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***Addressing Domestic Violence Through Use of Circle Peacemaking:  
Reflections on Building Tribal-Researcher Capacity***

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## **Acknowledgements**

The Lingít people of the Kake area have lived on their traditional land for millennia. We honor the relationships that exist between the Lingít people and their sovereign land, their language, their ancestors, and future generations. We aspire toward healing.

We would like to express our deep appreciation to those who provided us with insights regarding the use of Circle Peacemaking to address domestic violence. These persons included staff members from an out-of-state Circle Peacemaking program, Tribal and state court judges, directors of a women’s shelter and a women’s resource center in Alaska, and researchers who had worked in the Village of Kake. We are also grateful to the community members who provided their input as part of this project, and to those who created the foundation for Circle Peacemaking in Kake.

## **Table of Contents**

|  |     |
|--|-----|
| Acknowledgements                             | i   |
| Table of Contents                            | ii  |
| Executive Summary                            | iii |
| Introduction                                 | 2   |
| Community Context                            | 2   |
| Partnership Development                      | 5   |
| Circle Peacemaking                           | 8   |
| Centering an Indigenous Research Paradigm    | 14  |
| Conceptual Framework                         | 19  |
| Existing Strengths                           | 22  |
| Measures of Success                          | 24  |
| Potential Problems and Anticipated Solutions | 25  |
| Conclusion                                   | 26  |
| References                                   | 29  |
| Sources for Figures                          | 34  |

## **Executive Summary**

Many of the crimes and public safety issues that plague the remote and isolated village of Kake, Alaska are rooted in historic and intergenerational trauma, which continues today in part due to the lack of social service resources and cultural protective factors in the lives of community and Tribal citizens. We begin with this acknowledgment, as it formed the backdrop for the entire capacity building project.

**Introduction.** In January, 2021 the Organized Village of Kake, Alaska (OVK) received funding from the National Institute of Justice through the Tribal-Researcher Capacity-Building Grant program. The project focused how to incorporate domestic violence (DV) cases into the Circle Peacemaking process and to study that process.

**Community Context.** The Lingít people of the Kake area have lived on their traditional land for millennia. The Organized Village of Kake (OVK) was identified as a federally recognized Tribe in 1947. Kake is a rural community located on Kupreanof Island in the heart of the Tongass National Forest in Southeast Alaska, with a population of 543 citizens (OVK currently has a Tribal enrollment of 430 citizens). Transportation to and from Kake is by small air carriers and occasional ferry service (it is not accessible by road).

**Partnership Development.** The grant was awarded in the midst of the COVID-19 global pandemic. At that time, and throughout the 18-month duration of the project, travel was restricted and discouraged. Thus, all work on this project was conducted via Zoom videoconference, email, and telephone calls. Of particular importance, Zoom allowed for face-to-face meetings, even though they could not be held in person. The core research partner team consisted of three members of the OVK staff and two contract researchers.

**Circle Peacemaking.** Circle Peacemaking is a form of restorative justice, and is consistent with Historic Trauma and Unresolved Grief Interventions (considered mental health Tribal Best Practices). Kake instituted a Circle Peacemaking model in 1999, mainly

to address substance-related crimes, particularly alcohol-related offenses committed by minors, but has not yet used this approach to handle DV cases.

**Centering an Indigenous Research Paradigm.** The partnership determined that a research study on use of Circle Peacemaking to handle DV cases should be grounded in a community-based participatory research approach, and be carried out with respect for Indigenous ontology (the nature of reality or existence), epistemology (the nature of thinking or knowing), methodology (how knowledge is gained), and axiology (the ethics that guide the search for knowledge). The research should be guided by the “Three Rs” of respect, reciprocity, and relationality. The concept of two-eyed seeing (being able to see with the strengths of both Indigenous and Western ways of knowing) may be of particular importance in studying the use of Circle Peacemaking for handling DV cases in Kake.

**Conceptual Framework.** The conceptual framework for the Kake Circle Peacemaking process is rooted in Tlingit culture and life. The Kake Circle Peacemaking Handbook (2005, 2013) incorporates this concept, listing 10 Tlingit values. The image of a traditional Clan house was developed by the research team, as an illustration of the Circle Peacemaking process and its outcomes. Taken as a whole, the illustration shows that a connection to one’s surroundings forms the basis for an understanding of Tlingit values and Traditional ways of knowing, which connects to an understanding of relationships and connections (e.g., to the land, people, and community). This leads to identifying the impacts of the wrongdoer’s behavior on the survivor and the community, and activities to address these behaviors and impacts (i.e., Circle Peacemaking). These activities lead to conscious peacemaking efforts, which result in balancing (or rebalancing) within family and Clan and community, and finally then come full circle to reclaiming a connection to one’s surroundings and reaffirming Tlingit values.

**Existing Strengths.** The partners identified several existing strengths that support the potential for using Circle Peacemaking in Kake to address DV cases. These include: experience with circle peacemaking, available subject matter experts, existing DV and

Tribal court programs, clear sense of tribal values, and answers that exist within the community.

**Measures of Success.** The project the partners identified the following potential measures of success: reduction in repeat offenders, wrongdoer (and possibly survivor) demonstration to resolve issues within the Circle context and follow-up with other support, wrongdoer and survivor talking about healing, wrongdoer fulfillment of agreements made during the Circle process, recommendations for the survivor and family are followed, indications of success from a follow-up Circle or participant surveys, and reflections of Tribal values in the form of community peacefulness, community members caring for one another, and looking forward rather than backward.

**Potential Problems.** Partnership members identified several potential problems that might be encountered in carrying out a study of using Circle Peacemaking to address DV cases (and possible solutions for those problems). These include: difficulty in ensuring community leader and member support and availability, a need for updated policies and procedures; a need to develop and obtain support services; a need for sufficient resources for partnership members to have time together; teleconference technology that may not function as well as desired; and the COVID-19 global pandemic continuing to preclude travel to Kake.

**Key Learnings.** The key learnings from carrying out this grant include:

It was essential to attempt to understand the particularities of place, including local history and experience with research, as part of building a research partnership. In particular, the impacts of historical trauma continue to significantly affect the lives of the people of Kake.

Any program and related research that is carried out in the Kake needs to be based on ethics and values that are rooted in the cultural values and traditional “ways of knowing” of the Tlingit people of the Village of Kake.

Outside experts who were contacted had significant interest in the idea of using a Circle Peacemaking approach to work with some DV cases, expressing both encouragement and caution. OVK Tribal staff also expressed both support and caution for expanding the current Circle Peacemaking program in Kake, with a focus on the safety of all DV survivor participants.

In forming a research partnership that blends research partners and Tribal citizens and staff, there is no substitute for the entire research team spending as much time with each other as possible, preferably in the community, to better understand a myriad of historic and contextual factors.

The COVID-19 global pandemic severely impacted the ability to build the new tribal-researcher partnership by precluding travel for face-to-face meetings, just as it impacted many other aspects of life in the village of Kake.

## **Addressing Domestic Violence Through Use of Circle Peacemaking: Reflections on Building Tribal-Researcher Capacity**

Many of the crimes and public safety issues that plague the remote and isolated village of Kake, Alaska are rooted in historic and intergenerational trauma, and the lack of cultural protective factors in the lives of community and Tribal citizens. Historical trauma is defined as cumulative emotional and psychological wounding over the lifespan and across generations, emanating from massive group trauma (Brave Heart, 2003). This trauma results in unresolved grief. This historic unresolved grief comes from the life shock, invasion, and genocide that came with first contact with non-Indigenous peoples, and was followed by the trauma of subjugation, boarding schools, prohibition of Tlingit language and practices, loss of a subsistence way of life, ongoing racism, and forced assimilation.

As an example of historical trauma and grief, the people of Kake still live with the devastating impact of the near annihilation of their entire community at the hands of the U.S. Navy, when in February 1869, the crew of the U.S.S. Saginaw totally destroyed three Kake village sites in the dead of winter. At a recent meeting with Alaska's senior military leader to open up dialogue about these bombardments, Dawn Jackson, Executive Director of the federally recognized Tribe in Kake stated, "We are in the weeds of intergenerational trauma. It will take five generations from me, to heal what has been done" (Juneau Empire, 2020).

We begin with this acknowledgment of historical trauma, as it formed the backdrop for our entire capacity building project. In addition, an important part of the context for understanding the importance of using a Circle Peacemaking restorative just model for addressing domestic violence in Kake, is an understanding that Kake has been systematically repressed for pursuing a traditional way of life in the territory where residents have lived for millennia. This context had direct implications for how the research team communicated, conducted its work together, and its ultimate success in meeting the original goals of the research effort. Setting aside time in meetings for team

members to check-in, to listen, and to share information about current community and family trauma and events was an important part of building trust, mutuality, and safety within the group. “Success” of a research project in this context is rooted in relationships.

## **Introduction**

In January, 2021 the Organized Village of Kake (OVK) received funding from the National Institute of Justice (NIJ) through the Tribal-Researcher Capacity-Building Grant program. As described on NIJ’s web site, this program funds:

Planning grants to develop new and innovative criminal and juvenile justice research or evaluation projects that address the challenges of fighting crime and strengthening justice in Indian country and Alaska Native villages. To ensure proposed projects result in tangible and mutually beneficial studies, they must include a new tribal-researcher partnership component.”<sup>1</sup>

The OVK project focused on assessing how best to incorporate domestic violence (DV) cases that are brought before the OVK Tribal Court, into the Circle Peacemaking process. The ultimate goal of this effort is to strengthen Tribal families and the community of Kake, Alaska by shedding new light on the issues of addressing domestic violence through the use of Circle Peacemaking. In addition, a goal of the project was to ensure that any program and related research components that are rooted in the cultural values and traditional “ways of knowing” of the Tlingit people of Kake.

## **Community Context**

Although the Organized Village of Kake (OVK) was identified as a federally recognized Tribe in 1947, the Lingit people of the Kake area have lived on their traditional land for millennia. The word "Kake" is an English version of the Lingit word Keed, which

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<sup>1</sup> <https://nij.ojp.gov/funding/opportunities/nij-2020-17329>

means “the place where there is an opening to daylight.” The people of Kake refer to themselves as Kèex Kwàan, the people of the place where there is an opening to daylight. This Lingìt phrase both describes a physical feature of the location of the community, and is an apt metaphor for the purpose of this research planning project:

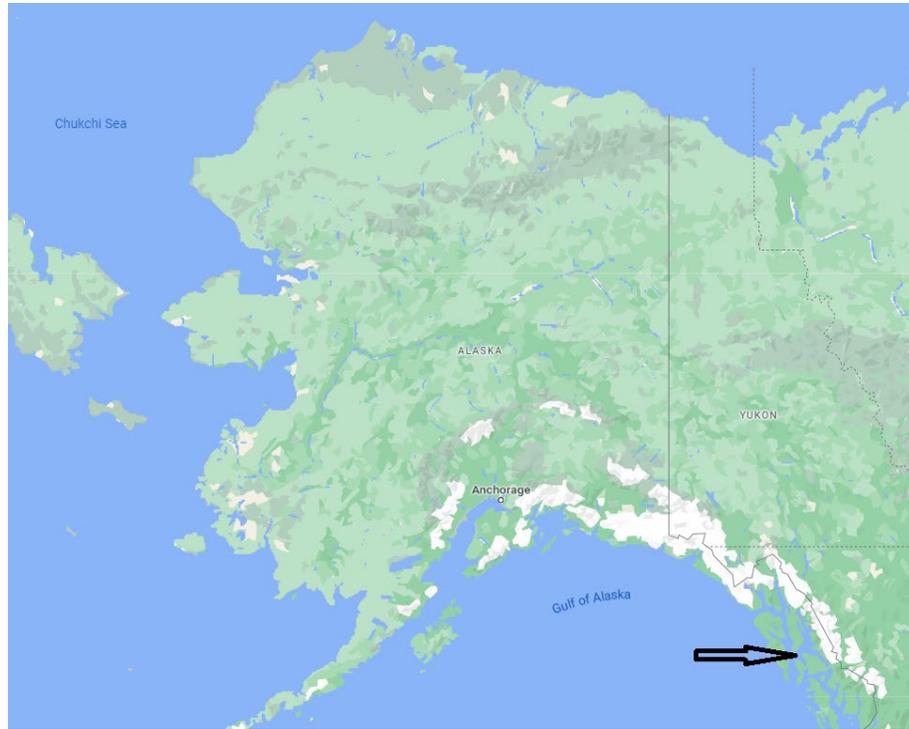
to strengthen Tribal families and the community by shedding new light on the issues of domestic violence through use of the Circle Peacemaking approach to restorative justice.

The project design was based on the Tribe’s identified core purpose of “*strengthening Tribal community and culture*” as well as OVK’s five Core Values of respect, collaboration, endurance, safety, and security. This purpose, and these core values, are rooted in the history and traditions of the Kèex Kwàan people.

Kake, Alaska is a rural community located on Kupreanof Island in the heart of the Tongass National Forest in Southeast Alaska. The community of Kake has a population of 543 citizens (2020 U.S. Census Data)<sup>2</sup>. The Organized Village of Kake currently has a Tribal enrollment of 1,020 citizens, of whom 396 live in town (OVK, personal communication), representing 73 percent of the city’s total population. Kake is 90 air miles south of Juneau, the state capital, and 50 air miles east of Sitka. Kake is inaccessible by road, and transportation to and from the community is provided by small air carriers and occasional ferry service (see Figures 1–3).

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<sup>2</sup> [https://www.census.gov/search-results.html?q=kake%2C+alaska&page=1&stateGeo=none&searchtype=web&cssp=SERP&\\_charset=UTF-8](https://www.census.gov/search-results.html?q=kake%2C+alaska&page=1&stateGeo=none&searchtype=web&cssp=SERP&_charset=UTF-8)



**Figure 1: Location of Kake in Southeast Alaska**



**Figure 2: Aerial View of the Village of Kake, AK**



**Figure 3: Low Tide in the Village of Kake**

## **Partnership Development**

The grant was awarded during the midst of the COVID-19 global pandemic. At that time, and throughout the 18-month duration of the project, travel was restricted and discouraged. Thus, all work on this project was conducted via Zoom videoconference calls, email, online searches, and telephone calls. Of particular importance, Zoom allowed for face-to-face meetings, even though they could not be held in person.

The core research partner team consisted of three members of the OVK staff and two contract researchers. OVK was the Tribal member of the project. Dawn Jackson (Lingít and Haida) was the Principal Investigator and had overall responsibility for project and grant management. Ms. Jackson is an OVK Tribal member and the Tribe's Executive Director, where she is in charge of an office serving a tribal membership of over 1,000

people, with 430 active members in Kake. She is especially knowledgeable in working with and on behalf of Alaska Native and Native American populations.

Mike (Ka.oosh) Jackson (Lingit and Haida) was one of two Co-Principal Investigators on the project. Mr. Jackson founded the Kake Circle Peacemaking program in 1998, and is the current Keeper of the Circle. Mr. Jackson received a Judicial Certificate from the National Judicial College, University of Nevada Reno. He served in the Alaska Court System for 27 years as the District Court Magistrate Judge in Kake, Alaska. Mr. Jackson is an Advisory Committee Member of the Indigenous Peacemaking Initiative (<https://peacemaking.narf.org/about-us/>).

Anthony Gastelum, served as the Tribal Court Liaison, carrying out local aspects of the project. This included providing assistance with obtaining input from local community members. Mr. Gastelum also worked closely with the contract researchers to provide information and help them understand the local conditions.

ELE Consulting, LLC was the research member of the proposed project, and brought bringing extensive relevant research experience to the partnership. Eric Einspruch was one of two Co-Principal Investigators on the project, and had responsibility for the technical aspects of the project. Dr. Einspruch is the Principal and Founder of ELE Consulting, LLC. He has spent 35 years leading, managing, and conducting research and evaluation studies to inform policy development and program improvement, including projects in small, remote Alaskan communities throughout Southeast Alaska.

Jon Wunrow was as Associate Researcher on the project, under subcontract to ELE. Mr. Wunrow provided keen insights in support of all aspects of the project. His professional background includes roles in Alaskan agencies as a youth and adolescent therapist, program and executive director, clinical director and executive director for a community counseling agency, and director of an adolescent drug and alcohol treatment program. He has extensive experience working in rural Alaskan villages and Alaska Native communities throughout Southeast Alaska and the Aleutian Islands.

In addition to the core team members listed above, Polly Hyslop (Upper Tanana Dineh and Scottish ancestry) provided valuable consultation on the project, drawing on her expertise in Indigenous research in general, and Circle Peacemaking in Kake in particular. Dr. Hyslop is an Indigenous educator and researcher. She taught for the Indigenous Studies program at University of Alaska Fairbanks and serves on the Peacemaking Advisory Initiative for the Native American Rights Fund. OVK staff and research partners met on 12 occasions in March, April, and May of 2021, and in January, March, May, and June of 2022. Several additional data gathering meetings were also held from May to December 2021, and in February 2022. Guests and participants for these additional meetings included: two staff members from an out-of-state Circle Peacemaking program, two Tribal court judges (one retired), one state court judge, the director of a women's shelter in Alaska, and the director of a women's resource center in Alaska, and 2 researchers who had worked in the Village of Kake. Community input was also obtained through one-on-one contact by phone and email through November, 2021. This input was gathered through a structured interview questionnaire that included the following questions:

- What are your thoughts about using the Circle Peacemaking process to address domestic violence cases?
- How could Circle Peacemaking be used in domestic violence cases in a way that both protects the survivor and empowers them?
- How could wrongdoer and survivor participation in the Circle be handled (same circle, different circles, or some other way)?
- What are your thoughts about how to know whether or not the Circle Peacemaking process was helpful for domestic violence cases that were handled that way?

One partnership task was to conduct a situational analysis in order to identify and understand local issues that need to be considered when developing a program to

incorporate domestic violence cases into Circle Peacemaking, as well as when developing the research study proposal. The situational analysis included a brief literature review, an assessment of local concerns that need to be addressed in the research design for the proposed study, communication with other Tribes and Tribal Courts outside of Kake who are using Circle Peacemaking to obtain their perspectives and ideas, and consultation with subject matter experts.

## **Circle Peacemaking**

The studies described here indicate support for using Circle Peacemaking to address DV cases. However, little is known about using Circle Peacemaking to address DV this in the setting of a small rural village such as Kake, or about how this can help the community heal from historical and inter-generational trauma. Circle Peacemaking is a form of restorative justice. As noted by Zehr and Mika (1998), fundamental concepts of restorative justice include: 1) crime is fundamentally a violation of people and interpersonal relationships, 2) violations create obligations and liabilities, and 3) restorative justice seeks to heal and put right the wrongs. Regarding the third point, the justice process belongs to the community, and is a process to maximize opportunities for exchange of information, participation, dialogue and mutual consent between victim and offender.

Butterwick, et al. (2015) noted that peacemaking is rooted in ancient traditions and a fundamental principle that people are profoundly connected to one another and their communities. They noted that “It is understood that those affected by the conflict may belong to wider communities – family, workplace, school, neighborhood, or other relationships – that may also need to be part of the solution” (p. 35). In peacemaking, conflict provides an opportunity to build community and human relationships. Peacemaking honors three values intrinsic to tribal courts: relationships, responsibility, and respect, offering an alternative to the limitations of the adversarial system by recognizing the importance of relationships. Similarly, Zion (in Butterwick, 2015) noted

that in Indian justice disputes are resolved not by rules but by the idea of relationships. The basic concepts of Indian justice are relationships, reciprocity, solidarity and process, as opposed to hierarchy. These ideas are consistent with Nancarrow's (2006). Similarly, Mills (2009) provided two compelling examples of the benefit of Circle Peacemaking in domestic violence cases.

Rieger (2001) noted that in general, in the circle sentencing model the offender applies for the circle and a waiver from the state justice system, develops a healing plan, and assembles a healing committee of people who will attend the circle. The victim also develops a safety plan and a safety committee. Community members may attend the circle, though they keep the discussion confidential. Each circle participant talks in turn, holding an indicator of the right to speak. The discussion goes around the circle until the group as a whole reaches consensus about a plan to which the offender must agree to complete within a certain period of time. Jarrett and Hyslop (2014) examined restorative justice practices in Kake and in Tok (Alaska), and provided 9 design principles for restorative justice programs in the Alaskan context.

Latimer, et al. (2005) conducted a meta-analysis using data from studies that compared restorative justice programs to traditional nonrestorative justice approaches. Restorative programs were found to be significantly more effective in terms of victim and offender satisfaction, restitution compliance, and recidivism (however, the findings were tempered by self-selection bias; also, there were no appropriate empirical evaluations of circle sentencing models or healing circles to include in the meta-analysis). Mills, et al. (2012) conducted a randomized controlled trial that found generally non-significant differences in recidivism between Batterer Intervention Program (BIP) with the Circles of Peace (CP) restorative justice program groups, leading the authors to comment that the findings dispel the belief that restorative justice cannot be used to treat domestic violence criminal activity since CP did no worse than the traditional intervention program.

Subsequently, Mills, et al. (2019) concluded that the hybrid BIP-plus-CP program should be considered a viable treatment option for DV offenders.

Circle Peacemaking is consistent with Historic Trauma and Unresolved Grief (HTUG) Interventions are that are considered mental health Tribal Best Practices (Brave Heart 2001)<sup>3</sup>. These interventions result in measurable reductions in feelings of anger, sadness, shame and guilt, as well as increases in feelings of joy (Brave Heart, 1998). HTUG activities and interventions focus on moving individuals through four phases: Confronting Historical Trauma and Enhancing connection to Cultural History; Understanding the Trauma; Releasing the Pain; and Transcending the Trauma. Interventions also place a heavy emphasis on engaging individuals, families, and communities in activities that enhance the Traditional protective factors of generosity, compassion, respect, humility, bravery, and wisdom. Brave Heart, leader in the area of identifying and healing issues of historical trauma with indigenous people, has noted that unacknowledged and unresolved grief expresses itself in depression, psychic numbing, and low self-esteem that can lead to self-destructive behaviors including alcohol and drug abuse, and anger and aggression that can then lead to violence and property destruction.

Kake instituted a Circle Peacemaking model in the community in 1999. Ka.oosh, former local Magistrate and current Keeper of the Circle, has been instrumental in reviving the model in Kake and disseminating it outside of Kake. In Kake, both the victim(s) and wrongdoers are present at Circle Peacemaking circles, along with family, friends, and other invited guests and elders. Many Circle Participants attend the circle to help both the victim and wrongdoer, as a display of concern for the community (Ka.oosh, personal communication). The Circle Peacemaking process is detailed in the Kake Circle Peacemaking Handbook (2005, updated 2013; Jackson, 2016) and a related video. The process includes 7 stages: Stage I—Opening (welcoming by the Keeper, opening prayer,

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<sup>3</sup> <https://www.acf.hhs.gov/trauma-toolkit/trauma-concept>

circle guidelines, and introductions); Stage II—Legal Facts are Set (police/state opening, defense opening, probation report, and legal summary); Stage III— Clarifying Information (support group report); Stage IV—Finding Common Ground (passing of the talking stick or other appropriate symbol/object); Stage V—Exploring Options (passing of the talking stick or other appropriate symbol/object, and summary by the Keeper of the Circle); Stage VI— Developing Consensus (i.e., called a *Circle Sentence* by the State of Alaska Court System, in which everyone has a stake); and Stage VII—Closing of the Circle (summary, closure, and closing prayer). These stages are rooted in traditional values, which include: respect, remembrance, responsibility, truth, care of subsistence areas and property, reverence, sense of humility, care of the human body, dignity, and peace (Kake Circle Peacemaking Handbook, 2005, updated 2013, p. 4). In addition, during the Closing of the Circle participants are asked to provide any critique of the process or suggestions for how the process could be improved (Ka.oosh, personal communication).

In Kake, Circle Peacemaking has mainly been used to address substance-related crimes, particularly alcohol-related offenses committed by minors. The Tribe found that over a four-year period the Peacemaking had a 97.5 percent success rate in sentence fulfillment compared to the Alaskan state court system’s 22 percent success rate (Butterwick, et al, 2015). In another study, Nesheim (2010) found that the Kake community overwhelmingly supported the Circle model, and that recidivism was lower than the statewide rate of 66 percent though not as low as 5 percent recidivism rate that reported by the Circle. Hyslop (2012) also noted the success of Circle Peacemaking in addressing underage drinking and suicide in Kake.

As described by Ka.oosh (personal communication), the primary difference between DV cases and substance abuse cases is who is the wrongdoer and who is the victim. In substance abuse cases the wrongdoer and the victim are the same person (although other victims may include family, relatives, and the community). In DV cases the wrongdoer is the offender, and another person is the victim. Ka.oosh notes that if the

wrongdoer and the victim are present in the same room, the wrongdoer may have control of the victim just by their presence. This may be the primary concern about including DV cases in the Circle Peacemaking process. Similarly, Coker (1999) noted that domestic violence and victims' advocates are concerned that the circle process will perpetuate the cycle of power and domination that results in victimization. Thus, based on findings from the current planning grant, separate Circles will be conducted for the offender and the victim followed by the integration of the consensus agreements reached by each of the circles unless both sides think that a single Circle would be better. Local concerns that will be addressed in carrying out Circle Peacemaking for domestic violence cases include:

**Safety of the survivor.** There are issues of intimidation, power, and control that a wrongdoer may have over a survivor, and these may be very subtle and difficult to recognize. Wrongdoers and survivors will therefore participate in separate Circles, though if appropriate and agreed to by the survivor then they might participate in the same Circle (perhaps after initially participating in separate Circles). The Circle process will be primarily for addressing wrongdoer behavior, rather than for survivors.

**Confidentiality.** Kake is a small village where community members see each other regularly. Circle members will need to understand the importance of confidentiality, and to abide by their oath of confidentiality and the rules regarding what can and cannot be shared.

**Decisions regarding the Circle process.** The Circle process will not automatically be used in DV cases, and has to be appropriate for a particular case in order to be used for that case. This will be determined through a thorough intake process. Wrongdoers will need to understand the Circle process and help decide whether it is right for them, and will need to be assessed to determine whether the Circle is appropriate. Wrongdoers may need to attend a Batterers Intervention class, and other classes as appropriate (e.g., anger management, relationship class) prior to

starting the Circle process. Wrongdoers may also need to obtain help for substance abuse or mental health concerns prior to engaging in the Circle process. Circles will need to be made up of selected individuals with appropriate training, who are able to protect the survivor, hold the wrongdoer accountable, and help the wrongdoer navigate learning and incorporating new (non-violent) behaviors. It will be important to begin with cases likely to succeed, as those participants will then advocate for the process. The Circle process will succeed only if the wrongdoer is held accountable for the harm they have done, as the way to healing. Children are usually involved when there are domestic violence cases, so it will be important to ensure their safety and that they are not re-traumatized. The Circle process will need to incorporate issues of historical and intergenerational grief and trauma, so that it is not perpetuated.

**Wrongdoer accountability.** The Circle process will succeed only if the wrongdoer is held accountable for the harm they have done—accountability is the way to healing. In addition, survivors need to be helped to reestablish their own power, especially with regard to the wrongdoer, family, and peers. This might involve survivor participation in the Circle.

**Care for children.** Children are almost always involved when there are cases of domestic violence, so it will be important to ensure their safety and that they are not re-traumatized.

**Historical trauma.** The Circle process will need to incorporate issues of historical and intergenerational grief and trauma, so that it is not perpetuated.

Given the literature cited above, and OVK's experience with Circle Peacemaking, it is reasonable to expect that Circle Peacemaking could be effective in addressing DV cases in Kake.

## **Centering an Indigenous Research Paradigm**

Regarding Indigenous research, Wilson (2008) provided a good overview of Indigenous research methods and ways of knowing, and Chilisa (2020) provided a detailed presentation of these topics. Recent issues of *New Directions for Evaluation* (Cram, 2018) and the *Canadian Journal of Program Evaluation* (Bourgeois, 2020) are devoted to Indigenous evaluation.

The partnership determined that a research study on use of Circle Peacemaking to handle DV cases should be grounded in a community-based participatory research (CBPR) approach, and be carried out with respect for Indigenous ontology (the nature of reality or existence), epistemology (the nature of thinking or knowing), methodology (how knowledge is gained), and axiology (the ethics that guide the search for knowledge). The research should be guided by the “Three Rs” of respect, reciprocity, and relationality (see Wilson, 2008, p. 58), recognizing that in an Indigenous worldview “relationships are the essential feature of the [research] paradigm” (Wilson, 2008, p. 127). As described by Wilson (2008):

Relationality seems to sum up the whole Indigenous research paradigm to me. Just as the components of the paradigm are related, the components themselves all have to do with relationships. The ontology and epistemology are based upon a process of relationships that form a mutual reality. The axiology and methodology are based upon maintaining accountability to those relationships. There, that sums up the whole book in one paragraph! An Indigenous research paradigm is relational and maintains relational accountability (pp. 70–71).

CBPR (Israel, et al., 2003) facilitates collaborative and equitable partnerships in the research (e.g., working together from a foundation of equality), builds on strengths and resources within the community (e.g., the research that emerges from the project is rooted in the interests and experiences of the Tribal partners who live in the community and understand its strengths), promotes co-learning and capacity building among partners

(e.g., the Tribal and research partners are committed to understanding each other's perspectives and to learning from each other), and disseminates findings and knowledge gained to all partners and involves all partners in the dissemination process. This is consistent with Castellano's (2008) description that "Indigenous research is systematic inquiry that engages Indigenous persons as investigators or partners to extend knowledge that is significant for Indigenous peoples and communities" (p. 424). Overall, the study should recognize "Tenets of Indigeneity":

These tenets should inform the work of evaluation in Indigenous contexts. The first tenet is that Indigenous people regard themselves as descendants of those who lived on their lands well before colonization (historical continuity). Second, it is accepted that Indigenous peoples are inextricably linked to their territory through having lived there before others with a relationship to those lands. Third, Indigenous peoples, by virtue of their own perseverance, maintain certain cultural features and value these as worthy to pass to future generations ... Fourth, Indigenous peoples have experienced a collective suppression of their cultures, expressed through discrimination, subjugation, dispossession, and various forms of cultural diminishment (Groh, 2018, p. 56 as noted in Shepherd and Graham, 2020a, p. 394).

Examples from other authors provide additional insight into these ideas:

Indigenous communities in contrast [with a Western approach], prioritize relationship with people, community, and environment and co-creation of knowledge, rather than objective investigation. World views and values underlie what count as credible and relevant data, what constitutes culturally appropriate approaches or procedures. For instance, is it ethical for an evaluation to be conducted by a team of people external to the community, using the values of an external funder or values implicit in the literature, rather than on what the community holds to be of value? (Gullickson, 2020, p.5)

Evaluation in Indigenous contexts must be thought of as distinct from other forms of evaluation inquiry, and also the ontology and epistemology of evaluation in these contexts merit a different way of conceiving of evaluation designs, data gathering, and reporting results ... In western ontological and epistemological paradigms, there is an underlying assumption that knowledge is understood individually and is superior, and that conveyance of that knowledge is also done on an individual basis in ways that privilege Western ways of knowing. By contrast, in most Indigenous ontologies, knowledge is relational .... regarding reality as a process of relationships. In English, objects are named, whereas in many Indigenous languages, verbs are more prevalent to describe the uses of the object or one's relationship to it, rather than labels. Knowledge is relational, and knowledge creation is shared. (Shepherd and Graham, 2020a, pp. 393-394).

It is important to take the time to understand the difference between Indigenous ontology and epistemology. Indigenous epistemologies assume that knowledge is relational, which means that multiple relationships to objects, people, and programs/projects are valued. These approaches take time: getting to know communities and individuals; understanding that relationships, not power or leadership relations, are important in designing appropriate research efforts; and getting to know local priorities and preferences regarding research and evaluation relevance. Relationships are often regarded as more important to nurture, than Western methodological considerations for rigorous data collection. Co-production is essential. If evaluation is to improve, legitimacy has to be afforded to local questions, epistemologies, and methods. (Shepherd and Graham, 2020b, see pages 516-517)

The importance of relationship building cannot be overstated. The goal of a competent evaluator is: Appreciation of the role of Tribal sovereignty, and understanding of the community, relationship building, and careful consideration of

methodological practices. Relationship building is often a key factor in the success or failure of a ... research or evaluation project. (Richmond, Peterson, and Betts, 2008, p.370)

Indigenous research methodologies are founded on relationships, which must in turn, be based on respect, reciprocity, relevance, and responsibility. (Wilson and Restoule, 2010, p. 32)

While certain western research paradigms frown upon the relational because of its potential to bias research, Indigenous methodologies embrace relational assumptions as central to their core epistemologies. The relational dynamic between self, others, and nature is central. The use of story through conversation as a culturally organic means to gather knowledge within research. (Kovach, 2010).

Partnerships between Tribes and researchers require an orientation to research that is both culturally-based and community-centered (p. 5) ... Tribal values drive the project through direct...participation to inform and guide the research (p. 8) ... It is essential for researchers to come to understand the particularities of place, including local histories and experiences with research, as part of building meaningful and effective research relationships (p. 10)... Indigenous knowledge is based on the collective wisdom of ancestors and built through careful observation and experiences of natural patterns of life. Developing a familiarity with how the people you are working with understand the nature and purpose of knowledge is important in research partnerships (p. 11) ... The sovereign authority of Tribal leaders and community members needs to be acknowledged and reflected in all aspects of the research process, including decision-making about research design, data collection, and analysis/interpretation, and publication and dissemination (p. 12). (NCAI Policy Research Center and MSU Center for Native Health Partnerships, 2012)

[The author (Delancey) uses the term “co-creation” of research approaches.] The distrust and skepticism about the usefulness of research and evaluation have been made worse by the language of evaluation. Terms like “logic model” and “indicator” are not generally meaningful for people who are untrained in evaluation and research methods, and they may be even more alienating to people whose first language is not English ... The concept of Indigenous evaluation provides an opportunity to change the narrative of evaluation as a tool of colonization, as something that is imposed on indigenous governments and organizations by external agencies and not relevant to their own needs and priorities. Effective methodologies must be rooted in local knowledge and traditions... Indigenous knowledge cannot be standardized but must be contextualized .... distinguishing between how evaluation .... has been perceived as “judging the merit, worth and significance of a program” to see if it measures up to standards set by external funders; and the use of evaluation as a tool for “coming to know,” that is, making new knowledge to guide programming in a good way. (Delancey, 2020, pp. 496-499)

In addition, the concept of two-eyed seeing may be of particular importance in studying the use of Circle Peacemaking for handling DV cases in Kake, defined as “to see from one eye with the strengths of Indigenous ways of knowing and to see from the other eye with the strengths of Western ways of knowing” (Hall, et al. 2015; p. 1; see also Goodchild, 2021). Simultaneously holding both perspectives will allow for a greater depth of understanding than what would be gain from either perspective alone (similar to how a person can gain depth perception by simultaneously looking through both eyes).

Thus, a study of the use of Circle Peacemaking for DV cases should attend to an Indigenous framework for validity. This involves fairness (inclusion of all voices in the research texts), authenticity (participants as co-researchers and acknowledgement of relationships), positionality judgments (knowledge is referenced to a position), involvement of participants in ensuring quality and accuracy of data analysis and

interpretation), voice (including both researcher and participant voice in the study reports, and researcher self-reflexivity (Chilisa, 2020, pp. 219-220). Of particular importance, partners engaged in such a study should strive toward ontological competence, which “requires that we (a) continuously interrogate our ontological stance, (b) be open to changes in our ontological stance (c) be knowledgeable and respectful of the ontological stance of others, and (d) commit to not privileging our ontological stance over that of others” (Billman, 2022, p. 3). Thus, the rigor of the study will be rooted in its coherence, and in the alignment of methods with the research worldview relevant to those interested in the research and to those the research intends to benefit. This is consistent with Patton’s (2015) call for *methodological pluralism and appropriateness as a platinum standard* for research (to supplant the idea of randomized control trials as a so-called gold standard for research).

## Conceptual Framework

The conceptual framework for the Circle Peacemaking process is rooted in Tlingit culture and life. When asked about the origins of Circle Peacemaking Ka.oosh shared the following (personal communication, used with Ka.oosh’s permission):

This history of the Naa.Káani comes to mind about being the Guwakaan for the opposite Moieties. Our Íxt’ (Medicine Man) had a vision shortly after Tlingit Creation Time. The Yéil (Raven) appeared in his vision that the Tlingits (Human Beings) had to have two Moieties—Eagle and Raven. And that the two Moieties had to have a Guwakaan (Deer People-Peacemaker) who they would pick from the opposite Moiety to speak for them in Ceremony and for Peacemaking. This selected speaker is called the Naa.Káani (Favorite Brother-in-Law).

This concept is that the two moieties, who together constitute all Tlingit people, must have a Guwakaan or peacemaker, to serve as the Naa.Káani, the person who speaks for the opposite side. This role/person is essential for keeping peace and for balance between the moieties. A similar description of peacemaking is provided by

the Sealaska Heritage Institute: a Tlingit symbol of peace is the deer or Guwakaan since it is considered gentle and is a symbol of peace. The traditional Tlingit value of Wooch Yáx (Social and Spiritual Balance) governs interrelationships between Tlingit clans, and between the Tlingit and other tribes, nations, and institutions. The settlement of disputes between Tlingit clans and other groups relied on concepts of balance, achieved through compensation, to approach a state of peace among the parties.<sup>4</sup>

The Kake Circle Peacemaking Handbook (2013) incorporates this concept, listing 10 Tlingit values, which include: “**respect** for self and others, including elders; **remember** our Native traditions, our families, sharing, loyalty, pride, and loving children; **responsibility**; **truth** and wise use of words; **care** of subsistence areas, care of property; **reverence** Haa shageinyaa is a great word in Tlingit culture. This was the Great Spirit above us, and today we have translated that reverence to God; **sense of humility**; **care of human body**; **dignity** for which the Tlingit word is yan aa duunek; and **peace** with the family, peace with the neighbors, peace with the others, and peace with the world of Nature” (p. 4, bold in the original).

The image is of a traditional Clan house can be used to illustrate the conceptual framework for the Kake Circle Peacemaking process (see Figure 4). , The explication of this model was co-created by the current planning grant team (the image of the Clan house and the explanation of its structure was provided by, and is used with permission from, Tribal partner Ka.oosh, in response to prompts from the research partners):

**The floor or foundation of the house** is the history and wisdom of the Keex’ Kwaan people, and their connection to the land and all living and non-living things. It provides the basis for everything that occurs.

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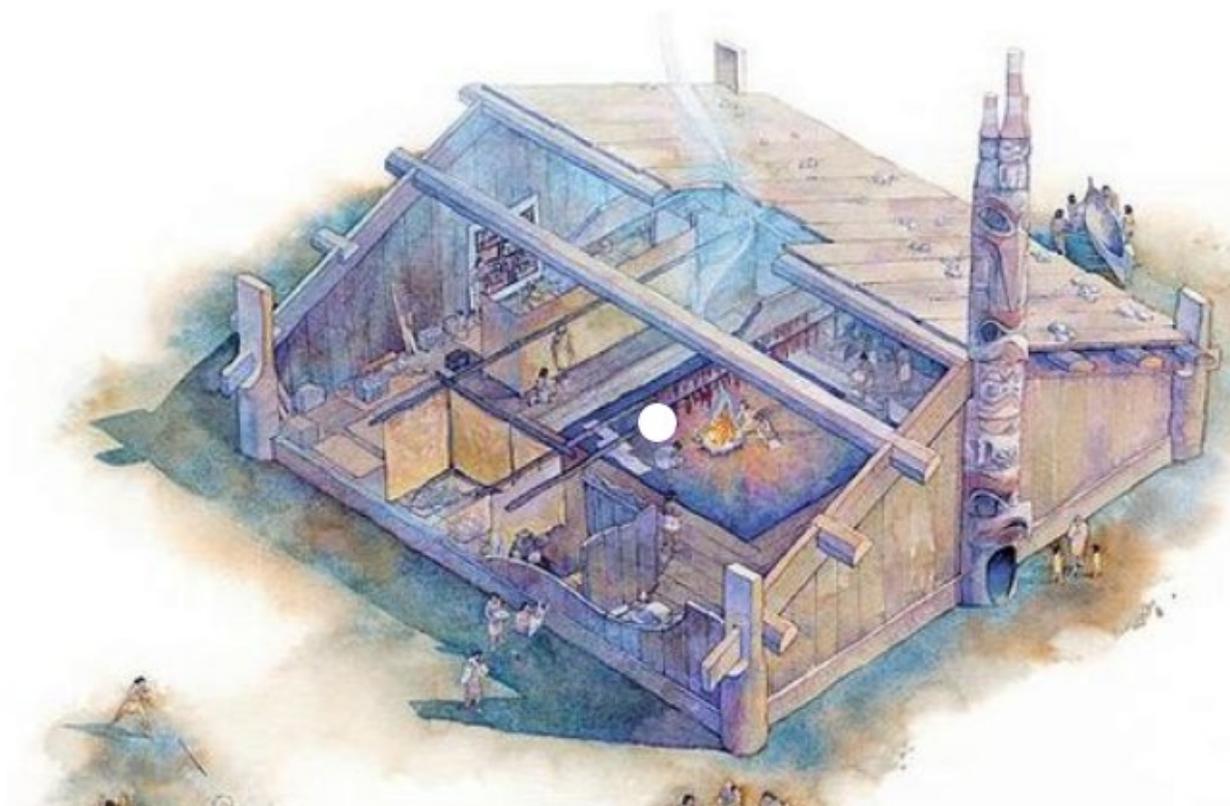
<sup>4</sup> <https://warandpeace.sealaskaheritage.org/the-peace-ceremony/>

**The house posts** represent the cultural values of: Respect for Self and Others; Holding each other up; Listening well and with respect; and Living in Peace and Harmony (we could add more as well).

**The roof of the house** represents the people who come to the circle for healing, who are being lifted up and supported by the values (house posts), history and wisdom (floor/foundation).

**The smoke hole** of the house represents the releasing of the healing that occurs, out to the world, out to the community.

Taken as a whole, the illustration shows that a connection to one's surroundings forms the basis for an understanding of Tlingit values and Traditional ways of knowing, which connects to an understanding of relationships and connections (e.g., to the land, people, and community), which leads to identifying the current situation the wrongdoer and survivor find themselves in and activities to address the situation (i.e., Circle Peacemaking), which then leads to conscious peacemaking efforts (see the story above about the Deer People), resulting in balancing (or rebalancing) within family and Clan and community, then coming full circle to reclaiming a connection to one's surroundings and reaffirming Tlingit values.



**Figure 4: Tlingit Clan House**

### **Existing Strengths**

Based on information obtained by conducting the Situational Analysis, the partners identified several existing strengths that support the potential for using Circle Peacemaking in Kake to address DV cases. These are described below: **Experience with Circle Peacemaking.** Kake's longstanding experience with Circle Peacemaking provides a strong foundation for exploring whether and how DV might be incorporated into a Circle process. Kake's experience with Circle Peacemaking gained national recognition when it received High Honors from Harvard's J.F.K. School of Government *Honoring Nations* (n.d.) project, which promotes Best Practices in Indian Country within the United States.<sup>5</sup> Kake's

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<sup>5</sup> Harvard Project on American Indian Economic Development (n.d.). *Honoring Nations Directory of Honored Programs*, 1998-2010. John F. Kennedy School of Government, Harvard University, John F. Kennedy Street,

Circle Peacemaking staff have also participated in numerous workshops and presentations, and assisted in the publication of articles and other written materials (for example, see Hyslop (2012), Hyslop (2018), Jarrett and Hyslop (2014), and Kake Circle Peacemaking Handbook (2013).

**Available subject matter experts.** Persons from outside of Kake who are experienced in handling domestic violence cases were keenly interested in and enthusiastic about this project, thought that Kake provides a context well-suited for the project, and are willing to continue to help by answering questions or providing input as appropriate.

**Existing DV and court programs.** OVK has had a DV program funded by the U.S. Department of Justice, Office of Violence Against Women Program for the past 10 years. OVK began developing a Tribal Court program five years ago, and has had a Tribal Court in place since 2019. There are also existing Tribal court policies and procedures regarding DV cases. OVK has been conducting Circle Peacemaking since 1999, in an effort to curb youth alcohol abuse while working with the Alaska state court.

**Clear sense of Tribal values.** OVK members of the core project group spoke about maintaining a focus on the land, and that being Indigenous means knowing your core values.<sup>6</sup> These values are about how one lives one's life and reflect an understanding of the *law of the land*, such as: respect for honesty, taking just what's needed, respect for each other, knowing how treat elders, showing care for children, looking forward rather than backward, being accountable to all ones' relations, etc.

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Cambridge, MA 02138. Retrieved from  
<https://hpaied.org/sites/default/files/documents/finalhndirectory.pdf>

<sup>6</sup> See, for example: <http://www.cchita.org/about/values/index.html>

Ancient laws used to be in place to teach and ensure respect. Domestic violence is not in the native language, and instead one would probably be talking about respect; to be called a “good person” represented high regard in the community, similar to earning the title of Elder though having wisdom and experience. Domestic violence is contrary to these values, and people may find themselves by returning to the culture’s values. Speaking publicly about DV and bringing it into the light will help the community address the issue.

**Answers exist within the community.** Wisdom and answers already exist within the community, and community members based in large part on the values and traditions of Tlingit families and Clans that have lived in this area for centuries. Elders, Tribal Leaders, and others can participate in sharing these “traditional ways of knowing” as the program is developed.

## **Measures of Success**

During the course of the project the partners identified the following potential measures of success:

Reduction in repeat offenders,

Wrongdoer (and possibly survivor) demonstration to resolve issues within the Circle context and follow-up with other support,

Wrongdoer and survivor talking about healing,

Wrongdoer fulfillment of agreements made during the Circle process,

Recommendations for the survivor and family are followed,

Indications of success from a follow-up Circle or participant surveys, and

Reflections of Tribal values in the form of community peacefulness, community members caring for one another, and looking forward rather than backward.

Ultimately, the goal is to restore the health of the community.

## **Potential Problems and Anticipated Solutions**

Partnership members identified several potential problems that might be encountered in carrying out a study of using Circle Peacemaking to address DV cases.

These are mentioned below:

There may be difficulty in ensuring that community members are supportive of handling DV cases using Circle Peacemaking, that referral sources are in place, and that service providers are available. Similarly, busy community members and leaders may not have availability to fully invest time in the project. In addition, policies and procedures for effectively protecting survivor safety and confidentiality need to be developed. These topics need to be addressed by having meetings between the Program Coordinator and relevant stakeholders to arrange for needed support and to develop necessary protocols.

To ensure a well-integrated Tribal and researcher partnership, each with a maximum understanding and appreciation of Tribal and Western perspectives, requires time to build trust, and to share values, vocabulary, and world views. This necessitates that outside research team members spend significant time in the community with the local members of the team, and participating in community and Tribal events, with corresponding budget implications.

Inclement weather may impact the ability of team members to travel to Kake to carry out work onsite. Thus, travel needs to be scheduled during a time of year when the weather is expected to not be a problem, sufficient travel time needs to be allowed, and travel needs to be rescheduled if is not possible at a particular time (if

rescheduling is not possible then meeting by videoconference would be an alternative).

Teleconference technology may not function as well as desired; however, based on our experience meeting by teleconference during the planning grant we do not anticipate this to be a problem.

The COVID-19 global pandemic may continue to preclude travel to Kake. If travel to Kake is not possible, then meetings would need to be conducted by teleconference.

## **Conclusion**

This document provided information obtained through carrying out the Tribal-Researcher Capacity-Building Grant program, funded by the National Institute of Justice and awarded to the Organized Village of Kake, as well as the author's reflections on their experience with this project. The key learnings from carrying out this grant include:

The partnership was grounded in an understanding of the importance of developing relationships, cross-cultural learning, open communication, trust, and reciprocity. **It was essential to attempt to understand the particularities of place, including local history and experience with research, as part of building a meaningful and effective research partnership.** In particular, historical trauma affects Tribal citizens and life in the community, and current conditions (for example, the lack of Village Public Safety Officers, and the lack of professionals to provide other services such as anger management or substance abuse services) contribute to ongoing trauma. This current situation makes it that much more difficult to heal from the historical trauma, which one partnership member notes will take generations to heal. Circle Peacemaking offers a path to healing, offering an opportunity to rebuild relationships, as an alternative to procedures that primarily focus only on punishing a wrongdoer.

Any program, and research related to that program, that is carried out in the Village of Kake needs to be based on ethics and values that are rooted in the cultural values and traditional “ways of knowing” of the Tlingit people of the Village of Kake. As noted throughout this document, an Indigenous way of knowing is relational and grounded in experience. With regard to being grounded in experience, a possible analogy is that of playing a musical instrument. One can read extensively about an instrument, or listen to many recordings of it, but one only comes to truly understand it through the experience of learning to play it oneself. However, this analogy only hints at the knowing that emerges from a culture’s experience across millennia. At the same time, there is value to Western ways of knowing, which may be complementary to Indigenous ways. Simultaneously holding both perspectives (i.e., “two-eyed seeing”) allows for a greater depth of understanding than what would be gained from either perspective alone (similar to how a person can gain depth perception by simultaneously looking through both eyes).

**Outside experts who were contacted had significant interest in the idea of using a Circle Peacemaking approach to work with some DV cases, expressing both encouragement and caution. OVK Tribal staff also expressed both support and caution for expanding the current Circle Peacemaking program in Kake to include DV cases, with a focus on the safety of all DV survivor participants.** Outside experts included State and Tribal Court representatives, Domestic Violence staff, and subject matter experts. Other than one program that the partnership identified, Kake appears to be unique in its interest in using Circle Peacemaking to address domestic violence.

**In forming a research partnership that blends research partners and Tribal citizens and staff, there is no adequate substitute for the entire research team spending as much time with each other as possible, preferably in the community, to better**

**understand a myriad of historic and contextual factors.** This time together allowed for an open dialog to help build and understanding of the community and how to approach the question of using Circle Peacemaking to address domestic violence.

**The COVID-19 global pandemic severely impacted the ability to build the new tribal-researcher partnership by precluding travel for face-to-face meetings, just as impacted many other aspects of life in the village of Kake.** For example, one partnership member from Kake noted the increase in problems related to addiction and violence during the pandemic. In addition, there was the loss of essential DV staff during the pandemic which has lasted over two years, and there has not been anyone interested in applying to fill an available court-related position (in the meantime one of the partnership members has been assisting with this work), and there continues to be a lack of needed wraparound services. Thus, those working in social services in Kake needed to have a great deal of patience. Even though the pandemic impacted the partnership's ability to meet in person, the group learned more about what is (and is not) feasible regarding use of Circle Peacemaking to address domestic violence, and also prepared a study proposal, both of which will be useful in the future. Although the partnership was thus successfully established using videoconferencing technology, future in-person meetings will be important for deepening the relationships.

Based on the information obtained for this planning grant, the Village of Kake appears well-suited to explore use of Circle Peacemaking to address DV in appropriate cases. OVK staff have extensive experience with the Circle Peacemaking process, and there was support for expanding the program to include DV cases so long as the primary focus is kept on survivor safety, with necessary supports for both the wrongdoer and survivor in place. Finally, and understanding was developed about the need to root both program and research components in the cultural values of the Tlingit people of the Village of Kake, and how that may be accomplished.

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## **Sources for Figures**

Figure 1: Google Map

Figure 2: Photo credit Jon Wunrow

Figure 3: Photo credit Jon Wunrow