



Background on the Department of Justice’s Tribal Funding History, including the Coordinated Tribal Assistance Solicitation (CTAS)

The Department of Justice’s (Department) grant-making components¹ have managed a number of Tribal-specific funding streams that supported programs which have previously been funded via a separate appropriation that could now be funded under an up to 7% Tribal assistance set aside. The programs include:

- Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) Tribal Youth Program (TYP) (1999-2016)
- OJJDP’s Tribal Juvenile and Family Drug Court (2014-2017)
- Bureau Of Justice Assistance’s (BJA) Tribal Justice Initiatives (which combined prior appropriations from the Indian Alcohol and Substance Abuse, Tribal Courts Assistance, Tribal Justice Infrastructure and Tribal Civil and Criminal Legal Assistance (TCCLA) programs) (2012-2016)
- Community Oriented Policing Service (COPS) Office’s Tribal Resources Grant Program (TRGP) (Hiring and Equipment/Training) (1999-2017)²

The Department has hosted consultations, listening sessions, and other events to inform priorities for criminal justice and public safety activities in Tribal communities. In addition, between 2009 and 2014, DOJ conducted Tribal consultation sessions on the policies and practices of the Coordinated Tribal Assistance Solicitation (CTAS). The Department components have used input gained from Tribal leaders and Tribal justice officials to inform the investments outlined below.

CTAS is currently the Department’s largest Tribal-specific grant solicitation, which has incorporated a number of the funding streams outlined above. The COPS Office, Office of Justice Programs (OJP), and the Office on Violence Against Women (OVW) have been partners in the CTAS since its creation and have worked collaboratively to make Tribal resources as accessible as possible to prospective applicants. As part of the CTAS application review and awards process, OJP, OVW, and the COPS Office make every effort to coordinate their activities with the work of other federal agencies that play a significant role in supporting Tribal governments. These agencies include, but are not limited to, the Department of

¹ The Department’s grant-making components include the Office of Justice Programs’ (OJP) Bureau of Justice Assistance (BJA); Office for Victims of Crime (OVC); Office of Juvenile Justice and Delinquency Prevention (OJJDP); Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART); National Institute of Justice (NIJ); and Bureau of Justice Statistics (BJS), as well as the Office of Community Oriented Policing Services (COPS Office) and the Office on Violence Against Women (OVW).

² Dates in parentheses after name of program reflect the fiscal years that funding was appropriated for the program.

the Interior's Bureau of Indian Affairs (BIA); the Department of Health and Human Services' Indian Health Service (IHS); and the Department of Education's Bureau of Indian Education (BIE).

In FY 2018, Tribes are eligible to submit a single CTAS application to request funding in the following nine purpose areas:

- **Purpose Area 1: Public Safety and Community Policing (COPS):** The COPS Office offers funding, through Purpose Area 1, which is designed to expand the implementation of community policing and meet the most serious needs of law enforcement in Tribal Nations through a broadened, comprehensive program. The funding can be used to hire or re-hire career law enforcement officers and Village Public Safety Officers, as well as to procure basic equipment and training to assist in the initiation or enhancement of Tribal community policing efforts. The goals of the program are to proactively address the most serious Tribal law enforcement needs; increase the capacity of Tribal law enforcement agencies to provide for safer communities; and enhance Tribal law enforcement's capacity to prevent, solve, and control crime and engage in anti-methamphetamine activities, implement or enhance community policing strategies, and engage in strategic planning for law enforcement.
- **Purpose Area 2: Comprehensive Planning Demonstration Projects (OJP/BJA):** With support from OJJDP, Office for Victims of Crime (OVC), COPS Office, and OVW, BJA established Purpose Area 2 in FY 2012 to support Tribal efforts to assess their public safety and criminal justice needs and develop comprehensive criminal justice strategies.
- **Purpose Area 3: Justice Systems and Alcohol and Substance Abuse (BJA):** Since the creation of CTAS, BJA has structured its funding to respond to feedback from Tribal leaders, making Purpose Area 3 as broad and flexible as possible in order to support a variety of Tribal justice programs. These include key priorities identified by Tribal leaders, such as community-based supervision and diversion, including Adult Healing to Wellness Courts; programming and operations in Tribal courts, Tribal probation, and Tribal jails; reentry services for Tribal members returning from federal or state facilities; intergovernmental collaboration to address public safety; and addressing crime tied to substance abuse.
- **Purpose Area 4: Corrections and Correctional Alternatives (BJA):** Purpose Area 4 began as a funding source for the construction of detention facilities operated by Tribal governments. In FY 2012, this purpose area was expanded to include funding for the construction and renovation of facilities, to support other Tribal justice needs beyond Tribal jails, emphasizing facilities renovation due to reduced funding and an urgent need to make critical safety renovations to certain existing facilities. Over time, this purpose area has evolved to also provide support for probation and community corrections, in appropriate cases, and to encourage the development of multipurpose Tribal justice centers (accommodating police departments, courts, detention facilities, and corrections programs). BJA has enhanced its collaboration with the BIA in the coordination of federal and Tribal resources to support operations and programming in Tribal justice systems, including Tribal correctional facilities, as well as in Tribal facilities for law enforcement, courts, and/or treatment and programming.

- **Purpose Area 5: Violence Against Women (OVW):** OVW oversees Purpose Area 5, which is supported by funding set aside from OVW programs for the Tribal Governments Program under the Violence Against Women Act (VAWA) and subsequent legislation. Awards under this purpose area support efforts to strengthen the ability of tribes to respond to violent crimes against Indian women, enhance victim safety, and develop education and prevention strategies.
- **Purpose Area 6: Victims of Crime - Children's Justice Act Partnerships for Indian Communities (OVC):** OVC administers Purpose Area 6, which is supported by a Tribal set aside under the Children's Justice Partnerships Act. This purpose area focuses on helping Tribal communities develop, establish, and enhance programs to improve the investigation, prosecution, victim services, and case management of child abuse cases, especially child sexual abuse cases, and create specialized services for child victims that are designed to reduce further trauma and/or harm.
- **Purpose Area 7: Victims of Crime - Comprehensive Victim Assistance (OVC):** OVC administers Purpose Area 7, which is supported by funds that OVC receives each year as part of its annual allocation from the Crime Victims' Fund. This purpose area is designed to assist Tribal communities in developing, enhancing, and sustaining comprehensive crime victims' assistance programs that emphasize a coordinated, collaborative, multi-disciplinary response that offers trauma-informed, culturally-competent, holistic services to all victims of crime and their family members.
- **Purpose Area 8: Juvenile Healing to Wellness Court (OJJDP):** Beginning in FY 2015, following the defunding of the Juvenile Accountability Block Grant (JABG) program, OJJDP utilized available funds from the Drug Court program and changed the focus of Purpose Area 8 to enhancing the capacity of Tribal courts to respond to the alcohol and substance abuse-related issues of youth under the age of 21.
- **Purpose Area 9: Tribal Youth Program (OJJDP):** OJJDP administers the Tribal Youth Program, which supports the development of prevention, intervention, and treatment programs, with the goals of impacting juvenile delinquency among American Indian and Native Alaskan youth and strengthening the juvenile justice system for these youth. These funds allow for Tribes to develop their own programs in these areas, with a focus on infusing culturally-specific components.

In addition to CTAS, the Department also supports other grant programs and activities related to Tribal Justice Systems:

BJA: BJA oversees the Tribal Civil and Criminal Legal Assistance Program (TCCLA), which seeks to enhance the operations of Tribal justice systems and improve access to those systems through resources that support civil and criminal legal assistance for federally recognized Indian tribes, members of federally recognized Indian tribes, or Tribal justice systems, pursuant to federal poverty guidelines. Resources may support legal assistance services including guardian *ad-litem* appointments, court-appointed special advocates, and the development and enhancement of Tribal court policies, procedures, and codes. By statute, applicants must be 501(C)3 non-profit organizations.

In addition, BJA offers a range of training and technical assistance (TTA) resources in addition to the TTA for CTAS grantees, including those focused on: Tribal reentry; the Tribal Probation Academy; Tribal judiciary; support for intergovernmental collaboration; supporting innovative approaches; and supporting Tribal corrections in preparing for needs related to the exercise of the special domestic violence jurisdiction authorized under the Violence Against Women Act of 2013.

OJJDP: In previous years, OJJDP used funding set aside from the JABG program to support the development of programs that increase accountability for delinquent Tribal youth and strengthen juvenile justice systems. Available funding may support a variety of programs focused on accountability, including (but not limited to) the following areas: implementing graduated sanctions for youth offenders; construction costs for juvenile detention facilities (with required match); hiring judges, prosecutors, and court-appointed defenders; and the development of risk and needs assessments for youth in the juvenile justice system. No funding has been appropriated for the JABG program since FY 2013.

SMART: The Tribal Access Program (TAP), funded by the SMART and COPS offices, consists of three primary elements with regard to national crime information databases: access, technology and training. TAP supports tribes in analyzing their needs for national crime information and offers appropriate solutions, such as a state-of-the-art biometric/biographic kiosk workstation with capabilities to process finger and palm prints, take mugshots, and submit records to national databases, as well as the ability to access CJIS systems for criminal and civil purposes through the Department's Criminal Justice Information Network. Software applications on the workstation provide access to over a half-dozen criminal information databases, including the FBI's National Crime Information System; the FBI's fingerprint and biometric system, Next Generation Identification; the Interstate Identification Index; the International Justice and Public Safety Network; and the National Data Exchange System. TAP also provides specialized TTA for participating tribes, including computer-based training, on-site instruction, and access to a 24/7 help desk.

NIJ: The National Institute of Justice (NIJ), the research, development, and evaluation agency of the Department, applies science to develop new knowledge and tools to improve criminal justice policy and practice in the United States. Tribal crime and justice research is an important part of the NIJ portfolio. Among its current activities, NIJ is conducting the Violence Against Indian Women National Baseline Study, which will provide a comprehensive picture of American Indian and Alaska Native women's experiences with violence and victimization, health and wellness, community crime, service needs, and help-seeking behaviors and outcomes, as well as their opinions about public safety. In FY 2018, NIJ will increase its emphasis on Tribal crime and justice research, in areas such as: the administration of justice; corrections, drugs, and crime; human trafficking; and policing. In an effort to enhance and expand crime and justice research projects involving Tribal nations (or Tribally-based organizations), NIJ plans to release a solicitation designed to provide planning grants to support the development of relevant and innovative new research projects involving Tribal-researcher partnerships.

BJS: The Bureau of Justice Statistics (BJS) oversees both grants and the collection of survey data to assist Tribal justice systems. The FY 2018 National Criminal History Improvement Program (NCHIP), administered by BJS, provides support to states and federally recognized Indian Tribal governments for improving the accuracy, utility, and interstate accessibility of criminal history records and enhancing records of protective orders, automated identification systems, and other state systems supporting national

records systems and their use for name- and fingerprint-based criminal history background checks. Funding is also available for TTA needed to ensure that records systems are developed and managed so that they conform to FBI standards, and for evaluations to assess progress. The FY 2018 NICS Act Record Improvement Program (NARIP), administered by BJS, provides support to states and federally recognized Indian Tribal governments to establish or upgrade information and identification technologies for firearms eligibility determination use. NARIP also supports efforts to improve court system automation and transmittal to federal and state repositories of criminal history dispositions and records relevant to determine whether a person has been convicted of a misdemeanor crime of domestic violence or is the subject of a prohibiting domestic violence protection order or prohibiting mental health adjudications and commitments.

In addition to these grants, BJS has also planned several surveys for the next year. BJS is in the process of developing a Survey of State and Local Prosecutor Offices Serving Tribal Lands and a Survey of State and Local Law Enforcement Agencies Serving Tribal Lands as provided in Public Law 83-280. These surveys aim to collect data about how state and local offices and law enforcement agencies coordinate the prosecution of crimes occurring on Tribal lands, with a focus on states where federal jurisdiction over crimes on Tribal lands has been transferred, in whole or in part, to the state under Public Law 280, 18 U.S.C. § 1162 (PL-280). BJS has developed a draft survey instrument and, pending Office of Management and Budget (OMB) approval, plans to test the instrument in FY 2018. Finally, BJS is in the process of developing a census of Tribal law enforcement agencies, designed to collect data on the administrative and operational characteristics of Tribal law enforcement agencies, including staffing, sources of funding, work activities, training, and equipment. BJS, working with Tribal experts, has developed a draft instrument and, pending OMB approval, plans to test the instrument in FY 2018.

COPS: In addition to the Tribal Resources Grant Program, the COPS Office provides resources and TTA to further advance practical and specialized knowledge used to implement and enhance justice system efforts, particularly in the law enforcement field. The COPS Office supports TTA that is not only specifically geared toward tribes, but also generally applies across broader topic areas, such as community policing, drugs, gangs, and youth safety.

OVW: OVW has two additional Tribal-specific grant programs –the Tribal Sexual Assault Services Program and Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction. In addition, tribes are eligible to apply for most other OVW grant programs. For more information on OVW grant programs, please see: <https://www.justice.gov/ovw/grant-programs>.