

SANE-SART AI/AN INITIATIVE

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PURPOSE

Through the American Indian and Alaska Native (AI/AN) Sexual Assault Nurse Examiner (SANE)–Sexual Assault Response Team (SART) Program, the [Office for Victims of Crime](#) (OVC) provides support to enhance AI/AN communities' capacity to provide high-quality multidisciplinary services and support for adult and child victims of sexual assault. The program's victim-centered approach is designed to help foster dignity and spiritual, mental, and physical health in victims of sexual assault. The purpose of this initiative is to increase the capacity for communities and the criminal and tribal justice systems to respond to sexual assault victims, and to foster in victims and communities a sense of fairness and satisfaction with the criminal justice system. It is anticipated that, with these improvements, victims and community members will be more willing to engage in the criminal justice process, which will ultimately result in more thorough investigations and more successful prosecutions. In addition, improving victim satisfaction with the criminal justice system may encourage future community response consistent with the needs of victims, including the participation of advocates, spiritual and tribal leaders, local and tribal law enforcement, and medical providers, which will result in more effective prosecutions involving tribal courts and restorative justice. This project will focus on enhancing existing SANE-SART efforts and supporting the development of three demonstration projects and a national training and technical assistance strategy that will improve federal, state, local, and tribal response to sexual assault victims in AI/AN communities.

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 trauma or historical trauma, has had long-term effects on sexual violence, both directly and indirectly. Many reservations have few accessible services to cope with the significantly higher levels of stress and crime victimization.

Sexual assault has had a devastating effect 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 has shown that AI/AN women, per capita, experience more rape and sexual assault than other racial groups within the U.S., and that more than one in three AI/AN women will be sexually assaulted during their lifetime. While existing data does not accurately portray the extent of sexual violence against AI/AN persons*, including women, children, men, and transgendered persons, it does indicate that sexual violence in tribal communities is widespread and that 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 have 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 assault 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 has taken great consideration of these factors in the development of the SANE-SART AI/AN Initiative.

Developing SANE-SART interventions is a very timely process due to an administrative priority to address many of the barriers identified through 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), which 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 seek 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 assault 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

* *Minutes of the Section 904 Violence Against Women in IC Task Force Meeting, December 2008*

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 assault, with the ultimate goal of institutionalizing sustainable and evidence-based practices adapted for the needs of tribal communities to help foster dignity and spiritual, mental, and physical health in victims of sexual assault. 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 program, 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 comprised 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

The Sites and TTA are the central initiatives for which the remaining program structure is set up to support. In the following sections, additional components of the overarching AI/AN SANE-SART Program will be described.

Three Sites

(Detailed information is provided in the FY11 AI/AN SANE-SART Program solicitation; see [OVC’s current funding opportunities](#))

Through the AI/AN SANE-SART Program, OVC will provide support to enhance AI/AN communities’ capacity to provide high-quality, multidisciplinary, victim-centered services and support for adult and child victims of sexual assault, from the initial point of contact through prosecution. The victim-centered approach is designed to help foster dignity and spiritual, mental, and physical health in victims of sexual assault. Through this project, OVC plans to support three diverse communities, including at least one community that is under the jurisdiction of Public Law 280, one that is not under the jurisdiction of Public

Law 280, and an Alaska Native village. OVC also hopes to capture diversity in the size of the communities and their access to private health facilities versus tribal health facilities or Indian Health Service (IHS) facilities. The program is designed to complement an existing coordinated community response to sexual assault. The three selected Sites will demonstrate their commitment to implementing effective and sustainable, high-quality, victim-centered, multidisciplinary services and support for victims of sexual assault from initial point of contact through prosecution; and document the communities' invested interest and current resources to sustain a functioning SANE-SART project.

In the first year of the program, the Sites will focus on two broad initiatives:

1. Identify a SANE-SART Coordinator (Coordinator), establish a framework for a SANE-SART Team (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 long-term achievements of site implementation include an improved capacity for communities and the criminal and tribal justice systems to respond to sexual assault, and an improved sense of fairness and satisfaction by victims and communities. It is anticipated that, with these improvements, victims and community members will be more willing to engage in the criminal justice system, ultimately resulting in more thorough investigations and more successful prosecutions.

Contingent on successful progress during Phase I and the availability of the appropriated funds, Sites will receive support for Phase II, Years 2–4. The key difference between the two phases is that during Phase II, there will be a transition to implementation of the enhanced SANE-SART project as enumerated in the Strategic Plan developed in the first year. Both phases of the program will involve significant coordination and communication with OVC and its partners. Potential Phase II activities include launching the SANE-SART AI/AN project with the support of the SANE-SART TTA provider, OVC, and OVC's partners, to include assisting the Sites in expanding their SANE-SART teams, developing protocols and policies, developing or enhancing tribal codes, identifying training and technical assistance for SANE-SART, identifying the means to acquire needed equipment, and helping shape the national TTA initiative.

SANE-SART TTA Provider

(Detailed information is provided in the FY11 AI/AN SANE-SART TTA solicitation; see [OVC's current funding opportunities](#))

OVC assessed its capacity and the capacity of its federal partners to provide the key assets necessary to directly support AI/AN communities and decided that a TTA provider with in-depth knowledge of tribal communities would be better suited to assess the communities' needs and work with them to develop and implement a SANE-SART project. In addition, OVC understands that no single TTA provider may have the specialized skills and capacity necessary to fully support an AI/AN SANE-SART project. Therefore, it is essential that the TTA provider demonstrate certain skills; or, in the absence of these skills, provide a plan that identifies partners to ensure that all the necessary skills are supported.

OVC will support a TTA provider who recognizes the importance of culture, history, traditions, and spirituality inherent in the AI/AN community, as well as the value of adapting evidence-based sexual assault intervention strategies for tribal communities. In the first year of the program, the TTA provider will focus on two different 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 (50 percent); and supporting the development and implementation of a National AI/AN SANE-SART Strategy (National Training Strategy) (50 percent).

Contingent on successful progress during Phase I and the availability of the appropriated funds, Phase II, Years 2–4 will have a much greater focus on the development and implementation of TTA, and coordination and communication with OVC and its partners. Potential Phase II activities include continued support of OVC, its partners, and the Sites by assisting the Sites in launching their strategic SANE-SART AI/AN project; creating new or modifying existing sexual assault protocols and policies that enhance response to sexual assault; developing or enhancing tribal codes; identifying TTA for OVC’s project staff and partners, SARTs, SANEs, and community stakeholders; and helping shape the National Training Strategy.

SANE-SART AI/AN Coordination Committee (Committee)

OVC is establishing the Committee to address some of the challenges relating to jurisdictional and cultural issues. The Committee will also assist in identifying resources and providing technical expertise on sexual assault services and victimization. OVC is seeking approval to establish the Committee through the Federal Advisory Committee Act process. Once approved, Committee members will be selected and will include tribal representatives, experts in the sexual assault service field, and individuals who have experience working with AI/AN communities. The first meeting is anticipated to be held in the summer or fall of 2011.

Committee members will support OVC and the Sites by—

- Ensuring that multi-agency, multidisciplinary perspectives and current information is incorporated in the project strategy. The Committee will bring diverse perspectives to ensure that the complexities and challenges of developing an effective intervention are taken into consideration, and that interventions are responsive to stakeholders. Committee members will inform project staff on existing efforts to address sexual assault in AI/AN communities, including challenges and resources specific to tribes.
- Advising project staff on culturally sensitive interventions and approaches.
- Providing advice on project initiatives and training and technical assistance; ongoing progress of the project; and evaluations.
- Providing ongoing support to Sites and existing SANE-SART initiatives.

Two National SANE-SART AI/AN Coordinators (Coordinator)

Recognizing the complexities and scope of the program, OVC determined that the best way to address the need for coordinated efforts within federal agencies and across AI/AN communities is to fund two staff to focus exclusively on coordination and TTA for this project. The Coordinators will be located at the FBI and IHS. Both Coordinators will be dedicated full-time to this project and will assist in developing the National Training Strategy, including providing TTA within their respective agencies and assisting the Sites and TTA provider.

The Coordinators will assist with the following:

- Serving as members of the Committee and participating in the planning, development, implementation, oversight, and evaluation of the project.
- Identifying experts in technical areas and 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 communities, the SANE-SART Coordinating Council, the TTA provider, and project staff.

Evaluability and Evaluation Study

One of the key challenges of addressing sexual assault in AI/AN communities is the lack of meaningful data available to inform policy and intervention strategies. OVC will support an external evaluability study of the Sites at the end of Phase I with the potential to followup with a formal evaluation. An evaluability study determines the extent to which a program and its activities can be evaluated, based on such metrics as the extent to which the goals and objectives can be achieved; what data are available or could be collected to assess program activities; and how the results will be used. The TTA provider will work closely with an evaluator on the evaluability study to collect and analyze data that reveals the diversity of the Sites' efforts while providing a standardized format, and to set up a streamlined method for measuring impact. The evaluation study will assist OVC, its partners, and AI/AN communities in documenting evidence-based resources for communities to incorporate in their future strategies.

OVERVIEW: SANE-SART MODEL

A SART is a multidisciplinary interagency team of individuals working collaboratively to provide services for the community by offering specialized sexual assault intervention services. SARTs typically provide invaluable services to sexual assault victims and often improve the disposition of sexual assault cases in the criminal justice system. (For terms and definitions, please see [OVC's SART Toolkit: Resources for Sexual Assault Response Teams](#). A SANE-SART intervention may fit any number of models and involve a wide array of partners and disciplines in their collaborative effort.

Based on research and anecdotal evidence, SARTs foster holistic healing and recovery of victims, irrespective of prosecutions' outcomes. When victims are heard and treated with respect by a committed, culturally sensitive, multidisciplinary team, they are more likely to participate in the process and achieve more meaningful recovery.

There is no single SANE-SART model that works for all communities; rather, the best fit for each community can be developed by examining the community's strengths and weaknesses, and leveraging existing resources. It is OVC's intent that each of the Sites will develop a unique SANE-SART model that fits their individual community that can serve as a resource to help form future tribal-related evidence-based practices that may be replicated in other AI/AN communities

PAST FEDERAL SEXUAL ASSAULT INITIATIVES

Training Efforts

- Beginning in 1997, OVC explored how the SANE/SART Model could be modified for use in IC, and later planned to include a training course on victim assistance as a track in the National Victim Assistance Academy. Recognizing the complexities of finalizing the curriculum, and not having the mandate to invest considerable resources into this initiative, the plan was not implemented.
- In 2007, IHS funding provided nurses with SANE training and required them to provide SANE services by conducting sexual assault forensic exams.

SANE Interventions

In 2002, IHS received funding from OVC to implement two SANE programs—Pine Ridge, South Dakota and Ship Rock, New Mexico—that would be required to provide 24-hour response to rape victims. Funding for both projects supported a SANE Director and training to nurses on sexual assault forensic evidence exams.

The Pine Ridge SANE program was able to sustain SANE services after OVC funding was no longer available and continues to provide services. The Shiprock SANE program was not sustainable because, even when sexual assault evidence kits were collected on more than 100 female victims, there were no prosecutions; there was no support for overtime when nurses responded to sexual assault victims during non-duty hours; there was no SART response; and no training and technical assistance was provided.

Tribal Coalitions

The Office on Violence Against Women (OVW) administers grants that support tribal domestic violence and sexual assault coalitions to provide awareness campaigns, enhance interventions responding to IC victims, and provide training and technical assistance to coalition membership and tribal communities.

CURRENT FEDERAL INITIATIVES RELATED TO SEXUAL ASSAULT

Focus Group on Human Trafficking of AI/AN Women and Children

In August 2010, OVC, in coordination with OVW, convened a focus group on human trafficking, including the sexual exploitation of AI/AN women and children. OVC will bring together experts from the field to determine what it and other DOJ offices can do to support services for these victims.

OVC-Funded Victim Assistance Positions at Federal Agencies

OVC provides funding annually through earmarks to the FBI and the Executive Office for United States Attorney for more than 300 full-time victim assistance personnel. About 92 of those positions are in IC jurisdiction. OVC also provides support for tribal victim assistance positions through demonstration projects related to drug-endangered children, and the provision of Crime Victims' Rights Act rights. Finally, OVC supports six full-time "seed" victim specialist positions at Bureau of Indian Affairs District and field offices.

OVC SANE-SART Training

The primary focus of the 2011 SART Training Conference is to continue expanding the capacity of SARTs to promote health and healing of sexual assault victims, hold offenders accountable, and work toward preventing further sexual violence in their communities. A tribal advisory committee has been involved in planning the 2011 conference, for which training scholarships will be available for tribal SART teams.

OVW Tribal Coalitions and Regional Sexual Assault Summits

OVW currently funds 23 Tribal Domestic Violence and Sexual Assault Coalitions in 13 states. It is also conducting a series of regional summits throughout IC that focus specifically on sexual assault. Also, the Violence Against Women in IC Task Force was re-chartered in April 2010 so that it can continue to advise NIJ on a research program on violence against women in IC.

OVW Sexual Assault Forensic Exam (SAFE) Protocol

OVW is working with Red Wind, OVW's TTA provider, to develop a Tribal SAFE Protocol that is specific to IC. It will serve as a companion to the [National Sexual Assault Medical Forensic Examination Protocol](#) developed in 2004 (currently under revision). Red Wind, in collaboration with OVW, is facilitating working group meetings to develop the protocol.

IHS Initiatives

In Fiscal Year (FY) 2009, IHS received \$7,500,000 for the Domestic Violence Prevention Initiative (DVPI). For FY 2010, Congress provided an additional \$2,500,000, for a total of \$10,000,000. The purpose of the initiative is to support a national effort by IHS to address domestic violence and sexual assault within AI/AN communities. DVPI funded 65 IHS, tribal, and urban Indian health programs to provide targeted domestic violence and sexual assault prevention and intervention resources to communities with the greatest need; expand outreach advocacy programs; expand domestic violence and sexual assault pilot projects, and purchase and provide training on forensic equipment to support SANE, SAFE, and SART activities.

IHS SANE-SART Training

IHS provides ongoing support to medical providers to attend national SANE-SART training. In 2009, the medical providers who attended returned to their respective sites and began the work of creating new SANE programs in Whiteriver, Chinle, Fort Defiance, and Winnebago.

Links/URLs used in this document in order of appearance

Office for Victims of Crime (OVC) at www.ovc.gov

FY11 AI/AN SANE-SART Program solicitation, Office for Victims of Crime (OVC).
<http://ovc.ncjrs.gov/Solicitation.aspx>

FY11 AI/AN SANE-SART TTA solicitation; Office for Victims of Crime (OVC).
<http://ovc.ncjrs.gov/Solicitation.aspx>

OVC's SART Toolkit: Resources for Sexual Assault Response Teams, Office for Victims of Crime (OVC).
<http://ovc.ncjrs.gov/sartkit/index.html>

National Sexual Assault Medical Forensic Examination Protocol, Office on Violence Against Women (OVW). <http://samfe.dna.gov/>. Also available at <http://www.ncjrs.gov/pdffiles1/ovw/206554.pdf>