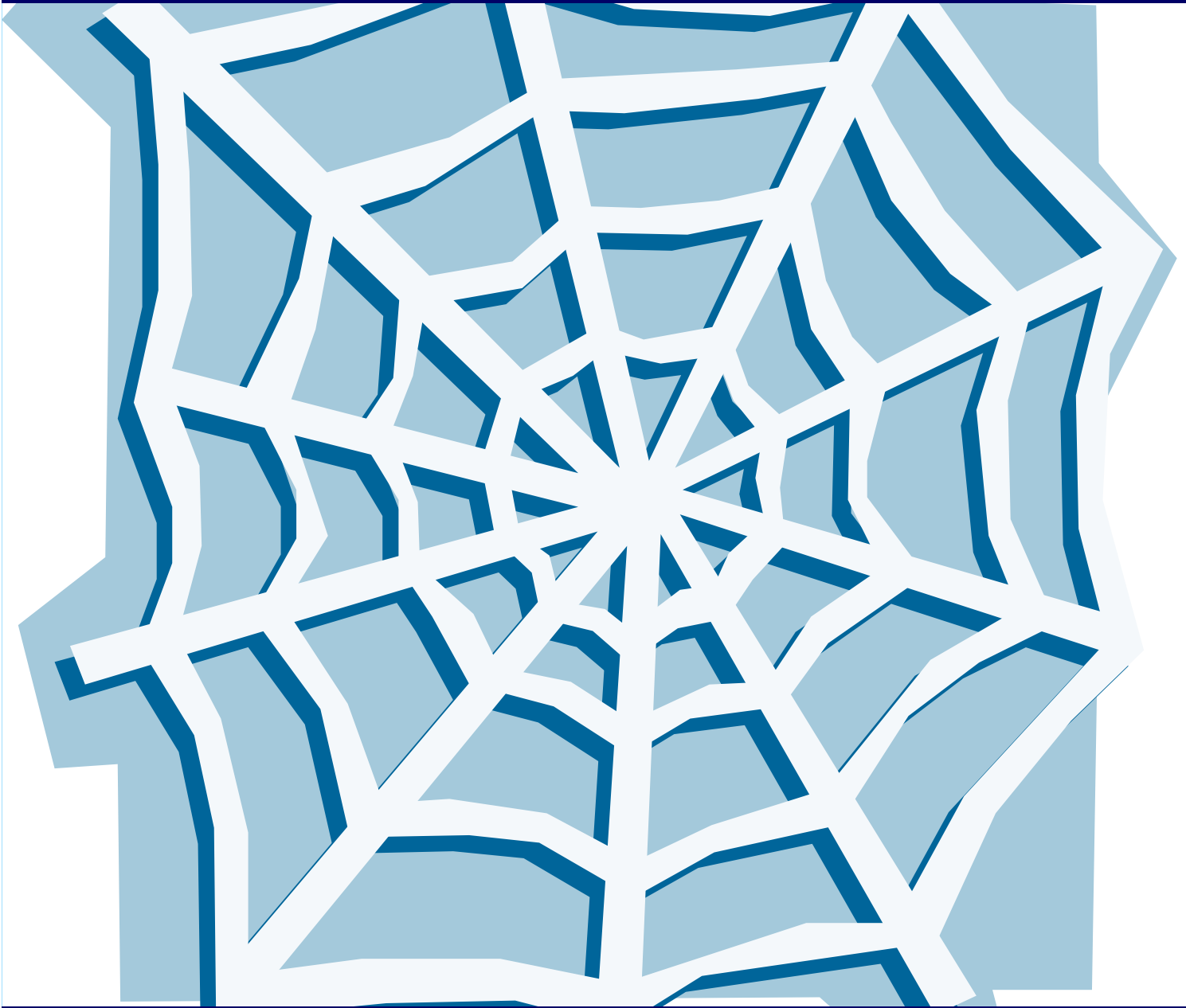


Turning Points



***A Commitment to Build Stronger
and Safer Tribal Communities***



ACKNOWLEDGMENTS

The staff and board of directors of the National Indian Justice Center would like to thank all those who contributed to this curriculum. Many people concerned with the impacts of SV/IPV upon tribal communities have shared their time and expertise to make this curriculum an effective tool for tribal communities. We would like to thank the staff of the Centers for Disease Control and Prevention, Center for Injury Prevention and Control, who have been a great source of support for this project. We also would like to thank the Project Leadership Consortium, Project Advisory Committee, Glacier Consulting/Project Evaluator, Site Liaisons and the Tribal Community service providers representing each of the participating tribal communities. We extend a special thank you to the When Your Hands are Tied Film Staff and Participants who created a very effective resource for Native youth. We applaud your efforts!

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The views and information contained in this publication are the sole responsibility of the authors and do not necessarily represent the views of the Centers for Disease Control and Prevention (CDC).



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Section I



Introduction and Overview





Section 1—Introduction and Overview

Purpose

This training curriculum is designed to build capacity among tribal leaders, tribal families, health service providers, teachers, social workers, law enforcement, judges and non-Natives to prevent sexual violence and intimate partner violence (SV/IPV) in tribal communities by increasing awareness of the impacts of SV/IPV on tribal communities, increasing connectivity between young men and boys to their tribal community and culture, increasing capacity of an individual to manage anger and to respond to anger, and increasing the capacity within the community members to mentor young men and boys along a path that will result in stronger and safer tribal communities.

Goals and Objectives

After completing this training curriculum, participants will be able to:

1. Define sexual violence and intimate partner violence (SV/IPV) and why SV/IPV are major social and health problems.
2. Describe various levels where prevention activities can be focused (e.g. individual, institutional, community, public policy).
3. Explain the importance of collaboration and the role that different agencies, organizations, and disciplines play in prevention.
4. Explain the role and benefits of col-

laboration in prevention efforts.

5. Identify gaps in policies, laws, regulations and enforcement that, if addressed, could reduce injury and/or violence in the community.
6. Identify potential partners and opponents in influencing policies, laws, regulations and enforcement and distinguish their roles.

Voluntary Pre and Post Test

To determine whether this curriculum is successful in achieving its goals and objectives, we respectfully request participants to complete a pre-test before each section and to complete a post-test after each section. The pre/post-tests are voluntary and are not required to participate in this program.

The trainer will provide you with 20 minutes to complete the pre-test before each training session. Please provide the completed pre-test to the trainer at the time of collection. The trainer will put all collected pre-tests into an envelope, seal the envelope and return the envelope to the community liaison. The training may now begin. At the end of the training session, the trainer will request that the participants complete a post-test. The post-test will be collected after 20 minutes or upon completion. All responses will remain confidential. At the end of the project period, the community liaison will send the completed forms to the National Indian Justice Center for analysis.

We appreciate your responses!



Section 1—Introduction and Overview



Trainer's Notes:

In addition to the Turning Points Curriculum, you may need the following materials for each section:

Section 1: Xpose: the Truth, Words to Right the Wrong CD and/or Whatcha Gotta Know CD, both by PCAR, (717) 728-9740. These CDs contain music that may be played informally as participants enter the training room. As you begin, the trainer should introduce themselves then participants should be asked to share their name, tribal affiliation (if any) and organizational affiliation.

Section 2: Flip Chart and Pens to document participants' responses to the exercises.

Section 3: The Gift of Fear (a copy to share or copies for distribution is very helpful). Optional: Color of Fear Video.

Section 4: Sample materials from local mentoring program or a program designed for Men and Boys is encouraged but not necessary.

Section 5: JCP PowerPoint Presentation. You will need three (3) digital cameras and/or digital video cameras for the community mapping exercise/BI simulation.

Section 6: Copies of local tribal codes, flip Chart and Pens, or pens and writing paper for draft provisions.

Section 7: Flip Chart and Pens, Colored Pencils for Storyboarding Exercise, video cameras may be used if extending this section.

Section 8: When your Hands are Tied DVD

Section 9: If I Only Knew Video Presentation and Workbook.

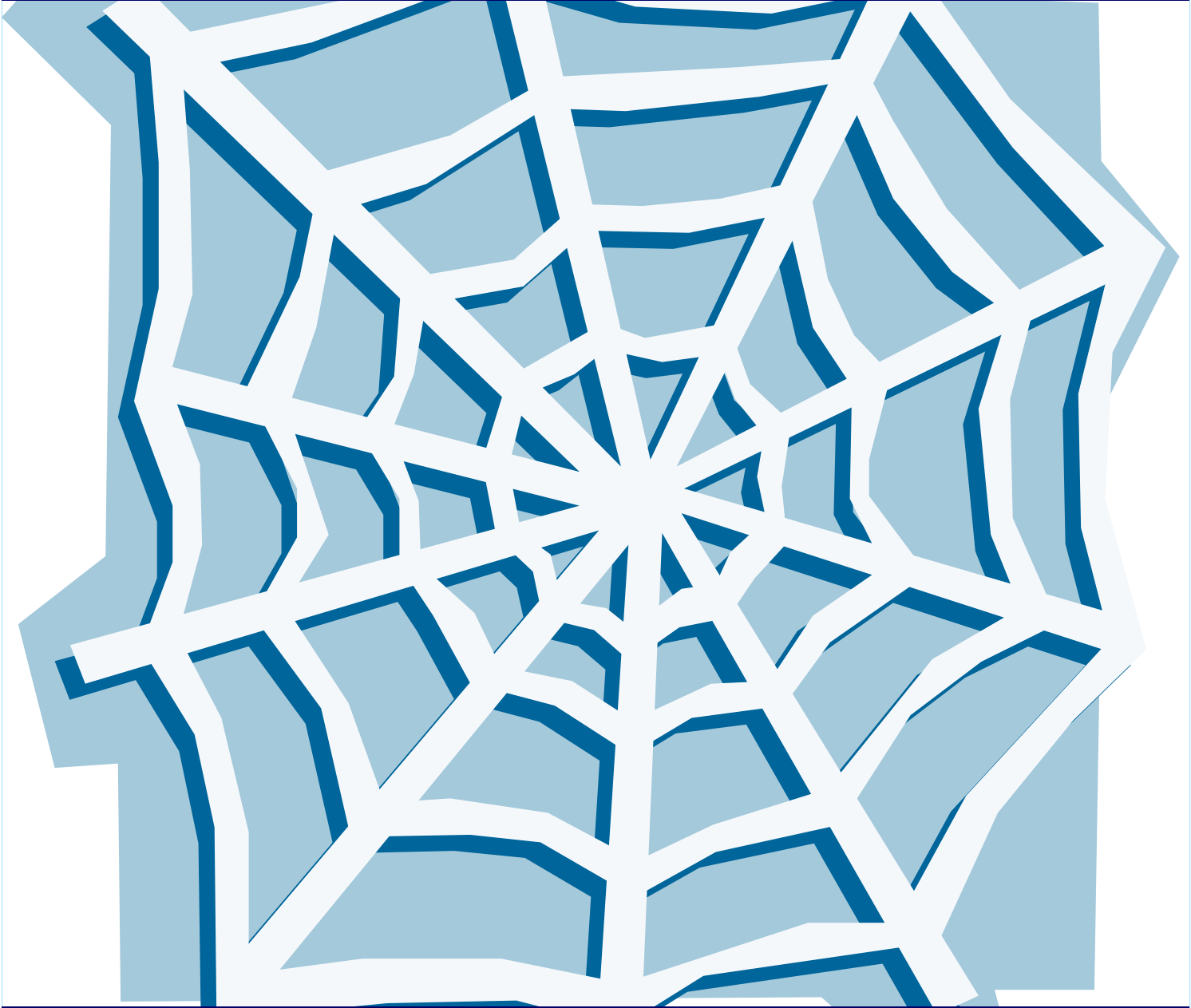
Section 10: Inventory Handout for participating site representatives or community members.

Section 11: If you have an internet connection available, demonstrate available resource websites and/or NIJC searchable database.

Section 12: This section is solely for development purposes to track curriculum design changes when adding or replacing materials.



Section 2



Defining Violence in Tribal Communities





Section 2—Defining Violence in Tribal Communities

What is Sexual Violence?

Sexual Violence (SV) refers to sexual activity where consent is not obtained or freely given. Anyone can experience SV. Most victims are female and some are male. The person responsible for the violence is typically male and is usually someone known to the victim. The person can be, but is not limited to, a friend, coworker, neighbor, or family member. There are many types of SV. Not all include physical contact between the victim and the perpetrator (person who harms someone else). Examples include sexual harassment, threats, intimidation, peeping, and taking nude photos. Other SV, including unwanted touching and rape, does include physical contact. [1]

What is Intimate Partner Violence?

Intimate Partner Violence (IPV) is abuse that occurs between two people in a close relationship. The term “intimate partner” includes current and former spouses and dating partners. IPV exists along a continuum from a single episode of violence to ongoing battering.

IPV includes four types of behavior:

- **Physical abuse** is when a person hurts or tries to hurt a partner by hitting, kicking, burning, or other physical force.
- **Sexual abuse** is forcing a partner to take part in a sex act when the partner does not consent.
- **Threats** of physical or sexual abuse include

the use of words, gestures, weapons, or other means to communicate the intent to cause harm.

- **Emotional abuse** is threatening a partner or his or her possessions or loved ones, or harming a partner’s sense of self-worth. Examples are stalking, name calling, intimidation, or not letting a partner see friends and family.

Often, IPV starts with emotional abuse. This behavior can progress to physical or sexual assault. Several types of IPV may occur together.

SV/IPV Statistics for Indian Country

- A publication of the National Sexual Violence Resource Center (NSVRC) states, “Sexual assault in Indian Country must be understood within the context and prevalence of violence and in conjunction with the effects of historical oppression and complicated jurisdictional issues. Together these factors have negatively impacted sexual assault victims.” *Sexual Assault in Indian Country: Confronting Sexual Violence (2000)*. Pamphlet produced by the National Sexual Violence Resource Center.
- Persons of a different races/ethnicities commit 70% of violence against American Indians. Greenfeld, Lawrence A. & Smith, Steven K. *American Indians and Crime*, Bureau of Justice Statistics, Office of Justice, Department of Justice, February 1999



Section 2—Defining Violence in Tribal Communities

NCJ173386.

- **A 1999 Bureau of Justice Statistics report revealed that the annual violent crime rate among American Indians is 2.5 times the national rate.** A large portion of the violence has been directed toward women, with one third of victims between the ages of 18 and 24. Greenfeld, Lawrence A. & Smith, Steven K. *American Indians and Crime*, Bureau of Justice Statistics, Office of Justice, Department of Justice, February 1999 NCJ173386.
- **The average annual rate of sexual assault among Native Americans is 3.5 times higher than for all other races.** Greenfeld, Lawrence A. & Smith, Steven K. *American Indians and Crime*, Bureau of Justice Statistics, Office of Justice, Department of Justice, February 1999 NCJ173386.
- **The rate of sexual assault among American Indians was 7.7 of every 1,000 in the year 2000. This is a rating of 6.2 higher at the minimum than all other racial/ethnic groups.** Bureau of Justice Statistics (2001). BJS 202/307-0784. Washington D.C.: U.S. Department of Justice.
- **As reported by the National Violence Against Women Survey, there is a 15.9% victimization rate of American Indians/Alaskan Natives by an intimate partner.** Tjaden, Patricia & Thoennes, Nancy. *Research in Brief: Prevalence, Incidence and Consequences of Violence Against Women: Findings From the National Violence Against Women Survey*, NIJ, Centers for Disease Control and Prevention, November 1998.
- **In 1999 the Federal Bureau of Investigation (FBI) ranked Alaska number one in the United States for rape, making Alaska first in that crime category for two thirds of the past two decades.** Pemberton, Mary. "Police, Native Groups Working Together to Reduce Rapes," *Associated Press*, September 25, 2000. Anchorage, AK.
- **Sexual assault by an intimate partner is more frequent among American Indians than among other racial/ethnic groups.** Rennison, C.M. & Welchans, S. (2000). *Intimate Partner Violence Special Report*, NCJ 178247. Washington, D.C.: U.S. Department of Justice.
- **75% of Native American women interviewed in shelters for battered women noted that the sexual assault perpetrator had been drinking before the incident occurred.** Bachmann, R. (1992). *Death and Violence on the Reservation: Homicide, Family Violence, and Suicide in American Indian Populations*. CT: Auburn House.
- **At least 70% of assaults experienced by Native Americans are committed by someone of a different race.** However, the majority of assaults experienced by other racial/ethnic groups are committed by someone of the same race or ethnicity. *Sexual Assault in Indian Country: Con-*



Section 2—Defining Violence in Tribal Communities

fronting Sexual Violence (2000). Pamphlet produced by the National Sexual Violence Resource Center. [3]

- [1] Understanding Sexual Violence Fact Sheet, 2007, Centers for Disease Control and Prevention (CDC), <http://www.CDC.gov>.
- [2] Understanding Intimate Partner Violence Fact Sheet, 2006, CDC, <http://www.CDC.gov>.
- [3] Sexual Violence and Communities of Color, Wisconsin Sexual Assault Coalition, Information Sheet Series, <http://www.wcasa.org/docs/communities%20of%20color.pdf>



Sexual Violence

Facts At A Glance

Spring 2008

Adults

- In a nationally representative survey of 9,684 adults:¹
 - 10.6% of women reported experiencing forced sex at some time in their lives,
 - 2.1% of men reported experiencing forced sex at some time in their lives, and
 - 2.5% of women surveyed and 0.9% of men surveyed said they experienced unwanted sexual activity in the previous 12 months.

College Age

- 20% to 25% of women in college reported experiencing an attempted or a completed rape in college.²

Children and Youth (17 years or younger)

- In a nationally representative survey:¹
 - 60.4% of female and 69.2% of male victims were first raped before age 18.
 - 25.5% of females were first raped before age 12, and 34.9% were first raped between the ages of 12-17.
 - 41.0% of males were first raped before age 12, and 27.9% were first raped between the ages of 12-17.
- A 2005 survey of high school students found that 10.8% of girls and 4.2% of boys from grades 9-12 were forced to have sexual intercourse at some time in their lives.³

Perpetrators

- In a nationally representative survey:¹
 - In the first rape experience of female victims, perpetrators were reported to be intimate partners (30.4%), family members (23.7%), and acquaintances (20%).
 - In the first rape experience of male victims, perpetrators were reported to be acquaintances (32.3%), family members (17.7%), friends (17.6%), and intimate partners (15.9%).

Health Disparities

- Among high school students, 9.3% of black students, 7.8% of Hispanic students, and 6.9% of white students reported that they were forced to have sexual intercourse at some time in their lives.³
- Among 8000 women surveyed in 1995-1996, 17.9% of non-Hispanic whites, 11.9% of Hispanic whites, 18.8% of African Americans, 34.1% of American Indian/Alaska Natives, 6.8% of Asian/Pacific Islanders, and 24.4% of women of mixed race experienced an attempted or a completed rape at some time in their lives.⁴

Non-fatal Injuries and Medical Treatment

- Among sexual violence victims raped since their 18th birthday, 31.5% of women and 16.1% of men reported a physical injury as a result of a rape. 36.2% of injured female victims received medical treatment.⁴
- Based on national emergency department data, sexual assaults represented 10% of all assault-related injury visits to the emergency department by females in 2006.⁵

References

1. Basile KC, Chen J, Lynberg MC, Saltzman LE. Prevalence and characteristics of sexual violence victimization. *Violence and Victims* 2007;22(4): 437-448.
2. Fisher BS, Cullen FT, Turner MG. 2000. The sexual victimization of college women. Washington: Department of Justice (US), National Institute of Justice; Publication No. NCJ 182369.
3. Centers for Disease Control and Prevention. Youth Risk Behavior Surveillance – United States. 2005. Surveillance Summaries, 2006. MMWR 2006;55:SS-5.
4. Tjaden P, Thoennes N. 2006. Extent, nature, and consequences of rape victimization: Findings from the National Violence Against Women Survey. Washington: US Department of Justice; Publication No. NCJ210346.
5. Centers for Disease Control and Prevention. 2007. Web-based Injury Statistics Query and Reporting System [online]. National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. [cited 2007 July 09]. Available from: www.cdc.gov/ncipc/wisqars/default.htm.



For more information, please contact:

Centers for Disease Control and Prevention
National Center for Injury Prevention and Control
1-800-CDC-INFO • www.cdc.gov/injury • cdcinfo@cdc.gov



Understanding

Intimate Partner Violence

Fact Sheet

2006

Intimate partner violence (IPV) is abuse that occurs between two people in a close relationship. The term "intimate partner" includes current and former spouses and dating partners. IPV exists along a continuum from a single episode of violence to ongoing battering.

IPV includes four types of behavior:

- **Physical abuse** is when a person hurts or tries to hurt a partner by hitting, kicking, burning, or other physical force.
- **Sexual abuse** is forcing a partner to take part in a sex act when the partner does not consent.
- **Threats** of physical or sexual abuse include the use of words, gestures, weapons, or other means to communicate the intent to cause harm.
- **Emotional abuse** is threatening a partner or his or her possessions or loved ones, or harming a partner's sense of self-worth. Examples are stalking, name-calling, intimidation, or not letting a partner see friends and family.

Often, IPV starts with emotional abuse. This behavior can progress to physical or sexual assault. Several types of IPV may occur together.



Why is IPV a public health problem?

Many victims do not report IPV to police, friends, or family.¹ Victims think others will not believe them and that the police cannot help.¹

- Each year, women experience about 4.8 million intimate partner related physical assaults and rapes. Men are the victims of about 2.9 million intimate partner related physical assaults.¹
- IPV resulted in 1,544 deaths in 2004. Of these deaths, 25% were males and 75% were females.²

- The cost of IPV was an estimated \$5.8 billion in 1995. Updated to 2003 dollars, that's more than \$8.3 billion.^{3,4} This cost includes medical care, mental health services, and lost productivity (e.g., time away from work).



How does IPV affect health?

IPV can affect health in many ways. The longer the abuse goes on, the more serious the effects on the victim.

Many victims suffer physical injuries. Some are minor like cuts, scratches, bruises, and welts. Others are more serious and can cause lasting disabilities. These include broken bones, internal bleeding, and head trauma.

Not all injuries are physical. IPV can also cause emotional harm. Victims often have low self-esteem. They may have a hard time trusting others and being in relationships. The anger and stress that victims feel may lead to eating disorders and depression. Some victims even think about or commit suicide.

IPV is linked to harmful health behaviors as well. Victims are more likely to smoke, abuse alcohol, use drugs, and engage in risky sexual activity.



Who is at risk for IPV?

Several factors can increase the risk that someone will hurt his or her partner. However, having these risk factors does not always mean that IPV will occur.

Risk factors for perpetration (hurting a partner):

- Using drugs or alcohol, especially drinking heavily
- Seeing or being a victim of violence as a child
- Not having a job, which can cause feelings of stress

Note: These are just some risk factors. To learn more, go to www.cdc.gov/injury.



www.cdc.gov/injury



Understanding Intimate Partner Violence



How can we prevent IPV?

The goal is to stop IPV before it begins. Strategies that promote healthy dating relationships are important. These strategies should focus on young people when they are learning skills for dating. This approach can help those at risk from becoming victims or offenders of IPV.

Traditionally, women's groups have addressed IPV by setting up crisis hotlines and shelters for battered women. But, both men and women can work with young people to prevent IPV. Adults can help change social norms, be role models, mentor youth, and work with others to end this violence. For example, by modeling nonviolent relationships, men and women can send the message to young boys and girls that violence is not okay.



How does CDC approach IPV prevention?

CDC uses a 4-step approach to address public health problems like IPV.

Step 1: Define the problem

Before we can prevent IPV, we need to know how big the problem is, where it is, and whom it affects. CDC learns about a problem by gathering and studying data. These data are critical because they help decision makers use resources where needed most.

Step 2: Identify risk and protective factors

It is not enough to know that IPV affects certain people in a certain area. We also need to know why. CDC conducts and supports research to answer this question. We can then develop programs to reduce or get rid of risk factors.

Step 3: Develop and test prevention strategies

Using information gathered in research, CDC develops and evaluates strategies to prevent IPV.

Step 4: Assure widespread adoption

In this final step, CDC shares the best prevention strategies. CDC may also provide funding or technical help so communities can adopt these strategies.

For a list of CDC activities, see *Preventing Violence Against Women: Program Activities Guide* (www.cdc.gov/ncipc/dvp/vawguide.htm).



Where can I learn more?

National Domestic Violence Hotline

1-800-799-SAFE (7233), 1-800-787-3224 TTY, or www.ndvh.org

National Coalition Against Domestic Violence

www.ncadv.org

National Sexual Violence Resource Center

www.nsvrc.org

Family Violence Prevention Fund

www.endabuse.org



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1. Tjaden P, Thoennes N. Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey. Washington (DC): Department of Justice (US); 2000. Publication No. NCJ 181867. Available from: URL: www.ojp.usdoj.gov/nij/pubs-sum/181867.htm.
2. Department of Justice, Bureau of Justice Statistics. Homicide trends in the United States [online]. [cited 2006 Aug 28]. Available from URL: www.ojp.usdoj.gov/bjs/homicide/intimates.htm.
3. Centers for Disease Control and Prevention (CDC). Costs of intimate partner violence against women in the United States. Atlanta (GA): CDC, National Center for Injury Prevention and Control; 2003. [cited 2006 May 22]. Available from: URL: www.cdc.gov/ncipc/pub-res/ipv_cost/ipv.htm.
4. Max W, Rice DP, Finkelstein E, Bardwell RA, Leadbetter S. The economic toll of intimate partner violence against women in the United States. *Violence and Victims* 2004;19(3):259-72.

For more information, please contact:

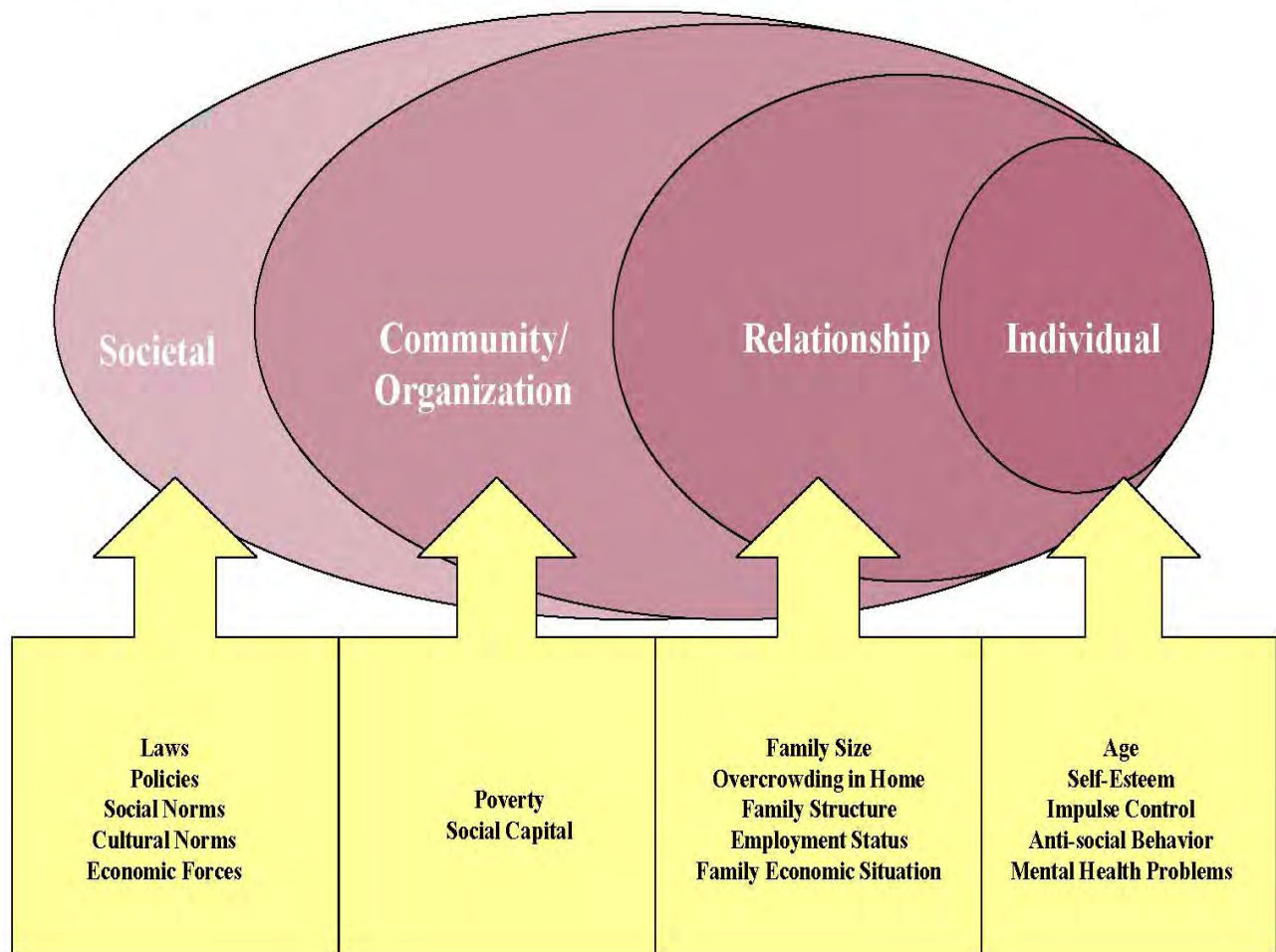
Centers for Disease Control and Prevention
National Center for Injury Prevention and Control
1-800-CDC-INFO • www.cdc.gov/injury • cdcinfo@cdc.gov

Section 2—What is Violence Prevention?

An effort to stop violence before it occurs by reducing the underlying risk factors for the violence. Risk factors for violence appear at multiple levels as shown in the graphic below. Protective factors are conditions that may exist to reduce the impact a risk factor has on a person, community or society. By increasing protective factors and decreasing risk factors for an individual, community or society, we may be able to stop violence before it happens.



Prevention: What is the Focus?



Section 2—Identifying the Risk Factors for SV/IPV



Current research identifies the following “risk factors for an individual to commit SV/IPV.

| Factors increasing the risk of a man committing IPV | | | |
|--|--|--|--|
| Individual | Relationship | Community | Societal |
| <ul style="list-style-type: none"> Poverty and unemployment; Poor school performance, truancy and juvenile delinquency; Alcohol and drug abuse; Social isolation and depression; Early aggression; Victim of physical or emotional abuse | <ul style="list-style-type: none"> Economic stressors; Pattern of dominance and control over partner; Marital conflict involving verbal or physical abuse | <ul style="list-style-type: none"> Community wide poverty and unemployment; tolerance for sexual violence within the community; lack of response by the justice system, weak sanctions for perpetrators of IPV; and social isolation | <ul style="list-style-type: none"> Policies that create and sustain economic and social inequality; Poor rule of law; Poor criminal justice system response to IPV; social or cultural norms that support IPV; and higher rates of other types of violence. |

| Factors increasing the risk of a man committing SV | | | |
|--|--|---|---|
| Individual | Relationship | Community | Societal |
| <ul style="list-style-type: none"> Using alcohol or drugs, lacking inhibitions to suppress associations between sex and aggression; attitudes and beliefs supportive of sexual violence, including coercive sexual fantasies; associating with sexually aggressive peers; physically and/or sexually abused as a child; and witnessing physical or sexual abuse as a child. | <ul style="list-style-type: none"> A pattern of behavior that is impulsive, anti-social and hostile toward women; and growing up in a household subject to or witnessing physical violence, little emotional support and few economic resources. | <ul style="list-style-type: none"> Community wide poverty and unemployment, tolerance for sexual violence within the community; lack of response by the justice system and weak sanctions for perpetrators of sexual violence; social isolation; and poverty. | <ul style="list-style-type: none"> Policies that create and sustain economic and social inequality; Poor rule of law; Poor criminal justice system response to SV/IPV; social or cultural norms that support SV/IPV; and higher rates of other types of violence. |



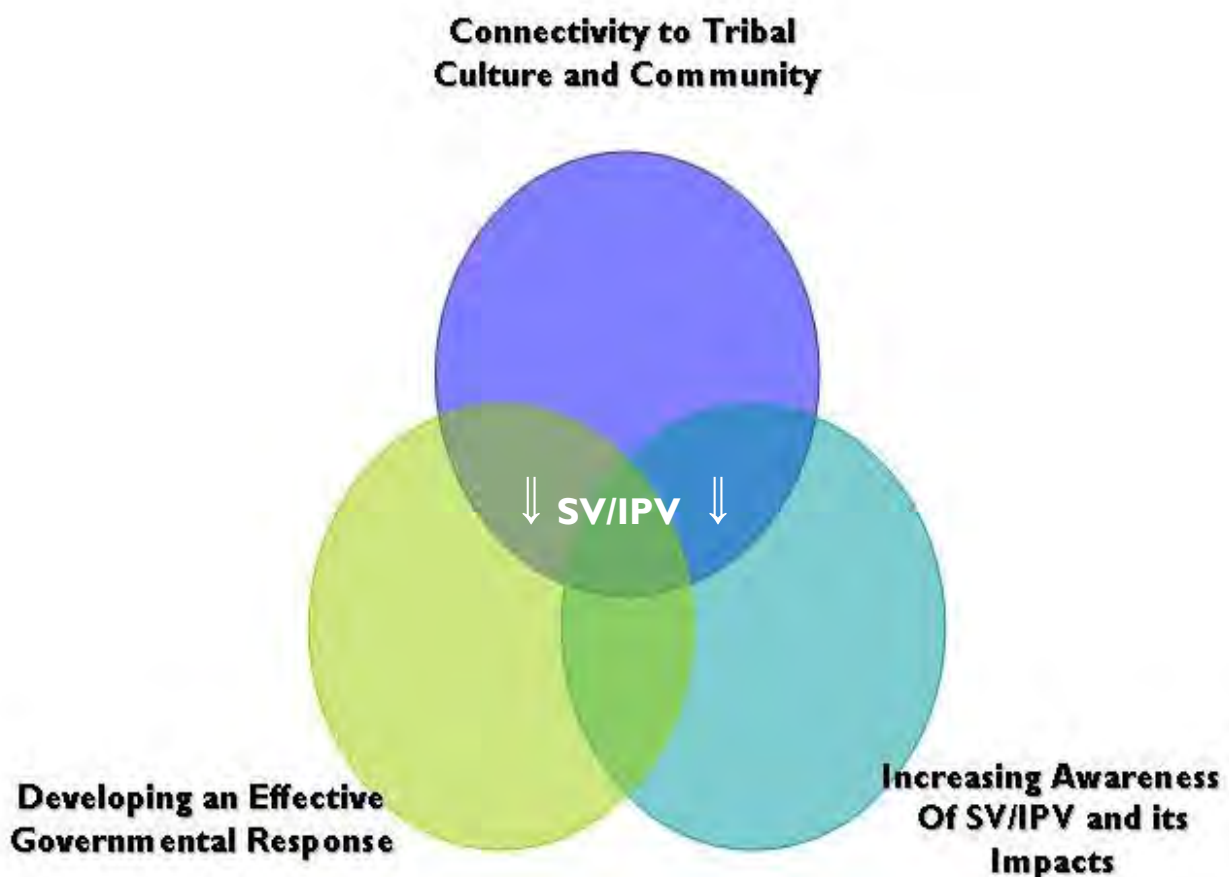
Section 2—What are Protective Factors?

Protective factors are conditions that make it less likely that a risk factor for violence result in an individual actually committing violence.

If we can direct efforts, activities and resources to increase the protective factors, we may be able to reduce the impact of the risk factors that are associated with sexual violence and intimate partner violence.

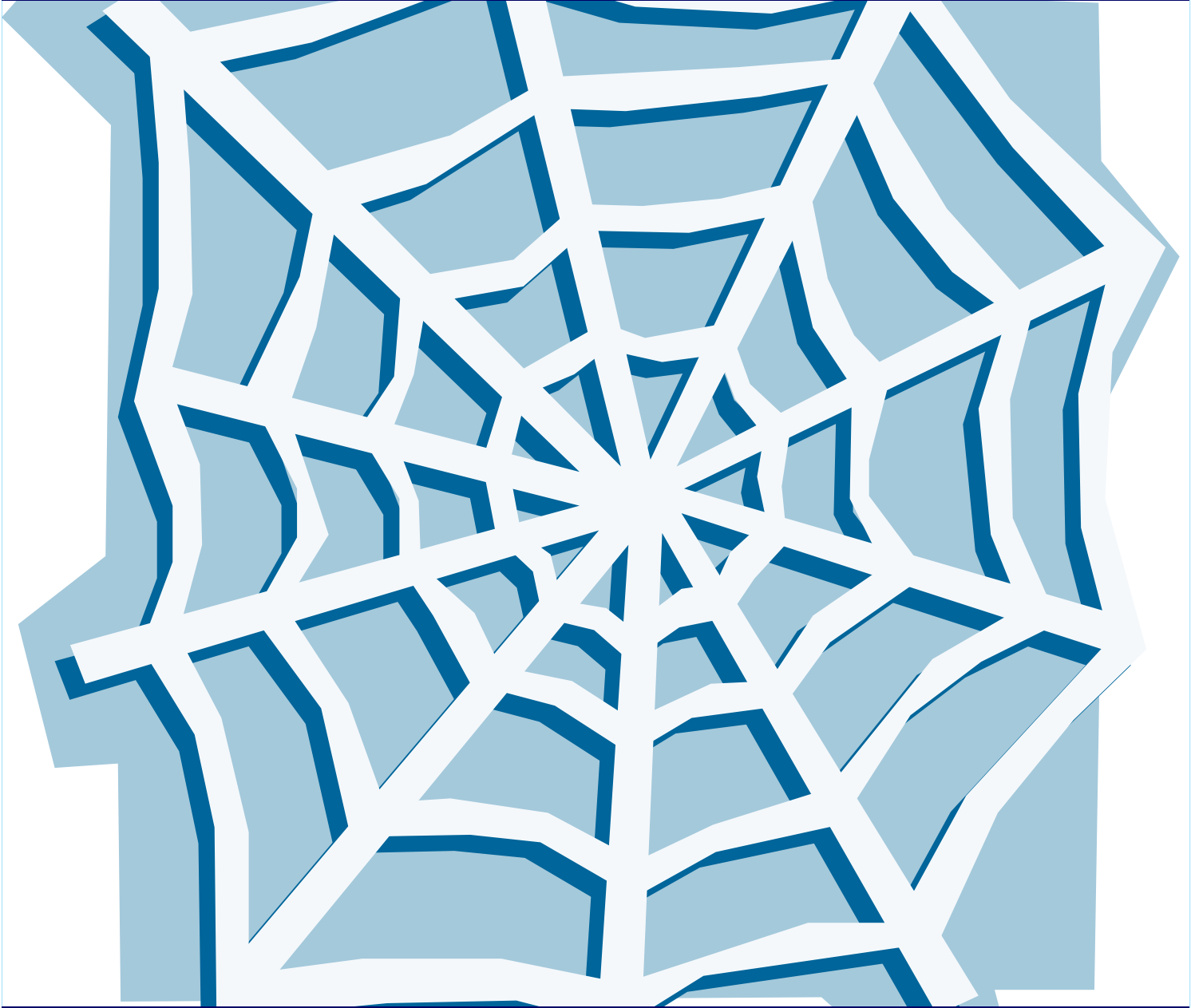


We may be able to stop it before it happens!





Section 3



Resolving Conflicts





Section 3—The Complexity of Human Emotion

Can you find the emotions in the word search puzzle below?

h e x c i t e d u s e l h n p t m t d d p
u a c o n f i d e n t o d v h m o e l i i
e l p m i s p i r y t l i u g i b x u o y
s u s p i c i o u s o l t c t s r o f i e
d f c e y s s i e b e n u n e e s d r d i
d e s t r u c t i v e r n f g r m e e e b
p c n i a d u r y r a e w a t a c t e v d
t a e t d e m l e h w r e v o b a a h e l
r e c i h t r f i b t d b c s l u l c i i
a p e v t u f g d n m d e c u e t o d l s
x u p e v i s n e h e r p p a f i s d e n
c b c i d u r i t t l t i e r m o i m r s
i u o n o s t e a v b n d u l e u r a r s
d p i i c a r r d s a a s a t i s f i e d
s b x e p e a e i m t t c f s e t s e n l
c n s m c l r l m s r i d e r u s s e r p
a i i n i i g a i a o s c v i o o r o d n
r w p h p m l x t r f e t n g a a l n h n
e u x s y s a e n u m h o p e f u l a a a
d e n s n a d d i p o w e r f u l a y e d
r i o n t e e d e k c o h s t i t a s v j

Annoyed
Brave
Competitive
Eager
Glad
Hopeful
Intimidated
Miserable
Relaxed
Shocked

Anxious
Calm
Confident
Enthusiastic
Great
Hostile
Isolated
Overwhelmed
Relieved
Suspicious

Apprehensive
Cautious
Depressed
Excited
Guilty
Impatient
Jealous
Peaceful
Sad
Tired

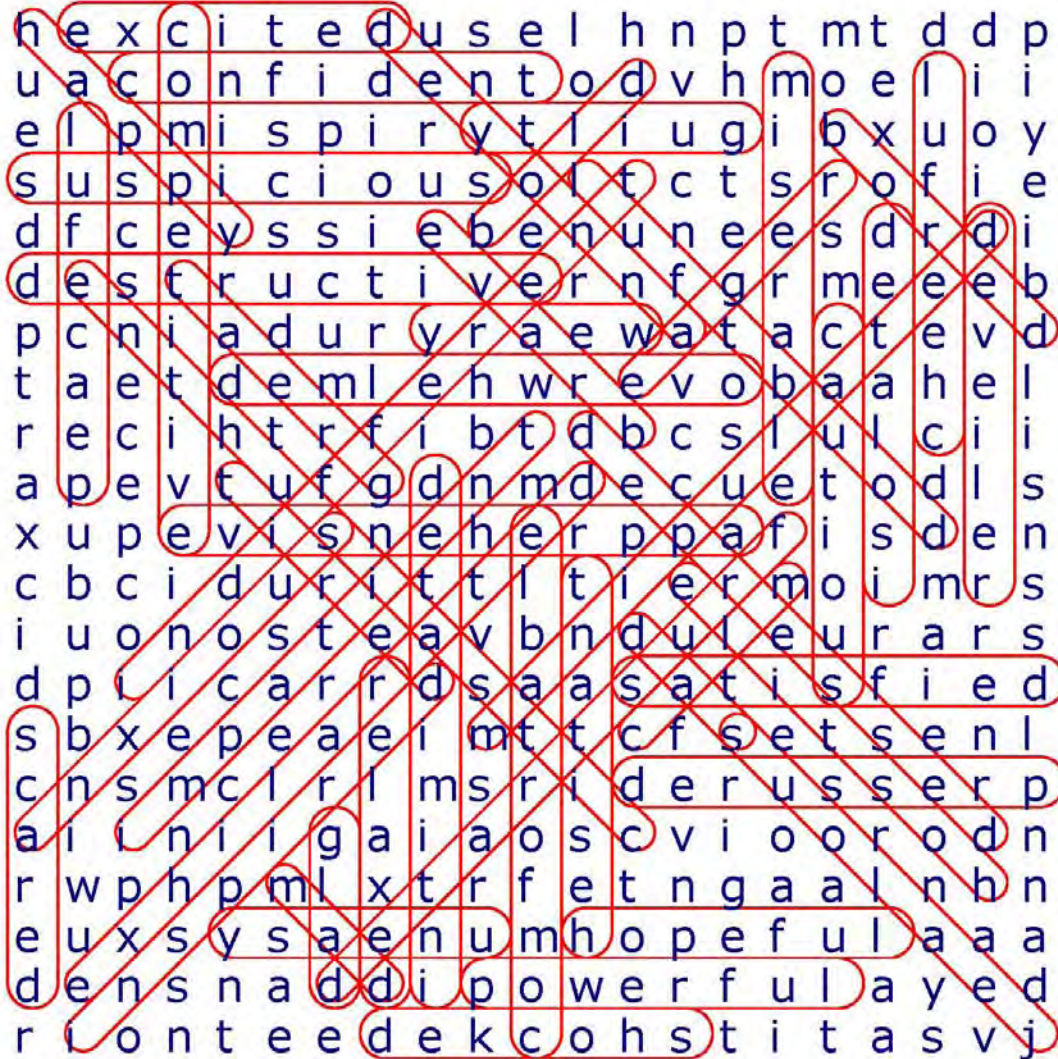
Bold
Cheerful
Destructive
Exhilarated
Happy
Indifferent
Mad
Powerful
Satisfied
Uneasy

Bored
Comfortable
Doubtful
Frustrated
Hesitant
Inspired
Manipulated
Pressured
Scared
Weary



Section 3—The Complexity of Human Emotion

The answers to the word search puzzle!



Annoyed
Brave
Competitive
Eager
Glad
Hopeful
Intimidated
Miserable
Relaxed
Shocked

Anxious
Calm
Confident
Enthusiastic
Great
Hostile
Isolated
Overwhelmed
Relieved
Suspicious

Apprehensive
Cautious
Depressed
Excited
Guilty
Impatient
Jealous
Peaceful
Sad
Tired

Bold
Cheerful
Destructive
Exhilarated
Happy
Indifferent
Mad
Powerful
Satisfied
Uneasy

Bored
Comfortable
Doubtful
Frustrated
Hesitant
Inspired
Manipulated
Pressured
Scared
Weary



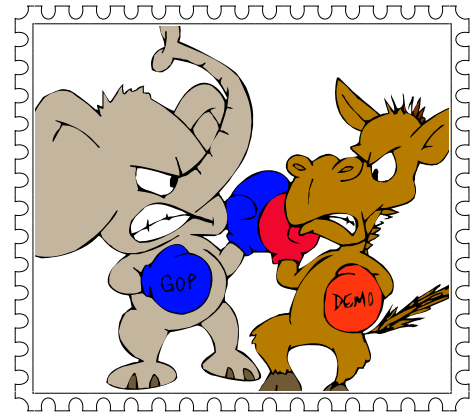
Section 3—What is Conflict?

Conflict is a state of discord caused by the actual or perceived opposition of needs, values, and interests. A conflict can be internal (within oneself) or external (between two or more individuals).

Conflict as a concept can help explain many aspects of social life such as social disagreement, conflicts of interests, and fights between individuals, groups, or organizations.

In political terms, conflict can refer to wars, revolutions or other struggles, which may involve the use of force as in the term armed conflict. Without proper social arrangement or resolution, conflicts in social settings can result in stress or tensions among stakeholders. When an interpersonal conflict does occur, its effect is often broader than two individuals involved. It may affect many associate individuals and relationships, adversely or sometimes even humorously.

One should not confuse the distinction between the presence and absence of conflict with the difference between competition and co-operation. In competitive situations, the two or more individuals or parties each have mutually inconsistent goals, either party tries to reach their goal it will undermine the attempts of the other to reach theirs. Therefore, competitive situations will, by their nature, cause conflict. However, conflict can also occur in cooperative situations, in which two or more individuals or parties have consistent goals, because the manner in which one party tries to reach their goal can still undermine the other individual or party.



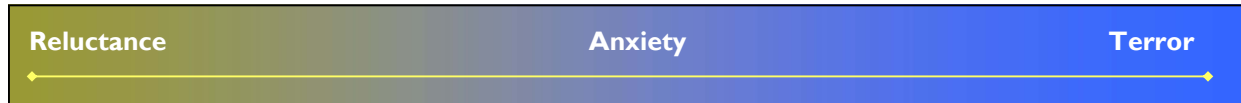
1. If there is a conflict, is violence always present? _____
2. Can a conflict lead to war? _____
3. Can conflict lead to positive change? _____



Section 3—Spectrum of Emotion

For each emotion, there is a range within it that we may experience. For example, if we begin to experience fear, it may range from reluctance to terror.

Sample Emotional Range of Fear



When a person begins to move through the spectrum of fear or anger, the fear or anger may grow beyond their control. Once that happens, the person may end up at the extreme end of the spectrum of fear or anger. These are the times that a person may resort to violence in order to gain control over their emotions, the person that they are holding responsible for their emotional response or the situation in general.

As human beings, we learn behaviors and experience emotions. In some cases, after multiple exposures to certain conditions, we associate a feeling with a certain activity. We can train our brains and our bodies to experience the emotional response just by contemplating an activity. Think of your favorite food! Did you experience joy, a smile, active salivating? We can also unlearn these emotion-behavioral pairings by intervening in the reaction and replacing the pairing with a different emotion and activity.

Stop to Think,
Stop and Act



Section 3—Identifying the Emotions that Impact Our Choices

Emotions play a large role in our choices each day. Identify emotions that impact your decision making below. If one emotion impacts your decisions more often than others, place the name of that emotion on the largest disk below.



Section 3—What Emotions May Impact the Choice to Use Violence?

Identify emotions that may impact a person's decision to be violent towards another person, animal or property. If one emotion impacts that decision more than others, place the name of that emotion on the largest disk below.



Section 3—How do we Resolve Conflict?

When we are in conflict, we often respond with fear, anger, yelling, arguing, hitting or worse violence. While these types of responses may be reflexive defensive or offensive responses, they rarely resolve the initial conflict. Conflict can only be resolved by addressing the conflict itself. Questions must be asked before the responses begin. Questions such as what are my interests? Are my interests in opposition with the person that I am in conflict with? What do they know about me and what do I know about them and what they have been through? What information do I have that I am not sharing with the other person that may make it easier to resolve this conflict? Do we both look at this conflict in the same way? Is this conflict destructive for the individuals involved, the business that they work at, the community that they are part of?

After asking these questions, we may learn that some people may not be compatible in the workplace, as friends or as married partners. Once we learn that, we can move ahead without force or violence, and with the confidence that we have done what we could to reach a resolution that is beneficial rather than destructive.

ADR Approach: Sphere of Conflict*



*Adopted from Folberg & Milne, *Divorce Mediation: Theory and Practice*, Ch. 13 (1988).



Section 3—The Active Listening Exercise

Do you ever wonder if anyone is listening to you? How often are we really listening to others? To test your listening capacity, try this exercise. Choose a partner and sit facing them, each of you in a chair, knee to knee. Pick the person who will go first. Each of you will talk for 1 minute to the other person about your favorite place and why it is your favorite place. Now for the tricky part . . . You must listen **ACTIVELY**. You are **NOT ALLOWED** to respond to the speaker, you may only listen. No nodding, no agreeing, no judgment., keep physical movement to a minimum (no tapping of feet or leg shaking). After the minute has tolled, the second speaker will begin and the other person must listen.

At the conclusion of the exercise, answer the following questions:

1. Was it difficult to listen actively? If so, why? _____
2. Did you hear only with your ears or did your other senses help you to absorb the information that was being shared? _____
3. What is required of you to listen actively? Did you have to calm yourself, focus your mind or let go of other concerns? _____
4. When dealing with conflict resolution, should we be listening actively? _____
5. As a speaker, did you feel that you were being heard? _____
6. As a listener, did you feel that you were able to show that you were interested and listening? _____



Section 3—

An Excerpt from The Gift of Fear

By Gavin de Becker

Chapter 10—Intimate Enemies

Pre-Incident Indicators Associated with Spousal Violence and Murder

They won't all be present in every case, but if a situation has several of these signals, there is reason for concern:

1. The woman has intuitive feelings that she is at risk.
2. At the inception of the relationship, the man accelerated the pace, prematurely placing on the agenda such things as commitment, living together, and marriage.
3. He resolves conflict with intimidation, bullying, and violence.
4. He is verbally abusive
5. He uses threats and intimidation as instruments of control or abuse. This includes threats to harm physically, to defame, to embarrass, to restrict freedom, to disclose secrets, to cut off support, to abandon, and to commit suicide.
6. He breaks or strikes things in anger. He uses symbolic violence (tearing a wedding photo, marring a face in a photo, etc.).
7. He has battered in prior relationships.
8. He uses alcohol or drugs with adverse affects (memory loss, hostility, cruelty).
9. He cites alcohol or drugs as an excuse or explanation for hostile or violent conduct (“That was the booze talking, not me; I got so drunk I was crazy”).
10. His history includes police encounters for behavioral offenses (threats, stalking, assault, battery).
11. There has been more than one incident of violent behavior (including vandalism, breaking things, throwing things).
12. He uses money to control the activities, purchases, and behavior of this wife/partner.
13. He becomes jealous of anyone or anything that takes her time away from the relationship; he keeps her on a “tight leash,” requires her to account for her time.
14. He refuses to accept rejection.
15. He expects the relationship to go on forever, perhaps using phrases like “together for life,” “always,” “no matter what.”
16. He projects extreme emotions onto others (hate, love, jealousy, commitment)



even when there is no evidence that would lead a reasonable person to perceive them.

17. He minimizes incidents of abuse.
18. He spends a disproportionate amount of time talking about his wife/partner and derives much of his identity from being her husband, lover, etc.
19. He tries to enlist his wife's friends or relatives in a campaign to keep or recover the relationship.
20. He has inappropriately surveilled or followed his wife/partner
21. He believes others are out to get him. He believes that those around his wife/partner dislike him and encourage her to leave.
22. He resists change and is described as inflexible, unwilling to compromise.
23. He identifies with or compares himself to violent people in films, news stories, fiction, or history. He characterizes the violence of others as justified.
24. He suffers mood swings or is sullen, angry, or depressed.
25. He consistently blames others for problems of his own making; he refuses to take responsibility for the results of his actions.
26. He refers to weapons as instruments of power, control, or revenge.
27. Weapons are a substantial part of his persona; he has a gun or he talks about,

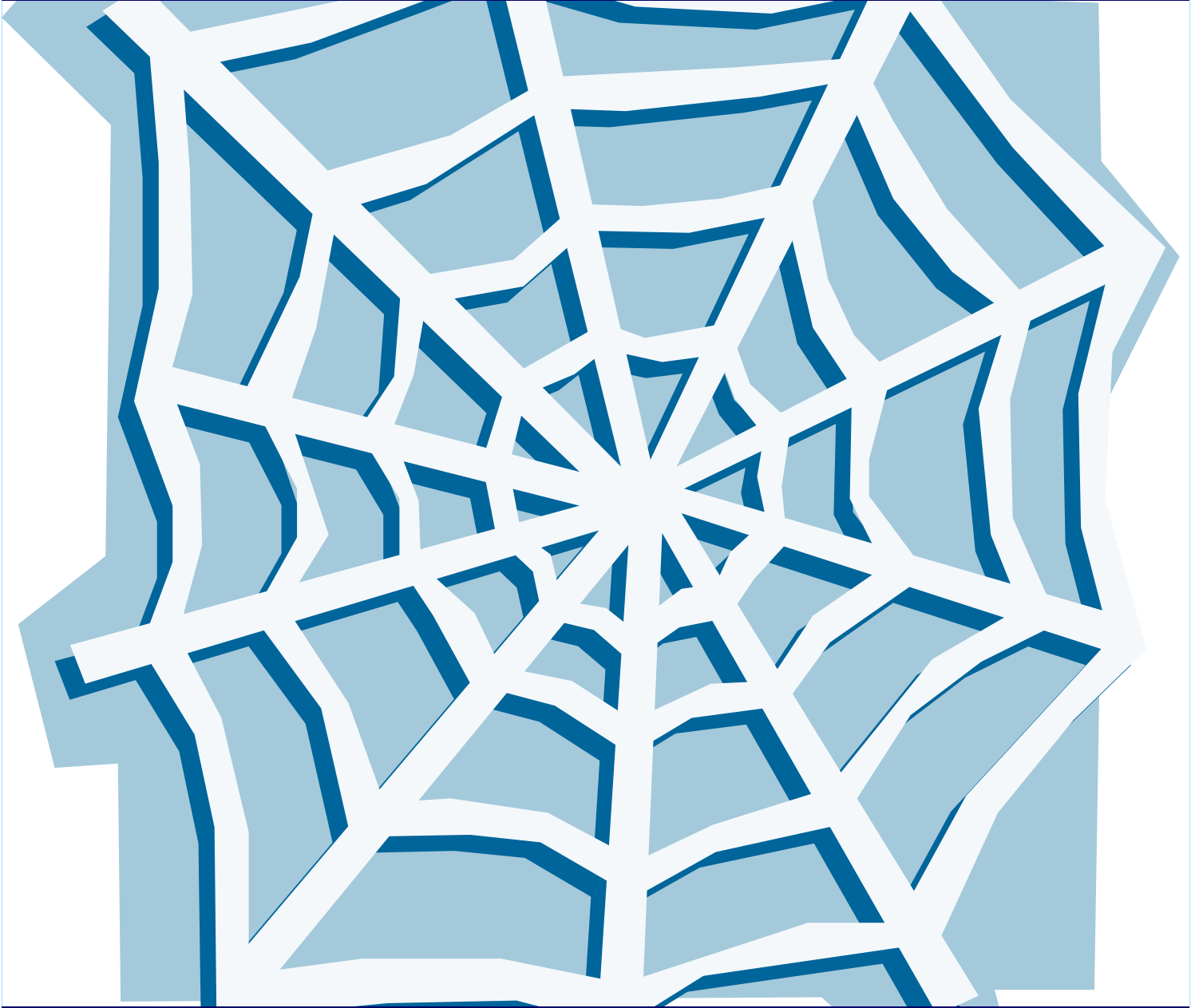
jokes about, reads about, or collects weapons.

28. He uses "male privilege" as a justification for his conduct (treats her like a servant, makes all the big decisions, acts like the "master of the house").
29. He experienced or witnessed violence as a child.
30. His wife/partner fears he will injure or kill her. She has discussed this with others or has made plans to be carried out in the event of her death (e.g., designating someone to care for children).

This list has been reproduced with permission from Gavin de Becker. *The Gift of Fear* by Gavin de Becker is available at major book stores. For more information about Gavin de Becker, Incorporated, please visit <http://www.gavindebecker.com>.



Section 4



Building the Community Web





Section 4—Mentoring Youth and Adults

Mentoring programs bring together a person who needs assistance (“mentee”) and a person who is willing to provide assistance (“mentor”). Generally, the focus of the pairing is to focus time and attention on life or work skills development. There is generally a timeframe for the mentoring relationship to be active and there will be an end to the formal mentoring process when the mentor has shared their experience and the mentee has acquired confidence in their skills.

Mentoring programs can bring men and young boys together in an effort to provide positive culturally relevant role models for the youth and to persuade youth to strive for their best possible selves. The mentor may be able to demonstrate community values and strength in a way that the mentee can understand and appreciate. A youth that is from a single parent home may not have much opportunity for positive male role modeling. Mentor programs can bridge those gaps.

A mentor can influence the mentee directly by sharing experiences and knowledge. The mentor can also influence the mentee indirectly by sharing interests, positive attitude and demonstrating the capacity to live a full and meaningful life in the same environment in which the mentee may be struggling to live positively.

When a mentee witnesses the impact that their mentor may have on their community, the mentee may come to understand that they too have a responsibility to meet the challenges they face in a way that benefits more than just themselves.

Mentors must be at their best when engaging the mentees. Young people learn as much from what we do than from what we say. The Mentor will benefit from the mentor-mentee relationship as they identify their own positive qualities and approach to life that they are willing to share with the mentee.

Mentoring relationships may also suffer many problems. A mentee may have special needs that require professional assistance and a mentee may need a referral. The mentoring program should adopt a set of rules and regulations that provide the mentor with a way to make the referral and help the mentee to receive guidance or assistance. There may be fundamental personality conflicts that may not be resolved by forcing a mentoring relationship to occur. The pairings may need to be changed. That is okay. We learn more about who we are throughout the process.



Section 4—Mentoring Youth and Adults

Developing Mentoring Programs for Native Boys and Men*

1. Establish baseline rules. Limiting communications and activities outside the scope of the program.
2. Establish a mentoring committee that can monitor and coordinate the activities of the mentoring program.
3. Establish minimum requirements for both mentors and mentees. Mentors must undergo a rigorous background check and receive training.
4. Don't be afraid to have fewer mentors than youth—Team mentorship is a possible mentoring program format.
5. Be aware of the current mentor responsibilities. Mentoring programs often suffer from a shortage of available mentors and from mentor burn out. If possible, the mentoring program should be part of the work of the mentor rather than an additional burden.
6. Develop action oriented program activities. Financing a mentor program is never easy; however, what is generally necessary for positive impact on youth is mentor time. So find activities that can be done that are active, help the community and that can have visible results for the youth.
7. Focus on skills development or skills discovery.
8. Establish a timeline for the mentoring program with recognition for completion.
9. Develop a process for rotation or change of a mentor without disruption of the program. Unlike many of the model mentoring programs, Native Youth are more inclined to learn and pair with a group rather than a single mentor.
10. Imbed the mentoring program into existing programs (i.e., community service or diversion programs).

To be successful, mentoring programs should be developed in partnership with community members and linked to similar existing community programs. Coordinators must be appropriately trained and supported, mentee families should be incorporated where possible, and programs should have a flexible structure that includes group mentoring and cultural events.

**- Mentoring Programs for
Aboriginal Youth**

* Summarized from the work of J. Klinck, C. Cardinal, K. Edwards, N. Gibson, J. Bisanz, J. da Costa, Mentoring Programs for Aboriginal Youth, Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health 3(2), p. 110.



Section 4—Mentoring Youth and Adults



Introduction

Native American Fatherhood & Families Association (NAFFA) has an inspiring program, ***Fatherhood is Sacred***,SM expanding to serve families across the country. The program is designed to unite and support Native men in sharing the purpose of life – to have a happy and safe family. Celebrating the rich heritage of Native Americans, the program elevates Fatherhood to its proper position as a sacred role in family life. Men entering the Fatherhood program develop moral character and integrity as they learn to use the enduring principles forming the core of Native American beliefs.

Written for Native men by a Native father born and raised on an Indian reservation in the Southwestern United States, the Fatherhood program is designed to understand and meet the unique needs of each individual by focusing on (1) person, (2) principles, and finally (3) the program.

NAFFA identifies the ultimate purpose in life is to have a happy and safe family. When a group of men share this common vision, they are able to compassionately work together to help one another envision and reach for the shared goal. Present generations owe their Native American ancestors a debt of gratitude that can best be repaid by raising strong, healthy, and happy families.

Native Americans generally understand and accept symbols of nature to be sacred (mountains, rivers, animals, etc.), and believe traditional ceremonies and items are sacred as well. Sacredness is a deep traditional value in the great heritage of Native people. Unfortunately, in recent years Native people have missed the mark in not acknowledging two of the most sacred roles on earth: motherhood and fatherhood.

When a man knows in his mind and feels in his heart that his role as a Father is sacred, he is self-motivated to bring positive changes to his life and family. The program helps each father realize he is the sacred link between past and future generations.

The program teaches each man how to develop and strengthen character and integrity, which brings honor to his good name and great heritage. Character – for the program’s purposes – is keeping one’s promises; integrity is consistently living up to a code of moral values. As these two powerful traits become integrated into a man’s heart, he learns to recognize the difference between right and wrong, and gains the courage to stand up for what is right.



Section 4—Mentoring Youth and Adults

While program curriculum embraces Native American culture and spirituality, NAFFA takes a strong position of not promoting any specific religion. Each father is encouraged to take the lead to identify, for his own family, through study and inquiry, the religion or spirituality he chooses to practice. This promotes leadership in the family. “Fatherhood is leadership – of the most important kind.”

Albert M. Pooley, founder of NAFFA, believes that Native American men are destined to bring greatness to their families and heritage. Greatness is when your children and wife, her family, and your family all *truly want and need you* in their lives. When a man steps into greatness, he creates a legacy that carries forward for many generations.

Fatherhood is SacredSM is not an alcohol, drug, nor a counseling program. It is a father’s program focused on empowering each man to be the best father and husband he can be. NAFFA strives to ensure that each man who participates in this program feels welcome, wanted, and needed. These men grow to contribute not only to their families, but also to their communities and tribes in significant ways.

The men are introduced to the shared vision of having a happy and safe family, and to understand that realizing such a vision begins within them. Once men are offered this deeper understanding of fathering, they are introduced to the five core principles upon which the **Fatherhood is SacredSM** program is built. Many important principles of traditional Native American culture are interwoven with the core principles to create a robust program enabling men to strengthen character and integrity by progressively building upon five time-honored principles of Native American heritage:

1. Creator
2. Choice
3. Teachable
4. Wisdom

Service

The rapport and brotherhood established enables the men to understand that others may share similar fears, problems, and hopes. This disclosure is valuable in helping men experience their potential for new learning and personal growth. It also enables participants to identify obstacles and barriers that limit responsible fatherhood and learn how to overcome these adversities.

Fatherhood program participants provide strong support for each other while learning to serve, nurture, and lead their families. The men are encouraged to befriend, understand, and unite in forming an alliance/brotherhood network. This method draws the parallel between the fathers and their Native American heritage.

The Fatherhood is Sacred Program consists of twelve sessions. Each session is two hours in length. Upon completion, participants are awarded a Program Certificate of Completion.



Section 4—Mentoring Youth and Adults

NAFFA also has a ***Motherhood is Sacred***SM program. The development of this program came about with strong support from the men involved in the Fatherhood program. The same basic approach and elements apply. NAFFA recognizes the crucial roles of both mothers and fathers as responsible parents in developing healthy, happy, and safe families.

Phase II

Phase II of the Fatherhood program is designed to help fathers take the next logical steps in rebuilding their lives. Many Native men have worthy goals and dreams, but they have not had the structure, guidance, and support to help them realize those dreams. A wide variety of factors have led the men to struggle with negative consequences contributing to an unfavorable life situation.

Phase II classes and programs encourage the men to become stronger fathers by contributing economically, socially, emotionally, and spiritually to the well being of the family and community. NAFFA recognizes that supporting the family is essential to the success of the fathers.

NAFFA collaborates to strongly advocate for anyone who completes Phase I by working with institutions of higher education, the judicial system, and other government agencies – both on and off the reservations. Our classes are tailored specifically to Native Americans who have completed Phase I of the ***Fatherhood is Sacred***SM program. Initially, class offerings include domestic violence (for perpetrators); anger/stress; strengthening families (communication); blended families (improving the co-parent relationship); creating healthy marriages; suicide prevention; addiction (substance abuse); and liaison/advocate services.

We offer services by a didactic process, using clear structure and curriculum so agencies recognize our program as an approved resource providing a “best practice” to meet the needs of both individuals and agencies.

Each group using the ***Fatherhood is Sacred***SM Phase I curriculum works toward becoming an official ***Fatherhood is Sacred***SM chapter. Reaching chapter status enables fatherhood groups to promote activities that may benefit the fathers in their chapter. Fatherhood chapters are self-governing and monitored at the chapter level by the local facilitator in close contact with NAFFA staff.



Section 4—Mentoring Youth and Adults



20-Week Mentor Program

Our 20-Week Mentor volunteers are screened and trained volunteers who work with children and adolescents living in residential treatment facilities, group homes, and shelters in Maricopa County. Mentors bring the visual arts, music, dance, theater, creative writing and other art forms to these children and teens every week for twenty weeks. Free Arts volunteers are positive role models who encourage appropriate social interaction, assist in developing a renewed sense of self worth, build trust and create a non-judgmental environment to encourage the expression of emotions. Each volunteer completes a screening and training process before being placed with children, and completes an evaluation of their sessions each week. 20-Week Mentor volunteers need to be age 18 or older.

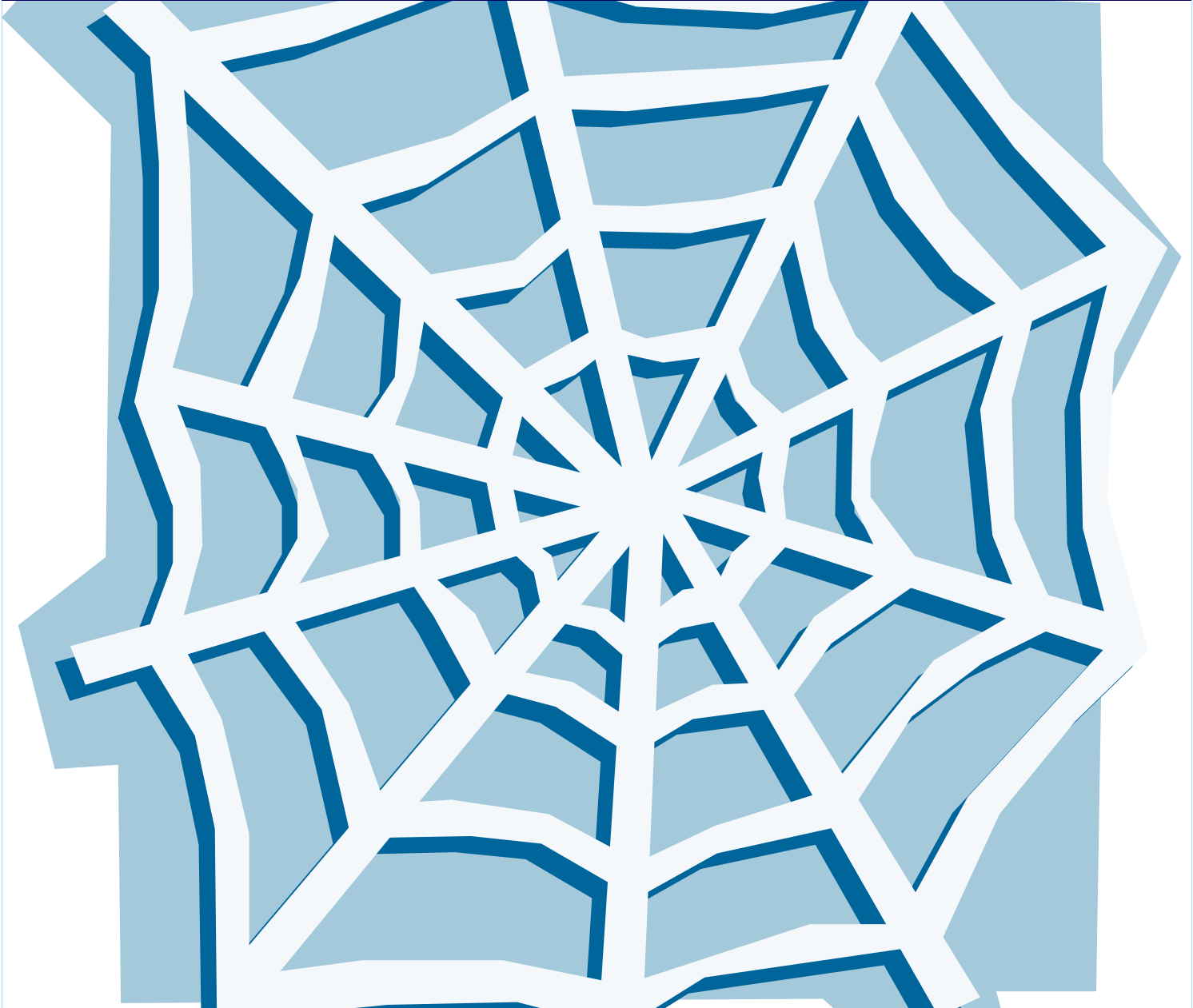
Multicultural Arts Camp (MAC) Series

MAC Camp is made up of five week-long arts camps for up to 200 children featuring theater, dance, music, art and the visual arts. Children come from local group homes and shelters and are transported by their home facility.

- **Theater Camp:** a two-week intensive for 20 adolescents in partnership with ASU's Kax Herberger Center for Children and the Arts and the Herberger Theater Centre.
- **Multicultural Arts Camp:** guest artists from around the world share their cultures in a three-week multidisciplinary camp for children ages 8-17. Japanese Taiko drumming, African dance, Chinese calligraphy, Native American jewelry and Latino music are just a sampling of special workshops offered.



Section 5



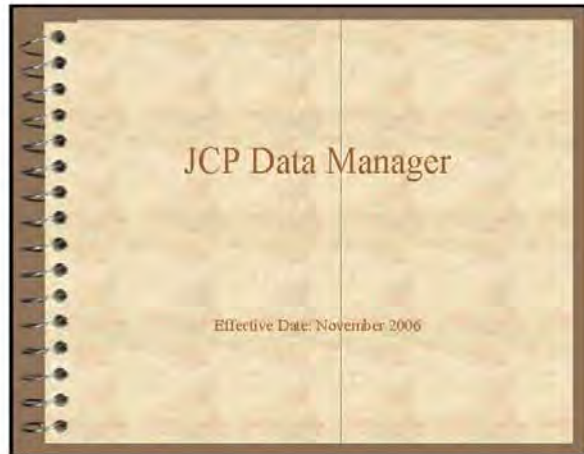
Improving the Community

Response to SV/IPV





Section 5—Improving Community Services' Response to Violence



What is it and What does it do?

- The JCP System is set up to provide counties and tribes access to enter and manage youth data. There are three current tools in the system:
 - The Profile Manager Plus - Manages user profiles and access to the system
 - JCP Data Manager - System that collects and reports on youth demographic, assessment and program data.
 - Section Editor Plus - Manages the sections (programs) that exist within your county/tribe.

The Profile Manager

- There will be three levels of access in the JCP system:
 - Contact List Only
 - Power-users
 - Super-users

Profile Manager - Contact List only

- **Contact List only** - These are people who do not directly enter youth into the system or log in but will need to be listed in the system on reference lists. Typically, these are screeners who may perform a screen but do not enter the information or otherwise need access into the system. Screeners in a program/section must be added to the system so they can be properly referenced in the assessment form in the data manager as well as given “credit” for the screen. The lead JCP agency is responsible for managing the profiles of their providers.

Profile Manager - Power-users

- **Power-user** – Personnel in the lead agencies who need to access the system for reports, data entry, or managing the profiles of the users. *For now, nearly all users who use the JCP Data Manager will be power users.*

Profile Manager - Super-users

- **Super-user** – Super users have the same basic capabilities as the power users but have one main difference – Super users can edit any assessment regardless of the screen date. There will be one or two designated super users per county - usually the JCP program coordinator and the data entry specialist.



Section 5—Improving Community Services' Response to Violence

Profile Manager

The process for access to the system -

- Super users in the county set up and maintain user profiles (JCP Web Support will set up initial super user profiles) for the coordinator and data entry specialist. JCP Web Support will review the information and how to use the Profile Editor plus individually by phone.
- After the supervisor/user enter the information into the system, it will automatically be transmitted to JCP Web Support for activation.
- JCP Web Support will activate the users and assign rights and tools to the program. This action will be followed up by an email to the newly activated user.


Profile Manager



For data integrity, users are not allowed to share a login name. Users sharing logins will eventually be rejected from the system - not to be reactivated. Additionally, mistakes or issues with data entry using shared logins will point to the login's original "owner".

Each person who will be entering data into the system will need a login and a password.

Getting into the System



- Type in your Login Name and hit Enter (for added security). Using the mouse or Tab will not work. You may also press CONTINUE.
- Type in your Password and hit Enter (or click continue)

Profile Editor



| Tool | Description | From: Sam | To: Ted |
|---------------------|---|-----------|---------|
| Reports | View staff documents and reports (active) | | |
| Data Manager | Enter assessments and service information | | |
| Profile Editor Plus | Administer staff profiles existing in your county | | |
| Section Editor Plus | Allows you to edit the profiles of all of the sections in your county | | |


Click on the Profile Editor Plus

Profile Editor



The first screen is a summary screen showing all of your active logins in your section. To edit an existing login, simply click on the radio button and press MODIFY (above in the toolbar). To Add a new login, click on ADD.

Profile Editor - Add




The format of the add/edit pages in the system are all similar to each other. At the top, you the option of going back to the main menu (<< MAIN MENU), closing the current screen (CLOSE) and returning to the summary report without saving, saving data and returning to the summary report (SAVE), or pasting from another field/document.




Section 5—Improving Community Services' Response to Violence

Profile Editor - Add



You will also notice the icons in the top right corner. The "letter" icon will email JCP Web Support. The "I" icon provides information about the user who created the product. The "F" icon contains system help. The C-Site icon indicates a federal copyright.

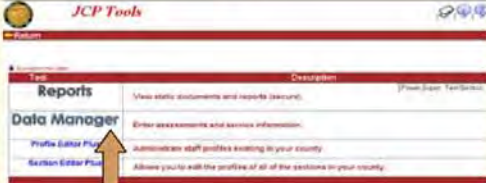
Profile Editor - Add



Profile Editor - Save


- Each field needs to have something in the field. (field help will indicate if "0" is appropriate). In most cases, zeros are only used if there is no response. They are the equivalent of entering "nothing"
- If you try to close the screen without saving your data and you've entered information in the first field, a warning message will prompt you to save or leave and lose changes.
- Once you Save your data and close, you will not see the staff profile that you'd just entered into the system because this person has not yet been activated. The information is automatically transmitted to JCP Web Support who will need to activate the users.

JCP Data Manager



From the menu, click on Data Manager

JCP Data Manager



This is the JCP Data Manager Main Menu. Helpful information about the system is listed in the center. Menu options are listed on the left side. To access a module, you can click on a button or use the shortcut keys (Alt + underlined Letter). Shortcut keys are available throughout the system.

JCP Data Manager - Search




Doing an initial Search ensures a youth will not be duplicated in your tribe. The Search will display all youth assessed (screened) in your tribe. You may want to copy the Client ID as it will be used on other data screens. The  icon is a search button. By clicking on the glasses, a search dialog box will appear for that field.




Section 5—Improving Community Services' Response to Violence

JCP Data Manager - Search



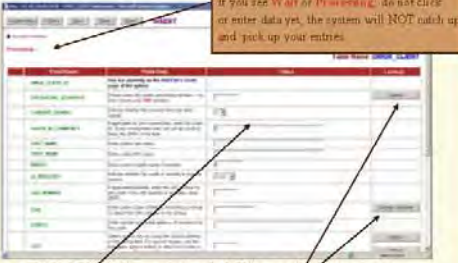
You must search in ALL CAPS. Use the CONTAINS method if you want to see results that contain a string of letters (ie: MOU). This can be used if you are not sure of exact spelling. Use the EQUALS radio button if you are sure of spelling and desire faster search results (ie: MOUSE). Click on OK to view results. If a match for your youth is not in the system, go to the main menu to Add a Youth. **If you have entered data for a youth, but not an assessment yet, you may find the client in "edit a youth" or "edit youth's characteristics".**

Initial Assessments - Add A Youth




From the main menu, select Add a Youth. After clicking, it may take up to 30 seconds to load the page depending on your connection speed.

Initial Assessment - Add a Youth



Like the Profile Manager, the field titles are the same. Each value field will need an entry. The Options buttons will assist you in populating the fields.

JCP Data Manager - More on Options




Link ID - Commonly used selections can also be entered by just entering the link ID in the field instead of going through the lookup. The value (ie: name) will not display on initial entry but will display after saving the data.

If the list is long, you can also use Find to prompt a search.

After making the selection, Click on OK or Alt + Q to insert the value.


Look for the scroll bar to find more options.

Initial Assessment - Add a Youth



Once you have completed all of the fields, click on SAVE to save your data and proceed to the next page. Clicking on CLOSE or NEXT will not save your data automatically.

Initial Assessment - Add Youth Characteristics




Adding a youth produces a client ID. This ID needs to be matched to the data on this page of the system. To find the Client ID, use one of the three Options buttons (For quickest results - use the lowest button for youth entered today. The middle button will display youth entered in the last five days, and the top button displays all youth ever entered under your tribe.



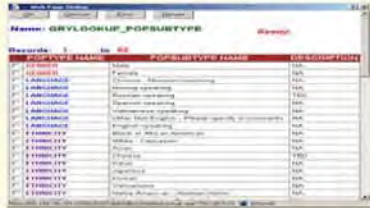
Section 5—Improving Community Services' Response to Violence

Initial Assessment - Add Youth's Characteristics



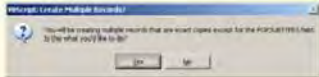
Click on **OPTIONS** in the **POPSUBTYPE** field to display all necessary entries. Be sure to select at least one gender, one language and one ethnicity. More than one type in each can be selected if necessary.

Initial Assessment - Add a Youth's Characteristics




Remember to select **ALL** characteristics that apply, then press **OK**. Note the scroll bar on the right side to make sure you have seen all options. If you select any "other" category, you will need to fill in the corresponding field on the Add Youth's Characteristics page.

Initial Assessment - Add Youth's Characteristics



After entering data and hitting **SAVE**, you should see this prompt. You should always see this particular prompt on this page because you have selected at least one gender, one language, and one ethnicity for the client. If you need to change any of the selections, you can always go back to the options button and select the items. If you would like to proceed, click on **Yes** or press **ENTER**.


Initial Assessment - Add an Assessment



If the screen date is over 30 days from the current date, only a super user will be able to edit the data.


The assessment page contains a significant amount of fields and information and may take a moment to load.

Initial Assessment - Add an Assessment



Each field will need to be completed. Selections can be made from the Options menu.

Initial Assessment - Add an Assessment



The options are the same for each question. Just click on the appropriate response and click on **Ok**. Also, instead of using the **lookup**, you can also just enter **1, 2, or 3** in the field. But be aware, if you enter the **#** incorrectly, the system will not prompt you of an error.



Section 5—Improving Community Services' Response to Violence

Initial Assessment -Assessment Report



After entering data in all fields and clicking on Save, the system will automatically take you to the assessment report to review the youth's score. To edit data, simply click in the radio button by the youth and click on Modify. **If the original screen date is over 30 days, you will not be able to view the report here.** You will need to go through the main menu to View Reports - View/Edit All Youth. The report only displays for the super user.

Initial Assessment - Add Program Referrals



This is the final part of entering the initial assessment. You will need to go through the main menu and select Add Program Referral. You must complete this step to finish the process.

Initial Assessments - Program Referral



Instead of selecting a client ID, you will need to select the applicable initial assessment for the youth using the options buttons.

Add Program referral assessment lookup



Find the youth/assessment, click in the box and click on OK to finish the initial assessment.

REASSESSMENTS - Add a Reassessment



- Select the client by using the options buttons.
- The table is exactly the same as the initial assessment. The key difference is the ASSESSMENT_TYPE. Ensure that you select "Reassessment" from the Assessment Type options button rather than "Initial".

Reassessments - Add Service Info



After clicking on SAVE from Add a Reassessment module, the Add Service Info page will automatically load.



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Reassessments - Add Risk Focus Area



After clicking on SAVE from Add Service Info, the Add Risk Focus Area page will automatically load. This is the last page!!

JCP Data Manager - View Reports



View Reports




At this time, only the first three reports are functional. The first shows youth that has been assessed within the last 30 days and is editable. The second shows all assessed youth in the county - ever. The last - available only to super users - allows editing of assessments regardless of time frame.

Querying Functions

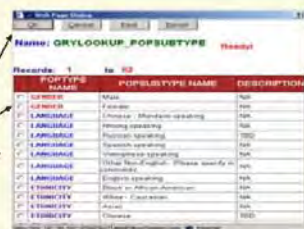
One of the system's main features is its ability to report on data. You can run queries on the data to find out how many youth were served, what kind of characteristics they had/have, what programs they were referred to, if there was a change in risk score, etc, etc, etc!!

Simple Querying



Let's say you want to find out how many males were served in your program. Simply, click on the  which will bring up a search dialog box.

Simple Querying



Click in the radio button by Male and click on OK



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Simple Querying

In this example, there were 15 males served in the county. To reset and change the view back to the original view, click on Reset in the button bar or press F5 on your keyboard.

Querying - more complex

From time to time, a more complex query is needed. Lets say you want to find out if the youth "Zippity Doodah" has already been assessed in your county (from the Search Screened Youth module).

Querying - more complex

Basically, what you are trying to tell the database to do is: "Give me all fields (sometimes called columns) from a table where a specific field name (or column) equals a specific value."

Recap of steps

1. Clear the screen (if necessary) using F5, CLEAR, or the RESET button.
2. Press the SELECT button from the query buttons (far upper right).
3. Press *. (everything). It will fill in the table's name automatically
4. Press WHERE.
5. Press the white caret directly above the column name "FIRST_NAME".
6. Press "=".
7. Double-click on a value in a cell under the FIRST_NAME column.
8. Confirm that the value is now in your query.
9. Press SEARCH.

* Note that you can add on other criteria by using the "AND" button if you want to restrict your query even more.

How to Query - more complex

In the Query Creator box, you will see something like:
 SELECT * FROM "VW_DMGR_SEARCH" WHERE "FIRST" = 'ZIPPITY A' AND ("SECTION_ID" = 137730) OR ("SECTION_ID" = 0)
 * Note that the section_ID text is automatically added.

How to Query - more complex

This gives you all of the information associated with Zippity A Doodah.



Section 5—Improving Community Services' Response to Violence

Strengths-based approach/Youth competency development overview

Strengths and competency approaches are

- Scientifically grounded
- Related to restorative justice approach
- Based on research related to assets, protective factors, resiliency
- Ecological - taking into account the youth in her/his environment
- Attentive to diversity
- Based on behavioral science - people with hope and support change more effectively
- Compatible with research on adolescent development - youth are changing rapidly, testing and creating an identity, and growing in their moral development

Philosophy

- People (especially young people) can change
- Youth should leave system better off than they entered
- Service plan should include support from natural helpers and engage community partners
- Relationships are key to success
- There are strengths in every youth, family, and community
- Strengths are fuel for change
- Viewing youth, families, and communities as untapped (or under-tapped) resources allows for creativity in finding solutions to challenges

Youth Competency Assessment

- Developed to help balance collection of risks and needs during assessment and use of this information in service planning, intervention, and supervision
- Tool and process have three main goals. They help the youth
 - Repair harm and develop/strengthen pro-social norms and values
 - Create/strengthen a healthy identity
 - Build/strengthen connections with family, peers, and community
- The YCA increases strength-based practice and improves the use of positive non-verbal cues and positive interview atmosphere
- Staff report improved rapport with youth and families, increased job satisfaction, and increased staff morale

Competency development requires active participation by clients

- A focus on strengths builds engagement, which is crucial to success and change
- Accountability is increased
- Staff report quicker completion of court requirements and reduced need for detention and other sanctions

A strength-based approach is most effective when entire systems use it consistently. Judges, probation staff, treatment providers, schools, and other juvenile justice and community partners can all play a role in positive youth development.

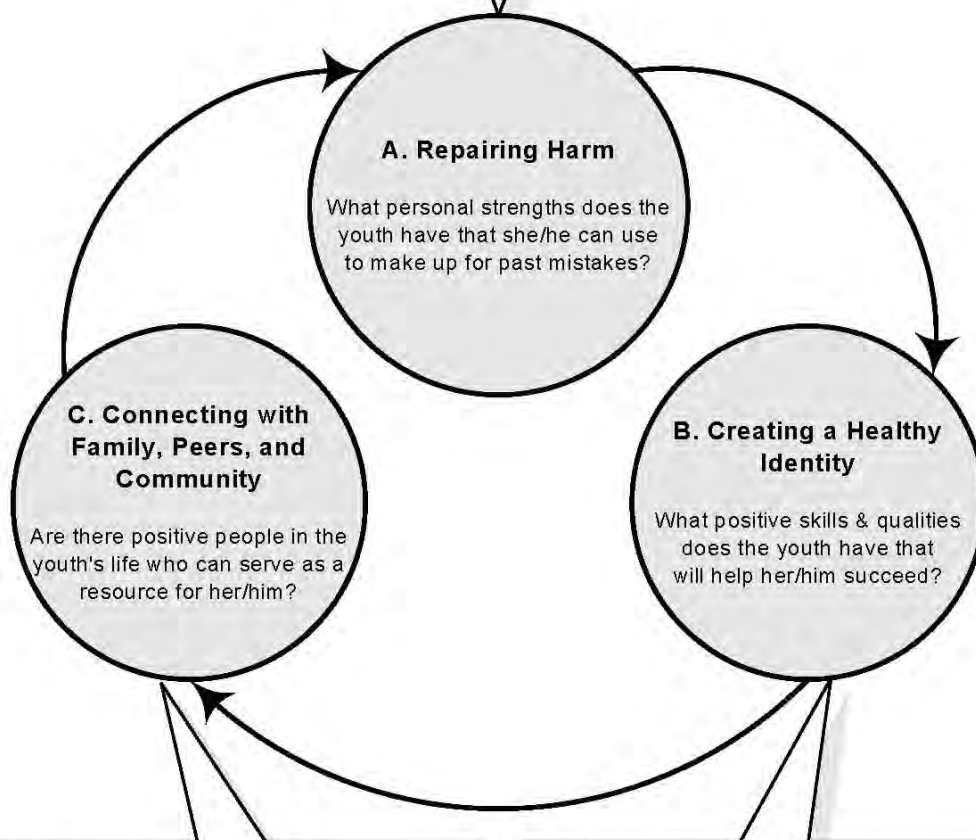


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Youth Competency Assessment (YCA) Model

Sample questions:

1. Where have you learned about how to decide right from wrong (e.g., parent, teacher)? What are some examples of what they taught you?
2. Think about what got you in trouble this last time. Who did it hurt? Is there anything you've already done to make up for your actions? What else could you do?
3. What could you do to show people that you'll make different decisions in the future? How would these choices benefit you?



Sample questions:

1. Who in your life helps you reach your goals or explore your interests? If there isn't someone, what are some ways we could help find someone?
2. Name some people that you respect or that you see doing things you like or appreciate (e.g., teacher, coach, musician, doctor, neighbor). What kinds of things do they do?
3. Tell me about a time when someone did something nice for you, or helped you out, or gave you something you needed. Why did the person do it?

Sample questions:

1. How do you like to spend your free time? Hobbies? Sports? Music/Movies? (These questions look for engagement in productive activities)
2. Are you going to school or working anywhere (or have you ever)? What types of things did you enjoy? What were you good at?
3. What types of skills do you have? (This area might need probing and you might need to provide some suggestions). [Follow up with ... How do you think these skills will help you in your life?]

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Section 5—Improving Community Services' Response to Violence



Welcome!



Your child is invited to participate in a study conducted by Jeffrey Sprague PhD, from the University of Oregon (U of O), College of Education, and Michael Finigan PhD, from the Northwest Professional Consortium (NPC).

Tell me about the study

In this study we hope to learn if participation in tribal youth services such as

contribute to positive youth behaviors and reduce negative youth behaviors in your tribal community.

Why me?

Your child was selected as a possible participant in this study because of his or her participation in



What do I need to know?

If you decide to participate in this study, the Oregon Juvenile Crime Prevention (JCP) Screen/Assessment and JCP Interim Review will be made available to the study team. These tools report changes in the following areas of youth behavior: school issues, peer relationships, behavior issues, family functioning, and substance use.

These assessment tools were developed so that JCP service providers and the study team have a way to tell if the programs are helping youth develop the knowledge and skills that will allow them to make good choices in their lives and stay out of trouble.

Your child's participation is voluntary. Your decision whether or not to allow your child to participate will not affect his or her relationship with these service(s).

If you decide to participate, you are free to withdraw your consent and discontinue participation at any time without penalty.



What do I need to do?

You will need to sign a consent form provided by your local tribal prevention program. The form will be kept on file at the program - it will not be sent to the evaluators.

Neither you nor your child will be contacted or observed by the study team.

How will this help others?

The results of this project may benefit tribal youth and community members by demonstrating how investment in local youth programs may contribute to positive youth development.

Will this help me?

We cannot guarantee that your child personally will receive any benefits from this research.

Are there any risks?

There are minimal risks to you or your child by allowing the study team to use the information gathered by the JCP tools. There is always a slight risk to confidentiality; however every effort will be made to maintain participant's confidentiality. The evaluators will not receive youth or family names.



Building Youth Success



Assessing Effects of Tribal Prevention Programs



Who do I talk to if I have more questions?

If you have any questions, please feel free to contact

or JCP Study Coordinator, Tom English, at (541) 302-9477.

If you have questions regarding your child's rights as a study participant, contact the Office of Human Subjects Compliance, University of Oregon, Eugene, OR 97403, (541) 346-2510.



Security

The data are coded and will be maintained locked in a filing cabinet in a locked office. The code will be maintained in a separate locked file in a separate office and will be destroyed within three years after the study is completed. Database information will be stored at the U of O and NPC. Both the U of O and NPC use a state of the art server system that is protected by a "firewall" and entry attempts are tracked daily.

Data are backed up regularly and stored in a locked room at the U of O. Any information that is obtained in connection with this study will remain confidential.



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Youth Intake Interview Form

Today's Date: _____

Youth's Name _____

First

Middle

Last

Address: _____ Birth Date: _____

_____ Male/Female: _____

Phone: () _____ Social Security #: _____

Place of Birth: _____ Insurance Co: _____

Mother's Name _____ Father's Name _____

DOB: _____ Occupation: _____ DOB: _____ Occupation: _____

Address _____ Address _____

Phone (H) _____ (W) _____ Phone (H) _____ (W) _____

Persons Present for Assessment: _____

Self identified race/ethnicity/cultural heritage _____

Language youth/family speak at home (if not English) _____

EDUCATIONAL INFORMATION

School Building: _____ Grade: _____

Credits: _____ GPA: _____ IEP? ___No ___Yes: _____

Ever been diagnosed with ADHD? ___No ___Yes: _____

Attendance Pattern: ___Regular ___Skips ___Tardies

What are your Academic Goals?: ___GED ___Diploma ___Trade School ___College

Explain: _____

Do you participate in any school sports? _____

Are you in any clubs or other school activities? _____

What do you like best about school? _____

What do you like least about school? _____



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What is your favorite class/subject? _____

Have you ever been suspended? No Yes: _____

Have you ever been expelled? No Yes: _____

Do you have a history of fighting in school? No Yes: _____

Is there a teacher, counselor, coach, or other adult at school that you can talk to? No Yes: _____

Guidance Counselor: _____

Do the parents help/support youth in school? No Yes: _____

How did youth do in school in the past? (elementary, middle school, grades, fighting, suspensions):

Additional Notes: _____

FAMILY STRUCTURE/LIVING SITUATION

Individual Lives with:

Father Stepfather Legal Adoption
 Mother Stepmother Relatives: _____
 Both (biological) Other: _____

Who else lives in the home? (siblings, relatives, significant others, etc.) _____

Home Environment:

Describe the relationships and communication within the home (conflicts, how people get along): _____

What are your rules at home? _____



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What consequences do you typically face when you don't follow the rules? _____

What consequences did you face at home for this referral? _____

What are some things you do together as a family? _____

Significant family events, traumas, or major changes/Dates: _____

What are some strengths you have as a family? _____

What adult do you spend most of your time with? (Looking for a positive adult role model)

Name: _____ Relationship: _____

Which extended family members provide support and how?

Name: _____ Relationship: _____

History of running away: ___No ___Yes: (How often, most recent occurrence) _____

Any previous out of home placements?: _____

Family Criminal History:

Mother: ___No ___Yes, Crime(s): _____

Father: ___No ___Yes, Crime(s): _____

Siblings: ___No ___Yes, Crime(s): _____

Relatives: ___No ___Yes, Crime(s): _____

Additional Notes: _____

YOUTH

What do you like to do for fun? (favorite hobbies/interests) _____

What are some things that you're good at? _____



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What are some things your child is good at? _____

How would you describe yourself? _____

Do you go to any youth groups, church groups, or clubs? _____

Have you ever had a job? _____

Are there positive people in your life who serve as a resource/mentor for you?

Name: _____ Relationship: _____

Name: _____ Relationship: _____

Additional Notes: _____

PEERS

How would you describe your friends? _____

Lots of Friends Few Friends No Friends

Mostly Older Mostly Younger Same Age

Do parents know and approve of friends? No Yes, Comments: _____

Have your friends changed over time? How/Why? _____

Have any of your friends gotten into trouble with the law? No Yes: _____

How do your friends do in school? (grades, attendance, behavior) _____

What do you value in a friend? _____

MEDICAL

Does youth, or has youth ever, taken medication? No Yes: _____

Any pregnancy, delivery, or developmental milestone (walking, talking, potty training) concerns?



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Is there any history of head injury? No Yes: _____

Any past hospitalizations, serious injuries, or frequent or chronic illnesses? _____

MENTAL HEALTH

Have you ever received any psychological or counseling services? No Yes: _____

Have you ever attempted suicide? No Yes: _____

Have you ever had suicidal thoughts or gestures? No Yes: _____

Any history of depression or withdrawal? No Yes: _____

Any history of sleeping or eating problems? No Yes: _____

Any auditory or visual hallucinations? No Yes: _____

Family History of Mental Illness:

Mother: No Yes, Explain: _____

Father: No Yes, Explain: _____

Siblings: No Yes, Explain: _____

Relatives: No Yes, Explain: _____

Have any family members been in counseling or treatment for mental illness or substance abuse?

Additional Notes: _____

Victimization/Abuse:

Physical Abuse? No Yes: _____

Emotional Abuse? No Yes: _____

Sexual Abuse? No Yes: _____



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DRUG AND ALCOHOL

History: (date/age of first use, date/age of last use, heaviest use, frequency, tolerance, method of ingestion, etc.)

Alcohol No Yes: _____

Marijuana No Yes: _____

Mushrooms No Yes: _____

Acid No Yes: _____

Methamphetamine No Yes: _____

Cocaine No Yes: _____

Pills No Yes: _____

Heroin No Yes: _____

Inhalants (huffing) No Yes: _____

Cigarettes No Yes: _____

Other: _____

Drug of choice: _____

Have you ever been under the influence of drugs or alcohol while at school? No Yes

Have you ever (unsuccessfully) attempted to quit using drugs or alcohol before? No Yes: _____

Has anything bad ever happened to you because of your drug or alcohol use? (school, home, legal, friends, work) No Yes: _____

Have you ever done a “wake and bake”? No Yes



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Have you ever combined drugs in order to enhance an effect? (stacking) No Yes

Have you ever used one drug to counteract the effects of another drug? (morphing) No Yes

Have you ever been in drug and alcohol treatment or received an assessment? No Yes: _____

Family Substance Abuse:

Mother: No Yes, Substance(s): _____

Father: No Yes, Substance(s): _____

Siblings: No Yes, Substance(s): _____

Relatives: No Yes, Substance(s): _____

Additional Notes: _____

SAFETY

Are any weapons available in the home, or does youth have access to weapons? No Yes: _____

Does youth have preoccupation with or use of weapons? No Yes: _____

Any history of fire setting? No Yes: _____

Any history of animal abuse? No Yes: _____

Any concerns about anger management or impulsivity? _____

REPAIRING HARM

Who was hurt by your actions? _____

What have you already done to make up for your actions? _____

Is there anything else you could do? _____

What can you do to show people you will make better choices in the future? _____

GOALS

What are some of your short-term goals? (within the next month) _____

What are some of your long-term goals? (within the next year) _____



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What are some goals you would like to work on with me? _____

How can I help you achieve these goals? _____

Additional Notes: _____



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SHORT TERM COMPETENCY DEVELOPMENT/SKILL BUILDING AREAS

PLANNING/GOALS

1. **POSITIVE ADULT:** Is there a positive adult to support the youth with meeting the goals? If not, GOAL: _____

2. **HEALTHY IDENTITY:** Is the youth involved in any positive activities or pursue any positive interests? If not, GOAL: _____

3. **COMMUNITY CONNECTIONS:** Is the youth engaged with any educational/vocational activities or involved in any community groups or resources? If not, GOAL: _____

4. **REPAIRING HARM:** Has the youth taken responsibility for his/her actions; do he/she understand the impact of his/her behavior; has he/she made efforts to repair harm? If not, GOAL: _____



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OREGON JCP ASSESSMENT (2006.1) - Community Version

PART I. YOUTH AND EVALUATOR INFORMATION

A. YOUTH BACKGROUND: Fill in ALL the information requested below.

| | | | | | | |
|--|-----|--------------------|----------------------|---|---------------------------|------------------------------|
| Presenting Behavior (Select 1 from list on page 9) | | | Consent Signed (Y/N) | | Youth ID | |
| Youth's Last Name | | Youth's First Name | | Middle Initial(s) | Juv. Jus. Involved? (Y/N) | JJIS # (if applicable) |
| Month | Day | Year | Address | | City | Zip Code (Youth's residence) |
| Date of Birth | | | | | | |
| County/Tribe of Residence | | | | Youth's Identified Tribe(s) (If applicable) | | |

1.0 LANGUAGE, RACE, AND CULTURE

Before conducting the assessment, complete this section to help determine if the youth needs an interpreter. If either is not proficient in English, please stop the assessment and continue when an interpreter or individual proficient in the youth or family's language is available. You should also determine the family's need for an interpreter if they are present.

1.1 Is English youth's primary language?

1. Yes 2. No

1.2 [IF NOT] Ask youth to describe his or her understanding of English:

- 1 Poor 2 Fair 3 Very Good

1.3 If youth's primary language is not English, what is it?

01. Chinese (Mandarin) 04. Spanish
 02. Hmong 05. Vietnamese
 03. Russian 06. Other non-English (Specify) _____

1.4 Race/ethnicity/cultural heritage. Ask the youth to self-identify his/her race, ethnicity or cultural heritage from the list below. Check all that apply.

01. Black or African-American 08. Vietnamese
 02. White (Caucasian) 09. Native American / Alaskan Native
 03. Asian 10. Native Hawaiian / Pacific Islander
 04. Chinese 11. Hispanic / Latino
 05. Indian 12. Mexican
 06. Japanese 13. Other (Specify) _____
 07. Korean 14. Race / Ethnicity Unreported

1.5 Gender

1. Male 2. Female

***NOTE:** When entering information into the JCP Data Manager, you will also need to select population group information (by re-checking all items you've indicated in 1.3 – 1.5 above in the population group variable as well).



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B. ASSESSOR/EVALUATOR INFORMATION: Fill in ALL the information requested below.

| | | | | | | |
|-----------------|-----|------|-----------------------|--|---------------------|-----------------------------|
| Month | Day | Year | | | | |
| Assessment Date | | | Assessment Type (I/R) | Assessor Last Name | Assessor First Name | County/ Tribe of Service |
| Assessor Agency | | | | Primary Referring Agency/Individual (Initial Screen Only) | | |

PART II. INDICATORS

Fill in all responses, including items for case planning. If unsure about an answer, select "More Information Needed." Do not leave the item blank. You may make any necessary revisions/adjustments to responses within 30 days of the assessment date.

Is this youth under the supervision of a county juvenile department? If so, STOP. Juvenile department staff should complete the JCP Risk Assessment - 2006.1 and enter it in the Juvenile Justice Information System (JJIS).

| 2.0 | SCHOOL ISSUES | More Info. Needed | Score ¹ |
|--------------------------|--|--|--------------------|
| <input type="checkbox"/> | <i>*Some of these items may not be applicable if youth has graduated from high school or has completed, or is currently working on, a GED. If youth is being assessed during the summer, code the last regular semester and use the last month of school for the "past month" questions.</i> | Yes No | |
| PF2.1 | Significant school attachment/commitment (has significant attachments, beliefs, commitment and/or involvement with and within his/her school; motivated to do well in school). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R2.2 | Academic failure (recently failed, or currently failing two or more classes; not meeting minimal academic standards; not performing at grade level appropriate to youth's age). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R2.3 | Chronic truancy (skips school at least once a week, or has more than four unexcused absences in past month). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R2.4 | School dropout (has stopped attending school or is not enrolled. Do not count if graduated, completed/working on GED, or attending alternative education/trade program). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R2.5 | Suspension(s) or expulsion(s) during past 6 months. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| C2.6 | Suspension(s) or expulsion(s) from school during past month. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| PF2.7 | Family actively involved in helping youth succeed in school (helps with homework, provides transportation to school, talks with teachers, etc.). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| R2.8 | Diagnosed learning disability or concrete evidence of cognitive difficulties (include if youth has an academic Individualized Education Plan or has been held back a grade level due to learning difficulties). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| Comments | | | |

¹ Only un-shaded items are scored. The risk factor numbers begin with the letter "R", the protective factor items begin with the letters "PF", the change over time items begin with the letter "C", items that begin with the letter "T" are test items and are not scored. Each item where a circle is checked receives a score of "1". Shaded items are not included in the scoring of the assessment, but are included here for case planning (CP) and evaluation purposes. Mental Health (MH) items are included to indicate additional assessments the youth may need.



Section 5—Improving Community Services' Response to Violence

OREGON JCP ASSESSMENT (2006.1) - Community Version

| 3.0 <input type="checkbox"/> | PEER RELATIONSHIPS | More Info Needed Yes No | Score |
|---------------------------------|--|--|-------|
| PF3.1 | Friends disapprove of unlawful behavior (associates on a regular basis with <u>more than one friend</u> who disapproves of unlawful acts such as stealing, physically hurting others, vandalism, etc.). | <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> | |
| R3.2 | Friends engage in unlawful or serious acting-out behavior (has <u>one or more friends</u> or routine contact with peer(s) who actively engage in unlawful behaviors including delinquency, substance abuse, or violent activities). ▲ ² | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R3.3 | Has friends who have been suspended or expelled or dropped out of school (associates with one or more friends who have been suspended, expelled, or dropped out of school). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| PF3.4 | Has friends who are academic achievers (has friendships and meaningful acquaintances with <u>more than one other youth</u> achieving academic excellence). | <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> | |
| T3.5 | Substance abusing friends (Youth hangs out with one or more other youth who use alcohol and/or drugs on a regular basis [e.g., at least several times per month]). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| PF3.6 | There is an adult in youth's life (other than a parent) she/he can talk to (youth reports having good conversations or connections with an adult, other than a parent, within the last month). | <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> | |
| Comments | | | |

| 4.0 <input type="checkbox"/> | BEHAVIOR ISSUES | More Info Needed Yes No | Score |
|---------------------------------|--|--|-------|
| R4.1 | Chronic aggressive, disruptive behavior at school starting before age 13 (stealing, fighting, bullying, threatening, shunning, starting rumors/malicious gossiping). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| C4.2 | Aggressive, disruptive behavior at school during past month (stealing, fighting, bullying, threatening, shunning, starting rumors/malicious gossiping). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R4.3 | Three or more referrals for criminal offenses (misdemeanor or felony charges, such as burglary, theft, assault, vandalism. Exclude curfew, truancy, running away, MIP's, incorrigibility, technical probation violations, violations of local ordinances and infractions). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R4.4 | Referred for a criminal offense at age 13 or younger (misdemeanor or felony charge. Exclude curfew, truancy, running away, MIP's, incorrigibility, technical probation violations, and/or violations of local ordinances and infractions). ▲ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| PF4.5 | Involved in constructive extra-curricular activities (sports, clubs, student or religious groups, practice of music, theater, or other arts). | <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> | |
| R4.6 | Chronic runaway history (has recent or past chronic runaway history involving an extended period [1 week or more] or repeated [3 or more] short episodes [1 to 3 days]). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| C4.7 | Recent runaway (in past month, youth has run away). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |

² ▲ = Violence indicator



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OREGON JCP ASSESSMENT (2006.1) - Community Version

| | | | |
|-----------------|---|--|----|
| R4.8 | Behavior hurts others (<i>has youth been charged with a violent crime anytime in the past, or has been violent or extremely threatening/aggressive towards others</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| R4.9 | In past month, youth's behavior has hurt others or put them in danger. ▲ | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R4.10 | Behavior hurts youth or puts her/him in danger (<i>check if has been true at any time in the past</i>) (<i>limit to physical harm or threat of harm; e.g., attempted suicide, riding in a vehicle with a teenage driver who had been drinking or using drugs, taking other excessive risks</i>). | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| C4.11 | In the past month, youth's behavior has hurt or put her/him in danger (<i>see R4.10</i>) Answer should be "no" if response to 4.10 is "no." | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| R4.12 | A pattern of impulsivity combined with aggressive behavior toward others. | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R4.13 | Harms or injures animals. | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R4.14 | Preoccupation with or use of weapons. | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R4.15 | Has history of setting fires. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| PF4.16 | Lives in a low crime and/or stable, supportive neighborhood (<i>youth perceives neighborhood as friendly, stable, supportive, law abiding</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| Comments | | | |

| 5.0 <input type="checkbox"/> | FAMILY FUNCTIONING | More Info. Needed Yes No | Score |
|---------------------------------|---|--|-------|
| PF5.1 | Communicates effectively with family members (<i>shared communication is both verbal and nonverbal and includes establishing and maintaining healthy relationship boundaries</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> | |
| R5.2 | Poor family supervision and control (<i>family does not know where the youth goes, what he or she does, or with whom, and has little or no influence in such matters</i>). | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R5.3 | Serious family conflicts (<i>people in youth's family often yell at and insult each other, in ways that make the youth uncomfortable or unhappy</i>). | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R5.4 | History of reported child abuse/neglect or domestic violence. | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| 5.5 | Inactive Field (skip) | | |
| R5.6 | Criminal family members (<i>family member or someone in youth's household has history of criminal behavior that is having an impact on youth's current behavior</i>). | <input type="radio"/> <input type="radio"/> <input type="radio"/> | |
| R5.7 | Substance abusing family or household member (<i>Family member(s) or someone in youth's household has/have history of substance abuse and drug related behavior that is having an impact on youth's current behavior</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| R5.8 | Family trauma/disruption during past 12 months (<i>youth's family has experienced separation/divorce; moving more than once; inadequate family income to meet basic needs, job loss, disability, chronic unemployment, homelessness, prolonged or life threatening illness; death; abandonment</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| R5.9 | Family trauma/disruption since last review. (Reassessment Only) | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| PF5.10 | Has close, positive, supportive relationship with at least one family member (<i>at least one family member has a supportive relationship with the youth, encourages the youth, and provides recognition for achievements</i>). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| Comments | | | |



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| 6.0 <input type="checkbox"/> | SUBSTANCE USE | More Info Needed Yes No | Score |
|---------------------------------|--|---|-------|
| R6.1 | Substance use beyond experimental use (uses multiple drugs [or combinations of drugs], uses alcohol/other drugs regularly). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R6.2 | Current substance use is causing problems in youth's life (youth is having problems with school, the law, family, friends or community related to alcohol/drug use). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R6.3 | Substance use began at age 13 or younger (began use of alcohol or other drugs, or regular use of tobacco, at age 13 or younger). ▲ | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| R6.4 | Has been high or drunk at school at any time in the past. | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| Comments | | | |

| 7.0 | ATTITUDES, VALUES, & BELIEFS <i>*Note R7.1 is included in the risk factor total, but not counted as one of the 5 JCP domains.</i> | More Info Needed Yes No | Score |
|------|---|--|-------|
| R7.1 | Anti-social thinking, attitudes, values, beliefs (attitudes or values which are accepting of delinquent behavior, drug use, or violence). | <input type="radio"/> <input type="checkbox"/> <input type="checkbox"/> | |
| T7.2 | Youth does not have empathy, remorse, sympathy, or feelings for his or her victim(s). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| T7.3 | Youth accepts responsibility for behavior. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| T7.4 | Youth inaccurately interprets actions and/or intentions of others as hostile | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| T7.5 | Youth talks about the future in a positive way with plans or aspirations of a better life | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |
| T7.6 | Youth preoccupied with delinquent or antisocial behavior. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | CP |

| 8.0 | MENTAL HEALTH INDICATORS <i>Youth with multiple mental health indicators are at increased risk of offending. Consider additional mental health assessment and/or services and supervision for these youth. *Note, these items are not included in the JCP Evaluation Score.</i> | More Info Needed Yes No | Score |
|-----|--|--|-------|
| 8.1 | Actively suicidal or prior suicide attempts. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | MH |
| 8.2 | Depressed or withdrawn. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | MH |
| 8.3 | Difficulty sleeping or eating problems. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | MH |
| 8.4 | Hallucinating, delusional, or out of touch with reality (while not on drugs or alcohol). | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | MH |
| 8.5 | Social isolation: youth is on the fringe of her/his peer group with few or no close friends. ▲ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | MH |



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PART III. SCORING TOTALS

| | | |
|------|---|-------------------------|
| 9.0 | TOTALS Database will calculate automatically; use directions below if manual calculation is desired. | |
| 9.1 | JCP Eligibility Screen Total Risk Domains - Count number of domains checked <input checked="" type="checkbox"/> or risk domains with one or more circles checked | _____ |
| 9.2 | Risk Assessment - Total JCP Evaluation (Risk and Protective) Score - count circles in <u>un-shaded boxes</u> (exclude mental health indicators) (maximum of 30) 9.2a Total JCP Scored Risk Factors (maximum of 24) 9.2b Total JCP Scored Protective Factors (maximum of 6) | _____ _____ _____ |
| 9.3 | Total Mental Health Indicators - count items checked "yes" in Section B (maximum of 5) | _____ |
| 10.0 | Violence Indicator (add items (3.2, 4.4, 4.9, 6.3 & 8.5) with a "▲") (maximum of 5) | _____ |

PART IV. JCP SERVICE INFORMATION

(Fill in ALL the information requested below)

| | | |
|------|---|--|
| 11.0 | JCP REFERRAL INFORMATION (For Intial Screens Only): | |
| 11.1 | <p>Please list the JCP Program/Services youth was referred to: *NOTE: Only youth 10-17 with 2 or more domains are eligible for JCP service.</p> <p>1. _____ 2. _____ 3. _____ 4. _____</p> <p>OR</p> | |
| 11.2 | <p>Please indicate reason youth was not referred to program:</p> <p><input type="checkbox"/> Youth not eligible for JCP service <input type="checkbox"/> Youth/Parent/Guardian refused/declined service <input type="checkbox"/> Needed service not available</p> | |



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| | |
|---|---|
| 12.0 | JCP SERVICE INFORMATION (For Reassessments Only): |
| 12.1 | First JCP Service Start or "Open" Date __/__/__ |
| 12.2 | Last JCP Service End or "Closed" Date __/__/____ (if applicable) |
| | <p>Program/Service Status (<i>check only one</i>)</p> <p><input type="checkbox"/> 1 Still active at time of review.</p> <p><input type="checkbox"/> 2 Inactive at time of review. Date placed on inactive status: __/__/____</p> <p><input type="checkbox"/> 3 No longer in service at time of review [GO TO 12.4]</p> <p>OR</p> <p>12.3 Youth did not participate in JCP service or program (<i>select reason from list below</i>)</p> <p><input type="checkbox"/> 4 Unable to contact youth or family</p> <p><input type="checkbox"/> 5 Youth or parent/guardian refused/declined</p> <p><input type="checkbox"/> 6 No show: Youth or family did not show up for service/program</p> <p><input type="checkbox"/> 7 Appropriate service not available</p> <p><input type="checkbox"/> 8 Other (specify) _____</p> |
| <p>If "no participation," (you marked 4-8 above) STOP HERE.</p> <p>If entering data into the JCP Data Manager, make sure all relevant fields are completed</p> | |
| 12.4 | <p>If youth is inactive (option 2 on 12.3 above) or no longer in service at time of review (option 3 on 12.3 above), did he/she complete program requirements?</p> <p><input type="checkbox"/> Yes, generally completed program requirements</p> <p><input type="checkbox"/> No, did not complete program requirements</p> <p><input type="checkbox"/> Don't know</p> |
| 12.5 | <p>JCP SERVICES PROVIDED TO YOUTH'S IDENTIFIED RISK FACTORS (<i>check all that apply</i>)</p> <p><input type="checkbox"/> 1 Direct interventions specifically designed to address risk factors (i.e., services to increase school success, decrease acting out or delinquent behaviors, reduce substance abuse, improve family functioning, and/or increase positive peer associations)</p> <p><input type="checkbox"/> 2 Case management or case coordination services (include multi-agency service teams)</p> <p><input type="checkbox"/> 3 Support services (include basic needs, childcare, health, housing, recreation, transportation, etc.)</p> |
| 12.6 | <p>Other JCP Services Provided</p> <p>(Describe) _____</p> |



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| | |
|-------------|--|
| 13.0 | Service Engagement |
| 13.1 | Completed or satisfactorily participating in program/activities as directed? <input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Does not apply |
| 13.2 | Completed or satisfactorily participating in planned skill development? <input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Does not apply |
| 13.3 | Completed or satisfactorily participating in treatment programs? <input type="checkbox"/> Yes <input type="checkbox"/> Partially <input type="checkbox"/> No <input type="checkbox"/> Does not apply |
| 14.0 | Risk Areas Focused on by JCP |
| 14.1 | RISK AREAS FOCUSED ON BY JCP SERVICE PLAN DURING THE REPORT PERIOD <i>(check all that apply)</i> <input type="checkbox"/> 1 School Issues <input type="checkbox"/> 2 Peer Relationships <input type="checkbox"/> 3 Antisocial Behavior <input type="checkbox"/> 4 Family Functioning <input type="checkbox"/> 5 Substance Use <input type="checkbox"/> 6 Attitudes, Values, & Beliefs <input type="checkbox"/> 7 Not specified <input type="checkbox"/> 9 Don't know, unknown |
| 14.2 | Other area focused on by JCP Service Plan (specify) _____ |



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Instructions: Community Version

NOTE: This is not a structured interview or survey instrument

The JCP Assessment was developed to identify dynamic and static risk and protective factors that put youth at risk of delinquency, and to use this information to guide decisions regarding level and type of intervention and/or supervision. Additional information and materials are available at: <http://www.npcresearch.com>.

For sample interview or survey questions, please see the Screener Prompt Sheet, Interview Questions, or Youth and Parent/Family Surveys in the OJCP Screen/Assessment User's Guide or on the Web at <http://www.npcresearch.com>.

If you don't have sufficient information for a "yes" or "no" response, or have conflicting information, check "More Info Needed." Completion (and data entry) of all fields is required.

If you are scoring manually and want to count the number of risk domains, check the large box under the domain number if at least one circle in that domain has been checked.

IMPORTANT: Only trained JCP Staff should complete this assessment. The youth or the youth's parent/guardian should NEVER complete the assessment.

PART I. YOUTH AND EVALUATOR INFORMATION

A. Youth Background

- ❖ Fill in all information on the youth's background.
 - Choose a primary **presenting behavior** from the following list only:

| PRESENTING BEHAVIOR | RISK DOMAIN AREA |
|--|------------------|
| 1. Poor academic performance | School Issue |
| 2. School behavior issues | School Issue |
| 3. Truancy/attendance | School Issue |
| 4. Other school issues | School Issue |
| 5. Negative peer influence | Peer Issue |
| 6. Other peer issue | Peer Issue |
| 7. Aggressive/violent behavior | Behavior Issue |
| 8. Fighting | Behavior Issue |
| 9. Fire setting | Behavior Issue |
| 10. Possession of a weapon | Behavior Issue |
| 11. Gang involved/gang affected (self-identified) ³ | Behavior Issue |
| 12. Running away | Behavior Issue |
| 13. Sexual harassment/sexual acting out | Behavior Issue |
| 14. Dating violence (aggressor) | Behavior Issue |

³ Only select if youth self-identifies as gang-involved (for instance, actively participates as an active member of a gang, identifying themselves as members through self-report, attire, tattoos, hand signals, or police identification) or gang-affected (not actively participating as a member of a gang, but associates through friendship or family ties with a known gang member).



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| | |
|--|-------------------------------|
| 15. Theft/stealing | Behavior Issue |
| 16. Vandalism (can include Criminal Mischief) | Behavior Issue |
| 17. Staying out late/curfew violations | Behavior Issue |
| 18. Arrest or law violation | Behavior Issue |
| 19. Other behavior issues | Behavior Issue |
| 20. Family conflict | Family Issue |
| 21. Homeless | Family Issue |
| 22. Out of home placement | Family Issue |
| 23. Not following family rules | Family Issue |
| 24. Other challenges for the family (not listed above) | Family Issue |
| 25. Substance use/abuse | Substance Use Issue |
| 26. Antisocial thinking/defiance/etc. | Attitudes Values Belief Issue |
| 27. Social Isolation | Mental Health |
| 28. Suicide attempt/thoughts | Mental Health |
| 29. Other mental health issue | Mental Health |

- If youth is juvenile-justice involved, please obtain the **JJIS number** assigned to the youth and enter it on the form.
- **1.1 – 1.3 Language:** Before conducting the assessment, complete items 1.1 through 1.3. to help determine if the youth or family needs an interpreter. If either is not proficient in English, please stop the assessment and continue when an interpreter or individual proficient in the youth and family's language is available. *Remember, even though there are not specific questions on the JCP about the family's English comprehension, if a family member is present, you should also determine their need for an interpreter.*
- **1.4 Race/ethnicity:** Ask youth to self-identify his/her race, ethnicity or cultural heritage. If the youth identifies with more than one race or ethnicity, check all that apply.
- When you enter this information into the **JCP Data Manager database**, the OCCF system will also prompt you to select a "population group" (which includes race/ethnicity, gender, and language). This population group data will help OCCF programs have a consistent way of reporting the clients they are serving. Please replicate the information entered in the above fields when entering the population group information.

B. Assessor/Evaluator Information

- ❖ Fill in all information on the assessor conducting the assessment.
 - **Assessment Date:** Enter the date the JCP Assessment was conducted (or initiated). When an assessment takes place over a period of days, a single date must be identified for the JCP Assessment. This date should represent the beginning of the process. The JCP Data Manager database will always prompt the user to enter a date.
 - Indicate whether the **assessment type** is an "I" (initial screen) or "R" (reassessment).



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- The **primary referring agency**/individual should indicate the primary agency/individual responsible for bringing the youth to the attention of the JCP assessor (or agency). This field will help the programs better understand the avenues for which youth come to the attention of the JCP initiative, as well as serve as a case management tool. If the referral comes from an individual, try to indicate the agency (if applicable) after the name. For example: "John Smith, School Counselor", or "Jane Doe, Parent." In the rare case the primary referring agency is unknown, enter "unknown" in the database.

PART II. INDICATORS

Instructions: Information for the JCP Assessment can be gathered by interviewing the youth, family, and other sources. An assessor may also want to refer to official school, court, and/or other records for additional information.

- ❖ This section provides an answer sheet for recording identified risk and protective factors. Each item in this section includes the objective criteria for determining whether or not a factor is present.
- ❖ You should try to get sufficient information to answer all of the risk and protective factors. However, if you don't have sufficient information (or if you have conflicting information), check the middle column "More Info. Needed."
- ❖ This instrument is not a structured interview or survey. It is an answer sheet, and should not be filled out by the youth or parent/guardian. For materials that the youth or guardian can fill out, please see www.npcresearch.com.

PART III. SCORING AND TOTALS

Scoring: Only **un-shaded** items are scored.

- ❖ The risk factor numbers begin with the letter "R," the protective factor items begin with the letters "PF," items indicating change over time begin with the letter "C," and those that begin with the letter "T" are test items and are not scored.
- ❖ Each item where a circle is checked receives a score of "1." Shaded items are not included in the scoring of the assessment, but are included here for case planning (CP) and evaluation purposes.
- ❖ Items indicated with "MH" are mental health indicators. The presence of a mental health item indicates the assessor should consider additional mental health assessments and/or services and supervision for these youth.
- ❖ Research suggests that youth who have one or more of the JCP **violence indicators** may be more at risk of committing a violent act in the future. You should consider how to address the particular indicator in the youth's case plan. You can run reports from the JCP Data Manager to see which violence indicators are present in youth.



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Eligibility: If you have checked at least one circle in a domain, check the box (☐) in the left margin. If you have checked at least two boxes (☐), the youth is eligible for JCP service.

- ❖ The **JCP Data Manger database** will automatically compute the number of domains, total JCP score, total risk factors and total protective factors.

PART IV. JCP SERVICE INFORMATION

FOR INITIAL ASSESSMENTS ONLY: If you are conducting an initial assessment, you only need to fill out section 11.

- ❖ **11.1 JCP Program/Service:** Indicate the JCP program or service that you are referring the youth to. Do not include other non-JCP services the youth may be receiving.
- ❖ **11.2** Indicate the reason you did not refer a youth to a JCP program or service.

FOR REASSESSMENT ONLY: If you are conducting a reassessment, you must complete sections 12-14 (you should leave section 11 blank).

- ❖ The **JCP Start Date** should indicate the day the youth began JCP Services (this date should be on or after the date of the initial assessment. The **JCP End Date** is the day the youth ended JCP services (if youth is still receiving services, leave this date blank).
- ❖ **12.3 Program Service Status:** Indicate the JCP program status of the youth under review (items 1-3). If the youth did not participate in JCP services, please indicate the reason for not completing (items 4-8).
 - If you indicated a reason on items 4-8 of question 12.3, you do not need to fill out any more information on the reassessment form. In the JCP Data Manager database, enter the additional fields as "null" if applicable.
 - **IMPORTANT:** If a youth is eligible for JCP services (has 2 or more risk domains on the initial assessment) a reassessment must be completed on the youth (even if it only indicates the youth did not receive program services, item 12.3).
- ❖ **13.0 Service Engagement:** This is a new section to the JCP, and has been added to help in the combined analysis of JCP and JJIS youth. The purpose of this set of items in JJIS is to determine if the youth's original risk score should be adjusted (higher or lower) depending on how well the youth is responding to their case plan. For the community version of the reassessment, these questions should be answered in a similar fashion.
 - **13.1 Program/Activities**
 - A "yes" response indicates that the youth is participating satisfactorily in JCP program(s) and/or activity(s).



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- **13.2 Skill Development**
 - A "yes" response indicates that the youth is participating satisfactorily in all planned skill development activities (such as anger management, etc.). Choose "does not apply" if the youth's case plan does not include skill development.
- **13.3 Treatment Programs**
 - A "yes" response indicates that the youth is participating satisfactorily in all treatment conditions (such as substance abuse treatment, family counseling, etc.) as suggested in the case plan. If a youth is voluntarily participating in treatment unrelated to their presenting behavior or the treatment is not part of the case plan please select, "not apply."

JCP DATA MANAGER DATABASE

- ❖ All Oregon JCP Assessments (2006.1) - Community Version and Reassessments, which are completed for youth non-offenders, should be entered in the JCP Data Manager database (located at <http://www.oregon.go/OCCF/webapps.shtml>).
 - Assessments and Reassessments for youth offenders receiving JCP funded services must be entered into the Juvenile Justice Information System (JJIS) using the JCP Risk Assessment - 2006.1 (located in the Youth Notebook under "assessments").
- ❖ A JCP Data Manager database User's Manual is available at: www.npcresearch.com.
- ❖ The JCP Data Manager database will enable database users to run various staff/program reports based on available data and user login level. For assistance with the JCP Data Manager, you may contact OCCF web support at: occfwebsupport@fc.state.or.us.

For questions about using this JCP Assessment, please contact the JCP Evaluators:

| | | |
|-----------------|--|--------------------|
| Jerod Tarte | tarte@npcresearch.com | 503-243-2436 x 103 |
| Juliette Mackin | mackin@npcresearch.com | 503-243-2436 x 114 |
| Anton Cox | cox@npcresearch.com | 503-243-2436 x 128 |



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www.npcresearch.com

Native American Tribal Juvenile Crime Prevention Programs Data Summary



Prepared by:

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September 2005

For more information about this report, please contact:

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THE JUVENILE CRIME PREVENTION INITIATIVE

- ❖ The purpose of the Juvenile Crime Prevention (JCP) Initiative is to reduce juvenile crime and associated risk indicators and increase protective indicators of youth. JCP funds communities to offer services specific to local needs, to prevent high-risk juveniles from committing or repeating crimes. Over time, the JCP should show a reduction in both juvenile recidivism and the frequency and severity of crimes.
- ❖ Examples of interventions from tribal plans: school-based services, including mental health services, truancy intervention, parent training, and mediation services; skill-building training; alcohol-drug assessment and referral; multi-systemic therapy (MST); cognitive training; anger management; safe, supervised sports/recreational activities; and mentoring.

TRIBAL DATA COLLECTION

- ❖ Initial Screen and Interim Review data are collected by staff at each program and are either sent to NPC Research for data entry and/or entered into the Web-based JCP database. In most cases, direct service staff members interview the youth and gather additional information from other sources, such as parents/family members, schools, or juvenile departments.
- ❖ Initial Screens are conducted at the beginning of service (usually at intake) and establish eligibility for services; a profile of risk, needs, and strengths; and a “baseline” for use in the evaluation. Interim Reviews are conducted at service completion or at 6 months into services, to measure changes in risk and protective indicators.
- ❖ The Confederated Tribes of the Umatilla Indian Reservation have a somewhat different service pattern from the other tribal programs. Umatilla has several categories of services that are handled in distinct ways by the evaluation team. A large number of both Indian and non-Indian youth are served by 1-day events that combine information/education with an activity, such as a basketball tournament. Youth may participate in more than one of these events. The non-Indian youth are counted in the total number of services provided, but are not included in the risk and protective indicator analyses presented here. Indian youth receive an Initial Screen by staff supervising the event and then are followed up for an Interim Review 6 months later by Umatilla staff. Other programs offered by the Confederated Tribes of the Umatilla Indian Reservation provide services to youth over time, such as “On Solid Ground” or “Breaking Barriers.” Youth in these programs also receive an Initial Screen at the intake and an Interim Review at program completion or 6 months after intake, by program staff.
- ❖ NPC Research has received Initial Screens on 756 youth and Interim Reviews on 430 youth receiving some ongoing service from the participating tribes as of June 1, 2005. Table 1 describes the number of Initial Screens and Interim Reviews received from each Tribe.
- ❖ The JCP evaluation has received data from all of the 9 Oregon tribes.



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Table 1. Number of Initial Screens and Interim Reviews received from Tribes

| Participating Tribe ¹ | Number of Initial Screens | Number of Interim Reviews |
|---|---------------------------|---------------------------|
| Burns Paiute Tribe | 13 | 11 |
| Confederated Tribe of Coos, Lower Umpqua & Sisulaw Indians ² | 25 | 0 |
| Coquille Indian Tribe | 15 | 14 |
| Cow Creek Band of Umpqua Tribe of Indians | 3 | 3 |
| Confederated Tribes of the Grand Ronde | 9 | 9 |
| Confederated Tribes of the Siletz Indians ³ | 52 | 13 |
| Confederated Tribes of the Umatilla Indian Reservation ⁴ | 633 | 380 |
| The Klamath Tribes | 2 | 0 |
| Confederated Tribes of Warm Springs | 4 | 0 |
| Total | 756 | 430 |



¹ Tribe conducting the initial screening/assessment.

² The Confederated Tribe of Coos, Lower Umpqua and Sisulaw Indians also submitted screens (after September 1, 2005) on an additional three youth not included in these analyses.

³ The Confederated Tribes of the Siletz Indians report screening additional youth than what the evaluation has included here. However, at the time of data analyses, not all screens and Interim Reviews were available to NPC Research. These data will be included in future reports.

⁴ The Confederated Tribes of the Umatilla Indian Reservation also screened (and/or performed Interim Reviews) on an additional 187 youth not included in these analyses.



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DEMOGRAPHIC CHARACTERISTICS OF YOUTH SCREENED

- ❖ Youth in the sample ranged from 5 years to 20 years at the time of Initial Screening, with about 87% of all screens being conducted on 10 to 17 year olds. The average age of youth was about 13 years. There were slightly more females than males in the sample of youth. Four youth did not have gender reported (please refer to Table 2).

Table 2. Age and Gender of Tribal Youth with Initial Screens

| All Tribes | Age Range | Average Age | Males | | Females | |
|--------------|-----------|-------------|--------|-------|---------|-------|
| | | | Number | % | Number | % |
| Total | 5 – 20 | 13 | 365 | 48.5% | 387 | 51.5% |

- ❖ The majority of the youth in the sample (71%) identified as Native American (see Table 3). Many of the youth screened are members of the tribe that completed the Initial Screen; however, some tribes also screened youth from other tribes. A complete list of tribal affiliation of youth screened can be found in Table 4.

Table 3. Race/Ethnicity of Tribal Youth with Initial Screens

| All Tribes | Native American | Multiple Race/ Ethnicity | Other/ Unreported |
|------------------------------|-----------------|-----------------------------|----------------------|
| Total Number of Youth | 536 (71%) | 103 (14%) | 117 (15%) |

Figure 1. Race/Ethnicity Composition of Youth



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Table 4. Youth's Reported Tribal Affiliation

| Tribal Affiliation | Number of Youth |
|-----------------------------|-----------------|
| Blackfoot/Blackfeet/Siksika | 19 |
| Cherokee | 1 |
| Cheyenne | 2 |
| Colville | 16 |
| Coos | 24 |
| Coquille | 15 |
| Cow Creek | 4 |
| Crow | 5 |
| Grand Ronde | 17 |
| Hoopa | 1 |
| Jamestown Sklallam | 1 |
| Kiowa | 1 |
| Klamath/Modoc | 7 |
| Lummi | 1 |
| Mojave/Paiute | 1 |
| Navajo | 1 |
| Nez Perce/Nimiipu | 62 |
| Northern Arapaho | 1 |
| Paiute | 13 |
| Paiute/Warm Springs | 1 |
| Pueblo | 1 |
| Quinault | 2 |
| Rosebud Sioux | 1 |
| Shoshone Paiute | 3 |
| Siletz | 54 |
| Sioux | 4 |
| Skokomish | 1 |
| Spokane | 4 |



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| Tribal Affiliation | Number of Youth |
|-----------------------------|------------------------|
| Thompson (Ntlakyapamuk) | 1 |
| Tulalip | 1 |
| Umatilla/Cayuse/Walla Walla | 279 |
| Ute | 1 |
| Warm Springs | 97 |
| Wasco | 3 |
| Winnebago | 1 |
| Yakama | 102 |
| Other/Missing | 8 |
| Total | 756 |



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JCP PROFILE OF TRIBAL YOUTH SCREENED

- ❖ Tribal youth had between 0 and 22 (the maximum number possible) risk indicators on the JCP Initial Screen/Assessment. The average risk score was about 5 indicators. About 6% of the youth had 14 or more risk indicators, suggesting they are very high risk for juvenile justice involvement or re-offending.
- ❖ Tribal youth had as few as 0 and as many as 10 (the maximum number possible) protective indicators. The average protective score was about 7 indicators. Half the youth (50%) had about 7 or more protective indicators.
- ❖ Out of the 5 possible mental health indicators, tribal youth had between 0 and 4, with the average number of mental health indicators being less than 1. About 14% of the youth had at least 1 mental health indicator, and about 3% had 3 or more mental health indicators. The most frequent mental health issue was “depressed or withdrawn,” reported for 66 (9%) youth.
- ❖ About 64% of tribal youth had at least 2 of the 5 risk domains.

Table 5. Average Risk, Protective, and Mental Health Indicators

| Screened Youth | Risk Indicators | | Protective Indicators | | Mental Health Indicators | | Risk Domains | |
|----------------|-----------------|-------------------|-----------------------|------|--------------------------|------|--------------|------|
| | Mean | S.D. ¹ | Mean | S.D. | Mean | S.D. | Mean | S.D. |
| Total | 4.7 | 4.8 | 6.8 | 2.8 | .2 | .7 | 2.2 | 1.6 |



- ❖ The majority of tribal youth had one or more risk indicators in both the peer and family domains. However, the majority also had one or more protective indicator in all the domains. The presence of protective indicators can lessen the impact of risks.

¹ Standard Deviation.



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Table 6. Percent of Youth with Risk or Protective Indicators in JCP Domains

| Domains | Risk | | Protective | |
|-----------|--------|---------|------------|---------|
| | Number | Percent | Number | Percent |
| School | 253 | 34% | 584 | 77% |
| Peer | 535 | 71% | 626 | 83% |
| Behavior | 250 | 33% | 623 | 82% |
| Family | 507 | 67% | 624 | 83% |
| Substance | 141 | 19% | 383 | 51% |

Table 7. Percent of Youth with Specific Mental Health Issues

| Mental Health Issue | Number | Percent ² |
|---|--------|----------------------|
| Actively suicidal or prior suicidal attempts | 16 | 2% |
| Depressed or withdrawn | 66 | 9% |
| Difficulty sleeping or eating problems | 58 | 8% |
| Hallucinating, delusional, or out of touch with reality (while not on drugs or alcohol) | 8 | 1% |
| Social isolation: Youth is on the fringe of her/his peer group with few or no close friends | 46 | 6% |

² Rounded to nearest percent.



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JCP YOUTH RECEIVING SERVICE PROGRAMS

- ❖ In order to look at how a youth's risk and protective indicators changed over time, NPC selected youth who had both an Initial Screen and Interim Review. If youth in prevention programs or interventions experienced reductions in risk indicators or increases in protective indicators, it is an indication that a program or service is beneficial.
- ❖ By September 1, 2005, 430 Tribal youth had both an Interim Review and an Initial Screen.

Table 8. Number of Youth with Both Initial Screen and Interim Review

| Participating Tribe | Number of Youth with Interim Reviews ³ |
|---------------------|---|
| Burns | 11 |
| Coquille | 14 |
| Cow Creek | 3 |
| Grand Ronde | 9 |
| Siletz | 13 |
| Umatilla | 380 |
| Total | 430 |

- ❖ The majority of youth receiving services were “Still Active” at the time of their Interim Review (305 youth, 71%). Some youth were “Inactive” at the time of their Interim Review (39, 9%), and few were “No Longer In Service” (15, 4%). Sixty-one youth (14%) did not have a program status indicated on their Interim Review. The majority of youth received a direct intervention (such as family counseling or anger management classes) as a part of their program service. A smaller number of youth received case management/case coordination or support services (such as assistance meeting basic needs).

Table 9. Types of Services Received by Youth⁴

| All Tribes | Direct Intervention | | Case Management | | Support Services | |
|--------------------------|---------------------|-----|-----------------|----|------------------|-----|
| | Number | % | Number | % | Number | % |
| Total⁵ | 352 | 82% | 33 | 8% | 54 | 13% |

³ In the event a youth has multiple Interim Reviews, either the one linked to the Initial Screen or the most recent review is used. Only one Interim Review per youth is recorded for the purposes of this table.

⁴ Youth can receive multiple (more than one) types of service.

⁵ Because youth can receive multiple services, totals will not equal 100%.



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Native American Tribal JCP Data Summary, September 2005

JCP TRIBAL YOUTH RISK INDICATOR CHANGE REPORT

- ❖ This table describes the number of youth who had a risk indicator present during the Initial Screening (Column A) and of those youth, the number who still had the risk indicator during the follow-up (Interim Review) assessment (Column B). The percent change in column C describes the percent of youth who no longer had the risk indicator at follow up, that is, the percent of youth who improved in that area.

Table 10. Risk Indicator Change

| RISK INDICATOR | Column A Number of youth with indicator reported on Initial Screen | Column B Of Column A, number of youth with indicator reported on Interim Review | Column C % Change |
|--|---|--|----------------------|
| Academic Failure | 103 | 75 | 29% Reduction |
| Chronic Truancy | 53 | 39 | 26% Reduction |
| School Dropout | 11 | 3 | 73% Reduction |
| Suspension (during past month) | 25 | 9 | 64% Reduction |
| Friends engage in unlawful behavior | 163 | 126 | 23% Reduction |
| Friends suspended or expelled | 281 | 225 | 20% Reduction |
| Aggressive behavior at school (past month) | 24 | 5 | 79% Reduction |
| Behavior harms others (past month) | 22 | 7 | 68% Reduction |
| Behavior harms self (past month) | 67 | 15 | 78% Reduction |
| Poor family supervision | 118 | 84 | 29% Reduction |
| Serious family conflicts | 114 | 77 | 33% Reduction |
| Child abuse/neglect (past month) | 14 | 6 | 57% Reduction |
| Criminal family members | 100 | 67 | 33% Reduction |
| Substance abusing family members | 184 | 131 | 29% Reduction |
| Family trauma/disruption | 210 | 85 | 60% Reduction |
| Substance use beyond experimental | 80 | 36 | 55% Reduction |
| Current substance use is problematic | 49 | 22 | 55% Reduction |
| High or drunk at school (past month) | 25 | 8 | 68% Reduction |



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JCP TRIBAL YOUTH PROTECTIVE INDICATOR CHANGE REPORT

- ❖ This table describes the number of youth who did not have a protective indicator present during the Initial Screening (Column A) and of those youth, the number who had gained that protective indicator by the follow-up (Interim Review) assessment (Column B). The percent change in column C describes the percent of youth who had gained the protective indicator at follow up, that is, the percent of youth who improved in that area.

Table 11. Protective Indicator Change

| PROTECTIVE INDICATOR | Column A Number of youth WITHOUT protective indicator reported on Initial Screen | Column B Of Column A, number of youth with protective indicator reported on Interim Review | Column C Percent Improvement |
|--|--|--|---------------------------------|
| Significant school attachment | 131 | 29 | 22% Improvement |
| Family actively involved in school success | 136 | 41 | 30% Improvement |
| Friends disapprove of unlawful behavior | 156 | 23 | 15% Improvement |
| Has friends who are academic achievers | 73 | 28 | 38% Improvement |
| Involved in extra curricular activities | 53 | 22 | 42% Improvement |
| Communicates effectively with family | 132 | 38 | 29% Improvement |
| Has close family relationships | 69 | 32 | 46% Improvement |
| Caretaker free of substance use | 123 | 41 | 33% Improvement |
| Lives in a low crime neighborhood | 232 | 23 | 10% Improvement |
| Has an adult in her/his life to talk to | 52 | 32 | 62% Improvement |



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JCP GROUP AVERAGE CHANGES

- ❖ Another way to assess group level improvement for youth in JCP tribal programs is to look at the average number of risk domains, risk indicators, and protective indicators over time. If programs are positively impacting youth, reductions in risk domains and risk indicators would be expected, as would increases in protective indicators. Table 12 illustrates the average (mean) number of risk domains, risk indicators (based on the 18 common between the Initial Screen and Interim Review) and protective indicators for the 430 youth with comparison (both Initial Screen and Interim Review) data.

Table 12. Matched Sample Comparison of Averages in Indicators Over Time – All Tribes⁶

| | Initial Screen | Interim Review |
|-----------------------|----------------|----------------|
| Risk Domains | 2.4 | 1.7 |
| Risk Indicators | 4.1 | 3.8 |
| Protective Indicators | 6.9 | 6.1 |

- ❖ The changes from initial screen to interim review for risk domains and risk indicators are statistically significant in the desired direction (decreasing risk over time). The change in protective indicators is also statistically significant, though in an unexpected direction. Because most tribes experienced a positive change (increase) in protective indicators over time, this analysis was also conducted removing one tribe's data. For the remaining tribes, the changes across time for these three measures are all statistically significant in the desired directions (see footnote below for means).

SUMMARY

- ❖ The tribal Juvenile Crime Prevention programs are serving a large number of underserved and high-risk youth in tribal communities across the state of Oregon. Programs are impacting individual youth by decreasing risk indicators for juvenile justice involvement as well as strengthening positive areas in the youths' lives. Individual reports for the nine tribes providing data to the JCP were distributed separately from this report.



⁶ With the removal of one tribe, the risk domain means change to 2.74 (screen) and 2.0 (interim review), the risk indicator means (evaluation score) change to 4.72 (screen) and 3.34 (interim review), and the protective indicator means change to 6.52 (screen) and 7.07 (interim review).



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Burns Institute Model

The Burns Institute process is modeled in many ways on the pioneering work of the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). JDAI began in 1992 as a response to unprecedented growth in the overall number of youth held in secure detention – a number that increased by 72% between 1985 and 1995. Less than a third of these youth were held for violent offenses. JDAI's goal is to reduce the overall detention population by eliminating the inappropriate use of detention, without compromising public safety. The JDAI process relies on intensive interagency collaboration and data-driven decision-making. JDAI's three model sites – Multnomah County, OR (Portland); Cook County, IL (Chicago) and Santa Cruz County, CA – have all achieved significant reductions in their detention populations. The JDAI process led to the reduction of disproportionate minority confinement in some sites but not in others.

The Burns Institute approach builds on JDAI in two important respects. First, the BI process focuses specifically and intentionally on the overrepresentation of youth of color in juvenile justice systems, with the belief that a significant, sustained reduction in the overrepresentation of youth of color can only be achieved by this intentional approach. Second, the BI approach brings non-traditional, community-based stakeholders to the table alongside the traditional systems stakeholders, and gives them equal decision-making power over systems reform. Several of the BI sites are also JDAI sites, and the two approaches work very well side-by-side. Today, the work of the BI and JDAI represent the only measurable systemic reform efforts aimed at working with local jurisdictions to reduce the unnecessary incarceration of youth of color.

The Burns Institute process is a new approach to reducing the overrepresentation of minority youth in the juvenile justice system. None of the eleven BI sites have completed the process, and most of the sites are just in the beginning stages. Because of this, the process is continually modified based on feedback from the sites. In addition, the BI is planning to develop a self-evaluation tool to identify the strengths and weaknesses of the BI process and to amend the process based on this evaluation. The ten steps of the BI process are described below.

Forming an Advisory Board

The first step of the Burns Institute process is to form a dynamic Advisory Board. The BI Advisory Board is the key decision-making body in the BI process. The Advisory Board is responsible for ensuring that all of the process steps described in the BI manual are completed in a thorough and timely fashion. The Advisory Board hires a site coordinator, who serves as the main staff person for the process. The Advisory Board is responsible for supervising, supporting and guiding the site coordinator, and for providing the site coordinator with the resources needed to complete the BI process. It is imperative that Advisory Board members be-



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Board, with input from the Burns Institute. The Advisory Board (or a sub-committee of the Advisory Board) conducts the initial site coordinator search and pares the applicants down to a few finalists. The Advisory Board then provides the BI with the resumes of these finalists, and the BI joins Advisory Board members in interviewing the finalists in person (if possible) or by phone. The Advisory Board makes the final decision on whom to select after discussion with BI staff. This hiring process increases local buy-in, as the site coordinator is someone selected by the local Advisory Board, not someone imposed on the Board from outside by the BI. In addition, as discussed in more detail below, local agencies should allow the site coordinators to devote all of their time to the BI process, and ideally should not use the site coordinators to staff other agency projects. Experience has shown that the site coordinator should be a full-time position. Current BI site coordinators were recently asked how many hours per week they thought were necessary for a site coordinator to do a superior job. The site coordinators responded overwhelmingly that a full-time site coordinator devoted exclusively to BI matters was ideal. In some current BI sites, site coordinators are full-time; in other sites, site coordinators either work part-time, or have additional job duties unrelated to their BI duties. The BI process is most effective with a full-time site coordinator devoted exclusively to BI issues. The process requires that the site coordinator intentionally focus all of his or her energy on the overrepresentation of youth of color in the juvenile justice system -- the site coordinator must live and breathe this issue.

The local site coordinator leads all aspects of the BI process in the site. The coordinator is responsible for the planning and implementation of all of the process steps. The coordinator also serves as liaison between the Advisory Board and the BI, organizes the monthly Advisory Board meetings, prepares minutes of those meetings, forwards copies of the meeting minutes and all site documents to BI staff, prepares and sends monthly statistics to BI staff, prepares a semi-annual report, and stays in weekly contact (at minimum) with BI staff. It is crucial that the site coordinator responds promptly to all calls and e-mail from BI staff members, because the entire process can get bogged down very quickly if coordinators are not responsive. As stated above, the Advisory Board must provide the site coordinator with all of the resources and support he or she needs to effectively lead the BI process. Immediately after the local site coordinator is hired, the Burns Institute provides the coordinator with in-depth orientation to the BI process and expectations for the site coordinator position. In addition, the site coordinators from all the BI sites meet twice per year to network and exchange ideas on how to improve the BI process in each locality. Site coordinators are also given the opportunity to attend other national conferences on juvenile justice issues, such as the Annie E. Casey Foundation's annual Juvenile Detention Alternatives Initiative conference.

Establishing a Regular Meeting Schedule

Each site Advisory Board is scheduled to meet once per month for approximately two hours. The Advisory Board and site coordinator must set a regular meeting schedule. These meetings are usually scheduled for the same time each month. There should always be meetings scheduled for at least the next six months, because the calendars of both BI staff and Advisory Board members fill up very quickly. The Advisory Board must also decide where the



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come steeped in the BI approach so that they can lead the process effectively. The Advisory Board must include high-level representation from the key agencies in the juvenile justice system -- judges, prosecutors, public defenders, police, probation and political leaders -- as well as representation from community groups, parents and youth. The BI model requires the buy-in and active participation of all of these key stakeholders, decision-makers and participants in the juvenile justice system in order to be successful. In fact, a precondition to the BI working with a site is that the site has pre-existing initial commitments from these key stakeholders to participate in the BI process.

The BI approach is unique in that it puts groups that historically may have been at odds with one another at the same table, on equal footing. Public defenders work with prosecutors; community groups work with the probation department. These groups must learn to work together and fashion compromises because the Advisory Board makes decisions through a consensus process. The ideal Advisory Board has a healthy mix of systems and community representation. Traditionally, juvenile justice reform efforts have focused on systems representation and have not included much community representation. The BI process makes an intentional effort to include non-traditional community representatives on its Advisory Board, and to give these community representatives equal decision-making power with other Advisory Board members. Appropriate community representatives should be recruited for the Advisory Board from the very outset of the BI process. In addition, the original Advisory Board should be expanded later in the process to include additional community representatives from the “target community” selected by the Advisory Board for community mapping.

The Advisory Board selects two co-chairs to lead the Board. Regardless of their agency affiliation, the co-chairs must provide strong leadership and direction for the Advisory Board and the site coordinator. As stated above, the Advisory Board makes decisions through a consensus process. This consensus requirement can slow the process down, as contentious issues may take many months to be hashed out, but this deliberative process is critical to the success of the process. If Advisory Board decisions were instead reached by majority vote, decisions would be made more quickly, but implementation of these decisions would be more difficult. For example, if a decision were made by 6-5 vote, the five agencies that voted against the proposal could potentially undermine it in the implementation phase. By contrast, once the BI Advisory Board makes a consensus decision, all agencies have signed on to the decision and implementation can move forward more smoothly.

Hiring a Site Coordinator

The Advisory Board's first task is to hire a full-time site coordinator to manage the project locally. Hiring a passionate, dynamic site coordinator is crucial to the success of the BI model. The site coordinator must be able to work independently, have an understanding of both the local juvenile justice system and the local community, be comfortable analyzing juvenile justice data, be adept at public speaking, and be able to interact well with the diverse members of the Advisory Board -- high-level systems leaders as well as community groups and community members -- and BI staff. The site coordinator is hired locally by the Advisory



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Advisory Board meetings will be held, and what time they will convene.

Signing a Confidentiality Agreement

For the BI process to be successful, it is crucial that Advisory Board members engage in candid, frank discussions at Advisory Board meetings. Confidentiality agreements can help establish the trusting environment that is necessary for the BI model to proceed smoothly. Some, but not all, Burns Institute sites have required Advisory Board members and the site coordinator to sign confidentiality agreements in order to participate in the BI process. Each site's Advisory Board should decide whether it thinks a confidentiality agreement is necessary in the particular site. The BI recommends that sites use confidentiality agreements if there is a history of distrust among the different agencies represented on the Advisory Board. The basic tenets of the confidentiality agreement are that all Advisory Board meeting discussions must be kept confidential; that all aggregate data gathered must be kept confidential until released by the Advisory Board; that no identifiable client information may be disclosed outside of the Advisory Board; that all media requests should be directed to the site coordinator; and that the Advisory Board may require a participant to discontinue from involvement in the BI process if the participant materially breaches the agreement.

Creating a Timeline

The next step in the BI process is the creation of a timeline. The site coordinator, with assistance from BI staff, drafts a timeline -- based on the steps described herein -- and presents it to the Advisory Board. The timeline includes the tasks required and dates by which these tasks should be completed. The Advisory Board discusses the timeline, modifies it as necessary, and approves it. Some current BI sites have created straightforward timelines breaking the initial work into specific tasks under four major categories -- administrative, data gathering/analysis, mapping and detention analysis -- with target dates for completion of each category. Other BI sites have developed a work plan that provides more detailed tasks and assigns specific tasks to individual Advisory Board members and the site coordinator.

Establishing Baseline Data

The Burns Institute process is a data-driven approach. Initially, the Advisory Board gathers baseline data to determine the extent of disproportionate minority confinement (DMC) in the site. This is done by comparing the percentage of minority youth in the juvenile justice system with the percentage of minorities in the general youth population in the site. The key measure the Advisory Board uses to determine the extent of disproportionality in a site is a comparison of the percentage of minority youth in the detention population with the percentage of minority youth aged ten to seventeen in the population at large. If possible, the Advisory Board should also obtain baseline data on the racial and ethnic breakdown of arrests, probation intakes, adjudication, and disposition options (e.g. out-of-home placement) as well



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as detention data.

Analyzing Juvenile Crime Data

Next, the Advisory Board analyses local juvenile crime data by race, offense, time and location. The Advisory Board uses the most recent data available to perform this analysis. The sites use police data on juvenile arrests and/or probation data on youth in detention to conduct this analysis. The data lets the Advisory Board know whether certain groups of youth (age, gender, race) are committing certain types of offenses, so that appropriate interventions and services can be tailored to such youth. The data on time of offense inform decisions concerning what times programs in the community should be open. In Seattle, juvenile crime spikes at 3:00 p.m., just as school gets out, and remains high until 10:00 p.m. San Francisco did a similar analysis, which led to the development of two Evening Reporting Centers (ERCs), community-based alternatives to detention that supervise youth between the hours of 3:00 p.m. and 9:30 p.m. The data on location ideally include two types of information: the location (e.g. residence) of the alleged offender, and the location of the incident. The BI model calls for gathering both types of location data; however, the residence data is the more important of the two. The juvenile crime data are plotted on a map, based on the residence of the offender and the location of the incident. This map -- referred to as the “dot map” -- identifies the areas with the highest incidences of juvenile crime in the local site. These dot maps are helpful to the selection of a “target community” and to subsequent decisions regarding where to place services.

Conducting Community Mapping

Selecting Target Community for Community Mapping

Based on the “dot map,” the Advisory Board selects an area with a high incidence of juvenile crime as its target community. The target community selected will be the focus of the community mapping efforts that follow.

Recruiting Additional Advisory Board Members from Target Community

Once the target community has been selected, the Advisory Board should consider adding additional members from this community. Since the Advisory Board’s work will focus on the target community, it is crucial to have adequate representation from that community on the Advisory Board. In addition, community members on the Board can be of great help in the community mapping steps that follow, such as creating a program matrix and hiring youth to conduct the mapping.



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Creating a Program Matrix

The Advisory Board should create a program matrix that includes information on all programs for youth located in the target community. The matrix should include program name, brief description, target population, days and hours of operation, and contact person. The matrix is a crucial first step in assessing whether there are adequate services for youth in the target community.

Conducting Quantitative Community Mapping

One component of the community mapping process involves quantitative mapping. The quantitative mapping consists of hiring youth from the target community -- and from both inside and outside the juvenile justice system -- to identify their community's strengths and deficits and make recommendations for improvement. Advisory Board members and local community groups play important roles in recruiting youth for the task. Youth are generally paid a stipend for their work. Young people go out in their community and physically map the community. They note both positives -- such as recreation centers, schools and minority-owned businesses -- and negatives -- such as empty lots, broken street lights, and liquor stores. They also note public transportation options in the community, and point out where they think crime "hot spots" exist in the community. The youth conducting the mapping take a sample mapping data sheet with them as they walk through the neighborhood, noting each address, the type of dwelling (e.g. single-family, home, park, business, police station, etc.), the name of the business or agency, and any comments (such as "boarded up.") Site coordinators are provided with digital cameras so that youth can take photos of what they are documenting. The quantitative mapping is a unique aspect of the BI process -- it is very unusual for a systems reform process to engage youth and community members in this way. The physical mapping is labor-intensive -- often completed on evenings and weekends -- and requires access to youth and community members.

Conducting Qualitative Community Mapping

The other component of the community mapping process involves qualitative mapping. Current sites have been quicker to embrace this qualitative mapping than the quantitative mapping. As part of the qualitative mapping, focus groups and interviews with youth (both in and out of detention) and other community residents are conducted.

Creating a Community Mapping Summary Report

A community mapping summary report is written that includes all of the information described above. The report also includes recommendations for actions to be taken to alleviate the problems highlighted in the report. This document is then given to key decision-makers in the stages that follow.



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Examining Systems Reform Issues

The Advisory Board's work next turns to implementing systems reforms to reduce the overrepresentation of minority youth in the site's juvenile justice system. The wealth of information that the Advisory Board has obtained from the data analysis and community mapping is now used to inform recommendations for systems change. The BI model borrows heavily from the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) model for the systems reform portion of the process. As discussed above, JDAI has had tremendous success in reducing overall detention rates in its model sites by conducting a collaborative, data-driven systems reform process. Some JDAI sites have impacted the overrepresentation of minority youth but others have not. The BI approach builds on JDAI's systems reform approach in two important ways. First, the BI process focuses specifically and intentionally on youth of color as it considers potential systems reforms. Second, the BI model gives nontraditional, community-based stakeholders equal decision-making power with traditional stakeholders over the systems reform process.

Creating a System Flow Chart

The first step in the examination of systems reforms issues is the creation of a system flow chart that shows how youth move through the entire juvenile justice system, from arrest to disposition. Input into this flow chart is gathered from all members of the Advisory Board. In the current BI sites, we found that each systems person may understand their own agency's procedures perfectly and may think they understand how other agencies process youth, but in fact may be mistaken about some aspects of how youth are handled by other agencies. The BI has found that everyone at the table learns a great deal about the system as a whole from the flow chart discussion. The flow chart that emerges from this discussion is crucial to understanding the key decision-making points in the local juvenile justice system -- decision-making points that may be contributing to the overrepresentation of minority youth.

Examining Detention Decisions

Next, the Advisory Board works to implement systems changes based on what it has learned from the data analysis, community mapping and system flow chart. The Advisory Board first works with the probation department to examine policies and practices that may lead to overrepresentation of youth of color in detention. The work centers on creating or modifying a risk assessment instrument that determines whether a young person is detained or not. Youth should be detained only if they are at risk of reoffending prior to their court hearing or of failing to appear at their court hearing. A risk assessment instrument scores youth according to offense severity, prior offense history and other factors, and the decision to detain or not is based on a youth's score. If no risk assessment instrument exists in a jurisdiction, an instrument is developed and tested to determine its effect on disproportionality in detention. If a current risk assessment instrument is in use, it is evaluated to determine if there are seemingly race-neutral elements in the instrument that in fact increase the number of youth of color confined. If such elements are discovered, the instrument is revised as



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needed.

The Advisory Board also works with the probation department to analyze its community alternatives and make an assessment about their effectiveness. This is a crucial step to determine if the existing community alternatives are underutilized or ineffective. The community mapping summary report, which includes the program matrix and feedback from youth and community residents on the effectiveness of services in the target area, is shared with the probation department so that appropriate changes can be made. This may involve shifting funding from certain community programs that were identified as ineffective to other programs that were identified as successful but underutilized, or to new services not currently available in the community.

Examining Case Processing Issues

Next, the Advisory Board works with judges, prosecutors, public defenders and probation on issues related to case processing that may lead to disproportionality. The key question is: how efficiently do cases move through the system subsequent to the detention decision? The goal is to process cases as efficiently as possible to reduce the average length of stay in detention, so that the average daily population in detention will decrease.

The BI process specifically focuses on case processing issues that may disproportionately impact youth of color. To this end, the Advisory Board in each site looks into court processes that may seem race-neutral on their face but in practice lead to disproportionality.

Creating Final BI Report

As discussed earlier, each site coordinator prepares a BI progress report every six months, documenting what the site has accomplished in the previous six months and what is planned for the next six months. Building on these earlier reports, each site coordinator completes an in-depth final report at the end of the BI process. This report summarizes the site's work on all of the steps described in the BI Manual, provides the most recent data on disproportionality, compares the most recent data to the baseline data, outlines further steps that should be taken to reduce the overrepresentation of minority youth in the site's juvenile justice system and suggests how to sustain and institutionalize the push to reduce overrepresentation after the official BI process has ended. Seattle, the initial BI pilot site, serves as a model regarding how to institutionalize the BI process. In Seattle, the BI process has been woven into and is a major component of a broader juvenile justice reform effort called the Juvenile Justice Operational Master Plan (JJOMP), and issues regarding overrepresentation remain at the core of Seattle's juvenile justice reform efforts.



Section 5—Improving Community Services' Response to Violence

Methods

The Burns Institute DMC Reduction Program Logic Model addresses several problems:

- High rates of DMC in many jurisdictions;
- Juvenile justice systems have not been held accountable, despite the legislative mandate to monitor DMC;
- Lack of awareness and/or interest among key decision makers about the problem; and
- Lack of knowledge among affected communities about how to address the problem.

Theoretical assumptions that relate to the problems include:

- Juvenile justice system decision makers are generally uninformed and/or uninterested in the issue of DMC;
- Community stakeholders are generally uninformed because they don't have access to data about DMC;
- A disproportionate percentage of minority youth are locked up who should not be; and
- Systems don't analyze the data they collect and they don't collect all that they need to, therefore, their policies and practices perpetuate DMC

The “change strategy” employed by the BI process includes:

1. Convene traditional and non-traditional stakeholders in dialogue and action to address the problem of DMC;
2. Build the capacity of local communities to create processes for systematically collecting and analyzing data on key DMC indicators;
3. Build the capacity of local communities to use findings from data analyses to develop system-level policy and programmatic recommendations and follow-up action plans aimed at reducing DMC;
4. Institutionalize the DMC monitoring process within local jurisdictions;
5. Make findings public, both locally and nationally, to increase system accountability and public awareness about the problem of DMC.

Assumptions about why the chosen strategies will work are that:

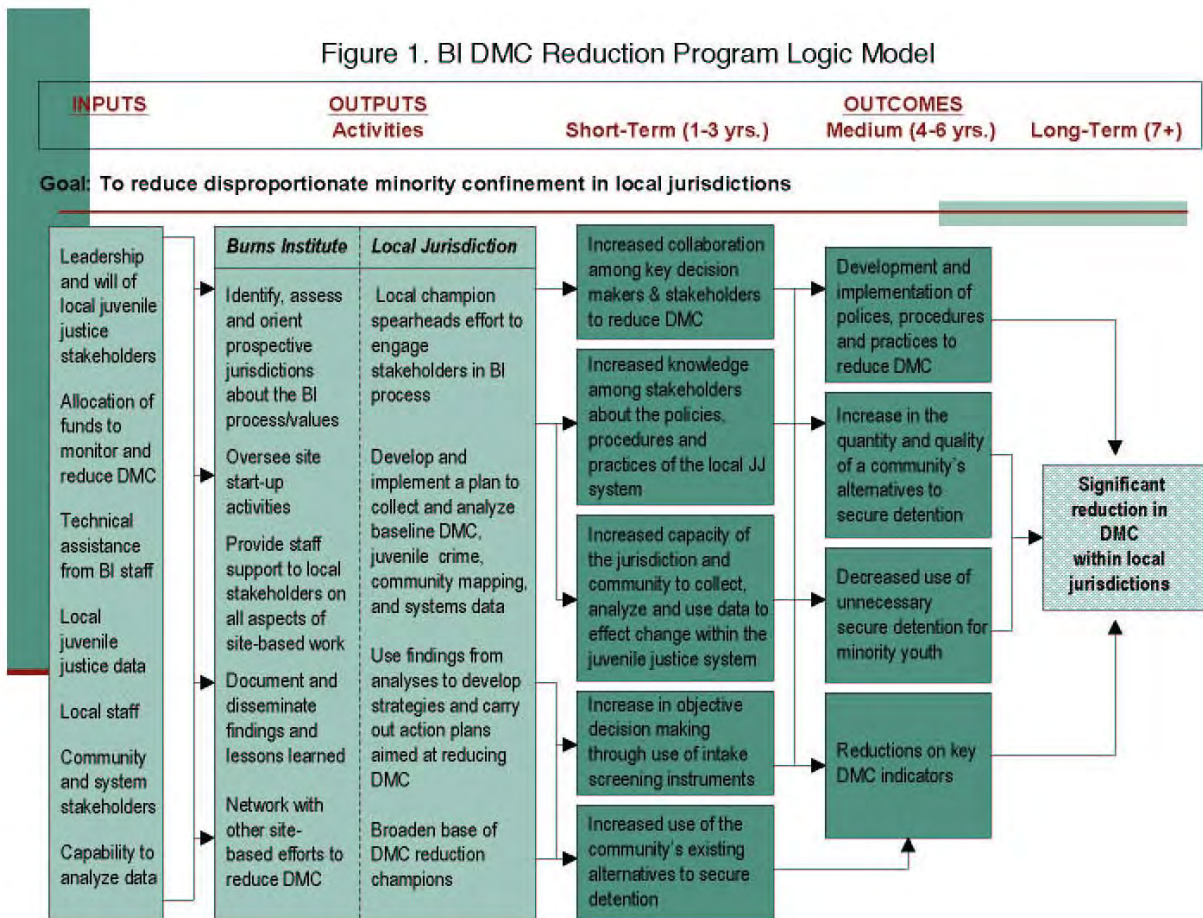
- Decision makers will not be able to ignore the evidence that the problem of DMC exists once quantitative data are presented to them;



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- Affected jurisdictions and communities will be in a better position to effect change if they learn to use an evidence-based approach;
- The understanding and knowledge necessary to reduce DMC can only occur if traditional and non traditional stakeholders come together to address the problem.

The Burns Institute DMC Reduction Program Logic Model



Section 5—Improving Community Services' Response to Violence

Introduction to Community Mapping

Exercise

Let's take the next 1.5 hours to conduct an initial community mapping of the surrounding area. You will divide into 3 separate teams. Each team will be provided with a digital camera and/or digital video to document their findings. During the next 1.5 hours, each team will map a short route (one block length) through the surrounding community, indicating every structure or condition that they pass along the route. Pay close attention and include on your map all positive and negative conditions that may have an impact on youth risk and protectors for violence.

Positive community conditions include recreation centers, schools, businesses that support or employ youth, police stations and options for public transportation.

Negative community conditions may include safety issues (broken street lights), liquor stores and their proximity to youth centers, and abandoned structures.

Upon your return, you can use either the camera footage and/or hand written notes/maps to show what you have found.



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Community Mapping Exercise



Section 5—Improving Community Services' Response to Violence

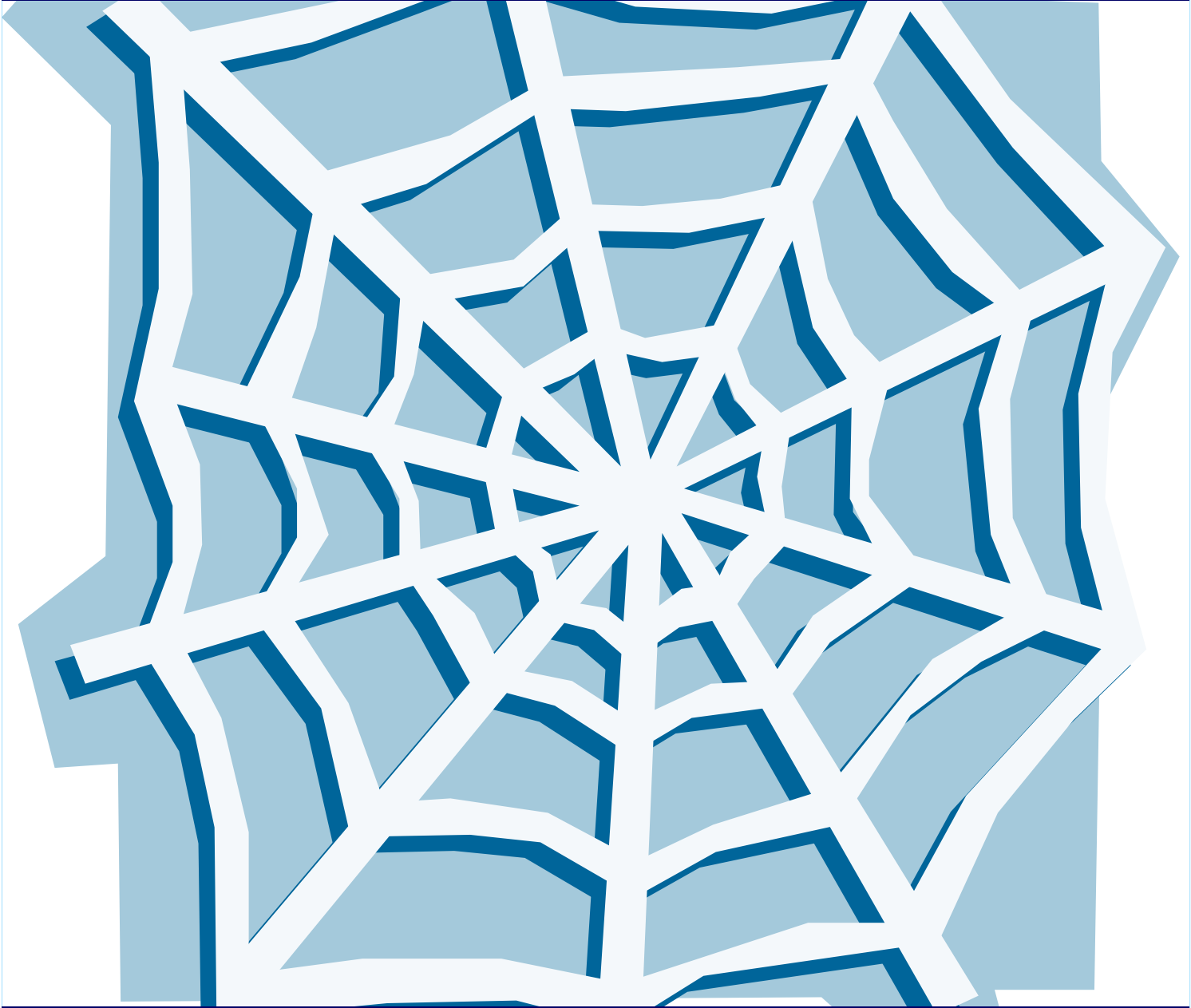
Community Mapping Exercise



Community Mapping Exercise



Section 6



***Developing Tribal Code Provisions
that Address SV/IPV***





TRIBAL COURT JUDGES' BENCH GUIDE ON DOMESTIC VIOLENCE

I. HISTORY AND DEVELOPMENT OF THIS TRIBAL COURT JUDGES' BENCH GUIDE

This Bench Guide was developed by the National Indian Justice Center, Inc., a 100% Indian owned and operated training and technical assistance organization located in Santa Rosa, California, under a grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA).

The Bureau of Justice Assistance supports innovative programs that strengthen the Nation's criminal justice system. Its mission is to provide leadership and assistance in support of local criminal justice strategies to achieve safe communities. BJA's overall goals are to reduce and prevent crime, violence, and drug abuse and to improve the functioning of the criminal justice system. To achieve these goals, BJA programs emphasize enhanced coordination and cooperation of Federal, State, and local efforts.

One of the objectives of grant 95-DD-BX-0168 is to develop a Bench Guide for tribal court judges that informs, assists, and promotes effective disposition of domestic violence cases in Indian country. Effective judicial disposition of domestic violence cases requires that a judge be informed of the dynamics of domestic violence, aware of local victim services and shelters, and cognizant of the needs of others involved in the violence, such as children or the elderly.

II. SCOPE AND PURPOSE OF THIS BENCH GUIDE

This Bench Guide is provided to assist tribal court judges presiding over domestic violence cases. The main emphasis of this Bench Guide will be on cases where the batterer is the defendant. It is designed with the lay tribal court judge in mind and provides understandable issues and guides to assist tribal court judges faced with domestic violence issues such as protective orders, pretrial release, case disposition, preliminary hearings, trial issues, sentencing, and treatment.

Each tribal court must strive for internal consistency in its handling of domestic violence cases to assure that victims of domestic violence receive fair and equal treatment. Inconsistent or insensitive treatment of domestic violence cases causes further traumatization to the victim(s) of domestic violence. This type of injustice does not limit its harm to the family. It results in the destruction of tribal communities as a whole.

The problems associated with domestic violence require the attention and efforts of the entire community: law enforcement, social services, victim assistance programs, courts,



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schools, medical and psychological doctors, and service providers. The National Indian Justice Center (NIJC) provides a series of courses and materials on domestic violence in Indian country for judges, law enforcement, social services and victim assistance program personnel.

III. INTRODUCTION TO THE BENCH GUIDE

The U.S. Attorney General’s Task Force on Family Violence, Final Report found the role of judges crucial in reducing the effects of domestic violence:

Judges should not underestimate their ability to influence the defendant’s behavior. Even a stern admonishment from the bench can help to deter the defendant from future violence. . . .

Judges are the ultimate legal authority in the criminal justice system. If they fail to handle family violence cases with the appropriate judicial concern, the crime is trivialized and the victim receives no real protection or justice. Using the yardstick of the court to measure conduct, the attacker will perceive the crime as an insignificant offense. Consequently, he has no incentive to modify his behavior and continues to abuse with impunity. The investment in law enforcement services, shelter support and other victim assistance is wasted if the judiciary is not firm and supportive.¹

The role of judges in domestic violence cases cannot be overstated. A judge’s behavior in and out of the courtroom can be determinative of the impact of sentencing upon the offender as well as the success of the victim’s recovery.

Some jurisdictions have dedicated court sessions solely to domestic violence cases. In one courtroom model, a judge hears all misdemeanor domestic violence cases, probation violations arising from these cases, and regular progress reports from batterers on probation. The goal is that one court handles every step of a criminal domestic violence case, from arraignment to trial to sentencing, with regular and frequent judicial review hearing of the progress of the defendants. Such models have reported recidivism rates of only two to 3% among offenders who complete a batterer’s treatment program and other conditions of each court’s probation.

Such models would seem readily available in Indian country because most tribal courts operate with one or two judges handling the entire caseload. So why is domestic violence in Indian country unfettered by tribal court orders. One factor may be that many judges, in Indian country and elsewhere, lack an understanding of the dynamic of domestic violence and the impact of the judicial response upon the cycle of domestic violence.

The tribal court judiciary must make an effort to (1) understand the dynamics of domestic violence, (2) render consistent justice in domestic violence cases, and (3) learn about and coordinate with available victim assistance programs, shelters and other counseling programs for the men, women and children caught up in the cycle of domestic violence.



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IV. CONSISTENCY IN DOMESTIC VIOLENCE CASES

A. FEDERAL JURISDICTION OVER DOMESTIC VIOLENCE CASES

Federal domestic violence crimes are felonies. Some domestic violence cases involving Indians may be subject to federal jurisdiction. Such federal domestic violence crimes may be reported to federal authorities for federal prosecution.

Pursuant to the Violence Against Women Act,² (VAWA), it is a federal crime:

1. To enter or leave Indian country and physically injure an “intimate partner.”³
2. To enter or leave Indian country and violate a “qualifying” Protection Order.⁴

The protection order will “qualify” if due process was afforded for the defendant and the order forbids future threats of violence. Violations of VAWA provisions should be reported to the local Federal Bureau of Investigation Office.

Pursuant to the Gun Control Act, it is a federal crime:

1. To possess a firearm and/or ammunition while subject to a qualifying protection order.⁵
2. To possess a firearm and/or ammunition after conviction of a “qualifying” domestic violence misdemeanor.⁶

The misdemeanor will “qualify” if the conviction was for a crime committed by an intimate partner, parent or guardian of the victim that required the use or attempted use of physical force or the threatened use of a deadly weapon. Violations of the Gun Control Act should be reported to local Alcohol, Tobacco and Firearms Office.

B. INDIAN CIVIL RIGHTS ACT AND TRIBAL COURT CRIMINAL JURISDICTION

The Indian Civil Rights Act of 1968⁷ (ICRA) prohibits tribal governments from enacting or enforcing laws that violate the rights of any person, as enumerated in the legislation. While similar to the Bill of Rights in the U.S. Constitution, the ICRA differs in several ways. Application of the Indian Civil Rights Act to a criminal domestic violence case in tribal court will limit sentencing options to one year imprisonment and/or a fine up to \$5000.

In addition, tribal courts have no criminal jurisdiction over non-Indian offenders;⁸ however, federal jurisdiction may be asserted under the General Crimes Act⁹ or the Assimilative Crimes Act.¹⁰



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C. CONSISTENCY IN TRIBAL CODES

To effectively dispose of domestic violence cases, tribal codes must define the elements of the domestic violence offense(s) uniformly. The definitions of domestic violence should not vary from criminal code to family code, or evidence code to civil code. Some examples are as follows:

1. *Domestic violence* is abuse committed against an adult or a fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.¹¹
2. A *traumatic condition* is a condition of the body such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force.¹²
3. *Cohabitants* are two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may be considered include sexual relations between parties while sharing the same living quarters, sharing expenses and/or income, joint use or ownership of property, whether the parties hold themselves out to be husband and wife, and the continuity and length of the relationship.¹³
4. *Stalking* occurs when any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.¹⁴
5. *Harassment* is a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. This course of conduct must be such as would cause a reasonable person to suffer emotional distress and must actually cause substantial emotional distress to the person.¹⁵
6. A *terrorist threat* is a willful threat to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety.¹⁶

Tribal codes must be continuously reviewed and revised to avoid inconsistency between definitions of domestic violence and associated terms in civil and criminal codes. Inconsistencies in tribal codes will lead to inconsistent rulings, orders and sentencing in domestic violence cases. It will also give the appearance that domestic violence cases are not a priority for the court.

V. PROTECTION ORDERS DEFINED

Protective orders are the primary and most often used tools at a judge's disposal in a domestic violence case. Please review your tribal code to learn which types of orders are avail-



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able. If your code lacks any of the following types of order, the court or legislative body should suggest that the codes be modified to include such orders.

A. ORDERS OF PROTECTION

An order of protection may be granted either *ex parte* or after a hearing for the purpose of restraining a person from committing an act of domestic violence. Orders of protection may:

1. enjoin the defendant from committing an act of domestic violence;
2. grant exclusive use and possession of the parties' residence to plaintiff, if physical harm otherwise may result;
3. restrain the defendant from coming near the residence, place of employment, or school of the plaintiff or other designated persons; and
4. include any other relief necessary to protect the victim or other designated persons from harm.

Generally, an order of protection must be served within one year and is valid for a duration of six months after service of the original order unless renewed. Violation of the order may result in arrest and prosecution.

B. EMERGENCY ORDER OF PROTECTION

Another type of domestic violence order is the Emergency Order of Protection. An emergency order may:

1. restrain a person from threatening, molesting or injuring another party or minor child of the parties, and
2. exclude a person from the home of the party requesting the order.

Emergency orders are intended to be short in duration. Unless continued by the court, an emergency order is usually valid only until the close of the next day of judicial business following the day of issue. To assure immediate availability, some jurisdictions allow emergency orders to be issued by telephone.

C. INJUNCTION AGAINST HARASSMENT

This remedy may be invoked to prohibit harassment and thus is not limited to domestic violence cases. Indeed this device often is sought in connection with disputes between neighbors or between landlords and tenants. An injunction may:

1. enjoin either party from committing harassment,
2. restrain either or both parties from coming near the residence, place of employment or school of the other party; and



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3. grant any other relief necessary to protect the alleged victim or other specifically designated persons.

The primary feature of this order is that it may be directed to either party involved in the dispute.

D. POLICIES CONCERNING ISSUANCE OF PROTECTION ORDERS

Orders of protection must receive priority and must be heard as soon as possible, even if some scheduled matters would be interrupted. Mutual orders of protection should not be granted automatically. Issuance of an order must be based on plaintiff's demonstration that an act of domestic violence has been or may be committed or that good cause exists. If a defendant requests an order of protection from the plaintiff or in response to plaintiff's petition, defendant should enter a separate petition requesting the appropriate relief.

An order of protection must be issued if the specific statutory grounds are found to exist. The number of times that an order has been requested and/or quashed in the past should not alone provide a basis for denying a petition.

1. **Record Hearings on Orders of Protection**
All hearings on orders of protection should be recorded by tape recording or court reporting techniques. By recording these proceedings, courts may not have to grant requests for de novo hearings on filing of appeal, if so required. In addition, the parties will not be required to go through the rigors of additional hearings if proceedings are recorded initially.
2. **List Only One Defendant**
An order of protection should contain the name of only one defendant. Sometimes plaintiffs request relief against more than one person. A separate petition must be filed for each defendant. If an order of protection is not effective until served, listing multiple defendants on a single order could result in different service dates, hence inconsistent dates of effectiveness. Also, it is difficult for law enforcement agencies to determine if an order remains in effect when several service dates are applicable.
3. **Third Parties May Request Orders of Protection**
Some tribal codes and state laws permit a third party to request relief on behalf of a plaintiff, if the plaintiff is unable to make the request. After the request, the judge must determine if the third party is an appropriate requesting party for the plaintiff.
4. **Cross-Petitions**
Any defendant should be able to file a petition for an order of protection against a plaintiff who has petitioned for a similar order for protective relief. The new



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petition should be regarded as a separate action and a new case number should be assigned.

5. **Cross-Orders**
The court should consolidate hearings for conflicting orders, especially where orders give both parties exclusive use of a residence. Because any court may issue an order of protection, orders may be issued by different courts granting conflicting relief.
6. **Registration of Affidavits of Service and Order of Protection**
Each issuing court should register a certified copy of an order of protection and affidavit of service of process with local law enforcement in the jurisdiction in which the plaintiff resides. Registration should occur within twenty-four hours after the affidavit of service has been returned. Changes and modifications to a protective order should also be registered. Registration facilitates verification of the order by law enforcement.

VI. ISSUING ORDERS OF PROTECTION

The following is a simplified protocol for issuing an order of protection:

1. *Contact Plaintiff.* The judge should see and speak with the plaintiff (or appropriate third party).
2. *Verify Petition.* The petition must be verified. Verification may be accomplished by having the plaintiff sign and swear to the truth of the contents of the petition in front of a clerk or judge.
3. *Review Petition.* To determine whether the order should issue without further hearing, the court must review the petition, any other pleadings on file, and any evidence offered by the plaintiff. If the contents of the petition do not provide a specific statement, including dates of the domestic violence alleged, the judge shall obtain additional information to be added to the petition or indicate when granting the order that other facts were reviewed.
4. *Alternative Orders.* If the petition does not support the issuance of an order of protection, it may support an alternative order, such as injunction against harassment. The judge should explain the reasons that the original petition is denied. The plaintiff should immediately file for the alternative order or injunction. If the requirements for the issuance of an *ex parte* order or injunction have not been met, the judge should set a hearing within 10 days to determine if an order should issue.
5. *Content and Duration of the Order.* The plaintiff should be advised of the contents and the duration of the order. If your tribal code does not specify the duration, most codes require that the order is served within one year of its issuance. Once served, it may remain in effect for six months, unless renewed. A modified order may be effective for six months from the date of service of the original order.



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6. *Effective Date of the Order.* The plaintiff should be advised that the order is not effective until it is served. Plaintiff should be advised about any statutory limit on the number of times an order may be renewed.
7. *Certified Copies of the Order.* The plaintiff should be provided with a certified copy of the order. The plaintiff should be advised to carry the certified copy at all times. If a defendant is physically present with the plaintiff and has not yet been served, a law enforcement officer may be summoned and use the certified copy to effect service on the defendant. The plaintiff or appropriate third party also should be advised of the benefit of providing copies of the order to employers. Often an employer can alert law enforcement or the plaintiff, if the defendant appears on the work premises in violation of the order.
8. *Victim Safety.* The judge should advise the plaintiff that the order of protection does not guarantee safety. Safety of the victim should remain a concern for the court and for the victim's family.
9. *Plaintiff's Responsibilities.* The judge should advise the plaintiff that plaintiff must contact a law enforcement agency for any violation of the order of protection. Action cannot be taken without the report of the violation.

VII. MOTION TO QUASH OR MODIFY PRIOR TO HEARING

After the court grants an order of protection but before a defendant requests a hearing, it is not unusual for the plaintiff, or both parties, to request that the order be quashed or modified.

A. MOTIONS TO QUASH OR MODIFY

A judge should consider the following issues when ruling on a motion to quash:

1. **Plaintiff Personally Appears**

A motion to quash should not be granted unless the plaintiff personally appears. In order to insure that the plaintiff is not coerced into requesting that an order of protection be quashed, the plaintiff always should appear before the judge to justify the revocation or modification.
2. **Separating the Parties**

If the plaintiff and defendant appear jointly on a motion to quash or modify, and the defendant has not requested a hearing or entered an appearance, the court should hear the plaintiff's request to quash or modify without the defendant being present. This procedure will allow the judge and plaintiff to discuss the reasons for the request to quash or modify without the fear or intimidation.

VIII. RENEWAL OF ORDERS OF PROTECTION



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A judge should consider the following when deciding to renew an order of protection:

1. A new case number should be assigned.
2. A judge may grant the renewal of the order based on the facts of the original petition or on new facts, so long as the court determines that an act of domestic violence has or may be committed or other good cause exists.
3. The defendant must be receive new service of process.
4. Registration of the new Affidavit of Service is required to verify the effective date of the order.

IX. HEARINGS ON ORDERS OF PROTECTION

If the defendant is entitled to a hearing on the order of protection, the hearings on *ex parte* petitions must be held at the earliest possible time, especially where exclusive use of the residence is involved.

The following is a guide for hearings on orders of protection:

1. Ask the parties what issues are in contention.
2. Place the plaintiff under oath and ask for information supplementing the petition.
3. All hearings should be recorded to preserve the record.
4. Each party should be allowed an opportunity for cross-examination or questions should be directed to the judge to determine relevancy.
5. The judge must be sensitive to the safety of the parties. If there is a concern, a judge may request that a law enforcement officer be present in the courtroom during the hearing or escort a party after the proceeding. The defendant may be directed to remain in court after the plaintiff is excused.

X. MEDIATION AND TRADITIONAL DISPUTE RESOLUTION

Mediation is a process by which parties with equal bargaining positions voluntarily reach consensual agreement about a dispute. Cases of domestic violence are rarely resolved by mediation. Parties in domestic violence cases are often not in positions of equal power. The victim, quite often, has endured unreported abuse which results in the victim fearing the abuser.

Some jurisdictions use traditional forms of dispute resolution for domestic violence cases. Success is often dependent upon the level of community involvement in the resolution process. Such traditional forms of dispute resolution exist in specific tribal cultures and are difficult to transplant to other tribal cultures. Successful traditional dispute resolution in domestic violence cases requires community involvement which “outs” the perpetrator or makes their behavior common knowledge. Yet, this does not always result in minimizing or eliminating domestic violence. It may only result in minimizing the reporting of the abuse. Judges should



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review the success of their local traditional dispute resolution processes before directing domestic violence cases to them for resolution.

XI. RECIPROCITY OF STATE-TRIBAL COURT ORDERS

Domestic violence legislation is remedial, and the orders of either state or tribal courts should be enforced with the goal of providing maximum protection of victims.

1. Violence Against Women Act of 1994 ("VAWA").¹⁷ The cross-recognition and reciprocity provisions of VAWA (section 2265) provide for full faith and credit given to protection orders as follows:
 - a. **FULL FAITH AND CREDIT.** Any protection order issued that is consistent with subsection (b) of this section by the court of one state or Indian tribe (the issuing state or Indian tribe) shall be accorded full faith and credit by the court of another state or Indian tribe (the enforcing state or Indian tribe) and enforced as if it were the order of the enforcing state or tribe.
 - b. **PROTECTION ORDER.** A protection order issued by a state or tribal court is consistent with this subsection if:
 - i. such court has jurisdiction over the parties and matter under the law of such state or Indian tribe; and
 - ii. reasonable notice and opportunity to be heard is given to the person against whom the order is sought is sufficient to protect that person's right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by state or tribal law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.
 - c. **CROSS OR COUNTER PETITION.** A protection order issued by a state or tribal court against one who has petitioned, filed a complaint, or otherwise filed a written pleading for protection against abuse by a spouse or intimate partner is not entitled to full faith and credit if:
 - i. no cross or counter petition, complaint, or other written pleading was filed seeking such a protection order; or
 - ii. a cross or counter petition has been filed and the court did not make specific findings that each party was entitled to such an order.



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Tribes in receipt of VAWA funding may be obligated to modify their tribal codes to reflect these provisions. Failure to modify tribal codes may lead to tribes failing to comply with grant requirements. Judges should learn if their tribe is in receipt of VAWA funds, obligated to change their codes and review their codes to determine if the tribe is in compliance.

XII. PRETRIAL RELEASE AND RECURRING VIOLENCE

Domestic violence tends to escalate in both frequency and severity over time. Research also suggests that domestic violence tends to escalate when the victim leaves the relationship. This research demonstrates that a history of domestic violence may be a reliable indicator that further violence will occur. In addition, it appears that the victim may be particularly vulnerable to re-assault during attempts to leave or to sever the relationship.

A report by the National Institute of Justice concluded that the victim is especially vulnerable to retaliation or threats by the defendant during the pretrial period.¹⁸ In view of these findings, the most important pretrial release consideration in domestic violence cases is the need to separate the parties and to protect the victim. Failure to do so may predictably result in recurring violence. For these reasons, many judges believe that the court should consider no bail in some cases, especially when there has been severe injury to the victim, a history of domestic violence, and threats of retaliation by the defendant. In most other cases, the court should set bail, reserving own recognizance release (OR) for exceptional cases only.

In all cases in which the threat of continued violence or potential intimidation exists, the court should seriously consider issuing stay away or no-contact orders to protect the victim irrespective of the defendant's custodial status. It is not uncommon for an incarcerated defendant to continue contacting the victim by mail, telephone, or through third parties. Nor is it uncommon for the victim to respond to the defendant. Yet, victims must have recourse to the courts if or when the defendant becomes abusive.

XIII. BAIL IN DOMESTIC VIOLENCE CASES

A. SETTING BAIL

Considerations in setting bail should include:

1. Defendant's previous criminal record,
2. Probability of his or her appearing at trial or hearing,
3. Seriousness of the offense charged, including the alleged injury to the victim,
4. Alleged threats to the victim or to a witness to the crime charged,
5. Alleged use weapon in the crime charged, and
6. Alleged use or possession of alcohol or a controlled substance by the defendant.



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B. GRANTING OR DENYING BAIL

In evaluating an alleged batterer's criminal record for the purposes of fixing bail, it is important to remember that the first domestic violence offense usually occurs long before the first arrest. It is also important to consider prior incident reports and arrests for domestic violence, as well as other types of crimes, even though they may not have resulted in convictions because of diversion or failure to prosecute, especially if such crimes involved weapons. Alcohol or drug abuse is another important factor to consider in granting or denying bail.

Another factor recognized as relevant to the bail question is the pregnancy of the victim. Studies have shown that a high percentage of battering occurs during pregnancy and involves blows to the victim's abdomen. Battered women become pregnant nearly twice as frequently as nonbattered women, and their pregnancies end in miscarriage or abortion much more frequently.¹⁹

C. CONSIDERATIONS FOR SETTING BAIL

- Prohibit release if incident involved serious injury or threat.
- Discretionary release if batterer's threats were not accompanied by violence.
- Notice to prosecutor.
- Protection of the community.
- Seriousness of offense charged.
- Weight of evidence against the defendant.
- Victim's injuries.
- Availability of weapons.
- Alleged use of a firearm or other deadly weapon.
- Alcohol abuse or substance abuse.
- Children involved as victims or witnesses.
- Alleged threats against victim or witness.
- Prior history of convictions, including domestic violence.
- Prior history of police incident reports or arrests not leading to convictions.
- Threat of flight to avoid prosecution.
- Mental condition, including suicide threats.
- General health.
- Military history.
- Employment status, duration, source of income.
- Residence, other than through victim.
- Probation/parole status.
- Bench warrant history.

D. RELEASE ON OWN RECOGNIZANCE

Discretionary release on own recognizance should be considered only after the judge has reviewed issues of safety of the victim and issuance of protective orders.

E. ISSUANCE OF STAY-AWAY ORDERS

Judges may impose conditions on bail or releases that restrict the defendant's access to the victim. If the parties are living together, the conditions on bail or release should require the



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defendant, not the victim, to stay away from the home. These conditions preserve the defendant's right to release, but also provide for the victim's safety.

The court should consider issuing a stay-away order in criminal domestic violence cases, even on the court's own motion. Domestic violence cases should be marked as such to alert the court as to the nature of the case. This marking is important because domestic violence cases may be charged as trespassing, disturbing the peace, or harassing phone calls. Judges should coordinate with the court administrator to develop an effective method of marking cases involving domestic violence.

Orders must be worded specifically because the party bound by an injunction must be able to determine from its terms what actions are prohibited or allowed. A defendant cannot be held guilty of contempt for violating an injunction that is uncertain or ambiguous.

F. CONTENT OF PROTECTION ORDER

1. Agents of Defendant Not Present Before the Court

Often in domestic violence cases, the defendant may ask relatives or others to discourage the victim or witness from testifying. If the code provides, the court may include in a stay-away order a provision prohibiting the defendant from directing others to contact the victim or witness for the purpose of discouraging testimony.

2. Retrieval of Defendant's Personal Belongings

Defendants may request permission to return to a residence they share with the victim to retrieve their belongings. The court may specify in the stay-away order that such visits are permitted only if conducted in the presence of a law enforcement officer by means of a civil stand-by order. The court may also state the specific time for retrieval of property. This minimizes the contact between the parties. Civil standbys are for limited periods of time and are a routine duty of law enforcement officers.

G. ISSUANCE OF STAY-AWAY ORDERS PROTECTING CHILDREN

Domestic violence cases often involve children as direct or indirect victims of abuse. Courts may be asked to issue stay-away orders to protect children who are indirectly threatened by the defendant's abusiveness. Defendants in domestic violence cases often threaten to abduct children, follow through with such threats, fight protracted custody battles, and otherwise use children to attempt to discourage victims from following through with the legal process.

1. When a Civil Order Conflicts with a Criminal Order

When a criminal domestic violence case comes to court, there may be civil custody or visitation orders already in effect. The criminal order may prohibit contact between the parties and/or exclude the defendant from the victim's residence which directly conflict with the civil orders. Criminal court judges should still consider issuing stay-away orders. The stay-away order is in effect as long as the criminal case is pending. It may outlast the duration of the civil order. The general rule is that the more restrictive order should apply even where child custody



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or visitation are concerned.

H. MUTUAL STAY-AWAY ORDERS

The issuance of mutual stay-away orders is not appropriate in domestic violence cases. The criminal court lacks jurisdiction over the victim, who is not party to the criminal action. In state courts, when mutual stay-away orders have been considered in civil cases they have been held unconstitutional, unless there is evidence of abuse by the victim toward the defendant, and notice to the victim that such an order was being considered.

If considering a mutual stay-away order, the court must make detailed findings of fact that both parties acted primarily as aggressors and neither acted primarily in self-defense. The parties may not stipulate to waive these requirements.

I. ENFORCEMENT CONSIDERATIONS

Admonition from the bench send a strong message to the abuser that he is accountable for his actions and that the victim has the support and protection of the criminal justice system. But the judicial admonition is ineffective if the judge does not enforce the order.

1. Oral Versus Written Orders

To enforce a stay-away order, it is necessary to inform all relevant parties and agencies of the order's existence, duration, content, and consequences of violation. For this reason, the order should be issued orally and in writing. If the order is not in writing, the defendant, victims, witnesses, law enforcement officers, and others may not have proper notice of it.

2. Notice

A copy of the order should be given to each of the following:

- a. *Defendant and defendant's advocate.* The court should explain the order to the defendant in case the defendant is unable to read English or understand the form. An additional copy should be given to the defendant's advocate.
- b. *Prosecutor and victim(s).* Because the victim may not be present at the time the order is issued, the prosecutor can be asked to deliver and explain it to the victim. The victim should be told to call the police if the order is violated, and to report violations to the prosecutor and/or law enforcement.
- c. *Law enforcement* should keep copies of all restraining orders sent to them, including stay-away orders. The court clerk should deliver copies to local law enforcement agencies.

J. VIOLATION OF STAY-AWAY ORDERS

1. Enforcement When Victim Contacts Defendant



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If the victim initiates contact with the defendant during the duration of a stay-away order, she or he is not in contempt because the victim is not a party to the action or subject to the court's order. The victim cannot violate an order issued for her or his protection.

Irrespective of a victim's conduct, however, law enforcement should enforce stay-away orders. Whether the victim had actually contacted the defendant or allowed him to return should be irrelevant to the issue of enforcement.

2. Contempt

Most often, a person who willfully disobeys any process or order lawfully issued by a court is guilty of contempt of court. Some jurisdictions consider the following when determining if a defendant should be held in contempt:

- a. An order existed,
- b. Defendant knew of the order,
- c. Defendant failed to obey the order,
- d. Defendant had the ability to obey the order, and
- e. Defendant's failure was willful.

Contempt is a general intent crime. It is established by showing that the defendant intended to do the prohibited act.

XIV. GOALS OF CASE DISPOSITIONS

The goals of any dispositional alternative available to the court in domestic violence cases should be:

1. To stop the violence;
2. To protect the victim,
3. To protect the children, and other family members;
4. To protect the community;
5. To hold the batterer accountable for the violent conduct;
6. To rehabilitate the batterer;
7. To uphold the legislative intent to treat domestic violence as a serious crime; and
8. To provide restitution to the victim.

A comprehensive disposition of a domestic violence case requires knowledge of the dynamics of domestic abuse. Many factors may provide a fertile community in which domestic violence begins. However, the court's handling of domestic violence cases may be the greatest factor in eliminating domestic violence from Indian communities. If the court fails to provide strong and consistent rulings, the court becomes another institution which tolerates and condones domestic violence.

By the time a domestic violence case reaches the courtroom, there has often been a history of escalating violence. The offender may minimize or deny the violence, or may blame the victim for the violence.

Offenders as well as victims are often products of violent households or families. They have learned that violence is a means of asserting power and control over the victim. Such dy-



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namics result in relationships which are founded upon and accepting of certain levels of violence. It is not uncommon for a victim to refrain from asking for help until the violence has become unfathomable, unfamiliar or unrecognizable. In most cases, the victim must learn, for the first time, that no level of violence is acceptable in a healthy relationship. Quite often, courts and victim service personnel grow weary of victims who ask for help but return to the offender. We must reinforce in our words, our teachings and our rulings, and convey that no violence will be tolerated. If we fail to do so, we will perpetuate the violence.

XV. WHEN THE VICTIM REQUESTS DISMISSAL

Before dismissing domestic violence charges, the court should ascertain whether the victim has been coerced into requesting dismissal of the charges. At the hearing, the victim should be present. If possible, the defendant should be removed from the courtroom to reduce intimidation of the victim. After swearing in the victim, the court should ask whether the victim wants the charges dismissed, the reasons for the request, whether the defendant has threatened the victim, or if the victim fears the defendant for other reasons, and how the victim received the injuries alleged.

When it is unclear whether coercion is a factor in the victim's request for dismissal, the court may find it useful to continue the case for a period of hours or days to permit the victim to obtain information and counseling from a victim assistance program. Victim advocates can give support and information to the victim, and can assist in setting up a safety plan in case abuse reoccurs after returning to the defendant.

Courts should limit dismissals of domestic violence charges at the victim's request. Such dismissals may reinforce the belief that domestic violence is a private, non-criminal matter, and that the criminal justice system is not a resource for the victim in breaking the cycle of violence. If dismissals are granted, the message to the batterer and the victim is that the victim, not the criminal justice system, controls the case. This provides the batterer with less incentive to stop the violent behavior because he or she comes to see that criminal court action can be avoided through intimidation and control of the victim. If dismissals are not easily granted on the victim's request, the message is clear that domestic violence is an offense against the tribe.

When a court decides to dismiss, it should recommend that the defendant voluntarily seek help from a batterer's program and that the victim contact the tribal victim assistance program or shelter for information and support services. The court should clearly state to the batterer and the victim that, even though the current charges may be dropped, domestic violence is criminal behavior that will not be tolerated. The court should also state that if the violence reoccurs, the batterer will be treated more severely because the previous arrest will stay on the batterer's record. It is also recommended that the court tell the victim that she or he should not hesitate to call tribal or local police in the event of another assault.



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XVI. DOMESTIC VIOLENCE VICTIM-COUNSELOR PRIVILEGE

A. SCOPE OF THE VICTIM-COUNSELOR PRIVILEGE

Some jurisdictions have adopted a domestic violence victim-counselor privilege provision. The privilege protects confidential communications between the victim and the domestic violence counselor. The privilege authorizes the nondisclosure of a confidential communication between the victim and a domestic violence counselor.

B. DOMESTIC VIOLENCE COUNSELOR DEFINED

1. Victim Assistance Program Staff and Volunteers

A domestic violence counselor is defined as a person who is employed by any organization providing domestic violence victim services such as a battered women's shelter or a tribal victim assistance advocates who assist and counsel domestic violence victims, with or without compensation. Further qualifications may be established in the code such as work experience.

C. HOLDER(S) OF VICTIM-COUNSELOR PRIVILEGE

The holder of the privilege is the victim, or the victim's guardian or conservator. The domestic violence victim-counselor privilege may cover two or more persons who jointly consult a domestic violence counselor in a support or therapy group. They are then joint holders of the privilege as joint clients. Some privilege provisions provide that a waiver by one of the joint privilege holders does not preclude the other from claiming the privilege and preventing disclosure of a privileged communication.

The privilege may be claimed by:

- a. The holder of the privilege.
- b. A person authorized to claim the privilege by the holder.
- c. The person who was the domestic violence counselor at the time of the confidential communication.

The domestic violence counselor must assert the privilege whenever he or she is present when the communication is sought to be disclosed, or whenever authorized to claim the privilege under.

D. BURDEN OF PROOF AS TO PRIVILEGE

The claimant of the privilege has the burden of proving (1) the existence of the domestic violence victim-counselor relationship, (2) his or her standing to claim the privilege, and (3) a showing that the offered evidence is a confidential communication within that relationship.

E. PROTECTION OF VICTIM'S LOCATION

When a victim relocates to a new residence or shelter, the victim's address and



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phone number should be protected. Some model provisions include:

1. No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney unless specifically permitted to do so by the court after a hearing and a showing of good cause.
2. If the defendant is acting as his or her own attorney, the court shall endeavor to protect the address and telephone number of a victim or witness by providing for contact only through a domestic violence victims advocate or court appointed personnel.

F. PRESENCE OF VICTIM SUPPORT PERSONS IN COURT

1. Support Persons for Adult Victim

Crime victims generally have the right to be present at the preliminary hearing and trial, and to have support persons present, including family members or victims advocates. There are situations in which the presence of such persons would affect the victim's testimony, the jury or the witnesses. In such cases, the judge may need to weigh the victim's need for the support against the potential prejudice to the defendant.

The victim and family members should also be allowed to attend criminal proceedings. There must be a hearing on the motion to exclude the victim at which the victim is afforded the right to be heard.

2. Support Persons and Representatives for Children

The issues presented when child witnesses may need a support person or representative are similar to those presented when the witness is an adult. In recent years, focus on child victims has produced a variety of rights and innovative court procedures aimed at reducing the stress of the courtroom experience and addressing the needs of the child victim.

Children who must testify against a parent suffer great emotional distress. The court may consider appointing a representative for a child witness in a domestic violence case. Another way to minimize the stress of a child witness is to avoid continuances.

XVII. VICTIM TESTIMONY IN DOMESTIC VIOLENCE CASES

Victims of violent crime are often reluctant to come to court and testify. Often victims want forget that the violence happened or they may fear retaliation by the defendant. Some victims may blame themselves for the abuse. Victims will provide other reasons for not testifying including a desire to avoid public knowledge of the violence or the abuser; inability to take time from work or to arrange childcare. Additionally, many victims of domestic violence are paralyzed by fear, depression, or possible alcohol or substance abuse.

In some cases, a victim's testimony may be inconsistent with previous statements made



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to police, case investigators, or the court. Victims of violence are traumatized by violent incident and may minimize and deny the level of violence in order to cope with the resulting psychological trauma.

In presiding over a case in which the victim is reluctant or refuses to testify, the court may find it useful to determine the reasons underlying the reluctance. This assessment may assist the court in determining the best course of action.

A. ENCOURAGING VICTIMS TO TESTIFY

The following questions may assist the court in encouraging a reluctant victim to testify. These questions should be asked of the victim outside the presence of the defendant.

- Are you aware that you are under oath to tell the truth? Are you aware that you have been subpoenaed and that you must testify, or be held in contempt?
- Are you aware that the tribe is bringing these charges, and that the decision to prosecute the defendant is up to the prosecutor?
- When did you decide not to testify?
- Are you now living with the defendant? Or does the defendant know where you are staying?
- Are you financially dependent on the defendant?
- Do you and the defendant have children together?
- Has the defendant made any promises to do something for you if you do not testify?
- Has the defendant or anyone else threatened you or told you not to testify?
- Has the defendant or anyone else threatened your children, family, or friends?
- Is there some other reason you are afraid of the defendant?
- Are you aware that this court can issue an order telling the defendant to stay away from you and have no contact with you or your family?
- Have you talked about your desire not to testify with the prosecutor, victim-witness staff, or staff of the local domestic violence agency? If not, would you be willing to talk with them now?
- Would you like to have a bailiff escort you when you leave today?

If the reluctance to testify results from fear of the defendant, the court may want to consider continuing the case for a period of hours or days to permit the victim to obtain information and counseling from the victim assistance program. Victim advocates can inform the victim about regarding the court process and can assist the victim in setting up a safety plan. In several courts, judges report that battered women are more willing to cooperate and testify when they receive information, emotional support, community referrals, and trial preparation from victim advocates.

XVIII. CHILDREN'S TESTIMONY IN DOMESTIC VIOLENCE CASES

Children are often present during the violence, so their testimony may have great probative value. On the other, the child may suffer great trauma from testifying, and may be subject to great stress from other family members for "taking sides." Children's testimony in domestic violence cases should be used as a last resort.



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A. COMPETENCY

If a child is asked to testify, the child-witness must be found competent to testify. Competency requires that a child is able to convey their perception of the incident. The burden of proof is on the party who challenges a witness's competency to testify. The determination of competency is made by the trial judge, and is not resubmitted to the jury. A ruling of a trial court that a child is a competent witness is conclusive, but it is up to the trier of fact to determine the weight it will give a child's testimony.

B. ALTERNATIVE METHODS OF TAKING EVIDENCE

Courts must be concerned with the danger of retraumatizing a child who testifies. Alternatives to face-to-face testimony include having the witness look somewhere other than at the defendant, using videotaped testimony instead of live testimony, using one-way screens or mirrors, one-way closed circuit television, two-way closed circuit television, or simply excluding the defendant from the courtroom or from an in-camera hearing.

In challenges to such alternatives, the United States Supreme Court stated that the confrontation clause reflects a preference for face-to-face confrontation at trial, which should give way if a different procedure is necessary to further an important public policy. It further states that the protection of child witnesses is "just such a policy."²⁰

C. COURT ORDERS TO PROTECT CHILD FROM INFLUENCE

Various types of court orders can be issued to protect child witnesses from influence. Stay-away orders or no-contact orders may be available when there is a showing of a good cause that intimidation has or may occur.

XIX. EXPERT TESTIMONY IN DOMESTIC VIOLENCE CASES

A. EXPERT TESTIMONY OFFERED BY PROSECUTION

Judges should permit expert testimony on the battered spouse syndrome in order to provide the judge and jury with a clear understanding of the dynamics and complexities of family violence.²¹ The characteristics and effects of abuse on battered women are collectively known as battered women's syndrome. Some victims suffer a decreased ability to respond effectively to the violence. Victims may appear traumatized, withdrawn, and nonresponsive. They may suffer from lowered self-esteem and may have developed coping behaviors to increase their personal safety. They may minimize and deny the abuse and may use alcohol or drugs to cope with the abuse. Judges must learn about victim response through expert testimony or by other means.

1. Qualifications of Expert

Although experts are often presumed to be psychotherapists or other professionals, professional credentials should not be required for qualifica-



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tion as an expert. In domestic violence cases, the most qualified experts are the people who have worked for many years in battered women's shelters and victim assistance programs.

Expert testimony on domestic violence offenders may be useful to explain typical characteristics of batterers. These include minimization, denial, and intellectualization, blaming the victim for the violence, extreme possessiveness and jealousy, traditional sex role attitudes, poor communication skills, withdrawal during times of stress, extremes of kindness and cruelty, social isolation, and impulsiveness.

XX. SENTENCING AND TREATMENT

A. SENTENCING OBJECTIVES

1. Role of Court

The goals of sentencing in a domestic violence case are to:

- a. Stop the violence;
- b. Protect the victim, the children, and other family members;
- c. Protect the general public;
- d. Hold the batterer accountable for the violent conduct;
- e. Uphold the legislative intent to treat domestic violence as a serious crime;
- f. Provide restitution for the victim; and
- g. Rehabilitate the batterer.

The U.S. Attorney General's Task Force on Family Violence, Final Report concluded that in serious abuse cases, incarceration may be the appropriate punishment.

The imposition of a just sentence is the desired culmination of any criminal judicial proceeding. The sanction rendered is not only punishment for the offender but also an indication of the seriousness of the criminal conduct and a method of providing protection and support to the victim. Too often, in family violence cases, the sentence fails on all three counts....

Judges and the sentences they impose can strongly re-enforce the message that violence is a serious criminal matter for which the abuser will be held accountable. Judges should not underestimate their ability to influence the defendant's behavior. Even a stern admonition from the bench can help to deter the defendant from future violence.²²

Courts can and should communicate a message that domestic violence is criminal conduct no



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less serious than other violent crimes.

2. Sentencing Considerations

Enhanced sentences for domestic violence offenders have been upheld in the following situations:

- Prior convictions especially if numerous and increasingly serious.
- Pattern of violent conduct indicating a serious danger to society.

Other considerations applicable in domestic violence sentencing include:

- Marital problems not mitigating circumstances in domestic violence cases.
- Prior treatment for domestic violence may be considered at the discretion of the sentencing court.
- Alcohol or Substance abuse.
- History of threats to witnesses may be an aggravating circumstance.
- Great bodily injury or threats of great bodily injury.
- Viciousness, torture, extreme and/or prolonged pain.
- Use of weapon.
- Victim particularly vulnerable.
- Multiple victims.
- Planning or sophistication indicating premeditation.

B. VICTIM CONSIDERATIONS IN SENTENCING DOMESTIC VIOLENCE DEFENDANTS

1. Victim Impact Statements

Some jurisdictions have given victims of crime the right to allocution at sentencing hearings. A court should consider these impact statements before imposing judgment and sentence.

2. Restitution

Victims of crime in Indian country may apply to state victim compensation boards for many types of economic loss. Many victim assistance programs provide victim counseling. In the alternative, victims may sue the convicted perpetrator for general restitution for these and other costs. Collection is often difficult due to the economic realities of most tribal communities.

3. Victim Safety

Tribal courts should carefully consider the degree of danger that the defendant poses to the community. Incarceration is an effective way to prevent the defendant from harming the victim, at least for the term of custody. If the court grants probation, and the circumstances warrant, the court should issue a criminal protective order as a term of probation. If appropriate, the order should contain residence exclusion or stay-away conditions.



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Tribal communities should consider adopting code provisions which require tribal law enforcement to provide notice at least 15 days before a defendant convicted of stalking or serious bodily injury is released from custody. The notice should be given to any victim of the offense, a family member of the victim, or a witness to the offense. Release may be defined to include escape, parole, or probation, or release because time has been served.

4. Family's Economic Support

Claims that incarceration of a batterer would deprive the family of economic support must be reviewed carefully. The court should review the victim's impact statement to determine whether the concern for the family's economic support is shared by the victim. In some cases, fear of the defendant outweighs the concern for economic support.

If incarceration of a convicted batterer would deprive the family of economic support, the court may want to consider sentencing the batterer to a rehabilitative counseling program or certified batterer's treatment program.

5. Impact on Children

In many domestic violence cases, children are witnesses or victims of the violence. Children may suffer emotional trauma as a result of witnessing the violence and may need counseling. Strict limitations may need to be placed on the defendant's contact with the children, although criminal courts do not have authority to issue custody or visitation orders. Their authority is limited to ordering restrictions on pre-existing custody or visitation arrangements.

6. Continued Relationship Between the Victim and the Batterer

The victim's desire to continue the relationship with the batterer does not bar prosecution of the defendant, nor does it bar incarceration.

C. PROBATION IN DOMESTIC VIOLENCE CASES

1. Probation for Batterers

Judges have discretion in setting the terms of probation. Probation should be commensurate with crime committed. Terms of probation may include successful completion of a batterer's program or another appropriate counseling program, payment of fees, community service, completion of an alcohol or chemical dependency program. Failure to comply with the probation requirements should be immediately reported to the court or prosecutor and additional sentencing or incarceration should be considered. If it appears to the court that the defendant is not performing satisfactorily in the program, the court should hold a hearing to determine whether further sentencing should proceed.

2. Monitoring Probation



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Court continuity is very important in monitoring domestic violence probationers. If at all possible, each case should continue to be dealt with by the same judge who sentenced the defendant.

In domestic violence cases, regular progress reports should be given to the court by the batterer or an attendance report by a counselor. It is in the court's discretion to decide how frequently to schedule progress report hearings. A cooperative effort among the batterer's program, the probation officer, the prosecutor, and the court is necessary to make the probationary terms effective.

3. Probation Revocation

The court may revoke probation if the interests of justice so require and the court has reason to believe that the person has violated any of the conditions of probation. In domestic violence cases, probation may be revoked if the court finds any of the following:

- a. Defendant is not performing satisfactorily in the assigned program,
- b. Defendant is not benefitting from the program,
- c. Defendant has not complied with a condition of probation, or
- d. Defendant has engaged in criminal conduct.

Because domestic violence incidents tend to escalate in severity and can result in homicide of the victim, batterer, and/or children, the court's interpretation of "engaging in criminal conduct" should include any assaults or threats against a victim.

Individual batterers may require various types of treatment programs. One specific treatment program may suffice. Regardless of the program in which the batterer participates, strong judicial supervision is required. Courts must continuously review batterer treatment referrals and sanction those who do not comply. Judges must collaborate with law enforcement, counselors, caseworkers, and prosecutors to develop community oriented approaches to eliminating domestic violence.



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DOMESTIC & FAMILY VIOLENCE:

A MODEL CIVIL CODE FOR WISCONSIN'S P.L. 280 TRIBES

May 1997

Sponsored by:

NATIVE AMERICAN STATEWIDE DOMESTIC ABUSE
SHELTER PROGRAM &
AMERICAN INDIANS AGAINST ABUSE, INC.
LAC DU FLAMBEAU, WISCONSIN
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WISCONSIN JUDICARE, INC.
INDIAN LAW OFFICE
WAUSAU, WISCONSIN



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INTRODUCTION

Domestic and family violence threatens the safety, health, welfare and economies of Indian Communities. Even though it is often hidden from view, members suffer serious physical and emotional injuries and their family structure disintegrates. The victims and their families drain the economy of the community with medical expenses and lost participation and productivity in tribal activities. The violence perpetuates through the generations when children see it as an acceptable way to cope with stress or problems or to gain control over another person.

Domestic and Family Violence: A Model Civil Code for Wisconsin Tribes is designed to assist area tribes in developing civil laws that eliminate barriers to meeting the safety and other needs of victims of family violence, hold batterers accountable for their actions, and enhance the provision of services to batterers and their victims.

It includes provisions describing jurisdiction and the civil nature of the code and setting out court procedures including both remedies and penalties for violating orders for protection. The model also provides a framework for identifying and developing services for batterers, victims and their family while protecting confidentiality of victims. The focus is on providing options for courts and tribal programs which emphasize prevention and treatment consistent with traditional values.

American Indians Against Abuse, Inc. and the Native American Statewide Shelter Project invited representatives from the tribes in Wisconsin which share concurrent civil jurisdiction with the State to advise on the development of this model. About twenty-five experts, including tribal judges, prosecutors, law enforcement, elected tribal officials, attorneys, treatment providers and domestic abuse/family violence advocates, attended a series of discussions which began by identifying specific concerns and later proposed solutions for domestic violence matters in Indian country in Wisconsin.

The impetus for this action came from several events. In January 1994 the National Council for Juvenile and Family Court Judges published a model state code addressing the need for laws that protect victims in a fair, prompt and comprehensive fashion and help prevent future violence. The model state code covers civil protection orders, and treats domestic and family violence as a crime which requires early, aggressive and thorough intervention. It also assures that a child's safety and well-being is given paramount concern. Later in 1994 the federal Violence Against Women Act was enacted which includes provisions requiring states, as well as other tribes, to enforce protection orders from an issuing tribe just as if the order came from their own courts. Last, Wisconsin recently enacted some law changes covering domestic and family violence and will very likely consider additional changes in the current session. The Wisconsin Coalition Against Domestic Violence, a statewide advocacy group for victims and their families, is proposing changes based on the model state code and developed with the advice and participation from Indian communities in the state.

Tribes have a timely opportunity to take a leadership role in reducing and preventing domestic and family violence in their communities. Federal law and related appropriations through the Department of Justice provide support for tribal action. There



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is an ongoing statewide effort to address domestic and family violence which actively includes tribal input. Tribes can assert their sovereign authority to set strong policies and act to protect victims and prevent future violence. This model code offers a public policy statement and a framework for tribes to intervene effectively to break the circle of violence.

Please consider what it offers carefully and act to alleviate domestic and family violence in your community.

American Indians Against Abuse, Inc.

Statewide Shelter Project

Wisconsin Judicare, Inc.



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DRAFT FEBRUARY 1997

I. TITLE, PURPOSE AND DEFINITIONS

A. Title

This Code may be cited as the "Domestic and Family Violence Code.

B. Purpose

The purpose of this Code is to:

1. Eliminate barriers to meeting the safety and other needs of victims of family violence,
2. To hold batterers accountable for their actions, and
3. To enhance the provision of services to victims and their batterers.

C. Construction

This Chapter shall be liberally construed to effect the purposes stated above and shall be interpreted to comport with the customs and traditions of this Tribe. If tribal law, customs and traditions are inconclusive in any matter arising under this chapter, then federal law and, as a last resort, the law of the State of Wisconsin, may be used for guidance.

D. Definitions

Domestic and Family Violence

1. Domestic and family violence includes:
 - a) intentional infliction of physical harm to a family or household member;
 - b) an act, word, gesture or any other behavior that places a family or household member in fear of imminent physical harm;



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- c) intentional use of force, coercion, threat, intimidation, humiliation, or confinement which results in mental or emotional harm to a family or household member; or
 - d) causing a family or household member to engage involuntarily in sexual activity by force, coercion, threat, intimidation, humiliation, confinement, or administering alcohol or drugs to the family or household member without their knowledge.
2. Imminent physical harm as used above refers to such physical harm that is close or near at hand, that is impending, perilous, or on the point of happening. It does not require that such physical harm be immediate or without delay after the behavior that places the victim in fear.

Family or household member

1. Family or household member includes:
- a) adults and/or minors who are current or former spouses;
 - b) adults and/or minors who have a child, including an unborn child, in common;
 - c) adults and/or minors who are living together or have lived together and who have engaged in a sexual relationship;
 - d) adults and/or minors who are involved or have been involved in a sexual or otherwise intimate, ongoing relationship including persons who are identified in the community as boyfriend and girlfriend; and
 - e) adult relatives who are living together or who have lived together.

Exclusions

2. Domestic and family violence in the parent-minor child relationship is not covered in this Code. The occurrence of domestic and



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family violence in that relationship is covered in the **[Child Protection Code]** of this Tribe or through the juvenile and children's codes of the State of Wisconsin.

OPTIONAL

3. Where the victim is elderly, the **[Elder Protection Code]** of this Tribe offers protections not available through this Code.

II JURISDICTION & CIVIL NATURE OF THIS CODE

A. Jurisdiction & Authority to Enact This Code

This Code is adopted pursuant to **[Insert Tribal Constitutional Cite]** and pursuant to an exercise of this Tribe's inherent sovereign authority.

B. Jurisdiction of the Court & Civil Nature of This Code

The jurisdiction of the Tribal Court shall be civil in nature and shall include the power to issue all orders necessary to insure the purposes and provisions of this Code are put into effect. This includes the power to enforce subpoenas, orders of contempt, and any other orders as appropriate.

C. Availability of Criminal Penalties

The provisions of this Code do not replace the criminal penalties and procedures available under state law for an act of domestic and family violence.

III. CIVIL ORDERS FOR PROTECTION

A. Who May Petition the Court

1. A person who is subject to the jurisdiction of this Tribe's Court and who has been a victim of domestic and family violence may file a Petition for an Order for Protection against a family or household member who commits an act of domestic and family



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violence.

2. A parent, guardian, or other representative may file a Petition for an Order for Protection on behalf of a minor victim against the family or household member who commits an act of domestic violence.
3. No filing fee, bond, or other payment shall be required from the victim for the filing of a Petition for an Order for Protection under this Code.

B. Contents of Petition

1. The Petition shall include membership status or any other information necessary to establish jurisdiction of the Court; the Petitioner's name and address at the time of the incident of domestic and family violence; the name, address, and relationship of the family or household member who is the Respondent; a description of the specific facts and circumstances justifying the relief requested; the relief requested; and the current location of the Respondent, if known.
2. The current location of the Petitioner shall not be released by the Court except on Petitioner's written request.
3. The Petition shall also state the nature of any other legal matter pending regarding the Petitioner or the Respondent; for example, criminal charges, child protection proceeding, and divorce.
4. The Petition may include a request that the Court arrange for law enforcement to be present at the time of the hearing.

C. Duty of Court Personnel to Provide Forms & Clerical Assistance

1. The Clerk of Court or other designated person shall provide to a person requesting an Order



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for Protection;

- a) a standard Petition form with instructions for completion,
- b) all other forms required to petition for an Order for Protection, such as those needed for service of process,
- c) clerical assistance in filling out the forms and filing the Petition for an Order for Protection, and
- d) provide written notice to the victim identifying the nearest available provider of shelter and advocacy services.

2. In order to facilitate enforcement under full faith and credit provisions of state law, the Clerk of Court or other designated person shall send an authenticated copy of the Emergency Order for Protection and the Order for Protection to the circuit court clerk for the county where Respondent is located within one business day of the issuance of the Order.

D. Emergency Orders for Protection

1. The Court shall immediately grant an ex-parte Emergency Order for Protection if, based on the specific facts stated in the Petition, there is reasonable grounds to believe that the Petitioner is in danger of domestic and family violence occurring prior to a hearing on the Petition. An allegation of a recent incident of domestic and family violence constitutes reasonable grounds to believe the Petitioner is in danger.
2. The Emergency Order for Protection may include the following relief:
 - a) prohibit the Respondent from committing or threatening to commit acts of domestic and family violence against the



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- Petitioner and the Petitioner's family and household members;
- b) prohibiting the Respondent from contacting or communicating with the Petitioner directly or indirectly;
 - c) removing and excluding Respondent from the Petitioner's residence, regardless of ownership;
 - d) removing and excluding Respondent from the Petitioner's place of employment and other locations frequented by Petitioner; and
 - e) such other relief as the Court deems necessary to protect and provide for the safety of the Petitioner and any designated family or household member.
3. The Emergency Order for Protection shall be served with the notice of hearing on the Respondent and shall expire at the time of the hearing.

E. Notice to Respondent & Other Interested Parties

1. Respondent shall be served a notice of hearing along with a copy of the Petition and a copy of any Emergency Order for Protection at least forty-eight hours prior to the time of the hearing.

F. Hearing

1. The Court shall hold a hearing on the Petition for an Order for Protection within seven (7) days of the filing date of the Petition.
2. The Court may extend the time for a hearing once for up to fourteen (14) days upon consent of the parties or upon finding that Respondent has not been timely served a notice of hearing.

G. Remedies Available in an Order for Protection

1. The Court may grant the following relief in an Order for Protection if requested by the Petitioner and after notice and hearing, whether or not the Respondent appears:



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- a) prohibit the Respondent from threatening to commit or committing acts of domestic or family violence against the Petitioner;
- b) prohibit the Respondent from harassing, telephoning, contacting, or otherwise communicating with the Petitioner directly or indirectly, or through others;
- c) remove and exclude Respondent from Petitioner's residence, or if Respondent owns or leases the residence and the Petitioner has no legal interest in the residence, then the Court may order the Respondent to avoid the residence for a reasonable length of time until the Petitioner relocates;
- d) remove and exclude Respondent from Petitioner's place of employment at any time Petitioner is present;
- e) remove and exclude Respondent from other specified locations frequented by Petitioner;
- f) remove and exclude Respondent from specified public social events and activities;
- g) limit or prohibit contact with minor children of Respondent where necessary to protect the safety of the Petitioner or child;
- h) refer minors who are family or household members for assessments and services through the Indian Child Welfare office, mental health program, or other tribal program;
- i) require Respondent to participate in alcohol and other assessments and to participate in treatment where the treatment program meets the State of Wisconsin's batterer's treatment standards;
- j) limit or prohibit Respondent from using or possessing a firearm or other weapon as specified by the Court;
- k) require Respondent to reimburse the Petitioner or any other person for any expenses associated with the domestic or family violence, including but not limited to medical expenses, counseling,



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- shelter, and repair or replacement of damaged property;
 - l) require Respondent participate in community service, such as cutting wood or providing other services for elderly members of the Tribe;
 - m) require that notice of Respondent's act(s) of domestic and family violence be publicly posted; and
 - n) any other relief as the Court deems necessary to protect and provide for the safety of the Petitioner and any designated family or household member.
2. An Order for Protection shall not contain any provisions which impose requirements on a victim of domestic and family violence. The Court may recommend services for the victim and shall verify that the victim is aware of locally available shelter facilities.
 3. The Court shall cause the Order for Protection to be delivered for service of process; make reasonable efforts to ensure that the Order is understood by the Petitioner, and Respondent if present at the hearing; and transmit a copy of the Order for Protection to the local law enforcement agency or agencies within one business day after the Order is issued if requested by the Petitioner.
 4. The Court shall not grant a mutual Order for Protection to opposing parties.
 5. The Court shall not deny a Petitioner the relief requested solely because of a lapse of time between an act of domestic or family violence and the filing of the Petition.

H. Duration, Extension, and Modification of Orders for Protection

1. An Order for Protection or a modification of an Order for Protection is effective until further order of the Court.



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2. An Order for Protection may be modified or withdrawn following notice and hearing, on the Court's own motion or upon the request of either Petitioner or Respondent if;
 - assessments or treatments ordered by the Court have been completed,
 - Respondent demonstrates behavioral changes which eliminate the risk of a recurrence of acts of domestic and family violence as verified by treatment providers or other independent sources identified by the Court, or
 - the Court determines the safety needs of the Petitioner and other family or household members are provided for by the modification or withdrawal of the Order for Protection.
3. If Respondent is excluded from Petitioner's residence, or ordered to stay away from Petitioner, an invitation by the Petitioner to do so does not waive or nullify an Order for Protection.

I. Enforcement and Penalties for Violation

Where Respondent has violated an Order for Protection, the Court may order additional and other remedies as provided in Section G., above and may impose such penalties as are deemed necessary by the Court given the severity of the violation of the Order. Penalties include, but are not limited to those available for contempt, fines, assessments of court costs and fees, and exclusion from tribal offices and businesses.

J. Full Faith & Credit

1. Any protection order that is consistent with subsection 2) of this section by the court of one state or Indian tribe (the issuing state or Indian tribe) shall be accorded full faith and credit by this Tribe and enforced as if it were the order of this Tribal Court.
2. A protection order issued by a state or tribal court is consistent with this



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subsection if:

- a) such court has jurisdiction over the parties and matter under the law of such state or tribe; and
 - b) reasonable notice and opportunity to be heard is given to the person against whom the order is sought sufficient to protect that person's right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by the issuing state's or tribe's law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.
3. A protection order issued by a state or tribal court against one who has petitioned, filed a complaint, or otherwise filed a written pleading for protection against abuse by a spouse or intimate partner is not entitled to full faith and credit if:
- a) no cross or counter petition, complaint, or other written pleading was filed seeking such a protection order; or
 - b) a cross or counter petitioner has been filed and the court did not make specific findings that each party was entitled to such an order.

IV INTERVENTION & REFERRALS

A. Confidentiality for Victims

1. A victim of domestic abuse may refuse to disclose and may prevent any volunteer or employee of a program for victims of domestic abuse from disclosing, the content of oral communication and written records and reports concerning the victim.
2. This privilege may be waived only by the victim. It must be in writing and must identify what information may be disclosed,



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to whom, and for what purpose. Such a waiver is not valid after thirty (30) days or after the victim revokes the waiver.

- OPTIONAL**
3. A violation of this privilege will be treated as an ordinance violation under **[Tribal Law Cite]**.
 4. This privilege does not relieve a person from a duty imposed under **[Tribal Law Cite]** or **[State Law Cite]** to report child abuse or neglect or from providing evidence about child abuse or neglect in State court pursuant to proceedings under Wisconsin Statutes, Chapters 48 and 938 and in Tribal Court under **[Tribal Law Cite]**.
 5. These provisions on confidentiality for victims shall not prevent the disclosure of information compiled about incidents of domestic and family violence which protects the identity of the victim and family or household members of the victim.

B. Intervention for Batterers

1. Where services are provided for batterers pursuant to an Order for Protection, the batterer who is ordered into the program shall be required by the Court to sign the following releases:
 - a) allowing the provider of services to inform the victim and victim's advocate whether or not the batterer is in treatment pursuant to the Order, whether or not the batterer is in compliance with treatment provisions, and whether or not the safety of the victim is at risk;
 - b) allowing prior and current treating agencies to provide information about the batterer to the service provider; and
 - c) allowing the service provider to provide information about the batterer to relevant legal entities including



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courts, parole and probation officers,
and child protective services.

- C. Written policies and procedures developed pursuant to this chapter may include requiring tribal programs and other entities within the jurisdiction of this Tribe to provide information about the rights of victims and about remedies and services available, may set standards for service providers concerning domestic and family violence, and may establish protocols for intervention and referrals for services for suspected victims or batterers, and their household and family members.

V. PREVENTION, TREATMENT AND EDUCATION SERVICES

A. A Domestic Abuse Response Team is hereby created within the Tribe

1. The Domestic Abuse Response Team is intended to coordinate and involve various agencies present in the community in order to;
 - a) eliminate barriers to meeting the safety and other needs of victims of family violence,
 - b) to hold batterers accountable for their actions, and
 - c) to enhance the provision of services to victims and their batterers.
2. The Domestic Abuse Response Team is advisory in nature. It is in no way intended to supplant the authority or responsibility of individual agencies. It is intended to promote cooperation, communication, and consistency.
3. Composition of the Team: The Team shall consist of a **[Tribal Governing Body]** member selected by the **[Tribal Governing Body]**; the Directors of Human/Social Services, the Employment Assistance Program, and the Health Office; the Chief Judge of the Tribal Court; the Director of the program which provides services to victims of domestic abuse; and



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representatives of **[List organizations]**. In addition, the Team shall include at least two members of the community who have demonstrated expertise and experience in providing services to victims of domestic abuse and their family or household members. The community members shall be selected by the **[Tribal Governing Body]**.

B. Duties of the Domestic Abuse Response Team

1. The duties of the Domestic Abuse Response Team shall include:
 - a) advising on the development of plans, policies and procedures on the response to the occurrence of domestic and family violence;
 - b) developing a long term plan to promote the Team's purpose as described in Section A.1.;
 - c) identifying resources, programs, and services necessary in the community to promote the Team's purposes;
 - d) gathering information relevant to the occurrence of domestic and family violence in the community;
 - e) providing for public education efforts in the community;
 - f) monitoring adherence to the long term plan;
 - g) and promoting effective strategies for prevention and intervention.
2. The Team shall report on its activities to the **[Tribal Governing Body]** each calendar quarter.

C. Program Responsibilities

1. The tribal programs and other organizations within the jurisdiction of the Tribe and listed below shall develop and put into effect written policies and procedures concerning its effective response to the occurrence of domestic abuse within ninety (90) days of the effective date of this enactment.
2. This requirement applies to the following



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programs and organizations:

| | |
|-------------------------------|-----------------|
| Human/Social Services | Housing |
| Health Care Providers | Tribal Council |
| Employment Assistance Program | Tribal Court |
| Domestic Abuse/Shelter Prog. | Law Enforcement |
| Schools and Day Care | |

3. A copy of these policies and procedures shall be provided to the Domestic Abuse Response Team and to the program responsible for coordinating or providing services to victims and perpetrators of domestic abuse within ninety (90) days of the effective date of this enactment.
4. All tribal programs and other organizations within the jurisdiction of the Tribe shall post notice as provided by the Domestic Abuse Response Team in a location in view of all employees identifying where victims of domestic and family violence can receive assistance.

D. Continuing Education

1. The policies and procedures developed under the above section shall provide for continuing education of employees concerning domestic and family violence on the following topics:
 - the nature, extent and causes of domestic and family violence
 - practices designed to promote safety of the victim and other family and household members, including safety plans;
 - resources available to victims, perpetrators and families such as advocacy, health care, alcohol and mental health treatment, and shelter programs;
 - sensitivity to gender bias and cultural, racial, and sexual issues; and
 - the lethality of domestic and family violence.



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VI. SEVERABILITY

If any part or parts, or the application of any part, of this chapter is held invalid, such holding shall not affect the validity of the remaining parts of this chapter. The **[Tribal Governing Body]** hereby declares that it would have passed the remaining parts of this chapter even if it had known that such part or parts or the application of any part would be declared invalid.

CERTIFICATION

THE FOREGOING **[ORDINANCE NO.:-----]** was enacted by the **[Tribal Governing Body]** of the **[Tribe]** on the ____ day of _____, 200_, by a vote of ____ for, ____ against, and ____ abstaining, at a duly called meeting at which a quorum of the **[Tribal Governing Body]** was present.



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Most appendices omitted due to timeliness and relevance of materials.



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Optional Traditional/peacemaker Court/Alternative Dispute Resolution Sections

III. CIVIL ORDERS FOR PROTECTION

G. Remedies Available in an Order for Protection

- OPTIONAL 6. The Court may refer the parties to [Traditional/Peacemaker Court/Alternative Dispute Resolution]. If the parties participate in this process, the time from the date of referral through the close of the process will not count against any time limits imposed on the parties in the matter pending before the Court. This referral shall not prevent the Court from issuing an Emergency Order for Protection or an Order of Protection.

V. PREVENTION, TREATMENT AND EDUCATION SERVICES

B. Duties of the Domestic Abuse Response Team

- g) providing assistance and making information and training available for the development of [Traditional/Peacemaker Court/Alternative Dispute Resolution] on issues of family and domestic violence;

If this option is adopted as tribal law, a section should be added to the Code which describes the procedures for referral and the way the outcome of the process will be acknowledged.



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APPENDIX A

Optional Criminal Penalties and Procedures

The attached provisions are part of the Model State Code's recommendations for addressing the criminal aspects of domestic and family violence. As with states, tribes who adopt these criminal provisions will need to modify at least the definition to conform to its current system of classification.

The provisions offer options for mandatory arrest or for presumptive warrantless arrest; outline procedures for arrest and prosecution; specify conditions for pretrial release, probation and parole; and identify rights and privileges of victims.

Criminal penalties and procedures are not included in the Model Tribal Code for tribes affected by P.L. 280's sharing of jurisdiction with the state. Because such tribes rarely have funding for a jail and police force, the exercise of criminal jurisdiction over domestic and family violence would entail significant expense and a cooperative agreement with the local unit of state government for such services.



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Sample Sexual Assault Codes

Hannahville Indian Community

Criminal Sexual Conduct Code § 1.2084

No Marital Immunity

- (8) Married persons. A person may be charged and convicted under the criminal sexual conduct code even though the victim is his or her legal spouse. However, a person may not be charged or convicted solely because his or her legal spouse is under the age of 16 years, or is mentally disabled, or is mentally incapable, or is mentally incapacitated.

No Corroboration Requirements

- (4) Corroboration of victim's testimony. The testimony of a victim need not be corroborated in prosecutions under any section of the criminal sexual conduct code.

High Threshold for Proving Rape Addressed

- (5) Resistance. A victim need not resist the perpetrator in the perpetrator's commission of an offense under any section or subsection of the criminal sexual conduct code. Resistance by a victim is not an element of any offense under any section or subsection of the criminal sexual conduct code, and the absence of a victim's resistance is not a defense in a prosecution under any section or subsection of the criminal sexual conduct code.

Nez Perce Tribal Code

§ 4-1-48 Rape

- (a) It shall be unlawful for any person to engage in sexual intercourse with another:
 - (1) *who is incapable, through mental defect or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;*
 - (2) *who is prevented from resistance by force or threats of immediate bodily harm, accompanied by an apparent ability to carry out such threats or by any intoxicating narcotic, or anesthetic substance administered by the accused;*
 - (3) *who is at the time, unconscious of the nature of the act and this is known to the accused; or*
 - (4) *against the will or consent of the other.*



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(b) Sexual intercourse occurs when any sexual penetration, however slight takes place.

National Center for Victims of Crime Model Code Excerpt (1/2007)

SECTION TWO: OFFENSE

Any person who purposefully engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to:

- (a) fear for his or her safety or the safety of a third person; or
- (b) suffer other emotional distress is guilty of stalking.

SECTION THREE: DEFINITIONS

As used in this Model Statute:

- (a) “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- (b) “Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
- (c) “Reasonable person” means a reasonable person in the victim’s circumstances.

SECTION FOUR: DEFENSES

In any prosecution under this law, it shall not be a defense that:

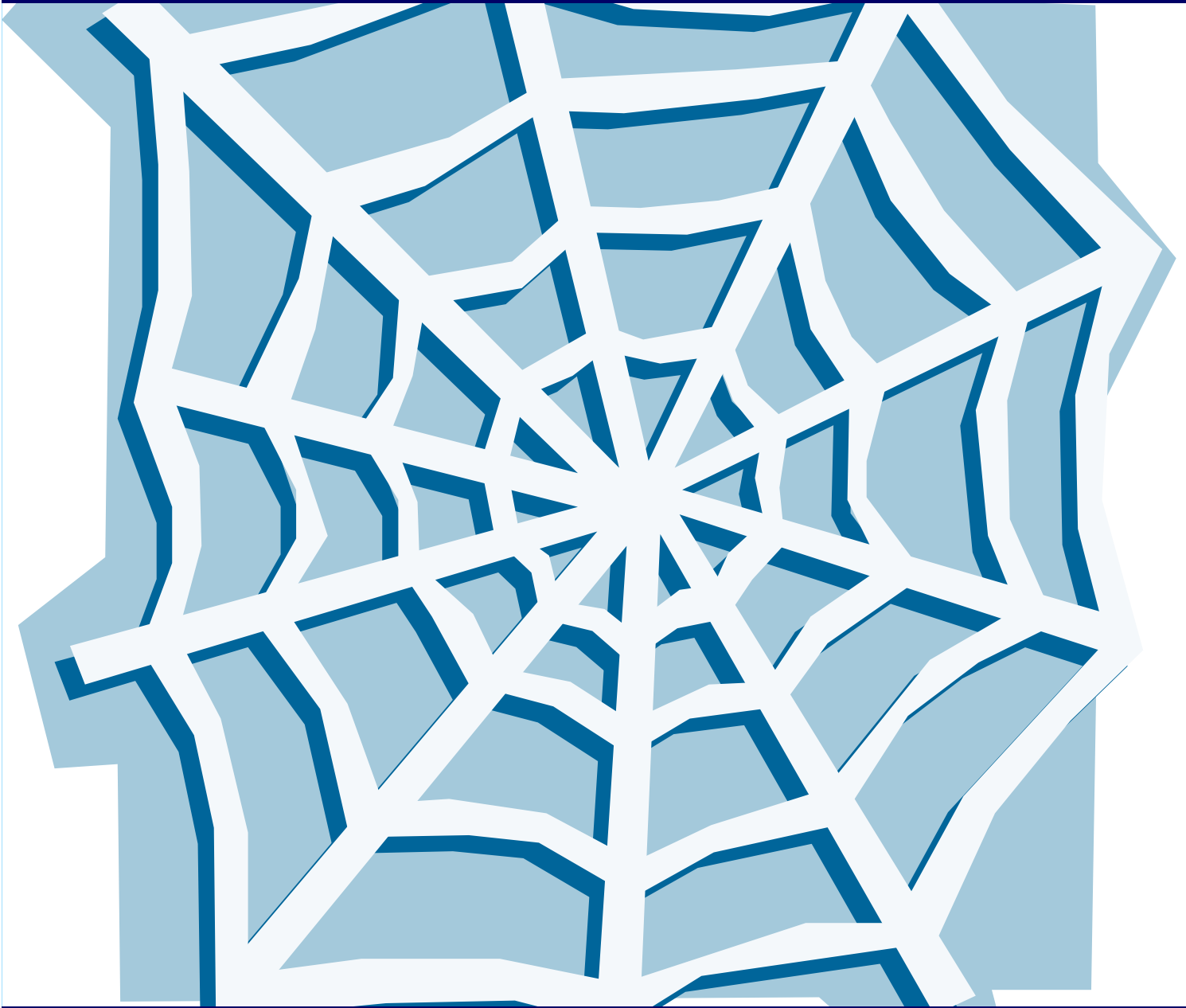
- (a) the actor was not given actual notice that the course of conduct was unwanted; or
- (b) the actor did not intend to cause the victim fear or other emotional distress.



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Section 7



***Dating Violence and the Choose
Respect Campaign***





Section 7—Dating Violence Prevention and the Choose Respect Campaign

Dating Abuse Statistics

Teen dating abuse is a HUGE issue. It is a problem that touches the lives of teens from all walks of life—black and white, rich and poor, big-city and country.

These statistics are about real people. They are scary when you consider that anyone can experience dating abuse. People like you, your brother or sister, your friend, or your classmate. Become familiar with these facts so you can talk about the issue with other people and be ready to do something.

- About one in 11 teens reports being a victim of physical dating abuse each year.¹
- About one in four teens reports verbal, physical, emotional or sexual abuse each year.^{2, 3}
- About one in five teens reports being a victim of emotional abuse.⁴
- About one in five high school girls has been physically or sexually abused by a dating partner.⁵
- The overall occurrence of dating violence is higher among black (13.9%) than Hispanic (9.3%) or white (7.0%) students.⁶
- About 72% of students in 8th and 9th grade report "dating".⁷ By the time they are in high school, 54% of students report dating violence among their peers.⁸
- 1 in 3 teens report knowing a friend or peer who has been hit, punched, kicked, slapped, choked, or otherwise physically hurt by his or her partner.²
- "80% of teens regard verbal abuse as a serious issue for their age group."⁹
- Nearly 80% of girls who have been physically abused in their dating relationships continue to date their abuser.²
- Nearly 1 in 5 teenage girls who have been in a relationship said a boyfriend had threatened violence or self-harm if presented with a break-up.¹⁰
- Almost 70% of young women who have been raped knew their rapist either as a boyfriend, friend, or casual acquaintance.¹⁰
- Teen dating abuse most often takes place in the home of one of the partners.¹⁰

¹ Lynberg MC, Eaton D, et al. Prevalence and Associated Health Risk Behaviors of Physical Dating Violence Victimization among High School Students. United States, 2003. Morbidity & Mortality Weekly Report 2006 [In Press].

² Foshee VA, Linder GF, Bauman KE, et al. The safe dates project: theoretical basis, evaluation design, and selected baseline findings. *American Journal of Preventive Medicine* 1996;12(2):39-47.

³ Avery-Leaf S, Cascardi M, O'Leary KD, Cano A. Efficacy of a dating violence prevention program on attitudes justifying aggression. *Journal of Adolescent Health* 1997; 21:11-17.

⁴ Ibid

⁵ Silverman JG, Raj A, Mucci L, Hathaway J. Dating violence against adolescent girls and associated substance use, unhealthy weight control, sexual risk behavior, pregnancy, and suicidality. *Journal of the American Medical Association* 2001; 286(5):572-9.

⁶ Centers for Disease Control and Prevention (CDC). Surveillance Summaries, May 21, 2004. MMWR 2004:53 (No. SS-2). Available from URL: <http://www.cdc.gov/mmwr/PDF/SS/SS5302.pdf>.



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⁷ Foshee VA, Linder GF, Bauman KE, et al. The safe dates project: theoretical basis, evaluation design, and selected baseline findings. *American Journal of Preventive Medicine* 1996;12(2):39-47.

⁸ Jaffe P, Sudermann M, Reitzel D, Killip S. An evaluation of a secondary school primary prevention program on violence in intimate relationships. *Violence and Victims* 1992; 7: 129-146.

⁹ Teenage Research Unlimited. Findings from study commissioned by Liz Claiborne Inc. to investigate the level of and attitudes towards dating abuse among American teenagers aged 13 to 18 [online] 2005 Feb [cited 2006 Mar 20]. Available from: URL: www.loveisnotabuse.com/statistics_abuseandteens.htm

¹⁰ Rennison CM, Welchans S. Intimate partner violence 1993-2001. Washington (DC): Department of Justice (US), Bureau of Justice Statistics [online]; 2003 [cited 2006 Mar 20]. Available from: URL: <http://www.ojp.usdoj.gov/bjs/pub/pdf/ipv.pdf>.

Impact of Dating Abuse

Dating abuse can have serious consequences! The effects range from missing a few classes to attempting suicide. Abuse also affects future relationships. All consequences make compelling reasons to prevent abuse before it starts, or to speak up against it.

Effects on Victims

These things can happen shortly after the abuse:

- Bruises and aches
- Pregnancy
- Trouble sleeping
- Anxiety
- Guilt
- Missed classes
- Poor grades
- Distrust in people
- Lying to friends or family to hide the abuse
- Withdrawal from friends or family, or avoidance of school or social events
- Lower self-esteem
- Feelings of loneliness
- Feelings of isolation

Dating abuse can also cause problems in the long run:

- Depression
- Suicide attempts
- Eating disorders
- Drug and alcohol abuse
- Medical problems
- Inability to succeed in school or at work later in life

Effects on Abusers

People who are abusive in dating relationships can be affected in the long run, too:

- Loss of respect from peers
- Loneliness
- Alienation from friends and family
- Suspension or expulsion from school
- Inability to keep a job
- Criminal activity



Section 7—Dating Violence Prevention and the Choose Respect Campaign

CHOOSE RESPECT

Respect. Teach your kids how to give it and get it.

How to Recognize the Warning Signs

Preventing dating abuse begins with awareness. Unhealthy relationships can happen to anyone, at any age, regardless of background, education, or religion.

In unhealthy relationships, the partners who are being abused may:

- Give up hobbies and other activities that they once enjoyed.
- Worry all the time about making their partners angry or jealous.
- Withdraw from friends and family.
- Spend too much of their free time with their dating partners.

The abusive partners in these unhealthy relationships may:

- Insult their partners in public.
- Try to control how their partners dress and act.
- Check in on their partners over and over again.
- Lose their temper and seem unable to control their anger.
- Threaten to do something drastic (such as commit suicide) if their partners ever try to break up with them.



www.chooserespect.org

Breaking the Ice

There are various ways to get your conversation started. Here are some possible questions you can ask your child.

1. What does respect mean?
2. Have you seen other kids teased for being different?
3. How do you solve problems with your friends?

Parents Are the Key to Prevention

As a parent, you are in a special position to teach your child about relationships with others. Your child will learn as much from your words as from your actions, so take every opportunity to be a role model and show your child what it means to respect himself/herself and others. Keep the lines of communication open and let your child know that he/she can come to you to talk through tough situations.

For more information, visit www.chooserespect.org

Quiz

Does your child know what qualities are important for a healthy relationship? Take this quiz with your child and decide whether each statement is "true" or "false." Look at the correct answers at the bottom of the quiz and see how you scored.

Healthy relationships are with someone who

- | | |
|--|--------------|
| 1. is honest. | True / False |
| 2. shares his/her feelings. | True / False |
| 3. always has to have his/her way. | True / False |
| 4. accepts you for who you are. | True / False |
| 5. listens to what you have to say. | True / False |
| 6. you like to spend time with. | True / False |
| 7. is popular with a certain crowd. | True / False |
| 8. respects you. | True / False |
| 9. tells you what to do. | True / False |
| 10. you can talk with about your feelings. | True / False |

Answers: 1.T 2.F 3.F 4.T 5.T 6.T 7.F 8.T 9.F 10.T

8 Ways for You to Stay Involved

There are hundreds of ways to stay involved in your child's life—and you don't need to do them all—but maybe some of these ideas will work for you.

1. Catch your child doing something right.
2. Prove you listen by asking questions.
3. Schedule 10 minutes to talk with your child each day and stick to it.
4. Post a family calendar.
5. Create rules, then enforce them.
6. Regularly share meals with your child.
7. Write your child a thank-you note.
8. Give your child family responsibilities.



Section 7—Dating Violence Prevention and the Choose Respect Campaign

CHOOSE RESPECT

www.chooserespect.org

Respect. Teach Your Kids How to Give It and Get It.

Being a teen can be tough. This is a time when kids learn how to make decisions about relationships with their friends, family, and girlfriends or boyfriends. What they learn now about respect and how to treat others will affect their relationships throughout their lives. But kids can't do this by themselves. They need adults—parents, teachers, coaches, and others—to help them choose respect.

Did you know that 1 in 11 high school students reports being hit or physically hurt on purpose by a boyfriend or girlfriend at least once in the past 12 months? Even something such as putting someone down or trying to change how he/she dresses can be a sign of an unhealthy relationship. That's why adults, especially parents, need to talk to kids now about the importance of developing healthy, respectful relationships. You can start by helping your kids learn some key skills that will help them give and get respect in any relationship they have.

For more information, visit www.chooserespect.org



10 Tips for Talking With Your Kids

Here are tips to keep in mind as you start to talk with your child. Consider them your checklist as you talk with your child about developing relationships.

1. Start early.
2. Create an open environment.
3. Talk with your child, not at your child.
4. Start conversations with your child.
5. Be honest. It's OK to say, "I don't know."
6. Be prepared. Practice if you have to.
7. Trust yourself. Communicate your values.
8. Take advantage of any opportunity to talk.
9. Ask questions.
10. Talk again and again.

Getting Started

The best time to talk about unhealthy relationships is before they start. But how do you get started? Before the conversation, first figure out the values and messages you want your child to have about dating and friendships. Having your own answers to these questions will help you talk with your child about healthy relationships.



Assertiveness
— **Not Aggression:** asking for what you want clearly and respectfully, without threats, intimidation, or physical force.

Fairness: when you disagree, try talking about problems without anger, name calling, holding grudges, or bringing up old hurts.

Healthy vs. Unhealthy Relationships

People in healthy relationships respect each other. They can talk honestly and freely to each other and share decisions. They trust and support each other and respect each other's independence. In contrast, an unhealthy relationship is unbalanced. One person may try to control or manipulate another to get his/her way.

Respect: showing consideration for the feelings and well-being of the other person

Anger Management: dealing with anger in positive, nonviolent ways.

Problem Solving: knowing how to break problems down, find possible solutions, and consider the likely outcomes for each solution.

Negotiation and Compromise: turning problems into "win-win" situations in which each partner gets some of what he/she wants.

What Can Happen?

Unfortunately, when healthy relationship skills don't develop, some kids find themselves in abusive relationships that are marked by frustration, anger, low self-esteem, and even physical injury. Kids who report being physically hurt by a boyfriend or girlfriend in the past year are more likely to report unhealthy habits such as binge drinking, suicide attempts, and physical fighting.

www.chooserespect.org

It's Never Too Early to Talk

When should you start talking about "tough issues," such as how to treat others, dating, and respect? Experts say the earlier, the better. Helping your child develop healthy relationship skills early can help him/her interact positively with others as he/she grows. Here are some skills that you can work on with your child to help him/her develop and maintain healthy relationships:

Respect.
Give it. Get it.



Section 7—Dating Violence Prevention and the Choose Respect Campaign

What's a Healthy Relationship?

Any relationship that you have in your teens will affect your relationships later in life. The lessons you learn about respect, healthy versus unhealthy relationships, and what's right or wrong will carry over into future relationships. So it's important to recognize what a healthy relationship is. Is your relationship healthy? Check to see whether the following 12 qualities exist in yours:

Mutual respect

Respect means that each person values who the other is and understands the other person's boundaries.

Trust

Without trust, there's no way to have a healthy relationship. Choose to trust in each other and give each other the benefit of the doubt.

Honesty

If you have ever caught your friend or dating partner in a huge lie, you know that it takes time to rebuild your trust in him or her. Always be honest. It builds trust and strengthens the relationship.

Compromise

You won't always get your way. Acknowledge different points of view and be willing to give and take. It's a bad sign when the relationship becomes a power struggle.

Individuality

You shouldn't compromise who you are, and your identity should not be based on your boyfriend or girlfriend. Continue seeing your friends or doing the things that you love. Be supportive if your boyfriend or girlfriend wants to pursue new hobbies or make new friends.

Good communication

Speak honestly and openly to avoid miscommunication. If you need to sort out your feelings first, your boyfriend or girlfriend should respect your wishes and wait until you're ready to talk.

Anger control

We all get angry, but how we express it

can affect our relationships with others. Anger can be handled in healthy ways such as taking a deep breath, counting to 10, or talking it out.

Problem solving

You can learn to solve problems and identify new solutions by breaking a problem into small parts or by talking through the situation.

Fighting fair

Everyone will argue at some point, but those who are fair, stick to the subject, and avoid insults are more likely to come up with a possible solution. Take a short break if the discussion gets too heated.

Understanding

Take a minute to understand what others might be feeling—put yourself in their shoes. It can improve your communication skills, too.

Self-confidence

Having confidence in yourself can help your relationships with others. It shows that you are calm and comfortable enough to allow others to express their opinions without forcing your opinions on others to win an argument.

Being a role model

By modeling what respect means, you will inspire your boyfriend or girlfriend, your friends, and your family to model respect, too. Take every opportunity to give respect.



<http://www.chooserespect.org>



Section 7—Dating Violence Prevention and the Choose Respect Campaign

Dating Bill of Rights and Responsibilities

You have certain rights and responsibilities in a dating relationship. Here are some examples. Personalize these for yourself, and make a commitment to stick by them.

Dating rights

I have the right:

- To be treated with respect always
- To be in a healthy relationship
- To not be abused-physically, sexually, or emotionally
- To keep my body, feelings, beliefs, and property to myself
- To have friends and activities apart from my boyfriend or girlfriend
- To set limits and values
- To say no
- To feel safe in the relationship
- To be treated as an equal
- To feel comfortable being myself
- To leave a relationship



© JD Challenger
<http://www.firstpeople.us>

Dating responsibilities

I have the responsibility:

- To determine my limits and values
- To respect my boyfriend's or girlfriend's limits, values, feelings, and beliefs
- To refuse to abuse-physically, sexually, or emotionally
- To be considerate
- To communicate clearly and honestly
- To give my boyfriend or girlfriend space to be his or her own person
- To not exert power or control in the relationship
- To compromise when needed
- To admit to being wrong when appropriate
- To ask for help from friends, family, and trusted adults



Section 7—Dating Violence Prevention and the Choose Respect Campaign

Storyboarding Exercise

Storyboarding refers to the visual expression of shots, sounds, titles and any addition material likely to be included in the final product of a film and/or presentation, including a comic book, what pictures (still and moving) will be seen when and for how long, what audio and text will accompany the images.

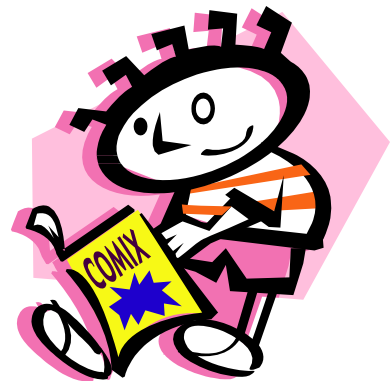
A storyboard may be in the form of written documents, or may even be organized as a series of still or moving images accompanied by sound. Storyboarding requires skills and planning very similar to brainstorming and organizing an essay.

For the following exercise, please read the following short story and then construct a visually sequential storyboard on the following page.

Friday morning while walking to school, Eric saw his friends Adam and a Rebecca and it seemed as if they were arguing. Adam was holding Rebecca's wrist and she was trying to pull away from him. Eric began walking toward Adam and Rebecca with the hope that if they noticed him, they may stop fighting. As Adam approached them . . . (you can finish the storyboard in the way that you choose).

Remember, comic books pages often show a portion of a picture or a face to convey a concept. You do not need to draw an entire scene. Don't worry, if you are not an artist. You can describe the image in words rather than pictures if you choose.

Have Fun!

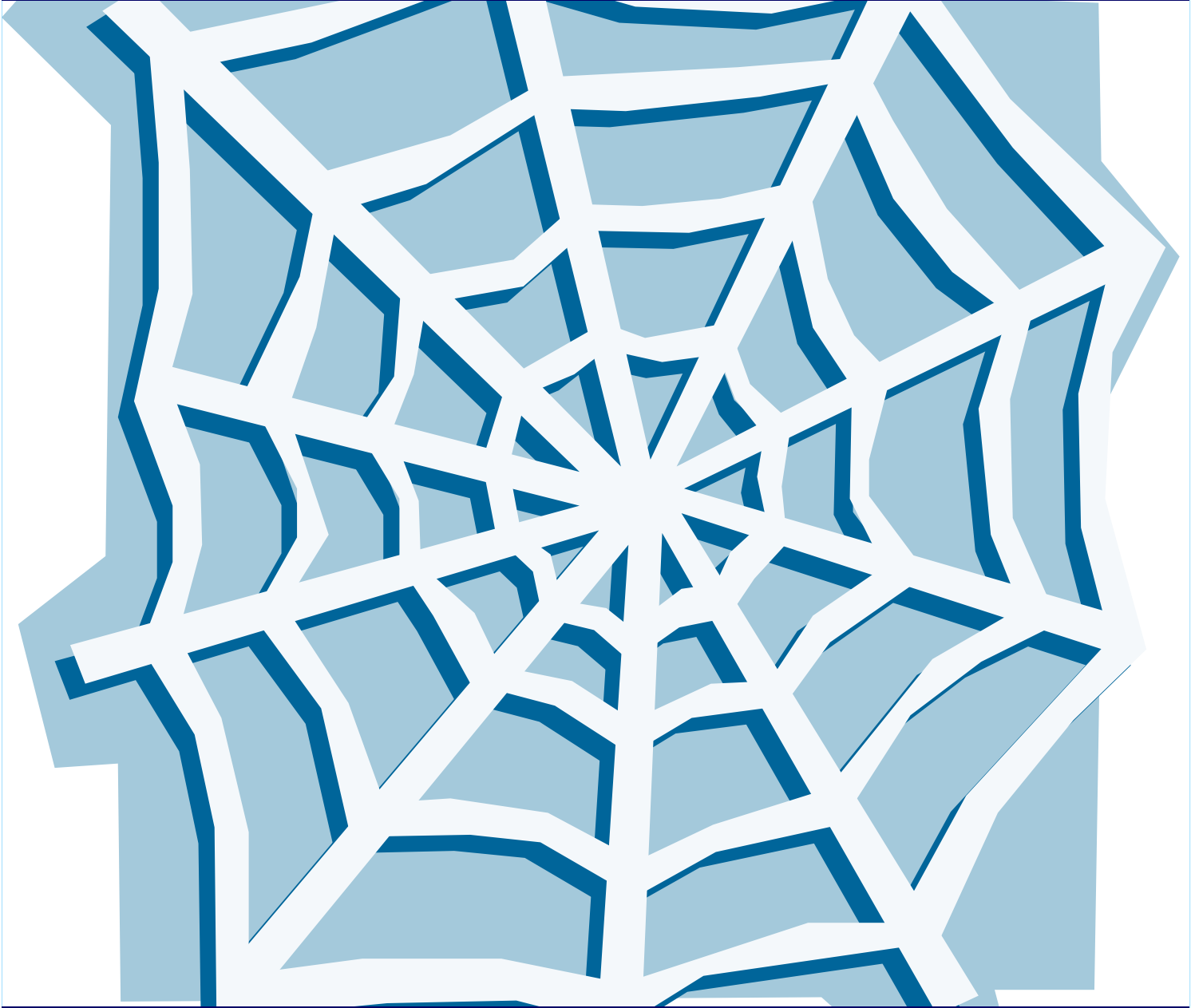


Section 7—Dating Violence Prevention and the Choose Respect Campaign

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Section 8



A Positive Identity





Section 8—Developing Positive Tribal Identities

“We change from a place of self-worth,
not a place of shame, powerlessness and isolation.”

Brené Brown, Ph.D.
Author, *Women & Shame*

“When Your Hands Are Tied

Approximate running time: 56 minutes

Format: Digital Video

"When Your Hands Are Tied" is an educational film that explores the unique ways in which young native people are finding to express themselves in the contemporary world while maintaining strong traditional lives.

Since native youth do not often see reflections of themselves or their communities in mainstream media, we wanted to make a film that features contemporary native kids and role models who are finding exciting and positive ways to direct their lives. We also wanted young people to learn the importance of self-motivation in combination with traditional teachings to help prepare for the challenges of everyday life.

Some of the people we meet are:

Navajo rappers, who rap in English and in Navajo, with a mission to communicate to young people the importance of embracing mainstream culture and education as well as their own native languages, customs and traditions.

Navajo punk rock musicians, whose style is Native American Punk-Rock or “Alter Native” with strong sociopolitical messages about government oppression, relocation of indigenous people, eco-cide, genocide, domestic violence and human rights.

Apache Skate Boarders, who through their travels across the country, have learned about filmmaking, photography, and self worth. They have also learned how to carry the message of who they are and where they come from as they pursue their own individual goals.

The Governor of Nambé Pueblo, an avid dancer started a break-dance team to help kids stay active and healthy. The break-dancers come from many tribes around the southwest and are encouraged to participate in their traditional dances at home.



Section 8—Developing Positive Tribal Identities

Identity

- the distinct personality of an individual regarded as a persisting entity;
- the individual characteristics by which a thing or person is recognized or known.

Expression

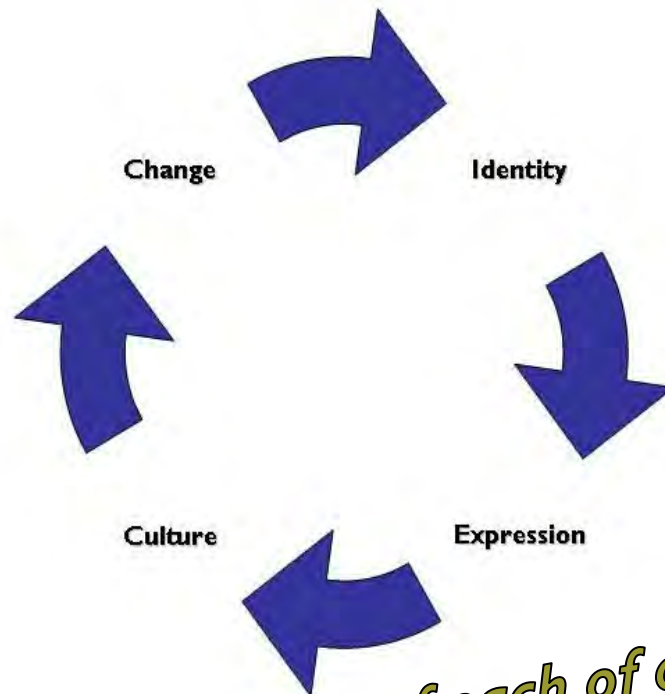
- the communication (in speech or writing) of your beliefs or opinions;
- a word or phrase that particular people use in particular situations;
- the style of expressing yourself.

Culture

- particular society at a particular time and place;
- (from the Latin *cultura* stemming from *colere*, meaning "to cultivate,") generally refers to patterns of human activity and the symbolic structures that give such activities significance and importance.

Change

- make different;
- cause a transformation;



***Our culture is made up of each of our identities.
If we are dynamic, our culture is dynamic.
So, bring your best self forward.***



When Your Hands are Tied

Discussion Questions

1. There is a constant struggle between Traditional and non-Traditional practices within tribal communities. Often non-Traditional would imply non-Indian practices. The DVD presentation depicts two music groups, rap and punk, who choose to express themselves and tribal issues in a non-Traditional music format. Would you describe their music as Native American? _____

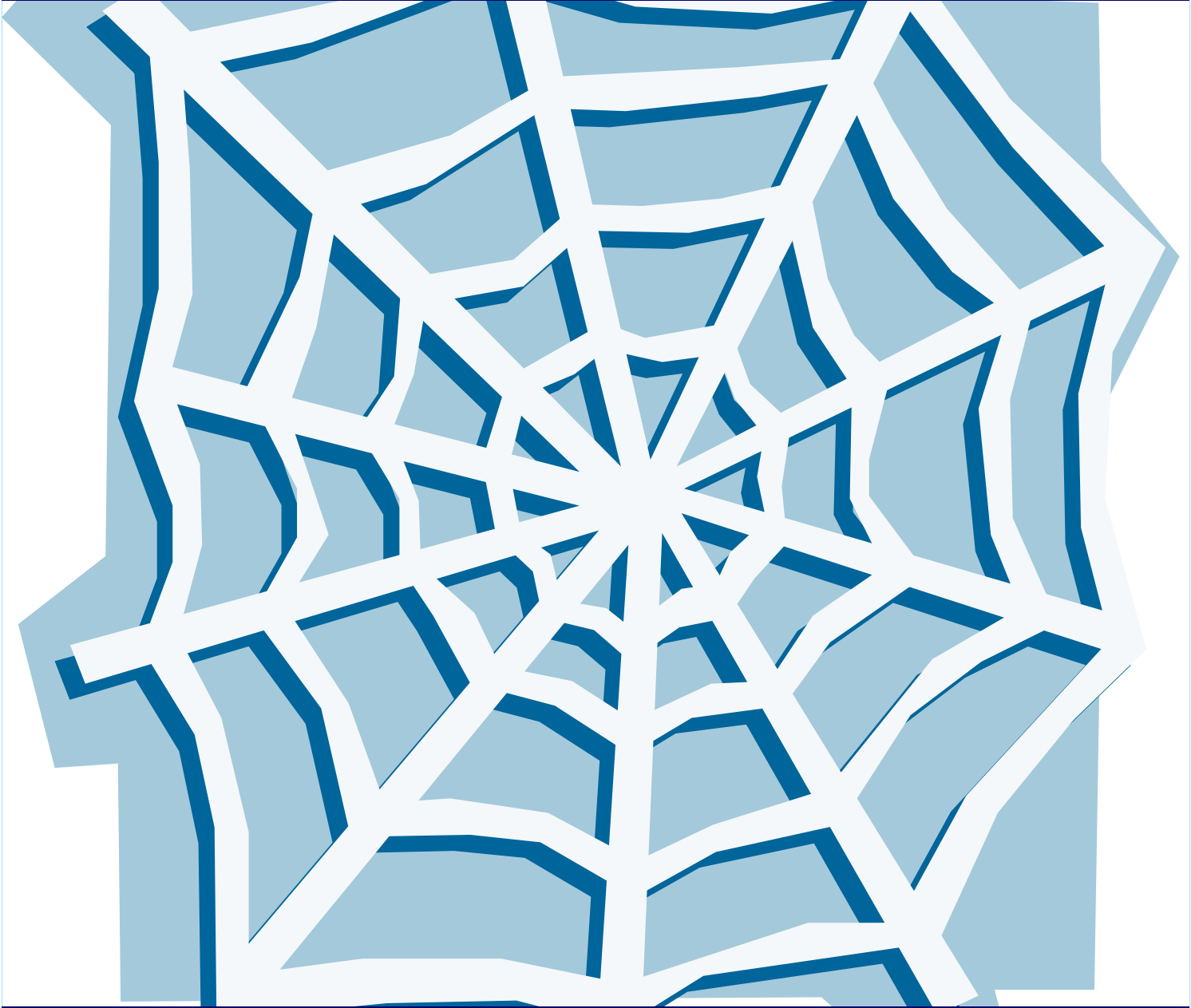
2. Native American youth are very aware of the loss of their elders and the traditional information that they have yet to share. Not only to young Native Americans mourn the loss of the elders but they may also mourn the loss of the cultural information. Elders are Native American culture teachers. Without the elders, we experience a barrier to becoming the culture teacher ourselves. Even if we have only learned a little bit, isn't it worth teaching to someone else? Have you ever asked an elder to teach you about your culture?

3. Did you enjoy this film? What was your favorite part?





Section 9



Understanding FAS and SVIIPV





Section 9—Understanding Fetal Alcohol Syndrome and SV/IPV

If I Only Knew Video Presentation

What is FAS/ARND?

There are many medical terms associated with fetal alcohol syndrome. The most common terms defining FAS/ARND are defined as follows:

Fetal alcohol syndrome (FAS) is a birth defect caused by “prenatal alcohol exposure, which produces a spectrum of lifelong effects on offspring depending on the dose, timing and conditions of exposure.”¹ It is a “preventable form of mental retardation and developmental disabilities”² that may appear in children who were exposed to alcohol within their mother’s womb. Children who have FAS have one or more recognizable facial anomalies.

Fetal Alcohol Effect (FAE) is a term that refers to a range of cognitive and behavioral disorders resulting from exposure to alcohol within the womb. Generally, a person who suffers from FAE appears and behaves within a socially normal range although they may also be suffering from forms of brain damage or mental retardation.

Alcohol Related Neurodevelopmental Disorder (ARND) is diagnosed when a child meets the criteria for brain damage but does not have all of the facial features or growth retardation of FAS. Evidence of prenatal alcohol exposure is not necessary for a diagnosis of ARND.³



Alcohol Related Birth Defects (ARBD) refers to any physical abnormalities associated with prenatal exposure to alcohol.

Fetal Alcohol Spectrum Disorder (FASD) refers to the range of lifelong physical, mental and neurobehavioral birth defects associated with prenatal exposure to alcohol.⁴

Teratogenic Effects of Alcohol

A *teratogen* is a substance or condition that is not part of the normal human body and that disrupts normal development of a fetus causing birth defects. Common teratogens that cause birth defects include alcohol, drugs, viruses, tobacco, and radiation. In general, there are four possible outcomes for a developing fetus exposed to a teratogen: death, malformations, growth deficiency, and functional deficits.

Alcohol and the Brain

The type of damage alcohol exposure causes to the brain has been referred to as *static encephalopathy* meaning the damage is permanent but not progressive. Alcohol has a direct toxic effect on cells and can cause cell death. The result is that certain parts of the brain will have fewer than normal cells. Alcohol can impede the transport of amino acids (important building blocks of proteins) and glucose (the main source of energy for cells). It can also impair the blood flow through the placenta causing oxygen deprivation to the developing brain. It can also disturb the function of the hormone and chemical regulatory systems that control the maturation and migration of nerve cells in the brain.⁶



Specific Cognitive and Behavioral Impairments

Verbal Learning: Children prenatally exposed to alcohol exhibit a variety of problems with language and memory.

Visual-Spatial Learning: Visual-spatial learners are individuals who learn best from pictures (or a concept of the “whole”) rather than through hearing or reading words (building of the concept step-by-step). Alcohol-exposed children have difficulty with tasks involving visual-spatial learning such as solving a picture puzzle from a finished picture or building a model based upon a picture.

Attention: Attention problems are a significant issue for children prenatally exposed to alcohol. Consequently, FAS/ARND are often misdiagnosed as attention deficit hyperactivity disorder (ADHD) and therefore treated ineffectively. Children with ADHD exhibit difficulty focusing and sustaining attention over time. In contrast, alcohol-exposed children display difficulty in shifting attention from one task to another.⁸

Reaction Time: Individual differences in intelligence are based in part on how quickly the brain can process information. Prenatal alcohol exposure has been associated with slower, less efficient information processing in school-aged children⁹ as indicated by slower reaction time.

Executive Functions: Deficits in executive functioning can have real-life implications for people with FAS/ARND. For example, someone with prenatal alcohol exposure may act without thinking about the consequences of their behavior or they may have difficulties with activities that require problem solving or with planning a sequence of activities.¹⁰



Psychosocial Deficits and Problem Behaviors: Alcohol exposed children have problems with cognitive functioning and are at high risk for problem behaviors that interfere with their home, school, and social environments. These children are at increased risk for *secondary disabilities* such as psychiatric disorders, trouble in school and with the law, alcohol and other drug abuse, and other maladaptive behaviors.¹⁴ Further, they are more likely than non alcohol-exposed children to be labeled as hyperactive, disruptive, impulsive, or delinquent.¹⁵

Children with FAS/ARND often appear to lack personal boundaries and do not often recognize them in others. They appear very friendly and outgoing but are more vulnerable to exploitation and make others uncomfortable with some of their behaviors. Ann Streissguth states:

*This excessive friendliness is often combined with overly tactile behavior ... Young children who are tactile are generally not considered deviant, but adolescents and adults who have little sense of personal space are very “touchy” and have inappropriate and excessive curiosity are often disliked and shunned by their peer group.*¹⁶

Streissguth also suggests that lack of boundaries may increase the likelihood that children or teens who are, or were, sexually abused, will act that abuse out on others. It isn't that they are deviant, but their lack of impulse control coupled with a lack of boundaries may lead the abused child to act out a trauma on other children without any real understanding of the impact of the behavior. In addition, this same combination can lead a teen with FAS/ARND to go from first kiss to sexual intercourse without any intention of doing so. In other words, the teens may engage in sex against their own values simply because they did not stop to think.

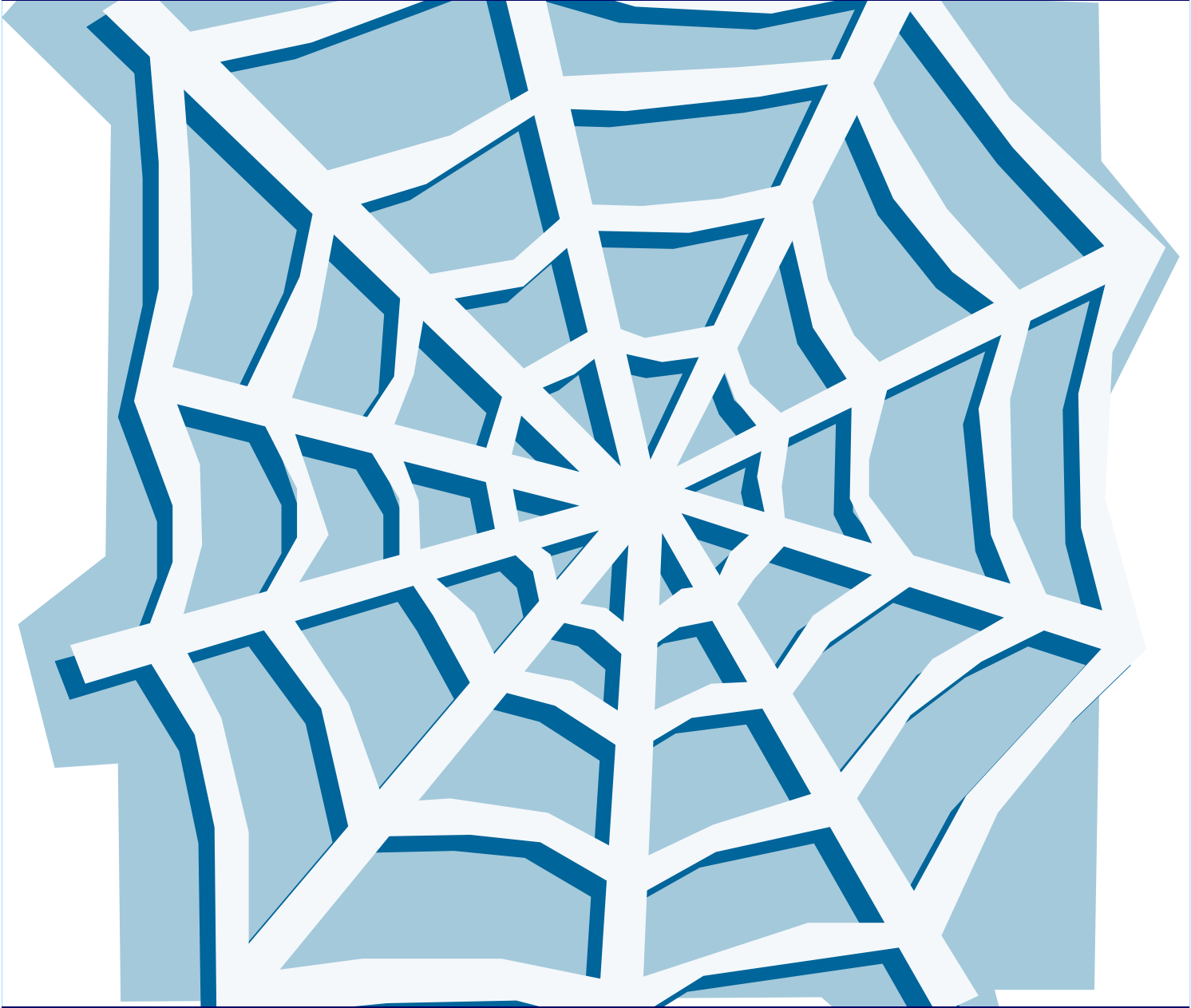


This puts them at great risk of repeated pregnancies and of contracting and spreading sexually transmitted diseases.





Section 10



Tribal Program Inventories



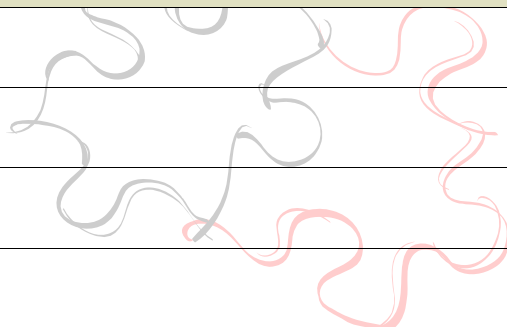


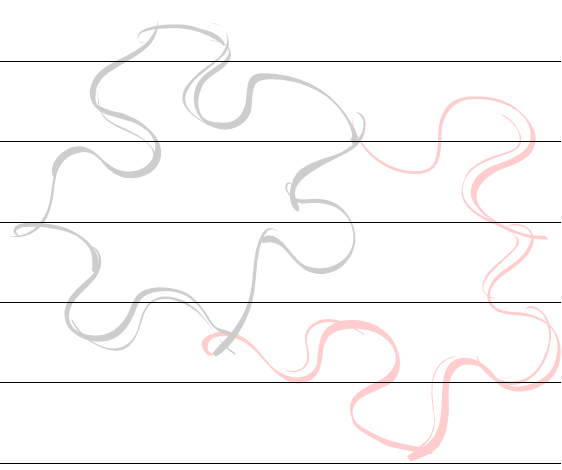
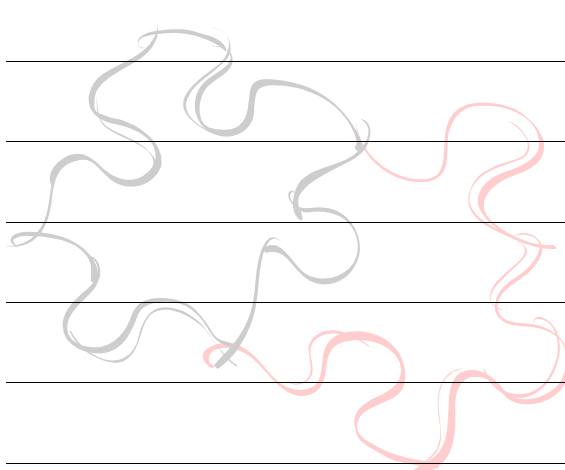
Section 10—Tribal Program Inventories

Developing a SV/IPV Prevention Program Inventory

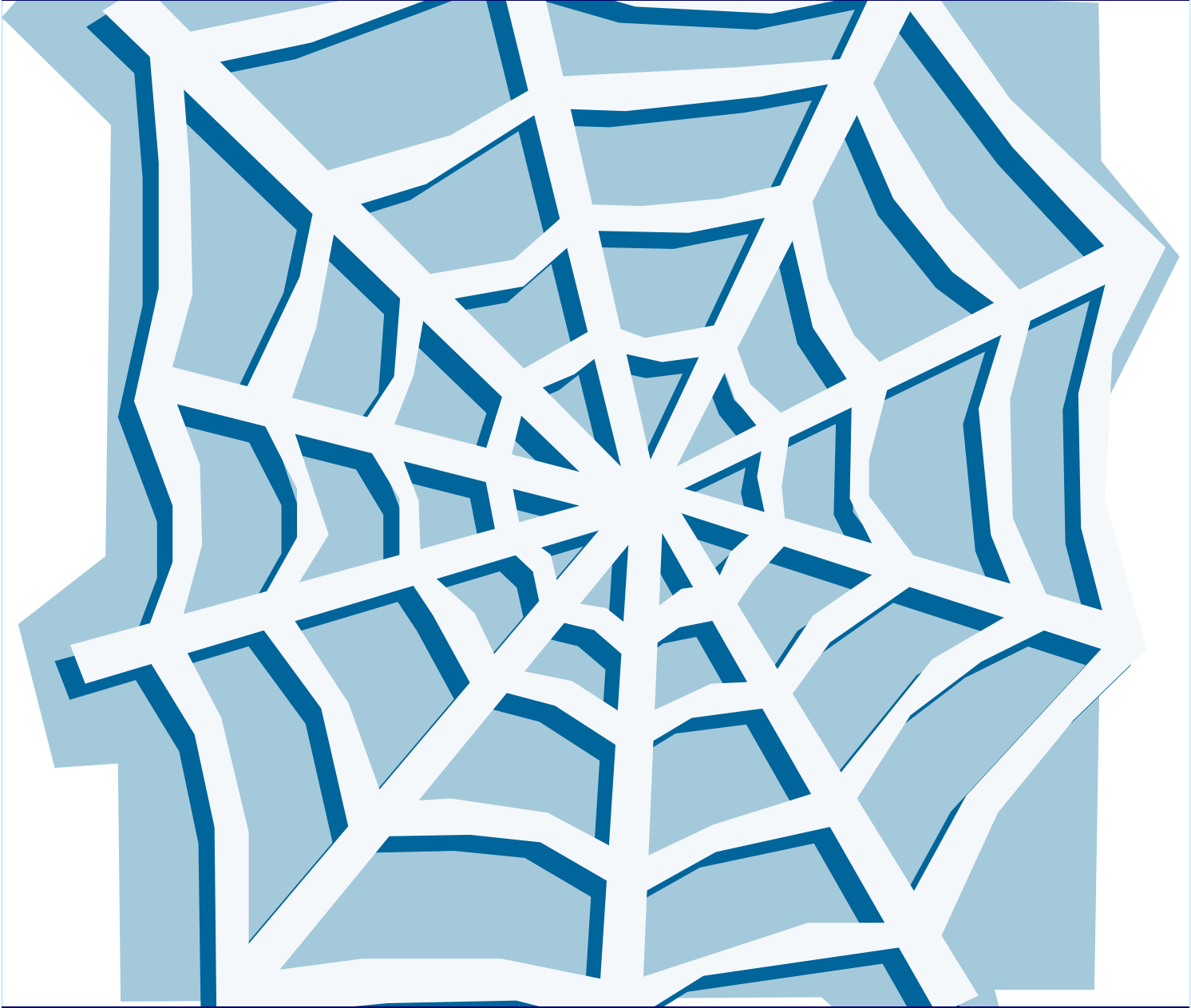
Due to strained financial resources and the difficulty that people have discussing sexual violence and intimate partner violence, it is unlikely that our communities will have specific SV/IPV prevention programs; however, we may have pieces of the prevention puzzle. Programs and services that assist us in continuing to learn, develop skills, help us to express our emotions without violence may work together to prevent SV/IPV. The key is that the programs are aware of the services provided by other programs and that they connect and discuss gaps and overlaps in services. **Do you know what SV/IPV Prevention programs that your community currently operates and/or is near?**

Provide a list of key local programs that you know of that address anger management, life skills development, job skills development, cultural programs, education programs that may serve as protective factors young men and boys who may be at risk for committing sexual violence or intimate partner violence:





Section II



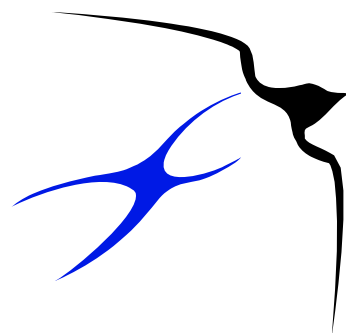
SV/IPV Resources





Section 11—NIJC SV/IPV Resources Database

In this section, you will find a number of resource directories as well as a sample listing from the National Indian Justice Center's SV/IPV resource database. You can find this database at the NIJC website page for SV/IPV Prevention: <http://www.nijc.org/svipv>.



To obtain copies of materials, printed and electronic if available, please contact the resource provider or the National Indian Justice Center at (707) 579-5507 or nijc@aol.com. You can find links to many of the resource providers at <http://www.nijc.org/svipv>.

We encourage you to look for and share your ideas, resources and activities that help in your prevention work. If you have a resource that you would like to have listed in the database, please contact Ms. Raquelle Myers, Staff Attorney, National Indian Justice Center, Phone: (707) 579-5507 or E-Mail: nijc@aol.com.



Section 11 – National SV/ IPV Resources

Tribal Sexual Assault Coalitions

Alaska Native Women's Coalition
Post Office Box 86
Allakaket, AK 99720
Phone: 907-968-2476
Fax: 907-968-2233

American Indians Against Abuse
Post Office Box 1617
Hayward, WI 54843
Phone: 715-634-9980
Fax: 715-634-9982

Arizona Native American Coalition Against
Family Violence
Route 2, Box 730 B
Laveen, AZ 85339
Phone: 520-562-3904
Fax: 520-562-3927

Coalition to Stop Violence Against
Native Women
2401 12th Street, NW, Suite 201N
Albuquerque, NM 87104
Phone: 505-243-9199
Fax: 505-243-9966
Community Resource Alliance
928 8th Street, Southeast
Detroit Lakes, MN 56501
Phone: 218-844-5762
Fax: 218-844-5763

Great Basin Native Women's Coalition Against
Domestic Violence
Post Office Box 245
Owyhee, NV 89832
Phone: 775-757-2013
Fax: 775-757-2029

Indian Country Coalition Against Domestic Violence and Sexual Assault
4000 North Mississippi Avenue
Portland, OR 97227
Phone: 503-288-8177
Fax: 503-288-1260

Kene Me-wu Family Healing Center, Inc.
Post Office Box 605
Sonora, CA 95370
Phone: 209-984-8602

Minnesota Indian Women's Sexual Assault Coalition
1619 Dayton Avenue, Suite 303
St. Paul, MN 55104
Phone: 651-646-4800
Toll-Free: 1-877-995-4800
Fax: 651-646-4798

Niwongwh xw E:na:wh Stop the Violence Coalition
Post Office Box 309
Hoopa, CA 95546
Phone: 530-625-1662
Fax: 530-625-1677

Oklahoma Native American Domestic Violence
Coalition
3701 Southeast 15th Street
Del City, OK 73115
Phone: 405-619-9707
Fax: 405-619-9715
Website: www.onadv.com

Sicangu Coalition Against Sexual Violence
Post Office Box 227
Mission, SD 57555
Phone: 605-856-2317
Fax: 605-856-2994

Southwest Indigenous Women's Coalition
Post Office Box 1279
Chinle, AZ 86503
Phone: 928-674-8314
Fax: 928-674-8218

Strong Hearted Women's Coalition
Post Office Box 1279
Chinle, AZ 86503
Phone: 760-742-3579
Fax: 760-855-1466

We, Asdzani Coalition
Post Office Box 547
Crownpoint, NM 87313
Phone: 505-786-5622
Fax: 505-786-5285

Yupik Women's Coalition
Post Office Box 207
Emmonak, AK 99581
Phone: 907-949-1443
Fax: 901-949-1718

For updates to this information, go to http://www.ovw.usdoj.gov/tribal_coalitions.htm



Section 11—NIJC SV/IPV Resources Database

SV/IPV Resources Report by Type and Title

| Resource Type | Title | Year | Publisher Name | Pages | Website |
|---------------|---|------|---|-------|--|
| | Framework for Evaluation | | | 1 | |
| | Sexual Assault Advocacy Checklist | 2004 | MISHTAP | 13 | |
| Article | ACE & Health-Related Quality of Life as an Adult | | American Psychological Association | | |
| | ACE & Self-reported Liver Disease: New insights | 2003 | Archives of Internal Medicine | 8 | |
| | ACE & sexual risk behaviors in women: retrospective | 2001 | Family Planning Perspectives | 6 | |
| | ACE & Smoking during adolescence & adulthood | 1999 | JAMA | 7 | |
| | ACE & STDYD in men and women: retrospective study | 2000 | Pediatrics | 1 | |
| | ACE & Subsequent Hallucinations | | Child Abuse and Neglect | | |
| | ACE Study Publications | 2003 | | 4 | www.ncbi.nlm.nih.gov/entrez/query.fcgi |
| | ACE: A public health perspective (editorial) | 1998 | American Journal of Preventative Medicine | 2 | |
| | Adverse Childhood Experiences and Trauma | 1998 | American Journal of Preventative Medicine | 3 | |
| | An Investigation of response rate bias in an epide | 2001 | Child Abuse & Neglect | 6 | |
| | An Overview of the RPMIS Domestic Violence Screenin | 2005 | Dept. HHS | 2 | www.hhs.gov/PublicInfo/Publications/HealthProvider.asp |
| | Assessing the Reliability of Retrospective Reports | | Child Abuse and Neglect | | |
| | Attitude and Belief Assessment | | | 48 | |



Section 11—NIJC SV/ IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|--|------|--|-------|---|
| Behavior Assessment | | | 114 | |
| BMC Medicine | 2004 | Bio Med Central | 14 | http://www.biomedcentral.com/1741_70152/20 |
| CDC Injury Fact Book 2001-2002 ERRATA | | CDC | 1 | |
| Child Abuse and Neglect | 2002 | WHO | 2 | www.who.int/violence_injury_prevention |
| Child Sexual Abuse: Intervention&Treatment Issues | 1993 | US Dept of Health and Human Services | 126 | |
| Childhood Abuse, Household Dysfunction & Indicator | 2004 | The Permanente Journal | | |
| Community Organizing for Women's Safety | 2003 | Mending the Sacred Hoop Technical Assist. Project | 13 | |
| Defining Sexual Violence | 2003 | Mending the Sacred Hoop Technical Assistance Proje | 3 | |
| Developing Men's Non-Violence Programs | 2003 | Mending the Sacred Hoop Technical Assist. Project | 10 | |
| Dynamics and Risk Factors in Partner Violence | 1998 | Sage Publications, Inc. | 24 | |
| Engaging Men as Social Justice Allies in Ending VI | 2003 | Journal of American College Health | 4 | |
| Environmental Assessment | | | 85 | |
| Epidemiology of ACE & Depressive Disorders in a La | | Journal of Affective Disorders | | |
| Evidenzen aus einer Studie zu belastenden Kindheit | 2003 | Praxis der Kinderpsychologie und Kinderpsychiatrie | 13 | |
| Experiencing Multiple Forms of Childhood Maltreatm | 2003 | American Journal of Psychiatry | 8 | |
| Injury Surveillance: A 10-Step Plan | | | 24 | |
| Intimate Partner Violence | 2002 | WHO | 2 | www.who.int/violence_injury_prevention |



Section 11—NIJCSV/ IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|--|------|---|-------|---|
| Article | | | | |
| Native American Men and Domestic Violence Project | 2003 | Mending the Sacred Hoop Technical Assist. Project | 5 | |
| Partner Violence: Prevention and Intervention | 1998 | Sage Publications, Inc. | 27 | |
| Perpetrator Prevention: Stopping the Development | 1995 | The Haworth Press, Inc. | 19 | |
| Psychosocial and Cognitive Assessment | | | 100 | |
| Reducing Risk; Increasing Protective Factors; Find | 2004 | Society for Adolescent Medicine | 8 | |
| Relationship of Adverse Childhood Experiences, ... | | | 7 | |
| Resource List | 2004 | Mending the Sacred Hoop Technical Assistance Projec | 9 | |
| Self-Directed Violence | 2002 | WHO | 2 | www.who.int/violence_injury_prevention |
| Sexual Violence | 2002 | WHO | 2 | www.who.int/violence_injury_prevention |
| Socioeconomic Disparities in Intimate partner Violence | 2004 | BMC Medicine | 14 | http://www.biomedcentral.com/1741-7015/2/20 |
| Survey The Terrain: Current Issues in the Prevention | 2001 | Journal of Sexual Aggression | 21 | |
| The Association Between Adolescent Pregnancy, Teen | | Pediatrics | | |
| The Impact of ACE on Health Problems: Evidence fro | 2003 | Preventive Medicine | 10 | |
| The Intergenerational Cycle of Multiple Forms of Childhood | | Child Abuse and Neglect | | |
| The Relationship of ACE to Adult Health: Turning g | | CDC | 7 | |
| The Relationship of Adult health status to childhood | 1998 | American Journal of Preventative Medicine | 19 | |
| The Relationship of Exposure to Childhood Sexual A | 2003 | Child Abuse & Neglect | 15 | |



Section 11—NIJ SV/IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|--|------|--|-------|--|
| Article | | | | |
| Unintended pregnancy among adult women exposed to | 1999 | JAMA | 5 | |
| Using Alternative Healing Ways | 2004 | Mending the Sacred Hoop Technical Assistance Proje | 46 | |
| Using the Haddon Matrix: Introducing the Third Dim | 1998 | UNC Injury Prevention Research Center | 5 | |
| Violence-- A Universal Challenge | | WHO | 30 | |
| Violent Childhood Experiences & the Risk of Intima | 2003 | Journal of Interpersonal Violence | 20 | |
| What Explains the Negative Consequences of ACE on | 1998 | American Journal of Preventative Medicine | 5 | |
| When Words Bear Witness | 2006 | NY Times | 1 | www.nytimes.com/2006/03/20/opinion/20nips.html |
| Why Native Women Remain Silent | | | 1 | |
| Youth Violence | 2002 | WHO | 2 | www.who.int/violence_injury_prevention |
| IPV and SV Victimization Assessment Instruments | 2007 | CDC | 112 | www.cdc.gov |
| Assessing Alcohol & Other Drug Prevention Programs | 1991 | OSAP | 461 | |
| Batterer Intervention: Program Approaches&Criminal | 1998 | NIJ & DOJ | 216 | http://www.ojp.usdoj.gov/nij |
| CDC Injury Fact Book 2001-2002 | 2001 | CDC | 129 | www.cdc.gov/ncepc |
| Cultural Considerations in Domestic Violence Cases | 1999 | Family Violence Prevention Fund | 263 | www.fvpf.org |
| Domestic Abuse Cases Involving Indigenous Women | 2002 | Mending the Sacred Hoop Technical Assist. Project | 479 | |
| Domestic Violence Resource Guide for Sonoma County | 1997 | Sonoma County Dept. of Health Services | 24 | |
| Domestic Violence Training Curriculum | 1992 | Metropolitan Police Dept. | 41 | |



Section 11—NIJC SV/IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|--|------|--|-------|--|
| Book | | | | |
| Interpersonal Violence Prevention | 2004 | World Health Organization | 60 | |
| Juveniles Who Have Sexually Offended | 2001 | Office of Juvenile Justice and Delinquency | 86 | |
| Measuring Violence-Related Attitudes, Behaviors, & Adolescent Treatment Manual Resources | 2005 | CDC, NCIIPC | 366 | www.cdc.gov/ncipc |
| | | CSAT of SAMHSA | | www.chestnut.org/li/bookstore |
| CDCynergy - Violence Prevention Edition | 2005 | CDC, Dept. of HHS | | www.cdc.gov/cdcynergy |
| Global Perspectives on Sexual Violence | 2005 | NSVRC | | |
| Sexual Violence Surveillance | | CDC | | |
| It's About Time to Prevent Sexual Violence: Speak | | NSVRC | 19 | www.nsvrc.org |
| Moving Upstream | 2005 | Virginia Sexual&Domestic Violence Alliance | 6 | www.vsdvalliance.org |
| Moving Upstream | 2005 | VSDVAA | 6 | www.vsdvalliance.org |
| Preventing Child Maltreatment | | CDC | 7 | www.cdc.gov/injury |
| Preventing Suicide | | CDC | 6 | www.cdc.gov/injury |
| Preventing Violence Against Women | | CDC | 8 | www.cdc.gov/injury |
| Preventing Youth Violence | | CDC | 7 | www.cdc.gov/injury |
| Rape Prevention & Education Grant Program | | CDC | 4 | www.cdc.gov/injury |
| Risk Factors for Physical Assault and Rape | 2006 | Sage Publications | 13 | http://jiv.sagepub.com |
| Sexual Violence Prevention: Beginning the Dialogue | 2004 | CDC | 13 | www.cdc.gov/injury |
| Newsletter | | | | |



Section 11—NIJC SV/ IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|---|-------------|---|-------|---|
| Newsletter | 2005 | Indian Health Service | 14 | |
| The Indian Health Service Suicide Prevention Work | | | | |
| Violence Against Native Women is not Traditional | 2006 | Sacred Circle | 27 | www.sacred-circle.com |
| Youth in Low Income Environments | 1996 | CSAP | 25 | www.health.org |
| Youth Violence research Bulletin | 2004 | US DOJ | 8 | www.ojp.usdoj.gov/ojdp |
| Report | 2002 - 2003 | Maine HIV Prevention Community Planning Group | 35 | |
| 2002 - 2003 Needs Assessment | | | | |
| A Longitudinal Examination of Male College Student | 2004 | American Psychological Association | 10 | |
| A Prospective Analysis of Sexual Assault Perpetra | 2005 | Sage Publications, Inc. | 24 | |
| Advancing the Development & Application of Theory- | 1999 | American Evaluation Association | 18 | |
| Age-adjusted Death Rates. | 1993 | HAS | 8 | |
| Appendix 2: Preg. Descr. -Creating Safe Environment | | Mending the Sacred Hoop Technical Assist. Project | 46 | www.preventioninstitute.org |
| Atlas of Injury Mortality | 2005 | CDC | 56 | www.cdc.gov/ncipe/ |
| Batterer Intervention: Program Approaches & Crimin. | 1998 | USDOD | 201 | www.ojp.usdoj.gov/nij |
| Community-Based Analysis of the US Legal System's | 2002 | Mending the Sacred Hoop | 7 | |
| Confronting Violence Against Women | 1998 | BJA & DOJ | 120 | |
| Co-Offending and Patterns of Juvenile Crime | 2003 | NIJ | | www.ojp.usdoj.gov/nij/pubs-sum/210360.htm |
| Cost of Intimate Partner Violence Against Women | 2003 | Department of Health and Human Services | 64 | |
| Ethnicity, Culture, & Sexual Aggression: Risk&Prot | 2005 | American Psychological Association | 11 | |



Section 11—NIJC SV/IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|---|------|---|-------|------------------------------------|
| Report | | | | |
| Evaluating Prevention Programs: Challenges & Benefit | 2002 | American Psychological Association | 17 | www.apa.org/books |
| Evolution of Domestic Violence and Reform Efforts | 2003 | Mending the Sacred Hoop Technical Assist. Project | 12 | |
| Factsheet | 2002 | National Sexual Violence Resource Center | 2 | www.nsvtc.org |
| First-Time Male Perpetration of Sexual Violence | | Division of Violence Prevention | 20 | |
| Fostering Men's Responsibility for Preventing Sexual Violence | 2002 | American Psychological Association | 36 | www.apa.org/books |
| Guidelines for Developing Rape Prevention & Risk Red | 2002 | American Psychological Association | 32 | www.apa.org/books |
| How to Get ACE Study Articles | 2003 | | | www.nebi.nih.gov/entrez/query.fcgi |
| Injury and Violence Prevention | | | 42 | |
| Intimate Partner Violence and Age of Victim, 93-99 | 2001 | Bureau of Justice Statistics | 12 | |
| Intimate Partner Violence: causes and prevention | 2002 | Lancet Publishing Group | 7 | www.thelancet.com |
| Introductory Manual to Domestic Violence in Indian | 2003 | Mending the Sacred Hoop | 43 | http://www.msh-in.org |
| Juveniles Who Have Sexually Offended | 2001 | US Dept. of Justice (OJJDP) | 86 | www.ojjdp.ncjrs.org |
| Physical Violence, Intimate Partner Violence, & Errot | 2003 | American Health Foundation & Elsevier Inc. | 7 | www.elsevier.com/locate/ymned |
| Planning STI/HIV Prevention among Refugees & Mobe | 2003 | Blackwell Publishing | 8 | |
| Preventing Interpersonal Violence Among Youth | 1994 | USDOJ | 70 | |
| Prevention Accreditation Standards | | Washington Coalition of Sexual Assault Programs | 63 | |
| Prevention Accreditation Standards | | Washington Coalition of Sexual Assault Programs | 3 | |



Section 11—NIJC SV/ IPV Resources Database

| Resource Type Title | Year | Publisher Name | Pages | Website |
|--|------|--|-------|---|
| Report | | | | |
| Probation/Parole Manual for the Supervision of Dom | 1996 | Quincy Probation Department | 59 | |
| Sex Offenses and Offenders | 1997 | Bureau of Justice Statistics | 124 | |
| Sex Offenses and Offenders | 1997 | US Dept. of Justice | 45 | http://www.ojp.usdoj.gov/bjs/ |
| Sexual Violence and Adolescents | 2003 | National resource Center on Domestic Violence | 16 | |
| Sexual Assault in Indian Country; Confronting Sexu | 2000 | NSVRC | 18 | www.nsvrc.org |
| Sexual Assault Perpetration & Reperpetration | 2004 | American Association for Correctional Psychology | 21 | |
| Sexual Victimization in Indian Country: Barriers&R | 2004 | National Resource Center on Domestic Violence | 13 | |
| State Injury Indicators Report | 2001 | Department of Health and Human Services | | |
| The Journal of Trauma Injury, Infection, & Critica | 2005 | Lippincott Williams & Wilkins | 166 | www.jtrauma.com |
| The Origins of Addiction | 2003 | Kaiser Permanente Medical Care Program | 13 | |
| The Origins of Addiction | 2004 | | 13 | |
| The Principles of Advocacy | 2004 | MSHTAP | 56 | |
| WHO | | | | |
| Transcript | | | | |
| Sexual Violence Prevention | | CDC | 30 | |
| Video | | | | |
| Lift Every Voice - End Sexual Violence | 2003 | NCIPC, CDC | | |
| Webcast | | | | |
| Teens and Dating Violence | 2006 | US Dept of Health and Human Svc. | | www.hrsa.gov |
| Website | | | | |
| ACE Study | | | | www.acestudy.org |



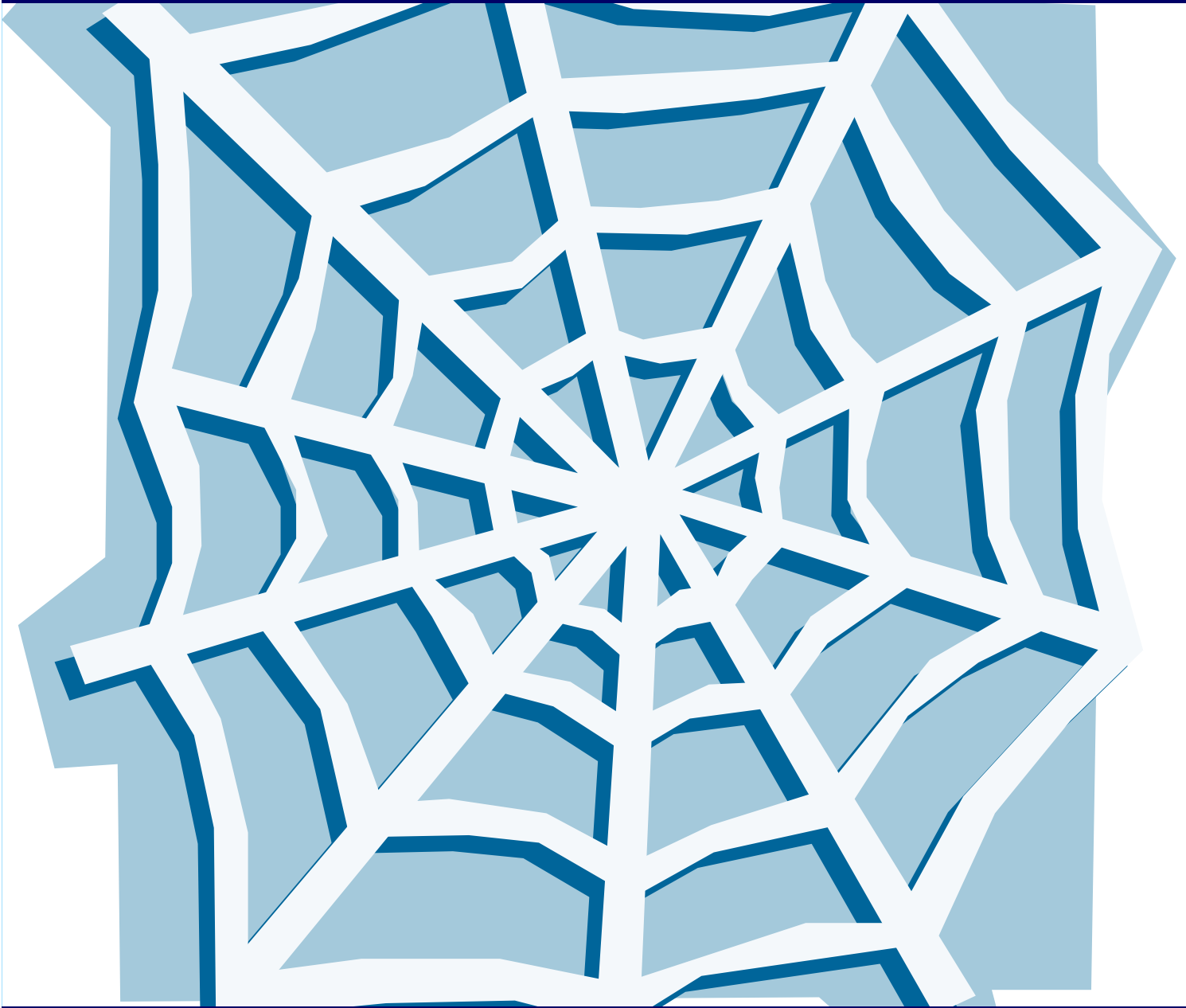
Section 11—NIJC SV/ IPV Resources Database

| Resource Type | Title | Year | Publisher Name | Pages | Website |
|---------------|---------------------------------------|------|----------------|-------|--|
| Website | Intimate Partner Violence: Fact Sheet | | CDC | 7 | www.cdc.gov/nri/ncipc/factsheets/ipvfacts.htm |





Section 12



Administration





Consent Form

(Northwest Region)

The National Indian Justice Center (NIJC) received a grant from the Centers for Disease Control and Prevention (CDC) to develop a Sexual Violence and Intimate Partner Violence (SV/IPV) Prevention Curriculum. NIJC will use surveys to conduct research about SV/IPV awareness and to evaluate the curricula. NIJC will ask for volunteers to complete a survey before and after each section of this training session.

You may still attend the training session if you do not volunteer to complete the surveys. Volunteers will complete surveys before and after each section of this training session. Each survey should take fifteen minutes to complete. Your responses will be used for evaluation and research purposes only. NIJC will assign volunteers a code number for identification. Your name, contact information, survey responses and consent forms will be kept confidential.

For questions about this project, contact Raquelle Myers at National Indian Justice Center, 5250 Aero Drive, Santa Rosa, California, 94952, Ph.: (707) 579-5507, Fax: (707) 579-9019 or E-Mail: nijc@aol.com. For other concerns, contact Rena Gill, Chair, Portland Area IHS-IRB, Northwest Portland Area Indian Health Board, 527 Hall Street, Suite 300, Portland, Oregon, 97201, Ph.: (503) 416-3256, Fax: (503) 228-8182, Rena.gill@ihs.gov.

Please Circle One Response for Each Statement Below:

Yes No I will participate in the surveys. NIJC may use my responses for SV/IPV research purposes.

SIGNATURE: _____

DATE: _____



Consent Form

(Southwest Region)

The National Indian Justice Center (NIJC) received a grant from the Centers for Disease Control and Prevention (CDC) to develop a Sexual Violence and Intimate Partner Violence (SV/IPV) Prevention Curriculum. NIJC will use surveys to conduct research about SV/IPV awareness and to evaluate the curricula. NIJC will ask for volunteers to complete a survey before and after each section of this training session.

You may still attend the training session if you do not volunteer to complete the surveys. Volunteers will complete surveys before and after each section of this training session. Each survey should take fifteen minutes to complete. Your responses will be used for evaluation and research purposes only. NIJC will assign volunteers a code number for identification. Your name, contact information, survey responses and consent forms will be kept confidential.

For questions about this project, contact Raquelle Myers at National Indian Justice Center, 5250 Aero Drive, Santa Rosa, California, 94952, Ph.: (707) 579-5507, Fax: (707) 579-9019 or E-Mail: nijc@aol.com. For other concerns, contact Augusta Hays, Chair, Phoenix Area IHS-IRB, Two Renaissance Square, 40 North Central Avenue—Suite 600, Phoenix, AZ 85004, Ph.: (602) 364-5047 or (602) 364-5039, Augusta.hays@ihs.gov. For Tucson Area, contact Phillip Smith, MD, Chair, HIS National IRB, c/o Juanita Neconie, 801 Thompson Ave., TMP, Suite 450, Rockville, MD 20852, Ph: (301) 443-4700, Fax: (301) 443-0114, Phillip.smith@ihs.gov.

Please Circle One Response for Each Statement Below:

| | | |
|-----|----|--|
| Yes | No | I will participate in the surveys. NIJC may use my responses for SV/IPV research purposes. |
|-----|----|--|

SIGNATURE: _____

DATE: _____



Consent Form

(Nebraska/Plains Region)

The National Indian Justice Center (NIJC) received a grant from the Centers for Disease Control and Prevention (CDC) to develop a Sexual Violence and Intimate Partner Violence (SV/IPV) Prevention Curriculum. NIJC will use surveys to conduct research about SV/IPV awareness and to evaluate the curricula. NIJC will ask for volunteers to complete a survey before and after each section of this training session.

You may still attend the training session if you do not volunteer to complete the surveys. Volunteers will complete surveys before and after each section of this training session. Each survey should take fifteen minutes to complete. Your responses will be used for evaluation and research purposes only. NIJC will assign volunteers a code number for identification. Your name, contact information, survey responses and consent forms will be kept confidential.

For questions about this project, contact Raquelle Myers at National Indian Justice Center, 5250 Aero Drive, Santa Rosa, California, 94952, Ph.: (707) 579-5507, Fax: (707) 579-9019 or E-Mail: nijc@aol.com. For other concerns, contact John Blackhawk, Chair, Winnebago Tribal Council and IRB, P.O. Box 687, Winnebago, NE 68071, Phone: (402) 878 22723, chairman@winnebagotribe.com.

Please Circle One Response for Each Statement Below:

Yes No I will participate in the surveys. NIJC may use my responses for SV/IPV research purposes.

SIGNATURE: _____

DATE: _____



Section 2—Pre-Test

This voluntary survey is about the definitions of sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about SV/IPV definitions and how much it occurs in tribal communities. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| 1 | Sexual Violence must include physical contact between at least two people. | | | | | | |
| 2 | Emotional abuse is not a form of Intimate Partner Violence. | | | | | | |
| 3 | Alaska has one of the highest rates of rape among the United States. | | | | | | |
| 4 | Sexual Assault by an intimate partner happens more frequently among American Indians than other racial/ethnic groups. | | | | | | |
| 5 | Most of the Sexual Assault occurring in Indian Country involves excessive alcohol consumption. | | | | | | |
| 6 | In a survey, more than 30% of Native American women reported that they experienced rape or attempted rape in their lifetime. | | | | | | |
| 7 | Intimate partner violence results in physical injuries, emotional injuries, economic impacts to the victim and the family. | | | | | | |

Section 2—Post-Test

This voluntary survey is about the definitions of sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about SV/IPV definitions and how much it occurs in tribal communities. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

| Read the following statements and indicate your response by marking an X in the appropriate corresponding box. | | | | | | | |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
| 1 | Sexual Violence must include physical contact between at least two people. | | | | | | |
| 2 | Emotional abuse is not a form of Intimate Partner Violence. | | | | | | |
| 3 | Alaska has one of the highest rates of rape among the United States. | | | | | | |
| 4 | Sexual Assault by an intimate partner happens more frequently among American Indians than other racial/ethnic groups. | | | | | | |
| 5 | Most of the Sexual Assault occurring in Indian Country involves excessive alcohol consumption. | | | | | | |
| 6 | In a survey, more than 30% of Native American women reported that they experienced rape or attempted rape in their lifetime. | | | | | | |
| 7 | Intimate partner violence results in physical injuries, emotional injuries, economic impacts to the victim and the family. | | | | | | |

Section 3—Pre-Test

This voluntary survey is about the conflict resolution. This survey contains questions about what you currently know about conflict resolution and how it may be used to prevent violence. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Dis-agree | Strongly Disagree | Un-sure |
|---|---|----------------|-------|---------|-----------|-------------------|---------|
| 1 | Violent conflict may arise due to just a difference in perception. | | | | | | |
| 2 | If there is a conflict, there will always be violence. | | | | | | |
| 3 | Emotions often impact our choice to use violence in a situation. | | | | | | |
| 4 | To prevent violence from occurring, we must stop and determine our differences in perception. | | | | | | |
| 5 | I am a good listener. | | | | | | |

Section 3—Post-Test

This voluntary survey is about the conflict resolution. This survey contains questions about what you currently know about conflict resolution and how it may be used to prevent violence. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Dis-agree | Strongly Disagree | Un-sure |
|---|---|----------------|-------|---------|-----------|-------------------|---------|
| 1 | Violent conflict may arise due to just a difference in perception. | | | | | | |
| 2 | If there is a conflict, there will always be violence. | | | | | | |
| 3 | Emotions often impact our choice to use violence in a situation. | | | | | | |
| 4 | To prevent violence from occurring, we must stop and determine our differences in perception. | | | | | | |
| 5 | I am a good listener. | | | | | | |

Section 4—Pre-Test

This voluntary survey is about the definitions of sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about SV/IPV definitions and how much it occurs in tribal communities. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|---|----------------|-------|---------|----------|-------------------|--------|
| 1 | A mentoring program for men and boys should include action oriented activities. | | | | | | |
| 2 | A mentoring program for males should not include women mentors. | | | | | | |
| 3 | Mentoring programs should be used as diversion programs by the tribal court. | | | | | | |
| 4 | The Fatherhood is Sacred program focuses on developing honor and integrity. | | | | | | |
| 5 | Mentoring programs are an effective tool for young men only. | | | | | | |
| 6 | Mentoring programs are an effective tool for young fathers. | | | | | | |
| 7 | Mentoring programs will not work for older men. | | | | | | |

Section 4—Post-Test

This voluntary survey is about developing mentoring programs for men and boys. This survey contains questions about what you currently know about developing mentoring programs. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Dis-agree | Strongly Disagree | Un-sure |
|---|---|----------------|-------|---------|-----------|-------------------|---------|
| 1 | A mentoring program for men and boys should include action oriented activities. | | | | | | |
| 2 | A mentoring program for males should not include women mentors. | | | | | | |
| 3 | Mentoring programs should be used as diversion programs by the tribal court. | | | | | | |
| 4 | The Fatherhood is Sacred program focuses on developing honor and integrity. | | | | | | |
| 5 | Mentoring programs are an effective tool for young men only. | | | | | | |
| 6 | Mentoring programs are an effective tool for young fathers. | | | | | | |
| 7 | Mentoring programs will not work for older men. | | | | | | |

Section 5—Pre-Test

This voluntary survey is about programs that may help to improve tribal community response to sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about the Juvenile Crime Prevention and Burns Institute Programs. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| 1 | JCP system allows for entry of data concerning youth. | | | | | | |
| 2 | The JCP system analyzes the data to determine risk factors for criminal behavior. | | | | | | |
| 3 | JCP data about individuals is confidential. | | | | | | |
| 4 | The BI model is based upon the Juvenile Detention Alternatives Initiative. | | | | | | |
| 5 | Community mapping serves to create a more active link between the individual and the community. | | | | | | |
| 6 | Community mapping identifies and directs resources to areas where crime is occurring in the community. | | | | | | |
| 7 | Community mapping is an expensive intervention. | | | | | | |

Section 5—Post-Test

This voluntary survey is about programs that may help to improve tribal community response to sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about the Juvenile Crime Prevention and Burns Institute Programs. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

| Read the following statements and indicate your response by marking an X in the appropriate corresponding box. | | | | | | | |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
| 1 | JCP system allows for entry of data concerning youth. | | | | | | |
| 2 | The JCP system analyzes the data to determine risk factors for criminal behavior. | | | | | | |
| 3 | JCP data about individuals is confidential. | | | | | | |
| 4 | The BI model is based upon the Juvenile Detention Alternatives Initiative. | | | | | | |
| 5 | Community mapping serves to create a more active link between the individual and the community. | | | | | | |
| 6 | Community mapping identifies and directs resources to areas where crime is occurring in the community. | | | | | | |
| 7 | Community mapping is an expensive intervention. | | | | | | |

Section 6—Pre-Test

This voluntary survey is about developing tribal laws that address sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about tribal code development and revision. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| 1 | Local law enforcement doesn't take sexual violence or intimate partner violence | | | | | | |
| 2 | Protection Orders are effective ways of reducing further sexual violence. | | | | | | |
| 3 | Cases involving Intimate partner violence are rarely prosecuted. | | | | | | |
| 4 | The Violence Against Women Act provides for full faith and credit for tribal protection orders in state courts. | | | | | | |
| 5 | Victim support services may increase the number of prosecutions of sexual violence cases. | | | | | | |
| 6 | The role of the court in a sexual violence case includes rehabilitating the person who committed the violence. | | | | | | |
| 7 | Tribal code provisions must be tailored to fit the support and rehabilitative resources available within and near the community. | | | | | | |

Section 6—Post-Test

This voluntary survey is about developing tribal laws that address sexual violence and intimate partner violence (SV/IPV). This survey contains questions about what you currently know about tribal code development and revision. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Dis-agree | Strongly Disagree | Un-sure |
|---|--|----------------|-------|---------|-----------|-------------------|---------|
| 1 | Local law enforcement doesn't take sexual violence or intimate partner violence | | | | | | |
| 2 | Protection Orders are effective ways of reducing further sexual violence. | | | | | | |
| 3 | Cases involving Intimate partner violence are rarely prosecuted. | | | | | | |
| 4 | The Violence Against Women Act provides for full faith and credit for tribal protection orders in state courts. | | | | | | |
| 5 | Victim support services may increase the number of prosecutions of sexual violence cases. | | | | | | |
| 6 | The role of the court in a sexual violence case includes rehabilitating the person who committed the violence. | | | | | | |
| 7 | Tribal code provisions must be tailored to fit the support and rehabilitative resources available within and near the community. | | | | | | |

Section 7—Pre-Test

This voluntary survey is about dating violence and the public campaign on dating violence entitled Choose Respect. This survey contains questions about what you currently know about dating violence and the Choose Respect. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| 1 | Nearly 80% of girls who have been physically abused in their dating relationships | | | | | | |
| 2 | Teen dating abuse most often takes place in the home of one of the partners. | | | | | | |
| 3 | Dating abuse can lead to long-term problems including suicide attempts. | | | | | | |
| 4 | In the long term, a person who abuses their dating partner may end up suspended from school. | | | | | | |
| 5 | Parents are a key component in preventing dating abuse among their children. | | | | | | |
| 6 | Respect means showing consideration for the feelings and well-being of another person. | | | | | | |
| 7 | Each person has the right to not be sexually abused. | | | | | | |

Section 7—Post-Test

This voluntary survey is about dating violence and the public campaign on dating violence entitled Choose Respect. This survey contains questions about what you currently know about dating violence and the Choose Respect. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

| Read the following statements and indicate your response by marking an X in the appropriate corresponding box. | | | | | | | |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
| 1 | Nearly 80% of girls who have been physically abused in their dating relationships | | | | | | |
| 2 | Teen dating abuse most often takes place in the home of one of the partners. | | | | | | |
| 3 | Dating abuse can lead to long-term problems including suicide attempts. | | | | | | |
| 4 | In the long term, a person who abuses their dating partner may end up suspended from school. | | | | | | |
| 5 | Parents are a key component in preventing dating abuse among their children. | | | | | | |
| 6 | Respect means showing consideration for the feelings and well-being of another person. | | | | | | |
| 7 | Each person has the right to not be sexually abused. | | | | | | |

Section 8—Pre-Test

This voluntary survey is about developing a positive tribal identity. This survey contains questions about what you currently know about youth and tribal identity issues. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

What is your age range:

____ Male or ____ Female

____ 10—15 years old

____ 16—21 years old

____ Indian or ____ Non-Indian

____ 22—30 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|---|----------------|-------|---------|----------|-------------------|--------|
| 1 | Rap music with tribal language is a positive expression of tribal identity. | | | | | | |
| 2 | Break-dance is a positive expression of tribal culture. | | | | | | |
| 3 | Identity is the individual characteristics by which we want to be known. | | | | | | |
| 4 | Culture can be defined as a particular society at a particular time and place. | | | | | | |
| 5 | As an individual my identity helps to define my culture. | | | | | | |
| 6 | As an individual my identity may impact other individuals in a positive and negative way. | | | | | | |
| 7 | It is my responsibility to participate in my culture. | | | | | | |

Section 8—Post-Test

This voluntary survey is about developing a positive tribal identity. This survey contains questions about what you currently know about youth and tribal identity issues. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

| Read the following statements and indicate your response by marking an X in the appropriate corresponding box. | | | | | | | |
|---|---|----------------|-------|---------|----------|-------------------|--------|
| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
| 1 | Rap music with tribal language is a positive expression of tribal identity. | | | | | | |
| 2 | Break-dance is a positive expression of tribal culture. | | | | | | |
| 3 | Identity is the individual characteristics by which we want to be known. | | | | | | |
| 4 | Culture can be defined as a particular society at a particular time and place. | | | | | | |
| 5 | As an individual my identity helps to define my culture. | | | | | | |
| 6 | As an individual my identity may impact other individuals in a positive and negative way. | | | | | | |
| 7 | It is my responsibility to participate in my culture. | | | | | | |

Section 9—Pre-Test

This voluntary survey is about fetal alcohol syndrome (FAS) and sexual violence/intimate partner violence (SV/IPV). This survey contains questions about what you currently know about FAS and SV/IPV. We will ask the same questions after you finish this section to measure whether this training helped to increase your knowledge. Return your completed Pre-Test to the trainer.

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Are you:

____ Male or ____ Female

____ Indian or ____ Non-Indian

What is your age range:

____ 10—15 years old

____ 22—30 years old

____ 16—21 years old

____ 30+ years old

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Dis-agree | Strongly Disagree | Un-sure |
|---|--|----------------|-------|---------|-----------|-------------------|---------|
| 1 | I can tell if a person has FAS by looking at him/her. | | | | | | |
| 2 | The type of damage alcohol exposure causes to the brain is permanent but not | | | | | | |
| 3 | A person with FAS will not grow out of the condition. | | | | | | |
| 4 | A person with FAS may have the characteristic of being excessively friendly. | | | | | | |
| 5 | A person with FAS may be more at risk of being a victim of sexual violence. | | | | | | |
| 6 | A person with FAS may be more at risk of committing sexual violence. | | | | | | |
| 7 | A person with FAS will have difficulty explaining whether sexual | | | | | | |

Section 9—Post-Test

This voluntary survey is about fetal alcohol syndrome (FAS) and sexual violence/intimate partner violence (SV/IPV). This survey contains questions about what you currently know about FAS and SV/IPV. Return your completed Post-Test to the trainer. Thank you!

To compare your answers, we need to create a unique code for you:

What is the first letter of your last name? _____

What is the first letter of the month that you were born? _____

On what day were you born? (01—31) _____

Read the following statements and indicate your response by marking an X in the appropriate corresponding box.

| # | Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree | Unsure |
|---|--|----------------|-------|---------|----------|-------------------|--------|
| 1 | I can tell if a person has FAS by looking at him/her. | | | | | | |
| 2 | The type of damage alcohol exposure causes to the brain is permanent but not | | | | | | |
| 3 | A person with FAS will not grow out of the condition. | | | | | | |
| 4 | A person with FAS may have the characteristic of being excessively friendly. | | | | | | |
| 5 | A person with FAS may be more at risk of being a victim of sexual violence. | | | | | | |
| 6 | A person with FAS may be more at risk of committing sexual violence. | | | | | | |
| 7 | A person with FAS will have difficulty explaining whether sexual | | | | | | |

Table of Curriculum Revisions

| <u>Section</u> | <u>Title and Description of Revision</u> | <u>Rev. Date</u> |
|----------------|---|------------------|
| 1 | Introduction <ul style="list-style-type: none"> • Purpose of this Training Curriculum • Goals and Objectives • Voluntary Pre- and Post- Tests | 3/06 |
| 2 | Defining Violence in Tribal Communities <ul style="list-style-type: none"> • What is Sexual Violence? • What is Intimate Partner Violence • Understanding Sexual Violence Facts at a Glance (2008) • Understanding Intimate Partner Violence (2006) • What is Violence Prevention? • Identifying the Risk Factors for SV/IPV • What are Protective Factors? • Identifying the Emotions that may Impact the Choice to use Violence | 3/06 6/08 |
| 3 | Resolving Conflicts <ul style="list-style-type: none"> • The Complexity of Human Emotion Word Search • Word Search Answer Key • What is Conflict? • Spectrum of Emotion • Identifying the Emotions that Impact our Choices • What Emotions may Impact our Choice to Use Violence • How do we Resolve Conflict? • An Excerpt from the Gift of Fear by Gavin de Becker | 3/06 4/07 |
| 4 | Building the Community Web <ul style="list-style-type: none"> • Developing Mentoring Programs for Native Boys and Men • Fatherhood is Sacred Program ADDED IN MAY 2008 BASED ON WIN-NEBAGO ONSITE RESPONSE | 3/06 5/08 |
| 5 | Improving the Community Response to Violence <ul style="list-style-type: none"> • Juvenile Crime Prevention (JCP) Risk Screen and Assessment • Haywood Burns Institute (BI) Approach to Reducing Disproportionate Minority Confinement • Mapping Violence Exercise | 3/06 |
| 6 | Developing Tribal Code Provisions that Address SV/IPV <ul style="list-style-type: none"> • Developing SV/IPV Tribal Code Provisions | 3/06 |



Table of Curriculum Revisions

| <u>Section</u> | <u>Title</u> | <u>Rev. Date</u> |
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| 7 | Dating Violence and the Choose Respect Campaign <ul style="list-style-type: none"> • What is Dating Violence • What is a Healthy Relationship? • Storyboarding Exercise | 3/06 2/07 |
| 8 | Developing a Positive Identity <ul style="list-style-type: none"> • When Your Hands Are Tied • When Your Hands Are Tied Exercise | 11/08 |
| 9 | Understanding FAS and SV/IPV <ul style="list-style-type: none"> • If I Only Knew Video Presentation | 3/06 |
| 10 | Tribal Inventories <ul style="list-style-type: none"> • Developing a Tribal Inventory of SV/IPV Prevention Program Components | 11/05 |
| 11 | SV/IPV Resources <ul style="list-style-type: none"> • Tribal Sexual Assault Coalitions • NJC SV/IPV Resource Database | 11/05 |
| 12 | Administration <ul style="list-style-type: none"> • Curriculum Revision Table • Recent Articles & Materials for Incorporation into Turning Points | |
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