

INDIAN COUNTRY VICTIM SERVICES

A Law Enforcement & Community Resource Toolkit — National Native Justice Institute | www.nativejustice.us

■ VICTIM SERVICES IN INDIAN COUNTRY

Native American victims of crime face compounding barriers to justice and recovery: jurisdictional complexity that delays or derails accountability, chronically underfunded victim services, geographic isolation, historical mistrust of government institutions, cultural and language barriers, and the unique trauma of living in small communities where offenders are often family members or community leaders. Effective victim services in Indian Country require a trauma-informed, victim-centered, and culturally grounded approach from first contact through recovery.

♥ More than 4 in 5 Native American women have experienced violence in their lifetime. AI/AN people are victimized by violent crime at higher rates than any other racial group in the U.S.

📞 Many tribal communities lack dedicated victim advocates — law enforcement officers are often the first and only point of contact for crime victims in the immediate aftermath.

⚖️ Crime victims have legally enforceable rights under the Crime Victims' Rights Act (18 U.S.C. §3771), VAWA, VOCA, and tribal law that must be honored throughout the justice process.

🧠 Trauma-informed, victim-centered responses produce better evidence, stronger prosecution cooperation, and meaningfully improved long-term outcomes for survivors.

■ UNDERSTANDING CRIME VICTIMS' RIGHTS IN INDIAN COUNTRY

Federal Victim Rights — Crime Victims' Rights Act (18 U.S.C. §3771)

In cases prosecuted federally, victims have legally enforceable rights under the Crime Victims' Rights Act (CVRA). Tribal officers involved in federal cases must understand and communicate these rights at the point of first contact.

- The right to be reasonably protected from the accused.
- The right to reasonable, accurate, and timely notice of court proceedings.
- The right not to be excluded from court proceedings unless the court determines testimony would be materially affected.
- The right to be reasonably heard at plea, sentencing, or release hearings.
- The right to confer with the government attorney in the case.
- The right to full and timely restitution as provided by law.
- The right to proceedings free from unreasonable delay.
- The right to be treated with fairness and with respect for the victim's dignity and privacy.

Tribal Victim Rights

- Most tribal codes include victim rights provisions. Officers must know and be able to communicate the specific victim rights under their tribal code at first contact.
- Provide every victim with a written victim rights notification — in their preferred language when possible — at the time of initial report.
- Document that rights notification was provided in every case report.

■ CORE PRINCIPLES OF VICTIM-CENTERED RESPONSE IN INDIAN COUNTRY

Immediate Safety & First Contact

- Separate the victim from the offender immediately. Conduct all victim interviews in a private location where the offender cannot hear.
- Assess immediate safety needs — injuries, ongoing threat, children in the home, safe housing — before any investigative interview.
- Connect victims with medical care for injuries before taking a formal statement whenever injuries are present.
- Never ask victims why they didn't leave, why they didn't report sooner, or questions that imply blame for the crime.

Trauma-Informed Interview Practice

- Use open-ended, non-leading questions and allow the victim to tell their story in their own words and at their own pace.
- Understand that fragmented, inconsistent, emotionally flat, or delayed disclosures are normal trauma responses — not signs of dishonesty.
- Minimize the number of times a victim must retell their story. Coordinate with advocates and investigators before conducting separate interviews.
- For child victims, limit first responder contact to safety assessment only. Refer forensic interviews to a trained Child Advocacy Center interviewer.

Cultural Responsiveness

- Understand how cultural practices, family loyalty, community pressures, and historical mistrust may shape a victim's willingness to report or cooperate.
- Offer interpreter services for victims whose primary language is not English, including those who speak Native languages.

- Engage tribal victim advocates, traditional healers, and cultural practitioners as integral partners in victim support — not afterthoughts.
- Honor the victim's right to make decisions about their own case and recovery, even when those decisions differ from what law enforcement would prefer.

■ VICTIM SERVICES BY CRIME TYPE

Domestic Violence

- **Lethality Assessment Protocol (LAP)** – Administer a validated LAP on every domestic violence call to identify high-danger victims and trigger immediate advocate contact.
- **Protective Orders** – Explain tribal and federal protective order options, including full faith and credit enforcement across jurisdictions.
- **Safety Planning** – Conduct or facilitate a safety planning conversation with every DV victim before clearing the scene.

Sexual Assault

- **SANE Referral** – Refer every sexual assault victim to a Sexual Assault Nurse Examiner (SANE) for forensic medical examination. Time-sensitive — initiate immediately.
- **SART Coordination** – Activate your Sexual Assault Response Team (SART) or equivalent multi-disciplinary team for coordinated response.
- **Confidentiality** – Sexual assault victims have specific confidentiality protections. Do not disclose victim identity or information beyond what is legally required.

Child Abuse & Drug Endangered Children

- **Mandatory Reporting** – Report immediately to tribal social services and/or state CPS upon any reasonable suspicion of child abuse or a drug endangered child environment.
- **Forensic Interview Referral** – Never conduct forensic interviews of child victims at the scene. Refer to a trained Child Advocacy Center (CAC) interviewer.
- **ICWA Compliance** – Any child removed from the home must be handled in compliance with the Indian Child Welfare Act (ICWA) and tribal placement preferences.

MMIW/MMIP & Missing Persons

- **Immediate Family Engagement** – Assign a family liaison immediately upon a missing persons report. Provide regular case updates and connect the family with an advocate.
- **NamUs Entry** – Enter the missing person into NamUs.gov at the same time as NCIC. Both systems serve different purposes and both are essential.
- **Community Outreach** – Engage tribal leadership and community networks quickly. Community information is often the key to early recovery.

■ TIPS FOR OFFICERS PROVIDING VICTIM SERVICES

- **Lead with Belief** – Default to believing victims. Skepticism is a tool of investigation, not a posture for first contact. Starting with disbelief drives victims away and destroys cases.
- **Connect Every Victim with an Advocate** – A trained victim advocate should be involved in every serious crime case. Make the referral a standard part of your response — not an afterthought.
- **Follow Up After the Initial Report** – A check-in call or visit within 24–48 hours demonstrates institutional care, surfaces new information, and signals that the community's justice system sees the victim.
- **Know Your Referral Network Before You Need It** – Every officer should know by name the local shelter contact, advocate, IHS behavioral health professional, legal aid program, and sexual assault response team.
- **Protect Victim Information** – Victim addresses, phone numbers, and safety plans must be protected from the accused and their networks. Document any disclosure concerns immediately.
- **Document Victim Statements Completely and Accurately** – Verbatim or near-verbatim documentation of victim statements — with context — is the foundation of every successful prosecution.

RESOURCES, GRANTS & SUPPORT

Funding, Training, and Support Resources — Indian Country Victim Services Programs | www.nativejustice.us

■ FEDERAL GRANT RESOURCES

Victim Services Core Funding

- **OVW Tribal Governments Program** – Funds comprehensive victim services for DV, sexual assault, stalking, and sex trafficking in tribal communities. justice.gov/ovw/tribal-governments
- **STOP Violence Against Indian Women (VAIW) – OVW** – Addresses gender-based violence and supports victim-centered tribal response programs. justice.gov/ovw
- **VOCA Victim Assistance Grants** – VOCA funding for tribal victim services administered through state crime victim compensation agencies. ovc.ojp.gov

- **OVC – Office for Victims of Crime Tribal Programs** – DOJ tribal-specific victim services funding, training, and technical assistance. ovc.ojp.gov

MMIW/MMIP & Special Populations

- **OVW VAWA MMIW Task Force Grants** – Dedicated federal funding for tribal governments addressing Missing and Murdered Indigenous People. justice.gov/ovw/missing-indigenous-women
- **OJJDP Tribal Youth & Child Victim Programs** – Supports tribal child abuse response, forensic interview capacity, and juvenile victim services. ojdp.gov
- **National Children's Alliance – Tribal CAC Support** – Supports Child Advocacy Center development in tribal communities for child abuse forensic interviews. nationalchildrensalliance.org

Shelter, Safety & Behavioral Health

- **Family Violence Prevention & Services Act (FVPSA) Tribal Grants** – Funds tribal DV shelter, emergency services, and advocacy programs. acf.hhs.gov/fysb
- **SAMHSA Tribal Behavioral Health Grants** – Trauma-informed behavioral health support for crime victims in tribal communities. samhsa.gov/tribal-ttac
- **IHS Behavioral Health & SANE Programs** – Medical and behavioral health services for crime victims including sexual assault response. ihs.gov/behavioralhealth

■ STATE & ADDITIONAL RESOURCES

- **State VOCA Victim Assistance Programs** – States administer VOCA funds for local victim services programs. Contact your State Crime Victim Compensation Board for tribal program eligibility.
- **State Sexual Assault & DV Coalitions** – State coalitions provide training, technical assistance, and advocate referrals. Most have tribal-specific liaison staff.
- **State VAWA Implementation Grants** – States administer VAWA funding that may be available to tribal governments. Contact your State Coalition Against Domestic Violence.
- **Grants.gov Tribal Search Tool** – Search all federal grants available to tribal entities. grants.gov (filter: Tribal Government eligibility)

■ HELPFUL TIPS FOR TRIBAL PROGRAMS & LEADERS

Hire or Contract a Dedicated Tribal Victim Advocate A dedicated advocate who knows the community and its resources is the single most impactful investment a tribal department can make in victim services outcomes.	Train All Officers on Victim Rights Notification Every officer must be able to explain tribal and federal victim rights at the time of first contact and document that notification was provided in the case report.
Establish a Community-Specific Victim Resource Guide Create and distribute a one-page resource card listing all local victim services — shelter, hotlines, legal aid, advocates, IHS, and CAC contacts — specific to your community.	Implement a Lethality Assessment Protocol (LAP) For domestic violence calls, a validated LAP identifies high-danger victims and triggers immediate advocate contact. It should be standard practice on every DV call.

■ KEY WEBLINKS

National Native Justice Institute	www.nativejustice.us
OVW Tribal Governments Program	justice.gov/ovw/tribal-governments
OVC Tribal Victim Services	ovc.ojp.gov
SAMHSA Tribal Behavioral Health	samhsa.gov/tribal-ttac
National Children's Alliance	nationalchildrensalliance.org
Family Violence Prevention Act Grants	acf.hhs.gov/fysb
IHS Behavioral Health	ihs.gov/behavioralhealth
Grants.gov (Tribal Search)	grants.gov

■ PARTNER WITH NNJI — WE ARE READY TO SUPPORT YOUR COMMUNITY

TAKE ACTION TODAY — Contact NNJI at www.nativejustice.us to schedule training, consultation, or access resources.

Strengthening Tribal Justice — One Community at a Time