



## Services Provided

- \* Sexual Assault Response Team (SART)
- \* Sexual Assault Nursing Exam (SANE) Unit
- \* Victim Advocacy
- \* Prosecution

## Mission

- \* To provide, ensure and support safe tribal villages that promote and encourage the continuation of the Tribes' cultures and traditions.

## Program Goals

- \* Ensure the safety of our Native Women in our tribal villages.
- \* Support victims/survivors and their families.
- \* To enhance the ability of law enforcement agencies to obtain evidence and successfully prosecute sexual assault cases.
- \* To work, hand in hand, with state's attorney to prosecute and hold offenders accountable.

## Program Goals

- \* To protect the sexual assault victim from further harm.
- \* To provide crisis intervention
- \* To provide timely, thorough and professional forensic evidence collection, documentation and preservation of evidence
- \* To appropriately refer rape victims for immediate and follow up counseling

## The Beginning

- \* Determine tribal needs
- \* What services will be provided?
- \* Where will they be provided?
- \* Who will receive SART services?
- \* Who will provide SART service?
- \* Who will administer the grant?
- \* Grant application and Award

## The Beginning

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## Key Features

- \* Notification of sexual assault
- \* Coordinated team notification and assembly
- \* High priority examination
- \* Secure dedicated exam space
- \* Advocacy for immediate patient support
- \* Joint/Coordinated medical and law enforcement interview

## SART Organization

- \* Specialized training for all team members
- \* Appropriate medical direction and oversight
- \* Collaboration and cooperation with community resources

## Partnerships

- \* Development of a Sexual Assault Response Team consisting of agencies and professionals that contribute to services for our native men, women and children.
- \* Work to develop strategies to respond in an effective and cohesive manner to the needs of those served.
- \* Facilitate inter-agency training to improve coordination, communication and service provision for our native people.

## Partnerships

- \* Strong Hearted Native Women's Coalition
- \* Pauma Tribal Law Enforcement
- \* Rincon Tribal Law Enforcement
- \* Valley Center Sheriff's Office
- \* Indian Health Council (IHC)
- \* Peace Between Partners
- \* Avellaka Program
- \* California Indian Legal Services
- \* Inter-Tribal Court of Southern California
- \* Riverside and San Diego County Sheriff and District Attorneys

## SART Model

- \* The Pauma-Rincon SART Team involves a coordinated response that helps prevent the victim from repeatedly reporting the assault.
- \* Helps the various agencies to work together to meet the needs of the rape victim as she/he progresses through the physical and mental health care system, as well as the criminal justice process.

## Barriers

- \* Limited long term contact with patients to assess health outcomes
- \* Limited training on trauma and/or sexual assault
- \* Different ideas on how to measure success

## Barriers

- \* Tribal Politics
- \* Access to follow up health care
- \* Limited knowledge of follow up services
- \* Lack of ongoing communication between SART and follow up service providers/SART and Law Enforcement
- \* HIPPA constraints

## Tribal SART Team

- \* Law Enforcement (Sgt. Hazel Martinez, 1<sup>st</sup> responder/detective)
- \* SART Nurse (Sonia Devez)
- \* Doctors/Nurse Practitioner - (Esther Calac)
- \* Advocate (Karen Nelson)
- \* Crime Lab –San Diego
- \* Tribal Prosecutor (Hedi Bogda)





## Law Enforcement



## Law Enforcement-Sgt. Hazel Martinez

- \* Military Veteran
- \* Retired Riverside Deputy Sheriff
- \* Bachelors Degree in Social Criminal Justice
- \* Working in Native American Community past 13 years
- \* Founder and Director of Lambs House of Grace (Shelter for Homeless Pregnant Women), 4+ years
- \* Member of Strong Hearted Native Women Coalition
- \* Dispatch Sgt. For Pechanga Resort & Casino
- \* Mother of one son who is Married
- \* Two beautiful grandchildren, they all live in England.

## Law Enforcement Initial Contact with Adult Victim

- \* Attend to the Victim
- \* Be empathetic towards the victim
- \* Preserve evidence on victim (not taking shower, nothing to drink, not brushing teeth or removing any clothing)
- \* Secure and protect crime scene (might be multiple – house, car, etc.)
- \* Contact Advocate and other Resources
- \* Apprehend the offender if present (if not obtain as much information as possible in an effort to pinpoint possible location, physical description, clothing, tattoos, facial features, identifying marks, distinctive walk, odors, vehicle driving, etc.)

## Law Enforcement Dealing with Sexual Abuse in Children

- \* Ensure the safety of victim
- \* Be protective and assure child he/she is safe
- \* Get as much initial information as possible from witnesses (Specialize questioning for child)
- \* Preserve evidence, collect clothing, diapers, bedding, check for bruising without harming the child, computers, or other materials and get contact information for all potential witnesses
- \* Secure and protect the scene
- \* Apprehend the offender



## Law Enforcement-Facts about child cases

- \* Most common type of sexual abuse of children is sexual contact rather than acts involving penetration.
- \* The majority of child sexual abuse involves delayed disclosure. Time sensitive physical evidence or injuries that require treatment are rather rare.
- \* Unless there is some indication that the abuse occurred recently and/or there may be injuries a child need not be taken to the emergency following disclosure of abuse.
- \* Hospitals should not perform full sexual assault forensic exams on children under the age of 12.

## Law Enforcement-Facts about child cases

- \* In situations where abuse has just occurred and the specifics of the situation indicates the need a child may be taken to a hospital emergency. The hospital will assess for injuries and treat, if needed; and if there is a possibility that physical evidence is present a SANE nurse may collect some evidence.
- \* Because of the many special challenges in communicating with children it is preferred a sexual abuse case should be done by investigation who have undergone specialized training in child forensic training.

## Tribal SART Nurse – Sonia Develez

- ❖ Registered Nurse for 8yrs
- ❖ Working in Native American Community past 5+yrs
- ❖ Completed Online Forensic Program (Riverside University)
- ❖ Was published in their 2014 Summer catalog (Rising Star)
- ❖ Forensic Certificate in 2013 from CCFMTC (California Clinical Forensic Medical Training Center)
- ❖ Belong to Strong Hearted Native Women Coalition
- ❖ Belong to International Forensic Nurses Association
- ❖ Educate the youths at Pauma Reservation re: Sexual Violence, Sex Trafficking, Internet Predators, ect.
- ❖ Participated and volunteered-Avellaka 7<sup>th</sup> Annual SA walk



## Tribal SART Nurse: Statistics

- ❖ 61.4% of all American Indian and Alaska Native women will be physically assaulted in their lifetime.
- ❖ 1 in 3 native women get raped by someone they know.
- ❖ Native American women in particular are victims of violent crime 2.5 times more often than the national average.
- ❖ There are underreporting of sexual crimes to tribal authorities and partly due to underreporting to the federal authorities.
- ❖ These statistics are just based on who reports the crime

## Forensic Services

- \* Forensic Evidence Collection
- \* Medical Evaluation (contract IHC)
- \* STD and Pregnancy Prevention medication/ education/ HIV referral
- \* Photo Documentation
- \* Intertribal court of So. CA (alternative as needed with CA district court)
- \* Follow up referral (district court)



## Victims that Present to IHC



Ages >12

Ages <12

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>❖ Assess if no life threatening issues or concerns. (should be done by an MD or PA)</li> <li>❖ Ensure the safety of the patient</li> <li>❖ Medical should <u>always</u> come first</li> <li>❖ Inform patients of their options for medical/forensic care</li> <li>❖ Keep NPO if possible- but allow patient comfort.</li> <li>❖ Allow patients to use the restroom               <ul style="list-style-type: none"> <li>❖ Save a small sample for SART Nurse (Chain of custody)</li> <li>❖ Instruct patients not to wash hands or wipe</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>❖ Assess if no life threatening issues or concerns. (should be done by a Medical Provider, MD or PA)</li> <li>❖ Ensure the safety of the patient</li> <li>❖ Medical should <u>always</u> come first</li> <li>❖ ICWA will be involved as well as Law Enforcement</li> <li>❖ Refer child to Palomar Forensics</li> </ul> |
|--|---|

## IHC ER Role/Evidence Handling

- ❖ Avoid cutting through rips/stains/tears on clothing
- ❖ If they must undress, avoid shaking clothing
- ❖ Place in paper bag if avail.. Otherwise plastic is ok.
- ❖ Use Universal Precautions (they are not a biohazard)



SEXUAL  
ASSAULT

## SART Exam

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>* Conduct history including: (CaIEMA form)             <ul style="list-style-type: none"> <li>* Assault                 <ul style="list-style-type: none"> <li>* Surrounding area</li> <li>* Identifiers</li> </ul> </li> <li>* Post assault hygiene</li> <li>* Medical history</li> <li>* Photograph</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>* Evidence collection begins             <ul style="list-style-type: none"> <li>* LOC?</li> <li>* Clothing (wet/dry)</li> <li>* Inspection</li> <li>* (Bites/stains)</li> <li>* Swabs</li> </ul> </li> </ul> |
|---|---|

## Evidence Cont.

- \* Genital Exam (Vaginal vs Cervical) (Testicles vs penis)
- \* Speculum
- \* TB Dye
- \* Anoscope



## Special Considerations

- \* Minors and consent
- \* Language Barriers
- \* DFSA (Drug facilitated SA)
- \* Child Abuse
- \* Elder Abuse
- \* Weapons- patterned injuries
- \* Strangulation (cough, hoarsness, Petichia, incontinence)



## Medications/Labs

- \* STD
- \* Pregnancy
- \* Nausea
- \* Pregnancy test
- \* Blood Alcohol
- \* Blood Toxicology
- \* Urine Toxicology



## Follow- Up

- \* Kit to LE
- \* Chain of Custody
- \* Storage of Kits
- \* Cooperation
- \* Victims of Crime Compensation
- \* Advocacy
- \* Clothing

Jane Doe Kits (VAWA) (1-1-2012)

The law enforcement agency in the jurisdiction where the crime occurred has the responsibility for transporting and storing the evidence generated from the forensic sexual assault examination performed using either the Cal EMA 2-924 or Cal EMA 2-923 sexual assault forensic medical examinations.



## Karen Nelson – Trial Advocate

- \* Licensed Vocational Nurse for 26 yrs
- \* Working with Native American population 20 + years
- \* Completed an online course –Intro to Forensics (Riverside University)
- \* Belong to Strong Hearted Native Women Coalition
- \* Host work shops for Pauma youth and Women gatherings
- \* Worked along side Avelleka Program for the 7<sup>th</sup> Annual SA walk
- \* Great at fringing Shawls



## Role of Advocate

- |  |  |
|--|--|
| * Explain SART exam                    | * Be open minded                                 |
| * Provide information about choices    | * Supporter                                      |
| * Listen and believe                   | * Do not investigate nor judge                   |
| * Do not interrupt the interview       | * May accompany victim to appointments/courtroom |
| * Ensure they are treated respectfully | * Provide referrals/follow-up                    |
| * Help prioritize and solve concerns   |  |



## Advocate Responding to a Crisis Call

- \* Identify immediate concerns/needs
- \* Establish safety
- \* Explain services
- \* Arrange transportation
- \* Discuss evidence needed for exam
- \* Address practical issues
- \* Arrange time to meet
- \* Activate other first responders



## Trial Advocate and SART Nurse Working Together

- \* Reinforce each other that the victim hears the same words such as it's not your fault, or we are here to help you.
- \* The Advocate and SART nurse may be in same room if victim wants Advocate during the interview and evidence collection process
- \* The Advocate does not assist with evidence collection
- \* The Advocate can calm down the victim if he/she is feeling anxious while SART nurse continues with exam

## A better understanding when an Advocate is present

- \* The advocate is going to help the victim feel safe and in control as well as competent and cared for.
- \* Victim advocate provides better support in court and during meetings with prosecutors.
- \* The Advocate shows empathy for the victim
- \* The Advocate can determine victims' psychological and physical needs.
- \* Overall, the victim feels safer and is more cooperative and more willing to report the crime.

## Tribal Prosecutor



## Tribal Prosecutor – Hedi Bogda

- \* Over nineteen years of legal experience.
- \* Provide legal advice and representation on Indian law matters to tribal, state and federal governments.
- \* Board Member of the Strong Hearted Native Women Coalition.
- \* Enrolled member of the Minnesota Chippewa Tribe, Leech Lake Band of Ojibwe.
- \* Licensed to practice law since 1997.
- \* Bachelor's degree in Psychology from St. Olaf College and her Juris Doctor from the University of North Dakota School of Law.
- \* Member of the Minnesota and South Dakota Bar and is admitted to practice in the federal district courts of Minnesota.

## Tribal Prosecutor - Experience

- \* Experienced in multiple practice areas including federal Indian law, tribal law, land use and environmental planning, tribal state and federal regulatory law, tribal government, tribal sovereignty.
- \* Experience in self-determination, economic development, taxation, gaming, land into trust, Indian housing, ICWA, domestic violence and sexual assault, family law, energy, environmental, water and natural resource law, tribal social service areas, tribal code development and civil and criminal law.



## Tribal Prosecutor – Experience Cont.

- \* Employment with Indian tribes, as well as leading Indian Law firms where legal advice is provided and consultation to various Indian tribes.
- \* Served as an Assistant United States Attorney for the United States Department of Justice, Chief Prosecutor for the Rosebud Sioux Tribe and Domestic Violence Prosecutor for the Lower Brule and Crow Creek Tribes.
- \* Served as the Deputy Director for the State of South Dakota Office of Tribal Government Relations, and as an Associate Regional Counsel for the United States Environmental Protection Agency.

## Tribal Prosecutor – In Court

- \* Provide advice and representation to tribal, state and federal governments in a wide variety of matters.
- \* Negotiate gaming compacts, and has negotiated and drafted numerous agreements on behalf of tribal clients.
- \* Assist tribal clients in the formation of corporate entities and frequently drafts tribal ordinances, resolutions and charter documents in furtherance of such entities.
- \* Draft tribal codes, ordinances and policies in all practices of law.

## Tribal Prosecutor – Current Work

- \* Currently provide legal advice and consultation to the Pauma Band of Mission Indians; National Criminal Justice Training Center, AMBER Alert Training and Technical Assistance Program, Office of Justice Programs, Fox Valley Technical College; Cedarville Rancheria; Pauma Band of Mission Indians; and Tule River Economic Development Board.



## Tribal Prosecutor- Current Work Cont.

- \* Currently serve as an Appellate Justice for the Turtle Mountain Court of Appeals.
- \* Work for Pauma-Rincon SART Team
- \* Active in preventing violence in Indian country and has worked with the implementation of VAWA, ICWA, ICRA, SORNA and TLOA in Indian Country.



## Program Manager-Juana Majel Dixon

- \* Tribal delegate and Co-Chair of Religious Cultural Concerns Committee
- \* Co-Chair of the Public Safety Task Force
- \* Co-Chair of the National Congress of American Indians Resolution Committee
- \* Pauma Traditional Legislative Council women x 3-8yrs
- \* Adjunct Professor of Federal Indian Law & Policy
- \* American Indian Studies Department at Palomar College x 35 yrs



## Program Manager-Juana Majel Dixon

- \* American History @ Palomar College, Visiting Professor Cal State San Marcos, Mesa College, Harvard Kennedy Govt. College, Claremont Grad School, SDSU
- \* President for Strong Hearted Native Women Coalition
- \* PH. D. Education and Policy
- \* Master of Science, School Psychology
- \* Master of Arts, Behavioral Science/Community Base Counseling
- \* BS Behavioral Science
- \* Co-Chair for NCAI task force to Stop Violence Against Native Women

## Program Manager-Juana Majel Dixon

## Sustainability

- \* The building of relationships with a cross section of programs – SART members
- \* Sharing knowledge and work lightens the load for all
- \* Mentoring programs and individuals
- \* Layering the services with a transparency of communication



## Sustainability of the Collaboration

- \* Community sharing of resources and knowledge when necessary builds strength into all our programs
- \* Define team member responsibilities based on collaboration and be willing to evaluate as changes in programs occur.
- \* Be willing to cultivate “living” collaborations  
If it is alive it changes, grows, blossoms . . .  
Creating **Seeds of Change** for our communities.
- \* Cultivation of a sense of “control and ownership” among all team members

## Collaboration Essentials

- \* Early involvement and the availability of resources to effectively collaborate
- \* Effective collaboration requires building relationships and trust
- \* A culture that encourages teamwork, cooperation, communication and collaboration

## Accomplishments

- \* Sexual Assault Response Team Protocols and Policy and Procedures developed and approved
- \* 1 Nurse receive International Association of Forensic Nurses Certification
- \* Law Enforcement Officers trained



## Resources

- \* Pauma/Rincon SART Office, 1010 Pauma Reservation Rd. Pauma Valley, CA 92061  
(760)742-1236 x316
- \* Pauma Tribal Law Enforcement, 1010 Pauma Reservation Rd., Pauma Valley, CA 92061  
(760) 742-2358
- \* Rincon Tribal Law Enforcement, 49002 Golsh Rd. Valley Center, CA 92082  
(760) 297-2611
- \* Strong Hearted Native Women's Coalition, Inc., P.O. Box 2488, Valley Center, CA 92082  
(760) 644-4781
- \* Valley Center Sheriff's Office, 28205 N Lake Wohlford Rd, Valley Center, CA 92082  
(760) 751-4400
- \* Indian Health Clinic, 50100 Golsh Rd. Valley Center, CA 92982  
(760) 749-1410
- \* Avellaka Program, 22000 Highway 76, Pauma Valley, CA 92061  
(760)742-8628
- \* Palomar Medical Center, Forensic Health Services, SART and Child Abuse Program  
121 N. Fig Street Escondido, CA 92025  
(760) 739-2150

## SART TEAM



The End 😊

