



Training & Technical Assistance Newsletter

FOR THE TVA COMMUNITY

Issue 9

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This publication is distributed free of charge to the TVA grantee community, state and federal victim assistance agencies working with tribal programs, and other allies promoting the health and sovereignty of tribal member victims of crime. Additional copies can be sent upon request. Articles, announcements, and other relevant contributions are welcomed. Contact Gina Gavaris, tollfree 1-877-438-4400, for submission guidelines. Please note:

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**TVA Conference
to be held in
late April in
Phoenix, AZ - see
announcement
on Page 11**



Message From the Director

It's a new year and all of us at Unified Solutions hope your holidays were safe and enjoyable. We wish you an upcoming year filled with health and prosperity.

This month's issue of the TVA Newsletter provides education on the crime of **Drunk and Drugged Driving**, a serious crime causing high numbers of fatalities and injuries to community members in Indian country. On pages 2-7, please read our article describing the nature of this terrible problem, some of the issues and stressors for victims, and the role of the advocate. On page 8, read about how the Navajo Nation is addressing drunk driving on their reservation. We reprinted an article from MADD (Mothers Against Driving Drunk) on pages 10-11 to teach about the grieving process for family members who suffer the loss of a loved one. Then, on pages 12-13, read about Tribal Drug Courts, also called Tribal Healing to Wellness Courts, and learn how some tribes are administering justice in a manner that draws on tribal traditions, beliefs, and value systems in order to address the overwhelming effects of alcohol and drugs within their communities.

Congratulations go to the **United Keetowah Band (UKB) of Cherokee Indians** for their recent grant award from the Department of Justice! UKB was awarded \$634,000 to provide free legal services to crime victims. Read about their success on page 14.

Dan Hally answers a question about officer liability in our new column, "**Ask An Officer.**" Dan teaches the top reasons why tribal law enforcement departments get sued and describes behaviors for which tribal officers are held accountable.

Be sure to check out the **Resource, Training and Funding Opportunities** beginning on page 16. Natalia Calhoun, a trainer with Unified Solutions, will host a **TVA Program Managers Forum** for TVA program managers on February 9, 2005. There is a toll-free number to access the teleconference.

Remember, TVA Progress Reports are due January 28, 2005!!! See page 9 for complete instructions.

As always, take care of you. Give a call if we can be of help.

Till next time,

- Gina

Drunk and Drugged Driving Deaths

By Lori VanBuggenum (Cherokee)

SCOPE OF THE PROBLEM

One of the most tragic experiences is losing a family member, friend, or loved one due to a drunk and/or drugged driving-related accident. The National Highway Traffic Safety Administration report, *Ethnicity and Alcohol-Related Fatalities (2000)* reveals these disturbing findings:

- American Indians had the highest percentage of alcohol-involved driver, passenger, and pedestrian fatalities of any ethnic group between 1990-1994. Three out of four drivers and eight out of ten pedestrian fatalities occurred as a result of alcohol-related crashes.
- Between 1990-1994, American Indians had an alcohol-related traffic fatality rate of 68%, the highest rate of all ethnic groups.

In addition, the latest *American Indians and Crime* report (December 2004) from the Bureau of Justice Statistics, US Dept of Justice, shows that:

- American Indians were arrested for driving under the influence (DUI) at a rate nearly 1.5 times higher than the national average from the years 1992-2002.
- Liquor law violation arrest rates were nearly three times higher for American Indians than all other races from the years 1992-2002.
- In 2001, the arrest rate for American Indians for alcohol violations (including DUI, liquor law violations, and public drunkenness) was double the national rate. American Indian youth age 17 or under also had an alcohol violation arrest rate nearly double that of youth of all races.

Alcohol and drug use is also a factor for other crime victimization as well. According to the *American Indians and Crime* report (2004), American Indian victims reported that 62% of the offenders were using alcohol at the time of the crime (rape/sexual assault, robbery, aggravated assault, simple assault).

DEFINITIONS

Several terms are often used interchangeably when referring to drunk and drugged driving. They include driving under the influence (DUI), driving while intoxicated (DWI), and operating while intoxicated (OWI). Over the past few years, there has been a gradual switch in language used to describe crimes involving drunk and drugged driving. Driving while intoxicated (DWI) is most often associated with the consumption of alcohol and is slowly being replaced with the more inclusive term "Driving under the Influence" (DUI), which includes any chemical or controlled substance that impairs a person's mental and physical faculties.

Driving While Intoxicated (DWI) – driving while intoxicated is a criminal offense for driving a motor vehicle after consuming enough alcohol to raise the blood alcohol level above the legal limit.

Driving Under the Influence (DUI) – a person is guilty of DUI if he or she drives, or is in actual physical control of a motor vehicle, and is under the influence of alcoholic beverages or any chemical or controlled substance to the extent that his or her mental faculties are impaired, or when his or her blood alcohol level (BAC) is above the legal limit for the state.

The technical definition of "driving under the influence" depends on individual state laws and is based on a person's blood alcohol concentration (BAC). This is determined either through a breath, blood, or urine test (which is usually conducted if drugs are suspected). As of July 2004, all 50 states and the District of Columbia passed legislation enacting .08 BAC as the legal drunk driving limit for people over the age of twenty-one.

Operating while Intoxicated – operating a vehicle or other mode of transportation on water or land (ie, boats, trains, etc.) under the influence of alcoholic beverages or any chemical or controlled substance to the extent that his or her mental faculties are impaired, or when his or her blood alcohol level (BAC) is above the legal limit for the state.

DUI Laws

Legislators and law enforcement officials use different types of laws to keep drunk driving to a minimum. Driving under the influence (DUI) or driving while intoxicated (DWI) laws are meant to prevent people from operating a motor vehicle while impaired by alcohol or drugs. DUI laws are determined by state legislatures rather than the federal government. Both what is illegal and what punishments are applicable varies considerably. All states do, however, have DUI/DWI laws in place. Many tribal nations have DUI/DWI laws in their tribal code (see below).

What are the different types of alcohol-related laws?

Laws related to driving while under the influence fall into one of several categories. Some of the laws are meant to define precisely what constitutes drunk driving. Other laws attempt to hold third parties accountable if their actions contribute to DUI cases or accidents. Finally, laws are used to establish punishments for those found guilty of driving while intoxicated.

Examples of DUI laws:

- *Illegal or administrative per se laws* – these laws set a limit as to how high a person’s blood alcohol concentration (BAC, also commonly referred to as blood alcohol content) can be while driving. Most states now have active legislation that makes having a BAC over 0.08 illegal.
- *Implied Consent* - the notion of implied consent means that people arrested on DUI charges must submit to a breath, blood, or urine test to determine their BAC. Persons who refuse may be subject to license suspension, revocation, and harsher penalties if convicted.
- *Minimum drinking age* - all states have laws against people under the age of twenty-one consuming or buying alcoholic beverages.
- *Zero tolerance* - all states also have zero tolerance laws, making it illegal for persons under the age of 21 to have any alcohol in their blood while driving. Some states set a BAC of 0.01 or 0.02 as the limit so that arrestees cannot argue that cold medicine or another legal source of alcohol put them over the limit.

Third Party Responsibility:

- *Open container laws* - most states have implemented laws that make it illegal to have an open alcoholic beverage in a vehicle, even if it belongs to a passenger. Open containers must be kept in the trunk or somewhere else where they are inaccessible to the driver and passengers. The federal government has encouraged all states to enact these laws.
- *Dram shop laws* - bars, liquor stores, and other businesses are not allowed to sell alcohol to people who are already intoxicated. Businesses that sell alcohol to a drunken individual who is then in a DUI accident may be legally liable for any damages.
- *Happy Hour Laws* - Some states have made it illegal to discount the price of alcoholic beverages.

Penalties for DUI:

- *Mandatory sanctions* - in some cases, a court or agency (such as the Department of Motor Vehicles) automatically issues a specific penalty for a given violation. For example, in some states a person’s refusal to take a blood alcohol test results in a one year license revocation.

- *Administrative License Revocation (ALR) laws* - most states have ALR laws that are used to revoke or suspend a person's license if they are convicted of a DUI. The length of the suspension or revocation depends on the state, whether there are prior convictions, whether or not the BAC test was refused, and other factors.
- *Vehicle sanctions* - legislators use vehicle sanctions to keep a DUI convict from using his or her vehicle for a set amount of time or to make changes to the vehicle in order to discourage repeat offenses. Vehicle sanctions may include impoundment, registration suspension, and confiscation and sale of the vehicle. Some states require convicts (especially repeat offenders) to attach an interlock device to their steering wheel. This device prevents the car from starting unless the driver can pass a breath test.

These types of laws are all used to discourage people from driving while under the influence of alcohol or drugs. Most states use combinations and variations of such laws in conjunction with educational programs aimed at warning people about the dangers of drinking and driving.

INDIAN TRIBES WITH .08 BAC LAWS

In November 2000, the Indian Health Service conducted an updated inventory of Tribal Traffic Safety Laws. Of the approximately 200 tribes that have the ability to pass their own legislation, 37 Tribal Nations (out of 104 Tribes reporting) reported having adopted either a separate Tribal law or the state's .08 BAC law.

TRIBE	STATE	STATE/TRIBAL LAW	ZERO TOLERANCE <21	IMPLIED CONSENT
Andarko Agency Oles	Oklahoma	Tribal/State	yes	yes
Bay Mills Indian Community	Minnesota	Tribal	yes	yes
Burns Paiute Tribe	Oregon	State		
Cabazon Band of Mission Indians	California	Tribal		
Chemawa Indian School	Oregon	State		
Coquille Indian Tribe	Oregon	State		
Ely Shoshone Tribe	Nevada	State	no	yes
Grand Traverse Band	Michigan	*.07-.08		
Hoopla Valley Tribe	California	State		
Iowa Tribe	Kansas	State		
Jamestown S'Klallam	Washington	State/Tribal		
Kalispel Tribe	Washington	State	yes	yes
Klamath Tribe	Oregon	State	yes	yes
Lac Vieux Desert Band of				
Lake Superior Chippewa	Michigan	Tribal/State	yes	yes
Lower Elwha Klallam	Washington	Tribal/ no .08		yes
Miccosukee Tribe	Florida	Tribal		
Nambe/San Ildefonso	New Mexico	Tribal	yes	yes
Northern Ute Indian Tribe	Utah	State/Tribal	yes	yes
Osage Nation	Oklahoma	*Tribal law passed, awaiting BIA approval		
Passamoquoddy Tribe	Maine	State		
Penobscot Nation	Maine	State		yes
Poarch Creek Indians	Alabama	Tribal		
Pueblo of San Ildefonso	New Mexico	Tribal	yes	yes
Pueblo of Laguna	New Mexico	State/Tribal		yes

TRIBE	STATE	STATE/TRIBAL LAW	ZERO TOLERANCE <21	IMPLIED CONSENT
Pueblo of Nambe	New Mexico	Tribal	yes	yes
Pueblo of Sandia	New Mexico	State/Tribal		
Quileute Tribe	Washington	State	yes	yes
***Sac & Fox Tribe	Kansas	Tribal		yes
Santa Ana Pueblo	New Mexico	State		
Santa Clara Tribe	New Mexico	State/Tribal	yes	yes
Spokane Tribe	Washington	State		yes
Swinomish Tribe	Washington	Tribal	yes	yes
Taos Pueblo Indian Tribe	New Mexico	Tribal	yes	yes
Tulalip Tribes	Washington	State		
Ute Mountain Ute	Colorado	Tribal * .05 considered "driving while ability impaired"		
Yakama Nation	Washington	Tribal	yes	yes
Zuni Pueblo	New Mexico	Tribal	yes	yes

In addition, The Turtle Mountain Chippewa tribe of North Dakota has been very pro-active in passing legislation to reduce injury on their reservation. The Turtle Mountain Chippewa has been considering .08 as the legal limit for impaired driving.

If your tribe has adopted either a separate Tribal law or the state's .08 BAC law since the above report in 2000, please contact Unified Solutions at 1-877-438-4400 so we may update our resources. To find **examples of tribal DUI code**, please visit National Tribal Justice Resource Center, a Project of the National American Indian Court Judges Association, at www.tribalresourcecenter.org.

WHO IS A "VICTIM" OF DUI CRIMES?

There can be many victims in a DUI crime. In addition the person who is killed or injured, many others are often left in the wake of tragedy: parents; siblings; grandparents; other family members; school mates; neighbors; members of the community; emergency technicians at crash scenes; doctors and nurses who treat the victims and the offenders; police officers who investigate crashes; lawyers who prosecute offenders; physical therapists and counselors who help victims heal; and many, many others. The aftermath of impaired-driving crashes is far-reaching, and the sorrow and anguish it causes runs deep.

EFFECTS OF DRUNK AND DRUGGED DRIVING ON VICTIMS

The common response to any extraordinary trauma is crisis. The effects and intensity of a trauma response are influenced by a number of factors, including the suddenness of the event, the ability to understand the event, and our state of mind prior to the event.

Learning of a loved one's murder is intense, sudden, and virtually impossible to understand – leaving victims in a state of crisis with short- and long-term trauma effects. Victims often experience a number of different feelings such as:

- Turmoil and numbness. Survivors report suffering an initial phase of shock and confusion
- Inability to accept news of the death
- Horror about the suffering that the victim may have endured

- A need to know every detail
- Attacks of panic
- Fixation on maintaining a day-to-day routine and small details to avoid emotional pain
- Restlessness and insomnia
- Inability to concentrate
- Flashbacks to the death notification or to the memory, or imagined pictures of the homicide or auto collision itself
- Fear of one's own life or that of other loved ones
- Self blame about something that the survivor did or did not do to prevent the crime
- Hostility toward everyone who cannot bring the victim back to life
- Utter hopelessness and helplessness

ROLE OF THE ADVOCATE

Advocates serve to minimize stressors experienced by tribal victims, and there are many, such as: insensitive or incomplete death notifications, the demands of criminal investigation and incident response details, household/family role changes, financial stress, and unhelpful responses from family and friends (ie, advice to “get on with your life,” “forget about the past,” or “concentrate on the family you have left” – all of which prevent the victim from expressing his/her grief). From the personal anguish of grief to the complicated legal aspects of investigation and possible prosecution in multiple courts (tribal and federal, for example), tribal victims need your help to move through one of the most painful times of their lives. Some basic tips:

- **Treat crime victims with dignity, compassion, and respect.** Victims can learn to cope more effectively with the pain of being a crime victim when treated with care. One of the greatest gifts you can give to victims and families is the reassurance that you do indeed care about them.
- **Let crime victims make their own choices and decisions,** particularly about how to cope with their victimization. Young children, and some adults and elders, may not be able to fully understand what is happening or what all their options are. In those cases, family members and other service providers can make recommendations on behalf of the crime victim.
- **Help the victim apply for Crime Victim Compensation funds.** State funds can be used to cover funeral expenses, medical expenses, psychological counseling services, missed wages from having to attend court, or lost wages when the deceased was the sole/primary source of income. Most states will allow tribal victims to use state funds for traditional funeral ceremonies and the services of a traditional healer.
- **Participate in court advocacy.** Educate victims about criminal justice procedures in your community. Prepare victims for what they will encounter in the criminal justice system and go to court with them whenever appropriate.
- **Help the victim prepare a Victim Impact Statement.** In most cases, a Victim Impact Statement is simply an open letter to the judge from the victim/survivor or their loved one describing the physical, financial, and emotional loss experienced as a result of the drunk driving crash. It may be the one time that the victim's

voice is heard in a system set up to protect the rights of the defendant. An effective Victim Impact Statement:

- can be read aloud in three to five minutes
 - does not repeat evidence presented in trial
 - focuses on what the crime means to the victim emotionally, physically, spiritually and/or financially
 - is simple and descriptive
 - communicates how the victim's life is different due to the crime
- **Provide community resources.** Utilize traditional methods of healing when appropriate and share your network of community agencies that can help with emergency and long-term needs. Assist in obtaining resources whenever appropriate. It is also useful to provide names and contact information for civil attorneys.

For more information and/or training about how to help survivors of drunk and drugged driving-related crimes, contact Unified Solutions tollfree 1-877-438-4400 or visit our website to submit an online training request.

TVA Program Managers Forum

What: A Tele-conference forum facilitated by Unified Solutions Trainer, Natalia Calhoun.

When: February 9, 2005

Time: Pacific-10:00 am Mountain-11:00am Central-12:00pm Eastern-1:00pm

Why: To give grantees an opportunity to listen and share with one another about current issues facing TVA programs. It is an opportunity to share experiences and innovative ways of addressing and resolving common issues.

How : Here is all the access information you need to join the forum on February 9th. We have a toll-free number for our grantees. Here are the steps to access this virtual "Conference Room" for the forum:

- Step One: Dial 1-866-262-1846
- Step Two: Using the telephone keypad, enter * 9580953 *
Note: Press the "star" key before and after the code.
- Step Three: When connected, just say "hi" to announce your arrival.

If you would like additional information, please call Natalia at Unified Solutions toll-free at 1-877-438-4400.

Path of Hope

The Navajo Nation aims to protect its people from drunk driving

by Joe Shirley, Jr., President, Navajo Nation

DRIVEN magazine, Fall 2003

Reprinted with permission from the MADD website

Unfortunately, it's not uncommon to drive across the Navajo Nation and spot a drunk driver. Sometimes, the only way to ensure your safety is to pull off to the side of the road and wait for the danger to pass. That's exactly what my 29-year-old daughter, Tona Vee Shirley-Paymella, did on the day after Thanksgiving in 2001.

Tona, her husband Denny, and four of their six children were driving to her in-laws to celebrate the holiday. Tona pulled over and parked by a tree to avoid a drunk driver. She thought she was out of harm's way; instead, her car became the target of a head-on collision.

Tona was killed instantly. The rest of the family was injured, some critically, but all survived. I was so devastated that I didn't think I could go on. But after some time, I decided I had to continue for my beautiful angel Tona. I just couldn't sit back and let drunk drivers continue to shatter other families.

That's why, as the president of the Navajo Nation, which spans parts of Arizona, New Mexico and Utah, I am working to stop drunk driving within our communities and am reaching outside our borders to help protect our people.

Pervasive Problems

In 2002, Navajo National Law Enforcement received nearly 37,000 calls for alcohol-related incidents. Of them, more than 8,200 were specifically related to driving while intoxicated (DWI). More than 3,000 DWI arrests were made on the Navajo Nation last year—an 8 percent increase from the previous year.

These are significant numbers when you consider that alcohol is prohibited on Navajo land, a decree made when our government formed in the early 1900s. Today, high unemployment rates, a high rate of alcoholism and indifference contribute to the growing problem of alcohol-related incidents.

We face pervasive bootlegging and the particularly difficult problem of Navajos drinking in border towns and then driving home. Police in border towns have no

jurisdiction on Navajo land, and vice versa—simply crossing the border can immobilize police.

To combat the problem, we've just recently been able to cross-deputize Navajo Nation police and county sheriff's departments. Law enforcement officers in Apache County, Ariz., and McKinley County, N.M., now have jurisdiction in their county and on Navajo land. I hope to see all bordering counties join our efforts by 2004.

A Cooperative Solution

The Navajo Nation is also working with state and local governments to share criminal records. As it stands now, when Navajos drive off Indian Country, bordering towns have no record of prior DWIs.

Similarly, there's no way to tell if Navajos have prior DWIs in other states.

Another issue we are addressing is the lack of detention centers. Drunk drivers can only be incarcerated for up to six months. Usually, they are just fined and spend one night in jail. Through a proposed bond-financing package, we will be able to build jails in the major growth areas across the Navajo Nation.

With more centers, we can then look at ways to enact longer incarceration times.

Increased education and awareness of the dangers and consequences of drunk driving across the Nation are also critical. My wife, Vikki, the First Lady of the Navajo Nation, MADD volunteers and I are spreading the message to drive safe and sober in the 110 Navajo communities. We hope to involve other Navajo leaders and to start additional MADD chapters in those communities.

Road of Hope

Many factors contribute to the Navajo Nation's impaired driving problem. Many solutions are in development. But what we all must remember is that drunk driving is killing and injuring far too many innocent people.

My daughter's life ended on a road of danger, but my life continues on a path of hope for the Navajo Nation.

Native American Resources

"Path of Hope" Victim Awareness campaign materials include a 15-minute video, three posters, a TV PSA and a Native American victim services brochure.

Heritage Month Kit contains drunk driving and underage drinking prevention information, a poster and a Native American Heritage Month (November) brochure. To order, call 1-800-GET-MADD, ext. 4570.

Reminder for TVA Programs

Progress Reports due Friday, Jan 28, 2005

TVA Progress Reports must consist of these two parts:

Part 1 - Statistics

The following statistics need to be reported to OVC:

- The number of services provided by the TVA program.**
- The number of staff supported by TVA funds.**
- The number of volunteer hours.**
- The number of publications produced and distributed.**
- The number of training workshops provided.**
- The number of hours professionals trained.**
- The number of compensation claims submitted.**

Part 2 – Goals & Objectives

Write a narrative detailing the progress on the approved goals & objectives for your program. Make sure to state whether you are on schedule according to the approved Timeline from your grant application. If not on schedule, explain why and give a new timeline.

The Report Period is July 1, 2004 - December 31, 2004

The reports are to be filed on GMS.

Step-by-Step Instructions:

- 1. go to <https://grants.ojp.usdoj.gov/index.html>**
- 2. sign into GMS**
- 3. under “Year” and “Solicitation” select the year and grant name of the grant, and click “Refresh” at the far right of the screen**
- 4. click “Awards” on the left side of the screen**
- 5. click “Progress Reporting” under “Action” box**

We're here to help! Contact us toll-free at 1-877-438-4400 for assistance.

Life After a Death

DRIVEN magazine, Fall 2002

Reprinted with permission from the MADD website

The funeral service is over, yet you still expect your loved one to walk through the front door. Family and friends offer support, but they just don't understand what you are going through. The office told you to "take as much time as you need," but they now want you to come back to work. You know that you have to resume "life as normal," but you feel there will never be a "normal" again. Anyone who has ever lost a loved one knows the pain and turmoil of coping with grief.

"I felt incredibly desperate, helpless and, worst of all, hopeless," Teresa Cordova says of the time after the loss of her two-year-old son, Gabriel, several years ago. "I would wake up every morning and my first thought would be 'Gabriel's dead.' I would then have to find some way to get out of bed and go to work. I thought I would always feel that way, that I would never be able to live a normal life again."

Though difficult to understand at the time, Teresa, who now works in the field of grief counseling, knows that her thoughts and feelings following her son's death were a normal part of the grieving process.

The loss of a loved one can be immensely painful, overwhelming and terrifying, and many survivors find dealing with life while grieving a death almost unbearable. The grieving process can be mentally, physically, emotionally and spiritually exhausting, but there are coping strategies to help survivors begin their journey of grief and slowly take charge of their life.

You're Not Going Crazy

Grief can cause a person to have different thought patterns. When they don't realize these patterns are normal, some people may fear they are going crazy. Add to that the flood of emotions caused by losing a loved one, and their fears only deepen.

"My emotions were coming and going," Teresa says. "They were extremely intense and I had no control over them. Whatever emotion I was feeling, I felt it deeper than I ever had before. It scared me because I didn't know if it was normal."

Understanding grief can help you cope with these more intense thoughts and emotions. Emotionally, it is common to experience shock, disbelief, fear, flashbacks,

helplessness and abrupt emotional swings such as going from crying to laughing.

Common physical reactions to grief include sleeplessness, choking, lack of muscular strength, shortness of breath, digestive symptoms and poor appetite.

Talking Through the Pain

Trauma becomes more manageable when it is verbalized. Talking with someone who is a good listener, someone who understands grief or with someone who has had a similar experience can be a tremendous help.

"I was drowning in grief," Teresa recalls. "I needed to talk to someone who understood the pain I was in."

Teresa and her husband sought help through a support group of parents who had also lost children. "Talking about my pain with the other parents truly helped me begin to heal," she says.

But, Teresa is quick to point out that you have to find the support that fits your individual needs.

"My husband didn't like the group dynamic," she explains. "Many people feel that way, and that's OK. You can talk to others, such as a grief counselor, about your feelings. And often your personal religious belief system can play an important role in how you cope."

While it may be difficult, talking about your feelings is extremely important. Denying or repressing feelings can prolong the healing process, and avoiding conscious grieving can put you at risk for emotional and/or physical health problems.

Allow Time to Heal

Grieving takes time. It cannot be hurried. And the time it takes to heal from a devastating loss varies from person to person. Since it is such a personal experience, it's important not to judge yourself by others' expectations of where they think you should be in the healing process. "Grieving is a lifelong process," Teresa says. "The important thing to remember is that you never stop loving the person you lost, but the grief will become manageable."

Grief is not something you can just "snap out of." You must feel the pain and slowly endure the grief, so it's important to be patient with yourself.

Running from Grief

A common reaction to dealing with intense emotions is to radically change some aspect of your life — moving away

from your hometown, giving away possessions, quitting your job or remarrying. However, this may not be the best time to make life-altering decisions. Grief can sometimes impair judgment, and if you make major decisions during a time of emotional upheaval you might later regret them. Time is needed to re-establish balance in your life. Remaining in a familiar environment and a familiar situation can provide a sense of security and help you find that balance sooner.

“Pain this deep can make you fearful and fearless at the same time,” Teresa says. “You figure nothing can be as bad as what you are going through, but you have to be very careful and take things one step at a time.”

Comfort in Routine

For those mourning a loss, returning to daily activities can be quite helpful because it provides a sense of familiarity and allows you to focus your attention elsewhere. Returning to a normal routine doesn't mean you're not grieving or that you have forgotten about your loved one, it is simply part of the healing process.

For those who know someone who is grieving, Teresa says, “The key to helping them is just to be in their corner as they go about getting their life back. Don't dismiss their feelings, no matter how trivial they may seem to you. Just understand that it's hard for them to be with people and to be alone. When someone is non-judgmental and allows you to be in your pain, but is close enough to ease your fears, it can provide a sense of hope.”

Taking Care of You

“If there is only one thing I could tell someone who is grieving it would be to take care of yourself,” Teresa says. “Avoid alcohol and drugs and make sure to eat properly, get plenty of rest and exercise. It sounds simplistic, but it is truly the most important thing a person can do.”

There are no easy answers or short cuts to working through grief. While a mild sedative or tranquilizer may provide some initial relief from the pain, masking the pain with alcohol and drugs will only stop, delay or prolong the grieving process. Sedating medication taken under the care of a physician should be used only as a temporary measure to help you cope with the initial shock.

Often, people in grief turn to food to numb the pain or they do not eat at all, which can cause serious health problems. Eating well-balanced meals not only provides your body with strength, but it helps you avoid overeating to deal with pain.

Getting plenty of rest is important because your body is weakened by the emotional and mental strain of grief.

Resting helps replenish the energy you need to cope with day-to-day life.

Exercise is a tremendous tool in managing anger and stress because it releases those pent-up emotions.

A Lifelong Journey

Grieving is a difficult process that takes a very long time. It may seem hard to believe you will ever get past the pain, but remember that healing happens gradually. The scar will always be there and you will forever be changed by the experience.

As Teresa puts it, “...it changes your whole outlook on life. I call this my ‘brutal gifts’ because it was brutal getting to this point, but after grieving Gabriel's death I have perspective on what is and is not important in life.”

Understanding the grief process; finding a support system; taking care of your mental, physical and emotional health; and incorporating other positive coping strategies can help you work through your journey of grief.

“Grieving the loss of a loved one is quite possibly the hardest thing a person can endure,” Teresa says. “I tell people that when it gets absolutely unbearable and they can't go on, remember that the pain they are feeling is as deep as the love they have for the person they lost.”

TVA Conference Update...

Were' so excited about seeing all of you again this year for the annual conference. Thank you for faxing back the survey sheet telling us your preferences for topics to be covered in the workshops.

Here's what we know so far:

This will be a 2-day conference held in sunny Phoenix, Arizona! You may bring as many personnel as you would like within the scope of your budget, but each TVA program is asked to bring a minimum of 1 Program Manager and 1 Advocate to the conference.

The conference will be held in the last two weeks of April. We are finalizing negotiations with hotels now and will get an exact date to you very soon.

We will send all the details as soon as we have them! Call us at 877-438-4400 with any questions or comments.

The Unified Solutions Team

Adapted from the Tribal Healing to Wellness Court Publication Series Prepared by Tribal Law and Policy Institute

<http://www.tribal-institute.org>

Defining Drug Courts

The drug court concept involves leveraging the coercive power of the criminal justice system to achieve abstinence and alter criminal behavior through the combination of judicial supervision, treatment, drug testing, incentives, sanctions, and case management. A drug court is a special court docket given the responsibility to handle cases involving drug-using offenders through an extensive supervision and treatment program.

Drug court programs bring the full weight of all intervenors (judge, prosecutor, defense counsel, substance abuse treatment specialists, probation officer, law enforcement and correctional personnel, educational and vocational experts, community leaders, and others) to bear, forcing the offender to confront their substance abuse problem.

The design and structure of drug court programs are developed at the local level, to reflect the unique strengths, circumstances, and capacities of each community. Many sectors of the community are integrally involved in the planning and implementation process of a drug court system, including: criminal justice, substance abuse treatment, law enforcement, educational and vocational entities and community anti-drug organizations.

Drug courts across the country rely on the capability to provide immediate responses to participant progress or lack of progress. If a participant does not comply with program requirements (for example, the participant continues to use alcohol or drugs), sanctions are immediately applied. The most common sanctions typically include increased drug testing, increased court appearances, increased frequency of contact with the treatment provider, community service assignments, and/or short term incarceration. When a participant shows progress in becoming and maintaining sobriety, on the other hand, their accomplishment is also immediately recognized - with praise from the drug court judge and often accolades from others in the drug court program.

Developing Drug Courts

Some Indian Nations are establishing adult drug courts. Other Indian Nations are establishing juvenile or family drug courts. Many Indian Nations are planning to ultimately establish both adult and juvenile drug courts.

Development of tribal drug courts is proving to be a complex task. Tribal drug courts face many critical issues and challenges. Many of these are unique to tribal drug courts. Others are problems which are faced by all drug courts, but often present more substantial problems for tribal drug courts.

These issues and challenges include the following:

- Tribal courts must address the specific cultural needs of their individual communities, including the challenge of incorporating tribal custom and tradition into the tribal drug court.
- The nature and high volume of alcohol abuse cases in most tribal courts present unique adaptation issues.
- Tribal courts face jurisdictional barriers which complicate their ability to implement an effective drug court process.

- Tribes seeking to establish drug court systems often face a broad range of other issues and challenges, including isolated rural locations, small community issues, lack of resources and services, and lack of funding.

The development of tribal drug courts has, therefore, required special strategies to address these and other issues that have emerged during the course of program planning and implementation. Because tribal drug courts are relatively new and evolving, they are continually adapting to meet the needs of their target populations and their communities.

Adapting "Drug Court" Term for Tribal Justice Systems

As the tribal drug court programs began developing, it became apparent that a term other than "drug court" be used to describe the tribal drug court program. The term used needs to (1) clearly incorporate alcohol abuse cases since alcohol abuse is the predominant drug problem in most Native American and Alaska Native communities, and (2) allow the community to take ownership of the drug court concept.

Individual tribal courts have adopted various terms for their programs. These terms have included "Wellness Court," "Healing Court," "Treatment Court," and "Alternative Court." Initially, the tribal drug courts were referred to generally as "Tribal Wellness Courts." Some tribal drug court personnel, however, were concerned that the term "wellness" might imply that the participants had achieved wellness instead of still striving to achieve it. Ultimately, a tribal advisory group developed the idea of calling the tribal drug courts "Healing to Wellness Courts" to (1) incorporate two important Native concepts - both Healing and Wellness, and (2) promote the program's efforts to achieve wellness for the participants.

Although the names "Healing to Wellness Courts" or "Tribal Healing to Wellness Courts" are used as the generic terms for tribal drug courts, individual courts continue to develop individual names for their programs to address the specific needs of their individual communities. In fact, tribal courts are now increasingly using words from their Native languages for their drug courts. These words often mean healing, wellness, or other appropriate Native concepts in their Native language which summarize or identify the goal for their programs. The use of a Native language name allows the community to take ownership of the drug court concept as adapted to meet the individual needs of their communities.

Defining Tribal Healing to Wellness Courts

Tribal Healing to Wellness Courts are not simply tribal courts which handle alcohol or other drug abuse cases. Instead, a Tribal Healing to Wellness Court is a tribal justice system which incorporates and adapts the drug court concept to meet the specific needs of their individual community. It provides an opportunity for a Native community to address the devastation of alcohol or other drug abuse by establishing more structure and a higher level of accountability for these cases through comprehensive supervision, drug testing, treatment services, immediate sanctions and incentives, and case management.

Key Components of Tribal Healing to Wellness Courts

Key Component #1: Tribal Healing to Wellness Courts bring together community-healing resources with the tribal justice process, using a team

approach to achieve the physical and spiritual healing of the participant and the well being of the community.

Key Component #2: Participants enter the wellness court program through various referral points and legal procedures while protecting their due process rights.

Key Component #3: Eligible substance abuse offenders are identified early through legal and clinical screening and are promptly placed in the Tribal Healing to Wellness Program.

Key Component #4: Tribal Healing to Wellness Programs provide access to holistic, structured and phased, substance abuse treatment and rehabilitation services that incorporate culture and tradition.

Key Component #5: Participants are monitored through intensive supervision that includes frequent and random testing for alcohol and other substance use.

Key Component #6: Progressive consequences (or sanctions) and rewards (or incentives) are used to encourage participant compliance with program requirements.

Key Component #7: Ongoing judicial interaction with each participant and judicial involvement in team staffing is essential.

Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness to meet three purposes: providing information to improve the Healing to Wellness process; overseeing participant progress; and preparing evaluative information for interested community groups and funding sources.

Key Component #9: Continuing interdisciplinary education promotes effective wellness court planning, implementation, and operation.

Key Component #10: The development of ongoing communication, coordination, and cooperation among team members, the community, and relevant organizations are critical for program success.

Addressing Alcohol and Drug Issues

Tribal Healing to Wellness Courts must face a number of specific alcohol and drug issues which are often more complex and intractable than the issues faced by state drug courts. **Some of the most important alcohol and drug issues Tribal Healing to Wellness Courts must address include:**

1. Prevalence of Alcohol Abuse. The arrest rate among Native Americans for alcohol-related offenses was more than double that found among other races, as reported by the Bureau of Justice Statistics in its publication *American Indians and Crime*. That study also found that 55% of all Native American victims of violent crimes reported that the offender committed the offense while drinking. As a result, Native Americans have the highest incarceration rate. Alcohol and/or substance abuse is involved in more than 90% of the criminal cases in most tribal courts. Alcohol abuse is the predominant problem in most Native American and Alaska Native communities. Although many of the current state drug courts address alcohol abuse, it is not the primary focus of most state drug courts. Handling alcohol abuse cases through a drug court approach requires the program to adopt different strategies such as creative approaches to alcohol testing programs and the need to address medical concerns related to alcohol detoxification. The drug court concept, however, presents a potentially effective mechanism for Native American and Alaska Native communities to address the devastating problem of alcohol abuse.

2. Dealing with Alcohol Prohibition. Alcohol abuse issues in Native communities have an added dimension in many Native American and

Alaska Native communities which are "dry" (the sale of alcohol and often mere possession is prohibited). In these communities, alcohol issues are more closely analogous to other drug issues where mere possession is illegal, along with alcohol dealing or bootlegging. Programs in these communities must develop strategies for determining the difference between mere possession of alcohol and alcohol abuse which requires drug court processing. Furthermore, program staff on completely dry reservations are required to abstain from all alcohol use.

3. Fetal Alcohol Syndrome (FAS) Fetal Alcohol Effects (FAE). In many communities, the significant number of drug court participants with fetal alcohol syndrome (FAS) or fetal alcohol effects (FAE) is an issue which must be addressed. A June 1999 survey of operational tribal drug courts indicated that fully one third of tribal drug court participants suffer from FAS or FAE. Drug court participants suffering from FAS or FAE may not fully understand and comprehend the consequences of their actions. These participants may have added difficulties dealing with their substance abuse problem and conforming to the program expectations and requirements. Consequently, the court and program staff must be provided with training concerning FAS and FAE and develop an appropriate treatment strategy to force abstinence and alter the behavior of FAS and FAE participants.

4. Dealing with Abuse of Other Drugs. Most Native communities must deal with abuse of other drugs beyond alcohol. These problems are usually more serious in Native communities which are near major urban centers and/or near the borders with Mexico where smuggling problems are greater. In these communities, the issues related to specific drugs are more similar to those issues which the state drug courts must confront.

5. Inhalant Abuse. There is at least one additional drug abuse issue which presents special challenges for many Native communities. Many Native communities have substantial problems with toxic inhalants. In these communities, the program must develop appropriate and creative strategies for screening, testing, treatment, and dealing with critical issues such as the risk of permanent brain damage.

Further Resources

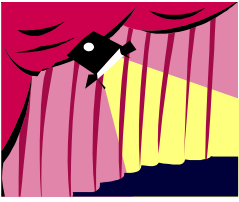
As of May, 2003, there are 30 Tribal Drug Courts that are fully operational in the US and 53 are in pilot or planning stages.

The Tribal Healing to Wellness Court Technical Assistance Project Resource Publication Series is as follows:

- **Publication #1** Healing to Wellness Courts: A Preliminary Overview of Tribal Drug Courts
- **Publication #2** Tribal Healing to Wellness Courts: The Key Components
- **Publication #3** Tribal Healing to Wellness Courts: Treatment Guidelines for Adults and Juveniles
- **Publication #4** Tribal Healing to Wellness Courts: The Judge's Bench Book
- **Publication #5** Tribal Healing to Wellness Courts: Program Development Guide
- **Publication # 6:** Tribal Healing to Wellness Courts Operational Materials (with American University)

This publication series is available at www.tribal-institute.org/lists/drug_court.htm

...continued on Page 23



The Program Spotlight Shines on the United Keetoowah Band of Cherokees

Tribe gets grant to fight domestic violence

Figures show Native women suffer disproportionately

Reprinted with permission from **Native American Times 1/4/2005**

http://nativetimes.com/index.asp?action=displayarticle&article_id=5762

The United Keetoowah Band of Cherokees has been awarded a grant of over half-a-million dollars to provide legal services to crime victims.

The money, a total of \$634,000, comes from the United States Department of Justice and will fund two year's worth of legal services in an arena that has been a festering problem in Indian Country.

UKB officials say they will be working closely with Help-in-Crisis to provide legal services to victims of crime, with a special emphasis placed on the victims of domestic violence. Help-In-Crisis is a non-profit organization that provides counseling for victims of rape and sexual assault. They have offices in Stilwell and Tahlequah.

Tribal officials say other services the DOJ grant will pay for include legal counsel for protective order hearings, divorce, child custody and child support. Services will be provided based upon a sliding income scale.

"We are pleased that the DOJ continues to recognize the progressiveness the UKB has exhibited. We are also pleased with the partnership we have with Help-in-Crisis," said UKB Chief Dallas Proctor. "This is a service that has been sorely needed by our tribal members because many of them are unable to pay for these legal services."

Proctor also commended Pam Moore for writing the grant. This is the fifth time Moore has successfully written a grant for the UKB and received the funding that was applied for. Of course, Moore has the experience: 20 years ago she was named the first executive director of Help-in-Crisis, eventually working there from 1982 until 1990. She also served a stint as the coordinator of the Cherokee County District Attorney's Victim Services Unit, a job that involved writing grants.

"These grants have provided services to tribal members that they would not otherwise have had," Proctor said. "This is a major step forward we have taken on behalf of our citizens."

Officials say that crime victimization rates in the American Indian community are significantly higher than in the general U.S. population and that the frequency of battering in Indian Country is believed to be much higher than the national norm. American Indians, in general, experience per capita rates of violence that are more than twice those of the resident population, according to DOJ's Bureau of Justice Statistics from 1999.

That College of Emergency Physicians Report in 1995 stated that homicide is the 3rd leading cause of death for Native women. Of Native American women murdered, over 75% were killed by a family member, an acquaintance, or someone they knew.

There are other problems specific to the UKB region and culture that the grant could address.

Many members of the tribe live in Adair and Cherokee counties.

According to the National Tribal Justice Resource Center, Adair and Cherokee have high rates of methamphetamine production—a phenomena that leads to victims of both violent and property crimes. Use of the drug can also exacerbate domestic violence issues. The organization also says there are occasional instances of language barrier problems "due to some Cherokees being only able to communicate in Cherokee when in crisis or are upset."

Last summer the tribe's Domestic Violence Intervention Department hosted the second annual Illinois River Help-in-Crisis Music Benefit, Children's Festival and Chili Cook-off. The event benefited Help-in-Crisis.

Ask an Officer



This month is the debut of our new column, “**Ask an Officer.**” In the months to come, experienced officers working in Indian County will be answering questions about any aspect of law enforcement as it applies to victim services in Indian Country. This month Dan Hally, former Captain with the Nez Perce Tribal Police, answers a question about officer liability.

Q: My daughter was a victim of domestic violence and one of the tribal police officers did not enforce the restraining order. We convinced him that he needed to take my daughter’s abuser away from the house, but he did not arrest him for violating the order. Later that night, the abuser came back and we had to call the police again. Can we sue the officer for not doing his job right the first time? My daughter was in a lot of danger that night and she almost got killed.

-Curious

A: As law enforcement officers and agencies, we can and do get sued. It can be considered one of the hazards of the job. When most officers think of being sued, they look at typical suits involving brutality, racist language, and over reaction to situations. This does happen, but in cases involving domestic violence and sexual assault, when we are sued, the suit usually stems from “what we failed to do.” The seven major reasons we are sued in domestic violence and sexual assault cases are:

- **Failure to take proper actions to protect a citizen.**
- **Failure to appropriately enforce a court order protecting a victim of domestic violence.**
- **Failure to respond in a timely manner.**
- **Failure to provide information to a victim as required by law.**
- **Arresting a citizen without establishing treatment or application of the law to domestic violence.**
- **Retention of “abusive officers” within the agency; that is, officers who exhibit patterns of abusive behavior when either on- or off-duty.**

Officers need to serve and enforce lawful restraining orders regardless of their personal opinions as to the fairness of the order. In Indian Country, more times than not, the officer personally knows the petitioner and the defendant involved in the order. They may even be a family member. Officers cannot allow their personal feelings to cloud their judgment or their ability to do their job. Many times, as in the case of “*Curious*,” a victim’s life hangs in the balance. If a lawful order exists, if it has not expired, and the restrained person is at any location listed in the order, tribal officers need to follow the tribal code. If the order states that the person is to be arrested, arrest that person. If officers fail to do so, they may very well sacrifice their career and the reputation of their department.

An example of an officer and a tribal police department being sued comes from the recent lawsuit filed against the Passamaquoddy Tribal Government and ex-officer Carlos Bones. Bones was convicted and sentenced for sexual abuse of a minor, and now the minor’s family seeks \$5 million in compensatory and punitive damages from Bones and \$1million in compensatory damages from the tribal government. The lawsuit argues that the tribal government failed to adequately hire, train, and supervise Bones and asserts that the tribal police department “looks the other way when its officers engage in sexual activity with minors.” The full news article for this case is online, go to <http://www.bangornews.com/news/templates/?a=106672&z=177>.

About Dan Hally: A former Captain with the Nez Perce Tribal Police, Dan is the Chief Criminal Deputy for the Asotin County Sheriff’s Office in Southeast Washington. He currently manages all departmental operations including patrol, investigations, jail, dispatch, and the civil department. His extensive educational and training background includes: Forensic Art Training at the FBI Forensic Facial Imaging Academy and a Forensic Art Certification from the Secret Service Training Center. He has worked in tribal community law enforcement for 10 years.

Resources

Helping Victims in Indian Country

"Victim Services: Promising Practices in Indian Country" (43 pp.) (NCJ 207019) describes promising practices for assisting victims of violence and abuse in 12 Indian country locations throughout the United States. Each description includes the program's keys to success, relevant demographic data, and a contact for further information. (OVC)

Access full text at:

http://www.ovc.gov/publications/infores/victimsvsindian_country2004/729404.pdf

OJJDP's Tribal Youth Initiatives

Describes the efforts of OJJDP to assist tribal communities in addressing risk factors for delinquency. The Bulletin highlights five program areas: OJJDP's Tribal Youth Program (TYP), which provides funds directly to tribal communities to develop programs that prevent and control delinquency, reduce violent crime, and improve tribal juvenile justice systems; the TYP Mental Health Project, which supports efforts to diagnose and treat at-risk tribal youth; the Comprehensive Indian Resources Community and Law Enforcement (CIRCLE) Project, which helps tribal communities develop comprehensive programs to address crime, violence, and substance abuse; training and technical assistance to TYP grantees and other tribal communities; and research and evaluation activities that focus on juvenile justice problems in tribal communities.

<http://www.ncjrs.org/pdffiles1/ojjdp/193763.pdf>

Understanding the Tribal Justice and Law Enforcement Environment

This edition of the Integrated Justice Systems in American Indian Communities Planning Series examines the important aspects of tribal governments from historical, indigenous, and modern day perspectives to consider when planning integrated justice and law and order systems in tribal communities. Examined are justice and law enforcement history and evolution, as well as factors that are the impetus for movement towards integrated justice systems among the three Pueblos, Laguna, Acoma, and Zuni. The article concludes by examining internal and external reasons for change using the example of New Mexico State House Bill 278, An Act Relating to Motor Vehicles, Intergovernmental Agreements for Exchange of Motor Vehicle Offense Information between Tribes and the State, (NMSA 66.5.27.1) authorizing the State to enter into intergovernmental agreements to share motor vehicle offense information.

<http://www.aidainc.net/CRD%20Envir.pdf>

Promising Practices and Strategies to Reduce Alcohol and Substance Abuse Among OJP American Indians and Alaska Natives

The following promising practices highlight effective solutions developed within tribal communities that combine western and traditional approaches, building upon the strengths of the respective Indian communities. It is hoped that the programs showcased in this publication can be used in a variety of ways by tribal, state and federal governments and by non-governmental organizations to increase their ability to prevent, intervene or suppress alcohol and substance abuse. The three sections of this publication provide information on current programs, literature, suggested reading and resources.

Section I: Promising Programs and Initiatives describes the efforts of nine different tribal and non-tribal programs working with Indian people in various settings. The programs fall into eight different categories, which include a public policy initiative, tribal courts efforts, corrections, community and law enforcement initiatives, youth prevention, youth intervention, adult intervention and comprehensive programs.

Section II: The Literature Review and Selected Bibliography provides a very brief summary of the literature about alcohol and substance abuse among American Indian and Alaska Natives. The primary purpose of this section is to inform readers about the extant Indian alcohol-related research and to describe the main research findings.

Section III: The Selected Resource List provides ample information to get you started in finding resources for funding, technical assistance and training, web sites and accessing educational materials and publications.

<http://www.ojp.gov/americanative/promise.pdf>

Sharing Criminal Record Information Among New Mexico Tribes & State

(August 2004) This Policy Issue Brief discusses a ground-breaking effort by the State of New Mexico and three Indian nations—the Pueblos of Acoma, Laguna and Zuni—to improve criminal record information sharing across tribal, state and federal jurisdictions, through forging new partnerships with the common goal of improving public safety.

<http://www.search.org/files/pdf/NMpolicyIB.pdf>

Resources

Healing to Wellness Courts: A Preliminary Overview of Tribal Drug Courts

This publication (initially published in July 1999) provides an overview of Tribal Drug Courts or Tribal Healing to Wellness Courts. This overview discusses how the drug court concept is consistent with Native American concepts of justice and how the drug court concept can be adapted to meet the specific needs of individual Native American communities. It provides information concerning the background of the Tribal Healing to Wellness Courts movement, the unique role and importance of Tribal Justice Systems, adapting the term "drug court" for Tribal Justice Systems, defining drug courts, and defining Healing to Wellness Courts. It then provides an overview of some of the critical issues and challenges faced by Tribal Healing to Wellness Courts, including the challenge of incorporating tribal custom and tradition, addressing the high volume of alcohol abuse cases, and addressing jurisdictional and resource limitations.

The full article at <http://www.tribal-institute.org/download/heal.pdf>

This publication is the first in a series from the Tribal Healing to Wellness Court Technical Assistance Project Resource Publication Series. To view and access this publication series, please visit the following website http://www.tribal-institute.org/lists/drug_court.htm.

Tribal Healing to Wellness Courts: Program Development Guide

Tribal Healing to Wellness Courts: Program Development Guide is a practical handbook for planning, implementing, and managing Healing to Wellness Courts (adult, juvenile, and family). This program development guide provides step-by-step recommendations for design, development, and implementation of Tribal Healing to Wellness Court programs from a practical standpoint. It is designed to assist steering committees and planning groups as they (1) use team-based approaches; (2) gain knowledge of Healing to Wellness Court concepts; (3) incorporate the ten key components; (4) help establish policies and procedures suitable to the needs of the tribal community; (5) guide the court to integrate available resources; (6) develop interagency agreements; (7) incorporate a management information system to track participants and services; and (8) identify possible problem areas.

The full article at http://www.tribal-institute.org/download/Draft_Program_Development_Guide.pdf

This publication is the last in a series from the Tribal Healing to Wellness Court Technical Assistance Project Resource Publication Series. To view and access this publication series, please visit the following website http://www.tribal-institute.org/lists/drug_court.htm.

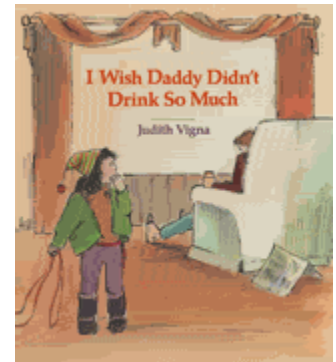
Books about loss and trauma...



The Renew Center for Personal Discovery (<http://www.renew.net>) offers books about loss and trauma. Check out their website for a catalogue of resource books for elementary and middle-aged children, as well as adults who are survivors of trauma. Featured this month:

I Wish Daddy Didn't Drink So Much

This book treats a difficult issue in a sensitive and straightforward way, providing story as well as comfort but with no false reassurances.



\$5.95

to order, go to:

<http://store.yahoo.com/renewcenter/iwisdadditd.html>



Drinking and Drugs in my Family

This is a workbook for children with family members who engage in regular alcohol and substance abuse (ages 9-12).

\$9.95

to order, go to:

<http://store.yahoo.com/renewcenter/drinanddrugi.html>

Training Opportunities

The following online courses are being offered through UCLA Extension and will be taught by Sarah E. Deer, JD, Staff Attorney, The Tribal Law and Policy Institute, California. For more information about the classes, please visit: www.uclaextension.edu/tribal

Violence Against Native Women January 20 - March 24

This course is designed as an introduction to the study of violence against Native (indigenous) women in the United States and the associated legal issues. Students develop an understanding of the various laws (tribal, federal, and state) related to domestic violence, sexual assault, and stalking. Instruction includes an overview of the history of violence in Native communities; identifies legal issues unique to Native women; and provides a focused review of dynamics, contributing factors, and types of interventions. Students are encouraged to develop their own analysis of the pertinent legal issues.

Fee: \$515

Legal Research, Analysis, and Writing in a Tribal Context January 18 - March 22

Designed for non-lawyers, this course offers an overview of legal research and analysis along with extensive legal research practice exercises in the area of federal, state, and tribal laws that affect American Indian/Alaska Native populations. Students learn how to conduct legal research and legal analysis both in a law library and through online research (primarily using the Tribal Court Clearinghouse (www.tribal-institute.org) as the entry point for free online legal research). Instruction focuses on research and analysis of statutory laws, administrative regulations, and case law as they affect American Indian/Alaska Native tribes. In addition to learning how to research and analyze federal and state law, the course also emphasizes researching and analyzing tribal law. Students are provided with an overview of advanced legal research issues and basic legal writing techniques (primarily legal letter writing).

Fee: \$515

A limited number of scholarships are available for students who cannot afford the \$515 tuition. If you are interested in applying for a scholarship, please e-mail Sara at sarah@tribal-institute.org with your name, telephone #, and e-mail address.

Third National SART Training Conference San Francisco, California June 1-3, 2005

The Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice is pleased to announce its sponsorship of the Third National Sexual Assault Response Team (SART) Training Conference scheduled for June 1-3 in San Francisco.

OVC anticipates that 800 SART professionals from across the nation will gather in San Francisco for this unique multidisciplinary training conducted by leading experts from each of the SART disciplines. The three-day conference will feature 35 workshops, eight keynote addresses and an exhibition hall of non-profit and corporate exhibitors. The conference will provide a valuable learning experience for law enforcement, sexual assault nurse examiners (SANEs) and other medical examiners, advocates, prosecutors and crime lab specialists.

Please share this Save the Date information with your friends and colleagues working in this area. The conference registration brochure will be available for downloading on the Conferences/Courses page of www.sane-sart.com in mid-January. The registration fee is \$315 before March 12 and \$365 thereafter. We encourage you to register early as a capacity turnout is anticipated. Scholarships for teams and for law enforcement officers will also be offered.

2nd Annual National Indigenous Sexual Abuse Conference "Continuing with our Journey" Edmonton, Alberta - Feb. 21-24, 2005

With Keynotes Linda Halliday-Sumner
& Jane Middleton-Moz

Amisk & Associates, a 100% First Nations organization based out of Edmonton, Alberta, will be the host of the 2nd National Indigenous Sexual Abuse Conference

For more information contact:
Conference Coordinator: Allan Beaver
P.O. Box 11635
Main Post Office
Edmonton, Alberta T5J 3K8

Tel: 1-780-452-8996
Fax: 1-780-452-8926
E-Mail: allanbeaver@abmail.ca

Training Opportunities

**WOMEN ARE SACRED CONFERENCE
APRIL 21-23, 2005 - ALBUQUERQUE, NM
MARRIOTT ALBUQUERQUE - 2101 LOUISIANA BOULEVARD N.E.
REGISTRATION FEE: \$250**

DESCRIPTION:

The Women Are Sacred Conference, a national initiative, was born from efforts of Mending the Sacred Hoop Technical Assistance Project(MSHTA) and Sacred Circle, National Resource Center To End Violence Against Native Women. The first conference was held in Rapid City, SD in 1998. Since then MSHTA has successfully facilitated three other Women Are Sacred conferences; Flagstaff in 1999, Tulsa in 2000 and San Diego in 2002. The current organizations; MSHTA, Sacred Circle, Clan Star and the Tribal Law and Policy Institute have joined together in sisterhood to honor and ensure the continuation of this national initiative.

The 2005 Women Are Sacred Conference provides you the opportunity to learn and exchange information, overcome the isolation endemic to the work, share your struggles and wisdom, and create relationships and an enduring network dedicated to ending violence against native women.

The 2005 Women Are Sacred Conference will highlight the promising practices and innovative approaches developed by tribal programs to reduce violence against Native women. In general, workshops are developed in consideration through requests received by organizations, agencies, and tribes. Also considered are new developments in policy, law, research, funding, and most importantly, the needs of women who are battered, their children, and the work to assist our Native brothers in overcoming violence. Utilizing native presenters, culturally based strategize and materials are a priority in all activities.

Some of the workshops offered will include:

- National Forensic Exam Protocol
- Health & Wellness After Sexual Assault
- Federal Prosecution & Tribal Working Group
- Sexual Public Education Campaigns
- Advocating for Women Who Have Been Sexually Assaulted
- Sexual Assault Investigations for Tribal Law Enforcement
- Spiritual Leader Response to Sexual Assault

FACILITATORS:

Mending the Sacred Hoop, Sacred Circle, Clan Star and the Tribal Law and Policy Institute staff, and other invited professionals.

HOST HOTEL/INFORMATION:

MARRIOTT ALBUQUERQUE
2101 Louisiana Boulevard NE
Albuquerque, NM, 87110
Rate: \$68.00 Single/\$88.00 Double
Reservations: 1-800-228-9290

Cut-off: March 25, 2005

Shuttle: Call Sunport Shuttle at (505) 883-4966 (est. \$20 round trip)

Job Opportunities

Two Co-Director Positions - South Dakota Coalition Against Domestic Violence and Sexual Assault

CALLING ALL AWESOME WOMEN!

The South Dakota Coalition Against Domestic Violence and Sexual Assault is looking for two awesome women to fill the Co-Directors Positions now open. The SDCADVSA is a unique a coalition within the U.S. due to the use of parallel development in the structure of our program. Closing date for the following positions is January 28, 2005.

Co-Director: Pierre, SD Location

Exempt, Full-time, Regular Position

Focus: Grant and Fiscal management of the SDCADVSA; First contact for public relations; Policy – legislative both state and national.

QUALIFICATIONS:

Bachelors Degree and three years experience, must be knowledgeable about the dynamics of domestic violence and sexual assault and the connection to other forms of oppression; proven leadership; proven grant writing skills and grant management abilities; experience in developing and promoting institutional policy change and legislative process; excellent verbal and written skills; good organizational and computer skills; demonstrated initiative.

Excellent salary and benefits. For more information call Anna at 605.487.7130.

Submit application, resume, references and writing sample to Women's Lodge, PO Box 572, Lake Andes, SD 57356

Closing date: January 28, 2005

Co-Director: Native Women of Sovereign Nations

Exempt, Full-time, Regular Position

Focus: Working with member programs; Provide training and technical assistance as requested by member programs; Policy – national and state with emphasis on Native Women.

QUALIFICATIONS:

Must be knowledgeable about the dynamics of domestic violence and sexual assault and the connection to other forms of oppression; proven leadership; familiarity with grant writing and grant management; experience in developing and promoting institutional policy change, familiarity with the legislative process; excellent verbal and written skills; good organizational and computer skills; demonstrated initiative.

Excellent salary and benefits. For more information call Anna at 605.487.7130.

Submit application, resume, references and writing sample to Women's Lodge, PO Box 572, Lake Andes, SD 57356

Closing Date: January 28, 2005

Funding Opportunities

FY 2005 Rural Domestic Violence and Child Victimization Enforcement Grant Program

Deadline: February 3, 2005 – (Apply Online)

ONLINE APPLICATION:

<https://grants.ojp.usdoj.gov/>

SOLICITATION:

<http://www.ojp.usdoj.gov/vawo/docs/fy05ruralgrant.pdf>

The Rural Domestic Violence and Child Victimization Enforcement Grant Program (the Rural Program) recognizes that victims of domestic violence, dating violence and child victimization living in rural jurisdictions face unique barriers to receiving assistance and additional challenges rarely encountered in urban areas. The geographic isolation, economic structure, particularly strong social and cultural pressures, and lack of available services in rural jurisdictions significantly compound the problems confronted by those seeking support and services to end the violence in their lives and complicate the ability of the criminal justice system to investigate and prosecute domestic violence, dating violence, and child victimization cases. In addition, sociocultural, economic, and geographic barriers create difficulties for victim service providers and other social services professionals to identify and assist victims of domestic violence, dating violence, and child victimization.

The primary purpose of the Rural Program is to enhance the safety of victims of domestic violence, dating violence, and child victimization by supporting projects uniquely designed to address

and prevent these crimes in rural jurisdictions. OVW welcomes applications that propose innovative solutions for achieving this goal. The Rural Program challenges victim advocates, law enforcement officers, pre-trial service personnel, prosecutors, judges and other court personnel, probation and parole officers, and faith- and/or community-based leaders to collaborate to overcome the problem of domestic violence, dating violence and child victimization and to ensure that victim safety is paramount in providing services to victims and their children.

Award Period

The award period for these grants will be 24 months. Budgets must reflect 24 months of project activity.

Award Amounts

Applicants should carefully consider the resources needed to successfully implement the project proposed and present a realistic budget that accurately reflects project costs. Local and state agencies and tribal governments serving fewer than 5 rural counties will be eligible to receive a maximum of \$500,000. Multi-jurisdiction, multi-state, and tribal consortium projects will be eligible to receive a maximum of \$900,000. (Multi-jurisdictional projects are those that propose to serve 5 or more rural counties.)

Grants may be made for greater or lesser amounts than requested based on budget and/or programmatic changes to the application. In addition, OVW may negotiate the scope of work with applicants prior to granting an award.

Funding Opportunities

Tribal Courts Assistance Program: FY 2005 Competitive Grant Announcement

**GMS Application Submission Deadline:
January 27, 2005**

Eligibility

Applicants are limited to federally recognized tribal governments, including Alaska Native villages and corporations, and authorized intertribal consortia. Recipients of prior year BJA tribal court planning grants are only eligible to compete under Category III—Enhancing or Continuing the Operation of Tribal Courts.

There are three separate categories for which federally recognized tribes may apply:

- **Category I—Planning and Implementing an Intertribal Court System for Smaller Service Populations.** Applications are sought from consortia of tribal governments (at least two per consortium), each of which serves a population of less than 1,000 people, to plan, develop, and implement a tribal court system where none currently exists. This category focuses on smaller tribes, located contiguous to or near other tribal governments, for which the creation of an intertribal court is economically and administratively feasible. Grant funds may be used to facilitate the development and initial implementation of an intertribal court system that will be designed to meet the needs of more than one tribe in the same geographic region. Distances of several hundred miles separating tribes and rugged or inhospitable terrain can adversely affect the development of a collaborative partnership by making it logistically too difficult or economically unfeasible to establish an

intertribal court. In these severe circumstances, and given that a tribal government can succinctly justify such hardships and incorporate this information into its application under the problem definition section of its program narrative (see Selection Criteria), such a tribe may apply as a single entity.

- **Category II—Planning and Implementing a Single-Tribe Court System.** Applications are sought from tribal governments that serve a population equal to or greater than 1,000 people for the development and initial implementation of a tribal court that will meet their needs. Tribal governments may apply for grant funds to facilitate the development and initial implementation of a tribal court system where none currently exists.

- **Category III—Enhancing or Continuing the Operation of Tribal Courts.** Applications are sought from tribal communities, regardless of the size of their service populations, to enhance or continue the operation of existing tribal courts. Initiatives may include, but are not limited to, establishing a core structure for a tribal court, improving case management, training court personnel, developing code, acquiring additional equipment and software, enhancing prosecution and indigent defense, supporting probation diversion and alternative sentencing programs, accessing services, focusing on juvenile services and multidisciplinary protocols for victims of child physical and sexual abuse, and structuring intertribal or tribal appellate systems.

For full application instructions, go to:

<http://www.ojp.usdoj.gov/BJA/grant/05TribalCtsSol.pdf>

FY 2005 S*T*O*P* Violence Against Indian Women Discretionary Grant Program (OVW)

Deadline: January 26, 2005 - Apply Online

The goal of the STOP Violence Against Indian Women Discretionary Grant Program is to encourage tribal governments to develop and strengthen the tribal justice systems response to violence against Indian women, and to improve the services available to victims of domestic violence, sexual assault, and stalking in Indian country. OVW will award discretionary grants to support the efforts of tribal governments in achieving these goals.

Solicitation found at <http://www.ojp.usdoj.gov/vawo/docs/fy05stopvawgrant.pdf>

FY 2005 OVW Legal Assistance for Victims Grant Program

Deadline: January 25, 2005 (Apply online)

The LAV Program awards grants to law school legal clinics, legal aid or legal services programs, domestic violence victims' shelters, bar associations, sexual assault programs, private nonprofit entities, including faith-based and community-based organizations, and Indian tribal governments. These grants are for providing direct legal services to victims of domestic violence, sexual assault, and stalking in matters arising from the abuse or violence and for providing enhanced training for lawyers representing these victims. The goal of the LAV Program is to develop innovative, collaborative projects that provide quality representation to victims of domestic violence, sexual assault, and stalking. Solicitation found at <http://www.fedgrants.gov/Applicants/DOJ/HQ/OJP/DOJ-GRANTS-120104-001/listing.htm>

Funding Opportunities

Indian Alcohol and Substance Abuse Program: FY 2005 Competitive Grant Announcement

**GMS Application Submission Deadline:
January 27, 2005**

Eligibility

Applicants are limited to federally recognized tribal governments, including Alaska Native villages and corporations, and authorized intertribal consortia. Tribes that received FY 2003 or FY 2004 grants through this program are not eligible to apply for supplemental funding in FY 2005.

The program focuses on planning, developing, and implementing a comprehensive strategy to control and prevent crime associated with the distribution and abuse of alcohol and controlled substances. Tribes that want to compete in the application process must link law enforcement and treatment services into a meaningful and effective strategy that they can implement over a 36-month period.

Applicants are encouraged to consider promising and research-driven approaches that enhance tribal justice when developing their applications. Information about such approaches can be found on the National Tribal Justice Resource Center's web site (www.tribalresourcecenter.org). **Tribes that received FY 2003 or FY 2004 grants through this program are not eligible to apply for supplemental funding in FY 2005.**

Essential work elements should include:

- Establishing a project advisory team, which may be either an existing or newly formed group, to plan, implement, and monitor the tribe's comprehensive strategy to control and prevent alcohol and substance abuse-related crime. (**Note:** Project advisory teams most often comprise tribal elders, elected officials, criminal justice and other service providers, and key community stakeholders.)
- Identifying, apprehending, and prosecuting those who illegally transport, distribute, and use alcohol and controlled substances in tribal communities.
- Preventing and reducing the number of alcohol- and substance abuse-related crimes, traffic fatalities, and injuries.
- Developing and enhancing partnerships among federal, state, tribal, and local law enforcement agencies.
- Establishing strategies to engage tribal and nontribal communities (as applicable) in identifying and responding to problems.
- Increasing coordination between the tribal criminal justice system and tribal support services.
- Integrating federal, state, tribal, and local services for offenders and their families.
- Creating or making available culturally appropriate treatment and/or other services.

Full application instructions available at: <http://www.ojp.usdoj.gov/BJA/grant/05IASAsol.pdf>

Adapted from the Tribal Healing to Wellness Court Publication Series
Continued from Page 13

The following National Criminal Justice Reference Service publications are available at www.ncjrs.org

Title:	NCJRS Number:
Healing to Wellness Courts: A Preliminary Overview	NCJ 178907
Promising Practices and Strategies to Reduce Alcohol & Substance Abuse Among American Indians and Alaska Natives	NCJ 183930
Looking at a Decade of Drug Courts	NCJ 171140
Defining Drug Courts: The Key Components	DD 165478
1997 Drug Court Survey Report Executive Summary	NCJ 168280
Drug Court Resources Series Practical Guide for Applying Federal Confidentiality Laws to Drug Court Operations	NCJ 176977
Juvenile and Family Drug Courts: An Overview	NCJ 171139
Guideline for Drug Courts on Screening and Assessment	NCJ 171143

Drug Court Monitoring, Evaluation, and Management Information Systems NCJ 171138
Drug Court Identification and Testing in the Juvenile Justice System NCJ 167889
Visit the following websites for additional training information.

Tribal Law and Policy Institute
<http://www.tribal-institute.org>

Native American Alliance Foundation
<http://native-alliance.org>

OJP Drug Court Clearinghouse and T.A. Project
<http://SPA.American.edu/justice/drugcourts.asp>



Our Mission Statement

Unified Solutions is dedicated to the implementation of sustainable solutions to end violent crime and foster responsible, proactive leadership and public safety. We recognize the problem of violence in our communities and at home can be directly linked to institutional practices of dominance and privilege. Therefore, we invite individuals and agencies to examine and transform these practices and dismantle internalized oppression at all levels. We provide training and resources to build confident and responsive grassroots and workplace leadership. We work in partnership with diverse community sectors, actively seek the participation and involvement of resident community members in our work, and recognize equitable, shared power among all stakeholders involved in a project. We facilitate learning environments and promote linkages between multi-cultural, multi-disciplinary, and multi-faith communities to develop a best practices network of “unified solutions” to sustain peace in our world. We tailor our services and products to uphold the unique cultural heritage and spiritual vitality of those we serve.

About our Logo

The Unified Solutions logo was formed from a collaborative process with community members. We received great blessing from those who support the vision of USCCGI and who offered their talent and expertise to find a way to express the vision in visual art.

Special thanks to Victor Robles, Yaqui artist, and Desiree Trowbridge, Latina artist, who helped breathe life into this work.

The image depicts a Phoenix, the Earth, and four sets of hands coming from each direction to create something new. A light radiates out from the center between the hands, to show the sacred power of the work that comes from this kind of collaboration.

The image tells a story and sends a message:

*The fate of our world depends upon our ability to come together and create together—all people,
young and old, of all colors, from all directions.*

*When we commit our hands together in action, creating a new way with unified solutions,
the power of this light shines from within the Phoenix.*

The Phoenix burns to ashes and is re-born.

The Phoenix takes on all that is finished, all that no longer serves us

—like greed and fear and competition

—and burns it away.

All that is left is the light that guides us, and the Earth is reborn.

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