STATEMENT
OF
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BEFORE
THE COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE
ON
"ADDRESSING THE NEED FOR VICTIM SERVICES IN INDIAN COUNTRY"

June 10, 2015

Good afternoon, Chairman Barrasso, Vice Chairman Tester, and members of the Committee. Thank you for the opportunity to provide a statement on behalf of the Department of the Interior, Bureau of Indian Affairs, on the topic of "Addressing the Need for Victim Services in Indian Country. I would like to take a moment to congratulate the Committee and members of Congress on taking unprecedented action that increased the cap on the Crime Victims Fund, a catalyst to improve and expand the Nation's capacity to effectively respond to the needs of all crime victims.

We at the Bureau of Indian Affairs share the commitment to meet the needs of crime victims in American Indian and Alaska Native communities and we also aim to decrease barriers faced by AI/AN communities to access programs and services critical to meeting the needs of crime victims.

The Department also appreciates and would like to thank the Office for Victims of Crime (OVC) at Department of Justice for its continued support. Since 2010 OVC has provided approximately $2.9 million in seed money to support BIA Victim Specialist positions in New Mexico, Montana, Arizona, and South Dakota. In FY 2015, OVC will be providing BIA an additional $832,000 for training and technical assistance including efforts focused on Pine Ridge and the Bakken region.

State of Indian Country

AI/AN communities make up approximately 1.7% of the Nation's population, but suffer some of the highest rates of violent crime, shorter life expectancy, higher rates of suicide, and have the least amount of consistent resources available on a continuum of care that one can expect in most rural and urban settings.

While there is a severe lack of data on crime and victimization in AI/AN communities, it is well documented that AI/AN communities experience higher rates of violence than the general population.

AI/AN women experience the highest rates of sexual assault and domestic violence in the nation.[1] Native youth between the ages of 12 and 19 are more likely than non-Native youth to be the victim of either serious violent crime or simple assault;[2] and suicide is the second leading cause of death for our Native youth aged 15 to 24.[3] Just in the last ninety (90) days, BIA Law Enforcement alone responded to eighty-eight (88) suicide attempts, with six (6) of those being successful attempts, accounting for almost one (1) suicide attempt per day. AI/AN children suffer post-traumatic stress disorder at the same rate as veterans returning from Iraq and Afghanistan, and triple the rate of the general population.[4]

Forty percent of the federally-recognized tribes in the United States are in Alaska. Alaska Natives represent one-fifth of the total State population.[5] The demographics for Alaska Native villages are vastly different than most American Indian tribal communities in the Lower 48.

Public safety concerns over limited resources are severe across Indian Country, but disproportionately so in Alaska Native Villages. The rate of sexual violence victimization among Alaska Native Women was at least seven times the non-native rate.[5] On average, in 2003-2004 an Alaska Native female became a victim of reported sexual assault or of child sexual abuse every 29.8 hours. The isolation of villages and the inability to easily access tribal communities further create vulnerabilities of re-victimization for Alaska Natives.[5]

Given the national rates of crime victimization in American Indian and Alaska Native communities, it is necessary to address the resource parity for tribal nations. The Victims of Crime Act and the Crime Victims Fund is the largest source of federal funding for crime victims. While states and territories receive an annual formula based on funding from the Victims of Crimes Act (VOCA) fund, tribes do not. The BIA supports a tribal set-aside for Indian tribes to establish and strengthen victim service programs for crime victims in AI/AN communities.

In Fiscal Year 2014, $730 million was distributed from the Crime Victims Fund, and approximately $6.1 million reached tribes through tribal specific discretionary grant programs.

While these efforts are commendable, the level of funding distributed specifically for Tribes for AI/AN communities is less than 1 percent of the VOCA funds distributed each year. There is much more work to do to meet the critical needs of crime victims in Indian Country.

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[1] www.BJS.gov.

[2] Indian Law and Order Commission Report, Chapter 6 *"Juvenile Justice: Failing the Next Generation,"* November 2013.

[3] Substance Abuse and Mental Health Services Administration (SAMHSA), National Survey on Drug Use and Health, 2003.

[4] *"Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence Report: Ending Violence so Children Can Thrive,"* Final Report, November 2014.

[5] Indian Law and Order Commission Report, Chapter 2 *"Reforming Justice for Alaska Natives: The Time is Now,"* November 2013.

Unmet Needs faced by Tribes for AI/AN Communities

Designated funding specifically for Tribes for AI/AN communities would establish and/or strengthen justice for crime victims and meet some of the most critical and basic unmet needs in AI/AN communities. Crime victims in AI/AN communities have need for a wide range of services that are culturally appropriate and tribal specific. The proposed tribal set aside would allow Indian tribes to provide the following:

- Comprehensive community based programs to provide direct and immediate assistance to victims to include culturally appropriate crisis response and intervention, victim advocacy, financial assistance for emergency needs such as food and clothing, transportation, court accompaniment, and safe homes or shelters;

- Holistic services for abused and neglected children and children exposed to violence, such as Trauma Informed Care Centers and Child Advocacy Centers;

- Legal and criminal justice advocacy, such as initiatives to support local task forces and multi-disciplinary teams to improve child abuse investigations and prosecutions, forensic interviewing, and developing culturally specific models such as Sexual Assault Forensic Examination Support, Training, Access and Resources (SAFESTAR), to provide community based responses to sexual assault victims;

- Additional staffing for BIA Victim Specialist to serve all 26 BIA operated Law Enforcement Programs, and to expand the program to fund Tribal Victim Specialist positions to assist crime victims both in federal and tribal criminal justice systems. Tribes should be able to sustain not only human resources, but develop and enhance or expand current programs and services for the immediate needs of crime victims;

- Professional Development and Peer Mentoring across the Nation and regions to support advancement of tribal Victim Services (VS) programs, to identify and support new Promising Practices, to develop and expand Program Policies and Procedures, and to provide administrative and financial oversight of designated tribal VOCA programs; and

- Expanded National Data Statistics, Collection, and Research and Development Programs for Indian tribes.

Tribal leaders and tribal organizations have advocated year after year on the need for change in the way tribes access funding to support sustainable victim service programs. Competitive discretionary grant programs are limited in capacity to provide sustainable victims services and resources for American Indian and Alaska Native communities. Due to the lack of adequate resources within tribal communities, once funding is unavailable, victim service programs lose continuity and often victims distrust the help that is available.

Conclusion

Tribes possess the ability to identify and understand the range of issues in their tribal communities; they are also closest to and understand what approaches are suitable and have the potential to create positive change. We must listen to the wisdom of Tribal Leaders and acknowledge our responsibility to provide Indian tribes adequate funding much like that afforded to states and territories. Tribes should be able to sustain not only human resources, but also develop or expand current programs and services for the immediate needs of crime victims.

The Bureau of Indian Affairs has the advantage of working alongside tribes and understands firsthand the severity of the lack of resources in Indian Country and the impact it has on tribal communities. A tribal set-aside for Indian tribes to establish and strengthen victim service programs for crime victims in AI/AN communities would help address this critical need.