



904 TASK FORCE MEETING

OCTOBER 22, 2020

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MAIN SPEAKERS

Laura Rogers, David Muhlhausen, Holly Bird, Christine “Tina” Crossland, Caroline LaPorte.

Laura Rogers 1:16:30

Greetings. My name is Laura Rogers, and I am the Principal Deputy Director of the Office on Violence Against Women. I'd like to welcome all of you to this meeting of the task force on research on violence against American Indian and Alaska Native women. It's my honor and pleasure to introduce to you the honorable Judge Holly Bird to do the traditional opening for this meeting. Judge Bird.

Holly Bird 1:16:59

My name is Holly Bird, and I am Thunder clan. And in our traditional way, I'm introducing myself to you out of respect and with a good heart. I come from San Felipe Pueblo, but I live in the Grand Traverse band of Ottawa and Chippewa Indians area amongst the Anishinabe, and I'm so honored to be here today.

Holly Bird 1:19:57

So what I did today was I offered a prayer and sort of loosely translated, I did it in the language here out of respect for the people that are here, we need to keep our languages alive for our people. And I live here amongst my husband's people, so I honor that for them. And basically, what I said was, I thanked creator for all the spirits who are here to help us today. I asked them to bless us today and to bless all participants and all people who are here to help us to have good thoughts, to help us to see good things and each other as people to help us to hear good things and each other as people to help us to say good things to each other as people. And so that we can walk with others and ourselves in a good way. And especially for what we're doing here today, I use the water as a blessing because water is a unifier amongst all people. And I sang the water song with this water in my hand, but in the copper vessel, if you're healing, because that's what our people, our indigenous people need so desperately.



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We all are touched by the issues of murdered and missing women and children and even men and boys. And not one family that we have isn't touched by this. So, this healing, this water is a unifier I call to the water and all of you and call to the water and all of us and I call and let the spirits of those people that are wandering that are not found yet. Let them know, we're doing what we can to help. And that we're here. And for those families out there. We're also asking the spirits to help us do work in a good way for all of you.

Laura Rogers 1:22:29

Judge, thank you so much for the opening. It was absolutely beautiful. And I support your words. And I agree with what you say that not one family goes being untouched by the violence. And it's something that we need to change. And it's why we are here today. It's what this meeting is all about to do good research, and to have this committee come together and identify ways and means through research to try to get a handle on everything that's going on. So I want to thank you all for being here today.

This is our first virtual meeting and our first chance to welcome the new members of this important federal advisory committee. The safety of American Indian women is a clear priority of the Attorney General and the Trump administration. One of the most pressing challenges facing American Indian and Alaska Native communities is the crisis of domestic violence and sexual assault. While these crimes occur across this country, tragically, Native women face a higher rate of domestic violence, sexual assault, and domestic violence homicide than almost any other group. A 2016 National Institute for Justice study found that more than half of all native women have experienced sexual violence and physical violence by an intimate partner. Frequently and tragically, these instances of violence against women are part of a dangerous cycle, which has resulted in alarming homicide rates, as well as other forms of violence, including sex trafficking, affecting native communities throughout the United States. This cycle of violence must end and the Department of Justice, and Attorney General are committed to addressing this emergency, including the crisis of missing or murdered Indigenous women in tribal communities.

For those of you who are not familiar with the Office on Violence Against Women, OVV, as we are known, provides federal leadership in developing the National capacity to reduce violence against women and administer justice and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking. We administer grant programs authorized by the Violence Against Women Act, landmark federal legislation passed in 1994 and rooted in the foundation of a coordinated community response to these crimes, forging state, local, and tribal partnership among police, prosecutors, judges, victim advocates, health care providers, faith leaders and others. OVV grant programs enable communities to hold offenders accountable for their violence while simultaneously providing victims with the protection and services



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they need to pursue safe and healthy lives. The Department of Justice could not undertake these important efforts to respond to violence against American Indian and Alaska Native women without partnerships with tribal leaders, tribal organizations, tribal judges, prosecutors, law enforcement and dedicated tribal advocates. That is why I am so very grateful that we are gathered here today for a meeting of this important federal advisory committee.

Federal advisory committees play such a vital role in government. With the expertise of advisory committee members, federal officials have access to information and advice on a broad range of issues affecting federal policies and programs. The public in return is afforded an opportunity to participate actively and provide information that is so valuable in the federal government's decision-making process. I feel privileged to serve as the designated federal official of this important federal advisory committee. Through Title IX of VAWA 2005, and in subsequent admitted amendments, Congress required the National Institute of Justice, or NIJ, to develop and implement a research program to study violence against American Indian and Alaska Native women, including domestic violence, dating violence, sexual assault, stalking, sex trafficking, and murder, and to evaluate the effectiveness of federal, state, tribal and local responses to these crimes.

You will be welcomed from my respected colleague and friend David Muhlhausen, the director of NIJ shortly, and you will also be receiving detailed presentations from NIJ about this research. Through Title IX, Congress also mandated the Attorney General through OVW to establish this federal advisory committee originally chartered in March of 2008. Over the course of six in person meetings, the taskforce has provided valuable feedback on NIJ's program of research priorities, design strategies and protocols. Moving forward, the taskforce will continue to play an essential role in shaping the program's research agenda by identifying new research questions and priorities, as well as assisting with disseminating recommendations that will inform policy and practice.

Pursuant to federal statute, advisory committees expire every two years from establishment until they are renewed. The task force has been renewed every two years since 2008. Attorney General Barr recently approved the re-charter of the task force and approved the selection of new members. The department notified Congress of the new charter on June 26, 2020.

OVW had solicited recommendations from numerous inter-tribal councils, national tribal domestic violence and sexual assault organizations and the national tribal organizations. The announcement was sent twice to federally recognized tribes, as well as the Office of Justice Programs list of approximately 2,400 tribal delegates to the tribal justice and safety sessions and an announcement soliciting nominations was published in the Federal Register. We appreciate the numerous organizations that submitted



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nominations and we are very pleased to welcome the new members approved by the Attorney General.

Collectively you possess knowledge and expertise in the public health and safety arena, as well as an understanding of the unique challenges faced by tribal communities and service providers working in Indian country and Alaska. You also represent the statutory categories for membership, tribal, government, national, tribal, and domestic sexual violence, nonprofit organizations, national tribal organizations, and you hail from geographically diverse tribal communities across the United States. I look forward to the scheduled task force member discussion section, and I would like to stress that we hope to hear from others who have an interest in these important issues.

Later in the day, there is time for public comment, and we will also welcome written comments after the meeting. We are grateful for your willingness to serve as new members on the task force. On behalf of the Department of Justice, let me thank everyone who has joined us today for your participation and let us recommit ourselves to using every available tool we can to address the devastating rates of violence against women in Indian Country. Now, it is my pleasure to introduce David Muhlhausen, the Director of the National Institute of Justice.

David Muhlhausen 1:31:31

I'd like to thank Laura for not only her leadership but also for her friendship. So good afternoon, but also a good morning to those of you in different time zones. I am David Muhlhausen, the director of the National Institute of Justice. Along with director Rogers, it is my privilege and pleasure to welcome you. I am pleased to be part of this group's inaugural taskforce meeting. I want to begin by thanking each task force member for your participation. In particular, I'd like to thank NIJ's Tina Crossland for her work on the task force.

For those of you who may be unfamiliar with the National Institute of Justice, let me take a moment to explain who we are and what we do. The National Institute of Justice is the research development and evaluation agency of the US Department of Justice. It is the only federal agency solely dedicated to researching crime control and its injustice issues. NIJ's mission is to enhance justice and public safety through science. Often, the National Institute of Justice gets confused with our sister agency, the Bureau of Justice Statistics. The work that we do complements the Bureau of Justice Statistics, but our missions are different.

The Bureau of Justice Statistics' principal function is the compilation and maintenance of criminal justice data, as well as the dissemination of the information for statistical purposes. While the National Institute of Justice's work involves statistics, the studies we conduct go further. We engage in systematic investigation, including research



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development, testing and evaluation designed to develop or contribute to generalizable knowledge. Specifically, NIJ provides objective, independent, evidence-based knowledge and tools to meet crime and justice challenges, particularly at the state, tribal and local levels. And NIJ accomplishes its mission through state, tribal, and local partnerships to help deliver state of the art technology and programs to the criminal justice field. Our goal is to help policymakers make justified decisions based on evidence about what works as it pertains to NIJ's violence against Indian women program. We continue to strive to create a much-needed foundation to inform policymakers, practitioners, and researchers, and those with a stake in ensuring the well-being of American Indian and Alaska Native women. As you serve on this task force, your input and guidance will have important implications on how NIJ moves forward. As such, we look forward to hearing from you. Let me close by wishing all of you a very productive tenure. I look forward to today's discussion.

Laura Rogers 1:35:02

David, thank you so much for your remarks. And we are so excited to also be partnering with NIJ as we move forward. I'm excited at this point to have the honor to introduce each of the task force members. I would ask each of the members to tell us a little bit about yourself. Each of you have such impressive backgrounds, and we're excited that you're all part of this new task force. I'd first like to introduce Vice President Catherine Edwards.

Catherine Edwards 1:35:39

Good morning. I'm Catherine Edwards. I am the first Vice President Central Council of the Tlingit & Haida Indian tribes of Alaska. I also sit as the co-chair of our tribes violence against women taskforce. I am employed as a guardian ad litem for the Confederated Tribes of the Chehalis in their tribal court, and I'm happy to be participating on this task force.

Laura Rogers 1:36:11

Vice President, welcome. Thank you so much for participating. We're very excited to have you. The Honorable Judge Holly Bird.

Holly Bird 1:36:23

I'm Holly Bird. I am an attorney tribal judge. And I would say a Native American advocate. I currently am sitting as a Supreme Court judge for the Nottawaseppi Huron Band of Potawatomi Indians in Michigan. I've also done some other tribal judge work. I sit on several state boards with respect to the Michigan Child Welfare Indian act, some different rulemaking boards, and I'm also the former executive director of the Water Protector Legal Collective, and the current co-executive director of Title Track, Michigan, and very happy to be here today. Especially most of my work concerning MMIW has been on the ground and working with people and families. Thank you.



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Laura Rogers 1:37:33

Judge Bird, thank you so much. And thank you so much for participating and being part of the task force. Next we have Sabrina Desautel.

Sabrina Desautel 1:38:02

Good morning. Good afternoon, everyone, depending on where you're at. I am a member of the Colville Confederated Tribes out here in eastern Washington State. I currently serve as the tribe's Director of Public Safety. I've been in public as a public servant for about 20 years. My experience ranges from law enforcement, Child Protective Services, probation. Now I get the pleasure of supervising all of those different programs. About 10 years ago, I started prosecuting domestic violence, sexual assault, so that's where I got my experience doing DV sexual assault and became very passionate about that. I started working with grant development for the tribes and brought in several OVV grants over the years that have helped our tribe develop a victim services program and we continue to enhance that every year when we have available opportunities for funding. I'm looking forward to being a part of the task force and I welcome everybody today.

Laura Rogers 1:39:16

Sabrina, thank you so much for participating and I just love your background. It's so similar to mine. So welcome. Thank you. Next, we have Francys Crevier.

Francys Crevier 1:39:42

My name is Francys Crevier. I'm Algonquin, and I am the CEO for the National Council of Urban Indian Health. My background is in Indian law and policy and I've worked for the UN Special Rapporteur for the rights of indigenous peoples. As well as some tribal courts prior. And right now, we represent the over 70% of native folks who live off of reservations and into urban settings, and are fighting from the inside to help extend services to prevent MMIW. And I'm very happy to be on this task force. Thank you for having me.

Laura Rogers 1:40:28

Well, Francys, we're excited to have you and thank you so much for agreeing to join the task force. Dr. Emily Wright.

Emily Wright 1:40:38

Hello, everybody. I'm Dr. Emily Wright. I'm a professor in the School of criminology and criminal justice at the University of Nebraska in Omaha. I'm a member of the Cherokee Nation and I'm originally from Arkansas. My research centers on victimology issues in the criminal justice system, primarily with a focus on family violence, domestic violence, child abuse, and sexual assault. I have recently been working on some projects related



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to missing and murdered Indigenous women and children in the state of Nebraska, as well as considering ways in which tribal universities can best respond to students' sexual assault on their campuses. I'm very honored to be part of this task force. Thank you.

Laura Rogers 1:41:35

Thank you, Dr., I just love the research that you're doing. I think it's so exciting. Thank you for being part of the task force. Next, we have Judge Roshanna Toya.

Roshanna Toya 1:41:51

I am so honored to be a part of this group. And the collective experience that everybody brings is so amazing. And so, I'm so honored to be able to contribute in some way, I'm a tribal court judge for about the past seven and a half years. Prior to that, my experience is in the criminal justice system in various roles also in probation and pretrial services and reentry. And also I have experience as a social worker in the same system. So, I have a lot of work with incarcerated American Indian youth. So really being able to see from that perspective, the stories that our young people bring, and the trauma and the victimization experiences that they have had in their young lives. And just a lot of different experiences from various tribal justice systems from throughout the country in my work with OJP as a peer reviewer for CTAS grant funding, my work with American Indian Development Associates helping tribes implement grant funding that they've received in their various social justice and tribal justice systems. And so that's the experience that I bring to this group today. And again, I'm so honored to be here.

Laura Rogers 1:43:32

Thank you, judge we're so excited with your great background from all different phases of the criminal justice system and social justice areas. It's just such an honor to have you be part of the task force. Thank you. And next we have Lieutenant Chris Rutherford.

Chris Rutherford 1:43:54

My name is Chris Rutherford. I'm from the Poarch Band of Creek Indians. We are the only federally recognized Indian tribe within the state of Alabama. As you heard, I am a lieutenant on the second command in the tribal police department. I'm on the tribe's domestic violence taskforce. I am on the Escambia County's sexual assault Task Force on the state of Alabama's sexual assault Advisory Committee, and I also work for the Tribal police department. I handle all the registration for the sex offenders, and I'm also a recent graduate of the FBI National Academy, class number 279. I also work as a paramedic in my spare time.

Laura Rogers 1:44:57



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You have a wealth of experience. Thank you so much for participating on the task force, you're going to bring a wealth of information I can tell. And finally, last, but definitely not least, we have Sergeant Julia Oliveira.

Julia Oliveira 1:45:19

Well, thank you. I am a sergeant with the Blue Lake Rancheria tribal police department. I've been here for about a year and a half. Prior to that I did 20 plus years with the Humboldt County Sheriff's Office in multiple positions, including detective in missing persons to detective in child sexual abuse. I've assisted with some homicide investigations. I was a patrol deputy for many years, boots on the ground, and also a resident deputy in the southern Humboldt area of Humboldt County for three years, which really requires some good community skills when you're the only one responding for an hour and a half backup time. So, I'm still active on the sheriff's department crisis negotiations team. And I am completely honored to be here. I hope that with my practical knowledge that I have, I offer some benefit to this task force because it is something that is in my heart, and I hope to help produce some more information that we can do to help folks because I do have a lot of people that I know need more assistance. And if we can do that, then it's a success. Thank you.

Laura Rogers 1:46:52

Thank you, Sergeant. I spent a lot of time in Humboldt County growing up so I know exactly what you're talking about. Thank you, you have a wealth of experience. And I know you're going to bring that to the task force. I'm very excited that you are part of the taskforce. Thank you so much. Next, our federal staff, we have Sherriann Moore, who is the Deputy Director of our Tribal Affairs at OVW.

Sherriann Moore 1:47:19

Thank you, Laura. Hi, everyone, and welcome to the Task Force. As Laura said, my name is Sherriann Moore. I've been serving as the Deputy Director for Tribal Affairs since 2017 in OVW. And I have to say that re-assembling and recharging the 904 Task Forces has been a very high priority of our director, Laura Rogers, and to see this come to fruition is really great. I think we have a fabulous, multidisciplinary Task Force team compiled, very much looking forward to the discussion and the outcomes of your work here today and going forward. This, along with the work that we do in OVW with the tribal leaders of the 574 federally recognized Indian tribes – in my opinion – is some of the greatest work I think that we will do together is to inform the National Institute of Justice's program of research on violence against American Indian and Alaskan Native women, and to end violence in our not only in our tribal communities, but also in our urban Indian metropolitan service areas across the nation. So, thank you very much. And I'm very pleased to be a part of a part of the process today we have I also want to say hello to we have over 200 public listeners today on the call to listen to the work that will initiate today and go forward to inform the work that we do in domestic violence,



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sexual assault, intimate partner violence, stalking, sex trafficking and missing or murdered Indigenous women. Thank you, back to you, Laura

Laura Rogers 1:49:28

And our second federal staff participant today that I want to acknowledge is Cathy Poston. Both Cathy and Sherriann did the lion's share of the work to make sure that this taskforce meeting got off the ground today.

Cathy Poston 1:49:46

Hello, everyone. Thank you, Laura. And thank you, Sherriann. Thank you to our colleagues from the National Institute of Justice for our new task force members. I also want to acknowledge all of the members of the public who are listening in. I would be remiss if I didn't thank the staff from the Chickasaw Management Group, because as Laura mentioned, this is our first virtual webinar meeting. I know during this time of the pandemic that many of you have participated in many, many virtual meetings, but this was quite an effort to pull this off. And so far, so good. Let's all keep our fingers crossed for good WiFi and I very much look forward to this important meeting of this federal advisory committee. Thank you, everyone.

Laura Rogers 1:50:47

Thank you, Cathy. Now, it is my absolute pleasure and honor to introduce Caroline LaPorte. Caroline is an immediate descendant of a Little River Band of Ottawa Indians. She attended the University of Miami School of Law and Baylor University for undergraduate studies. As an attorney, she currently works in Indian Country, her professional experience having been primarily centered on violence against native women. Caroline previously served as the senior native affairs policy advisor for the National Indigenous Women's Resource Center, and the Strong Hearts Native Helpline. Her work focuses on tribal sovereignty, jurisdictional issues, access to culturally based resources MMIW, housing, human rights, firearms, and tribal justice systems all within the gender based violence framework. She currently serves on the American Bar Association's Criminal Justice Task Force on victims of crime. And she is a founding member of the National Working Group on Safe Housing for American Indians and Alaska Natives, and she is the author of their published report. It's my pleasure and honor to welcome Caroline, who is going to be the facilitator for this meeting today.

Caroline LaPorte 1:52:25

Thank you so much. Good afternoon, everybody. Thank you so much for your words of prayer and for starting us off in a good way. As relatives I really appreciated that. You reminded me of the importance of our language and the animacy of that language, which very much informs our worldviews. So, I hope that everybody has that takeaway from today's meeting as well. Principal Deputy Director Laura Rogers and Director



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Muhlhausen, thank you as well for your opening remarks, and for your introduction of me, Laura.

I am excited to facilitate this Task Force today because I truly believe that it is an opportunity to engage in something that is enduring. Every time this Task Force has met in the past, it has built upon its own work. If we were to go back and review the previous Task Force reports and summaries since it was originally chartered –which I would highly encourage everybody to do, especially the Task Force members who are listening today –we can see very clearly a common thread of advocacy to help guide you all. It is the job of this Task Force to continue that work. With that in mind, I also want to say a very special welcome to the past Task Force members who may be with us online today and watching. I want to say a genuine thank you for your dedicated advocacy throughout these many, many years. This Task Force itself is a testament to the decades and decades of grassroots movement work, and your calling of attention for most of your lives to these very difficult issues. It's my hope that you will be able to recognize your ongoing efforts in the conversation of the Task Force members that are here with us today.

As stated before, the primary function of the Task Force is to provide advice and recommendations on the development and implementation of the NIJ's program of research and eventually for the Task Force to make recommendations to help inform efforts to improve tribal, federal, state and local responses to violence against American Indian and Alaska Native women. We will get more into that during the facilitated discussion. I do however, just want to say at the outset to sort of set the tone, it is imperative for the task force members to view section 904 within the context of the safety for Indian women title of the Violence Against Women Act.

VAWA has specific and express provisions memorializing the role of the unique relationship of the federal government and that it has with Indian nations and Native people. A relationship that we all know as the Trust Responsibility, we have to view section 904 through this lens, and through the framework that is specifically outlined in VAWA. So that's a big part of your task today. This lens expressly states within the statute that it is the role of the federal government to assist tribes as sovereign nations who should act within their inherent sovereign authority to go about the work of governance by seeking to ensure the safety of those individuals that they govern. Much like the realization of indigenous rights themselves, the work of this Task Force is nonpartisan. The issues of our taskforce we will explore today and hopefully over the next two years are issues that should matter to everybody. And as Judge Bird said, in her prayer, we have work to do, and we have to do it in a good way. So, we hope today to create a space for our task force members to go on doing their important work as indigenous people with their own unique experiences that they bring to the table or as people who are working our communities, and as a part of our communities.



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With that, I do want to provide a roadmap for how the rest of this afternoon is going to go. We are going to hear first from Tina Crossland of the NIJ, she is going to offer the Task Force an update on where of NIJ is today in the tribal community's research program. From there, we're going to transition into our task force's facilitated conversation. And then we'll get to take a short break, you guys will get up, you'll get to walk around everybody who's following along from home will do the same. You get to leave the virtual world and go and ground yourself back into the physical space to prepare for your public comment section. And Sherriann Moore will be facilitating that session. So, without further delay, we want to get this Task Force going.

First, as we just stated, we're going to transition over to the NIJ. And just as a reminder to our Task Force members as Tina is going along, you will be able to post your questions to me as the facilitator in that app that you all have access to. And we're going to wait to address those questions until the end of Tina's presentation. I'm going to go ahead and introduce Tina. So, Christine Crossland, also known to us all, as we love her, as Tina, is a senior social science analyst in the Office of Research, Evaluation and Technology at the National Institute of Justice. Presently, she's directing NIJ's violence against women and Family Research and Evaluation Program, as well as a program of research mandated by Congress that focuses on the safety of American Indian and Alaska Native women living in tribal communities across the United States.

Tina Crossland 1:58:17

[SLIDE 1] Good morning, afternoon, or evening, wherever you are. I'm pleased and honored to be here today. Thank you, Caroline, for your introduction. I want to thank our new Task Force members. I'm really looking forward to working with you all, and thank you for taking the time to be here. Before I dive in, I want to thank my fabulous colleagues from the Office on Violence Against Women and the staff from Chickasaw Management Service for all the hard work they did to get this virtual meeting up and going.

[SLIDE 2] For the folks that are listening in on today's proceedings, I want to preface that the content I am providing today is at a very high level. In advance of today's meeting, we provided the Task Force members more detailed materials on the background, purpose, history, and makeup of the Task Force and information regarding the Federal Advisory Committee Act. We also provided web links to meeting summaries of previous TF meetings so the representatives would get a more in-depth understanding of program goals, priorities, and findings from studies conducted to date. For those interested in reading these materials, you can google OVW Section 904 Task Force.



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For this presentation, I have structured the overview to remind everyone where we started, how we moved forward with Task Force guidance and recommendations received, what we have been able to accomplish to date, what we are currently doing, and where we hope to go from here. We will then open it up to questions and answers that will be moderated by today's facilitator.

[SLIDE 3] So, it's already been mentioned that we're all here today because Congress in 2005 enacted the Violence Against Women and Department of Justice Reauthorization Act of 2005, which we refer to as VAWA 2005. In short, it authorizes the National Institute of Justice in consultation with our partner, the Office on Violence Against Women, to conduct research and evaluation. As originally written, the statute directs NIJ to conduct analyses and research on violence against Indian women living in Indian country. The statute also asks that NIJ focus on dating violence, domestic violence, sexual assault, stalking, and murder. The statute also directs us to evaluate the effectiveness of federal, state, tribal, and local responses to violence against women.

[SLIDE 4] As originally written, the statute directs us to look at very specific things. So NIJ, working with OVW, immediately began to assess the statute. Based on the text, we sought clarification on a couple of key issues. Anybody working in federal Indian law knows that specific terms have a very specific meaning. So, the first matter that we needed to tackle was the language. Specifically, the statute states that we will conduct a single study; the problem with that language is that all the topics listed in the Act cannot be examined in one study. Therefore, we had to educate and explain that to address all the various topics, different research methods, and different analysis types would be required. We refer to this as a program of research on violence against Indian women.

[SLIDE 5] In the reauthorization of the Violence Against Women Act of 2013, a couple of things were addressed. Because the statute said Indian country in the VAWA 2005, it did not provide us an opportunity to include Alaska. Fortunately for us, a legislative note was added in the Reauthorization of the Violence Against Women of 2013 that allowed the inclusion of Alaska to include the 229 federally recognized tribes to our overall scope of work. And at the same time, the statute also added an additional area of inquiry that Congress wanted us to examine: sex trafficking. Those two items are highlighted in gold so that you can see the changes. Should the Act be reauthorized in the future, it is plausible that additional requirements may be added.

[SLIDE 6] Once Congress codified the Act in 2006, and funds became available in 2007, NIJ staff immediately coordinated with other federal agencies. We wanted to determine what existing information and data could be used to study the topics outlined in the statute. We needed to conduct an environmental scan of all federal and state agencies looking at data systems and sources, including identifying what other data



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collection efforts were underway to determine if any existing resources could be leveraged to ensure that NIJ's efforts would not be duplicative of other ongoing research. This process was extremely illuminating and valuable in assessing what data are and are not available.

Outreach and coordination occurred across the executive branch to include many science agencies such as the Bureau of Justice Statistics, the Census Bureau, the Centers for Disease Control and Prevention, the National Institutes of Health, and the Indian Health Service, as well as program offices such as the Bureau of Indian Affairs, the Executive Office for United States Attorney's, the FBI, the Office on Violence Against Women, and of course, our sister agencies housed within the Office of Justice Programs.

Also, during that time, we partnered with the Bureau of Justice Statistics and the Justice Research and Statistics Association to conduct an informal survey of state statistical analysis centers and directors and other state and local contacts for domestic violence and sexual assault data resources to determine what state and local level data may be available. We also commissioned a report to provide an overview of the epidemiology of violence against American Indian and Alaska Native women and an accounting of the criminal justice response to that violence. The environmental scan and the commissioned work provided a foundation for us to determine how best to proceed. It provided us an overview and outline for presentation to the federal advisory task force.

[SLIDE 7] A significant research challenge identified early on was the lack of available data and where data existed, restrictions on who could access it. Our in-depth review noted that much of the data required to address the scope of work was not available from data systems or sources, have not been collected, or have been collected but were incomplete. For much of the work, it was clear that we were going to have to start from scratch or ground zero.

We were also well aware of many noted historical trials in which studies conducted in tribal communities and later published were inappropriate or deceptive, leading to the reluctance of tribal nations and people to participate in studies. Because of these well documented cases, NIJ made it a goal to ensure the program would be collaborative and participatory to ensure that the research and evaluation studies conducted would be sensitive to tribal culture and worldviews and the diversity of tribes, cultures, and languages. This goal also includes ensuring that research methods respect tribal sovereignty, customs, and traditions.

Finally, it also became apparent that several studies would have to be conducted intramurally due to data access issues—meaning the research would need to be done by scientists employed by the Federal government or inhouse staff. Whereas most of



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NIJ's work is funded extramurally via grants, cooperative agreements, or contracts, we would be required to supplement our staffing in the form of research assistants, post-docs, fellows, and consultants.

NIJ also acknowledged early on that several studies (both small and large) would need to be funded, developed, and implemented over a period of time. At the same time, NIJ recognized there would be limited funding based on annual appropriations requiring studies to be prioritized by need and urgency. With these issues in mind, NIJ science staff drafted a research plan for review and consideration for the program's federal advisory task force.

[SLIDE 8] As you all are aware, the statute also required the establishment of a Task Force, which is subject to the Federal Advisory Committee Act's requirements. Members of the Task Force are comprised of representatives from national tribal domestic violence and sexual assault nonprofit organizations, tribal governments, and national tribal organizations.

The Task Force's primary function is to provide advice and recommendations on the development and implementation of NIJ's research program and, eventually, recommendations to improve federal, state, tribal, and local responses to violence against Indian women.

The Attorney General originally established the Task Force in 2008. The Task Force has been re-chartered since its inception to ensure that the Department continues to receive timely advice and recommendations during the program's implementation and execution.

Since 2008, we have had three groups of Task Force members. Previous Task Force members established program goals, provided feedback on program priorities and strategies, and provided input on research and evaluation protocols. Between 2008 and 2013, OVW and NIJ convened six Task Force meetings. The first Task Force met four times, and the second Task Force met twice. Today is the first meeting of the third Task Force. The number of meetings is indicative of the activities being addressed during the designated time period. Because NIJ was developing a program plan, the first Task Force was convened more often to ensure we had their input on the development and overall programmatic strategic plan to be a truly collaborative process.

At the first Task Force meeting, NIJ presented a primer on the research process and gave an overview of the relevant research conducted to date. Each member of the Task Force was then asked to articulate program goals and priorities. During the following two Task Force meetings, NIJ staff presented a program plan that incorporated the Task Force's goals and priorities. Staff also presented preliminary research findings of



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in-house data collection and analysis efforts. The initial group of task force representatives ended their tenure with a consensus recommendation report. That report remains today an important tool as we assess our work and plan for future activities.

[SLIDE 9] The Task Force recommendation report contained several key takeaways. First, the scope of work should include Alaska, which was addressed with the Reauthorization of the VAWA of 2013. Second, there were also requests to expand the catchment area (or study area) to include off-reservation or off tribal land studies (e.g., studying urban Indian communities). As it pertains to the National Baseline Study, the Task Force representatives provided a great deal of guidance on the pilot study design and protocols, which have been incorporated into the final study design. For example, the study's protocols about tribal government engagement and approval, opportunities for research capacity building, and ensuring confidentiality and privacy of participating tribal nations and participants were all recommended by the Task Force and implemented into the study.

[SLIDE 10] The Task Force also prioritized studies that would analyze federal, state, and tribal data systems and sources. Of particular interest were data on declinations, prosecution, and sentencing of violence against women cases involving Indian women. Two other areas of interest were more studies on death investigations of Indian women and homicide rates. As it pertains to evaluations, there was a preference to look at justice system effectiveness.

[SLIDE 11] Outside of the three study areas identified by NIJ, the Task Force also requested additional studies should funding become available or the statute be amended to expand the scope of work. Trafficking was one topic area of interest, and sex trafficking was added to the program after the reauthorization of the VAWA of 2013.

[SLIDE 12] Finally, the Task Force was very firm in their recommendation that NIJ work with OVW to recharter the Task Force to continue to receive guidance on program development and implementation, which we have done, and to continue to provide annual updates to tribal leaders and stakeholders. They provided several examples of venues for which NIJ should provide these summaries. NIJ has provided annual updates at a number of venues regarding the program's development and implementation and presentations of study research findings, with a few highlighted on this slide.

[SLIDE 13] In addition to the input and guidance provided by the Task Force, NIJ convened a researcher workshop in 2009 to coordinate with and elicit feedback from the scientific community regarding NIJ's violence against Indian women research program. NIJ brought together federal partners and prominent researchers and experts in the



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following areas: violence against women, indigenous research methods and execution, and public health and safety issues in Indian country and Alaska.

Participants provided guidance, feedback, and recommendations related to sampling, measurement, survey administration, research ethics, and community-based participatory research principles. Participants also discussed the scientific feasibility and practical considerations of NIJ's proposed research program overall and NIJ's National Baseline Pilot study specifically, to ensure that it was viable, systematic, and comprehensive.

Another workshop was convened in March 2012 to discuss the Pilot Study's findings and gather further input on the methods proposed for the National Study Baseline.

[SLIDE 14] As was mentioned earlier, because of the broad scope of work outlined in the statute, different types of scientific studies, using different research methods to answer specific research questions, and using appropriate data analysis techniques, are needed to accomplish the program's statute. The research can best be described as falling into three categories—primary data collection, secondary data analysis, and evaluation research. Primary data collection is important for this program because the data we seek has not been collected before. Secondary data analysis projects provide an opportunity to expand our understanding of the nature, consequences, and responses to violence against indigenous women by using existing data sources. The third type of research funded under this program comprises evaluation. Under this category, NIJ seeks to evaluate programs or interventions to enhance law enforcement, prosecutorial, and judicial responses to violence against indigenous women and programs or interventions aimed at improving victim engagement with the criminal justice system.

The order of prioritization is based on statute specifications and available resources. While most resources are directed to the program's flagship study referred to as the National Baseline Study, NIJ has made efforts to leverage other national and state studies. NIJ has also requested investigator-initiated research proposals on an annual basis using NIJ's primary funding mechanism of competitive solicitations. Where data are only accessible to federal staff, intramural studies have been conducted. Where there is a specific statement of work that was developed and designed by NIJ science staff to address specific mandate components, we commission small studies.

So as described, NIJ's violence against Indian women program is comprised of many different components. Funding for the program comes primarily from annual congressional appropriations provided to OVV, who then transfers the program funding to NIJ. Amounts vary each year based on rescissions applied. Available program funds are used to fund grants, cooperative agreements, contracts, interagency agreements,



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and research support activities. Additional funding has come from NIJ's base budget and funding from our sister agencies' support, like the Office for Victims of Crime.

[SLIDE 15] We do not have the time to report out on every study or activity that NIJ's VAW program has implemented, supported, and/or funded. However, we have tried to display the many and varied components, or moving parts, of the program on this slide. This slide also shows the undertaken activities since its inception, starting when the statute was codified, and appropriations were provided. For example, I have already mentioned a few of the activities shown on this slide, such as the commissioned report, outreach efforts, and workshop convenings.

[SLIDE 16] This slide also highlights a few intramural studies undertaken and shows when the three biggest studies commenced.

[SLIDE 17] While I do have the time to go over every project, I will provide an overview of the three primary studies where the most resources have been expended to date. These studies include the 2016 published report authored by Dr. André Rosay titled "Violence Against American Indian and Alaska Native Women and Men," the National Baseline Study Pilot Study, and the flagship study—"the National Baseline Study: a study of public health, wellness, and safety among American Indian and Alaska Native women living in tribal communities."

[SLIDE 18] TRANSITION SLIDE – INTENTIONALLY LEFT BLANK

[SLIDE 19] An example of how NIJ was able to leverage other resources was the partnership we had with the Centers for Disease Control and Prevention. NIJ has a long history of working collaboratively with CDC, and NIJ scientific staff were already working with them on their new study called the National Intimate Partner and Sexual Violence Survey (also known as NISVS) that was to be launched in 2010. The NISVS study was designed to be a nationally representative study on violence against adult women and men. Acknowledging that the NISVS study provided NIJ with an excellent opportunity to collect national data from adult American Indian and Alaska Native women and men living on and off tribal lands, we provided additional funding to CDC's National Center for Injury Prevention and Control to collect an oversample of adult Native American men and women. Originally, data were to be analyzed by CDC, but due to resource constraints and the need for timely analysis, NIJ funded Dr. André Rosay from the University of Alaska Anchorage via a visiting executive research fellowship to analyze the data and draft a report and other study materials.

[SLIDE 20] NIJ's investment resulted in the first set of estimates of sexual violence, physical violence by intimate partners, stalking, and psychological aggression by



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intimate partners over the lifetime of adults who self-identified as American Indian and Alaska Native, as well as provided victimization estimates over of the past year (based on 2010 data). It also provides estimates of interracial and intraracial victimizations and briefly examines the impact of violence. The study resulted in a final report as showcased on the slide and several peer-reviewed academic journal articles, an NIJ Journal article, an animated video, and several webinars and seminar presentations to tribal stakeholders at several tribal venues. With support from NIJ, Dr. Rosay also held two NISVS data workshops to train scientists about the information and how to analyze the data. Most likely, when you see data being cited about the victimization rates of American Indian and Alaska Native people in the news or see it referenced in legislation, the data reported comes from this study.

[SLIDE 21] As I mentioned earlier, after completing our environmental scan and reviewing surveys from other national or state victimization studies, NIJ staff presented several options to the Task Force for consideration. Based on those options and feedback and those we received from the scientific field, NIJ determined it was best to design an instrument that would be culturally appropriate but could also be crosswalked (or compared) to other studies. For this particular primary data collection effort, NIJ opted to use the CDC NISVS study's core components and develop or incorporate other key sections of the survey to include health and well-being, the impact of victimization experiences, and resiliency for its National Baseline Study. Similar efforts were also being undertaken in Alaska with their statewide victimization study allowing us to potentially be able to crosswalk to these studies in the future.

[SLIDE 22] NIJ's pilot study aimed to create and pilot test a survey instrument with women who self-report as American Indian and Alaska Native who reside on recognized tribal lands in the US that captures valid, reliable data on the nature and extent of intimate partner violence, sexual violence, and stalking committed against American Indian and Alaska Native women. The survey was designed to help us understand the experiences of Native women, including their opinions about safety issues in their communities, their experiences with violence, the kinds of support available to them, and their opinions about the justice system.

The pilot was also expected to develop and test study methods, including different sampling strategies and data collection approaches, that enable the safe collection of data, and analysis of results, which can then be generalized to American Indian and Alaska Native women, aged 18 or over, residing on tribal lands. All key components of a national study were tested in some format in one of three sites.

[SLIDE 23] In places where no sampling frame or list from which to sample exists (e.g., tribal enrollment or housing list), or when such lists cannot be shared, a map-based approach for enumerating and sampling households may be a cost-effective method of



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sampling. This approach was relatively new at the time, and we recognized the need to validate the map-based approach.

First, we used a map-based approach to identify and enumerate all household units in a predefined area of a reservation (e.g., a 5 square mile area). This method was tested by predefining the area and studying aerial photographs. In studying the aerial photographs, the research team enumerated and documented every dwelling unit's location by counting and geocoding dwellings believed to be a household based on observable photographic evidence. Second, we employed a count and list method for enumerating households as it was viewed as a gold standard against which the map-based approach could be credibly compared.

Once we enumerated households in the predefined area of the reservation using the map-based and the counting and listing approach, we compared our findings to determine the extent of overlap and the magnitude of the difference between the two approaches. We could envision either approach outperforming the other by identifying more potential households. Such a head-to-head comparison allowed us to know whether the map-based approach had promise for sampling in Indian country sites where list-based sampling is not viable. Comparing the map-based approach to traditional, proven counting and listing methods was instructive on this pilot study and for the field.

[SLIDE 24] The second pilot site involved a number of interrelated activities that included: randomly sampling potential respondents (i.e., American Indian women who are at least 18 years of age) from an enrollment list provided by the tribal government; assessing the accuracy of the enrollment list provided by the tribe; recruiting, hiring, and training field interviewers to interview American Indian women who were at least 18 years of age about their victimization experiences; contacting and recruiting up to 150 respondents to participate in a touchscreen audio computer-assisted self-interview (ACASI) about their victimization experiences that lasted between 40 and 80 minutes (or an average of 60 minutes); administering informed consent procedures and ensuring respondents are comfortable and receive answers to their questions; providing an incentive to compensate them for their time to complete the interview; and working with tribal partners to ensure that the study is implemented such that the safety and service needs of interviewers and respondents are met and maintained. The pilot test activities in site number two included all aspects of a field study from start to finish to include recruiting and hiring local Native interviewers, training field staff using training materials developed in support of the pilot and that would inform future training needs for a national study, and administering the survey to sample of more than thirty eligible participants.



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[SLIDE 25] At the third pilot site, the primary focus was to test the survey instrument and the consent form cognitively, and collect information about confidentiality issues, the potential for telescoping on the 12-month estimates (in other words, how respondents placed their victimization experiences in time), and respondent preferences for data collection with women who are at least 18 years of age. The cognitive testing included women who have and have not experienced physical violence, sexual violence, and/or stalking. At this site, we also collected information from participants about their concerns about confidentiality. Another important element was to explore issues related to respondent preferences for data collection mode.

[SLIDE 26] The pilot study was completed successfully. A few takeaways from this effort are: There is a complicated history between tribal communities and the federal government, and it cannot be ignored. It is vital to get local coordination and buy-in from the tribal government and program staff as well as the community. Also, it is imperative to show respect for tribal sovereignty. True collaboration involves more than simply calling someone on the phone and expecting good results and automatic access. Another real challenge is to merge Western science-based approaches with Native American traditions. The pilot study resulted in some encouraging findings in this area. We also found that our capacity-building efforts to hire and train local staff were key to our success. After all, no one knows these communities better than those that live there.

[SLIDE 27] As I mentioned before, the pilot's findings were presented to the Federal Advisory Task Force and reviewed by research experts in the field. The next step was incorporating our findings and experiences into the process, which involved procuring research contracts to finalize study design features, prepare for data collection, and implement the national baseline study.

[SLIDE 28] The National Baseline Study will occur in geographically dispersed tribal communities across the United States (lower 48 and Alaska) using the NIJ sampling plan. All adult women living in randomly selected tribal households are eligible to participate if they are 18 years of age or older, self-identify as American Indian or Alaska Native, are affiliated with a tribe, or are an enrolled tribal citizen, and agree to participate.

[SLIDE 29] The National Baseline Study sampling plan has two phases. For this study, we have randomly selected land-holding federally recognized tribes. Once a tribe has agreed to participate, the NBS research team works with the tribe to identify community households. Household lists will be developed using tribal government-approved records (e.g., mailing, housing, or enrollment lists). If lists are not available, households will be identified and enumerated using counting and listing map-based methods (similar to what we did in the pilot study).



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The randomization process of each phase ensures all tribes and households have an equal chance of being selected. Once household selection occurs, the field team sets out to invite all eligible adult American Indian and Alaska Native women living in the household to participate in the study. Again, participation in the study is completely voluntary.

[SLIDE 30] The National Baseline Study asks participants a series of questions about their health, well-being, resiliency, and lifetime and previous 12-month experiences with different types of victimization. Participants are asked about the perpetrator to include race and ethnicity, where the incident took place (e.g., on/off tribal lands), was the incident reported to law enforcement, and if the event was not reported, why was it not reported. These questions were added to address questions around criminal jurisdiction. The survey also asks participants about the impact of their victimization and service needs. Lastly, participants are asked how they have adapted to trauma, threats, and other significant stressors. The answers to these questions will collectively help policymakers and service providers address gaps in health and legal services and their respective outcomes.

[SLIDE 31] It is important to note that the surveys are not administered in homes. All surveys are administered at a public location, for example, at the local library, community center, or clinic. The interview is conducted in a private meeting room, such as an office or conference room.

Once informed consent has been obtained from the participant, the interview will be administered using a combination of computer-assisted personal interviewing (referred to as CAPI) and audio computer-assisted self-interviewing (known as ACASI). With CAPI, a study field interviewer will read survey questions to the participant and record participant responses into the study laptop.

For survey questions that address sensitive subjects, the ACASI technique will be employed. For those questions, participants use the study laptop and headphones and listen to recordings of questions visible on the computer screen. Participants enter their answers using the laptop touch screen or keyboard.

The NBS survey takes between 30 to 60 minutes to complete.

[SLIDE 32] Before the interview begins, participants will receive a thorough explanation of the study details and their rights as research participants using the approved Southwest Tribal Institutional Review Board Informed Consent Form. Participation in the study is voluntary. Even if someone agrees to participate, she can withdraw her consent at any time. She also may choose to skip (or not answer) questions that she is not comfortable answering.



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Women who voluntarily participate in the study receive compensation for their time and can request interpreter assistance. As needed, participants may also receive childcare assistance for the time it takes them to take the survey. They also receive information about local and national resources for women.

[SLIDE 33] NIJ funds and directs the study and study contracts, and I serve as the overall Study Director. NIJ is also responsible for submitting the study research design to the Office of Management and Budget for their review and approval.

American Indian Development Associates, LLC (also referred to as AIDA) is the National Baseline Study Research Contractor responsible for implementing the study at each selected tribal site. Tasks include outreach and recruitment of tribes, the households, and the study participants. AIDA is also responsible for hiring, training, and certifying field staff. Ultimately, AIDA has primary responsibility for launching and closing data collection at each site.

RTI International (also known as RTI) is the National Baseline Study Data Center Contractor responsible for programming, issuing, and maintaining study laptops. In this role, they also assist AIDA staff with training and certifying field staff using the study laptops. During data collection, RTI provides system support to field staff and monitors data collection effort progression. RTI's key role is managing the study data to include receiving, cleaning, and preparing the data for analysis, reporting, and dissemination.

Finally, the most important partner is the participating tribal nations and citizens who voluntarily agree to partake in study efforts.

[SLIDE 34] Two field operations managers supervise and manage the field staff comprised of site coordinators, field interviewers, and interpreters at each study site. Site coordinator responsibilities include managing field staff during onsite data collection, monitoring data quality and performance, tracking compensation disbursements, overseeing data transmission, and conducting administrative reporting.

The field interviewers conduct outreach, recruit households and eligible participants for the study, arrange interpreter services as needed, conduct interviews with study participants, transmit survey data, and maintain equipment. Interpreters provide translation assistance of words and phrases to study participants.

[SLIDE 35] The study takes every precaution to ensure the privacy and rights of the participating tribes, households, and individual participants that volunteer to participate in the study. The study requires Department of Justice Privacy Certificates that ensures



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the protection of tribes' and participants' privacy and confidentiality and limits the use of data collected for research purposes only. The National Baseline Study takes additional steps by requiring all staff and consultants to sign confidentiality and nondisclosure agreements. Finally, for each participating tribe with an institutional review board, research review board, or research permit requirement, official packets will be submitted for review and approval.

[SLIDE 36] NIJ requires adherence to government-to-government principles. Because the National Baseline Study participation is voluntary, the study team will communicate directly with tribal leaders to explain the study and gauge their interest in participating. If tribal leaders express interest in participating, the study team will work directly with them to secure study approval.

Tribal decision-making processes may include tribal council and/or tribal institutional review board or research review board meetings. Official documents may include tribal resolutions, executive orders, memoranda of understanding, or agreement

The field team uses participatory agreements to reach local consensus about site-specific protocols to guide the study during recruitment and data collection. The participatory agreement includes data transfer or information-sharing agreements and other authorizations.

[SLIDE 37] The COVID-19 pandemic has impacted everyone. Most human subject research has been put on hold indefinitely until the risks are minimized for participants and research staff. Just as NIJ was getting ready to issue letters to the randomly selected tribal nations, the pandemic required shelter-in-place orders. The study team has been monitoring the situation. To ensure that we have tribal leader and stakeholder input, NIJ drafted and published a framing paper seeking ideas and recommendations to inform NIJ's adjustments to the National Baseline Study outreach and engagement protocols for site recruitment during the current pandemic crisis.

[SLIDE 38] TRANSITION SLIDE – INTENTIONALLY LEFT BLANK

[SLIDE 39] Since NIJ's violence against Indian women program was implemented, NIJ has identified several obstacles in accomplishing program goals. First, available funding will be the primary impetus for initiating additional studies, given that the majority of available funding currently supports the National Baseline Study (both developmental work and the pilot study and most recently that field implementation of the national study). Similarly, NIJ staffing, whether supplemented with research assistants, post-doctoral fellows, or executive research fellows, will also dictate what activities can be conducted or managed at any given time. Likewise, federal fiscal year award processing



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requirements and established timelines constrain how quickly studies can be implemented and completed.

With that all being said, NIJ continues moving forward with our primary data collection efforts; we continue to fund technically sound research and partnership studies that address aspects of the program components; we will continue to conduct in-house research, and we have recently commissioned a study on homicides rates covering the last 20 years and are developing a study or studies looking at death investigations. We are also at a point in time that we would like to hear from the Task Force about the program and activities conducted to date, what research questions need to be answered, and what studies should be prioritized.

[SLIDE 40] My contact information is listed on this slide. For those listening and/or viewing today's presentation virtually and have questions or comments about the program, you can reach me at these emails or telephone numbers.

[SLIDE 41] With all of that said, I will now stop sharing my screen, and I turn to Caroline to see what the Task Force members have posed questions and hopefully, I have the answer; but, if not, I will be sure to find one and circle back. Caroline...

Caroline LaPorte 2:39:06

I've been getting a couple of questions just about whether or not this presentation that you provided is going to be available to the public.

Tina Crossland 2:39:28

Yes, it will.

Caroline LaPorte 2:39:29

Okay, great. I do have a lot of questions from our Task Force members. So just for the Task Force members' benefit, I am going to do my part to prioritize them. Now, we've got about 25 minutes for this portion. If we run out of time there and we find ourselves with extra time during the facilitated discussion, then I can circle back to them. I want to stress to the Task Force that this is where you really have a chance to build on your foundational understanding of your purpose here, especially this first meeting of NIJ's functional role and really to be clear in what is expected of you as it progresses past this initial meeting. Does that make sense to everybody? Okay, great. I have a lot of questions. So, I'm going to play a little app over here. Not that everyone needs to know that and get started. So, the first question, Tina, is from Francys Crevier. She wants to say at the outset that she appreciates being inclusive of Alaska Natives when discussing the issue, but she is curious what the plan is to include our massive urban Indian population?



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Tina Crossland 2:40:44

As I indicated earlier, that issue was something that was raised by the first Task Force. If you look at the statute, it is very specific about the study area being Indian country, and then, of course, Alaska was added in 2013. But NIJ also understands that the request was important because we have a large population in urban areas. Because of the Task Force's request and NIJ's recognition of the importance of the inclusion of urban Indians in the research program, we provided additional funding to the CDC because the NISVS study is nationally representative. The CDC study included both American Indian and Alaska Native women and men living both on and off-reservations. So, in part, we've already incorporated that into our plan.

Caroline LaPorte 2:41:40

Okay, we're going to move on to the question just about resource access from Roshanna Toya. So the way that you can access the info that the prior task force –like the summaries and the research report – the Department of Justice actually has that information on their website. It's under the VAWA 904 Task Force, and we'll just post a link to you all so that you have it. And of course, for the general public, I believe that information can also be shared to you as well.

Next question, also from Francys, what process was put in place to obtain information from tribes, since many tribes are very cautious on information sharing?

Tina Crossland 2:42:35

Okay, I may or may not understand the question posed. The only data that we have requested specifically from tribes, at this time, were from the pilot sites. At one site, we needed sampling information. After securing their agreement to participate, we entered into a participatory agreement. The tribal government provided the necessary sampling data. However, the data were limited to specific staff on a need-to-know basis. Of course, we had strict guidelines about how that data were accessed, collected, and ultimately destroyed or returned to the tribe. In other words, we made sure that there would never be a data access issue or breach problem.

As it pertains to the second pilot site in which we completed all fieldwork from start to finish, the same principles applied. We engaged with the tribal government by meeting with them on several occasions, including presentations to the tribal council to obtain a tribal resolution authorizing the pilot study activities. Then we worked with the Research Board and other entities to ensure that we followed their institutional review board guidelines and tribally-specific research protocols. Those same principles and protocols are incorporated into the national study. I'm trying to think of some of the other studies. One of the extramurally funded studies that we have had involved a team from the University of North Dakota, studying issues in the Bakken region. A few tribes were involved in that study, and the research team followed the same NIJ principles



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described earlier. NIJ's policy is standardized now. We won't accept a research proposal involving a tribe, or will be conducted on tribal lands, that does not have a tribal resolution or executive order.

Caroline LaPorte 2:45:04

Okay, next question that we have is what kinds of problems is NIJ having in collecting the information and research from tribal communities? And that question is from task force member, Judge Bird.

Tina Crossland 2:45:28

I have to be honest with you; our experiences to date have been extremely cooperative and participatory. We've put protocols in place where perhaps they don't feel necessarily comfortable with the Feds having access to certain data – and we certainly understand that – but they don't have problems necessarily with the research team having access to those data. We ensure tribes that tribal enrollment data will not be shown or transferred to federal staff, and the data will also only be used for research purposes and then destroyed at the end of the study.

If we've had any difficulty involved, it's because while the tribe wanted to participate, something in their constitution or tribal codes that would not allow them to share study information with us. And even in those cases, they tried to do workarounds to see if they could change those constraints to participate in the study. You know, regrettably, I don't have my research partners with me here today. But, if they were here with me, we would all attest that we have been pleasantly surprised with the amount of cooperation that we have received from all the tribal nations willing to participate in this project. The same holds true for the many other studies funded under this program.

Caroline LaPorte 2:47:01

Roshanna Toya has a question regarding Dr. Rosay's study. How were participants selected or identified? And we might need to do a point of clarification – are you referring to tribal identity and enrollment?

Roshanna Toya 2:47:16

So just in terms of, you know, Tina was very specific regarding how the participants were identified in the NBS studies. But just kind of curious, she mentioned that Dr. Rosay's study is used as a point of reference, oftentimes, for statistics. And so just curiously, do we have information about how those participants were selected for his study?

Tina Crossland 2:47:55

It is, and we have that all documented in the report. We provided additional information such that we went to populations based on the census data where we knew at least



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50% or more Native Americans were residing when they were recruited. And as they were doing the random digit dialing, we did ask respondents taking part in the survey whether they self-identify as American Indian or Alaska Native. And we also asked them whether they lived on or off reservations. Those particular points are highlighted in the report.

Caroline Laporte 2:48:47

Okay, Judge Bird has a question. How is it determined as to who lives on tribal lands? Her point of clarification was that most people do not live on the reservation – I'm just reading from here –however, they do visit or go back and forth.

Tina Crossland 2:49:11

We understand that Native Americans are a very mobile population. So, for the National Baseline Study, we had to create our own sampling frame and plan. We identified all of the federally recognized tribes and collected as much data as possible using several sources, including Census data. Since the way Census data are collected and recorded is problematic, multiple data sources were used to provide a more comprehensive picture of federally recognized landholding tribes in the US. We also know that tribes are not necessarily in one single location – they may have multiple locations. To gather this information, we used several sources such as “Tillers Guide to Indian Country” and individual tribal websites that detailed open source data (e.g., population data). In addition, we wanted to make sure to document which tribes were part of the different Indian Health Service regions. We wanted to make sure we recorded which tribes were designated as public law 280 tribes. Additional factors and descriptive variables were collected before we developed the study sampling plan.

When it comes down to individual site sampling plans, once we have engaged with the tribal government, and they agree to participate, we work with the tribe to determine the catchment area. Once the catchment area has been defined and finalized, the research team develops the household sample plan using tribally-approved records—this process is how we'll collect household and participant data.

Caroline LaPorte 2:51:06

I'm going to go to one from Emily Wright. She was asking what kinds of questions or measures about resiliency are being collected?

Tina Crossland 2:51:44

We are using a specific scale. We paid for the licensing for it. I don't have the name of it right now in front of me, but I can make sure that I circle back with you and give you the name of the validated scale we're using. [NOTE: Information sent to Task Force members was Connor-Davidson Resilience Scale, also known as CD RISC]



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Holly Bird 2:52:10

Vice President Edwards wants to know how many tribes you anticipate sampling?

Tina Crossland 2:52:18

So that's not an easy question. The national sample involves more than 40 tribes. However, most of the 40 tribes have multiple communities. Based on current projections, we estimate we will be collecting data at 50 to 55 different research sites across the US, including Alaska. The sample was designed to be nationally representative, and that the tribe itself is representative at the site level.

Caroline LaPorte 2:52:56

She had an additional question, so I'm going to follow up with this one as well, just because I think that it's a great question. In the tribes that you worked with, Tina, while they were willing to participate was a difficult in getting people to respond? I think you addressed this a little bit during your presentation about some of the historical trust issues. But her question was, were they fearful itself of the questions?

Tina Crossland 2:53:30

For the pilot study, we spent a lot of time cognitively testing the questions because we knew we were asking about very sensitive issues. I was particularly concerned about the way things were worded. For example, are the questions phrased in a way it is understood? Given the sensitive nature of the questions, would they be willing to answer them? We took a lot of time and effort at our two pilot sites to gather as much information as possible from the women who participated in the study. Everyone loved the computer; I thought that would be the most alienating part of it. But to my surprise, everybody loved that part of it.

For many of these women, it was the first time someone has ever asked them about their experiences with violence. And they felt that the process was very cathartic for them. And that was actually good to hear. They also liked the way that we were administering the survey, especially as it pertains to the very sensitive sections and that they could respond without having the field interviewer hear their responses. They especially liked the confidentiality protocols. So, from the female participants that we've had, we have not had any bad reactions or negative responses. We, of course, have incorporated protocols for distress and so forth.

Now at the tribal government level, and perhaps maybe at the programmatic level, there were concerns when you talk about victimization and how that may be perceived, or how it may be taken. The one big thing that we've already incorporated is a pretty in-depth, graduated consent form. because we are recruiting participants initially at their home, we don't want to endanger prospective participants. So, when we first approach households, we tell them that this is a health and wellness study, and all adult women



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are eligible to participate. And if they're willing to schedule an interview, or they want more information, they can call or email us back. We follow up with them and we provide them additional information in case they don't feel safe. We also administer the survey at a public facility, but in a private room. So, it wouldn't look like all those people going into that office building are part of that survey. As we also know that communities are very small and we don't want everybody to know who's taking part voluntarily in the study. When they actually get in front of us, we tell them everything that's in the study, we give them full disclosure, and we answer as many questions as they have. And they don't seem to be really afraid of it. In fact, like I said, for many of these women, it's the first time they've ever had an opportunity to really talk about their experiences.

Caroline LaPorte 2:56:58

So, to your point about the smaller communities, they have question as well, one of our task force members, that is how is the task force working with rural and smaller tribes?

Tina Crossland 2:57:16

It's the exact same way. As far as the baseline study goes, the same protocols apply. So, a letter is issued, and sent directly to the tribal leader of the tribe. The letter explains that we would like to talk with them more about the study. And what typically happens is that we would ask them for available days and time that we could meet with them face-to-face, so, we can give them more information about the study. The research team from American Indian Development Associates immediately follows up with the tribal leaders once the letter has been sent. And I should say the letter is disseminated in a number of ways, which likely will have to be modified [due to the pandemic]. The original protocol calls for introductory letters to be sent via US Postal Service, email, and fax followed up with a phone call. Multiple visits or meetings are then scheduled. To include presentations in front of the tribal council. At the same time, we're trying to identify program partners in the community that we can work with. And the same principles apply, no matter the size of the tribe.

Caroline LaPorte 2:58:48

I'm going to do a quick time check. It looks like we have seven minutes left, we have a couple of questions. So, we'll keep going through those. And then again, if we don't get to these, then I'll just recycle them during the facilitated conversation. One of the questions that came in from Judge Bird, which is something that I think, you know, we talked about field a lot, actually is whether or not there's any sort of incentive for the individuals who are participating in this study?

Tina Crossland 2:59:17

So, we do compensate all of our participants for taking part into the study. And I will say that, in some communities, compensation is a requirement based on tribal code. Some tribes specify the amount and form of compensation to be provided. Also, we are



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offering to cover childcare expenses, if needed for the time that they are taking the survey. And then we provide additional resources on public health, safety issues, and educational opportunities to name a few.

And then the other big thing for us is, that it is not just the first adult female that we contact in the household that can participate. All adult women in the household are able to participate in the study.

For many of the women who participated, they were very appreciative of the time and effort being put forth to collect this information. It's very humbling to hear them thank us for taking the time to collect the information and for someone to be able to tell their story. For these women, it was a means for them to speak for the first time about their experiences and know that their experiences would help others understand what services are needed.

Similar to the 2016 NIJ published report, we plan to be able to describe what is working and where do we need to fill the gaps when it comes to policy issues. You know, what is it that we need to develop to improve services, whether that be criminal justice, legal, or health services.

Caroline LaPorte 3:02:34

I can say that, as a survivor myself, I think that it's always beneficial whenever you have a comment for your voice to be heard. I'm going to go with one more question. Maybe two, but let's just see how long the answer goes on this one. The questions that you all provided, I think are actually more appropriate for facilitated discussion. So, I'm going to do this one, because I think it is more geared towards Tina specifically. So, will the study be delayed if councils change? In tribal communities, you know, elections take place, new council might not be an agreement with a former, you know, a former tribal resolution, does that delay the entire study? And then I think, what is your process for when that does occur?

Tina Crossland 3:03:30

One of the tasks of the American Indian Development Associates is to stay on top of what's happening locally, and that means knowing who is running the government and program offices. We know there's a lot of staff turnover, and so forth. I had one study that I had to do five different site visits, because in five years, they had five different presidents. So each time a new leader was sworn in, we would engage with the president to make sure that they understood what original agreements have been in place, and that they were still okay with the study proceeding as approved. We have not had a situation, that I'm aware of, where we've had all the agreements in place, there was a change in governments when we all of a sudden had to close down the study



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because new leadership stated they were no longer able to participate. So fortunately for us, in this particular case, we have not had that happen to us.

Caroline LaPorte 3:04:36

What is NIJ's goal as to the percentage or number of women that they interview in comparison to the general tribal population?

Tina Crossland 3:05:15

The sample is representative of federally recognized tribes nationally. The sample accounts for geographic areas, tribal population, public-law 280 status, and a number of other variables. I will forward a more detailed outline of the sampling plan to the Task Force shortly. The plan also accounts for replacement sites.

Caroline LaPorte 3:06:14

Just to clarify, I guess what I'm looking for is what percentage, in order to fulfill your study in a good way, what percentage of women in a tribal population are you trying to reach? So, to be representative?

Tina Crossland 3:06:34

Well, it's going to vary by household. At a minimum, from each location, which is going to vary differently based on the population that we're dealing with, it is probably between 25 and 35 in a given community. The estimate will vary based on the community and how it's populated.

Caroline LaPorte 3:07:00

So, 25% to 35%, or just 25 to 30 people?

Tina Crossland 3:07:05

Individuals and then once we have collected all of the data, there will be weights appropriately applied based on representation.

Caroline LaPorte 3:07:19

Okay, great. So, we're going to move into the next session at this point. So, I just want to say a big thank you again to Tina. And thank you for sharing your information with the Task Force and also with the general public, who I know are also very invested in this work. So, let's go ahead and transition into the facilitated discussion.

Okay, to get us started, we're going to transition now into the facilitated discussion, Task Force members were provided with questions that were drafted and created by the federal government, so, the office on violence against women, and I believe through NIJ. So, these are their questions meant to serve as a guide for you all. Task Force members, I think we've discussed this with you previously, but you are not obligated to



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respond to each of these questions. And you are free to use your time to discuss your individual concerns as a Task Force member who is you know, representative of who you are nominated by right and also your personal experiences. As a reminder to you all, you do not have to provide remarks for the full five to 10 minutes, I'm going to provide a gentle reminder to keep us on track. So that is not to interrupt you or to be rude or to be disrespectful, I'll try to put it in the chat. But if it looks like we're getting away on time, then I probably will just pause and ask you to wait for the whole facilitated discussion at that point.

You are all also able to continue using the slidedo app to continue to post questions so that we can keep the conversation going. I know it's a little bit weird not to have this in person, right. So, we're not able to crosstalk with each other. So, I just want to tell you all as Task Force members and also people who are in the public watching that we're allowing each Task Force member a certain allotted period of time to speak because of sort of the unique challenge that the pandemic has presented. So, if we can all just be gracious towards that process that would be exceptional and very appreciated.

Before we get started with our first speaker here, what I wanted to do was just to take some time and hold some space to remind you all as task force members to be really gentle with yourselves. Some of you are survivors yourselves, all of us have been impacted by these issues, you know, I heard when you all were introducing yourselves about your interest in this space while you work in this space. And I heard a lot about personal trauma and about even just vicarious trauma, which is trauma, right? So, I want you to, I want to remind yourself to be gracious to each other and mostly to yourselves as individuals. You are on no one's agenda – this is your time. We're here to hold space for you and for our communities. And you are here to advise on what you see as needs and issues. That is very literally the purpose of this Task Force. My role here is very simple. Create a space where you as Task Force members are not only heard, but where you also feel the autonomy to make the space that your own. So, Vice President Edwards, we're going to begin with you, and I believe if you will unmute, you should be able to speak.

Catherine Edwards 3:11:04

Thank you, I want to make sure that I'm looking at the right questions that I'm sure that discussion will get better as we go through the day. And I might jump in with somebody else. I hope you guys don't mind. But so, if I'm looking at the right questions, the ones that were emailed to us yesterday, I believe, where one of the key responsibilities of Task Force... Is that the right list of questions?

Caroline LaPorte 3:11:31



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Yes, they are. And I just want to remind as a point, you don't have to respond to all of those questions. It's similar to consultation, right, like a framing paper goes out, it's kind of similar to that where it gets set up, but this is your meeting and your remarks.

Catherine Edwards 3:11:46

Thank you. So, one of the things I wanted to go back to is Judge Bird's question about the sampling number, based on the general tribal population. So, when I'm thinking about my tribe, with 30,000 citizens, and our geographic region is 22 villages in Southeast Alaska but includes three urban populations, in Anchorage, Alaska, San Francisco, and Washington. So, if you were looking at only with 30,000 people and your sample is only 35 individuals, and then of course, we don't necessarily have household numbers. But would that give you a clear sample - it would seem that you would need to talk to more women than that, especially giving our expansive geographic location?

So and then one of the questions was, given the current pandemic, and its impact on the communities across the nation, how would you go forward? Also, when looking and speaking, as an expert on my tribe, we just held our tribal assembly with that included all of those communities virtually much on a platform just like this, and I think that because we were able to do that, then maybe going about in talking to our communities, in our tribes located in those villages, that you could use a platform such as zoom, in order to do or to least talk to them and begin to work with them, because they're getting more. But there's broadband issues. I'm sure you can find that all across Indian country.

And you seem to know that, and they think that something else that that has been bothering me since the consultation with Operation Lady Justice, and when they tell us that missing and murdered or being missing is not a crime. That for us in our tribal communities, being missing might not be a crime, but we know that somebody goes missing because of a crime. So there has to infer in our communities, those crimes don't get investigated. And of course, you know, I'm thinking that a lot of people have heard about Alaska and how difficult it is, you know, without actually having law enforcement at all, or take more than 16 hours or three days to show up when crimes do happen when somebody goes missing, you tell us that it's not a crime in our communities, most often it is - it's a result of some type of abuse or violence or trafficking or something that this person has gone missing. So that for me, there's a difficulty with saying, oh she's just missing and then, you know, I have a friend that's been missing for over a year now, and with nobody looking for her, because, you know, while she was an addict, so you know, there's no reason to go looking for. And then again, when you're talking about the expansive geographic location of my tribe, in the forest, and everything else that surrounds it, besides the waters. You know, it's kind of scary when people do go missing. And I think that, looking at these questions, that's where I want to leave my statements for now. And I'm sure that I will come back around as we go forward, if that's okay.



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Caroline LaPorte 3:15:57

That is completely fine. Again, this is your space to be brave to say what you need to say. I wanted to say, first of all, I'm very sorry about your friend that has been missing. I know that impacts a lot of people in our communities. But I just you know, personally, now that we have this connection with each other, I just wanted to tell you that I'm sorry to hear that.

I did hear you talk about geographical issues, which I think that we need to probably circle back up on during the facilitated half of this. So, I'm making a note on that. Also, broadband issues, and then certain frustrations that you have just generally and I think that it's perfectly fine to bring those up.

Catherine Edwards 3:16:37

So, can I go back to one more thing? So, the thing about our population and stuff in it, and I saw it in Judge Bird's questions, which I agreed with is that not all of our citizens for a lot of our tribes live on the reservation. So I think that again, the sampling and getting to our tribe where only 25% live on reservation and 75% live off. So, I think that that's important to take, because we know that those women that are living off like in San Francisco, Washington, and Anchorage, there's a high rate of incidence against violence against native women in those in the cities.

Caroline LaPorte 3:17:29

I think that you raise a really valid point right on the Task Force that can be, I want to say the Task Force prior to this one, raised the issue of checkerboard reservations and how that might complicate things. So, when you guys do have time after this, because you know that your Task Force will continue, I would just, you know, go ahead and look at those past reports, because I think it will help. But that's a very valid point. And, I'm not sure you know whether or not how that's been resolved. But I do believe that it's been brought up in both the past Task Force meetings, and also a consultation with OVW. So those are great points.

Okay, I am now going to turn it over to Judge Bird.

Holly Bird 3:18:12

Thank you so much. First, I want to thank Tina for your presentation. And I do want to say, you know, we come on, we ask questions, and we give criticisms, you know, and maybe helpful hints, but I do want to recognize I see the work that you're doing, and I appreciate that you guys are putting these efforts in to try to help our people, no matter how flawed or how imperfect, they may be at times, you know, just to recognize that work. So, thank you for listening as well.



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I had a couple of different thoughts on it. And some of the things that that came up for me and some of these questions, one was how do we get the information out? And or how do we gather information, and I would love to pose the suggestion that there be a direct clearinghouse maybe electronically, that people can contact whoever's doing the studies directly, whether it's over the internet or something so that they can participate in these things, but then so that they can also receive information right now because law enforcement agencies don't have accurate counts, or in some cases are not doing the research, or in some cases are not doing the investigations. Families with missing people, murdered women, whatever it is, don't have anywhere to go. And what's going on in Indian country is that they're creating their own databases that are not based on any real scientific means of data collection. But it's sort of like we have to do it because nobody else is. Does that make sense? So, I know of a lot of people that are trying to do that on their own with their own resources. And, you know, that's out of desperation, really. So, I would love to see something public, maybe a hotline, maybe something electronic that people can reach out to, to provide information and participate in those studies, if possible, and then also as a way to share that information. So that's one comment.

One other comment I had on the geographic area issue is, I understand that this study is constrained to tribal lands and people that reside on tribal lands. Another idea for that is to maybe say, instead of just tribal lands, also include the service area. Because technically, like here, you know, the tribe that I live near has a six-county service area, and most of its tribal members reside within that six-county service area and not on the reservation, the rest is actually pretty small, like 40 acres. So, it would be more inclusive to include that whole six county service area. Now, that doesn't mean that all of the people on the reservation are all the people in the tribe live within that six-county service area. They live all over the place, but you're going to catch more people that way. And I do believe that a lot of that for a lot of tribes, that their service areas are still included in their tax agreements. So, it should be able to be included as a tribal land source.

The other thing I want to sort of make the point as you're casting out your net for the studies and trying to reach women is to be more expansive in your reach rather than exclusive. So, we're already dealing with the idea that the study only includes members of federally recognized tribes, that's a colonized approach already. And we all know, lots and lots of women that either are members of tribal groups, tribal communities, state recognized groups, some that haven't yet been federally recognized. Nonetheless, it doesn't make them any less than member of these, these tribal communities. And it doesn't make them any less subject to violence. So, my suggestion is to try to be more expansive in that reach, rather than trying to pin it down. Because you're going to get a better idea of what's going on in Indian country that way. And you know, when we say Indian country and tribal lands, to us, it means the whole place. Right. So that's another thing to keep in mind.



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One of the other questions I had, and this is probably a little more controversial, but it's one that we need to talk about, is there going to be reservations out there and tribal governments that don't want to participate in studies because they are working with the fossil fuel industry, and they have man camps that affect the women in their tribal communities. And some of these governments may find that they don't want to participate. Because if something gets out about, you know, the fact that there's a higher number of rapes or higher number of women missing, due to these man camps, they might, you know, lose some valuable income. And, you know, I'm not going to point out anybody in general, but I think that that's a very real issue for us. And we know that the women in those areas actually need to have their voices heard, probably more strongly than in a lot of other places. So, I'd love to see what kind of outreach there's going to be for those things. I know that and I appreciate the sensitivity that NIJ is having towards the sovereignty of those tribes and working with the governments. But you may have to have some options for the women that are there if they won't cooperate. Just because that's the reason we're doing this.

I love the idea that, you know, there will be compensation, I love the idea that you're trying these different methods, the computers, all the different ways that you're trying to reach out and have this accessible to people. The one thing that I see, and I guess this is one of the bigger questions, and what I see in my work is, is the lack of follow up or investigation by law enforcement. That's the biggest problem in my mind, it used to be more so that people wouldn't talk. You know, and especially if another tribal member was involved, nobody wanted to out that person to anybody, you know, it's nobody wants to be a cop caller. And I think that by and large, a lot of tribal communities have, you know, when it comes to missing women, when it comes to murdered women, have sometimes overcome that reticence. Now, people are starting to seek help and to seek law enforcement help in those matters, but they're not always met with having their requests taken seriously. And as was pointed out, by Catherine, you know, if someone's addicted, or someone was out at a party, or something like that, it's almost like an automatic that, you know, they don't count sort of thing, we've got better time, we've got better things to do. Its victim blaming is what it is.

I have a case here right now where a woman worked at a casino and, you know, was sort of being preyed on by an older gentleman in the community, and ended up losing her life to what they called an overdose. But in fact, he fed it to her, and then assaulted her when she was dead. But knew she was dying. And that has not been able to get any kind of charges. Even though there's support by all of the investigators that were there. It's the police chief who said, well, she wasn't a kindergarten teacher – so, referencing her past difficulties, and the fact that she worked at a casino. So, these are questions, you know, that I have – how do we get past that? And those are questions that should be asked by victims and their families. And I would like to have families



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included in that. I think that's really important. Because victims can't always speak for themselves. Or some of them are still missing.

Caroline LaPorte 3:27:55

Thank you so much. Judge Bird, I am going to circle back to two things that you mentioned, I have this highlighted for myself. So hopefully we'll have time. And if not, we'll just address them at the next taskforce meeting. Okay, next, we're going to hear from Sabrina.

Sabrina Desautel 3:28:11

So, looking at the questions that were sent to us, I guess, in trying to get up to speed with past meetings and the documentation on the website, and I want to specifically focus on the question how can NIJ communicate more effectively about the research and evaluation efforts related to the violence against Indian women program of research? I guess I'm curious to know, and my comment would be, is there any prohibition on social media platforms? Having been boots on the ground, having been, you know, wearing multiple hats as you work in Indian Country, not only was I a prosecutor, but I was a victim advocate on every one of my cases, they don't have the general means of communication, but one thing that they have, you know, is a phone, a cell phone. They are on social media. One of our biggest forms of communication with victims is through Facebook, through Facebook Messenger. It's not the mainstream email or text messaging, and it was more private, that we were able to communicate.

So I was curious to know and I guess, is there any prohibition on being able to use some sort of social media platform to be able to get that information out there, to be able to educate to obtain the information from victims in a more protective manner? Not necessarily that Facebook or anything like that is protected, I'm not a Facebook fan, but I do know, that it is the medium for young people to utilize. So that would be one thing that I would be curious to know more about, if that was a means that we could do research and evaluation.

The other thing that I looked at was number five about the research results being disseminated and how we could effectively do that to get that information out there. I know we already do dear tribal leader letters, you know, getting that information out there to the tribes. It was mentioned earlier 574, if that's not already being done, which I'm sure is, but also, you know, when we have the program through Columbia, South Carolina, where we have Indian Country training that occurs, is there any prohibition for this to be offered there or listservs that come out of that training for this information to be shared to be sought out to other reservations to be able to get this information? Obviously, I have been a participant in this, like I said, I've met Tina previously and had an opportunity to be interviewed by her. It was an experience that, you know, an off-the-cuff, not prepared meeting – if given more opportunity to know what it was that was



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going to be asked would give more informative responses to those questions. So, having that information out there prior to an off-the-cuff interview would be helpful. I definitely think getting the information out there through some sort of medium. You know, I look at all of those different ways to obtain information. There are apps that can be created, there are apps for law enforcement.

I go back to Judge Bird's comments about, you know, law enforcement, not necessarily victim blaming, but I think it also goes back to domestic violence and sexual assault isn't what's taught at police academies. You get a very small block of training, and that's unfortunate. I think they need to focus on education and the response victimology offender dynamics, what goes into it, and also teaching compassion. I think you still have to understand in that medium that our offenders at some point in time were victims, and we lose sight of that, we need to focus on that and highlight the fact that at some point in time, there's a root cause of why that offender is doing what they're doing, and treating them like they're human beings. And oftentimes, that's forgotten about. So I can echo what Judge Bird is saying in regards to the way that people are treated or prejudged, you know, upon initial response, those type of things, we need to overcome that somehow. I'm obviously looking at some other strategies the taskforce can carry out to fill this commitment. Obviously, we're all here, we're committed, and you know, we're willing to participate in these and do what's being asked of us. So, I think, as we progress, and we learn more, and we communicate with one another, I think we'll have a future opportunity to be able to have a better educated response on what our strategies will be to offer insight into our respective positions. Thank you, and I appreciate the time.

Caroline LaPorte 3:32:46

Well, we appreciate you being here, Sabrina. Next, I am going to move to Francys that is the order that I have on my run of show here.

Francys Crevier 3:33:21

So, regarding resources needed to communicate recommendations effectively, I do think that, you know, we can all acknowledge we're living on zoom now. And so, we need to maximize the use of our online platforms, which is already rough because a lot of people don't have access. But posting social media toolkits online, Twitter storms, hosting Facebook Live events, leading into our networks on important updates, engaging stakeholders outside Indian country, including state policy experts is essential here. For example, through the National Governors Association (NGA), Governors identify priority issues and deal with matters of public policy and governance at the state or national levels. Effective partnerships with relevant association stakeholders will promote information sharing and support real solutions. We've worked with NGA in the past to kind of bring some light to my issue actually last year, and it was very helpful.



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So, with my background in law and policy, I was taught to approach the violence against Indian women as a jurisdictional criminal justice issue. However, regarding strategies needed for the Task Force to guide the implementation of these recommendations, I now believe it's essential to examine this from a public health perspective as well. This is a major public health issue and a human rights concern. Recognizing its ecological focusing on prevention and treatment and further supporting a continuum of inclusive community-based prevention will improve the effectiveness of any law enforcement response. Law enforcement, no offense, but is not always on our side or in for minority populations. It's has been hard to trust. And there are issues, you know, with statistics on how law enforcement can sometimes treat native people. And so that's not always going to be the solution here.

So, when talking about research surrounding this issue, there has been a tendency to push more law enforcement solutions, such as increasing funding for police, federal investigations, and studies. But activity show improve metrics may be great and necessary, they can sustain and legitimize policy solutions but other viewpoints should be centered. With the public health framing, strategy should emphasize direct funding to support community led creation of resource search and resources. For every dollar on response, extra dollars should go to prevention and a broad number of topics. And this applies to research as well. Addressing this and MMIW requires effective programming on parenting, sexual health, education, teen relationships, anti-trafficking, drug treatment, etc. The strategy should be prevention, plus a research supplement to improve these prevention efforts.

In regards to the second question about some of the guided research on this topic, as research priorities, I don't believe we need to put most of the funding into establishing a measurement of the worst outcome because there are so many other causes causative things we need to know about as well. So, there are other metrics that would show vulnerability are determinants for MMIW. What about percentage of women experiencing intimate partner violence in the region, including ICWA items around parental notification, foster placement and services use etc. What about a line item for LGBTQ+ data item in AFCARS when talking about foster youth, number of housing unstable, a metric for access to relationship and sexual health education, and a metric for even whether or not a tribal organization or urban Indian organization has a dedicated domestic violence social worker or program manager, forensic nurse etc. Yes, we need to estimate measuring MMIW, but there are a lot of underlying causes that create vulnerability for MMIW that are worthy of measurement and are not effectively measured at this time. Exploring these research queries would actually determine if someone goes missing or murdered. So the research funding shouldn't go all go to improving an accurate count of those murdered. To be honest, I don't want to be counted as murdered. Although that's important, funding should go to HIPAA compliance, if that's an issue, foster care researchers, violence against women,



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nonprofits, etc. Some of these items have already been represented in the Government Performance and Results Act. But there are not enough technical assistance to make sure the data is effective and not enough electronic health record or IT support to make it usable to those who can identify trends and intervene.

If there isn't enough money, expand the funding each item is worth the measurement. And some areas of research we know our priority include health care's integration of social interventions and prevention, supports, linkages, and communication between tribes and urban communities regarding support networks that prevent or respond to trafficking or other issues. Additionally, misclassification of race is extremely high and death records over 30% at a minimum and considerably worse and police data and healthcare data. It's also hard to get a reliable estimate of rate when race categories are colonial in nature, which some have already addressed, and poorly implemented and the reference group is hard to estimate too based on faulty census or local data. I'm sure everyone here has been misclassified. And in any doctor's, anything they've been misclassified at some point or another.

Tribes should be empowered to do this work, not police or DOJ because the reality is they bear the responsibility and the impact. But anecdotally, we know that there are some hotspots even where trafficking of indigenous women and girls occurs. However, prior research and efforts on this issue focus on declination rates or jurisdiction over nonnative or tribal lands. But when you realize that 70% of us are not living on the reservation, what does that mean for us? Any prior research that's been done from a jurisdictional standpoint will not include the majority of us. I think there have been some reports on MMIW and girls as really a first step in bringing light to the extent of this crisis and also showcase that there are simply not enough funding or resources to get a full picture and finally begin to tackle this pandemic is so much on our plates right now. We need full resources and investment into this issue. We need to look at this issue from a social determinants of health framework, maybe perform case studies on people who've gone missing and murdered, or look at how many points of intervention they have, or should have had when they have been treated within our health care system. When could we have caught them at a better stage? Indian health care providers are in a unique position to create a safe, culturally competent environment for facilitating disclosure of violence while offering appropriate support and referrals to other resources and services in our community?

In terms of number three, for the how do we proceed with the baseline study [question]? First NIJ needs to pose this question to all tribes directly beyond our workgroup, given the history of research abuse of indigenous people to make sure that and I'm glad to hear that they've gotten a lot of good feedback from tribes, that's a really good indicator. Second, the Violence Against Women in Indian Country language that we refer to the term Indian country has the same meaning as defined in 18 USC section 1151.



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Basically, all land within the limits of Indian Reservation under the United States government all Indian allotments and the right of way running through them. The scope of the national baseline study of violence against Indian women remains land-based rather than population-based. The study simply cannot result in meaningful effective recommendations to combat this epidemic. Efforts to study prevention must account for the fact that the majority of Indian women today do not live in this antiquated statutory definition of Indian country. Arguably, urban Indian communities are dependent Indian communities within the board of the US whether within their original or subsequently required territory, whether within or without the limits of the state, which is an 18 USC section 1151. Ultimately, limiting the risk the reach of the study because of the definition intended to apply to crimes and criminal procedure, which hasn't been updated over 44 years, will not result in actionable solutions for the majority of our target population,

In terms of communicating more effectively about research and evaluation efforts, NIJ should include there's a lot of urban Indian organizations as well as community centers, other entities that provide criminal or critical services related to this, they should partner with those organizations to help distribute materials to the community directly and facilitate a two way dialogue for these organizations to assist as needed with research and evaluation efforts, and grants should be provided to national and regional organizations to provide communication and outreach.

Caroline LaPorte 3:43:00

I want to validate what you said, about how I mean, basically, all you're saying, right, is that indigenous rights are human rights and this work, can be preventative as well. And that should be right. So, I think I just want to validate that thing. Another area, that obviously is a concern is housing that prevents a huge wow factor for women, men, and children. And then I completely second and again, my opinion doesn't really matter in this taskforce, but the aging out of foster care issue, I think, is a very big one. I don't know that it's gotten enough attention. And I think that that is one that has a historical component to it as well, right, because we've had Indian boarding schools, and we've had, you know, obviously disparate treatment within the state welfare system. So, I think I think that those things really, that you brought up are going to be key.

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Caroline LaPorte 02:46

We're going to pick back up where we were. We were talking with Emily. So, Emily, go ahead and continue.

Emily Wright 03:29

Sure thing, I will go ahead and start from the beginning. I chose question number two about missing and murdered Indigenous women and children to talk about. I personally have been doing some research in Nebraska on this topic with my colleague, Dr. Tara



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Richards, and so, I felt like this was potentially the best avenue to talk about that, and to share some of the things that we've learned throughout this project. And it's such an important topic, so I appreciate the time to be able to talk a little bit about this.

One of the questions that was posed was, what do we know? And as I said, before the crash, we know very little from an empirical and a research standpoint and a lot more from an anecdotal standpoint. And it's really sad if tribal members are having to collect their own data about this issue. This is way too important to let fall on their shoulders alone. So, with regard to research, the issue of missingness is really tough because it's dynamic. So, when you pull names on a missing list, the list can change in an hour, two days, or a week, because somebody can be found and removed from that list. So, it's truly a point-in-time estimate of the number of people who are missing at any given time. So, that's one problem that we know.

And I should say in our project, we did some listening sessions with community members, and I think that's really important because we asked them questions, like: What is underlying the issue of missingness? What happens when somebody goes missing? Who do you feel like you can talk to? Who do you report to? All kinds of things, and so we let their voices bubble up to the top and inform a lot of the things that we are sharing in our reports, and I'm sharing with you now.

So there does seem to be some confusion at the jurisdictional level, as well as at the community level regarding who to report to. Do you go to tribal law enforcement, non-tribal law enforcement, victim service agency, probation officer, things like that? When do you report a missing person? And then, at the jurisdiction level, there is confusion, it appears to be, between tribal law enforcement and non-tribal law enforcement, especially when the missing person is a native community member because they're not sure, necessarily, who's supposed to take the lead on the case.

So, the other question was, what do we need to know, or for research to do, in order to move forward on this topic? And I have several thoughts about that. I think we do need more basic research, and I think Tina mentioned this as primary research, in her presentation. And we need research on implementation and evaluation for what is being done. So, I'll just talk real briefly about those issues.

So, with regard to basic research, we need studies that are done in multiple locations. Right now we only have a select few locations that are being, or have been looked at with regard to this issue. Looking at multiple locations is going to validate the preliminary evidence that we have right now. And that evidence is suggesting that Native Americans are going missing at a disproportionate rate, but we need more locations. We also need research that looks at this issue across multiple time points. This is important as well, because we need to know, are natives staying on the missing



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persons list longer than other races or other people? This is an issue that we can address in research.

Of course, we need the research that looks at the cases that are reported missing, how many do show up in homicide reports? We need to think more broadly about whether there are other sources or places that natives are going missing, but are not reported to officials. This is really important, and we're starting to understand this a little bit more in our own research. For instance, are they system involved? Are they involved in the juvenile justice system or the criminal justice system? And, are they reported somewhere but not to the right missing persons lists to make it on a state list or a national list or something like that? Are they slipping in the cracks? We do not want to miss these people.

Finally, and this resonates with a lot of what the other Task Force members have said, we really need to understand how human trafficking, domestic violence, and substance use play a part in missing Native cases for precisely the issue of being more effective at responding, but let's try to prevent these issues from the start.

I also said we needed implementation and evaluation research. I think this needs to be done in order to assess whether the steps that are currently being taken or the steps that have been taken either by state and/or tribal entities, and to see whether they're working to resolve some of these missing native cases. So, for instance, does enhanced cultural training or non-tribal law enforcement help? Does developing MOUs or standard operating procedures between tribal and non-tribal law enforcement agencies, and even victim service agencies, does that help to overcome some of the barriers we see in both reporting and investigating and closing out these cases? And do initiatives that are already in place, like cross-deputization help in removing some of the barriers that we're seeing at the line level? We need both implementation and evaluation research on these topics.

Some things that we want to be mindful of, of course, is to make sure that we don't create any unfunded mandates for tribes. This is always an important thing to consider. And then I just want to say that for those of us who are doing research on this topic, it's really important that we be as transparent and collaborative as we can with each other – sharing our data, sharing where we're getting data, when we're doing our data polls, so that we can collaboratively work on this important topic together.

Caroline LaPorte 11:31

Thank you so much, Emily. I just wanted to go back to something you said about being mindful of unfunded mandates. I think that is a really valid point. I think it's an issue that always tends to creep up, like the unintended consequences of legislation, sometimes. As to the missing piece, I think we can have a more robust discussion about this,



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possibly at the next Task Force meeting. I just want to remind the Task Force, in terms of legalese, the charter itself for you all doesn't technically include missing, as we sort of talked about a little bit earlier. What I'm hearing from you all, as task force members is that possibly the exclusion of it, even from an intersectional issue, is obviously hurtful. And so, I think that it's a valid discussion to have, but just be mindful of the charter itself. I also really appreciated what you said about cross-deputization, and I wanted to say that your program of research is great. We are going to move to Roshanna.

Roshanna Toya 12:58

Thank you, Caroline. And thank you to my colleagues, Task Force members for the great comments that you've provided so far, as we knew this would be a really dynamic group with such great recommendations.

The first question talks about the Task Force responsibility to guide implementation of the recommendations. So, for me, what I think that means is that my role as a Task Force member is to be really informed and up to date on NIJ's prior research. I began to really look into the research that has taken place, and the program efforts that have been implemented, really just to be informed, because in that way, it will allow us to better know who our target audiences are, who will be the most beneficial recipients of this information, and what is the most effective way to get that information to them.

As we all know, there's a ton of research that's out there and published, and it's really hard to really thoroughly review all of it. So, I think one of the points that Judge Bird made in regards to a clearinghouse, I think that's a great idea. And in addition to that, maybe if there's a way to provide condensed information to the task force, to the community, and to our providers, I think that would be extremely helpful as a way to navigate the volumes of information that's out there.

Another point that I wanted to bring up is in light of COVID – how can we help rethink the research? How can we, as a taskforce, help to rethink the best ways to support our researchers in the communities right now, to support the tribe and support the legislation? We all know the impact that COVID has had, and it's effectively stopped stop the world from continuing, except for platforms like this, which allow us to come together and meet. But as we all know, the tribes really face issues having that capability. So, in terms of the legislation piece, maybe the Task Force can come up with ways to support legislation that has been introduced to support broadband initiatives or support the strengthening a tribe's lack of access to this really fundamental piece of existence. This applies to educating our children, inquiring how tribal court systems are continuing to function, and how victims are being protected. How are personal protection orders getting put into place? What about temporary restraining orders? I think that those are things that we should be mindful of, and attentive to, and look to our tribal partners as to how we can best support them in those ways.



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In terms of further research areas, one of the things that stuck out in my mind, and that keeps coming up is the need to really target and be inclusive of our native sisters in urban areas. Someone pointed out that 70% of Native Americans live in urban areas. And as Judge Bird pointed out, there's fluidity in terms of people who come on and off the reservation. So how do we really capture that? In my mind, some of the things that came up were reaching out to women and other places like women who are incarcerated. Reaching out to the victim advocates with the US Attorney's Offices and the District Attorney's offices that have access to victims that we might not otherwise capture in our samples, but who are clearly identified as victims. Next of kin, I think somebody pointed that out, and really working with the next of kin of these victims who can really provide a voice that otherwise is not provided.

Also, my own personal realization in all of this is the need to maintain connections with service providers in the tribe and in the community, for us to be able to stay grounded in the work that we're doing. And my questions is, are there formal expectations regarding our role in being an intermediary between the Task Force and community providers? So, if there's anybody who can provide clarification on that, I think that that would be really helpful.

Another point that I was curious about is, how are we supporting our researchers in the field in crisis intervention, when working with victims? It can be very traumatizing to victims participating in the interviews. And maybe some victims are at a more vulnerable stage when they're being interviewed. So, I'm just wondering, what are the training mechanisms that are taking place for the field researchers, and how can we best support them to make sure they have the tools at their hands to be able to support the victims and the participants in the study? And those are the points that I wanted to bring up and discuss, thank you.

Caroline LaPorte 19:46

I think those were great comments. I want to call back a couple of things for you. One thing I heard you say and that I'm thinking NIJ will be able to assist with is what are the Task Force expectations going forward. One thing that I will let you know, hopefully what comes out of your time together is a report. So just like we have those reports from the previous Task Force –which again, I completely encourage you all to know them, study them, read them, sleep with them under your pillow, etc. –but I will say to you, you're going to have to draft your own. And I think what that does is two things.

One thing about a federal advisory committee, like you all are on right now, is that your advice isn't necessarily binding. So, what you present and what you talk about over the next period of time that you were chartered for is not binding. But what that report does is that the field takes it, uses it, and that it informs what NIJ does as well – and that's



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certainly the most valid point of what you do – but, even a person like me, when I worked at NIWRC, these reports were very valuable to me as a policy person. And so, I just want to say that in response to what you said. The other thing I wanted to call some validity to was your point about incarcerated women. I could not think of something that might be more personal during this time period than that. As indigenous people, we value all of our people, including those sisters that have been separated from us through incarceration. So, I just want to say thank you for bringing that up, because I think it's really important to remember our relatives that are in that experience, and to bring that back to the space. So, thank you. Okay, next we're going to go to Chris Rutherford.

Chris Rutherford 21:49

Hey, I'm glad to be here. I read through the questions, and I've got a couple of them that I like to get a little bit of information on. Just my opinion on of course. And, we already know that the case of MMIW is higher amongst native women, that is plain as day. And one of the things that we see in law enforcement is reporting, there's multiple reports for the same person missing, there is nobody reporting the person missing. There is one person reporting a missing and one person saying they're found. So, you're having a lot of conflicting reports for stuff like that.

And then another thing is, you have no national source to put in the people who are no longer with us, who are missing. There is one place that we're seeing that's starting to get a little more traction, it's called NamUs. You have to be a law enforcement member to gain access to it to actually enter somebody into that system, which is nationwide, and all law enforcement has access to it. Here's one of the benefits to this system: it doesn't matter if it's a tribal law enforcement agency, a non-tribal law enforcement agency, a federal agency, or FBI – it doesn't matter if we all utilize the same system. We're all law enforcement. And if I enter somebody in and they enter somebody in, they'll notice that it's a duplicate report, so that'll end the duplicate reporting, because it's a nationwide coast-to-coast, Alaska, Hawaii, everybody system. It's not federally funded, and that's some of the drawbacks for some people.

And here's another benefit to this, the NamUs system is, if a family goes and says, "Hey, by the way, nobody's listening to me when I talk about somebody that's missing, or somebody that's run away," or whatever the case may be, family members can enter them in. So, if a family member enters in this person into this system, it does not become public, until law enforcement goes back and reviews it. And here on the reservation in Alabama, we assign an investigator to every case we have, misdemeanor, felony, it doesn't matter. We take everything seriously and we don't dismiss anybody. That is not something that we do. That's something we believe in, a national top down. We would get reports all the time, not from the victim, which is where we prefer to get our information from. We get calls from a tribal council member and it's,



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“Hey, by the way, I heard that somebody said this person here got assaulted or raped or abducted.” We hunt them down ourselves to get at least a family member to give us some type of feedback to let us know, “hey, by the way, this is an accurate report or an inaccurate report.” And if it winds up being accurate, which in our situation it's rare, we take a week to go through the extra steps, the extra effort that's necessary to get these cases resolved. And I understand that some reservations are huge and some that are tiny.

My reservation is 476 acres, it's a checkerboard reservation, we have a nine-county service area. And if you live within our nine-county service area, everybody calls the tribal police, for it doesn't matter what it is. I hear noise outside my house and I live two hours away, they're still going to call us and we route that call to the appropriate person. But they feel comfortable talking to us, they feel that we pay them more attention than an outside law enforcement agency does. So, we utilize that our benefit. We take and we have MOUs with other agencies, and cross-deputization. We do have cross-deputization – I'm deputized in three different counties in two cities and so are all of our officers, because we have the issue of whose report is it to make. Cops are inherently lazy, I'm sorry, but it's true. They don't want to put forth extra effort. Well, here on the reservation, we're lucky because we have a very low crime rate and a very high solve rate for all of our crimes. So, we have somebody that calls and says, “Hey, by the way, this happened at your casino, and we don't want to take care of it,” we're on it with both feet, we jump right on. Then we come to find out that it's within our nine-county service area, way off the reservation, we have the ability to at least get the ball rolling, get started and get to the appropriate authority.

Always make the report to the authority having jurisdiction, that was a question. Who do you report it to? Your report of where it happened. Wherever it occurred is the authority has jurisdiction, so utilize them as best you can, and then build that relationship. We build a relationship daily with our community. So, our community here in Poarch will feel comfortable coming to us and talking with us. You burn that bridge, and it's gone and then your reservation is out of control. But here, we take the extra effort to meet with other agencies in our area with our community members. We host community events and then we utilize our other departments to get the message out that we need.

Given the pandemic, and its impact on communities across the nation, how should NIJ proceed with a baseline study? Utilize your communities. They know everybody better than anybody else. They know who to talk to, they know how to talk to them. They know where they live, they know the reservation, they know the nine-county service area, they know their contact information. Just because you don't have somebody working in your family services, or DHR or whatever you call it on your reservation. There are other people that reach out and do that same job. We all have advocates that work in our communities. Our Family Services Department has somebody that's tasked just for



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domestic violence, and they're the ones that host our domestic violence Task Force meetings. But you can utilize those departments to help get the word out to people that are taking these reports, that are getting this information, and that are familiar with everybody. And then you also got the nine-county service area that they know where those people live in. Yeah, they're not living on the reservation, but that's how you can collect that data, by utilizing those type of people.

How can NIJ communicate more effectively about the research and evaluation efforts related to our programs of research? Utilize the tribal framework, utilize what's already there. You don't have to reinvent the wheel. It's been going on for a long time. Use what's there. Our Family Services Division, they are top-notch and that kind of stuff. But you don't just utilize one department, expand on that. You have the HR Family Services and the Health Department. How many people come into the Health Department daily that you don't ever have contact with? We have people that drive two hours to come to our Health Department because they trust the people we have here on the reservation. And one of the things that they do is, if you go to give a urine sample, they have the bottle and they sit on a card. And it says if you're in danger, or fear, or any type of problem, you mark that card and you take your urine sample, you put it back on back in that same window, nobody sees it. And when they do put the mark on that box – it doesn't matter if you're male or female – when they see that mark, they call the tribal police. We come in the back door of the clinic. We escort them away and we have an area to protect these people.

One of the things that causes a lot of trouble, and that police departments have an issue with, is the tribal sovereignty. The tribe is very protective of our tribal sovereignty. And we don't want anybody encroaching on our tribal sovereignty, or our tribal council will not allow any type of encroachment on tribal sovereignty issues. So that's one of the things you've got to look at. And then the other thing about the reliable estimates and the reporting issue is that outside agencies have limited staffing. And with a limited staffing, they're not going to be able to put forth their best foot to get the cases resolved. And that's where we step in and our cross-deputizations and agreements that we have with all the other outside agencies. And somebody else asked about people that live on the reservation. We have 3000 tribal members. Now we're a relatively small reservation. 5% of our population lives on reservation. We have more tribal employees than we do people living on our reservation. So, the nine-county service area is important to us. And we reach out to that nine-county service area frequently.

Somebody mentioned something about law enforcement training. Here in Alabama, and here on the reservation, we do take profound care of our training. We don't let the little things slip through, we spend 40 hours of training on domestic issues, sexual assault issues, and stuff like that. I appreciate the time. Thank you very much.



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Caroline LaPorte 31:42

Chris, we appreciate you. One thing that I heard you bring up was tribal sovereignty. I just want to validate what you said there, that it is something that needs to be respected. Tribal governments or local governments, they're sovereigns, but they're local. They have a local response. One thing I do want to point out to the taskforce also is the gold standard that NCIC is from an informational sharing standard between law enforcement, and how the tribal access program has been able to prohibit more than 300 purchases of unlawful purchases of a firearm. When we're talking about prevention in this space, I think that that's another really key thing to think about. So just something that piqued my interest while you were talking and something that I noticed myself noticing, so to speak. So, thank you again. I am now going to turn it over to our final task force member, Julie.

Julia Oliveira 33:05

To probably reiterate, in California, this is a Public Law (PL) 280 state. And in Humboldt County, it's one of the two counties in California where the sheriff's office actually does much of the law enforcement on the reservations and we have three fairly large tribes and then a bunch of small tribes here. And one of the tribes, part of the reservation is in Humboldt County and part of it is in Del Norte County – it overlaps two counties. Humboldt County is 4400 square miles, but it only has 175,000 people in it. So much like some of the other places, I would say Alaska is probably similar in that, it's so rural, sometimes reporting is just not going to happen.

The other part is, some of the tribes are kind of isolated from the main part of the county. So, everybody knows what's happening to everybody on the reservations. And if a crime happens, especially a sexual assault or something like that, what I've historically seen as a deputy is that the victim will first go to the medical center near the reservation to get treatment. When they do that, then the suspects family shows up and waits outside. So no, that person's not going to report because now they've been intimidated beyond the ability to report, and that is a big issue on reservations because they know there's going to be retaliation if they make those reports.

I know the missing part is not part of the charter. But in a way, I think it is because when people go missing, it's part of the dynamic of the violence. And that dynamic is, we're going to make that person disappear so that they can't report that they were beaten, or they make them disappear because they killed them in the process of committing domestic violence or something else. So that's the part of the missing that everybody's sort of reaching out to and why it keeps coming up. And it's connected to that missing and murdered part of it. One of the major tribes did a report recently on missing and murdered Indigenous women, and I just actually got ahold of them yesterday, and we are going to get together and discuss that. I am really going to try to reach out to the other tribes for the same purposes, but I think this one has been the only tribe that's



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been organized enough, which is the Yurok tribe, to actually come up with a report – they have a very solid council.

And that's part of it, the unstable councils that sometimes happens with tribes makes it really hard for the tribal law enforcement to do the things they need to do, and even the social services if they try to set something up, because there is corruption. And I'm not saying that as a blanket statement, but I do know that we have a tribe in particular that seems to be so unstable that it changes every time there's a council vote. It changes because everybody is sort of trying to manipulate their benefits to their family. And that's just one of them. It's not all of them, obviously, it makes it very difficult. There's also a historical, cultural lack of trust, and that's a barrier that's really hard to get through. And that's where the social services and those clinics really have the benefit of reaching out to folks and trying to get them to cooperate. We have areas where there's absolutely no electricity or phone service. So, they're certainly not going to be reaching out to anybody. But they do have people that they trust that go out there and talk to them. It's finding those folks and using them as an option to try to collect data. Once it's collected, I really can't say enough, the education and training for law enforcement, social services, medical services, as many people as you can get out there, the community needs to have that education for both sides. For the Native American folks to understand why this is happening, it's for their benefit and to educate them on why that's happening.

The other part that I have noticed, especially with sexual assault and sexual abuse, is that some of it is just so historical that the girls, especially the young women, believe that it's just normal to start to be sexually active at 11, 12, and 13 years old, and it's trying to break that cycle to let them know that this is actually abuse and you don't need to be a victim of that. I've talked with women who had babies when they were 13 or 14 years old, and they said, "Well, when I talk to my daughter about it, they throw it back at me and said, 'well, you did it.'" So trying to break the cultural cycle. And for some of these folks, I think you start as young as you can possibly get away with for educating them and hopefully, some of that data will reinforce that. Also, I am a cross-deputized person. Humboldt County, like they said, is one of the few counties that does primary law enforcement, the other one is in Southern California. I can't remember if it's Riverside or San Bernardino, but I think it's Riverside that has the same status where they do primary law enforcement. I'm also certified through SLEC, the Special Law Enforcement Commission, federally. So, as far as when people report to me I can deal with it either way. California has their missing persons system, the missing and unidentified persons section. Everybody goes in that when they're missing, and they're never taken off the list unless they can confirm that they've been recovered one way or the other, live or not. That includes losing people at sea. They're there forever.

Julia Oliveira 40:23



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I think the other part is that we also need to--and somebody I know said this earlier-- there are abusers out there and I think that they need resources as well, and we need to try to get them on a path where they don't think it's okay to hurt another person. And that's re-programming them to have-- I don't know if it's respect, but knowing or learning that that's not how you deal with your anger. And if we can come at it with two prongs and use that part of the reporting to see, even reach out to those abusers and say, "What is the trigger? What do you think made you that person that your brain thinks "this is how you deal with that problem?". And I think that together, both of those things are important to society. So, with that, I'm going to leave it there and hopefully, we can come up with some good stuff to help folks out there.

Caroline LaPorte 41:35

Thank you so much, Julie, I really appreciate your feedback into the group, and I know everybody else does. I think it's great to have a diverse set of perspectives. One thing that I wanted to say and maybe ask for clarification on is on the historical abuse, I think you said one thing that actually meant two valid things. And, so by that, I mean that you said one piece of it was that some of these experiences, right, are ongoing for survivors of this type of violence, and it becomes an issue of invisibility, it becomes an issue of "that becomes your expectation for treatment". Right. And, so I do think that that's really, really valid. The other piece of that I think is valid – I don't know if it was, you know, intentional or not – is that it is historical. Like, we talk all the time in the field, these issues are related to genocide and colonization period. That's ongoing for us. And those things are also ongoing, right? They're not historical in that sense. And so, I think what you recognized, rightly, right is that there's so much trauma and each of these issues that they're very layered for Indian people. And so hopefully what the taskforce does is, you know, somehow weeds through that a little bit. But I just want to say, I don't know if we have time for more facilitation, I assume that we do not. So, I think that we need to go to public comment. That's a very critical key aspect of this taskforce. But what I heard from all of you is that there's a diversity of perspectives here. And I would just encourage all of you to continue to do the good work that you're doing in your communities and where you are. And I would also encourage you all, obviously, to go back to the past Task Force reports and summaries, go back to the OVW consultation reports, which are also on the Department of Justice's website, and just immerse yourself in them. Talk to the community like you're already doing, but I just wanted to say thank you all again so much for your time, and for being a very important part of this. So, I think we're, I'm not sure if we're going to queue over to a break now or if we're just going to go straight into public – we're doing a break. We are doing a break. Yes, I'm hearing break. Okay, so, we're going to go ahead and take a quick break and then we will be back with public commentary.

Sherriann Moore 1:05:02

Unintelligible – choppy feed.



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I'll restate this information at the end. But we are accepting public comments, written public comments until the close of business tomorrow, October 23 2020. And those comments can be submitted to OVW.TribalAffairs@usdoj.gov. That's OVW.TribalAffairs@usdoj.gov.

Sherriann Moore 1:05:40

So, with that, we'll go ahead and move forward with the public comment. I know that you have received the instructions at this time. You know, I said I received 18 registered requests for public comments. And so, we are going to get these all in in two to three minutes each. So, I want to call on the first person, Dawn Stover from the Alliance of Tribal Coalitions to End Violence. Dawn, are you with us today to provide commentary?

Sherriann Moore 1:06:26

Okay, we didn't hear from Dawn.

Sherriann Moore 1:06:30

So next I will call on Marjorie Bernadeau-Alexandre from the Suffolk County, Suffolk County Sheriff's Department. Marjorie, are you with us and ready for your public comment?

Sherriann Moore 1:07:00

Okay, let me go to Sam.

Sherriann Moore 1:07:04

Okay, I'd like to call on Sam Arungwa from Utah State University. Sam. Thank you. The floor is yours.

Sam Arungwa 1:07:16

Well, hello, everyone. It's a pleasure to be with you today. And I'm grateful for the opportunity to offer a few comments about something that I feel very strongly about, and that would be extremely helpful in our mutual desire to improve the lives of victims who suffer from violence, specifically the violence against American Indian and Alaska Native women. One of the things that I work on as part of my assignment is to facilitate access and success in higher education, and it's something that we don't talk about often enough and perhaps doesn't register as much in the research that we do. But when looking at the nation, or coalition of nations and states to facilitate the improvement of quality of life for these victims, one of the things we must look into seriously is how do we facilitate their access to higher education, and, more importantly, the success once they are in higher education. Oftentimes, violence committed against women necessitates that they withdraw or suffer from that this affects their success in higher education. But we also know that if they do succeed and graduate and go into the workforce, the educational foundation they receive is part of the healing process. It



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helps us as a community, it helps them as individuals, it benefits their families. And so, I and my colleagues are strongly committed to this. And it will be helpful if this is something that is facilitated at the highest levels, so that we as a nation make sure that when people are victimized, we don't increase their victimization by ignoring their access and success in higher education. And there are ways that research have shown that we could do this without necessarily increasing cost. And it's not necessarily difficult, but we have to highlight the issue and be committed to it. We want our victims to receive access and success in higher education as part of our collective efforts to help them in their journey to recovery and also sending a message that once victimized that we do not as a community, ignore their needs. That is really my comment today and I appreciate the opportunity to offer it and I look forward to working with a task force however I can if I'm given the opportunity to make this happen. Thank you.

Sherriann Moore 1:10:08

Thank you Sam for joining us today and for providing your public comment. Very important comments and I want to ask you if you please submit written your full if you have a full of a more of a written testimony and commentary to get your points into our record to submit those to OVW.TribalAffairs@usdoj.gov.

Thanks again, Sam. Appreciate it.

Sherriann Moore 1:10:42

Okay, next, I would like to call on Michaela Madrid from the Sovereign Bodies Institute. Hello, Hi Michaela.

Michaela Madrid 1:10:55

Well, thanks so much for having me today.

Sherriann Moore 1:10:58

Do we have your video Michaela?

Michaela Madrid 1:11:02

It's on on my end.

Sherriann Moore 1:11:06

Okay, hold on. Let us let us get it up on our end.

Sherriann Moore 1:11:28

Damien, can you bring up Michaela Madrid's video? Okay Michaela, floor's yours!

Michaela Madrid 1:11:35

Awesome. Well, hello, everyone. I'm really honored to be here today. My name is Michaela Madrid and I'm with the Sovereign Bodies Institute. We are a nonprofit addressing gender based violence against indigenous peoples to research and direct



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services. We are the caretakers of a database containing over 4200 missing and murdered Indigenous women, girls, and two spirit relatives. We are the authors along with Dr. Blythe George of the “I will see you again in a good way” report referenced earlier by taskforce member Julie Oliveira. When reviewing the limited information available regarding this taskforce, it is unclear to what degree MIW families and survivors are empowered. It is great to see the level of Tribal Consultation that goes into the development of this work, but how much family and survivor consultation is conducted? At SBI, we do not engage on projects without families and survivors in leadership positions, and we always offer long term support services to those involved. Families and survivors feel their voices and needs are not heard in government, in research, in their tribal communities, and even in the MMIW movement. They feel used and left without sufficient support needed to enable healing. A packet of phone numbers to call is not support because it puts the onus on the triggered person to reach out. Indigenous researchers have a responsibility to practice reciprocity by actively supporting the well-being of the individuals we are learning from. We urged the taskforce to strengthen the NIJ’s use of culturally grounded community-based participatory research methodologies, the use of indigenous researchers, and proactive support services. We also urge the task force to promote localized, region-specific research as opposed to sweeping national studies. Each native community has a distinct culture and circumstances which means that the solutions look different in every community. And national studies ignore this nuance and propose one size fits all solutions that are not helpful on the ground. We recognize that today's meeting is to provide an introduction to the new task force members in our hope is that you all have stepped into this role with similar concerns and are working on solutions. Thank you.

Sherriann Moore 1:13:54

Michaela, thank you so much. Again, I would ask you to please submit your written commentary as well so we could get your written comments. In addition to your oral comments into the record, please submit those to OVW.TribalAffairs@usdoj.gov. That would be great. Greatly appreciated. Thank you for your time today and for your important comments and contribution to this discussion. Appreciate it.

Sherriann Moore 1:14:27

Okay, next, I would like to call on Cheryl Bowie from Dream. But uh, I'm sorry, Dream Butterfly Botanicals. Cheryl.

Cheryl Bowie 1:14:40

Hi, thank you. It's Dream G Butterfly Botanical.

Sherriann Moore 1:14:44

Okay. I apologize. Thank you.



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Cheryl Bowie 1:14:46

Thank you. It started out of an initiative that the CDC and Indian Health Service and AASLV and Nate's dad went through to have us post online about our experience with liver disease. And since then, I've got a really large reader base. And I'm on the USDA website for him, and everything. And one of the things that I encourage is increasing our understanding of science, communication, and regulatory education. One of the things that I identified in my fellowship was a lack of understanding of the dynamics of the legal process, and how we engage with US laws. And through our treaty and through Indian Health Service, that understanding was really, really low. And so, I encourage increasing the understanding of our laws and regulations. And I think that we need to compare regulatory and legal economic models to help identify what would work for us better instead of just the segregated Indian Health Service and VIA programs that only restrict us to poverty level income limits, and don't do enough to increase our access to healthy, sustainable infrastructure like water and roads, and educating people on the proper the proper economic models and how and how we pay for government services, I think it would do a lot to bring more people to the table. We need to stop the bias against natural resource and mineral development, it's actually really culturally insensitive to have a couple of native groups single out maybe one or two different tribal organizations or bodies that actually do thrive and excel in this area. This is stuff that we need. This is stuff that can help pay for labs. And I think that if we supported the tribes in recognizing state efforts, like the cannabis legalization process, that we would actually be able to help set those standards and pay for labs that we need to pay for in order to increase public safety and law enforcement presence, along with – and this is probably really more specific to Alaska – is the lack of roads inhibits law enforcement from doing their job, they cannot patrol like they do other areas. There's like a significant lack of understanding and what our lives are really like compared to what everybody else experiences. We have a lot of non-native people who've never experienced not having a road, not having access to broadband. You know, when we do have problems, I was a significant key player in the broadband grant initiative in Alaska, and that was 18 years ago. And since then, AFN has gone into a like a sole source contract with GCI prohibiting any other economic development or economic freedom. So, we need to stop these anti-competitive, antitrust processes that are written into our lives. And we need to do that with pain medication so we can reduce the incidence of drug misuse and mishandling. It is mostly the more white native people in my family that are dead as a result of violence. And so, I think that we need to educate people on this.

And also, I think we need to look at the fact that the tribes that go into come into compacts with IHS, VA, and the CDC, and the US public health service in their communities, where they're the largest economic driver, we mirrored the military rates of rape and violence. And I think that that needs to be paid more attention to, I don't think it needs to be dismissed just because we're getting a service from the government. I think that the government should get out of competing to be the provider of many of our



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services. I think that we need to encourage economic freedom development in get away from groupthink. Science really depends on being able to be neutral and not having political bodies take over our efforts. And it's really challenging to do that. And different **inksa and nilka** organizations take priority, and practice native preference, which excludes the majority of other people in their communities. In Alaska, the Alaska Native corporations have contributed over \$2 billion a year into our economy and they have no accountability. You can go up to any other business in any community in Alaska and ask how they are being socially responsible, and they will tell you and they are pushed to participate in increasing access to services and infrastructure. But when you do that with our Alaska Native Tribal organization, they tell people they don't do things and they don't help people. And so, we need to start mirroring some of the legal requirements of our businesses just like other US businesses have. And finally, we need to marry the US Constitution. So we can actually won't change anything. But we would have clarity of law and how we're supposed to interact with each other and fiscal, financial, medical, and other areas. And South Central Foundation should not be the main health care provider for people. We shouldn't get trapped into 20 year hospital and tribal health compacts. We need to have competition. Thank you for listening.

Sherriann Moore 1:20:31

Thank you, Cheryl. Thank you for joining us taking time for your public commentary. And again, as I stated previously, please submit your full written commentary to OVW.TribalAffairs@usdoj.gov. And thanks again, Cheryl. Appreciate your time. Thinking. Okay, Damien, did we have any other commenters join us?

Sherriann Moore 1:21:06

That's it for the public comments.

Sherriann Moore 1:21:13

I know we had 18 people registered for public comments. So, I'm thankful to Sam and Michaela and Cheryl for taking the time today to provide your public comments to us. It's important that we hear from the public to add to the work that that the Task Force is doing on the program of research on violence against American Indian and Alaska Native women. If there's nothing else, I will up a few reminder comments before I turn it back to Caroline. I want to remind everyone on the call it on not only in the zoom, but on the call the public listeners that next week, October 27, beginning at one o'clock eastern to five o'clock eastern each afternoon, the 27th 28th 29th and 30th. We will kick off our 15th annual violence against women tribal consultation, and it is a virtual online session that will take place over four afternoons, four hours, we will open with a very traditional ceremony and comments from our director, Laura, who's online here today. We will also, for the first time ever, at our tribal consultation we are having remarks from Attorney General Barr, so we're very pleased to hear from our attorney general, and also our Principal Deputy Associate Attorney General Claire Murray. So, you can



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register at OVWConsultation.org. If you haven't already done so. Tribal leaders who are on the call or listening, especially you personally first Vice President Edwards, hopefully you've already registered to provide testimony at consultation. If you're not a tribal leader, you can be designated, designated and authorized to provide tribal comments and testimony on behalf of the tribe. If you submit an authorizing letter or resolution to do so. Otherwise, you can just join us as well. We have a very packed full agenda for the four afternoons and of interest to this group. Tina Crossland will also be giving a report out or another report out on analysis of research that she's been doing as part of her role with NIJ to open our day on Wednesday at one o'clock. And we will have comments and open remarks from administration Native American Commissioner Jeanie Hovland on Thursday. And then as I said, Claire Murray, will open our final day on Friday with remarks. And we will also have an open Q&A session on Friday as well between tribal leaders and federal leaders. So, I said if you haven't already, I invite you to register. You don't have to be providing testimony, you can register to listen and listen to the testimony and in the discussion. It's always very enlightening. So, with that, I want to remind everyone that our written, public comment period is open until close of business tomorrow, Friday, October 23. And so, you can still submit, if you haven't didn't submit oral comments or if you submitted oral comments, we'd like your full written commentary. But we're receiving written commentary up until close of business tomorrow at OVW.TribalAffairs@usdoj.gov. I'm sorry, OVW.TribalAffairs@usdoj.gov. So, with that, I will turn it back to Caroline. Or no, turn it back to Laura, to close us out today. Thank you.

Laura Rogers 1:25:56

Thank you, Sherriann. So, I think it was so very appropriate for us to hold our first meeting during October, which is Domestic Violence Awareness Month. And I'm very excited that we have finally had our first meeting with our all of our new members. And I want to again, thank all of the new members of this task force for taking your time and agreeing to become part of the Task Force and dedicating yourselves to the mission of this Task Force. I so appreciate all of your time. I'm going to make very short remarks because I know we're running over and I don't want to take more of your time. I know you have some childcare issues, some of you do. I want to say thank you very much to Chickasaw, you've done such an amazing job today. I know we've had a few technical problems, it seems like every time somebody said, "let's hope we have good Wi Fi," our Wi Fi went out so I'm not going to belabor that point today. Special thanks to Caroline LaPorte, you did an amazing job as the facilitator today. I don't think any of us realize what a hard job that is until one of us tries to be a facilitator. So thank you so very much, really outstanding. You are inquisitive. You did great summaries you pulled out great points. Really spectacular job. Thank you so much for everything that you've done for us today. To all of the Task Force members who spoke and gave us really fabulous insight into different parts of the research and perspective as to some of the items that Tina Crossland went over today, I found it extremely helpful. Dr. Wright, you talked about so



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many interesting items and multiple prongs of approach. And you went back to Operation Lady Justice and some things that that taskforce has been doing. I found this incredibly helpful and very informative. And we talked about the fact that 70% of the Indian population lives in an urban area. And you put very good perspective on things that need to be thought about when we're doing research and for the national baseline study and how to go about doing that.

And then I also found it interesting some of the topics that were spoken about by several different Task Force members today about training for law enforcement. You know, the things that we were talking about here today are the same things that we talked about at OVW with respect to not just native issues, but just across the board when we're talking about how do we do better in the field of domestic violence and sexual assault? How do we stop domestic violence and sexual assault? And how do we train our law enforcement officers better? Because across the board, we have the same issues with respect to making sure that our law enforcement officers understand the dynamics of domestic violence and sexual assault better. How do they understand victim issues better? And how are they going to respond in a more appropriate fashion? And, you know, I've been in the field as a prosecutor since 1988. And dealing with sexual assault and domestic violence. And we've been talking about these issues ever since I entered into the field. And we've come so far, yet, we still have so far to go. Because we know that there's burnout and there's job turnover. And so, every time you feel like you're making progress, we have people retiring and burning out and so we're constantly training, but we really have come a long way. But we still have a long way to go and we always will have a long way to go. But at least now we know what we need to do. But that's part of what our research has to show us and it has to lead us to figure out how we are going to solve these issues. But whether we're talking about within the Native American arena or any other arena, across the board, we have to do better training our law enforcement to make sure that we're responding better to domestic violence, that we're responding better to missing cases, and that we're handling these cases in a better and more appropriate victim service way. Thank you so much for the great insight that you talked about on when we talked about the national baseline study. There definitely needs to be a balance struck between how we go forward to be successful in the age of COVID in collecting information, in having tribes participate, and balancing that against the sovereignty of the tribes, and so thank you so much for all of the great insight you gave us there. Sherriann, thank you for talking about consultation.

Thank you for all of your great comments about how we should disperse research about the comments about social media and all of the different ways we can incorporate the resources that tribes have to disperse the information and disperse research information. Very, very helpful. I think this is has been an incredibly productive first meeting, we're looking forward to meeting again. We don't have a specific date, but you



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need to get back together as a group and talk about the research and how we're going to move forward with respect to the Task Force. And so, we'll be putting out more information with respect to when the next meeting will be. So, thank you so much for everything that you've given us today. And we will be back in touch. It's been a very exciting day for me. It's been a long time coming. I'm very excited that everyone has been here today. Thank you for all the public comments today and for participating in the meeting. And I want to turn the meeting now over to Judge Holly Bird for a traditional closing. Thank you so much.

Judge Holly Bird 1:32:32

Miigwech Laura, Ms. Rogers, I want to invite everybody right now to sit back in their chairs and put your feet firmly on the floor. I'm going to try to provide a little re-grounding before we go out on our days together, and separately. And I've been kind of smudging as we've been going along. And I'm going to smudge you all right now. And right now, I'm using a healing cedar smudge, which is great for women. It's great for that emotional cleansing. What we've talked about today, and even if we're just talking about research, is really emotional for us. Whether you're indigenous or not, it affects all women, and it affects all families. But in particular for our people here who've been affected, you know, who knows somebody or who themselves have been victimized sending you that, that love and that, that healing spirit from the smudge. And so right now, what I'm going to do, because we just had this talk, I consider this a somewhat intimate subject. This is this is something that's near and dear to our hearts, that kind of intimacy. And so, the way I'd like to end is to share what I call our family prayer with you, recognizing that your relatives and recognizing that as we move forward, we're moving forward together as family here, as family for these people and as strong as we can be. So, I'm going to go ahead and do that. And I created this when the kids were little so bear with me. It's meant to be easily understood.

Thank you for our lives. Thank you for all our friends and family. Thank you for all the people. Thank you for all the animals, including our fur babies. Thank you for the birds, the bugs, and the fish. Thank you for the plants, trees, and the grass. Thank you for the stones, the water, nothing to do. Thank you for mother earth. Thank you for father sky and grandfather son. Thank you for grandmother moon. Thank you for the stars and our ancestors in the stars. Thank you for the planets and all of outer space. And thank you for everything we can see and everything we can't see. And most of all you need to do thank you for our lives together. And I want to say additional prayers for the women who are victims of violence, for their strength and for their healing. I want to say gentle prayers for their families who support them for their fortitude and their healing. I also want to include in our prayer, those for the perpetrators for healing because they can't do this without hurting themselves. I want to say prayers for all who are here today, our participants as well, everybody who is listening, that you may stay healthy and travel



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well. Meanwhile, you go monitor it on my own. I'll be glad to everybody. And thank you so much.

Sherriann Moore 1:36:18

Thank you judge.

-----END OF TRANSCRIPT-----