

Sonoff, Kevin (USAOR)

From: USAO-Oregon <USAO-Oregon@public.govdelivery.com>
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To: Sonoff, Kevin (USAOR)
Subject: [EXTERNAL] November 2022 Oregon Indian Country Newsletter



Greetings from U.S. Attorney Natalie Wight

Dear Partners and Friends,

I was born and raised in Oregon and have been an attorney with the United States Department of Justice since 2003. Since joining the Oregon U.S. Attorney's Office ten years ago, I have had the pleasure of working with several tribal communities around the state, both as a line attorney and supervisor.

As a criminal prosecutor, I was humbled by the opportunity to work on these important cases alongside Tribal community members, Tribal police, and our state and federal law enforcement partners. Even as the pandemic brought unprecedented challenges, Tribal leaders showed unwavering commitment to the health and safety of their communities.

This November, we celebrate President Biden's [proclamation](#) declaring November 2022 as National Native American Heritage Month. The President has reaffirmed the nation's commitment to defending Tribal sovereignty, self-government, self-determination, and honored the profound impact Native Americans have and continue to play in shaping our Nation.

As U.S. Attorney, I look forward to continuing our office's long history of working closely with Tribal partners throughout the state. The U.S. Attorney's Office is focused on helping Tribes sustain safe and vibrant communities by reducing violent crime, addressing the impacts of drugs and fentanyl, providing training and outreach programs, and uplifting the voices of Tribal youth.

Over the coming months, I look forward to meeting many of you during in-person visits to your communities. In the meantime, if there is ever anything we, as the U.S. Attorney's Office, can do to support you, please do not hesitate to contact us. We want to hear from you.

Sincerely,

Natalie Wight

U.S. Attorney

District of Oregon



In the News

The [White House Tribal Nations Summit](#) will take place on November 30 and December 1, 2022.

On October 3 and October 6, 2022, the Department of Justice conducted government-to-government consultations to discuss implementation of the Bureau of Prisons (BOP) [Tribal Prisoner Program](#) established in the Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022). The Program will allow BOP to accept, pay for and house in BOP custody certain offenders convicted in Tribal court pursuant to section 803 of VAWA 2022.

On October 19, 2022, DOJ filed a civil rights complaint against the owners and operators of a hotel and sports bar in Rapid City, South Dakota, for violating Title II of the Civil Rights Act of 1964. Title II is an important civil rights statute which prohibits discrimination on the basis of race, color, religion or national origin in places of public accommodation. The lawsuit alleges that the owners and operators of the hotel and sports bar discriminated against Native American customers by denying them the full and equal enjoyment of access to the services and accommodations at these businesses. For example, one of the defendants made statements that Native Americans were not allowed in the hotel or sports bar. [Read remarks](#) about the case from Assistant Attorney General Kristen Clarke.

In September, the Department of Homeland Security (DHS) announced the establishment of the first-ever [Tribal Homeland Security Advisory Council](#). The Council will enable Tribal leaders to advise the Secretary on homeland security policies and practices that affect Indian Country and indigenous communities, including emergency management, law enforcement, cybersecurity, domestic terrorism and targeted violence, and border security. The Council will engage with DHS agencies and offices and produce recommendations and reports for the Secretary.

On September 26 and September 27, 2022, the Department of Justice and Department of Interior conducted government-to-government consultations to discuss the impact of the June 29, 2022, Supreme Court decision in *Oklahoma v. Castro-Huerta*, which addressed the scope of a state's criminal jurisdiction to prosecute non-Indian defendants in Indian country. Read the [Supreme Court's opinion](#) in Castro-Huerta.

On September 12, 2022, Mohegan Indian Tribe Chief Marilyn Malerba was sworn in as U.S. Treasurer, marking the first time a Native woman's signature will appear on U.S. currency. Malerba will also oversee the Office of Tribal and Native Affairs, which will serve as the hub for tribal policy and communication. [Read more](#) about U.S. Treasurer Malerba.

On August 16, 2022, the [Inflation Reduction Act](#) (IRA) of 2022 was signed into law, which includes more than \$720 million for Tribal communities to support climate resilience and adaptation

initiatives, lowering energy costs and transitioning to clean energy, and affordable and expanded health care.

On June 13, 2022, the Supreme Court ruled that the Double Jeopardy Clause did not bar the federal prosecution of Native Americans even if the defendant has been prosecuted under tribal law for the same conduct. Read the [Supreme Court's opinion](#) in Denezpi vs. the United States.

The Department of the Interior [announced](#) its proposed rulemaking for the Native American Graves Protection and Repatriation Act's (NAGPRA) regulations. Public comment is open and comments are due on January 17, 2023.

Recent Prosecution Highlights from the U.S. Attorney's Office for the District of Oregon

U.S. v Kawlija Nichoah Scott: AUSA Ashley R. Cadotte indicted this case charging an Umatilla, Oregon, man with murdering an adult male victim on the Umatilla Indian Reservation. Kawlija Nicoah Scott, 25, has been indicted for murder as well as assault of a witness. According to the indictment, on May 25, 2022, Umatilla Tribal Police Department officers responded to a stabbing at a residence on the Umatilla Indian Reservation. Scott allegedly stabbed the victim. [Read more.](#)

U.S. v Albert Wayne Johnson: AUSA Ashley R. Cadotte charged a La Grande, Oregon man with sexually abusing and transporting across state lines two minors he met on Snapchat. Albert Wayne Johnson, 40, has been charged by criminal complaint with coercing and enticing a minor to engage in sexual activity and transporting a minor with the intent to engage in criminal sexual conduct. On August 30, 2022, the Umatilla Tribal Police Department assisted with other law enforcement to locate Johnson at his residence in La Grande and arrest him on an outstanding parole violation warrant. [Read more.](#)

U.S. v Javier Francisco Vigil: AUSA Ashley R. Cadotte and AUSA Cassady Adams indicted this case charging an Umatilla County, Oregon, man with attempted murder, assault with a deadly weapon and several other charges after he robbed the Wildhorse Resort and Casino on the Umatilla Indian Reservation at gunpoint and fired at least one round at a tribal police officer. Javier Francisco Vigil, 51, has been charged with attempted murder, assault with intent to commit murder, assault with a deadly weapon, interfering with commerce by robbery, using and carrying a firearm during and in relation to a crime of violence, and illegally possessing a firearm as a convicted felon. [Read more.](#)

U.S. v Jerome Albert Stanley, Jr.: In August, a Warm Springs, Oregon man was sentenced to six months for Abusive Sexual Contact. Jerome Albert Stanley, Jr. pleaded guilty in May for sexually assaulting a woman on the Warm Springs Indian Reservation. The case was prosecuted by AUSA Pam Paaso. [Read more.](#)

U.S. v Sara Janeese Hawley: Sara Hawley, a Burns Paiute Tribal Member, pleaded guilty on August 23, 2022, to theft from an Indian tribal organization for stealing a car that belonged to the Burns Paiute Tribe. Hawley is set for sentencing in November. The case is being prosecuted by AUSA Jeff Sweet.

U.S. v. Levi Jim: AUSA Pam Paaso indicted this case in August charging Levi Jim with Theft from a Tribal Organization. Jim is charged with breaking into the Warm Springs Public Utilities Branch in October of 2021 and stealing a Ford F-350 truck as well as various tools. The truck was recovered in Portland several days after the theft.

News in Oregon

On October 11, 2022, the Department of Commerce's National Telecommunications and Information Administration (NTIA) announced it awarded 23 grants as part of the [Tribal Broadband Connectivity Program](#) (TBCP). With funding from the Bipartisan Infrastructure Law, the grants will expand high-speed Internet network deployment and digital skills training to improve access to education, jobs, and healthcare on Tribal lands. The Confederated Tribes of the Umatilla

Reservation received funding for a Broadband Infrastructure Deployment to install fiber directly connecting unserved Tribal households with qualifying broadband service.

On September 21, 2022, the Justice Department [announced](#) that it will award more than \$246 million to improve public safety and serve crime victims in American Indian and Alaska Native communities. Several tribes in Oregon were awarded grants:

- \$1.12 million under the Coordinated Tribal Assistance Solicitation (CTAS) was awarded to the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians and the Coquille Indian Tribe.
- The Office on Violence Against Women (OVW) awarded more than \$1 million to the Klamath Tribes and Columbia River Inter-Tribal Fish Commission.
- The Office for Victims of Crime (OVC) awarded \$410,246 to the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians and the Klamath Tribes.

On October 3, 2022, the U.S. Attorney's Office joined its partners at the Environmental Protection Agency (EPA) and other federal regulatory agencies in encouraging Oregonians to report all known or suspected environmental crimes. The U.S. Attorney's Office enforces federal laws to protect environmental quality, human health, and wildlife throughout the State of Oregon. The office works with its partners throughout the Department of Justice to hold those who violate environmental law accountable, prioritizing cases that will reduce environmental harms to historically underserved, overburdened, and marginalized communities. [Read more.](#)

In June, the Coquille Tribe and State Officials entered into a [wildlife agreement](#) which allows co-management of fish and wildlife across a portion of southwest Oregon.

Missing and Murdered Indigenous Persons (MMIP) Information

In November 2019, the Department of Justice launched a national strategy to address Missing and Murdered Indigenous Persons (MMIP) that included the hiring of MMIP coordinators to serve with U.S. Attorney's Offices. In June 2020, Cedar Wilkie Gillette became the District of Oregon's MMIP Coordinator. In this edition, MMIP Coordinator Wilkie Gillette provides an update on the District of Oregon's MMIP Working Group, passage of a new federal law regarding homicide cases, and the State of California's creation of a missing Indigenous persons alert.

- The USAO District of Oregon MMIP Working Group met in July and October 2022.
- On July 25, FBI in New Mexico announced a new website, fbi.gov/mmip that will be updated monthly to include a list of missing Indigenous people throughout New Mexico and the Navajo Nation. Information about each listed person includes: name, date of birth, gender, date of last contact, and photo. FBI stated that "[t]his effort is being publicized to help locate these individuals, increase transparency, and to encourage relatives of missing Indigenous persons who are not on this list to reach out to local law enforcement and file a report."
- On August 3, President Biden signed [Homicide Victims' Families' Rights Act of 2021](#) into law, which requires "[any] Federal law enforcement entity with jurisdiction to engage in the detection, investigation, or prosecution of a cold case murder" to review homicide cases older than three years old for possible reinvestigation when requested by victims' families.
- On September 22, California created its [statewide alert system](#) for missing Indigenous people.

MMIP Coordinator Cedar Wilkie Gillette can be contacted at (541) 465-6045 or Cedar.Wilkie.Gillette@usdoj.gov.

Office for Victims of Crime (OVC) Information

OVC Funding Awarded to Enhance Services to Crime Victims in Tribal Communities

FY 2022 Tribal Victim Services Set-Aside

Congress first created a Tribal victim services set-aside (TVSSA) from the Crime Victims Fund in the FY 2018 budget. The amount of the first set-aside was 3 percent—totaling \$133 million—and was made “available to OVC for grants, consistent with the requirements of the Victims of Crime Act, to Indian Tribes to improve services for victims of crime.” Congress authorized subsequent Tribal set-asides of:

- \$167.65 million in 2019;
- \$132.50 million in 2020;
- \$100.75 million for 2021; and
- \$130 million in 2022.

In accordance with testimony received during OVC's January 2022 Tribal consultation, OVC again used an administrative formula to determine [FY 2022 allocations](#) for each eligible applicant based on the submitted Tribal Population Certifications. OVC made 169 TVSSA awards in FY 2022, totaling \$116,260,509. The remaining set-aside funds supported:

- training and technical assistance projects to support Tribes in implementing their victim services projects,
- delivering the [17th National Indian Nations Conference](#) in December 2022,
- hiring Victim Service Specialists to assist victims with federal cases, and
- providing funding to Tribes participating in [Project Beacon: Increasing Access to Services for Urban American Indian and Alaska Native Victims of Human Trafficking program](#) and in the [Coordinated Tribal Assistance Solicitation program](#).

Of note and the focus of an upcoming consultation, is that OVC received 194 population certifications in FY 2022—the highest number submitted since Congress authorized the set-aside—but by July 2022, 21 Tribes had either withdrawn or did not complete an application. OVC learned that staff or leadership turnover, lack of time to develop an application, not enough communication from OVC, and confusion about the application process contributed to some of the withdrawals. Enhancing the application process to address these comments, improving outcomes for renovation and construction projects, and strengthening Missing or Murdered Indigenous Person (MMIP) services are the issues that will be addressed at the FY 2023 OVC TVSSA Formula Program Tribal Consultation on November 9, 2022. OVC invites Tribal Leaders and their designees to this virtual event. [Registration information](#) and details about the consultation are available on the OVC website.

17th National Indian Nations Conference

Registration is now open for the [17th National Indian Nations Conference](#) scheduled for December 6–9, 2022 at the Agua Caliente Band of Cahuilla Indians Reservation in Palm Springs, California. Over 1,000 victim service providers; law enforcement officials; prosecutors; judges; medical and mental health professionals; social workers; and victim advocates at the Tribal, federal, state, and local levels have already registered for this unique event. [Register now](#).

Visit [OVC's Tribal page](#) for more information about the set-aside program and other initiatives that enhance services for victims of crime in Tribal communities.

For information about additional funding opportunities, visit the [OVC website](#), [Grants.gov](#), and the U.S. Department of Justice [Program Plan](#).

Upcoming Training and Events

Please note that these dates and venues may change- please check with the individual sponsoring agency for updates and confirmation.

[OJJDP Tribal Youth National Conference](#)

The 2022 OJJDP Tribal Youth National Conference will take place on December 13-15, 2022, in San Diego, California. This year's theme is: "*Imagining a New Future - Justice, Equity, Healing, and Empowerment for Native Youth.*"

[Strengthening Sex Trafficking Response](#)

The 2023 Strengthening Sovereign Responses to Sex Trafficking in Indian Country and Alaska will take place in New Orleans, Louisiana will take place January 25-27.

[OJJDP Tribal Youth National Conference](#)

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) Tribal Youth Resource Center will host the 2022 National Tribal Youth Conference on December 14-15, 2022, in San Diego, California. This meeting is a national gathering of OJJDP Tribal Youth Program and Tribal Juvenile Healing to Wellness Court grantees as well as other interested federally recognized Tribes, tribal service providers, and state entities that serve tribal communities.

[Tribal Oriented Policing Strategies Online Training Program](#)

The Tribal Oriented Policing Strategies Online Training Program fosters the use of organized problem-solving law enforcement and community teams to address key challenges, improve public safety, and enhance community quality of life.

[DHS FEMA Integrated Public Alert Warning System \(IPAWS\) Planning Toolkit](#)

The Alerts, Warnings, and Notifications (AWN) Program Planning Toolkit is designed to aid Alerting Authorities and Alert Originators at federal, state, local, tribal, and territorial (SLTT) levels in the development of alerting programs. The Toolkit contains a step-by-step Alerting Program Plan application that will walk the user through creating a customized plan tailored to their agency's operational capabilities. Supporting resources are also provided to ensure they have a holistic approach to their Alerting Program. The Planning Toolkit was developed as a free resource by the Department of Homeland Security (DHS) Science & Technology Directorate (S&T) in collaboration with the Federal Emergency Management Agency (FEMA) Integrated Public Alert & Warning System (IPAWS).

[Pathway to Tribal Law Enforcement Diversion](#)

Training focused on establishing and implementing a successful tribal law enforcement diversion program.

What We're Watching and Reading

The U.S. Government [has renamed](#) hundreds of peaks, lakes, streams and other geographical features that carry a racist term for Native Women.

The Bureau of Indian Affairs and Bureau of Indian Education plan to create [Indigenous Food Hubs](#) for BIE-operated schools and BIA-operated detention centers.

The [first Native American woman in space](#) awed by the beauty of Mother Earth and is channeling “positive energy” as her five-month mission gets underway.

Oregon’s nine federally recognized tribes have partnered with the State of Oregon to create the “[Travel Guide to Oregon Indian Country](#).” If you’re in Portland, be aware that the [Bison Coffeehouse](#) in Northeast Portland is owned by a Shoshone-Bannock tribal member.

Two American Indian tribes in South Dakota have [joined forces to purchase](#) 40 acres around the Wounded Knee National Historic Landmark.

The Nurse Journal created [a resource](#) on how nursing professionals can build better relationships with American Indian patients and improve care. The guide overviews the issues American Indians often encounter in the American healthcare system and how nurses can help break down cultural barriers to lessen American Indians' health disparities.

There is a new animated series called “[Spirit Rangers](#)” that follows a modern Native family who lives and works in a national park. According to Netflix, the show is the first kids show in the U.S. to be created by a Native woman.

[Sisters Rising](#) is a documentary about six Native American women reclaiming personal & tribal sovereignty. The documentary follows six women who refuse to let violence continue in the shadows: a tribal cop in the midst of the North Dakota oil boom, an attorney fighting to overturn restrictions on tribal sovereignty, an Indigenous women’s self-defense instructor, grassroots advocates working to influence legislative change, and the author of the first anti-sex trafficking code to be introduced to a reservation’s tribal court.

There is a new TV drama called [Alaska Daily](#) that claims it will highlight the Missing and Murdered Indigenous Women crisis. The show was created in part by two Alaska Native writers.

U.S. Attorney's Office Indian Country Team

AUSA Tribal Liaison Tim Simmons [All 9 federally recognized tribes]: AUSA Tim Simmons has been an attorney with the U.S. Department of Justice since 1995 and serves as a Tribal Liaison for all 9 Tribal Nations. AUSA Simmons is located in our Eugene Office and can be reached at tim.simmons@usdoj.gov or (541) 465-6740.

AUSA Pam Paaso [Warm Springs]: AUSA Pam Paaso has been with the U.S. Attorney’s Office since February of 2017 and is the dedicated prosecutor for crimes related to the Warm Springs Tribe. AUSA Paaso is located in our Portland Office and can be reached at pamela.paaso@usdoj.gov or (503) 727-1000.

AUSA Ashley Cadotte [CTUIR]: AUSA Ashley Cadotte has been with the U.S. Attorney’s Office since December 2019 and is the dedicated prosecutor for crimes related to the Confederated Tribes of the Umatilla Indian Reservation. AUSA Cadotte is located in our Portland Office and can be reached at ashley.cadotte@usdoj.gov or (503) 727-1000.

AUSA Jeff Sweet [Burns Paiute and Cow Creek]: AUSA Jeff Sweet has been with the U.S. Attorney’s office for 12 years and is the dedicated prosecutor for crimes related to the Burns Paiute Tribe and Cow Creek Tribe. AUSA Sweet is located in our Eugene Office and can be reached at jeff.sweet@usdoj.gov or (541) 465-6903.

AUSA Scott Kerin [Chemawa Indian School]: AUSA Scott Kerin has been with the U.S. Attorney’s Office since 2002 and is the dedicated prosecutor for crimes related to the Chemawa Indian School. AUSA Kerin is located in our Portland Office and can be reached at scott.kerin@usdoj.gov or (503) 727-1000.

Tribal Victim Assistance Specialist Ella LeVally: Ella LeVally became the Tribal Victim Assistance Specialist in 2020 and is located in the Portland Office. Ella can be reached at ella.levally@usdoj.gov or at (503) 727-1172.

MMIP Coordinator Cedar Wilkie Gillette: Cedar Wilkie Gillette has been the Missing and Murdered Indigenous Persons (MMIP) Coordinator since June 2020 and is located in our Eugene Office. Cedar can be reached at Cedar.Wilkie.Gillette@usdoj.gov or (541) 465-6045.

Public Affairs Officer Kevin Sonoff: Kevin Sonoff serves as the spokesperson and primary media contact for the USAO and is located in our Portland Office. Kevin can be reached at kevin.sonoff@usdoj.gov or (503) 727-1000.



A Note About Our Language

"Indian Country" is the legal term used to describe reservations and other lands set aside for Indian use, such as Indian allotments and lands held in trust for Indians or Indian tribes, and is defined under 18 U.S.C. § 1151. We use the term Indian Country versus the term Native American or some other term because it describes the statutory jurisdiction of the U.S. Attorney's Office.

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This newsletter is brought to you by the U.S. Attorney's Office for the District of Oregon Indian Country (IC) Program.

If you have questions or content suggestions, please email USAOR.ICNews@usdoj.gov or call (503) 727-1000.

