

**OFFICE ON VIOLENCE AGAINST WOMEN
904 TASK FORCE VIRTUAL MEETING
SUMMARY OF MEETING**

December 13, 2022 1:00pm ET

The 904 Task Force was convened for a virtual meeting on December 13, 2022. Sherriann Moore, Deputy Director of Tribal Affairs Division, Office on Violence Against Women introduced Acting Director, Allison Randall, as the Designated Federal Officer for the meeting.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public.

Task Force members present:

Judge Holly Bird
Dr. Emily Wright
Captain Chris Rutherford
Sergeant Julia Oliveira

Federal Staff in attendance, in addition to Sherriann Moore and Allison Randall, were:

Dr. Nancy La Vigne, Director, National Institute of Justice
Cathy Poston, Attorney Advisor, Office on Violence Against Women
Christine Crossland, Senior Social Science Analyst, National Institute of Justice

Others present for all or a portion of the meeting were:

Caroline LaPorte, Facilitator

OPENING

Judge Holly Bird opened the proceedings with a traditional prayer.

DIRECTOR'S REPORT

Acting Director Randall updated the task force on the new provisions of the 2022 Violence Against Women Act (VAWA) Reauthorization: expanding the recognition of Tribal jurisdiction over additional crimes like sex trafficking. Acting Director Randall provided a brief overview of the history of the task force and OVW's support of the task force's work.

NIJ REMARKS

Director La Vigne mentioned NIJ's program of research examining violence against indigenous women. She discussed the key priority of "inclusive research" which she defined as research that makes time to listen to the people closest to the problem being studied. This research can run the gamut from community-based research to rigorous, experimental research. She mentioned the importance of engaging with people with lived experiences.

TASK FORCE MEMBER INTRODUCTIONS

The task force members introduced themselves including their name, location, Tribal affiliation, and professional background.

ATTORNEY ADVISOR REMARKS

Attorney Advisor Poston welcomed task force members and thanked them for their participation.

SENIOR SOCIAL SCIENCE ANALYST REMARKS

Senior Analyst Crossland thanked the task force members for their participation.

FACILITATOR REMARKS

Facilitator LaPorte explained the history of the task force, its role and purpose, and the role of the federal government. LaPorte explained that the research presented to the task force is a key part of meeting the federal government's trust responsibility.

PRESENTATION OF RESEARCH

Senior Analyst Crossland discussed the inclusion of missing persons, urban Indian communities, and Native Hawaiians under the 2022 VAWA Reauthorization. The NIJ flagship project, the National Baseline Study, would be reaching geographically disbursed Tribal communities using a sampling plan that involves recruiting Tribes. The study would be the first of its kind focused on collecting important data in Tribal communities. The study would look at lifetime and previous victimization experiences and resiliency and community strength. NIJ also funded a study on gender-based violence on campuses that was going to be used to help develop a culturally sensitive campus climate assessment for Tribal colleges and universities. NIJ also funded their first teen dating violence study focused on adapting and implementing the Fourth R curriculum for indigenous youth. NIJ also discussed a successful pilot study on missing and murdered indigenous people in Nebraska which would be replicated and expanded upon in New Mexico.

Senior Analyst Crossland discussed areas of interest for NIJ: the lifecycle and impact of extractive industries, particularly how they impact crime and victimization of indigenous populations; the oversampling of American Indian and Alaska Native (AI/AN) people that participate in the inaugural data collection of the CDC's National Intimate Partner and Sexual Violence Survey; death investigations of violent death and homicides and murders of indigenous people; the experience of Native women with sex trafficking; and jurisdictional and legal system responses and barriers to successful enforcement, apprehension, and prosecution.

Senior Analyst Crossland spoke about challenges NIJ faced in relation to their program of research: limited resources including funding and staffing; lack of applications or proposals for Tribal research; lack of bidirectional learning opportunities between scientists and Tribal Nations; lack of available data.

Key findings from previous studies were discussed. A previous study on extractive industries showed a significant increase in sexually based crimes. One of the important things that came out of that study was conversation about failing infrastructure: lack of behavioral health, child and foster care, and available, affordable housing. This information came to light in qualitative research and may not have been picked up in a strictly quantitative study. A study on the Alaska Village Public Safety Officer program was discussed: use of village public safety officers acted as a force multiplier for State Troopers as first responders. Then she discussed a CDC study based on analysis of the National Violent Death Reporting System. This analysis showed that the homicide rate of AI/AN men was three times higher than that of AI/AN women and firearms were used in nearly half the homicides. A recently published census of medical examiners and coroners' offices showed that those serving Tribal communities overwhelmingly lacked access

to key databases that would facilitate casework. NamUs data was also discussed. The information they were able to extrapolate from NamUs was not specific to Tribal communities (due to lack of data) but did indicate that most missing persons cases did not involve violence. Finally, a study published by the National Center for Missing and Exploited Children where most of the children were recovered in a very short time.

TASK FORCE FACILITATED DISCUSSION

Question 1: Of the studies completed to date, what are some key takeaways that you think the National Institute of Justice should emphasize in their dissemination efforts, and why?

Judge Bird expressed excitement that there was a report on extractive industries but expressed a belief that victimization was under-reported. She explained law enforcement or provision of services has not caught up to the need for those things in the communities impacted by extractive industries and man camps. She mentioned several locations impacted by extractive industries over the years and raised the issue of increased violence experienced by families under stress when extractive industries fail.

Dr. Wright stressed the value of placed on learning from Tribal members themselves and are the Tribal members aware of what services may be available. She noted that lack of knowledge can be a huge barrier and pointed towards community members not knowing how to enter or check names of missing persons in NamUs. Tribal members must be able to engage with what is available to them and can't if they aren't informed. Her second point was the lack of cultural understanding and cultural sensitivity amongst victim services providers and advocates – do mainstream practices work in Tribal communities?

Captain Rutherford referenced the study that mentioned firearms and his concern that there were questions that need to be resolved around the purchase of the firearms such as whether background checks have been done, was it a straw purchase, etc.

Sergeant Oliveira agreed with Captain Rutherford and mentioned her concerns about accurately gathering data related to use of firearms.

Dr. Wright discussed returning to Tribal communities with their findings and getting the Tribal community to explain what the data and findings mean to them. This helps the researchers understand the data better. She emphasized the importance of getting information from the Tribal communities themselves about what the research means.

Judge Bird circled back to the issue of firearms and expressed her support for research that goes beyond statistics about the use of firearms and looks at where the firearms come from and if/where the system has broken down in relation to that.

Question 2: What are the gaps in services for prevention or intervention of victimization that are evident given the recent research shared?

Judge Bird spoke about a traditional teacher in her community who was also a judge and an attorney. They conduct talking circles with women victimized by domestic violence. Judge Bird talked about the need for legal assistance in civil cases, particularly in relation to protective orders, divorce, and custody issues. Her second identified gap was for housing and home security systems. She mentioned that there are 574 federally recognized Tribes and only 60 Tribal shelters. She noted there were over 1500 non-Native shelters and 3500 animal shelters in the United States. She stressed the importance of culturally appropriate, Native shelters. The

other gaps she identified were related to increased ability for offenders to bail out of jail and victims being retraumatized by law enforcement and the courts.

Captain Rutherford identified law enforcement agencies being unfamiliar with jurisdictional issues as a gap. He spoke about PL-280 and nonPL-280 jurisdictions and the many different hats that Tribal police officers may need to wear. He also stressed that law enforcement funding was dwindling and information sharing was critical. He also expressed support for having well-trained victim advocates, preferably Native advocates for Native victims to provide support.

Dr. Wright noted that jurisdictional issues come up repeatedly in her own and others' research. She mentioned seeing some positive impact from memorandum of understandings and cross-deputization activities but noted those were the only institutional responses she typically sees. She noted that the jurisdictional issues trickle down to the victim advocacy field as well.

Sergeant Oliveira brought up the jurisdictional issues related to law enforcement agencies not enforcing Tribal court orders because they do not believe the courts have standing. She discussed working with their local county District Attorney to explain the jurisdictional guidelines to local law enforcement.

Question 3: Are there other ideas or opportunities that NIJ should consider in order to bridge research gaps and strengthen its partnerships?

Dr. Wright brought up two major issues: Data sovereignty issues and Tribal Institutional Review Board (IRB) issues. She noted that these issues can be at odds with the funding agency's parameters. She provided examples like being expected to make findings or data publicly available, against the wishes of the Tribes providing the data. She expressed concern that these issues will limit researchers' ability to do research that is needed. As it relates to IRBs, she explained that researchers may need to go through two IRBs before they even get to a Tribal IRB. Tribal IRBs, if they exist, may not have the training or background to review a proposal. The researcher and IRB can use this as a training experience, but it may take a long time, eating into the funding period. She mentioned the possibility of a national or regional Tribal IRBs who would receive training and could then work with representative(s) of the Tribe(s) included in the proposed research.

Dr. Wright returned to the topic of data sovereignty and explained that there can be a conflict between what the government agency and Tribe see as necessary information for public use. She acknowledged not having a solution for this problem but noted that the issue will need to be addressed otherwise the research can't be done. There is a historically based fear that data is going to show something "bad" in the Tribal community and that information will be centered as opposed to data about resiliency. She noted there are also concerns about aggregate-level data vs. data from individual Tribes.

Captain Rutherford spoke about these concerns relating back to trust. He recommended having researchers reach out to Tribal agencies to vet them and provide a sort of introduction or validation of their intentions. He also suggested having a Tribal member or employee assigned to the research team to allay concerns about the research.

Judge Bird underscored the trust issue and explained that many people don't know the difference between the government agencies and need to be educated on what the agency is attempting to do.

Dr. Wright explained that researchers are already doing what Captain Rutherford and Judge Bird are suggesting. Typically, a proposal is not submitted to a funding agency until there is already buy-in from the Tribe. She explained that the issues she's identified tend to emerge over time, more towards the middle or end of a project, possibly when a new Tribal council comes in. She explained the need for best practices for researchers to understand relationships and trust. She also explained that researchers need to have an understanding that they may be operating under a time limit based on who on a Tribal council is championing their work. Will that person remain on the council, what happens when a new council member replaces them, etc. She also discussed the length of time it could take to get Tribal resolutions passed and Tribal IRB approval.

Question 4: As the world transitions away from the impacts of a global pandemic where many research studies had to be placed on hold, right, due to the limitations that the pandemic imposed, are there new factors that the National Institute of Justice needs to consider as they reengage with Tribal Nations and citizens?

Judge Bird mentioned increased rates of domestic violence, food scarcity, financial stress, and increased youth runaway situations. She recommended hiring local people to work with researchers and ensuring that basic needs are met like providing food or collaborating with local agencies providing interventions.

Dr. Wright echoed Judge Bird's concerns and also mentioned the need to reengage in-person with communities to facilitate relationship and trust-building. (Judge Bird supported this remark in the chat by noting in-person was culturally appropriate for indigenous communities).

Question 5: How can NIJ better enable community input to improve equity and access to translational research?

Dr. Wright suggested prioritizing conversation about who needs to receive the findings or data and how does it need to be presented. What are the most effective ways of disseminating the work to the Tribes. She talked about bringing findings to the Tribe first, presenting them with updates, a midterm project check in, and asking for feedback.

Captain Rutherford agreed and explained that this practice rarely happened on his reservation and made community members less likely to engage with future researchers. He emphasized the need for direct feedback and recommended presenting finding in a public setting with food. He noted that many community members, particularly elders, may not be able to access reports online but would respond well to a community meeting format.

Judge Bird echoed Captain Rutherford's recommendation and championed following up with the community and soliciting their feedback. She emphasized accountability and accessibility of the research so that Tribes had easy access to it.

Dr. Wright also recommended researchers talk to the communities about the meaning of the acts being studied: (1) what do these things mean; (2) what do they mean to you; and (3) what are the parameters? It would be important for any researcher to understand the cultural aspects related to defining the topics of the research.

Question 6: What other research and evaluation projects do you recommend for consideration and prioritization within the confines of the Violence Against Women Act and its reauthorizations?

Judge Bird proposed more in-depth research related to extractive industries, the effect of gun safety and impact of guns in Tribal communities, and issues related to housing and shelter space.

Captain Rutherford suggested a mental health study and drug abuse as offenders are dealing with these issues. He also echoed Judge Bird's suggestion of housing and emphasized a need to look at both short and long term housing solutions.

Dr. Wright advocated for research examining how to bridge the gap in access to and use of victim services and law enforcement responses across the jurisdictions. She also suggested a focus on training for law enforcement and victim service providers on cultural sensitivity and cultural issues to be aware of when responding to victimization in Tribal communities. She also noted more work on the missing and murdered indigenous people response.

Sergeant Oliveira recommended honing in on building trust: how do we build trust with Tribal communities to be able to access their ideas on how to improve all of the gaps and barriers being discussed.

There was no public comment during the meeting.

A brief discussion on when the next meeting would take place was held but no date was settled on.

CLOSING REMARKS

Acting Director Randall made closing remarks and noted that much of what was said during the meeting, particularly related to trust, was also said at Tribal Consultation. She noted the importance of collaborating with Tribes at the beginning of projects and not waiting until the end to bring in the culturally specific partners.

Judge Bird provided a closing prayer and Deputy Director Moore thanked the attendees.

ADJOURNMENT

The meeting adjourned at 5:00pm ET.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Jenny Mills
Grants Management Specialist
Office on Violence Against Women