A Summary of the Hoopa Valley Tribe's and Tribal Law and Policy Institute's Research Partnership Process[1]

We now have a method of lending our voice to share our world views

Introduction

Indigenous people and communities, in the United States and beyond, are among the most studied populations on the planet. Historically, this research has neither been requested, nor bears any relevance to people or communities being studied. Tribes have been largely excluded from decisions surrounding the design and conduct of research in their own communities and have not been consulted in the interpretation or sharing of research findings. This, combined with extensive history of unethical and harmful research abuses inflicted upon Indigenous populations, has resulted in long-term damage to research participants, their families, and communities.[2] In recent years, this has begun to change. More has been done to center Tribal sovereignty and bring communities into research process in ways that uplifts, honors, and celebrates their beliefs, value systems, and worldviews. One precursor to this shift has been the growing number of Indigenous scholars that have infused the craft of research with cultural practices, ceremony, ancestral languages, art, and other forms of cultural expression, resulting in Indigenous-centered research frameworks such as Culturally Responsive Indigenous Evaluation (CRIE), decolonization theory, and Tribally-driven participatory research.[3] Accompanying this important shift in thinking about research has been the willingness of research institutions and funders to engage in meaningful partnerships with Tribes to ensure Tribal interests and concerns consistently drive the research process. Indigenous scholar Linda Smith has remarked that process of research, inclusive of methodology and method, is perhaps more important than the actual outcome of research; specifically, that "processes are expected to be respectful, to enable people, to heal, and to educate…they are expected to lead one small step further towards self-determination.[4] The Tribal-Researcher Capacity Building Grant has proven to be a vehicle through which to build and sustain such research processes in Tribal communities. In this paper, we describe the activities, successes, challenges, and lessons learned from the Hoopa/Tribal Law and Policy Institute Research Partnership.

In January of 2019 the Tribal Law and Policy Institute (TLPI), in partnership with the Hoopa Valley Tribe, was awarded a Tribal-Researcher Capacity Building Grant to undertake a relationship building and research planning process. The project team was led by Jeremy Braithwaite and Heather Valdez Freedman from TLPI, and Kendall Allen-Guyer from the Hoopa Valley Tribe. TLPI and Hoopa had a pre-existing relationship through various tribal justice system-related projects. TLPI initially thought of the

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[2] Hodge, F.S., 2012. No meaningful apology for American Indian unethical research abuses. *Ethics & Behavior*, *22*(6), pp.431-444.

[3] See, for example: LaFrance, J., & Nichols, R. (2008). Reframing evaluation: Defining an Indigenous evaluation framework. *The Canadian Journal of Program Evaluation*, *23*(2), 13.

[4] Smith, L.T., 2013. Decolonizing methodologies: Research and indigenous peoples. Zed Books Ltd., 128.

Hoopa Valley Tribe as a research partner for several important and overlapping reasons. The Hoopa Valley Tribe has a strong connection to their culture, and unique among California tribes, they continue to live in (though not in the totality of) their aboriginal homeland in the Hoopa Valley. This grounding in culture and place has provided a resource that is often thought of as both a protective factor and a source of resiliency building. From a policy perspective, Hoopa exercises their sovereignty in significant ways - the tribe was the first in California to have a tribal court, tribal law enforcement and a cross-deputization agreement with the county sheriff's department. Despite these myriad community strengths, the tribe experiences ongoing struggles with substance use disorder, including opioids and alcohol abuse, as well as rates of violent victimization that far exceed the county and state averages. This is a conundrum that is not unique to Hoopa and ripe for scholarly inquiry that privileges and centers participatory and decolonized approaches to research. With several tribal members that are masters- and doctoral-level researchers, authors and scholars, the tribe has additional resources that provide an intellectual undergirding for a research project.

The team initially reached out to a colleague at Hoopa--the tribal court judge[5]--who was very interested in the criminal justice aspects of the project. TLPI drafted a tribal resolution which was passed (see Appendix G) and the project formally kicked off on January 1, 2019. Kendall Allen-Guyer, the project's Tribal Liaison (discussed at length later) was hired in April 2019 to help raise community awareness of the project, facilitate relationship building and bi-directional learning with the community, and ensure a Hoopa-centered approach to all project activities. Guided by the Tribal Liaison's cultural knowledge, community connections and familiarity with diverse community groups, the relationship building process that TLPI and Hoopa engaged in over the course of 24 months was an extremely valuable learning experience for the TLPI team. While research in Indian country requires a specialized skill set with which the TLPI team is well-versed, the relationship building, bi-directional learning and co-creation of a research agenda was unique to this project and with Kendall's guidance, brought to light important insights and learning opportunities for TLPI. Following a short chronology of the project, those successes and challenges are detailed below.

Chronological Story

The TLPI team made a total of 4 trips to the Hoopa Valley from January 2019 through February 2020. Each trip involved travel from Los Angeles, California to the Eureka-Arcata airport in Humboldt County--an approximate two-hour direct flight. Each trip had a unique focus and primary purpose.

Trip # 1, January 28-30, 2019. The first trip had a primary focus of disseminating information about the project, meeting as many community members as possible, holding a brief informational presentation at a community meeting and disseminating a job announcement for a community member to serve as the project's Tribal Liaison. Our primary initial contact – the tribal court judge – referred us to several community members to talk with on our first visit. These included the chief of police, the

[5] The tribal court judge at Hoopa is an elected position. Between the proposal submission and the project award there was a tribal election and, as a result, Judge Richard Blake, who was our initial contact in the proposal drafting stage, left the position and a new Judge – Leona Colegrove – was elected to the bench. Judge Colegrove was extremely supportive of the research partnership, very engaged in the work and assisted the team in significant ways, including referring Kendall as the Tribal Liaison. When the Judge is referred to hereafter, the reference is to Judge Colegrove.

tribal housing authority, land management, Temporary Aid to Needy Families (TANF) program, and staff from K'ima:w Medical Center (the local health clinic). The TLPI team also provided an informational presentation at the *Niwho:n* Community Warriors for Change Coalition meeting. The *Niwho:n* Community Warriors for Change Coalition is a community initiative hosted by K'ima:w Medical Center's Governing Board that began a few years ago in response to the opioid addiction crisis at Hoopa. Each meeting features a guest speaker that provides community education or technical assistance on a specific topic. The January meeting featured speaker was a county public health worker discussing Naxolone – a medication designed to rapidly reverse opioid overdose. The TLPI team was generously offered 15 minutes to present an overview of the research partnership concept with an opportunity for questions (see Appendix B for presentation). A sign-up sheet was passed around for those interested in additional information and updates. In addition, the job announcement for the Tribal Liaison position was discussed and disseminated at this meeting.

Project Milestones: Shortly after the first trip the TLPI team held an informational webinar on the project. The team outreached to the individuals that signed up in the community coalition meeting. The webinar was not a successful information delivery platform for reasons discussed below. In April, TLPI interviewed and hired Kendall Allen-Guyer, a tribal member who was referred and highly recommended by the tribal court judge. Kendall's experience working in the Hoopa Valley Tribal Court Advocacy Program, a member of a respected dance family, as well as her close personal connections throughout the community made her an ideal hire for the Tribal Liaison position.

Trip # 2, May 27-30, 2019. Meetings for the 2nd trip to Hoopa were expertly curated by Kendall in advance of the visit. The community members Kendall focused on for this trip were culture bearers, dance leaders, language speakers, elders, researchers and educators. Interviews and group discussions focused primarily on issues of research epistemologies, knowledge systems and philosophies, and research ethics (see Appendices C and D for project handouts disseminated to the community).

Project Milestone: The Tribal election resulted in no disruption – a new Tribal chairperson was elected, but he was and continues to be very supportive of the partnership.

Trip # 3, November 12-15, 2019. During this trip, the project team broadened outreach efforts to engage with community members that had some level of justice involvement, including: survivors of crime, those in recovery from alcohol/substance use, and family members of justice involved community members. In addition, Jeremy, Heather and Kendall participated in a radio interview on this trip. The interview focused on an overview of the project (recording on file with TLPI).

Project Milestone: Between 3rd and 4th trip, a direction for the research proposal was realized. From discussions with a broad range of community members, the team identified the intersections of healing and recovery, culture, tradition, history, and substance abuse as key thematic elements and of high importance to the community. All these issues coalesce in the Hoopa Family Wellness Court, a new joint-jurisdiction wellness court that embraces Tribal healing and wellness informed by Hoopa culture. Understanding how families participating in this wellness court model achieve durable healing and recovery seemed to be a common denominator in many of our conversations with the community. This idea was explored with Kendall and Judge Colegrove, as well as the Judicial Project Advisory Team

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(JPAT), which is comprised of stakeholders in the Hoopa judicial system and the broader community. The group was very supportive of this research direction.

Trip # 4, February 10-12, 2020. This visit centered around a community meeting wherein the team gave a presentation of the progress of the research planning and the direction taking form on the focus of research questions. With Kendall's assistance and direction, the TLPI team hosted a dinner meeting[6] on February 11, 2020 at the Hoopa fire house. Kendall extended an invitation to all community members that the team engaged with over the course of the project, as well as opening the meeting up to a wider audience (see Appendices E and F for meeting materials). The food was as essential part of this meeting to show respect and appreciation for generous contributions of knowledge, time and engagement that the community extended to the team. In addition, on this trip the TLPI team spent a day with two tribal members set netting on the Trinity River. This was work was accompanied by rich stories and family histories centering on the river. This trip also included a meeting with the Tribal Chair to present a memo on tribal research protocols (see Appendix G).

Trip # 5 scheduled for June 2020.[7] This visit was canceled due to Covid-19. This trip was to be the culmination of efforts thus far. The focus would have been a formal presentation to the community on the research questions with open discussion and feedback from the community. This trip was a central part of this tribally-driven research design, in which the community would have the opportunity to provide input into the proposed research questions and research design.

[6] No federal funds were used for food. TLPI generously donated the funds to provide a dinner for the community.

[7] Initially envisioned as a 12-month project, the team secured a 6-month no-cost grant extension to accommodate an additional trip. As the pandemic persisted into the spring months, the team secured an additional 6-month no-cost extension, effectively extending the project period to 24 months, total.

Key Lessons

The partnership was grounded in a philosophy of bi-directional learning - this learning was not viewed as simply part of the process but it was an intentional objective to build a relationship based on humility and a respect for the unique lived experience of the community. The lessons learned that are detailed below focus more on the overarching/high level learning that came through the process, as opposed to the deeper intimate knowledge learned through conversations with community members. The TLPI team lessons fall into several broad categories, as detailed below.

Foundational Lesson: Tribal Liaison

As part of the initial project design, the TLPI team included a local staff position to ensure a liaison approach to research planning. The TLPI team quickly found out that having the right person for this position was extremely important. The initial effort to recruit a liaison included a job announcement that was circulated at the coalition dinner during Trip #1. After several weeks with very limited response, the tribal court judge referred an applicant – Kendall Allen-Guyer – and highly recommended her.

After bringing Kendall on board in April 2019, the project changed course from TLPI as outsiders coming into a community to introduce ourselves, to having a local, well-respected community member who would be able to ensure a liaison approach to grant activities, explain local culture and social climate issues, and introduce TLPI to various community members and organizations that would have been otherwise inaccessible without Kendall's project stewardship. Having a trusted, connected and respected tribal member as part of the paid project team helped us to navigate whom to interview and was essential in securing interviews with key community members. It is important to note that the position was paid at a professional rate. This Tribal Liaison lesson is so foundational and important to partnership building, that TLPI's future research partnerships will make every attempt to replicate this process.

Jeremy and Heather were insightful and smart. Their desire to make certain that the Hoopa community engaged and took the lead in determining what the end result would be was admirable. They strived to make certain this project was grounded in Hoopa values and culture. There's no better way to make certain the goals and vision of the community are really identified, than to go straight to that community.

~Judge Leona Colegrove

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Tribal Liaison Testimony

I came onto the project around April 2019 after I saw an advertisement seeking a tribal liaison for a project with TLPI. They had been awarded a grant from the National Institute of Justice (NIJ) to create a research partnership with Hoopa Valley Tribe. The purpose of this project was to engage and involve the Tribal community in developing research questions of importance to Hoopa, as well as to create a balanced research design that could provide answers to those questions. By the end of the grant period, the final deliverable would be a full research proposal, entirely informed and driven by Tribal priorities, which NIJ may consider for future funding. This project is really about the Tribal community and TLPI working together to co-create that proposal and that is what sparked my interest to participate initially. I consider myself to be both knowledgeable and understanding of Hoopa Tribal practices. I am from the village of Tsewenaldin' and I come from a long line of cultural bearers, medicine people, basket weavers, fluent speakers, storytellers and singers. Cultural values are weighted heavily within my family, as well as the significance of our rich history, family systems, and the important role of our community as a whole. It was important to me that if we as Hupa people had an opportunity to share our stories that TLPI heard from various persons, who carry several different family histories and their own personal experiences in order for them to begin to understand the different dynamics we as a community and we as Hupa people have existed within this valley since time immemorial.

In preparing for TLPI's visits to Hoopa, I reached out to several community stakeholders who I thought would be willing to share their personal experiences with TLPI. I really wanted a range of persons for an unbiased approach. The Hoopa Valley is the center of the world to the Hupa people. This place, our home, is incredibly breathtaking and holds a rich culture. That being said, it also comes with things that are not so beautiful. The effects of long-term trauma, substance abuse, high poverty levels--the list goes on and on. I brought together several community members from a several different backgrounds including: cultural leaders, language bearers, elders, historians, persons who had experiences with law enforcement and the judicial system on both sides, victims of crime, college students, and first generations living with the effects of boarding school institutions).

When I began reaching out to individuals and sharing details about the project and asked if they would be interested in participating, I was excited that they were open to sharing their stories and experiences. Many had questions and concerns about where their information would be stored or kept and understandingly so. The TPLI team was transparent in stating that shared information would not be distributed on a larger platform and that anything used for the sake of deliverables would need to be cleared with that individual. Most interviews were conducted in an office setting and others were out in the Valley, either at one of the villages or at the river. I introduced Heather and Jeremy to community members and, for the most, part stepped out of the interview. I felt that it was important for the sake of the project that the interviewees would not be influenced by my presence (sometimes it's easier to share with those who don't know you personally). One interview I did participate in was when Heather and Jeremy met with my twin aunts who just celebrated their 80th birthday. They're older than my grandmother and it was interesting to see how they recalled the history of our family and the stories their parents shared with them during their time at boarding school in the Hoopa Valley. The way they both fashioned their shared experiences is something I wouldn't have had the privilege of hearing without this project and I am grateful for it.

Without this project and projects similar to this, there really isn't a forum to share personal knowledge and family histories. Our history, culture and our way of life as Hupa people is unwritten. There isn't a written text that we refer to; knowledge is passed from generation to generation orally. This project was able to lightly highlight that fact and provided a memorable experience for those who participated.

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Relationship Building

At the heart of this project is building relationships with community members. The TLPI team found that some level of an initial relationship was beneficial. The Hoopa Valley Tribe, and more specifically, the tribal court judge,[8] knew TLPI as an organization and there was an existing degree of trust. This, along with TLPI's strong reputation in Indian country, allowed the TLPI team to secure the tribal resolution in support of the project (see Appendix A). As noted above, this initial relationship with the tribe was also instrumental in procuring the right community member for the Tribal Liaison position. Without the pre-existing trust, the learning curve would have put the TLPI team back several months with the need to introduce themselves and TLPI to the community.

As discussions with the community got underway, several small but important practices went a long way toward demonstrating respect and reciprocity. For example, every community member that engaged with the TLPI team was offered a small gift (e.g. bag of cookies, bag of coffee, crackers, TLPI pens and posters designed by a Native artist). During the 4th trip, the TLPI team provided dinner, funded by a generous donation from TLPI's non-federal fund raising efforts.[9] We procured the services of a local Hoopa tribal member who catered the dinner that was provided to all who attended the presentation. It was clearly appreciated by the community members in attendance at this event. This is in keeping with tribal traditions of offering gifts to reciprocate when someone has gifted you with knowledge, time, and inspiration. The importance of providing food in Native communities cannot be overstated and the federal restrictions put on providing meals and snacks have been detrimental to relationship building in Indian country and showing appreciation and respect.

An additional practice that demonstrated a commitment to relationship building was mailing hand-written thank-you notes following each community visit. These notes often referred to points that were discussed and showed appreciation for the time that was given and knowledge that was shared. Early on, the TLPI team made the decision that overly structured trips would reduce opportunities for spontaneous conversations and meeting new community members. On the first trip, the TLPI team made an unannounced visit to the tribal radio station – KIDE. The result was a wonderfully enlightening conversation with the station manager and a radio interview on KIDE about the project on a subsequent visit. These unplanned wanderings (limited to public spaces appropriate for non-ceremonial/outsider use) led to new and unexpected discoveries time and time again.

A key part of relationship building when working in Indian country in any capacity, be it research, training and technical assistance or service delivery, is to be of service and be prepared to assist with any task that is thrown your way. During the 4th community visit, the TLPI team spent a day set netting in the Trinity River with two tribal members who shared stories about the river, families, tribal histories and politics, and much more. The TLPI team was ready to be of service, get dirty and assist in whatever way was appropriate and for that we were rewarded with rich stories that deepened our understanding of the community and built meaningful relationships.

[8] As mentioned above, the initial contact was Judge Blake, who was replaced by the newly elected Judge Colegrove.
[9] All food and gifts were either paid for out-of-pocket by the Co-P.I.s or donated by TLPI. No federal funds were used for food or gifts.

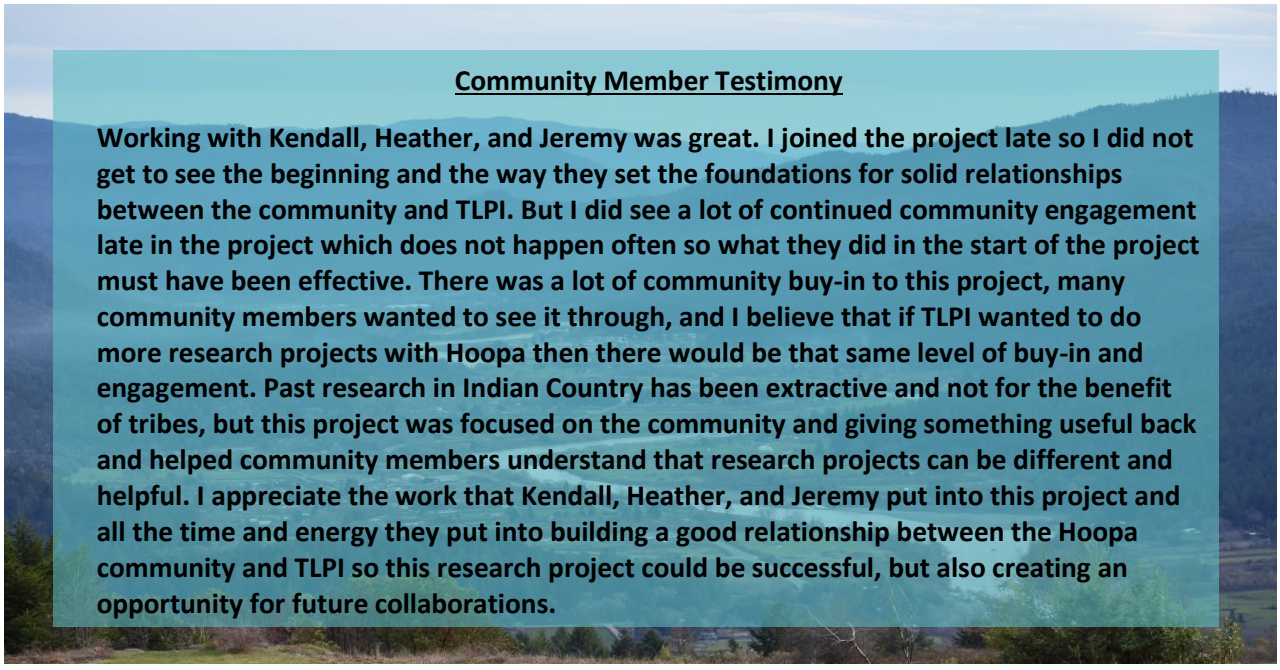
Outreach/Messaging/Dissemination

The process of messaging and outreach on this partnership project included both successes and challenges. It should be noted here that the Hoopa community appreciated the opportunity to be the key driver of the research questions and design. Most community members that the team engaged with were quick to understand their role in the driver's seat and embraced the opportunity to be part of the process. Community members were generous with stories, histories and advice once the purpose the project was understood. However, finding the appropriate delivery mechanism for the project purpose and describing the planning aspect of project were two challenges that the team encountered.

The first challenge arose when the TLPI team utilized a webinar format to provide an overview of the project to the community. The hope was to reach a wider audience than we had on the first trip and to make efficient use of time in Los Angeles. The webinar format, and any virtual format, was an unsuccessful method of communication due to poor internet connection speeds, spotty connections and a lack of engagement during the virtual presentation. In addition, inclement weather at Hoopa made webinar attendance a very lower priority for community members.

The team subsequently developed a one pager project description that described the partnership approach, the project goals and a general sense of the proposed outcomes. The one-pager was suggested by Kendall and she disseminated it as needed. During one particularly rich and powerful discussion with several elders around a backyard fire, one of the women mentioned our approach and how she thought it was in keeping with the culturally-appropriate way of planning community-based research:

> *We have all these programs that wanna come in and help the Indigenous people. They're gonna save us still. But they're still bringing in their concepts of what they think we should be and how we want to be looked at. I think we need to take a look at what we are. And I can see that you're trying to do that, and I can appreciate that.*



Community Member Testimony

Working with Kendall, Heather, and Jeremy was great. I joined the project late so I did not get to see the beginning and the way they set the foundations for solid relationships between the community and TLPI. But I did see a lot of continued community engagement late in the project which does not happen often so what they did in the start of the project must have been effective. There was a lot of community buy-in to this project, many community members wanted to see it through, and I believe that if TLPI wanted to do more research projects with Hoopa then there would be that same level of buy-in and engagement. Past research in Indian Country has been extractive and not for the benefit of tribes, but this project was focused on the community and giving something useful back and helped community members understand that research projects can be different and helpful. I appreciate the work that Kendall, Heather, and Jeremy put into this project and all the time and energy they put into building a good relationship between the Hoopa community and TLPI so this research project could be successful, but also creating an opportunity for future collaborations.

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Flexibility and Adaptability

The ability to be flexible and nimble enough to quickly adapt to changing circumstances is a key to successful research in Indian country generally, and certainly a key to success with this partnership project. Travel challenges, changing political circumstances, interview cancellations and rapid shifts in community priorities as a result of the Covid-19 pandemic all underscored the importance and value of adaptive management.

The Hoopa Valley Reservation sits in a valley 60 miles east of a major freeway and airport. The Valley is subject to dramatic weather, including extreme fog. Flights into the nearest airport (Arcata/Eureka) from Los Angeles are few and far between. On the first trip to Hoopa, Co-P.I. Heather Valdez Freedman's flight made it all the way to the Eureka airport only to circle several times and then return to San Francisco, due to heavy fog limiting visibility. Heather's return to San Francisco was quite late. The drive from San Francisco to Hoopa is 5 ½ hours. She rented a car, made use of a relatives couch to sleep for the night and drove the 5+ hours in the morning to Hoopa. The first several meetings with community members were missed, but Co-P.I. Jeremy Braithwaite was already there and easily able to take them on solo. Future trips included a buffer time to account for potential flight disruptions.

The team's process for discussions with community members centered around an ethic of flexibility using a storytelling framework wherein the questions were prompts that lead to stories and narratives.
This is in contrast to a structured interview protocol and instead follows the interviews where they need to go organically. This method allows for community-driven discussions. This process works particularly well for group discussions, as people are able to build off of other stories, memories are spurred, etc. We saw this several times during our work.

An important aspect of this partnership is to let the community lead the project and to that end, the team did not approach each site visit with a list of individuals from specific agencies. Rather, the team felt it was important to engage with people that the community felt were important and representative of community interests. This led the team to community members in recovery, grassroots treatment groups and victim/survivors of violence. These people were prioritized by the community as having important contributions to the story of what is means to be Hupa.

While the Tribal Researcher Capacity Building grant provides a sorely needed mechanism for planning and implementing research projects in Indian country in a way that honors and defers to sovereign and cultural rights of tribes, it should be recognized that this approach and philosophy is regrettably still in its infancy. The history of unethical and colonizing research practice in Indian Country is long and deeply-rooted. Creating meaningful change and changing this narrative takes time. Despite our efforts and good intentions to build an authentic and equitable research partnership at Hoopa, the partnership was not unanimously embraced by the entire community. There were varying degrees of hesitation and reluctance to engage with the team, in large part because of the local history of research at Hoopa (discussed later). For instance, one community member who was particularly well versed in tribal history

expressed some hesitation surrounding research, particular that which is done in the colonized fashion (i.e. outside/contracted researchers entering the community, extracting data, stories, and resources, and exiting the community without meaningful debrief, engagement, or follow-up with the community). Specifically, she noted that "outside influences usually come [to Hoopa] and create chaos" and attributed this to the tendency of outsiders to not recognize and appreciate the sheer diversity of Hoopa in terms of the different languages, ceremonies, dances, and beliefs that coalesce in the Hupa way of knowing and worldview, leading to misunderstanding the production (and reproduction) of misleading, incomplete, or false knowledge of the people and community. Similarly, the Hupa language speaker expressed fervent distrust of outsiders and dismay over many research efforts in the community.

These initial experiences with rejection would become some of our most profound learning moments. Though these encounters brought immediate feelings of discomfort and defeat, we did not dismiss or "write off" these encounters; on the contrary, we continued to build and nurture these relationships. The Tribal Liaison was instrumental to this work, facilitating opportunities and spaces for Hoopa community members to discuss their opinions. For instance, following the initial encounter with the Hupa language speaker, Kendall set up a meeting on the subsequent community visit. During this meeting, he explained much about the Hupa language and the ways in which it embodies a very different worldview from English. We spent two hours discussing philosophies of knowledge and epistemology and it was through this discussion that we came to better understand his suspicion and distrust of outside researchers. Similarly, Kendall arranged for a field trip to a ceremonial dance ground where we met again with the community member well versed in tribal history. During this visit, she described different ceremonial dances and explained structure of the various houses and sweathouse in the village. She casually remarked that she appreciated our asking permission to visit the village and noted that she was more comfortable in this setting compared to our first conversation (which took place at the courthouse). These anecdotes demonstrate the importance of patience and resilience when building community relationships. Had we dismissed our initial encounters with community members who expressed suspicion, leeriness, or distrust, we would be missing key pieces of the overall narrative that would ultimately inform our research proposal.

Amongst all of the challenges and potential barriers that we anticipated, we could never have accounted for a worldwide pandemic. Covid-19 hit Indian country hard, especially small and isolated communities, many with extended families living under one roof and in some communities very little running water. Hoopa closed their borders early on, which was particularly difficult with a highway running through the reservation. Cars were limited to through-traffic. Tribal offices went remote and the tribal court had limited staff and conducted video hearings. The tribal chairman, having never imagined his tenure would include managing a public health crisis of this magnitude, held weekly briefings on the tribal radio station and tried to assuage concerns as best he could. The research partnership project, which was set to present proposed research questions in a community meeting in June 2020, became understandably irrelevant as health and safety took immediate priority. TLPI, having many projects in Indian country, developed conservative travel policies suspending all staff travel until further notice as

the health and safety of vulnerable communities is the top priority. By June 2020, it was clear that the vast and indefinite nature of the global pandemic situation made final planning and completion of the full research proposal impractical. While disappointing, we recognize the danger that is posed by outsiders entering isolated communities and our moral and ethical obligation to the community and those we've built relationships with over the past 18 months supersedes the completion of the final deliverable.

Centering a Hupa Research Paradigm

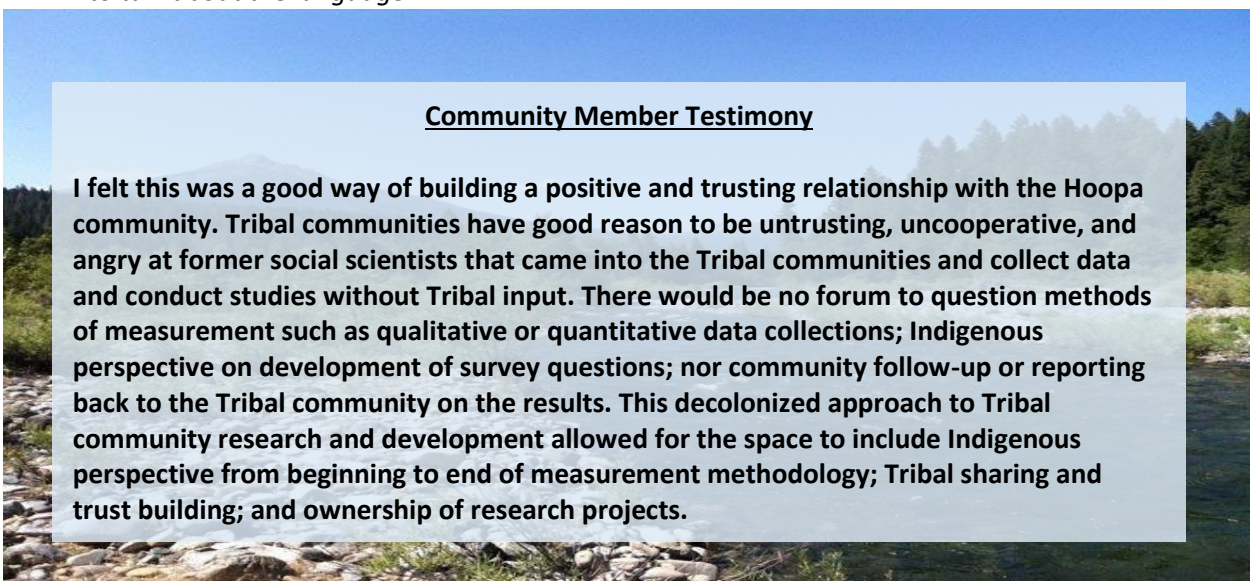
From the very beginning of this research partnership, it was TLPI's intention to privilege the lived experiences and realities of the people of Hoopa as the foundation of a local research paradigm. Understanding that the western scientific perspective is neither neutral nor objective, we fervently avoided use of pre-determined theories, designs, instruments, frameworks, and approaches to community engagement that had not be validated or proven effectual specifically with Hoopa. Doing so would risk supporting, perpetuating, or creating new harm/trauma in the community. As a guest of the community and student of the history and culture, it was an utmost priority of TLPI to be a good relative to Hoopa and together create spaces for bi-directional learning. Below, we've identified some major learning moments and lessons learned for holding that space and centering a research paradigm privileged the history, lived experience, and worldview of Hoopa and its people.

Learning the local history of research in the community is critical to building respectful relationships and accountability between partners. Building a research partnership in Indian Country cannot start from a "clean slate" approach and dismiss the community's history or experience with research and researchers. Listening to and appreciating these experiences is imperative to understanding what works well and what is considered unacceptable research practice and conduct. It is also crucial for identifying what misinformation exists surrounding knowledge of the community and culture. For example, the Hupa word *Na:tini-xw* (their endonym in their native language) has been long interpreted as "people of the place where the trails return" or "people of the place where the trails end and they begin." These interpretations are the product of early 20th century anthropologists, such as Alfred L. Kroeber and Pliny Earle Goddard, which continue to reproduce in contemporary scholarship on the Hoopa Valley Tribal community. Early on, Hupa elders and language speakers denounced this translation, pointing to the substantial lacuna that exists between outsiders and the Hupa people in terms of worldview and epistemology. It is beyond the scope of this narrative to articulate an appropriate cultural definition of *Na:tini-xw,* but this example poignantly demonstrates the importance of learning the origins of misunderstanding and misinterpretation that we avoid reproducing false knowledge about the community.

Learning from and engaging with local curators and caretakers of Hupa scholarship was instrumental to guiding our understanding of a Hupa research paradigm. Just as it was important to learn the history of research in the community by external actors and institutions, of equal importance was to also engage with local curators of Hupa scholarship--both published and oral traditions. Often, Indigenous scholars, Native nations, and Indigenous communities are not part of the data sources, datasets, or data dissemination products (i.e. publications) that make up the mainstream academy. At Hoopa, we were introduced to a number of local knowledge curators and knowledge bearers who co-existed in the academic and cultural spheres. For example, a local language speaker and teacher discussed his work in teaching the Hupa language through different local cultural programs for youth, as well as his ongoing development work on a Hupa language dictionary. Likewise, we met with various professors and academic faculty employed at Humboldt State University and other academic institutions who explained their contributions to academic scholarship (i.e. publications) and their endeavors to change and shift

the false narratives that external researchers and institutions have perpetuated. For example, one local scholar discussed her work in re(righting), re(writing), and re(riting) Native feminism through the lens of the Flower Dance revitalization, pointing to the limitation of previous scholars' interpretation of Hupa ceremonies:

> *You go to our stories, which again have to be re-interpreted because the people who interpreted the stories and translated them were usually white males. They are looking at it from a very particular perspective. They would translate words you would take for granted. So, they would say "he who comes from this place must do this." Well, the word doesn't actually say "he." It says "they." But they translated the story as he, then we turn around and say this story is about men only being able to do this. So, we have to be clear about how we start to break down the way that patriarchy plays this role in how we interpret things. And the language will do that and you have to bring in lots of people to talk about the language.*



Centering a Hupa research paradigm requires engagement with multiple voices and narratives in order to avoid testimonial injustice. As noted by Hupa researcher Kishan Lara-Cooper, testimonies reflect ways of knowing from a communal perspective; as such, the exclusion of an individual or group from a story because they are deemed "not credible" contributes to the continued marginalization and stereotyping of Indigenous persons (as seen in textbooks, social media, newspapers, court systems, and educational systems).[10] Testimonial justice is less about ensuring a "representative sample" and more about preserving the integrity of communal perspectives and beliefs on issues of crime, victimization, wellness, resilience, and knowledge. To this end, we strived to achieve as much diversity in those we spoke and visited with in terms of generational perspective, worldview, access to and participation in culture and ceremony, and experiences in the criminal justice system. For example, four generations of Hupa voices are represented in this planning work, from elders in their late 80s to young adults in their late teens/early 20s. Likewise, we engaged with a range of individuals with varied experiences in the criminal justice system, including victims and perpetrators of violence and drug crimes, individuals in recovery from addiction, and criminal justice professionals (police, court personnel, etc.). As one could imagine, a testimonial justice framework invites testimonies, beliefs, opinions, and observations that

[10] Lara-Cooper, Kishan and Walt J. Lara, Sr., 2019. *Ka'm-t'em: A Journey Toward Healing*. Great Oak Press.

appear to be at odds with or entirely contradictory of others. Beliefs around pressing criminal justice issues and particularly beliefs on how to solve those issues varied markedly across generations, cultural backgrounds, and experiences with crime, addiction, and recovery. This is not a limitation, but rather a strength of this approach. Our goal was not to necessarily build unanimity around a common research need or topic, but rather hold space where each individual story and testimony contributed to a collective narrative in which each community member had a place.

Research ethics and values must be culturally and contextually anchored. At the heart of Tribally-driven participatory research is the fundamental necessity of the Tribal community needing to lead its own research. This is not merely limited to issues of what methodologies are most appropriate or what epistemologies/worldviews guide our sense- and meaning-making. The nature of ethics, norms, and values surrounding research must also be Tribally-centered. Just as science is not culturally neutral, axiology is also anchored in time, place, and context. Embedded in our conversations with elders, language speakers and educators, and other cultural caretakers was a rich tapestry of local values surrounding the creation, learning, sharing, and reproduction of Hupa knowledge. To provide one example, one Hupa elder explained the importance of connection and relationality and the ways in which accountability to relationships and connections is critical to learning and growth, particularly in times of ceremony:

> *My granddaughter is planning her Flower Dance. Just these things that they need to learn to do connecting with the elements around us--because you could probably do it without having them make their own bark skirt, but then they miss the element of relationship with the natural environment, with science. They miss that. We always say that if Einstein spoke Hoopa, he would have developed his theory much sooner! But that connection—they miss that connection. That connection of gathering the materials and working with the environment and praying and understanding there are other things around us beside the human being that are just as important.*

This musing reflects a broader Hupa belief that knowledge sits in human, natural, and spiritual relationships.[11] These worldviews must also be reflected in a Hupa axiology. As we spoke with more community members, we developed an inventory of potential Hupa research principles that would serve as normative guideposts for a full participatory research study. However, we realized that these research principles could potentially serve a broader purpose beyond our own research project. As noted above, during Trip #4, we summarized the lessons learned from these conversations in a memo (see Appendix G) to the Tribal Chairperson, who expressed great interest in codifying the community-driven research principles into a formal Tribal research code.

Revisiting Anticipated Challenges

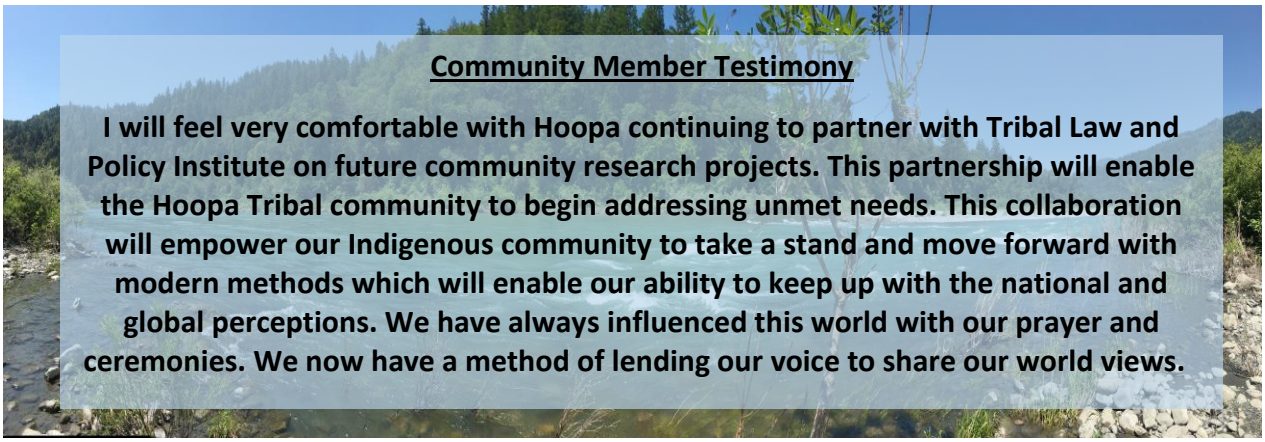
When the project was first envisioned at the proposal stage, the team considered potential challenges that might arise so that both pre-emptive strategies and possible solutions could be thought through. Here, we re-visit those challenges to reflect on whether or not they were accurate predictions and if so, how they played out in the field.

[11] Lara-Cooper, K., 2014. " K'winya'nya: n-ma'awhiniw": Creating a Space for Indigenous Knowledge in the Classroom. *Journal of American Indian Education*, pp.3-22.

Potential Challenges Revisited		
Potential Challenge	**Proposed Mitigation Strategy**	**Reality**
Challenge: A lack of community buy-in results in low tribal community participation in the proposed research activities.	***Solution:*** TLPI understands that the success of any TDPR project hinges on local community buy-in. TLPI and Hoopa have already begun the practice of establishing a partnership. For example, TLPI has secured a tribal resolution (passed unanimously on 4/19/2018) that details the research questions and design/implementation plan for this planning grant. TLPI has also had previous technical assistance collaborations with Hoopa.	***Close out Update:*** Not a barrier. The research team worked diligently on community buy-in. Success lies with the hiring of the Tribal Liaison. She lent credibility to the team and the project.
Challenge: Unanticipated delays occur in the project timeline.	***Solution:*** TLPI has planned 12 months for completion of this planning grant, but is prepared to implement a no-cost extension, if necessary.	***Close out Update***: Bigger barrier than originally anticipated. The Covid-19 pandemic led to extreme delays ultimately stalling the project before it could be finished.
Challenge: Logistical challenges due to under-resourced tribal staff (such as in-person and teleconference meeting delays, re-scheduling, cancellations, etc.).	***Solution:*** TLPI has many years of experience working with under-resourced tribal communities, wherein meetings get delayed, cancelled, re-scheduled due to participants wearing "many hats" and being called to other duties. TLPI enters this work with an understanding that flexibility is key when working in tribal communities.	***Close out Update:*** Not a barrier. The ability to pivot on the spot was of paramount importance and was utilized in many instances.
Challenge: Ensuring contextual and multi-cultural validity are often complex, subjective processes	***Solution:*** Each work product developed for this planning grant will undergo rigorous quality assurance as a result of the quality assurance/feedback loops constructed under Objective 1.1. Additionally, the final research questions and research design will be presented at a meaning-making meeting, whereby the tribal community will evaluate cultural-responsiveness of the final deliverable against locally defined priorities and expectations.	***Close out Update:*** Big barrier but for reasons that were unanticipated. As mentioned earlier, the Covid-19 pandemic put an end to project travel before the final mean-making meeting could take place.

Conclusion

The tribal researcher partnership developed over the course of 24 months has broadened TLPI's way of thinking about how to engage tribal communities in research, and how those communities can contribute, partner and drive the narrative in meaningful ways. It is our hope that this project may have broadened some community member's perceptions of how research can and should be conducted in their community.



Community Member Testimony

I will feel very comfortable with Hoopa continuing to partner with Tribal Law and Policy Institute on future community research projects. This partnership will enable the Hoopa Tribal community to begin addressing unmet needs. This collaboration will empower our Indigenous community to take a stand and move forward with modern methods which will enable our ability to keep up with the national and global perceptions. We have always influenced this world with our prayer and ceremonies. We now have a method of lending our voice to share our world views.

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Attachments

A. Tribal Resolution
B. Project Kick-Off PowerPoint
C. Project Handout
D. Project Handout Youth Group
E. Final Meeting Handout
F. Final Community Presentation PowerPoint
G. Research Policy Memo

Appendix A:
Tribal Resolution

RESOLUTION
Of The
HOOPA VALLEY TRIBAL COUNCIL

RESOLUTION NO: **18-31**

DATE APPROVED: **April 19, 2018**

SUBJECT: **Research Partnership Grant with Tribal Law and Policy Institute: *National Institute of Justice "Tribal-Researcher Capacity Building Grants"***

WHEREAS: The Hoopa Valley Tribal Council is authorized under Article IX, section 1(g) to negotiate with the federal, state and local governments on behalf of the Tribe; and

WHEREAS: Pursuant to Ordinance 1-80, Amendment No. 2 (paragraph 4), responsibilities and powers delegated to the Tribal Chairman by the Hoopa Valley Tribal Council, include that the Chairman takes part in or has input into studies for economic and social development of the Hoopa Valley Tribe [and] makes appropriate recommendations to the Tribal Council regarding their feasibility; and

WHEREAS: Research in Indian country has a problematic history, which includes abuses such as lack of representation of tribal priorities in the research design, failing to return finding to the tribes and a general lack of tribal voice in the planning and implementation of projects; and

WHEREAS: Research, when designed with tribal priorities at the forefront, and conducted with tribal ethics and a commitment to tribal partnership, can help to inform tribal priorities and benefit planning for infrastructure development; and

WHEREAS: The Hoopa Valley Tribe is interested in data collection that benefits the tribe and furthers tribal interests; and

WHEREAS: The Tribal Law and Policy Institute (TLPI) is a 100% Native American operated non-profit corporation created over 20 years ago with a focus on education, research, and training/technical assistance programs that promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples; and

WHEREAS: The Tribal Law and Policy Institute has adopted formal research philosophies that include acknowledging that research within Indian country should focus on areas that will provide a primary benefit to community well-being and knowledge. That benefit should be defined by tribal leadership; and

WHEREAS: The National Institute of Justice has issued a Request for Proposals for Tribal-Researcher Capacity Building Grants; and

WHEREAS: Under this grant, should it be funded, TLPI would work in collaboration with the Hoopa Valley Tribe to identify the Tribe's priorities for research and include these as the central element in the final research proposal; and

WHEREAS: Should this grant be funded, the Tribal Law and Policy Institute intends to contract with a Tribal Liaison consultant from the Hoopa Valley Tribe to assist with project coordination and data collection; and

NOW THEREFORE BE IT RESOLVED: The Hoopa Valley Tribal Council supports the Tribe's partnership with the Tribal Law and Policy Institute in the proposal for a grant from the National Institute of Justice for a Tribal-Researcher Capacity Building Grant.

BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to sign this resolution and to negotiate all matters pertaining hereto and that the Recording Secretary is authorized to attest.

C*E*R*T*I*F*I*C*A*T*I*O*N

This is to certify that this Resolution Number 18-31 was approved at a duly called meeting of the Hoopa Valley Tribal Council on April 19, 2018 at which a quorum was present and that this resolution Number 18-31 was adopted by a vote of (6) for and (0) opposed and (0) abstentions. This resolution has not been rescinded or amended in any way.

DATED THIS 19th DAY OF April, 2018

Ryan Jackson
Chairman Hoopa Valley Tribal Council

ATTEST:
For **Darcy Miller, Executive Secretary to the Council**

Appendix B:
Kick Off PowerPoint Presentation

Hoopa/TLPI Tribal Research Partnership: Kick-Off Meeting

PRESENTED BY:
Heather Valdez Freedman
Deputy Director

Jeremy Braithwaite
Tribal Research Specialist

Tribal Law and Policy Institute
www.Home.TLPI.org

Hoopa/TLPI Research Partnership

1

Meeting Agenda

- Background of Planning Grant
- Introduction to TLPI
- Approach to Research
- Initial Impressions and Key Learning Moments at Hoopa
- Project Tasks
- Roles of Advisory Group Members and Tribal Liaison
- Rollout of Project Branding
- Q&A

2

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A Shared Prayerful Thought

- A shared prayerful thought about the Tribal community, elders, and children whom may be beneficiaries of our shared work together
- The blessing of our work together
- The purposeful thought that brought our work together

3

Partnership Story

- TLPI learned of an NIJ grant opportunity in February 2018 (https://nij.gov/funding/documents/solicitations/nij-2018-13840.pdf)
- **Priority Area**: Developing research questions and study designs using community-based participatory research principles that involve the tribal partner in all aspects of the research process

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Partnership Story

- TLPI had a previous history of collaboration with Hoopa
- Worked with Tribal Council during March and April 2018 to co-create a partnership prospectus
- Obtained Tribal resolution in late April 2018
- Grant awarded in August 2019 (project formally kicked off January 1, 2019)
- TLPI made first (of 4-5) community visit to Hoopa in late January 2019

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Who We Are

Heather Valdez Freedman

Jeremy Braithwaite

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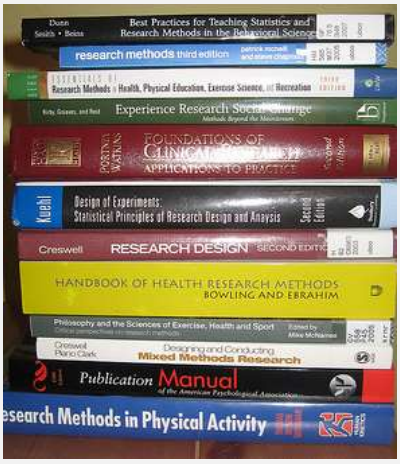
Core Values Guiding Research Process

1. Indigenous knowledge is valid and valued
2. Culture is <u>always</u> part of research
3. Responsible conduct includes learning how to interpret and understand data
4. Tribes must exercise sovereignty in the conduct of research and management of data
5. Research must benefit the local community

7

What is Research?

- Standard Definition: Any systematic investigation that use a predefined standard of quality to determine its methods and to govern the interpretation of evidence. Ideally, the researcher applies the highest possible standard in collecting and analyzing evidence to reach a conclusion



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The word itself, "research," is probably one of the dirtiest words in the indigenous world's vocabulary

~Dr. Linda Tuhiwai Smith (Maori)

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What is Research?

- TLPI's Definition: Harvesting and sharing of knowledge that a local community believes is important

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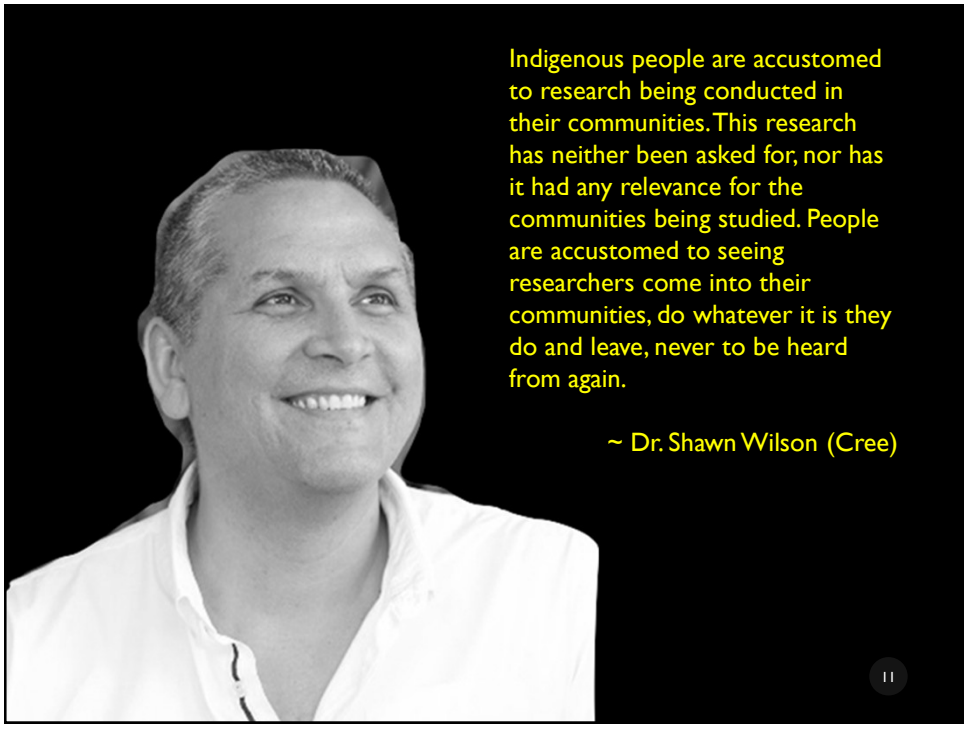

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Our Impressions of the Community Based on our first site visit

- Importance of Culture and Tradition
- Significance of River
- Importance of Dancing
- Continuous occupation of Ancestral Land
- Youth and Elders
- Relationships
- Law Enforcement Composition
- We have much much more to experience and learn!

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What We'll Be Doing

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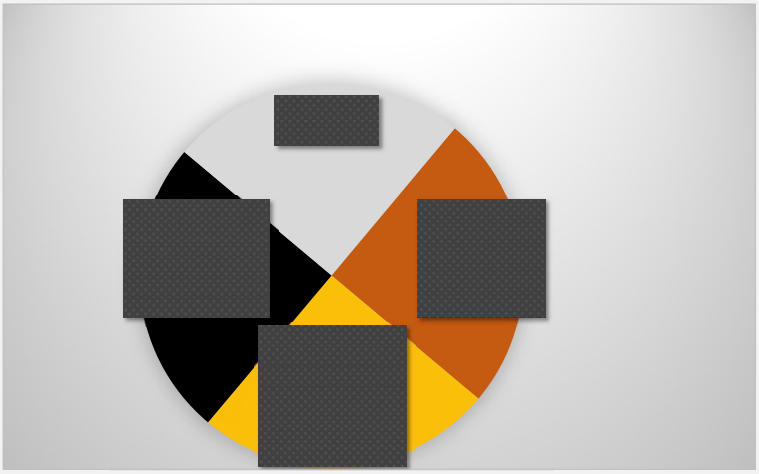
Anticipated Work Products



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Advisory Group

Roles:

- Pathfinding and visioning
- Building community dialogue
- Being "voice of reason"
- Key connector between TLPI and Community

Tasks include:

- Once monthly meeting (via phone or in person)
- Review project documents (website for group)
- Provide feedback

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Role of Tribal Liaison

- Purpose:
  - Serves as a link between TLPI and Hoopa Community
  - Locates the research at Hoopa
  - Provides information to community about project
  - Informs TLPI researchers of local issues
- Tasks
  - Coordinating meetings
  - Conducting/compiling research
  - Community organizing
  - Advisory Group Lead

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Importance of Partnership

Hoopa/TLPI Research Partnership

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Questions? Input? Advice?

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Thank you!

Hoopa/TLPI Research Partnership

Jeremy Braithwaite
Jeremy@tlpi.org

Heather Valdez Freedman
Heather@tlpi.org

www.home.tlpi.org

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Appendix C:
Outreach/Info Flyer

Hoopa/TLPI Research Partnership

Tribal Law and Policy Institute *received a grant from National Institute of Justice to create a partnership with the* ***Hoopa Valley Tribe****. A tribal resolution was passed in support of this work.*

Purpose: TLPI is working in partnership with Hoopa on the development of a tribally-driven effort to support knowledge creation and sharing. This includes the creation of tribally-centered research questions, as well as a reclaiming of traditional ways of knowing and ethical standards. All activities are grounded in local values and traditions.

All voices are welcomed and honored in this work, including, but not limited to:

- **Elders**
- **Dance Leaders**
- **Culture Bearers**
- **Traditional Storytellers**
- **Tribal Leadership**
- **Hupa Speakers**
- **Stewards of the Land**
- **Youth**
- **People Impacted by Crime (including victims/survivors, families of incarcerated tribal members, etc.)**
- **Anyone interested in participating!**

Outcomes: We will learn from each other in this process and hope to accomplish the following:

- ✓ TLPI will share various methodologies emerging from Indigenous communities that have been used to address Tribal priorities and support long-term learning
- ✓ Hoopa will have an opportunity to model culturally-inspired practices that can serve as guideposts for how future research is conducted in the community
- ✓ Hoopa and TLPI will co-create a full proposal, entirely driven by Tribal priorities and local ways of knowing, that will be considered for funding by NIJ

The Team: TLPI has hired **Kendall Allen-Guyer** as the project's Tribal Liaison to ensure Tribal voices and ideas consistently guide the work. **Heather Valdez Freedman** and **Jeremy Braithwaite** co-lead TLPI's involvement in the partnership.

Please join us: *Call 707-331-3222 or email kjallen026@gmail.com*

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Tribal Law and Policy Institute

Philosophies and Approach to Research in Indian Country

TLPI recognizes that a history of unethical research has negatively impacted Tribal communities. As a Native American-owned non-profit organization, TLPI is committed to changing this narrative through partnering with Tribal communities to develop learning models that both empower and uplift the cultural strengths of the community. The following philosophies guide this vision:

- We believe that research within Indian country should position the Tribal community as the primary beneficiary of that work.
- We believe that research activities should acknowledge and celebrate cultural/tribal gifts and strengths that can uplift families and communities.
- We believe that research methodologies should be mindful of tribal culture and tradition; as well as show appropriate respect for victims of crime, elders and children.
- We believe in respecting privacy and confidentiality of all research participants, as well as the privacy and confidentiality of tribal culture, such as traditional ceremonies.
- We believe in the rights of research participants, particularly victims, to review research they participated in, and if they so choose, to decide to withdraw their input.
- We believe that tribal research review boards are an important aspect of tribal sovereignty and their permission should be sought when appropriate.

See www.home.tlpi.org for more information.

Tribal Law and Policy Institute

8235 Santa Monica Blvd. Suite 211

West Hollywood, CA 90049

323-650-5467

For more information on the Hoopa/TLPI Research Partnership Project:

Kendall kjallen026@gmail.com ~ Heather Heather@tlpi.org ~ Jeremy Jeremy@tlpi.org

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Appendix D:
Outreach/Info Flyer TANF Interns

Hoopa/TLPI Research Partnership:
TANF Intern Engagement

Tribal Law and Policy Institute *received a grant from National Institute of Justice to create a partnership with the* ***Hoopa Valley Tribe****. A tribal resolution was passed in support of this work.*

Purpose: TLPI is working in partnership with the Hoopa Valley Tribe on the development of a tribally-driven effort to support knowledge creation and sharing. This includes the creation of tribally-centered research questions, as well as a reclaiming of traditional ways of knowing and ethical standards. All activities are grounded in local values and traditions.

Why TANF Interns?

From speaking with community residents, TLPI has learned that youth and young adults are considered among the most important bearers of knowledge and wisdom, but that despite this belief, there have been some challenges in engaging the youth and young adult voice in conversations surrounding important community issues. TLPI believes that the Tribal TANF internship program would provide an excellent vehicle through which to engage Hoopa youth and young adults in this project and ensure their voices guide the vision of this work.

What Will We Discuss?

TLPI would like to engage with interns at multiple points throughout this project, learning as we go. During the first phase, we would like to facilitate a focused talking circle (about 2 hours) that includes approximately 6-8 interns. The purpose of this talking circle is to understand how Hoopa youth and young adults view their community, priority issues they believe need to be explored, and knowledge of and/or experience with research. During the next phase (late summer/early fall), TLPI will host a workshop to provide interns with more information on research related topics of their choosing. This might include: history of research in Indian country, writing research proposals, tribally- and community-based participatory methods to doing research, etc.

Who Should Attend?

: TLPI understands that the internship program includes students exploring diverse academic majors and career aspirations. All are welcome to participate in this project. In particular, interns who are interested in **research methods, participatory research approaches, Tribally-driven research,** and **community-based research** may find this experience particularly rewarding.

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Tribal Law and Policy Institute

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Appendix E:
Community Meeting Flyer

Hoopa/TLPI Research Partnership:
Proposed Dinner Meeting
February 11, 2020

Project Summary

Tribal Law and Policy Institute received a grant from National Institute of Justice to create a partnership with the **Hoopa Valley Tribe**. A tribal resolution was passed in support of this work. TLPI is working in partnership with Hoopa on the development of a tribally-driven effort to support knowledge creation and sharing. This includes the creation of tribally-centered research questions, as well as a reclaiming of traditional ways of knowing and ethical standards. All activities are grounded in local values and traditions. Hoopa and TLPI will co-create a full proposal, entirely driven by Tribal priorities and local ways of knowing, that will be considered for funding by NIJ.

Proposed Dinner Meeting: As we wind down this first phase, we would like to host a dinner meeting on Tuesday, February 11, 2020 to share the tentative project ideas that have emerged from community discussions and the path that led us to these ideas. We would like to invite all JPAT members, all Hoopa community members that we have talked with and any additional interested community members. ***To join,*** *please email: kjallen026@gmail.com*

~ PLEASE NOTE THAT NO FEDERAL FUNDS ARE USED FOR THE DINNER ~

Draft Agenda:

1. Invocation
2. Dinner
3. Introduction of the Project : Overview of Phase 1; Site Visits; Discussions; Themes
4. Potential Project Ideas
5. Feedback/Questions/Comments
6. Next Steps

For more information:

Kendall kjallen026@gmail.com ~ Heather Heather@tlpi.org ~ Jeremy Jeremy@tlpi.org

This project was supported by Award No. 2018-75-CX-0013, awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.

Tribal Law and Policy Institute

Philosophies and Approach to Research in Indian Country

TLPI recognizes that a history of unethical research has negatively impacted Tribal communities. As a Native American-owned non-profit organization, TLPI is committed to changing this narrative through partnering with Tribal communities to develop learning models that both empower and uplift the cultural strengths of the community. The following philosophies guide this vision:

- We believe that research within Indian country should position the Tribal community as the primary beneficiary of that work.
- We believe that research activities should acknowledge and celebrate cultural/tribal gifts and strengths that can uplift families and communities.
- We believe that research methodologies should be mindful of tribal culture and tradition; as well as show appropriate respect for victims of crime, elders and children.
- We believe in respecting privacy and confidentiality of all research participants, as well as the privacy and confidentiality of tribal culture, such as traditional ceremonies.
- We believe in the rights of research participants, particularly victims, to review research they participated in, and if they so choose, to decide to withdraw their input.
- We believe that tribal research review boards are an important aspect of tribal sovereignty and their permission should be sought when appropriate.

See www.home.tlpi.org for more information.

Tribal Law and Policy Institute

8235 Santa Monica Blvd. Suite 211

West Hollywood, CA 90049

323-650-5467

For more information on the Hoopa/TLPI Research Partnership Project:

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Appendix F:
Community Meeting PowerPoint Presentation

Hoopa/TLPI Tribal Research Partnership Community Presentation

Hoopa/TLPI Research Partnership

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PRESENTED BY:

Jeremy Braithwaite

Tribal Research Specialist

Heather Valdez Freedman

Deputy Director

Kendall Allen-Guyer

Tribal Liaison

Tribal Law and Policy Institute

www.Home.TLPI.org

A Shared Prayerful Thought

- A shared prayerful thought about the Tribal community, elders, and children whom may be beneficiaries of our shared work together
- The blessing of our work together
- The purposeful thought that brought our work together

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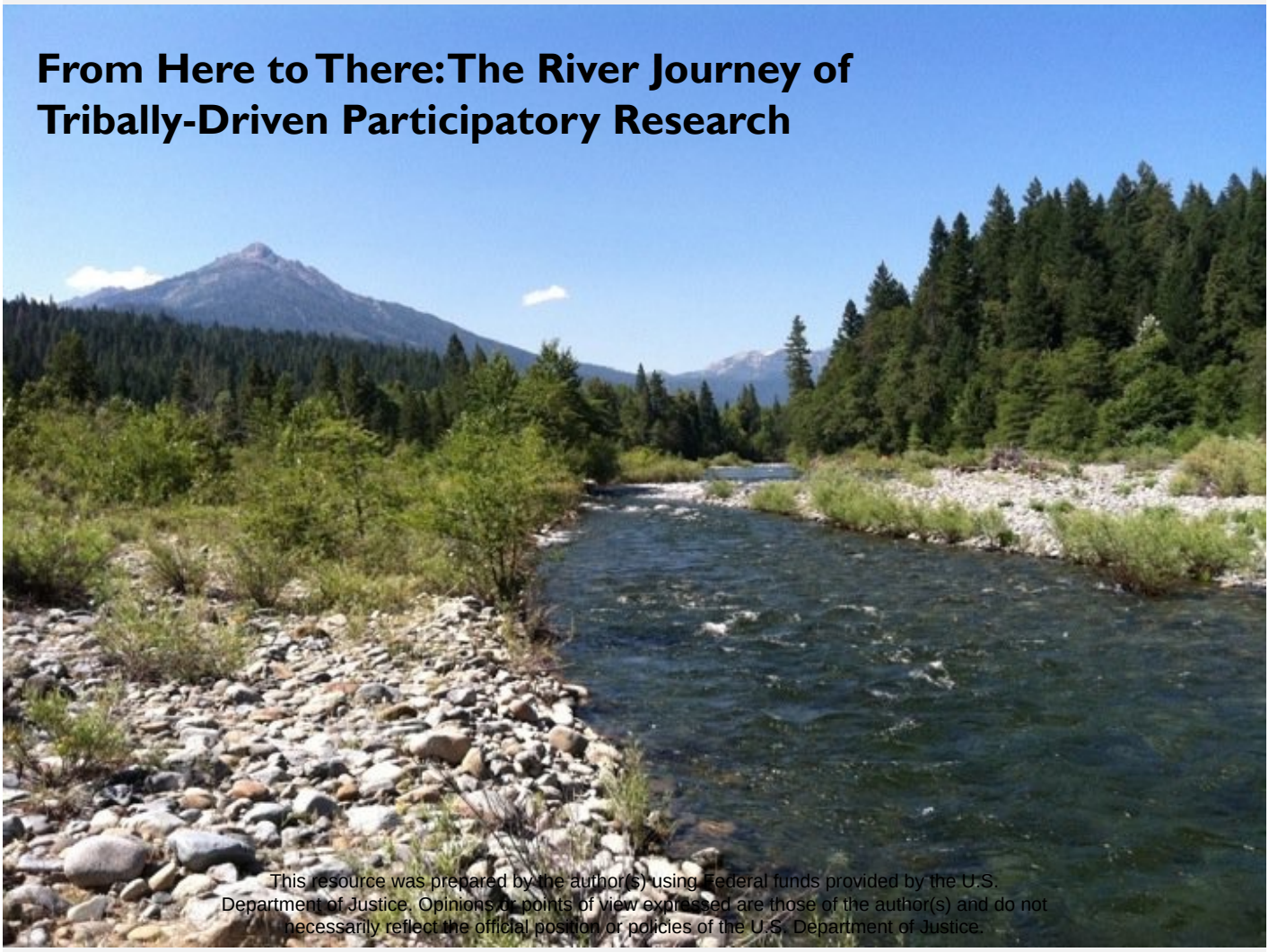
Who We Are

- Native-owned non-profit organization founded in 1996
- Provide research and evaluation support, training and technical assistance, resource and publication development on justice-focused issues in Indian Country including:
  - Wellness Courts
  - Tribal Youth Programming
  - Indian Child Welfare
  - Domestic and Sexual Violence
  - Sex Trafficking
  - Tribal State Collaboration

From Here to There: The River Journey of Tribally-Driven Participatory Research



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Partnership Story

- TLPI learned of an NIJ grant opportunity in February 2018
- **Priority Area**: Developing research questions and study designs using community-based participatory research principles that involve the tribal partner in all aspects of the research process

Partnership Story

- TLPI had a previous history of collaboration with Hoopa
- Worked with Tribal Council during March and April 2018 to co-create a partnership prospectus
- Obtained Tribal resolution in late April 2018
- Project formally kicked off January 1, 2019
- Hired Local Tribal Liaison April 2019

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Partnership Story

- From April to December 2019, we met with many people:
  - Elders
  - Dance Families
  - Language Speakers
  - College Youth
  - Court Staff
  - K'ima:w Staff
  - Researchers
  - Tribal Council
  - Criminal Justice-Involved People
  - People in Recovery

What we Asked

- Hupa ways of knowing and learning
- Quality of life and barriers to quality of life
- How Hoopa has changed over time
- Strengths of Hoopa and its people
- How could we (TLPI) understand our own implicit biases better?

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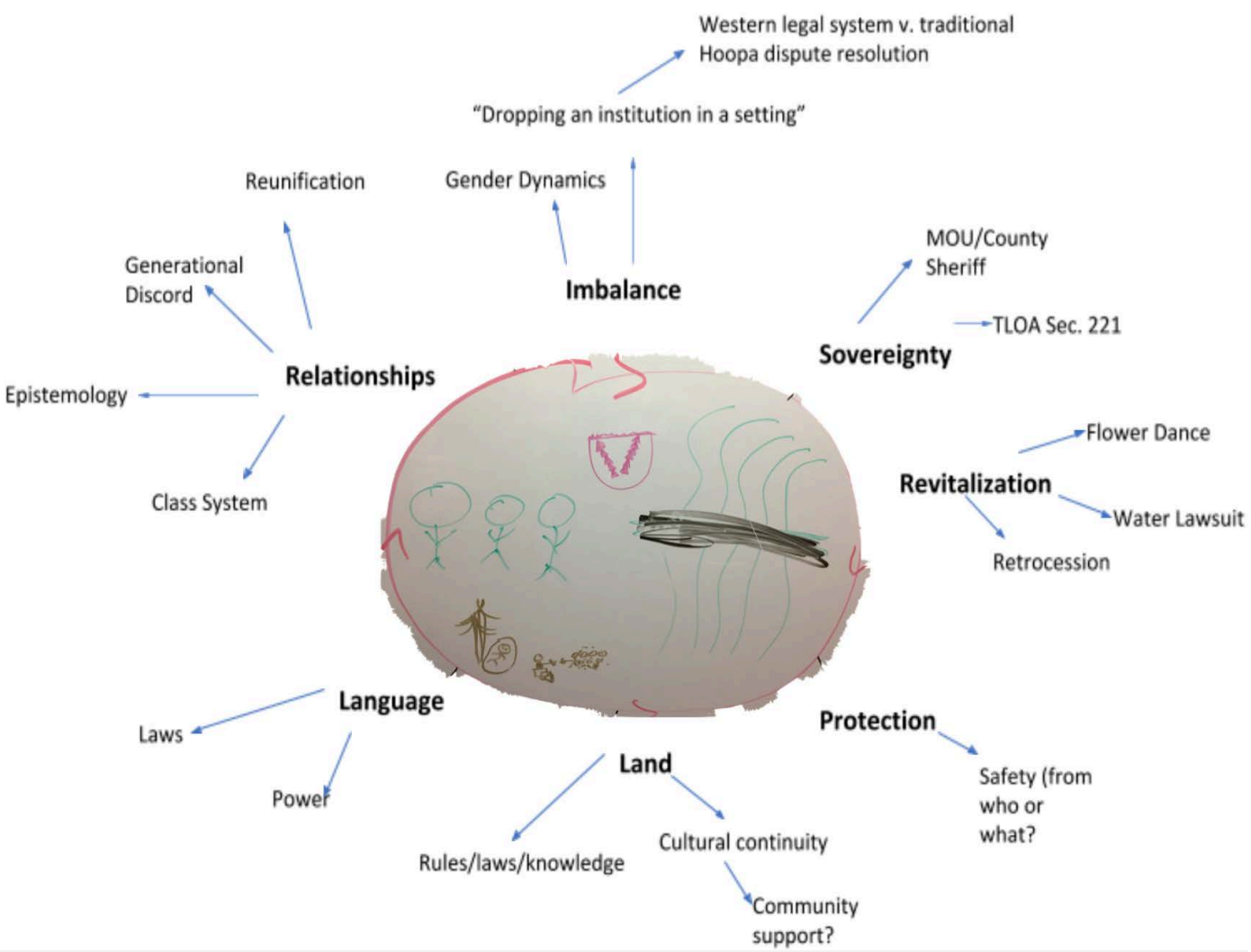

What We Learned

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Community Readiness

The one thing about us is we are not a static people, we are not people who are willing to give up without a fight, and we will find ways to make it happen.

In our mind, we were planning for futures and futures and futures of this existence. We didn't look at it and say "Oh the fort's here now; we're losing our Hoopa-ness. The school is here now, we're losing who we are as Hoopa people. We're fading out of existence." *That was the sort of settler colonial way of thinking.*

Knowledge Sits in Many Places

So, if you're down by the river with us and you're fishing and you get to witness yourself as someone from the outside looking in of what that means –the family time, the lessons, what you're trying to instill and carry on. That's where you could capture that without trying to tell or explain the story.

[Language] allows you to hold space, it allows you to connect with your ancestors, it allows you to have spirituality because it's all encased in the language.

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Cultural Continuity

You look back at the girls that have gone through the flower dance, they're all doing something. They're all going onto school, they're in advocacy.. they're doing something. And that's the only way we're going to heal the community.

Our language…brings us connection to our ancestors… as though yesterday was here right behind us.

Learning Opportunity

- Great deal of community interest centers around how Hupa people achieve durable recovery and healing from trauma and addiction
  - Barriers to recovery and healing
  - Building stronger, more resilient families
  - Stories of survivance

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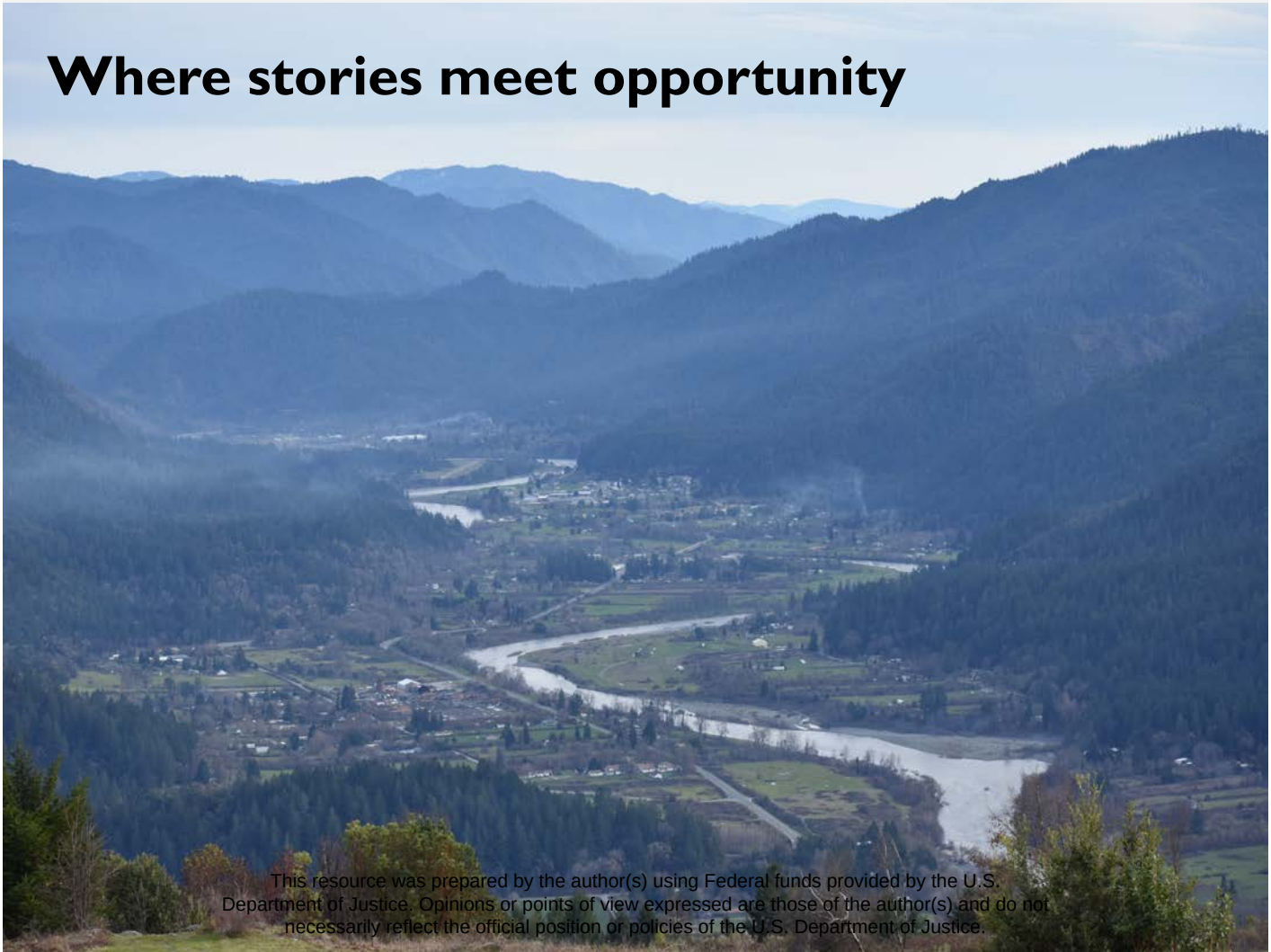
Sources of Healing and Wellness

- Culture, Language, Ceremony, and other Cultural Activities
- Sweat Hogs
- K'ima:w Programs
- Hoopa Family Wellness Court
- Joint Jurisdictional Adult Court

Where stories meet opportunity



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Hoopa Family Wellness Court

- Joint jurisdictional family dependency drug court for Hupa families that have family dependency cases in Humboldt Superior Court
- Changing a **system** in order to:
  - Address root causes of addiction and child abuse, neglect and maltreatment
  - Work and learn together
  - Leverage resources
  - Be more accountable to families and the community
- First case heard on January 9, 2020

"We have all these programs that wanna come in and help the indigenous people. They're gonna save us still. But they're still bringing in their concepts of what they think we should be and how we want to be looked at. I think we need to take a look at who are."

"Sometimes, when you take what was over here that works well because it has all of its support systems over here, you try to drop it into this setting without preparing the place for the thing and preparing the new thing that you're trying to fit it in–there might be a mismatch."

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Proposed Community Project

- In partnership with the Hoopa Valley Tribal Community, design and implement an evaluation of the family wellness court that:
  1. Addresses questions and outcomes that matter
  2. Capitalizes on key learning moments
  3. Decolonizes evaluation practice

What This Evaluation Is Not

- The proposed project is not:
  - A critique of what is "wrong" or "broken"
  - Focused exclusively on problems
  - Not an expose
  - A court review

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Relying solely on social indicators, statistics, or single narrative to define Indigenous people creates a false, imposed, and misplaced sense of identity.

~Kishan Lara Cooper

Current State of Research

- For the most part, wellness court evaluations address questions like:
  - Does the implementation of the court align with established standards?
  - Do participants experience positive/promising outcomes as far as recidivism? Sobriety? Employment? Stable Housing?
  - Are wellness courts cost-effective?

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Current State of Research

- Historically, wellness court evaluations been:
  - Largely prescriptive
  - Largely non-participatory
  - Fraught with ethical concerns
  - Lacking acknowledgement of interconnectedness of culture and community

Evaluation Blind Spots

- Pace of change is unpredictable
- Cause-and-effect relationships are not definitive
- New opportunities and new needs continue to arise at Hoopa
- Incremental and non-linear progress/change is not acknowledged/celebrated
- Stakeholders bring diverse perspectives on the prevention and intervention

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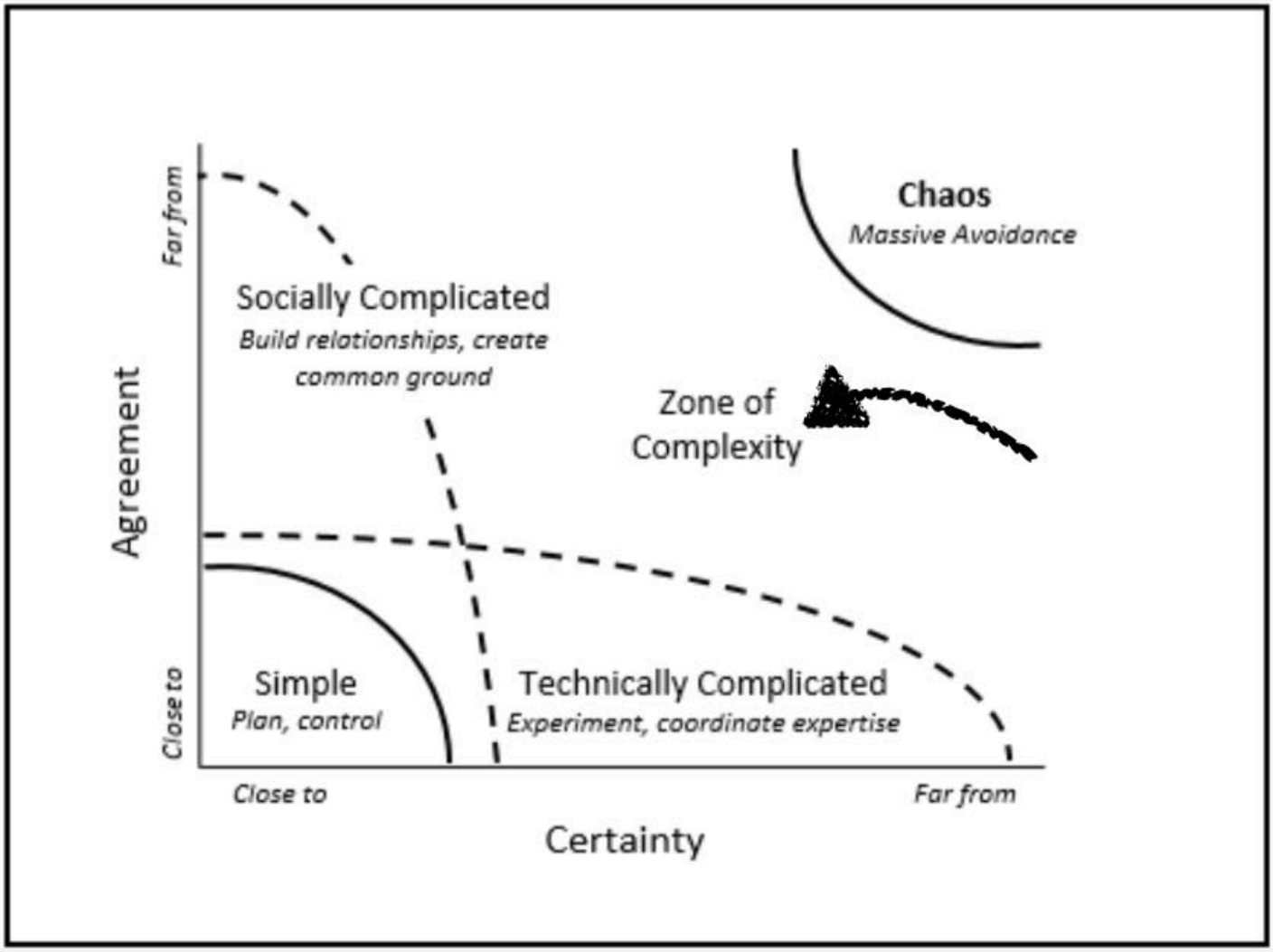

Potential Areas for Exploration

- The use of Hoopa tradition (culture) to heal;
- The power of tribally created systems to heal;
- Exploring how the key Hoopa concepts of renewal and connection shape healing
- Interconnectedness between different sources of healing

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Potential Objectives

- Facilitate peer-to-peer learning on family wellness courts
- Understand intended and unintended outcomes of Hoopa Family Wellness Court
- Connect findings to actionable change
- Understanding the impact of tribally-defined measures of success and how these can be applicable on a wider scale

Methodologies Guiding Our Work

- Testimony: creating spaces where <u>all</u> voices are heard and honored
- Storytelling: building a collective narrative in which every Hupa person has a place
- Connecting: Ensuring all activities connect to the people and community in humanizing ways
- Revitalizing: Contribute to the growing revitalization of Hupa culture

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Continuing the Hoopa/TLPI Partnership

- Similar to how we carried out this planning project, the evaluation will be implemented as a partnership
  - Hoopa community members included as paid project staff
  - Hoopa community leaders in advisory positions
  - Hoopa community leaders included in writing and presenting
  - Hoopa research values consistently guide the work

Q&A

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WHEN YOU THINK ABOUT THE FAMILY WELLNESS COURT, WHAT IS THE CHANGE YOU ARE HOPING TO SEE AT HOOPA?

WHAT ARE SOURCES OF HEALING AND WELLNESS AT HOOPA?

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WHEN WE TALK ABOUT HEALING AND RECOVERY, WHAT ARE WE INTERESTED IN?

THANK YOU!

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Heather Valdez Freedman
Heather@tlpi.org

Kendall Allen-Guyer
kjallen026@gmail.com

Hoopa/TLPI Research Partnership

www.home.tlpi.org

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Appendix G:
Research Policy Memo

TRIBAL LAW AND POLICY INSTITUTE

Serving Native Communities Since 1996

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Phone: 323.650.5467 ~ Fax: 323.650.8149

Tribal Court Clearinghouse ~ www.tlpi.org

Tribal Law and Policy Institute ~ www.home.tlpi.org

To: Chairman Byron Nelson, Hoopa Valley Tribe

From: Heather Valdez Freedman, Deputy Director
Jeremy Braithwaite, Tribal Research Specialist

Date: February 11, 2020

Re: Hoopa Research Review Recommendations

Brief Background

Research in tribal communities can provide data and information to guide community planning, cross-community coordination, and program and policy development. Unfortunately, for far too long, irrelevant, unethical and/or harmful research was conducted in Indian country with impunity. To better safeguard against this type of research and ensure that research conducted in Indian country is useful to the community, more and more tribes are adopting various forms of research review processes.

In addition, new guidelines clarify that federally funded research that is conducted on tribal lands or with tribal citizens falls under the purview of tribal governance, and in accordance with the Federal Policy for the Protection of Human Subjects, also known as the Common Rule, tribal research laws must be followed in human subjects research [45 CFR 46.101(f), Subpart A]. In the absence of tribal laws and regulations, deference is given to federal laws. With this January 2019 federal policy in effect, it is more important than ever for tribes to review, update or adopt research laws and codes that put in place the protections they want for their tribal citizens.

In order for the Hoopa community to determine what research is appropriate at Hoopa, how research should be conducted in the community and to ensure the Hoopa community benefits in some way (and to determine the local definition of benefit), the Hoopa Valley tribe would be well advised to develop some level of research review, including constructing a set of Hoopa specific research principals. (Please, note that as a sovereign Nation, Hoopa has a right to determine how research is governed when it involves their citizens and lands, even without specific laws in place.)

There are several levels of research review at the tribal level, including research guidance, tribal resolutions, research review boards and formal policy, and tribal code provisions. All involve varying levels of time commitment and infrastructure

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and the choice of appropriate review should depend on the capacity of the community to undertake the review/regulatory process.

The National Congress of American Indians has developed these questions to help guide the process of determining which research review process is best for them and what specific tribal protocols should be in place[1]:

- *What does the tribe want to gain from participating in research in general, and for each proposed project? How does the tribe measure or ensure benefit to the community from research?*
- *How does the tribe measure and consider any risks in the research? Are there any research practices that are unacceptable in any circumstance?*
- *How much oversight does the tribe want over research, and at what stages of the process?*
- *How does the tribe want to ensure that human subjects protections are in place for all research studies conducted with their tribe? Do they want to establish their own IRB or use an external IRB?*
- *How much review of publications and presentations does the tribe want to require?*
- *Who owns and controls the data and specimens gathered in a research project? How long will the data be used and maintained?*
- *What are the most important protections the tribe wants to require for any research conducted on their lands or with their citizens?*

The following memo discusses the various levels of review, provides examples of tribal codes/policies, lays out findings from the TLPI team on potential Hoopa research principals, and closes with recommendations.

Options for Tribal Research Review

Tribal Council Approval or Resolution is a formal agreement of support by the Tribal Council or a Tribal Council designated official for proposed research. Tribal Council approval may be the only requirement for tribal research approvals or one of many requirements. The tribal council may require a full research review by the council before providing formal support.

Tribal council approval is the current process at Hoopa:

> *The Hoopa Valley Tribal Council is authorized under Article IX, section 1(g) to negotiate with the federal, state and local governments on behalf of the Tribe; and Pursuant to Ordinance 1-80, Amendment No. 2 (paragraph 4), responsibilities and powers delegated to the Tribal Chairman by the Hoopa Valley Tribal Council, include that the Chairman takes part in or has input into*

[1] Research options and examples are excerpted and adapted from National Congress of American Indians Research Policy Updates: http://www.ncai.org/policy-research-center/research-data/prc-publications/7_Final_Rule-Tribal_Research_Codes_FINAL.pdf and http://www.ncai.org/policy-research-center/research-data/prc-publications/NCAI_PRC_Final_Rule_5_-_Tribal_Research_Codes_1_2019_FINAL.pdf

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studies for economic and social development of the Hoopa Valley Tribe [and] makes appropriate recommendations to the Tribal Council regarding their feasibility.

Designated External IRBs. Tribes may decide not to establish their own IRB for human subjects protection review. Instead, tribes can designate other IRBs to review the research proposals through an agreement. These designated external IRBs could be commercially run IRBs, tribal college IRBs, other academic IRBs, or even the Indian Health Services IRB.

Designating an outside IRB to conduct a research review can be helpful, but the tribal and community perspective may be lost. Tribes may want to consider potential benefits and drawbacks to using external IRBs (i.e. less resources required by the tribe but less control over the research requirements and review) when considering this or any option. Tribes generally should also have some sort of internal tribal review of research proposals when they designate an external IRB to review their research for human subjects review.

Tribal Research Review Committees or Boards conduct review and approvals for all proposed research for the tribe, but may not meet the formal requirements to be an IRB set by the Common Rule.

Tribal Institutional Review Boards (IRBs) are IRBs run by the tribe to protect tribal sovereignty, participating community members, and protect the community as a whole AND review research for human subjects protections required in the Common Rule. Tribal IRBs may differ in process from other IRBs but will still must meet the general requirements to be an IRB under the Common Rule.
The review process could introduce new requirements, extra requirements, and/or culturally specific requirements. For example, the Final Rule now allows tribes to enact more stringent consent procedures in research. With a Tribal IRB, the tribe decides what requirements are necessary for researchers to conduct studies in their communities in addition to federal requirements and conducts the review and approval for both.

Inter-tribal IRB Groups or Consortiums are intertribal groups that conduct the research review process and provide research oversight for multiple tribes. Participating in an inter-tribal research review group means member tribes share the burden of resources to conduct appropriate review.
This option allows tribes to pool resources and maintain control over research conducted in their communities.

Indian Health Services (IHS) IRB. Any research conducted through IHS, with IHS staff, facilities, and/or resources must receive IRB approval through the IHS IRB. Many tribes use the IHS IRB as their designated external IRB. Before submitting research proposals to the IHS IRB, researchers must already have "formal, written approval of the appropriate Tribal government(s)." IHS requires researchers to engage tribes in the review process even if tribes do not have formal processes in place. If a tribe does have extra tribal approval requirements in place, the researchers will need to obtain those approvals before submitting IRB review proposals to IHS. An extra review requirement could be as simple as obtaining final approval by the tribe. This means that researchers would need tribal approval before submitting to the IHS IRB, and tribal approval again after the IHS IRB review. Indian Health Services have a Federal-wide Assurance (FWA) and can serve as the IRB of record for studies relating to health. Tribes that approve or conduct research that is federally-funded should have a FWA for their tribe. For more information on FWAs see NCAI Policy Research Center Research Policy Update – Final Rule Part 1, Human Subjects Research and Protections.

Community Advisory Boards (CABs) or Tribal Advisory Committees (TAC) are advisory groups made up of community members "who share a common identity, history, symbols and language, and culture." These advisory groups help both their communities and researchers understand the research impact on the community, the consent process, and the research being conducted. Rather than conducting research review, CABs and TACs only serve as advisors to both the community and the researchers. CABs and TACs may be more involved in designing a research study than IRBs, but will not have authority to approve or disapprove of the research request. A CAB or TAC may useful as an extra requirement to tribal research review.

Tribal Research Review Code/Policies: Examples

Once a system of review is chosen, institutionalizing this review in the tribal code is advisable. While not an exhaustive list, the following illustrates several current tribal research laws and policies.

Colorado River Indian Tribes
CRIT Ethics Review Board
http://bit.ly/2GFeYrx

The Confederated Tribes of the Colville Reservation
Colville Business Council
http://bit.ly/314DWrV

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians
Tribal Council Review
https://ctclusi.org/tribalcode
Title 1 – Chapter 1-10

Eastern Band of Cherokee Indians
Eastern Band of Cherokee Indians Medical Institutional Review Board
http://bit.ly/2GDcbPB

Ho-Chunk Nation Ho-Chunk Nation
Institutional Review Board (IRB)
http://bit.ly/2YB2OG2

Karuk Tribe
Karuk Resources Advisory Board and Karuk Tribal Council
http://bit.ly/2SWI2Qa

Oglala Sioux Tribe Oglala Sioux
Tribal Research Review Board
Oglala Sioux Tribe
Ordinance #07-053

Pascua Yaqui Tribe
Research Review Committee
http://bit.ly/2Kd5cOa

Sisseton Wahpeton

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Oyate Sisseton Wahpeton Oyate Local Research Review Board
http://bit.ly/3312gN6

Tohono O'odham Nation
Tohono O'odham Nation Institutional Review Board
http://www.tolcnsn.org/docs/Title17Ch8.pdf

Turtle Mountain Band of Chippewa Indians
Tribal Nations Research Group
http://bit.ly/2K39oRA

Hoopa Research Principals: Observations from Hoopa/TLPI Research Partnership
As part of the TLPI's research partnership at Hoopa, the TLPI team sought to identify some research guidelines when conducting research at Hoopa. This had the dual purpose of informing the TLPI team as we began this research partnership at Hoopa, as well as to provide the tribal government, in case this should be useful for broader protocol development. The draft research principals are as follows:

- Truth is relational. It is not something that is "out there." Truth lies in the relationships people have with one another. Therefore, truth is not solely objective. By extension, the practice of research cannot be detached or divorced from relationships. Accountability to relationships must be reflected in methodology.
- The knowledge, stories, and memories of ancestors must be honored and preserved in the planning and conduct of any research in the community.
- Research must acknowledge that knowledge sits in many places in the Hoopa community--within people and places.
- Each member of the community is a leader in his/her own right. Failing to consider the potential contributions of certain segments or groups in the community can shape testimonial injustice.
- Hoopa knowledge is a system of continuing renewal. Knowledge flows generationally through ceremony, song, language, and day-to-day living. As such, any research in the community should consider how knowledge gained can contribute to this system of renewal.
- Knowledge is a journey of gravitating toward something that is straight and clear; the practice and findings of research, therefore, should be demystified such that accessibility is possible for everyone.
- While some knowledge about the community, culture, and people may be shared, they belong strictly to the Valley and are not to be taken outside. As such, researchers should take care to learn cultural protocols surrounding knowledge sharing.
- Hoopa ways of knowing are based largely on observation and interaction with the environment. Depending on the context, different interpretations and meanings of the same phenomenon may exist. As such, researchers must be open to multiple realities and not reduce their interpretations of the community and its people to a singular explanation.
- Everything at Hoopa is living and animated with spirit. As such, researchers have an ethical and moral obligation to not only the people, but the land, animals, plants, water and everything else that makes up Hoopa.

Several of these observations could be actionable and developed into more specific guidelines for researchers at Hoopa.

Recommendations

The following are the TLPI recommendations, based on the information presented above:

1. Hoopa's current process of tribal council approval for *"studies for economic and social development of the Hoopa Valley Tribe"* should be strengthened. Clarification should be added as to what types of studies are required to undergo tribal research review.
2. It would be advisable to convene a tribal research review council or advisory group to further explore the specific protocols that are appropriate at Hoopa.
3. A full tribal IRB may require too much infrastructure at Hoopa. Other options should be pursued.
4. In the short term, a tribal research review committee would be a relatively easy body to set up.
5. A full set of Hoopa specific research principals should be developed by the tribal research review committee. These should be institutionalized via a tribal resolution.
6. A process for research approval should be codified in the tribal code.
7. A longer term goal might be entering into an Inter-tribal research review process with neighboring tribes.

TLPI is available to assist in this process as requested. While the current NIJ tribal research project is near it's end, if the tribe is interested in pursuing any of the recommendation above, or another route, TLPI can write this process in the full research proposal that will be the final product of the current planning grant.

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