

Walking in the Shoes of Victims: The Journey Continues



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Learning Objectives

- Increase knowledge of system's response to victims experiencing domestic violence and sexual assault.
- Identify legal needs and long-term needs of victims and how advocates can assist victims with accessing appropriate services,
- Learn benefits of victims securing legal assistance
- Identify benefits of advocacy programs and legal services engaging in collaborative work
- Discuss the importance improving system response, through protocol development in domestic violence and sexual assault response.



Knowledge Check

Maya is a dental assistant at the IHS clinic. A dentist at the clinic makes unsolicited sexual advances towards her. Maya firmly declines and tries to leave, but the dentist blocks the door and says, *"It would be too bad if a 'misunderstanding' gets in the way of your position here."* Maya tells you that she now experiencing high levels of anxiety, difficulty concentrating, and a fear of encountering Julian in common areas. What steps do you take to support her?



Please place ideas in chat

Continuum of Domestic Violence, Sexual Assault



Systems Response to Domestic Violence



The diagram illustrates the central role of domestic violence victims and children who witnessed violence, and their connections to various support and legal entities. The central node is a blue rounded rectangle labeled **DOMESTIC VIOLENCE VICTIM/CHILDREN WHO WITNESSED VIOLENCE**. It is connected to seven other nodes by double-headed arrows:

- Jail** (teal rounded rectangle, top left)
- Advocacy/Shelter Program** (teal rounded rectangle, top center)
- Non-tribal legal services and resources MOUs** (white rounded rectangle with purple border, top right)
- Prosecutors** (white rounded rectangle with orange border, middle right)
- Courts (Civil & Criminal)** (teal rounded rectangle, bottom right)
- Hospital** (white rounded rectangle with orange border, bottom center)
- Child Advocacy Program** (white rounded rectangle with purple border, bottom left)
- Law enforcement** (teal rounded rectangle, middle left)

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graph TD; DV[DOMESTIC VIOLENCE VICTIM/CHILDREN WHO WITNESSED VIOLENCE] <--> Jail[Jail]; DV <--> AS[Advocacy/Shelter Program]; DV <--> NTL[Non-tribal legal services and resources MOUs]; DV <--> Prosecutors[Prosecutors]; DV <--> Courts[Courts (Civil & Criminal)]; DV <--> Hospital[Hospital]; DV <--> CAP[Child Advocacy Program]; DV <--> LE[Law enforcement];
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Knowledge Check

What other agencies/service providers are or may be involved in domestic violence cases?

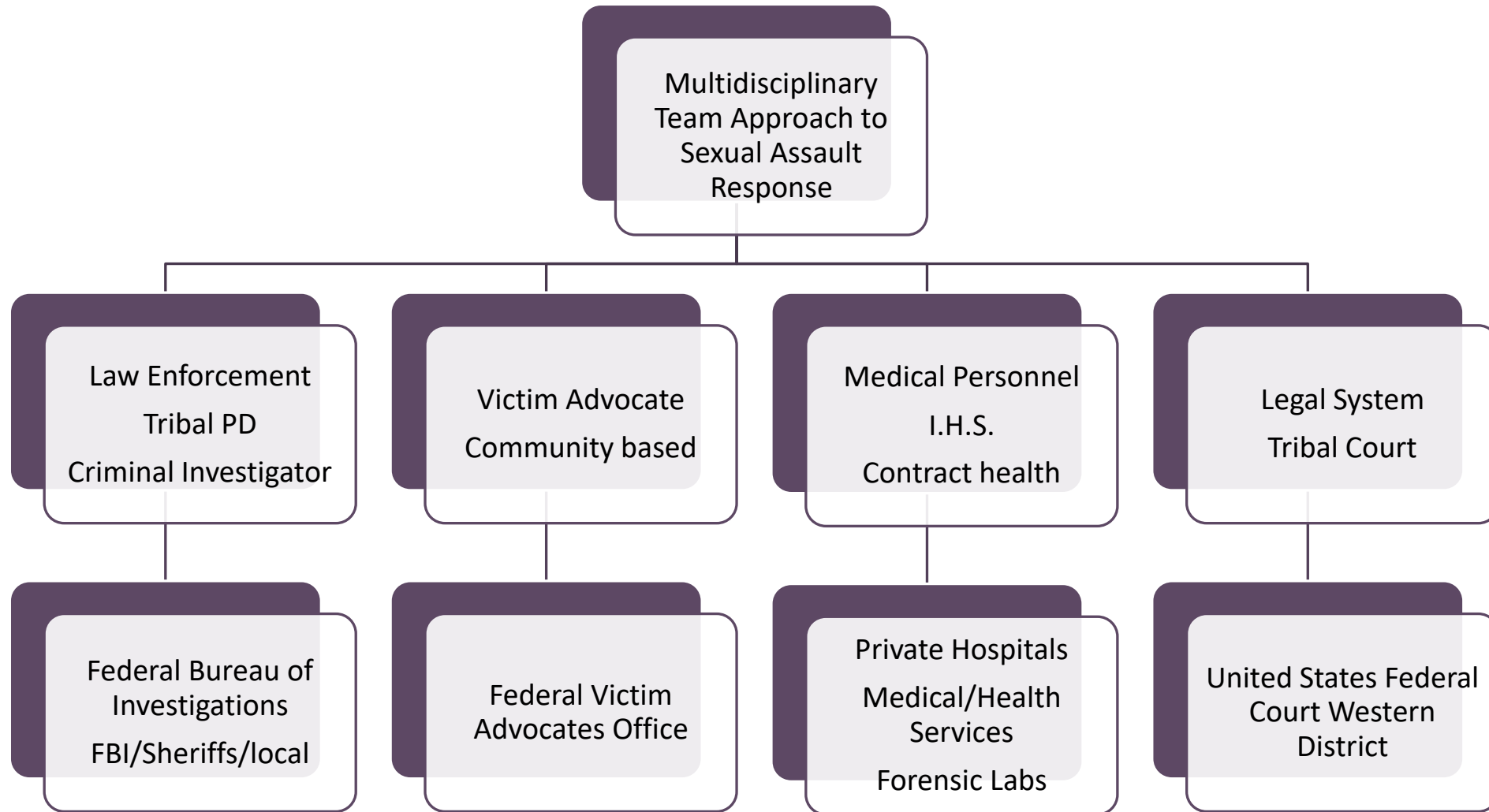
Please place ideas in chat



Systems Response to Sexual Assault



Sexual Assault Response Agencies



Victims of Sexual Assault/Domestic Violence May Enter Criminal/Civil Justice System Through Different Doorways

- Hospital
- Law Enforcement
- Advocacy
- Other

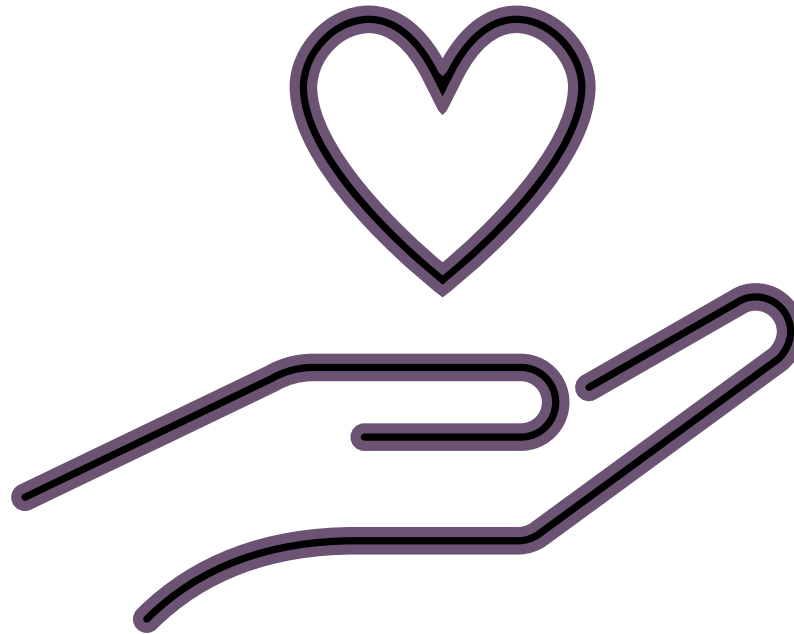


Stigma Experienced by Victims

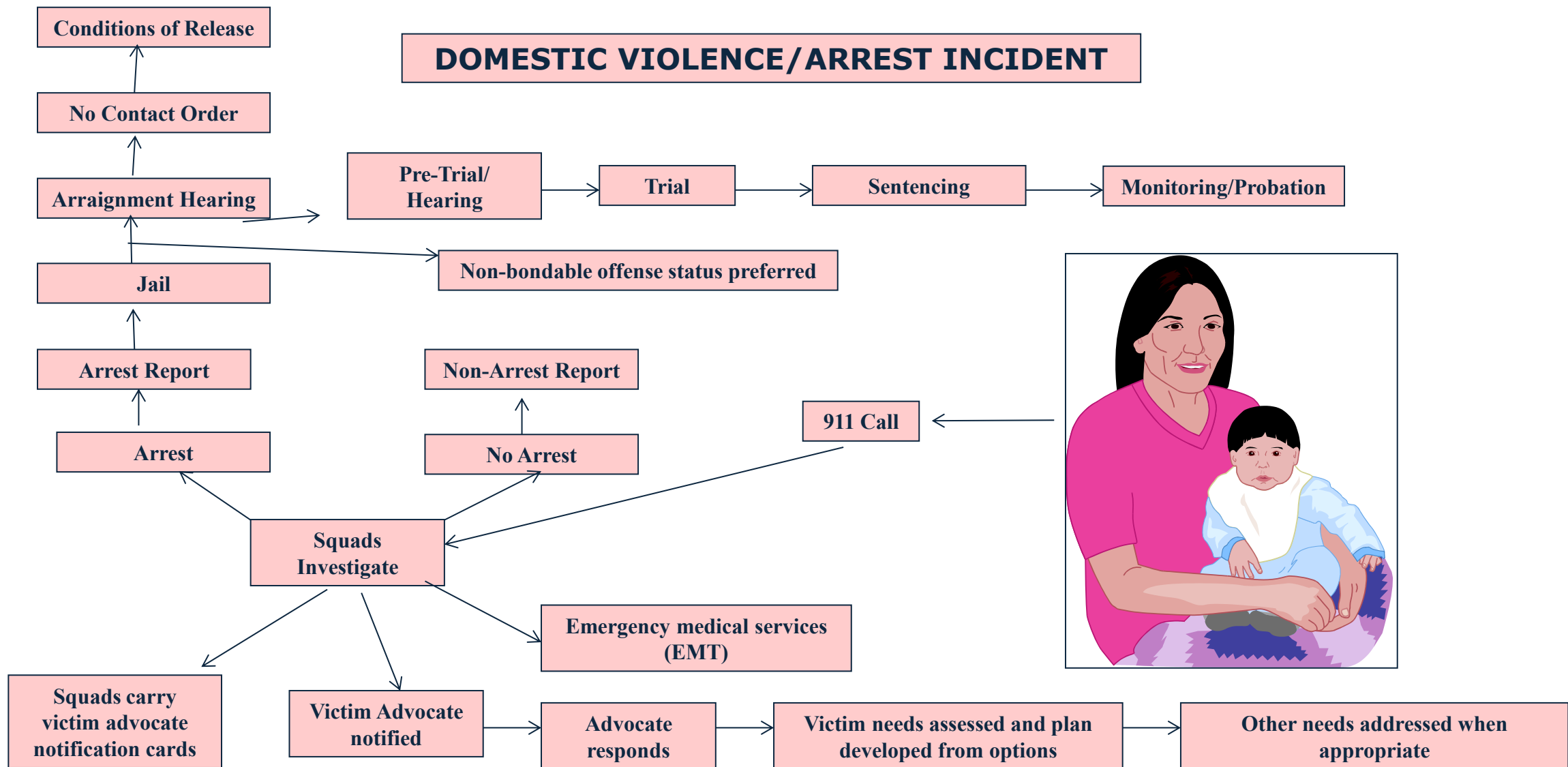
- Feelings of guilt, shame, or responsibility for their abuse
- Being perceived or treated differently by others
- Having their experiences dismissed, denied, or mitigated
- Loss of status and/or isolation
- Discrimination, such as being evicted as a result of their abuse, or being fired for needing to take time off of work for court appointments or healthcare
- Placing blame on victim and projecting misguided information about domestic violence and sexual assault on to victims



First encounter is so critical, and the type of response a victim receives can make it or break it.



DOMESTIC VIOLENCE/ARREST INCIDENT



Needs for all victims

Safety – safety planning, protection order, no contact order, privacy/confidentiality safeguarded enforced

Basic needs for self and child/ren – housing, financial, child custody, safe housing, permanent decent affordable or to stay in current residence

Financial resources – bank account, retirement account, assets protected from abuser

Accurate information about options and resources available to facilitate decision-making

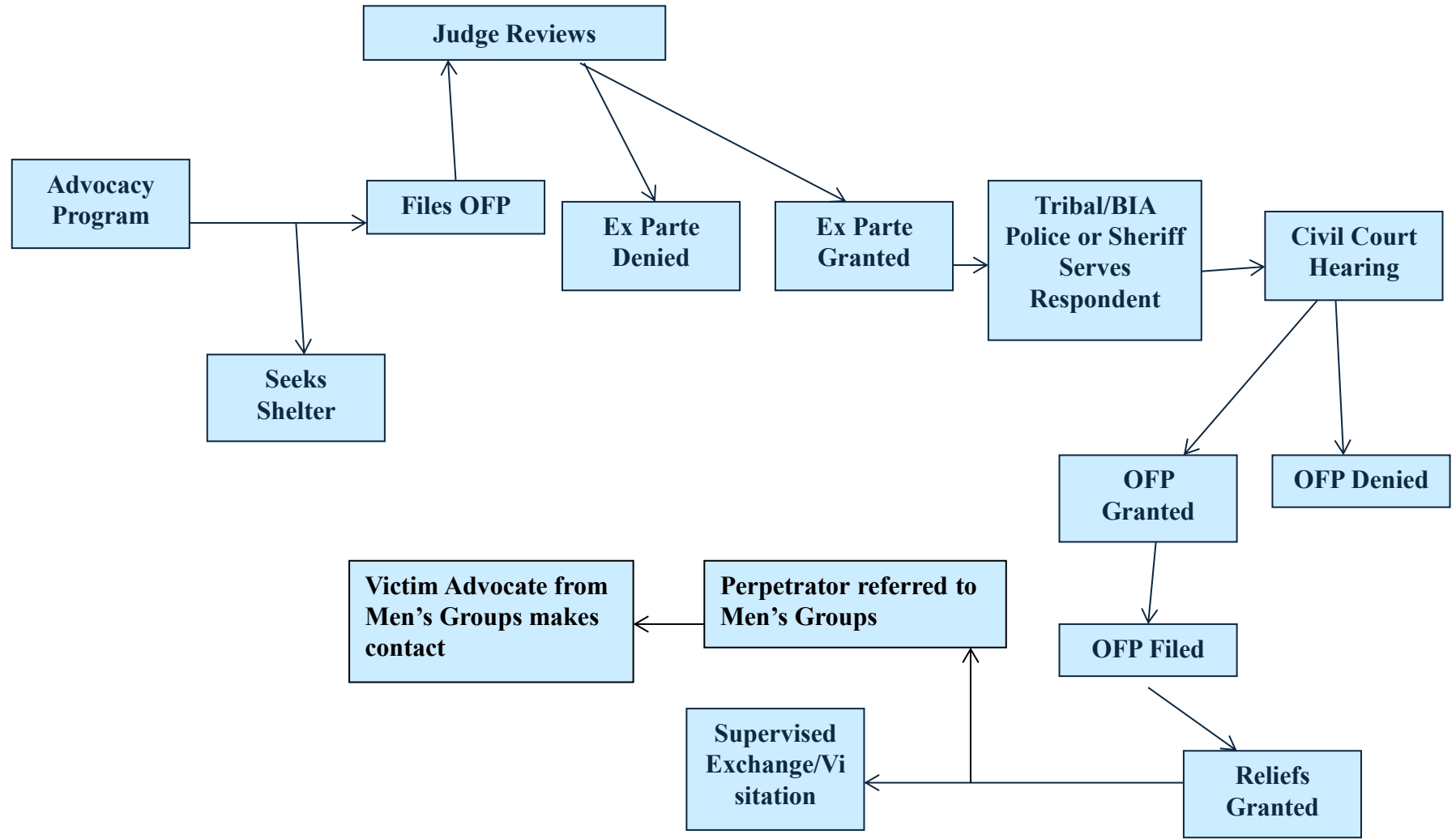
Access to services – services that are victim-centered, trauma-informed, culturally appropriate to promote healing and justice

Victim rights – information shared with victim, enforced

Support – emotional, accompaniment



ORDER FOR PROTECTION – CIVIL COURT PROCESS



Nutritional, physical, emotional and educational processing

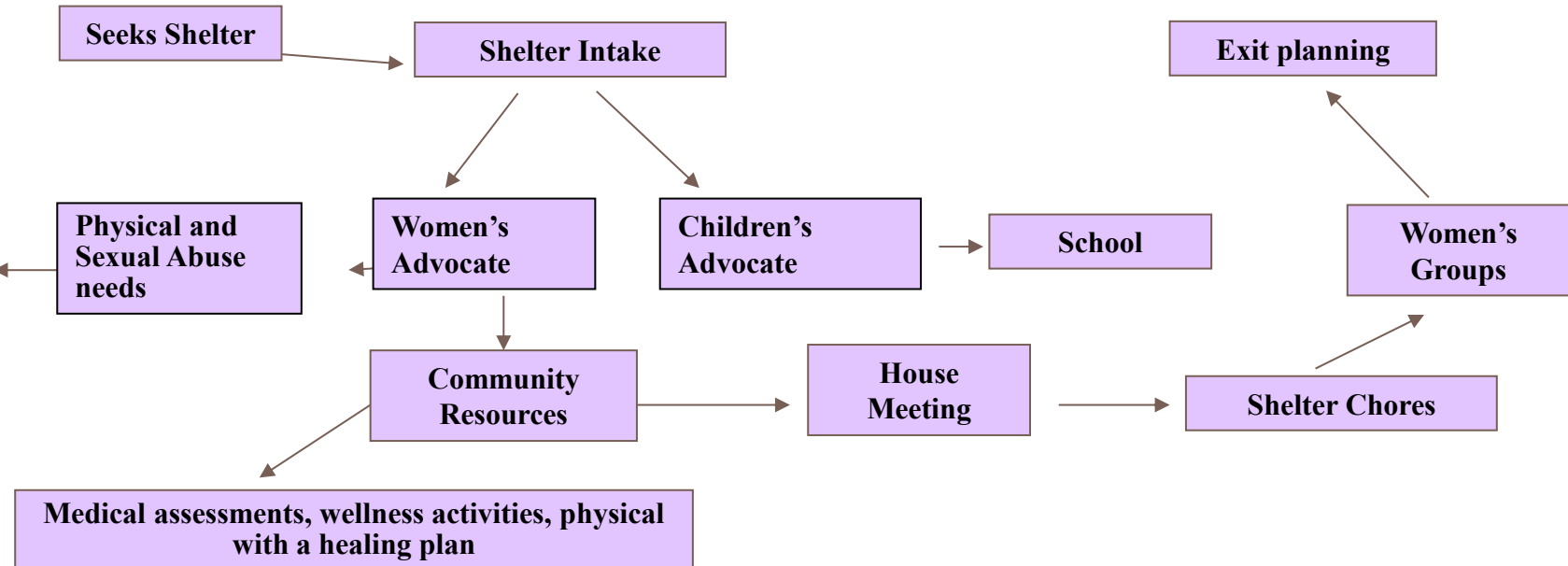
Wellness support, walking exercise, diet adjustment, relaxation-meditation / acupuncture

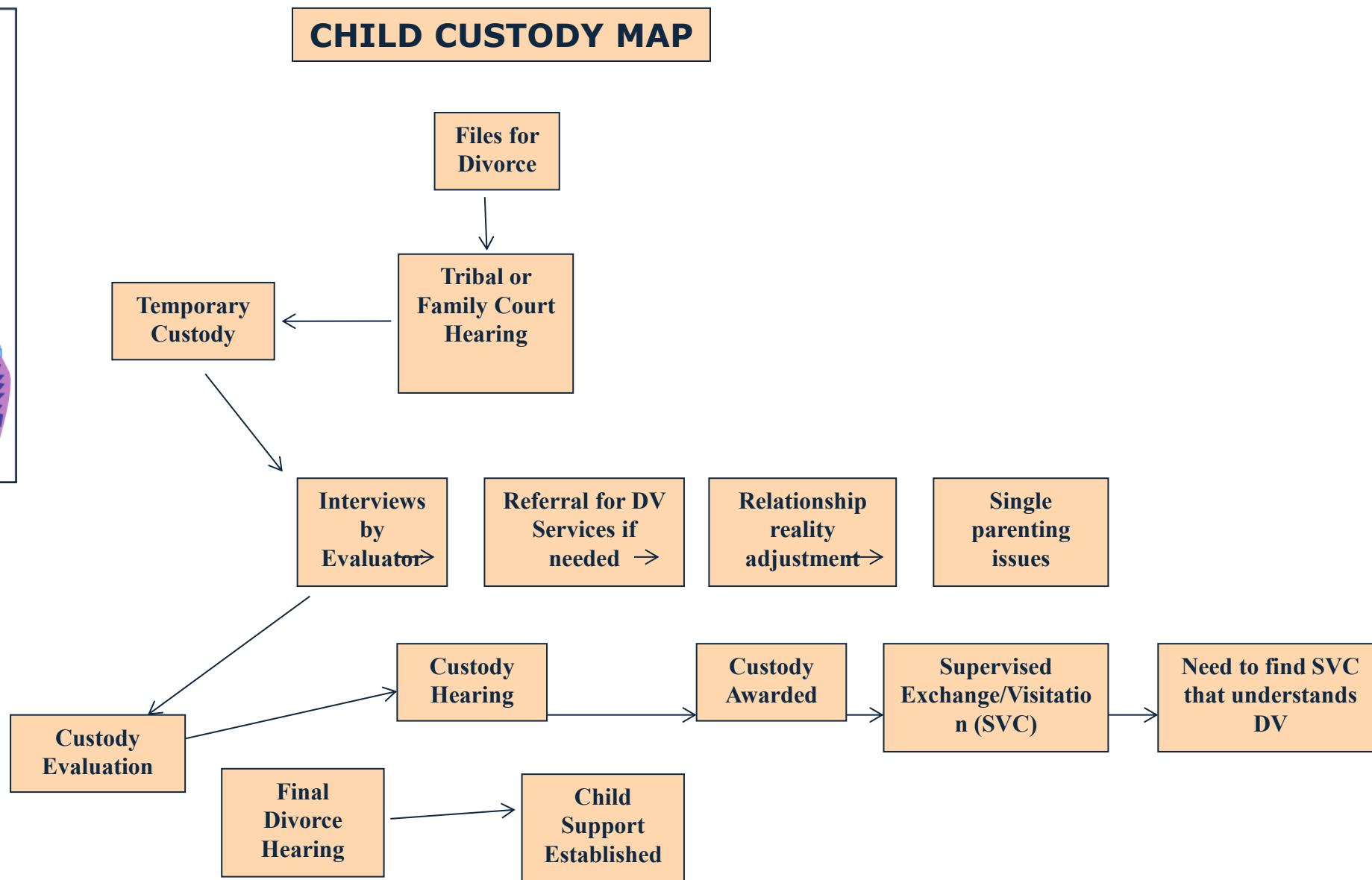
Counseling: traditional tribal, human services, mental health, faith-based

•Sweat lodge
•Ceremonies
•Smudging
•Healing medicine



SHELTER MAP







- Homeless shelter
- Churches & charities
- Programs for rentals
- Community help network

Services offered for possible reconciliation with THA or alternative housing options.

Warning Given

Eviction Hearing

Tribe/BIA or Sheriff Evicts

Tribal Housing Authority (THA) Notified

HOUSING MAP

Legal Remedies for Victims - Housing

Check local, applicable laws and policies such as those under discrimination – tribal, state, federal

Victims should not be evicted for victims calling law enforcement or for disturbances caused by abuser

Landlords, tribal housing authority evicting tenant for abuser causing a lease violation

Referral to emergency assistance for back due rent because abuser controls family income and abuser may not have paid rent and left premises

Landlords should provide help by changing locks for victims that provide documentation that causes that need

The [Violence Against Women Act](#) (VAWA) and the Fair Housing Act prohibit Section 8 landlords from discriminating against survivors of sexual assault, domestic violence, or stalking. Landlords cannot refuse to rent, evict, or punish tenants for incidents of abuse or for calling police



Legal Remedies – Housing (con't)

The Fair Housing Act classifies sexual harassment—including unwelcome sexual advances or requests for sexual favors by landlords—as prohibited sex discrimination. This includes "quid pro quo" (demanding sex to avoid eviction/get repairs) and "hostile environment" harassment.

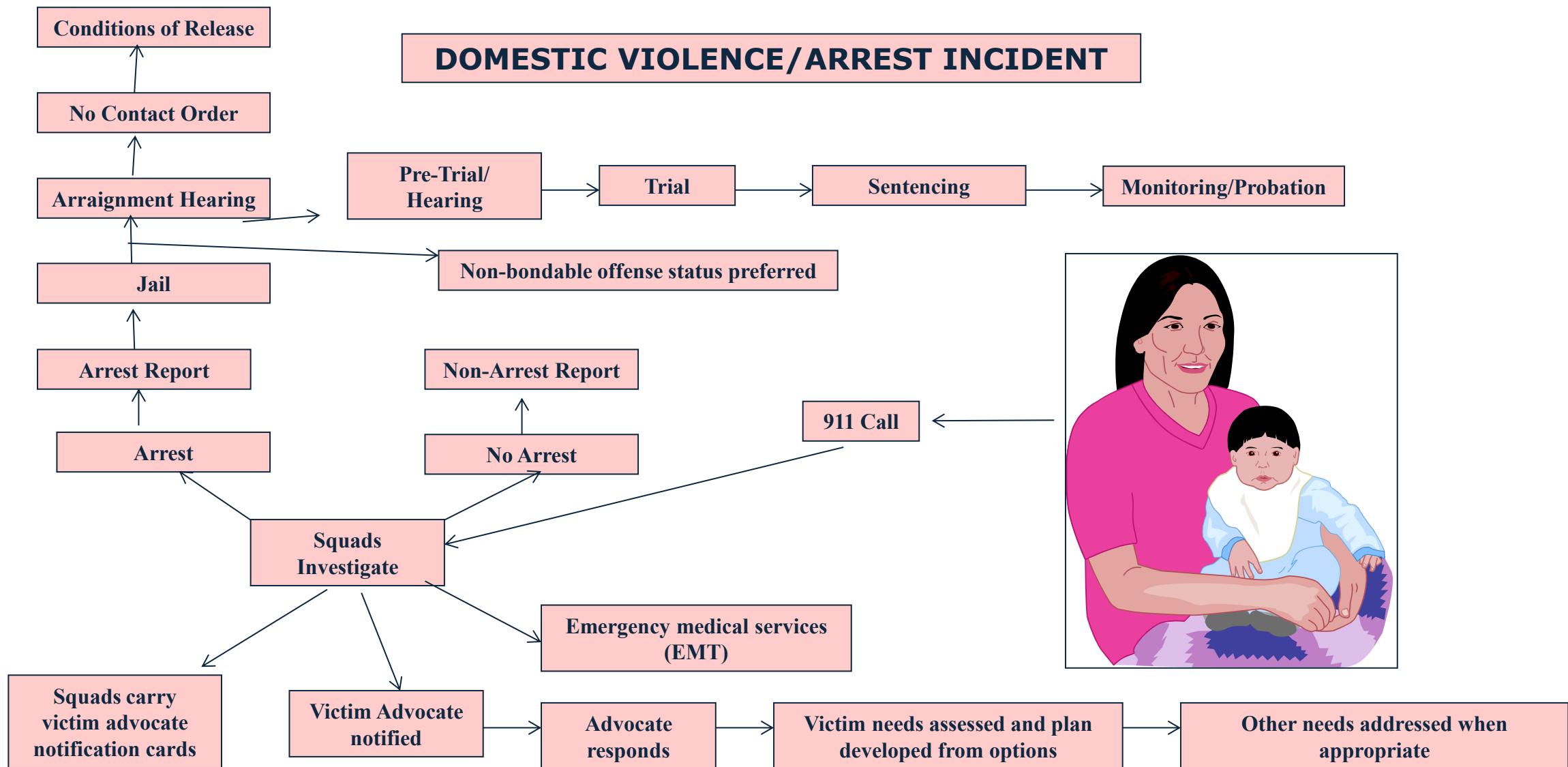
Many states have laws that require employers to give time off to employees to attend criminal court proceedings. In addition, federal and state laws require some employers to provide family and medical leave to qualified employees to heal from serious health conditions, regardless of the cause of the condition.

Safety planning

VAWA provides a right to seek law enforcement or emergency assistance, and prohibits housing providers from taking adverse actions, including eviction or threat of eviction, when a tenant, resident, occupant, or guest seeks emergency assistance. 34 U.S.C. § 12495 [Information on recent case](#)



DOMESTIC VIOLENCE/ARREST INCIDENT



Victim-Centered, Trauma Informed, Culturally Appropriate Response At Every Juncture, Point Of Contact

911 dispatch

Responding officer (every jurisdiction), jail

Advocacy/shelter – child advocacy,

Medical responders – EMT, ER, Hospital, Clinics, forensic examiners

Courts – clerks, security, judges, criminal/civil courts, jury pools

Probation, batterer intervention/treatment

Traditional healers,

Community members, family

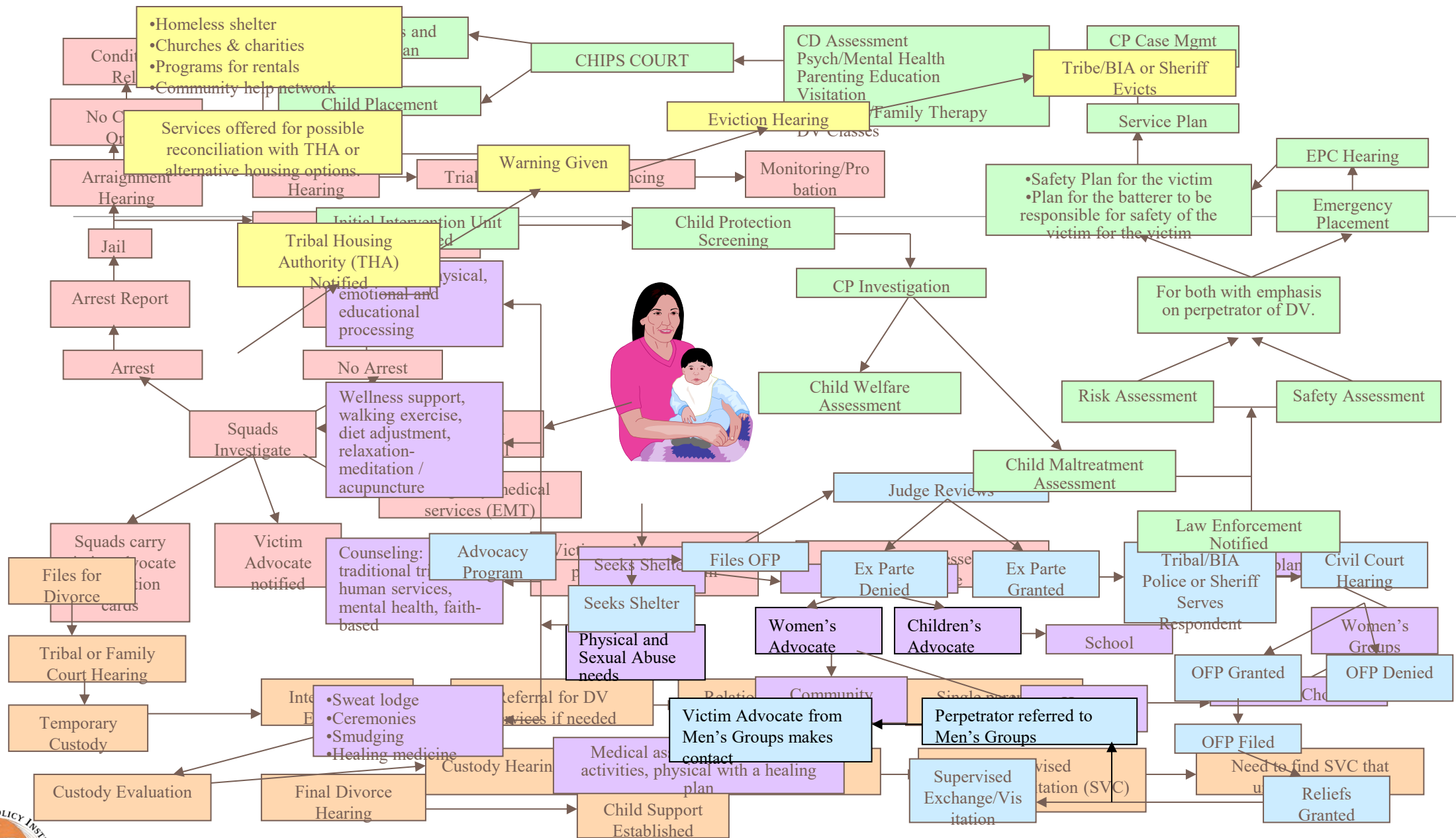
Legal Services – LAV, ELSI



Victim Centered Interventions

- Nonjudgmental support
- Confidentiality
- Practical assistance
- Safety planning
- Shelter and related services
- Protective orders
- Perpetrator arrest and consequences
- Economic assistance





Legal Remedies for Victims - Employment

- Check with laws and policies – tribal, state, federal
- Employers must have policies on sexual harassment and maintaining environment that is not hostile
- Caution about employment-at-will
- If fired for something related to victimization, and have unemployment denied, can file appeal.
- Some states employers prohibited from firing victims for sexual assault/harassment as it falls under discrimination
- Employers must provide confidentiality when they report sexual assault/harassment
- Option to file civil lawsuits against employer for losses
- Safety at work – abusers who stalk their victims at place of employment. Have a copy of protection order, description of abuser and abuser's car
- Safety planning



Legal Remedies for Victims - Financial

- Employment rights
- Bank accounts, retirement accounts protected and accessible
- Crime victim compensation
- Restitution
- Safety planning



Legal Remedies - Education

- Check with laws and policies – tribal, state, federal
- The Campus Assault Victim's Bill of Rights requires institutions that receive federal financial aid to afford sexual violence victims certain basic rights. Some colleges may provide additional rights, procedures and protections particularly sexual assaults occurring on campus
- Victims should be accorded the right to education in a non-hostile environment
- Safety planning



Challenges in Indian Country

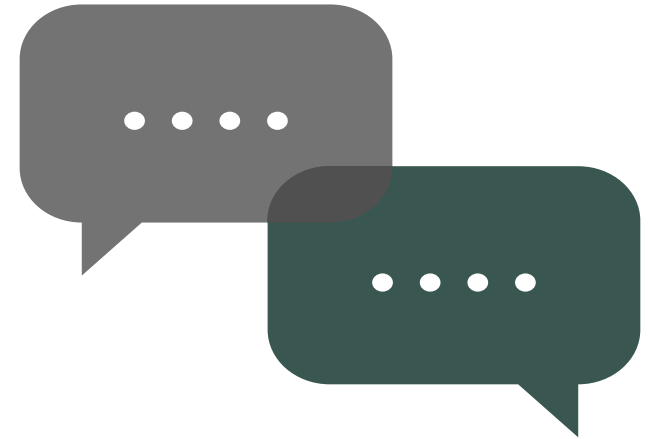
- Privacy and confidentiality – Everyone knows everyone, scanners
- When several agencies are involved in a victim's situation – I.H.S., law enforcement, courts, advocacy program, social services, response teams,
- Lack of victim centered, trauma-informed services, accessible training, policies
- Lack of collaboration, cooperation



Discussion

Can healing occur without
a sense of justice?

What is justice for victims?



Multidisciplinary Approaches to serving Victims of Domestic Violence, Sexual Assault, Stalking, and Dating Violence

Services and Support Through Collaboration



Challenges in Tribal Communities in Response to Domestic Violence, Sexual Assault

- Lack of communication and coordination between agencies
- Lack of clear understanding about roles when responding to DV/SA
- Lack of offender accountability
- Gaps in the response to DV/SA
- Victims not reporting or distrusting criminal justice system
- Victims concerned about confidentiality, privacy and safety needs
- Culturally inappropriate and insensitive treatment of victims of SA/DV by agencies as they aren't informed of why types of violence occurs – victim blaming or minimization of the problem

Agencies Responding to Domestic Violence, Sexual Assault

- Stay up to date with training regarding trauma informed victim service delivery and safety issues.
- Understand power and control dynamics
- Understand victim safety issues.
- Understand and enforce victim rights.
- Work collaboratively with other partners in the tribal court.
- Understand the jurisdictional maze of criminal jurisdiction in Indian country.
- Understand and enforce tribal domestic violence, sexual assault, stalking statutes.
- Understand the importance of entering and enforcement of tribal protection orders in the National Crime Information Center (NCIC) and other crime database systems.



Courts

- Handle client information and legal documents containing client information in a safe and confidential manner.
- Participate in and collaborate in courtroom safety and court staff safety plans.
- Be responsible for the court personnel segment of the tribal domestic violence court.
- If needed, provide draft criminal no-contact order for tribal court.
- Prosecute protection order violations.
- Be responsible for the tribal prosecutor's role in the tribal domestic violence court.



Law Enforcement

- Understand that as a first responder, law enforcement sets the tone for the victim's participation in the criminal justice system.
- Understand the crucial role of a victim advocate in a domestic violence case.
- Be responsible for the law enforcement segment of the tribal domestic violence court.
- Understand the importance of regular on-going training in investigating domestic violence cases.



TRIBAL VICTIM ADVOCATES

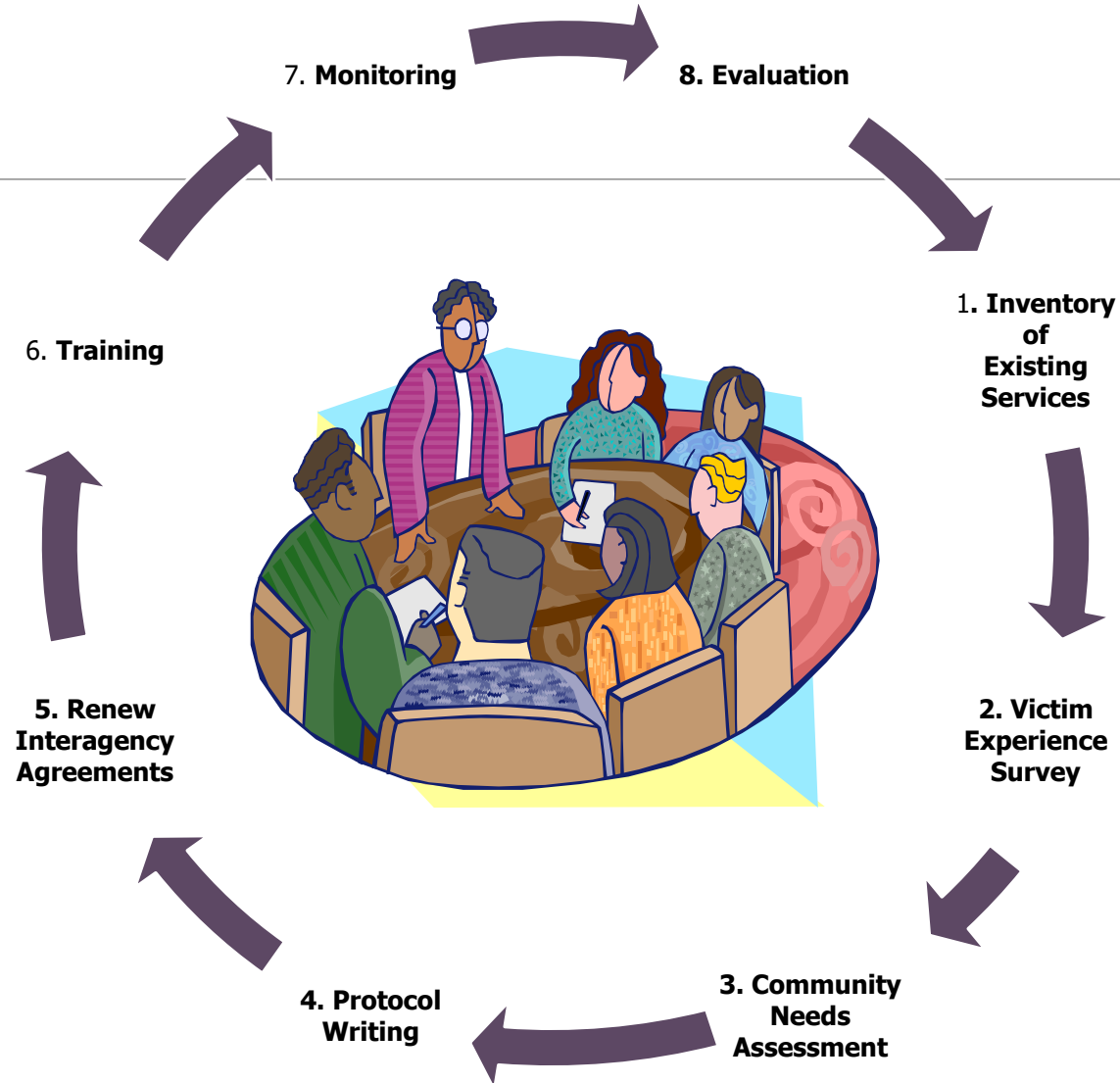
- Understand the power and control dynamics of domestic violence and victim safety issues.
- Safety plan for the victim and children.
- Coordinate available resources and services
- Make referrals to victims as appropriate and provide support as victims access resources
- Be a community educator on the dynamics and dangers of domestic violence, sexual assault and lethality measures of these crimes
- Work collaboratively with multi-disciplinary partners.
- Ongoing and consistent training regarding trauma informed victim service delivery and safety issues.



Multi-disciplinary Team in Tribal Communities

TYPE OF TEAM	CRIME ADDRESSED	MEMBERS	TASK
Multi-disciplinary team - MDT	Child Sexual Assault/Child Abuse	Law enforcement, social services, medical, child welfare, advocacy, judicial agencies with jurisdiction over child sexual abuse cases.	Coordinating the investigation, prosecution, and disposition of child sexual abuse cases
Coordinated Community Response – CCR	Domestic Violence	Law enforcement including dispatcher, jail, advocacy, probation, courts (civil & criminal), prosecution, batterer program	Sharing information, creating policy to maximize victim safety and offender accountability on domestic violence cases.
Sexual Assault Response Team – SART	Sexual Assault	Law enforcement, advocacy, forensic examiner's, prosecutors' office (tribal, state, federal), hospital/clinic staff,	Providing specialized immediate victim centered response to victims of recent sexual assault.

CCR and SART's and Protocol Development



Effectively Addressing Domestic Violence through the Multi-Disciplinary Approach

- A multi-disciplinary approach underscores the importance of coordination, collaboration and interactions between all systems addressing the victim and/or children's needs.
- Provides for a carefully tailored sharing of information among systemic silos.
- Addresses confidentiality and privileged communications issues in a safe manner.
- Promotes the establishment of a collaborative network of: courts; civil and criminal justice agencies; local victim service organizations; and social service programs working together to create policies and procedures to increase safety for victims of domestic violence.



Identify benefits of advocacy programs and legal services engaging in collaborative work



- Cross referrals
- Training across each discipline
- Cross discipline consultation and communication
- Tribal Victim Advocacy programs can introduce legal services to other tribal programs
- Legal Services have increased understanding of Tribal sovereignty and complex Tribal jurisdictional issues that compound issues of victim safety and offender accountability
- Better interagency coordination and better use of information to meet survivor needs and advance culturally appropriate service delivery.

Discussion and Questions?



Thank you!!

Please complete the webinar evaluation using the link
or QR code, thanks!



<https://www.surveymonkey.com/r/TLAPSMay202026>



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Please Join Us for Upcoming Webinars!

June 17, 2026 *Working Together in Divorce and Custody Matters*

Navigating divorce and custody can be difficult; when domestic violence is involved, the stakes are even higher. In this session, the presenters will discuss how to better meet a victim's needs through collaboration between legal advocates/attorneys and victim advocates. Presenters will cover the key elements of divorce and custody cases, including a brief review of jurisdiction, physical and digital safety planning, custody enforceability issues, visitation, empowering victims' voices, and securing the safety of pets and animals.

July 15, 2026 *Trauma Informed Lawyering*

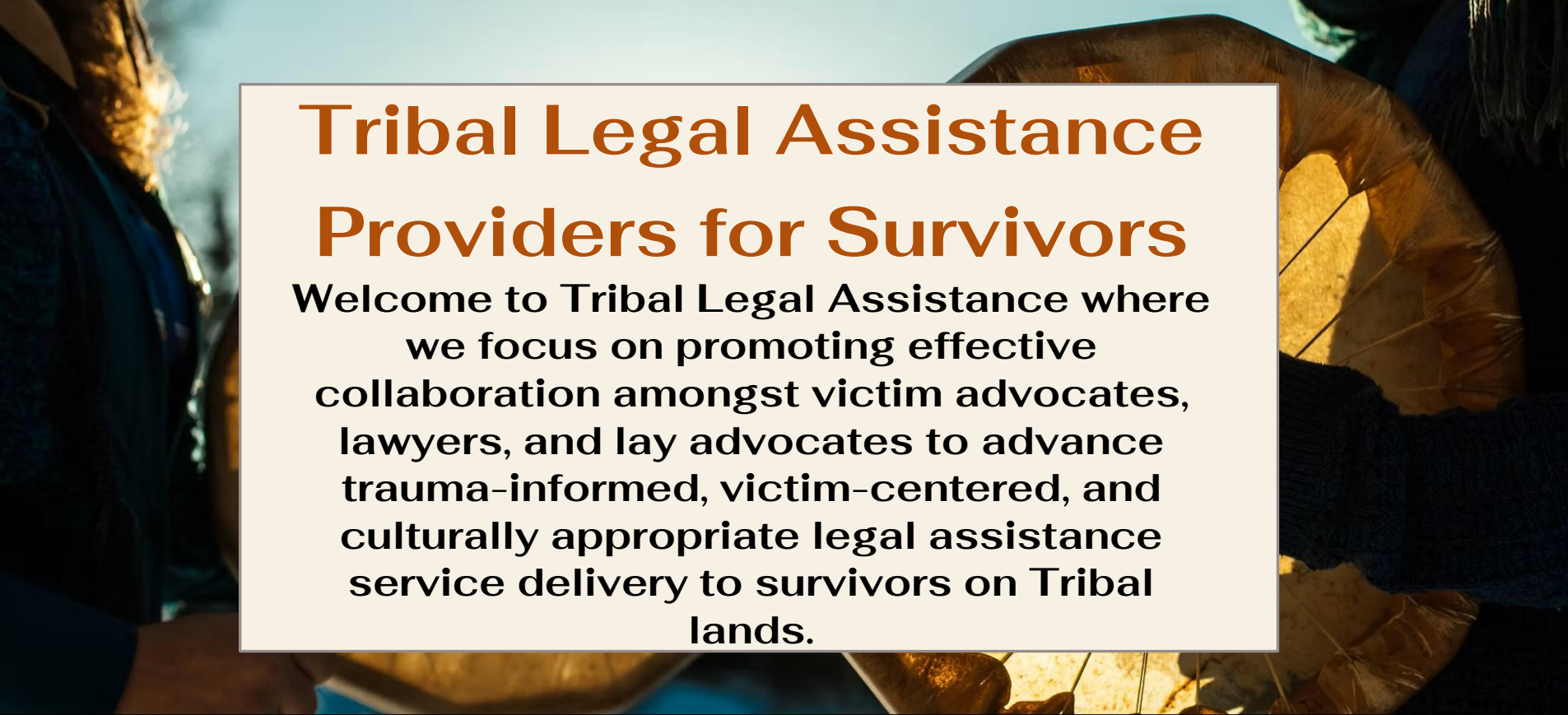
Impacts of client trauma can affect every area of legal representation. Trauma-Informed lawyering includes respecting the client's expertise and ensuring the client's goals and objectives are met. The attorney should strive for transparency, predictability, client-centered representation, reliability, proactive support, and patience. This webinar will delve into the different types of trauma responses, impacts of trauma on legal practices, benefits of lawyers utilizing trauma-informed practices, and understanding the connection of confidentiality and privilege on victim safety. The webinar will also present the six principles for trauma-informed practices and will conclude with a discussion on participants' strategies for implementing trauma-informed practices into their legal representation.

August 19, 2026 *Victim's Rights*

In this webinar, participants will receive information on Victim's Rights in Indian Country. The presentation will address why Victim's Rights are beneficial to victims and their families. Next, the webinar focuses on how to navigate multiple jurisdictions. The presentation will address the various definitions of "victim" for purposes of asserting victim's rights and then moves to enforcement of victim's rights. The webinar concludes with useful tools to utilize when working with victims asserting their victim's rights



For more information, please visit the project website:
www.TribalLegalAssistance.org



Tribal Legal Assistance Providers for Survivors

**Welcome to Tribal Legal Assistance where
we focus on promoting effective
collaboration amongst victim advocates,
lawyers, and lay advocates to advance
trauma-informed, victim-centered, and
culturally appropriate legal assistance
service delivery to survivors on Tribal
lands.**

Request Individual TA Through the Project Website:
www.TribalLegalAssistance.org



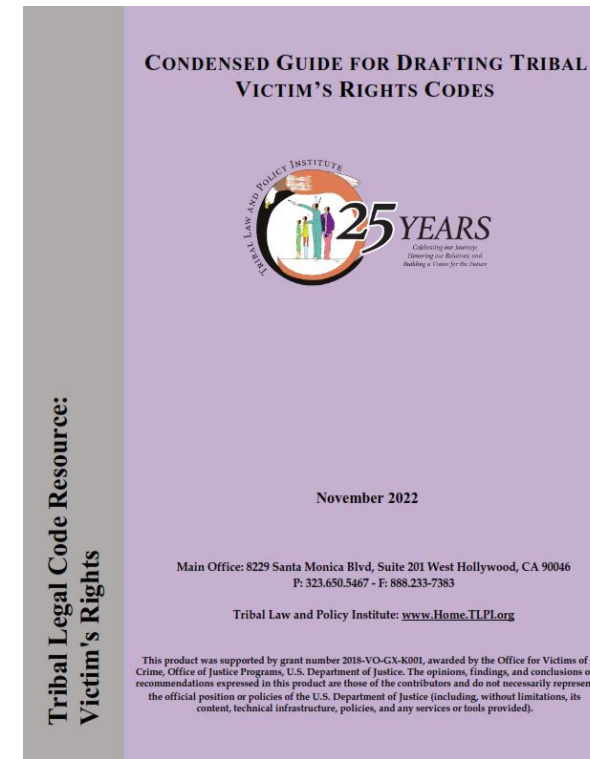
Other Ways to Request TA



There is no wrong way to request TA - you can also request individual TA by emailing or calling us

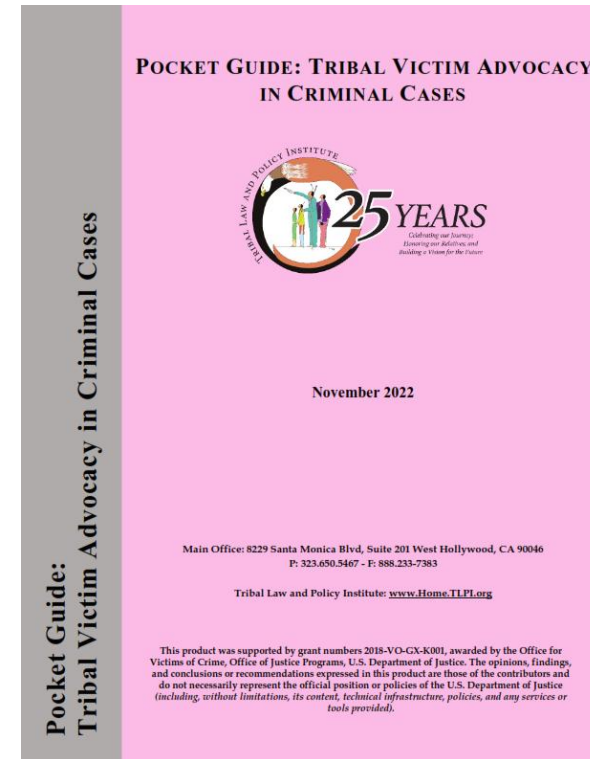
- Examples of Individual TA that you can request:
 - Assistance in finding a particular resource
 - Questions about individual cases/situations (but we can't give legal advice)
 - Examples of procedures, policy, or codes
 - Support developing procedures or policies
 - Support developing an MOU with an advocacy program, legal services provider, or others

Tribal Legal Code Resource: Victim's Rights, Condensed Guide For Drafting Tribal Victim's Rights Codes



Tribal Legal Code Resource: Victim's Rights, Condensed Guide for Drafting Tribal Victim's Rights Codes is designed to assist tribal governments with the development of victim right's codes. This resource was written with the belief that tribal governments have the ability to draft victim right's laws centered on their tribal beliefs that convey compassion for those harmed by crime and the importance of protecting the rights of victims, and to prevent revictimization.

POCKET GUIDE: TRIBAL VICTIM ADVOCACY IN CRIMINAL CASES



Pocket Guide: Tribal Victim Advocacy in Criminal Cases is designed particularly for community-based advocates as a quick reference guide to better assist victims as they navigate the criminal legal process. This Pocket Guide contains things such as a quick review of the general criminal legal process and victim rights with an emphasis on safety planning at every juncture. While this Pocket Guide is designed primarily for community-based advocates, it may be useful for other professionals who work with victims.



Visit home.TLPI.org/publications to view all our available publications. All publications can be downloaded directly from our website for free.

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- [Violence Against Native Women](#)
- [VAWA 2022 Tribal Criminal Jurisdiction](#)

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or QR code, thanks!



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