

Enhancing Tribal State Relations to Support and Strengthen Tribal DV and Shelter Programs in Oregon

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What You Can Expect Today

- Oregon Government to Government Process (for state agencies) and tribal relations policies
- VAWA Implementation Planning process meaningfully includes Tribal Nations (understand past IP process within your state)
- Tribal Nation Listening Tour
- Tribes added to the joint allocation formula
- Tribal victim service programs receive noncompetitive grant funds
- Grant funding increases for TN with 2 noncompetitive grant awards
- Grantees must provide all survivors meaningful access to services
- Community Collaboration and Needs Assessment
- Accountability

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Groundwork (early steps taken)

- Understand Govt to Govt relations and state agency tribal relations policies
- Recruit Tribal representation on state advisory board and quickly get them informed
- Tribal Nations representative learn about statewide IP Advisory Subcommittee, language, the IP Subcommittee steps to work with Tribal Nations, keep own Tribal Nation informed at various level
- Conduct Tribal survey
- Listening Tour and initial VAWA Implementation Planning process

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Federal Indian Policies 1961 – present Self-Determination

Government-to-Government

"There are nine federally recognized tribal governments in the State of Oregon. *These Indian tribes were in existence prior to the formation of the United States of America, and thus retain a unique legal status. The importance of recognizing the relationship that exists between the tribes and the state governments can not be underestimated.*

As sovereigns the tribes and the State of Oregon must work together to develop mutual respect for the sovereign interests of both parties. The relationships between our governmental structures can only be built through trust and mutual respect.

The purpose of formalizing the government-to-government relationship that exists between Oregon's Indian tribes and the State is key to establish a process which can assist in resolving potential conflicts, maximize key inter-governmental relations and enhance an exchange of ideas and resources for the greater good of all Oregon's citizens, whether tribal members or not." ⁴

Oregon Governor's Executive Order 96-30

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CVSSD Administered Funding

- VOCA** Victims of Crime Act
- VAWA** Violence Against Women Act
- ODSVS** Oregon Domestic & Sexual Violence Services
- CFA** Criminal Fine Account
- CAMI** Child Abuse Multidisciplinary Intervention
- SASP** Sexual Assault Services Program
- AEAP** Anti-Terrorism & Emergency Assistance Program

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DHS Administered Funding

Domestic Violence Fund

- Criminal Fines Assessment Account (CFAA/DV)
- State surcharge on marriage licenses (MLT)
- Family Violence Prevention and Services Act (FVPSA)

Sexual Assault Fund

- Criminal Fines Assessment Account (CFAA/SA)

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Who Receives the Grant Funds?

Joint Allocation Formula and Statewide Funding

- Non-Profit Direct DV/SA Service Programs
- Tribal Victim Service/Assistance Programs

Other Federal Formula Non-Competitive Grant Funding

- Tribal Nations: DVSA Program, VAP, Tribal CASA, and more
- Prosecution-based Victim Assistance Programs
- Child Abuse Intervention Centers
- Child Abuse Special Advocate Programs
- Campus Sexual Assault Programs
- Human Trafficking Taskforces
- Special Population Programs

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Need for Statewide Assessment and Raised Awareness

- To improve DV/SA service delivery to all victims in Oregon
- Working to become more deliberate in how our funding affects all communities and Tribal Nations
- Inform Tribal Nations of State Administrative Agency, its funded programs and statewide resources in county service area
- Understand collaborative relationship between the non-profit and system-based DV/SA service provider and Tribal Nations
- Understand Tribal Nation county service area and its impact to service delivery from other CVSSD funded programs

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Listening Tour Focus

Conducted a total of 29 meetings including District Attorney and DA Victim Assistance Directors, Non-Profit Victim Service Directors, and Tribal Leaders and Program Staff from the 9 Federally Recognized Tribal Nations.

- Provided information about state administered state and federal grant funding that supports 47 non-profit and 36 prosecution-based victim service programs
- Enhanced relationships with Tribal Nations and obtained contact information
- Understand what tribes identified as service delivery barriers and challenges to current domestic and sexual violence services (as well as CVSSD grant funded programs)
- Provide ongoing technical assistance to tribal victim service programs (as requested) 9

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What we Learned During the Tour

- Understanding tribal county service areas
- Existing Tribal systems (law enforcement, court, prosecution, etc.)
- How and with whom Tribal Nations received training from
- Non-Tribal entities didn't feel comfortable asking which race, ethnicity or Tribal Nation
- Data for TN (or culturally specific organizations) not accurate or complete with non-Tribal entities having little to no data to share
- Language or context was a huge issue between Tribal Nation and non-Tribal entities (communication and words matter)
- Tribal Nations were not aware of city/county services
- Tribal Nations were not aware of Crime Victim Compensation 10

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How it Impacted the Work from the State Perspective

- Tribal services areas ranged from one to several county service areas which meant various dv/sa non-profits serve Tribal folks
- Various Indirect Cost Rates
- State RFA language amendments and grant agreements to include Tribal Nations
 - ✓ In Oregon, State Agency Tribal Liaison worked with TN and State to be more inclusive in their grant funding process
- Outreach to Tribal Nations on all CVSSD competitive and/or non-competitive grant solicitations
- Provided training and networking opportunities through community or statewide partners
- Share what we learned with Board and CVSSD staff

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How it Impacted the Work *Continued*

- Provided scholarships to dv/sa advocates (Tribal and non-tribal) to attend SVAA and Tribal, State and Federal Summit
- Facilitated some conversations with the tribal communities and non-profit victim service programs to improve long standing issues and concerns regarding service delivery to tribal victims
- Strengthened federal grant monitoring process to address required forms, desk review, and site visits
- Invite to IP meeting and review of IP (90-day public commenting period for Tribal Leadership)
- Advisory Board learned about Tribal Nations and jurisdictional maze (ongoing training to ensure decision makers understand how their decisions may impact TN)

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VAWA Implementation Plan

Tribal Nations included in the State STOP VAWA Implementation Plan Sections:

- Planning process
- State Partner Collaboration
- Population and Demographics
- Needs Assessment
- Laws Specific to Tribal Nations
- Funding priorities: Goals, Objectives, Activities and Performance Measures

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Implementation Planning Process

- In 2009, addressed meaningful inclusion of underserved, marginalized and/or oppressed communities and Tribal Nations to the planning process for the Statewide STOP VAWA Implementation Plan
- Understanding how the federal (Discretionary and formula-based grants) and state funds are disbursed in Oregon and impact tribal populations

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Equity Formula in the Joint Application

- What is the Joint Formula
- Sources of Funding
- Current Formula
- Tribal Nations in Equity Formula
- Two-part formula
 - “Base” or base amount for each service area derived from U.S. census or Tribal enrollment numbers
 - “Plus” considers additional population elements
- The formula relies on four elements that together determine the allocation of funds to each service area

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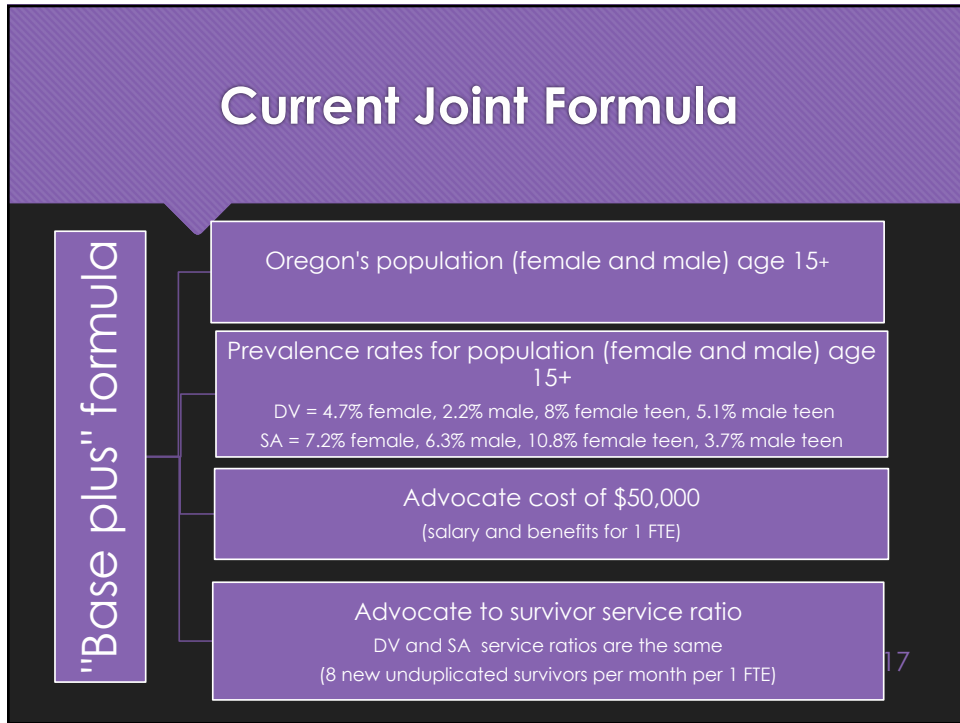
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Tribes in the Current Joint Formula

- “Base” amount for all Tribes set at \$20,000 in 2012
- Adjusted the “base” amount for Tribes in 2019
 - Adjusted the per capita rate for six Tribes to match that of Wallowa County
 - Increases allocation in the Joint Formula for 2019-2021
- The “base” for Tribes was derived from enrollment numbers

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Tribal Nations Funding in Oregon: Non-Competitive Joint Victim Service Award

Joint noncompetitive Application		Award Amount
FY 2013 – 2015; FY 2015 – 2017; and 2017 - 2019		7 of 9 tribes received \$40,000 for a 2-year award (State and federal VAWA pass thru)
FY 2019 – 2021	Joint subcommittee recommendations increased some tribal awards	<ul style="list-style-type: none"> • Three smallest tribes receive \$40k • Six tribes receive awards ranging between \$165,000 - \$215,000 • Increased allocations for all tribes to \$240,000 in the second year of this award period (pro-rated)
FY 2021 - 2023		Tribal programs currently receive \$240,000 for biennium

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Tribal Nations Funding in Oregon: VOCA Non-Competitive

VOCA Non-Competitive Award		Award Amount
April 2018 – September 2020		8 of 9 tribes receive \$312,500 for a 30-month award
October 1, 2020 – September 30, 2021	One year extension award to move tribal noncompetitive funding to the VOCA CFA noncompetitive application that also supports county DA Victim Assistance Programs	8 of 9 tribes receive \$125,000 for one year
FY 2021 – 2023 VOCA CFA noncompetitive application		8 of 9 tribes receive \$250,000 for two years 19

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Bearing in Mind - Always

TREATY

Self Governance Regulate Commerce

Jurisdiction

Continued existence

Trust Responsibility

Constitution & By-laws

Government to Government Relationship Sovereignty

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Community Collaboration

After visiting a Tribal Nations
dv/sa program, non-profit
shelter.

“Who is telling the truth here.”

They both are. The context is true
from each lens.

We may
misunderstand,
but we do not
misexperience.

Vine Deloria Jr.,
Standing Rock Sioux
1991

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Collaboration Missteps

- Don't let “we tried to reach them” serve as your final answer
- Resist saying “the services are there but they don't utilize them”
- Don't include representatives from TN at the table to speak (nontribal staff should be authorized to speak on behalf of TN)
- Automatically sending tribal victims back to the tribal program even though tribal victim may be seeking services from the community agency (*must be a victim centered approach*).

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Community Collaboration and Needs Assessment: 2018 to present

- Talk directly to tribal council, tribal leadership, and tribal program staff, other tribal employees
- Conduct program monitoring visits and provide technical assistance
- Hold a community collaboration meeting with the non-profit, government-based and tribal victim service programs along with the child abuse intervention center and underserved, marginalized and oppressed communities
- Provide technical assistance (as requested)

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Oregon Focuses on Enhancing Collaboration with Tribal Nations

- Board representation (Public Safety Cluster meetings and request to TN)
- VAWA Implementation Planning Subcommittee (tribal board members joined committee to invest in goal setting for tribal nations)
- Board (statewide decision makers) receive training on "Introduction to Indian Law, Tribal Relations and Criminal Jurisdiction in Indian Country" – State DOJ Native American Affairs Coordinator and Tribal Nations (ongoing as outlined in IP)
- Tribal Survey (understand the services and programs each tribe provided to tribal membership and how it connected to state DVSA service provision)
- Ongoing communication between Desireé and her tribal leadership and attorneys; between Diana and SAA management and Tribal Liaison; continued communication between Diana and Desireé Conducted Listening Tour
- Listening Tour Report (Tribal Nation 30-day review before report published)
- Oregon's STOP Implementation Plan for Oregon (includes "next steps"²⁴ from Listening Tour in IP goals and objectives)

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Tribal Nations: Steps for Enhanced Communication with State Administrator (and other local partners)

- Contact State Administrator (or local partner) that receives federal grant funds (VOCA and VAWA Formula Grant funds)
- Identify a key contact person within the state (or local agency) and Tribal Nations and develop a meaningful relationship
- Assess how to meet tribal victim service needs and gaps. Identify challenges or barriers in your tribal service area within the state (or service area). Include in strategic planning process within the service area
- Understand decision making structures and identify key staff at each of the federally recognized tribes and State (or local agency) for ongoing collaboration and resource sharing
- Educate the State board, State Administrative Agency staff, local partners/stakeholders and subgrantees on basic Indian law and history, legal status of tribes, criminal jurisdictional issues and historical trauma²⁵
- Take slow and deliberate steps to overcome barriers

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State Collaborative Partnerships with Tribal Nations – What we Learned

Tribal Nations	State
Decision making structure <ul style="list-style-type: none"> • Tribal Council • Executive Director/CEO • Program Director 	Decision making structure State agency <ul style="list-style-type: none"> • Attorney General • Division Director and management • Program Grant Administrators
Tribal Council, Staff and Community <ul style="list-style-type: none"> • Education and awareness of State Administering Agency grant funding • STOP VAWA (federal and formula) and history of funding 	Grant Advisory Board <ul style="list-style-type: none"> • Education and awareness of Tribal Nations • STOP VAWA (federal) and history of funding
Communication <ul style="list-style-type: none"> • Direct contact with Tribal leaders and staff by request • Contact list of Fund Coordinators at state level • Tribal Public Safety and Human Services Cluster meetings 	Communication <ul style="list-style-type: none"> • Tribal County Service Area • Primary, Secondary and Tribal Leader Contact list (DV/SA and other issues) • Included Tribal Nations on Statewide listserv for DV and SA contacts²⁶

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State collaborative partnerships with Tribal Nations cont.

Tribal Nations	State
Training <ul style="list-style-type: none"> • Grant Programs • Other State Agency Programs (Crime Victims Compensation and Address Confidentiality) • Annual Directors Day 	Training <ul style="list-style-type: none"> • Introduction to Indian Law, Tribal Relations and Criminal Jurisdiction in Indian Country • Annual Government to Government training

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Local Collaborative Partnerships With Tribal Nations

Non-Profit (Community based)	Government or Prosecution-based	Tribal Nations
Decision making structure <ul style="list-style-type: none"> • Advisory Board • Executive Director of Non-Profit Agency 	Decision making structure <ul style="list-style-type: none"> • County Commissioners • District Attorney • County District Attorney's Office/Victim Assistance Program 	Decision making structure (varies per tribe) <ul style="list-style-type: none"> • General Council • Tribal Council/Board • Executive Director/CEO • Program Director/Manager
<ul style="list-style-type: none"> • Education and awareness of operating policies and procedures • State, federal and fundraising monies supporting program (restrictions) and available services 	<ul style="list-style-type: none"> • Education and awareness of agency operations within a county government-based agency • State, federal and county funds supporting program (restrictions) and available services 	<ul style="list-style-type: none"> • Education and awareness of tribal operations within a federally recognized tribal government • State, federal and tribal funds supporting program (restrictions) and available services

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Local Collaborative Partnerships With Tribal Nations

Non-Profit (Community based)	Government or Prosecution-based	Tribal Nations
<p>Services</p> <ul style="list-style-type: none"> • Available Resources, Advocacy, Safety Planning, Shelter, 24-hour crisis line, first response to sexual assault, and direct services • Confidentiality and advocate privilege • Victim compensation benefits <p>Services provided within a county</p>	<p>Services</p> <ul style="list-style-type: none"> • Available resources, victim rights, VAP advocacy for survivor through criminal prosecution process, safety planning, Restraining Orders • Victim compensation benefits • Confidentiality <p>Services provided within a county</p>	<p>Services</p> <ul style="list-style-type: none"> • Available resources, Advocacy and safety planning, direct services • At varying degrees, each tribe may provide 24-hour crisis line, first response to sexual assault, and Restraining Orders • Confidentiality and advocate privilege (varies by jurisdiction and to whom they are providing service to) • Some tribes provide victim assistance programs and legal assistance programs • Victim compensation benefits <p>Services may be provided in multiple counties (tribal county service area), out of state or country</p>

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Identifying Local Collaboration

- How many tribal DVSA programs are providing domestic and/or sexual violence services? How many need assistance in developing a tribal victim service program?
- How many tribal DVSA programs have collaborative partnerships with mainstream organizations to provide tribal specific peer support groups, tribal specific training or provision of other culturally specific services for tribal victims in mainstream shelters?
- How many mainstream agencies are providing services, training or peer support groups to Tribal Nations? Is it meaningful?
- How many of you are aware of a mainstream agency providing culturally specific/tribally specific services within their program? If provided, is it meaningful?

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Local Community Collaborative Partnerships with Tribal Nations Vary Based on....

- Tribes analyze best path for development of their own DVSA program -

Tribe relies on community-based non-profit DVSA Programs for services

- Tribe may sign contractual agreements for services [not fair or equitable for one population group to pay for services]

Tribe working toward developing their own DVSA Program

- Oregon Tribes designated their Health, Social Service or Public Safety Departments
- Oregon Tribes develop program policies and procedures along with eligibility requirements to ensure their program meets their needs and grant requirements

Tribal Domestic and Sexual Violence Service Programs

- Tribe may work with community-based program for shelter
- Tribe and community-based program may share resources (co-advocacy)
- Develop an MOU or co-advocacy plan to ensure roles and responsibilities make sense and that all activities are allowable

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What not to do

- Contract with community-based shelter for tribal beds
- Contract with community-based victim service program for emergency support services for tribal survivors in shelter.
- ✓ Understand tribal financial policies
- Community-based programs reach out to tribes by a phone call rather than in person.

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Co-Advocacy Plan

Services may be provided/shared:

- Advocacy – forms, making appointments, etc..
- Children – school issues, childcare, DHS
- Civil Legal Assistance – divorce, parenting, immigration, etc.
- Clothing & Personal Care – clothing closet, personal care items, etc.
- Counseling/Support Groups – DV/SA groups, recovery support, mental health, etc.
- Criminal Justice Advocacy – Protective Order, Crime Victims Compensation, police report, etc.
- Cultural/Community – Support systems, important events, etc. ³³

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Co-Advocacy Plan Continued

Services to be provided/shared:

- Emergency Support Service funds – childcare, medication, diapers, transportation, etc.
- Employment – Job search, resume building, etc.
- Food – Food box, DHS, WIC, etc.
- Housing – emergency shelter and transitional housing
- Language – interpretation needs, literacy issues, etc.
- Medical – injuries, prescriptions, etc.
- Safety – safety planning, custody/visitation, etc.
- Spiritual/religious practice – support systems/practices, etc.
- Transportation – getting to appointments, gas vouchers, etc. ³⁴

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Next Steps: Slow and Deliberate Journey

- *Create a collective vision*
- *Create equity in grant funding, grant solicitations, and training opportunities*
- *Eliminate barriers and strengthen community-based domestic violence/sexual assault service delivery for Tribal Nations*

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Resources

- **OVW FAQ for State Consultation and Coordination with Tribes for STOP VAWA IP planning:**
https://www.doj.state.or.us/wp-content/uploads/2018/11/OVW_FAQ_on_State_consultation_and_coordination_with_tribes_with-OASG_FINAL....pdf
- **STOP VAWA Implementation Plan for Oregon:**
https://www.doj.state.or.us/wp-content/uploads/2017/11/fy_2017_2020_vawa_ip_fy_for_oregon.pdf
- **VAWA IP Timeline and Expectations in Oregon:**
https://www.doj.state.or.us/wp-content/uploads/2018/06/FY_2018-2020_VAWA_Implementation_Planning_Timeline.pdf

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THANK YOU!

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