



U.S. DEPARTMENT OF THE INTERIOR

Tribal Action Plan Development
A Tribal Law and Order Act Initiative
December 4, 2018
Indian Nations Pre-Conference Institute
Palm Springs, California

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INDIAN AFFAIRS SUMMARY

- ▶ Indian Affairs (IA) includes the Bureau of Indian Affairs, Bureau of Indian Education, and the Office of the Assistant Secretary-Indian Affairs.
- ▶ The Department's primary mission is to honor the Nation's trust, treaty, and other responsibilities to American Indians and Alaska Natives (AIAN) and improve the quality of life in Indian Country (IC).
- ▶ IA programs serve 573 federally recognized Indian Tribes, a service population of approximately two million.
- ▶ The BIA provides direct services and funding for compacts and contracts for Tribes to provide a wide range of activities for community development.
- ▶ The BIE manages a school system with 169 elementary and secondary schools and 14 dormitories, providing services to 47,000 students in 23 States. The BIE also operates two post-secondary schools and administers grants for 29 tribal controlled colleges universities and 2 tribal technical colleges.



FISCAL YEAR 2019 BUDGET PROPOSAL

- ▶ The 2019 Presidents' Budget for Indian Affairs is \$2.4 billion in current appropriations.
- ▶ Staffing is 6,873 full time equivalents in 2019.



Tribal Law and Order Act - Indian Alcohol and Substance Abuse - Tribal Action Plans

DOI, DOJ and HHS RESPONSIBILITIES

- The Tribal Law and Order Act was signed by the President on July 29, 2010.
- The initial Indian Alcohol and Substance Abuse Memorandum of Agreement was signed by the Attorney General, HHS Secretary and DOI Secretary one year later on July 29, 2011.
- A second Memorandum of Agreement was developed to incorporate another MOA between the Bureau of Indian Affairs, Bureau of Indian Education and Indian Health Service.
- This second MOA was signed by the Department's Cabinet Members on December 16, 2016.



TRIBAL LAW AND ORDER ACT - INDIAN ALCOHOL AND SUBSTANCE ABUSE – TRIBAL ACTION PLANS

The current MOA supersedes the MOA signed in July 2011. It also supersedes an October 2009 MOA between the BIA, BIE and IHS.

This MOA coordinates DOI, DOJ and HHS efforts in order to reduce duplication, improve efficiency, and target joint outcomes that improve the safety, health and well-being of American Indians/Alaska Natives.

The MOA has ten areas of responsibility, for this workshop we are primarily focusing on number four, the TAP Development.




OFFICE OF JUSTICE SERVICES BUREAU OF INDIAN AFFAIRS




April 11, 2018: In the first raid, two weeks after U.S. Interior Secretary Zinke announced the formation of a new Joint Task Force (JTF), the new opioid task force seized \$2.5 million worth of meth and \$22,000 in marijuana, heroin, and other narcotics.

May 15-26, 2018: DOI's reduction task force conducted a criminal interdiction operation in and around Arizona reservations. it netted 9,050 fentanyl pills, 48.2 pounds of meth, 1.2 pounds of heroin, 863 pounds of marijuana, ½ pound of cocaine and \$30,000 in cash. The bust yielded 913.5 pounds of illegal narcotics with a street value of \$4,791,417.00.

September 27, 2018: drug trafficking in and around Indian country in North Carolina resulted in more than 75 arrests on federal, state and tribal charges. 248 pounds of illegal substances with an estimated street value of \$2 million and seized 6 illegally-possessioned firearms.



**TRIBAL LAW AND ORDER ACT
- INDIAN ALCOHOL AND SUBSTANCE
ABUSE –
TRIBAL ACTION PLANS – OFFICE OF
JUSTICE SERVICES**




American Indian/Alaska Natives (AI/AN) individuals have higher than average rates of incarceration (921 vs 759 per 100,000).

In mid 2015, an average of 2,510 AI/AN individuals per day were incarcerated in 76 Indian country jails – an increase of 5% from 2014 and almost 50% from 2004.


AI/AN individuals in the Justice System are more likely to have a substance use disorder (SUD) than AI/AN individuals in the community (63% vs 14%).

Yet only 1 in 5 of those individuals with SUD involved with the Justice System will gain access to treatment.


Failure to intervene leads to higher rates of recidivism, costs to the individual, their family and to society.




**TRIBAL LAW AND ORDER ACT
- INDIAN ALCOHOL AND
SUBSTANCE ABUSE –
TRIBAL ACTION PLANS – OJS
RECIDIVISM REDUCTION
INFRASTRUCTURE**



- BIA/OJS Recidivism Reduction Initiative (RRI) seeks to identify people with substance use disorders (SUD) in the justice system, to refer and assist in their engagement with substance use treatment and recovery support while tracking their progress over time.
- RRI tribes have designed native-specific intervention models that work with juveniles and adults entering the system by applying diversion options, such as healing to wellness courts, highly structured SA treatment, community re-entry programs and solution-focused probation, all within a cultural context.




**TRIBAL LAW AND ORDER ACT
- INDIAN ALCOHOL AND
SUBSTANCE ABUSE –
TRIBAL ACTION PLANS – OJS
TECHNICAL ASSISTANCE**




- “Plan of Action” - Determine primary contributing factors to community concerns
- “Service Connectivity” - Braid partnerships intended to improve the access to services within the community.
- “Menu” of services needed developed.
- “Finance” – How to finance the continuum of need.
- “Standardized Screener and Outcome Tool” – Provide training and technical support regarding the value and use.
- “Accurate evaluation of Indian Country’s Needs and Successes” – establish protocols for information sharing and movement toward a Native-Specific common data platform.

BIA’s OJS – Division and Re-Entry Division
will answer any questions you may have
and provide technical assistance, as requested.

Contact Rod Robinson at Rodney.Robinson@bia.gov or (406) 647-1630



**TRIBAL LAW AND ORDER ACT
- INDIAN ALCOHOL AND
SUBSTANCE ABUSE –
TRIBAL ACTION PLANS – OFFICE OF
JUSTICE SERVICES - TRIBAL
JUSTICE SUPPORT**



As mandated by 25 U.S.C. § 3612, Tribal Justice Support has three major functions to support Tribes to conduct Tribal Court Assessments to further the development, operation and enhancement of tribal justice systems.

- Provide funding to tribal justice systems;
- Provide training directed to specific needs of tribal court personnel; and
- Provide technical assistance to tribal justice system.

You can submit a request letter to TJS (a template is located at <https://www.bia.gov/bia/ojs/tjs>).

Contact: Bennie Francisco, Court Assessment Director, bennie.Francisco@bia.gov or (505) 563-3419 or
Melissa Lee, Court Assessment Specialist, Melissa.lee@bia.gov or (505) 563-5374.



TIWAHE INITIATIVE



The Tiwahe Initiative provides social services, tribal court, housing, job training and ICWA funding to six pilot sites for the purposes of developing Tribal level innovative strategies to address child and family social services challenges within their communities with cultural components.

The Initiative began in FY15, and also provides "across the board" social services and ICWA funding to all tribes who received TPA social services and ICWA funding in FY14

Four pilot sites began operation in FY15, with two more sites added in FY16

Tribes which currently have a Tiwahe pilot site are highly encouraged to include their local Tiwahe Family Advocacy Coordinator on their TAP Committee



TIWAHE FAMILY ADVOCACY COORDINATORS



Association of Village Council Presidents (AVCP):

Laurinda "Lauri" Weston-O'Brien lobrien@avcp.org


Fort Belknap Indian Community: Sarah Gone sarah.gone@fibelknap.org

Pascua Yaqui Tribe: Johanna Farmer JohannaFarmer@pascuayaqui-nsn.gov


Red Lake Nation: Robert "Charlie" Reynolds robert.reynolds@redlakenation.org

Spirit Lake Tribe: Darcy Smith tiwahe-pd@gondtc.com

Ute Mountain Ute Tribe: Kermit Palmer kpalmers@utemountain.org





SOME TIWAHE ACCOMPLISHMENTS



- AVCP – Sub-regions managing their own ICWA cases from 0% to 100%
Percent of courts with children's codes from 0% to 100%
- Pasqua Yaqui – GA recipients returning to employment from 11% to 22%
- Red Lake Band – Reduction in juvenile suicides from 6 to 0
Reduction in substance exposed babies from 49 to 20
- Spirit Lake – Successful completion of culture program from 7 to 10
Reduction in homelessness from 1 to 18
- Ute Mtn Ute – Reduce homelessness from 0% to 33%
Youth activities produced two award winning films









TLOA - IASA - TAP Workgroup
Office of Indian Services

DOMESTIC VIOLENCE AND CHILD ENDANGERMENT

- Any instances of domestic violence or child endangerment should be immediately reported to the local BIA Agency or tribal social worker
- The BIA's Domestic Violence/Victim Advocate Program is managed by the BIA Office of Justice Service
- The BIA's Division of Human Services is also working with the BIA Regions, Agencies, and Tribal communities to develop partnerships with the local law enforcement, Multi-Disciplinary Teams (MDT), Child Protection Teams (CPT), and Native American Domestic Violence Coalitions to develop strategies to combat domestic violence and child endangerment
- The Tribal Indian Child Welfare Act (ICWA) programs are the central contact point for tribes, states, and American Indian/Alaska Native families seeking assistance for temporary and permanent placement of Indian children
- Tribes are encouraged to contact their local BIA Superintendent and request him/her, or their designee, to be a member of their TAP Committee or to provide some general support.





TRIBAL LAW AND ORDER ACT
INDIAN ALCOHOL AND SUBSTANCE ABUSE –TRIBAL
ACTION PLANS –
BUREAU OF INDIAN EDUCATION

“CULTURE AND DRUGS DON’T MIX ”

- The initial program was titled: “Culture and Meth Don’t Mix”. However, after receiving wonderful feedback from Tribes, school participants, and students, BIE expanded the scope of the program in order to include other types of substances that are impacting our youth. SAMHSA has been a partner in the training sessions.
- The initial program was well received. It is performed in cooperation with the school, tribal leader, behavioral health and law enforcement. Over 500 students have participated in the program across seven schools.
- This program is culturally appropriate approach for drug and alcohol prevention among AI/AN youth through community and interagency involvement.




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TRIBAL ACTION PLANS – BUREAU OF INDIAN
EDUCATION**

“CULTURE AND DRUGS DON’T MIX”

- ▶ The program is structured as an interactive speaker series that offers insight/education from a/an:
- ▶ Special Agent/School Resource Officer from the BIA Office of Justice Services to explain the legal implications of drug/alcohol use.
- ▶ Behavioral Health Consultant recommended by SAMHSA/HHS to explain the negative health issues associated with drug/alcohol use and,
- ▶ Individual from the local tribal community to tie in students’ cultural background/focus on the them presented during each session.

For more information regarding this program please contact:
Teresia Paul, Student Health Program Specialist, Office of the Director, Bureau of Indian Education Teresia.paul@bie.edu



THANK YOU!

QUESTIONS?

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