In consultation with OVW, NIJ has implemented a new research program that will collect information on violence against Indian women in Indian Country and in Alaska Native communities focusing on



domestic violence, dating violence, sexual assault, stalking, and murder. This will be the first national effort to collect information of this kind from enrolled American Indian and Alaska Native people in Indian Country and in Alaska Native communities. NIJ is also conducting studies evaluating the effectiveness of the federal, state, tribal, and local response to violence against Indian women in Indian Country. In addition, NIJ also commissioned a study of the existing literature on violence against American Indian and Alaska Native women in order to build upon prior research and address gaps in the research. This study is available on the NIJ website.

Section 904 also directed the Attorney General to establish a Task Force to assist NIJ in the development and implementation of this program of research and to help guide implementation of the recommendations resulting from the studies. The initial 17 member task force held four meetings with NIJ and OVW staff and concluded its work in December 2009. A final report on NIJ's Program of Research was submitted by task force members in March 2010. The Section 904 Task Force was recently re-chartered, and the Department is currently reviewing nominations for the re-chartered Task Force, which will be convened before the end of the calendar year.

Sec. 905 Tracking of Violence Against Indian Women


Section 905 of VAWA 2005 included two provisions. The first, section 905(a), requires the Attorney General to permit Indian law enforcement agencies, in cases of domestic violence, stalking, sexual assault, and dating violence, to enter information into Federal criminal information databases and to obtain information from the databases.

The DOJ Office of Tribal Justice, Office of Intergovernmental and Public Liaison, and other components have launched a pilot project with a number of tribes who did not have NCIC access. As a result of the Department's outreach efforts, 28 tribal law enforcement agencies were identified that needed NCIC access but were unable to obtain it. Ten of these tribes are in California, 3 are in Nevada, 9 are in PL-280 (or similar) state jurisdictions other than California, and 6 are federal jurisdiction tribes in states other than Nevada.

Current status:

- NCIC access equipment has been installed at 13 sites.
- NCIC access equipment is in the process of being installed at 4 sites.
- DOJ is awaiting needed information from 5 tribes before installation can take place.
- 6 tribal law enforcement agencies have decided to opt-out of the program.

The second provision, section 905(b), authorizes the establishment of a national tribal sex offender registry and a tribal protection order registry containing civil and criminal orders of protection issued by Indian tribes and participating jurisdictions. OVW hosted a focus group on developing the registries in September of 2008. During this meeting, OVW heard from representatives from tribal law enforcement, the Federal Bureau of Investigation, Federal prosecutors, and others with expertise in the area of criminal justice information-sharing. OVW has also engaged in discussions with the DOJ SMART Office to discuss how this provision intersects with that Office's work to implement the Adam Walsh Act.



At last year's consultation session, OVW announced that it had prepared a draft solicitation to implement this provision. In light of additional legal and programmatic analysis and input from experts, OVW has reassessed our approach and determined that this provision is more appropriately implemented through a contract than through a grant or cooperative agreement. Because of limited available funding and the significant cost of creating secure databases of this kind, OVW will be implementing the databases sequentially. At past consultation sessions, tribal leaders have indicated that there is an urgent need to ensure that tribal courts have the ability to share protection orders. With this in mind, OVW anticipates contracting with an interested entity in the upcoming year to develop the National Tribal Order of Protection Registry, which will be a secure governmental registry as required by law.

Sec. 906 Grants to Indian Tribal Governments

Since 2007, OVW has administered the Grants to Indian Tribal Governments Program, which was created by Sec. 906 of VAWA 2005 and provides funding to tribal governments or their designees to: 1) develop and enhance effective governmental strategies to curtail violent crimes against women; 2) increase tribal capacity to respond to domestic violence, dating violence, stalking, and sexual assault crimes against Native women; 3) strengthen tribal justice interventions including tribal law enforcement, prosecution, courts, probation, correctional facilities; 4) enhance services to Indian women who are victims; 5) develop prevention and education strategies; 6) provide supervised visitation services; and 7) provide transitional housing to victims.


OVW has issued a solicitation for the Tribal Governments Program each year since Fiscal Year 2007. In Fiscal Year 2010, OVW partnered with other DOJ grant-making components to issue a Coordinated Tribal Assistance Solicitation (CTAS), which included OVW's Grants to Tribal Governments Program as "Purpose Area 6." OVW recently awarded a total of \$34.2 million to 60 tribal governments. Please see Part 2 below for a detailed discussion of OVW's grant funds for FY 2010.

Sec. 907 Tribal Deputy in the Office on Violence Against Women

Section 907 of VAWA 2005 establishes in OVW a Deputy Director for Tribal Affairs with a portfolio of statutory responsibilities relating to violence against Indian women, including administering tribal grants, coordinating development of Federal policy, providing support to other Departmental offices, and ensuring the availability of tribal technical assistance. In late 2006, OVW hired a Tribal Deputy, Lorraine Edmo, who is an enrolled member of the Shoshone-Bannock Tribe. She oversees a staff of four grant program specialists, coordinates implementation of Title IX within OVW, and meets with tribal leaders nationwide to gain a better understanding of the needs and challenges that tribes face. The President's budget request for FY 2011 included a request for additional staff for OVW. Contingent upon appropriations, OVW plans to add additional personnel to the tribal unit.

Sec. 908 Enhanced Criminal Law Resources

Section 908 of VAWA 2005 extended the federal firearms prohibition in 18 U.S.C. 922(g)(9) to reach persons convicted of qualifying *tribal* misdemeanor crimes of domestic violence. Such cases have proven difficult to pursue because tribal convictions do not qualify as predicate



offenses unless the conviction met statutory requirements that include right to counsel or waiver of those rights.

OVW has sponsored two trainings on the firearms provision this year. The first was for tribal advocates and the second was for state and tribal judges. DOJ recently appointed a national Indian Country training coordinator who will be partnering with OVW in FY 2011 to conduct trainings for tribal and federal prosecutors about this provision.

Sec. 909 Domestic Assault by a Habitual Offender

Section 909 of VAWA 2005 created a new federal crime, “Domestic Assault by a Habitual Offender,” which enables Federal prosecutors to charge any person who commits a domestic assault within Indian Country and who has a final conviction on at least two separate prior occasions in Federal, State, or Indian tribal court for a previous domestic violence crime. A review of DOJ’s case management data shows that this offense is used very infrequently.

One of the reasons for the low number of prosecutions under this provision is that very few cases are referred by law enforcement officers, who are most often the first responders, to the U.S. Attorneys’ Offices for prosecution. In an effort to increase the awareness of tribal and BIA law enforcement to potential federal prosecution options, EOUSA has been funded by the DOJ Office for Victims of Crime to create a training DVD. The DVD, which is currently in development, will cover applicable federal statutes, evidence necessary to successfully prosecute a case in federal court, lethality assessments, safety planning, restitution, victim issues, and offender accountability. The recently appointed national Indian Country training coordinator will also be partnering with OVW in FY 2011 to conduct trainings for tribal and federal prosecutors about this provision.

Sec. 202 Sexual Assault Services Program

Section 202 of VAWA 2005 created the Sexual Assault Services Program, which includes a tribal set-aside. OVW made awards for the first time in FY 2010 for our Tribal Sexual Assault Services Program (TSASP), which was included as “Purpose Area 5” in the Coordinated Tribal Assistance Solicitation. Approximately \$3.6 million was awarded on a competitive basis to 12 tribal governments for the purpose of creating, maintaining, expanding, and sustaining services to victims of sexual assault and their family or household members or others collaterally affected by the victimization. Please see Part 2 below for a detailed discussion of OVW’s grant funds for FY 2010.

Part Two: Administering VAWA Grant Funds and Programs

OVW administers three programs that specifically target tribal communities: 1) the Grants to Tribal Governments Program; 2) the Tribal Sexual Assault Services Program; and 3) the Tribal Coalitions Program. An analysis of the funding levels for each of the three tribal-specific programs is included in Appendix A.

Tribes are also eligible to apply directly to a number of OVW's other discretionary grant programs, and OVW continues to receive applications from tribes to those other programs. However, the pool of eligible applicants for the other programs is much broader than that of the tribal-specific programs. Tribes who choose to apply to these other programs must compete with state and local governments, nonprofit organizations, and colleges and universities, among other eligible entities. Historically, OVW's other discretionary grant programs attract significantly more applicants than the tribal-specific programs. The large number of applicants for these programs makes them highly competitive, and, in the case of the most competitive programs, fewer than half the applicants are offered funding.


In Fiscal Year 2010, OVW made a total of 117 awards to individual tribal governments, tribal government consortia, nonprofit tribal organizations, and tribal domestic violence or sexual assault coalitions, totaling more than \$52 million. A comprehensive list of all of OVW's tribal awards for Fiscal Year 2010 is included in Appendix B.

Coordinated Tribal Assistance Solicitation

For FY 2010, the Department of Justice issued a single Coordinated Tribal Assistance Solicitation (CTAS) for 10 of its tribal grant programs, including both OVW's Grants to Tribal Governments Program and Tribal Sexual Assault Services Program. CTAS also includes most of the Tribal programs from the Department's Office of Justice Programs (OJP) and Community Oriented Policing Services (COPS). The ten programs were listed as ten purpose areas in the coordinated solicitation. OVW's Tribal Governments Program was Purpose Area #6, and the Tribal Sexual Assault Services Program was Purpose Area #5.

In previous years, tribes seeking funding from more than one of these ten programs would have been required to submit multiple grant applications. With CTAS, tribes were able to submit a single application while selecting multiple purpose areas, ranging from juvenile justice to violence against women. A summary of all of the recipients of CTAS awards from across OVW, OJP, and the COPS Office is included in Appendix C.

Between March and May 2010, DOJ launched an unprecedented outreach effort with the following goals: educate tribal government officials about the CTAS and its application requirements; recruit additional peer reviewers with tribal expertise; provide training and technical assistance to potential applicants; and assist with developing CTAS policies and protocols regarding application review and the grant selection process. Staff from OVW's Tribal Unit also updated the *Guide to Understanding the Grants to Indian Tribal Governments*



Program to reflect the changes to the application process that were implemented for CTAS in Fiscal Year 2010.

Grants to Tribal Government Program—CTAS Purpose Area 6

The CTAS process led to several minor changes in the application process for OVW's grants. In Fiscal Year 2010, all CTAS applicants were required to submit a tribal resolution in support of their applications. In previous years, OVW had only required that tribal consortia and authorized designee applicants submit an authorizing tribal resolution in order to establish eligibility for funding. Additionally, in a change from OVW's past policies, applicants to the Grants to Tribal Governments Program were not required to submit a letter of support from their qualified partner as part of their initial application package. Instead, the letters were collected during the budget negotiation period from applicants who were recommended to receive a grant award.


The Tribal Governments Program accepted applications from two types of applicants in Fiscal Year 2010: (1) new applicants, and (2) current grantees. New applicants included those who had never before received OVW grant program funding, as well as applicants who may have previously received OVW grant program funding, but who did not have any active OVW grant awards at the time that their application for funding was submitted. Current grantees included applicants who had at least one active OVW grant award.

OVW also accepted applications for funding from current grantees who were either: (1) seeking Tribal Governments funding to continue project activities that were funded by OVW in Fiscal Year 2007; or (2) had received an award from some other OVW grant award program. Applicants who had received funding from the Tribal Governments Program in Fiscal Year 2007 and Fiscal Year 2009 were only eligible to receive funding to support projects that would either enhance or complement their existing Fiscal Year 2007 Tribal Governments Program supported projects.

As in previous years, in Fiscal Year 2010 new applicants to the program were able to request up to \$450,000. Although there was no explicit limit on the amount of funding that current grantees could request, OVW offered guidance in the CTAS to current grantees that it might not be able to offer awards to them in excess of \$900,000 due to the anticipated demand for funding. These budget guidelines were first adopted in Fiscal Year 2008.

In Fiscal Year 2010, OVW received 74 applications for the CTAS Purpose Area #6 requesting a total of \$47,821,521. The 74 applications included 67 applications from individual Federally-recognized Indian tribes, three applications from organizations or agencies acting as the authorized designee of a Federally-recognized Indian tribe, and four applications from tribal consortia. Seventeen of the applications were submitted by new applicants and 57 applications were submitted by current grantees who were seeking funding to enhance or continue their existing OVW-funded projects.

All applications submitted for CTAS Purpose Area #6 funding in FY 2010 were reviewed internally by OVW Program Specialists contemporaneously with the external peer review process. During the internal review, OVW staff evaluated each application taking into account



whether their applications contained activities that might compromise victim safety and how well applicants for continuation funding had complied with the administrative requirements of their current OVW grant award.

The following criteria were used to evaluate the prior performance of applicants for continuation funding:

- Whether progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the current project, indicating progress toward meeting project goals and objectives, and demonstrate that the current project has progressed in a timely manner as outlined in the original proposal;
- Whether the grantee has demonstrated that past activities supported with OVW funds have been limited to program Purpose Areas;
- Whether the grantee has complied with all special conditions of its existing grant award from the Department of Justice;
- Whether the grantee has adhered to programmatic and financial reporting requirements;
- Whether the grantee has complied with the Office of Management and Budget audit requirement (if applicable); and
- Whether there is an excess of funding remaining in the current award and funds have been spent in a timely manner.


Each application sent to external peer review was evaluated and scored by a three person panel composed of individuals with expertise in violence against women and the unique needs of tribal communities.

Based on the internal and external review of the applications, OVW made 60 awards through the Grants to Tribal Governments Program for Fiscal Year 2010 for a total of \$34,191,324.00. Reasons that applications did not receive funding included incomplete applications, poor past performance, and excessive funds remaining from previous grants.

Grants to Tribal Sexual Assault Services Program (TSASP)—CTAS Purpose Area 5

OVW administers the Sexual Assault Services Program (SASP), which was created by VAWA 2005 and is the first Federal funding stream solely dedicated to the provision of direct intervention and related assistance for victims of sexual assault. The SASP encompasses five different funding streams, including a program specifically for tribes. Congress appropriated \$15,000,000 in FY 2010 for the Sexual Assault Services Program overall. By statute, 10 percent of the appropriated amount is directed towards the TSASP Grant Program or \$1,500,000 for FY 2010. Because no awards were made under TSASP in FY 2008 or FY 2009 the combined amount available for FY 2010 was \$3,640,000.

Overall, the purpose of SASP is to provide intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault. In order to provide the most appropriate services to such victims, the TSASP Grant Program targets tribal governments.



The goal of the TSASP Grant Program is to create, maintain, and expand sustainable sexual assault services provided by tribal governments, which are uniquely situated to respond to the needs of American Indian and Alaska Native sexual assault victims.

By statute, tribal governments, tribal organizations, and tribal non-profits are the only eligible entities for TSASP. However, for the purposes of the FY 2010 Coordinated Tribal Assistance Solicitation, eligible applicants were limited to tribal governments or consortiums.

The CTAS solicitation set a budget cap for all TSASP Grant Program applicants. The budget cap was based on balancing the desire to make as many awards as possible with providing enough funding to allow for adequate staffing and project implementation over a three year period. Therefore, the budget cap was set at \$300,000. In response to the solicitation, the Office received 38 applications, requesting a total of \$10,636,918.

All applications were internally reviewed by an OVW staff person concurrent with peer review. Applications were reviewed for eligibility, completeness, to ensure that proposed project activities fell within the scope of the TSASP statutory purpose area, and to identify any proposed activities that may compromise victim safety.

Each application sent to external peer review was evaluated and scored by a three-person panel composed of individuals with expertise in violence against women and the unique needs of tribal communities.

Based on the internal and external review of the applications, OVW funded 12 of the 38 applications that were received for the Fiscal Year 2010 Purpose Area #5 for a total of \$3.6 million.


Part Three: Strengthening the Federal Response to Violence Against Women

In addition to the work described above to implement specific sections of the Violence Against Women Act, the Attorney General has launched a Department-wide initiative on public safety in tribal communities, with a particular focus on combating violence against women. DOJ has made combating violence against women in tribal communities a priority and is committed to providing training and resources to enhance federal investigations and prosecutions of crimes against Native women. As a part of this initiative, DOJ has taken a number of actions that respond to concerns and recommendations from past consultation sessions. Recommendations from past consultation sessions and the DOJ response are outlined below.

Tribal concern or recommendation: Tribal leaders have consistently raised concerns about federal prosecution of crimes of violence against American Indian and Alaska Native women. In particular, tribes have expressed concerns about the prosecution of non-Indian perpetrators.

DOJ Response: DOJ has taken a number of actions to ensure that U.S. Attorneys' Offices are prioritizing these crimes in their districts and have the resources they need.

- On January 11, 2010, the Deputy Attorney General sent a memo to the United States Attorneys whose districts include Indian Country directing them to work closely with law enforcement to pay particular attention to violence against women, including misdemeanor crimes committed by non-Indians, in Indian Country and make these crimes a priority. The memo also directed the U.S. Attorneys to convene a consultation with the tribes located within their districts and develop an operational plan to improve public safety for those tribes. The U.S. Attorneys were specifically directed to focus on violence against women in these consultations and in drafting their district-specific operational plans. A number of the United States Attorneys have already initiated these consultations. A copy of the memo to U.S. Attorneys is included in Appendix D.
- DOJ added 33 new Indian Country Assistant United States Attorneys in FY 2010 to increase prosecution of serious crime.
- The President's FY 2011 Budget Request, which is currently pending in Congress, includes \$19 million to support 81 additional FBI positions (45 agents) to investigate violent crimes in Indian country.
- The President's Budget Request also includes \$500,000 for OVW to work in partnership with other DOJ components to develop and sponsor regional summits regarding violence against women in Indian Country. These regional summits will provide training on investigating and prosecuting federal cases involving sexual and domestic violence and stalking in Indian Country and enhance collaboration among federal and tribal entities charged with enhancing the safety of Indian women.
- At the suggestion of tribal leaders, the Department has created a Violence Against Women Federal/Tribal Prosecution Task Force that will facilitate dialog and coordinate



efforts between the Department and tribal governments regarding the prosecution of violence against women crimes in Indian country. The Task Force will be chaired by a United States Attorney from a district with Indian country responsibility. Task Force membership will include Assistant United States Attorneys and prosecution representatives from tribal governments. The Task Force will assist the Department in the development of best practice recommendations and resource materials concerning the prosecution of violence against women crimes in Indian country.

Tribal concern or recommendation: Tribal leaders have recommended that the Attorney General establish a standing advisory committee of tribal leaders to provide input to DOJ.

DOJ Response: The Attorney General established the Tribal Nations Leadership Council (TNLC), a group of tribal leaders from around the country that will advise him on issues critical to tribal communities. The TNLC marks the first time a council composed of tribal leaders selected by tribal governments will advise Justice Department leadership on an ongoing basis. The TNLC, which will meet twice a year, will be composed of one tribal leader from each of the twelve regions of the Bureau of Indian Affairs.


Tribal concern or recommendation: Tribal leaders have repeatedly stated that they have insufficient resources for criminal justice and victims services. Tribal leaders have also stated that the DOJ grant-making process should be more flexible.

DOJ Response: The President's Budget Request for FY 2011 includes \$321 million to DOJ for tribal public safety initiatives, an increase of 42% over FY 2010. This includes \$255.6 million for grants to Indian tribes for tribal law enforcement efforts. In addition, for FY 2010, DOJ instituted a new Coordinated Tribal Assistance Solicitation process in an effort to streamline the DOJ grant-making process and make it easier for tribal governments to apply for DOJ funds.

Tribal concern or recommendation: Tribal leaders have recommended that DOJ expand its use of tribal Special Assistant United States Attorneys (SAUSAs), a program which cross-designates tribal prosecutors to bring cases in federal court.

DOJ Response: OVW is planning to fund between 1 and 5 Violence Against Women (VAW) Tribal Special Assistant United States Attorneys in FY 2011 as part of a pilot project. OVW grants will be awarded directly to tribes and tribal consortia to hire qualified applicants in cooperation with participating U.S. Attorneys. These cross-designated prosecutors will maintain an active violence against women crimes caseload, in both tribal and federal court, while also helping to promote higher quality investigations, improved training, and better inter-governmental communication.

Tribal concern or recommendation: At last year's consultation session, a number of tribal leaders voiced concern that trafficking of Native women was becoming a significant problem.




DOJ Response: The Office for Victims of Crime (OVC) convened a roundtable August 25-26, 2010 in Washington, D.C. on human trafficking of American Indian and Alaska Native women and children. OVC brought together experts from the field to better understand the nature and prevalence of human trafficking in tribal communities and how it affects American Indians and Alaska Natives, and what OVC and the Department can do to support the victim services and law enforcement professionals in addressing this problem. OVC has prepared a preliminary report from this roundtable and welcomes additional comment and feedback.

Tribal concern or recommendation: Tribal leaders have raised concerns about the lack of resources to combat the high rates of sexual assault in tribal communities.

DOJ Response: OVW and OVC have several initiatives underway aimed at providing additional resources to tribal communities to address sexual assault.

- OVW is establishing a national clearinghouse on the sexual assault of Native women. This project will offer a one-stop shop where tribes can request free on-site training and technical assistance on a host of topics related to sexual assault including: developing tribal sexual assault codes; the dynamics of sexual assault cases for victim advocates, tribal law enforcement, prosecutors, and local medical professionals; establishing Sexual Assault Response Teams; and sexual assault forensic evidence collection certification and training for tribal communities. OVW anticipates making an initial award this fall to launch the Tribal Sexual Assault Clearinghouse.
- OVW is adapting the *National Protocol for Sexual Assault Medical Forensic Examinations* to specifically address the needs of tribal communities. In 2009, OVW held two focus groups with representatives from tribal governments and Federal agencies, including, DOJ, the Indian Health Service, the FBI, and the Bureau of Indian Affairs. Participants at these meetings discussed how to adapt the protocol into a model protocol that would meet the needs of tribal communities. OVW is currently reviewing the second draft of this report, which was prepared by Red Wind Consulting.
- In Fiscal Year 2009, OVW provided funding for a project to address the issue of collecting and preserving sexual assault evidence in rural and geographically isolated tribal communities. The SAFESTAR Project features a novel approach to this issue by highlighting the use of community-based lay health care providers, such as traditional midwives, medicine people, and community health aides to collect and preserve forensic evidence in sexual assault cases. A 40-hour training curriculum to train lay health care providers on how to collect and maintain forensic evidence is being developed. A companion training curriculum for tribal victim advocates, healthcare professionals, law enforcement officers, and prosecutors on their role in responding to sexual assault cases is also being produced.
- OVC is establishing a five- year, multi-agency, multi-disciplinary, comprehensive and coordinated intervention project called the Sexual Assault Nurse Examiner (SANE) and



Sexual Assault Response Team (SART) American Indian/Alaska Native Initiative (SANE-SART AI/AN Initiative). The overall goal of the project is to support efforts in Indian Country that address the needs of sexual assault victims. The project will focus on identifying and enhancing community responses to sexual assault, which may include furthering existing SANE/SART efforts and supporting the development of several comprehensive demonstration projects. OVC will engage in consultation throughout this process and is establishing the National Coordination Committee on SANE-SART AI/AN Initiative, to ensure that the complexities of developing effective interventions are addressed and the recommendations are responsive to stakeholders.

Tribal concern or recommendation: Tribal leaders have raised concerns about the particular challenges facing tribal communities in PL 280 jurisdictions, Oklahoma, and Alaska.

DOJ Response:

- On November 19-21, 2009, OVW, in partnership with the National Indian Justice Center held a national conference in San Diego, CA, entitled, *Mutual Solutions for the Safety of Indian Women in Public Law 280 States*. The conference brought together Indian country victim advocates, law enforcement officers, prosecutors, judges, court staff, social services professionals, and others to learn more about fostering inter-jurisdictional cooperation in improving the systemic response to violence against Indian women in jurisdictions affected by Public Law 280. A summary report on this meeting is available through NIJC's website.
- On December 2- 3, 2009, OVW partnered with the Institute for Native Justice at the American Indian Resource Center to host *Journey to Justice: A Summit on Violence Against Indian Women in Oklahoma* in Oklahoma City, OK. Conference participants included tribal victim advocates, law enforcement officers, prosecutors, judges, court staff, social services professionals, as well as Federal and state law enforcement and prosecutors. The purpose of the summit was to provide participants with a forum in which to discuss the various jurisdictional challenges to responding to violence against Indian women. More than 200 people attended this event.
- In August of 2010, DOJ sent a delegation to Alaska, which included the OVW Director, to learn more about the public safety challenges in Alaska Native villages and to explore ways that DOJ resources can be used more effectively in Alaska.

Tribal concern or recommendation: At last year's consultation session, tribal leaders strongly recommended that DOJ support swift passage of the Tribal Law and Order Act.

DOJ Response: DOJ supported the Tribal Law and Order Act, which was signed into law by President Obama in July. DOJ is now coordinating closely with DOI and other federal partners to ensure that the new law is fully implemented.

Appendix A – Analysis of OVW Tribal Grant Programs for Fiscal Year 2010

At past consultation sessions, tribal leaders have requested that DOJ provide a table showing how funds appropriated for tribal programs are spent by OVW. The table below, along with the list of grant recipients in Appendix B, responds to this request.

	Tribal Governments	Tribal Coalitions	Tribal Sexual Assault Services
FY 2010 Appropriation	\$37,470,000.00	\$3,930,000.00	\$1,500,000.00
<i>Technical Assistance & Evaluation Reduction</i>	-\$3,704,905.00	-\$620,900.00	\$0
Prior Year Carry Forward¹	\$2,194,097.55	\$458,594.75	\$2,140,000.00
Amount available for FY 2010 grants	\$35,959,147.55	\$3,767,694.75	\$3,640,000.00
Amount awarded in FY 2010	\$34,191,324.00	\$3,550,000.00	\$3,600,000
Remaining balance	\$1,767,823.55 ²	\$217,694.75 ³	\$40,000.00

¹ The Prior Year Carry Forward amount includes both funds that were not obligated in the prior year and funds that were deobligated. Deobligated funds are funds that are returned under a grant award for any number of reasons.

² The Grants to Tribal Governments Program has a significant balance this year because several tribes withdrew their applications during the budget review process. In addition, OVW originally planned to use funding from this program to support the tribal consultation, but DOJ has identified other sources of funds for this purpose. Remaining funds will be carried forward and distributed next year.

³ At the recommendation of the Tribal Unit, \$200,000 was set-aside for a special capacity-building initiative and will be awarded to an established tribal coalition with the capacity to provide training and technical assistance to other coalitions.

Appendix B – Fiscal Year 2010 OVW Tribal Grant Awards

Name of Grantee	Name of OVW Grant Program	Award Amount
Nez Perce Tribe	Abuse in Later Life	\$400,000.00
Confederated Tribes of the Umatilla Indian Reservation	Abuse in Later Life	\$250,000.00
United Tribes Technical College	Campus Program	\$245,000.00
Sitka Tribe of Alaska	Community-Defined Solutions	\$549,190.00
Fallon Paiute-Shoshone Tribe	Community-Defined Solutions	\$336,500.00
Rosebud Sioux Tribe	Community-Defined Solutions	\$387,373.00
Nooksack Indian Tribe	Community-Defined Solutions	\$388,014.00
Three Affiliated Tribes	Court Training and Improvements	\$100,000.00
Northern California Tribal Court Coalition	Court Training and Improvements	\$200,000.00
The Tulalip Tribes of Washington	Court Training and Improvements	\$50,000.00
Mending the Sacred Hoop	Culturally & Linguistically Specific Services	\$266,822.00
White Earth Reservation Tribal Council	Legal Assistance for Victims	\$449,666.00
Tribal Government of St. Paul Island	Rural Domestic Violence	\$255,560.00
Kodiak Area Native Association	Rural Domestic Violence	\$375,000.00
Kawerak, Inc	Rural Domestic Violence	\$762,781.00
Emmonak Womens Shelter	Rural Domestic Violence	\$350,000.00
Yavapai-Apache Nation	Rural Domestic Violence	\$234,685.00
La Jolla Band of Luiseno Indians	Rural Domestic Violence	\$200,000.00
Pueblo of San Felipe	Rural Domestic Violence	\$275,000.00
Muscogee Creek Nation	Rural Domestic Violence	\$899,112.00
Wiconi Wawokiya, Incorporated	Rural Domestic Violence	\$325,000.00
Native American Community Board	Rural Domestic Violence	\$89,671.00
Gentle Ironhawk Shelter	Rural Domestic Violence	\$316,437.00
Confederated Tribes of Colville	Rural Domestic Violence	\$249,905.00
Menominee Indian Tribe of Wisconsin	Rural Domestic Violence	\$250,000.00
Sacred Spirits	Sexual Assault Services-Culturally Specific	\$300,000.00
Nooksack Indian Tribe	Supervised Visitation	\$400,000.00
Maniilaq Association	Transitional Housing	\$249,983.00
Saginaw Chippewa Indian Tribe	Transitional Housing	\$250,000.00
Eight Northern Indian Pueblos Council, Inc. PeaceKeepers	Transitional Housing	\$250,000.00
Choctaw Nation of Oklahoma	Transitional Housing	\$248,945.00
Confederated Tribes of the Warm Springs Reservations	Transitional Housing	\$250,000.00
Lummi Indian Nation	Transitional Housing	\$245,875.00
Yupik Women's Coalition	Tribal Coalitions	\$250,000.00
Hopi-Tewa Women's Coalition	Tribal Coalitions	\$400,000.00
Strong Hearted Native Women's Coalition	Tribal Coalitions	\$150,000.00
Native Women's Coalition	Tribal Coalitions	\$275,000.00
MN Indian Women's Sexual Assault Coalition	Tribal Coalitions	\$430,000.00
Haudenosaunee Coalition	Tribal Coalitions	\$175,000.00
Native Alliance Against Violence	Tribal Coalitions	\$300,000.00

Native Women's Society of the Great Plains	Tribal Coalitions	\$450,000.00
Sicangu Coalition	Tribal Coalitions	\$300,000.00
WomenSpirit Coalition	Tribal Coalitions	\$325,000.00
American Indians Against Abuse, Inc.	Tribal Coalitions	\$495,000.00
Bristol Bay Native Association, Inc	Tribal Governments	\$750,000.00
Sun'aq Tribe of Kodiak	Tribal Governments	\$338,092.00
St. Paul Island Tribal Government	Tribal Governments	\$537,152.00
Sitka Tribe of Alaska	Tribal Governments	\$325,000.00
Norton Sound Health Corporation	Tribal Governments	\$588,360.00
Asa'carsarmiut Tribal Council	Tribal Governments	\$250,000.00
Central Council Tlingit and Haida	Tribal Governments	\$375,000.00
Native Village of Tununak	Tribal Governments	\$250,000.00
Tohono O'odham Nation	Tribal Governments	\$900,000.00
Salt River Pima Maricopa Indian Community	Tribal Governments	\$449,342.00
Gila River Indian Community	Tribal Governments	\$673,223.00
Pit River Tribe	Tribal Governments	\$450,000.00
Bear River Band of Rohnerville Rancheria	Tribal Governments	\$449,920.00
Shingle Springs Rancheria	Tribal Governments	\$398,149.00
Southern Indian Health Council, Inc.	Tribal Governments	\$558,804.00
Hopland Band of Pomo Indians	Tribal Governments	\$675,000.00
Los Coyotes Band of Indians	Tribal Governments	\$200,000.00
Shoshone-Bannock Tribes	Tribal Governments	\$591,758.00
Wampanoag Tribe of Gay Head	Tribal Governments	\$400,000.00
Houlton Band of Maliseet Indians	Tribal Governments	\$850,000.00
Pleasant Point Passamaquoddy Tribe	Tribal Governments	\$390,132.00
Hannahville Indian Community	Tribal Governments	\$295,474.00
Sault Ste. Marie Tribe of Chippewa Indians	Tribal Governments	\$897,592.00
White Earth Reservation Tribal Council	Tribal Governments	\$824,632.00
Leech Lake Band of Ojibwe	Tribal Governments	\$399,957.00
Bois Forte Band of Chippewa Indians	Tribal Governments	\$711,729.00
Mille Lacs Band of Ojibwe	Tribal Governments	\$754,330.00
Mississippi Band of Choctaw Indians	Tribal Governments	\$697,546.00
Confederated Salish and Kootenai Tribes	Tribal Governments	\$450,000.00
Northern Cheyenne Tribe	Tribal Governments	\$726,057.00
Eastern Band of Cherokee Indians	Tribal Governments	\$750,000.00
Turtle Mountain Band of Chippewa Indians	Tribal Governments	\$756,676.00
Spirit Lake Tribe	Tribal Governments	\$701,838.00
Three Affiliated Tribes	Tribal Governments	\$600,000.00
Ponca Tribe of Nebraska	Tribal Governments	\$651,673.00
Santa Clara Pueblo	Tribal Governments	\$478,759.00
Pueblo of Zuni	Tribal Governments	\$621,999.00
Eight Northern Indian Pueblos Council	Tribal Governments	\$900,000.00
Pueblo of Laguna	Tribal Governments	\$450,000.00
Washoe Tribe of Nevada and California	Tribal Governments	\$350,000.00

Fallon Paiute-Shoshone Tribe	Tribal Governments	\$580,000.00
St. Regis Mohawk Tribe	Tribal Governments	\$805,542.00
Otoe Missouria Tribe of Oklahoma	Tribal Governments	\$450,000.00
Apache Tribe of Oklahoma	Tribal Governments	\$500,000.00
The Chickasaw Nation	Tribal Governments	\$899,886.00
Cherokee Nation	Tribal Governments	\$450,000.00
Seminole Nation of Oklahoma	Tribal Governments	\$887,133.00
Cheyenne River Sioux Tribe	Tribal Governments	\$400,000.00
Women's Circle, Incorporated	Tribal Governments	\$500,000.00
Wiconi Wawokiya, Incorporated	Tribal Governments	\$640,000.00
Rosebud Sioux Tribe	Tribal Governments	\$900,000.00
Pretty Bird Woman House	Tribal Governments	\$828,230.00
Confederated Tribes of the Goshute Reservation	Tribal Governments	\$150,000.00
Cowlitz Indian Tribe	Tribal Governments	\$802,056.00
Quileute Tribal Council	Tribal Governments	\$575,000.00
Spokane Tribe of Indians	Tribal Governments	\$450,000.00
Snoqualmie Tribe	Tribal Governments	\$350,000.00
Yakama Indian Nation	Tribal Governments	\$450,000.00
Menominee Indian Tribe of Wisconsin	Tribal Governments	\$575,000.00
Northern Arapaho Tribe	Tribal Governments	\$580,283.00
Kawerak, Incorporated	Tribal Sexual Assault Services	\$300,000.00
Yurok Tribe	Tribal Sexual Assault Services	\$300,000.00
La Jolla Band of Luiseno Indians	Tribal Sexual Assault Services	\$300,000.00
Sac & Fox Tribe of the Mississippi in Iowa	Tribal Sexual Assault Services	\$300,000.00
Keweenaw Bay Indian Community	Tribal Sexual Assault Services	\$300,000.00
Sault Ste. Marie Tribe of Chippewa Indians	Tribal Sexual Assault Services	\$300,000.00
Red Lake Band of Chippewa Indians	Tribal Sexual Assault Services	\$300,000.00
Spirit Lake Tribe	Tribal Sexual Assault Services	\$300,000.00
Three Affiliated Tribes of Ft. Berthold	Tribal Sexual Assault Services	\$300,000.00
Pueblo of Laguna	Tribal Sexual Assault Services	\$300,000.00
Seminole Nation of Oklahoma	Tribal Sexual Assault Services	\$300,000.00
The Tulalip Tribes of Washington	Tribal Sexual Assault Services	\$300,000.00
Choctaw Nation of Oklahoma	Youth Services	\$299,656.00
Menominee Indian Tribe of Wisconsin	Youth Services	\$300,000.00
TOTAL		\$52,341,499.00

Appendix C – FY 2010 CTAS Grant Awards



U.S. Department of Justice Coordinated Tribal Assistance Solicitation Award List SEPTEMBER 15, 2010

Grantee Name	Program Name	State	Award Amount
Ak Chin Indian Community		AZ	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Akiachak Native Community		AK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$330,973
Akiak Native Community		AK	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$325,625
Aleut Community of St. Paul Island		AK	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$343,828
	COPS- Tribal Resource Grant Program		\$424,827
	OVW - Tribal Governments Program		\$537,152
Apache Tribe of Oklahoma		OK	
	OVW - Tribal Governments Program		\$500,000
Asa'carsarmiut Tribal Council		AK	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$349,618
	OVW - Tribal Governments Program		\$250,000
Barona Band of Mission Indians		CA	
	COPS- Tribal Resource Grant Program		\$98,443
Bay Mills Indian Community		MI	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$230,650
	COPS- Tribal Resource Grant Program		\$183,057

Grantee Name	Program Name	State	Award Amount
Bear River Band of Rohnerville Rancheria		CA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$345,744
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$295,578
	OVW - Tribal Governments Program		\$449,920
Bishop Indian Tribal Council		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	COPS- Tribal Resource Grant Program		\$55,625
Bois Forte Band Of Chippewa Indians		MN	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$787,500
	COPS- Tribal Resource Grant Program		\$188,858
	OVW - Tribal Governments Program		\$711,729
Burns Paiute Tribe		OR	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$149,062
Central Council Tlingit and Haida Indian Tribes		AK	
	OVC - Provide Community Outreach and Victim Assistance Services to Address Elder Abuse		\$91,400
	OVW - Tribal Governments Program		\$375,000
Cherokee Nation		OK	
	COPS- Tribal Resource Grant Program		\$900,600
	OVW - Tribal Governments Program		\$450,000
Cheyenne River Sioux Tribe		SD	
	OVW - Tribal Governments Program		\$400,000
Chickasaw Nation		OK	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$346,835
	COPS- Tribal Resource Grant Program		\$912,635
	OVW - Tribal Governments Program		\$899,886
Chippewa Cree Tribe		MT	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$499,234
	COPS- Tribal Resource Grant Program		\$497,000
Chitimacha Tribe of Louisiana		LA	
	COPS- Tribal Resource Grant Program		\$188,768
Choctaw Nation of Oklahoma		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$499,978
	COPS- Tribal Resource Grant Program		\$902,320
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$498,483



Grantee Name	Program Name	State	Award Amount
Citizen Potawatomi Nation		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$358,102
	COPS- Tribal Resource Grant Program		\$239,187
Coeur d' Alene Tribe		ID	
	COPS- Tribal Resource Grant Program		\$500,000
Colorado River Indian Tribes		AZ	
	COPS- Tribal Resource Grant Program		\$785,440
Confederated Salish and Kootenai Tribes		MT	
	COPS- Tribal Resource Grant Program		\$495,072
	OVW - Tribal Governments Program		\$450,000
Confederated Tribes & Bands of Yakama Nation		WA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$500,000
	COPS- Tribal Resource Grant Program		\$1,000,000
	OVW - Tribal Governments Program		\$450,000
Confederated Tribes of the Chehalis Reservation		WA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$364,437
	COPS- Tribal Resource Grant Program		\$406,750
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$286,925
Confederated Tribes of the Colville Reservation		WA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$498,980
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$899,677
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$495,499
	COPS- Tribal Resource Grant Program		\$1,252,246
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$454,108
Confederated Tribes of the Goshute Reservation		UT	
	OVW - Tribal Governments Program		\$150,000
Confederated Tribes of the Grand Ronde Community of Ore		OR	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$309,020
	COPS- Tribal Resource Grant Program		\$171,903
Coquille Indian Tribe		OR	
	COPS- Tribal Resource Grant Program		\$192,864
Cowlitz Indian Tribe		WA	
	OVW - Tribal Governments Program		\$802,056
Crow Tribe of Indians		MT	

Grantee Name	Program Name	State	Award Amount
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$499,426
Dry Creek Rancheria Band of Pomo Indians		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$329,107
Duckwater Shoshone Tribe		NV	
	COPS- Tribal Resource Grant Program		\$45,273
Eastern Band of Cherokee Indians		NC	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$375,130
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$478,496
	OVW - Tribal Governments Program		\$750,000
Eastern Shawnee Tribe of Oklahoma		OK	
	COPS- Tribal Resource Grant Program		\$363,408
Eight Northern Indian Pueblos Council, Inc		NM	
	OVW - Tribal Governments Program		\$900,000
Fallon Paiute-Shoshone Tribe		NV	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000
	COPS- Tribal Resource Grant Program		\$105,000
	OVW - Tribal Governments Program		\$580,000
Forest County Potawatomi Community		WI	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
Fort Belknap Indian Community		MT	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$900,000
	COPS- Tribal Resource Grant Program		\$500,000
Ft. McDowell Yavapai Nation		AZ	
	COPS- Tribal Resource Grant Program		\$748,606
Ft. Peck Assiniboine & Sioux Tribes		MT	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$490,812
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$121,320
	COPS- Tribal Resource Grant Program		\$994,586
Gila River Indian Community		AZ	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$499,586
	COPS- Tribal Resource Grant Program		\$1,499,606
	OJJDP - Enhance Accountability for Delinquent Behavior		\$224,156
	OVW - Tribal Governments Program		\$673,223



Grantee Name	Program Name	State	Award Amount
Great Lakes Indian Fish and Wildlife Commission		WI	
	COPS- Tribal Resource Grant Program		\$264,239
Hannahville Indian Community		MI	
	COPS- Tribal Resource Grant Program		\$36,299
	OVW - Tribal Governments Program		\$295,474
Ho-Chunk Nation		WI	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Hoopa Valley Tribe		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$324,800
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$349,846
	COPS- Tribal Resource Grant Program		\$136,747
Hopland Band of Pomo Indians		CA	
	COPS- Tribal Resource Grant Program		\$332,949
	OVW - Tribal Governments Program		\$675,000
Houlton Band of Maliseet Indians		ME	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$348,514
	OVW - Tribal Governments Program		\$850,000
Iowa Tribe of Oklahoma		OK	
	COPS- Tribal Resource Grant Program		\$279,404
Kalispel Tribe of Indians		WA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$208,742
	COPS- Tribal Resource Grant Program		\$332,036
Kaw Nation		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$97,887
Kawerak, Incorporated		AK	
	OVW - Tribal Sexual Assault Services Program		\$300,000
Ketchikan Indian Community		AK	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$400,000
Keweenaw Bay Indian Community		MI	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
	COPS- Tribal Resource Grant Program		\$288,628
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$500,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Kickapoo Tribe of Kansas		KS	

Grantee Name	Program Name	State	Award Amount
	COPS- Tribal Resource Grant Program		\$174,493
Klamath Tribes		OR	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$349,980
Kwethluk, Organized Village of		AK	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$345,164
	COPS- Tribal Resource Grant Program		\$28,665
La Jolla Band of Luiseno Indians		CA	
	COPS- Tribal Resource Grant Program		\$366,951
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$499,999
	OVW - Tribal Sexual Assault Services Program		\$300,000
Lac Courte Oreilles Indian Tribe		WI	
	COPS- Tribal Resource Grant Program		\$500,000
Lac du Flambeau Band of Lake Superior Chippewa Indians		WI	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$148,990
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$304,774
	COPS- Tribal Resource Grant Program		\$497,735
	OJJDP - Enhance Accountability for Delinquent Behavior		\$250,530
Leech Lake Band of Ojibwe		MN	
	COPS- Tribal Resource Grant Program		\$991,275
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$368,049
	OVW - Tribal Governments Program		\$399,957
Little River Band of Ottawa Indians Police Depart.		MI	
	COPS- Tribal Resource Grant Program		\$250,296
Little Traverse Bay Bands of Odawa Indians		MI	
	COPS- Tribal Resource Grant Program		\$189,326
Los Coyotes Band of Indians		CA	
	OVW - Tribal Governments Program		\$200,000
Lower Brule Sioux Tribe		SD	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$349,587
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$399,714
Match-E-Be-Nash-She-Wish Band of Pottawatomi		MI	
	COPS- Tribal Resource Grant Program		\$171,492
Menominee Indian Tribe of Wisconsin		WI	
	COPS- Tribal Resource Grant Program		\$455,723



Grantee Name	Program Name	State	Award Amount
	OVW - Tribal Governments Program		\$575,000
Mentasta Traditional Council		AK	
	OJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$294,236
Mescalero Apache Tribe		NM	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$149,884
	COPS- Tribal Resource Grant Program		\$305,000
Mille Lacs Band of Ojibwe Indians		MN	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
	COPS- Tribal Resource Grant Program		\$569,706
	OVW - Tribal Governments Program		\$754,330
Mississippi Band of Choctaw Indians		MS	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$461,018
	OVC - Provide Community Outreach and Victim Assistance Services to Address Elder Abuse		\$100,000
	OVW - Tribal Governments Program		\$697,546
Muscogee (Creek) Nation		OK	
	COPS- Tribal Resource Grant Program		\$935,000
Narragansett Indian Tribe		RI	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
Native Village Of Mekoryuk		AK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
Native Village of Tununak		AK	
	OVW - Tribal Governments Program		\$250,000
Navajo Nation		AZ	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$495,832
Nez Perce Tribe		ID	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$332,751
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Northern Arapaho Tribe		WY	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$999,509
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$494,824
	OVW - Tribal Governments Program		\$580,283
Northern Cheyenne Tribe		MT	
	COPS- Tribal Resource Grant Program		\$274,286
	OVW - Tribal Governments Program		\$726,057

Grantee Name	Program Name	State	Award Amount
Norton Sound Health Corporation		AK	
	OVW - Tribal Governments Program		\$588,360
Nottawaseppi Huron Band of Potowatomi		MI	
	COPS- Tribal Resource Grant Program		\$417,469
Oglala Sioux Tribe		SD	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$500,000
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$60,600
	COPS- Tribal Resource Grant Program		\$1,500,000
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$500,000
Oneida Indian Nation		NY	
	COPS- Tribal Resource Grant Program		\$115,980
Oneida Tribe of Indians of Wisconsin		WI	
	COPS- Tribal Resource Grant Program		\$241,175
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$500,000
	OVC - Provide Community Outreach and Victim Assistance Services to Address Elder Abuse		\$99,033
Orutsararmuit Native Council		AK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$335,810
Otoe Missouria Tribe of Oklahoma		OK	
	OVW - Tribal Governments Program		\$450,000
Pala Band of Mission Indians		CA	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$274,926
Pascua Yaqui Tribe		AZ	
	COPS- Tribal Resource Grant Program		\$952,740
Pauma Band of Mission Indians		CA	
	COPS- Tribal Resource Grant Program		\$338,050
Pechanga Band of Luiseno Mission Indians		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
Penobscot Nation		ME	
	COPS- Tribal Resource Grant Program		\$313,420
Pit River Tribe		CA	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$398,384
	OVW - Tribal Governments Program		\$450,000
Pleasant Point Passamaquoddy Tribe		ME	
	OVW - Tribal Governments Program		\$390,132



Grantee Name	Program Name	State	Award Amount
Pokagon Band of Potawatomi Indians		MI	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$46,860
Ponca Tribe of Nebraska		NE	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$499,948
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$498,810
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$499,696
	OVW - Tribal Governments Program		\$651,673
Port Gamble S'Klallam Tribe		WA	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Prairie Band of Potawatomi Nation		KS	
	COPS- Tribal Resource Grant Program		\$316,585
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$300,000
Prairie Island Indian Community		MN	
	COPS- Tribal Resource Grant Program		\$190,119
Pretty Bird Woman House		SD	
	OVW - Tribal Governments Program		\$828,230
Pubelo of Pojoaque		NM	
	COPS- Tribal Resource Grant Program		\$480,023
Pueblo of Jemez		NM	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$342,458
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000
	COPS- Tribal Resource Grant Program		\$500,000
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$500,000
	OJJDP - Enhance Accountability for Delinquent Behavior		\$300,000
	OVC - Provide Community Outreach and Victim Assistance Services to Address Elder Abuse		\$100,000
Pueblo of Laguna		NM	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$767,373
	COPS- Tribal Resource Grant Program		\$494,152
	OVW - Tribal Governments Program		\$450,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Pueblo of Zuni		NM	
	OVW - Tribal Governments Program		\$621,999
Pyramid Lake Paiute Tribe		NV	

Grantee Name	Program Name	State	Award Amount
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$343,813
	COPS- Tribal Resource Grant Program		\$488,615
Quapaw Tribe of Oklahoma		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$334,986
	COPS- Tribal Resource Grant Program		\$240,448
Quileute Tribal Council		WA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$92,131
	OVW - Tribal Governments Program		\$575,000
Quinault Indian Nation		WA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$349,805
	COPS- Tribal Resource Grant Program		\$437,230
Red Lake Band of Chippewa Indians		MN	
	OVW - Tribal Sexual Assault Services Program		\$300,000
Reno-Sparks Indian Colony		NV	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Rosebud Sioux Tribe		SD	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$499,956
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$499,976
	OVW - Tribal Governments Program		\$900,000
Round Valley Indian Tribes		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$319,285
Sac & Fox Tribe of the Mississippi in Iowa		IA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Saint Croix Chippewa Indians of Wisconsin		WI	
	COPS- Tribal Resource Grant Program		\$253,034
Salt River Pima-Maricopa Indian Community		AZ	
	OVW - Tribal Governments Program		\$449,342
San Carlos Apache Tribe		AZ	
	COPS- Tribal Resource Grant Program		\$1,323,084
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$480,199
Santa Clara Pueblo		NM	
	OVW - Tribal Governments Program		\$478,759
Santee Sioux Nation		NE	



Grantee Name	Program Name	State	Award Amount
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$347,518
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
	COPS- Tribal Resource Grant Program		\$344,219
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$498,261
Sault Ste. Marie Tribe of Chippewa Indians		MI	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$499,995
	COPS- Tribal Resource Grant Program		\$282,078
	OVW - Tribal Governments Program		\$897,592
	OVW - Tribal Sexual Assault Services Program		\$300,000
Seminole Nation of Oklahoma		OK	
	COPS- Tribal Resource Grant Program		\$486,453
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$500,000
	OVW - Tribal Governments Program		\$887,133
	OVW - Tribal Sexual Assault Services Program		\$300,000
Seminole Tribe of Florida		FL	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$349,892
Shingle Springs Band of Miwok Indians		CA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$300,000
	OVW - Tribal Governments Program		\$398,149
Shoalwater Bay Indian Tribe		WA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$349,798
	COPS- Tribal Resource Grant Program		\$335,450
Shoshone-Bannock Tribes		ID	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$400,000
	OVW - Tribal Governments Program		\$591,758
Shoshone-Paiute Tribes of Duck Valley		NV	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$980,927
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000
Sitka Tribe of Alaska		AK	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$398,208
	OVW - Tribal Governments Program		\$325,000
Skokomish Indian Nation		WA	
	COPS- Tribal Resource Grant Program		\$419,650
Smith River Rancheria		CA	

Grantee Name	Program Name	State	Award Amount
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	COPS- Tribal Resource Grant Program		\$75,300
Snoqualmie Tribe		WA	
	OVW - Tribal Governments Program		\$350,000
Southern Indian Health Council, Inc.		CA	
	OVW - Tribal Governments Program		\$558,804
Southern Ute Indian Tribe		CO	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$342,458
	OJJDP - Develop New Demonstration Projects on Violence Prevention and Rehabilitation		\$500,000
Spirit Lake Tribe		ND	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$284,163
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$277,713
	OVW - Tribal Governments Program		\$701,838
	OVW - Tribal Sexual Assault Services Program		\$300,000
Spokane Tribe of Indians		WA	
	OVW - Tribal Governments Program		\$450,000
Squaxin Island Tribe		WA	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$319,452
	COPS- Tribal Resource Grant Program		\$500,000
St. Croix Chippewa Indians of Wisconsin		WI	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$367,445
St. Regis Mohawk Tribe		NY	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$184,128
	OVW - Tribal Governments Program		\$805,542
Standing Rock Sioux Tribe		ND	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Stockbridge Munsee Community		WI	
	COPS- Tribal Resource Grant Program		\$57,372
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$342,247
Sun'aq Tribe of Kodiak		AK	
	OVW - Tribal Governments Program		\$338,092
Suquamish Tribe		WA	
	COPS- Tribal Resource Grant Program		\$500,000



Grantee Name	Program Name	State	Award Amount
Te-Moak Western Shoshone Law Enf Pub Safety		NV	
	COPS- Tribal Resource Grant Program		\$391,228
Three Affiliated Tribes of the Fort Bert Hold Reservation		ND	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$990,000
	COPS- Tribal Resource Grant Program		\$362,633
	OVW - Tribal Governments Program		\$600,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Tohono O'odham Nation		AZ	
	OVW - Tribal Governments Program		\$900,000
Tonkawa Tribe of Indians of Oklahoma		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
	COPS- Tribal Resource Grant Program		\$193,992
Tonto Apache Tribe		AZ	
	COPS- Tribal Resource Grant Program		\$243,050
Traditional Village of Togiak		AK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$350,000
Tulalip Tribes of Washington		WA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Turtle Mountain Band of Chippewa Indians		ND	
	COPS- Tribal Resource Grant Program		\$336,823
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$498,219
	OVW - Tribal Governments Program		\$756,676
United Keetoowah Band of Cherokee Indians In Oklahoma		OK	
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$500,000
Upper Sioux Indian Community		MN	
	COPS- Tribal Resource Grant Program		\$329,600
Ute Indian Tribe		UT	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
	COPS- Tribal Resource Grant Program		\$732,583
Ute Mountain Ute Tribe		CO	
	COPS- Tribal Resource Grant Program		\$500,000
Walker River Paiute Tribe		NV	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$350,000

Grantee Name	Program Name	State	Award Amount
	COPS- Tribal Resource Grant Program		\$342,943
Wampanoag Tribe of Gay Head (Aquinnah)		MA	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$265,494
	OVW - Tribal Governments Program		\$400,000
Washoe Tribe of Nevada and California		NV	
	OVW - Tribal Governments Program		\$350,000
White Earth Reservation Tribal Council		MN	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$478,009
	COPS- Tribal Resource Grant Program		\$990,880
	OVW - Tribal Governments Program		\$824,632
Wiconi Wawokiya, Incorporated		SD	
	OVW - Tribal Governments Program		\$640,000
Winnebago Tribe of Nebraska		NE	
	COPS- Tribal Resource Grant Program		\$141,500
	OJJDP - Prevent and Control Delinquency and Improve the Juvenile Justice System		\$277,454
Women's Circle, Incorporated		SD	
	OVW - Tribal Governments Program		\$500,000
Wyandotte Nation		OK	
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$185,361
Wyandotte Tribe of Oklahoma		OK	
	COPS- Tribal Resource Grant Program		\$265,861
Yavapai-Apache Nation		AZ	
	BJA - Plan, Renovate, or Construct Correctional and/or Correctional Alternative Facilities		\$150,000
Yavapai-Prescott Indian Tribe		AZ	
	COPS- Tribal Resource Grant Program		\$103,983
Ysleta Del Sur Pueblo		TX	
	COPS- Tribal Resource Grant Program		\$466,696
Yurok Tribe		CA	
	BJA - Prevent and Reduce Alcohol and Substance Abuse-Related Crimes		\$500,000
	COPS- Tribal Resource Grant Program		\$497,866
	OJJDP - Enhance Accountability for Delinquent Behavior		\$300,000
	OVC - Provide Community Outreach and Victim Assistance Services to Address Elder Abuse		\$100,000
	OVW - Tribal Sexual Assault Services Program		\$300,000
Zuni Tribe		NM	



Grantee Name	Program Name	State	Award Amount
	BJA - Develop and Enhance the Operation of Tribal Justice Systems		\$494,831
	COPS- Tribal Resource Grant Program		\$465,392

Appendix Deputy Attorney



U.S. Department of Justice

Office of the Deputy Attorney General

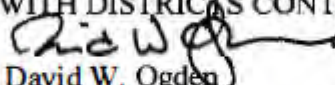
The Deputy Attorney General

Washington, D.C. 20530

January 11, 2010

MEMORANDUM FOR UNITED STATES ATTORNEYS WITH DISTRICTS CONTAINING INDIAN COUNTRY*

FROM:


David W. Ogden

Deputy Attorney General

SUBJECT:

Indian Country Law Enforcement Initiative

This memorandum implements a critical component of the Attorney General's initiative to improve public safety in tribal communities by setting forth new policy for U.S. Attorneys' Offices (USAOs) with Indian Country jurisdiction, and by identifying as a Justice Department priority the goal of combating violence against women and children in tribal communities.

The Department of Justice recognizes the unique legal relationship that the United States has with federally recognized tribes. As one aspect of this relationship, in much of Indian Country, the Justice Department alone has the authority to seek a conviction that carries an appropriate potential sentence when a serious crime has been committed. Our role as the primary prosecutor of serious crimes makes our responsibility to citizens in Indian Country unique and mandatory. Accordingly, public safety in tribal communities is a top priority for the Department of Justice.

Indian Country Law Enforcement Initiative

The Attorney General has launched a Department-wide initiative on public safety in tribal communities. As part of this effort, Department of Justice leadership conducted a series of meetings across the country addressing violent crime in Indian Country. On October 28-29, 2009, the Justice Department convened a national tribal leaders listening session in St. Paul, Minnesota. Also in October, the Justice Department held its annual tribal consultation on violence against women, as required by the Violence Against Women Act of 2005. The Department again had the opportunity to engage with tribal leaders on public safety in tribal communities during the White House Tribal Nations Conference in November. In addition to these sessions with tribal leaders, Department leadership has conducted meetings with Indian Country experts on law enforcement and public safety efforts. I also have had the opportunity to

* A list of districts that contain Indian Country as of the date of this memorandum is attached hereto as Appendix A.



Memorandum for United States Attorneys with Districts Containing Indian Country
Subject: Indian Country Law Enforcement Initiative

meet with our own Justice Department specialists in the field – including U.S. Attorneys with significant Indian Country responsibility, Assistant U.S. Attorneys serving as Tribal Liaisons, and FBI Special Agents and Victim Witness personnel working in Indian Country – and have relied on their invaluable insights.

Tribal leaders have confirmed what our own experts working in Indian Country have reported: violent crime in Indian Country is at unacceptable levels and has a devastating impact on the basic quality of life there. Many tribes experience rates of violent crime far higher than most other Americans; indeed, some face murder rates against Native American women more than ten times the national average. Tribal law enforcement resources are typically scarce, a problem exacerbated by the geographic isolation and/or vast size of many reservations. Federal and state resources devoted to Indian Country have also typically been insufficient to address law enforcement needs.

Despite these challenges, tribal governments have the ability to create and institute successful programs when provided with the resources to develop solutions that work best for their communities. And the tireless efforts of the dedicated women and men working for the Department of Justice in Indian Country to seek justice for victims of crime, hold offenders accountable, and safeguard tribal communities are commendable. Assistant U.S. Attorneys and federal prosecutors serving as Tribal Liaisons continue to contribute greatly to the success of those efforts; Safe Trails Task Forces, coordinated by the FBI, play a critical role in coordinating law enforcement in tribal communities; FBI agents work tirelessly to investigate Indian Country crimes; and FBI and USAO victim specialists working in Indian Country are often the sole providers of essential services for the victims of violent crime there.

There is no one-size-fits-all solution to the challenges confronting Indian Country. Indeed, each district and each tribe presents a different set of issues. It is clear, however, that our success depends on the leadership of our U.S. Attorneys, and the focus and commitment of our law enforcement personnel in the field. This memorandum therefore directs each U.S. Attorney with Indian Country jurisdiction to establish a structure and plan for that leadership and focus in his or her district.

In developing this directive, I have worked closely with the Attorney General's Advisory Committee through its Native American Issues Subcommittee (NAIS) and the Executive Office for United States Attorneys (EOUSA), and I am grateful to them for their leadership in this area. I have also asked the NAIS and EOUSA to identify next steps for implementing this directive at the NAIS's January meeting.



Memorandum for United States Attorneys with Districts Containing Indian Country
Subject: Indian Country Law Enforcement Initiative

U.S. Attorney Consultations and District-Level Operational Plans

The United States has a government-to-government relationship with federally recognized Indian tribes. The success of any intergovernmental relationship is based on consistent and effective communication. Moreover, the public safety challenges in Indian Country are not uniform; they vary widely from district to district – and from tribe to tribe – based upon unique conditions, a complex set of legal jurisdictional issues, geographic challenges, differences in tribal cultures and the number of tribes and reservations within a particular district.

Accordingly, I direct every USAO with Indian Country in its district to engage annually, in coordination with our law enforcement partners, in consultation with the tribes in that district. In addition to tribal governmental and law enforcement leaders, consultation sessions should include other federal law enforcement partners, including FBI, BIA, USMS, DEA, and ATF, and, where appropriate, state and local law enforcement. In addition, it may be appropriate and helpful to include other federal agency representatives with Indian Country responsibility in your district, for example, the Department of Housing and Urban Development, the Department of Health and Human Services' Indian Health Service, and the Interior Department's Bureau of Indian Education.

Following such consultation, I direct all such USAOs to develop an operational plan addressing public safety in Indian Country.

In coordination with the law enforcement agencies and tribes in that district, every USAO with Indian Country jurisdiction should review and, as necessary, revise its operational plan on an annual basis. Every newly confirmed U.S. Attorney in such districts, upon assuming office, should conduct a consultation with tribes in his or her district and develop or update the district's operational plan within eight months of assuming office, unless an extension of time is provided by EOUSA.

The subject matter of each district's plan will depend on the legal status of the tribes in that district (i.e., whether the jurisdiction is Public Law 280, non-Public Law 280, or partial-Public Law 280) as well as the unique characteristics and challenges confronting those tribal nations. Districts that include non-Public Law 280 or partial-Public Law 280 tribes should generally consider inclusion of the following elements in their operational plans: a plan to develop and foster an ongoing government-to-government relationship; a plan to improve communications with each tribe, including the timely transmittal of charging decisions to tribal law enforcement, where appropriate; a plan to initiate cross-deputization agreements, Special Law Enforcement Commission training and a tribal SAUSA program, where appropriate; and a plan to establish training for USAO staff and all relevant criminal justice personnel on issues related to Indian Country criminal jurisdiction and legal issues. Districts that include non-Public Law 280 or partial-Public Law 280 tribes are encouraged to meet individually with each of those



Memorandum for United States Attorneys with Districts Containing Indian Country
Subject: Indian Country Law Enforcement Initiative

tribes in the course of the planning process. Districts containing only Public Law 280 tribes may consult with EOUSA on an appropriate strategy to ensure regular engagement with tribes and an appropriate assessment of the Justice Department's responsibility with respect to those reservations.

To assist in this process, I have asked EOUSA to develop and provide to the USAOs, by February 1, 2010, model approaches for district tribal consultations and operational planning. These models may be used as guidance to develop individual consultations and operational plans for each district. To help districts address training needs, EOUSA has also created a new position devoted to Indian Country prosecution and investigation training.

Upon adoption of its plan, or revision or update thereto, I request that each district provide the Office of the Deputy Attorney General, through EOUSA, a summary of its operational plan to improve public safety in Indian Country. I also direct that you make these summaries available to the tribes in your district.

The public safety challenges confronting Indian Country are great, and I realize that our efforts in Indian Country can be resource intensive. I am therefore pleased to be able to inform you that the Justice Department's FY 2010 appropriation includes an additional \$6,000,000 for Indian Country prosecution efforts. Overall, at least 35 additional Assistant U.S. Attorneys and 12 additional FBI victim specialists will be added in offices with an Indian Country caseload. These new resources will also enable the Justice Department to bring the federal justice system closer to Indian Country, including through a Community Prosecution Pilot Project that EOUSA is currently developing.

The Attorney General is depending upon you, as leaders of the Justice Department in your respective districts, to craft individual tribal assessments and action plans that respond to the unique challenges facing tribal communities in your district.

Violence against Women and Children in Tribal Communities

Addressing violence against women and children in Indian Country is a Department of Justice priority. The Department, through the USAOs, has a duty to investigate and prosecute serious crimes in Indian Country, including crimes against women and children. In much of Indian Country, the federal government alone has authority to prosecute certain violent crimes against Native Americans where the offender is non-Indian and to obtain meaningful punishment for any serious offender. In those circumstances, only USAOs can pursue justice for the victim and the community.

Reports of sexual assault or domestic violence in Indian Country should be investigated wherever credible evidence of violations of federal law exists, and prosecuted when the



Memorandum for United States Attorneys with Districts Containing Indian Country
Subject: Indian Country Law Enforcement Initiative

Principles of Federal Prosecution are met. Although sexual assault offenses may often occur outside the presence of witnesses and may present other prosecutorial challenges, these factors should not deter law enforcement personnel from diligently and thoroughly investigating the crime or pursuing prosecution. Where federal jurisdiction exists, the responsibility to investigate and prosecute violence against women in Indian Country also extends to misdemeanor assaults committed by non-Indian offenders against Native American women on federally recognized reservations. Due care should be exercised to recognize ongoing risks to victims in sexual assault and domestic violence cases, and to expeditiously make charging decisions in high-risk cases to minimize or eliminate those risks.

In developing district-specific operational plans for public safety in tribal communities, I direct every U.S. Attorney to pay particular attention to violence against women, and to work closely with law enforcement to make these crimes a priority. This may include reevaluating, together with law enforcement partners including the FBI and the Department of Interior's BIA, existing memoranda of understandings addressing such crimes. Federal law provides for a number of felony level domestic violence offenses in addition to those crimes listed in the Major Crimes Act (18 U.S.C. §1153) and the General Crimes Act (18 U.S.C. §1152), and I have asked EOUSA, working closely with the NAIS, to develop guidance on these additional statutes.

Many sexual assault cases arising in Indian Country require a team investigative effort involving FBI, tribal police, and BIA. Successful multijurisdictional investigations and prosecutions also require a collaborative working relationship. Tribal Liaisons and Assistant U.S. Attorneys assigned to cases of child sexual abuse on the reservations currently use the multidisciplinary model provided in 18 USC §3509(g) with great success. USAOs are encouraged to consider also using this team approach in cases where adult women are the victims of sexual assault. EOUSA will provide further guidance on this issue in coming weeks.

Conclusion

The Department has a responsibility to build a successful and sustainable response to the scourge of violent crime on reservations. In partnership with tribes, our goal is to find and implement solutions to immediate and long-term public safety challenges confronting Indian Country. This directive creates a structure through which U.S. Attorneys will develop targeted plans to help make tribal communities in their districts safer, and to turn back the unacceptable tide of domestic and sexual violence there.



Attachment

cc: All United States Attorneys

B. Todd Jones
United States Attorney
District of Minnesota
Chair, Attorney General's Advisory Committee

Memorandum for United States Attorneys with Districts Containing Indian Country
Subject: Indian Country Law Enforcement Initiative

Robert S. Mueller, III
Director
Federal Bureau of Investigation

Michele Leonhart
Acting Director
Drug Enforcement Administration

Kenneth E. Melson
Acting Director
Bureau of Alcohol, Tobacco, Firearms & Explosives

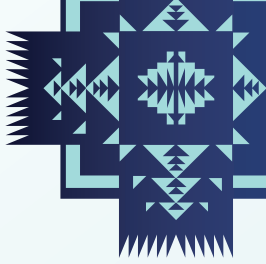
John F. Clark
Director
United States Marshals Service

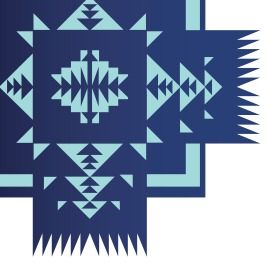
H. Marshall Jarrett
Director
Executive Office for United States Attorneys



Appendix A: Federal Districts with Federally Recognized Tribes

1. Southern District of Alabama
2. District of Alaska
3. District of Arizona
4. Central District of California
5. Eastern District of California
6. Northern District of California
7. Southern District of California
8. District of Colorado
9. District of Connecticut
10. Southern District of Florida
11. District of Idaho
12. Northern District of Iowa
13. District of Kansas
14. Western District of Louisiana
15. District of Maine
16. District of Massachusetts
17. Eastern District of Michigan
18. Western District of Michigan
19. District of Minnesota
20. Southern District of Mississippi
21. District of Montana
22. District of Nebraska
23. District of Nevada
24. District of New Mexico
25. Eastern District of New York (anticipating federal recognition of the Shinnecock Nation)
26. Northern District of New York
27. Western District of New York
28. Western District of North Carolina
29. District of North Dakota
30. Eastern District of Oklahoma
31. Northern District of Oklahoma
32. Western District of Oklahoma
33. District of Oregon
34. District of Rhode Island
35. District of South Carolina
36. District of South Dakota
37. Eastern District of Texas
38. Western District of Texas
39. District of Utah
40. Eastern District of Washington
41. Western District of Washington
42. Eastern District of Wisconsin
43. Western District of Wisconsin
44. District of Wyoming







**APPENDIX G:
FY 2011 BUDGET REQUEST**

Working Together to End the Violence



U.S. Department of Justice FY 2011 Budget Request

INDIAN COUNTRY PUBLIC SAFETY INITIATIVES

\$448.8 million in total resources

FY 2011 Overview

The FY 2011 President's Budget requests \$448.8 million in total resources for initiatives in Indian Country. New investments include significant grant resources for addressing a broad range of criminal justice issues and additional FBI agents to help tribal communities combat illegal drug use, trafficking, and violent crime.

There are over 56 million acres of Indian Country and 564 federally recognized American Indian tribes. The Major Crimes Act provides federal criminal jurisdiction over certain specified major crimes, while tribal courts retain jurisdiction for conduct that might constitute a lesser offense. Thus, federal investigation and prosecution of felonies in Indian Country cannot be deferred to a local jurisdiction and therefore federal law enforcement is both the first and only avenue of protection for the victims of these crimes.

Many tribal law enforcement agencies face unique obstacles that often challenge their ability to promote and sustain community policing effectively. Unlike municipal police agencies, many tribes still lack basic technology to modernize their departments, such as laptops installed in police vehicles. The officer-to-population ratio still remains lower on Indian reservations than in other jurisdictions across the country. Finally, tribal law enforcement has a unique challenge of patrolling large areas of sparsely populated land.

Data from the Bureau of Justice Statistics demonstrate that American Indians experience per capita rates of violence which are more than twice those of the United States resident population. Illegal drugs are also prevalent in Indian Country, which is used as the location for distributing and manufacturing illegal drugs due to its remote nature and lack of law enforcement.

Key DOJ Resources

Community Oriented Policing Services (COPS)

- COPS requests **\$67,000,000 in total resources** to fund tribal law enforcement expenses, including the hiring of police officers, training, and purchasing new equipment, technology, and vehicles. Of that total, **\$25,000,000** is for the Tribal Resources Grant Program, and **\$42,000,000** is from a new 7% set-aside from the Universal Hiring Program. Because state and local funding is not available to many tribes for officers and technology, COPS has become one of the primary

resources available to tribal law enforcement agencies seeking to develop and maintain a basic community-policing infrastructure, as well as to improve and upgrade their antiquated equipment. Technology and equipment have been critical because most tribal police officers have large areas to patrol and these resources allow officers to stay in the field.

Community Relations Service (CRS)

- The FY 2011 President's Budget includes a program enhancement of **\$176,000 in non-personnel funding** to allow CRS to promote improved communication and partnership between federal, state, local, and tribal law enforcement communities. This funding provides for additional training for CRS conciliators on Indian Country issues and for additional travel costs.

Federal Bureau of Investigation (FBI)

- FBI requests total resources of **\$23,752,000 and 117 positions (110 agents)** for Indian Country activities in FY 2011.
- This amount includes an enhancement request of **\$328,000 and 2 positions** to provide forensic support for Indian Country investigations. In addition, **\$19 million is requested as a reimbursable program through the Department of the Interior to support 81 positions (45 agents)** investigating violent crimes within Indian Country. Because the requested funding is reimbursable, the \$19 million is not included in the Department total above.

Office of Justice Programs (OJP)

- OJP requests total resources of **\$140,682,000** for Indian Country in FY 2011.
- Included in this request is **\$1,200,000** for the redesign and development of data collection programs for Indian Country. The President's Budget also proposes to make resources available for Indian Country **by requesting a new 7% set-aside from all discretionary OJP programs¹ totaling \$139,482,000.**

Office of Tribal Justice (OTJ)

- The Department requests a total of **\$1,822,000 and 8 positions (7 attorneys)** for OTJ.
- This amount includes an enhancement request of **\$584,000 and 4 positions (3 attorneys)** to provide additional staffing to manage the increasing responsibilities of the Indian Country initiative. OTJ was established in 1985, in response to the overwhelming demand by Indian tribes for better coordination within the

¹ Excluding Public Safety Officers Benefits Program disability benefits and education assistance programs.

Department and among other federal agencies on law enforcement and public safety issues. The office has been funded through reimbursements from other Departmental components and staffed with detailees. The Department recognizes the need to institutionalize OTJ within the Intergovernmental Relations/External Affairs Decision Unit through base funding transfers. The requested program enhancement includes 3 attorneys and 1 program analyst to work on legal and grant issues.

Office on Violence Against Women (OVW)

- OVW requests total resources of **\$47,920,000** for Indian Country in the FY 2011 President's Budget. Included in this amount is a total of **\$3,000,000** for National Institute of Justice research on Violence Against Indian Women, **\$500,000** for a Sexual Assault Clearinghouse that would give tribes access to resources to improve their response to sexual assault, and **\$500,000** for Regional Summits that would provide training on the prosecution of cases involving violence against Indian women.
- OVW sets aside a percentage of funding from many of its programs for tribal governments and coalitions, including STOP (Services, Training, Officers, Prosecutors). The Grants to Indian Tribal Governments (GTTG) Program addresses the high victimization rates of American Indian and Alaska Native victims of domestic violence, sexual assault, and stalking that occur on tribal lands. The Tribal Coalitions Program helps nonprofit, nongovernmental tribal domestic violence and sexual assault coalitions to advance the goal of ending violence against American Indian and Alaska Native women.

United States Attorneys (USA)

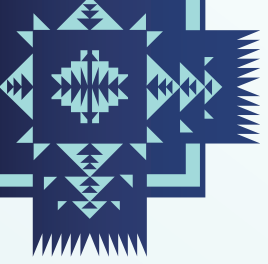
- The USA is not requesting an enhancement for Indian Country in the FY 2011 President's Budget. Base resources dedicated to Indian Country for **FY 2011 are \$31,965,000 and 182 positions (127 attorneys)**. Note, however, that the FY 2010 Appropriations Act provided an additional \$6,000,000 and 40 positions (35 attorneys) for Assistant U.S. Attorneys to be dedicated to Indian Country. The USA FY 2011 President's Budget fully annualizes these positions.

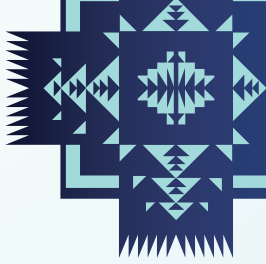
FY 2011 Indian Country Funding Totals
(Amount in 000's)


Component	FY 2010 Enacted			FY 2011 President's Budget		
	pos	agt/atty	amount \$0	pos	agt/atty	amount \$0
Bureau of Prisons	791	396	125,778	791	396	128,294
Civil Division	3	1	777	3	1	788
Community Oriented Policing Services	0	0	45,000	0	0	67,000
Community Relations Service	0	0	0	0	0	176
Criminal Division	2	2	483	1	1	157
Environment and Natural Resources Division	24	15	6,077	24	15	6,267
Federal Bureau of Investigation	115	110	25,631	117	110	23,752
FBI- Interior Dept.*	0	0	0	[81]	[45]	[19,000]
Office of Justice Programs	0	0	75,000	16	0	140,682
Office of Tribal Justice	0	0	0**	8	7	1,822
Office on Violence Against Women	0	0	45,745	0	0	47,920
United States Attorneys	182	127	27,637	182	127	31,965
Total DOJ	1,117	651	352,128	1,142	657	448,823

*Represents reimbursable resources requested from the Department of the Interior.

**In FY 2010 and prior years, OTJ was funded with reimbursable resources.







U.S. DEPARTMENT OF JUSTICE
2010 ANNUAL
TRIBAL CONSULTATION
—◆REPORT◆—

Working Together to End the Violence

