

Tribal Interior Budget Council (TIBC) – Subcommittee on Public Safety & Justice
Virtual Meeting “Draft” Agenda
Call/Zoom Information
Tuesday, August 11, 2020
12:00pm – 2:30pm

Public Safety & Justice Subcommittee

Tribal Chair (non-voting): Council Delegate Eugenia Charles-Newton, Navajo Nation (echarles-newton@navajo-nsn.gov)

Federal Co-Chair (non-voting): Charlie Addington, Director, Bureau of Indian Affairs Office of Justice Services, DOI (charles.addington@bia.gov)

TIBC Voting Members (maximum of 5):

1. Vince Dueris, Cheyenne River Sioux Tribe (vinced13.vd@gmail.com)
2. Mark Pollock, Blackfeet Nation (mpollock@blackfeetnation.com)
3. Palmer Mosely, Chickasaw Nation (palmer.mosely@chickasaw.net)
4. Jesse Delmar, Navajo Nation (idelmar@navajo-nsn.gov)
5. Alan Roy, White Earth Nation (alan.roy@whiteearth-nsn.gov)

TIBC Federal Members:

1. Lela Kaskalla (lela.kaskalla@bia.gov)
2. Kasey Mackenzie (kasey.mackenzie@bia.gov)

TECHNICAL LEAD: Jennifer McLaughlin (jmclaughlin@jamestowntribe.org)

12:00 pm **Call to Order/Opening Prayer**
Tribal Chair, Council Delegate Eugenia Charles-Newton, Navajo Nation

12:05 pm **Opening Remarks**
*Tribal Chair, Council Delegate Eugenia Charles-Newton, Navajo Nation
Federal Co-Chair, Charlie Addington, Director, BIA/OJS, DOI*

12:15 pm **BIA/OJS Update**
Federal Co-Chair, Charlie Addington, Director, BIA/OJS, DOI

- Establishment of Cold Case Task Force and Offices Across Indian Country – update and information regarding how this office will be funded
- 105(l) leases – Tribes who built their own public safety and justice facilities should not be penalized and denied access to the 105(l) lease program if their facilities do not meet the BIA standards. What considerations are being made to “grandfather” Tribes that built their own facilities that may not align with BIA/OJS requirements in?
- PL280 States Funding for Courts/Civil matters/Child Support and other related cases – no base funding is provided Tribes need to request one time funding each year. How are these decisions for one-time funding made; what is the formula and methodology used to fund these requests; how can we fix this so that Tribes subject to PL280 receive funding?

- Status of BIA/OJS updating the facilities list to include all facilities as directed by Congress – has a contractor been hired or has the facilities director taken steps to identify all of the facilities?
- Update on Law Enforcement and Tribal Courts Summits – “Virtual”?
- Update on Advanced Training Site in ND

12:45 pm **Funding for Law Enforcement in Indian Country**

Kevin Martin, BIA/OJS

- *Overview of the BIA/OJS FY2020 enacted and FY2021 Administration’s Request & House Appropriations*
- *How do we address the systematic underfunding of law enforcement and criminal justice systems in Indian Country?*
- *What are the structural barriers of funding and operation of criminal justice systems in Indian Country?*
- *What is the strategy for securing additional funding for law enforcement in Indian Country?*
- *What factors and justification would be helpful to Tribal efforts to secure more funding from Congress and the Administration?*
- *How does current funding of law enforcement align with need?*
- *What steps should be taken to ensure data collection, research, crime reporting and analysis since they all impact the budget?*

1:15 pm **BIA/OJS Funding Methodologies**

Kevin Martin, BIA/OJS

- *How does BIA/OJS determine how much funding each Tribe receives?*
- *What are all of the funding mechanism factors and how is each applied to each Tribe?*

1:45 pm **McGirt v. Oklahoma Decision**

Palmer Mosely, Chickasaw Nation

- Brief overview of the Supreme Court Decision – OK has no legal authority to prosecute Native Americans for crimes committed within an Indian reservation
- Agreement in Principle - How will the Five Tribes address criminal and civil matters in OK post McGirt
- Protecting Tribal Sovereignty Post McGirt - Legislation introduced in Congress to strip Tribes of Sovereignty
- Next Steps – will this require additional resources for law enforcement in Oklahoma? How do we prepare for it? What Role does BIA/OJS play in the scenario and what role does DOJ play – how are each assessing additional resources needed to carry out the additional jurisdictional responsibilities?

- 2:00 pm** **COVID-19 Impacts on Public Safety and Justice in Indian Country**
*Tribal Chair, Council Delegate Eugenia Charles-Newton, Navajo Nation
Federal Co-Chair, Charlie Addington, Director, BIA/OJS, DOI*
- Funding Impacts: Impacts & Challenges on for Law Enforcement, Detention/Corrections, Courts in Indian Country
 - Healthcare Impacts: Healthcare/Telemedicine for AI/AN prisoners
 - Tribal Sovereignty: Protecting Tribal Sovereignty v. Presumed State Authority
- 2:15 pm** **Victims of Crime Act (VOCA) Update/Proposal for Integrated Public Safety and Justice Funding**
Virginia Davis, Senior Advisor and Director of Justice and International Policy, NCAI
- Brief Update on VOCA
 - Tribal Concern – still a five-year grant program as opposed to base funding
 - Legislative proposal to promote flexibility of current Federal funding sources for Tribal public safety, criminal justice, and related programs. (NCAI document)