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DEPARTMENT OF JUSTICE
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**Montana DOJ Sexual Assault Kit Initiative
Training Report: Responding to Sexual Assault in Tribal Communities**

The Montana Department of Justice (DOJ) Sexual Assault Kit Initiative (SAKI) hosted “Responding to Sexual Assault” trainings for seven Montana tribal communities throughout the state. The objectives for these trainings were universal and were developed after MT SAKI outreach efforts in Fall 2023. They included:

- Foundational Sexual Assault Investigation Techniques and Language.
- The neurobiology of trauma.
- Survivor-Centered Response Awareness.
- Trauma Informed Interviewing.
- Accessing resources for victims.
- Sharing resources/protocols with other sexual assault responders.

Although the training objectives were universal, the training at each tribal community varied based on the roles of the responders and the most prevalent concerns in the community. Below is a summary of the seven trainings:

Blackfeet Reservation: Browning, MT

Number of Participants: 24

The training team at the Blackfeet Indian Reservation requested that DOJ partner with Blackfoot Eco Knowledge to provide a two-day training. Blackfoot Eco Knowledge conducted Cultural Responsiveness Training, providing a historical background for the obstacles facing Native people. This included legislation, court decisions, and historical abuse that exacerbate sexual assault response in tribal communities, including jurisdictional issues, historical trauma, sentencing limitations by tribal courts and distrust in government entities that are designed to support survivors. This background prior to the sexual assault response training proved invaluable. The audience was largely medical staff and social services (working primarily with youth).

The training informed participants about the following:

- Montana Department of Justice Sexual Assault Kit Initiative.
- Montana statutes and tribal statutes surrounding sexual assault.
- Thorough review of consent and what it means and doesn't mean.
- Up-to-date analysis regarding Computer Sex Crimes in our community.

The community identified additional strategies for future training:

- A robust training in middle schools and high schools about consent regarding sexual contact.
- More SANE trained emergency nurses.
- Possible one- to two-hour Zoom sexual assault response trainings for law enforcement to accommodate their current schedule.

- Officer exchange program, where tribal law enforcement could shadow officers in larger communities to learn their protocols and officers from non-tribal communities could learn the obstacles/cultural intricacies facing tribal officers.

Fort Belknap Reservation: Harlem, MT

Number of Participants: 41

The Fort Belknap Reservation training had representatives from the medical, law enforcement, advocacy and judicial communities. This one-day training was largely focused on how to better respond as a Sexual Assault Response Team rather than individual entities when responding to sexual assault. The strength of this presentation was the ability for each represented group to discuss both what they could contribute to other team members as well as the obstacles they face with sexual assault response. Most of the advocates and medical staff were not aware of the limitations of the tribal courts when the federal government refuses a case (specifically, the maximum one-year sentence). This information proved vital to increase communication and trust between the different responders. The DOJ trainer spent significant time talking about the elements of a strong investigation. However, many of the comments from non-law enforcement personnel included a new appreciation for trauma informed conversation and allowing the survivor space to be “the expert in their own story.”

Next steps identified by participants:

- Twenty-four-hour sexual assault advocate response.
- Partnership with sexual assault advocates in Helena, MT to learn new protocols/practice for SA response.
- Increased collaboration with federal government (FBI investigators, specifically) to respond to tribal sexual assaults.
- Renewed efforts to identify Sexual Assault Response Team members to create a more coordinated response.
- Community education regarding response efforts, tribal strengths and limitations, and services available in the community.
- Reliance on Montana Sexual Assault kits instead of federal kits so survivors have access to FREPP.

Fort Peck Reservation: Poplar, Mt

Number of Participants: 26

The Fort Peck Reservation training had responders from the medical, law enforcement, advocacy, and judicial communities. Tribal school counselors were also in attendance. This training largely focused on the definition of consent, elements of the investigation, and providing a trauma informed response to sexual assault survivors. The strength of this training was in the diversity of the responders in attendance. Although many were already members of a very strong sexual assault response team, they identified a need to revisit their protocols . Fort Peck is one of very few tribal communities throughout the nation piloting a program where non-Native individuals can be tried in tribal courts. They are also the only tribal court in the state that can hand down a sentence longer than one year. A sentence can be up to three years if they can show just cause. Fort Peck was utilizing much of the information from the Sexual Assault Response training for an upcoming Tribal Justice Conference.

Next Steps Identified by Participants:

- Training for middle and high school students re: consent, the sexual assault trauma response, and community resources after an assault.
- Using the “Responding to Sexual Assault” law enforcement training guide to revisit SART team protocols.

- Clear delineation of responder responsibilities and communication of those responsibilities to all team members.

Chippewa Cree Reservation (Rocky Boy): Box Elder, MT

Number of Participants: 38

The Chippewa Cree training was unique in that all officers were required to attend the training. This included a local FBI special agent as well as tribal and federal victim specialists. Many social service workers from the nearby community of Havre came, as well. Rounding out the training participants were medical professionals (including EMT's), tribal social workers and victim specialists, tribal court personnel, community therapists and tribal council members. In the training feedback forms, participants talked about gaining a better understanding of consent, of the phases of investigation, and of trauma response. Many officers also talked about learning better protocols for handling technology in sex crime cases and the importance of including advocates in their work. Several medical personnel learned about the importance of performing sexual assault exams closer to home and are making that a priority in their community.

Next Steps Identified by Participants:

- Developing sexual assault investigation protocols.
- SANE training for a physician and a nurse practitioner at the tribal clinic.
- Education/outreach to local high school and college students about sexual assault, consent and ways to support a survivor.
- Better awareness of the tribal MDT and who should be included in the team.

CSKT (Flathead) Reservation: Pablo, MT

Number of Participants: 57

The Confederated Salish Kootenai Tribal training was the largest training and included the most nontribal participants. Law enforcement officers from seven different agencies were represented, including three chiefs of police. Similarly, medical personnel and advocates from both tribal and community organizations were in attendance. Prosecutors from Lake County and attorneys from a community advocacy organization were also present. Many of the responders were experienced in responding to sexual assault. The training feedback form responses varied by responder discipline. Universally, responders discussed a renewed appreciation and understanding of other responder roles. Law enforcement and prosecutors appreciated the refresher on trauma informed practice and the Investigating Sexual Assault Curriculum Guide developed under the 2018 MT DOJ SAKI grant. Advocates and medical personnel felt a better understanding of the MT sexual assault statutes and of the neurobiology of trauma.

Next Steps Identified by Participants:

- Law Enforcement agencies planned to use the curriculum guide to revise response protocols and department training.
- Development of distinct protocols for disclosures from minors, with a clear distinction between protocols for acute sexual assault victims and historical sexual assault victims.
- Renewed partnerships between law enforcement and local advocacy organizations.
- Trauma informed interviewing training for all local responders from a forensically trained interviewer in the community.
- More resources for victims from the Office of Victim Rights and Montana Legal Services.

Northern Cheyenne Reservation: Lame Deer, MT

Number of Participants: 23

The Northern Cheyenne participants were primarily comprised of medical, social services, and tribal law enforcement officers. However, this was the only training with a federal prosecutor in attendance. In

addition, representatives from the Montana Board of Crime Control attended the training; both to learn and to network with tribal responders. The Northern Cheyenne community has a strong Sexual Assault Response Team. Medical responders, law enforcement, and victim services work well together and with the federal government to support victims in both acute and historical cases. However, they appreciated the reminder about the neurobiological response to trauma and the connection to victim rights resources like Montana Legal Services, the Office of Victim Services, and the Montana Board of Crime Control.

Next Steps Identified by Participants:

- Increased use of Office of Victim Services resources, including restitution, FREPP, and victim's compensation resources.
- Extended support/response from Federal Prosecutor offices when adult sexual assault cases are charged.
- Continued efforts to partner with BIA law enforcement, who are currently isolated from the tribal NICS units and the FBI.
- Increased efforts to support victims after an assault, including efforts to educate family members/support system about mental health challenges following an assault.

Crow Reservation: Crow Agency, MT

Number of Participants: 27

The Crow Sexual Assault Response training was unique in that even though it is a federally managed reservation, Crow BIA officers work in concert with FBI, county, and local city police to respond to sexual assault. These entities have vastly different response backgrounds. A common foundation regarding law enforcement response is one of the community's biggest needs, and all responders were in attendance. In addition, there were federal, BIA, and local social service providers, medical providers, representatives from the tribal college, and representatives from the MT Board of Crime Control, Montana Legal Services, and the Office of Victim Services.

Next Steps Identified by Participants:

- More consistent protocols for sexual assault investigation based on the Investigating Sexual Assault Curriculum.
- SANE services at Indian Health Services to decrease long travel to Billings, MT.
- More in-depth education re: consent and sexual assault laws during Title IX training at Little Big Horn College.
- More trauma informed practices by first responders/investigators at the tribal, county and federal levels.

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