

Episode 23: Engaging Tribal Communities: A New Mexico Perspective

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Intro:

Welcome to The NCJA podcast. This podcast series explores promising practices, provides guidance on strategic planning, and discusses how the Byrne Justice Assistance Grant Program or Byrne JAG contributes to improving justice systems across the country. We hope you enjoy it.

Amanda Blasko:

Hello everyone, and thank you for joining us on The NCJA podcast. My name is Amanda Blasko, and I am a Program Manager here at the National Criminal Justice Association. Today's episode is a discussion on engaging tribal communities, how and where to start when it comes to engaging tribal communities, what you should consider and strategies to build trust. Today I have the pleasure of being joined by Melody Delmar and Reycita Billie. Melody and Reycita. Would you mind introducing yourselves?

Melody Delmar:

Hi, my name's Melody Delmar, I'm the Special Projects Coordinator for the New Mexico Indian Affairs Department. And I'm also the interim chair for the Missing and Murdered Indigenous Women and Relatives Task Force.

Reycita Billie:

Hello [foreign language 00:01:20] I am currently a PSAP supervisor for the Navajo Police Department, but I am temporary signed by the Navajo Police Chief as a temporary MMIP liaison. So hello.

Amanda Blasko:

Thank you both so much for joining us here today. It's a real pleasure to have you on The NCJA podcast. Just to kind of set the stage for our conversation here today. So the National Criminal Justice Association works with many state agencies that distribute federal criminal justice funding, and one of the components we focus on is helping states plan how they're going to spend this criminal justice grant funds. And so in order to plan for how those criminal justice grant funds are spent, it's important to determine the state's highest needs as well as the gaps. And that kind of helps guide the priorities for the funding.

Amanda Blasko:

And so in order to do that, it's crucial to engage both individuals and communities across all facets of the criminal justice systems. And we recently did a community engagement podcast in which we discussed engaging partners who have been historically left out of funding decisions and processes and/or who were engaged previously in a very unproductive way.

Amanda Blasko:

And so I kind of see this episode as related to our previous episode, but of course with a lens of tribal engagement and how best to engage tribal communities. And I do also want to recognize at the start of

the episode that tribes are obviously not monoliths. They're all different and diverse, and so we can only generalize so much here in our content. And so the main intention of the episode is really to just kind of serve as an entry point for listeners who may be very unfamiliar about how to engage tribal partners and who may be very unsure of where to start.

Amanda Blasko:

To just leading into our discussion here today, so what do you think meaningful engagement with tribal communities looks like or what can it look like?

Melody Delmar:

Thank you for putting together this podcast and having this dialogue about engaging with tribal communities. And I forgot to mention that I'm also a member of the Navajo Nation and I have been working with the task force for a while and engaging with tribal communities and I think that really glad you said that tribes are not a monolith and even among within larger tribes or smaller tribes, there's even differences between regions and different people who have come from different backgrounds and families. And so an example of that is Reycita actually introduced herself in Navajo and I didn't, but that's just the way we understand where we're coming from or where the other person's coming from, where their family's from, what kind of relations they have. And when we do that with non-native communities, it also helps them understand the differences among us that are culturally very significant to keep in mind in working with different tribal communities.

Melody Delmar:

My work has primarily been for the past few years, working to look at how non-native people or entities coming into working with tribal communities understand that nuance and also moving forward how to engage with tribal communities who might not be familiar with them. And as the task force lead, I have been with the task force for the past year and so I do have the experience of working from federal to state to tribal people who want to work with tribes. And so part of that when engaging with tribal communities are going into it with best practices of knowing that you're not coming into tribal communities to necessarily take over or tell them what to do. It's more like partnering, even more so it's about recognizing your role and your status and recognizing that you're coming into a community as a partner or to listen.

Melody Delmar:

And I think that's the most important part to understand is the tribe you're working with, learning about their community and engaging with them through the lens of understanding that you're going to have to do a lot of listening and letting the tribe take the lead in the conversation that you'll be having. And one way that this happens within some states and federally, and it depends on which entity it is that they'll start engaging with tribal leaders or communities through what's called tribal consultation. And tribal consultation is more of a formal way that non-native people can respectfully start the engagement with tribal communities.

Melody Delmar:

So usually a letter, some sort of communication will go out saying that we're interested in engaging with your community for possibly for a grant or a research partnership. And that letter will engage with tribal

leaders. They'll work with possible tribal liaisons with the tribe to start these processes and conversations going with the tribe.

Melody Delmar:

And so New Mexico actually has what's called The State Tribal Collaboration Act, and it's a law that lays out formal specific processes that I guess the state or anybody who wants to work with tribes can use to navigate how to start those conversations and what that looks like within communities and letting tribes know and letting them have as much time as they need to review what that entails with the non-tribal entity. So this law is in place to ensure that tribes are actively engaged and that the relationships that are being built are following guidelines that support the community as well.

Amanda Blasko:

And I think it's also important for people to understand listening is really important and it's like listening with the intention of actually listening and not the intention of responding or whatever that phrase is that people always say "Listen to actually hear and not just to think about what you next want to say." Do you want to add to that Reycita?

Reycita Billie:

So mutual respect is basically understanding the tribe's functions, their culture, their beliefs. If you come in and tell the tribe, "Well, I want this, I want this and I want that," well, there's ways that you have to get it. You just can't assume that it's all going to happen at once. Like I'm bringing up this whole 911 ordeal that I used to work on and we have a consultant, she she actually knows the city way of doing dispatching. So when she came on the tribe, she's like, "Wow, you guys basically do everything and you guys are actually doing one whole shift. Like one person is answering the phones, answering fire department, answering the police officers, answering EMS, and you guys are entering the Rangers if they get on the air. Compared to the city where you have one dispatcher to sit in for each of these things that one dispatcher is doing."

Reycita Billie:

So she never till this day has ever disrespect and said, oh, well maybe you guys need to do this and this. She did the liberty to go into a dispatch center and sit down and look at how they work and how they function and looking at the needs of what she gives to whoever is doing the 911 operator ordeal or the PSAP center ordeal and saying, "Hey, I've seen this, maybe this could work."

Amanda Blasko:

You mentioned that the tribal consultations are the more formal way of approaching a tribe that you might not have interacted with before. This is maybe a dumb question, but how does that compare to the tribal liaison? How do people get in touch with a tribal liaison? Is that someone that they should have a tribal liaison within their own department or is that someone that they reach out to within the tribe to kind of serve as that communication point or how... could you speak a little bit to that?

Melody Delmar:

Sure. I think it's one piece that is definitely a best practice for institutions or anyone who has any kind of engagement or working relationship or grants to manage that are specific to American Indian, Alaskan native tribes. So having a tribal liaison on the part of the non-native institution is a great way to have a culturally aware person already on the team to navigate what that looks like for tribal communities.

Amanda Blasko:

Excellent. And so does conversation or communication rather always or should it always flow through the tribal liaison? What is the best practice there for ongoing communications?

Melody Delmar:

It's a team effort from what I've seen that yes, a tribal liaison may be involved, but from my experience working as a part of a team on the federal level is that it's usually the whole department working together to work on a document or work on a letter or work on the ongoing processes of how to keep that relationship with the tribe. Some tribes can be very big like the Navajo Nation is as large as West Virginia, the state. And so there's a lot more capacity there on the Navajo Nation side, but possibly as well as tribal liaison and on the opposite side. Whereas a very small tribe might not have the employees or people who they could employ that could even be a part of that. And so it varies from community to community.

Amanda Blasko:

I just want to reiterate that as we go along in our conversation. It varies. It varies, yeah. We don't want to generalize too much as I said at the start. So you spoke a little bit about the New Mexico State Tribal Collaboration Act, I think you called it. How did the act come to pass and how recent is it and what all is encompassed within the act? I know you mentioned it has very specific guidelines that it outlines about how to approach tribes and how to go through the consultation processes. Is there anything else included within that collaboration act? Do you know of any other states that have something similar to that?

Melody Delmar:

So the state tribal consultation, well there's a couple more Cs in there. Consultation, collaboration and communication policies outline how the different state agencies can work through our department, which is the Department of Indian Affairs, just because they've had the problem. And this is also has been a problem on the federal level, is that departments will just go into native communities and just start working right away and not understand what that looks like for tribal communities or how to even engage with them in a very respectful way.

Melody Delmar:

So that's some background until why tribal consultation came about. So in New Mexico in 2003, the governor established the 2003 statement of policy and process to ensure relationships with the cooperation and coordination and communication to work with tribes in good faith and goodwill to fairly resolve any kind of issues that happened there. So in 2005, Governor Bill Richardson issued the executive order mandating that the executive state agencies adopt the tribal consultation plans. And so that led to the passing of the State Collaboration Act in 2009. And so since then, different groups from

all the different agencies had got together and looked at ways that how they can promote more positive government to government relationships through that legislation.

Amanda Blasko:

Melody, do you know if any other states have a similar type of legislation saying this is how best to approach a tribe? Do you know off the top of your head if that exists anywhere else or is that unique to New Mexico?

Melody Delmar:

No, as far as I know, it's unique to New Mexico and there are a lot of things that are unique to New Mexico just because New Mexico has the largest amount of Native American federally recognized tribal members represented from the... call them the Tribes, Pueblos and Nations. And so that's something that's very unique to our state. And so since we have the highest population, it makes sense for the state to enact their own laws regarding the tribal consultation.

Amanda Blasko:

Could you maybe speak to some major dos and don'ts in terms of initial contact or really just like ongoing communication between state agencies and tribes?

Melody Delmar:

Yeah, of course. I have the background and experience of doing research and policy work. And so I know from that perspective, from a public health standpoint that there's two things. There's best practice with working with tribal communities through a research lens, which I think can be definitely applied to tribal consultation. And so one area to focus on when working with tribes in order to avoid mistakes is the understanding that if you're going to work with tribes, you need to understand that you're probably going to be there for a while. And that's reflected in a type of research process called community-based participatory research. And that type of research has been found to be very effective and meaningful in tribal communities.

Melody Delmar:

And the key principles of that research is that you're going into the community understanding that you're going to be working with them for a while. You're not just coming in and leaving and never talking to them again. Tribes expect and ask that any non-tribal entities, especially with research to continue that work, to continue those relationships and ensuring that there's no tribes being taken advantage of or they're never going to hear from it again. They just came in to extract whatever they needed or insert themselves in spaces where it wasn't as respectful.

Melody Delmar:

So I think that's one piece to avoid any kind of new policies that are created because of the way a non-tribal entity worked as tribes. Another piece to that is with the CBPR that I had mentioned is understanding your role and your privilege, especially if you're not native coming into native communities and how... I would think it's very basic looking at yourself in privilege or any kind of way you're wanting to participate with tribal communities and knowing that you're going to have to let them

take the lead, the tribal community reading the room and knowing that I need to see my place here and really self-evaluate with working with tribes and simply understanding some tribes have different protocols or ways of respect.

Melody Delmar:

I know for myself, and I see it with other natives that if I ask another tribal member community for something or if I want to work with them, I learn about their customs. If I ask them for some knowledge, then I better expect to gifting them a cultural item. And so knowing these small pieces can go a long way when building relationships.

Amanda Blasko:

Yeah, I think that's a great point. You've got to do your research and not just show up and barrel your way through these conversations because I think showing that you've done the work is important and that you've done it intentionally and you've done it through the right veins, through the consultation. And I also like what you said about feedback, it's important to always make sure that when you approach anyone, you want to make sure they know what are you doing with what they're telling you and how are you going to establish that feedback loop. Do you want to add to that Reycita?

Reycita Billie:

Have that respect when you're dealing with tribes, communicate, don't overdo it, don't send a message, and then send a message an hour later, then send a message three hours later. Just understand the functions of the tribe and it doesn't hurt to ask a tribe how is your process? Get to know that. Don't be pushy. I guess a lot of people do do that. And if you are going to be a contractor, complete what you are there to finish. Don't leave that tribe hanging because it will definitely bring really bad remarks. And these tribes do talk, they do ask each other.

Amanda Blasko:

Grants in a way are contracts too. So if you're a grant making agency, those same principles apply. You don't want to go in and say, oh, we're going to help you with X, Y, and Z things and not follow up on it or not come through.

Reycita Billie:

And I know the grant writers has quest for statistics. Be mindful about the technology that they use as far as getting these stats too. What kind of stats are you asking for? Be specific. Because a lot of them can be like, "Okay, well I need a DUI, all the DUI cases, I need all the homicide cases, I need all these types of cases." What they're going to do is pull you up all that, but it's not going to be to the range that you want it at. Be specific on the dates. Okay, I want all these female DUI drivers within two months timeframe. Know the laws of what can comply to that. And if you don't understand it, don't suggest that, okay, well this is how the federal, or this is what New Mexico state law is. You remember you're on sovereign community, you are on sovereign nation, so you're going to have to ask.

Reycita Billie:

A lot of these tribes have their own laws, so make sure you ask the tribe like, Hey, is this something that we can do? Or if not, then I totally understand. Don't make your own laws when you're there because it's going to backfire and they're not going to like it either.

Amanda Blasko:

Are there any kind of challenges that come to mind when it... we kind of talked about it a little bit, but any additional challenges that come to mind when it comes to engaging with tribal communities? And that can be there from the perspective of the tribal communities. Any challenges seen in interacting with state agencies or federal agencies or from the perspective of government agencies? Any other challenges we haven't touched on?

Melody Delmar:

Yes, I think every bit of what you said, there's challenges to each piece. Then I think this is another due to understand is that tribes are sovereign nations. And so when we talk about government to government relations, we're not just talking about this tribe with the reservation, we're talking about nation to nation. And so with that, when working with tribes and establishing long-term relationships, when engaging with tribal communities, understand that the tribal community is changing and shaping itself at the same time too.

Melody Delmar:

So there can be tribal council, governments and leaders who might shift out of their roles due to their own elections and their time limits with serving their tribal communities. So I think having that understanding when you come in and a year later the person you work with is different. And so especially for long-term relationships, knowing that that could possibly happen.

Amanda Blasko:

Going back to the tribal consultations aspect and the nation to nation premise, because I used to work in a state administering agency office for the state of Oklahoma and I was managing various grants. So let's say I wanted to engage various tribal communities, should I really be the one to do that or should the head of the agency be the one that takes those steps to create an action plan for how to get a tribal consultation [inaudible 00:22:44] best practices for who should really be representing the state agency?

Melody Delmar:

I think it really depends. I think a good way to approach that is that, for example, what you said with you being a grants manager, possibly having a team who works with the tribes, having more than a few people to approach working with a tribe, just to have that knowledge there. But also as a grants manager, you would know the ins and outs of working with the grant the tribe was asking. So I think I would see that as a lead person. And I've also seen other agencies who hire tribal consultation people as a contractor, just for that piece. So not only the work continues, but you have someone kind of outside the entity to navigate that relationship. And so from what I've seen, I think that's a great way to engage with tribal communities as well when working with the team who's trying to build that relationship with the tribe.

Amanda Blasko:

We've talked a little bit about trust building or walking into a room knowing the trust isn't just going to necessarily organically be there. Are there any ways to build trust specifically knowing that many, if not all these tribal communities have been excluded from these funding and budgeting conversations, decisions, even like setting priorities for how the state allocates grant funds. Are there any ways to build trust with all of that in mind?

Melody Delmar:

Making sure that you are culturally aware of their community and possibly having a training or having that tribe lead in that conversation. And another great way I've seen other entities build trust is to have trainings for the tribe, especially if they're new to any kind of grants process. And some might not even have a grants manager or know how to approach that. So building that equity within a tribe who doesn't have a lot of capacity is a great way to start that working relationship and building that trust along the way.

Melody Delmar:

And another huge thing that I've seen is communication. And I know we're all busy, and I think that when I've seen tribes not be as trusting with other outside entities is when they don't really hear back from the people they're working with or maybe someone might fall off or employment might change with that person. Who knows what would happen. But I think that simply letting tribes know I'm here, I haven't heard from you in a long time, just so you know I'm working on this. Or you have these dates coming up, you know, whatever is happening with the nature of the grant.

Amanda Blasko:

Yeah. And then if you're working on a state agency and someone does leave, who was kind of the lead person on engaging with a particular tribe. Finding a new person that can be that tribe's contact, I feel like just making sure there's a continuity of communication and it doesn't stop at any one point I think is important.

Amanda Blasko:

So you mentioned capacity and the trainings, like from your perspective, are there any specific capacity building needs that need to happen in terms of tribes applying for federal or state grants? And I know it obviously varies drastically, and you mentioned size of the tribes for example, but are there any kind of barriers across the board the tribes struggle with when it comes to federal and state funding? And is there anything like that can be done to help build capacity in?

Melody Delmar:

Right. There are a few things with that. One of it's cultural, one of it's communication like we talked about. And I think one thing I've seen is that smaller tribes who might not have that capacity, might not even have a way to even start the process, know how to navigate it. And so I've seen people within that organization can help with technical assistance with the relationship. And also I wanted to say that culturally, another thing to think about that tribes may encounter with grant deadlines or what that might look like is that tribes can have their own different times of the year where they'll have elections or cultural events happening.

Melody Delmar:

I know here in New Mexico that Pueblos have what's called Feast Days. And so a lot of their events will be around the different seasons and it could be a week long or weekend long event, but usually you can't really out of respect for them in their cultural days, you can't really push them to have meetings during that time or around a deadline. So there's cultural aspects to that as well.

Amanda Blasko:

Yeah, that's a wonderful point. And just about being cognizant, and then again, it kind of goes back to the building the trust and doing your research kind of thing as well. Is there anything technical assistance wise that you think would be helpful? Because I know a lot of our listeners are grant managers or at least oversee grant funds in some way, shape or form, and so a lot of them also do training and technical assistance. What types of needs do you think would be greatest?

Melody Delmar:

I think from what I've seen, it's having that educational piece, working with tribes. And so I think one way that I've seen, I have worked in a technical assistance center before and we were kind of the middle person and when we work with tribes, communication was a big thing with them, but also offering special trainings or being available in that way to tribes when they're trying to work with different, possibly difficult pieces. And yeah, I think that's just the main thing from what I've seen. I don't know if you have anything Reycita with that.

Reycita Billie:

I am not sure about that, but I know that APD has a program to where they work with Native Americans as far as tribes and every month they have meetings and they help these tribes out with trainings with drones or SWAT training or just kind of being like that big brother ordeal to where, hey, if you need our help, just let us know, we won't mind. And one of the things that, like I said, this is where the mutual of respect comes in, but we also provide them resources pertaining to the Navajo Nation, communication with other tribes. Right now I do see that some tribes are really hesitant to communicate with other law enforcements.

Amanda Blasko:

So you mentioned that some tribes are kind of hesitant to work with or collaborate with law enforcement. Why do you think that is and is there any way to improve the reason that those relationships are a bit hesitant?

Reycita Billie:

For that barrier needs to be broken, I know probably from previous history they had issues or there was something that happened in the line, or in a sense that the tribe doesn't believe that they need help within their nation, they think they're fine. But in reality, are they? Because with our whole missing person ordeal, we have resources that can go as far as taking DNA, providing them with family members for our people that are missing. Family members are starting to do that now because there's just so much overwhelming of unidentified bodies and families are starting to reach out and saying, "Hey, how

can we get a DNA taken care of? How can we get this done?" I would, from my point of view, as helping more of our people is to get outer resources.

Reycita Billie:

Not all of our Navajos live on the nation. They live in the outer cities. I've been helping some of these family members that have cases are in Las Vegas, Nevada, or California or Texas, and we have to rely on those outer sources to help them and to make sure that they're getting the help that they need. And we have all different kind of Native Americans that are scattered over the entire nation and they come to their tribes for help. So how are we going to help our Navajo people regardless if they're on the reservation or not.

Amanda Blasko:

Well, thank you both so much. This has been very educational, insightful and we very much appreciate having you both here on The NCJA podcast. Thank you for your time and for your thoughts.