Pokagon Band of Potawatomi Indians

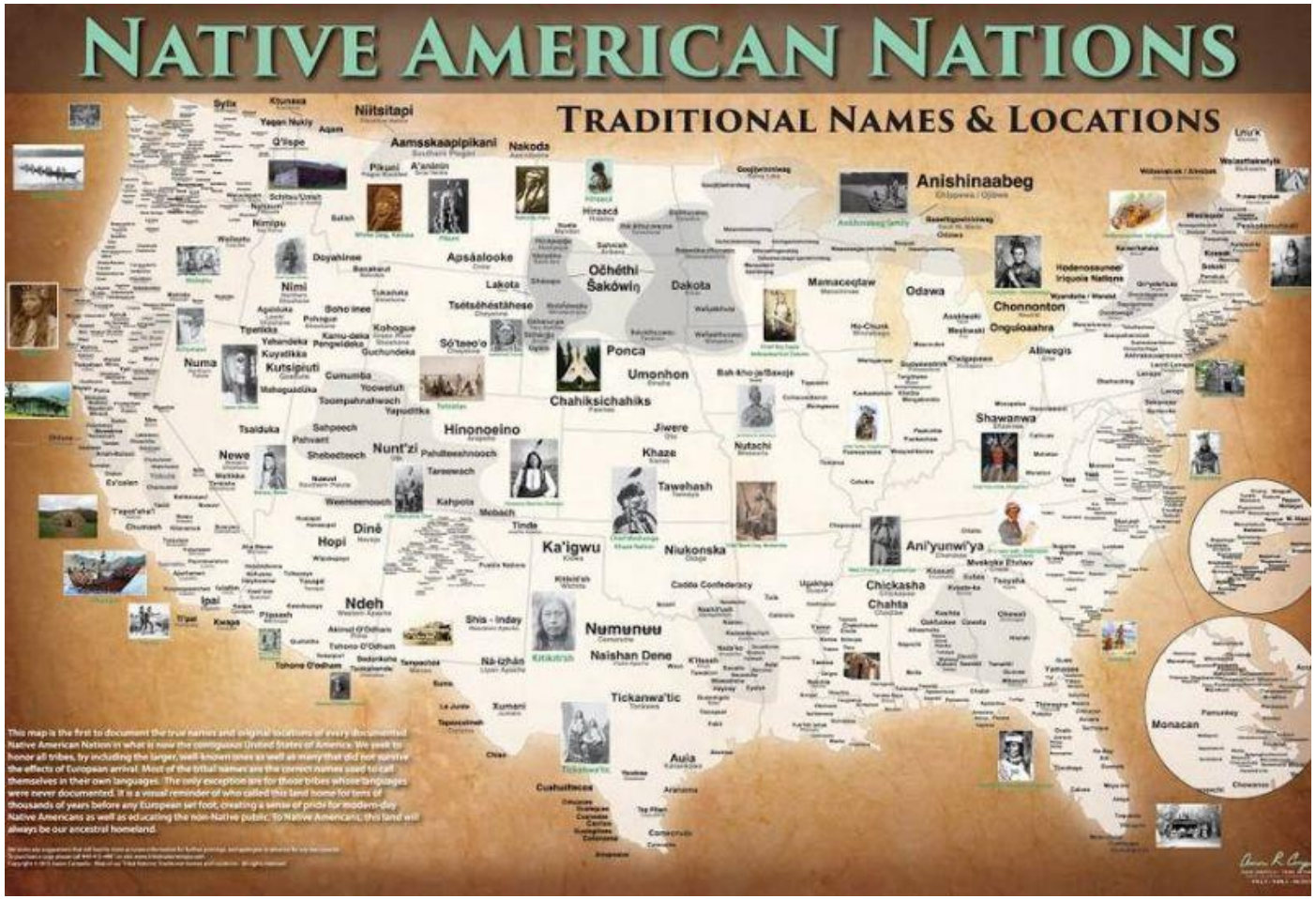
Indiana Domestic Violence Presentation

Introduction

This presentation is to serve as an introduction to:

- the Pokagon Band of Potawatomi Indians' government;
- the impact of historical trauma on Native American communities and the prevalence of domestic violence in Native American communities;
- Provide information about services available to Native American domestic violence survivors; and
- Provide information about Culturally Appropriate Services.

As of February 2020, there are 574 Federally Recognized Tribal Nations across the country.



Pokégnek Bodéwadmik · Pokagon Band of Potawatomi

http://www.ncai.org/about-tribes

Pokagon Band of Potawatomi Indians History

Tribal Overview

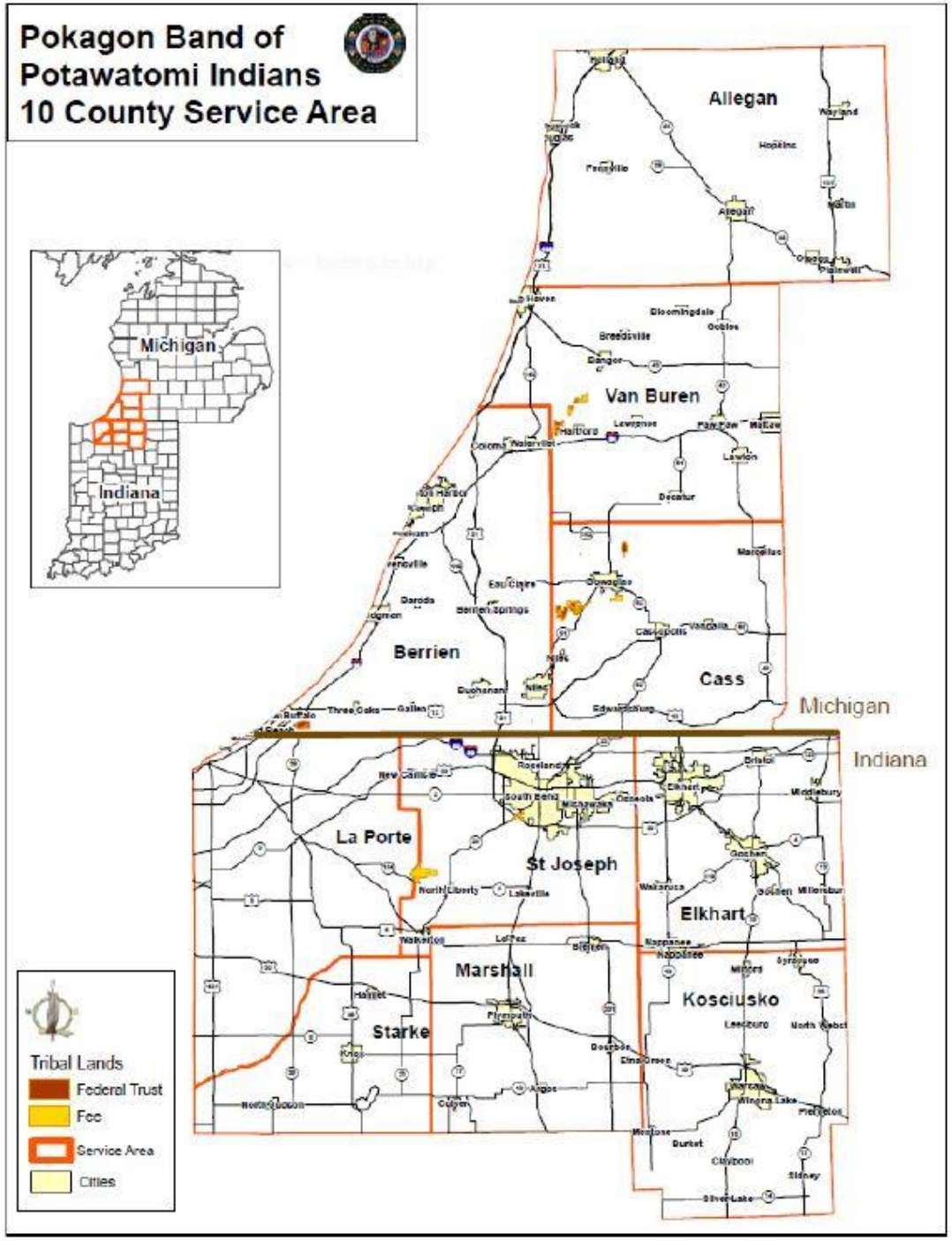
- September 21, 1994 President Bill Clinton signed the law which affirmed federal recognition of Pokagon Band of Potawatomi Indians
  - One of 12 federally recognized tribes in Michigan and the only federally recognized tribe in Indiana
- Administrative offices are located in Dowagiac, MI with a satellite location in South Bend, IN
- 10-County Service Delivery Area includes four counties in Michigan (Allegan, Berrien, Cass, and Van Buren Counties) and six in Indiana (Elkhart, Kosciusko, LaPorte, Marshall, St. Joseph, and Starke)
- Land base includes property in Dowagiac, New Buffalo, Hartford, and Niles in Michigan; and South Bend, Elkhart, Goshen, and North Liberty in Indiana.
- Land includes trust land (over which the Pokagon Band exercises jurisdiction) and fee land.

Michigan

Allegan
Berrien
Cass
Van Buren

Indiana

St. Joseph
Elkhart
Starke
LaPorte
Marshall
Kosciusko



Pokégnek Édawat
Pokagon Tribal Villages
Dowagiac, MI

Hartford, MI

South Bend, IN

Tribal Sovereignty

- Tribal Sovereignty recognizes the government-to-government relationship between the Pokagon Band and the United States. In the exercise of sovereignty, the Pokagon Band, through the Pokagon Band Constitution, established the Tribal Council (executive and legislative branch) and an independent Judicial system.

- The Pokagon Band places great value on its work with state and local units of government to establish effective partnerships on key initiatives and to coordinate programs that benefit native and non-native communities alike. The Pokagon Band and other Indian tribes have pursued self-determination in an effort to overcome the effects of assimilation and poverty that have plagued Indian communities for nearly two centuries. (http://www.pokagonband-nsn.gov/citizens/tribal-sovereignty)

Pokagon Band Tribal Court

- The mission of the Tribal Judiciary is to provide fully functioning judicial forums for all matters heard by the courts of the Tribe built upon Tribal laws, values, culture and traditions which provide fairness and due process in resolving conflicts and disputes within its jurisdiction. The Pokagon Band Tribal Court consists of an Appellate Court with three justices and a trial court with a Chief Judge and an Associate Judge. All Pokagon Band judges are licensed attorneys.

Practicing in Tribal Court

- The Tribal Court allows attorneys to petition for admission to practice before the Tribal Court. Attorneys must be admitted in any state and be in good standing in that state. Each applicant for admission must complete an Admission to Practice (Revised 01-06-2020), Oath of Admission and must be duly admitted to practice. Admission to practice before the Tribal Court is deemed admission to practice before the Appellate Court.

Jurisdiction

- The Pokagon Band Tribal Court exercises jurisdiction over civil and criminal matters.
- Congress and the U.S. Supreme Court have limited criminal jurisdiction of Tribal Courts and governments. Tribes are limited to penalties of one year (unless adoption requirement of the Tribal Law and Order Act).
- Tribes cannot exercise criminal jurisdiction over non-Natives –which is a concerning issue for Native women—unless the Tribal Code has adopted provisions of the Violence Against Women Act (VAWA).

Tribal Police

The department's mission is to provide a safe, welcome, and orderly environment for the Pokagon Band of Potawatomi community, defend the sovereignty of the Band and the rights of all the people in its jurisdiction, and assist in improving the quality of life for all Pokagon citizens.

Tribal Police Responsibilities

- Due to the complexities of jurisdiction and in order to keep citizens and non-citizens safe, our Tribal Police Officers are licensed under Michigan Commission on Law Enforcement Standards (MCOLES) deputized by Berrien, Cass and Van Buren Sheriff's Offices as deputies in Michigan and by St. Joseph County Sheriff's Office as officers in Indiana. All are also commissioned as federal officers by the Bureau of Indian Affairs.
- They must know federal, tribal, and state law for Michigan and for Indiana and work with two federal jurisdictions, two state jurisdictions and five counties.

DV By the Numbers

- Overall 1 in 4 women will experience domestic violence
  - 2 in 5 Native American women will experience domestic violence
- 1 in 6 American women will be sexually assaulted at some point in their lifetime
  - 1 in 3 Native American women will be sexually assaulted
- 1 in 12 women will be stalked. This rate is doubled for Native American women, and 75% know their stalker.
- Overall, more than 1.5 million AI/AN women have experienced violence in their lifetime.
- Why are rates so much higher for Native American women?

Report by the National Institute of Justice (2016)

Historical Trauma

- A concept developed by Dr. Maria Yellow Horse Braveheart to explain why communities of color, particularly Native American communities, have such staggering rates of substance abuse, violence, health disparities, etc.
- Historical trauma is defined as the cumulative emotional and psychological pain experienced over a lifetime that comes as a result of generational trauma.
- This concept applies to other marginalized communities as well.

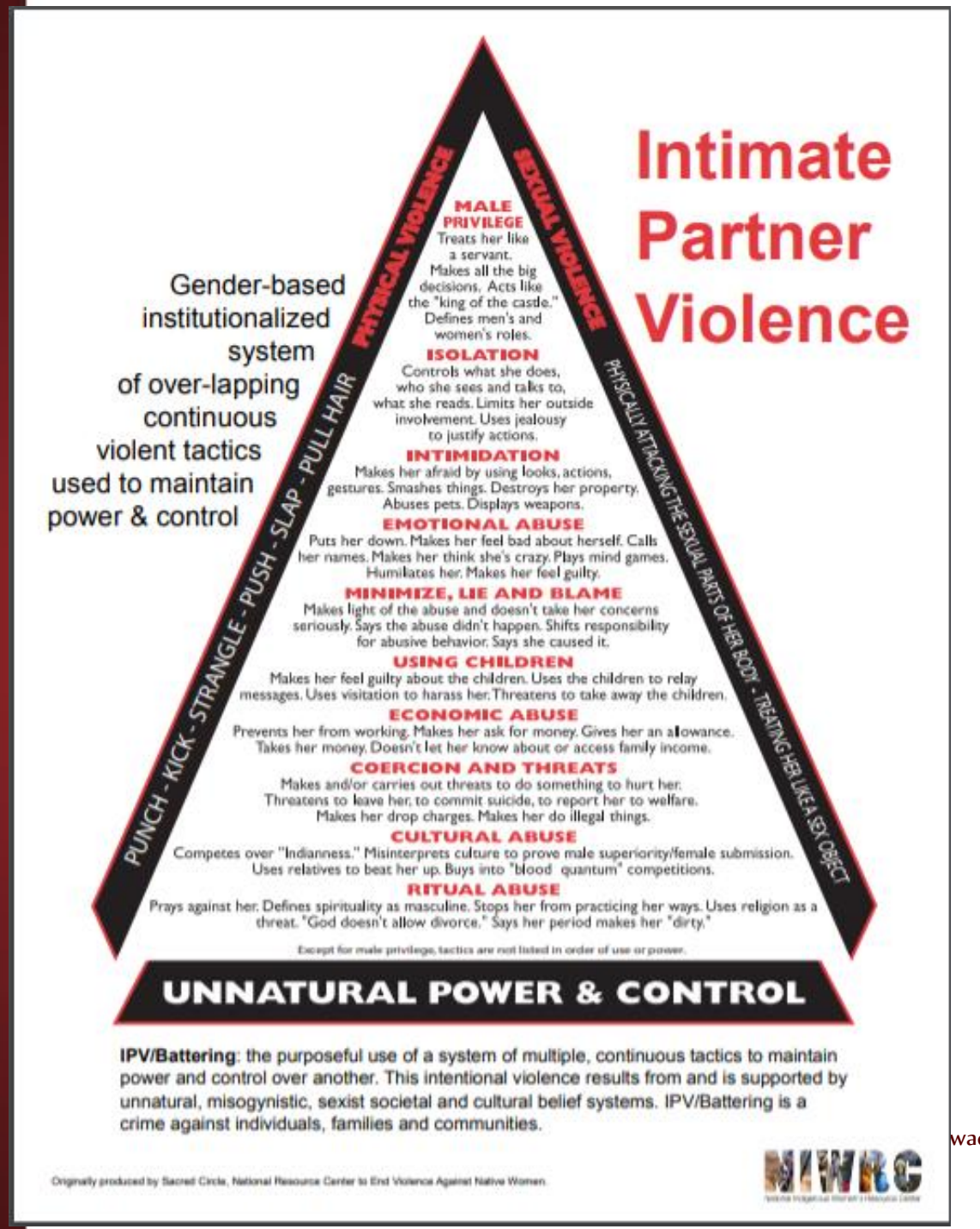
Historical Trauma

Examples

- Colonization and genocide
- Loss of land and culture through Indian Removal
  - Potawatomi Trail of Death
- Boarding schools and the removal of children from their parents
- Government-sanctioned forced sterilization of Native American women

Impact

- Increased rates of violence against Native American women
  - Native cultures generally treat women with respect
  - Prior to European colonization there was very little record of violence against women
  - Majority of reported offenders of violence against Native Women are non-Native partners



Intimate Partner Violence Triangle

- The Power and Control Wheel looks slightly different in Native American communities
- Cultural Abuse: Competes over "Indianess" , misinterprets culture to prove male superiority.
- Ritual Abuse: Prays against them. Defines spirituality as masculine. Stops her from practicing her ways. Uses religion as a threat.

Youth the Numbers

- Overall 1 in 4 children will be witness to domestic violence in their home. (OJP)
  - However 40 % of Native American Children are exposed to two or more acts of violence by age 18. (Children's Exposure to Violence: A Comprehensive National Survey)
  - Native American children experience violence at a higher rate than any other race in the United States (Bureau of Justice Statistics, Victim Characteristics: Race)

Impact on Youth

- Children living in homes where they have experienced domestic violence from an early age… are at greater risk for developing trauma-related responses that may impact their growth and development. Their physical, emotional, spiritual mental health is impacted as a result of the violence. (National Center on Domestic Violence, Trauma & Mental Health)
- Cycle of Violence- model back violent behaviors, more likely to be an abuser or become a victim.

Pokagon Band Domestic Violence Program

- This program is through the Pokagon Band of Potawatomi Department of Social Services.
- Services are open to anyone, regardless of gender, who are presently or previously experiencing domestic violence and are:
  - A Pokagon Band Tribal Citizen; or
  - A Citizen of another Tribe; or
  - A tribal parent
  - Or a current or former partner of a Tribal Member

Programs and Services

- Services available include:
  - Case Management
  - Short Term Crisis Counseling
  - Support Group
  - Culturally Competent Outreach Events and Programs

  -Connection to Pokagon Band housing, healthcare, behavioral health services, pharmacy, dental care and other services.

For Kids' Sake Program

Is focused on building resilience for Pokagon Band children and youth who have experienced domestic violence. The goal is to help break the cycle of domestic violence with working with the non-offending caregiver to provide support.

Services Provided

- Age appropriate safety planning
- Case management
- Individual advocacy
- Teaching healthy coping skills
- Family Resiliency Activities
- Unhealthy & healthy relationships education
- Trauma informed educational material
- Resource referrals- to Tribal and Non-Tribal community resources

Providing Culturally Appropriate Services

- Recognize that not all tribal people are the same and their relationship to their tribe can vary.
- Identify and recognize historical and current trauma.
- Research and gain an understanding of the local tribes and services to provide access to tribal resources and referrals.

Questions?

If you have any other questions feel free to contact me

Samantha Hickok
Kids First Manager
Department of Social Services
(269) 462-4442 desk
Samantha.Hickok@pokagonband-nsn.gov

Annette Nickel
Prosecutor/Presenting Officer
Office of General Counsel
(269) 783-0970
Annette.Nickel@pokagonband-nsn.gov