

AMERICAN INDIAN AND ALASKA NATIVE SEXUAL ASSAULT NURSE EXAMINER–SEXUAL ASSAULT RESPONSE TEAM INITIATIVE SUMMARY

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What's New

Federal Advisory Committee Updates: The first meeting of the Federal Advisory Committee is expected to occur in winter 2012. The committee's meetings will be open to the public and there will be opportunities for the public to submit comments.

PURPOSE

Through the American Indian and Alaska Native (AI/AN) Sexual Assault Nurse Examiner–Sexual Assault Response Team (SANE-SART) Initiative (Initiative), the Office for Victims of Crime (OVC) provides support to enhance the capacity of AI/AN communities to provide coordinated community, victim-centered sexual assault responses to adult and child victims. The Initiative will focus on enhancing existing SANE-SART efforts to improve federal, state, local, and tribal response to victims of sexual violence in those communities. It is anticipated that this Initiative will increase the capacity for communities, including service agencies such as health care facilities, victim advocacy, law enforcement, and the criminal and tribal justice systems to respond more effectively to victims of sexual violence. It is anticipated that a more effective response to victims will foster a sense of fairness and satisfaction in victims and communities, thereby increasing engagement and cooperation with the criminal justice process that may lead to more thorough investigations and more successful prosecutions.

BACKGROUND

AI/AN communities, which are often geographically isolated, are at an increased risk for alcoholism, unemployment, health problems, and high poverty levels. This cumulative exposure to emotional and psychological trauma and stress, referred to as generational or historical trauma, has intensified the impact of sexual violence on tribal communities. Many reservations have few accessible services to cope with the significantly higher levels of stress and crime victimization.

Sexual violence has a devastating impact on native communities. In 2007, Amnesty International (AI) issued a report titled *Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA*. The report stated, “what Native American and Alaska Native advocates have long known: that sexual violence against women from Indian nations is at epidemic proportions and that survivors are

frequently denied justice...as a result of barriers including a complex jurisdictional maze and a chronic lack of resources for law enforcement and health services... Native American and Alaska Native women may never get a police response, may never have access to a sexual assault forensic examination, and may never see their case prosecuted.” The report indicates that there is an urgent need for the U.S. Department of Justice (DOJ) to inform and enhance existing efforts and create new programs to address sexual violence against AI/AN persons.

DOJ research shows that AI/AN women, per capita, experience more incidents of rape and sexual violence than other racial groups within the United States, and that more than one in three AI/AN women will be sexually assaulted during their lifetime. Although existing data do not accurately portray the extent of sexual violence against AI/AN persons (including women, children, men, and transgender persons), sexual violence in tribal communities is widespread and services are inadequate to support victims. As the federal agency responsible for felony prosecutions in AI/AN communities, it is DOJ’s responsibility to act swiftly and appropriately.

CHALLENGES AND PREVIOUS EFFORTS TO ADDRESS SEXUAL ASSAULT IN AI/AN COMMUNITIES

The Federal Government has responded to the AI report and subsequent research findings exposing the alarming rates of sexual violence against AI/AN women and children, but these interventions uncovered more challenges than solutions. Among the most significant challenges identified by tribal experts and federal interventionists are the maze of jurisdictional issues; the tremendous diversity of tribes in terms of culture, geography, and resources; the absence of meaningful and consistent data; the general lack of resources and access to culturally relevant justice systems; the lack of victim assistance and mental health services that incorporate context and historical issues, including historical trauma and learned helplessness; and culturally specific evidence-based practices.

There are multiple barriers preventing successful and sustainable interventions, and future efforts to address sexual violence must recognize and address these barriers before designing and developing interventions. Interventions need to be more informed, deliberate, multidisciplinary, coordinated, and culturally relevant in their approach to responding to sexual violence. OVC took great consideration of these factors when developing of the AI/AN SANE-SART Initiative.

The development of SANE-SART interventions is very timely due, in part, to a Presidential priority to address many of the barriers identified through federal legislation, high-level coordination, and the provision of resources. For example, on July 29, 2010, President Obama signed the Tribal Law and Order Act (TLOA) into law. TLOA will enhance the criminal justice response in AI/AN communities by improving coordination and communication among federal, state, local, and tribal law enforcement agencies. The legislation also seeks to address resource issues through the expansion of training to tribal law enforcement officers and the development of appropriate victim services and victim advocate training programs. Collectively, these training programs aim to improve sexual assault responses, forensic examinations, and collection; identify and resolve challenges in effectively prosecuting sexual assault; and support research capabilities on remote reservations to collect, maintain, and secure evidence of sexual assault incidents required for prosecution.

MOVING FORWARD

DOJ regards the issue of sexual violence in AI/AN communities as a priority. At a press conference following the Tribal Nations Listening Session on October 29, 2009, Attorney General Eric Holder stated, “Congressional findings show that one out of every three American Indian or Alaska Native women is raped in her lifetime...This situation is completely unacceptable to me, both as the Attorney General and as an American. We cannot afford to wait another minute to address it. We already know what violent crime, substance abuse, and a lack of resources for law enforcement is doing to tribal communities. And

yet, for everything that we've learned, we are still far behind where we should be—not only in funding and staff, but in infrastructure and procedures to ensure consistency and longevity.” DOJ continues to embrace the responsibility of providing effective support and services to Indian nations, including its commitment to developing a comprehensive and coordinated response to victims of crime in AI/AN communities.

On December 10, 2010, at the National Indian Nations Conference, Attorney General Holder said, “I want to reaffirm the Justice Department’s commitment—and my own commitment—to building and sustaining healthy and safe native communities.” In support of the priorities set forth by the President and Attorney General, OVC focused significant additional resources on building and sustaining SANE-SART interventions. OVC established the AI/AN SANE-SART Initiative in 2010 to address the comprehensive needs of tribal victims of sexual violence, with the ultimate goal of institutionalizing sustainable and evidence-based practices that meet the needs of tribal communities. In the early phases of planning, OVC determined the need to support three diverse demonstration sites (Sites) in their coordinated community response to victims of sexual assault, and to support the development and implementation of a broad tribal SANE-SART training and technical assistance (TTA) strategy.

OVC learned from previous OVC- and DOJ-led sexual assault project efforts that sustainability in funding and coordination needs to be examined in the early phases of project planning. In the first year of this Initiative, OVC consulted with federal and tribal partners, reviewed past program evaluations, conducted meetings, and convened a focus group at the Indian Nations Conference in Palm Springs, California, in 2010. Focus group attendees included tribal representatives at the local, regional, and national levels with expertise in the areas of sexual assault (including SANEs and SARTs), domestic violence, criminal justice advocacy and law enforcement, training and technical assistance in Indian Country (IC), etc. Focus group attendees either came to the meeting and spoke or provided written comments.

By listening to diverse perspectives, OVC learned about many significant challenges—including jurisdictional complexity and the diversity of tribes in terms of culture, geography, and resources—that can undermine the establishment of effective interventions. Humbled by these significant hurdles, OVC developed resources to overcome some of the barriers, including an advisory committee, a TTA provider, and the additional resources discussed below.

AI/AN SANE-SART INITIATIVE AND PROJECT STRUCTURE

OVC has funded three demonstration sites, a TTA provider, and two federal coordinating positions—one at the Federal Bureau of Investigation (FBI) and one at the Indian Health Service (IHS). It has also established a Federal Advisory Committee: National Coordination Committee on the AI/AN SANE—SART Initiative (Committee) composed of diverse professionals to ensure that the Initiative meets its goal to develop effective, culturally relevant services and programs that can serve as models for other AI/AN communities nationwide.

The demonstration sites and National Guidelines are the central components for which the remaining program structure is designed to support. In the following sections, additional components of the overarching AI/AN SANE-SART Initiative will be described.

DEMONSTRATION SITES

In 2011, under the AI/AN SANE—SART Initiative, OVC awarded funds to three sites—federally recognized Indian tribal governments and AI/AN organizations—to enhance the capability of victim service providers in AI/AN communities to better respond to the needs and rights of all victims of sexual violence. The three sites are:

- Mississippi Band of Choctaw Indians,

- Southern Indian Health Council, Inc., and
- Tuba City Regional Health Care Corporation.

It is anticipated that over the course of several years, each site will build on its existing coordinated community response to implement effective and sustainable victim-centered, multidisciplinary sexual assault services and support from a victim's initial point of contact (e.g., law enforcement report, sexual assault exam) through prosecution.

The three sites capture diversity in the following ways: size and geography of the communities, access to private health facilities versus tribal health facilities or IHS facilities, and jurisdiction (i.e., Public 280 vs. non-Public Law 280). Each site's responses will vary based on the individual community circumstances and resources, thus providing OVC three diverse approaches to addressing sexual violence.

In phase I (year 1), the sites will focus on two broad initiatives:

1. Identify a SANE-SART coordinator, establish a framework for a SANE-SART team, and involve community stakeholders.
2. Conduct a comprehensive community needs assessment and develop a strategic plan that will enhance and build upon a sustainable, culturally relevant, victim-centered SANE-SART project.

The anticipated achievements in phase I include an infrastructure and improved capacity to provide a coordinated community response by service agencies, health systems, and the criminal and tribal justice systems. With an infrastructure in place, it is anticipated that victims and community members will have easier access to competent and coordinated services and be more encouraged to engage in the criminal justice system.

In phase II (years 2–4) of the program, the sites will begin implementation of the enhanced SANE-SART project as enumerated in each site's strategic plan. The sites will conduct some or all of the following activities with the support of the SANE-SART TTA provider, OVC, and OVC's partners: developing protocols and policies, developing or enhancing tribal codes, identifying training and technical assistance for SANE-SART members, identifying the means to acquire needed equipment, and helping shape the national TTA initiative.

SANE-SART TTA PROVIDER

In order to fully and competently support AI/AN demonstration sites and other tribal communities, OVC selected a TTA provider—Tribal Law and Policy Institute (TLPI)—that has in-depth knowledge of tribal communities to assess the communities' needs and work with them to develop and implement a SANE-SART project. TLPI demonstrated its recognition of the culture, history, traditions, and spirituality inherent in the AI/AN community. This experience has helped the institute understand the importance of these elements in tribal communities and the value of adapting evidence-based intervention strategies for victims of sexual violence in tribal communities.

During phase I, the TTA provider will focus on two broad initiatives: supporting sites in conducting comprehensive community needs assessments and developing strategic plans that will enhance and build sustainable, culturally relevant, victim-centered SANE-SART projects; and supporting the development and implementation of national guidelines to address sexual violence in AI/AN communities.

Contingent on successful progress during phase I and the availability of the appropriated funds, phase II (years 2–4) will focus on developing and implementing TTA and on coordinating and communicating with OVC and its partners. Potential phase II activities include: continuing support from OVC, its partners, and the sites by assisting sites in launching their AI/AN SANE-SART project; creating new or modifying existing sexual assault protocols and policies to enhance response to victims of sexual violence; developing or enhancing tribal codes; identifying TTA for OVC's project staff and partners, SARTs, SANEs, and community stakeholders; and helping shape the national guidelines.

TWO NATIONAL AI/AN SANE-SART COORDINATORS (COORDINATORS)

Due to the complexities and scope of this project, OVC funded two staff members to focus exclusively on coordination and TTA to address the need for coordinated efforts within federal agencies and across AI/AN communities. The coordinators, Beverly Cotton (IHS) and Shannon May (FBI), are dedicated full time to the project and will assist in developing and coordinating the Committee, federal working groups, and national guidelines.

Beverly Cotton, MSN, RN, CPNP, SANE-A/P

Beverly Cotton is a member of the Mississippi Band of Choctaw Indians. She obtained her undergraduate degree from the University of Southern Mississippi and graduate degree from the University of Alabama at Birmingham. Dually certified as an adult and pediatric Sexual Assault Nurse Examiner, Ms. Cotton worked with sexual assault victims in a tribal health care facility and in the public sector. Ms. Cotton comes to IHS from Vanderbilt University in Nashville, Tennessee, where she served as a pediatric nurse practitioner in a medical-forensic clinic, Our Kids Center, serving sexually abused children. She will serve as IHS coordinator for the OVC AI/AN SANE-SART Initiative.

Shannon May

Shannon May is a victim services professional with 15 years of experience providing direct services to victims of crime, delivering training and technical assistance, and managing projects addressing sexual violence. As program director at Just Detention International, she oversaw Prison Rape Elimination Act implementation efforts, worked with prison-based SARTs, and provided training to corrections officials about sexual violence in detention. Ms. May previously served as resource delivery manager for the OVC Training and Technical Assistance Center (TTAC) where she coordinated OVC's Training Schedule for Victim Service Providers and the delivery of OVC's National Victim Assistance Academy. Prior to OVC TTAC, she was the National Hopeline Network Director for a federal suicide prevention grant, served as a rape crisis advocate for CONTACT Delaware, and was special projects coordinator for the Delaware Coalition Against Domestic Violence.

The Coordinators will assist with the following:

- Participating in the planning, development, implementation, oversight, and evaluation of the Initiative.
- Identifying experts in technical areas related to AI/AN communities.
- Identifying communication methods to provide information about training opportunities, promising practices, and project updates.
- Supporting the development of constructive relationships with tribal communities, the Committee, federal working groups, the sites, the TTA provider, and project staff.
- Provide TTA within their respective agencies to build the capacity of medical practitioners and law enforcement personnel to proactively address sexual violence in AI/AN communities.

FEDERAL ADVISORY COMMITTEE: NATIONAL COORDINATION COMMITTEE ON THE AI/AN SANE-SART INITIATIVE (COMMITTEE)

Established by OVC with support from the Attorney General, the Committee will inform OVC and its federal, tribal, and nongovernmental partners of the existing resources, challenges, and gaps related to sexual assault response. The Committee also will make recommendations for funding, training, and policies related to sexual violence services provision in AI/AN communities.

The Committee will be comprised of tribal representatives, representatives from federal agencies, experts in the field of sexual assault services, and individuals who have experience working with AI/AN communities. OVC expects to hold the first Committee meeting in winter 2012. Committee meetings will be open to the public and there will be opportunities for the public to submit written comments.

FEDERAL WORKING GROUPS

OVC will convene the following three federal working groups to address specialized topic areas. The three working groups are: Child Sexual Abuse, Alaska Native Issues, and First Responders. The working groups will support the Initiative's efforts by focusing on topic-specific issues and will also address emergent issues. Federal working group members will include tribal representatives, law enforcement personnel, prosecutors, medical practitioners, victim advocates, forensic interviewers, and other individuals with experience addressing sexual violence in AI/AN communities. The working groups will be established in summer 2012 and the first meetings will be held in fall 2012.

NATIONAL GUIDELINES

OVC and its federal and Tribal partners will establish National Guidelines to address sexual violence in AI/AN communities. The National Guidelines will provide an assessment of existing resources, current challenges, and gaps with focused solutions to enhance the response to sexual violence in AI/AN communities. The National Guidelines will identify strategic directions designed to move us beyond the challenges and move us closer to our vision that each AI/AN victim receives a coordinated response to sexual violence.

EVALUATION TECHNICAL ASSISTANCE

One of the key challenges of addressing sexual violence in AI/AN communities is the lack of meaningful data that these communities can use to inform their policies and intervention strategies. To rectify this, OVC will support an external evaluator to provide TTA to help the three demonstration sites develop their capacity to support evaluation during phase II. The evaluator will work closely with the TTA provider and the demonstration sites to develop logistical models, identify appropriate performance and outcome measures, assess each site's capacity to generate the requisite data, and design and implement instruments and protocols for collecting these data where needed. Providing the TTA that the demonstration sites need will assist OVC, its partners, and AI/AN communities in determining the sites' existing assets and identifying avenues for enhancing their capacity to conduct rigorous evaluations to inform their policies and intervention strategies going forward.

TAILORED SEXUAL ASSAULT RESPONSE TEAM TRAINING AND TECHNICAL ASSISTANCE (TTA) PROJECT

To facilitate the development of SARTs in tribal communities, the AI/AN SANE-SART Initiative's Tailored Sexual Assault Response Team Training and Technical Assistance (TTA) Project will provide comprehensive training and technical assistance to one or more pilot sites. This project will involve funding a consultant(s) to provide technical assistance and onsite training for the planning, development, and implementation of a SART. The TTA provided to participating tribes, federal, state, and local stakeholders will vary and be individualized based on the unique needs of the community.

The primary goals of this targeted training and technical assistance project are:

1. To assist tribal, federal, state, and local stakeholders to develop a SART.
2. To provide a consultant(s) to assist in the development of written coordinated community sexual assault response protocols between services such as law enforcement, health care, advocacy, and prosecution.
3. To facilitate key stakeholder collaboration in the handling of sexual violence cases.

Expenses for the TTA will be paid through a reimbursable agreement between OVC, the FBI, and IHS as part of the AI/AN SANE-SART Initiative.