



United States Department of Justice

**Office on Violence Against Women**

*Working Together to End the Violence*

**2017 Update on the Status of  
Tribal Consultation Recommendations**

*prepared for*

**Department of Justice Annual Government-to-Government**

**Violence Against Women Tribal Consultation**

**Fort McDowell Yavapai Reservation**

**Fountain Hills, AZ**

**October 3-4, 2017**

## **Table of Contents**

<b><u>Section</u></b>	<b><u>Page</u></b>
<b>Introduction</b>	<b>3</b>
<b>Part One: Responses to Selected 2016 Recommendations</b>	<b>4</b>
<b>Part Two: Implementation of the Tribal Provisions in VAWA</b>	<b>11</b>
<b>Part Three: Strengthening the Federal Response to Violence Against American Indian and Alaska Native Women</b>	<b>21</b>
<b>Appendices</b>	
<b>A: Updates from the Department of Health and Human Services</b>	<b>25</b>
<b>B: Tribal Crime and Justice Research &amp; Evaluation Studies</b>	<b>30</b>
<b>C: Analysis of OVW Tribal Grant Program Funding</b>	<b>41</b>
<b>D: FY 2017 OVW Tribal Grant Awards</b>	<b>43</b>

## Introduction

On December 6, 2016, the Department of Justice (DOJ) hosted its 11<sup>th</sup> annual government-to-government consultation on violence against American Indian and Alaska Native (AI/AN) women. This annual consultation, first required by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005)<sup>1</sup> and first held in 2006, is to address the federal administration of tribal funds and programs established under the Violence Against Women Act of 1994 (VAWA)<sup>2</sup> and its subsequent reauthorizations. DOJ, the Department of Health and Human Services (HHS), and the Department of the Interior (DOI) received recommendations from tribal leaders on the three consultation topics statutorily-mandated by VAWA 2005, as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA 2013):<sup>3</sup>

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

In addition, DOJ asked tribal leaders for input on several specific questions related to improving DOJ's support of tribal government efforts to combat violence against women. These questions included what the tribes' experience has been with state or local enforcement of tribal protection orders pursuant to the full faith and credit provision of VAWA and what kinds of training or technical assistance for tribes or state personnel would help overcome any challenges in this area. A second framing paper requested tribal leaders' views on responding to violence against AI/AN women and girls in the context of shared borders with Canada and Mexico and on sharing best practices with these two countries on preventing and responding to violence against AI/AN women and girls.

The purpose of this follow-up report is to provide tribal leaders with a comprehensive update on activities undertaken in the past year to respond to the recommendations made by tribal leaders at last year's consultation session, including DOJ's coordination and collaboration with tribes, HHS, and DOI to address these recommendations. This report includes three sections: 1) information on actions taken in response to certain specific recommendations made at the 2016 consultation; 2) a review of progress made on implementation of tribal provisions included in VAWA; and 3) an update on other DOJ activities related to violence against Native women. It also includes an appendix (Appendix A) with updates from HHS's Family Violence Prevention and Services Program (FVPSA) and Indian Health Service. This report is meant to be a companion to the report summarizing the proceedings of the 2016 consultation, which is available at [www.justice.gov/ovw/tribal-consultation](http://www.justice.gov/ovw/tribal-consultation).

---

<sup>1</sup> Pub. L. No. 109-162, 119 Stat. 2960 (2006).

<sup>2</sup> Pub. L. No. 103-322, 108 Stat. 1902 (1994).

<sup>3</sup> Pub. L. No. 113-4, 127 Stat. 54 (2013).

## **Part One: Responses to Selected 2016 Recommendations**

All three parts of this report contain information on DOJ responses to recommendations from tribal leaders at the 2016 consultation; however, this part addresses recommendations made by tribal leaders in four specific areas: 1) missing and murdered Native women and human trafficking; 2) enforcement of tribal protection orders and tribal access to federal crime information databases for the purpose of entering tribal orders as well as for other purposes; 3) several concerns raised by Alaska tribes; and 4) the timing of the annual consultation and other concerns related to VAWA grant funding. Information on responses to other recommendations related to the implementation of VAWA 2005 and 2013, as well as strengthening the federal response to violence against Native women, can be found in Parts Two and Three of this report. This report also provides information on DOJ's collaboration with tribes, HHS, and DOI to address violence against Native women.

### ***Missing and Murdered Native Women and Human Trafficking***

At the 2016 consultation, many tribal leaders testified that the disappearance and deaths of American Indian and Alaska Native (AI/AN) women are not taken seriously enough, and that increased awareness and a stronger law enforcement response are critical to saving Native women's lives. They noted that missing AI/AN women may have been trafficked, and they also provided examples of abusers who murdered their partners after engaging in a pattern of escalating violence for which they were not held accountable. Tribal leaders also raised concerns that cases involving Native victims are often mislabeled as runaways or suicides, and that cold cases are not given sufficient priority. Recommendations included the creation of a national working group to address these issues and an alert system to help locate victims soon after they disappear, as well as the development of an Indian country-wide protocol for missing Native women, children, and men.

In response to tribal leaders' testimony, DOJ has worked to address the underlying reasons that Native women and children go missing, including strengthening law enforcement and community-based responses to domestic violence and sex trafficking, raising awareness of these issues, and supporting prevention efforts. For example, the Department has provided training to support enhanced prosecution of escalating and potentially lethal domestic violence in Indian country. This includes training on conducting domestic violence fatality reviews and prosecuting habitual offenders and strangulation cases under federal criminal law amendments made by VAWA 2005 and 2013. More details on these trainings and the increasing number of federal prosecutions under these provisions are provided in Parts Two and Three of this report. The Department also funds the National Missing and Unidentified Persons System (NamUS), which is a centralized online repository and resource center for missing persons and unidentified decedent records that is free and available to the public. In FY 2017, OVW transferred funds to the National Institute of Justice (NIJ) to study using this system to better understand the extent to which domestic and sexual violence are factors in cases involving missing and unidentified deceased women, with a particular focus on Native victims.

The Department funds efforts at the national and tribal levels to address the vulnerability of Native women and children to sex trafficking and sexual assault, with the goal of preventing their disappearance in the first place. In addition, DOJ grant funding to combat human and sex trafficking specifically focuses on strategies for identifying victims and connecting them with the support they need to return home safely. For example, OVW funds the Minnesota Indian Women's Sexual Assault Coalition (MIWSAC) to partner with Mending the Sacred Hoop to provide training and technical assistance in tribal communities to increase their capacity to respond to sex trafficking. This includes on-site training for local service providers, community education on the dynamics of trafficking and how to identify it, and resources for service providers to expand their knowledge of sex trafficking. In January 2018, MIWSAC is holding a national conference for advocates, law enforcement, health professionals, and others to share promising practices and develop strategies both within and across disciplines for responding to sex trafficking of Native women. Training for federal and tribal law enforcement also is a priority in this area, and DOJ, the Department of Homeland Security's Federal Law Enforcement Training Center, and BIA's Indian Police Academy have worked together to develop training on human trafficking in Indian country, including identifying victims, investigating cases, and working effectively with Native victims.

### ***Enforcement of Tribal Protection Orders***

In response to a framing paper for the 2016 consultation, tribal leaders from different parts of the country expressed concerns about the lack of enforcement of tribal orders by state and local law enforcement and provided recommendations on how to address the specific challenges identified. Some tribal leaders expounded upon testimony provided at prior consultations on this topic and others who had not previously testified on the issue provided additional information. Common themes included the need for training on tribal courts' authority to issue orders and on state and local responsibilities for enforcing them, as well as technical assistance for tribes and local jurisdictions on building collaborative relationships.

In response to prior consultation, DOJ reached out to state and tribal officials in Alaska and California to facilitate full implementation of state and federal law regarding full faith and credit for tribal protection orders. In response to the 2016 consultation, DOJ has supported targeted technical assistance through the National Center on Protection Orders and Full Faith and Credit (NCPOFFC) and the Tribal Law and Policy Institute (TLPI). These efforts include a roundtable, a best practice guide, and training modules on the issuance and enforcement of Alaska Native Village protection orders, as well as a Tribal Steering Committee to help the NCPOFFC coordinate with tribal organizations and other stakeholders to maximize available resources for addressing issues related to tribal protection orders. TLPI is working with tribes and states that have developed effective strategies in tribal protection order enforcement to document and share promising strategies from both PL 280 and non-PL 280 states. Both organizations also are working together to develop a checklist for tribes on the Tribal Law and Order Act and protection orders. The resources resulting from these projects will be made available on both organizations' websites as they are completed, and TLPI has an online resource for drafting and enforcing tribal protection orders available at [www.tribalprotectionorder.org](http://www.tribalprotectionorder.org).

## *Tribal Access to Federal Crime Information Databases*

Tribal testimony at the 2016 consultation continued to emphasize the importance of tribes' ability to access and enter information into national crime information databases for the purpose of facilitating enforcement of tribal protection orders, as well as a host of other criminal and civil purposes tied to public safety. Although VAWA 2005 and the Tribal Law and Order Act of 2010 (TLOA) require the Attorney General to ensure that tribal law enforcement officials who meet applicable federal or state requirements be permitted access to national crime information databases, the reality is that the ability of tribes to fully participate in national criminal justice information sharing via state networks depends upon various regulations, statutes, and policies of the states in which a tribe's land is located.

In response to these concerns, in August 2015, DOJ announced the Tribal Access Program for National Crime Information (TAP) to address tribal access to national crime information by providing participating tribes with state-of-the-art biometric/biographic computer workstations with capabilities to process finger and palm prints, take mugshots, and submit records to national databases, as well as the ability to access Criminal Justice Information Services Division (CJIS) systems for criminal and civil purposes through DOJ's Criminal Justice Information Network. TAP, which is managed by the DOJ Chief Information Officer, provides specialized training and assistance for participating tribes, including computer-based training and on-site instruction, as well as a 24/7 Help Desk. In the fall of 2015, DOJ selected nine tribes to participate in the initial User Feedback Phase of TAP. This partnership focused on testing DOJ's technology solution and training support; it also enabled tribes to identify and share best practices regarding the use of national crime information databases to strengthen public safety. DOJ selected an additional 11 tribes to participate in TAP in FY 2017 and anticipates selecting 15 more tribes to participate in the program in FY 2018.

Participating tribes have elected to implement TAP in a variety of criminal and civil agencies. Those tribal criminal agencies included law enforcement agencies, prosecutors, criminal courts, jails, and probation departments. The tribal civil agencies and programs that were eligible to use TAP included agencies whose staff and volunteers have contact with or control over Indian children, public housing agencies, child support enforcement agencies, Head Start programs, civil agencies that investigate allegations of abuse, neglect, and exploitation of children, civil courts that issue orders of protection, restraining orders, or other keep away orders, and sex offender registration programs. TAP enhances tribal efforts to register sex offenders pursuant to the Sex Offender Registration and Notification Act (SORNA), have orders of protection enforced off-reservation, protect children, keep firearms away from persons who are disqualified from receiving them, improve the safety of public housing, and enter tribal arrests and convictions into national databases.

At the 2016 consultation, many tribal leaders recommended making TAP available to all tribes and raised concerns that eligibility in the first two years had been limited to tribes implementing SORNA and to those that have a tribal law enforcement agency that is not a BIA direct-service law enforcement agency. DOJ is implementing TAP in phases and plans to continue to expand access to it. The first phase of TAP was funded entirely by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) and had to

support SORNA implementation. TAP continues to be funded by the SMART Office and the Office of Community Oriented Policing Services and therefore prioritizes tribes with both tribal sex offender registries and tribal law enforcement agencies (non-BIA direct service). However, in FY 2017, DOJ did select for TAP three tribes that met only one of the two eligibility priorities: two non-SORNA tribes with tribal law enforcement agencies and a BIA direct service law enforcement tribe with a SORNA program. The President's FY 2018 budget includes a request to use funding appropriated under VAWA 2005 for tribal sex offender and protection order registries to support TAP, which would help DOJ continue to expand the scope of TAP, including broadening the eligibility criteria. DOJ expects that TAP, when properly funded, can minimize the national crime information gap and result in more meaningful collaboration between the federal, state, local, and tribal criminal justice communities.

For more information on TAP, visit <http://www.justice.gov/tribal/tribal-access-program-tap>.

### *Alaska Native Villages*

In addition to the 2016 consultation, OVW held a listening session specifically focused on Alaska Native villages on October 19, 2016 in Fairbanks, Alaska, in conjunction with the annual Alaska Federation of Natives Convention. This session responded to repeated requests for consultation in Alaska and enabled tribal leaders and advocates from across the state to attend and provide testimony on the extraordinary barriers they face in providing services for victims and adequate law enforcement responses to domestic and sexual violence. These barriers include the absence of law enforcement in remote Native villages, the lack of village-based shelter and advocacy services, and limited or no access to sexual assault forensic exams, among others. At both the consultation and the listening session, tribal leaders recommended increased funding for Alaska tribes, particularly funding to develop solutions tailored to the individual needs of each village.

In response to this testimony, OVW continues to fund the Alaska Native Women's Resource Center to provide technical assistance that engages Alaska Native villages in using the teachings, languages, and voices of their people to develop training curricula and policies tailored to their communities. Villages are able to use these curricula to enhance their response to sexual assault, domestic violence, dating violence, stalking, and sex trafficking. The Resource Center also is facilitating the development of region specific plans focused on increasing Native women's safety and is developing an online "virtual office" for the center with training curricula and other resources for Native villages. In addition, OVW is planning specialized technical assistance directed toward 19 Alaska Native grantees to assist with capacity building and to implement the SAFESTAR model in Alaska Native communities. SAFESTAR is a unique model of care designed for American Indian/Alaska Native communities currently without the capacity to support universal access to sexual assault nurse examiner (SANE) services. The SAFESTAR project trains selected laypersons and traditional healthcare providers to deliver emergency first aid to sexual assault survivors, collect sexual assault forensic evidence, provide referrals for victims, and educate their communities about sexual assault prevention. OVW is committed to continuing to work with Alaska tribes toward ending violence against Alaska Native women and girls.

### ***Timing of the Annual Consultation***

At the 2016 consultation, many tribal leaders recommended that the 2017 consultation be held during the summer to introduce new federal officials to tribal leaders and to allow for tribal input regarding FY 2017 funding solicitations. Several leaders also recommended that the length of the consultation be extended to allow more time for oral testimony. OVW's new Deputy Director for Tribal Affairs worked closely with DOJ officials to schedule the 2017 consultation as early as possible, taking into account the statutory requirement to provide tribal governments with 120 days' notice of the date, time, and location of the consultation. The Department also extended the consultation to a day and a half in response to tribal leaders' comments. Finally, OVW considers tribal leader testimony at the most recent consultation every year in the development of grant program solicitations and in making any modifications to OVW grant programs. Testimony provided at the 2016 consultation and at the 2016 Alaska Native Listening Session (see above) has had a direct influence on OVW's efforts to administer VAWA grant programs so as to have the greatest possible impact on ending violence against American Indian and Alaska Native women. Similarly, tribal leaders' recommendations at the 2017 consultation will play a critical role in the development of FY 2018 initiatives.

### ***Ensuring that Violence Against Women Grant Funds Reach All Tribes***

Many tribal leaders testified at the 2016 consultation that all tribes should have access to base funding to address violence against Native women to allow for consistent programming in all tribal communities. Some recommended that grant funds be administered on a formula basis to all federally recognized tribes. For many years, OVW has engaged in extensive consultation with tribes on whether OVW's Grants to Tribal Governments Program should shift from a competitive model to an annual formula distribution under which each federally recognized tribe would receive a base amount of funding. In 2012, OVW initiated a focused discussion with tribal leaders and advocates on this topic. At the 2013 consultation, OVW provided a discussion paper outlining hypothetical formulas and showing how each would affect award size for seven tribes of differing population size. Tribal leaders were not able to reach a consensus around a particular approach and asked OVW to form a working group of tribal leaders and advocates to continue the discussion. OVW formed the working group and took advantage of other opportunities to obtain input from tribal leaders and other stakeholders over the course of FY 2014. OVW compiled dozens of comments from tribes and tribal organizations and shared the substance of the comments with the working group, requesting the group's input on whether OVW should continue to consider changing to formula funding. The working group, while supporting the *principle* of formula funding, reached consensus that there were too many hurdles to implementing formula funding at that time and for OVW funding alone. The working group noted that, with current funding levels, it is impossible to accomplish the goals of both providing basic services at all tribes *and* maintaining comprehensive, successful programs at others. Some members also noted the extraordinary difficulty of identifying a fair formula that would account for many different variables.

OVW has taken a number of steps to expand tribes' access to funding to improve responses to sexual assault, domestic violence, dating violence, stalking, and sex trafficking in their



communities. In FY 2017, OVW launched the Tribal Technical Assistance Outreach Initiative to strengthen tribes' capacity to address violence against women through coordinated community responses, professional training, sustainable housing, and emergency shelter, and to provide related technical assistance tailored to the unique needs of Alaska Native villages. OVW also funds a range of technical assistance for tribes to develop culturally specific strategies and programming that help them compete successfully for funding from all OVW grant programs for which they are eligible. Additional examples of steps that OVW has taken to reach more tribes include limiting existing tribal grantees' eligibility for continuation funding, adjusting the maximum available award under the Grants to Tribal Governments Program, issuing three-year awards instead of two-year ones, and providing the greatest possible notice to tribes each fiscal year of planned changes in the program. OVW greatly appreciates the willingness of tribal leaders and advocates to assist with this important and complex issue and welcomes additional ideas for broadening the reach of VAWA grant dollars in tribal communities.

### ***State Consultation with Tribes Under the STOP Violence Against Women Formula Program***

VAWA 2013 expanded the specified list of entities with which states must consult in deciding how to implement the STOP (Services\*Training\*Officers\*Prosecutors) Violence Against Women Formula Grant Program (STOP Program) to include all tribal governments, both federally and state recognized, in the state. It also amended the STOP statute so that the funding formula includes tribal populations in each state's allocation. After the enactment of VAWA 2013, OVW held listening sessions with tribal stakeholders and consulted with tribal governments on the implementation of these changes to the STOP Program. The final rule implementing amendments to the STOP Program, which took effect in December 2016, requires that states invite all state or federally recognized tribes in the state to participate in the STOP planning process. Tribal coalitions or consortia may help the state reach out to the tribes but cannot be used as a substitute for consultation with all tribes. The regulations also require that the planning committee include representatives from tribes, tribal organizations, or tribal coalitions and that the state's implementation plan include documentation of collaboration for each planning committee member, as well as a description of efforts to reach tribes in the state. At the 2016 consultation, several tribal leaders testified that state consultation had not included all tribes in their state or needed to be more meaningful, concerns that also had been raised at prior consultations.

OVW has continued to take steps to address this issue, including working closely with states to help them meet the statutory requirements. States may consult with tribes through a written comment process, conference calls, on-line meetings, or in-person meetings. OVW funds technical assistance to help states ensure that the mechanisms they choose for consulting with tribes result in meaningful opportunities for tribal input on the implementation plan. This includes hands-on learning opportunities and guidance on how to conduct effective consultation and ensure that STOP implementation plans address the needs and concerns of tribal communities. This technical assistance allows state STOP administrators to learn about the history, culture, and traditions of the tribes in their state and develop skills and strategies for reaching out to and developing relationships with tribes. In reviewing state STOP implementation plans, OVW looks for documentation that the state has meaningfully consulted

and coordinated with tribes during the STOP planning process. OVW appreciates hearing from tribes when the process is not working as it should because this helps OVW identify states that may need enhanced technical assistance in this area.

## Part Two: Implementation of the Tribal Provisions in VAWA

The reauthorizations of VAWA in 2005 and 2013 included a number of provisions specifically aimed at ending violence against American Indian and Alaska Native women. Title IX of both acts, titled “Safety for Indian Women,” 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. This section provides a summary of what DOJ has done to implement certain tribal provisions in VAWA 2005 and VAWA 2013, as well as respond to tribal leaders’ recommendations related to these provisions.

### *Administering VAWA grant programs*

VAWA authorizes four programs that are specifically designed for tribal communities:

- 1) Grants to Indian Tribal Governments Program (“Tribal Governments Program”);
- 2) Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (“Tribal Jurisdiction Program”);
- 3) Tribal Sexual Assault Services Program (“TSASP”); and
- 4) Grants to Tribal Domestic Violence and Sexual Assault Coalitions Program (“Tribal Coalitions Program”).

The Tribal Governments Program is included as Purpose Area #5 in DOJ’s Coordinated Tribal Assistance Solicitation (“CTAS”), which also includes the tribal government-specific programs from DOJ’s Office of Justice Programs (OJP) and Office of Community Oriented Policing Services. OVW’s other three tribal grant programs are not part of the CTAS process. At the 2016 consultation, several tribal leaders testified about a number of concerns related to the administration of these programs, including the number and complexity of grant requirements and limitations on how funds may be used, as well as the lack of a consistent, non-competitive funding stream for all tribes to address violence against Native women. OVW understands these concerns and has taken several steps to try to address them. Conditions and limitations on grant awards often are necessary to carry out legal mandates, but OVW has worked to clarify or simplify funding requirements and will continue to identify ways to give tribal grantees more flexibility, where possible, in FY 2018. As discussed above, OVW has engaged in extensive consultation with tribes regarding whether the Tribal Governments program should shift from a competitive model to an annual formula distribution under which each tribe would receive a base amount of funding. The overall consensus to date has been not to switch to a formula model but to take other steps to expand tribes’ access to the funds, including providing capacity-building technical assistance to tribes that have not received awards under the program. OVW appreciates continued feedback from tribal leaders and representatives on improvements to the application and award processes.

More information about each of the four tribal-specific programs appears below, and an analysis of the funding levels for each of the four programs in FY 2017 is attached as Appendix C to this report.

#### Tribal Governments Program

The Tribal Governments Program, which was created by Section 906 of VAWA 2005 and amended by section 901 of VAWA 2013, 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, sexual assault, and sex trafficking crimes against Native women; 3) strengthen tribal justice interventions including tribal law enforcement, prosecution, courts, probation, and correctional facilities; 4) enhance services to Indian women who are victims; 5) develop prevention and education strategies; 6) provide supervised visitation services; 7) provide transitional housing and related support services to victims; 8) provide legal assistance to victims; 9) provide services to youth victims and children and youth exposed to these crimes; and 10) develop and promote legislation and policies to respond to violent crimes against Indian women.

OVW has issued a solicitation for the Tribal Governments Program each year since FY 2007 and began including it in CTAS in FY 2010. As in previous years, in FY 2017, new applicants to the Grants to Tribal Governments 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 because of the anticipated demand for funding. These budget guidelines were first adopted in FY 2008.

In FY 2017, OVW received 70 applications for the Tribal Governments Program (CTAS Purpose Area #5) requesting a total of \$45,927,187. There were 14 new applicants in FY 2017, and 56 applications were submitted by current grantees who were seeking funding to enhance or continue their existing OVW-funded projects (continuation applicants).

All the applications submitted for Tribal Governments Program funding, except for three that were missing required documents and one that was withdrawn at the applicant's request, were sent to a panel of external peer reviewers and were also reviewed internally by OVW Program Specialists. During the internal review, OVW staff evaluated each application to determine whether the applications contained activities that might compromise victim safety, how well applicants for continuation funding had complied with the requirements of their current OVW grant awards, and whether they had an excess of funding remaining in their current awards. 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 51 awards through the Tribal Governments Program for FY 2017 for a total of \$34,137,475. Eight of these awards went to new applicants, and 43 went to continuation applicants. Reasons that applications did not receive funding included low peer review scores, incomplete

applications, poor past performance, and excessive funds remaining from previous grants. A list of FY 2017 Tribal Governments Program awards is included in Appendix D of this report.

### Tribal Jurisdiction Program

Section 904 of VAWA 2013 (Tribal Jurisdiction over Crimes of Domestic Violence) recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. This historic provision also created a grant program for tribal governments or their designees to: 1) strengthen tribal criminal justice systems to assist tribes in exercising SDVCJ, including law enforcement, prosecution, trial and appellate courts, probation systems, detention and correctional facilities, alternative rehabilitation centers, culturally appropriate services and assistance for victims and their families, and criminal codes and rules of criminal procedure, appellate procedure, and evidence; 2) provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant in SDVCJ cases; 3) ensure that, in SDVCJ cases, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and 4) accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of Title 18, consistent with tribal law and custom.

In FY 2016, OVW received its first appropriation of \$2.5 million to implement the Tribal Jurisdiction Program and received an appropriation of \$4 million for the program in FY 2017. Applicants were able to request up to \$450,000. As recommended by tribal leaders at prior consultations, eligibility for the new program included both tribes that were already exercising or immediately prepared to exercise SDVCJ and those that intended to use funding for planning and preparation activities related to implementing SDVCJ.

OVW received seven applications for the Tribal Jurisdiction Program. All applications were sent to a panel of peer reviewers and were also reviewed internally by OVW Program Specialists. During the internal review, OVW staff evaluated each application to determine whether the applications contained activities that might compromise victim safety. Each application sent to 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 peer reviews of the applications, OVW made seven awards in September 2017, for a total of \$3,465,000.00, to help tribes implement and exercise the new tribal jurisdiction. Based upon available funding and in order to increase grantee capacity and maximize the use of resources available to support eligible projects, OVW decided to increase the budget cap identified in the solicitation and make all seven awards in the amount of \$495,000. A list of FY 2017 Tribal Jurisdiction Program awards is included in Appendix D of this report.

## TSASP

Section 202 of VAWA 2005 created the Sexual Assault Services Program (SASP), which encompasses five different funding streams, including a program specifically for tribal communities. By statute, 10 percent of the amount appropriated for SASP is directed towards the TSASP Grant Program. 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. The goal of TSASP is to create, maintain, and expand sustainable sexual assault services provided by tribal governments and tribal organizations, 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.

In response to the FY 2017 TSASP solicitation, OVW received 15 applications. Each application was reviewed for eligibility, completeness, assurance that proposed project activities fell within the scope of the TSASP statutory purpose area, and to identify any proposed activities that might compromise victim safety. Upon completion of the internal review, 13 applications were forwarded to peer review and evaluated by an external review panel. The panel was made up of three individuals with expertise in the areas of sexual assault, victim advocacy, and serving tribal communities. Based on the internal and external review of the applications, OVW made nine awards through the TSASP for FY 2017 for a total of \$3,468,000. Reasons that applications did not receive funding included failure to meet the definition of an organization eligible for funding under TSASP, failure to propose direct services or activities in an eligible service area, and submission of an application entirely outside the scope of the program. A list of FY 2017 TSASP awards is included in Appendix D of this report.

## Tribal Coalitions Program

OVW's Tribal Coalitions Program provides funding to certain nonprofit organizations to effect social change and systemic reform related to ending violence against American Indian and Alaska Native women. Grant funds can be used to increase awareness of domestic violence and sexual assault; enhance the federal, state, and tribal response to violence against Indian women; provide technical assistance to coalition membership and tribal communities to enhance access to essential services for victims of domestic and sexual violence, including sex trafficking; and assist tribes in developing and promoting legislation and policies that enhance best practices for responding to violent crimes against American Indian and Alaska Native women. VAWA authorizes three funding sources for tribal coalitions. The first is a distribution of 1/56 of the STOP Violence Against Women Formula Program appropriation. The second is five percent of the appropriation for the Improving the Criminal Justice System Response to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program (also known as the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program). The third is not less than one percent of the total appropriation for the Sexual Assault Services Program and is available only to those coalitions that are involved in sexual assault work.

At least 90 percent of Tribal Coalitions Program funding is to be equally divided among the recognized tribal coalitions that apply each fiscal year.

For FY 2017, OVW issued awards to 18 recognized tribal coalitions for a total of \$5,724,163.00. A list of FY 2017 Tribal Coalitions awards is included in Appendix D of this report.

In addition to these four tribal programs, tribal governments are eligible to apply directly to a number of the other grant programs authorized by VAWA, and OVW continues to receive applications from tribes for those programs. OVW grant awards to tribes and tribal organizations from all OVW programs is attached as Appendix D to this report.

### ***Analysis and Research on Violence Against American Indian and Alaska Native Women***

Section 904(a) of VAWA 2005, as amended by section 907(a) of VAWA 2013, calls for the National Institute of Justice (NIJ), in consultation with OVW, to conduct analyses and research on violence against Indian women in Indian country and Alaska Native villages.<sup>4</sup> In conducting its analyses and research, NIJ is asked to focus on dating violence, domestic violence, sexual assault, sex trafficking, stalking, and murder, and to evaluate the effectiveness of federal, state, tribal, and local responses to violence against Native women.

As a direct result of this legislation, NIJ has developed a research program consisting of multiple research studies that have and will be accomplished over an extended period of time. The capstone of this program is the National Baseline Study (NBS)—the first national study conducted in Indian country and Alaska Native villages. The NBS is being conducted in geographically dispersed tribal communities across the United States and its primary aim is to provide an accurate national victimization rate of violence committed against American Indian and Alaska Native women living on tribal lands and in Alaska Native communities. The NBS is critical to quantifying the magnitude of violence and victimization in tribal communities and understanding service needs.

NIJ's Violence Against Indian Women (VAIW) program of research also supports other extramural and intramural research and evaluation studies that are expected to: produce a deeper understanding of the issues faced by Native American women; expand the body of criminal justice policy-relevant research; and help formulate public policies and prevention strategies to decrease the incidence of violent crimes committed against Native women. Results from all of these studies are anticipated to help establish and enhance justice systems that will successfully restore victim safety and promote healing.

Prior to and during the development of the program, NIJ sought input and feedback from multiple sources including prominent researchers and experts in the field, federal stakeholders and partners, and the federal advisory committee established under section 904(a)(3) of VAWA

---

<sup>4</sup> Title IX, Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Pub. Law No. 109-162, as amended by Section 907 of the Violence Against Women Reauthorization Act, Pub. L. No. 113-4.

2005 – “the Task Force on Research on Violence Against American Indian and Alaska Native Women” (Task Force). Over the years, Task Force members have provided feedback on NIJ’s program of research priorities, research design strategies, research and evaluation protocols, and research and evaluation findings.

OVW has begun to solicit new members for the re-chartered Task Force and will accept nominations until **November 14, 2017**. Under the statute, Task Force members must include representatives from tribal governments (or officially approved delegates), national tribal domestic and sexual violence non-profit organizations, and other national tribal organizations. OVW and NIJ are planning to convene the next Task Force meeting in early spring 2018 so NIJ can provide a full status report on the program and highlight recent study findings. In addition, the Task Force will be asked to assist with recommendations resulting from study findings and to help develop new research questions to be addressed.

Task Force meetings provide an important opportunity for tribal leaders, representatives, and stakeholders to work together with the Department to better understand the nature and scope of violence experienced by Native women and to bring about systemic change to address the needs of victims and their families and to hold offenders accountable. Moving forward, the Task Force will continue to play an important role in shaping NIJ’s VAIW program of research and will assist NIJ and OVW with disseminating results that will influence policy and practice.

### **Office on Violence Against Women Deputy Director for Tribal Affairs**

Section 907 of VAWA 2005 establishes, in OVW, a Deputy Director for Tribal Affairs with statutory responsibilities relating to violence against American Indian and Alaska Native women, including administering tribal grants, coordinating development of federal policy, providing support to other Departmental offices, and ensuring the availability of tribal technical assistance. Sherriann Moore, an enrolled member of the Rosebud Sicangu’ Lakota Tribe in South Dakota, joined OVW in February 2017 as Deputy Director for Tribal Affairs. Ms. Moore currently oversees a staff of grant program specialists, coordinates implementation of the tribal provisions of VAWA within OVW, and meets with tribal leaders and representatives, nationwide, to gain a better understanding of the needs and challenges that tribes face. In addition to Ms. Moore’s commitment to addressing domestic violence, sexual assault, intimate partner violence, stalking, and sex trafficking in tribal and urban Indian communities, a primary responsibility is planning and facilitating the annual Government-to-Government Consultation on Violence Against American Indian and Alaska Native women. OVW’s Tribal Affairs Division provides the federal leadership needed to develop the national capacity of tribes to reduce violence against women and administer justice for and strengthen services to victims. In addition to managing the grant funds, the Tribal Affairs Division conducts activities intended to build national capacity; enhance the training and technical assistance with program administration; and, in collaboration with other Departmental offices, increase the focus on sex trafficking and murdered and missing women in tribal and urban Indian communities. OVW’s Tribal Affairs Division has been working with a reduced staff due to departures and hiring limitations in recent years; however, OVW leadership is planning for additional staff in the near future.



## *Implementation of VAWA 2005 provisions on federal prosecutions in Indian country*

### **Enhanced Criminal Law Resources**

DOJ recognizes the United States' unique legal relationship with federally recognized Indian tribes. Improving public safety and the fair administration of justice in Indian country is a top priority for the Department. DOJ's overarching goal is to create substantial, lasting improvements in public safety for American Indians and Alaska Natives, and to undertake reforms to institutionalize the federal commitment to public safety for tribal nations. This effort includes training for federal, state, and tribal criminal justice and social service professionals working in Indian country.

In July 2010, DOJ's Executive Office for United States Attorneys (EOUSA) launched the National Indian Country Training Initiative (NICTI) to ensure that federal prosecutors, as well as state and tribal criminal justice personnel, receive the training and support needed to address the particular challenges relevant to Indian country prosecutions. This training effort is led by the Department's National Indian Country Training Coordinator and is based at the National Advocacy Center (NAC) in Columbia, SC. Since its inception, the NICTI has delivered approximately 80 residential training opportunities at the NAC or in the field. In addition, the NICTI Coordinator lectures regularly around the country for other federal agencies, tribes, and tribal organizations. Many of these lectures concern issues related to domestic violence, sexual assault, human trafficking, and child abuse.

NICTI training is designed to support DOJ priorities and initiatives in Indian country. For example, in FY 2017, residential training at the NAC addressing intimate partner violence and sexual assault included the following courses:

- Drug Endangered Children: Building a Successful Collaborative Response
- National Institute on the Prosecution of Sexual Violence in Indian Country
- Criminal Jurisdiction in Indian Country Seminar
- Forensic Interviewing of Child and Adolescent Victims and Witnesses in Indian Country Seminar
- Indian Country Strangulation and Suffocation Seminar
- Sexual Assault Nurse Examiners' Expert Witness Training
- Domestic Violence Fatality Review Team Training
- Human Trafficking in Indian Country Seminar

In FY 2015, 706 attendees received NICTI residential training at the NAC, and in FY 2016, there were 549 residential course attendees. (FY 2017 statistics are not available yet.) These students represented over 300 different tribes, United State Attorneys' Offices, and federal, state, and tribal organizations serving Indian country. Each class offering is fully subscribed, and there is a long waiting list of applicants hoping to be admitted for almost every class offered. The overwhelming majority of students were from tribes or tribal organizations. Of particular note, DOJ's Office of Legal Education covers the costs of travel and lodging for tribal attendees at classes sponsored by the NICTI. This allows many tribal criminal justice and social service professional to receive cutting-edge training from national experts at no cost to the student or tribe.

### **Domestic Assault by an Habitual Offender**

Section 909 of VAWA 2005 created a new federal crime, “Domestic Assault by an Habitual Offender,” 18 U.S.C. § 117, 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 assault, sexual abuse, or serious violent felony against a spouse or intimate partner. Several defendants challenged the constitutionality of this provision arguing that tribal court convictions cannot be used as predicate offenses in cases where the defendant was not provided with appointed counsel. DOJ vigorously defended the constitutionality of the habitual offender statute. In June of 2016, the U.S. Supreme Court held that tribal convictions that are valid when rendered “retain that status when invoked in a subsequent proceeding.” *United States v. Bryant*, 136 S.Ct. 1954, 1965 (2016). In *Bryant*, the Court saw no reason to distinguish between an uncounseled conviction that results in a fine and an uncounseled tribal-court conviction that results in less than a year in prison: in both, the Court reasoned, the Sixth Amendment was inapplicable, and in both, the defendant was punished only for the last, counseled offense, not the prior, uncounseled ones. *Id.* at 1965-66. The Court also found that the various protections in the Indian Civil Rights Act, including the provision for *habeas* review in federal court, “sufficiently ensure the reliability of tribal-court convictions.” *Id.* at 1966.

A review of DOJ’s case management data shows that the number of defendants indicted under this provision increased from 12 in FY 2010 to 23 in FY 2015, 33 in FY 2016, with 35 indicted so far in FY 2017. The increase in numbers of cases indicted is likely due to the Supreme Court’s favorable decision in *Bryant*.

### ***Implementation of VAWA 2013’s tribal provisions related to special domestic violence criminal jurisdiction and the federal assault statute***

#### **Tribal Criminal Jurisdiction over Crimes of Domestic Violence**

Section 904 of VAWA 2013 (Tribal Jurisdiction over Crimes of Domestic Violence) recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. Section 904 also specified the rights that a participating tribe must provide to defendants in SDVCJ cases. Section 908(b)(1) (Effective Dates; Pilot Project) provided that tribes generally could not exercise SDVCJ until at least two years after the date of VAWA 2013’s enactment—that is, on or after March 7, 2015. However, section 908(b)(2) established a “Pilot Project” that authorized the Attorney General, in the exercise of her discretion, to grant a tribe’s request to be designated as a “participating tribe” on an accelerated basis and to commence exercising SDVCJ on a date (prior to March 7, 2015) set by the Attorney General, after coordinating with the Secretary of the Interior, consulting with affected tribes, and concluding that the tribe’s criminal justice system has adequate safeguards in place to protect defendants’ rights.

After the enactment of VAWA 2013, the Department of Justice moved quickly to implement the Pilot Project. After consulting with tribal officials and requesting public comments, on

November 29, 2013, the Department published a final notice establishing procedures for tribes to request accelerated designation, establishing procedures for the Attorney General to act on such requests, and soliciting such requests from tribes.<sup>5</sup> Two months later, on February 6, 2014, the Department announced the designation of three Indian tribes – the Pascua Yaqui Tribe of Arizona, the Tulalip Tribes of Washington, and the Confederated Tribes of the Umatilla Indian Reservation of Oregon – as “participating tribes” under the Pilot Project. Two additional tribes’ applications were approved during the pilot period, the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation in Montana and the Sisseton Wahpeton Oyate of the Lake Traverse Reservation in South and North Dakota.

Although five tribes were approved to exercise SDVCJ during the pilot period, only the first three tribes were approved early enough to bring SDVCJ cases before the conclusion of the pilot period on March 7, 2015. During this year-long period, the three original pilot tribes had a total of 27 SDVCJ cases involving 23 separate offenders. In exercising SDVCJ, the pilot tribes have worked closely with their local United States Attorneys’ Offices and the Department to identify which cases are best for tribal handling and which are best for federal prosecution with the common goal of holding offenders accountable and keeping Native American women safe.

During consultation about Pilot Project implementation, tribal officials and employees repeatedly highlighted the usefulness of exchanging ideas with their counterparts in other tribes, peer to peer. With these views in mind, in June of 2013, the Department established an Intertribal Technical-Assistance Working Group on Special Domestic Violence Criminal Jurisdiction (ITWG) to exchange views, information, and advice about how tribes can best exercise SDVCJ, combat domestic violence, recognize victims’ rights and safety needs, and fully protect defendants’ rights. To date, forty-five tribes have voluntarily joined the ITWG, and almost of all of them have remained actively engaged in ITWG meetings, webinars, and exchanges of information. The Department is supporting the ITWG with training and technical assistance, including an original three-year award by OVW to the National Congress of American Indians (NCAI) to support the ITWG’s ongoing work, which OVW supplemented with a new three-year award in FY 2016. The ITWG is scheduled to hold its ninth in-person meeting on November 14-15, 2017 at the Tulalip Indian Reservation in Washington State.

Since the end of the pilot period, ten more tribes have reported to NCAI that they have implemented SDVCJ, including the Little Traverse Band of Odawa Indians (MI), the Seminole Nation of Oklahoma, the Eastern Band of Cherokee Indians (NC), the Sac and Fox Nation of Oklahoma, the Kickapoo Tribe of Oklahoma, Nottawaseppi Huron Band of the Potawatomi (MI), the Standing Rock Sioux Tribe (ND and SD), Sault Ste. Marie Tribe of Chippewa (MI), Muscogee Creek Nation (OK), and the Chitimacha Tribe of Louisiana. None of the SDVCJ non-Indian defendants has filed a habeas petition in federal court challenging his or her arrest or prosecution.

### **Amendments to the Federal Assault Statute**

Police, prosecutors and medical providers across the country have begun to appreciate the inherent lethality risks of strangulation and suffocation crimes. Because domestic violence and

---

<sup>5</sup> See Pilot Project for Tribal Criminal Jurisdiction over Crimes Against Domestic Violence, 78 Fed. Reg. 71,645 (Nov. 29, 2013).

sexual assault remain primarily a matter of state, local, and tribal jurisdiction, the federal government historically lacked the ability to adequately prosecute some intimate partner violence crimes. VAWA 2013 changed that by providing the federal government with additional statutory tools to prosecute these crimes. In particular, Congress recognized the gravity of strangulation and suffocation crimes by amending the federal assault statute, 18 U.S.C. § 113, to include a specific charge of assault or attempted assault by strangulation or suffocation. This change in the law was effective March 7, 2013.

The federal law as amended in 2013 makes it possible to prosecute in Indian country a perpetrator who commits or attempts to commit an act of strangulation against a spouse, intimate partner, or dating partner. VAWA defines strangulation as the intentional, knowing, or reckless impeding of the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck – and importantly – regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim. This statute has been used with increasing frequency by federal prosecutors. In FY 2013, three strangulation cases were charged. In FY 2014, the number of strangulation cases indicted rose dramatically to 42 and then rose again in FY 2015 to 58 and to 70 in FY 2016. To date, 56 cases have been indicted in FY 2017.

To raise awareness about the issue and to educate professionals dealing with the legal or medical consequences of strangulation, the Department's National Indian Country Training Initiative has been providing training and technical assistance to federal and tribal investigators, prosecutors, advocates and medical professionals around the country. These educational opportunities have been in the form of live training, webinars, and written publications.

### **Part Three: Strengthening the Federal Response to Violence Against American Indian and Alaska Native Women**

In addition to the work described above responding to the concerns that tribal leaders raised at the 11th VAWA consultation (Part One) and implementing the Violence Against Women Act and its subsequent reauthorizations (Part Two), 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 these efforts, DOJ has taken a number of actions that respond to concerns and recommendations from past consultation sessions. These activities are discussed below.

- In August 2017, the Department announced several developments under the Task Force on Crime Reduction and Public Safety to strengthen law enforcement and public safety in Indian country in response to listening sessions with tribal law enforcement. The Department confirmed its commitment to a strong government-to-government partnership with tribal nations, including sharing valuable crime data and supporting Native American victims of crime. The announcements included the FY 2018 expansion of TAP to provide tribes access to national crime information databases for both civil and criminal purposes, discussed in Part One of this report, and efforts to respond to Native victims of sex trafficking and enhance investigations of crimes against children in Indian country, including child sexual abuse.
- On June 27, 2016, the Attorney General directed each United States Attorney's Office with Indian country jurisdiction to consult with federal and tribal law enforcement; develop federal sexual assault response guidelines; and implement the guidelines. Many districts currently use these guidelines as portions of their operational plans. Each district submitted a copy of their respective guidelines to EOUSA to ensure compliance.
- DOJ's Office of Tribal Justice is working with the U.S. Attorney's Office in South Dakota to strengthen its Sexual Assault Response Team (SART) by facilitating a more collaborative relationship between the tribes, prosecutors, FBI, BIA, IHS, and other federal and tribal stakeholders, including victim services and community partners. The goal of this effort is to develop a federal SART model, including policies and protocols that could be adapted to other federal districts with Indian country jurisdiction.
- The FBI's Office for Victim Assistance (OVA) has 43 Indian country-designated victim assistance positions, including 41 Victim Specialists (VSs) and two child/adolescent forensic interviewers (CAFIs). In addition to these 43 designated positions, numerous additional VSs and CAFIs respond to victims of crime and conduct forensic interviews in Indian country.
- In 2017, the FBI's victim assistance program - in collaboration with the BIA's victim assistance program - provided a training module on victim assistance for multiple sessions of the joint BIA/FBI Indian Country Criminal Investigator Training Program

(ICCITP). ICCITP is a two-week training course for BIA agents, FBI agents newly assigned to Indian country positions, and tribal law enforcement personnel.

- EOUSA's NICTI works closely and partners frequently with the FBI and BIA. The NICTI Coordinator serves as faculty at ICCITP, held twice each year at the Indian Police Academy; this training is for FBI and BIA agents as well as tribal law enforcement officers new to working in Indian country. In addition, the NICTI, in partnership with BIA's Office of Justice Services Tribal Courts program, has developed a one-week trial advocacy course for tribal Special Assistant United States Attorneys (SAUSAs) and tribal prosecutors working for tribes implementing special domestic violence criminal jurisdiction. The inaugural session was scheduled for September 11-15, 2017, but it had to be postponed to March 2018 because of Hurricane Irma.
- The NICTI, in the context of training on issues related to intimate partner violence, has included training from personnel working for NamUS. NamUS is a free online system that can be searched by medical examiners, coroners, law enforcement officials, and the general public from all over the country seeking to resolve missing persons and potential homicide cases. Moreover, NamUS has experience working and solving cases arising in Indian country.
- The NICTI received funding from the Office for Victims of Crime (OVC) and OVW to develop two new training DVDs. The first is titled "Alcohol-Facilitated Sexual Assault in Indian Country," and it focuses on best practices for working with sexual assault victims who were using drugs or alcohol prior to their victimization, relevant federal statutes, and proper investigation and prosecution techniques. This DVD was released in December 2016 and features successful prosecutions from the Winnebago Tribe and the Navajo Nation. In addition, the NICTI, with funding from OVW and OVC, developed a five-video training DVD called "A Healing Journey for Alaska Natives." This educational series is designed for federal, state, local, and tribal victim service providers, criminal justice professionals, and others who work with Alaska Native victims of domestic violence, sexual assault, and human trafficking. The videos are available online at <http://www.ovc.gov/library/healing-journey.html>. The NICTI, with funding from OVW, is also in the final stages of a third major training DVD focused on domestic violence fatality reviews in Indian country. This DVD features efforts in Montana, where the country first Native American Fatality Review Team has been reviewing intimate partner homicides for several years now.
- In 2015, EOUSA, the FBI, the Office of Tribal Justice, and OVC established the Federal Victims in Indian Country Working Group (FedVIC). FedVIC members include Special Agents, Assistant United States Attorneys, and victim assistance personnel from BIA, FBI, and United States Attorneys' Offices. FedVIC aims to ensure that victims of federal crime in Indian country receive the highest quality of services by enhancing federal responsiveness and collaboration. In December 2016, FedVIC members delivered a workshop at OVC's 15<sup>th</sup> National Indian Nations Conference to discuss with conference participants FedVIC's efforts and learn from participants about additional possible solutions to identified gaps in services. In 2017, FedVIC subcommittees continued to

identify gaps, potential solutions, and best practices to improve federal agency response in Indian country, and began development of a website dedicated to providing resources and best practices for federal employees working in Indian country. Moving forward, FedVIC will continue to build the website and plans to organize a Victim Assistance Summit for FY 2018, the goal of which will be to identify way to improve response to victims.

- In July 2016, OVC partnered with OVW and the Indian Health Service to conduct a two-day roundtable discussion about responding to sexual violence in tribal communities. A multi-disciplinary group of Indian country professionals with significant experience in responding to the sexual assault of American Indian and Alaska Native women shared information about innovative responses that they have developed to overcome some common barriers to addressing sexual violence in their communities. The participants also offered recommendations for other tribes who are interested in developing or enhancing a response to sexual violence. In June, 2017, OVC published a report summarizing the meeting entitled *Developing and Implementing a Response to Sexual Assault in Tribal Communities: A Summary of the Suggestions from the National Roundtable Discussion on Sexual Assault in Indian Country*. A copy of the report can be downloaded from the OVC Training and Technical Assistance Center's Tribal Victim Assistance website: <https://www.ovcttac.gov/TVA/>.
- OVW provides funding to the Southwest Center for Law and Policy (SWCLAP) to support the National Indian Country Clearinghouse on Sexual Assault (NICCSA or the Clearinghouse). The Clearinghouse's website, [www.NICCSA.org](http://www.NICCSA.org), serves as a one-stop shop for information on sexual violence against American Indian/Alaska Native (AI/AN) women and teenage girls and includes a toll-free helpline to provide personalized assistance to Indian country justice and service professionals in solving complex legal, forensic, and programmatic challenges. SWCLAP also has designed and delivered interactive presentations on accessing the Clearinghouse to OVW grantees, federal agencies, local law enforcement, and major tribal stakeholders across the United States.
- As part of the Clearinghouse, OVW also funds SWCLAP to address the issue of providing service referrals, emergency first aid, and collection and preservation of sexual assault evidence in rural and geographically-isolated tribal communities. SWCLAP's SAFESTAR (Sexual Assault Forensic Examinations, Services, Training, Advocacy, and Resources) Project provides a 40-hour training for 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, triage sexual assault-related injuries and health concerns, and provide referrals to sexual assault services. This project includes a companion training curriculum for tribal victim advocates, healthcare professionals, law enforcement officers, and prosecutors on their roles in responding to sexual assault cases. SAFESTAR also works intensively with states and tribes to develop and implement inter-jurisdictional civil, criminal, healthcare, and services protocols to promote safety and justice for Native women. This state-tribal coordination also includes federal allies such as the FBI, BIA, United States Attorneys, the BIA Crime Lab, and the

Indian Health Service. State partners include statewide investigative agencies, state STOP Administrators, and state victim compensation funds, among others.

- The National Tribal Trial College and NICCSA have developed a certification course for lay legal advocates representing AI/AN sexual assault survivors in tribal courts. To address the severe shortage of legal representation for AI/AN sexual assault survivors, the course provides a mix of on-line, distance learning and on-site litigation training that results in a certificate in Tribal Court Legal Advocacy issued jointly by the National Tribal Trial College and the University of Wisconsin Law School. The certification course is free and consists of 20 weekly webinars, student research papers, online examinations, and a week-long trial advocacy institute conducted in collaboration with the University of Wisconsin Law School. This project now includes an Alaska-specific course focused on training lay legal advocates to represent victims in Alaska tribal courts.
- OVW funds Red Wind Consulting, a nonprofit organization, to work with tribal grantees engaged in developing and implementing shelter, safe home, or transitional housing programs for victims of domestic and sexual violence, addressing the needs of youth victims, and developing sexual assault response teams. This includes one-on-one technical assistance, webinars and national training, and intensive long-term planning to develop culturally relevant programming, advocacy services, and policies and procedures for responding to violence against AI/AN women.
- In FY 2015, OVC awarded \$2 million to the National Center for Victims of Crime, the National Congress of American Indians, and the Tribal Law and Policy Institute to create a web-based resource mapping tool that will help identify gaps in victim services for AI/AN victims of crime and link them to a continuum of services and support. Through a three-year cooperative agreement, titled *Vision 21: Tribal Victim Services and Resource Mapping Project*, the team is undertaking a massive effort to engage and coordinate with stakeholders and gather and analyze information about services on and off reservations, in remote areas such as Alaska, and in rural, urban, and suburban settings. The team has developed a public website that will enable AI/AN victims to connect with victim services providers that offer culturally sensitive services. The site will be ready for testing in 2018, and OVC has plans to introduce the final product during the next biennial National Indian Nations Conference, which is tentatively scheduled for late 2018.
- In FY 2016, OVC launched Project Beacon: Increasing Services for Urban American Indian and Alaska Native Victims of Sex Trafficking. Through Project Beacon, OVC awarded a total of \$1,237,500 to three urban Indian-serving programs to develop holistic, culturally appropriate comprehensive services for urban AI/AN victims of sex trafficking. The Project Beacon grantees are: Seattle Indian Center, the American Indian Center of Chicago, and First Nations Community HealthSource in Albuquerque, NM.



**Appendix A – Updates from the Department of Health and Human Services**



**FYSB** Family & Youth Services Bureau

**Family Violence Prevention & Services Program**

**FVPSA HIGHLIGHTS**

**Funding for Tribes and Tribal Organizations**

- Formula Grants** - In 2017, the Family Violence Prevention and Services Act (FVPSA) program awarded \$14.5 million in FVPSA formula grants to over 200 tribal domestic violence programs through Tribes (including Alaska Natives), tribal organizations and tribal consortia. FVPSA is the primary federal funding source dedicated to providing immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence and their dependents. Annually, ten percent of the amount appropriated to FVPSA is allocated to Tribes. The table below shows the number of grants made categorized by award amount.

	<b>FY 2017</b>
<b>Total Funding for Tribal Formula Grants</b>	\$14,500,000
<b>Range of Awards</b>	\$17,453 to \$1,570,815
<b>Number of Tribes Funded</b>	259
<b>Number of Grants</b>	146
<b>Number of Grants at \$17,453-\$17,454</b>	60
<b>Number of Grants between \$24k and \$157k</b>	73
<b>Number of Grants between \$202k and \$872k</b>	9
<b>Number of Grants over \$1,000,000</b>	4

- Resource Center** - FVPSA also awarded \$1,260,000 to support the National Indian Resource Center Addressing Violence Against Indian Women (NIRC). The National Indigenous Women’s Resource Center (NIWRC) was selected through a competitive process to serve as the NIRC. In this roll, NIWRC ensures that American Indian, Alaska Native, and Hawaiian Native victims of domestic violence, advocates, community-based programs, educators, legal assistance providers, justice personnel, health care providers, policy makers, and government leaders at the local, state, Tribal, and federal levels have access to up-to-date information and technical assistance and training on promising practices, policies, research, and victim resources.
- Native Hotline** - Through a \$3,750,000 expansion supplement grant awarded to the National Domestic Violence Hotline in 2016, approximately \$1,225,000 was used to

support the Native Hotline (StrongHearts). In partnership, the National Domestic Violence Hotline and the National Indigenous Women's Resource Center launched the first-ever crisis-line for Alaska Native and American Indian women and girls in March. The Hotline's support offers the technology and infrastructure and NIWRC provides the expertise, community connections and the trust of Native advocacy groups. StrongHearts provides culturally and linguistically appropriate services, by and for Native women, and assists AI/AN survivors of domestic and sexual violence with safety planning, emotional support, and referrals to local resources. More information about NIWRC and the Strong Hearts Helpline can be found at [www.niwrc.org](http://www.niwrc.org).

## **FVPSA Final Regulations**

The FVPSA Final Regulations were published in the Federal Register November 2016. <https://www.federalregister.gov/documents/2016/11/02/2016-26063/family-violence-prevention-and-services-programs>.

This policy framework reflects survivors' growing needs and emerging challenges over the past 32 years. The regulations reinforce existing policies and practices that programs have institutionalized to better support survivors of domestic violence, dating violence, and other forms of intimate partner violence. The Final FVPSA Regulations, which took effect on January 2, 2017, incorporate FVPSA statutory requirements from the 2010 reauthorization. More specifically, the new regulations clarify that, as a condition of receiving FVPSA funds, all FVPSA grantees and sub-grantees must adhere to statutory and regulatory requirements that are vital to the FVPSA purpose and mission.

Key provisions of the regulations include:

**Confidentiality Requirements** (§1370.4) – The regulations include a new definition for personally identifying information that mirrors the Violence Against Women Act (VAWA) to ensure that all grantees have a clear, common understanding of confidentiality requirements. The regulations also provide added guidance in §1370.4 on what confidentiality requirements apply to FVPSA programs in order to promote the safety of adult, youth, and child victims of family violence, domestic violence, or dating violence.

**Non-Discrimination and Accessibility Requirements** (§1370.5) – The regulations make clear that the FVPSA anti-discrimination provisions apply to all grantees. These non-discrimination requirements include prohibitions against discrimination on the basis of actual or perceived sex, including gender identity, religion, and actual or perceived sexual orientation. These non-discrimination provisions are in addition to broad government-wide and Department of Health and Human Services-wide civil rights protections in regulations concerning discrimination on the basis of race, color, national origin, disability and age that apply to all HHS grantees, including FVPSA grantees.

**Voluntary Services Requirement/No Conditions on the Receipt of Emergency Shelter** (§1370.10) – The FVPSA Reauthorization of 2010 provides that services must be voluntary and no conditions can be imposed on the recipient of emergency shelter. The

regulations incorporate these new requirements, and further specify the prohibition on imposing “conditions” to prohibit shelters from applying inappropriate screening mechanisms, such as criminal background checks or sobriety requirements. Similarly, the receipt of shelter cannot be conditioned on participation in other services, such as counseling, parenting groups, or life-skills classes. Such requirements contradict this Administration’s priority that programs incorporate trauma-informed best practices into direct service provision.

**State Planning and State Domestic Violence Coalition Needs Assessments** (§1370.10 and §1370.20) – The regulations include guidance that promotes greater coordination of State planning and State Domestic Violence Coalition needs assessments to foster greater inclusion of underserved communities and better identify the needs of all victims of domestic and dating violence.

**Discretionary Grant Programs** (§1370.30 - §1370.32) – The regulations create a new Subpart D covering all discretionary grants. This new subpart separately addresses National Resource Centers and Training and Technical Assistance Grants (§1370.30), grants for State resource centers to reduce disparities in domestic violence in States with high proportions of American Indian (including Alaska Native) or Native Hawaiian population (§ 1370.30), grants for specialized services for abused parents and their children (§1370.31), and the National Domestic Violence Hotline (§1370.32). These new sections primarily reflect statutory requirements, the evolution of the program, and the focus of FVPSA.

**Definitions** (§1370.2) – The regulations include definitions of key terms found in the FVPSA statute and used in current operating practices. The definitions are intended to reflect important terms in the statute and important practices in the administration of the program. In some instances, we do not repeat the statutory definition verbatim but rather establish a regulatory definition that is fully consistent with the statutory definition but will provide clarity to the field and other interested stakeholders and consistency with other federal programs supporting related programming.



## Indian Health Service Forensic Healthcare Services

---

### What is Forensic Healthcare?

Victims of violence and abuse require care from health professionals who are trained to treat trauma and provide forensic medical care. Forensic healthcare providers are typically registered nurses, but are also advanced practice nurses, physicians, and physician assistants. They provide medical treatment and evaluation, have a specialized knowledge in injury identification, collect evidence, and provide testimony in a court of law to assist with prosecution of individuals who commit acts of abuse.

### Training

The Indian Health Service (IHS) Forensic Healthcare Program was established in 2011 to address sexual assault, intimate partner violence, child sexual abuse, and elder mistreatment. The program trains providers in forensic medical examinations, evidence collection techniques, and in coordinated community response to address violence. IHS has trained 1228 healthcare providers: 579 as adolescent and adult sexual assault examiners; 322 as pediatric sexual abuse examiners; and 327 as intimate partner violence examiners. IHS hosted 46 webinars covering a variety of topics for providers related to intimate partner violence, sexual assault, and child sexual abuse with nearly 5,000 viewings. Training can be located at [www.tribalforensichealthcare.org](http://www.tribalforensichealthcare.org). It is provided at no cost to IHS, Tribal, Urban Indian, and referral health care providers serving American Indians and Alaska Natives.

### Policies

IHS hospitals and health clinics follow national policies in the Indian Health Manual (IHM) for forensic health care services. There are currently three policies under Part 3 of the IHM available at [www.ihs.gov/ihm](http://www.ihs.gov/ihm). IHS has a draft “Child Maltreatment” policy that is under Agency clearance and expected to be released in early 2018.

- IHM, Part 3, Chapter 29 “Sexual Assault” – released March 2011, and updated in May 2014. Directs IHS-operated facilities to provide access to a medical forensic exams on-site, by referral, or a combination of both to patients age 18 and older who present for sexual assault. Patients who are referred elsewhere must be transported within two hours of the victim’s presentation at the medical facility.
- IHM, Part 5, Chapter 27 “Responding to Requests for IHS Employee’s Testimony or IHS Documents in Proceedings where the United States is not a Party” – released October 2015. Establishes policy for responding to subpoenas or requests for testimony following the Tribal Law and Order Act (TLOA) of 2010.

- IHM, Part 3, Chapter 31 “Intimate Partner Violence” – released October 2016 . Directs IHS-operated facilities to provide access to medical forensic exams in cases of intimate partner violence without a sexual assault component. In recognition of frequent intimate partner violence co-occurring with sexual violence, certain segments are directly linked to the sexual assault policy.

## **Funding**

The Domestic Violence Prevention Program (DVPP), formerly called the Domestic Violence Prevention Initiative, or DVPI, is a congressionally mandated, nationally coordinated grant and Federal award program for Tribes, Tribal organizations, federally operated programs, and Urban Indian organizations providing violence prevention and treatment services. The DVPP promotes the development of evidence-based and practice-based models that represent culturally appropriate prevention and treatment approaches to domestic and sexual violence from a community-driven context. The DVPP expands outreach and increases awareness by funding projects that provide victim advocacy, intervention, case coordination, policy development, community response teams, sexual assault examiner programs, and community and school education programs. IHS currently funds 57 projects at more than \$7.5 million. More information is available at [www.ihs.gov/dvpi](http://www.ihs.gov/dvpi).

## **Contact Information**

For more information, contact:

Terry Friend, CNM, MSN, National Forensic Nurse Consultant

Email: [theresa.friend@ihs.gov](mailto:theresa.friend@ihs.gov)

Erica Gourneau, BSN, RN, National Forensic Nurse Coordinator

Email: [Erica.gourneau@ihs.gov](mailto:Erica.gourneau@ihs.gov)

Selina Keryte, MPH, National DVPP Coordinator

Email: [Selina.keryte@ihs.gov](mailto:Selina.keryte@ihs.gov)



### **NIJ's Program of Research Examining Violence Against American Indian and Alaska Native Women living in Indian Country and Alaska Native Villages**

Despite compelling indications that rates of violence against American Indian (AI) and Alaska Native (AN) women merit serious attention, there is a dearth of solid, scientific research regarding their victimization experiences. Accurate, comprehensive, and current information on the incidence, prevalence, and nature of intimate partner violence, sexual violence, and stalking in Indian country and Alaska Native villages is critically needed to improve our understanding of the programmatic, service, and policy needs of victims and to educate and inform policymakers and the public about this pervasive threat to the health and well-being of Native women.

Title IX, Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Pub. Law No. 109-162 (codified at 42 U.S.C. § 3796gg-10 note), as amended by Section 907(a) of the Violence Against Women Reauthorization Act, Pub. L. No. 113-4, mandates NIJ, in consultation with the U.S. Department of Justice's (USDJ) Office on Violence Against Women (OVW), to conduct analyses and research on violence against Indian women living in Indian country and in Alaska Native villages. In conducting its analyses and research, NIJ has been asked to focus on dating violence, domestic violence, sexual assault, sex trafficking, stalking, and murder. As a result, NIJ has developed a comprehensive research program consisting of multiple projects that will be accomplished over an extended period of time with the primary goal being to document the prevalence and nature of violence against Indian women living on sovereign tribal lands. The research program also is designed to evaluate the effectiveness of federal, state, tribal, and local responses to violence against AI and AN women and propose recommendations to improve the effectiveness of such responses.

For more on NIJ's program, see <http://nij.gov/topics/tribal-justice/vaw-research/Pages/welcome.aspx>.

#### **NIJ DIRECTED & FUNDED RESEARCH & EVALUATION**

##### *Violence Against American Indian and Alaska Native Women and Men: 2010 Findings From the National Intimate Partner and Sexual Violence Survey*

This NIJ supported study on the prevalence of violence against AI and AN women and men used a large nationally representative sample from the National Intimate Partner and Sexual Violence Survey (NISVS). NISVS was launched in 2010 by the Center for Disease Control and



Prevention's (CDC) National Center for Injury Prevention and Control, with the support from the U.S. Department of Defense and NIJ. Dr. André Rosay, NIJ Visiting Executive Research Fellow, and Associate Dean in the College of Health at the University of Alaska, Anchorage, conducted the analyses for this NIJ study.

Like NISVS, the AI and AN NISVS study was conducted using a random digit dial telephone survey of the noninstitutionalized U.S. population age 18 or older. For this study, the landline phone numbers included were in telephone exchanges associated with at least 50 percent self-identified AI and AN populations, in any of the 50 states and the District of Columbia. The analysis in this report provides information from 2,473 women and 1,505 men who identified themselves as AI and AN (alone or in combination with another racial group). Most women (83 percent) and most men (79 percent) were affiliated or enrolled with a tribe or village. Over half of both women and men (54 percent) had lived within reservation boundaries or in an Alaska Native village in the past year.

The study provides the first set of estimates of sexual violence, physical violence by intimate partners, stalking, and psychological aggression by intimate partners over the lifetime of adult self-identified AI and AN women and men as well as victimization estimates over of the past year (based on 2010 data). It also provides estimates of interracial and intraracial victimizations and briefly examines the impact of violence.

#### Key Findings:

- Native women and men experience high levels of psychological aggression by intimate partners, physical violence by intimate partners, stalking, and sexual violence. More than 4 in 5 have experienced these forms of violence in their lifetimes, and more than 1 in 3 have experienced these forms of violence in the past year.
- The majority of Native Americans have been victimized by at least one interracial perpetrator. This result is important because tribes have limited jurisdiction over non-Indian offenders, even when crimes occur in Indian country.
- Violence also has disproportionate impacts on AI and AN victims. In particular, Native American women victims are more likely to be injured and are more likely to need medical care. Unfortunately, they are also less likely to get the services that they need. These results highlight the continuing disparities in health outcomes and access to health care.

Information on available publications and media resulting from this study is provided below.

NIJ Report by André B. Rosay (May 2016) *Violence Against American Indian and Alaska Native Women and Men: Findings from the 2010 National Intimate Partner and Sexual Violence Survey*: <https://www.ncjrs.gov/pdffiles1/nij/249736.pdf>.

NIWRC Webinar with André B. Rosay (May 18, 2016) *Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey*:



[http://www.niwrc.org/events?field\\_event\\_type\\_tid=11&field\\_date\\_value%5Bvalue%5D%5Bdate%5D=May+18+2016](http://www.niwrc.org/events?field_event_type_tid=11&field_date_value%5Bvalue%5D%5Bdate%5D=May+18+2016)

NIJ Journal Article by André B. Rosay, Issue 277 (June 17, 2016) *Violence Against American Indian and Alaska Native Women and Men*:

<http://www.nij.gov/journals/277/Pages/violence-against-american-indians-alaska-natives.aspx>

NIJ Research for the Real World (RFTRW) Seminar (June 23, 2016) Transcripts and Video: <http://www.nij.gov/events/Pages/research-real-world.aspx>

NIJ *Five Things About Violence Against American Indian and Alaska Native Women and Men* (NCJ 249815, June 23, 2016):

<https://www.ncjrs.gov/pdffiles1/nij/249815.pdf> or <http://nij.gov/five-things/Pages/violence-against-american-indian-and-alaska-native-women-and-men.aspx>

*Violence Against American Indian and Alaska Native Women and Men*: 6 minute Animated Video: [http://nij.gov/multimedia/Pages/video-violence-against-american-indian-and-alaska-native-women-and-men.aspx?utm\\_source=Eblast-GovDelivery&utm\\_campaign=Multimedia&utm\\_medium=Email&utm\\_content=video-violence-against-american-indian-and-alaska-native-women-and-men-10312016&utm\\_term=VAIW](http://nij.gov/multimedia/Pages/video-violence-against-american-indian-and-alaska-native-women-and-men.aspx?utm_source=Eblast-GovDelivery&utm_campaign=Multimedia&utm_medium=Email&utm_content=video-violence-against-american-indian-and-alaska-native-women-and-men-10312016&utm_term=VAIW)

## **NATIONAL BASELINE STUDY**

### **PHASE I: *Violence Against Indian Women (VAIW) in Indian Country Pilot Study (2009-2012)***

NIJ directed a research methods pilot study. This study was developed with input from tribal stakeholders to help ensure that NIJ's forthcoming National Baseline Study (NBS) would be viable, culturally and community appropriate, respectful of those involved, and that the information collected would be relevant and helpful. With the approval of tribal leadership, several tribal communities were selected and agreed to pilot test the VAIW survey and methods for selecting and recruiting survey participants. The VAIW pilot study was conducted from November 2011 through March 2012.

### **PHASE II: *National Baseline Study: A Study on Public Health, Wellness, and Safety in Tribal Communities (2014 to 2018)***

The National Baseline Study (NBS) seeks better information on domestic violence, sexual violence, and stalking perpetrated against AI and AN women living on tribal lands and in Alaska Native communities. Under the direction of NIJ, this study of public health, wellness, and safety among AI and AN women living in tribal communities is consistent with the general approach and methods developed for the NIJ VAIW pilot study.





This multi-year study is being conducted in geographically dispersed tribal communities across the U.S. (lower 48 and Alaska) using a NIJ-developed sampling strategy for which the primary aim is to provide an accurate national victimization rate of violence committed against AI and AN women. The multistage sampling plan provides a practical and accurate approach that will involve enlisting the largest number of federally recognized tribes ever sampled to date and randomly selecting tribal households from each participating tribe in which all adult AI and AN women (18 years and older) in the household will be approached to participate in the study.

Contrary to the NIJ NISVS study, the NBS is solely focused on Native women who live in tribal communities. The questions in the NBS data collection instrument are very similar to those used in the NIJ NISVS study in that they are very detailed and behaviorally specific. However, the NBS study will capture significantly more information. It will capture more information that has direct implications for women living in tribal communities (i.e., health, wellness, support services, perceptions of public safety, and opinions on law enforcement response). The NBS instrument was also designed to help address gaps not only in health and legal services and outcomes, but also in criminal jurisdiction, particularly for victims living on tribal lands. The information from this study is expected to inform prevention and intervention efforts focused on all Indian people keeping in mind that such efforts must be tailored to meet the specific needs arising from the different types of victimization experienced.

## **NIJ INTRAMURAL RESEARCH**

### ***FBI's Response to Violence Against Women in Indian Country in Fiscal Year 2008: A Case File Review (2009 to 2013)***

NIJ and the FBI's Indian Country Crimes Unit (ICCU) partnered to examine the FBI's response to violence against women in Indian country. NIJ and the FBI were interested in obtaining baseline statistics about the:

- Number of cases opened, pending, and closed in Fiscal Year (FY) 2008 in Indian country.
- Percentage and nature of those cases that involve a form of violence against adult Native American women.
- Responses and strategies used by the FBI to investigate these cases.

This study examined all death investigation, domestic violence, rape, and assault cases perpetrated by a current or former intimate partner against an adult AI or AN female victim. The analysis was restricted to case files that included violent crimes that were committed against AI and AN female victims (age 18 or older) opened between October 1, 2007 and September 30, 2008. In this study, the research team recorded information on final case dispositions based on the documentation in each FBI case file. That is, outcomes were based on the information on USAO's actions as documented in the FBI case file.

In FY 2008, the FBI opened a total 1,556 violent crime cases in Indian country. Almost one-fifth of these cases were death investigations (including homicides), rape cases, domestic violence, or intimate partner-perpetrated assault cases that included adult female victims. Among these



cases with adult AI and AN female victims, there were 37 death investigations, 133 rape cases, 23 domestic violence cases, and 59 intimate partner perpetrated assault cases. The Minneapolis, Phoenix, and Salt Lake City divisions opened the majority of cases included in this study. The higher relative proportion of cases in these three divisions was primarily due to the amount of Indian country land covered by those divisions and not necessarily due to higher crime rates per capita.

Some of the most interesting findings of this project run contrary to prevailing beliefs about the nature of violent crime in Indian country. The select findings described below are based on violent crime investigations opened by the FBI during FY 2008, but previous work by the FBI's ICCU indicates a high degree of stability in Indian country investigations over time. These findings were drawn from the subset of offenses that were initially reported to law enforcement by victims or a third-party, and were also then referred to the FBI for investigation<sup>1</sup>.

- The majority of deaths investigated in 2008 by the FBI in Indian country were found to be non-criminal matters (i.e., not homicide).
- The majority of violent crimes investigated by the FBI in Indian country in 2008 were perpetrated by men against men.
- The majority of crimes of violence against women investigated by the FBI in Indian Country were perpetrated by Native Americans against Native Americans.
- The majority of sex offenses investigated by the FBI in Indian country are perpetrated against children.

An additional benefit of this research was the level of context the findings provided regarding the challenges in investigating and prosecuting these cases. The results of this study represent the first long term, in-depth look across cases, which was used to inform the current state of knowledge as well as advance future research efforts to better understand violence against women in Indian Country.

### *Federal and Tribal Response to Violence Against Women in Indian Country Study (2012 to 2013)*

NIJ collected detailed information on federal and tribal responses to sexual violence, intimate partner violence, and stalking of AI and AN women living in tribal communities. The study involved several complementary data collection activities, including face-to-face interviews with federal and tribal agency representatives responsible for investigating and prosecuting these crimes — including tribal law enforcement officers and prosecutors; FBI special agents and victim specialists; members of the U.S. Attorney's Office (USAO) including tribal liaisons and victim/witness staff; and Bureau of Indian Affairs agents, criminal investigators, and victim specialists — and documenting district policies, training, and outreach efforts.

---

<sup>1</sup> These findings cannot be generalized to all Indian country violent crimes; they apply only to those crimes reported to and investigated by the FBI.



## Select Findings (non-PL 280 states<sup>2</sup>)

### *Interagency communication and collaboration*

- Personal relationships of employees across agencies impact frequency and value of communication about cases.
- Study participants indicated they tend to have quicker and more frequent contact with staff if they have a good personal relationship with the individual.
- These relationships have important implications for case processing and outcomes (i.e., communication affects how or when a case is resolved).
- There is great deal of confusion regarding roles and expectations; some staff said they have no communication with some agencies despite their attempts to establish a working relationship.
- The establishment of Memorandum of Understandings may assist with the delineation of responsibility amongst federal and tribal agencies, but few exist.

### *Underreporting of crimes against women in Indian country*

- There was a consistent belief that these crimes are underreported.
- Community members have a lack of trust in the criminal justice and tribal justice systems and think they have nowhere to turn if they are a victim of crime, or that nothing will be done if they report a crime.
- Heavy caseloads and low numbers of staff lead to slow response times.
- There is divergence between federal and tribal agencies regarding efforts to increase reporting or awareness of crimes against women in their jurisdictions—tribal respondents were more likely to report involvement in such efforts.

### *Declinations*

- Quality of the investigation and documentation by law enforcement affects the quality of cases sent to Assistant U.S. Attorneys (AUSA).
- Frequency of declinations appears to be AUSA-dependent; cases are typically declined due to lack of evidence.
- Reducing declinations would require an effort to improve the quality of both law enforcement and prosecution staff who are dedicated to their positions in Indian country, as well as increasing training for law enforcement on how to properly document their investigations.

### *Training*

- There is an overall perception that training opportunities are limited.
- Training should be focused on the topics of jurisdiction, evidence collection and processing, report writing, self-care/vicarious trauma, interviewing and interrogation, and Native American culture.

## ***State and Tribal Response to Violence Against Women in Indian Country Study (2013 to 2014)***

This study investigated the state response, in part, by interviewing tribal law enforcement, prosecutors, and victim advocates as well as state law enforcement, prosecutors, and victim

---

<sup>2</sup> Public Law 83- 280 (commonly referred to as Public Law 280 or PL 280) was a transfer of legal authority (jurisdiction) from the federal government to state governments which significantly changed the division of legal authority among tribal, federal, and state governments.



services staff in Public Law 280 states.<sup>3</sup> The purpose of these interviews were to obtain information about their experiences responding to crimes committed against Indian women, what is going well, what could be improved, and to learn about any promising practices in the field. This study used similar methods and instruments used in the *Federal and Tribal Response Study*.

### **Select Findings (PL 280 states)**

#### *Underreporting of crimes against women in Indian country*

- Most study participants said these crimes are underreported; however, it is not a problem exclusive to Indian country, but exacerbated due to fear of retaliation, sense of shame, victim's continued involvement with alleged perpetrator, and desire to keep the matter within the community.
- Another reason for low reporting rates include slow response time (rural locations; travel time; weather conditions) and a lack of confidence in law enforcement.
- Reporting may increase if tribal communities had a relationship and regular interaction with law enforcement officers that respond to crimes in their area.

#### *Declinations*

- Most study participants stated they do not feel prosecutors unfairly or disproportionately decline cases involving crimes against women in Indian country.
- Cases are typically declined due to a lack of evidence and lack of victim participation in the case's investigation and/or prosecution.
- It was suggested more thorough investigations and reports from law enforcement may help reduce declinations.

#### *Training*

- Amount and frequency of training was dependent on the state and the respondent's position.
- New prosecutors received the least amount of training.
- Participants indicated training should be focused on the topics of evidence collection, domestic violence and sexual assault, report writing, self-care and preventing burnout, Public Law 280, and Native American culture. Moreover, trainings should be tailored to the person's role (patrol officers vs. investigators).

#### *Resource Needs*

- More staff with a desire to work in Indian country is needed at all levels.
- More victim services are need and should be located on or near reservations.
- More cross-deputization of tribal police should occur to increase police coverage and provide better services on tribal lands.
- Rural law enforcement stations should be established.
- Law enforcement and victim service providers discussed problems associated with relying on grant funding to fund positions, programs, and initiatives that do not have short and long-term sustainability other than federal funding.

---

<sup>3</sup> The term "mandatory PL-280" refers to the six states, which Congress mandatorily conferred Indian country criminal jurisdiction to: Alaska, California, Minnesota, Nebraska, Oregon and Wisconsin. A number of states other than the original six, also exercised expanded criminal jurisdiction in Indian country. These jurisdictions are often referred to as "optional PL-280" jurisdictions; primarily, these include certain reservations in Florida, Idaho, and Washington.



## **NIJ FUNDED INVESTIGATOR-INITIATED TRIBAL RESEARCH & EVALUATION**

### *The Oklahoma Lethality Assessment Program: An Experimental Study (2008-2014)*

The purpose of this quasi-experimental research was to examine the effectiveness of the Lethality Assessment Program (LAP). The LAP is a collaborative intervention between police and advocates implemented at the scene of a domestic violence incident consisting of two steps. First, a police officer responding to the scene of a domestic violence incident uses a brief 11-item risk assessment (the Lethality Screen) to identify victims at high risk of homicide. Second, women that screen in as high risk based on the Lethality Screen are put in immediate telephone contact with a collaborating social service provider who provides them with advocacy, safety planning, and referral for services.

While additional research needs to be conducted, the LAP study demonstrates promise as an evidence informed collaborative police-social service intervention that increases survivors' safety and empowers them toward decisions of self-care. The research team has presented findings and the implications for Native American victims of intimate partner violence based on a subsample of American Indian women who participated in the Oklahoma study. They also described how the Domestic Violence Risk Assessment, including the Danger Assessment Circle, were created specifically for indigenous women. For a copy of the research technical report, please go to the National Criminal Justice Reference Service (NCJRS) website and search for [NCJ 247456](#) for copies of presentations on this study go to <http://www.tribal-institute.org/2014/agenda.htm>.

### *Process Evaluation of the Attorney General's Children Exposed to Violence Demonstration Program: Defending Childhood Initiative (2010-2015)*

Building on lessons learned from previously funded research and programs such as Safe Start, the Child Development-Community Policing Program, and the Greenbook Initiative, Defending Childhood leverages existing resources across the USDOJ to focus on preventing, addressing, reducing, and more fully understanding childhood exposure to violence. In 2010, USDOJ awarded grants to eight sites in cities and two tribal communities around the country to develop strategic plans for comprehensive community-based efforts that would further demonstrate the goals of this initiative. Researchers from the Center for Court Innovation worked with two Native American communities (i.e., the Rosebud Sioux and the Chippewa Cree/Rocky Boy Tribes) as part of the Attorney General's Defending Childhood Initiative. These process evaluations allowed the research team to provide a rich account of what each local site's initiative looked like.

The final reports provide recommendations for other Native American communities looking to prevent, treat, and raise awareness about children's exposure to violence. For a copy of these research technical reports, please go to the NCJRS website and search for NCJ [248933](#) and NCJ [248932](#).



***An Innovative Response to an Intractable Problem: Using Village Public Safety Officers to Enhance the Criminal Justice Response to Violence Committed Against Indian Women in Alaska's Tribal Communities (2013-2017)***

The purpose of the study is to contribute directly to NIJ's efforts to evaluate state and tribal responses to violence against Indian women in tribal communities. Using detailed case file reviews and focus group discussions with Village Public Safety Officers (VPSO) in Alaska, as well as community and criminal justice stakeholders, this project will examine the contributions VPSOs make to the community and criminal justice responses to violence committed against Indian women in Alaska's tribal communities. Specific attention will be paid to the impact VPSOs have on the investigation of domestic violence, sexual assault, sexual abuse of a minor, and homicide cases, as well as the extent to which VPSOs facilitate the prosecution of those who commit violence against Indian women in Alaska's tribal communities. The overarching goal of the proposed project is to evaluate and document empirically the impact Alaska's VPSO initiative is having on the investigation and prosecution of those who commit acts of sexual and domestic violence, as well as homicide, against Indian women in Alaska's tribal communities. Finally, this research will assess the potential transferability of the VPSO model to other tribal communities in the lower 48.

For the 2008-2011 study period, information pertaining to the case processing (investigation and prosecution) of an estimated 800 domestic violence, 750 sexual assault, 670 sexual abuse of a minor, and 25 homicide case files were coded and analyzed. Case file coding included the characteristics of suspects, victims, witnesses/third parties, as well as investigating officers. Focus groups were conducted with groups of 10-20 individuals in six research sites, as well as with small groups (8-10 individuals) of VPSOs, VPSO Coordinators, Alaska State Trooper (AST) Oversight Staff, and state prosecutors.

Upon study completion, presentations, reports, and recommendations will be submitted to key stakeholders that will highlight the implications of the study's findings for criminal justice practice and policy. The Principle Investigator is currently drafting three manuscripts that focus on 1) police referral decisions in sexual assault and sexual abuse of minor cases; 2) prosecutorial decision points – primarily focused on the decision to accept sexual assault/sexual abuse of a minor case that were referred by Alaska Troopers; and 3) prosecutorial decisions/outcomes in domestic violence assault cases.

***Exploratory Research on the Impact of the Growing Oil Industry in North Dakota and Montana on Domestic Violence, Dating Violence, Sexual Assault, and Stalking (2014-2016)***

The purpose of this study was to examine the impact of the Bakken oil development on domestic violence, dating violence, sexual assault, and stalking. Specifically, the impact of increased interpersonal violence, or perceptions of an increase, were studied.

The following research questions were examined. How extensive is the increase in domestic violence, dating violence, sexual assault, and stalking? Is it uniform across the region? Are changes commensurate with population growth? What are the characteristics of victims and offenders? How have these changes impacted the lives of individuals and the communities in



which they reside? What policies have been effective to address interpersonal violence in the oil patch?

Informed by a preliminary study of this topic by the Principal and Co-Principal Investigators, the research team from the University of North Dakota implemented a multidisciplinary, mixed-method exploratory study. The quantitative component included a trend analysis of secondary data from 2002-2014 on the incidence and distribution of these interpersonal crimes in 33 oil-impacted counties and two reservations in North Dakota (ND) and Montana (MT), including geo-mapping. This analysis also includes t-test comparisons with non-impacted counties to determine if changes are unique to oil boom communities. The support of several local and state agency directors to gather supplementary secondary data were secured and data gathered. Established laws and policies have also been examined from a victim-based policy perspective.

The qualitative component of this study includes 13 focus groups with elected officials, attorneys and law enforcement; victim service providers; health and human service workers; community members; and tribal members in oil-impacted communities. In addition, more than 119 qualitative interviews with key informants including victims, community members, first-responders, clergy, law enforcement, hospital personnel, social service workers, school principals, victim service providers, local and state attorneys, elected officials, and oil industry leaders have been conducted.

Study results showed significant increases of sexually-based crime in oil-impacted communities. Study findings also showed a rise in crime during the peak of the oil boom period (2008-2012) that seriously strained regional-community infrastructures (e.g., lack of needed personnel, affordable housing, and social and behavioral services). The research team disseminated results to tribal, local, state, and federal stakeholders and study findings were presented at the 15<sup>th</sup> National Indian Nations Conference in December 2016. For a copy of the study's executive summary, please go to the NCJRS website and search for NCJ [250378](#).

### *Effective Methods to Assess Exposure to Violence and Victimization among American Indian and Alaska Native Youth (2015-2018)*

There has never been a national study of tribal youth regarding their victimization experiences that provides reliable, valid estimates of the scope of the problem. As a result, the incidence, prevalence, and nature of victimization experienced by AI and AN youth living in tribal communities is unknown. NIJ, in partnership with the Office of Juvenile Justice and Delinquency Prevention and the Office for Victims of Crime, has funded a 36-month study intended to improve the health and well-being of AI and AN youth by developing and testing a survey instrument and modes of administration that can effectively assess exposure to violence and victimization and to determine the feasibility of using these procedures in tribal communities and settings (e.g., boarding schools).

The target sample is tribal youth 12 to 20 years of age. The goal for the instrument is to be comprehensive and include measures of exposure to abuse, neglect, sexual offenses, property crimes, hate crimes, bullying, peer and school assault, and exposure to domestic and



community violence. Cognitive testing will be conducted in four tribal communities (one in Alaska and three in the lower 48). The pilot test involves the use of at least two but no more than three different administration modes (e.g., face-to-face interviews, self-administered questionnaire in paper and pencil format, audio computer assisted self-administered interviews, computer assisted telephone interviews). Among the key outcomes that will be examined are the response and refusal rates, missing data, interview length, willingness to disclose sensitive information, respondent comfort, cost, the ability to provide assistance to respondents, and the ease and adequacy of the human subjects' protocol.

***Process Evaluation of the Office for Victims of Crime Vision 21: Linking Systems of Care for Children and Youth State Demonstration Project (2015-2018)***

The profound impact of child victimization provides compelling evidence of the need for a collaborative and multi-system response to identify and serve children and youth victims. In response to this challenge, OVC created a demonstration grant program called *Vision 21: Linking Systems of Care for Children and Youth* (V21-SOC) to address these needs using a systems of care (SOC) approach. V21-SOC awarded grants for statewide implementation. In partnership with OVC, NIJ funded this study that involves the collection of data from project participants, service providers, client services and other agency records, and child victims and/or their families. One of the grantees is working with several tribal communities within their state.

Ultimately, it is anticipated that this study will assist policymakers in understanding how systems of care principles can be adopted to meet the needs of children and youth victims; increase the capacity of grantees to effectively serve child victims and develop sustainable partnerships; provide lessons learned to other communities interested in using systems of care to address child victimization; and inform a future impact evaluation.

---

Any questions about NIJ's tribal research or any of the studies described above should be directed to:

Christine Crossland, Senior Social Science Analyst  
U.S. Department of Justice  
National Institute of Justice  
Office of Research and Evaluation  
Justice Systems Research Division  
810 Seventh Street, NW, Office 6135  
Washington, D.C. 20531 (Overnight 20001)  
Office (202) 616-5166 | Email: [Christine.Crossland@usdoj.gov](mailto:Christine.Crossland@usdoj.gov)  
Agency website: <http://nij.gov/>  
Agency tribal website: <http://nij.gov/topics/tribal-justice/welcome.htm>  
Agency program website: <http://www.nij.gov/topics/tribal-justice/vaw-research/welcome.htm>



## **Appendix C – Analysis of OVW Tribal Grant Programs Funding for FY 2017**

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 on the next page, along with the list of grant recipients in Appendix D, responds to this request.

	<b>Tribal Governments<sup>1</sup></b>	<b>Tribal Jurisdiction</b>	<b>Tribal Coalitions<sup>2</sup></b>	<b>Tribal Sexual Assault Services<sup>3</sup></b>
<b>FY 2017 Appropriation</b>	\$39,150,000.00	\$4,000,000.00	\$6,839,285.00	\$3,500,000.00
<b>Prior Year Carry Forward &amp; Recoveries<sup>4</sup></b>	\$2,424,748.00	\$1.00	\$385,794.00	\$335,876.00
<i>Technical Assistance, Peer Review &amp; Evaluation Reduction</i>	-\$3,147,869.00	-\$342,762.00	-\$394,301.00	-\$38,372.00
<i>FY 2017 Rescission<sup>5</sup></i>	-\$1,706,265.00	\$0.00	-\$385,782.00	-\$328,533.00
<i>Salaries &amp; Expenses Reduction<sup>6</sup></i>	-\$1,772,841.00	-\$181,133.00	-\$293,856.00	\$0.00
<b>Amount available for FY 2017 grants</b>	\$34,147,772.00 <sup>7</sup>	\$3,476,106.00	\$6,151,140.00	\$3,468,971.00
<b>Amount awarded in FY 2017</b>	\$34,137,475.00	\$3,465,000.00	\$5,704,700.00	\$3,468,000.00
<b>Remaining balance</b>	\$10,297.00	\$11,106.00	\$446,440.00	\$971.00

<sup>1</sup> In FY 2017, the Tribal Governments Program was funded through the appropriations for seven other OVW grant programs and did not receive its own appropriation line.

<sup>2</sup> In FY 2017, the Tribal Coalitions Program was funded through the appropriations for the STOP, Improving Criminal Justice System Responses (formerly known as Arrest), and Sexual Assault Services Programs and did not receive its own appropriation line.

<sup>3</sup> This column includes funding made available specifically for tribal sexual assault activities under the Sexual Assault Services Program appropriation.

<sup>4</sup> The Prior Year Carry Forward amount includes both funds that were not obligated in the prior year and funds that were deobligated. Deobligated funds and recoveries are funds that are returned after the end of a grant award for any number of reasons. Recoveries are as of May 30, 2017.

<sup>5</sup> The FY 2017 appropriation included a \$10 million rescission of OVW budget authority. This amount was distributed across a number of OVW programs, including the tribal-specific programs.

<sup>6</sup> In FY 2017, OVW did not receive an appropriation for management and administration expenses. As a result, OVW assessed the majority of its grant programs to cover management and administration expenses.

<sup>7</sup> The amount available for FY 2017 Tribal Governments awards does not include \$800,001, which was allocated to special projects, including capacity-building technical assistance for tribes and tribal CTAS strategic planning.

## Appendix D – FY 2017 OVW Tribal Grant Awards

Applicant	Award Amount	Solicitation Title
Alaska Native Justice Center	\$580,000.00	OVW Disability FY17
Alaska Native Justice Center	\$500,000.00	OVW Rural FY 2017
Alaska Native Justice Center	\$325,000.00	OVW Underserved FY17
Aleut Community of St. Paul Island	\$797,248.00	OVW FY 17 CTAS 5 TGP
Aleutian Pribilof Islands Association, Incorporated	\$439,587.00	OVW FY 17 CTAS 5 TGP
American Indians Against Abuse, Incorporated	\$318,008.00	OVW Tribal Coal FY17
Asa'carsarmiut Tribal Council	\$449,846.00	OVW FY 17 CTAS 5 TGP
Big Valley Rancheria Band of Pomo Indians	\$439,538.00	OVW FY 17 CTAS 5 TGP
Blackfeet Domestic Violence Program	\$322,775.00	OVW Rural FY 2017
Catawba Indian Nation	\$450,000.00	OVW FY 17 CTAS 5 TGP
Cherokee Nation	\$898,100.00	OVW FY 17 CTAS 5 TGP
Choctaw Nation of Oklahoma	\$897,851.00	OVW FY 17 CTAS 5 TGP
Coalition to Stop Violence Against Native Women	\$318,008.00	OVW Tribal Coal FY17
Comanche Nation	\$495,000.00	OVW Tribal Jur FY 17
Confederated Tribes of Siletz Indians	\$678,930.00	OVW FY 17 CTAS 5 TGP
Delaware Tribe of Indians	\$424,845.00	OVW FY 17 CTAS 5 TGP
Eastern Band of Cherokee Indians	\$495,000.00	OVW Tribal Jur FY 17
Eastern Band of Cherokee Indians	\$777,190.00	OVW FY 17 CTAS 5 TGP
First Nations Women's Alliance	\$318,008.00	OVW Tribal Coal FY17
Ft. Peck Assiniboine & Sioux Tribes	\$866,380.00	OVW FY 17 CTAS 5 TGP
Gila River Indian Community	\$495,000.00	OVW Tribal Jur FY 17
Gila River Indian Community	\$289,500.00	OVW Rural FY 2017
Grand Traverse Band of Ottawa and Chippewa Indians	\$898,186.00	OVW FY 17 CTAS 5 TGP
Healing Native Hearts Coalition	\$318,008.00	OVW Tribal Coal FY17
Hopi-Tewa Women's Coalition to End Abuse	\$318,008.00	OVW Tribal Coal FY17
Indian Health Council, Incorporated	\$300,000.00	OVW CSSP FY 2017
Indian Township Tribal Government	\$899,965.00	OVW FY 17 CTAS 5 TGP
Kalispel Tribe of Indians	\$435,328.00	OVW FY 17 CTAS 5 TGP
Karuk Tribe	\$826,276.00	OVW FY 17 CTAS 5 TGP
Keweenaw Bay Indian Community	\$889,448.00	OVW FY 17 CTAS 5 TGP
La Jolla Band of Luiseno Indians	\$733,000.00	OVW FY 17 CTAS 5 TGP
Legal Aid of Nebraska	\$900,000.00	OVW FY 17 CTAS 5 TGP
Little Big Horn College	\$300,000.00	OVW Campus FY 2017
Little River Band of Ottawa Indians	\$450,000.00	OVW FY 17 CTAS 5 TGP
Los Coyotes Band of Cahuilla and Cupeno Indians	\$495,000.00	OVW Tribal Jur FY 17
Lower Elwha Klallam Tribe	\$498,865.00	OVW FY 17 CTAS 5 TGP

Applicant	Award Amount	Solicitation Title
Maniilaq Association	\$370,627.00	OVW FY 17 CTAS 5 TGP
Mending the Sacred Hoop	\$298,564.00	OVW Tribal Coal FY17
Mending the Sacred Hoop	\$1,400,000.00	OVW TA FY 2017
Menominee Indian Tribe of Wisconsin	\$498,852.00	OVW FY 17 CTAS 5 TGP
Mille Lacs Band of Ojibwe	\$629,169.00	OVW FY 17 CTAS 5 TGP
Minnesota Indian Women's Sexual Assault Coalition	\$318,008.00	OVW Tribal Coal FY17
Minnesota Indian Women's Sexual Assault Coalition	\$200,000.00	OVW TA FY 2017
Montana Native Women's Coalition	\$318,008.00	OVW Tribal Coal FY17
Muscogee (Creek) Nation	\$803,912.00	OVW FY 17 CTAS 5 TGP
Muscogee (Creek) Nation	\$526,500.00	OVW TSASP FY 2017
Native Alliance Against Violence	\$318,008.00	OVW Tribal Coal FY17
Native Women's Society of the Great Plains	\$450,000.00	OVW FY 17 CTAS 5 TGP
Native Women's Society of the Great Plains	\$318,008.00	OVW Tribal Coal FY17
Nez Perce Tribe	\$445,023.00	OVW FY 17 CTAS 5 TGP
Organized Village of Kake	\$501,711.00	OVW FY 17 CTAS 5 TGP
Osage Nation	\$345,000.00	OVW TSASP FY 2017
Pauma Band of Mission Indians	\$700,000.00	OVW FY 17 CTAS 5 TGP
Pawnee Nation of Oklahoma	\$700,000.00	OVW FY 17 CTAS 5 TGP
Pleasant Point Passamaquoddy Tribe	\$847,925.00	OVW FY 17 CTAS 5 TGP
Ponca Tribe of Indians of Oklahoma	\$345,000.00	OVW TSASP FY 2017
Ponca Tribe of Nebraska	\$899,720.00	OVW FY 17 CTAS 5 TGP
Prairie Band Potawatomi Nation	\$345,000.00	OVW TSASP FY 2017
Puyallup Tribe of Indians	\$733,548.00	OVW FY 17 CTAS 5 TGP
Pyramid Lake Paiute Tribe	\$350,000.00	OVW Housing FY 2017
Ramah Navajo Chapter	\$474,100.00	OVW FY 17 CTAS 5 TGP
Red Wind Consulting, Incorporated	\$300,000.00	OVW TA FY 2017
Red Wind Consulting, Incorporated	\$450,000.00	OVW TA FY 2017
Restoring Ancestral Winds, Incorporated	\$318,008.00	OVW Tribal Coal FY17
Rosebud Sioux Tribe	\$899,994.00	OVW FY 17 CTAS 5 TGP
Sac and Fox Tribe of the Mississippi in Iowa	\$288,144.00	OVW FY 17 CTAS 5 TGP
Sac and Fox Tribe of the Mississippi in Iowa	\$495,000.00	OVW Tribal Jur FY 17
Sault Ste. Marie Tribe of Chippewa Indians	\$900,000.00	OVW FY 17 CTAS 5 TGP
Seminole Nation of Oklahoma	\$900,000.00	OVW FY 17 CTAS 5 TGP
Seneca Cayuga Tribe of Oklahoma	\$825,000.00	OVW FY 17 CTAS 5 TGP
Seven Dancers Coalition, Incorporated	\$318,008.00	OVW Tribal Coal FY17
Shoshone-Bannock Tribes	\$792,600.00	OVW FY 17 CTAS 5 TGP
Shoshone-Paiute Tribes	\$345,000.00	OVW TSASP FY 2017
Sisseton Wahpeton Oyate of the Traverse Reservation	\$414,376.00	OVW FY 17 CTAS 5 TGP
Sitka Tribe of Alaska	\$899,604.00	OVW FY 17 CTAS 5 TGP
Sitka Tribe of Alaska	\$599,400.00	OVW LAV FY 2017

Applicant	Award Amount	Solicitation Title
Southern Indian Health Council, Incorporated	\$829,229.00	OVW FY 17 CTAS 5 TGP
Southwest Center for Law And Policy	\$500,000.00	OVW NICCSA FY17
Southwest Center for Law and Policy	\$500,000.00	OVW TA FY 2017
Southwest Indigenous Women's Coalition	\$318,008.00	OVW Tribal Coal FY17
Spirit Lake Sioux Tribe	\$345,000.00	OVW TSASP FY 2017
Spirit Lake Sioux Tribe	\$682,910.00	OVW FY 17 CTAS 5 TGP
Standing Rock Sioux Tribe	\$495,000.00	OVW Tribal Jur FY 17
Strong Hearted Native Women's Coalition	\$450,000.00	OVW FY 17 CTAS 5 TGP
Strong Hearted Native Women's Coalition	\$526,500.00	OVW TSASP FY 2017
Strong Hearted Native Women's Coalition	\$318,008.00	OVW Tribal Coal FY17
Strong Hearted Native Women's Coalition	\$600,000.00	OVW LAV FY 2017
Swinomish Indian Tribal Community	\$495,000.00	OVW Tribal Jur FY 17
Table Bluff Reservation-Wiyot Tribe	\$718,517.00	OVW FY 17 CTAS 5 TGP
Tewa Women United	\$349,961.00	OVW ConsYth FY17
The Yup'ik Women's Coalition	\$318,008.00	OVW Tribal Coal FY17
Three Affiliated Tribes of Fort Berthold	\$893,098.00	OVW FY 17 CTAS 5 TGP
Tribal Government of St. Paul Island	\$345,000.00	OVW TSASP FY 2017
Tribal Law and Policy Institute	\$700,000.00	OVW TA Outreach FY17
Tulalip Tribes of Washington	\$528,015.00	OVW LAV FY 2017
Uniting Three Fires Against Violence	\$318,008.00	OVW Tribal Coal FY17
Upper Sioux Indian Community	\$352,485.00	OVW FY 17 CTAS 5 TGP
Ute Mountain Ute Tribe	\$496,332.00	OVW Rural FY 2017
Wabanaki Women's Coalition, Incorporated	\$318,008.00	OVW Tribal Coal FY17
Walker River Paiute Tribe	\$448,026.00	OVW FY 17 CTAS 5 TGP
Washington State Native American Coalition Against Domestic Violence and Sexual Assault	\$318,008.00	OVW Tribal Coal FY17
Washoe Tribe of Nevada and California	\$897,013.00	OVW FY 17 CTAS 5 TGP
Winnebago Tribe of Nebraska	\$634,058.00	OVW FY 17 CTAS 5 TGP
Wise Women Gathering Place	\$345,000.00	OVW TSASP FY 2017
Yurok Tribe	\$607,251.00	OVW FY 17 CTAS 5 TGP
	<b>\$56,366,158.00</b>	