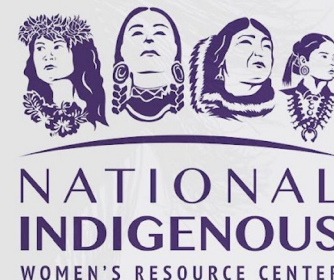




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Webinar

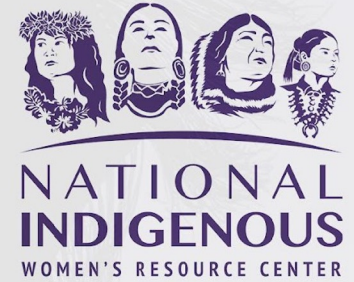
Preparation for Tribal Consultation

VAWA 2013, Section 903

August 3, 2022

Welcome!

Today's Presenters



NCAI Task Force Co-Chairs

Juana Majel Dixon

Traditional Councilwoman
Pauma Band of Luiseno Indians

President Shannon Holsey

Stockbridge Munsee Band of
Mohican Indians

NIWRC, NCAI, AKNWRC, Panelists

Kerri Colfer

Senior Native
Affairs Advisor
NIWRC

Kelbie Kennedy

Policy Manager
Policy Lead
National Security and
Community Safety
NCAI

Caroline LaPorte

Director
STTARS Indigenous
Safe Housing Center

Michelle Demmert

Law & Policy
Director
AKNWRC



17th Annual
Government-to-Government
Violence Against Women
Tribal Consultation

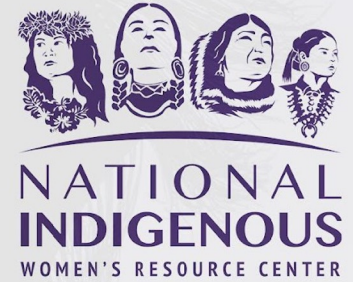
Hybrid
Tribal Consultation
on Violence Against Women

September 21-23, 2022
<https://www.ovwconsultation.org/>

Schedule

- **Tribal Leaders Caucus Meeting**
 - September 20, 2022
 - Hybrid meeting
 - [ncai.org](https://www.ncai.org)
- **DOJ VAW Tribal Consultation**
 - September 21-23, 2022
 - Anchorage, Alaska
 - <https://www.ovwconsultation.org/>

Kerri Colfer
Senior Native
Affairs Advisor
NIWRC





DOJ VAW Tribal Consultation

- The Department of Justice's (DOJ) annual Tribal Consultation on Violence Against American Indian and Alaska Native Women is held pursuant to Public Law 109-162, Title IX, Section 903, Violence Against Women Reauthorization Act of 2005.
- Section 903 requires the Attorney General to conduct an annual consultation with Indian tribal governments **to address the federal administration of all tribal funds and programs established under Violence Against Women Act (VAWA).**



Purpose of DOJ VAW Tribal Consultation

- Section 903, VAWA 2005 directs the Attorney General to solicit recommendations from Indian tribes on the following:
 - **administering tribal funds and programs;**
 - **enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, homicide, stalking, and sex trafficking;**
 - **strengthening the federal response to such crimes; and**
 - **improving access to local, regional, state, and federal crime information databases and criminal justice information systems.**

Annual DOJ VAW Tribal Consultation Report



- Section 903, VAWA 2005 mandates the Attorney General to submit a report to Congress on the annual consultation that –
 - **contains recommendations made by Indian tribes during the year covered by the report;**
 - **describes actions taken during the reporting year to respond to recommendations made during the year or a previous year; and**
 - **describes how the Attorney General will coordinate and collaborate with Indian tribes, Secretary of Health and Human Services (HHS), and Secretary of the Interior to address recommendations made.**



Notice of DOJ VAW Annual Tribal Consultation



Associate Attorney General

U.S. Department of Justice

Office of the Associate Attorney General

Washington, D.C. 20530

January 10, 2022

Dear Tribal Leader,

We are honored to invite your participation in the 17th Annual Government-to-Government Violence Against Women Tribal Consultation to be conducted in person September 21-23, 2022 in Anchorage, AK.

- Section 903, VAWA 2013 requires the Attorney General *not later than 120 days before* the consultation date to notify tribal leaders of the date, time, and location of the consultation.

Significance of DOJ VAW Tribal Consultation



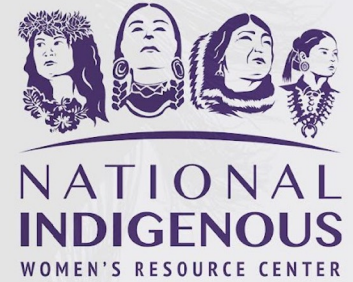
- Provides critical opportunity for government-to-government dialogue and for Indian tribes to identify barriers and implement solutions that will enhance their capacity as governments to protect their citizens.
- Feedback opportunity on what works/doesn't work in how DOJ, DHHS, and Department of Interior (DOI) funds and programs are administered as related to violence against women.
- Raise awareness on current, outstanding and/or emerging issues.
- Help ensure coordination and collaboration with Indian Tribes, DHHS, DOJ and the Secretary of the Interior in addressing intersecting issues.
- Help to design a legal framework for change and removal of barriers, inequity, etc.

Platforms for Change

- *National* platform unites movement on a national level
- *Regional* platform unites movement on a regional or tribal-specific level



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Kelbie Kennedy

Policy Manager and Policy Lead -
National Security and Community Safety
National Congress of American Indians



Preparing for DOJ VAW Tribal Consultation



- Review VAWA 2013 and VAWA 2022 in context of tribe/region
- Review Family Violence Prevention and Services Act (FVPSA) in context of human services support to address VAW issues within tribal communities.
- Identify tribal or region-specific platform issues
 - New OWV reimbursement program under VAWA 2022
 - Process for designating Alaska Pilot Tribes
 - Parity in funding, administration, and reporting requirements for Tribes under FVPSA and Victims of Crimes Act (VOCA)
- Develop consultation statement on specific platform issues

Review VAWA 2013 and VAWA 2022



in context of specific tribe/region

- Inherent Tribal Sovereignty is reaffirmed
- Implementation of Special Tribal Criminal Jurisdiction over non-Indians
- Reaffirm jurisdiction to charge perpetrators of crimes, including domestic violence, dating violence, violence against children, sexual violence, sex trafficking, stalking, assault on tribal law enforcement, and obstruction of justice.
- Establishing an Alaska pilot project to allow Special Tribal Criminal Jurisdiction
- Tribal Coalitions program is strengthened

2022 Issues of Concern



- Tribal Jurisdiction Over Non-Indian Offenders
 - Increased Authority/STCJ Jurisdiction
- VAWA 2022 Implementation:
 - DOJ's FY 2024 Budget Request
 - VAWA Reimbursement Program
 - BOP Program Regulations
 - Tribal Access Program
 - Designation Process for the Alaska Pilot Tribes
- Creating a Permanent 10% Set Aside of the Crime Victim Fund for Tribal Nations
- Increased Protections from Sexual Assault and Services for Women Surviving Rape

2022 Issues of Concern



- Improve Public Safety Funding Mechanisms
- Impact of Extractive Industries on Safety of Native Women
- Outstanding Unaddressed Issues/Missing and Murdered Native Women
- Implementation of the Not Invisible Act and Savanna's Act
- Increase Federal Penalties for Tribal Protection Order Violations and Exclusion Orders
- Grants and Grants.gov Issues

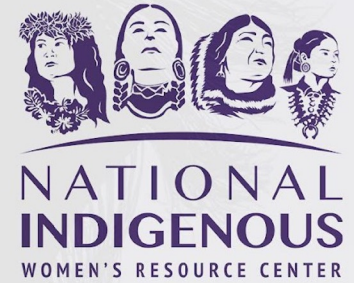


2022 Issues of Concern

- FVPSA allocation formula for Indian tribes
- FVPSA funding to support shelter/safe housing needs
- Alaska issues of concern



Michelle Demmert
Law & Policy Director
Alaska Native Women's
Resource Center

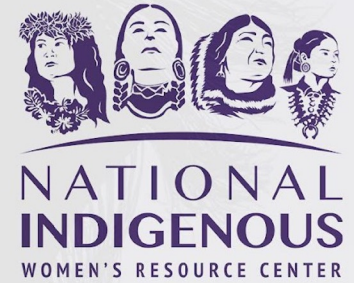




Caroline LaPorte

Director

STTARS— Indigenous Safe Housing
Center





Where can I find the Safe Housing Provisions in VAWA?

| Section | Section Title |
|-------------|---|
| Section 601 | Housing Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking |
| Section 602 | Ensuring Compliance and Implementation; Prohibiting Retaliation Against Victims |
| Section 603 | Protecting the Right to Report Crime from One's Home |
| Section 604 | Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking |
| Section 605 | Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking |
| Section 606 | Study and Report on Housing and Service Needs of Survivors of Trafficking and Individuals at Risk for Trafficking |



| Section | Section Title |
|--|---|
| Section 206 | LGBTQ Specific Services Program (see Section B(2)(A)) |
| Section 701 | Findings for Title VII (Economic Security for Victims) |
| Section 704 | Study and Reports on Barriers to Survivors' Economic Security Access (See Section C(1)(B)) |
| Section 604 | Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking |
| Title X- Improving Conditions for Women in Federal Custody | Prohibition on Placement of Pregnant Prisoners or Prisoners in Post-Partum Recovery in Segregated Housing Units (See Section 1001(C)) |
| Title XI- Law Enforcement Tools to Enhance Public Safety | Some provisions throughout, including for Native Hawaiians. |



2022 - Housing Specific Issues of Concern

- VAWA 2022 Housing Specific Provisions
- HUD Guidance/Rules
- Definition of “homeless” in MVA
- Funding
- Survivor Needs
- Assessment Tools
- COVID/Climate Crisis Impacts



- Amends the McKinney-Vento Homeless Assistance Act.

“Homeless” means:

any individual OR FAMILY

who is experiencing trauma OR a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking or other dangerous traumatic or life-threatening conditions related to the violence against the individual or a family member in the individual’s or family’s current housing situation,

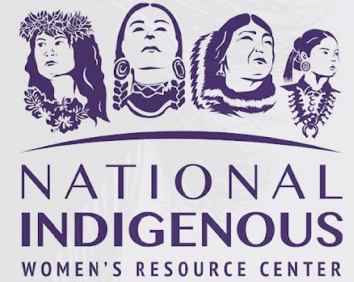
including where the health and safety of children are jeopardized;

has no other safe residence;

AND lacks resources to obtain other safe permanent housing



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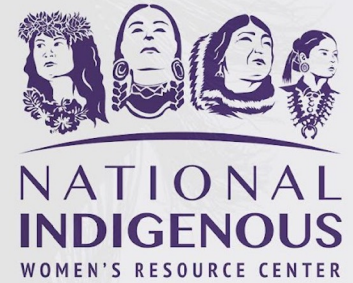
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**Traditional Councilwoman
Juana Majel-Dixon**
Pauma Band of Luiseno Indians





Priority Concerns Discussion

Resources

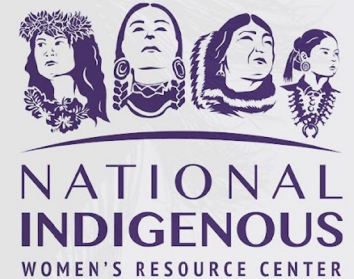


- NCAI 2022 Priority Issues
- VAWA 2013, Title IX-Safety for Indian Women
 - VAWA 2013, Title VIII-Safety for Indian Women
- Tribal Consultation Testimonies from Previous Years
- NIWRC Restoration Magazines
- ovw.usdoj.gov/tribal-consultation
- FVPSA State & Tribal Domestic Violence Services Fact Sheet
- FVPSA Tribal Domestic Violence Services Fact Sheet
- “Safety for Native Women: VAWA and American Indian Tribes” resource book @NIWRC or Amazon.com

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Thank You!



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Senior Native Affairs Advisor NIWRC
kcolfer@NIWRC.org

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kkennedy@NCAI.org

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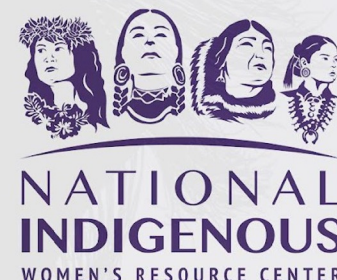
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Director
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Center
claporte@NIWRC.org

Michelle Demmert

Law & Policy
Director AKNWRC
michelle.demmert@aknwrc.org



Contact Information

Rose M. Quilt, J.D.
Director of Policy and Research

National Indigenous Women's Resource Center

515 Lane Deer Avenue | PO Box 99 (mailing)

Lane Deer, MT 59043

(406) 477-3896 | Toll-Free: (855) 649-7299

www.NIWRC.org

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niwrc.org

515 Lane Deer Ave., Lane Deer, MT 59043 Phone 406.477.3896 Toll-Free 855.649.7299 Email info@niwrc.org



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