

Session 3: Sexual Assault and Sexual Assault Response Team (SART)



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Overview

- Overview of the history and dynamics of sexual assault
- Understanding the scope of sexual assault within the context of Intimate Partner Violence
- Increasing awareness around the need for culturally appropriate responses to sexual assault
- Creating a victim-centered approach to domestic violence/sexual assault in tribal communities

Historic/Intergenerational Trauma

- It isn't a one time crime that just happens. Rape is methodical, intentional. It is multi-generational having long term effects just like the stealing and rape of our land our Earth Mother, our life giver.
- Native women seen as “rapeable” – *“the morals of Indian women are not always as high as those of a white woman and consequently the punishment should be lighter when against her.”* - U.S. Representative George W Norris of NE, 1909
- Women viewed as property so rape was considered a crime against another man's property
- Objectification of women – Native women seen as objects
- Rape is *intrusion* of our bodies, our minds, our souls by a *hostile outsider*.
- Colonization is the *intrusion* of our lands, our resources, our water, our culture, our laws, our spirituality by a *hostile outsider*.
- Rape is a result a of a well oiled machine of oppression – systematic, based in privilege and power

Pre-Colonialism: Our Reality

- Women are sacred –equated with earth as feminine; life givers; center of families/nations; matrilineal/matrilocal
- Sexuality was natural & women’s sexual autonomy was respected, personal sovereignty and body integrity honored;
- Women were not seen as property of men but retained autonomy;
- Egalitarian belief system – gender roles as equally important and essential to tribal survival
- Children are sacred/gifts from creator – 4 stages of life teachings – (see Lakota Worldview: A Smooth Journey)
- We Are All Related: Indigenous kinship system – no orphans, communities of vigilance; 4 fires
- Non-capitalist, non-materialist societies;
- We have no words in our languages for “rape.” The concept was foreign to us. How does this impact us? Our healing? How we address this huge problem in our communities?

There is still under-reporting of sexual assaults. When reported sexual assault cases not charged, prosecuted.

Why?

What can advocates, communities do to change this?

Why Victims Do Not Access Services in the Context of Intimate Partner Violence

- Distrust of criminal justice system due to past bad experience
- Fear of being arrested & jailed
- Fear of not being believed, blamed especially in intimate partner violence
- Fear of abuser/rapist, rapist family/friends if report is made or even if report is made – may have been threatened, don't want rapist to go to jail
- Lack of knowledge of process, of their rights
- Fear of confidentiality violation/rumors spreading especially when raped by acquaintance, intimate partner
- Having been traumatized may pose challenges to access services – confused, decision-making skills not working
- Believe nothing will be done

Continuum of Sexual Violence



Impact of Sexual Assault on Victims, Family, and Community

- Impact to victim is wholistic – impacts mind, body, spirit and may have long term impact
- Impacts family of victim, those who witness, parents, children
- Impacts community – perpetuates an environment of lawlessness, jeopardizes safety of tribal citizens and others
- Places burden on already under-resourced tribal programs, responders

Sexual Assault Response Team - SART

A Sexual Assault Response Team is a multi-disciplinary team that provides specialized immediate response to victims of recent sexual assault.

Purpose of SART

- Coordinate immediate response to *adult* victims of sexual assault
- Provide immediate response such as crisis intervention, emotional support, information and referral, advocacy for victims and family members and relatives by trained sexual assault advocates
- Prevent the victim from having to repeat personal accounts of the assault
- Provide *victim-centered* services to minimize/eliminate further trauma to the victim
- Utilize tribally specific practices of helping, healing and justice in order to ensure the safety and well-being of victims and the community
- Prevent, reduce confusion among professionals trying to meet the needs of the rape victims as they work through the maze of service providers and jurisdictional authorities

Victim Centered

The systematic focus on the needs and concerns of a sexual assault victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner.

Note: Each team can determine what it means to be victim-centered based on tribal values of helping, empowerment, healing & justice.

Purpose of SART - continued

- Provide timely, thorough, and professional medical evaluation, treatment, forensic evidence collection, documentation, and preservation of evidence in an effort to reduce trauma through the use of appropriately trained sexual assault nurse examiners
- Enhance the ability of law enforcement agencies to obtain evidence that will aid in the successful prosecution of sexual assault cases.
- Provide a venue for the sharing of information among law enforcement agencies cross jurisdictional boundaries.
- Provide a vehicle for all appropriate agencies, tribally based or non-tribally based, to work collaboratively on developing *victim-centered* responses
- Develop discipline specific protocols, provide cross discipline training on such protocols and sign memorandums of understanding

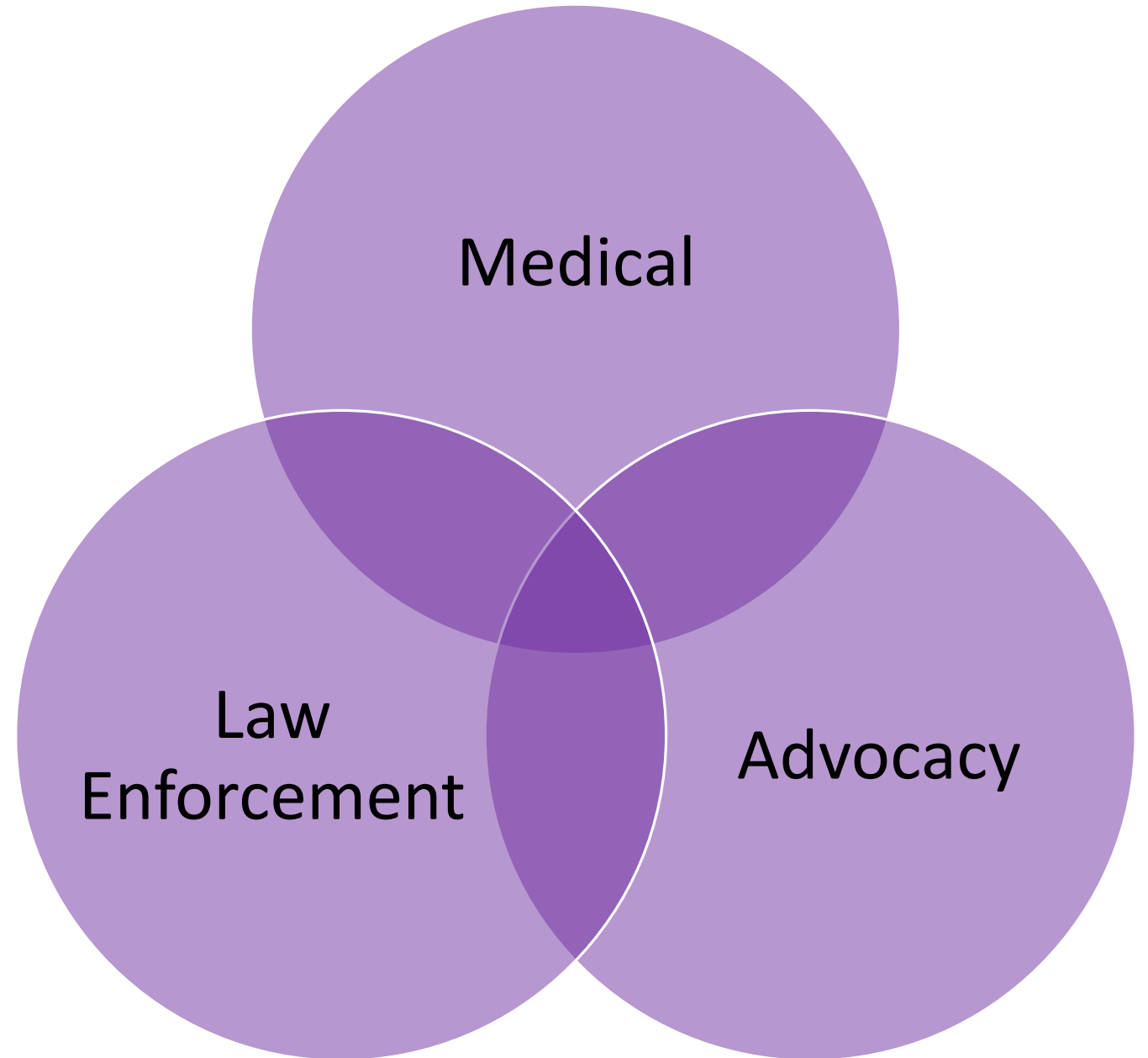
Characteristics of a Victim Centered Response to Sexual Assault

- The need for victims to assume control over their own lives is recognized and supported
- Cases are vigorously investigated
- Offenders are apprehended and aggressively prosecuted in a timely manner
- Victims are informed at each stage of the proceedings
- Victims can change their minds about proceeding at any time without feeling guilt or shame.
- Service providers have a profound understanding as to the dangers of reporting and the fear for safety due threats that victims may be experiencing, victim safety is given top priority in response and triage.
- Victims are given an opportunity to express what they would like to see happen regarding their complaint and case outcomes. They aren't guaranteed but are given the opportunity to provide their input
- Victim Centered response is defined by the team, by incorporating tribal specific resources, traditions

Tribal SART Development

- Review the tool “Questions to Ask Before Forming a SART”
- Activate preliminary steps – informing tribal leadership, community
- Create core group – generally first responders, Tier One SART
- Develop preliminary information to give to potential SART members
- Identify members for Tier Two SART, meet with them individually
- Identify existing resources, geographic and jurisdictional boundaries
- Define roles – chair, frequency of meetings, location of meetings, logistics
- Formalize the SART – goals, purpose, roles, protocol development, MOU’s, case reviews, confidentiality

WHO? – Tier One



WHO? – Tier Two



SART Benefits

- Provides opportunity for disciplines to discuss response to sexual assault, delineate the desired response, create ways to implement and institutionalize the desired response(training, adopting policies and protocols)
- Creates accountability to the desired response (by reviewing cases as a group)
- Improves multi-disciplinary relationships among sexual assault responders
- Increases understanding of one another's perspectives regarding the response to sexual assault
- Provides opportunity for information exchange between systems (organizational policy changes, individual cases)

Additional Benefits

- Improves trust in criminal justice system resulting in increased credibility;
- Improves cross-discipline, jurisdictional communication and relationships
- Regeneration of traditional customs of community response;
- An opportunity to exercise inherent sovereignty by improving tribal rape laws and strengthening criminal prosecutions through improved evidence collection; and
- Maximization of existing resources that are often very limited.
- Victims treated with sensitivity by professionals who are trained to understand the cultural needs of people who've been sexually assaulted
- Victims seen as credible or important to the case

Improvements to Legal Outcomes

- Increases victim participation
- Shorten delays in reporting
- Improved evidence gathering
- Increase in arrests and charges filed
- Improved some legal outcomes but no formal studies have demonstrated an impact on conviction rates and sentence lengths
- Victims received better support services which increases/restores trust in systems
- Improved communication between victims and responders
- Decrease re-traumatizing victims
- Reduces the number of times victims have to tell their story
- Shorten waiting time for victims to receive forensic exam

Overall, increase cross system contact,
information exchange and better
understanding of one another's roles,
improved communication and collective
decision making

Women's sovereignty is central to tribal sovereignty because nations cannot be free if their Indian women aren't free.



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