June 2019

TRIBAL COURT-STATE COURT

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IN THE NEWS

AK: Child welfare compact negotiations fail

Cordova Times - May 29, 2019

Tribal co-signers say their efforts to negotiate with the state of Alaska, as called for in the Alaska Tribal Child Welfare Compact, have so far failed because the state presented them with unreasonable and unworkable ultimatums.

US: US Supreme Court denies review of Arizona child well case

Associated Press - May 29, 2019

The U.S. Supreme Court has denied review of an Arizona case challenging a law that gives preference to American Indians in adoptions of Native children. The order this week leaves in place a lower court ruling that dismissed a complaint from a Phoenix-based, right-leaning think tank. The Goldwater Institute sought to keep two children with ties to the Gila River Navajo tribes from being removed from their non-Native foster parents.

"Enough Is Enough": Native Leaders Ask William Barr to I Fix Alaska's Law Enforcement Crisis

Anchorage Daily News - May 30, 2019

At a gathering in Anchorage, the U.S. attorney general said he would work to provide greater security in rural areas. Alaska Native leaders called on U.S. Attorney General William Barr for federal aid and greater authority for tribes to prosecute certain crimes, saying Wednesday that a dangerous lack of law enforcement is growing worse in the state's most remote communities.

Canada: 'Why Are So Many of Our Girls Dying?' Canada **Grapples With Violence Against Indigenous Women**

New York Times - May 30, 2019

Tina's death in 2014 - and the acquittal of a white man in her killing - was one of an increasing number of deaths and disappearances of Indigenous women and girls that has shocked Canadians in recent years. The violence galvanized the government of Prime Minister Justin Trudeau to open a \$54 million national inquiry three years ago that promised to get at the root causes of the violence.

The content of this newsletter is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content of the newsletter and listed websites. The views expressed are those of the authors and may not represent the views of the forum members, the Judicial Council of California, or the funders.

JUDICIAL COUNCIL

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FORUM LEGISLATIVE PROPOSALS Visit forum's home page

http://www.courts.ca.gov/3065.htm

US: U.S. high court won't use 'moot' AZ case to decide legality of India Child Welfare Act

Arizona Daily Star - May 31, 2019

The U.S. Supreme Court rebuffed a bid to void a federal law that critics say places the desires and rights of Native American tribes over the constitutionally protected best interests of children.

<u>US: National American Indian Organizations Praise US Supreme Court</u> **Decision Not to Hear ICWA Case**

Native News Online - May 31, 2019

The Protect ICWA Campaign--the National Indian Child Welfare Association, the National Congress of American Indians, the Association on American Indian Affairs, and the Native American Rights Fund—applauds the U.S. Supreme Court's decision to deny review in Carter v. Sweeney and protect Native children and families.

CA: Native American Tribes in California - Tribal Visitation Rights Whe One of Their Children Is Adopted.

HG.org - May 31, 2019

The Native American Tribes in California may have certain visitation rights even if the child adopted is no longer on a reservation or available to the tribe to visit with locally. These rights can extend to ensure a better relationship with the youth that has a Native American cultural background that only the tribe can help nurture.

US: Foster Care Resources for Tribes (Press release)

Administration for Children and Families - May 31, 2019

The White House has designated the month of May as National Foster Care Month. As the proclamation mentions, there were 443,000 youth that were placed in resource homes across the country in FY 2017. While the data for American Indian/Native Alaska children in foster care can vary from state to state and from tribe to tribe, it is important to share that there is a tremendous need for resource homes and to have resource parents who can support and meet the needs of children.

Canadian Inquiry Calls Killings of Indigenous Women Genocide

New York Times - June 2, 2019

A national inquiry into the widespread killings and disappearances of Indigenous women and girls equates the violence with genocide and holds Canada itself responsible for much of it, in a report to be released on Monday.

That powerful rebuke of violence against one of the country's most vulnerable minorities comes after a nearly three-year inquiry during which more than 1,500 families of victims and survivors testified in emotional hearings across the country.

The report, which will be officially released in a ceremony Monday, says the violence against women and girls amounts "to a race-based genocide of Indigenous peoples, including First Nations, Inuit, and Métis."

These programs are supported with funds from the Office on Violence Against Women, U.S. Department of Justice that are administered through the Governor's Office of Emergency Services (CalOES), the U.S. Department of Health and Human Services, Court Improvement Program, and the California Department of Social Services.

Native communities want equal justice — Congress can help

The Hill - June 2, 2019

For four decades, a dangerous loophole in federal law has been allowed to remain even though it threatens women and children on a daily basis.

In 1978, the Supreme Court ruled that it would not allow tribal governments to prosecute crimes committed on reservations by non-Indians. Despite acknowledging in his decision that the court was "not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians," Justice William Rehnquist concluded that only Congress could change the law.

This decision has allowed violent crimes to be committed with virtual impunity against native people, disproportionately impacting women and children, while Congress has failed for the past 40 years to address the issue as lives are devastated and families are torn apart. The loophole allows some criminals to escape justice. No one is in favor of that.

Canada Blamed for 'Genocide' Against Indigenous Women

Wall Street Journal - June 3, 2019

An inquiry concluded that high rates of violence against indigenous women in Canada amount to a genocide fueled by government abuses.

A years long inquiry concluded that high rates of violence against indigenous women in Canada amount to a "genocide" fueled by government abuses, putting more pressure on Prime Minister Justin Trudeau to address an issue his government has identified as a priority.

<u>Canada: 'Canadian Genocide': Report Seeks Justice for Missing and Murdered Indigenous Women and Girls</u>

Global Citizen - June 03, 2019

After almost three years of gathering thousands of testimonies across Canada, the National Inquiry on Missing and Murdered Indigenous Women and Girls released its final report Monday at a ceremony in Gatineau, Quebec. The report, entitled "Reclaiming Power and Place," refers to the violence against these women and girls a race-based "Canadian genocide." It issued 231 calls of justice - recommendations of actions the governments and citizens must take to put an end to the violence.

Also: Report: Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls

<u>Canada: Canadian Inquiry Calls the Murder and Disappearance of Indigenous Women Genocide</u> (Commentary) (Includes video)

Truthout - June 04, 2019

A chilling national inquiry has determined that the frequent and widespread disappearance and murder of Indigenous girls and women in Canada is a genocide that the government itself is responsible for. The findings were announced by the Canadian National Inquiry into Missing and Murdered Indigenous Women and Girls at a ceremony on Monday with Prime Minister Justin Trudeau and the families of victims.

US: Who Can Adopt a Native American Child? A Texas Couple vs. 573 Tribes

New York Times - June 05, 2019

Zachary, or A.L.M. as he is called in legal papers, has a Navajo birth mother, a Cherokee birth father and adoptive parents, Jennifer and Chad Brackeen, neither of whom is Native American. The Brackeens are challenging a federal law governing Native American children in state foster care: It requires that priority to adopt them be given to Native families, to reinforce the children's tribal identity.

Congress tackles crisis of missing and murdered Native American women

CBS News - June 5, 2019

Although May 5 is nationally considered a day for celebration, in many tribal communities, it is the National Day of Awareness for Missing and Murdered Native American Women. The date commemorates the birthday of Hanna Harris, a young mother and member of the Northern Cheyenne Tribe in Montana, who was reported missing in July 2013 and found murdered a few days later.

US: Battle Pits Native American Tribes Against White Couple Over Adoption of Native Child in Case With Potential Affirmative Action Implications

Root - June 05, 2019

In a case that may have implications for race-based affirmative action and other similar remedies offered to address centuries of racial discrimination in this nation, Native American tribes have banded together against a white couple over who should have custody of a Native American child.

Canada: Canada's indigenous try to break vicious cycle tearing families apart (3rd article)

Christian Science Monitor - June 05, 2019

For generations, Native Canadians' own government treated them with appalling cruelty. So today, they are speaking out, making changes to a foster-care system they say perpetuates old problems and thinking.

WA's top lawyer took a rare step to affirm tribal sovereignty — here's why that's a big deal

Crosscut – June 5, 2019

Under the new policy, the attorney general must get written consent from tribes before taking certain actions that affect them. That's something few have put into practice, experts say.

<u>US: 'Although My Indian Identity Isn't Simple, It's Mine': Readers on Adoption That Crosses Cultural</u> Lines

New York Times - June 07, 2019

In the more than 700 comments posted on our site, we heard from adoptive parents and adoptees, Native Americans, foster parents, child welfare workers, and readers intimately familiar with life on tribal lands. Here is a selection of those comments. They have been lightly edited and condensed for clarity.

Indigenous people fact higher suicide rates in Washington jails

High Country News - June 7, 2019

Native Americans are disproportionately more likely to be in Northwest jails. As a result, they are also more likely to die in jail. While Native Americans make up less than 2% of the population in Washington and Oregon, they represent more than 4.5% of jail deaths. That's according to an analysis of Northwest jail deaths by OPB, KUOW and the Northwest News Network.

Understanding genocide and the missing and murdered (Canada – Opinion)

Indianz.com – June 7, 2019

When the <u>National Inquiry into Missing and Murdered Indigenous Women and Girls</u> released its final report, it described the ongoing violence as a Canadian genocide. In the aftermath of the report's release, <u>many public</u> <u>intellectuals and journalists in Canadian news outlets and others on social media have contested</u> the <u>use of the</u> term genocide.

I am a genocide scholar who has written widely about settler colonial genocide.

Genocide, originally <u>defined near the end of the Second World War in 1944 by Polish-Jewish lawyer Raphael Lemkin</u> and consequently taken up by <u>sociologists</u>, historians, lawyers and others, is for Lemkin "a co-ordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves."

What a Reporter Learned From a Cherokee Family

New York Times – June 7, 2019

So far, a federal judge has agreed with them, ruling that the act should be struck down because he believes it is based on race. The case is before a federal appeals court.

<u>But in reporting the article</u>, which was published in Thursday's paper, I also needed to understand why the law means so much to tribes and why Native Americans feel that Native foster care children should be adopted by Native families. So I traveled to the <u>Cherokee Nation</u> in Oklahoma to speak with tribal lawyers and a Cherokee family who has been fostering and adopting Cherokee children through this law.

In the end, the material didn't fit into the final article.

OK: Art Therapy Strengthens Identity for Our Tribal Foster Children (Commentary)

Native News Online - June 10, 2019

Art therapy is more than simply filling in a coloring book. Cherokee Nation's Indian Child Welfare department is expanding its art therapy endeavor for tribal foster children over the next year thanks to a \$10,000 grant from the National Endowment for the Arts. Cherokee Nation is one of only four Oklahoma entities to get NEA funding this year and will use the funding to support weekly art classes and one-on-one art therapy sessions for about 55 foster children.

The Invisible Victims

Marie Claire Magazine - June 10, 2019

Two years ago, Ashley Heavy Runner Loring vanished without a trace, like thousands of other Native American women who go missing at alarming rates every year. Around the country, a remarkable movement, driven by Native women themselves, is leading the charge to find them.

US: Indian Child Welfare Act still under debate as Supreme Court rebuffs bid to void the act

Navajo-Hopi Observer - June 11, 2019

The U.S. Supreme Court has rebuffed a bid to void a federal law that challengers claim is racist because it places the desires and rights of Native American tribes over the constitutionally protected best interests of children. That, however, does not mean the justices believe the Indian Child Welfare Act is legal. Instead, they refused to disturb a lower court ruling which said that this particular case was moot because the Arizona adoptions at issue had gone through.

Canada: Canada grapples with a charge of 'genocide.' For indigenous people, there's no debate (Commentary)

Washington Post - June 11, 2019

During our conversation, Casey agreed that residential schools were terrible but then qualified her statement by saying, "At least in Canada we didn't outright kill Natives like they did in the States." I've thought about this statement for more than a decade. Why did she feel the need to implicitly defend Canada? Was Canada's decision to try to assimilate all indigenous people into the body politic via child kidnapping and abuse actually better than the massacre at Wounded Knee in the long run?

Also: Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls

Attacking the root cause of the opioid crisis in Indian Country by suing big pharma

Indian Country Today – June 11, 2019

In a move demonstrating big pharma companies are one of the root causes of opioid problems plaguing Indian Country, more than 100 tribes are setting the stage to file lawsuits against the big prescription drug companies, which include pharmaceutical manufacturers and distributors of opioids.

There are now also about 2,000 plaintiffs who have filed cases.

Missing Indigenous Persons Task Force meets for first time

The Independent Record – June 11, 2019

The Missing Indigenous Persons Task Force met for the first time in Helena on Tuesday as it looks at jurisdictional challenges and awards grants aimed at addressing the issue of missing and murdered Native women and men.

Senate Bill 312, called the Looping in Native Communities Act, or LINC, created the task force and \$25,000 in grants to be awarded to a tribal college to create a database of missing Native Americans. Along with the grant program, the task force's duties include identifying and strategizing ways to break down barriers between federal, state, local and tribal law enforcement and agencies in reporting and investigating the cases.

<u>Tribal management on the way for troubled Indian Health Service hospital</u> Indianz.com – June 12, 2019

The <u>Great Plains Tribal Chairmen's Health Board</u> has entered into a self-determination contract to manage most operations at the <u>Sioux San Hospital</u>, a troubled <u>Indian Health Service</u> facility in Rapid City, South Dakota. The contract will be based on services provided to patients from the <u>Cheyenne River Sioux Tribe</u> and the <u>Oglala Sioux Tribe</u>, whose leaders agreed to the arrangement. The <u>Rosebud Sioux Tribe</u> is not participating so the IHS will continue to offer services to those citizens.

AK: In Your Words: Kotzebue focuses on housing, tribal family services (Commentary)

Arctic Sounder - June 14, 2019

Our Tribal Family Services Department offers assistance programs, as well as Indian Child Welfare Act services and is mostly funded through the Bureau of Indian Affairs Office of Self Governance. We also receive a small grant from the State of Alaska Department of Health and Social Services.

Supreme Court Confirms Dual Sovereignty Exception to Double Jeopardy Clause

Turtletalk - June 17, 2019

Decision of the U.S. Supreme Court in Gamble v. United States.

How a right-wing attack on protections for Native American children could upend Indian

The Intercept – June 17, 2019

A law key to preventing state welfare agencies from separating Indigenous children from their families is at risk of being overturned thanks to the yearslong effort of a network of libertarian and right-wing organizations.

In the 1970s, between a quarter and a third of Indigenous children across the United States had been removed from their homes. Social services often cited neglect or deprivation — euphemisms for poverty — as grounds for placing children in the custody of non-Native families and institutions, offering birth parents little opportunity for redress. Congress passed the Indian Child Welfare Act in 1978 in order to reform a system designed to destroy Indigenous people.

Gavin Newsom apologizes on California's behalf to native tribes for slaughter of ancestors

SacBee - June 18, 2019

Gov. Gavin Newsom formally apologized to California Native Americans through an executive order Tuesday for the state's "dark history" of violence against indigenous people.

"It's called a genocide," Newsom said at a ceremony announcing the state's apology. "No other way to describe it... I'm sorry on behalf of the state of California."

The order represents an apology to Native people for the government's slaughter of their ancestors, family separations and forced servitude, according to his office.

'It's Called Genocide': Newsom Apologizes to the State's Native Americans

New York Times – June 19, 2019

On Tuesday, Gov. Gavin Newsom issued a formal apology to California's Native American communities. In 1851, California's first governor, Peter Burnett, told the Legislature to expect war "until the Indian race becomes extinct."

Recounting his state's dark history, Gov. Gavin Newsom on Tuesday issued an apology in front of a group of Native American tribal leaders on behalf of the state for a history of repression and violence.

US: Is It Time for Truth and Reconciliation in the U.S.? (Commentary)

Yes! - June 19, 2019

For more than 100 years leading up to the late 1970s, Native children in the Wabanaki group of tribes of Maine were removed from their homes by state authorities and placed with White families in an attempt to erase their indigenous identity. To try to heal from this trauma, state and tribal child welfare workers collaborated to create the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission. "We were led by a real desire to make a difference in the child welfare system and native families, because playing nice wasn't doing it," said Esther Attean, a board member of the nonprofit Maine Wabanaki REACH.

Canada: Canada Has A Long History Of Ignoring Reports Like That Of The MMIWG Inquiry Popular Resistance - June 19, 2019

The hullabaloo over the missing and murdered Indigenous women and girls (MMIWG) inquiry's use of the word genocide has obscured its broader message, and that is more than a pity. It is a tragedy. The inquiry's report builds a powerful case about the systemic causes for the frighteningly large number of cases of Indigenous women and girls who have been victims of violence, abuse and, too often, murder

Doing Justice: An Interview With Abby Abinanti, Chief Judge of the Yurok Tribe (Part 1)

Lost Coast Outpost. Capitol Weekly - June 21, 2019

Abby Abinanti, the first native woman member of the California State Bar, recounts her life, from her youth in Humboldt County, her career as a lawyer and court commissioner in San Francisco and her role as chief judge for the Yurok Tribe. She was interviewed on February 21, 2019, in Klamath by Mary Louise

Frampton, director of the Aoki Center for Critical Race and Nation Studies at the University of California, Davis Law School.

<u>Tribal baby battle: This lowan lost her baby to the Indian Child Welfare Act. Now she understands</u> why

Des Moines Register – June 25, 2019

Kelly Buffalo-Quinn first told her story of battling with her tribe over the application of the Indian Child Welfare Act to her son on stage at the <u>Des Moines Storytellers Project</u>: On <u>Second Thought</u> event. The <u>Des Moines Storytellers Project</u> is a series of storytelling events in which community members work with Register journalists to tell true, first-person stories live on stage. An edited version appears in the article.

Study Requested on Missing or Murdered Indigenous Women

Tulsa Public Radio – June 26, 2019

State Rep. Mickey Dollens has requested an interim study to address the knowledge gap regarding which brand of local government would respond when an indigenous woman is missing or murdered. Oklahoma is currently 10th in the nation for missing or murdered indigenous women.

Publications

Title: The Expansion of Tribal Data Sovereignty

Author: Christopher B. Chaney, Unit Chief, FBI OGC Criminal Justice Information Law Unit

Source: Tribalnet Magazine, Spring 2019, p 25

Title: Indian Child Welfare Act Annual Case Law Update

Author: Kathryn Fort, Michigan State University College of Law & Adrian T. Smith, Youth, Rights and Justice

Source: American Indian Law Journal: Vol. 7: Iss. 2, Article 2

Title: Extending Tribal Criminal Jurisdiction Outside of Indian Country: Kelsey v. Pope

Author: Greg S. Keough

Source: 43 Am. Indian L. Rev. 223 (2018)

Title: Closing Gaps in Native American Health.

Author(s): Agni, Chet. Published: 2016

Available from: Kids Forward

Abstract: This brief explains health indictors for Native Americans in Wisconsin are far worse than the health metrics for the State's white residents and the need to close the huge gaps in health and life expectancy in Wisconsin. Background information on the challenges facing Native Americans in Wisconsin is provided, including the fact that from 2012-2014, infant mortality rates for native children in Wisconsin were 69% higher than those of white children. A new Medicaid policy regarding Medicaid reimbursement for tribal health care is then reviewed that could potentially help increase access to health services, improve care coordination for tribal health patients receiving Medicaid service, and provide additional support for Indian Health Service. The brief closes with information on recent federal innovations and other policy proposals and specific innovations in tribal health in Wisconsin.

Title: <u>Site Selection: Assessment Tools: Tribal Community Initial Assessment</u> (Tool on Implementation Tools Resource Page).

Published: 2015

Available from: National Quality Improvement Center for Adoption/Guardianship Support and Preservation

Abstract: A tool from the Quality Improvement Center for Adoption and Guardianship Support and Preservation (QIC-AG) delineates a three-phase assessment process to guide the site selection process: pre-assessment, initial assessment, and full assessment. Each assessment phase is focused on answering a specific question or identifying a specific outcome related to the following categories: Organizational Demographics, Population, Data Capacity, Continuum of Services/Interventions, Organizational and Evaluation Readiness, and Sustainability. As the assessment progresses through the phases, the information in each category is designed to increase in scope and depth. This document provides the template for completing the initial assessment phase for tribal communities.

Title: Site Selection: Tribal Site Expectations (Tool on Implementation Tools Resource Page).

Published: 2015

Available from: National Quality Improvement Center for Adoption/Guardianship Support and Preservation

Abstract: This brief from the Quality Improvement Center for Adoption and Guardianship Support and Preservation (QIC-AG) delineates the expectations of tribal sites working to develop system capacity to achieve outcomes promoting and supporting adoption and guardianship to ensure thoughtful decision making about committing to the project for state/county and tribal communities. It reviews goals of the program, the continuum of services to be provided, the project's timeline, the benefits of partnership, and support for sites in the areas of assessment, data capacity, evaluation, learning community, technical assistance, and training. Financial assistance to sites related to the implementation and evaluation of the selected intervention model is explained. Specific expectations of tribal sites are then discussed and address staffing, data, evaluation, sustainability, cross-site collaboration, dissemination, and products.

Title: Protecting native women from violence: Fostering state-tribal relations and the shortcomings of the

Violence Against Women Act of 2013.

Author: Olson, Dayna

Source: <u>46 Hastings Const. L.Q. 821</u> (2019)

Title: What the future may hold for victims of domestic and sexual violence without the Violence Against Women

Act.

Author: Stupakis, Stephanie E.

Source: 30 Hastings Women's L.J. 253 (2019)

Title: New York State's recent judicial collaboration with Indigenous partners: The story of New York's federal-

state-tribal courts and Indian Nations justice forum.

Author: Kahn, Marcy L.

Source: 14 Jud. Notice 20 (2019) *

Title: The origins and evolution of the Indian Child Welfare Act.

Author: Mayberry, Danielle J. Source: 14 Jud. Notice 34 (2019) *

Title: Implementation of the Ashlynne Mike AMBER Alert in Indian Country Act of 2018: A Report to Congress

Author: Office of Juvenile Justice and Delinquency Prevention

Source: U.S. Department of Justice, Office of Justice Programs, 810 Seventh Street NW. Washington, DC

20531

OJJDP has <u>released</u> the "<u>Implementation of the Ashlynne Mike AMBER Alert in Indian Country Act of 2018: A Report to Congress.</u>" The report provides Congress with an assessment of the readiness, education and training needs, technological challenges, and obstacles encountered by tribes in the integration of state or regional AMBER Alert communication plans. The report includes data obtained from 100 federally recognized tribes and 33 state AMBER Alert coordinators.

The Act reauthorized the AMBER Alert grant program and provides grants to states and federally recognized Indian tribes for AMBER Alert implementation. The AMBER Alert is an early warning system that mobilizes community support to help recover abducted children.

Title: Redefining Tribal Sovereignty for the Era of Fundamental Rights

Author - Michael Doran, University of Virginia - School of Law

Source - Indiana Law Journal, June 2019

Abstract

This article explains a longstanding problem in federal Indian law. For two centuries, the U.S. Supreme Court has repeatedly acknowledged the retained, inherent sovereignty of American Indian tribes. But more recently, the Court has developed the implicit-divestiture theory to deny tribal governments criminal and civil jurisdiction over non-members, even with respect to activities on tribal lands. Legal scholars have puzzled over this move from a territorial-based definition of tribal sovereignty to a membership-based definition; they have variously explained it as the Court's abandonment of the foundational principles of Indian law, the product of the Court's indifference or even racist hostility to Indians, or a simple lack of doctrinal coherence in the Court's decisions. This article provides a different explanation. The implicit-divestiture cases represent the Court's effort to address a trilemma among three incompatible objectives: preservation of the traditional territorial-based definition of tribal sovereignty; preservation of tribal governments' placement outside the federalist structure of the constitutional order; and preservation of fundamental rights. The Court has chosen to resolve the trilemma by

redefining tribal sovereignty to deny tribal jurisdiction over non-members. Whether right or wrong, the implicit-divestiture theory is the Court's good-faith attempt to preserve as much tribal sovereignty as possible without infringing on fundamental rights or forcing tribal governments into the federalist structure.

Title: Resilience and Native girls: A critique.

Author: Rolnick, Addie C.

Source: 2018 B.Y.U. L. Rev. 1407 (2018)

Title: Sovereign metaphors in Indian law.

Author: Ablavsky, Gregory

Source: 80 Mont. L. Rev. 11 (2019) *

Title: The restatement of the law for American Indians: The process and why it matters.

Author: Fletcher, Matthew L.M. Source: 80 Mont. L. Rev. 1 (2019) *

Title: Tribal nations and Congress's power to define offences against the law of nations.

Author: Dossett, John Hayden Source: 80. Mont. L. Rev. 41 (2019) *

Title: From foundational law to limiting principles in federal Indian law.

Author: Skibine, Alex Tallchief Source: 80 Mont. L. Rev. 67 (2019) *

Title: United States v. Gillette: A tiny prairie casenote opening a window on the enveloping fog obscuring

the Indian Civil Rights Act of 1968. **Author:** Pommersheim, Frank

Source: 80 Mont. L. Rev. 121 (2019) *

Title: Native American religious accommodations, national parks, and the Cutter test,

Author: Dohnalek, James

Source: 15 U. St. Thomas L.J. 715 (2019)

Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (Volume 1a).

National Inquiry into Missing and Murdered Indigenous Women and Girls (Canada)

2019 https://www.mmiwg-ffada.ca/final-report/

Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (Volume 1b).

National Inquiry into Missing and Murdered Indigenous Women and Girls (Canada) 2019 https://www.mmiwg-ffada.ca/final-report/

Reclaiming Power and Place: A Supplementary Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Kepek-Quebec (Volume 2).

National Inquiry into Missing and Murdered Indigenous Women and Girls (Canada) 2019 https://www.mmiwg-ffada.ca/final-report/

Title: On Indian Children and the Fifth Amendment

Author: Fletcher, Matthew L.M. Professor of Law & Director of the Indigenous Law and Policy Center at

Michigan State University College of Law **Source:** 80 Montana L. Rev. 99 (2019)

Announcements

Governor Gavin Newsom Announces the Creation of a tribal Truth and Healing Council

June 18, 2019 - SACRAMENTO – Governor Gavin Newsom today issued an apology through executive order on behalf of California to California Native American Peoples for the many instances of violence, mistreatment and neglect inflicted upon California Native Americans throughout the state's history. The Governor also announced the creation of a Truth and Healing Council to provide an avenue for California Native Americans to clarify the record – and provide their historical perspective – on the troubled relationship between tribes and the state. This is the first time a state has taken dual action to correct the historical record and acknowledge wrongdoing through executive order mandate and a tribally-led, consultation-informed council.

"Tribal Domestic Violence Courts and Tribal Domestic Violence Dockets - Guide for Development of a Tribal Victim-Centered Specialized Court or Docket to More Effectively Address Domestic Violence Cases." Tribal Domestic Violence Courts are specialized courts comprised of judges, court staff and a multi-disciplinary core case team highly trained in the power and control dynamics of domestic violence and focused on victim safety and batterer accountability. Domestic Violence Dockets are specialized docket days with judges and court personnel trained in dynamics of domestic violence and enhanced security measures. This unique resource was drafted to guide Native nations through a series of exercises resulting in a tribal domestic violence court or docket specifically designed by the tribe to address the domestic violence issues in a particular tribal community.

This publication can be found at www.home.tlpi.org and at the TLPI Domestic Violence Courts and Dockets webpage. For more information about Tribal Domestic Violence Courts and Domestic Violence Courts and Tribal Domestic Violence Courts and Tribal Domestic Violence Dockets - Domestic Violence Cases.

The National Indigenous Women's Resource Center (NIWRC) is excited to announce the release of the Special Collections: WAS Talks Resource Videos in the NIWRC Online Resource Library! WAS Talks is a video resource initiative of the NIWRC, a project inspired by the national TED Talks: Ideas Worth Spreading. WAS Talks was launched and recorded during the June 2018 Women Are Sacred Conference with individual videos released on NIWRC's social media during the month of April in honor of Sexual Assault Awareness Month and now all available in this special collection.

Tribal Justice Collaborative-Southern & Northern California Judges' Dinners

The TJC is pleased to announce that our 8th Annual Judges' Dinner, August 16, 2019, is co-hosted by the San Manuel Band of Mission Indians Tribal Court and will be held at the event center in Highland, CA. A block of rooms will be held for those staying overnight. The Ontario International Airport is located within 30 minutes of the hotel and event center.

We are also pleased to announce the 1st Annual Judges' Dinner for Northern California is scheduled Thursday, October 3, 2019, the evening before the Bay Area ICWA Symposium. Time and location details to be announced soon. For further information please contact Tom Lidot at: tom@popsorganization.org

Online Resources

Indian Civil Rights Act – Fifty Year's Later video

Attempting to impose certain constitutional restrictions and protections upon tribal governments and to guarantee Native Americans equal protection under the Bill of Rights, Congress passed the Indian Civil Rights Act. The history of the Act, the effects of the Act, and the state of tribal courts fifty years after enactment are discussed in this edition of the Continuing the Dialogue broadcast series. Chief Judge Abby Abinanti, Chief Judge Claudette White, Tribal Advisor to the Governor Cynthia Gomez (retired), and Professor Joseph Myers, moderated by Chief Judge Christine Williams, explore California tribal court issues and how they relate to and are intertwined with the work of the state's judicial branch.

Newslinks

This is a service that the Judicial Council Public Affairs Office puts together every day. If you would like to receive this service, please visit this <u>webpage</u>.

Judicial Resources Network (JRN) and Center for Judicial Education and Research (CJER) Online

This website contains information relevant to all levels of judicial branch personnel and includes resources designed to meet education, facilities, financial, human resources, legal, special court projects, technology, and other informational needs. For more information, please contact the Judicial Council of California Tribal/State Programs Unit at 415-865-7739 or cfcc@jud.ca.gov.

California Dependency Online Guide (CalDOG)

This website contains dependency-related case law, legal materials, articles and other resources relevant to California attorneys, judicial officers, social workers, tribal representatives, Court Appointed Special Advocates, and other child welfare professionals. Subscriptions are free and available to professionals working in the field of juvenile dependency. Log in or subscribe here.

Sovereign Bodies Institute

SBI is a home for generating new knowledge and understandings of how Indigenous nations and communities are impacted by gender and sexual violence, and how they may continue to work towards healing and freedom from such violence.

NamUs Program

PEOPLE + INFORMATION + TECHNOLOGY + FORENSIC SCIENCE

NamUs is a national information clearinghouse and resource center for missing, unidentified, and unclaimed person cases across the United States. Funded and administered by the National Institute of Justice and managed through a cooperative agreement with the UNT Health Science Center in Fort Worth, Texas, all NamUs resources are provided at no cost to law enforcement, medical examiners, coroners, allied forensic professionals, and family members of missing persons.

Webinars & Podcasts

Tribal Courts and Child Welfare: Building Relationships With State Counterparts

Children's Bureau. An Office of the Administration for Children and Families

Published: May 24, 2019

Categories: <u>Technical Assistance</u> **Topics:** Child Welfare, Foster Care

Tags: Podcast

When Tribal families are involved in State- or county-based child welfare services or family courts, navigating the jurisdictions and services can lead to confusion and tension.

Hear how the Sitka Tribe of Alaska and Saint Regis Mohawk Tribes successfully broke down barriers to create more positive working environments and strengthen their communication and partnerships.

Tribal Courts and Child Welfare: Overcoming Challenges to Working With States

Children's Bureau. An Office of the Administration for Children and Families

Published: June 14, 2019

Categories: <u>Technical Assistance</u> Topics: <u>Child Welfare</u>, <u>Foster Care</u>

Tags: Podcast

The relationships Tribal child welfare and Tribal court staff share with their State counterparts can impact the level of service and support Tribal families and children can receive when involved in the child welfare system. Other barriers outside of professional relationships, however, can also influence how well agencies can partner together. Tribal child welfare and Tribal courts must find ways to overcome these challenges to help States meet requirements of the Indian Child Welfare Act (ICWA), provide culturally relevant services to Tribal members, and stay engaged with the families they are charged to serve.

This episode, 'Overcoming Challenges to Working With States', is part of a series featuring the work of <u>Tribal Court Improvement Program</u> grantees. The episode shares examples of Tribal court and Tribal child welfare agencies navigating legal and jurisdictional challenges from the <u>Ponca Tribe of Nebraska</u> and the <u>Mashpee Wampanoag Tribe</u>, told by Tribal social services court staff, respectively.

Doing Justice: An Interview With Abby Abinanti, Chief Judge of the Yurok Tribe (Part 1)

Lost Coast Outpost. Capitol Weekly - June 21, 2019

Abby Abinanti, the first native woman member of the California State Bar, recounts her life, from her youth in Humboldt County, her career as a lawyer and court commissioner in San Francisco and her role as chief judge for the Yurok Tribe. She was interviewed on February 21, 2019, in Klamath by Mary Louise Frampton, director of the Aoki Center for Critical Race and Nation Studies at the University of California, Davis Law School.

Advancing Native Representation in the Judiciary CILA Webinar

July 8, 2019 at 12 pm

Please join the California Indian Law Association, the Tribal Justice Project, and the Aoki Center for their annual webinar, *Advancing Native Representation in the Judiciary,* on July 8th at 12pm PST. This webinar will focus on increasing the presence of Native attorneys in state, federal, and tribal courts.

Register for the webinar here: www.calindianlaw.org/cle-webinar.html

Presenters include Hon. Abby Abinanti, Chief Judge of the Yurok Tribal Court; Hon. William Fletcher of the Ninth Circuit Court of Appeals; and Hon. Deborah Sanchez of the Superior Court of Los Angeles.

A webinar link will be sent to those who register. Participants will receive 1 CLE credit.

Webinar Wednesdays-TLPI

This initiative—Strengthening Tribal Response to Violence Against Native Women – will also provide training, technical assistance and resources designed to help individual tribal governments and tribal communities – that are **not** currently receiving Office on Violence Against Women (OVW) grant funding - enhance victim safety and more effectively address offender accountability. Initiative partners provide individualized training, technical assistance and resources to strengthen the response of tribal governments to effectively address sexual assault, domestic violence, dating violence and stalking.

July 10, 2019 - Shelter/ Safe Homes

10:00 am. AKST/ 11:00 am PST/ Noon MST/ 1:00 pm CST/ 2:00 pm EST

August 14, 2019 - Legal Resources

10:00 am. AKST/ 11:00 am PST/ Noon MST/ 1:00 pm CST/ 2:00 pm EST

September 11, 2019 - Tribal Protection Orders

10:00 am. AKST/ 11:00 am PST/ Noon MST/ 1:00 pm CST/ 2:00 pm EST

For more information see the brochure here or contact TribalResponse@tlpi.org to inquire further

Upcoming Conferences

Noojimo'iwewin: A VAWA and ICWA Training

August 1-2, 2019

BAY MILLS HORIZON CENTER BRIMLEY, MI

A multi-disciplinary training geared toward child welfare and domestic violence advocates to implement effective service and advocacy strategies in cases involving child welfare, domestic violence, or both.

"Coming Together to Create a Cultural Response to Address the Impact of Domestic Violence on Women and their Children"

August 13-15, 2019

Radisson Blu Mall of America Hotel—Minneapolis MN

NIWRC is excited to announce the upcoming Specialty Institute "Coming Together to Create a Cultural Response to Address the Impact of Domestic Violence on Woman and their Children," in Minneapolis MN on August 13-15, 2019. The question, "what about the children?" has been in the hearts, minds and souls of advocates, families, communities, child welfare agencies, social services programs, law enforcement and the courts for decades. And while there has been a lot of discussion, policies and practices around the topic of domestic violence and the intersection of child welfare, there continues to be a lot of unanswered questions, unresolved issues, misunderstandings and even harmful practices. This Specialty Institute is committed to addressing these issues from the root causes to identifying cultural best practices, strength based approaches and practice-based policy recommendations. This Specialty Institute is designed to strengthen our advocacy, promote tribal sovereignty and build our capacity to respond appropriately and effectively to children and their non-offending parent who are impacted by domestic violence. Register Here

Judicial Skills Training: Child Welfare Best Practices

August 21-23, 2019

Seattle, WA

Casey Family Programs

Travel and Lodging Scholarships Available

Application to be released June '19

Questions: kate@naicja.org

Tribal Veteran Wellness Court Symposium

August 22-23, 2019

Missoula, MT.

Join for this free two-day event highlighting important considerations for serving and treating Native veterans and the Wellness Court model.

Register <u>here</u> and visit <u>www.wellnesscourts.org</u> for more information.

A limited number of scholarship are available to Healing to Wellness Court practitioners who require financial assistance. To apply for a scholarship for the Tribal Veterans Wellness Court Symposium, you must complete and submit this scholarship application, along with separately emailing a letter of recommendation to wellness@tlpi.org by the scholarship deadline of Friday, July 12, 2019.

9th Annual Tribal Healing to Wellness Court Enhancement Training

September 10-12, 2019

Palm Springs, CA

U.S. Department of Justice approval is pending.

The <u>Tribal Healing to Wellness Court Enhancement Training</u> is a tribal-specific national training for tribal problem-solving courts. The Enhancement Training features Wellness Court best practices and innovative strategies. The Training will be oriented around the ten key components and the National Association of Drug Court Professionals (NADCP) National Drug Court Standards. The Enhancement Training focuses upon tribal issues, including jurisdictional and legal issues unique to Indian country; the incorporation of custom and tradition into the phases, case management, treatment curriculums, and tangential services; and the peer-to-peer sharing of successful Healing to Wellness Courts models in operations. Training topics will cover the adult criminal, juvenile delinguency, family dependency, DWI/DUI, and veterans models.

Bay Area ICWA Symposium

October 4, 2019 San Francisco, CA 9:00am-4:00pm

Complimentary breakfast 8:30am and on-site lunch available

The symposium will feature an array of speakers specific to Bay Area issues in relation to ICWA and crossover issues that impact tribal families involved within the child welfare system.

Workshop proposals due July 12, 2019. To submit a workshop proposal please visit the form here [See attached save the date flyer] Please contact Vida Castaneda with any questions: wida.castaneda@jud.ca.gov or (415)865-7874

GRANT OPPORTUNITIES

OVC FY 2019 Improving Outcomes for Child and Youth Victims of Human Trafficking

Department of Justice Office for Victims of Crime OVC-2019-15598 Deadline: July 1, 2019

The purpose of this program is to improve outcomes for children and youth who are victims of labor and sex trafficking by integrating human trafficking policy and programming at the state or tribal jurisdiction level and enhancing coordinated, multidisciplinary, and statewide approaches to serving trafficked youth. Applicants should identify the state or tribe's greatest barriers to identifying and assisting child and youth victims of sex and labor trafficking and/or to investigating and prosecuting these trafficking cases, and propose a program to systematically address those barriers. OVC is particularly interested in applications from states with a high geographic need for this program.

<u>Rural Communities Opioid Response Program – Rural Centers of Excellence on Substance Use</u> Disorders

Department of Health and Human Services
Health Resources and Services Administration
HRSA-19-108

Deadline: July 1, 2019

The Regional Centers of Excellence in Substance Use Disorder Education Program seeks to establish three Rural Centers of Excellence (Centers) on substance use disorders as directed by Senate Report 115-289. The Centers should provide scientific and technical assistance to county and State health departments and other entities as identified seeking guidance on how to address the substance use disorder challenges in their community. HRSA is directed to establish one such Center at an academic university, in a rural State where the U.S. Census Bureau defines over 60 percent of the population as rural.

Tribal Heritage Grant Program

Department of the Interior – National Park Service P19AS00200

Deadline - July 1, 2019

Department of the Interior is currently accepting applications on grants.gov for Historic Preservation Fund Grants to Indian Tribes, Alaskan Natives, and Native Hawaiian Organizations (Tribal Heritage Grants).

Tribal Management Grant Program

Department of Health and Human Services Indian Health Service HHS-2019-IHS-TMD-0001 Deadline: July 1, 2019

The purpose of this IHS grant program is to enhance and develop health management infrastructure and assist Tribes/Tribal Organizations (T/TO) in assuming all or part of existing Indian Health Service (IHS) programs, functions, services and activities (PFSA) through a Title I Indian Self-Determination and Education Assistance Act (ISDEAA) contract and assist established Title I ISDEAA contractors and Title V ISDEAA compactors to further develop and improve management capability. In addition, Tribal Management Grants are available to T/TOs under the authority of 25 U.S.C. Section 5322(e) for the following: (1) obtaining technical assistance from providers designated by the T/TO (including T/TOs that operate mature contracts) for the purposes of program planning and evaluation, including the development of any management systems necessary for contract management, and the development of cost allocation plans for indirect cost rates; and (2) planning, designing, monitoring, and evaluating Federal programs serving T/TOs, including Federal administrative functions.

BJA FY 19 The Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy

Department of Justice Bureau of Justice Assistance BJA-2019-15148 Deadline: July 2, 2019

The Intellectual Property Enforcement Program (IPEP), administered by BJA, is designed to provide national support and improve the capacity of state, local, and tribal criminal justice systems to address IP enforcement, including prosecution, prevention, training, and technical assistance. Awards will be made by BJA to support law enforcement agencies in coordinating the goals, objectives, and activities of their IP enforcement task forces in close collaboration with the relevant state, local, tribal, and federal agencies, to include local U.S. Attorney's Offices (USAOs). The improved coordination of IP enforcement efforts among federal, state, and local authorities is a central goal of the Strategic Plan and is of primary importance to DOJ. As a result, projects funded under this solicitation must align with the mission of the DOJ IP Task Force, and establish and/or enhance state and local IP enforcement task forces that include relevant law enforcement agencies and federal agencies (to include, where appropriate, local offices of the Federal Bureau of Investigation [FBI], U.S. Immigration and Customs Enforcement's Homeland Security Investigation [ICE HSI], and U.S. Attorneys.

BJA FY 19 Southwest Border Rural Law Enforcement Information Sharing and Interdiction Assistance Grants

Department of Justice Bureau of Justice Assistance BJA-2019-16289

Deadline: July 2, 2019

The BJA Southwest Border Rural Law Enforcement Violent Crime Reduction Initiative is an innovative new program that seeks to provide resources, training, and technical assistance to rural law enforcement agencies along the Southwest Border to assist with the reduction of violent crime, including drugs and human traffickers. The initiative will include two areas of funding; (1) field based initiatives, and (2) a TTA initiative.

BJA FY 19 Upholding the Rule of Law and Preventing Wrongful Convictions Program

Department of Justice Bureau of Justice Assistance BJA-2019-15319

Deadline: July 2, 2019

The Upholding the Rule of Law and Preventing Wrongful Convictions (URLPWC) Program is committed to protecting the integrity of the criminal justice system and the consistent application of due process for all. The URLPWC Program supports efforts by both conviction integrity or review units (CIUs) and wrongful conviction review entities (WCR entities) that represent individuals with post-conviction claims of innocence to review individual cases.

Bureau of Indian Education: Tribal Education Grants

Department of the Interior Bureau of Indian Affairs BIE-TEDC-0003

Deadline: July 5, 2019

The Secretary of the Interior, through the Bureau of Indian Education (BIE) hereby solicits grant proposals from federally-recognized tribes and their Tribal Education Departments (TED) serving Bureau-funded schools projects defined by 25 USC §2020. These funds will assist tribes in the development and operation of TEDs for the purpose of planning and coordinating all educational programs of the tribe. These funds will support the development of TEDs to improve educational outcomes for students and improve efficiencies and effectiveness in the operation of BIE-funded schools. Grant awards are subject to the availability of funds as appropriated by Congress.

Tribal Long-Term Services and Supports Resource Center

Department of Health and Human Services Administration for Community Living HHS-2019-ACL-AOA-IELT-0349

Deadline: July 5, 2019

This center will address the unmet need of tribal-specific and culturally appropriate LTSS information and guidance to tribes. The outcomes of the FOA will be to; 1) to create a network of navigators that will assist tribes in development of appropriate LTSS in response to identified, tribe-specific needs; and 2) based on documented best practices, the Center will develop a practical and hands on toolkit for tribes to assist in implementing LTSS in their individual tribal communities.

Drug-Free Communities (DFC) Support Program-New

Department of Health and Human Services Substance Abuse and Mental Health Services Adminis SP-19-005

Deadline: July 8, 2019

The Executive Office of the President, Office of National Drug Control Policy (ONDCP), and the Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Prevention (CSAP) are accepting applications for Fiscal Year (FY) 2019 Drug-Free Communities (DFC) Support Program grants. By statute, the DFC Support Program has two goals:

1. Establish and strengthen collaboration among communities, public and private non-profit agencies, as well as federal, state, local, and tribal governments to support the efforts of community coalitions working to prevent and reduce substance abuse among youth*.

2. Reduce substance abuse among youth and, over time, reduce substance abuse among adults by addressing the factors in a community that increase the risk of substance abuse and promoting the factors that minimize the risk of substance abuse.

Housing Preservation Grants

United States Department of Agriculture

Rural Development Deadline: July 8, 2019

It provides grants to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low and very low income rural citizens. USDA will award a total of \$15,888,420 in Housing Preservation Grant Program funding for the repair and rehabilitation of rural housing units.

Rural Housing Preservation Grant

Department of Agriculture

Utilities Programs

USDA-RD-HCFP-HPG-2019

Deadline: July 8, 2019

The Rural Housing Service (RHS) announces that it is soliciting applications under its Housing Preservation Grant (HPG) program. The HPG program is a grant program which provides qualified public agencies, private nonprofit organizations, which may include but not be limited to, Faith-Based and Community Organizations, and other eligible entities grant funds to assist very low- and low-income homeowners in repairing and rehabilitating their homes in rural areas. In addition, the HPG program assists rental property owners and cooperative housing complexes in repairing and rehabilitating their units if they agree to make such units available to low- and very low-income persons.

OVC FY 2019 Transforming America's Response to Elder Abuse: Enhanced Multidisciplinary Teams (E-MDTs) for Older Victims of Abuse and Financial Exploitation

Department of Justice Office for Victims of Crime

OVC-2019-15656 Deadline: July 8, 2019

OVC is seeking applications for funding to support the development and/or enhancement of multi-disciplinary teams (MDTs) and to strengthen the capacity of "enhanced MDTs" to better identify and respond to cases of abuse and more comprehensively serve and support victims of elder abuse and financial exploitation by also funding a National Elder Abuse Training and Technical Assistance Center.

OVC FY 2019 Transforming Family Justice Center Services: Creating New Pathways of Hope and **Healing for Polyvictims**

Department of Justice Office for Victims of Crime OVC-2019-15643

Deadline: July 8, 2019

OVC seeks to expand the work and lessons learned from OVC's FY 2016 demonstration initiative, "A Pathway to Justice, Healing, and Hope: Addressing Polyvictimization in a Family Justice Center." Purpose Area 1: OVC expects to fund up to six FJCs or similar co-located service model agencies to: implement the validated assessment tool (see Appendix A); increase partnerships with traditional and non-traditional FJC services to serve identified polyvictims more holistically; expand case management services to include a thorough understanding of the specific needs of the survivors; and build capacity within their communities to leverage existing and new resources for crime victims. Purpose Area 2: OVC anticipates funding one organization to provide comprehensive technical assistance to the Purpose Area 1 sites selected under this program.

Public Transportation on Indian Reservations Program

Department of Transportation DOT/Federal Transit Administration

FTA-2019-004-TPM-TRTR Deadline: July 9, 2019

The Federal Transit Administration (FTA) announces the availability of approximately \$5 million in funding provided by the Public Transportation on Indian Reservations Program (Tribal Transit Program (TTP)), as authorized by 49 U.S.C. 5311(c)(1)(A), as amended by the Fixing America's Surface Transportation Act (FAST),

Public Law 114-94 (December 4, 2015). The primary purpose of these competitively selected grants is to support planning, capital, and, in limited circumstances, operating assistance for tribal public transit services. Funds distributed to Indian tribes under the TTP should not replace or reduce funds that Indian tribes receive from states through FTA's Section 5311 program.

FY 2019 Specialized Human Trafficking Training and Technical Assistance and Resource Development

The Office for Victims of Crime

OMB No. 1121-0329 Deadline: July 10, 2019

The purpose of this program is three-fold:

- to enhance the quality of services available to assist victims of human trafficking by providing specialized training and technical assistance (TTA) to legal and social service providers, community organizations, and other stakeholders;
- to develop resources that commemorate the 20th anniversary of the passage of the Trafficking Victim
 Protection Act to raise public awareness, promote community outreach, and create educational activities
 around the country to address human trafficking; and
- to develop a key resource to improve the response to victims of human trafficking wherever they are identified.

OVC FY 2019 Enhancing Community Responses to the Opioid Crisis: Serving Our Youngest Crime Victims

U.S. Department of Justice Office of Justice Programs Office for Victims of Crime OVC-2019-15644

Deadline: July 11, 2019

The purpose of this solicitation is to address an urgent gap in crime victim services related to the opioid epidemic and to expand upon existing or establish new programs to provide services to children and youth2 who are victimized3 as the result of the opioid crisis. OVC anticipates that this solicitation will support service providers in expanding their current scope and expertise to ensure that children and youth—the most vulnerable victims impacted by the opioid crisis—are supported as they heal from the impact of crime and substance abuse.

FY 2019 Project Beacon: Increasing Services for Urban American Indian and Alaska Native Victims of Sex Trafficking

U.S. Department of Justice Office of Justice Programs Office for Victims of Crime OVC-2019-15584

Deadline: July 15, 2019

The Office for Victims of Crime (OVC) will make awards to increase the quantity and quality of services currently available to American Indian and Alaska Native (Al/AN) victims of sex trafficking who reside in urban areas.1 Award recipients will use the funding to develop and enhance their capacity to address the needs of Al/AN victims of sex trafficking through a combination of staff training and education on the topic, building strategic collaborative partnerships with other community-based organizations and agencies, and public awareness activities

Standing Announcement for Tribal Title IV-E Plan Development Grants

Department of Health and Human Services
Administration for Children and Families - ACYF/CB
HHS-2019-ACF-ACYF-CS-1561

Deadline: July 15, 2019

The purpose of this funding opportunity announcement (FOA) is to solicit proposals for one-time grants to tribes, tribal organizations, or tribal consortia that are seeking to develop and, within 24 months of grant receipt, submit to the Department of Health and Human Services a plan to implement a title IV-E foster care, adoption assistance, and, at tribal option, guardianship assistance program. Grant funds under this FOA may be used for the cost of developing a title IV-E plan under section 471 of the Social Security Act (the Act) to carry out a program under section 479B of the Act. The grant may be used for costs relating to the development of case planning and case review systems, foster care licensing and standards for tribal foster homes and child care facilities, quality assurance systems, court structure and procedures, data collection systems, cost allocation

methodology development, financial controls and financial management processes, or any other costs attributable to meeting any other requirement necessary for approval of a title IV-E plan.

OVC FY 2019 Transforming America's Response to Elder Abuse: Mobilizing Attorneys for Older Victims of Abuse & Financial Exploitation

Department of Justice
Office for Victims of Crime
OVC-2019-15640

Deadline: July 15, 2019

This program will provide increased legal services for older victims of crime (particularly in rural areas), educate attorneys and allied professionals about the needs of older victims, and increase coordinated multidisciplinary responses in supporting older victims of crime.

BJA FY 19 Data-led Governing: Raising the Bar for States' Criminal Justice Policy and Practice

Department of Justice

Bureau of Justice Assistance

BJA-2019-15243

Deadline: July 16, 2019

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for funding for a new initiative designed to establish standards for the collection, analysis, and use of state- and local-level data in criminal justice policy and practice decision-making, including data-sharing protocols and resource allocation decisions. This program furthers the Department's mission to reduce crime and recidivism by helping state governments improve their capacity to set goals for their criminal justice systems, measure whether they are achieving them, and use results to make data-driven policy decisions and allocate scarce resources effectively.

Child Support Intergovernmental Case Processing Innovation Demonstration

Department of Health and Human Services

Administration for Children and Families - OCSE

HHS-2019-ACF-OCSE-FD-1541

Deadline: July 17, 2019

The Administration for Children and Families (ACF), Office of Child Support Enforcement (OCSE) forecast invites eligible applicants to submit competitive grant applications to test how the child support program can improve intergovernmental case processing and collections. The specific project objectives of this goal are to: 1) Increase payments on intergovernmental cases; AND 2) Improve case processing procedures to increase efficiency and customer service.

OVC FY 2019 Using Telehealth to Improve Care, Access and Quality of Sexual Assault Forensic Exams

Department of Justice
Office for Victims of Crime

OVC-2019-15646

Deadline: July 17, 2019

OVC is seeking applications for funding to enhance the care for sexual assault victims, improve access and quality of forensic examinations, and expand access to the expertise of Sexual Assault Nurse Examiners (SANEs) through telehealth technology for communities with limited access to trained SANEs. Apply under one of the following two purpose areas. Purpose Area 1: State/Tribal/Regional Demonstration Sites - the primary goal of this program is to increase the number of highly trained, experienced SANEs and other medical forensic examiners and provide high-quality care for victims of sexual assault. Purpose Area 2: Technical Assistance Provider - the successful applicant under this program will provide technical assistance to the Purpose Area 1 sites during the planning and implementation of a telehealth program.

OVC FY 2019 Discretionary Training and Technical Assistance Program for VOCA Victim Assistance Grantees

Department of Justice Office for Victims of Crime OVC-2019-15292

Deadline: July 18, 2019

The purpose of this solicitation is to provide training and technical assistance to VOCA Victim Assistance service providers and others who work with victims of crime. Activities funded through this program may include, but are not limited to: the establishment or enhancement of state victim assistance academies, statewide

training initiatives, crime victim-related conferences, basic training for new programs, or scholarships to attend conferences and/or training. Eligible applicants are limited to state administering agencies for the Victims of Crime Act (VOCA) Victim Assistance Program Formula Grants.

OVC FY 2019 Field-Generated Solutions for Tribal & Non-Tribal Communities to Improve Services for Victims of Crime

Department of Justice Office for Victims of Crime OVC-2019-15624

Deadline: July 24, 2019

The overarching goal of this program is to support victims of crime and to bridge gaps in services to victims. Applicants may apply for one or more of the following purpose areas (PAs): PA 1: Innovative Programs to Fill Gaps in Tribal Crime Victim Services, PA 2: Innovations in Telehealth, PA 3: Improving Responses to Victims of Burglary, PA 4: Improving the Ordering & Collecting of Restitution for Victims, and PA 5: Other Innovative Programs to Fill Gaps in Crime Victim Services.

FY 2019 Law Enforcement-Based Victim Specialist Program

Department of Justice Office for Victims of Crime OVC-2019-15600

Deadline: July 25, 2019

This program will support direct victim assistance service grants to state, tribal, and local law enforcement agencies in small, mid-sized, and large jurisdictions to hire staff to develop new or enhance existing law enforcement-based victim service programs, better coordinate services, and develop partnerships with community-based programs to address the needs of crime victims. A strong focus will be placed on reaching victims in high-crime areas and improving services to these crime victims.

Maternity Group Home Program

Department of Health and Human Services Administration for Children & Families - ACYF/FYSB HHS-2019-ACF-ACYF-CX-1577

Deadline: July 25, 2019

The Administration for Children and Families, Administration on Children, Youth and Families' Family and Youth Services Bureau (FYSB) announces the availability of funds under the Transitional Living Program's Maternity Group Home (MGH) grant program (hereafter referred to as the MGH program). The purpose of FYSB's MGH program is to provide safe, stable, and appropriate shelter only for pregnant and/or parenting youth ages 16 to under 22 and their dependent child(ren) for 18 months and, under extenuating circumstances, up to 21 months. Service providers must accommodate for the needs and safety of the dependent children to include facility safety standards for infants and children on the premises. MGH services include, but are not limited to, parenting skills, child development, family budgeting, and health and nutrition education, in addition to the required services provided under the Transitional Living Program to help MGH youth realize improvements in four core outcome areas. The MGH combination of shelter and services is designed to promote long-term, economic independence to ensure the well-being of the youth and their child(ren). Grants awarded under this announcement will have a start date of September 30, 2019 and will be for a 36-month project period.

Center for Excellence in Foster Family Development

Department of Health and Human Services
Administration for Children and Families - ACYF/CB
HHS-2019-ACF-ACYF-CW-1562

Deadline: July 26, 2019

The purpose of this funding opportunity announcement (FOA) is to establish a Center for Excellence in Foster Family Development (the Center) to implement a model program for the selection, development, and support of foster families that will work in close collaboration with birth families to preserve and nurture critical parent-child relationships and support reunification. This FOA awards a four year cooperative agreement. Foster families participating in the program will be prepared and supported in providing enhanced reunification and stability supports to biological families as well as enhanced stability and well-being supports to children transitioning out of congregate care. This demonstration grant will be administered through a cooperative agreement and awarded to one state, tribe, or tribal consortium that will install, implement, and evaluate the model program in 4

- 6 local sites. The Center will secure the appropriate partnerships needed for effective and efficient model development, program implementation and evaluation activities. The Center must meaningfully include and engage the voice and input of birth parents, foster parents, and youth with lived foster care experience at all stages of model development and implementation.

NEA Creative Placemaking Technical Assistance, FY2020

National Endowment for the Arts

NEAPS1902

Deadline: July 29, 2019

An organization may submit only one proposal under this program solicitation. This Cooperative Agreement will begin no earlier than January 1, 2020 and extend for up to 24 months. Program Description The National Endowment for the Arts ("Arts Endowment") assists organizations in effectivity incorporating the arts into community development efforts by funding creative placemaking projects across the country. These projects advance local economic, physical, and/or social outcomes by placing the arts at the table with other sectors, such as agriculture and food, economic development, education and youth, environment and energy, health, housing, public safety, transportation, and workforce development. The Creative Placemaking Technical Assistance Program will serve a wider audience of both prospective applicants to and grantees of the Our Town program, as well other communities interested in undertaking creative placemaking activities. Short-term technical assistance institutes will be convened to gather experts with teams of local leaders.

OJJDP FY 2019 Specialized Services and Mentoring for Child and Youth Victims of Sex Trafficking and Sexual Exploitation

Office of Juvenile Justice and Delinquency Prevention

OJJDP-2019-14988 Deadline: July 29, 2019

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office of Juvenile Justice and Delinquency Prevention (OJJDP) is seeking applications for funding under the fiscal year (FY) 2019 Specialized Services and Mentoring for Child and Youth Victims of Sex Trafficking and Sexual Exploitation. This program furthers the Department's mission by supporting efforts to provide mentoring and supportive services for children and youth who are victims of sexual exploitation and domestic sex trafficking, boys who often go unidentified as victims of trafficking, and girls who are vulnerable to trafficking and who are most likely to end up in the juvenile justice system. This program aligns with the administration's priorities of preventing further victimization through mentoring, support services, and community awareness activities.

OJJDP FY 2019 Strengthening Investigative Tools and Technology for Combating Child Sexual Exploitation

U.S. Department of Justice Office of Justice Programs

Office of Juvenile Justice and Delinquency Prevention

OJJDP-2019-14989 Deadline: July 29, 2019

OJJDP seeks to increase the technological investigative capacity and associated training for law enforcement, prosecutors, and other professionals through the development, refinement, and advancement of investigative tools, methods, and technologies that address child pornography, child exploitation, and child sex trafficking.

BJA FY 19 Comprehensive Corrections Training and Technical Assistance

Department of Justice

Bureau of Justice Assistance

BJA-2019-15088

Deadline: July 31, 2019

The Comprehensive Corrections Training and Technical Assistance Program provides comprehensive and high quality training and technical assistance (TTA) to BJA's grantees and criminal justice practitioners to improve the delivery of correctional services and increase public safety by improving outcomes for people detained and incarcerated in correctional facilities.

Regional Partnership Grants to Increase the Well-Being of, and to Improve the Permanency Outcomes for, Children and Families Affected By Opioids and Other Substance Abuse

U.S. Department of Health & Human Services
Administration for Children & Families
HHS-2019-ACF-ACYF-CU-156

Deadline: July 31, 2019

The purpose of this funding opportunity announcement (FOA) is to provide competitive grant funds for Regional Partnership Grants (RPGs) to improve the well-being of, and to improve the permanency outcomes for children and families affected by opioids and other substance abuse. These targeted grants will be awarded to regional partnerships that provide, through interagency collaboration and integration of programs and services, activities and services that are designed to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in out-of-home placements or are at risk of entering out-of-home placements as a result of a parent's or caretaker's substance abuse.

Human Services Interoperability Innovations

Department of Health and Human Services Administration for Children and Families - OPRE HHS-2020-ACF-OPRE-PD-1548 Deadline: August 6, 2019

A new funding program is proposed to accelerate data sharing efforts by human services organizations through innovative approaches to interoperability implementation. Effective data sharing promotes informed decision making, improved accuracy and data quality, reduced system integration costs, and stronger protection of sensitive data. The ability to share data is often described as interoperability, which includes the technology, business, legal, organizational, and process-oriented factors that determine how we use data and collaborate across programs and systems. Funding would support demonstration projects to identify effective and efficient data sharing solutions, and develop model practices for broader adoption. Specifically, ACF is seeking to issue grant awards that meet the following criteria: 1. Addresses a high-priority, local data sharing or data integration need2. Proposes a new or novel implementation approach3. Contributes promising practices to the field and promotes replication of successful results4. Demonstrates implementation readiness and cost effectiveness5. Supports strong collaboration with OPRE and ACF6. Engages in productive partnerships across programs, agencies, and jurisdictions To learn more about the ACF Interoperability Initiative, please visit https://www.acf.hhs.gov/about/interoperability.

Tribal Opioid Response Grants

Department of Health and Human Services Substance Abuse and Mental Health Services Administration TI-19-012

Deadline: August 6, 2019

Federally recognized tribes and tribal organizations. Tribes and tribal organizations may elect to apply as part of a consortia or in partnership with urban Indian organizations. Tribes and tribal organizations may only be included in one grant application. Additional Information on Eligibility: Federally recognized tribes and tribal organizations. Tribes and tribal organizations may elect to apply as part of a consortia or in partnership with urban Indian organizations. Tribes and tribal organizations may only be included in one grant application.

YouthBuild

Department of Labor Employment and Training Administration FOA-EFA-19-04 Deadline: August 6, 2019

The Employment and Training Administration (ETA), U.S. Department of Labor (DOL), announces the availability of approximately \$85 million in grant funds authorized by the Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128) for YouthBuild. Under this Funding Opportunity Announcement (FOA), DOL will award grants through a competitive process to organizations providing pre-apprenticeship services that support education, occupational skills training, and employment services to at-risk youth, ages 16 to 24, while performing meaningful work and service to their communities. In addition to construction skills training, YouthBuild applicants may include occupational skills training in other in-demand industries. This expansion into additional in-demand industries is the Construction Plus component, a priority in this grant competition. DOL hopes to serve approximately 5,250 participants during the grant period of performance, with approximately 70 projects awarded across the country. Individual grants will range from \$700,000 to \$1.5 million and require a 25 percent match from applicants, using sources other than Federal funding.

Indian Housing Block Grant (IHBG) Program--Competitive Grants

Department of Housing and Urban Development

FR-6300-N-48

Deadline: August 8, 2019

Under the program, eligible Indian tribes and tribally-designated housing entities (TDHEs) receive grants to carry out a range of affordable housing activities. Grant funds may be used to develop, maintain, and operate affordable housing in safe and healthy environments on Indian reservations and in other Indian areas, and carry out other affordable housing activities. Grant funds must be used to primarily benefit low-income Indian families.

Healthy Homes Production Grant Program for Tribal Housing

Department of Housing and Urban Development

FR-6200-N-44

Deadline: August 9, 2019

Purpose and Summary. The purpose of the HHP program is to assist American Indian and Alaska Native tribal governments identify and remediate housing related health and safety hazards. This program will assist American Indian and Alaska Native tribal governments to develop comprehensive programs to identify and remediate housing issues that contribute to health and safety issues in urban, tribal communities.

Disability and Rehabilitation Research Projects (DRRP) Program: Independent Living Transition Services for Youth and Young Adults with Significant Disabilities from Minority Backgrounds

Department of Health and Human Services Administration for Community Living HHS-2019-ACL-NIDILRR-DPGE-0358

Deadline: August 12, 2019

The purpose of the Disability and Rehabilitation Research Projects (DRRP), funded through the Disability and Rehabilitation Research Projects and Centers Program, is to plan and conduct research, demonstration projects, training, and related activities, including international activities, to develop methods, procedures, and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, especially individuals with the most severe disabilities, and to improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended (Rehabilitation Act).

Evaluation of Juvenile Corrections Executive Leadership Training, FY 2019

Department of Justice National Institute of Justice NIJ-2019-16193

Deadline: August 12, 2019

With this solicitation, NIJ seeks applications for funding a single evaluation project to examine the implementation and effectiveness of a juvenile corrections executive leadership training. The OJJDP-funded training will assist juvenile facility superintendents and other juvenile corrections personnel in their efforts to develop and implement effective facility practices and strategies for youth in their custody. Applicants should propose scientifically rigorous evaluation projects, provide information on the anticipated impact of the findings for the field of juvenile corrections and reentry, and discuss their plans for dissemination both to academic and practitioner audiences.

Office of Elementary and Secondary Education (OESE): State Tribal Education Partnership (STEP): Tribal Education Agency Development Discretionary Grant Program (STEP Development)

CFDA Number 84.415A **Department of Education** ED-GRANTS-061319-001 Deadline: August 12, 2019

The purposes of the STEP program are to: (1) promote Tribal self-determination ineducation; (2) improve the academic achievement of Indian children and youth; and (3) promote the coordination and collaboration of Tribal educational agencies (TEAs) with State educational agencies (SEAs) and local educational agencies (LEAs) to meet the unique education and culturally related academic needs of Indian students.

FY 2019 Tribal Victim Services Set-Aside Program.

U.S. Department of Justice Office of Justice Programs - Office for Victims of Crime OVC-2019-16590

Deadline: August 16, 2019

In February 2019, Congress authorized a tribal set-aside of \$167.65 million to provide grants to improve services for victims of crime in tribal communities, consistent with the requirements of the Victims of Crime Act. The FY 2019 Consolidated Tribal Assistance Solicitation (CTAS) solicitation (Purpose Area 7, the Tribal Victim Services Program), which closed in March, was one way for tribes to access this funding. Other specialized solicitations that OVC will be posting this spring (related to law enforcement, victim services, elder abuse, human trafficking, assisting children victimized due to their parent's opioid abuse, and other programs) will include designated funding just for tribal applicants; visit https://ovc.ncjrs.gov/Solicitation.aspx periodically to view current funding opportunities. OVC continues to explore other options for programming this dedicated funding to enhance victim services for American Indian and Alaska Native crime victims.

<u>Pilot Studies to Detect and Prevent Suicide Behavior, Ideation and Self-Harm in Youth in Contact</u> with the Juvenile Justice System (R34 Clinical Trial Required)

Department of Health and Human Services-National Institutes of Health

PAR-18-228

Deadline: September 7, 2019

<u>Detecting and Preventing Suicide Behavior, Ideation and Self-Harm in Youth in Contact with the Juvenile Justice System</u> (R01- Clinical Trial Required)

Department of Health and Human Services-National Institutes of Health

PAR-18-479

Deadline: September 7, 2019

FY 2019 Land Buy-Back Program for Tribal Nations

Department of the Interior

LBBP-2019-1

Deadline: September 30, 2019

Publishing Historical Records in Documentary Editions

National Archives and Records Administration

EDITIONS-201910

Deadline: October 3, 2019

Planning Grants for Pragmatic Research in Healthcare Settings to Improve Diabetes and Obesity

<u>Prevention and Care</u> (R34 Clinical Trial Required)

Department of Health and Human Services

National Institutes of Health

PAR-18-924

Deadline: November 1, 2019

Pragmatic Research in Healthcare Settings to Improve Diabetes and Obesity Prevention and Care

National Institutes of Health (NIH) - National Institute of Diabetes and Digestive and Kidney

Diseases (NIDDK)

PAR-17-177

Deadline: November 1, 2019

The Bay Area ICWA Symposium Planning Committee Save the Date

SAN FRANCISCO BAYAREA

INDIAN CHILD WELFARE ACT SYMPOSIUM*

WHEN

Friday, October 4, 2019 9am –4pm

WHERE

The State of California Building 455 Golden Gate Ave, San Francisco 94102 Auditorium (Lower Level)

Symposium Goals:

- Build ICWA champions
- Highlight ICWA best practices
- Enhance skills to improve outcomes for Native American families
- Strengthen relationships between tribes, urban American Indian/Alaska Native communities, courts, county child welfare agencies and schools of social work
- Provide legal updates

Current Participating Organizations:

California Social Work Education Center • Bay Area Academy • City & County of San Francisco Family & Children Services • Casey Family

Programs • Title IV-E MSW Programs from: California State University, East Bay • San Jose State University • San Francisco State University • University of California, Berkeley

CALL FOR PROPOSALS:

If you would like to submit a workshop proposal on one or more of the Symposium goals, please do so by <u>July 12, 2019</u> by completing the <u>Request for Workshop Proposal</u> form.

INTENDED BAY AREA AUDIENCE:

- Students & Faculty from MSW Title IV-E Programs
- ' Tribal Court and State Court Judicial Officers
- Tribal Agency Staff and Attorneys
- Tribal Community Members
- · Child Welfare Directors
- Child Welfare Agency Social Workers, Supervisors & Managers
- County Counsel/City Attorney Staff, Public Defenders & Dependency Attorneys

*Qualifies for BBS, Judicial Officer & MCLEunits (approval pending)