

## 4<sup>th</sup> Annual Noojimo'iwewin The Violence Against Women Act and Indian Child Welfare Act Training

Presented by Bay Mills Indian Community | Gnoozhekaaning and OJS Tribal Justice Support

August 3-5, 2022 at Bay Mills Resort & Casino

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### 2022 THEME

#### **Mending the Circle:**

Protecting the Whole Community from Violence

### HYBRID EVENT

This training is both presented in-person and Zoom. Lectures and Q&A are livestreamed on Zoom Webinar. Activities will have both an in-person and online version, with online activity moderators (Neoshia Roemer, Cassondra Church). At all times, attendees have access to the Faculty Moderator (Addie Smith). Please see the biographies

### TRAINING FORMAT | 2.5hr

Each interactive, in-depth unit includes:

- 40 minutes           Lecture
- 15 minutes           Q&A
- 15 minutes           Break
- 50 minutes           Activity
- 15 minutes           Q&A
- 120 minutes          Total instructional time

**DAY 1 | AUG 3 | 5 CLE**

**DAY 2 | AUG 4 | 5 CLE**

**DAY 3 | AUG 5 | 3 CLE**

**13 CLE total** (including 2 Elimination of Bias and 2 Ethics credits)

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### DAY 1 | AUG 3

**8:30-9:00** Welcome Introductions, Opening Song

Whitney Gravelle, Daraka and Tyler Detloff

**9:00-10:00 KEYNOTE | 1 CLE**

**Justice in Indian Country Today** | In some instances, the landscape of Indian Country jurisdiction has changed since Castro-Herrera but our responsibility and commitment to our communities remain. Through a strong tribal court we commit to continuing safety and justice within our communities. Creating highly functional and responsive tribal courts is within our power, and we should consider how the implementation of the Tribal Law and Order Act and the Violence Against Women Act affect our communities. It is essential in exercising our sovereignty. We will look at the practical side of implementing and strengthening our tribal justice systems to address the on the ground justice in Indian Country.

**Speaker:** Tricia Tingle, Director, [BIA OJS Tribal Justice Support](#)

**10:00-12:30 UNIT 1 | 2 CLE (Elimination of Bias)**

**Identification and Prevention of Elder Abuse in Indian Country** | Dr. Gray will teach participants to recognize and respond to elder abuse in Indian Country to include elder abuse, neglect, and various types of exploitation. She will discuss various types of restorative justice models that help with healing rather than punishing and, therefore, strengthening the community. Gray will identify tools and resources from the NIEJI website to develop an enforceable elder abuse code. Participants will learn preventive approaches that they can implement to develop stronger elder communities. The session educates lawyers about the elimination of bias or prejudice in the administration of justice for elders in Indian Country.

**Faculty:** Jacqué Gray, PhD. [National Indigenous Elder Justice Initiative](#),  
University of North Dakota

**12:30-1:30 LUNCH**

**1:30-4:00 UNIT 2 | 2 CLE (Ethics)**

**Jurisdiction in DV, Child Welfare, and Elder Abuse in Indian Country** | The Jurisdictional session of the Bay Mills training will include education on the Indian Child Welfare Act, the Violence Against Women Act and Elder Abuse cases. Specifically, the session will address how courts make decisions about which court has jurisdiction over a case, and how the state courts are bound by state and federal laws when making that decision. The session will also discuss the ethic of when tribal courts have exclusive jurisdiction, and how federal laws affect that jurisdiction.

**Faculty:** Prof. Ron Whitener, JD, Owner, [The Whitener Group](#)  
Kate Fort, JD, Senior Consultant, [The Whitener Group](#)

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### DAY 2 | AUG 4

#### 8:30-11:00 UNIT 3 | 2 CLE

**Domestic Violence its Effects on Children** | Covers essential understanding of traumatic experiences including grief and loss on the wellbeing of AI/AK children, families, and communities. The course will include Historical and intergenerational trauma as a context/reality for AI/AN people, and its impact on current best practices and approaches. Provide strategies to identify and support AI/AN families. Approximately 1 in 4 U.S. children will experience a significant traumatic event by the age of 16. Research suggests that Native American youth are at increased risk of trauma, depression, and PTSD as a result of grief and exposure to violence. When exposure to traumatic events occurs frequently, or when traumatic stress is left unaddressed, children may be susceptible to relationship problems, drug and alcohol abuse, violent behavior, suicide and depression, problems in school, and bullying and victimization (nnctc.org). A pioneer in the facilitation of trauma-informed tribal system change, Marilyn will provide expert focus is on increasing service providers' ability to respond to the trauma-related needs of American Indian/Alaska Native (AI/AN) children and youth in culturally appropriate ways.

**Faculty:** Marylin Zimmerman, PhD, Director,  
[National Native Children's Trauma Center](#)

#### 11:00-12:00 KEYNOTE | 1 CLE

**VAWA and ICWA Update** | This session will overview recent developments in the expansion of recognized inherent tribal powers to prosecute non-Indians encompassed in the Violence Against Women Reauthorization Act (VAWA) of 2022, including a historical arc of how the VAWA amendments came to be enacted. In addition, this session will briefly overview an upcoming constitutional challenge to the Indian Child Welfare Act (ICWA) that will be heard in the 2022-2023 session of the U.S. Supreme Court. Both VAWA and ICWA impact the day-to-day lives of Native people. They are also critical expressions of tribal sovereignty, bearing on the future of tribes.

**Speaker:** Lauren van Schilfgaarde, JD,  
UCLA School of Law

#### 12:00-1:00 LUNCH

#### 1:00-3:30 UNIT 4 | 2 CLE

**Working with and Interviewing Victims of Violence: Adults, Children, & Elders** | This training will provide participants with an introduction to interviewing victims of violence including trauma informed best practice and interviewing techniques and strategies.

**Faculty:** Suzanne Gray, National Training Advocate, [TIXEdu](#)

**Faculty:** Ashley Anstett, Grand Fund Coordinator, Oregon Department Of Justice

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### DAY 3 | AUG 5

#### 8:30-11:00 UNIT 5 | 2 CLE

**Intergenerational Trauma** | This course will describe trauma informed practices including why there is a need for such practices and policies and what concrete things can be instituted at the individual, as well as at the organizational level to accommodate a history of trauma in Native communities. This will be accomplished using a mixture of didactic presentation of examples and thought experiments with group discussions. The interactive portion of this session will primarily employ role playing interactions which include or fail to include trauma informed principles to anticipate probable outcomes in multiple scenarios.

**Faculty:** Lonnie Nelson, PhD, Partnership for Native Health  
[Washington State University](#)

#### 11:00-12:00 KEYNOTE | 1 CLE

**This Land: Bringing Indigenous Issues Mainstream** | Indigenous communities deserve the same standard of journalism as the rest of the country, but rarely receive it from non-Native media outlets. Nagle's journalism seeks to correct this. From the census, to COVID, to the Supreme Court, Nagle focuses on deeply and timely reporting that sheds light on issues of National importance.

**Speaker:** Rebecca Nagle, Award Winning Journalist, Host  
[This Land Podcast](#)

#### 12:00-12:30 Closing

Closing and Song: Leah Teeple, Michele Wellman-Teeple

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### Moderator, Speaker, Faculty Biographies

**Addie T. Smith, JD**, Senior Consultant, [The Whitener Group](#) | Faculty Moderator | Adrian (Addie) Smith is a nationally known Indian Child Welfare Act trainer and has worked in states across the country to change policies and improve systems that promote ICWA compliance. She has also worked with a variety of tribes on projects designed to improve tribal social service systems and tribal courts. She was formerly the staff attorney at the Nation Indian Child Welfare Association after which she worked on issues related to child welfare and dependency courts for Oregon Governor Kate Brown. Here she represented children, youth, and parents before the Oregon Court of Appeals.

**Neoshia Roemer, JD** | Online Activity Moderator | Neoshia R. Roemer is an Assistant Professor at the University of Idaho College of Law where she teaches courses in family law and Native American law. Prior to teaching at Idaho, Neoshia worked as the Fellow and, later, Staff Attorney for the Indigenous Law & Policy Center at the Michigan State University College of Law. Neoshia is a 2017 graduate of the University of New Mexico School of Law where she also earned a Law & Indigenous Peoples Certificate, served as a member of the Tribal Law Journal board, and held various other positions. Neoshia also holds of Master of Arts in Latin American Studies from the University of New Mexico and a Bachelor of Arts in history and international studies from Indiana University at Indianapolis. When not engaged in her legal scholarship, Neoshia is an avid lover of sci-fi/fantasy and crime dramas, Pilates, and spending time with her two dogs.

**Cassandra Church, JD** | Online Activity Moderator | Cassandra Church is an enrolled member of the Pokagon Band of Potawatomi Indians and was born and raised in West Michigan. She is currently the Legal Counselor at the Indigenous Law and Policy Center at Michigan State University College of Law where she provides academic support to first-year Native American law students, co-teaches the Indian Law Clinic, co-coaches the MSU National Native American Law Students Association moot court team, and conducts scholarly research. She received her Juris Doctorate and a Certificate in Indigenous Law from Michigan State University College of Law. She received her Bachelor of Science and Master of Social Work from Michigan State University. She is a graduate of the Pre-Law Summer Institute (PLSI) class of 2018 and served as a PLSI Teaching Assistant in the summer of 2019. She enjoys participating in conferences and has served as a moderator, panelist, Master of Ceremonies, and conference organizer at various local and national conferences.

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**Tricia Tingle**, Director, [BIA OJS Tribal Justice Support](#) | Tricia Tingle is an enrolled member of the Choctaw Nation of Oklahoma. Her legal career encompasses 30+ years working in Indian Country. Ms. Tingle is presently the Associate Director for Tribal Justice Support, which is enacts the Tribal Justice Support Act of 1993.

Ms. Tingle has served as an Assistant United States Attorney for the District of Minnesota, and as a Civil Trial Attorney for the Voting Section, Civil Rights Division, United States Department of Justice. In addition, Ms. Tingle has served in the Department of the Interior, Office of the Solicitor representing the Bureau of Indian Affairs as an Assistant Solicitor.

In 2011, Ms. Tingle began her tenure with the Office of Justice Services, Tribal Justice Support. Her office follows the mandates of the Tribal Justice Support Act and provides training, technical assistance and funding for all tribal justice systems. A part of the TJS tasks, include offering Tribal Court Assessments which serve as a "road map" for individual tribal justice systems. Since 2010, TJS has funded approximately 20 Million dollars to tribal justice systems, with an increase to almost 40 Million in the last 3 years. Since 2010, 370 tribal justice systems have been assessed, funded and training and technical assistance has been provided to those justice systems. Ms. Tingle and her staff focus on strengthening sovereignty through tribal justice systems and highlighting the unique ways tribes have provided justice through traditional and cultural methods. Ms. Tingle lives in Alexandria, Virginia.

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**Jacque Gray, PhD.** [National Indigenous Elder Justice Initiative](#), University of North Dakota | Dr. Jacqueline Gray is the principal investigator of the National Indigenous Elder Justice Initiative at the Center for Rural Health at the University of North Dakota (UND) School of Medicine & Health Sciences. She is also a research associate professor emerita of the Department of Population Health at UND.

Jacque is from Oklahoma and of Choctaw and Cherokee descent. She has worked with tribes throughout Indian Country for 40 years in the areas of health, education, counseling, and program development. She also has experience in policy work and advocacy through testimony in Congress on suicide among American Indian youth, funding for Indian Health Service, addressing Elder abuse in Indian Country, serving on the Health and Human Services Secretary's Advisory Committee for Interdisciplinary Community-Based Linkages, and other health disparity related issues. Jacque worked in medical research at the Oklahoma Health Sciences Center in Oklahoma City and at the Norman Regional Hospital. For more than eight years, she provided counseling, assessment, and program development services through the Creek County Health Department in Oklahoma.

Jacque came to North Dakota in 1999 as a visiting professor in the UND Department of Counseling, and in 2001 she became a post-doctoral fellow at the Grand Forks Human Nutrition Research Center of the U.S. Department of Agriculture Agricultural Research Service. She joined CRH in 2004.

Jacque has research experience in the areas of health and mental health, including suicide prevention, Elder abuse, rural veteran health services, spirituality and health, psychometrics, and wellness and nutrition in adolescents. Her research with American Indians includes Elder abuse, health, depression, anxiety, veteran's health services, spirituality, suicide, career counseling, and nutrition. She developed a rural crisis intervention program and an adolescent suicide prevention program in Oklahoma that have been adopted across the state and began the first viable divorced parent education program in Oklahoma. She is licensed as a professional counselor in North Dakota and was part of a rural health training grant during her psychology internship at the University of Wyoming that put multidisciplinary teams in rural/frontier settings around the state.

Jacque is a member of the American Counseling Association, the American Orthopsychiatric Association, the Native Research Network, the Society of Indian Psychologists (SIP), American Society on Aging, and a fellow of the American Psychological Association (APA). She served as SIP president from 2011-2013. She served as president of the APA Division 45: Society for the Psychological Study of Culture, Ethnicity, and Race (2016), chair of Psychologists in Indian Country (2011-2014), a section of APA Division 18: Psychologists in Public Service, and was secretary of section six: Native Alaskan, American Indian, and Indigenous Women of the APA Division 35: Psychology of Women (2014-2016). She is a member of the Alzheimer's Association Oversight Committee for Research and Cultural Diversity and is part of the North Dakota Suicide Prevention Coalition. She is also a consultant for the Substance Abuse and Mental Health Services Administration Disaster Technical Assistance Center.

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She was elected to the APA Board for the Advancement of Psychology in the Public Interest (2017-2019) and Committee on Rural Health (2012-2014) and was appointed by the APA Board of Directors to the National Steering Committee on Health Disparities. She currently serves on the Committee on Division/APA Relations (2021-2023). Jacque received the Excellence in Training Award from the Native Research Network in 2012 and received a Presidential Citation from APA in 2014. She has traveled to New Zealand, where she participated in work on Maori and Indigenous suicide prevention with the University of Otago and Healing Our Spirits Worldwide.

Jacque earned a bachelor of science degree in laboratory technology from the University of Oklahoma. Her master of education degree is in guidance and counseling psychology from the University of Oklahoma, and her doctorate is in applied behavioral studies with a specialty in counseling psychology from Oklahoma State University.

**Prof. Ron Whitener, JD, Owner and Senior Consultant, [The Whitener Group](#)** | Ron is a member of the Squaxin Island Tribe and grew up in his community as a treaty commercial and subsistence fisherman and hunter and worked for his Tribe's natural resources department until leaving for law school. In 1994, Ron graduated from the University of Washington Law School and was hired as the first in-house legal counsel for his Tribe. In that capacity, Ron advised and represented the Tribal Council, departments, and economic enterprises on issues related to treaty rights, tribal governance, Indian health, and economic development. In 2000, Ron joined the Northwest Justice Project's Native American Unit and represented Natives in tribal, state, and federal courts. In 2002, Ron joined the faculty of the University of Washington Law School where he created the Tribal Court Public Defense Clinic and was awarded the Shanara Gilbert Emerging Clinician of the Year from the American Association of Law Schools. In 2011, Ron was named a Champion of Change by President Barack Obama for his work advocating for public defense to juveniles in tribal courts. In addition to his clinical work, Ron served as the Chief Judge for the Confederated Tribes of the Chehalis Indian Reservation. In 2014, Ron left the UW to accept appointment as the Chief Judge for the Tulalip Tribes but remains on the UW Faculty as an Affiliate Professor of Law. Ron retired from Tulalip in 2020. Through The Whitener Group, a consulting company Ron formed in 2009 with his brother and niece, he assists tribes in developing and improving their justice systems. Ron has conducted over 70 tribal court evaluations in Alaska, and approximately 20 in the Lower 48. Ron is Order of the Coif and Order of Barristers.



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**Kate Fort, JD, Senior Consultant, [The Whitener Group](#)** | Kathryn E. Fort is the Staff Attorney and Adjunct Professor for the Indigenous Law and Policy Center at Michigan State University College of Law. She joined the Center in 2005 as the Indigenous Law Fellow. In her role with the Center, she co-teaches an experiential learning class, researches and writes on behalf of Center clients and on topics in federal Indian law and manages administrative aspects of the Center. Ms. Fort has written articles on laches and land claims and the Indian Child Welfare Act. She has recently been published in the *George Mason Law Review*, and the *American Indian Law Review*. Professor Fort graduated magna cum laude from Michigan State University College of Law with the Certificate in Indigenous Law, and is licensed to practice law in Michigan. She is currently representing the intervening tribes in the Brackeen litigation before the United States Supreme Court, where several states are seeking to have the ICWA found unconstitutional. In 2020, she successfully argued before the Washington State Supreme Court on behalf of Klawock and the Central Council of Tlingit and Haida in *In re Dependency of Z.J.G & M.E.J.G.*, 196 Wash.2d 2020.

**Marilyn Zimmerman, PhD, Director, [National Native Children's Trauma Center](#)** | An enrolled member of the Assiniboine-Sioux Tribes of the Fort Peck Reservation, Dr. Marilyn Bruguier Zimmerman was the NNCTC's founding Director. After serving as Senior Tribal Policy Advisor for the U.S. Office of Juvenile Justice and Delinquency Prevention, Marilyn returned to the NNCTC in 2016 as Senior Director of Policy and Programs. A pioneer in the facilitation of trauma-informed tribal system change, Marilyn has provided expert testimony to Congress and been appointed to numerous national task forces, including the Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence.

**Lauren van Schilfgaarde, JD, UCLA School of Law** | Lauren van Schilfgaarde (Cochiti Pueblo) is the San Manuel Band of Mission Indians Tribal Legal Development Clinic Director at UCLA School of Law. van Schilfgaarde supervises live-client projects concerning tribal governance and justice systems, ethics, cultural resource protection, voting, child welfare, and more. She received her undergraduate degree at Colorado College and her law degree from UCLA School of Law.

van Schilfgaarde previously served as the Tribal Law Specialist at the Tribal Law and Policy Institute (TLPI) in West Hollywood, CA. At TLPI, van Schilfgaarde coordinated training and technical assistance to tribal courts, focusing primarily on Tribal Healing to Wellness Courts, restorative justice, tribal court infrastructure, and federal Indian law. At TLPI, van Schilfgaarde worked with over eighty tribal nations on various legal infrastructure projects. van Schilfgaarde served as a law clerk for the Native American Rights Fund and Legal Aid Foundation of Los Angeles. She was a Public Interest Fellow at American Civil Liberties Union of Colorado.

van Schilfgaarde currently serves as a board member for the National Native American Bar Association, as Vice-Chair for the Native American Concerns Committee of the American Bar Association, as a Commissioner for the Lawyers Network Commission of the Center for Reproductive Rights, and as a Board Member of the Doris Duke Charitable Foundation Child Well-being Program.

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**Suzanne Gray**, National Training Advocate, [TIXEdu](#) | Suzanne Gray is a project manager with TIX Education Specialists based in Portland Oregon. This organization supports educational institutions to meet and exceed the requirements of Title IX using a trauma informed, student centered and individualized approach. Suzanne is focused on multidisciplinary, creative, responsive and victim centered approaches to sexual assault response and advocacy.

Suzanne Gray is a graduate of the University of Illinois and began her work serving victims of sexual violence in 2007 at Rape Advocacy Counseling and Education Services (RACES) in Urbana, Illinois. While at RACES Suzanne provided crisis intervention, medical advocacy, legal advocacy and prevention education. Following her work at RACES, Suzanne joined the Training Institute of the Illinois Coalition Against Sexual Assault (ICASA). While at ICASA, she developed and implemented training for rape crisis advocates from across the state of Illinois on topics including crisis intervention, medical response, sexual assault dynamics, legal advocacy, confidentiality and prevention. She also led state and local work around PREA in adult and juvenile facilities and designed a curriculum to create effective sexual assault response programs in juvenile justice facilities.

In 2015 Suzanne joined the Oregon Attorney General Sexual Assault Task Force as the Criminal Justice Coordinator. While at SATF Suzanne facilitated training for local and national law enforcement agencies and provided training and technical assistance to local law enforcement, advocates and prosecutors. Throughout Suzanne's career, she has collaborated closely with community members, law enforcement and medical professionals to increase capacity to serve victims of interpersonal violence. Suzanne's work in both rural and urban settings as well in community based and systems based advocacy informs her approach to sexual assault response and advocacy.

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**Ashley Anstett**, Grand Fund Coordinator, Oregon Department Of Justice | Ashley Anstett currently works at Oregon Department of Justice as a Grant Fund Coordinator and overseeing the implementation of HB 2575, which includes the development of a model training focused on helping law enforcement and other first responders provide trauma informed care. She came to DOJ from Oregon Attorney General's Sexual Assault Task Force, where she served as the Criminal Justice Coordinator for a little over 3 years. Ashley developed and currently teaches a Human Trafficking Class as an adjunct professor at Portland Community College and has recently begun teaching Mental Health and the Law in their Criminal Justice Department. Ashley graduated from The Evergreen State College in Olympia, WA with a Liberal Arts Degree with a focus on education, law and public policy. At Evergreen, Ashley had the opportunity to work with incarcerated juvenile sex offenders and continued to work with offenders when she came back to Portland, as a facilitator at a batter's intervention program. In 2015 Ashley began working with The Sexual Assault Resource Center (SARC), primarily with survivors of domestic human trafficking. While at SARC, she was able to serve as a confidential advocate to youth and young adults ages 12-25 and helped them to navigate systems to access resources. Ashley worked as the legal advocate, connected incarcerated survivors to services before their release, was the minor program coordinator, and facilitated at Multnomah County Sex Buyers Accountability and Diversion Program.

**Lonnie Nelson**, PhD, Partnership for Native Health, [Washington State University](#) | Dr. Lonnie Nelson (descendant of the Eastern Band of Cherokee Indians) earned his PhD in Clinical Psychology from the University of Arizona in 2004. He joined Washington State University in 2015. His work aims to address health disparities experienced by American Indian and Alaska Native communities through multiple avenues. His current research interests focus on the elimination of health disparities in urban dwelling and other Native populations through the application of culturally adapted evidence-based interventions and other patient centered approaches to changing health behaviors, such as indigenized motivational interviewing and harm reduction treatments. Outside of work, he enjoys making and using traditional Native archery gear and spending time with his 6-year-old daughter, Amelia.

**Rebecca Nagle**, Award Winning Journalist, [Host: This Land Podcast](#) | Rebecca Nagle is an award winning journalist and citizen of Cherokee Nation. She is the writer and host of the podcast This Land. Her writing on Native representation, federal Indian law, and tribal sovereignty has been featured in the Atlantic, the Washington Post, The Guardian, USA Today, Indian Country Today, and more. Rebecca Nagle is the recipient of the American Mosaic Journalism Prize, Women's Media Center's Exceptional Journalism Award, a Peabody Nominee, and numerous awards from the Native American Journalist Association. Indigenous communities deserve the same standard of journalism as the rest of the country, but rarely receive it from non-Native media outlets. Nagle's journalism seeks to correct this. From the census, to COVID, to the Supreme Court, Nagle focuses on deeply and timely reporting that sheds light on issues of National importance. Nagle lives in Tahlequah, OK, where she also works on language revitalization.

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