

Tribal Narrative Profile (35%)

1. Describe the general form of your tribal government.

The Little Traverse Bay Bands of Odawa Indians (LTBB) is a federally recognized Indian tribe by reaffirmation of the U.S Congress through passage of Public Law 103-324 on September 21, 1994. LTBB is governed through its Constitution that establishes three distinct branches of the Tribal Government: Judicial, Legislative and Executive. The Executive Branch is comprised of the elected Tribal Chair and Vice Chair who oversee Tribal Administration and Accounting. The Executive Branch administers appropriated funds, enforces the Constitution and laws and implements policies enacted by Tribal Council (Legislative). Tribal Court (Judicial) upholds the laws of the Tribe. The Tribal Prosecutor maintains impartiality among the three branches and is treated as a separate entity within the Tribe's Constitution.

The LTBB service area covers 27 counties in Northern Michigan and the Eastern Upper Peninsula. The Tribe's main treaty delineated reservation area is approximately 337 square miles and encompasses portions of Emmet and Charlevoix Counties. Tribal properties are dispersed throughout this area with the main Government Center located in Harbor Springs. As of January 2015, LTBB has 4,568 enrolled Citizens, with 1,240 living in the rural tri-county area of Charlevoix, Emmet and Cheboygan Counties.

2. Briefly describe the tribal justice system.

a. Prevention and/or intervention initiatives for members at-risk of involvement or already involved in the justice system (youth/adult)

LTBB is fortunate to have a strong collaboration among our justice system, health and human services staff. Our Chief of Police, Chief Conservation Officer, Prosecuting Attorney, Chief Judge, Human Services Director, Substance Abuse/Mental Health Coordinator and Tribal Administrator comprise the core decision makers of the justice system and support services team.

Tribal Community and Justice Profile Part B: Tribal Narrative Profile

Applicant Name: Little Traverse Bay Bands of Odawa Indians

This team works together to identify and respond to problems in the justice system's response to crime. As a result of collaborative efforts, LTBB established a specialized domestic violence court docket and a formal procedures manual to respond to individuals in the justice system that have co-occurring mental health disorders. A workgroup was also established to research solutions for transitional housing and treatment facilities for women with children. This group is developing a strategic plan for a Sober Living Home for LTBB women and their children.

LTBB's justice system representatives are involved in several other multidisciplinary collaborative groups that address: domestic violence, sexual assault, dating violence and stalking; crimes of Elder abuse, neglect and exploitation; local emergency response services for the Tribe and the greater community; public safety for the Tribe and the greater community; and, substance abuse prevention and responses, including the recent focus on methamphetamine, alcohol, and underage alcohol consumption problems. Collaborative efforts also resulted in creation of an information sharing database to provide real time information to the justice system. This database is currently being expanded to include a Department of Human Services Module, a Substance Abuse/Mental Health Services Module and a Conservation Enforcement Module to enhance information sharing among LTBB partners.

LTBB operates an adult drug court to provide intervention for adults involved in the justice system. Tribal Court probation officers provide services to support adults and juveniles involved in the justice system to help them return to society as productive citizens. A probation officer and a Cultural Resource Advisor work with school personnel and Title VII workers to provide cultural support to Native students. Court staff members also make referrals to state Family Courts that offer alternative educational and substance abuse programs for Tribal youth.

The LTBB Youth Services Program provides services that promote cultural awareness while reducing youth risk factors such as truancy, high school dropouts, juvenile delinquency and underage substance abuse, which was identified as the biggest substance abuse problem facing our community. The LTBB Substance Abuse Prevention Program also provides specialized services to prevent underage alcohol consumption. Additionally, Substance Abuse Counselors and Mental Health Therapists provide therapeutic services to incarcerated citizens and continue to provide reentry support.

b. Law enforcement, including any cross-jurisdictional agreements

The LTBB Law Enforcement Department has 11 full-time officers, 4 full-time dispatchers, 1 part-time dispatcher and a lead dispatcher/office manager. Tribal Law Enforcement has established cross-deputation agreements with non-tribal law enforcement departments in Emmet and Charlevoix counties. These cross-deputation agreements benefit the Tribe and local communities in Emmet County (population > 32,000) and Charlevoix County (population < 26,000). LTBB has exclusive jurisdiction over Native Americans on Tribal Trust Land, has criminal jurisdiction over any LTBB citizen regardless of location, and has jurisdiction over all others as provided by cross-deputation agreements with local law enforcement. The recent passage of the Violence Against Women Act (VAWA) will expand our criminal jurisdiction to include non-Native citizens who commit domestic abuse crimes against Native citizens. We expect domestic abuse cases to increase as a result of this new law.

The LTBB Natural Resources Department Conservation Enforcement includes the Chief Conservation Officer and two Conservation Officers (CO's). Our CO's are responsible for enforcing Tribal regulations related to hunting, fishing, trapping and gathering within the Tribe's 1855 treaty delineated reservation area and in the 1836 Ceded Territory, which covers an

Tribal Community and Justice Profile Part B: Tribal Narrative Profile

Applicant Name: Little Traverse Bay Bands of Odawa Indians

expanse of 40,907 square miles (see attached map). Conservation shares the burden of enforcing Great Lakes regulations with four other tribes, the federal government and the state, which covers 18,000 square miles on the Great Lakes each year. CO's receive their law enforcement authority from Tribal Statutes and intergovernmental agreements, such as the 2000 Great Lakes Consent Decree and the 2007 Inland Consent Decree. Conservation enforcement is provided seven days per week. Hours vary according to seasonal needs. CO's are active in regulation enforcement and maintain a positive presence in the Tribal community.

Law Enforcement operates a full dispatch system to support Tribal police and Conservation Officers. Dispatchers cover a 24/7 schedule telecommunicating, dispatching, conducting criminal history checks, operating the Law Enforcement Information Network terminal and pulling complaint numbers. Tribal officers and dispatchers work together to implement community oriented policing services with a goal to maintain a safe, crime-free Tribal community. We are one of two tribes in Michigan that completed both basic UCR and NIBRS training (Bureau of Justice Statistics, Tribal Crime Data Collection Activities report, 2012.)

LTBB Law Enforcement has a Memorandum of Understanding with the Charlevoix-Cheboygan-Emmet County 911 (CCE) to establish full interoperability that will increase officer safety and improve officer response times to calls. Law Enforcement also has an agreement with the Michigan State Police (MSP) that provides access to the Michigan Law Enforcement Information Network (LEIN), a statewide computerized information system for criminal justice information storage. LTBB needs to increase its capacity to serve the Tribal Community by expanding interoperability for Conservation Enforcement, Law Enforcement and CCE and by increasing LTBB's technological capacity for community policing.

c. Courts

The Tribal Court system is composed of a court of general jurisdiction and an appellate court. The Tribal Court (of general jurisdiction) consists of one Chief Judge and one Associate Judge. Tribal Court and three Appellate Judges collectively make up the Tribal Judiciary. Tribal Court has the jurisdiction to address juvenile delinquency and status offense issues, as well as adult crimes enumerated under the Tribal Code, including, substance abuse and domestic abuse, and will assert jurisdiction over non-Native persons pursuant to the provisions of VAWA, which will increase the caseload seen in this court. Tribal Court maintains cross-jurisdictional agreements with local and county courts, with full faith and credit with the Michigan State Court system. This has allowed cases involving Native Americans in State Court to be transferred to Tribal Court or referred for shared case oversight. Tribal Court implements juvenile diversion programs and supportive probation services for juveniles and adults, and operates both juvenile and adult drug courts. Court is also developing a specialized domestic violence court docket.

d. Alternative dispute resolution

Tribal Probation Officers operate a Peacemaking program for litigants who want to take advantage of a culturally-appropriate alternative dispute resolution option. Tribal Court also utilizes Northern Community Mediation, a local non-profit, to resolve some cases.

e. Corrections, including juvenile detention facilities

LTBB contracts services with the Sault Ste. Marie Tribe of Chippewa Indians' Juvenile Detention Center and Horton Bay Farms to provide juvenile detention facilities. These facilities are located 50 – 190 miles away from the Tribe's government center. LTBB utilizes a Mutual Aid Agreement with Charlevoix County for adult detention facilities owned or leased by these

counties. Substance Abuse treatment is provided by New Hope in Sault Ste. Marie, MI as well as Keystone in South Dakota (92 miles and 1,139 miles from LTBB, respectively).

f. Services for victims/survivors of crime

In response to an increase in domestic violence crimes, the Tribe expanded its domestic abuse services in 2013 to include a Victim Support Services unit within the LTBB Department of Human Services office. This program provides services for survivors of domestic violence, dating abuse, stalking and sexual assault, including transportation, food vouchers, relocation assistance, advocacy, accompaniment, assistance with personal protection orders and emergency replacement items. An elder abuse services program also began in 2013 to provide training to key stakeholders to prevent and respond to elder abuse and neglect. LTBB has an agreement with the Women's Resource Center – Northern Michigan to provide shelter and counseling for Tribal victims. The Prosecutor's Office includes a Victim Advocate who helps all crime victims navigate the complex justice systems, completes paperwork, makes referrals to victim service agencies, accompanies victims in Court, explains the legal ramifications of Court proceedings, notifies victims of jail release dates, and provides updates on court hearing dates and times.

In addition to the victim support programs, LTBB provides mental health therapy and substance abuse counseling for crime victims. LTBB maintains an updated criminal history database and has the capability of sharing information with the state and other Tribes. We exercise full faith and credit agreements with non-Tribal justice system agencies and follow strict arrest procedures for PPO violations. Justice system professionals continue to collaborate to recommend improved victim protection statutes to the Legislative Branch for adoption.

g. Tribal reentry programs

Tribal Housing offers a short-term housing program and debt recovery counseling that is available to all LTBB citizens. LTBB Human Services operates a social services program that

includes a commodities program that provides sustenance and financial assistance for eligible low-income citizens. The Tribe's Substance Abuse/Mental Health/Prevention Program has established relationships with local jails to provide substance abuse counseling and/or mental health therapy for incarcerated Tribal citizens. The counselor or therapist continues to provide services for these individuals during reentry and helps them seek additional support through community resources. An LTBB workgroup established in 2012 is researching solutions for transitional housing and/or women's treatment facilities for women with children.

h. Sex offender registry obligations

LTBB is 100% compliant with sex offender registry obligations. LTBB was the second Michigan Tribe, and one of only nine Tribes in the nation, that was Adam Walsh compliant by the deadline. LTBB elected to comply with the mandates of Title I of the Adam Walsh Child Protection and Safety Act, also known as the Sex Offender Registration and Notification Act (SORNA), by implementing SORNA requirements through the guidelines provided by the U.S. Department of Justice, Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Office. LTBB has one officer dedicated to sex offender registry obligations.

LTBB entered into a 2009 Memorandum of Agreement (MOA) with the MSP for them to maintain our National Sex Offender Registry that includes a physical description, alias, date of birth, current photograph, criminal history, fingerprints, palm prints and a DNA sample of the sex offender along with address, contact information, email address, internet identifiers and any other identifying information. The MSP maintains the Sex Offender Registry to provide necessary upgrades, a system of email notification to third parties requesting offender data, and a public website containing or linking to pertinent safety and corrections information.

3. Describe the significant tribal justice, community safety, juvenile delinquency, and victimization issues facing the Tribal Nation; explain why they are the most pressing.

LTBB has a high level of community needs. The rate of LTBB families whose income is below the poverty level is 19.5%, higher than both Michigan (11.1%) and the U.S. (10.5%) poverty levels (2010 American Community Survey). January 2015 unemployment statistics (Michigan Labor Market Information) indicate the average unemployment rate for Emmet, Charlevoix and Cheboygan counties was 8.6%, which serves as a reasonable estimate of the LTBB unemployment rate. This rate exceeds the state and national rates of 5.6% and 5.4%. Unemployed people 18 and older are almost twice as likely to have substance dependence or abuse as those who are employed fulltime (16.9% vs 9.1%) (National Survey on Drug Use and Health 2012). Geographic isolation and limited access to community resources also contribute to the justice-related problems in our community. Tribal citizens are dispersed throughout the rural, delineated Reservation area. Severe winter weather lasting five to seven months adds to isolation and contributes to seasonal depression and anxiety issues that can lead to criminal activity, such as substance abuse, domestic violence and juvenile delinquency.

The CDC Health Disparities and Inequalities Report - US 2013 verifies the prevalence of disparity in Native Americans. Suicide ranks as the fourth leading cause of years of potential life lost for NA younger than 75 years old with alcohol and substance misuse, poverty, unemployment and historical trauma being identified as contributors to such high suicide rates. Motor vehicle-related deaths are 2-5 times higher in NA males and 2-4 times higher in NA females than any other race or ethnicity. The 2013 Michigan Annual Drunk Driving Audit found that in the Emmet, Charlevoix and Cheboygan tri-county area, there were 48 alcohol and/or drug related crashes resulting in 60 persons injured or killed and 66 cases of property damage, an 11% and 20 % increase from 2012, respectively. There were 448 OUIL or Impaired Driving arrests.

Tribal Community and Justice Profile Part B: Tribal Narrative Profile

Applicant Name: Little Traverse Bay Bands of Odawa Indians

LTBB has experienced an overall increase in crime in the Reservation area as demonstrated by the number of issues handled by LTBB's justice system in 2014. In 1997, Tribal Court had five cases reflecting four different types of cases. Thirteen years later (2014) Tribal Court had a caseload of 556 open cases and handled every type of case including 10 child welfare cases, 9 adult drug court cases and 1 youth drug court case. Court also issued 7 domestic violence related personal protection orders (PPOs) and 6 non-domestic violence related PPOs. LTBB Law Enforcement received 2,088 calls for service, with 76 involving illegal drug/alcohol issues. Law Enforcement also handled 37 issues related to domestic abuse or violence, 71 thefts/destruction of property calls and 4 related to child abuse, child sexual abuse or child neglect. Conservation Officers patrolled over 35,600 miles over land and water, received over 100 complaints and had over 1,700 contacts with citizens. Between 10% and 15% of those contacts with citizens were alcohol-related.

LTBB substance abuse counselors and mental health therapists saw 252 clients, with over 3,200 appointments. Suicide and depression screenings occur at every single appointment. Of these clients, 42% were diagnosed with depression and/or anxiety and 16% were diagnosed with a substance abuse disorder. Of the female clients seen, 90% had a history of emotional, physical or sexual abuse. Through a 2012 CTAS Purpose Area 3 grant, our Master's level counselor has a caseload of 35 court-involved individuals. Each patient has co-occurring disorders and is supposed to attend Alcoholics Anonymous meetings.

In 2014, Victim Support Services (VSS) served 40 victims of sexual violence, an increase of over 250% since 2012 (16 cases). Of these 40 victims, 37 were female. Fifty percent (50%) of VSS clients would benefit from transitional housing. According to crime statistics, in more than 80% of cases, a woman is assaulted by someone she knows such as a partner, friend, co-worker

Tribal Community and Justice Profile Part B: Tribal Narrative Profile

Applicant Name: Little Traverse Bay Bands of Odawa Indians

or family member. The most common perpetrators in child sexual abuse are parents and other family or household members. The Bureau of Justice Statistics estimates over 70% of sexual assaults are not reported. VSS does not require victims to report sexual violence to law enforcement. As a result, only 19 victims reported the crime to the justice system, further verifying victims' silence.

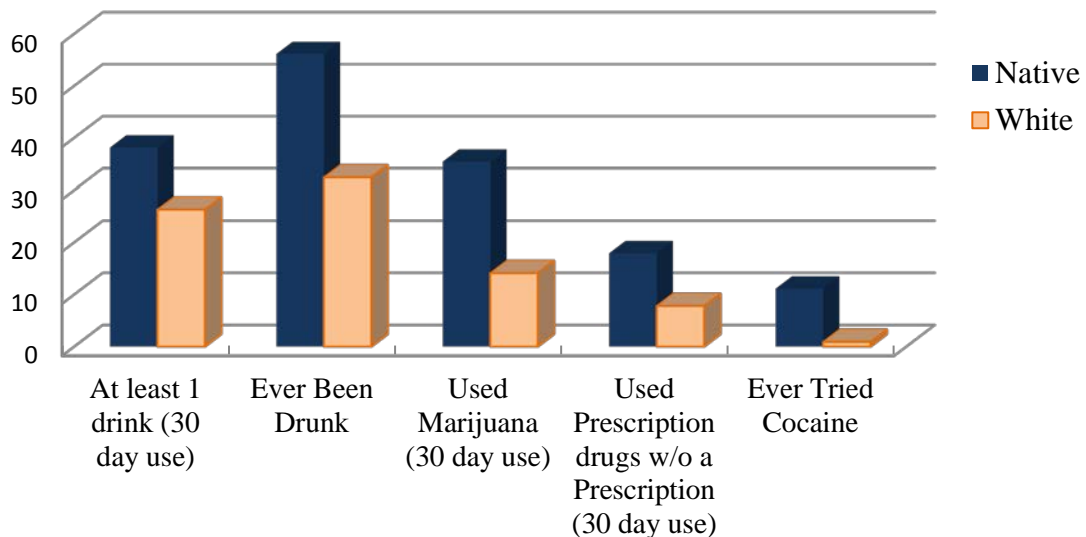
In addition to this LTBB specific data, community data further demonstrates domestic abuse problems in our community. In the 2013-2014 fiscal year, the Women's Resource Center of Northern Michigan reports that 943 domestic and sexual assault crisis calls were received, 576 people sought safe shelter and advocacy in a five-county service area (including Emmet, Charlevoix, and Cheboygan), 277 cases of sexual assault were handled, and approximately 7% of women served identified themselves as Tribal citizens, in a region where Native American women comprise less than 3% of the total population.

Child welfare is an issue that impacts our community as it is inextricably connected to the historical trauma our Tribe has faced since forced assimilation. Odawa children were corralled and taken to boarding schools. They were stripped of all things associated as Native: their clothing, their hair, their language, their ceremonies, their traditions, their values. The aftermath impacts us to this day. In 2014 there were 20 Tribal children throughout the nation in the foster care system. There are only five Native foster families in our service area, which is not enough to meet the needs of our children. Currently, of the 29 children in the child welfare system, only 2 children (1 family) are in a licensed LTBB foster care home. In 2013, according to the US Department of Health and Human Services Administration for Children, Youth and Families, 14,615 children were in foster care in Michigan. Of that number, 7,716 were new entries into the foster care system. Native youth were represented disproportionately at a rate of 2:1. Being an

alumnus of the foster care system can have long-last implications: 80% of incarcerated individuals were in foster care (Disposable Children: America’s Child Welfare System). And with a disproportionate number of foster youth being Native, it makes sense that this over representation would continue into our local jails. Native Americans represent 6% of inmates in the tri-county service area, but Native Americans comprise less than 3% of the total tri-county population.

Local data illustrates substance abuse issues facing Native youth in our community. According to the 2013-2014 Michigan Profile for Healthy Youth (MiPHY), a biannual survey taken by 9th and 11th graders, though local high-school aged NA youth in Cheboygan and Emmet counties report it is more difficult to get alcohol than White youth (63.5% vs 64.5%) they are more likely to have drunk in the past 30 days (38.1% vs 26.3%) and to have ever been drunk (56.1% vs 32.4%). Native youth were 2.5 times more likely to have used marijuana (35.4% vs 14.1%) and to have used prescription drugs without a prescription (17.9% vs 7.8%) in the past 30 days and 12 times more likely to have ever tried cocaine (11.1% vs .9%). See Table 1.

Table 1: Percentage of High-School Aged Youth in Emmet and Cheboygan Counties Substance Use



Also according to the 2013-2014 Michigan Profile for Healthy Youth (MiPHY), local high-school aged NA youth in the tri-county area of Charlevoix, Cheboygan and Emmet counties are more likely to display violent behaviors. Native youth were almost three times more likely to have carried a weapon on school property in the past 30 days (15.9% vs 5.7%) and were more likely to have been in a physical fight in the past year (23.6% vs 15.2%). Native youth who were physically hurt by someone they were dating was one and a half times more likely (13.9% vs 9.4%). Sadly, during the past year Native youth were more likely to have seriously considered suicide (23.8% vs 17.3%) and to have also made a suicide plan (23.8% vs 11.9%) (MiPHY, 2013-2014).

4. Describe current and future plans to comprehensively address the Tribe's public safety, criminal and juvenile justice, or victimization issues.

LTBB's primary project goals are: 1) to develop a comprehensive strategic plan to improve LTBB justice systems and community wellness and safety; 2) to enhance services, resources and the Tribal response to Native American survivors of domestic violence, sexual assault, dating violence and stalking, and their families; and, 3) to redesign the child welfare court model to improve the family preservation outcomes for Native children and families. These goals will comprehensively address the Tribe's crime and public safety issues described above and will fill the gaps in service that have been identified by the Tribe. A multidisciplinary team comprised of core justice system partners with additional key stakeholders held several meetings to determine these comprehensive goals and objectives.

The objectives of Purpose Area #2 are to build collaborative partnerships to develop solutions to public safety problems, complete a Community Needs Assessment by Month 6 of the project, and complete a comprehensive strategic plan for LTBB's justice system and community wellness and safety over an 18-month project period.

The objectives of Purpose Area #5 are to expand the services and resources available for Native American women and children who are survivors of domestic violence, sexual assault, dating violence, and stalking, including direct client services, cultural healing and legal assistance in matters relating to or arising out of that abuse or violence, and providing access to emergency and safe housing for survivors.

The objectives for Purpose Area # 6 are to develop a redesigned child welfare system strategic plan through coordinated efforts during the first 18-months of the 36-month project period and to implement the pilot child welfare court model at the Tribal and County level during the second 18-months of the 36-month project period.

In addition to the above objectives for this project, LTBB will continue efforts to comprehensively address crime. Several LTBB directors formed a multidisciplinary collaborative relationship to address crime and victimization in our community. Core justice system partners (Court, Law Enforcement and Prosecutor) meet monthly with Human Services Victim Support staff and Substance Abuse staff who are involved in implementing justice system and victim support programs. This team plans to establish a Coordinated Community Response protocol and basic Domestic Abuse protocol for properly addressing domestic violence cases through the continuum from law enforcement, victim advocate, prosecutor, court, community resources and probation. LTBB is also in the process of adding a Conservation Enforcement Module to the information sharing justice system database to improve data analysis capabilities that will increase capacity for community oriented policing services.

Additional efforts the Tribe has implemented to address Tribal justice system needs include development of a new drug statute, training for multiple departments within LTBB and creation of a first response protocol to emergency situations caused by Methamphetamine labs.

LTBB also provides courtroom surveillance by Law Enforcement, truancy programming, tutoring for at-risk youth, cultural youth activities, Adult and Juvenile Drug Courts, Peacemaking (alternative dispute resolution), child welfare programs and probation services.

Future plans to address the Tribe's crime and public safety issues include providing community education and multidisciplinary training to identify current crime trends, recognize crimes in progress, and learn how to prevent crimes from happening to them. This will better prevent Tribal citizens from becoming victims of crimes. LTBB also plans to engage in strategic planning to determine feasibility for a tribal correctional facility, women's treatment facility, juvenile detention facility, transitional housing and a Batterers' Intervention Program. These projects require additional planning and will be addressed as resources are available.

5. Discuss any additional information about your Tribe that would be important in the understanding and evaluation of your application.

The amount of experience among our justice system professionals and service providers will provide a level of expertise that is not common to many tribes.