





# Welcome to the 2019 Bureau of Justice Assistance Tribal Virtual Listening Session.

## We will begin at 12:00 p.m. ET.

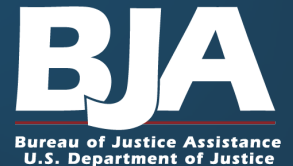
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BUREAU OF JUSTICE ASSISTANCE





# TRIBAL JUSTICE FUNDING

2019 BJA Tribal Virtual Listening Session

March 26, 2019



# Housekeeping Information

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# Agenda

- Welcoming Remarks
- Overview of BJA Tribal Program Funding
- FY 2019 Tribal Funding
- Questions for Listening Session
- Facilitated Listening Session
- BJA Response to Listening Session
- Closing Remarks

# Opening Remarks



- BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support local, state, and tribal justice strategies to achieve safer communities.
- Vision for Tribal Justice
- Tribal Justice Initiative
  - Increase the number of tribal applications
  - Host a series of tribal consultation / listening sessions
  - Revitalize a coordinating body for policy, programs

# Overview of BJA Tribal Funding

- Scope of BJA Authority
- History of Tribal Grant funding

# Scope and Authority of BJA's Tribal Grant Funding

- BJA's authority and funding appropriations are for competitive and formula grants.
- BJA does not provide direct criminal justice services like the U.S. Attorney's Offices, FBI, and BIA Office of Justice Services.
- As a grant making authority, BJA does not have the authority to enter into contracts or compacts with tribes.

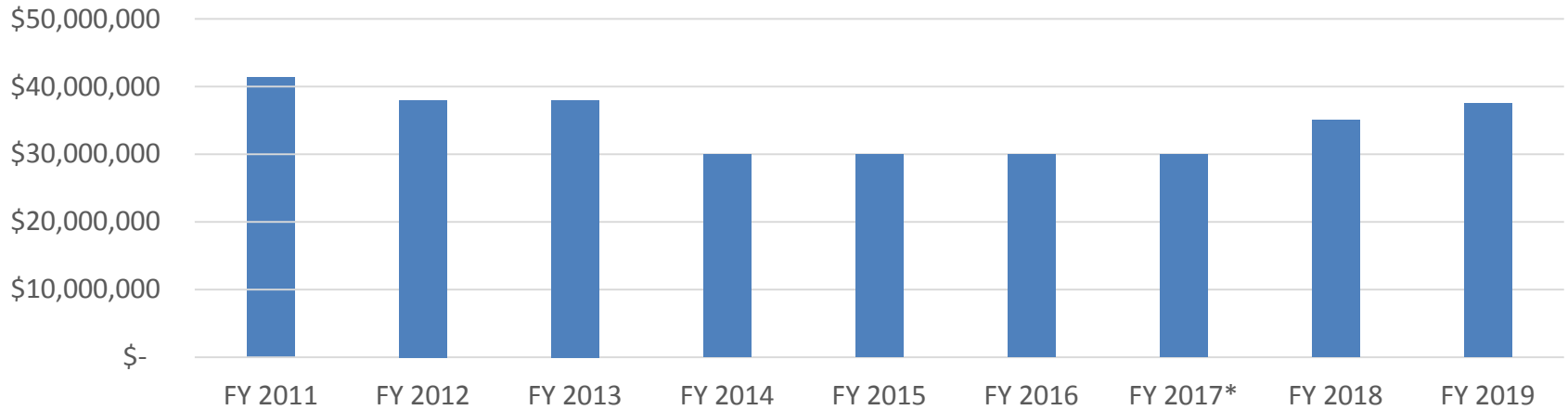
# History of BJA Tribal Grant Funding

- Generally, Indian tribes are eligible for most discretionary funding such as Drug Courts and for formula funding through the Edward Byrne Justice Assistance Grants (JAG) for local jurisdictions. JAG formula amounts determining eligibility are based on Uniformed Crime Reporting data (UCR) as reported by the FBI for Part 1 Violent Crime. Approximately 15-20 tribes are eligible for JAG-Local Jurisdictions.
- BJA has managed funding for tribes since 1995.
- BJA has managed several tribal specific programs including:
  - Tribal Construction
  - Tribal Courts
  - Indian Alcohol and Substance Abuse
  - Tribal Civil and Criminal Assistance
  - Tribal-Federal-State-Local Intergovernmental Collaboration



# History of BJA Tribal Grant Funding

BJA Tribal Assistance Appropriation



\* BJA funding out of the FY 2017 tribal set aside was \$30,000,000.

# FY 2019 Funding Plan

- Coordinated Tribal Assistance Solicitation (CTAS) Purpose Areas (PAs) 2, 3, 4, and 10\* awards
- CTAS training and technical assistance awards
- Tribal Criminal and Civil Legal Assistance supplemental awards
- Training and technical assistance to support tribal justice capacity and intergovernmental collaboration

\*Funding for PA 10 is from a Justice Assistance Grant set-aside

# Other BJA and DOJ funding for Tribes

- Tribes are also eligible for funds from most non-tribal specific programs.
- The Department's Office of Justice Programs issues an annual program plan with planned solicitations at:
  - <https://ojp.gov/funding/index.htm>

# Listening Session Questions for Consideration

## TRIBAL JUSTICE SYSTEM IMPROVEMENTS

1. BJA has sought to maximize flexibility of funding in the CTAS structure and scope of allowable activities. In CTAS, BJA has prioritized investments that reflect tribal leader input, including:
  - Alternatives to incarceration;
  - Tribal law enforcement;
  - Tribal court services;
  - Tribal probation;
  - Tribal jails and reentry;
  - Crime related to Indian alcohol and substance abuse;
  - Criminal and civil legal assistance;
  - Enhanced sentencing authority and jurisdiction over cases;
  - Intergovernmental collaboration;
  - Violent crime; and
  - Strategic planning.

Which of these budget priorities should be continued, expanded or added, or eliminated? What activities, if any, are missing?

# Listening Session Questions for Consideration

## TRIBAL JUSTICE SYSTEM IMPROVEMENTS (Continued)

2. In order to successfully manage cases and address tribal safety in your tribal court, what resources and assistance does your tribal court need?
3. In order to prevent and respond to crime related to drug and alcohol abuse, as well as crime associated with mental health issues, what resources and assistance does your tribe need, including tribal law enforcement?
4. In order to successfully address your tribe's current crime problems, what justice infrastructure does your tribe need?
5. In order to reduce the recidivism rate for your current offender population, what changes to infrastructure are required? What changes to tribal probation or reentry are needed?

# Listening Session Questions for Consideration

## TRIBAL JUSTICE SYSTEM IMPROVEMENTS (Continued)

6. In order to adequately rehabilitate your confined population, what infrastructure changes are needed?
7. To what extent are your tribal justice facilities meeting applicable building codes or BIA detention facility standards (if applicable)?
8. In order to address violent crime affecting your tribe, what resources, assistance or support for collaboration with key partners does your tribal law enforcement, prosecutors and corrections need? Are additional resources needed to address issues related to missing and murdered Native Americans?

# Listening Session Questions for Consideration

## TRIBAL CIVIL AND CRIMINAL LEGAL ASSISTANCE PROGRAM

9. What other priorities do you have for the TCCLA Program?
  
10. Since funding streams were consolidated into one tribal assistance account, BJA has followed a practice of funding the TCCLA Program consistent with the proportion provided by Congress in prior years, or 3.66 percent of total appropriations from the tribal assistance funding. Should BJA change this rate in future years?

# Listening Session Questions for Consideration

## INTERGOVERNMENTAL COLLABORATION

Strong coordination and collaboration between Indian tribes and federal, and state governments improve public safety and combat violent crime throughout Indian Country and in tribal communities.

11. To achieve public safety improvements, and in particular violent crime reduction, what legal infrastructure (e.g., agreements) would assist and support your government with intergovernmental justice collaboration?
12. In addition to making direct awards to tribes, how can BJA support the development, implementation, and enhancement of these justice collaborations?



# Listening Session Questions for Consideration

## Training and Technical Assistance and Communication



13. Does existing TTA address your tribe's needs to build capacity and expertise in tribal justice systems? What priorities for TTA should be considered?
14. BJA plans to implement a more consistent method for regular consultation, dialogue, and seeking feedback from tribal leaders. What are some ways that BJA can ensure the most meaningful process?
15. BJA will be hosting pre-listening session webinars to provide background information. What information can be provided to assist in this process?

# Facilitated Listening Session



Justice Korey Wahwassuck (*Cree*),  
Facilitator

# Facilitated Listening Session

- If you would like to verbally provide a comment or feedback, press the **Raise Hand icon**  under Participants on the right side of the screen. We will unmute your line for you to speak to the presenters.
- To ask a question or provide a comment outside of responding to the listening session questions, click the **Chat icon**  at the bottom of the screen. Type your comment into the panel on the right side of the screen. Please use the drop-down menu to send your comment to **“All Panelists.”**
- If we do not get to your feedback by the end of today’s meeting, or if you have additional comments or questions, please send an email to BJA at [DOJtribalfunding@usdoj.gov](mailto:DOJtribalfunding@usdoj.gov).

# BJA Response to Listening Session

A. Elizabeth (**Betsi**) Griffith, Associate Deputy Director for Policy

**Norena** Ann Henry, Senior Tribal Advisor

**Michael** Dever, Division Chief for Programs Office

**Ruby** Qazilbash, Associate Deputy Director for Policy

# Additional Input

- Written comments can be submitted to [DOJtribalfunding@usdoj.gov](mailto:DOJtribalfunding@usdoj.gov)
- Due Date: 11:59 p.m. April 12, 2019

# Thank you

- Thank you to tribal leaders and tribal stakeholders for your participation to inform a tribal funding agenda.
- Traditional Closing
- Adjourn