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Office on Violence Against Women

Working Together to End the Violence

2018 Update on the Status of Tribal Consultation Recommendations

prepared for

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Violence Against Women Tribal Consultation

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Introduction

On October 3-4, 2017, the Department of Justice (DOJ) hosted its 12th annual government-to-government consultation on violence against American Indian and Alaska Native (AI/AN) women. This annual consultation is required by law to address the federal administration of tribal funds and programs established under the Violence Against Women Act of 1994 (VAWA) and its subsequent reauthorizations.¹ DOJ, the Department of Health and Human Services (HHS), and the Department of the Interior (DOI) received recommendations from tribal leaders on the three statutorily-mandated consultation topics:

- 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 human trafficking, including mechanisms tribes would recommend for collecting more data and information on the prevalence and nature of trafficking of American Indians and Alaska Natives, and what additional types of training and technical assistance DOJ should consider funding to address such crimes.

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 their recommendations 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 2017 consultation; 2) a review of progress made on implementation of tribal provisions included in VAWA, as amended; and 3) an update on other DOJ activities related to combating violence against AI/AN women. It also includes an appendix (Appendix A) with updates from HHS's Family Violence Prevention and Services Program (FVPSA) and Indian Health Service (IHS). This report is meant to be a companion to the report summarizing the proceedings of the 2017 consultation, which is available at www.justice.gov/ovw/tribal-consultation.

¹ 34 U.S.C. § 20126; Pub. L. No. 103-322, tit. IV, 108 Stat. 1796, 1902-55; Violence Against Women Reauthorization Act of 2000, Pub. L. No. 106-386, div. B, 114 Stat. 1464, 1492-1539; Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Pub. L. No. 109-162, 119 Stat. 2960 (2006); Violence Against Women Reauthorization Act of 2013 (VAWA 2013), Pub. L. No. 113-4, 127 Stat. 54.

Part One: Responses to Selected 2017 Recommendations

This part addresses recommendations made by tribal leaders in six specific areas: 1) human trafficking and missing and murdered Native women; 2) enforcement of tribal protection orders; 3) tribal access to federal crime information databases; 4) grant funding-related recommendations, including a set-aside for tribes from Victims of Crime Act funds; 5) several concerns raised by Alaska tribes; and 6) the timing of the annual consultation. 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 AI/AN women, can be found in Parts Two and Three of this report.

Human Trafficking and Missing and Murdered Native Women

DOJ specifically requested testimony from tribal leaders at the 2017 consultation on how to evaluate the scope and nature of human trafficking of American Indians and Alaska Natives and what kinds of training and technical assistance are needed to respond effectively. Many tribal leaders recommended documenting the tactics that traffickers use to prey upon AI/AN victims to help develop strategies to combat those tactics. The most pressing training need they identified was teaching law enforcement, service providers, and tribal enterprise employees how to identify victims and signs of trafficking activity in their communities. Many also emphasized other needs related to human trafficking, such as providing comprehensive services for victims, including safe housing, medical treatment, job training, and counseling, and addressing the underlying vulnerabilities to trafficking in tribal communities, such as sexual victimization of children and youth, historical trauma, and drug addiction. Finally, many noted the connection between human trafficking and the disappearance and murder of Native women and youth.

In response to this testimony, DOJ's Office on Violence Against Women (OVW) has supported training and technical assistance on identifying trafficking cases and ensuring that victims receive needed services. With funding from OVW, the Minnesota Indian Women's Sexual Assault Coalition (MIWSAC) held a national conference in January 2018 entitled "Strengthening Sovereign Responses to Sex Trafficking in Indian Country," at which nearly 300 attendees from different disciplines shared promising practices and helped OVW identify next steps in providing technical assistance in this area. In addition, MIWSAC has assisted nine tribes in developing responses to sex trafficking in their communities, including training their multi-disciplinary teams focused on combating sex trafficking. For FY 2018, OVW solicited proposals to provide basic and advanced training for tribal service providers and justice system personnel on sex trafficking, including its intersection with the problem of missing and murdered AI/AN women and youth. OVW expects to announce an award in this area by September 30, 2018. Finally, OVW is supporting a national effort by tribal domestic violence and sexual assault coalitions to bring attention to the issue of missing and murdered AI/AN women and its link to sex trafficking.

With respect to research on the scope of human trafficking involving AI/AN populations, the Department has faced extensive challenges in funding research in this area, in part because of the

underground nature of the crime and the fear and stigma that deter victims from coming forward. However, DOJ's National Institute of Justice (NIJ) remains committed to funding research and evaluation in this area and is seeking perspectives on human trafficking in AI/AN communities from respondents as part of its National Baseline Study. NIJ also has a number of efforts underway related to the National Missing and Unidentified Persons System (NamUS), which can be an effective tool in addressing missing and murdered AI/AN individuals. For more information on NIJ's National Baseline Study and NamUS work, see Appendix B of this report. For additional information on DOJ efforts related to human trafficking and missing and murdered Native women, see the discussion of DOJ's National Indian Country Training Initiative in Part Two of this report and the update on DOJ's Office for Victims of Crime's Project Beacon in Part Three of this report.

Enforcement of Tribal Protection Orders

At the 2017 consultation, tribal leaders continued to express concerns about the lack of enforcement of tribal orders by state and local law enforcement and recommended training on tribal courts' authority to issue orders and on state and local responsibilities for enforcing them.

In response to this testimony, DOJ has continued to support 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. In addition, the NCPOFFC established a Tribal Steering Committee to help coordinate the project with tribes, tribal organizations, and other stakeholders. The Tribal Steering Committee met in February 2018 to identify and prioritize key challenges for the project to address related to issuance and enforcement of tribal protection orders, and meeting the needs of victims protected by such orders. In December 2017, TLPI held a meeting with tribes and states that have developed effective strategies in tribal protection order enforcement to document and share promising strategies from Public Law 280 and non-Public Law 280 states. A report detailing those strategies is forthcoming on the www.WalkingOnCommonGround.org website. Both organizations also are working together to develop the first of a series of checklists for tribes on drafting and enforcing tribal 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.

Tribal Access to Federal Crime Information Databases

Tribal testimony at the 2017 consultation continued to emphasize the importance of tribes' ability to access and enter information into national crime information databases for a host of criminal and civil purposes tied to public safety. Many tribal leaders urged DOJ to continue to expand the Tribal Access Program for National Crime Information (TAP), which is now in its third year of operations. TAP gives federally recognized tribes the ability to access and exchange data with national crime information databases for both civil and criminal purposes,

and it allows tribes to more effectively serve and protect their communities by ensuring the exchange of critical data. TAP enhances tribal efforts to enter sex offender registrations into the National Sex Offender Registry, 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 their arrests and convictions into national databases.

TAP is funded by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART), the Office of Community Oriented Policing Services (COPS), and for 2019, the Office for Victims of Crime (OVC). It is supported with technical assistance from DOJ's Office of the Chief Information Officer (OCIO). Given the funding sources, eligible tribes must have a sex offender registry authorized by the Adam Walsh Child Protection and Safety Act, a law enforcement agency that is not a Bureau of Indian Affairs (BIA) direct service agency, or plans to utilize TAP to assist in providing services to victims of crime.

The program began in the fall of 2015, and has expanded each year since its inception. By the end of FY 2018, 47 tribes will be in the program, which provides access to national systems as well as training to support whole-of-government needs. Tribes have elected to implement TAP in a variety of criminal and civil agencies. These tribal criminal agencies include law enforcement agencies, prosecutors, criminal courts, jails, and probation departments. The tribal civil agencies and programs that are eligible to use TAP include 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 supports tribes in analyzing their needs for national crime information and helps them obtain access to appropriate solutions. These solutions include a state-of-the-art biometric/biographic kiosk workstation 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 (CJIS) systems for criminal and civil purposes through the Department of Justice's Criminal Justice Information Network. TAP, which is managed by DOJ's OCIO, provides specialized training and assistance for participating tribes, including computer-based training and on-site instruction, as well as a 24x7 Help Desk.

The Department is currently seeking tribes interested in participating in the FY 2019 TAP deployment; tribes may apply through October 1, 2018, and will be notified shortly thereafter if they are selected to participate. Interested tribes may apply using this link: <https://www.justice.gov/tribal/tribal-access-program-fy-2019-application>.

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

Victims of Crime Act Set Aside and Other Funding-Related Recommendations

At the 2017 consultation and at prior consultations, many tribal leaders testified about the importance of having a set aside for tribes under the Victims of Crime Act. In March 2018, the

President signed the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2018 (Pub. L. No. 115-141) into law. This act created a three percent tribal set-aside in the \$4.4 billion in Crime Victims Fund (CVF) receipts allocated to OVC, and directed OVC to use the funding from the set aside to make awards to Indian tribes to improve services for victims of crime. In June 2018, OVC issued an informational paper and hosted a series of conference calls with tribal leaders and representatives to discuss the administration of the \$133 million in set-aside funds. On June 22, 2018, OVC issued the FY 2018 Tribal Victim Services Set-Aside Program (Set-Aside Program) solicitation, and on June 28, 2018, OVC hosted a pre-application webinar for potential applicants. By September 30, 2018, OVC anticipates making up to \$110 million in grant awards to eligible tribes, tribal consortia, and tribal designees under the Set-Aside Program to support a wide-range of services for victims of crime. A portion of the set aside will also be used to fund awards made to eligible tribal applicants under OVC's FY 2018 CTAS Purpose areas, training and technical assistance projects for successful Set-Aside Program applicants, and successful tribal applicants to other OVC FY 2018 grant award programs.

Tribal leaders also made recommendations to increase tribes' access to funding focused on reducing violence against AI/AN women, including tribes that have not been successful in competing for grant funds in the past. They also raised concerns about access to VAWA funding administered by states under the STOP (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant Program (STOP Program), and some reported that states are not engaging in sufficient consultation with tribes on how best to use these funds, as required under VAWA 2013. Some tribal leaders also requested more funding for batterer intervention programs or more flexibility to use grant funds for this purpose, noting in particular the potential preventive impact of such programming when it focuses on offender accountability and incorporates tribal culture and traditions.

OVW has taken a number of steps that are responsive to these concerns. First, OVW is in the process of launching a new technical assistance project to build the capacity of tribal governments and programs that do not currently receive OVW grant funding. This project is led by the Tribal Law and Policy Institute in collaboration with the Alaska Native Women's Resource Center, the Alliance of Tribal Coalitions to End Violence, and the Tribal Judicial Institute at the University of North Dakota, as well as several direct services providers. The project is focusing on three primary subject areas – emergency housing for victims, coordinated community responses, and tribal legal capacity to address violence against women – and will include Alaska-specific resources. The project will include nationally available resources, such as webinars and a new website (www.TribalResponse.org), as well as on-site training and technical assistance to tribes that need to build skills and infrastructure around addressing sexual assault, domestic violence, dating violence, stalking, and sex trafficking.

Second, OVW continues to work closely with state STOP administrators on engaging in meaningful consultation with tribes within their states as part of the planning process for implementing STOP Program funding. In March 2018, OVW's Tribal Affairs Division conducted a session at the annual meeting of state STOP administrators on effective collaboration with tribal governments and organizations in their states. The session focused on practical strategies for building stronger relationships between states and tribes.

Third, funds under OVW's Grants to Tribal Governments Program may be used for a broad range of statutory purposes, and grantees do have the flexibility to use these funds for batterer intervention programs as part of efforts related to strengthening tribal justice interventions. However, OVW recognizes that these funds are limited and tribes have many competing priorities for using them. As an alternative way of disseminating these and other types of promising practices, OVW has supported annual Tribal Men's Gathering meetings to examine the role of men in preventing violence against women in their communities. These meetings and related training for tribal grantees have included the sharing of promising practices related to batterer intervention programming. The purpose of the gatherings is to bring together men's voices, perspectives, and physical presence to share experiences at all stages of life regarding violence against women in tribal communities. The participants stressed the need to incorporate traditional and cultural practices in their work to heal tribal communities in regard to violence against women. Through reports on these meetings and a planned national conference, OVW plans to disseminate this information as broadly as possible to tribes across the country.

Concerns Raised by Alaska Native Villages

Tribal leaders from Alaska made a number of recommendations at the 2017 consultation designed to address the extraordinary barriers they face in providing services for victims and adequate law enforcement responses to domestic and sexual violence. They have described these barriers at previous consultations, and they 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. Their recommendations included increased funding and support for Alaska tribes to develop locally defined, culturally relevant approaches to providing timely law enforcement responses, judicial services, and victim services in their villages, including sexual assault forensic exams and Native-specific batterer intervention programs.

OVW has taken a number of steps to enhance the capacity of Alaska tribes to respond to domestic and sexual violence in their communities. In December 2017, a team of OVW leadership and staff, technical assistance providers, and subject-matter experts conducted a two-day project implementation workshop in Anchorage, Alaska for all 22 Alaska grantees under OVW's Grants to Tribal Governments Program. The workshop addressed practical impediments to project implementation, such as resolving financial and administrative issues, as well as substantive improvements to grantees' projects, such as setting and meeting goals and objectives, ensuring community buy-in, and incorporating tradition and culture into grant-funded activities. The workshop also included opportunities for tribal leaders to discuss with OVW leadership how best to establish and carry out their community's vision for the project and ensure sustainability of project successes.

In addition, with funding from OVW, the Southwest Center on Law and Policy (SWCLP) has opened an office in Anchorage, Alaska to increase access to sexual assault medical forensic exams in Alaska Native communities, as well as provide them with other resources available through SWCLP's National Indian Country Clearinghouse on Sexual Assault. This includes implementing SAFESTAR (Sexual Assault Forensic Examinations, Services, Training,

Advocacy, and Resources), a model of care designed for AI/AN 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 and preserve sexual assault forensic evidence, provide referrals for victims, and educate their communities about sexual assault prevention.

As described in previous Update Reports, OVW also continues to fund the Alaska Native Women's Resource Center to work with Alaska Native villages to develop tailored responses to domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

Timing of the Annual Consultation

At the 2016 and 2017 consultations, many tribal leaders recommended that consultation be held during the summer to allow for tribal input earlier in the year. Several leaders also recommended that the length of the consultation be extended to allow more time for oral testimony. In response to this request, OVW scheduled the 2018 consultation for August and extended the consultation to two full days. However, scheduling the consultation earlier in the year means that this Update Report cannot include final information for FY 2018, including recipients of VAWA funding. A revised version of this report will be issued in October 2018 with this information. In addition, OVW considers tribal leader testimony at the most recent consultation, regardless of its timing, in the development of each year's grant program solicitations and in making any modifications to these programs. Testimony provided at consultation plays a critical role in 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.

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 AI/AN women. This part provides a summary of DOJ efforts to implement these provisions and respond to related recommendations from tribal leaders.

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 Program”); 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”). OVW’s other three tribal grant programs are not part of the CTAS process. At the 2017 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 addition, in past years, 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 from consultation 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 2018 is provided in Appendix C.

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 2018, new applicants to the 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 noted in the solicitation 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 levels were first adopted in FY 2008.

Information on applications received in FY 2018, the review process for these applications, and a list of FY 2018 recipients will be forthcoming in the 2019 Update on the Status of Tribal Consultation Recommendations.

Tribal Jurisdiction Program

Section 904 of VAWA 2013 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 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 appropriations of \$4 million for the program in FYs 2017 and 2018. Applicants for this program are able to request up to \$450,000. As recommended by tribal leaders at prior consultations, eligibility for the program includes both tribes that are already exercising or immediately prepared to exercise SDVCJ and those that intend to use funding for planning and preparation activities related to implementing SDVCJ.

Information on applications received in FY 2018, the review process for these applications, and a list of FY 2018 recipients will be forthcoming in the 2019 Update on the Status of Tribal Consultation Recommendations. In addition, because of the low number of applications received for this program to date, OVW is providing consultation questions and a framing paper requesting tribal leaders' recommendations on how best to allocate FY 2018 funding and encourage more applications in the future.

TSASP Program

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 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.

Information on applications received in FY 2018, the review process for these applications, and a list of FY 2018 recipients will be forthcoming in the 2019 Update on the Status of Tribal Consultation Recommendations.

Tribal Coalitions Program

OVW's Tribal Coalitions Program provides funding to certain nonprofit organizations to support tribal communities in 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. The third is not less than one percent of the total appropriation for SASP 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, and up to 10 percent may be awarded to new coalitions.

Information on FY 2018 awards under the Tribal Coalitions Program, as well as a list of FY 2018 recipients, will be forthcoming in the 2019 Update on the Status of Tribal Consultation Recommendations.

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 will be forthcoming as Appendix D to the 2019 Update on the Status of Tribal Consultation Recommendations.

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

Section 904(a) of VAWA 2005, as amended by 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.² In conducting its analyses and research, NIJ must focus on dating violence, domestic violence, sexual assault, sex trafficking, stalking, and murder, and 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 program of research examining violence against AI/AN women in Indian country and Alaska Native villages also supports other extramural and intramural research and evaluation studies that are expected to: produce a deeper understanding of the issues faced by AI/AN 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. For information on the current status of this program of research, see Appendix B.

VAWA 2005 also required the establishment of a federal advisory committee to assist in the development and implementation of NIJ's program of research, known as "the Task Force on Research on Violence Against American Indian and Alaska Native Women" (Task Force). 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. In anticipation of re-chartering the Task Force and to obtain input from additional tribal

² Pub. L. No. 109-162, § 904(a), 119 Stat. 2960, 3078-79 (2006); Pub. L. No. 113-4, § 907, 127 Stat. 54, 125.

stakeholders, OVW solicited nominations for new members in the fall of 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. On July 16, 2018, the Attorney General signed the Task Force's re-charter, and OVW is currently reviewing the nominations received for new members. Once new members are in place, OVW and NIJ expect to schedule a Task Force meeting shortly thereafter.

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, Rosebud Sicangu' Lakota, has held this position since February 2017. Ms. Moore currently oversees a staff of grant program specialists in OVW's Tribal Affairs Division (TAD), coordinates implementation of the tribal provisions of VAWA within OVW, and consults with tribal leaders to gain a better understanding of the needs and challenges that tribes face related to public safety in their communities. She is also responsible for planning and facilitating the annual Government-to-Government Consultation on Violence Against American Indian and Alaska Native women. In addition to managing OVW's tribal grant funds, OVW's TAD works to build tribes' capacity to reduce violence against AI/AN women and collaborates with other DOJ components and federal agencies to increase the focus on sex trafficking and murdered and missing women in tribal communities. This includes new initiatives, such as broadening the reach of annual Tribal Men's Gathering meetings on the role of Native men in reducing violence in their communities, expanding OVW's Tribal Coalitions Program to serve tribes and tribal organizations throughout Indian country, and developing partnerships between mainstream and tribal colleges and universities, as well as continuing to collaborate with tribes to end violence against American Indian and Alaska Native women.

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. 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 over 100 residential training opportunities at the NAC or other locations around the country. In addition, the NICTI Coordinator lectures regularly around the country for other federal agencies, tribes, and tribal organizations.

NICTI training is designed to support DOJ priorities and initiatives in Indian country. During calendar years (CY) 2017 and 2018, the overwhelming majority of NICTI residential training classes at the NAC focused on the investigation and prosecution of domestic violence, sexual assault, and human trafficking. Examples include the Indian Country Strangulation and Suffocation Seminar, Sexual Assault Nurse Examiners' Expert Witness Training, and National Institute on the Prosecution of Sexual Violence in Indian Country.

In CY 2017, 799 attendees received NICTI residential training at the NAC. These students represented 126 federally recognized tribes. In addition, United State Attorneys' Office (USAO) employees and federal, state, and tribal organizations serving Indian country were represented. Students' professions ranged from law enforcement, prosecutors, and judges to victim advocates, medical and social services professionals, and forensic interviewers. Each class offering is fully subscribed, and there is typically a long waiting list of applicants hoping to be admitted. The majority of students (511 out of 799) attending classes 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 professionals to receive cutting-edge training from national experts at no cost to the student or tribe. Because CY 18 training is ongoing, statistics on attendees are not available for the current training year.

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. 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 has steadily increased from 12 in FY 2010 to 33 in FY 2016 and 41 in FY 2017,

with 36 indicted for the first three quarters of FY 2018. The increase in numbers of cases indicted is likely due to the Supreme Court's favorable decision in 2016 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

As noted above, section 904 of VAWA 2013 (codified at 25 U.S.C. § 1304) 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.

During consultation about SDVCJ 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, approximately 50 tribes have joined the ITWG, and almost 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 award by OVW to the National Congress of American Indians (NCAI) to support the ITWG's ongoing work. The ITWG held its tenth in-person meeting on June 25, 2018 in Albuquerque, New Mexico.

On March 20, 2018, NCAI released a five-year report on tribal governments exercising SDVCJ. As of that date, 18 tribal nations had reported 143 arrests of 128 different non-Indian abusers, leading to 74 conviction and five acquittals, with a number of cases still pending. As of the date of this Update Report, 21 tribes now have reported to NCAI that they have implemented SDVCJ. 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

VAWA 2013 recognized the gravity of strangulation and suffocation crimes, including their lethality in domestic violence cases, 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, which was effective March 7, 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. The statute 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 reached 66 in FY 2017. As of June 30, 2018, 85 cases have been indicted for FY 2018.

To raise awareness about the issue and to educate professionals dealing with the legal or medical consequences of strangulation, the NICTI 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 12th VAWA consultation (Part One) and implementing VAWA and its subsequent reauthorizations (Part Two), DOJ has provided training and resources to enhance investigations and prosecutions of crimes against AI/AN women and support comprehensive services for victims of these crimes. 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.

- **DOJ Leadership** – On February 13, 2018, Deputy Attorney General Rod J. Rosenstein delivered remarks before NCAI recognizing the DOJ's unique role in the government-to-government relationship between the United States and Tribal Nations. He highlighted the commitment of United States Attorneys to reducing violent crime in Native communities, led by Trent Shores and Kurt Alme as Chair and Vice Chair, respectively, of the Native American Issues Subcommittee of the Attorney General's Advisory Committee. He also noted that approximately 85 percent of DOJ's Indian country investigations pending at that time related to violent crime, with the most investigated crimes including child sexual abuse, violent assaults, and adult sexual assaults.
- **Trilateral Working Group on Violence Against Indigenous Women** – In November 2017, then-Associate Attorney General Rachel L. Brand attended a trilateral summit on violence against indigenous women and girls in Ottawa, Canada. The summit featured delegations from the United States, Canada, and Mexico, including indigenous women leaders from all three countries. Participants discussed ways to work more effectively across international borders to address violence against indigenous women and girls, including human trafficking. Acting Associate Attorney General Jesse Panuccio, OVW Acting Director Katharine T. Sullivan, and OVW's Deputy Director for Tribal Affairs attended a follow-up meeting in New York City in March 2018.
- **Federal SART Model** – DOJ's Office of Tribal Justice continues its work with the Rosebud Sioux Tribe in South Dakota on strengthening their Sexual Assault Response Team (SART), which facilitates collaboration between the tribe, USAO, FBI, BIA, IHS, and other federal and tribal stakeholders, including victim services and community partners. The tribe's team has been active for many years, and they are updating and revising their current protocols. Their work will be documented for adaptation to other federal districts with Indian country jurisdiction.
- **Federal Victim Assistance in Indian Country** – 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.

- **Indian Country Criminal Investigator Training Program** – DOJ’s National Indian Country Training Initiative (NICTI) works closely and partners frequently with the FBI and BIA. The NICTI Coordinator serves as faculty at Indian Country Criminal Investigator Training Program (ICCITP), held twice each a year at the Indian Police Academy; this two-week training course is for FBI and BIA agents as well as tribal law enforcement officers new to working in Indian country. ICCITP also includes a victim assistance training module led by either BIA’s or FBI’s victim assistance program.
- **Indian Country Trial Advocacy Seminar** – The NICTI, in partnership with BIA’s Office of Justice Services Tribal Courts program, developed a week-long 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 held March 19-23, 2018.
- **Criminal Jurisdiction in Indian Country/Special Law Enforcement Commission Training Project** – This training project represents a collaborative effort between DOJ’s NICTI, the USAOs, and BIA. The training curriculum was developed by the NICTI Coordinator and four experienced Assistant United States Attorneys. The class is available to sworn law enforcement officers seeking to get a Special Law Enforcement Commission (SLEC). An SLEC enables these officers to enforce federal criminal statutes and federal hunting and fishing regulations in Indian country. Attending a Criminal Jurisdiction in Indian Country (CJIC) class and passing the test at the end of the course are two of the BIA requirements to get an SLEC. All USAOs teaching the course use the same standardized set of training materials, which allows a tribe to send an officer anywhere in the country where a class is being offered. The curriculum includes a training block on sexual assault, domestic violence, and child abuse, as well as a section on the Crime Victim Rights Act. In 2017, there were 564 law enforcement officers who attended one of 17 CJIC trainings held at the NAC or hosted by a USAO or tribal police department. All applicants for the course have their applications and eligibility vetted by BIA before being admitted to a class.
- **Sexual Assault Nurse Examiner Expert Witness Video Training Project** – The NICTI has partnered with the International Association of Forensic Nurses to develop and produce a video training product on using SANEs as expert witnesses at trial. The purpose of the training video is to provide examples of testimony for nurses and prosecutors who are involved in sexual assault criminal cases. It is important to understand that procedures such as how to qualify a witness as an expert may vary between jurisdictions. There may be different expectations for testimony depending on the type of legal proceeding or legal system. Rules can be different in state, federal, tribal, or military courts. The role of the nurse may vary depending on whether the nurse is providing opinions as an expert or only testifying as a fact witness. The studio work on the project is scheduled for the week of July 30, 2018. It is hoped that the final product will be available by the end of 2018.
- **Indian Country Domestic Violence Fatality Review Video Training Project** – OVW provided funding to Northern Arizona University (NAU) to develop a new training video

as an outgrowth of a NICTI training program and the work of the Montana Domestic Violence Fatality Review (DVFR) Team. In July 2015, the NICTI partnered with Dr. Neil Websdale, the National Domestic Violence Fatality Review Initiative (NDVFRI), and the Montana DVFR Team on a national domestic violence fatality review training held at the National Advocacy Center in Columbia, SC. Multidisciplinary teams from tribal communities across the country attended. Following completion of the training, course faculty received many requests for assistance in starting a DVFR or for additional information on the fatality review process to provide to tribal leadership and criminal justice personnel. This training video is an effort to meet these requests in a cost-efficient manner. The project team is comprised of the NICTI, Video/Action, the NDVFRI, and the Montana DVFR Team. Release of the video is expected in fall of 2018.

- **Video Training Project on the Collection, Analysis, and Presentation of Forensic Evidence** – In an effort to provide information concerning the latest scientific advances and best practices for the detection, collection, packaging and testing of serological evidence, NIJ is partnering with the Forensic Technology Center of Excellence (FTCoE) and the NICTI to develop a new training series that will be made available in multiple media formats. The target audience for this project is federal, state, and tribal law enforcement, medical providers, forensic experts, and prosecutors working in Indian country and Alaska Native villages. Training topics may include: crime scene investigation with a focus on proper collection techniques to preserve evidence integrity; cultural awareness concerning evidence collection in some tribal communities; proper evidence collection and packaging of samples at emergency room and tribal health care facilities and clinics; forensic testing of both DNA and non-DNA evidence; correct interpretation of laboratory reports; and defensible courtroom practices when introducing serological evidence or laboratory reports of tested samples in court. To provide opportunities for knowledge transfer, FTCoE will develop videos, which will be available on the FTCoE website and also made available as a DVD or USB product to any rural or tribal jurisdiction that requests copies.
- **Federal Victims in Indian Country Working Group (FedVIC)** – The FedVIC, which includes EOUSA, FBI, OTJ, OVC, and OVW, as well as Special Agents, Assistant United States Attorneys, and victim assistance personnel from BIA, FBI, and USAOs, continues to work to ensure that victims of federal crime in Indian country receive the highest quality of services by enhancing federal responsiveness and collaboration. In 2017, FedVIC subcommittees continued to work on previously-identified issues regarding victim services in Indian country. In May 2018, FedVIC held the first-ever Indian Country Victim Assistance Leadership Summit, bringing together victim assistance personnel from ATF, BIA, DEA, FBI, USAOs, and the U.S. Marshals Service. Projects continue in the area of witness advances and transportation – both critical to ensuring that victims and witnesses are able to appear in court – and cross-training.
- **National Indian Country Clearinghouse on Sexual Assault (NICCSA)** – OVW provides funding to the Southwest Center for Law and Policy (SWCLAP) to support this clearinghouse, which includes a website, www.NICCSA.org, and a toll-free helpline to assist Indian country justice and service professionals.

- **Tribal Track at April 2018 Conference on Crimes Against Women** – OVW worked closely with conference organizers to include a set of workshops focused on tribal concerns, including sessions on conducting domestic violence fatality reviews, responding to sex trafficking of AI/AN women, and using NamUS to address violence against AI/AN women. In addition, with OVW funding, the National Tribal Trial College facilitated a hands-on, skills-based preconference session for law enforcement attending the conference.
- **Tribal Victim Services and Resource Mapping Project** – In FY 2015, OVC awarded \$2 million to the National Center for Victims of Crime, NCAI, and the Tribal Law and Policy Institute to create a web-based resource mapping tool that will help crime victims and victim service providers identify the continuum of services and support available wherever a Native victim is seeking services – on or off reservation and in remote, rural, suburban, and urban locations. The tool will also identify gaps in victim services for AI/AN victims. 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 service providers that offer culturally sensitive services. The website will be ready for testing in 2018, and OVC plans to introduce the final product during the next biennial National Indian Nations Conference, tentatively scheduled for December 2018. For more information, visit <http://victimsofcrime.org/our-programs/tribal-resource-mapping-project>.
- **Project Beacon: Increasing Services for Urban American Indian and Alaska Native Victims of Sex Trafficking** – OVC launched this project in FY 2016, awarding 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. In the past 18 months, these grantees have been actively engaged in public awareness and community education activities related to educating service providers, other professionals, and community members in a variety of settings including colleges and universities, Indian country, and urban population centers about the needs of AI/AN victims of trafficking. They have also created collaborative partnerships with key tribal, state, local, and federal stakeholders by joining state and local human trafficking task forces, and signing Memoranda of Understanding to support the creation of a seamless network of comprehensive services for AI/AN trafficking victims. By the end of FY 2018, OVC anticipates that all sites will start providing services to victims. Representatives from the grantee organizations will join OVC staff in presenting a workshop about their experiences at the 2018 OVC National Indian Nations Conference.

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 – By the end of FY 2018 (September 30, 2018) the Family Violence Prevention and Services Act (FVPSA) program will have awarded a total of \$19.5 million to tribes (including Alaska Natives) and tribal organizations in formula grants; \$2,260,000 to tribal-specific resource centers; and \$760,785 in support of specialized services for abused parents and their children, totaling \$22,020,785.

Formula Grants – The Family Violence Prevention and Services Act (FVPSA) is statutorily mandated to support Native American tribes (including Alaska Native Villages) and tribal organizations through an allocation of not less than 10% of the total appropriation (less amounts reserved under Section 312). The purpose of these grants is to: 1) assist tribes in efforts to increase public awareness about, and primary and secondary prevention of family violence, domestic violence, and dating violence; and 2) assist tribes in efforts to provide immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence, and their dependents (42 U.S.C. § 10401(b)(1)-(2)). The allocation for tribes in FY 2018 is \$14,875,000.

The FY 2018 Consolidated Appropriations Act included for appropriations to the FVPSA Program, which included a \$9 million increase over the FY 2017 enacted appropriation level. Report language directed that \$5 million of the increase be for the purposes of supporting Native American tribes and tribal organizations. With the increase, the total amount allocated to tribes in FY 2018 is approximately \$19,875,000.

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.

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

Fiscal Year 2018 will be awarded to tribal programs by September 30, 2018.

Discretionary Grants

- **National Indian Resource Center Addressing Violence Against Indian Women (NIRC) (\$1,260,000)** – In their 3rd year of a 5-year cooperative agreement award, the National Indigenous Women’s Resource Center (NIWRC) continues to serve as the NIRC. In this role, 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.
- **Alaska Native Women’s Resource Center (\$1 million)** – In September 2017, FVPSA made a 3-year cooperative agreement award to the Alaska Native Women’s Resource Center (AKNWRC) to serve as a state resource center to reduce tribal disparities and enhance the capacity of Alaska Native Tribes and tribal organizations to respond to family violence, domestic violence, and dating violence in a culturally sensitive and effective manner. The AKNWRC will address an array of issues including lack of village-based shelter and comprehensive victim advocacy services, and to support development of village-based responses to domestic violence, which will help reduce and prevent murders of Native women.
- **Specialized Services for Abused Parents and their Children (SSAPC)** - FVPSA’s SSAPC demonstration grants are 2 year projects (FY 2017- 2018) that were created to provide specialized services (behavioral interventions, therapy, support groups, mentorship, etc.) for children and youth, as well as build or enhance systems and programs’ capacity to better respond to children. There were 12 grant recipients of this award. Two of the SSAPC grants were awarded to Native-specific programs.
- **SouthEast Alaska Regional Health Consortium (SEARHC) (\$380,392)** – The SEARCHC project works to increase capacity for its behavioral health division staff located in Juneau and in the rural health clinics, and to provide core and

comprehensive domestic violence services to parents, children, and youth. The goal of this project is to improve systems and responses to abused parents and their children, and to youth exposed to domestic violence; enhance residential and non-residential services for children and youth exposed to domestic violence; and contribute to the knowledge base of evidence-informed and practice-informed services for children's domestic violence programs.

- **Cook Inlet Tribal Council, Inc. (CITC) (\$380,392)** – Through a critical alignment of community partners – including the tribal social services provider administering Tribal Temporary Assistance for Needy Families (TANF) benefits in the Anchorage area; Anchorage Community Mental Health Services (ACMHS); and Abused Women's Aid in Crisis (AWAIC) – CITC will co-locate and streamline screenings, referrals, case management, and prevention advocacy services, and culturally appropriate, trauma-informed mental health treatment for abused parents and children and youth exposed to family violence, at CITC's Nat'uh Social Services Center.

Other Projects

StrongHearts Native Helpline

- The StrongHearts Native Helpline (1-844-7NATIVE) celebrates its first year as the first national helpline for native victims of domestic violence. StrongHearts went live on March 6, 2017 and is an essential resource to all AN/NA by helping to fill a gap in critically needed support services that are specialized to address the unique barriers often faced by Native survivors of intimate partner abuse. StrongHearts now has a database in place to identify culturally-specific and tribally-based resources for American Indians and Alaska Natives, nationally.

By dialing 1-844-7NATIVE (1-844-762-8483) Monday through Friday from 9 a.m. to 5:30 p.m. CST, callers can connect, at no cost one-on-one, with knowledgeable StrongHearts advocates who can provide lifesaving tools and immediate support to enable survivors to find safety and live lives free of abuse. After hour calls are answered by the Hotline. Learn more about the StrongHearts Native Helpline at www.strongheartshelpline.org.

Please visit <https://www.acf.hhs.gov/fysb> for additional information about FVPSA-funded programs.



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 maltreatment. The program trains providers in forensic medical examinations, evidence collection techniques, and in coordinated community response to address violence. IHS has trained 1449 healthcare providers: 651 as adolescent and adult sexual assault examiners; 433 as pediatric sexual abuse examiners; and 415 as intimate partner violence examiners. To further support forensic examiners after initial training is completed, IHS coordinates several hands-on clinical skills labs for adult/adolescent examiners and coordinates pediatric forensic exam mentoring experiences at two high-volume pediatric forensic exam centers. The clinical lab experiences are available to both novice examiners that desire additional practice experience and seasoned professionals looking for a review. IHS has hosted 52 webinars covering a variety of topics for providers related to intimate partner violence, sexual assault, and child sexual abuse with over 5,000 viewings. Subjects for the quarterly webinars are tailored to address new guidelines or hot topics that forensic examiners have requested additional training on or a review of. IHS also hosts monthly virtual pediatric case review sessions with participating IHS and tribal pediatric sexual assault programs in which staff discuss treatment provided and review specific clinical issues with an overall goal of learning from each other in a quality improvement environment. Medical forensic examination training can be located at 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.

In 2017, the Clinical Support Center within the IHS also released a three-part general staff training series regarding the impact of Domestic and Sexual Violence on health, screening guidelines, and encouragement of universal education using culturally appropriate patient safety cards. This training can be accessed at: https://ihs.adobeconnect.com/e2b07jin8lv/event/event_info.html

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/ihs. IHS has a draft “Child Maltreatment” policy that is under Agency clearance and expected to be released in 2018.

- IHM, Part 3, Chapter 29 “Sexual Assault” – released March 2011, and updated in February of 2018. 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 a two hour drive time of the victim’s originating 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, crisis intervention, case coordination, policy development, community response teams, sexual assault examiner programs, and community and school education programs. IHS currently funds 83 projects at more than \$11.1 million annually. In 2017, IHS expanded the funding available for this program and selected an additional 26 projects in addition to the existing 57 previously approved sites. More information is available at www.ihs.gov/dvpi.

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Appendix B – Tribal Crime and Justice Research & Evaluation Studies



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 34 U.S.C. § 10452 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 (USDJJ) 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 <https://nij.gov/topics/tribal-justice/vaw-research/Pages/welcome.aspx>.

New NIJ Training Series Under Development

In an effort to provide information concerning the latest scientific advances and best practices for the detection, collection, packaging and testing of evidence, NIJ staff is partnering with the Forensic Technology Center of Excellence (FTCoE) and the Department's National Indian Country Training Initiative to develop a new training series that will be made available in multiple media formats. The target audience for this project is federal, state, and tribal law enforcement, medical providers, forensic experts, and prosecutors working in Indian country



and Alaska Native villages. Training topics will focus on violence crime and evidence collection to include: crime scene investigation with a focus on proper collection techniques to preserve evidence integrity; cultural awareness concerning evidence collection in tribal communities; proper evidence collection and packaging of samples at emergency room and tribal health care facilities and clinics; forensic testing of both DNA and non-DNA evidence; correct interpretation of laboratory reports; and defensible courtroom practices when introducing evidence or laboratory reports of tested samples in court. To provide opportunities for knowledge transfer, FTCoe will develop videos, which will be available on the Center's website and also made available in other media formats that can be easily accessed by any rural or tribal jurisdiction that request copies.

The initiative was kicked off in July 2018 when the Collection, Analysis and Presentation of Forensic Evidence Working Group met for a two-day session at the National Advocacy Center in Columbia, S.C. The working group is comprised of subject matter experts in Indian country and Alaska. Participants include federal and tribal law enforcement, federal and state prosecutors, medical professionals representing the International Association of Forensic Nurses, a sexual assault policy expert from the Office on Violence Against Women, FBI crime lab scientists, the National Indian Country Training Coordinator, and NIJ staff. The working group identified key topics to be covered in the training, possible presenters and/or subject matter experts to contribute to the production, and recommended locations in Indian country and Alaska to film the video.

National Missing and Unidentified Persons System (NamUs)

The National Missing and Unidentified Persons System (NamUs) is a national centralized repository and resource center for missing persons and unidentified decedent records that is funded by NIJ and managed in partnership with the University of North Texas Health Science Center. NamUs brings together law enforcement, medical examiners, coroners, forensic experts, families, and the public to help resolve missing and unidentified person cases throughout the United States.

The NamUs program provides criminal justice users a secure, online system to store, share, and compare sensitive case information, and a public component allows family members and other public stakeholders a mechanism to report cases and participate in the search for potential matches. NamUs is a unique and comprehensive resource in that it harnesses modern technology, the forensic sciences, and people to help resolve missing and unidentified persons cases.

There is no cost associated with NamUs services. NamUs has been recognized around the world not only for its ability to help identify missing and unidentified persons, but also for giving family members and the general public the ability to participate in the process by adding new cases and searching for matches between the NamUs databases.

As of July 15, 2018, the NamUs database contained 14,530 published missing person cases, 12,097 published unidentified person cases, and 4,855 cases of unclaimed decedents who have



been identified by name, but whose next of kin have not been located for death notification. Currently, there are 105 Native American females and 183 Native American males in the missing persons database. There are 18 Native American females and 73 Native American males in the unidentified persons database. NIJ does not believe these numbers reflect the true story but our information is driven by system use, as NamUs use is not mandated, but voluntary. We are actively working to increase knowledge of and engagement with this system to address this issue.

NIJ is aware of the issues of missing and murdered indigenous women and would like to highlight NamUs as a resource that is designed specifically to aid in addressing missing and unidentified persons.

NamUs Training and Technical Assistance

NamUs offers free DNA testing to help resolve cases as well as anthropological evaluations; dental acquisition, coding and comparisons; and fingerprint comparisons. A collaborative project between NamUs and the FBI Latent Print Unit has allowed for the identification of 215 unidentified persons since March 2017.

A team of **Regional Program Specialists** (RPSs) serves as a force multiplier for criminal justice agencies across the country, providing investigative support and guidance to assist with case investigations. RPSs also directly support families of missing persons by connecting them to investigating agencies to file missing person reports, facilitating DNA collections, and participating in missing person events across the country. To increase awareness and use of NamUs, RPSs host or participate in “Missing Persons Days” to intake new cases and augment existing NamUs case files. RPSs will also come to your community to provide training and technical assistance as needed.

NIJ encourages tribal communities to contact NamUs staff if they are interested in a training in their area. A list of the RPSs and the regions they cover are listed below.

Region 1 (AZ, HI, NV) [Dustin Driscoll | Dustin.Driscoll@unthsc.edu](mailto:Dustin.Driscoll@unthsc.edu)

Region 2 (AK, ID, MN, MT, ND, OR, SD, WA, WY) [Jessica Hager | Jessica.Hager@unthsc.edu](mailto:Jessica.Hager@unthsc.edu)

Region 3 (CO, IA, KS, MO, NE, NM, UT) [Melissa Gregory | Melissa.Gregory@unthsc.edu](mailto:Melissa.Gregory@unthsc.edu)

Region 4 (AR, LA, MS, OK, TX) [Michael Nance | Michael.Nance@unthsc.edu](mailto:Michael.Nance@unthsc.edu)

Region 5 (IL, IN, KY, OH, PA, TN, WV) [Amy Dobbs | Amy.Dobbs@unthsc.edu](mailto:Amy.Dobbs@unthsc.edu)

Region 6 (CT, ME, MA, MI, NH, NY, RI, VT, WI) [Lori Bruski | Lori.Bruski@unthsc.edu](mailto:Lori.Bruski@unthsc.edu)

Region 7 (AL, FL, GA, GU, PR, NC, Saipan, SC, VI) [Carrie Sutherland | Carrie.Sutherland@unthsc.edu](mailto:Carrie.Sutherland@unthsc.edu)

Region 8 (DC, DE, MD, NJ, VA) [Pamela Reed | Pamela.Reed@unthsc.edu](mailto:Pamela.Reed@unthsc.edu)



NamUs Victim Service Unit

Because NamUs has a public component, it is ideally situated to provide needed referrals and critical connections to assist families and friends as they cope with the trauma associated with the uncertainty of a missing or murdered loved one. To respond to this need, NIJ has partnered with the Office for Victims of Crime for the creation of a NamUs Victim Support Unit. The Support Unit will link families of missing and murdered victims with service providers, support networks, and other resources to help them navigate the complex and difficult environment in which they find themselves. The Support Unit will develop:

- A victim-notification protocol specifically designed for NamUs, based upon recently introduced evidence-based protocols currently in the field.
- Training for NamUs staff and affiliated law enforcement on trauma-informed victim notification and death notification.
- A network of family members who have been vetted and trained by professional counselors to provide peer-to-peer support to other family members dealing with the emotional trauma of having a missing loved one, or who have had a loved one go missing and later be found deceased.
- A resource page and interactive map on the NamUs website of national, state, tribal, and local organizations that provide support to families and friends of missing and murdered persons.
- A reunification and re-interment program will be used for helping lost loved ones return home. It can be a great hardship for families to afford the reunification process which includes exhumation and returning the body home. Funding of this type allows NamUs to help defray reunification costs to return these victims to their families for proper burial.

NamUs Violence Against Women Research

The NamUs staff has partnered with OVW to look at new research to support the nation to combat the ever increasing problem of violence against women by providing accessible databases and support services to victim's families. Additionally, NamUs hopes to be able to expand its suite of services to better help identify victims and bring some resolution to families, and to support investigations that may ultimately bring justice to these victims of violent crime.

NIJ is engaging in research to answer pressing questions related to missing and murdered indigenous people. Research on this issue is limited. In order to provide some context, NIJ is working to answer important research questions that will enhance our understanding of this issue and aid in system improvement.

Types of analyses we are engaging in involve:

- **Case completeness:** The amount of information entered in case files is important for case resolution. The more information that can be/is provided, the better chance there is to solve the case. We are examining the amount of information entered into NamUs cases and check to see if there are differences between Native American and non-Native American cases. If any differences do exist, it will provide vital information to



understand specific areas for training and technical assistance on system use, as well as for professionals in their efforts to resolve these cases.

- **Time to case resolution:** We are also assessing any differences in the amount of time it takes for cases to be resolved comparing Native American and non-Native American cases. This project will provide insight into the effectiveness of efforts to resolve the cases and provide information for further research into reasons behind any differences (e.g., training of investigative staff, number of staff available to investigate, available datasets).
- **Patterns in circumstances:** Using information from the circumstances of Native American cases, we will look for themes and patterns in the types of circumstances that surround missing and unidentified persons.

National Telemedicine Project Collaboration with the Office for Victims of Crime (OVC) Using Telemedicine to assist Sexual Assault Nurse Examiners (SANEs) and Sexual Assault Response Teams (SARTs)

To facilitate the use of telemedicine to reach underserved victims of sexual assault—especially those in remote and challenging areas—OVC, with funding from NIJ, supported the Massachusetts Department of Public Health SANE Program to establish the first national telemedicine center to provide remote, expert, SANE consultations to clinicians caring for adult and adolescent sexual assault patients. Massachusetts SANEs from the National TeleNursing Center (NTC), located at Newton Wellesley Hospital, perform telemedicine consultations during sexual assault forensic exams at six pilot sites: Twenty-Nine Palms Naval Hospital, California; Hopi Health Care Center, Arizona; Sutter Lakeside Hospital, California; Saint Anne’s Hospital, Massachusetts; and MetroWest Medical Center, Massachusetts. NTC has been operational since 2014 and is currently providing real-time patient care support and ongoing training via live video interface to the six sites 24 hours a day, every day of the year. The NTC practice model is in line with national protocols for sexual assault forensic exams and evidence-based research.

In 2016, OVC awarded a grant to the Pennsylvania State University to establish the Sexual Assault Forensic Examination and Training (SAFE-T) Center, which will use telemedicine technology to enhance access to quality sexual assault forensic care for adult and adolescent victims in underserved communities.

Research has demonstrated that SANEs and SARTs are effective at enhancing the quality of health care for sexual assault victims, improving the quality of forensic evidence collected, and increasing prosecution rates over time. This project helps provide 24-hour live access to expert SANEs who use cutting edge audiovisual technology to walk a healthcare provider through a forensic medical examination. This project has several important benefits, including improved patient care and evidence collection, improved training for sexual assault forensic evidence



nurse examiners, increased prosecutions, and increased reporting of sexual assault. Telemedicine could also provide for ongoing training as well as technical assistance for SANES and SARTs working in underserved communities.

NIJ's Forensic Technology Center of Excellence (FTCoE)

SANE/SAFE/SART Efforts: FTCoE leads a comprehensive federal effort to organize and transfer knowledge and best practices of sexual assault investigations. These practices are delivered to sexual assault nurse examiners, sexual assault forensic examiners, and collaborative sexual assault response teams (SANE/SAFE/SART). FTCoE effort focuses on systemic challenges that impede the investigation of criminal sexual assaults in the United States.

Online Sexual Assault Glossary: FTCoE in collaboration with the Center for Nursing Excellence International (CFNEI) has developed a sexual assault online glossary for medical, law enforcement, and legal professionals. FTCoE and CFNEI will continue to update the glossary, import terms into the searchable index, and will ensure that definitions are compliant with the FBI quality assurance standards to maintain consistency in federal documents. The multidisciplinary sexual assault glossary is intended to be a living document in support of the entire community.

Tools and Resources for Sexual Assault Knowledge Transfer: FTCoE is committed to organizing and transferring knowledge and best practices of sexual assault. The FTCoE hosts webinars, workshops, and other events as well as publishes reports on related topics that address the various challenges surrounding sexual assault in the United States. The FTCoE website continues to be updated with a plethora of 'on demand' resources such as podcasts, webinars, and archived materials from symposia and proceedings from sexual assault related meetings.

For more information about FTCoE, go to: <https://forensiccoe.org/sexual-assault/>.

UPDATES ON NIJ DIRECTED & FUNDED RESEARCH & EVALUATION

National Baseline Study: A Study on Public Health, Wellness, and Safety in Tribal Communities

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 will capture important information on lifetime and recent victimization, available support services, perceptions of public safety, and opinions on law enforcement response. The NBS is the first study of its kind involving the largest number of federal recognized tribes.



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 a large number of federally recognized tribes 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 this study.

The NBS is solely focused on Native women who live in tribal communities. The NBS study will capture significantly more information than previous studies and has direct implications for women living in tribal communities. The NBS instrument was 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.

Based on previous experience conducting studies in tribal communities, NIJ fully anticipates delays because of the nature and complexity of the study design, instrumentation, survey modes, and study site logistics (Alaska and the lower 48). Most importantly, NIJ has made a concerted effort to ensure all permissions and agreements are in place with participating tribes. Unfortunately, the study schedule has been delayed more than anticipated. The reasons for these delays include study site recruitment, instrument development and testing, and complex coding and programming of the administration modes being used.

Initially it was thought that a 42-month study period would be sufficient; however, the delays in the approval processes resulted in unexpected delays. Unfortunately, federal contracting laws limit our ability to extend contract periods beyond their initial period of performance. As a result, we have had to close out the previous contracts and are in the process of procuring new contracts that will allow for the anticipated 66-month study. NIJ anticipates awards in the fall of 2018 with field implementation rebooted in the early 2019 calendar year.

Despite this setback, NIJ wants to assure tribal leaders and stakeholders of our commitment to completing the NBS study given the importance of the topic and the need to support healthy and safe tribal communities. NIJ knows this study is needed in order to provide a critical foundation for quantifying the magnitude of violence and victimization in tribal communities and understanding service needs.

NIJ EXTRAMURALLY FUNDED RESEARCH FINDINGS

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 (University of Alaska Anchorage Justice Center | Principal Investigator Bradley A. Myrstol, Ph.D.)



The principal goal of this project was to empirically document and evaluate the impact Alaska's village public safety officer (VPSO) program has on the investigation and prosecution of those who commit acts of sexual and domestic violence against Alaska Native women in Alaska's tribal communities. To accomplish this goal, detailed case record reviews were performed on 683 sexual assault and sexual abuse of a minor cases and 982 domestic violence cases that were closed by the Alaska State Troopers C-Detachment¹ between January 1, 2008 and December 31, 2011.

Results from this study show that the men and women who constitute Alaska's VPSO program play a central role in the criminal justice response to incidents of sexual assault, sexual abuse, and domestic violence committed in Alaska's tribal communities. Study findings indicate that the VPSOs (and other paraprofessional police) enhance the criminal justice response to incidents of sexual violence by increasing the probability that such cases, once reported, will be referred for prosecution, accepted for prosecution, and ultimately result in conviction. These are tangible, positive outcomes that directly benefit victims, their families and their communities, and evidence that the participation of VPSOs increases the likelihood that the perpetrators of these crimes will be held accountable for their conduct.

This study also shows that VPSOs are intensely involved in the response to, and investigation of domestic violence incidents. However, because referral, acceptance, and conviction rates are so high for crimes of domestic violence, there were no detectable VPSO-specific effect on these outcomes. While there is no evidence that VPSOs hinder domestic violence investigations in any way, neither did the findings show any evidence that VPSO participation in their investigation enhances the criminal justice response to these crimes.

For more information on this study and others, visit the National Criminal Justice Reference Service's web site at <https://www.ncjrs.gov/>.

¹ The catchment area covers Anchorage, Aniak, Bethel, Dillingham, Emmonak, Iliamna, King Salmon, Kodiak, Kotzebue, McGrath, Nome, Selawik, St. Mary's, Togiak, and Unalakleet.

Appendix C – Analysis of OVW Tribal Grant Programs Funding for FY 2018

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.

	Tribal Governments¹	Tribal Jurisdiction	Tribal Coalitions²	Tribal Sexual Assault Services³
FY 2018 Appropriation	\$40,150,000	\$4,000,000	\$6,839,286	\$3,500,000
Prior Year Carry Forward & Recoveries⁴	\$1,679,784	\$631,106	\$796,428	\$196,858
<i>Technical Assistance, Peer Review & Evaluation Reduction & Special Projects</i>	-\$3,078,656	-\$198,686	-\$250,000	\$38,106
<i>FY 2018 Rescission⁵</i>	-\$1,611,464	\$0	-\$311,136	-\$195,887
<i>Salaries & Expenses Reduction⁶</i>	-\$2,112,800	-\$210,491	-\$359,901	\$0
Amount available for FY 2018 grants	\$35,026,864 ⁷	\$4,221,929	\$6,714,677	\$3,462,865
Estimated amount to be awarded in FY 2018	\$35,023,525	\$2,601,155	\$6,714,666	\$3,461,178
Remaining balance	\$3,339	\$1,620,774	\$11	\$1,687

¹ In FY 2018, the Tribal Governments Program was funded through the appropriations for seven other OVW grant programs and did not receive its own appropriation line.

² In FY 2018, 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.

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

⁴ 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 March 31, 2018.

⁵ The FY 2018 appropriation included a \$15 million rescission of OVW budget authority. The rescission balance is satisfied with prior-year deobligated funds. Also, the amount was distributed across a number of OVW programs, including the tribal-specific programs.

⁶ In FY 2018, 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.

⁷ The amount available for FY 2018 Tribal Governments awards does not include \$216,141, which was allocated to special projects, including capacity-building technical assistance for tribes and tribal CTAS strategic planning.

Appendix D – FY 2018 OVW Tribal Grant Awards (Forthcoming)