



United States Department of Justice

Office on Violence Against Women

Working Together to End the Violence

2019 Update on the Status of Tribal Consultation Recommendations

prepared for

Department of Justice Annual Government-to-Government

Violence Against Women Tribal Consultation

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Introduction

On August 21-22, 2018, the Department of Justice (DOJ) hosted its 13th annual government-to-government consultation on violence against American Indian and Alaska Native (AI/AN) women. This annual consultation is required by law to address the federal administration of tribal funds and programs established under the Violence Against Women Act of 1994 (VAWA) and its subsequent reauthorizations.¹ DOJ, the Department of Health and Human Services (HHS), and the Department of the Interior (DOI) received recommendations from tribal leaders on the three statutorily-mandated consultation topics:

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

In addition, DOJ asked tribal leaders for input on two specific questions related to the Office on Violence Against Women's (OVW) administration of its Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction, including how to encourage more tribes to apply for funding and how to expend unobligated funds under the program.

The purpose of this follow-up report is to provide tribal leaders with a comprehensive update on activities undertaken in the past year to respond to their recommendations at last year's consultation session, including DOJ's coordination and collaboration with tribes, HHS, and DOI to address these recommendations. This report includes three sections: 1) information on actions taken in response to certain specific recommendations made at the 2018 and prior consultations; 2) a review of progress made on implementation of tribal provisions included in VAWA, as amended; and 3) an update on other DOJ activities related to combating violence against AI/AN women. It also includes an appendix (Appendix A) with updates from HHS's Family Violence Prevention and Services Program (FVPSA) and Indian Health Service (IHS), an appendix (Appendix B) with updates from DOJ's National Institute of Justice (NIJ), and two appendices with information on OVW's tribal grant funding. This report is meant to be a companion to the report summarizing the proceedings of the 2018 consultation, which is available at www.justice.gov/ovw/tribal-consultation.

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

Part One: Responses to Selected Recommendations

This part addresses recommendations made by tribal leaders (or their designees) in four specific areas: 1) public safety in Alaska; 2) enforcement of tribal protection orders; 3) tribal access to federal crime information databases; 4) state consultation and coordination with tribes; and 5) improved responses to the disappearance or murder of AI/AN women. Information on responses to other recommendations related to the implementation of VAWA 2005 and 2013, as well as strengthening the federal response to violence against AI/AN women, can be found in Parts Two and Three of this report.

Public Safety in Alaska

Recommendations: Tribal leaders made the following recommendations to address the extraordinary barriers Alaska Native villages face in responding to domestic and sexual violence in their remote and geographically isolated communities:

- Support Alaska Native villages' ability to design and implement culturally appropriate solutions to address the lack of law enforcement and judicial services in the villages, including funding and training for Village Police Officers (VPOs), Village Public Safety Officers (VPSOs), and Alaska state troopers responsible for immediate response to domestic violence and sexual assault in villages.
- Provide village-based shelter and advocacy services, and increase victim access to sexual assault forensic exams.
- Create greater stability for Alaska Native victims in the state and tribal justice systems and ensure accountability for offenders, including fostering intergovernmental cooperation between the state of Alaska and Alaska tribes.

Response: On June 28, 2019, Attorney General William P. Barr declared a law enforcement emergency in rural Alaska under the Emergency Federal Law Enforcement Assistance Program and authorized funding and long-term measures to support village public safety and victim services, including:

- \$6 million from the Office of Justice Program's (OJP) Bureau of Justice Assistance (BJA) to hire, equip, and train VPSOs, VPOs, and Tribal Police Officers and provide mobile detention facilities
- \$4.5 million from the Office of Community Oriented Policing Services (COPS) for 20 officer positions, along with equipment and training, to Alaska Native grantees
- An award from OVW to train community health aides in Alaska Native villages to perform sexual assault forensic exams and victim advocates to accompany victims throughout the process
- Funding available from OJP's Office for Victims of Crime (OVC) and Office of Juvenile Justice and Delinquency Prevention (OJJDP) for Children's Advocacy Centers (CACs) in rural Alaska's major hubs to provide wrap-around services, forensic interviews, and medical exams for child victims

The Attorney General also announced a Rural Alaska Violent Crime Reduction Working Group, led by U.S. Attorney Bryan Schroder, to identify ways to build the capacity of federal, state, and

tribal law enforcement in rural Alaska, with a particular emphasis on domestic violence and crimes against children. As the Department develops a comprehensive response to public safety issues in Alaska, Attorney General Barr expressed his commitment to working closely with AI/AN leadership, as well as Congressional and state representatives, to ensure Departmental solutions are practical and effective. He directed all Department component leaders to develop plans to support these efforts, focusing on a list of goals, including:

- reducing sexual assault;
- providing better immediate and long-term victim services;
- providing prosecutorial resources to correspond to the increased federal, state, local, and tribal law enforcement presence; and
- incorporating technology into law enforcement efforts to improve response times and decrease travel costs for victims and witnesses.

Since the Attorney General's announcement, BJA, in partnership with OVW, has invited the State of Alaska to apply for funding to support two new prosecutors in rural Alaska, to be cross-designated as Special Assistant United States Attorneys and focus on prosecuting violent crime, including domestic violence, dating violence, sexual assault, and stalking, in Alaska Native villages.

Enforcement of Tribal Protection Orders

Recommendation: At the 2018 consultation, tribal leaders continued to express concerns about the lack of enforcement of tribal orders by state and local law enforcement and recommended training on tribal courts' authority to issue orders and on state and local responsibilities for enforcing them, including Alaska-specific technical assistance.

Response: On July 22, 2019, OVW issued a new, competitive solicitation to support training and technical assistance for state and local law enforcement, prosecutors and other government attorneys, and court personnel on enforcement of tribal protection orders in Alaska, as well as training and technical assistance for tribal courts and communities on issuance and enforcement of protection orders. Applications are due by September 2, 2019, and must include a planning period for Alaska tribes to provide input regarding challenges in getting tribal orders enforced. This initiative also responds to the Attorney General's declaration of a law enforcement emergency in rural Alaska.

In addition, DOJ has continued to support targeted training and technical assistance through the National Center on Protection Orders and Full Faith and Credit (NCPOFFC) and the Tribal Law and Policy Institute (TLPI), including:

- Expansion of NCPOFFC's Tribal Steering Committee to include more practitioners to identify specific, local enforcement issues and site-specific support for county/tribal collaboration to address these issues
- April 2019 TLPI report on promising strategies for tribal-state collaboration to ensure enforcement of tribal protection orders, available at <http://www.walkingoncommonground.org/news.cfm?a=681>
- Checklists for tribes on drafting and enforcing tribal protection orders, the first of which is available at <https://www.bwjp.org/our-work/projects/protection-orders.html>

- A website devoted to resources for drafting and enforcing tribal protection orders available at www.tribalprotectionorder.org
- Training on issuance, service, and enforcement of tribal orders at NCPOFFC's National Institute on Protection Order Practice for Attorneys and Advocates and other tribal and non-tribal conferences

Tribal Access to Federal Crime Information Databases

Recommendation: Tribal leaders recommended the expansion of the Department's Tribal Access Program for National Crime Information (TAP), with dedicated funding and availability to all interested tribes, including those in Alaska and Public Law 83-280 (PL-280) states.

Background: TAP, offered in two versions, TAP-FULL and TAP-LIGHT, gives selected federally recognized tribes the ability to access and exchange data with national crime information databases for both criminal justice and non-criminal justice purposes, and it allows tribes to more effectively serve and protect their communities by ensuring the exchange of critical data. TAP enhances tribal efforts to enter sex offender registrations into the National Sex Offender Registry, have orders of protection enforced off-reservation, protect children, keep firearms away from persons who are disqualified from receiving them, improve the safety of public housing, and enter tribal arrests and convictions into national databases. TAP-FULL consists of a kiosk workstation that provides access to national systems and is capable of processing finger and palm prints, as well as taking mugshots and submitting records to national databases. TAP-LIGHT is software for criminal agencies, including police departments, prosecutors, criminal courts, jails, and probation departments, that also submits information to national databases. TAP is currently available to 50 tribes nationwide with over 220 tribal criminal justice and civil agencies participating.

Response: In response to tribal leaders' recommendations, DOJ has continued to expand TAP since it began in the fall of 2015, and, in October 2018, the Department jointly announced with the Department of the Interior (DOI) a 50 percent expansion of the program. By the end of 2019, the Department will expand the number of TAP participating tribes to 72. DOI will fund the installation of TAP kiosks at three locations where the BIA-Office of Indian Services (BIA-OIS) delivers direct social services by the end of 2019, and DOI aims to expand TAP access at all 28 BIA-[Office of Justice Services](#) (BIA-OJS) operated law enforcement agencies and detention service centers. These BIA locations will provide some degree of access to TAP for services delivered to more than 50 tribal communities that currently do not have any direct access. When this latest expansion is complete, 124 tribes will be able to participate in TAP.

TAP continues to be available to all tribes that have an agency for which there is a federal law authorizing access, including those in PL-280 states and Alaska. Authorized criminal justice agencies include law enforcement with arrest powers, corrections, criminal courts, probation and parole, pretrial services and prosecution; authorized non-criminal justice agencies include sex offender registry, civil courts, Head Start, human resources (limited), social services, child support enforcement, and social services. The key is for an interested tribe to review the worksheet available on the TAP website setting forth the federal legal authorities for which TAP may be utilized and decide if the program would benefit their tribe. TAP continues to receive

funding from SMART, COPS, and OVC, but lacks a permanent line item budget from Congress. The Department continues to advocate for permanent funding, and continues to work closely with partners to expand the program and increase the services offered.

The next TAP application period for FY 2020 will be from September 1 to October 31, 2019, and the current application is available for tribes to begin the process. For more information on TAP, including how to apply, visit www.justice.gov/tribal/tribal-access-program-tap.

State Consultation and Coordination with Tribes

Recommendations: Tribal leaders recommended that OVW clarify the process for state consultation and coordination with tribes pursuant to the program statute for OVW's STOP (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant Program (STOP Program), and require states to demonstrate that they are complying and that STOP funds are meeting the needs of tribal communities within their states.

Response: OVW has taken a number of steps to improve state consultation with tribes as part of the planning process for implementing the STOP Program and distributing STOP funds:

- In October 2018, OVW issued "[Frequently Asked Questions](#): State Consultation and Coordination with Tribes as Required for STOP Violence Against Women Grant Program Implementation Planning under 34 U.S.C. § 10446(c)(2)(F)." This document provides plain-language restatements of the statutory and regulatory requirements related to state consultation and coordination with tribes, including required documentation of compliance. It also explains why consultation and coordination with tribes are important and provides non-binding advice, examples, and resources on effective consultation and coordination. It emphasizes that ongoing communication with tribes, not just every four years when the STOP implementation plan is due, will help build collaborative relationships and meet victim needs.
- On April 30-May 1, 2019, OVW held an inaugural joint meeting of the STOP State Administrators, State Domestic Violence and Sexual Assault Coalitions, and Tribal Domestic Violence and Sexual Assault Coalitions. The participants discussed ways to improve consultation and coordination with tribes in the development of state implementation plans to ensure that STOP funds are addressing the needs of AI/AN people residing within the state. The State Administrators committed to working with tribes and tribal coalitions to ensure inclusiveness of AI/AN people in their states. This work will continue through national, regional, and local joint meetings.

Improved Responses to Missing or Murdered AI/AN Women

Recommendations: Tribal leaders recommended that DOJ conduct research to determine the number of missing or murdered Native women, develop protocols for investigating such cases, and provide training and technical assistance to law enforcement on implementing these protocols.

Response: Please see Appendix B to this report from NIJ and related attachments, which discuss the National Missing and Unidentified Persons System (NamUS), including training,

technical assistance, research, and victim services available through it. In addition, OVW issued a consultation framing paper on Savanna's Act in preparation for the 2019 consultation, and NIJ is collaborating with NamUS on a Missing Persons Day event in conjunction with the 2019 consultation.

Part Two: Implementation of the Tribal Provisions in VAWA

The reauthorizations of VAWA in 2005 and 2013 included a number of provisions specifically aimed at ending violence against AI/AN women. This part provides a summary of DOJ efforts to implement these provisions and respond to related recommendations from tribal leaders.

Administering VAWA grant programs

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

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

The Tribal Governments Program is included as Purpose Area #5 in DOJ’s Coordinated Tribal Assistance Solicitation (CTAS). OVW’s other three tribal grant programs are not part of the CTAS process.

Consultation recommendations and response: At the 2018 consultation, tribal leaders recommended simplifying and streamlining the grant application process, announcing awards and clearing budgets earlier, and making more funding available for transitional housing and legal assistance beyond emergency legal support. OVW has taken a number of steps to address these recommendations:

- Building capacity for tribes that do not currently receive OVW grant funding, including a national website of resources (www.TribalResponse.org) and a series of free regional trainings and webinars on creating a multidisciplinary team or sustaining tribal shelters/safe homes, among other topics
- Providing technical assistance to help tribes successfully compete for funding from other OVW programs, including the Transitional Housing and Legal Assistance for Victims programs
- Holding annual workshops for all Alaska Tribal Governments Program grantees focused on successful project implementation, long-term sustainability of grant project activities, and engagement of tribal leaders in achieving project goals
- Releasing solicitations earlier in the fiscal year
- Consolidating and/or reducing special conditions, where possible
- Increasing national promotion and outreach to tribes to offer more resources and training

Tribal leaders also recommended including AI/AN women living off reservation or in urban areas in research and funding and providing more support for community education and awareness. OVW solicited training and technical assistance applications in both of these areas in FY 2019 and expects to make two new awards before September 30, 2019.

More information about each of the four tribal-specific programs appears below, and an analysis of the funding levels for each of the four programs in FY 2019 is provided in Appendix C.

Tribal Governments Program

The Tribal Governments Program, which was created by Section 906 of VAWA 2005 and amended by section 901 of VAWA 2013, provides funding to tribal governments or their designees to:

- 1) develop and enhance effective governmental strategies to curtail violent crimes against women;
- 2) increase tribal capacity to respond to domestic violence, dating violence, stalking, sexual assault, and sex trafficking crimes against Native women;
- 3) strengthen tribal justice interventions including tribal law enforcement, prosecution, courts, probation, and correctional facilities;
- 4) enhance services to Indian women who are victims;
- 5) develop prevention and education strategies;
- 6) provide supervised visitation services;
- 7) provide transitional housing and related support services to victims;
- 8) provide legal assistance to victims;
- 9) provide services to youth victims and children and youth exposed to these crimes; and
- 10) develop and promote legislation and policies to respond to violent crimes against Indian women.

In FY 2018, OVW received 58 applications for the Tribal Governments Program requesting a total of \$38,883,370. There were 18 new applicants in FY 2018, and 40 applications were submitted by current grantees who were seeking funding to enhance or continue their existing OVW-funded projects (continuation applicants).

All the applications submitted for Tribal Governments Program funding, except for two that were missing required documents, were sent to a panel of external peer reviewers and were also reviewed internally by OVW Program Specialists. During the internal review, OVW staff evaluated each application to determine whether the applications contained activities that might compromise victim safety, how well applicants for continuation funding had complied with the requirements of their current OVW grant awards, and whether they had an excess of funding remaining in their current awards. Each application sent to external peer review was evaluated and scored by a three-person panel composed of individuals with expertise in violence against women and the unique needs of tribal communities.

Based on the internal and external review of the applications, OVW made 55 awards through the Tribal Governments Program for FY 2018 for a total of \$35,023,525. Eighteen of these awards went to new applicants, and 37 went to continuation applicants. Reasons that applications did not receive funding included low peer review scores, incomplete applications, poor past performance, and excessive funds remaining from previous grants. A list of FY 2018 Tribal Governments Program awards is provided in Appendix D to this report.

For FY 2019, as in previous years, new applicants to the Tribal Governments program were able to request up to \$450,000. Although there was no explicit limit on the amount of funding that current grantees could request, OVW noted in the solicitation that it might not be able to offer awards to them in excess of \$900,000 because of the anticipated demand for funding. OVW expects to issue the FY 2019 Tribal Governments Program awards by September 30, 2019.

Tribal Jurisdiction Program

VAWA 2013 recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. This provision also created a grant program for tribal governments or their designees to, in SDVCJ cases:

- 1) strengthen tribal criminal justice systems;
- 2) provide counsel for indigent defendants;
- 3) ensure that jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and
- 4) accord victims rights that are similar to the rights of a crime victim described in section 3771(a) of Title 18, consistent with tribal law and custom.

Funds may be used for law enforcement, prosecution, trial and appellate courts, probation systems, detention and correction facilities (including medical care up to a maximum of 20 percent of the total project budget), alternative rehabilitation centers, culturally appropriate services and assistance for victims and their families, and criminal codes and rules of criminal procedure, appellate procedure, and evidence.

Consultation recommendations and response: OVW specifically requested tribal leader input at the 2018 consultation on how to encourage more tribes to apply to the Tribal Jurisdiction Program and expend unobligated FY 2018 funds under the program. In response to tribal leaders’ testimony, OVW made the following changes to the FY 2019 Tribal Jurisdiction Program:

- Shortened the solicitation significantly
- Minimized the number of documents required at the time of application so that only tribes selected for funding would have to submit grant-related documentation
- Removed the restriction on using funds for minor renovations
- Removed the requirement to submit and receive approval of the SDVCJ questionnaire prior to using funds for the purpose of prosecuting or incarcerating non-Indian defendants
- Posted the solicitation twice to maximize the number of applications

For both FY 2018 and FY 2019, new applicants for the Tribal Jurisdiction Program were able to request up to \$450,000 for three years, and continuation applicants could request up to \$300,000 for two years. Eligibility for the program includes both tribes that are already exercising or immediately prepared to exercise SDVCJ and those that intend to use funding for planning and preparation activities related to implementing SDVCJ.

In FY 2018, OVW received six applications for the Tribal Jurisdiction Program. All applications were reviewed internally by an OVW Program Specialist. During the internal review, OVW staff evaluated each application to determine eligibility and screen for activities that might compromise victim safety or otherwise be outside the scope of the program. Based on the amount of funds available, all applications received were funded for a total of \$2,601,156. The remaining unobligated balance of \$1,620,773 was allocated to support tribal prosecutions through additional FY 2019 awards under OVW's Tribal Special Assistant United States Attorney initiative, discussed in Part 3 of this report. A list of FY 2018 Tribal Jurisdiction Program awards is provided in Appendix D.

For FY 2019, OVW took the steps described above to increase the number of applications under the Tribal Jurisdiction Program and anticipates awarding all but eight dollars of the FY 2019 funds appropriated for this program by September 30, 2019.

TSASP

Section 202 of VAWA 2005 created the Sexual Assault Services Program (SASP), which encompasses five different funding streams, including a program specifically for tribal communities. By statute, 10 percent of the amount appropriated for SASP is directed towards TSASP funding. Overall, the purpose of SASP is to provide intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault. The goal of TSASP is to create, maintain, and expand sustainable sexual assault services provided by tribal governments and tribal organizations, which are uniquely situated to respond to the needs of AI/AN sexual assault victims. By statute, tribal governments, tribal organizations, and tribal non-profits are the only eligible entities for TSASP funding.

In response to the FY 2018 TSASP solicitation, OVW received 11 applications. Each application was reviewed for eligibility, completeness, proposed project activities within the scope of the TSASP statutory purpose area, and any proposed activities that might compromise victim safety. Upon completion of the internal review, all applications were forwarded to peer review and evaluated by an external review panel. The panel was made up of three individuals with expertise in the areas of sexual assault, victim advocacy, and serving tribal communities. Based on the internal and external review of the applications, OVW made 10 awards through TSASP for FY 2018 for a total of \$3,214,981. A list of FY 2018 TSASP awards is provided in Appendix D to this report.

For FY 2019, OVW posted a TSASP solicitation on January 16, 2019, and expects to issue awards by September 30, 2019.

Tribal Coalitions Program

OVW's Tribal Coalitions Program provides funding to certain nonprofit organizations to support tribal communities in ending violence against AI/AN women. Grant funds can be used to increase awareness of domestic violence and sexual assault; enhance the

federal, state, and tribal response to violence against Indian women; provide technical assistance to coalition membership and tribal communities to enhance access to essential services for victims of domestic and sexual violence, including sex trafficking; and assist tribes in developing and promoting legislation and policies that enhance best practices for responding to violent crimes against AI/AN women. VAWA authorizes three funding sources for tribal coalitions. The first is a distribution of 1/56 of the STOP Violence Against Women Formula Program appropriation. The second is five percent of the appropriation for the Improving the Criminal Justice System Response to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program. The third is not less than one percent of the total appropriation for SASP and is available only to those coalitions that are involved in sexual assault work. At least 90 percent of Tribal Coalitions Program funding is to be equally divided among the recognized tribal coalitions that apply each fiscal year, and up to 10 percent may be awarded to new coalitions.

For FY 2018, OVW issued awards to 18 recognized tribal coalitions and no awards to new tribal coalitions for a total of \$6,714,666. A list of FY 2018 Tribal Coalitions awards is provided in Appendix D to this report.

For FY 2019, OVW issued an invitation to apply to recognized coalitions and organization(s) determined by OVW to be qualified to apply to incorporate and operate a tribal coalition in an area where Indian tribes are located but no coalition exists. OVW anticipates making awards by September 30, 2019.

In addition to these four tribal programs, tribal governments are eligible to apply directly to a number of the other grant programs authorized by VAWA, and OVW continues to receive applications from tribes for those programs. FY 2018 OVW grant awards to tribes and tribal organizations from all OVW programs are included in Appendix D to this report.

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

Section 904(a) of VAWA 2005, as amended by VAWA 2013, calls for NIJ, in consultation with OVW, to conduct analyses and research on violence against Indian women in Indian country and Alaska Native villages.² In conducting its analyses and research, NIJ must focus on dating violence, domestic violence, sexual assault, sex trafficking, stalking, and murder, and evaluate the effectiveness of federal, state, tribal, and local responses to violence against Native women.

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

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

NIJ's program of research examining violence against AI/AN women in Indian country and Alaska Native villages also supports other extramural and intramural research and evaluation studies that are expected to: produce a deeper understanding of the issues faced by AI/AN women; expand the body of criminal justice policy-relevant research; and help formulate public policies and prevention strategies to decrease the incidence of violent crimes committed against Native women. Results from all of these studies are anticipated to help establish and enhance justice systems that will successfully restore victim safety and promote healing. For information on the current status of this program of research, see Appendix B.

VAWA 2005 also required the establishment of a federal advisory committee to provide advice and recommendations in the development and implementation of NIJ's program of research, known as "the Task Force on Research on Violence Against American Indian and Alaska Native Women" (Task Force). Task Force members have provided feedback on NIJ's program of research priorities, research design strategies, research and evaluation protocols, and research and evaluation findings. Under the statute, Task Force members must include representatives from tribal governments (or officially approved delegates), national tribal domestic and sexual violence non-profit organizations, or national tribal organizations. On July 16, 2018, the Attorney General signed the Task Force's re-charter. **To obtain input from additional tribal stakeholders, OVW has previously solicited nominations for new members and is currently seeking additional nominations. OVW is particularly interested in individuals with law enforcement, prosecutorial, and research experience.** Once new members are in place, OVW and NIJ expect to schedule a Task Force meeting shortly thereafter.

OVW Deputy Director for Tribal Affairs

Sherriann Moore, Rosebud Sicangu' Lakota, serves as Deputy Director, Tribal Affairs Division (TAD) in OVW. Established by section 907 of VAWA 2005, the Deputy Director for Tribal Affairs carries out statutory responsibilities relating to violence against AI/AN women, including administering tribal grants, developing federal policy, and strengthening the federal response to violent crime in tribal communities. Ms. Moore currently oversees a staff of grant program specialists, coordinates implementation of the tribal provisions of VAWA, and consults with tribal leaders to gain a better understanding of the needs and challenges that tribes face related to public safety and justice in their communities. She is also responsible for planning and facilitating the annual Government-to-Government Consultation on Violence Against AI/AN women. In addition to managing OVW's tribal grant funds, OVW's TAD works to build tribes' capacity to reduce violence against AI/AN women and collaborates with other DOJ components and federal agencies to increase the focus on sex trafficking and murdered or missing women in tribal communities. This includes new initiatives, such as improving responses for AI/AN populations residing in urban locations, augmenting the role of men in reducing violence in tribal communities, expanding OVW's Tribal Coalitions Program to serve tribes and tribal organizations throughout Indian country, strengthening sovereign responses to sex trafficking in Indian country, and developing partnerships with tribal colleges and universities to offer online certifications related to violence against women, as well as continuing to collaborate with tribes to end violence against AI/AN women.

Implementation of VAWA 2005 and 2013 provisions on federal prosecutions in Indian country

Enhanced Criminal Law Resources

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

In July 2010, DOJ's Executive Office for United States Attorneys (EOUSA) launched the National Indian Country Training Initiative (NICTI) to ensure that federal prosecutors, as well as state and tribal criminal justice personnel, receive the training and support needed to address the particular challenges relevant to Indian country prosecutions. This training effort is led by the Department's National Indian Country Training Coordinator and is based at the National Advocacy Center (NAC) in Columbia, SC. Since its inception, the NICTI has delivered over 100 residential training opportunities at the NAC or other locations around the country. In addition, the NICTI Coordinator lectures regularly around the country for other federal agencies, tribes, and tribal organizations.

NICTI training is designed to support DOJ priorities and initiatives in Indian country. During calendar years (CY) 2018 and 2019, the overwhelming majority of NICTI residential training classes at the NAC focused on the investigation and prosecution of domestic violence, sexual assault, and human trafficking. Examples include the Indian Country Strangulation and Suffocation Seminar, Sexual Assault Nurse Examiners' Expert Witness Training, and National Institute on the Prosecution of Domestic Violence in Indian Country.

In CY 2018, hundreds of criminal justice and social service professionals received NICTI residential training at the NAC. These students represented federally recognized tribes, United State Attorneys' Office (USAO) employees, and federal, state, and tribal organizations serving Indian country. Students' professions ranged from law enforcement, prosecutors, and judges to victim advocates, medical and social services professionals, and forensic interviewers. Each class offering is fully subscribed, and there is typically a long waiting list of applicants hoping to be admitted. The majority of students attending classes are from tribes or tribal organizations. Of particular note, DOJ's Office of Legal Education covers the costs of travel and lodging for tribal attendees at classes sponsored by the NICTI. This allows many tribal criminal justice and social service professionals to receive cutting-edge training from national experts at no cost to the student or tribe. The NICTI Coordinator also participates every year in dozens of trainings hosted by USAOs, tribes, and tribal technical assistance providers. Her travel costs are covered by DOJ.

Domestic Assault by an Habitual Offender

Section 909 of VAWA 2005 created a new federal crime, "Domestic Assault by an Habitual Offender," 18 U.S.C. § 117, which enables federal prosecutors to charge any person who commits a domestic assault within Indian country and who has a final conviction on at least two

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

A review of DOJ’s case management data shows that the number of defendants indicted under this provision has steadily increased from 12 in FY 2010 to 49 in FY 2018, with 30 indicted for the first three quarters of FY 2019. The increase in numbers of cases indicted is likely due to the Supreme Court’s favorable decision in 2016 in *Bryant*.

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

Tribal Criminal Jurisdiction over Crimes of Domestic Violence

VAWA 2013 (codified at 25 U.S.C. § 1304) recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. The Act also specified the rights that a participating tribe must provide to defendants in SDVCJ cases.

In June of 2013, the Department established an Intertribal Technical-Assistance Working Group on Special Domestic Violence Criminal Jurisdiction (ITWG) to exchange views, information, and advice about how tribes can best exercise SDVCJ, combat domestic violence, recognize victims’ rights and safety needs, and fully protect defendants’ rights. To date, approximately 50 tribes have joined the ITWG, and almost all of them have remained actively engaged in ITWG meetings, webinars, and exchanges of information. The Department is supporting the ITWG with training and technical assistance, including an award by OVW to the National Congress of American Indians (NCAI) to support the ITWG’s ongoing work. The ITWG held its 12th in-person meeting on May 29-30, 2019 in Columbia, SC at the NAC.

As of June 2019, 25 tribes have reported to NCAI that they have implemented SDVCJ. These tribal nations collectively report 237 arrests of non-Indian abusers leading to 95 convictions. None of the SDVCJ non-Indian defendants has filed a *habeas* petition in federal court challenging his or her arrest or prosecution.

Amendments to the Federal Assault Statute

VAWA 2013 recognized the gravity of strangulation and suffocation crimes, including their lethality in domestic violence cases, by amending the federal assault statute, 18 U.S.C. § 113, to include a specific charge of assault or attempted assault by strangulation or suffocation. This change in the law, which was effective March 7, 2013, makes it possible to prosecute in Indian country a perpetrator who commits or attempts to commit an act of strangulation against a spouse, intimate partner, or dating partner. The statute defines strangulation as the intentional, knowing, or reckless impeding of the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck – and importantly – regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim. This statute has been used with increasing frequency by federal prosecutors. In FY 2013, three strangulation cases were charged. In FY 2014, the number of strangulation cases indicted rose dramatically to 42 and reached 112 in FY 2018. As of June 30, 2019, 81 cases have been indicted for FY 2019.

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

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

In addition to the work described above responding to the concerns that tribal leaders raised at the 13th VAWA consultation (Part One) and implementing VAWA and its subsequent reauthorizations (Part Two), DOJ has provided training and resources to enhance investigations and prosecutions of crimes against AI/AN women and support comprehensive services for victims of these crimes. As a part of these efforts, DOJ, in collaboration with DOI and HHS, has taken a number of actions that respond to concerns and recommendations from past consultation sessions. These activities are discussed below.

- **Attorney General Barr's Alaska Visit** – In May 2019, Attorney General William P. Barr visited Alaska to hear directly from tribal representatives about the public safety challenges in their communities and to bear witness to the consequences of historically inadequate support. During the trip, the Attorney General participated in an Alaska Native Justice Roundtable in Anchorage and met with Alaska Native youth and elders in Galena, Alaska. The Attorney General also visited a women's shelter in Bethel and traveled by boat with Senator Lisa Murkowski to visit the remote village of Napaskiak. As a result of time spent in Alaska, Department leadership at the highest levels expressed a renewed commitment to improving public safety in Indian country and Alaska Native villages and is directly engaged in seeing that commitment through.
- **Four Corners Indian Country Conference** – Then-Principal Deputy Associate Attorney General Jesse Panuccio delivered remarks at the 26th Annual Four Corners Indian Country Conference on September 19, 2018. He emphasized the Department's priority to reduce violent crime, including addressing the trafficking, disappearance, and murder of Native women and girls. He also noted the increasing number of federal prosecutions of habitual domestic violence offenders in Indian country and the role of these prosecutions in deterring a pattern of escalating violence and preventing future, sometimes deadly, violence.
- **Trilateral Working Group on Violence Against Indigenous Women** – In October 2018, then-Principal Deputy Associate Attorney General Jesse Panuccio and Assistant Secretary for Indian Affairs Tara Sweeney attended the third meeting of the Trilateral Working Group on Violence Against Indigenous Women and Girls in Mexico City. The meeting featured delegations from the United States, Canada, and Mexico, including indigenous women leaders from all three countries. Participants discussed best practices for preventing violence against indigenous women and girls, challenges for their access to justice, and the importance of economic empowerment and youth leadership in prevention efforts. United States Attorney Kurt Alme of Montana, United States Attorney John Anderson of New Mexico, then-Acting Director of OVW Katharine T. Sullivan, and OVW Deputy Director for Tribal Affairs Sherriann Moore also attended.
- **Federal Victim Assistance in Indian Country** – The FBI's Office for Victim Assistance (OVA) has 53 Indian country-designated victim assistance positions, including 44 Victim

Specialists (VSs) and nine child/adolescent forensic interviewers (CAFIIs). In addition to these 53 designated positions, numerous additional VSs and CAFIIs respond to victims of crime and conduct forensic interviews in Indian country.

- **OVW Violence Against Women Tribal SAUSA Initiative** – In FY 2018, OVW partnered with United States Attorneys’ Offices (USAOs), EOUSA, and five tribes to support the tribes and USAOs in their investigation and prosecution of Indian country cases involving sexual assault, domestic violence, dating violence, stalking, and certain sex trafficking cases. The tribes received funds primarily from OVW’s Rural Program to work with their USAO partner to hire or retain a mutually agreed upon attorney to be cross-deputized as both a Special Assistant United States Attorney (SAUSA) and a tribal prosecutor. The tribal SAUSAs are to be appointed to a three-year fellowship position to be divided between the USAO and the tribal prosecutor’s office, as agreed between the USAO and the tribe. The cross-designated prosecutors maintain an active caseload, while also helping to promote higher quality investigations and better inter-governmental communication. The five tribes currently funded through the Violence Against Women Tribal SAUSA Initiative are included in the list of FY 2018 Tribal Grant Awards in Appendix D. OVW expects to issue a new solicitation for additional awards under this initiative, using reprogrammed funds from the FY 2018 Tribal Jurisdiction appropriation, in the early fall of 2019.
- **Indian Country Criminal Investigator Training Program** – DOJ’s National Indian Country Training Initiative (NICTI) works closely and partners frequently with the FBI and BIA. The NICTI Coordinator serves as faculty at the Indian Country Criminal Investigator Training Program (ICCITP), held twice each year at the Indian Police Academy in Artesia, NM; this multi-week training course is for FBI and BIA agents as well as tribal law enforcement officers new to working in Indian country. ICCITP also includes a victim assistance training module led by either BIA’s or FBI’s victim assistance program.
- **Indian Country Trial Advocacy Seminar** – The NICTI, in partnership with BIA’s Office of Justice Services Tribal Courts program, developed a week-long trial advocacy course for tribal SAUSAs and tribal prosecutors working for tribes implementing special domestic violence criminal jurisdiction. The inaugural session was held March 19-23, 2018. Additional training is tentatively planned for FY 2020. In addition, the NICTI Coordinator has served as faculty at several regional trial advocacy or VAWA training sessions hosted by BIA’s Tribal Courts Program.
- **Criminal Jurisdiction in Indian Country/Special Law Enforcement Commission Training Project** – This training project represents a collaborative effort between DOJ’s NICTI, the USAOs, and BIA. The training curriculum was developed by the NICTI Coordinator and four experienced Assistant United States Attorneys (AUSAs). The class is available to sworn law enforcement officers seeking to get a Special Law Enforcement Commission (SLEC). An SLEC enables these officers to enforce federal criminal statutes and federal hunting and fishing regulations in Indian country. Attending a Criminal Jurisdiction in Indian Country (CJIC) class and passing the test at the end of the

course are two of the BIA requirements to get an SLEC. All USAOs teaching the course use the same standardized set of training materials, which allows a tribe to send an officer anywhere in the country where a class is being offered. The curriculum includes a training block on sexual assault, domestic violence, and child abuse, as well as a section on the Crime Victim Rights Act. In 2018, there were 500 law enforcement officers who attended one of 16 CJIC trainings held at the NAC or hosted by a USAO or tribal police department. All applicants for the course have their applications and eligibility vetted by BIA before being admitted to a class.

- **Sexual Assault Nurse Examiner Expert Witness Video Training Project** – The NICTI partnered with the International Association of Forensic Nurses to develop and produce a video training product on using SANEs as expert witnesses at trial. The purpose of the training video is to provide examples of testimony for nurses and prosecutors who are involved in sexual assault criminal cases. It is important to understand that procedures such as how to qualify a witness as an expert may vary between jurisdictions. There may be different expectations for testimony depending on the type of legal proceeding or legal system. Rules can be different in state, federal, tribal, or military courts. The role of the nurse may vary depending on whether the nurse is providing opinions as an expert or only testifying as a fact witness. The finished product has 18 separate training segments.
- **Indian Country Domestic Violence Fatality Review Video Training Project** – OVW provided funding to Northern Arizona University (NAU) to develop a new training video as an outgrowth of a NICTI training program and the work of the Montana Domestic Violence Fatality Review (DVFR) Team. In July 2015, the NICTI partnered with Dr. Neil Websdale, the National Domestic Violence Fatality Review Initiative (NDVFRI), and the Montana DVFR Team on a national domestic violence fatality review training held at the National Advocacy Center in Columbia, SC. Multidisciplinary teams from tribal communities across the country attended. Following completion of the training, course faculty received many requests for assistance in starting a DVFR or for additional information on the fatality review process to provide to tribal leadership and criminal justice personnel. This training video is an effort to meet these requests in a cost-efficient manner. The project team is comprised of the NICTI, Video/Action, the NDFVRI, and the Montana DVFR Team. The video was released in 2018.
- **Video Training Project on the Collection, Analysis, and Presentation of Forensic Evidence** – In 2018, NIJ and the NICTI, in partnership with the Forensic Technology Center of Excellence (FTCoE), launched development of a new training series on the latest scientific advances and best practices for the detection, collection, packaging, and testing of physical evidence. The target audience for this project is federal, state, and tribal law enforcement, medical providers, forensic experts, and prosecutors working in Indian country and Alaska Native villages. Training topics will include: identification of physical evidence left at crime scenes, such as DNA, hair, latent prints, etc.; proper collection techniques; cultural awareness concerning evidence collection in tribal communities; evidence collection and packaging of samples at emergency room and tribal health care facilities and clinics; forensic testing methods; proper interpretation of laboratory reports; and defensible courtroom practices when introducing evidence or

laboratory reports of tested samples at trial. The initiative was kicked off in 2018 with a two-day working group meeting. The working group is comprised of subject matter experts in Indian country and Alaska, including federal and tribal law enforcement, federal and state prosecutors, forensic nurses, FBI crime lab scientists, the NICTI Coordinator, and staff from NIJ and OVW. Since the initial meeting, NIJ and NICTI staff have interviewed AUSAs and law enforcement personnel working Indian country violent crime to identify cases where forensic evidence was crucial in making the case. Lessons learned from these cases will serve as key content for the training videos. A subset of the working group is developing a resource document to serve as a companion to the training videos. The expected finish date for the project is spring 2020. The videos will be available on the FTCoE website, and a rural or tribal jurisdiction may obtain copies in other media formats as well.

- **National Indian Country Clearinghouse on Sexual Assault (NICCSA) – OVW** provides funding to the Southwest Center for Law and Policy (SWCLAP) to support this clearinghouse, which includes a website, www.NICCSA.org, and a toll-free helpline to assist Indian country justice and service professionals. NICCSA's SAFESTAR (Sexual Assault Forensic Examinations, Services, Training, Advocacy, and Resources) project trains laypersons and traditional health care providers in tribal communities to deliver emergency first aid to sexual assault survivors, collect and preserve forensic evidence, provide referrals for victims, and education communities about sexual assault prevention. A new SAFESTAR office in Alaska is bringing training and site visits focused on sexual assault response to remote Alaska Native villages, including a new Alaska-specific helpline for professionals who need assistance with law enforcement, advocacy, health care, or legal issues. As discussed in Part One of this report, OVW also is providing NICCSA funding to the International Association of Forensic Nurses, in collaboration with SWCLAP, to train community health aides and victim advocates in Alaska Native villages.
- **Tribal Track at April 2019 Conference on Crimes Against Women – OVW** worked closely with conference organizers to include a set of workshops focused on tribal concerns, including sessions on drafting enforceable tribal protection orders, using changes in federal law to prosecute domestic violence offenders in tribal and federal court, responding to cases of missing indigenous women, and the role of OVW's Violence Against Women Tribal SAUSA Initiative in ensuring greater accountability for offenders and strengthening mutual trust among tribal law enforcement, victims, and federal prosecutors. OVW's Tribal Affairs Division also hosted a lunch session on using OVW programs and technical assistance to address violence against AI/AN women.
- **Tribal Resource Tool: Resources for Survivors of Crime and Abuse –** This web-based resource mapping tool has been available at <https://www.tribalresourcetool.org/> since December 2018 and helps crime victims and victim service providers identify the continuum of services and support available wherever a Native victim is seeking services – on or off reservation and in remote, rural, suburban, and urban locations. The tool was developed by the National Center for Victims of Crime, NCAI, and the TLPI with an FY 2015 award from OVC. The team continues to identify gaps in services for AI/AN

victims and to work with stakeholders to gather and analyze information about services on and off reservation, in remote areas such as Alaska, and in rural, urban, and suburban settings.

- **Project Beacon: Increasing Services for Urban American Indian and Alaska Native Victims of Sex Trafficking** – In FY 2019, OVC issued a second solicitation for this project, originally launched in FY 2016 to increase the quantity and quality of services available to AI/AN victims of sex trafficking who reside in urban areas. The FY 2016 Project Beacon grantees are: Seattle Indian Center, the American Indian Center of Chicago, and First Nations Community HealthSource in Albuquerque, NM. Grantees have educated service providers, other professionals, and community members in a variety of settings, including colleges and universities, Indian country, and urban population centers, about the needs of AI/AN victims of trafficking. They have also created collaborative partnerships with key tribal, state, local, and federal stakeholders by joining state and local human trafficking task forces and signing Memoranda of Understanding to create a network of comprehensive services for AI/AN sex trafficking victims. OVC expects to expand the project to new urban communities by making up to seven awards to eligible applicants to provide direct services to AI/AN victims of trafficking, and one award to a qualified organization to provide training and technical assistance to the direct services grantees.
- **Sovereign Responses to Sex Trafficking** – OVW made a competitive FY 2018 award to the Minnesota Indian Women's Sexual Assault Coalition (MIWSAC) to provide comprehensive training and technical assistance on sex trafficking in Indian country and Alaska Native villages. MIWSAC, in cooperation with OVW and their project partners, Mending the Sacred Hoop, TLPI, and Men as Peacemakers, hosts Strengthening Sovereign Responses to Sex Trafficking in Indian Country national conferences and related roundtables, including summary reports and recommendations. They also provide training for victim advocates and justice system personnel and enhance the project's website to include downloadable resources for developing tribal codes and raising awareness.
- **National Native Men's Gatherings** – White Bison received an FY 2018 OVW award to host two Native men's gatherings, the first of which is scheduled for October 2019. These meetings build on two earlier roundtables and highlight the need for inclusion of men in ending violence against AI/AN women and the need for all to heal, providing opportunities for learning and sharing around criminal justice responses, accountability, and community engagement. OVW is expecting up to 250 participants and will use the feedback and momentum from the first gathering to plan for the second one in 2020.

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



FYSB Family & Youth
Services Bureau

Family Violence Prevention & Services Program

FVPSA FY 2019 Funding and Program Highlights

FVPSA Funding for Tribes and Tribal Organizations

- By the end of FY 2019 (September 30, 2019) the Family Violence Prevention and Services Act (FVPSA) Program will have awarded a total of \$20,170,059 to Tribes (including Alaska Natives) and tribal organizations in formula grants; \$2,290,000 to tribal-specific resource centers; and \$1,077,292 in support of specialized services for abused parents and their children, totaling \$23,537,351.

FVPSA Formula Grants for Tribes

- The Family Violence Prevention and Services Act (FVPSA) is statutorily mandated to support Native American Tribes (including Alaska Native Villages) and tribal organizations through an allocation of not less than 10% of the total appropriation (less amounts reserved under Section 312). The purpose of these grants is to: 1) assist Tribes in efforts to increase public awareness about, and primary and secondary prevention of family violence, domestic violence, and dating violence; and 2) assist Tribes in efforts to provide immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence, and their dependents (42 U.S.C. § 10401(b)(1)-(2)). The allocation for Tribes in FY 2019 is \$15,170,059.
- The FY 2019 Consolidated Appropriations Act included for appropriations to the FVPSA Program, which included a \$5 million increase over the FY 2018 enacted appropriation level. Congressional Appropriations Committee Report language directed the \$5 million increase be for the purposes of supporting Native American Tribes and tribal organizations. With the \$5 million increase, the total amount allocated to Tribes in FY 2019 is approximately \$20,170,059.
- In 2019, the Family Violence Prevention and Services Act (FVPSA) program will award \$20,170,059 in FVPSA formula grants to over 200 tribal domestic violence programs through Tribes (including Alaska Natives), tribal organizations and tribal consortia. FVPSA is the primary federal funding source dedicated to providing immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence and their dependents. Annually, ten percent of the amount appropriated to FVPSA is allocated to Tribes. The table below shows the number of grants made categorized by award amount.

	FY 2019
Total Funding for Tribal Formula Grants	20,170,759
Range of Awards	\$46,000 to \$1,570,815
Number of Tribes Funded	243
Number of Grants	142
Number of Grants at \$17,453-\$17,454	60
Number of Grants between \$24k and \$157k	73
Number of Grants between \$202k and \$872k	9
Number of Grants over \$1,000,000	4

Fiscal Year 2019 will be awarded to tribal programs by September 30, 2019.

FVPSA Formula Funding Opportunity Announcement

- The Family Violence Prevention and Services/Domestic Violence Shelter and Supportive Services/Grants to Native American Tribes (including Alaska Native Villages) and Tribal Organizations, [HHS-2018-ACF-ACYF-FVPS-1349](https://www.fvpsa.gov/2018/02/28/hhs-2018-acf-acyf-fvps-1349), **application due date is February 28, 2020.**
- Mandatory grant recipients are required to use the [Online Data Collection System \(OLDC\)](https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html) to submit the Application for Federal Assistance SF-424 Mandatory Form (SF-424M) and upload all required documents. The form is available to applicants and grantees at <http://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html>.
- This funding opportunity is designed to assist Tribes in their efforts to support the establishment, maintenance, and expansion of programs and projects to: 1) prevent incidents of family violence, domestic violence, and dating violence; 2) provide immediate shelter, supportive services, and access to community-based programs for victims of family violence, domestic violence, or dating violence, and their dependents; and 3) provide specialized services for children exposed to family violence, domestic violence, or dating violence, underserved populations, and victims who are members of underserved populations (45 CFR §1370.10(a)).
- The FVPSA tribal formula grant funds shall be used to identify and provide grants to eligible entities for programs and projects that are designed to prevent incidents of family violence, domestic violence, and dating violence by providing immediate shelter and supportive services; and that may include paying for the operating and administrative expenses of the facilities for a shelter for adult and youth victims of family violence, domestic violence, or dating violence, and their dependents; and which may be used to provide prevention services to prevent future incidents of family violence, domestic violence, and dating violence (42 U.S.C. § 10408(a)) and 42 U.S.C. § 10408(b)(1)(A)).
- Although Tribes (federally recognized), tribal organizations, and nonprofit private organizations authorized by a federally-recognized Tribe may apply for funding under this FOA, allocated funds will be awarded to federally recognized Tribes only. An

individual Tribe may submit an application on its own behalf or as part of a consortium with other Tribes.

- When ACF makes the awards, each federally recognized Tribe will receive an allocation of the total funds available based on a formula incorporating its population.

FVPSA Discretionary Grants

- **National Indian Resource Center Addressing Violence Against Indian Women (NIRC) (\$1,290,000)** – In their 4th year of a 5-year cooperative agreement award, the National Indigenous Women's Resource Center (NIWRC) continues to serve as the NIRC. In this role, NIWRC ensures that American Indian, Alaska Native, and Hawaiian Native victims of domestic violence, advocates, community-based programs, educators, legal assistance providers, justice personnel, health care providers, policy makers, and government leaders at the local, state, Tribal, and federal levels have access to up-to-date information and technical assistance and training on promising practices, policies, research, and victim resources. In 2019, NIWRC released their mobile app: Advocate! For easy access to webinars and other resources. NIWRC provided between 3458-3569 hours of recorded resources in 2019.
- **Alaska Native Women's Resource Center (\$1 million)** – In 3rd year of a 3-year cooperative agreement, the Alaska Native Women's Resource Center (AKNWRC) to serve as a state resource center to reduce tribal disparities and enhance the capacity of Alaska Native Tribes and tribal organizations to respond to family violence, domestic violence, and dating violence in a culturally sensitive and effective manner. The AKNWRC will address an array of issues including lack of village-based shelter and comprehensive victim advocacy services, and to support development of village-based responses to domestic violence, which will help reduce and prevent murders of Native women.
- **Specialized Services for Abused Parents and their Children (SSAPC)** - FVPSA's SSAPC demonstration grants are 4 year projects (FY 2017- 2020) that were created to provide specialized services (behavioral interventions, therapy, support groups, mentorship, etc.) for children and youth, as well as build or enhance systems and programs' capacity to better respond to children. There were 12 grant recipients of this award. Two of the SSAPC grants were awarded to Native-specific programs.
 - **SouthEast Alaska Regional Health Consortium (SEARHC) (\$538,646)** – The SEARHC project works to increase capacity for its behavioral health division staff located in Juneau and in the rural health clinics, and to provide core and comprehensive domestic violence services to parents, children, and youth. The goal of this project is to improve systems and responses to abused parents and their children, and to youth exposed to domestic violence; enhance residential and non-residential services for children and youth exposed to domestic violence; and contribute to the knowledge base of evidence-informed and practice-informed services for children's domestic violence programs.

- **Cook Inlet Tribal Council, Inc. (CITC) (\$538646)** – Through a critical alignment of community partners – including the tribal social services provider administering Tribal Temporary Assistance for Needy Families (TANF) benefits in the Anchorage area; Anchorage Community Mental Health Services (ACMHS); and Abused Women’s Aid in Crisis (AWAIC) – CITC will co-locate and streamline screenings, referrals, case management, and prevention advocacy services, and culturally appropriate, trauma-informed mental health treatment for abused parents and children and youth exposed to family violence, at CITC’s Nat’uh Social Services Center.

FVPSA Helpline

StrongHearts Native Helpline

- The StrongHearts Native Helpline (1-844-7NATIVE) celebrates its third year as the first national helpline for native victims of domestic violence. In March 2019, StrongHearts opened their first call center in Eagan, Minnesota and is an essential resource to all AN/NA by helping to fill a gap in critically needed support services that are specialized to address the unique barriers often faced by Native survivors of intimate partner abuse. StrongHearts now has a database in place to identify culturally-specific and tribally-based resources for American Indians and Alaska Natives, nationally. By dialing 1-844-7NATIVE (1-844-762-8483) Monday through Friday from 9 a.m. to 10:00 p.m. CST, callers can connect, at no cost one-on-one, with knowledgeable StrongHearts advocates who can provide lifesaving tools and immediate support to enable survivors to find safety and live lives free of abuse. After hour calls are answered by the Hotline. Learn more about the StrongHearts Native Helpline at www.strongheartshelpline.org.

FVPSA 2019 Tribal Grantee Meeting

- The **FVPSA 2019 Tribal Grantee Meeting will be held August 13-15, 2019 in Seattle, Washington** at the Edgewater Hotel (additional details to register are available at <https://www.f2-fvpsa.net/tribal.html>). The primary purpose of the tribal grantee meeting is to:
 1. Provide direct technical assistance to existing FVPSA grantees to enhance and support their efforts to successfully implement programs supported by FVPSA funds;
 2. Build capacity to respond effectively to domestic violence, dating violence, and family violence; and
 3. Foster partnerships among organizations that have not traditionally worked together to address trauma and abuse.

- It is our hope that FVPSA grantees will be able to attend this very important meeting. Should you have any additional questions, please feel free to reach out to Betty Johnson via email at Betty.Johnson@acf.hhs.gov or by phone at (202) 205-4866.

FVPSA Leadership and Staffing Update

- In January 2019, the FVPSA Program welcomed a new Director, Shawndell N. Dawson. Ms. Dawson can be contacted at (202)205-1476 or Shawndell.Dawson@acf.hhs.gov.
- In April 2019, the FVPSA Program welcomed a new Program Manager for the FVPSA Formula Grants Program, Rickeya N. Franklin. Ms. Franklin can be contacted at (202) 401-5067 or Rickeya.Franklin@acf.hhs.gov.
- In May 2019, the FVPSA Program welcomed a new Program Specialist for the FVPSA Formula Grantees in Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and Virginia. Mr. Pinero can be contacted at (202) 401-5524 or Brian.Pinero@acf.hhs.gov.
- In July 2019, the FVPSA Program promoted Ms. Betty Johnson to a Program Specialist for FVPSA Tribal grantees in Idaho, Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Oregon Pennsylvania, Washington, West Virginia, Wisconsin, and Virginia. Ms. Johnson can be contacted at (202) 205-4866 or Betty.Johnson@acf.hhs.gov.

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



Indian Health Service Forensic Healthcare Services

What is Forensic Healthcare?

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

Training

The Indian Health Service (IHS) Forensic Healthcare Program was established in 2011 to address sexual assault, intimate partner violence, child sexual abuse, and elder maltreatment within American Indian and Alaskan Native (AI/AN) communities. The program trains providers in forensic medical examinations, evidence collection techniques, and their role in developing a coordinated community response to address violence. Since inception of this vital program, 1,956 health care professionals serving AI/AN communities have been trained as forensic examiners. Between 2018 and 2019, IHS trained 507 forensic examiners, including:

- 239 adult/adolescent sexual assault examiners;
- 192 pediatric sexual abuse examiners; and,
- 76 intimate partner violence examiners

To further support forensic examiners after initial training is completed, IHS coordinates several hands-on clinical skills labs for adult/adolescent examiners including the coordination of pediatric forensic exam mentoring experiences at three high-volume pediatric forensic exam centers. The clinical lab experiences are available to both novice examiners requesting additional practice experience and seasoned professionals looking for a review. As additional support to our providers, IHS has hosted 56 webinars related to intimate partner violence, sexual assault, and child sexual abuse with almost 6,000 viewings. Subjects for the quarterly webinars are tailored to address new guidelines or hot topics that forensic examiners have requested additional training on or are in need of review. For example, in 2019 training on use of the Danger Assessment tool will be available to subscribers through the Tribal Forensic Healthcare Program. Further, IHS hosts monthly virtual pediatric case review sessions with participating IHS and tribal pediatric sexual assault programs, an opportunity for staff to discuss treatment provided and review specific clinical issues with an overall goal of learning from each other in a quality improvement environment. Medical forensic examination training can be located at

www.tribalforensichealthcare.org. Training is provided at no cost to IHS, Tribal, Urban Indian, and referral health care providers serving American Indians and Alaska Natives.

In 2017, the IHS Clinical Support Center released a three-part general staff training series regarding the impact of domestic and sexual violence on health, screening guidelines, and encouragement of universal education using culturally appropriate patient safety cards. This training can be accessed at: https://ihs.adobeconnect.com/e2b07jin8lv/event/event_info.html. This year, an additional educational series will be created to further address topics such as consent, teen dating violence prevention curriculum, and intimate partner violence screening tools. These educational trainings are designed to be culturally-sensitive to better serve American Indian and Alaska Native communities.

Policies

IHS hospitals and health clinics follow national policies in the Indian Health Manual (IHM) for forensic health care services. There are currently three policies under Part 3 of the IHM available at www.ihs.gov/ihm.

- IHM, Part 3, Chapter 29 “Sexual Assault” – released March 2011, and updated in February of 2018. Directs IHS-operated facilities to provide access to a medical forensic exams on-site, by referral, or a combination of both, to patients age 18 and older who present for sexual assault. Patients who are referred elsewhere must be transported within a two hour drive time of the victim’s originating medical facility.
- IHM, Part 5, Chapter 27 “Responding to Requests for IHS Employee’s Testimony or IHS Documents in Proceedings where the United States is not a Party” – released October 2015. Establishes policy for responding to subpoenas or requests for testimony following the Tribal Law and Order Act (TLOA) of 2010.
- IHM, Part 3, Chapter 31 “Intimate Partner Violence” – released October 2016. Directs IHS-operated facilities to provide access to medical forensic exams in cases of intimate partner violence without a sexual assault component. In recognition of the frequency of intimate partner violence co-occurring with sexual violence, certain segments are directly linked to the sexual assault policy.

An additional policy entitled, ***Protecting Children from Sexual Abuse by Health Care Providers*** (IHM, Part 3, Chapter 20), was released in February of 2019. This policy will strengthen patient safety and increase staff awareness of reporting responsibilities. All staff within the Indian Health Service must complete training on this new policy by September 30, 2019.

Domestic Violence Prevention Program

The Domestic Violence Prevention Program (DVPP), formerly called the Domestic Violence Prevention Initiative, or DVPI, is a congressionally mandated, nationally coordinated grant and Federal award program for Tribes, Tribal organizations, federally facilities, and Urban Indian organizations. The purpose of the national program is to provide domestic violence prevention and treatment services. The DVPP promotes the development of evidence-based and practice-based models that represent culturally appropriate prevention and treatment approaches to

domestic and sexual violence from a community-driven context. The DVPP expands outreach and increases awareness by funding projects that provide victim advocacy, crisis intervention, case coordination, policy development, community response teams, sexual assault examiner programs, and community and school education programs. In 2017, IHS expanded the funding for this program and funded an additional 26 DVPP projects to the existing 57 previously approved sites. DVPP currently funds 83 projects totaling \$11.2 million to tribes, tribal organizations, and Urban Indian organizations, and IHS federal facilities program awards. More information is available at www.ihs.gov/dvpi.

Contact Information

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Appendix B – Tribal Crime and Justice Research & Evaluation Studies



The National Institute of Justice's Program of Research Examining Violence Experienced by American Indian and Alaska Native Women Living in Indian Country and Alaska Native Villages

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

UPDATES ON NIJ DIRECTED & FUNDED RESEARCH & EVALUATION

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

The National Baseline Study (NBS) is a first-of-its kind, involving the largest number of federally recognized tribes, that seeks accurate and more detailed information on domestic violence, sexual violence, and stalking perpetrated against AI and AN women living on tribal lands and in Alaska Native communities. Under the direction of NIJ, this study will capture important information on both recent and lifetime victimization rates. The research will also examine available support services, perceptions of public safety, and opinions on law enforcement response.

This multi-year study is being conducted in geographically dispersed tribal communities across the U.S. (the lower 48 states and Alaska) using a NIJ-developed sampling strategy for which the primary aim is to provide an accurate national victimization rate of violence



committed against AI and AN women. The multistage sampling plan provides a practical and accurate approach that will involve enlisting a large number of federally recognized tribes and randomly selecting tribal households from each participating tribe in which all adult AI and AN women (18 years and older) in the household will be approached to participate.

The NBS is focused solely on Native women who live in tribal communities. The NBS study will capture significantly more information than previous studies have done. The study has direct implications for women living in tribal communities. The NBS instrument was designed to help address gaps not only in health and legal services and their respective outcomes, but also in criminal jurisdiction, particularly for victims living on tribal lands. The information from this study is expected to inform prevention and intervention efforts focused on all Native people, mindful of the fact that such efforts must be tailored to meet the specific needs arising from the different types of victimization experienced.

Unfortunately, the study schedule was delayed for a number of reasons. These include: study site recruitment, instrument development and testing, and complex coding and programming of the administration modes being used. Additionally, federal contracting laws limit the ability to extend contract periods beyond their initial period of performance. However, NIJ is very pleased to announce that the National Baseline Study Research Contract (NBSRC) was awarded on May 23, 2019, to American Indian Development Associates (AIDA), LLC (the study's original NBSRC incumbent) under the direction of Ada Pecos Melton. NIJ held a kickoff meeting with the AIDA NBSRC team on June 19, 2019. In the very near future, AIDA will begin contacting study sites to: (1) reestablish and build local relationships, (2) complete essential tasks for obtaining tribal approvals, and (3) conduct community education and awareness by applying culturally relevant and appropriate strategies for community involvement.

As the NBS starts up again, NIJ wants to assure tribal leaders and stakeholders of our commitment to completing the NBS study given the importance of the topic and the urgent need to support healthy and safe tribal communities. NIJ knows this study is required to provide a critical foundation for quantifying the magnitude of violence and victimization experienced by Native women living in tribal communities and understanding their service needs.

Death Investigations and Identification of Decedents: Implications for Race and Ethnicity

NIJ has commissioned a report that will provide an overview of federal, state, and tribal mandates, laws, policies, and practices for reporting death and mortality data. This study will include an overview of personnel conducting death investigations: their qualifications, accreditation requirements, and the jurisdictional placement (federal, state, local, tribal) of



those authorized to conduct medical death investigations (e.g., medical examiners and coroners [ME/C]).

The primary focus of the report will be on death investigations as they pertain to determining causes of death of AI and AN people. The report will detail:

- Standards and practices of death investigations (i.e., types of death investigations, methods/tests used/applied, death classifications, evidence collected to determine classification, and typical turnaround times).
- Standards and practices of racial and ethnic identification of decedents, known and unknown, by ME/C (e.g., DNA testing, visual verification) including under conditions of uncertainty (i.e., skeletonized remains or significantly decomposed remains).
- The research on the validity and reliability of race and ethnic-origin reporting on death certificates in the U.S.
- The different data sources reporting death/mortality data including the strengths and weaknesses of each to include the quality and reliability of death rates by race as well as the ethnicity origin by data source.
- The extent to which missing data and miscoding or misclassification of AI and AN people impacts death investigations as well as other factors that may constrain or enhance effective case resolution.

NIJ EXTRAMURALLY FUNDED RESEARCH

Tribal Youth Victimization Study

The Tribal Youth Victimization Methods Study or TYVS, is a methods study conducted in partnership with several tribal communities and organizations located in Alaska and in the Northwest and Southwest of the U.S. The TYVS goals are to develop a research strategy and survey instrument for collecting information on violence and victimization experienced by AI and AN youth in tribal communities and other settings throughout the country.

The TYVS survey was designed to measure experiences of violence and victimization that young people see, hear, and experience. The survey measures a range of risk, resiliency, and protective factors. The TYVS involved cognitive testing of the survey instrument at two sites with 33 youth between the ages of 12 and 20. The cognitive test findings were used to adjust study methods and instrumentation. A pilot study is currently underway where the final instrument is being administered to approximately 375 youth and young adults between 13 and 20 years of age, at three sites using two different survey delivery modes. The pilot test findings will form the basis for recommendations about research methods and approaches for a future national study.



Pathfinder: Evaluating Services to Native American Victims of Sex Trafficking

There is a lack of availability of sex trafficking recovery programs in the U.S. and only one—Pathfinder Center—that provides culturally responsive services specific to Native American women victims of sex trafficking. This project seeks to demonstrate a Native-specific sex trafficking delivery model and create a blueprint to replicate the program throughout other parts of Indian country. ICF Incorporated has partnered with the Pathfinder Center to conduct an 18-month formative and preliminary outcome evaluation of Pathfinder’s services for Native American victims of sex trafficking using a community-based participatory research approach that is culturally responsive and trauma-informed. The study will integrate survivors’ voices and key stakeholders throughout all project activities, which includes a systematic literature review, key informant interviews, and staff and client surveys. The research concludes with a final report, in the form of a proposed outcome evaluation of Pathfinder, and a special report detailing the Pathfinder-ICF partnership.

NEW NIJ TRAINING SERIES UNDER DEVELOPMENT

Collection, Analysis, and Presentation of Forensic Evidence Video Training Project

In order to provide information concerning the latest scientific advances and best practices for the detection, collection, packaging and testing of physical evidence, NIJ staff has partnered with the Forensic Technology Center of Excellence (FTCoE) and the Department’s National Indian Country Training Initiative (NICTI) to develop a new training series that will be made available in multiple media formats. The target audience for this project is federal, state, and tribal law enforcement, medical providers, forensic experts, and prosecutors working in Indian country and Alaska Native villages. Training topics will include the following: identification of physical evidence left at crime scenes, like DNA, hair, latent prints, etc.; proper collection techniques; cultural awareness concerning evidence collection in tribal communities; proper evidence collection and packaging of samples at emergency room and tribal health care facilities and clinics; forensic testing methods; proper interpretation of laboratory reports; and defensible courtroom practices when introducing evidence or laboratory reports of tested samples at trial. FTCoE will develop videos, which will be available on the Center’s website and also made available in other media formats, that can be accessed easily by any rural or tribal jurisdiction member that requests copies.

The initiative was kicked off in 2018, when the Collection, Analysis, and Presentation of Forensic Evidence Working Group met for a two-day session at the National Advocacy Center in Columbia, S.C. The working group is comprised of subject matter experts in Indian country and Alaska. Participants included federal and tribal law enforcement,



federal and state prosecutors, medical professionals representing the International Association of Forensic Nurses, a sexual assault policy expert from the OVW, FBI crime lab scientists, the National Indian Country Training Coordinator, and NIJ staff.

Since the time of the initial meeting, NIJ and NICTI staff have interviewed Assistant United States Attorneys (AUSAs) and law enforcement personnel working on Indian country violent crime to identify cases where forensic evidence was crucial. Lessons learned from these cases and by investigators and the AUSAs will serve as key content for the training videos. In addition, a smaller subset of the Working Group is developing a resource document to serve as a companion to the training videos. The projected finish date for the project is spring 2020.

NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM (NamUs)

The National Missing and Unidentified Persons System, also known as NamUs, is a national centralized repository and resource center for missing persons, unidentified decedent records, and unclaimed persons. NamUs is fully funded by NIJ and is managed in partnership with the University of North Texas Health Science Center. NamUs is unique in that it brings together law enforcement, medical examiners, coroners, forensic experts, families, and the public to help resolve missing, unidentified, and unclaimed person cases throughout the United States. More important, NamUs allows for greater cooperation between federal, state, local, and tribal government agencies and the public and focuses equally on solving cases involving children, youth, and adults.

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

There is no cost associated with NamUs services. NamUs has been recognized around the world for its ability to help identify missing and unidentified persons, but also for giving family members and the general public the ability to participate in the process by adding new cases and by searching for matches between the NamUs databases.

As of July 1, 2019, the NamUs database contained 16,208 published missing person cases, 12,829 published unidentified person cases, and 5,833 cases of unclaimed decedents who have been identified by name, but whose next of kin have not been located to inform them of the death. Of those missing person cases, 145 are Native American females and 240 are Native American males. Of the unidentified person cases, there are 23 Native American females and 95 Native American males. NIJ does not believe these numbers reflect the



complete population of missing and deceased people. NamUs information is limited to, and based on, system use. In most states, law enforcement is not required to report to NamUs. However, seven states have missing person legislation that includes NamUs¹. NIJ and the NamUs staff are actively working to increase knowledge of, and engagement with, this system to increase and improve a coordinated response to missing and unidentified person cases.

NamUs Training and Technical Assistance

NamUs offers free DNA testing to help resolve cases as well as anthropological evaluations. NamUs also offers dental acquisition, coding and comparisons, and fingerprint comparisons. A collaborative project between NamUs and the FBI Latent Print Unit has allowed for the identification of 253 unidentified persons as of July 1, 2019.

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

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

- **Lori Bruski, Regional Program Specialist, Region 6:** CT, ME, MA, MI, NH, NY, RI, and VT | (817) 718-7904 | Lori.Bruski@unthsc.edu
- **Amy Dobbs, Regional Program Specialist, Region 5:** AL, KY, MS, NJ, PA, TN, and WV | (817) 304-8873 | Amy.Dobbs@unthsc.edu
- **Dustin Driscoll, Regional Program Specialist, Region 1:** AZ, CO, HI, NM, NV, UT, Guam and Saipan | (817) 240-4106 | Dustin.Driscoll@unthsc.edu
- **Jessica Hager, Regional Program Specialist, Region 2:** AK, ID, MN, ND, OR, SD, WA, and WY | (817) 374-2765 | jessica.hager@unthsc.edu
- **Michael Nance, Regional Program Specialist, Region 4:** AR, LA, OK, and TX | (918) 527-0080 | Michael.Nance@unthsc.edu
- **Allen Neal, Regional Program Specialist, Region 3:** IA, IL, IN, KS, MO, NE, OH, and WI | (682) 347-8829 | Allen.Neal@unthsc.edu
- **Allison O'Neal, Regional Program Specialist, Region 9:** California | (817) 372-4169 | allison.oneal@unthsc.edu
- **Carrie Sutherland, Regional Program Specialist, Region 7:** FL, GA, NC, PR, SC, and VI | (817) 202-5931 | carrie.sutherland@unthsc.edu



associated with a missing or murdered loved one. To respond to this need, NIJ has partnered with the Office for Victims of Crime to create a NamUs Victim Services Division (VSD). The Division will link families of missing and murdered victims with service providers, support networks, and other resources to help them navigate the complex and difficult environment in which they find themselves. The VSD will develop:

- A victim-notification protocol specifically designed for NamUs, based upon recently introduced evidence-based protocols currently in the field.
- Training for NamUs staff and affiliated law enforcement on trauma-informed victim notification and death notification.
- A network of family members who have been vetted and trained by professional counselors to provide peer-to-peer support to other family members dealing with the emotional trauma of having a missing loved one, or who have had a loved one go missing and later be found deceased.
- A resource page and interactive map on the NamUs website of national, state, tribal, and local organizations that provide support to families and friends of missing persons.²
- A reunification and re-interment program will be used for helping lost loved ones return home. It can be a great hardship for families to afford the reunification process which includes exhumation and returning the body home. Funding of this type allows NamUs to help defray reunification costs to return these victims to their families for proper burial.

NamUs Violence Against Women Research

NamUs has recently developed a Research Division to develop and implement projects related to the NamUs mission. These projects will draw primarily on NamUs case data and user participation to answer questions related to case characteristics and investigations. For its initial project, the Research Division has partnered with OVW to investigate the issue of violence against women entered in the NamUs database. The overarching goal of this project is to enhance understanding of violent missing/unidentified person cases that will improve NamUs services for persons involved in such cases and their families. Activities to achieve this goal include:

- **Violent case classification:** To determine the prevalence and scope of violence against women in NamUs, it is necessary to first classify cases as either violent or non-violent. For unidentified person cases, the manner of death (i.e., homicide) as reported by the medical examiner or coroner will be used to classify cases as violent. For missing person cases, a qualitative, automated classification method

² Resource information will be developed in coordination and collaboration with the [Tribal Resource Mapping Tool](#) team (i.e., National Center for Victims of Crime [NCVC], National Congress of American Indians [NCAI], Tribal Law and Policy Institute [TLPI], and StrongHearts Native Helpline) to ensure it does not duplicate any existing services.



using case circumstance information will be developed and implemented to determine if cases involved violence.

- **Sex-specific violent case characteristics:** Following case classification, violent and non-violent cases may be compared by person characteristics (e.g., race/ethnicity, age group), case characteristics (e.g., geography, seasonality), and investigative characteristics (e.g., biometric availability) to determine if cases involving violence differ significantly from non-violent cases in ways that may benefit our understanding of the contextual factors associated with violence in NamUs. Additionally, such comparisons will be made for both males and females to identify any significant differences that may be specific to women. This will inform system improvement recommendations.
- **Final violent case disposition:** While NamUs maintains active missing and unidentified person cases, once cases are resolved, knowledge of outcomes for persons involved in these cases is largely unknown. To better understand these outcomes, follow-up surveys will be conducted with professional case contributors for cases classified as violent to determine various aspects of the case, including if a perpetrator was identified, the victim-perpetrator relationship, and any criminal justice action or involvement (e.g., arrest, prosecution, conviction) that may have resulted from the case.
- **AI/AN Special Section:** To provide better information on the context of violence against AI/AN women in NamUs specifically, additional analyses examining the prevalence and characteristics of cases involving AI/AN persons may be conducted. Such analyses may include comparison of violent case prevalence between Public Law (PL) 280 and non-PL280 states, as well as by type of agency handling such cases (e.g., tribal, local, state, federal). The results will provide much needed context to understand the complexities of case investigation, such as jurisdictional issues, for missing persons and unidentified decedents in Indian country and Alaska Native villages.

Overall, this project will result in improved understanding of the factors associated with violent crimes, missing, and unidentified person cases, including how violence may impact investigations and the extent to which violence is addressed following case resolution. From these results, recommendations will be made for improved data collection, enhanced services, and future research to ensure the most positive outcomes for involved persons and their loved ones.

Appendix C – Analysis of OVW Tribal Grant Programs Funding for FY 2019

At past consultation sessions, tribal leaders have requested that DOJ provide a table showing how funds appropriated for tribal programs are spent by OVW. The table on the next page, along with the list of grant recipients in Appendix D, responds to this request. Please note, however, that because the 2019 consultation is taking place before the end of the fiscal year, the table on the next page provides estimated amounts to be awarded for FY 2019, and the list of recipients in Appendix D is for FY 2018.

	Tribal Governments¹	Tribal Jurisdiction	Tribal Coalitions²	Tribal Sexual Assault Services³
FY 2019 Appropriation	\$40,450,000	\$4,000,000	\$6,864,286	\$3,750,000
Prior Year Carry Forward & Recoveries⁴	\$2,462,459	\$1,220,769	\$1,052,036	\$408,070
<i>Technical Assistance, Peer Review & Evaluation Reduction & Special Projects</i>	<i>-\$2,991,765⁵</i>	<i>-\$1,603,419⁶</i>	<i>-\$833,910</i>	<i>-\$1,098,000</i>
<i>FY 2019 Rescission⁷</i>	<i>-\$1,639,821</i>	<i>-\$11,066</i>	<i>-\$648,324</i>	<i>-\$41,308</i>
<i>Salaries & Expenses Reduction⁸</i>	<i>-\$2,188,046</i>	<i>-\$216,370</i>	<i>-\$369,955</i>	<i>\$0</i>
Amount available for FY 2019 grants	\$36,092,827	\$3,389,914	\$5,689,132	\$3,018,762
Estimated amount to be awarded in FY 2019	\$33,146,506	\$3,389,906	\$6,064,126	\$3,018,758
Remaining balance	\$2,946,321	\$8	\$6	\$4

¹ In FY 2019, the Tribal Governments Program was funded through the appropriations for seven other OVW grant programs and did not receive its own appropriation line.

² In FY 2019, the Tribal Coalitions Program was funded through the appropriations for the STOP, Improving Criminal Justice System Responses (formerly known as Arrest), and Sexual Assault Services Programs and did not receive its own appropriation line.

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

⁴ The Prior Year Carry Forward amount includes both funds that were not obligated in the prior year and funds that were deobligated. Deobligated funds and recoveries are funds that are returned after the end of a grant award for any number of reasons. Recoveries are as of March 31, 2019.

⁵ This includes \$300,000 for capacity-building technical assistance for tribes and tribal CTAS strategic planning.

⁶ This amount includes a reprogramming of \$1.2 million in prior year carry forward funds to support Violence Against Women Tribal SAUSA awards to tribal governments.

⁷ The FY 2019 appropriation included a \$10 million rescission of OVW budget authority. The rescission balance is satisfied with prior-year deobligated funds. Also, the amount was distributed across a number of OVW programs, including the tribal-specific programs.

⁸ In FY 2019, OVW did not receive an appropriation for management and administration expenses. As a result, OVW assessed the majority of its grant programs to cover management and administration expenses.

Appendix D – FY 2018 OVW Tribal Grant Awards

Grantee	Award Amount	Solicitation
Absentee Shawnee Tribe of Indians of Oklahoma	\$ 898,035.00	OVW FY 18 CTAS 5 TGP
Akiak Native Community	\$ 663,901.00	OVW FY 18 CTAS 5 TGP
Alaska Native Justice Center	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Alaska Native Justice Center	\$ 600,000.00	OVW LAV FY 2018
Alaska Native Women's Resource Center	\$ 400,000.00	OVW TA FY 2018
Allakaket Village	\$ 403,521.00	OVW FY 18 CTAS 5 TGP
American Indians Against Abuse	\$ 373,037.00	OVW Tribal Coal FY18
Aroostook Band of Micmacs	\$ 899,135.00	OVW FY 18 CTAS 5 TGP
Blackfeet Tribe	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Bristol Bay Native Association, Incorporated	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Cahuilla Band of Indians	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Central Council	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Cheyenne and Arapaho Tribes	\$ 325,000.00	OVW TSASP FY 2018
Chickasaw Nation	\$ 880,142.00	OVW FY 18 CTAS 5 TGP
Chippewa Cree Tribe	\$ 300,000.00	OVW Elder FY 2017 S
Choctaw Nation of Oklahoma	\$ 722,518.00	OVW Rural FY 2018
Coalition to Stop Violence Against Native Women	\$ 373,037.00	OVW Tribal Coal FY18
Coeur d'Alene Tribe	\$ 325,000.00	OVW TSASP FY 2018
Columbia River Inter-Tribal Fish Commission	\$ 449,962.00	OVW FY 18 CTAS 5 TGP
Comanche Nation	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Confederated Tribes of the Colville Reservation	\$ 437,500.00	OVW TribalSAUSA FY18
Confederated Tribes of the Umatilla Indian Reservation	\$ 476,309.00	OVW FY 18 CTAS 5 TGP
Confederated Tribes of the Umatilla Indian Reservation	\$ 437,500.00	OVW TribalSAUSA FY18
Eastern Band of Cherokee Indians	\$ 245,797.00	OVW Elder FY 2017 S
Eastern Shawnee Tribe of Oklahoma	\$ 849,612.00	OVW FY 18 CTAS 5 TGP
Eight Northern Indian Pueblos Council, Incorporated	\$ 599,171.00	OVW LAV FY 2018
Emmonak Women's Shelter	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
First Nations Women's Alliance	\$ 373,037.00	OVW Tribal Coal FY18
Fort McDowell Yavapai Nation	\$ 405,488.00	OVW FY 18 CTAS 5 TGP
Fort Peck Assiniboine & Sioux Tribes	\$ 549,813.00	OVW Families FY 2018
Fort Peck Assiniboine & Sioux Tribes	\$ 437,500.00	OVW TribalSAUSA FY18
Grand Traverse Band of Ottawa and Chippewa Indians	\$ 325,000.00	OVW TSASP FY 2018
Havasupai Tribe	\$ 212,146.00	OVW FY 18 CTAS 5 TGP
Healing Native Hearts Coalition	\$ 373,037.00	OVW Tribal Coal FY18
Hoop Valley Tribe	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Hopi-Tewa Women's Coalition to End Abuse	\$ 373,037.00	OVW Tribal Coal FY18
Inter Tribal Council of Arizona, Incorporated	\$ 300,000.00	OVW Underserved FY18
Inter Tribal Council of Nevada	\$ 450,000.00	OVW FY 18 CTAS 5 TGP

Grantee	Award Amount	Solicitation
Iowa Tribe of Oklahoma	\$ 324,829.00	OVW TSASP FY 2018
Kaw Nation	\$ 398,651.00	OVW Elder FY 2017 S
Kawerak, Incorporated	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Kenaitze Indian Tribe	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Ketchikan Indian Community	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Kickapoo Traditional Tribe of Texas	\$ 390,599.00	OVW FY 18 CTAS 5 TGP
Klamath Tribes	\$ 899,248.00	OVW FY 18 CTAS 5 TGP
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	\$ 412,231.00	OVW FY 18 CTAS 5 TGP
Little River Band of Ottawa Indians	\$ 380,000.00	OVW Tribal Jur FY 18
Little Traverse Bay Bands of Odawa Indians	\$ 515,243.00	OVW Housing FY 2018
Little Traverse Bay Bands of Odawa Indians	\$ 500,000.00	OVW Rural FY 2018
Lower Sioux Indian Community	\$ 443,332.00	OVW FY 18 CTAS 5 TGP
Lummi Indian Nation	\$ 325,000.00	OVW TSASP FY 2018
Lummi Nation	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Mending the Sacred Hoop	\$ 373,037.00	OVW Tribal Coal FY18
Menominee Indian Tribe of Wisconsin	\$ 899,600.00	OVW FY 18 CTAS 5 TGP
Mescalero Apache Tribe	\$ 810,408.00	OVW FY 18 CTAS 5 TGP
Minneapolis American Indian Center	\$ 400,000.00	OVW SASP CSS FY 2018
Minnesota Indian Women's Sexual Assault Coalition	\$ 800,000.00	OVW TA FY 2018
Minnesota Indian Women's Sexual Assault Coalition	\$ 373,037.00	OVW Tribal Coal FY18
Native Alliance Against Violence	\$ 350,000.00	OVW TA FY 2018
Native Alliance Against Violence, Incorporated	\$ 373,037.00	OVW Tribal Coal FY18
Native American Community Board	\$ 324,501.00	OVW Rural FY 2018
Native Village of Old Harbor	\$ 473,679.00	OVW FY 18 CTAS 5 TGP
Native Women's Society of the Great Plains	\$ 373,037.00	OVW Tribal Coal FY18
Nez Perce Tribe	\$ 286,649.00	OVW Elder FY 2017 S
Nez Perce Tribe	\$ 499,299.00	OVW Rural FY 2018
Northern Arapaho Tribe	\$ 498,648.00	OVW Rural FY 2018
Northern Arapaho Tribe	\$ 290,152.00	OVW TSASP FY 2018
Nottawaseppi Huron Band of the Potawatomi	\$ 600,830.00	OVW FY 18 CTAS 5 TGP
Orutsararmiut Native Council	\$ 449,558.00	OVW FY 18 CTAS 5 TGP
Osage Nation of Oklahoma	\$ 737,245.00	OVW FY 18 CTAS 5 TGP
Pascua Yaqui Tribe	\$ 450,000.00	OVW Tribal Jur FY 18
Penobscot Nation	\$ 899,556.00	OVW FY 18 CTAS 5 TGP
Pokagon Band of Potawatomi Indians	\$ 440,885.00	OVW FY 18 CTAS 5 TGP
Ponca Tribe of Nebraska	\$ 750,000.00	OVW Rural FY 2018
Port Gamble S'Klallam Tribe	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Port Gamble S'Klallam Tribe	\$ 445,037.00	OVW Tribal Jur FY 18
Pueblo of Acoma	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Pueblo of Nambe	\$ 800,000.00	OVW FY 18 CTAS 5 TGP
Pueblo of Pojoaque	\$ 324,266.00	OVW FY 18 CTAS 5 TGP
Pyramid Lake Paiute Tribe	\$ 900,000.00	OVW FY 18 CTAS 5 TGP

Grantee	Award Amount	Solicitation
Pyramid Lake Paiute Tribe	\$ 550,000.00	OVW Families FY 2018
Pyramid Lake Paiute Tribe	\$ 620,000.00	OVW Rural FY 2018
Quapaw Tribe of Oklahoma	\$ 885,971.00	OVW FY 18 CTAS 5 TGP
Quileute Tribe	\$ 686,142.00	OVW FY 18 CTAS 5 TGP
Quinault Indian Nation	\$ 275,673.00	OVW FY 18 CTAS 5 TGP
Red Lake Band of Chippewa Indians	\$ 899,999.00	OVW FY 18 CTAS 5 TGP
Red Wind Consulting, Incorporated	\$ 600,000.00	OVW TA FY 2018
Restoring Ancestral Winds, Incorporated	\$ 373,037.00	OVW Tribal Coal FY18
Rosebud Sioux Tribe	\$ 450,000.00	OVW Tribal Jur FY 18
Rosebud Sioux Tribe	\$ 437,500.00	OVW TribalSAUSA FY18
Sac and Fox Nation of Missouri	\$ 805,563.00	OVW FY 18 CTAS 5 TGP
Saint Regis Mohawk Tribe	\$ 325,000.00	OVW TSASP FY 2018
Salish Kootenai College	\$ 300,000.00	OVW Campus FY 18 II
Salt River Pima-Maricopa Indian Community	\$ 437,500.00	OVW TribalSAUSA FY18
Seven Dancers Coalition, Incorporated	\$ 373,037.00	OVW Tribal Coal FY18
Sexual Assault Services of Northwest New Mexico	\$ 325,000.00	OVW TSASP FY 2018
Shoshone-Bannock Tribes	\$ 865,900.00	OVW FY 18 CTAS 5 TGP
Skokomish Indian Tribe	\$ 628,550.00	OVW FY 18 CTAS 5 TGP
Southwest Indigenous Women's Coalition	\$ 373,037.00	OVW Tribal Coal FY18
Squaxin Island Tribe	\$ 450,481.00	OVW FY 18 CTAS 5 TGP
St. Croix Chippewa Indians of Wisconsin	\$ 426,119.00	OVW Tribal Jur FY 18
Strong Hearted Native Women's Coalition, Incorporated	\$ 373,037.00	OVW Tribal Coal FY18
Suquamish Tribe	\$ 450,000.00	OVW FY 18 CTAS 5 TGP
Taos Pueblo Administration	\$ 443,077.00	OVW FY 18 CTAS 5 TGP
Tetlin Tribal Council	\$ 527,107.00	OVW FY 18 CTAS 5 TGP
Three Affiliated Tribes	\$ 325,000.00	OVW TSASP FY 2018
Uniting Three Fires Against Violence	\$ 373,037.00	OVW Tribal Coal FY18
Wabanaki Women's Coalition, Incorporated	\$ 373,037.00	OVW Tribal Coal FY18
Wampanoag Tribe of Gay Head (Aquinnah)	\$ 900,000.00	OVW FY 18 CTAS 5 TGP
Wampanoag Tribe of Gay Head (Aquinnah)	\$ 325,000.00	OVW TSASP FY 2018
Washington State Native American Coalition Against Domestic Violence and Sexual Assault	\$ 373,037.00	OVW Tribal Coal FY18
White Bison, Incorporated	\$ 400,000.00	OVW TA FY 2018
Wise Women Gathering Place	\$ 300,000.00	OVW Underserved FY18
Wyandotte Nation	\$ 464,547.00	OVW FY 18 CTAS 5 TGP
Yavapai-Apache Nation	\$ 320,827.00	OVW FY 18 CTAS 5 TGP
Yup'ik Women's Coalition	\$ 373,037.00	OVW Tribal Coal FY18
Yurok Tribe	\$ 450,000.00	OVW Tribal Jur FY 18
	\$ 61,179,081.00	