

# Tribal Law and Order Act of 2010:

## An Update from the Coordinating Committee on Indian Alcohol and Substance Abuse

Indian Nations Conference  
December 8-10, 2016, Agua Caliente Reservation, CA

# Tribal Law And Order Act (TLOA)

- TLOA signed into law on July 29, 2010
- Reauthorizes and amends the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986

## TLOA: IASA Provisions



- Emphasize respect for tribal sovereignty
- Support ability of tribes to achieve their goals in prevention, intervention, and treatment of alcohol and substance abuse
- Acknowledge need to align, leverage, and coordinate federal efforts and resources



## TLOA: IASA Goals



- Determine scope of AI/AN alcohol and substance abuse (SA) problem
- Identify resources and programs relevant to a coordinated effort
- Coordinate existing agency programs with those established under the Act
- Continued respect for tribal sovereignty embedded in all TLOA activities



## TLOA: IASA Federal Partners



### Shared roles:

- HHS: Prevent substance abuse and promote behavioral health (SAMHSA); support treatment and rehabilitation (IHS)
- DOI: Provide for education, social services, law enforcement
- DOJ: Justice, public safety and law enforcement



## TLOA: IASA Responsibilities



- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Scope of the problem<br/><i>HHS, IHS, DOJ</i></li> <li>• Identification of programs<br/><i>HHS, IHS, DOJ</i></li> <li>• Minimum program standards<br/><i>HHS, IHS, DOJ</i></li> <li>• Assessment of resources<br/><i>HHS, IHS, DOJ</i></li> <li>• TAP development<br/><i>IHS, BIA, DOJ</i></li> <li>• Newsletter<br/><i>DOI</i></li> </ul> | <ul style="list-style-type: none"> <li>• Law enforcement and judicial training<br/><i>BIA, DOJ</i></li> <li>• Emergency medical assistance, <i>BIA</i></li> <li>• Emergency shelters, <i>BIA</i></li> <li>• Child abuse/neglect, <i>BIA</i></li> <li>• Juvenile detention centers<br/><i>HHS, DOI, DOJ</i></li> <li>• Model juvenile code<br/><i>DOI, DOJ</i></li> </ul> |
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## TLOA: IASA Structure



- Executive Steering Committee
- Interdepartmental Coordinating Committee
- Workgroups
  - Communications
  - Inventory/Resources
  - Minimum Program Standards
  - Native Youth Educational Resources
  - Data
  - Memorandum of Agreement
  - Tribal Action Plan
  - Public Health & Safety



## Substance Abuse



Substance Abuse—American Indians and Alaska Natives				
National Survey on Drug Use and Health 2013	age	AI-AN	Nat'l	Comparison
<b>Alcohol</b>				
alcohol use (current)	12+	37.3	52.2	↓
binge alcohol use	12+	23.5	22.9	↑
heavy alcohol use	12+	5.8	6.3	↓
<b>Tobacco</b>				
tobacco use (current)	12+	40.1	25.5	↑
cigarette use (current)	12+	36.5	21.3	↑
cigar use (current)	12+	6.1	4.7	↑
smokeless tobacco (current)	12+	5.3	3.4	↑
<b>Illicits/Substance Abuse/SUD</b>				
illicit drug use (current)	12+	12.3	9.4	↑
substance abuse or dependence	12+	14.9	6.6	↑
<b>Non-medical Use of Rx Pain Relievers</b>				
past year	12+	9.9	5.8	↑





## Mental Health

Mental Health—American Indians and Alaska Natives				
National Survey on Drug Use and Health 2013	age	AI-AN	Nat'l	Comparison
<b>Mental health</b>				
Any Mental Illness/AMI (past year)	18+	26.0	18.5	↑
Serious Mental Illness/SMI (past year)	18+	5.8	4.2	↑
Major Depressive Episode/MDE (past year)	18+	8.9	6.7	↑
Mental health service utilization (past year)	18+	15.7	14.6	↑
Suicidal thoughts	18+	4.8	3.9	↑
<b>Comorbidity</b>				
Co-occurring AMI-SUD	18+	7.4	3.2	↑
Co-occurring SMI-SUD	18+	1.1	1.0	↑




## Both Challenge and Opportunity

- The challenge today is to capture the opportunity, via TLOA, to form a more active and committed partnership that demonstrates how Federal Partners and Tribes can strengthen work relations.
- This approach will embrace the value of native culture and practices, while strengthening the need for mutual respect and accountability.


***Why do we need to do this?***






Developing Purpose-Driven  
Partnerships for Change

“Embracing the Change Process”




Substance Abuse and Mental Health Services Administration  
**SAMHSA**  
www.samhsa.gov • 1-877-SAMHSA • TDD: 1-877-467-4263



Tribal-Federal Partnerships

Crossing the *divide of difference* to  
arrive at a common ground for  
supporting AI/AN people



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## Who are the Primary Players?



- Tribal Leadership
- State Leadership
- Regional Leadership and Points of Contact: IHS, SAMHSA, BIA, BIE, DOJ, CMS, ED
- Federal Leadership to *align, leverage, and coordinate* resources to be accessed by the local Tribal Coordinating Committees.



## Examples of Priorities being addressed by Federal Partners



- Improve access to funding—ensure eligibility, streamline the grant application and report process
- Provide improved coordination of training and TA
- Provide Health Reform Outreach
- Assist with Tribal State relations—via established Federal liaisons to guide the consultation process
- Focus on carrying out policy and regulatory reform directives



## Department of Justice



- Grants, Training and Technical Assistance:
  - Juvenile Justice and Delinquency Prevention
  - Victims of Crime
  - Indian Alcohol and Substance Abuse
  - Tribal Courts
  - Tribal Corrections and Alternatives
  - Tribal Re-Entry grants
  - Indigent Defense
  - Sex Offenders
  - Research & Evaluation, Statistical Analysis and Reporting
  - Crime and Victims statistics
  - Community Oriented Policing
  - Violence Against Women
  - Indigent Defense
- Crime Investigation, Prosecution, Incarceration
- Civil Rights, Indian Child Welfare



## Department of Justice FY 2016 Tribal Budget




In the Consolidated Appropriations Act of 2016 (Public Law 114-113), Congress

- Did not authorize the 7% flexible tribal justice assistance set aside requested by the Department;
- Provided \$30 million for Indian Assistance programs (equal to the FY 2015 enacted funding level);
- Provided \$10 million for the Tribal Youth Program (an increase of \$5 million over FY 2015 enacted levels);
- Provided no dedicated funding for Vision 21 programs;
- Provided \$38.8 million for the Violence Against Women Act Tribal Governments Grants,
- Provided \$2.5 million for VAWA Tribal Special DV Jurisdiction,
- Provided \$30 million for the Community Oriented Policing Services' Tribal Resources Grant Program (\$3 million less than the FY 2015 enacted level).
- The overall tribal programs funding picture in FY 2016 is very similar to FY 2015 (with some minor funding adjustments to funding for OJP and COPS programs).





## Department of Justice FY 2017 Tribal Budget Request



- The Administration and the Department of Justice rolled out the FY 2017 President's Budget request on February 9, 2016.
- In FY 2017, we are requesting the 7% tribal justice assistance set aside to replace funding for the Indian Assistance and Tribal Youth Program line items. Based on the funding levels included in the FY 2017 budget request, we anticipate that the set aside would generate approximately \$111 million for tribal programs.
- Within the Crime Victims Fund, we will request \$25 million for Vision 21 tribal victim assistance programs.
- The FY 2017 President's Budget also proposes restoring funding for JABG and a substantial increase for OJJDP's Part B Formula Grants programs, which would generate some additional set aside funding for tribal programs.



## Department of Health and Human Services *Substance Abuse and Mental Health Services Administration*



- Tribal Behavioral Health Grant Program
  - \$30 M in FY 2016: 70 new awards—average \$200,00 p/y
  - Prevent and reduce suicide and substance use, and promote mental health among Native young people
- Increased recognition of tribal eligibility for discretionary grant programs
  - Prevention/treatment of mental & substance use disorders
- Areas for greater tribal engagement
  - Homelessness, Drug-Free Communities, Drug Courts, National Child Traumatic Stress, System of Care, Strategic Prevention Framework—Partnerships for Success



## FY 17 Posted Grant Announcements

Grant Program	Tribes & Tribal Orgs Eligible?	Application Due Date
<b>System of Care (SOC) Expansion and Sustainability Cooperative Agreements</b> <ul style="list-style-type: none"> <li>Funding Available: \$15,045,000</li> <li>Number of Award/Years: 5-15 (4 years)</li> </ul>	Yes	1/3/17
<b>Circles of Care VII</b> <ul style="list-style-type: none"> <li>Funding Available: \$4,600,000</li> <li>Number of Awards/Years: 11 (3 years)</li> </ul>	Yes (also TCUs and urban programs)	12/20/16
<b>Youth Treatment - Implementation</b> <ul style="list-style-type: none"> <li>Funding Available: \$9,600,000</li> <li>Number of Awards/Years: 12 (up to 4 years)</li> </ul>	Yes	12/20/16
<b>Adult Treatment Drug Courts and Adult Tribal Healing to Wellness Courts</b> <ul style="list-style-type: none"> <li>Funding Available: \$18,230,000</li> <li>Number of Awards/Years: 56 (up to 3 years)</li> </ul>	Yes	12/12/16



## Indian Health Service

- FY 2016
  - Received \$10 million increase to focus on Native youth
- Methamphetamine and Suicide Prevention Initiative (MSPI) Purpose Area 4 – Generation Indigenous Support
- Over \$12 million support Gen I projects
- 88 projects



## Indian Health Service



- Focus on Native youth (ages 8-24) to accomplish the following three broad objectives:
  - Implement evidenced-based and practice-based approaches to build resiliency, promote positive development, and increase self-sufficiency behaviors among native youth;
  - Promote family engagement; and
  - Increase access to prevention activities for youth to prevent methamphetamine use and other substance use disorder that contribute to suicidal behaviors in culturally appropriate ways.



## Indian Health Service



- 42 MSPI Gen-I projects received funding request to hire child, adolescent, and family behavioral health providers
- Allows for behavioral health paraprofessionals



## FY 2017 IHS Budget Requests



- \$15 million for Generation Indigenous to expand the Substance Abuse and Suicide Prevention program
- \$1.8 million for youth pilots to provide a continuum of care for AI/AN youth after they are discharged home from Youth Regional Treatment Centers



## FY 2017 IHS Budget Requests



- \$21.4 million would fund grant/federal program awards to implement behavioral health integration with primary care
- \$3.6 million would fund implementation of pilot projects for the Zero Suicide Initiative in I/T/U organizations






## FY 2017 IHS Budget Requests



- \$4 million request to fund a program expansion of the Domestic Violence Prevention Program, formerly known as Domestic Violence Prevention Initiative



## FY 2017 IHS Mandatory Budget Requests



- \$15 million per year x two years (total funding \$30 million)
- Provide assistance to Tribes experiencing behavioral health crises through a Tribal Behavioral Health Crisis Fund
- Would be made available to Tribes through non-grant funding, much like the IHS Director's Emergency Funds
- Also includes an additional \$10 million/year x 2 years request to support Indian Health Professions by expanding the number of behavioral health scholarships & loan repayment



## Department of the Interior



### In the Consolidated Appropriations Act of 2016 (Public Law 114-113), Congress

- Provided \$306 million for Law Enforcement, Detention/Corrections, and Facilities Operations & Maintenance (\$5.5 million above the FY 2015 enacted level);
- Provided \$25.8 million for Inspections/Internal Affairs, Special Initiatives, Law Enforcement Program Management, and the Indian Police Academy (an increase of \$3.1 million above the FY 2015 enacted level);
- Provided \$44.4 million for Tribal Courts and Tribal Justice Support (an increase of \$15.9 million above the FY 2015 enacted level)



## Department of the Interior



- Specifically, President's Budget requested increases included \$2.5 million to cover rising fixed costs, \$4.0 million Agency Priority Goal to reduce recidivism in Indian Country, and \$5.0 million to strengthen tribal courts under the Tiwahe Initiative. Congressional adds included \$3.0 million to enhance capabilities of Police and Criminal Investigators in Indian communities, and \$10.0 million to provide training, assess court needs, and design, develop, and pilot tribal court systems.





## THANK YOU

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