

REPORT TO PRINCIPAL CHIEF CHUCK HOSKIN, JR.
FROM THE TASK FORCE TO PROTECT WOMEN AND FAMILIES

December 1, 2022

Principal Chief Chuck Hoskin, Jr, by Executive Order 2022-01-CTH, convened a second Task Force to Protect Women and Families in January of 2022. This Report follows up on the recommendations made by the first Task Force, created by Executive Order 2021-08-CTH, and provides further recommendations to Principal Chief Hoskin on the one-year anniversary of that first Task Force Report in accordance with the extended due date he has provided.

I. Summary

Like the first Task Force (Task Force I), this Task Force believes Cherokee Nation has the foundation, the motivation, and the ability to mobilize the necessary resources to establish an effective and comprehensive program to address intimate partner and family violence. The Task Force reviewed the progress made on the recommendations of Task Force I and is pleased to report that while significant work remains, much progress has been made. Over the course of the last 9 months, the Task Force has discussed many issues relating to aspects of work to address intimate partner and family violence. Members of the Task Force have initiated changes in practice, policy, or law along the way. The Task Force has also identified further recommendations to advance the goals set forth in the Executive Order, several of which will require further effort.

Certain recommendations and interim steps taken have been driven by the increased numbers of clients served by ONE FIRE Victim Services (“ONE FIRE,” an acronym for Our Nation Ending Fear, Intimidation, Rape, and Endangerment).

- Through October 27, ONE FIRE has served 657 clients in 2022. This compares to 440 served in all of 2021.
- We fully anticipate the number of clients will continue to grow as we enter the holiday season.

II. Progress to Date

This Task Force has reviewed the progress within Cherokee Nation on the recommendations made by Task Force I in the report submitted to Principal Chief Hoskin on December 1, 2021, and has found the following with respect to the recommendations:

1. With the approval of the Principal Chief, the Task Force is proceeding with the planning of a statewide intimate partner and family violence training titled “Families are Sacred Summit.” This Summit will provide comprehensive training for law enforcement, prosecutors, judges, court staff, Emergency Medical Services, health care providers, advocates, and other Cherokee Nation employees who address domestic violence, including strangulation and drowning cases.
 - Planning is underway for this summit, which will occur in April 2023 at the Hard Rock.

- Registration for this event will be free to participants and open to anyone involved in addressing these issues in Oklahoma, with a block of seats reserved for those from the Cherokee Reservation. All 39 tribes will be invited.
 - Funding sources have been identified and the majority of the necessary funding has been secured.
2. Encourage and support Cherokee Nation Community and Cultural Outreach Department to engage on domestic violence at the grass roots and cultural level with community organizations.
 - A representative from Cherokee Nation Community and Cultural Outreach serves on the current Task Force and is engaged in developing this work.
 - Cultural programming is provided throughout the Reservation that addresses mental health and community values, including roles and responsibilities of people within the community.
 - ONE FIRE staff regularly attends all CCO meetings.
 3. In the time since the issuance of the report of Task Force I, Council of the Cherokee Nation has passed the following legislation:
 - Cherokee Nation Domestic Violence Lethality Reporting Act of 2021 – December 2021
 - Amended Title 21 to expand the definition of strangulation – January 2022
 - Cherokee Nation Family Protection and Violence Against Women Act of 2022 – September 2022

III. Recommendations

The recommendations of the Task Force fit into three main categories: recommendations to support the community; recommendations to support victims/survivors and ONE FIRE staff; and recommendations relating to investigation, prosecution, and correction.

A. Support of Community:

The Task Force makes the following recommendations to support the community:

1. Hold community listening sessions across the reservation to gain a better understanding of needs and of potential and actual barriers to access.
2. Work with schools, school districts, and/or organizations that serve youth to embed family and dating violence education at early ages. Embed this type of education in Cherokee Nation programs that serve youth.
3. Create and deploy financial empowerment programs (educational seminars, materials, etc).
4. Create more opportunities to reinforce and share Cherokee values and culture.

5. Increase Collaboration with Cherokee Nation Behavioral Health and private behavioral health.
6. Increase Collaboration with Cherokee Nation drug and alcohol Programs and private partners.
7. Investigate resources available to create wrap-around services for Cherokees and Non-Cherokees that suffer from alcoholism, substance abuse, homelessness, and mental illness. Many of the intakes at ONE FIRE involve these issues alone, and many victims of intimate partner and family violence are dealing with multiple issues.
8. Hire or train an existing staff member to be a Pediatric Sexual Assault Nurse Examiner.

B. Support of Victims/Survivors and ONE FIRE Staff:

ONE FIRE is the cornerstone of the Nation’s efforts to protect people from intimate partner and family violence. The name draws on the Cherokee traditional belief that our citizens originate from “one fire,” and are one people with a duty to care for each other. Great strides have been made since the inception of ONE FIRE. However, to build a state-of-the-art program that reduces intimate partner and family violence, substantial resources need to be infused into the ONE FIRE program to increase staffing capacity, provide families the resources they need to transition into a safer and healthier place while holding perpetrators accountable. Thus, we are making specific recommendations to increase capacity at ONE FIRE.

Some foundational measures are needed to allow the staff to move forward quickly and professionally to deliver more robust and quality services. ONE FIRE should immediately develop the following documents and training programs:

- Develop additional policies and procedures for ONE FIRE
- Expand existing orientation program and include HR components
- Train staff on evidence-based prosecution and victims’ needs
- Train additional victims’ advocates and obtain certifications from either OCADVSA or OAG – or have Cherokee Nation create a program specifically to train advocates similar to the programs offered by OCADVSA or OAG that is tailored to the needs of ONE FIRE.
<https://www.ocadvsa.org/what-we-offer/https://www.oag.ok.gov/training>

Staffing/Budgeting for ONE FIRE:

The Task Force makes the following recommendations for ONE FIRE staffing:

1. Hire 12 domestic violence advocates to expand staffing strategically throughout the 14 counties.
 - This was a recommendation of Task Force I. ONE FIRE has been recruiting for additional advocates but has been unable to hire the recommended number. Currently, ONE FIRE has five advocates (4 permanent & 1 temporary ending March 2023) on staff, which is insufficient to serve the 14 counties on the reservation.

2. Recruit for open positions, which are budgeted but remain unfilled and request Human Resources prioritize filling these roles, which are: Director; Shelter Manager; Budget Analyst; Case Managers (3); Security for Shelter (3); and Clerks (2).
 - Manager of Housekeeping and Manager of Maintenance for the Stilwell Shelter and transitional housing properties have been hired and will begin November 7 and November 21.
3. Perform new market compensation review for all ONE FIRE positions, including on call analysis, that includes a broader view of the market for these roles, and considers the stress level and risk involved with these positions.
4. A data entry position is needed in the Tahlequah office. This position will be for all locations when those are implemented.
 - ONE FIRE planned with and partnered with Cherokee Nation Information Systems and Public Health. That team is currently developing a data system for ONE FIRE.
5. Implement a program to accompany Cherokee Nation Marshal Service on all domestic violence response calls. This was a recommendation of Task Force I and is, for the most part, already being done. ONE FIRE participates in the training with Cherokee Nation Marshal Service and has ordered clipboards with the lethality assessment questions pre-printed for efficiency.
6. Consider contracting with an On Call Service to handle increased case load when advocates are expanded throughout the 14 counties.
7. ONE FIRE does not have life coaches, therapists, or drug and alcohol counselors. Recommend hiring and/or contracting for these services to ensure those being served can receive the help they need. These services are distinct from the services provided by advocates and are needed to ensure that survivors of intimate partner and family violence can move forward successfully.
8. Develop and implement a volunteer program. Invite potential volunteers to the Summit. Develop periodic training curriculum for volunteers, inclusive of peer mentors.
9. Increase the protection of staff at the office which includes installing panic buttons. Request Marshal to analyze safety features of existing office. Multiple situations have occurred and will continue to occur that may place the staff in harm's way.
10. Identify funding source for these additional staff and services not covered by existing grant funding.
11. Begin working and planning with Cherokee Nation Information Systems to develop and implement electronic client records to transition ONE FIRE from paper documentation.

Space Allocation/Current Office Needs

A facilities assessment should be done, and recommendations brought forward for consideration to ensure appropriate and secure space for all staff who address intimate partner

and family violence. Specifically, ONE FIRE does not have adequate space for the staff that are being hired.

C. Recommendations for Investigation/Prosecution/Correction:

The Task Force makes the following recommendations relating to investigation, prosecution, and correction:

1. Continue to support the specialized domestic violence prosecution unit and domestic violence docket.
2. Evaluate the need for additional Marshal service personnel – specifically trained to address intimate partner and family violence.
3. Develop specialized domestic violence investigation unit to work with prosecutors and ONE FIRE.
4. Increase access to batterers’ intervention programs.
 - Consult with experts to incorporate traditional cultural values.
 - Defendants are often ordered by the court to attend such programs but finding a program that is accessible to these individuals can be very challenging.

IV. Other Progress

Over the course of the last nine months, this Task Force has provided a forum for the discussion of various issues relating to the way intimate partner and family violence is recognized, addressed, prosecuted and prevented. This provided the opportunity for agencies of Cherokee Nation to consult with the Task Force on issues relating to intimate partner and family violence and bring issues to the attention of those empowered to act. We have seen much progress by Cherokee Nation to address these issues. These items include:

1. Data analysis to identify areas of greater need and to consider how best to focus resources.
2. Improving digital access to Orders of Protection so that other law enforcement agencies can access Orders from Cherokee Nation.
3. Council of the Cherokee Nation passed the Cherokee Nation Family Protection and Violence Against Women Act of 2022. Under this new law, Cherokee Nation exercises jurisdiction over non-Indians who perpetrate sexual assault, child abuse, stalking, sex trafficking, or assaults on tribal law enforcement within the Cherokee Nation Reservation.
 - a. Members of the Task Force participated and assisted in planning Chief’s Proclamation and signing of this historic legislation.

4. Presenters to the Task Force included Pam Moore, Abraham Bearpaw, and Chris Welch, who shared insights concerning intimate partner and family violence; dissemination of cultural awareness; and an employee survey on domestic violence.
5. Task Force members have been actively involved in planning the Families are Sacred Summit.
6. Task Force member Shawna Roach participates on the Not Invisible Act Commission established by Interior Secretary Deb Haaland and US Attorney General Merrick Garland. This Commission is a cross jurisdictional advisory committee composed of law enforcement, Tribal leaders, federal partners, service providers, family members of missing and murdered individuals, and most importantly — survivors.
7. District Court, Attorney General’s Office, and Marshal Service have all added significantly to their staff.
 - a. The Marshal Service is increasing the number of officers across the Reservation to improve response times.
 - b. The Attorney General’s Office has added and continues to add prosecutors and other staff, including an investigator dedicated to domestic violence cases and an experienced domestic violence prosecutor.
 - c. Cherokee Nation has also established several new departments that are part of the ecosystem that addresses intimate partner and family violence, including:
 - i. A new probation services division with three full-time probation officers.
 - ii. A Department of Juvenile Justice to handle the increase in delinquent cases. The Department of Juvenile Justice employs nine full-time staff members including a director, intake officers, probation officers and support staff.
 - iii. A new Juvenile Justice Center opened in Muskogee, Oklahoma to support these new staff members and provide a convenient location to hold juvenile court.
8. Members of the Task Force assisted in planning Charles Head Day to honor the life and legacy of Charles L. Head, the late Cherokee Nation Secretary of State and founder of ONE FIRE, and to honor all survivors and victims of domestic and sexual abuse, and to recognize the advocates who help support them.

V. Conclusion

The members of the Task Force appreciate the opportunity to evaluate and strengthen the Cherokee Nation’s response to family violence and sexual assault. It has been an honor to serve our Nation in this vital work to protect our women and families. The Task Force has made a substantial number of recommendations in this final report that, if implemented, will strengthen the Nation’s response to violence.

The substantial number of family violence cases on the Reservation are responded to by the local sheriff’s office or municipality, with a small minority of those investigations handled by the Cherokee

Marshall's office. If the goal is to dramatically increase the services offered to native victims of domestic violence and the number of successful prosecutions, then all law enforcement in the Reservation would need to collaborate with the Attorney General's office in the investigation and prosecution of cases in which they are the first and sole responder.