

CHILD ABUSE INVESTIGATIONS IN TRIBAL COMMUNITIES

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

■ CHILD ABUSE IN TRIBAL COMMUNITIES

Child abuse — including physical abuse, sexual abuse, emotional abuse, and neglect — is tragically prevalent in tribal communities disproportionately impacted by historical trauma, poverty, substance use, and limited access to preventive services. Every tribal officer must be equipped to recognize, respond to, and investigate child abuse in ways that protect children, build strong prosecutions, and minimize additional harm through the investigation process itself.

🧑‍🦰 Child abuse rates in AI/AN communities are among the highest in the nation, driven by compounding risk factors including poverty, trauma, and service gaps.

⚠️ Child sexual abuse is severely under-reported in tribal communities. Disclosures most often occur to trusted adults, not law enforcement — making every first report a critical moment.

⚖️ Child abuse in Indian Country is subject to federal prosecution under 18 U.S.C. §1153 (Major Crimes Act). Notify the FBI for sexual abuse, aggravated assault, and child abuse cases.

🧠 Trauma-informed, child-appropriate investigation techniques produce stronger disclosures, better prosecution outcomes, and less re-traumatization for child victims.

■ CORE CHILD ABUSE INVESTIGATION PROTOCOL

First Responder Responsibilities

- Ensure the immediate safety of the child: separate the child from the alleged offender and any household members who may be aligned with the offender.
- Conduct a brief, non-leading safety assessment with the child to determine immediate medical needs and whether abuse is currently ongoing.
- Do NOT conduct a forensic interview at the scene. Safety assessment only — refer forensic interview to a trained Child Advocacy Center (CAC) interviewer.
- Photograph visible injuries with a scale reference. Document the child's appearance, emotional state, and any spontaneous statements in your report.

Mandatory Reporting & Agency Notification

- Every tribal officer has a mandatory duty to report suspected child abuse to tribal social services and/or state CPS immediately upon reasonable suspicion — not certainty.
- For Major Crimes Act offenses (sexual abuse, serious physical abuse), notify the FBI immediately. Document the notification time and agent name.
- Notify your supervisor and document all notifications in your incident report.

Forensic Interview & MDT Coordination

- Request a forensic interview through a Child Advocacy Center (CAC) or trained forensic interviewer as soon as possible after the initial report.
- Participate in a Multi-Disciplinary Team (MDT) with child welfare, medical, and prosecution partners to coordinate investigation and minimize the number of times the child is interviewed.
- Do not discuss case details with the child's non-offending parent until after the forensic interview to avoid contamination of the child's account.

■ TIPS FOR CHILD ABUSE INVESTIGATORS

- **Believe Children First, Investigate Second** — Children rarely fabricate detailed disclosures of abuse. Begin with a presumption of credibility, document what you hear, and let the investigation determine the facts.
- **Document Spontaneous Statements Verbatim** — If a child makes an unsolicited disclosure at any point, document the exact words used, the context, and the time immediately in your notes.
- **Protect the Non-Offending Caregiver** — The non-offending parent or caregiver is often a victim too. Engage them with the same trauma-informed approach you apply to the child.
- **Understand ICWA Implications** — Indian Child Welfare Act protections apply to placement decisions for tribal children. Coordinate with tribal social services on any child removed from the home.
- **Request Medical Evaluation for All Cases** — A sexual assault nurse examiner (SANE) or pediatric physician should evaluate every child sexual abuse case. Physical examination findings are critical to prosecution.
- **Use a CAC for Every Forensic Interview Possible** — Child Advocacy Centers dramatically improve interview quality, reduce re-traumatization, and increase prosecution success rates. Establish a CAC relationship for your community.

RESOURCES, GRANTS & SUPPORT

Funding, Training, and Support Resources — Tribal Child Abuse Investigation Programs | www.nativejustice.us

■ FEDERAL GRANT RESOURCES

Child Protection & Investigation

- **OJJDP Tribal Youth & Child Protection Programs** — Supports tribal child abuse response, prevention, and investigation. ojjdp.gov
- **OVW Tribal Governments Program** — Funds child sexual abuse response and victim services. justice.gov/ovw/tribal-governments
- **Children's Bureau – Title IV-B Child Welfare Grants** — Funds tribal child welfare services including child abuse investigation capacity. acf.hhs.gov/cb

Medical & Forensic Resources

- **SAMHSA Tribal Behavioral Health Grants** — Funds trauma-informed behavioral health for child abuse victims. samhsa.gov/tribal-ttac
- **National Children's Alliance – Tribal CAC Support** — Supports development of Child Advocacy Centers in tribal communities. nationalchildrensalliance.org
- **IHS Child Health Programs** — Medical services for child abuse victims including SANE resources. ihs.gov
- **CTAS – DOJ Tribal Assistance** — DOJ consolidated tribal funding supporting child abuse investigation capacity. justice.gov/tribal

■ STATE & ADDITIONAL RESOURCES

- **State Homeland Security Grants (SHSGP)** — Tribal law enforcement may be eligible for state-administered FEMA homeland security funding.
- **Tribal Law & Order Act (TLOA) Resources** — Expanded tribal criminal authority and DOJ technical assistance for implementation.
- **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

Establish or Join a Child Advocacy Center (CAC) A CAC brings law enforcement, child welfare, medical, and prosecution together under one roof to coordinate child abuse investigations and minimize child re-traumatization.	Train All Officers on Mandatory Reporting Every officer must understand their mandatory reporting obligations and the specific reporting process for your tribe and jurisdiction.
Develop an MDT for Child Abuse Cases A formal MDT agreement with child welfare, tribal social services, medical, and prosecution partners ensures coordinated, trauma-informed, legally sound investigations.	Pursue Forensic Interview Training At least one officer in every tribal department should be trained in forensic interview techniques. This improves early contact quality and CAC coordination.

■ KEY WEBLINKS

National Native Justice Institute	www.nativejustice.us
National Children's Alliance	nationalchildrensalliance.org
OJJDP Tribal Youth Programs	ojjdp.gov
SAMHSA Tribal Behavioral Health	samhsa.gov/tribal-ttac
IHS Child Health	ihs.gov
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