TRIBAL SEXUAL ASSAULT RESPONSE TEAMS FOR ADULT VICTIMS: AN OVERVIEW

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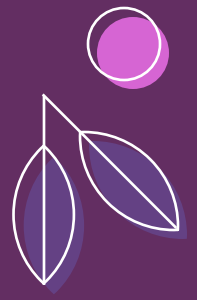
Uniting Three Fires Against Violence

AGENDA

- Crisis
- Complications
- What is a SART?
- Victim-Centered Approach
- Benefits



THE CRISIS OF SEXUAL VIOLENCE AGAINST NATIVE WOMEN AND MEN

56.1% of Native Women have experienced sexual violence.

14.4% of Native Women have experienced sexual violence in the last year.

27.5% of Native Men have experienced sexual violence.

9.9% of Native Men have experienced sexual violence in the past year.

Rosay, André B., "Violence Against American Indian and Alaska Native Women and Men," NIJ Journal 277 (2016): 38-45, available at http://nij.gov/journals/277/Pages/violence-againstamerican-indians-alaska-natives.aspx

COMMON LANGUAGE

- Sexual Contact includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for:

    a. revenge

    b. humiliation

    c. out of anger

- Sexual Penetration means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
- Sexual Violence means any nonconsensual sexual act or contact proscribed by a statute defined in this chapter, including any case in which the victim lacks the capacity to consent to the act.

SAULT TRIBE SEXUAL ASSAULT CODE

- First Degree
- Second Degree
- Third Degree
- Fourth Degree

FORCE OR COERCION

- Actual or Threatened Physical Force or Violence
- Threat of Retaliation against victim or any other person through physical punishment, kidnapping, extortion
- Medical treatment or examination in a manner medically recognized as unethical or unacceptable
- Concealment or element of surprise

SENTENCING & JURISDICTION

- Possible sentencing is the same for each degree. A person convicted of criminal sexual conduct by the Sault Tribe may only be sentenced to imprisonment for up to one year and/or a fine of up to $5000.

RESPONSE TO SA IS COMPLICATED BY:



LACK OF TRIBAL RESOURCES



LITTLE COMMUNITY DIALOGUE



RELUCTANCE TO REPORT



RELUCTANCE TO SEEK ASSISTANCE



DIFFICULTIES IN COORDINATING RESPONSE

SART
—
SEXUAL ASSAULT RESPONSE TEAM

VICTIMS OF SEXUAL VIOLENCE



Medical



Legal



Economical or financial



Spiritual



Psychological



Cultural

POTENTIAL SART MEMBERS

- Advocacy
- Anti-violence Programs for LGBTQ
- Child/family advocacy programs
- Civil attorneys
- Cultural Organizations
- Crime lab
- Disabilities organization
- Domestic violence agencies/shelters
- Educational institutions
- Faith-based organization
- Federal Bureau of Investigation
- Housing Providers
- Law Enforcement
- Sexual Assault Forensic Examiners (SAFEs)
- Medical Personnel
- Prosecutors
- Judicial/court staff
- Probation, parole, juvenile justice, and correctional officers
- Refugee and resettlement organizations
- Researchers
- Sex offender treatment providers
- Mental health professionals
- Military officials
- Government officials
- Public health officials
- Substance abuse programs
- Tribal agencies
- Victims
- Media

SAMPLE SAULT STE MARIE TRIBAL SART ROSTER



TEAM MEMBERS' ROLES

1. Represent their agencies
2. Provide expertise and experience
3. Enhance SART effectiveness
4. Give accountability
5. Address bias and myth



MEMORANDUM OF UNDERSTANDING

- Collaborative
- Formal Agreement
- Not a legally binding contract
- Can be revised and updated
- Outline roles and responsibilities

WHAT MAKES A TRIBAL SART DIFFERENT?

While a tribal SART may have many of the same team members as any other SART, it should also include federal partners, tribal leaders, and traditional medicine practitioners.




Clayton Ten Fingers
Acting Captain, Oglala Sioux Police Department



SART

Advocates

Sexual Assault Nurse Examiners

Law Enforcement

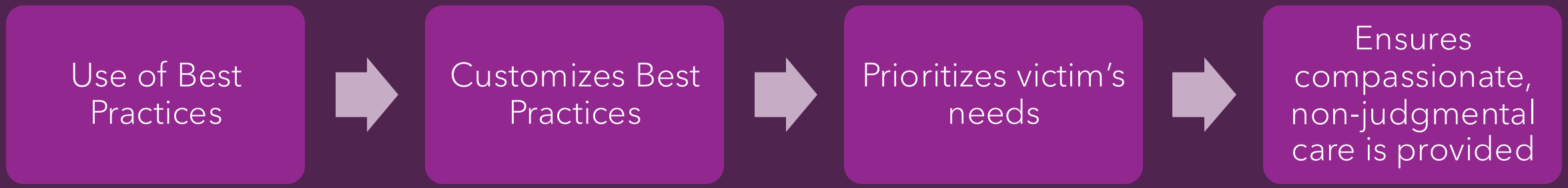
Prosecutors

Community Agencies



A VICTIM-CENTERED APPROACH

WHAT DOES IT MEAN TO BE VICTIM-CENTERED?





BEST PRACTICE 1

Prioritize the needs and wishes of victims.



BEST PRACTICE 2

Listen Generously.



BEST PRACTICE 3

Promote Survivor Autonomy



BEST PRACTICE 4

Coordinate and Collaborate to Improve Survivor Experience



BEST PRACTICE 5

Ensure Victim Safety



BEST PRACTICE 6

Develop Just and Responsive Solutions for All



BEST PRACTICE 7

Hold Yourself and Others Accountable

VICTIM BENEFITS OF A SART



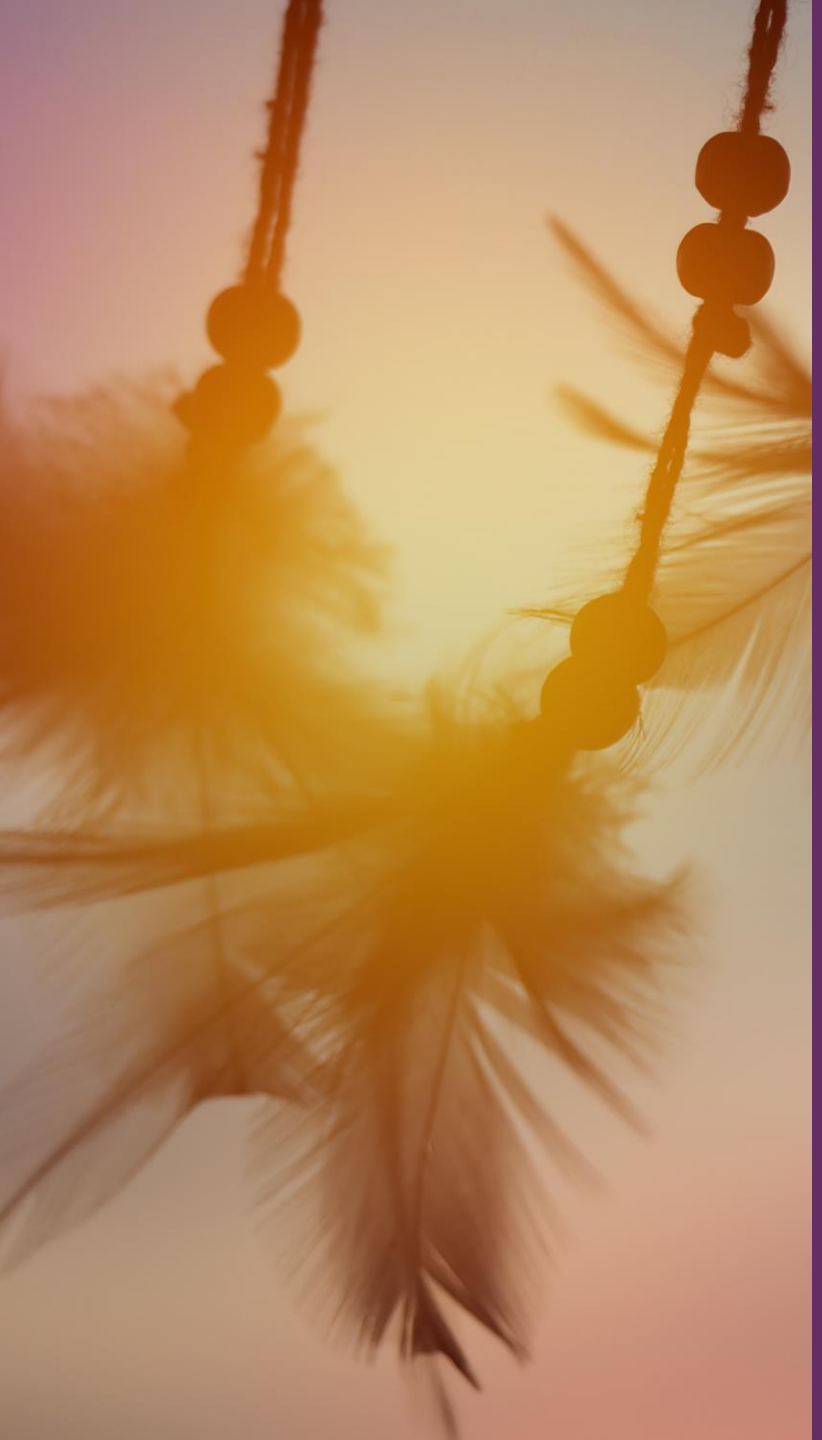


COMMUNITY BENEFITS OF A SART

TRIBAL LAW ENFORCEMENT BENEFITS




HEALTH CARE
BENEFITS



WHAT IS THE MISSION OF A TRIBAL SART?

"The mission of the Saginaw Chippewa Indian Tribe Sexual Assault Response Team (SART) is to coordinate a successful multi-disciplinary approach to Adult Sexual Assault crimes that promotes consistency, respect, and cultural competency. SART's goal is to protect Victims, minimize their emotional trauma, and hold offenders accountable."

Except from "Be the Solution" Saginaw Chippewa Indian Tribe of Michigan Sexual Assault Response Team Policy and Protocol Booklet



WHAT IS THE PURPOSE OF A SART?

"Responding to the issue of Sexual Assault is a profound challenge for every community. The primary purpose of the SART is to ensure an effective, consistent, comprehensive, and collaborative response to Sexual Assault Victims and assist in bringing responsible persons to justice. "

Except from "Be the Solution" Saginaw Chippewa Indian Tribe of Michigan Sexual Assault Response Team Policy and Protocol Booklet

RESOURCES

- Sexual Assault Response Team Toolkit | National Sexual Violence Resource Center (NSVRC)
- Resources for OVW Grants to Tribal Governments | Red Wind Consulting | Colorado (red-wind.net)
- Microsoft Word - Becoming Victim Centered (mncasa.org)
- SART Protocol FINAL.pdf (sagchip.org)
- Developing and Implementing a Response to Sexual Assault (ovcttac.gov)
- Best Practices Guidelines: Crime Victim Services (ojp.gov)

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