
Mending the Sacred Hoop

Volume 2, Issue 2

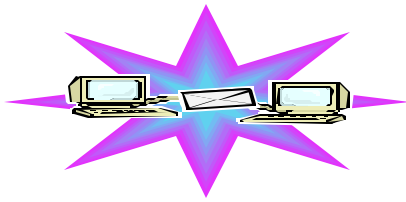
February 2000

OJP Grant Management System

New requirement to submit application kit

This year the Office of Justice Programs (OJP) requires you to submit your application for funding through the new OJP user friendly **Grants Management System (GMS)**. Access through the Internet to this online application system will expedite and streamline the receipt, review, and processing of your request for funding.

In FY 2000, all applications for OJP Program Office funding will only be accepted electronically through GMS.



To learn how to begin your online application process, please see the *Quick-Start Guide to Using GMS* following. A toll-free telephone number has been established for you to receive
"Grants" continued on page 2

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Right to Confidentiality: A Key to Safety for Native Battered Women

By Peggy L. Bird, Esq.

The safety of native battered women is of utmost concern for advocates, law enforcement, court personnel, prosecutors and all who come into contact with native battered women. Key to providing safety for native battered women is ensuring the confidentiality of information provided by native battered women as well as the identity and whereabouts of native battered women.

Native communities these days are not well known for their ability to keep information confidential. The "Indian telegraph" also known as gossip is often the primary way that events in the community and information about people in an Indian community is spread and broadcast so that "everyone knows what everyone else is doing."

Traditionally, the "Indian telegraph" or passing information by word of mouth was the primary means of spreading news and information in an Indian community. Storytelling was the way values and lessons were instilled and passed down from generation to generation. As a result of the various oppressions (Spanish, French and American invasions in Indian country, etc.), the effectiveness of the oral tradition as a way to teach positive values and behavior began changing so that native people began learning how to talk about each other, to gossip.

We can make changes in our communities around this type of behavior by recognizing the benefits of upholding the confidentiality of native women who are battered when they come to us seeking safety, security and protection. Some of the changes may be easily made through enactment of codes and laws and other changes are not so easily made as it takes time for people to become aware of what they are doing and understand the importance of maintaining the confidentiality of battered women.

Strategies for ensuring confidentiality:

1. *Privileged Communications*

First, what is "privileged communications"? Privileged communications are those communications between

"Confidentiality" Continued on page 2

certain people that may not be brought into the public light, for instance, into court. Under American law, one of the privileges widely recognized and established under "common law" was that of attorney-client, meaning that communications between an attorney and his/her client were privileged and those communications could not be brought before the court or disclosed to anyone.

Indian nations may look to their own "common law" which consists of the laws and rules derived from their customs and traditions or from their tribal court decisions to see whether there were any types of privileges in existence traditionally or whether privileges have been created by court decisions. For example, it may have been customary in situations where people's lives were at stake (for example, when enemies were attempting to locate the rest of the tribe by torturing someone) that communications and information would not be revealed or violated. There may have been an overall understanding in the Indian community that people could trust each another to ensure the safety and survival of the community. This type of understanding created a privilege that was upheld by all in the community.

Indian communities may create a statutory privilege for communications between battered women and advocates based on the need to ensure the safety and survival of women in the community. Battered woman are in need of safety and in many instances are running for their lives. The release of information about their whereabouts, their identities, their children or their lives may potentially lead to the batterer either finding them and killing them or to the batterer finding them to continue the battering. Through enactment of statutes or laws stating that communications between battered women and advocates are "privileged", Indian nations will protect the confidentiality of battered women and will be taking huge strides toward ensuring their safety and the very survival of the Indian community.

Indian nations also have the options of looking to their tribal courts to create privileges that will ensure the confidentiality of battered women. Judges have the ability and authority to issue opinions and make decisions in these matters whenever advocates and/or prosecutors raise them in Court. Advocates and/or prosecutors should be aware of these opportunities for assisting the judiciary to issue decisions that uphold the confidentiality of battered women, that uphold the privilege of their communications and that prohibit the disclosure of information to ensure the safety of battered women.

2. *Nondisclosure laws*

Indian nations also have the option of creating and enacting their own laws that specifically prohibit the disclosure of information obtained in communications between advocates and battered women. These

technical assistance as you work through the online application process, 1-888-549-9901.

Quick-Start Guide to Using the Office of Justice Programs Online Grants Management System

Step 1. Using your established Internet account (*if you do not have one, see directions below), go to www.ojp.usdoj.gov/fundopps.htm. **An online GMS Applicant User's Manual is available on this page, and you may link directly** to the OJP Grants Management System (GMS) which will provide online "help" screens

Step 2. Select "**Logon to the Grants Management System (GMS)**" to apply for OJP Program Office Grant Funding

Step 3. Click on "**New User? Register Here**"

Step 4. Follow the onscreen instructions to **register** with the GMS system. After registration, you will **receive confirmation through email** from the Violence Against Women Office that you are eligible to submit an application.

Step 5. To **submit** your application online, complete the instructions for filling out the 424/Application for Federal Assistance, attach and upload your budget narrative, budget detail, and program narrative in either word processing or spreadsheet files. After submission, you will **receive confirmation through email** that OJP has received your application and you will be given an **application number** for future reference. **For documents that you can not submit electronically through GMS (i.e., Indirect Cost Agreements, MOU/MOAs, support letters), please fax these referencing your application number and grant program to 202/354-4147.**

**If you do not already have an Internet account, you must establish one in order to apply online for Office of Justice Programs funding. To do this, call the GMS Hotline at 1-888-549-9901 for assistance.*

CALENDAR OF EVENTS

CREATING A COORDINATED COMMUNITY RESPONSE TO DOMESTIC VIOLENCE

DULUTH, MN

MARCH 22 - 24, 00

A three-day institute for community activist, domestic violence workers, practitioners in the criminal and civil justice system, human service providers and others who take leadership in their community's efforts to improve the effectiveness of intervention in domestic violence cases.

IN OUR BEST INTEREST

DULUTH, MN

APRIL 4 - 5, 00

A two-day training for battered women, advocates, women's group facilitators, and community activist on the Duluth curriculum *In Our Best Interest: A Process for Personal and Social Change* (for Women Only)

CREATING A PROCESS OF CHANGE FOR MEN WHO BATTER

DULUTH, MN

APRIL 6 - 8, 00

A three-day training for men's nonviolence class facilitators on the Duluth curriculum *Power and Control: Tactics of Men Who Batter*.

SPECIAL EVENTS

If you are hosting a special event that is open for others to attend (trainings, conferences, etc.) and you would like to get the event published in this newsletter please contact Jeremy NeVilles-Sorell at Mending the Sacred Hoop Technical Assistance Project to get it into the calendar of events. This newsletter is published quarterly so please contact Jeremy to check on the next publication and to give as much advanced notice as possible to ensure proper notification to other S.T.O.P. Violence Against Indian Women tribal grantees.

nondisclosure laws or statutes go hand-in-hand with the laws creating privileges.

3. *Policies and procedures*

Battered women often come in contact with many tribal agencies and tribal Programs in their search for help and safety. Information about a battered woman is obtained whenever she seeks a protection order, whenever she calls the police, whenever she goes to court, whenever she applies for housing, financial assistance or employment, whenever she enrolls her children in school, whenever she obtains a post office box or goes to the hospital/I.H.S. or local health clinic. All of this information has the potential of being revealed or disclosed unless the various agencies, programs, etc. take steps to put policies and procedures in place to recognize the need to protect the confidentiality of this information. Through technological advances the dangers for information being released are compounded as people are able to access most anything through the internet. Through awareness of these potential dangers and the adoption of policies of procedures, training of staff, strict adherence to policies and procedures followed by reviews and internal audits of those policies and procedures, the safety of battered women may be ensured by holding her information confidential, secure and in trust.

Concluding Remarks:

When law enforcement, the courts, prosecutors, advocates and other members of the criminal justice system can honestly tell a battered woman that they will protect and preserve the confidentiality of information she provides them, we will be making true strides toward ensuring her safety. Through enactment of laws, statutes and policies, the various tribal agencies and tribal programs will also be taking steps to hold batterers accountable for their actions. This accountability is one that was traditionally in place within each Indian community as we upheld the value of respect and realized the sacredness of Indian women.

Resources:

Manual: Protecting Confidentiality of Victim-Counselor Communications, by Lynne A. Marks and Susan H. Rauch (1993) [often referred to as the "Confidentiality Manual"] This manual is on file with every state domestic violence coalition. It was distributed by the National Center on Women and Family Law and is being revised and updated.

Report: "Report to Congress: The Confidentiality of Communications Between Sexual Assault or Domestic Violence Victims and Their Counselors, Findings and Model Legislation", U.S. Department of Justice (December 1995)

Article: "Recognizing and Protecting the Privacy and Confidentiality Needs of Battered Women" by Joan Zorza, Family Law Quarterly, Vol. 29, No. 2, Summer 1995.

Strong Hearts to the Front

Making a commitment to end violence against Indian Women

This past December Mending the Sacred Hoop Technical Assistance Project hosted the Second National "Women Are Sacred" Conference in Flagstaff, Arizona for S.T.O.P. Violence Against Indian Women tribal grantees. The turnout was an astounding 600 plus people from around the country and Alaska representing advocates, court personnel, judges, law enforcement, prosecutors, and tribal council members from over 100 tribal grantees.

The opening day activities focused primarily on community organizing with presentations on efforts being made across the country highlighting the work of sharing a common vision in eliminating violence against Indian Women.

Participants were asked on the opening day to fill out post cards printed with the image of the "Women Are Sacred" poster created for Mending the Sacred Hoop Technical Assistance Project by artist Sam English. Each person was instructed to print their own name and address on the post card along with one or two commitments of things they could do in their own community to end violence against women.

"Strong Hearts to the Front" is a calling for those members of the community who are brave enough to come forward and lead the efforts in addressing the violence Indian Women. This quote was printed above the area where each person was to write down their commitment and the post cards were returned to MSH-TA staff to be mailed out at a later date to remind the participants of what they intended to do in their community.

Many of the conference participants should have received their post cards by now and hopefully have already begun to follow through on their commitments.

This years "Women Are Sacred" Conference will be held November 13 - 16, 00 in Tulsa, OK with Osage Nation as the hosting tribe. We hope that our efforts to the commitments we made in Flagstaff will create stronger communities and save the lives of more Indian Women so as we gather in November we can share our progress and look forward to our next challenge.

FYI: I Got Your Number

Resource available to assist women and advocates dealing with emergency situations

Launched in 1996 by the **Wireless Foundation**, **CALL to PROTECT** is a domestic violence prevention project to provide those in danger with instant access to help in the form of a wireless phone. CTIA member carriers, Motorola and Brightpoint, Inc., in cooperation with the National Coalition Against Domestic Violence (NCADV), provide free wireless phones and airtime to aid victims and their advocates.

"I suggested to a grantee in Arizona that she contact the Call to Protect program regarding free cell phones for survivors of domestic violence. Within one week, Cellular One in Tucson provided 5 free emergency phones with 911 access for victims as well as 3 additional cell phones for advocates with 250 free minutes per month".

Paula Julian

CALL to PROTECT wireless phones are preprogrammed so that victims can reach help with the push of a button. For a victim living in fear of the next episode of domestic violence, this can make the difference between living in terror and having the strength to protect themselves from their attacker. **CALL to PROTECT** also provides wireless phones to domestic violence professionals so they can reach victims, report cases of abuse and contact emergency services.



If your program could use cellular phones for victims and/or advocates, you may want to contact the Call to Protect program. More info is available on the web at <http://63.74.120.38/wirelessfoundation/02call/index.htm>

Tribal grantee survey: services provided

Please photocopy this survey, complete, and mail or fax this form to Mending the Sacred Hoop S.T.O.P. Violence Against Indian Women Technical Assistance Project, 202 East Superior Street Duluth, Minnesota, 55802, Fax 218-722-5775.

TRIBAL AFFILIATION: _____

S.T.O.P. GRANT CONTACT PERSON: _____

TELEPHONE: (_____) _____

Please check the box that applies to your tribal domestic violence programs and/or services:

Type of Service	Native Services	Non-Native Services
1) Does your Tribe have a Battered Women's Shelter?	YES NO DEVELOPING	YES NO CONTRACTING
2) Does your Tribe use/provide Safe Homes?	YES NO DEVELOPING	YES NO CONTRACTING
3) Does your Tribe have Women's Support Groups?	YES NO DEVELOPING	YES NO CONTRACTING
4) Does your Tribe have Batterers' Re-education Groups?	YES NO DEVELOPING	YES NO CONTRACTING
5) Does your Law Enforcement use "Cross-Deputization"?	YES NO DEVELOPING	Non-applicable
6) Does your Tribe have their own Law Enforcement?	YES NO DEVELOPING	YES NO CONTRACTING
7) Does your Tribe use BIA Law Enforcement?	YES NO DEVELOPING	Non-applicable
8) Do you have Probation Services?	YES NO DEVELOPING	YES NO CONTRACTING
9) Do you have Tribal Codes on Domestic Violence?	YES NO DEVELOPING	Non-applicable
10) Do you have a Sexual Assault Program?	YES NO DEVELOPING	YES NO CONTRACTING

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Mending the Sacred Hoop S.T.O.P. Violence Against Indian
Women Technical Assistance Project
202 East Superior Street
Duluth, MN 55802

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