



Traffic Safety-Justice Liaison Project


Raquelle Myers, Staff Attorney
Stephanie Lucero, Program Specialist
National Indian Justice Center
nijc@aol.com



Presentation Overview



- About NIJC
- Project Introduction
- Statement of the Problem
- Project Goals and Objectives.
- Project Methodology
- Project Timeline
- Project Status



Traffic Safety – Justice Liaison Project

- This is a project of National Indian Justice Center, funded through the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC)'s National Field-Generated Demonstration Projects.
- Projects funded under this program will enhance training, technical assistance, or develop programs that are national in scope and that either address gaps in the field in the areas of training and technical assistance or develop promising practices, models, or programs through demonstration projects in the area of drunk and impaired driving.
- NIJC and MADD are the two awardees for 2011.



National Indian Justice Center



- The National Indian Justice Center, Inc. (NIJC) is an Indian owned and operated non-profit corporation with principal offices in Santa Rosa, California. NIJC was established in 1983 through the collective efforts of the National American Indian Court Judges Association, the American Indian Lawyer Training Program, and the Bureau of Indian Affairs in order to establish an independent national training and technical assistance resource for Native communities and tribal governments.
- The goals of NIJC are to design and deliver legal education, research, and technical assistance programs which seek to improve the quality of life for Native communities and the administration of justice in Indian country.



National Indian Justice Center



- NIJC currently administers the following training and technical assistance programs:
 - Western TTAP – Tribal Transportation Training and Technical Assistance funded by FHWA and BIA
 - CTAS Area 4 – Tribal Corrections and Alternatives to Corrections funded by DOJ
 - Tribal Solid Waste Programs funded by RDU, USDA
 - Native American Children Training Forum funded by the California Department of Emergency Management
- NIJC conducts a regional training program for tribal government and particularly tribal court personnel
- NIJC is also contracted to provide training programs about tribal jurisdiction to state and federal agencies.



National Indian Justice Center



- NIJC staff participate on the following organizations and events:
 - Transportation Research Board's ABE80 - Native American Transportation Issues Committee, National Academies of Science
 - Native American Advisory Committee to Caltrans
 - California's Administrative Office of the Courts Access and Fairness Subcommittee
 - National Organization for Victim Assistance
- NIJC has conducted research directly, participated as a research partner or peer reviewed research in the following areas:
 - Tribal Transportation Safety;
 - Tribal Crash Reporting Systems and Data Availability; and
 - Review of the prosecutorial declination rate for child sexual abuse cases.



Tribal Traffic Safety Justice Liaison Project

Project of the National Indian Justice Center (NIJC) in cooperation with the National Organization for Victim Assistance (NOVA) is developing a training and technical assistance program to improve ***tribal and non-Indian justice system*** responses to the ***needs of American Indian and Alaskan Native (AI/AN) victims of alcohol-related vehicle crashes on or near tribal lands.***



Statement of the Problem

- ***Traffic fatality rates for AI/ANs are 2 to 3 times that of the general population.***
- ***58% of the crashes were alcohol-related.***
- AI/AN victims face the same issues as other victims of alcohol related crashes, but are also subject to additional complexities that many service providers are either unfamiliar with or ill-equipped to address.
- AI/ANs make up only a small portion of the overall population nationwide (1.4% per the 2010 Census) yet they are overrepresented as victims in alcohol-related motor vehicle crashes.



Complexities of the Victim Experience

1. Complications in tribal, state and federal criminal/civil justice jurisdictional authority
2. Uniqueness of Tribal Justice Systems
3. Lack of resources and/or expertise within tribal justice systems
4. Interagency conflicts within tribal justice systems and political interference
5. Limits to tribal court sentencing authority and enforcement
6. AI/AN Extended Family Relationships and Cultural Implications
7. Non-Indian justice systems' lack of competency and/or willingness to understand and/or serve AI/AN Victim's Needs



Project Goals and Objectives

1. Develop and provide a model "one-stop-shop" Training & Technical Assistance (TTA) program for tribal and non-Indian victim service providers, which will serve as a comprehensive national resource on issues AI/AN victims face in tribal and non-Indian civil and criminal justice systems;
2. Pilot-test the model with 10 or more tribal and non-Indian justice systems nationally and 85% or more of the TTA recipients report increased skills and knowledge to more effectively serve AI/AN victims, and;
3. Disseminate the model to 6 other Tribal Technical Assistance Programs (TTAPs) and helping them identify and adapt it to address specific issues in their regions.



Why These Goals and Objectives?

- The TTAPs work to improve tribal traffic safety by building tribal capacity to improve transportation infrastructure and safety programs. They have extensive resources, institutional networks and professional expertise to support justice system responses to AI/AN victims of these crashes.
- Expanded TTA provision and ancillary support to law enforcement, victim advocacy organizations, prosecutors, judges and other victim services providers can be accomplished by leveraging these assets through an appropriate program framework, allowing the TTAPs to function as “one-stop-shops” for providers.
- Serves as a national resource for service providers working for Native American/Alaskan Native victims of DUI and DWI accidents.



Project Timeline

- *Month 6 - Assessment of TTA resource needs around improving justice system responses to AI/AN victims of alcohol related motor vehicle crashes.*
- *Month 12 – Program Development.*
- Month 18 – Provide a model One-Stop-Shop training and technical assistance program for tribal and non-Indian victim service providers.
- Month 30 - Pilot test model with 10 or more tribal and/or non-Indian victim service providers nationally.
- Month 36 – Disseminate model to 6 or more TTAPs.



Project Status

- Completed initial assessments and finalizing program development.
- **Project Findings:**
 - Needs assessment illustrates that service providers' knowledge base and needs are consistent with initial project assessments.
 - Cultural sensitivity and outreach training is desired in most non-Indian service providers.
 - The available training and technical assistance geared towards AI/AN victims is related to child welfare and prevention of alcohol abuse. There is little to nothing available that focuses on AI/AN victims of alcohol related accidents.



Curriculum Content

- What does it mean to be a Victim Advocate?
- Getting Started with Victim Services:
 - Checklist for examining Tribal Resources
 - Leveraging Partnerships
 - Sample MOUs
- DWI Handbook:
 - Preliminary Case review
 - Case Evaluation
 - Charge Review
 - Arraignment
 - Trial Preparation (Exhibit list, Jury instructions, Common defenses, etc.)
- Tribal Courts 101
- Training References.



Next Steps

- Ongoing assessments with service providers to fine tune desired methodologies.
- Finalize Program Development:
 - Finalize program format, staffing, technology, curricula and other resource needs based on assessment
 - Development of MOU for State and Tribal law enforcement justice systems to better address Victims needs
 - Tribal Victims Bill of Rights proposed
 - Finalize the program mission statement
 - Finalize a core train-the-trainers curriculum for providers on victim issues in tribal and non-Indian justice systems and strategies for addressing them
 - This curriculum will be based on revisions to DWI Prosecutors Handbook to include provisions on Tribal Justice Systems
 - Finalize program performance measures and an evaluation strategy
 - Finalize a roster of TTA providers
 - Finalize and/or consolidate multi-media informational resources/linkages on these issues
 - Finalize a program column for NIJC's TTAP newsletter
 - Finalize the program webpage within NIJC's organizational website (TTAP site)– complete
 - Finalize a future TTA schedule
 - Finalize program sustainability strategy

