

VICTIM SCENARIO

Virgil, a non-Indian, and Twila, a member of a federally recognized Tribe, are intimate partners. They have 2 children. Twila gets a Protection Order. Virgil is to have no contact with and make no threats to Twila and the children. The children's names are not on the Protection Order.

Virgil is also not to harm the family dog or any of Twila's property. They have a home on the Reservation. Brutus moved out because of the Protection Order but is staying with other friends on the Reservation.

Monday, December 8, 2014, Virgil came by the house. He rammed his pickup into Twila's car crumpling the hood and putting a hole in the radiator.

Virgil then came into the house and screamed at Twila. He threatened to take the children away from Twila. He backed Twila up against the wall and then punched the wall right next to Twila's head.

Next, he kicked the dog several times and turned to the children. He wagged his finger at them and said: "You better do what I say or else you will get worse than the dog did. You do what I say, not what that bitch (pointing to Twila) says. Got it?"

QUESTIONS:

1. Is Twila a victim?
2. The dog?
3. The children?
4. If the court had listed the children on the Protection Order, does that change your decision about the children being victims?