



CANGLESKA, INC.

Serving the Oglala Lakota Nation

presents

**A TRIBAL
COORDINATED
COMMUNITY RESPONSE
TO STOP VIOLENCE
AGAINST
NATIVE WOMEN**

WOMEN ARE SACRED CONFERENCE

***Key Issues and Practices in Indian Country Ending Violence
Against Native Women***

CANGLESKA, INC.

presents

WORKSHOP ON WHEELS

**“A Tribal Coordinated Community Response to Stop Violence
Against Native Women”**

This project was supported by Grant No. 95-WT-NX-K001 and 98-WT-VX-K001 awarded by the Violence Against Women Grants Office, Office of Justice Programs, U.S. Department of Justice.

The information distributed in this activity by Cangleska, Inc. is provided as part of our effort to provide training and technical assistance to Native American communities and organizations seeking to end violence against Native women. Points of view expressed and materials distributed do not necessarily reflect the opinions of Cangleska, Inc. or the Department of Justice.



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Serving the Oglala Lakota Nation

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November 1998

Dear Friend,

We extend a heartfelt handshake to each of you. We welcome you to the Pine Ridge reservation, home of the Oglala Lakota. We are honored that the Violence Against Women Grants Office saw something in our work that was worth sharing with you. We've thought long and hard about what it is they saw and what we might share.

We believe our organizational strength lies, first and foremost, in our perception of and pride in ourselves as advocates for Oglala women who are battered and their children. Our organization is staffed by native people and we believe in our culture and traditions.

We put the finishing touches on this manual when the offices are closed and we have a chance for uninterrupted time. It's quiet outside, and occasional dog barks. But even now we are reminded of the suffering of Oglala women because the telephone rings. It is a hysterical woman: "We just had a big fight. I can't do anything right. He wants me to be a puppet. Why does he think he gets to control me? I've tried everything to please him but I can't. I don't know what to do. We have kids."

No physical violence but the same words, the same name-calling, the same feelings of confusion and despair. Just as if she had been hit. In the quiet of the night and the darkness of her despair, we feel her pain at the use of nonphysical tactics of violence. The pain lingers, to diminish her and the essence of who she is as an Oglala woman.

Grandma used to tell us when we were little that we needed to take the sticks out of our ears and listen. We are asking you, in a good way, to take the sticks out of your ears and hear the cries of native women.

Some days it's pretty scary and we feel overwhelmed. But then we remember and remind each other that we have knowledge of a way of life when women could walk freely and weren't afraid of their own.

So, we offer you the best of who we are and what we have, as relatives, knowing that it's not enough because the phone is still ringing and women and children are still crying. Take whatever you can from us no matter how much or how small and remember us. Share with us your best and we will stand strong together. We can stop violence against native women!

Women Are Sacred - Violence is not Lakota Tradition

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CANGLESKA, INC. MISSION STATEMENT

Cangleska, Inc. recognizes that violence against women is not a random state but is, in fact, a system of behaviors and tactics used to obtain and maintain power and control over women, as individuals or as a group.

Cangleska, Inc. believes that violence against indigenous/Lakota women is not traditional to our culture and lifeway teachings. We believe that violence against Oglala women has its roots in the colonization of native peoples after genocide failed.

We do not define violence against indigenous women as a problem within a relationship or a pathology of an individual perpetrator. Again, it is perpetuated and maintained through society and institutions and is the same dynamic that perpetuates other forms of oppression, i.e., racism, classism, ageism, homophobia, able-bodyism, adultism, etc.

We are committed to providing shelter, safety, and advocacy for individuals victimized by violence. We recognize the necessity of a coordinated community response to stop violence against Oglala women that will develop effective partnerships with systems in our community.

At the same time, we recognize that creating an appropriate systems' response may or may not make for a significant enough change to stop violence against women. Therefore, we are also dedicated to exploring and creating actions that will move us toward a social transformation that will provide equity for women. We actively seek methods and processes that will facilitate nonviolent human interaction.

We have internalized our oppression. Consequently, it is also the mission of Cangleska, Inc. to support each other in our exploration of ourselves and our attachment to beliefs that justify our own oppression and the oppression of others. As we work to transform the world into a circle of peace and harmony, individual responsibility and self-growth is essential.

As Lakota people we have survived. In keeping with our culture, we are expected to conduct ourselves ethically, and as employees of Cangleska, Inc. we expect to interact with each other in the spirit of unity and mutual respect.

INTRODUCTION

“It is important that we examine our past and know where we were, understand how we got to be where we are today and celebrate that the solutions to the problems of today can be found in who we are as Lakota People.”

Violence is Not L/Dakota Tradition, Cangleska, Inc.

One of the most devastating and unacknowledged impacts of colonization for the Oglala Lakota is the issue of violence against Oglala women. It is generally acknowledged that domestic violence did not exist in pre-colonized Lakota society. However, violence against the Lakota woman was the exception not the rule and consequences for violence were swift and harsh. The importance of the issue is evidenced by the inclusion of a domestic violence situation on a winter count. The winter count depicts it as the most catastrophic or significant event of the year for the tribe. The consequence for the abusive male partner, as depicted in the winter count, was death.

Tribal elders trace the origins of violence against Oglala women to the violence perpetrated against boys and girls alike in boarding schools, alcohol, and the “worldliness” that Oglala men brought back from U.S. war and military service experiences. These experiences changed the power relationship between Oglala women, men, and children. The disempowerment of Oglala women within their own families and communities is simultaneous with colonization and tribal contact with non-native men. Oglala men began to receive messages that women were unimportant and their role was to be subservient to men.

SOVEREIGNTY	
General definition: “1. Supremacy of authority or rule. 2. Royal rank, authority or power. 3. Complete independence and self-government.” <small>(American Heritage Dictionary)</small>	
TRIBAL SOVEREIGNTY:	NATIVE WOMEN'S SOVEREIGNTY:
All Tribal Nations possess or have a right to:	All Native Women possess or have a right to:
1) a land-base	1) her own unique path in Life without fear, but with freedom
2) self-government	2) self-governance: to make her own decisions, without others' approval or agreement. This includes spending money, having/ending relationships (including sexual), choosing what support she wants, choosing what ways and when support will be given, and also how she dresses and where she lives.
3) an economic base and resources	3) resources she needs in order to walk her path in the way she wants. This includes housing, food, clothes, transportation and other necessities, as well as the right to accurate information and respectful, non-resources that support her chosen life way, including the practice of her spiritual ways.
4) a distinct language and historical and cultural identity	4) speak freely for herself in her own way, to define her own reality, experiences and womanhood for herself.
Colonization and violence against native people means that power and control have been stolen.	Violence against women and victimization in general, means that power and body have been stolen.
As native people, we have the right and responsibility to advocate for ourselves and our relatives in supporting our right to power and control over our tribal life way and land (tribal sovereignty).	As relatives of women who have been victimized, it is our right and responsibility to be advocates supporting every woman's right to power and control over her body and life (her personal sovereignty).

Oglala men have internalized this message of male dominance, privilege and entitlement. The result is the colonization of Oglala women by Oglala men. The loss of personal sovereignty as women and disrespect for the power of the feminine has plunged the Oglala Lakota Nation into violence that is devastating not only to Oglala families and communities, but is destructive to the very fabric that makes us who we are as indigenous people.

WORKSHOP ON WHEELS

This manual is designed to provide you with information about the work we are doing on the Pine Ridge Indian reservation to stop violence against Oglala women. It is a work in progress, challenged to survive the nature of the work, the instability of our own infrastructure and the politics that pervade any development process.



We assume that you have a basic foundation of the tactics of violence used to control women and their children. We assume you also have received information about coordinated community response. Consequently, we have not included this basic information about why native women stay and why native men batter.

The Oglala Sioux Tribe has all components of a western criminal justice system – law enforcement, detention, prosecution, and courts. Lacking adequate resources and dealing with overwhelming numbers, this system has done its best to respond to the needs of the Oglala people. The culture and spirituality of the Lakota people are woven throughout this system into a viable system that reflects the very best of whom we are as Lakota people.

As grassroots Oglala people, we took the initiative and developed a domestic violence program. You will notice that this manual describes our advocacy efforts first. We are concerned that advocates will be pushed away as dollars are made available to the criminal justice system to address the issue of violence against native women.

All Cangleska, Inc. employees are, first and foremost, advocates, and advocacy is the foundation for our development. We encourage you to value the knowledge and understanding that advocates can lend to the development of a tribal coordinated community response.

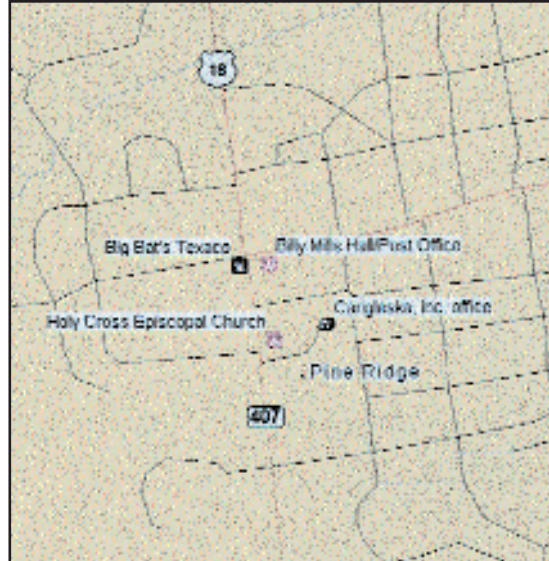
“Let us put our hearts and minds together and see what kind of future we can make for our children.”

— *Sitting Bull*

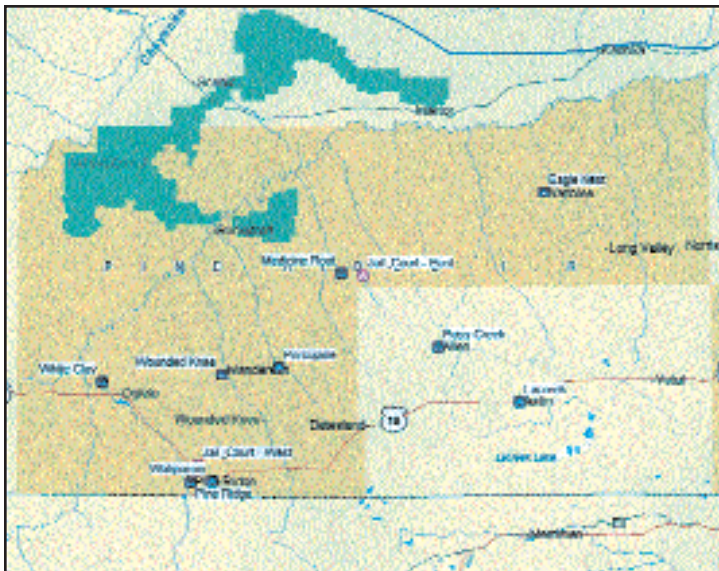
DEMOGRAPHICS

The Pine Ridge Indian reservation is located in the southwestern corner of the state of South Dakota. The reservation land base is over 2.7 million acres and spans three counties. The Pine Ridge is home to the Oglala Lakota People and is the second largest reservation in the United States with a membership of 39,000 enrolled tribal members.

Tribal citizenry from nine political subdivisions elect the seventeen (17) member Oglala Sioux Tribal Council. The council provides administration and legislation for the tribe. There is a five-member (5) executive committee, President, Vice-President, Treasurer, and Fifth Member, who is responsible for the day-to-day operations of the tribe.



The Oglala Sioux Tribe operates its own independent criminal justice system, which includes law enforcement and judicial agencies. Public Safety, the tribe's law enforcement services, has nine



substations (one in each district) with jails in Pine Ridge (western) and Kyle (eastern). There are two courts that service the Pine Ridge, one in Kyle and one in Pine Ridge. Both law enforcement and criminal justice systems operate under the jurisdiction of the tribal council's Judiciary Committee.

The average income on the Pine Ridge is less than \$4,000/year; alcoholism and unemployment are estimated at 85%. Approximately 60% of families are single female head of household; 40% are first language Lakota speakers. Less than 40% have completed a 12th grade education and the average reading level is less than 6th grade.

ALCOHOL

Alcohol use and possession is against the law on the Pine Ridge Indian reservation. This law contributes to the high rates of arrest of men who batter even though the original call may not be about domestic violence. Dispatch may receive a call about a party; law enforcement finds evidence of an assault against a woman.



Cangleska, Inc. recognizes that many Oglala men who batter have dual problems with alcohol abuse/alcoholism and violence against women. We also know that a person who stops drinking may continue to be physically violence or increase the use of non-physical tactics of violence.

Alcohol can also make the violence more unpredictable and severe. Alcoholic women who are battered are particularly vulnerable because they are more likely to fight back, and consequently, will receive greater injuries. She may be physically forced to drink with him; intimidated into drinking with him, and may lie about her use of alcohol to manipulate the system into colluding with him.

“He went to the court and said I was drinking. He got emergency custody of the kids and now I’m in this big mess trying to get my kids back. I’m no saint but the worst part of this is that I wasn’t even drinking.”

— *Battered Oglala Woman*

It is a well-known fact that women’s chemical dependency problems are directly related to victimization. Alcohol does not cause violence but does affect the capability of the batterer to participate in re-education classes and comply with the conditions of probation.

The Oglala Sioux Tribe has limited resources to address the high rates of alcoholism in our communities. We know that our long-range vision of stopping violence against Oglala women must include provisions for addressing the dual problem of alcohol and violence in a way that does not revictimize the Oglala women but rather serves to enhance her safety and sovereignty.

HERSTORY OF THE ORGANIZATION

THE GROUNDWORK IS LAID

In 1986, 138 people gathered at Piya Wiconi, the administrative and classroom space for the Oglala Lakota College (OLC), to hear presentations about the problem of child abuse and domestic violence on the reservation. The presenters were mostly local people, a landmark in and of itself since most workshops that were held were presented by non-native people.

On the second day of the workshop Marlin Mousseau, an Oglala, made a presentation about pro-arrest in domestic violence law enforcement response. An OLC instructor describes what follows:

“There was a lot of energy and excitement simply about the fact that Indian people were sharing information with other Indian people. But when Marlin talked about our history and related it to the here and now problem of domestic violence people got really fired up. One woman stood up and said that pro-arrest sounded like a really good thing. Then an elder woman stood up and said we needed to do something. She said women were getting arrested. She challenged us and the system to work on making proarrest happen and lead us back to understanding that women are sacred.”

The Oglala are known as a pro-active people. A group of grassroots community people calling themselves *Tiwahe Gluonihanpi* (Family Pride), Oglala Women’s society, and Oglala Lakota College developed a spouse abuse ordinance based on the Duluth, MN arrest policies. This group organized meetings of law enforcement, prosecution, advocates and tribal court judges to dialogue about the proposed ordinance. They also took the ordinance to the district meetings for the people to review. The ordinance was highly controversial and the criminal justice system was resistant to the concept.

Discussion was heated. At one point a community woman confronted a prosecutor about his lack of support and speculated out loud about whether or not his lack of support was related to his own relationship with his wife. Questions were raised about violations of civil rights for men and how women would use the law to gain an unfair advantage. The controversy and questions paralleled the discussion in state legislatures and off-reservation communities.

Unlike state government where legislation must be introduced by a sponsoring elected legislator, in 1987 the Oglala Sioux Tribe’s process for enacting legislation allowed any tribal member to initiate legislation and present it to the council through a council representative. (Since then this process has changed and legislation must come through a tribal government committee for presentation and recommendation to the council.)

These grassroots activists received resolutions of endorsement for the ordinance from five (5) of the nine (9) districts on the Pine Ridge. The ordinance was approved unanimously. It took fourteen (14) months for the process to work. The Oglala Lakota Nation had established themselves as leaders in speaking out about the need to address and stop violence against women.

THE INITIATIVE STRENGTHENS THROUGH COLLABORATION

During this same time period, the South Dakota Coalition Against Domestic Violence and Sexual Assault received a grant from the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime to sponsor a conference “Indian Nations: Justice for Victims of Crime.” The conference was held in Rapid City, S.D, and Indian nations from across the United States to discuss the issues. There was a major emphasis on women at the conference.

An Oglala woman was hired by the Coalition to coordinate the conference and one outcome of the conference was a Coalition commitment to assist South Dakota reservations receiving Victims of Crime Act (VOCA) dollars in developing domestic violence responses. The Pine Ridge reservation was prioritized for development because no resources or program existed to assist Oglala women who were battered and because of the grassroots movement going on to enact a spouse abuse ordinance.

The Coalition secured a grant to develop a comprehensive domestic violence prevention and intervention project from the Robert Wood Johnson Foundation in 1988. There was no category specific to domestic violence in the application guidelines. The focus of the dollars was on alcohol and injury prevention. The injury prevention section cited examples of program activities related to injuries due to farming accidents. The grant was written as at-home injuries: to women.

After meeting with grassroots people it was decided that that Coalition should sponsor the program instead of the Oglala Sioux Tribe. There was discussion between native women within the Coalition about whether or not a Coalition presence on the Pine Ridge was disempowering. However, grassroots people encouraged a Coalition presence for the initial development citing tribal politics, infighting, and the controversy that would inevitably surround developing strategies and advocacy services geared toward domestic violence.

Local people secured a resolution of support from the council for the project. Marlin Mousseau, an Oglala Lakota living in Wisconsin, was called to come home to the Pine Ridge and start the program. An advocate and an office manager were also hired comprising the entire staff. With strong grassroots community support and collaboration and with the Coalition providing administrative support through their Oglala woman staff, Project Medicine Wheel was born.

THE FOUNDATION GRANT ENDS

The Robert Wood Johnson grant ended in 1992. No provision had been made to continue the project. Chief Judge of the Oglala Sioux Tribe, Patrick Lee, made a presentation to the tribal council requesting support for continuing the project citing the OST Spouse Abuse Ordinance and



the provision requiring jail interviews before arraignment on spouse abuse charges. He made the case that the tribe had a responsibility to support and uphold their own law. The council assumed responsibility for Project Medicine Wheel and it became a tribal program. Although it operated minimally, it survived. The Oglala Sioux Tribe assumed ownership for the initiative to stop violence against Oglala women.

PROJECT MEDICINE WHEEL BECOMES CANGLESKA, INC.

In 1995 Marlin Mousseau moved home to the Pine Ridge with his family. He again assumed leadership of Project Medicine Wheel. We began asking ourselves, “Could Project Medicine Wheel, an agency of tribal government, effectively challenge the tribal criminal justice system?”

Again with the support of grassroots people and upon the advice of council representatives, a decision was made to incorporate Project Medicine Wheel in the state of South Dakota and obtain 501(c)(3) IRS tax-exempt status. Project Medicine Wheel became Cangleska, Inc. *Cangleska* is the Lakota word for medicine wheel.

Concurrent with the state incorporation, tribal charter status was sought through the tribal council. On the Pine Ridge a tribal charter is equivalent to state incorporation. Schools are chartered; tribal law enforcement, housing, and higher education are all tribally chartered entities. Charters have greater autonomy because they can manage their own finances and seek resources independent of the tribe and/or act on behalf of the tribe. Tribal council committees have oversight over chartered organizations.

The tribal charter status of Cangleska, Inc. is unique in that the tribe has always operated its own human services programs. The advantage of charter status is that it brings with it a degree of autonomy, validation from the tribe, maintains a connection with the tribe and creates access to tribal government through the oversight committee.

The disadvantage of chartering a domestic violence organization has been that, because the program is small in comparison to other chartered organizations and because of the sensitive nature of domestic violence work, politics and some interference are inevitable. However, tribal domestic violence agencies also deal with those same politics without the benefit of ever having direct control of resources.

CANGLESKA, INC. PROGRAM DEVELOPMENT

As Lakota people we seek spiritual guidance and direction when we anticipate something difficult ahead of us. Ceremonies were conducted and Cangleska, Inc. was founded after much thought, deliberation, and prayer. This spiritual foundation provides us with strength during adversity, calm during chaos and the balance we need to support each other as the program faces challenges and hard times.



The advent of the Violence Against Women Act, a national initiative to address violence against women, has provided resources for the Oglala Sioux Tribe never imagined ten years ago. Aggressive and fast development has taken place since 1996. The program has actively pursued grants available to Indian Country and private, non-profit corporations.

In February of 1997, the program expanded from 4 staff to 14 (See appendices). At the same time the Oglala Sioux Tribe and Bureau of Indian Affairs approached us about an unused building for shelter. We knew the Creator was helping us. In our long-range vision, we had projected establishing a shelter in five years.

We designed a three-week orientation for new employees because we knew that our new hires had no experience working in the area of domestic violence. The first week of the agenda covered the historical, philosophical and “bigger picture” aspect of the battered women’s movement, our tradition of honoring the sacredness of women and how colonization had impacted the sovereignty and status of native women. Subsequent weeks addressed alcohol, batterers programs, coordinated community response and the impact of violence on women and their children.

Staff also attended a training that Cangleska, Inc. sponsored for law enforcement. Public Safety administration mandated training of 106 officers, jailers, dispatchers, and advocates dialogued in an intensive one-day training. Officers were initially distrustful, bordering on rude. However, as the day progressed officers began to respond. The trainer emphasized injuries that men will receive when a battered woman is defending herself from his assault. Cangleska specifically requested this emphasis on self-defense because of the high dual arrest rate.

BOOSTER
Section Two
Wednesday, May 29, 1997
Volume XLVII Number 51

Kyle the fastest growing town in South Dakota!

Cangleska, a women's shelter, which opened in March 1997, is housed in a former youth shelter building.
Kara Antichuk, former director, shows Blanca Isona-Bonilla and Adela Baxton full computer data for one of the programs.
The mission of Cangleska is to stop violence against women and to teach the community and systems accountability. Its major goals are victim safety, offender accountability and system accountability.
"Everyone is being taken care of here and her children," explained Ms. Antichuk. There are no more tears regarding steps of stay over a long in the shelter and also confidential services are available. Training for housing space, some meals provided to public safety employees.

The three-week orientation was a luxury. And, staff turnover has been high. Some people have left the organization to accept better paying jobs; others had difficulty with the high stress levels that are inevitable with crisis work. Some had difficulty with the high expectations around trust, personal integrity and the initiative needed to effectively advocate (internalized oppression rears it's ugly head). Still others had problems with alcohol.

One male staff person said he could not handle the pressure from his "bro's." He stops by regularly and is very supportive of the program. He's running for tribal council because he believes that is the best way he can contribute to our goal of safety for Oglala women and accountability for batterers. We hope he wins.


It took about a year of staff turnover for the staffing patterns within the organization to stabilize. Cangleska, Inc. staff are all trained to view themselves as advocates first and foremost. They all experience cross training as part of their jobs. A probation advocate may help a battered Oglala

woman obtain an order for protection or transport her and the children to safety; an outreach officer might spend the day updating probation files and provide probation information to sentenced offenders. Any staff person may be called upon to sit in on arraignments, interview an offender in jail, respond to a crisis call, or teach a men's class.

Cangleska, Inc. staff, no matter what their job description, consider themselves advocates. We know that we must create a strong infrastructure so that our program can grow. More often organizations serving native people "implode", self-destruct as a result of in-fighting, lack of skills, resources, and the high stress that comes from working under relentless adversity.

MANAGEMENT TEAM

The program was operating with Marlin Mousseau and Karen Artichoker acting as co-directors. Karen Artichoker functioned in a volunteer capacity and was employed by the South Dakota Coalition Against Domestic Violence and Sexual Assault. She was assigned to assist in the development of shelter on the Pine Ridge. With the staff and program expansion, and, given the large geographic area to be served, it was obvious that leadership needed to be expanded and shared.



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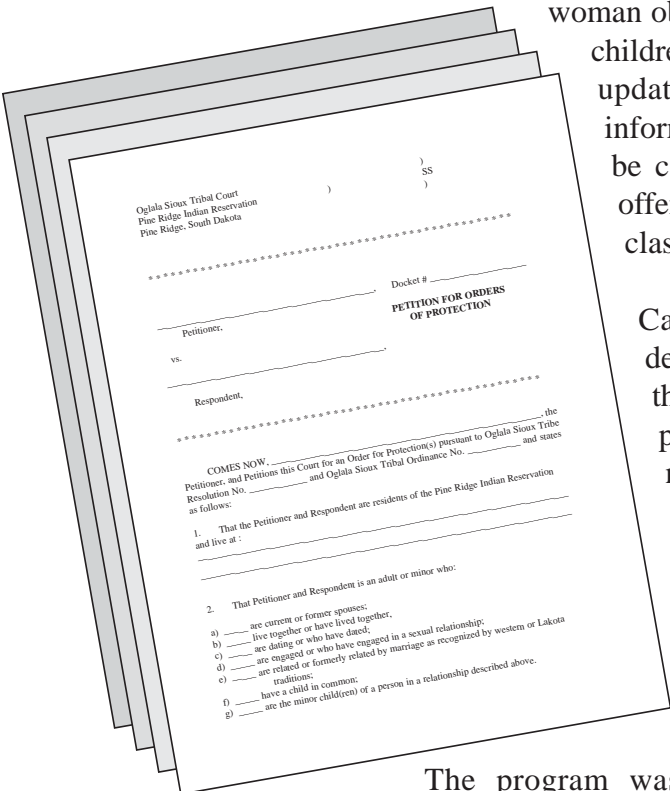
ETHICS POLICY

This verifies my understanding that as an employee of Cangleska, Inc., I am expected to conduct my personal life and time in such a manner so as to act as a role model and example to others in my community. I further understand that abstinence from alcohol and other related drugs is the expectation of Cangleska, Inc. I agree to submit to random drug testing and understand that a positive test could result in dismissal.

Name of Employee

Date

Women are Sacred - Violence is not Lakota Tradition
There's No Excuse for Domestic Violence



One newly hired staff, George Twiss, was a former law enforcement officer and criminal investigator with extensive experience and training regarding abuse. We decided to form a Management Team and divide responsibilities for program development between the three of us. Our strengths and expertise were law enforcement probation, batterer's re-education, and shelter/advocacy.

This work is clearly too overwhelming to be shouldered by one individual. Sharing responsibility as a Management Team allows us to focus on specific areas of program development and created a support system for leadership that would prove to be essential as the program weathered tribal politics and the pressures that have come to bear on the program as we hold the tribal criminal justice system accountable in responding to violence against Oglala women.

CONCLUSION


We have worked hard to differentiate the conflicts we experience among ourselves and what constitutes abuse. We try to support and respect each other and hold each other up when one of us feels weak. We go to the sweat lodge and ceremonies together. We eat together. We mourn and cry together when the past and present of our history as a People and our lives of today merge to overwhelm us.

Sometimes we look at pictures we've taken of women – their bruises, cuts, black eyes, and we remind ourselves that our whining, organizational problems, tribal politics, and frustrations over the lack of understanding in our families and communities, are nothing compared to the suffering of the women and children living in violence each day.

We remember those who are battered and those who are violence in our prayers and continue on our journey to “wolakota,” the balance and harmony that comes with knowing who we are as Lakota People. Our vision is to stop violence.

“Cheryle” had been partying with some friends. When her husband came home drunk, he got very angry. He accused her of not wanting to party with him, took her outside and threw her to the ground. In doing so, she hit her head on a slab of cement outside the house. He started dragging her to the clothesline and began kicking her in the back. He picked her up and hit her face against the clothesline pole. When a neighbor heard her cry for help, the assailant stopped, then went back inside and continued to party. The woman dragged herself to an abandoned car and hid there until the police arrived 3 hours later.

The assailant was charged with spouse abuse, pled guilty and is currently attending classes as part of his probation. Even though she needed stitches and suffered serious eye injuries, the case was never handed over to the Criminal Investigator for possible federal charges.



SHELTER ADVOCACY

“I have four boys and they don’t listen to me. They need a father but he just drinks and beats me up. His mom and dad take up for him. He said he’d kill me and bury me under the house and no one would ever know. I don’t know what to do.”

— Woman in shelter

“Thanks a lot for letting me and my sisters and my mom stay here. It meant a lot to me and my sisters to know that someone cares about my mom. Thanks a lot.”

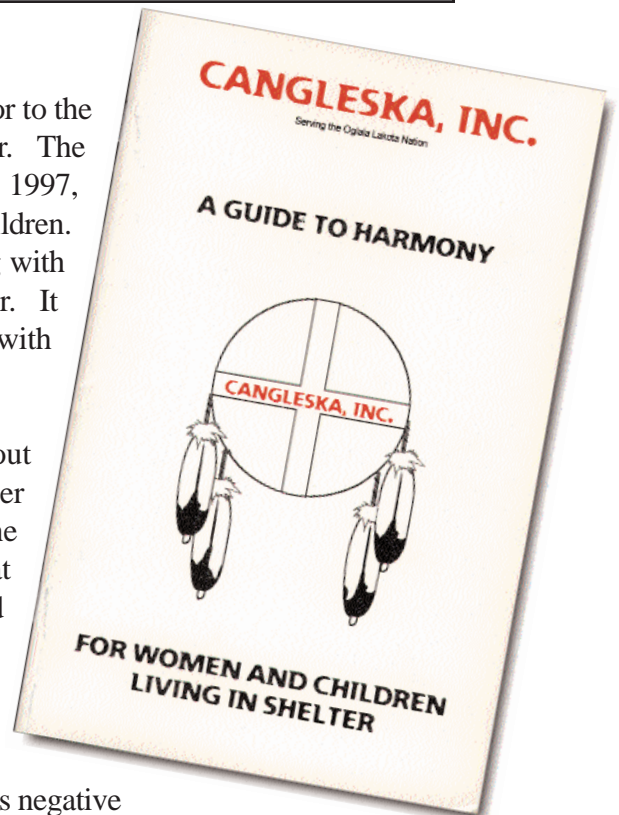
— Handmade card from a 15-year old girl living in shelter with her mother and two sisters

We opened the shelter on March 1, 1997. Two days prior to the opening, two women showed up and requested shelter. The word was out! From March 1 to December 31, 1997, Cangleska, Inc. sheltered 112 women and 246 children. During June, the four-bedroom shelter was overflowing with 18 women and 38 children moving through the shelter. It was a real challenge to conduct administrative business with cartoons blaring on the television, and crying babies.

Shelter is a safe haven from the violence. It is a time out for the Oglala woman who is battered to assess her options and make decisions about her future and the future of her children. In Lakota we have a word that describes the relationship of women who are not blood sisters but feel the connectedness of blood in friendship. Shelter advocates are sister/friends, available to listen and support a woman.

Many Oglala women coming to shelter have had previous negative contacts with law enforcement, the court system and social services. They have little trust or faith that the criminal justice system or any system can or will recognize and respect their needs or keep them safe. They say that no one has ever asked them what they wanted or needed.

“Social services took my kids. I did everything they told me to do and I still didn’t get them back. It seemed like it was never enough. He never did anything, except call me down and beat me up. He broke bones and nobody asked. It seemed like nobody even thought he should have to do anything. It was always on me. To be a good mother. I gave up. The advocate asked me what I thought I needed – not what the social worker or counselor or judge thought, but me; what did I think I needed. I was stunned when she asked me. Then I got scared. I was scared because I was a nothing. I didn’t have a clue. Then I got mad and couldn’t stop crying. I’m still scared.”



The involvement of these institutions in the lives of women is, by its very nature, controlling. These institutions may serve to validate what the batterer has been telling her about herself. She becomes a case, a number, a statistic – objectified and dehumanized. When the tactics of violence are not understood by these systems, the batterer finds an ally to continue the abuse.

Since the expansion of the program, advocates have worked hard to convince women that there may be some hope, some help and some justice in and from the criminal justice system. Shelter advocates tell women that changes are happening. That our system is working hard to figure out how to help them be safe.

Telling women that the system might actually help them get safe brings with it a great responsibility. Shelter advocates follow up with law enforcement, court(s), child protection, housing, etc. Cangleska, Inc. advocates also make referrals within our own


program – to our own probation, outreach and offender departments. Victim blaming is still a community norm and too many of the women are told that the violence is their fault. They are referred/force/coerced into alcohol and/or codependency treatment, counseling, parenting, etc.

We encourage a woman to believe that the Oglala Sioux Tribe is working to help her be safe and to learn more about the violence and how it's affected her and her children before making requests for referrals. As shelter advocates, we have a

responsibility to identify services in the community that understand the dynamics of violence against Indian women and will not revictimize the Oglala battered woman.

While we promote the belief that battered women are not sick, crazy, codependent, etc., we also have made many referrals to chemical dependency treatment programs and have an arrangement with several programs to facilitate our referrals. While we take issue with some of the

Page 1




QUESTIONNAIRE FOR VICTIMS OF DOMESTIC VIOLENCE

1. Is he jealous?
 - Does he get very upset if you talk to other men?
 - Does he accuse you often of having affairs?
 - Does he check your clothes or your body to see if you had sex with someone else?
 Give some examples of other jealous behavior: _____

2. Does he follow you? Please describe in detail: _____
 - Does he go to your workplace to check on you?
 - Does he go to the children's school or day care to find you?
 - Has he ever followed you while on a restraining order (209A)? _____
 - Has he ever found you after you moved away or went to a battered women's shelter? _____
 - Do you think he is obsessed about you? Please explain: _____

3. Does he check up on you often? _____
 - Does he call the house to speak to you very often? _____

4. Has he isolated you? _____
 - Has he prevented or forbidden you from going out? _____



INTERAGENCY REFERRAL

REFERRED TO (Person or Agency): _____ Phone #: _____
 DATE: _____
 REFERRING PARTY: _____ TITLE: _____

Name: _____ DOB: _____
 Address: _____
 Telephone (if any): _____
 Residence: _____

Date of Contact w/Cangleska, Inc.: _____
 Initial Contact: Phone In Person 3rd Party
 Initial Referral Contact: Phone In Person 3rd Party

Reason for Referral:
 Request of Program Participant
 Request from Concerned Citizen/Family
 Request from Victim
 Request from Agency
 Court Sentencing/Order
 Other _____

Nature of Request/Needed Services: _____

Comments:

Result of Contact:



CONTACT SHEET

Date: _____ Time: _____
 Advocate: _____ Referred by: _____

Type of Contract: Shelter Phone Drop in

Women's Information:	Partner's Information:
Name: _____	Name: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone: _____	Phone: _____
Tribes: _____	Tribes: _____
District: _____	District: _____
Birth Date: _____ Age: _____	Birth Date: _____ Age: _____
Marital Status: _____	Marital Status: _____

Differently-Abled (special needs): _____

In case of emergency contact: _____ (Name) _____ (Phone)

Children's Names and Ages:

_____ Age: _____	_____ Age: _____
_____ Age: _____	_____ Age: _____
_____ Age: _____	_____ Age: _____
_____ Age: _____	_____ Age: _____
_____ Age: _____	_____ Age: _____
_____ Age: _____	_____ Age: _____


Is an Order for Protection in place or pending? Yes No
 Do you have any warrants or charges against you? Yes No
 Were the police called regarding your situation? Yes No
 Who was the officer(s) that responded? _____

misconceptions about violence against women in chemical dependency treatment, we know that some women need this service. We trust that women will sort through the information they receive in treatment and will use what they need.

All human beings respond differently to trauma. If, when and how women need or want to “heal” from being battered is the individual woman’s prerogative. We may think she could benefit from counseling, treatment or support group. But it is not against the law to be dysfunctional, codependent, or a ****. Our focus is on system accountability – creating a community that will naturally allow her the opportunity to learn and grow as an Oglala woman.

RESPECTFUL SHELTER ADVOCACY

Shelter advocates are available until midnight except on weekends when there is a 24-hour coverage. This schedule acknowledges the competency of Oglala women who are battered and allows the program to allocate resources to other areas of need. Oglala women who are battered are victims of a crime. They are perfectly capable to taking care of themselves and are instructed on how to maintain security.



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Serving the Oglala Lakota Nation

ORIENTATION CHECKLIST

- ☐ Reviewed Policies and Guidelines
 - ☐ a) Telephone and visitors policy
 - ☐ b) Four rules of shelter
 - ☐ c) Time Out: Child discipline
 - ☐ d) Role of Advocate
- ☐ Issue of women and workplace
- ☐ Inquired about medication/medication taken, labeled, and locked up.
- ☐ Described exit procedures
- ☐ Advised women of policy of no lending or services, money, or goods, between women in shelter and advocates.
- ☐ Took her on tour of the house and explained how house operates.

I understand that I will be required to provide \$10.00/month in in-kind services to Cangleska Inc. during my stay at the shelter.

NOTES:

Advocate

Date


Advocate

Date

The shelter is not a dorm, treatment center, or psychiatric unit. Shelter advocates do not keep notes on women’s behavior or activities while in shelter. The shelter log documents incoming calls. Personal messages for women in shelter are not documented. A contact sheet is used to record a woman’s stay and a Woman in Shelter Log is maintained for statistical purposes. Information for information’s sake is not kept.

Women are given a packet of information, including a shelter handbook. “A Guide to Harmony for Women and

Children Living in Shelter” outlines what advocates can do and what is expected from a woman in shelter. For some women in shelter this little booklet and information packet becomes a lifeline to safety and encouragement. The information is read and reread and can keep them strong when they get scared or feel confused. The information does not blame a woman for the violence perpetrated against her but helps her understand tactics of power and control.



CANGLESKA, INC.
Serving the Oglala Lakota Nation

SHELTER & BUSINESS OFFICE
P.O. Box 436
Kala, SD 57752
(605) 435-2244
Fax: (605) 435-1245

SACRED CIRCLE
722 W. South Street
Rapid City, SD 57701
(605) 341-2600
Fax: (605) 341-2472

CONFIDENTIALITY POLICY

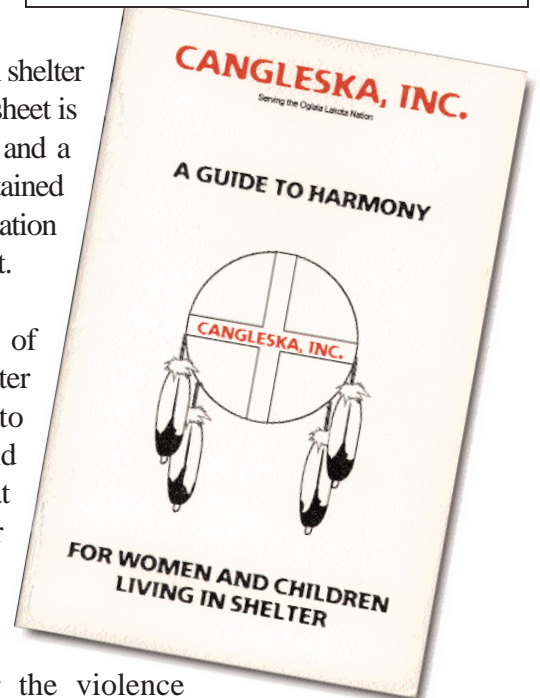
This verifies my understanding that any activities related to Cangleska, Inc.’s dealings with any person and/or institution shall be confidential. It is further understood that all records, oral and written referrals, interventions, or any other activities pertaining to or about any person who has, currently or in the past, received any type of service from Cangleska, Inc., no matter how minimal, is to remain confidential.

I understand that breach of confidentiality is grounds for immediate dismissal according to the personnel policies of Cangleska, Inc.

Name of Employee

Date


*Women are Sacred - Violence is not Lakota Tradition
There's No Excuse for Domestic Violence*



Support groups are also available at the shelter on a weekly basis for any woman, whether she presently, formerly, or has never utilized shelter. There seems to be a mystique around support group. Unlike therapy or AA models where the focus is on self-responsibility, support groups gives women who are battered the opportunity to share experiences and find strength and understanding in the violations experienced by other women. It is not blaming or a refusal to accept self-responsibility when a woman names the violence. She is merely stating the truth. And the truth will set you free!

Confidentiality is stressed in support group, and women are made aware that a breach in confidentiality could result in more than a violation of trust. A woman could be seriously hurt or killed. No matter what discipline we've worked in before we came to this field, we all know that confidentiality (or perhaps better said – lack of confidentiality) is a major issue throughout Indian Country. Breches of confidentiality for women who are battered go beyond a breach of ethics or unprofessional behavior. A breach in confidentiality could result in a woman being assaulted again or killed.

Cangleska, Inc. Personnel Policies and Procedures reflect this knowledge. A breach of confidentiality results in immediate dismissal. All employees are required to sign a separate policy statement that acknowledges an understanding regarding the importance of maintaining confidentiality, further emphasizing the life and death nature of our work.



CANGLESKA, INC.
Serving the Oglala Lakota Nation

SHELTER & BUSINESS OFFICE
P.O. Box 438
Kola, SD 57762
(605) 455-2244
Fax: (605) 455-1245

SACRED CIRCLE
722 N. Avenue Street
Rapid City, SD 57701
(605) 341-2000
Fax: (605) 341-2472

CONFIDENTIALITY POLICY

This verifies my understanding that any activities related to Cangleska, Inc.'s dealings with any person and/or institution shall be confidential. It is further understood that all records, oral and written referrals, interventions, or any other activities pertaining to or about any person who has, currently or in the past, received any type of service from Cangleska, Inc., no matter who minimal, is to remain confidential.

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Name of Employee

Date

Women are Sacred - Violence is not Lakota Tradition
There's No Excuse for Domestic Violence

Spiritual and cultural abuse is not an uncommon dynamic of violence against the Oglala woman. Oglala women share their confusion about how their partner, a man known for his spiritual knowledge and participation in Lakota ceremonies, is abusive. Women also express fear that their partners are calling upon a supernatural power to get them to go back, turn a judge against them, take the children, etc.

Sage and sweetgrass are kept on hand at the shelter and advocates will utilize spiritual leaders and medicine men for guidance. Shelter advocates can assist women in taking the appropriate steps to stop any perceived harmful energy directed against them and/or assist women in participating in spiritual and religious activities, as requested, for personal growth and healing.

Cultural and spiritual abuse is especially distressing for advocates because Cangleska, Inc. advocates have a great respect for our culture and spirituality and many staff are active participants in SunDance, etc. There is also community criticism for speaking out about such abuse, and domestic violence. Cangleska, Inc. advocates display the Lakota values of courage, fortitude, and perseverance as we attempt to create forums to discuss cultural and spiritual abuse.

We're told by women that our shelter isn't "as strict" as shelters off the reservation. We ask women to respect each other and be considerate of the needs of other women in shelter. The shelter has no curfew and real advocates don't count towels. (Sometimes we do pray for a

donated box of towels.) Cangleska, Inc. advocates don't do case management. We are not social workers. It is not the advocate's job to plan out the battered woman's life. Only she can do that.

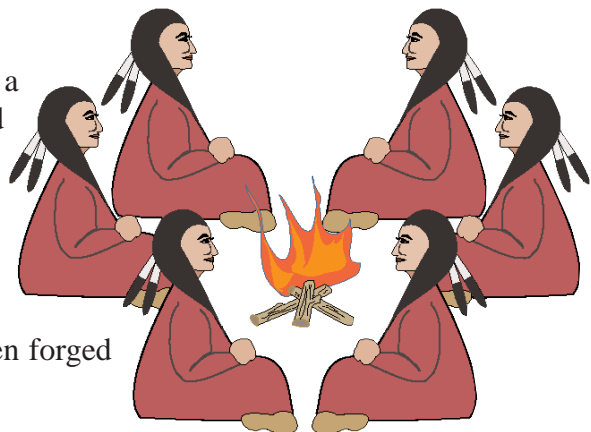
Shelter (and outreach) advocates are best able to guide the criminal justice system in developing safety-enhancing responses because, as shelter advocates, we have intimate and on-going contact with the woman victimized by violence. As shelter advocates, we are the front line in attempts to respond to the impact of poverty on the choices that Oglala women make.

No car, No job and Housing are virtually non-existent and cash money even less available. Our history as a People, internalized oppression and socialization as women render all Oglala women virtually equal. We hear more and more from women about how they grew up without fathers.

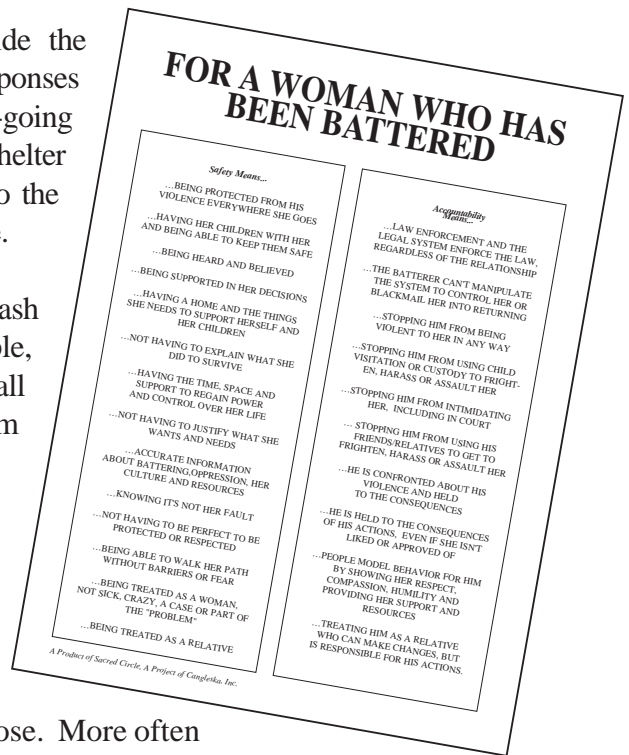
We budget high for food because even meeting this basic need has been a struggle for many Oglala women and we don't want any woman to be concerned or quarrel with other women about the basic human right to feed themselves and their children. Women can prepare food whenever they want and eat when they choose. More often women will organize communal meals. Laundry hours are open; we ask women to be considerate of others. Communal living is tough and shelter advocates emphasize the Lakota value of generosity, respect, and sharing. All children are sacred.

Some community members have criticized us saying that we're a "flop house." There is a common misconception that the shelter should be like a prison, keeping her safe from his violence and she doesn't get to have a life while she's in shelter. If we promote that thinking, we make her a prisoner just like her partner did. Sometimes we respectfully express our concern about a woman's comings and goings, like a friend or a sister would. Safety planning is done with all women when they come into the shelter.

Nightly house meetings provide women with a forum to discuss not only the grocery list and division of housekeeping, but also their conflicts with each other and the strength they find in making relationships with other women. Many women relate stories of violated trust. The lack of trust is evident around issues of confidentiality and sharing. Many life-long friendships have been forged in shelter.



The Cangleska, Inc. shelter does not have a sophisticated security system. However, security is stressed and outer doors automatically lock. Women in shelter are advised that in-coming



telephone calls will not be put through to them. Shelter advocates inform callers that the presence of any woman cannot be confirmed or denied. Advocates will take messages and the woman in shelter is free to return calls as she chooses.

Shelter advocates may be uncomfortable with advising callers that a call cannot be put through, especially if the caller is insistent, rude, threatening, and/or intimidating. This security policy can create hard feelings from agency personnel. Police, social workers, public health nurses, friends and relatives, legitimate and concerned contacts for women may feel insulted and angry. This policy doesn't need to be a problem. The woman in shelter can return calls and conduct her business. People can and do get used to it!

Cangleska, Inc. advocates are cautioned to take care of themselves and monitor themselves and help each other in being responsive and responsible to battered Oglala women. While other reservation programs report that employees rarely have much leave time, Cangleska, Inc.'s advocates tend to have leave stockpiles.

The work to stop violence against women is overwhelming, and as administrators we have insisted on occasion, that an advocate take time off to maintain her/his own personal balance. This is not so much an issue of burnout, as it is one of dedication, commitment, and a sense of urgency to provide safety for Oglala women.

Ultimately, the woman who is battered will do whatever she chooses and without a sense of our own balance, we will find ourselves getting angry with her. This sense of self-righteous indignation stems from our own ego. "If she would just do what we think she should do, her life would be fine." Advocates are asked to be mindful of the fact that the Oglala woman who is battered has enough of her own anger. She doesn't need ours too.

"I was just worried about her and wanted to help. She was in a daze after her husband raped her. I think she was a little bit crazy. She clearly needed counseling but would never say anything when I suggested it. So, I just made the appointment for her."
— *Advocate*

"I know she means well but I really don't want to see anybody there. My husband has a lot of friends at the clinic and I know he'll find out I went there. He might use it against me, say I'm crazy, take the kids. I'm going to my sister's in ———. I already talked to her and she has an appointment set up for me. She checked on the support group at the shelter too. I promise I'll go."
— *Oglala woman in shelter*

You've heard the saying about what the path to ***** is paved with. Well, sometimes it's hard to just be with a woman as she finds her way. She might leave and go back, leave and go back – over and over until we want to blame her. Shelter advocates are challenged to not let their well-intentioned help get in the way of what the woman wants to do and the path she chooses to get there.

CONCLUSION

It can be difficult to remember that the battered Oglala woman may have few options available to her and this lack of safety, opportunity and resources plays a major role in her decision to go back. It is our job as advocates to assist in a process of social change by, for and with the Oglala woman who is battered and her children and create the options, resources, and opportunity for her to live free of the violence. Through participation in that process, we will all find freedom.

The Oglala woman in shelter is a grown-up woman. It is our job as shelter advocates to treat her as an adult woman with a mind, heart, and spirit. We may not agree with her choices but her mistakes belong to her. As sister/friends, shelter advocates are often the first person that has heard the entire story, the intimate details of her degradation and abuse. The criminal justice system would be wise to listen to shelter advocates for our knowledge can provide direction that will create and enhance the safety of the woman who is battered and her children.

SISTERHOOD IS POWERFUL!



OUTREACH ADVOCACY

“He wanted me to drink with him. I’m scared not to but I know he’s going to accuse me of wanting to be with someone else and then next thing I’ll get beat up.”

— Crisis call

“I have to write fast, hide this and I’ll figure out a way to get it in the mail. I’m a prisoner. He beats me up and then keeps me locked in. He’s coming. Call Cangleska and tell them he has guns; get me out of here.”

— Battered woman’s letter to her sister




Because there was no shelter on the Pine Ridge reservation for battered women and their children, Project Medicine Wheel (now known as Cangleska, Inc.) developed outreach advocacy as the primary means to enhance the safety of Oglala women. Project Medicine Wheel was and remains the only domestic violence organization in the state of South Dakota providing outreach advocacy. All other programs provide advocacy through the shelter with no separate outreach component.

The long-range vision of the program was to open a shelter for battered women. We knew that outreach advocacy would remain an integral part of overall development because of the Oglala battered woman’s rural isolation, the reservation land base spanning three counties, the poverty our people experience and the incredible need of battered women and their children.

Outreach advocates work regular office hours providing advocacy and support services such as transportation, housing, social services, medical, legal, and school advocacy. Outreach advocates usually deal with the immediate crisis. They work closely with law enforcement in supporting a woman who is a recent victim of assault. Outreach advocates are equipped with a camera and can assist in building a case against a batterer.

Two outreach advocates rotate a bi-weekly on-call schedule. The on-call schedule is faxed to two law enforcement dispatch centers for officer information. Officers may request that the outreach advocate make an in-person visit to the victim. Outreach advocates may also have contact with family members, offering support and information. It is not uncommon for an Oglala law enforcement officer to look to the outreach advocate for consultation.



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Serving the Oglala Lakota Nation

ARREST FOLLOW-UP ASSESSMENT Date: _____

This form to be completed by on-call advocate. On-Call Advocate Initials: _____

ARREST WARRANT REQUEST FORMAL COMPLAINT DOUBLE ARREST

VICTIM INFORMATION

Name: _____ DOB: _____ Race: _____ Sex: F M

Address: _____

Phone: Home: _____ Work: _____

Other Info? _____

Disabilities? Yes No Unknown Pregnant? Yes No Unknown First Contact with Shelter? Yes No

How can we contact you? _____

ASSAILANT INFORMATION

Name: _____ DOB: _____ Race: _____ Sex: F M

Relationship to victim: _____

Charge(s): _____

Do you know if your partner/former partner (the person who has just been arrested):

Yes No

_____ has been convicted of assaulting you in the past five years? When? _____

_____ has been convicted of domestic assault in another tribal jurisdiction, city, county or state? Where? _____

_____ has been convicted of assaulting another victim in the past two years? When? _____

_____ is currently on probation? Where? _____ P.O. Name: _____

_____ is abusing alcohol or street drugs? What kind? _____

_____ Do you think the court should consider ordering an alcohol/CD evaluation/treatment? _____

Why? _____

INCIDENT

Description of incident: _____

Injuries? Yes No Visible Not visible Both Description: _____

Was a weapon involved? Yes No What kind? _____

Did the children witness the incident? Yes No Were the children involved in any way? Yes No

If so, how? _____

Were pictures taken? Yes No By whom? _____

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Serving the Oglala Lakota Nation

OUTREACH SERVICES
P.O. Box 3043
Pine Ridge, SD 57750
(605) 867-2025
Fax: (605) 867-1728

SHELTER & BUSINESS OFFICE
P.O. Box 408
Kyle, SD 57752
(605) 852-2244
Fax: (605) 455-1245

SACRED CIRCLE
722 N. Grand Street
Pine Ridge, SD 57750
(605) 861-2090
Fax: (605) 861-2472

DOMESTIC ABUSE INTERVIEW

Date: _____ Time: _____
Name: _____ Age: _____
Address: _____

Are you an enrolled member? P Yes P No
 Do you know what you were arrested for? P Yes P No
 Have you ever been arrested before? P Yes P No
 How many times? P Yes P No
 What was the disposition of the domestic abuse? P Yes P No
 Who is the victim? P Yes P No

Name: _____ Age: _____
Address: _____

• The judge will read the charges to you. Then the judge will ask you if you plead Guilty or Not Guilty.

If you plead Not Guilty ---
--- the judge will impose a bond and set a court date, at which time the prosecution will present the Tribe's case against you and you will have the opportunity to present your side. The judge and/or a jury will then decide your guilt or innocence.

If you plead Guilty or are found guilty ---
--- there may be a fine and/or the judge may sentence you to 30-60 days jail time. However, the judge may suspend the jail time in lieu of 24 domestic violence classes, or both classes and jail time.

• If you are ordered to take the classes, you will be required to sign a contract in order to participate in Cangleska, Inc.'s Men's Program. You will also be placed on probation. If you miss 3 classes, your Probation Officer will be notified and your probation could be revoked. Probation revocation could result in jail time and require you to start over on the program.

• The only way you can be excused from a class is if there is death in the family, a blizzard, or if the facilitator cancels class. These will not count as "missed" classes. Please be aware that there are increasingly harsh consequences for another domestic abuse arrest (re-offense). Further arrests could result in automatic jail time.

Initials: _____

Outreach advocates also interview alleged offenders who are jailed for spouse abuse under the OST Spouse Abuse Ordinance, although this is a primary function of probation. The purpose of the interview is to inform the offender of the charges against him, the tribal criminal justice system process and the possible consequences for being found guilty.

Outreach advocates reported to Cangleska, Inc. that dual arrests were a problem and women who were arrested would plead guilty in spite of offers to provide advocacy. The woman would exclaim, “But I did scratch him. I need help too.” Women were taking responsibility for self-defense actions.

Guilty pleas from women acting in self-defense created issues for probation. Should the conditions of probation be different for the woman that acted in self-defense? Could they be? What about revocation when she didn't attend the support group that was substituted for offender's classes? Outreach advocates help women maneuver through the criminal justice system. They have their fingers on the pulse of the system and are a primary source of information for how well that system is functioning. As a result of outreach advocates' reports regarding dual arrests, a strategy was developed to impact this revictimizing action against women.

Data was gathered to determine if women were being arrested and charged with spouse abuse when acting in self-defense. An examination of 25 arrest reports (1996) of Oglala women who pled guilty to spouse abuse indicates that 23 acted in self-defense; two were violent.

In 1996, the dual arrest rate on the Pine Ridge reservation was 10%, much higher than the national average of 3%.

Training for law enforcement emphasizing self-defense was developed. Cangleska, Inc. participated in a retreat of law enforcement middle management and a goal of reducing the dual arrest rate to 3% was set. Supervisors agreed to support this initiative and Cangleska, Inc. prioritized monitoring dual arrests; inappropriate arrests were documented and follow-up was made with Professional Standards. Officers began to call the Cangleska, Inc. office to explain why they arrested a woman!

The weekend following a law enforcement training, an outreach advocate was contacted by an officer and asked to visit a battered woman; the batterer had been jailed. The officer stated that the woman had been “pretty badly beaten;” the batterer also had injuries “but his injuries are consistent with self defense.” On Monday, the same advocate interviewed the batterer in jail. He looked as beat up as the partner he'd assaulted!

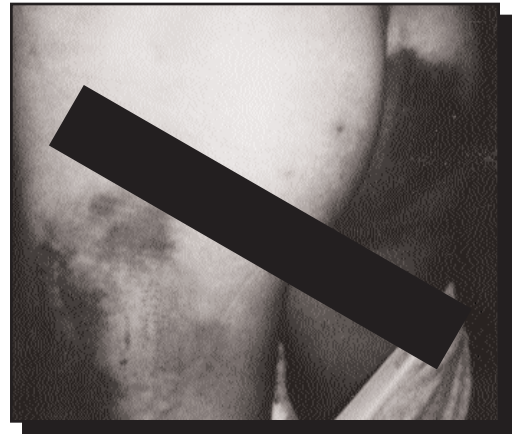
The dual arrest rate in 1997 was 1.2%, lower than the national average. Training on self-defense, law enforcement supervisory support and vision, and Cangleska, Inc. monitoring had a direct impact on stopping the revictimization of Oglala women who are battered. All because of reports from outreach advocates.

Another benefit of law enforcement training is that officer requests for on-call advocacy assistance have decreased as the level of training and competency in response has increased. Law enforcement officers are sensitive to the fact that only one outreach advocate is available to cover the entire reservation and are selective in the requests for on-site assistance.

Outreach advocates may make follow-up visits to a woman's home. Any follow-up contact is carefully considered because the appearance of an outreach advocate could precipitate an assault. Contact with others disrupts a BATTERERS' use of the isolation tactic.

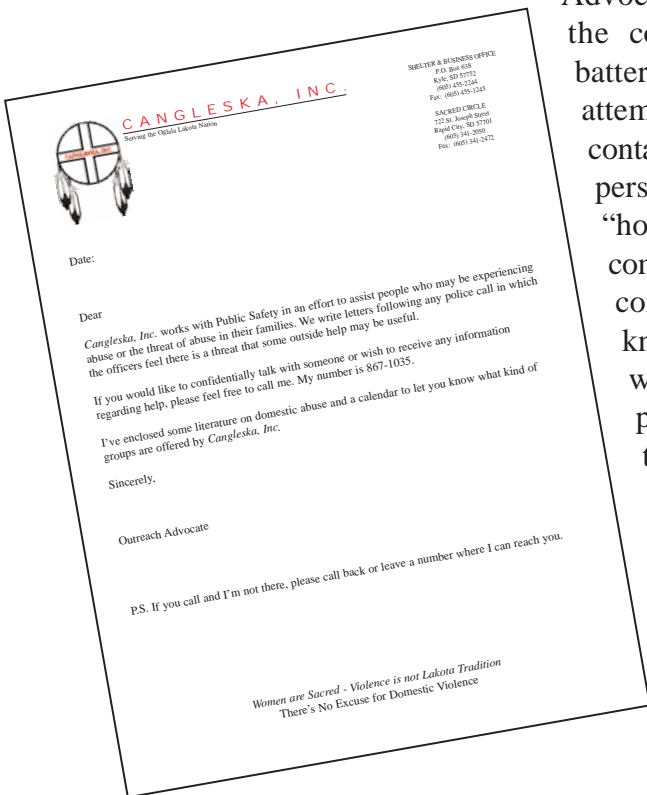
Women who are battered are at greater risk of being killed when leaving the batterer than they are in staying with him.

Advocates must consider the consequences to the battered woman when attempting to make contact. Many agency personnel do not, and "home visits" are commonplace in tribal communities. We know that many women are beaten or psychologically terrorized following this well-intentioned service.



In June 1998, "Linda" was at home when her spouse came home drunk. He wanted her to go drink with him. When she refused (she was afraid of him because he gets violent when they drink together) he started accusing her of wanting to be with someone else. He hit her in the nose and knocked her down, then began kicking her. He then took her and their three (3) year-old son into a nearby field and there continued to hit her. When he was finished with his attack, he told her and their son to stay there until he was ready for them to come home. After spending the night in the field they began to walk towards town as soon as the sun broke. She had suffered a broken nose, lacerations in her face and arms, and severe contusions over her entire body, especially in her upper breast area.

The assailant was charged with spouse abuse, and assault and battery. His bond was set at \$1,000. He posted bond. Trial is still pending.



“We received so many calls from relatives and friends about this particular woman that we started watching her house. One day we knew he was gone; we didn’t have a doubt. We went to her house to give her our booklet and other information. As soon as we informed her of what organization we were with, she grabbed a basket of clothes, the baby and we got out of there. We’re getting good at surveillance techniques.

— *Outreach Advocate*

“I just knew he was keeping her prisoner. I talked my husband into going with me – for protection. She came over to the car with the kids. She was talking Indian to me and said she had to switch to English in a minute ‘cause he would ask the kids what we talked about and if they didn’t know it would be ‘trouble.’ I told her to just get in the car with us; my husband would handle him. She said, ‘He’s watching us and he has a gun fixed on you. He says he’ll kill you if I get in the car. In English she said, ‘Got anything to eat?’ I gave her some pie we had leftover from a feed and we left. It made me feel bad to see the kids gobble it down. They had no food and he wouldn’t leave or let her go try to get some. I felt guilty ‘cause I know she got in ‘trouble.’”

— *Report from concerned friend*

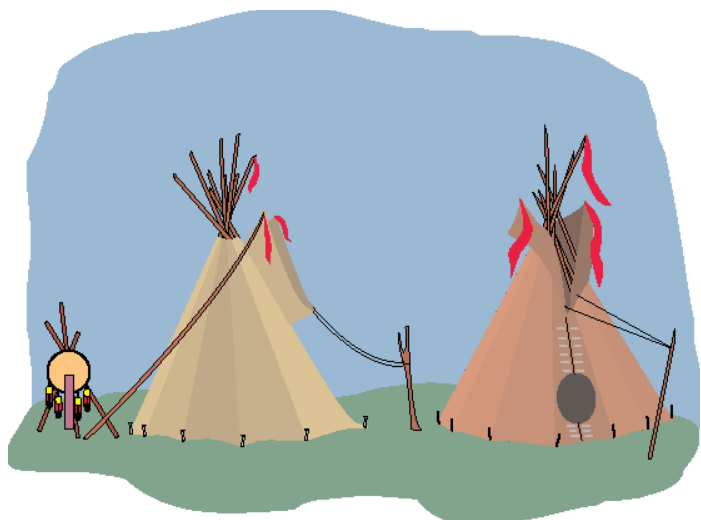
As evidenced above, contact with the battered woman can be dangerous for both the advocate and the woman. Advocates are cautious about even the slightest of contact and should not even acknowledge a woman unless the woman herself initiates contact.

The vast majority of outreach contacts with battered women are immediately following the assault. We speculate that the inclusion of an outreach advocacy component in our development serves to alleviate numbers of women in shelter. Because jailers are consistent in not releasing offenders until after arraignment, outreach advocates are assured of a “window of opportunity” to assist a woman in obtaining an order for protection and/or help her find safe refuge other than shelter.

If the woman who is battered desires shelter, the outreach advocate will transport or arrange transportation to the shelter. Shelter advocates then take over although they may request assistance from outreach advocates if it is more convenient and will facilitate services for the woman in shelter. All transporting of battered women to out-of-area safety is arranged and coordinated by shelter advocates. One outreach advocate works out of the shelter.

CONCLUSION

Outreach advocates are an invaluable resource in the development of a program to enhance the safety of native women. Their work with the criminal justice system is intensive and their observations about the process of justice and how that process serves to keep women safe or revictimizes women needs to be honored and utilized in strategizing responses that will lead to coordinated community response.



WHAT ABOUT THE KIDS?



Cangleska, Inc. Bumper Sticker

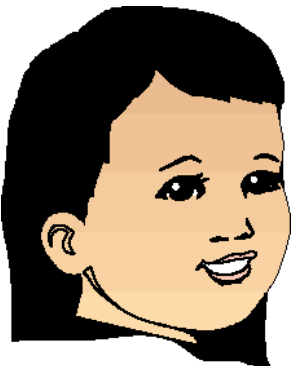
There is always at least a 2:1 ratio of children to women in shelter. Advocates know that the woman who is battered will not leave or will not stay away unless she has her children with her. The Cangleska, Inc. shelter does not offer a children's program, advocacy or support groups. Advocates do contact schools and make referrals for children on an as-needed basis and at the request of the mother. We will be hiring a children's advocate and our long-term vision includes an in-shelter children's program.

There is no hitting allowed in shelter. Women are given information on the time-out system of discipline and shelter advocates will assist a woman who needs a break from the children or is having difficulty coping with them. Children may "bounce off the walls" for a few days after arriving at the shelter. Others are quiet and fearful. Most children settle down (and in) after a few days. Some don't.

"I think we did a physical restraint on that little boy every day. He was out of control. He would start by hitting his mom. He wanted a drink of water and would verbally abuse her saying, "Get me a drink. You really are a stupid ****." He was four years old.

— Report from a Shelter Advocate

Being away from the violence can have a dramatic calming effect for children. We see children blossom the longer they live violence free. However, others may have difficulty coping with the aftermath of the violence without professional assistance.



There is often an assumption that women who are battered are bad mothers or are abusive to their children. This is not true. Many women take beatings intended for their children or may be physical with her child so that their partner or the child's father will be satisfied and stay uninvolved. Some women will hold a child thinking that their partner will not hit them; the child may be assaulted in the attack on the mother. Witnessing woman battering victimizes children.

Children are at greater risk for being abused, sexually abused, and neglected when the mother is being battered. The common myth is "daddy has a hard day; he comes home and takes it out on mommy; mommy smacks the kid; the kid kicks the dog; and the dog bites the mailman."

The reality is that stepfathers and fathers are more likely to be the abuser of the children if woman abuse is occurring. Unfair responsibility is placed on mothers to make the family a safe place. If a woman is battered, she may be unable to protect her children, no matter how hard she tries. As a consequence of battering, a woman may abuse or neglect her children. Protecting the mother from an assaultive partner may reduce or eliminate the risk to the children.

A child's safety is dependent on the mother's safety. In many cases, the best way to protect a child is to protect the mother from an assaultive partner.

POLICE

“Why arrest him? She’ll just go back to him anyway!”

— *Officer comment, 1966 Oglala Sioux Tribe Dept. of Public Safety Training*

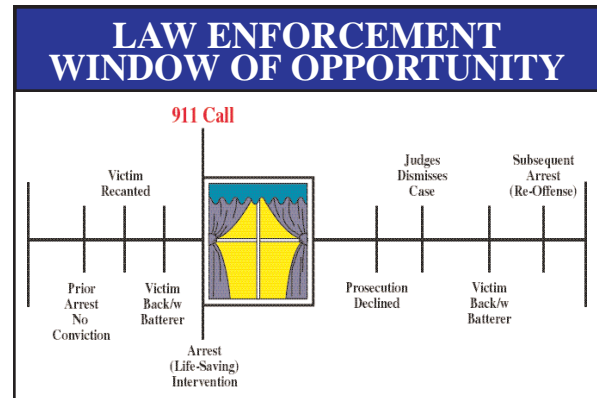
“Damnit! I told you last week not to hit her. I mean it this time! If you hit her again and I have to come back here, you will go to jail!”

— *Comment by OST supervising sergeant assisting a rookie officer*

“It’s just so damn frustrating! Why should I bust my butt to arrest these guys if the system is just going to turn them loose!”

— *Comment from a veteran OST officer, 1997 Training Session*

Prior to the implementation of mandatory arrest in 1989, law enforcement officers on the Pine Ridge Indian reservation responded to domestic violence calls just like any other law enforcement officer in any city, town, and village in the United States. Tribal officers were uncomfortable with these calls and disliked dealing with the emotionally charged atmosphere that is the hallmark of domestic assault. Crying, frightened women and children or worse yet, the angry woman, cussing the officer as well as her violent partner.



OST officers lacked an understanding of the basic dynamics of domestic violence making their response inconsistent, erratic, or non-existent.

There are other numerous factors characteristic of Indian Country which place additional barriers in creating a uniform and effective response by law enforcement. These factors may also be present in non-native rural communities but were consistently experienced on the Pine Ridge Indian reservation. These situational problems serve to make any domestic assault response especially dangerous, to victims, batterers and the officers who respond.

Characteristic of Domestic Violence Response for Oglala Sioux:

- 1. Proliferation of Firearms:** Indian Country is rife with firearms. This trend is partly due to a lack of registration/regulation on the Pine Ridge, a rural community and a people with a history as hunters. Many families rely on wild game for subsistence. With any batterer having the potential to be armed and/or have easy access to firearms, the law enforcement response takes on an added dimension of danger.
- 2. Isolation:** Many residences or communities are far removed from other residences or housing clusters. Officer response time may be delayed by distance restrictions. The batterer has time to continue the abuse, leave, or set an ambush for responding law enforcement.

3. Response Time: Large geographic distances and isolation of residences and communities impacts officer response time. Delays in response increase the safety hazards to the victim and officer. The batterer has time to set an ambush, flee the area, or commit further, and possibly lethal, acts against the victim.

4. Scanners: Households on the Pine Ridge tend to have an overabundance of police scanners. Confidentiality in transporting victims to safety can be compromised. Batterers may get a running start for flight or ambush for police. Scanners can make an entire community privy to a situation and everyone will have an opinion. While our best hope would be that information gleaned from the scanner would better help tribal members understand the situation, it often served to revictimize the battered woman.

5. Family: Most OST officers are either tribal members or married to a tribal member. Officers are constantly professionally challenged to make decisions regarding a family member, extended family member, or a partner/spouse's family members. If the person is also a prominent community or political figure, the pressure can be immense. While this dynamic of "It's not what you know but who you know" is present in rural communities, it is intensified on the Pine Ridge by internalized oppression and elevated rates of alcoholism, violence, and poverty.

6. Personal History: Officers, depending on their personal beliefs and attitudes may perceive the situation as normal, collude with the batterer, be non-responsive, or overzealous in response. Many officers may have grownups in the home where there was violence and/or alcoholism. As a program we could not ignore our history as a people and how painful life experiences contribute to our personal lifeway choices and professional response. The challenge was to acknowledge this dynamic and address it in the context of systems response.

7. Officers Who Batter: We knew there were law enforcement officers who batter their partners within the OST Public Safety ranks. This dynamic can influence patrol response, supervisory response, and administrative support. The department was without policy, procedures or protocol for addressing this issue.

8. Volume of Calls: Law enforcement officers are the first line of response on the Pine Ridge. The volume of calls is equal to that of large cities. Officers' lack of knowledge about the basic dynamics of violence against women and the use of alcohol creates responses that often resulted in victims being arrested and charged with spouse abuse. Dual or mutual arrests were much higher than the national average. Rather than perceiving the woman as the victim, officers tended to view woman as mutually combative.

CANGLESKA, INC.
Serving the Oglala Lakota Nation

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SACRED CIRCLE
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605-341-2000
Fax: (605) 341-2472

Date:

Capt.
OST Public Safety
P.O. Box 300
Pine Ridge, SD 57770

Dear Captain,

OST Public Safety personnel reported the following complaint/disciplinary to Cangleska, Inc. concerning law enforcement response and/or processing of a Spouse Abuse, or domestic violence-related incident:

Date:

Capt.
OST Public Safety
P.O. Box 300
Pine Ridge, SD 57770

Dear Captain,

An incident recently occurred, or a pattern of LE response was noted, which caused some concern by our staff in the area of Spouse Abuse enforcement. While the officer's response and handling of the situation did not result in added abuse and/or injury of the victim, a more appropriate approach might have been explored. In any event, the possibility of physical abuse/injury should have been the number one priority. This incident did have the potential for serious physical injury, and we felt it serious enough to warrant your attention.

It is our feeling that the incident does not warrant any adverse personnel action at this time. It is our recommendation that the nature and specific inconsistencies may be better addressed through the development of a personalized and mandatory training plan, policy development, or policy education. We understand that whatever action taken is at the discretion of the department.

This information is being offered as a courtesy and does not necessarily reflect on the officer's overall performance or response.

The particulars are as follows:

Date: _____ Location: _____
Officer(s): _____ District: _____
Synopsis of Incident: _____ Time: _____

If Cangleska, Inc. can be of any assistance by way of training tools or any further information, please feel free to contact me at (605) 897-1035. Thank you.

Sincerely,
George Twins, Liaison/Tracker
cc: Director
file

When you Signoff, indicate to our Admin. Function that you have the training, please.

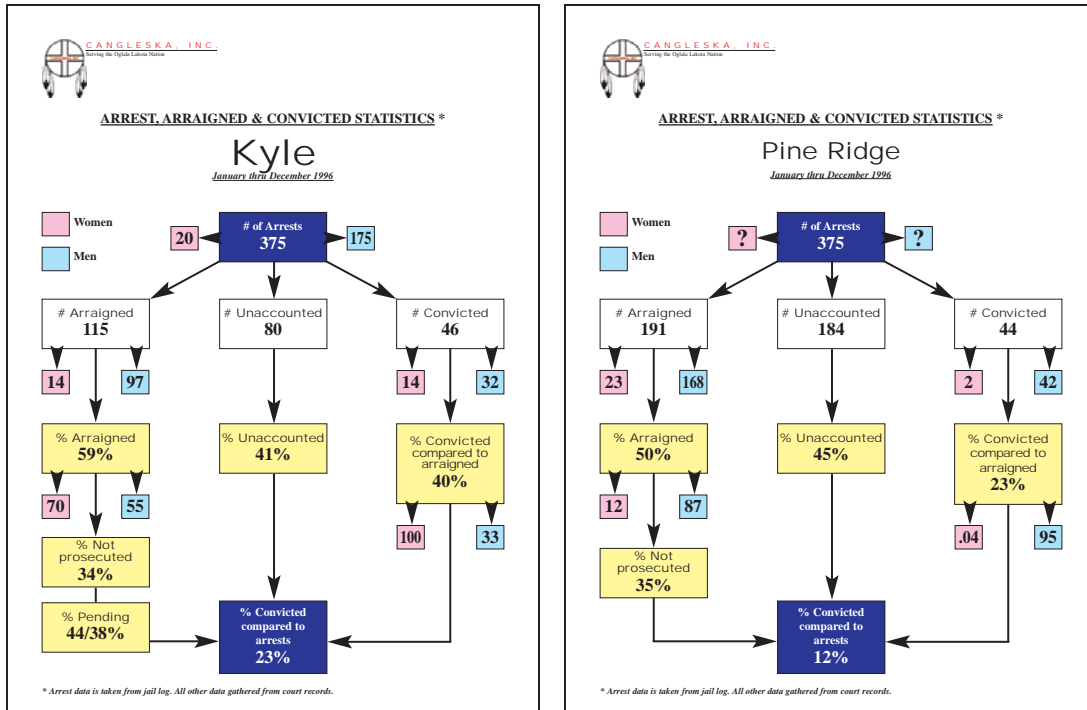
"Bad Boy" Letters - Sample letter to Law Enforcement regarding inappropriate response.

9. High Turnover Rates: High turnover rates of OST patrol officers created response issues and rookie officers demonstrated an inability to sort through conflicting information. Their lack of training and knowledge about batterers’ tactics lead to decision making that revictimized and/or further endangered the women being battered.

10. Lack of Personnel: The Pine Ridge is a large reservation. Public Safety lacks sufficient resources in general to respond to crime. Basic and standard equipment needs such as vehicles, radios, etc. are unmet. Prior to 1997, Public Safety was grossly understaffed. It is only with the advent of Department of Justice dollars that allowed for an increase in personnel and it is still not enough. Single officers are routinely called upon to intervene without proper back up creating dangerous situations for both victims and officers.

As a precursor to partnering with Public Safety, Cangleska, Inc. gathered data on law enforcement response to domestic violence. This analysis also included advocates’ perceptions of battered women’s concerns regarding law enforcement response. Shelter and Outreach Advocacy forms included questions on who responded and level of satisfaction with officer response.

Domestic violence arrest reports dating back to 1993 were reviewed for quality of narrative and clarity regarding self-defense (dual arrest). Officer attitudes and concerns were also addressed. While no written analysis was presented, the data was graphed and reflected a picture of aggressive arrest, high dual arrest, and problems with report-writing that carried over into prosecution issues and capacity.



Based on this information and subsequent analysis, Cangleska, Inc. and OST Public Safety met to develop the following specific strategies with the goal of promoting pro-arrest, better response time and enhanced safety for Oglala women.

1. Comprehensive training was developed and provided by Cangleska, Inc. for all Public Safety personnel including the dynamics of domestic violence, spouse abuse ordinance requirements, and self-defense.

- Standard policies and procedures for domestic violence response were developed to minimize a haphazard approach to enforcement and became one of the cornerstones for training along with the dynamics of domestic violence. Training was placed in the context of our historical experience as Oglala people.

- The injuries that batterers receive from victims acting in self-defense were detailed. The one-day training was repeated and Public Safety administration mandated the training. Lieutenants were required to submit lists to Cangleska, Inc. which outlined which officers would attend on what day. The Captain of Patrol followed up with Lieutenants to ensure attendance.

- Officers knew and believed that non-attendance would result in sanctions since the OST Spouse Abuse Ordinance requires law enforcement officers to receive 40 hours of training yearly.

- Periodic refresher training courses have been established as routine through the Public Safety Training Office. Cangleska, Inc. apprises the training officers of inappropriate officer response in writing and individual training plans are an option. Officers targeted for individual training plans receive priority in attending outside training and may be mandated to attend Cangleska, Inc.'s refresher course, as opposed to other officers who are given training options.

- Supervisors are acutely aware that their guidance of patrol officers is under scrutiny. Supervisors now share liability issues and consequences for inconsistent and endangering response because supervisors are answerable for their subordinate's failure to protect victims.

- Following training session, officers routinely approach Cangleska, Inc. trainers and advocates expressing concern about their behavior in intimate relationships. While officers merely acknowledge the use of physical violence in their relationships, they are disturbed that they recognize the tactics of violence described in training because they have used them. Officers have requested that a men's class specifically for police be available to them. This class may also be used as part of a training plan or employee assistance plan.

CANGLESKA INTAKE REFERRAL
(Domestic Violence Incident/Information)

Referring Agency: _____
Date of Referral: _____
Referring Party (Name & Title): _____
Incident Information: _____
Suspected Abuser: _____
Address: _____
Telephone (if any) Work: _____ DOB: _____
Victim's Name: _____
Address: _____ Home: _____
Telephone (if any) Work: _____
Date of Contact: _____ Home: _____
Physical Location of Victim's Residence: _____
Law Enforcement Notified? Yes No Unknown
Order For Protection? Yes No Unknown
Type of Initial Contact: Phone In person 3rd Party
Initial Referral Contact: Phone In person Interagency Referral Form/Mail
Reason for Referral:
 Routine Check-In or Services
 Disclosure or Retraction of Abuser
 Information from Victim
 Information from Agency
 Per Terms of Memorandum of Agreement
 Other _____
Nature of Complaint/Comment: _____

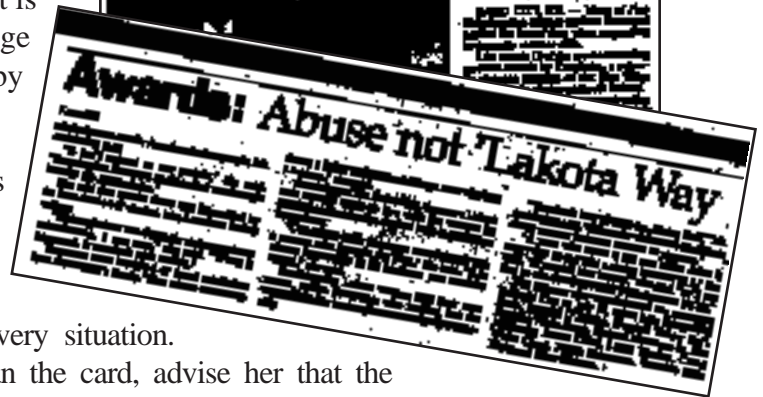
CANGLESKA INTAKE: DATE: _____ BY: _____
ASSIGNED TO (Department): Outreach Probation Administration Other _____

2. An enhanced working relationship between Public Safety and Cangleska, Inc. to ensure victim notification regarding advocacy and share information about batterers, especially repeat offenders.

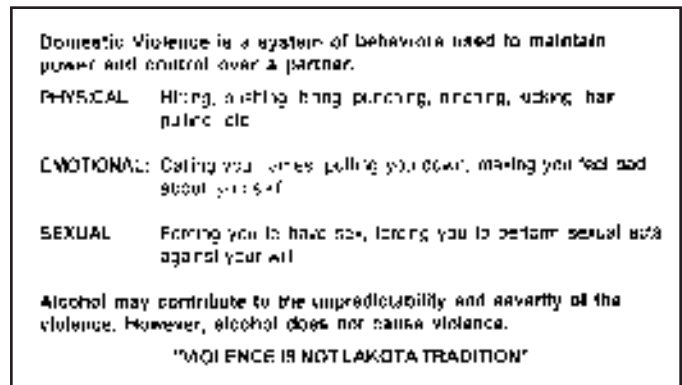
- Cangleska, Inc. was enlisted to draft detailed policies, procedures and protocols for effective law enforcement response to domestic violence. Cangleska, Inc. also provided the training agenda for the Public Safety Training Office and an agreement is in place that these agendas will not change unless the changes are agreed upon by both entities.



- Cangleska, Inc. provides patrol officers with information cards with advocacy contact information. On-call advocates are available to law enforcement officers; however, advocates are not called in every situation.



Officers will most often give the woman the card, advise her that the offender will not be released until after arraignment and suggest she contact us for support or if she requires assistance. Call back for on-call advocates has decreased as the competency and sensitivity of the officers has increased.



- Public Safety provides Cangleska, Inc. with copies of incident reports (per the OST code), shares information on individual batterers, and assists in the monitoring of those on probation, especially repeat offenders. OST officers know the families in their districts and, as part of community policing and the enhanced domestic violence initiative, conduct safety checks on women and their children.

3. Comprehensive guidelines for initial crime scene investigation and greater responsibility for officers in the investigative process.

- To emphasize that domestic violence is a crime, responsibility for the incident investigation was given primarily to the patrol officer answering the initial call. Past practice allowed officers to make the preliminary investigation with referral on to the Criminal Investigation Division. Little or no responsibility was placed on the responding officer to ensure victim safety, and follow-up was minimal.

- Cangleska, Inc. is informed of the assault and monitors the movement of the report through the system. Enhanced officer responsibility and follow-up has minimized the discretion and opportunity for supervisor interference. Shift commanders, whatever rank, are required to review and approve arrest and investigative reports at the end of each shift. Supervisory personnel for each district also review and forward reports to the division dispatch center within 24 hours. Commanders at the division dispatch center are responsible for ensuring that the report is presented to the prosecutor with a copy to Public Safety Central.
- At the request of Cangleska, Inc. protocols were also established for reporting by dispatch and jail personnel. Supplemental reports from dispatch and detention personnel routinely document any sounds or threats they overhear, the perceived emotional state of the caller, and any other excited utterances. Detention guards document and report unsolicited comments and threats to the victim.
- Since policies now outline the procedures and requirements for a complete investigation, the patrol officer, supervisors, dispatch and detention personnel are required to fully document the incident. As a result there has been an overall improvement in the quality of reports, as the law enforcement system is monitored and assume ownership of response.

4. Strict sanctions for inappropriate officer response to domestic violence.

- Professional Standards is the internal affairs arm of the Department of Public Safety and has the responsibility for investigating improper conduct by officers, making reports to administrators and supervisors, and making detailed recommendations for disciplinary action. Reports resulting in a finding of criminal conduct are also referred to the tribal prosecutor, the United States Attorney's Office or the Federal Bureau of Investigation for further case work and/or prosecution.

- Cangleska, Inc. and other agencies are provided with internal affairs reporting forms. The allegation is investigated and a memorandum of the case findings is made available to the complaining agency or individual. This seemingly simple step has done much to foster trust from other

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Serving the Oglala Lakota Nation

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(605) 341-2000
Fax: (605) 341-2472

Date:

Capt.
OST Public Safety
P.O. Box 300
Pine Ridge, SD 57770

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The particulars are as follows: Time: Location: District:

Date: Officers: Synopsis of Incident:

If Cangleska, Inc. can be of any assistance by way of training tools or any further information, please feel free to contact me at (605) 867-1035. Thank you.

Sincerely,
George Twiss, Liaison/Tracker
cc: Director
file

*Women are Sacred - Violence is an Lakota Tradition
There's No Excuse for Domestic Violence*

Oglala Sioux Tribal Public Safety
Law Enforcement Services
P.O. Box 300
Pine Ridge, SD 57770

INTERNAL AFFAIRS REFERRAL

Date: _____ Time Received: _____

Person making complaint: _____
Address: _____
Phone: _____ Work Phone: _____
Mailing address if different from above: _____

Name of person this inquiry regards if not the complainant: _____
Relationship to complainant: (friend, relative, parent, concerned citizen, other): _____

Briefly state the nature of the complaint:

What action taken by the police department would resolve this matter to your satisfaction:

Name of officer submitting this referral: _____ District: _____
Radio call number: _____

Anonymously submitted forms may not be followed up.

T.O. Form 1-97 (Office Use Only) _____

"Bad Boy" Letters - Sample letter to Law Enforcement regarding inappropriate response.

agencies and battered women. The message is sent that each officer is responsible for victim safety in a domestic assault case and that inappropriate response will be addressed.

- Eighteen officers have been sanctioned through individual training plans, reprimands or discharge from employment since January 1997 when the Professional Standards Division was institutionalized.

5. Strict and standard enforcement of orders for protection including foreign orders.

- Because no system has implemented an order for protection registry, Cangleska, Inc. agreed to take responsibility for updating weekly a manual registry that is faxed to each district substation and dispatch center.
- Through training OST offices were made aware of the high incidence of repeat offenses resulting from non-enforcement of orders for protection. Strict enforcement is promoted as an effective and timesaving tool for officers, i.e., avoid a full-assault investigation report and save a life.
- OST officers are trained to err on the side of victim safety and honor foreign orders for protection on their face value.

6. Enhancement of an overall “window of opportunity” for women who were battered and their children to obtain safety.

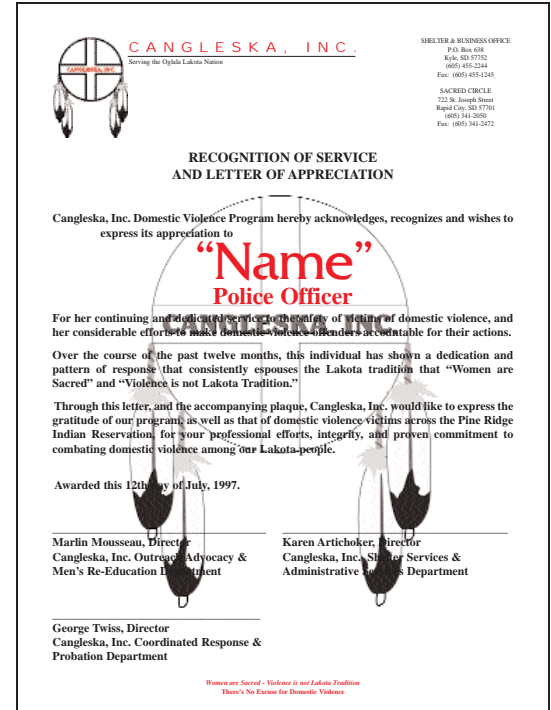
- The challenge of the Oglala Sioux Tribe Department of Public Safety has been to re-instill a commitment to Lakota values, pride and professional ethics into the law enforcement system. Law enforcement personnel are consistently and positively reminded of their role as protectors of the Lakota people. Cangleska, Inc. has actively partnered with Public Safety to infuse traditional values and the belief that women and children are sacred, into this non-traditional system.
- Officers are trained to understand the potential lethality of any domestic violence assault on the Pine Ridge. The “window of opportunity” they offer victims might mean the difference between life and death.
- This overriding responsibility and sacred trust is reinforced through training and reinforced by the overall departmental approach to stop violence against Oglala women. Cangleska, Inc. hold a yearly honoring ceremony for officers who exhibit exemplary response to stop violence against Oglala women.

“I am extremely honored to receive this award. I’ve received other awards but having this come from Cangleska, Inc. is very special because I know this organization is very dedicated to the initiative to stop violence against Oglala women and wouldn’t give this lightly.”

1977 Award winner, Glen Gibbons (present OST Chief of Police)

It is important to note that the development of effective and aggressive law enforcement response did not happen easily or without struggle. The strides made have occurred since 1989 and most recently as a result of the Violence Against Women Act.

We have relied on each other as relatives and our Lakota values of courage, fortitude and perseverance. We have a long way to go but believe we are destined to return to our traditional way of being with each other – a natural lifeway that knows and realizes in everyday life the sacredness of Oglala women.



ATTORNEY GENERAL'S OFFICE

“It makes no sense to make a woman have to sign complaints or testify if she doesn't have to.”

- Steven Sandven, Oglala Sioux Tribe Attorney General

“I need assistant tribal prosecutors who are not afraid to bring the hard cases to trial and are committed to the job. I can teach law and procedures. I need people with ethics.”

- Steven Sandven, Oglala Sioux Tribe Attorney General

“I have to stand by what I think is right. If the tribal council calls me in, I have to stand by my ethics and standards. What am I if I can't say that I stood by right?”

- Steven Sandven, Oglala Sioux Tribe Attorney General

Between 1989 and 1997, seven successive tribal prosecutors attempted to get a handle on the increasing numbers of domestic violence arrests. OST law enforcement officers expressed frustration since the outcome of arrest was often dismissal or cases declined by prosecutors. Inter-departmental meetings resulted in finger pointing and blame.

The prosecution department was characterized by a lack of ethics. Many cases were continued until they were simply forgotten or all paperwork was “lost” with no consequences for personnel. Cases were dismissed on the basis of whom you knew or to whom the offender was related. Oglala women had no faith in the “system” and the result was little or no “victim cooperation.” The Cangleska, Inc. systems analysis reflects the lack of resources, leadership and policies in the OST prosecution department.

The tribal council Judiciary Committee, to make a case for establishing the Office of the Tribal Attorney General, used statistical information gathered by Cangleska, Inc. The incumbent was required to be law trained and able to practice in the State of South Dakota. The Attorney General would be required to supervise all other tribal prosecutors, establish prosecution guidelines for all crimes and aggressively pursue convictions for violations of tribal law.

Because prosecution had proven to be a weak link in the development of a coordinated system that could provide safety for the Oglala battered woman, Cangleska, Inc. submitted fifteen interview questions to the Judiciary Committee, requesting that the tribal council consider asking domestic-violence specific questions when interviewing candidates for the position. To our surprise and pleasure, the tribal council asked each candidate all fifteen of our questions! The message sent to applicants was that the Oglala Sioux Tribe's initiative to stop violence against Oglala women was a priority.

Attorney General Steven Sandven was selected. He immediately established a close working relationship with Cangleska, Inc. and the Department of Public Safety, and stated his intention to

make and enact prosecution policies that would enhance victim safety and offender accountability. The following reflect the work currently being done within the prosecution department to achieve these goals. Note that the prosecution department remains grossly understaffed and operates with minimal resources. However, the attitude and atmosphere of the department has dramatically changed and is now conducive to coordination efforts.

1. Make victim safety and offender accountability a priority.
 - The Attorney General has publicly gone on record as being committed to the safety of women.
 - Initiated the practice of “victimless prosecution” in domestic violence, whenever possible.
2. Establish training guidelines for all assistant prosecutors utilizing Cangleska, Inc. advocacy and probation expertise in the development of domestic violence training.
 - Training initiatives have been established by the Attorney General to include constitutional law, criminal procedure, dynamics of domestic violence, and strategies for domestic violence prosecution to include victimless prosecution. Cangleska, Inc. is working with the Attorney General’s office to establish responsible training agendas for assistant prosecutors.
3. Establish prosecution guidelines for domestic violence cases.
 - The Attorney General has made a commitment to develop prosecution guidelines in conjunction with Cangleska, Inc. that follow appropriate statutes in the tribal code, outline investigative expectations, proper criminal procedure, presentation of offense elements, trial techniques, and jury selection tactics.
 - The victim shall be included in all phases of the prosecution process along with provisions for advocate validation and involvement.
4. Develop strategy and procedures to reduce case backlog.
 - The Attorney General has made a commitment to prioritize the backlog of domestic violence cases. All backlog cases will be reviewed for merit, utilizing victim and advocate input where possible. Every effort will be made to proceed with prosecutions on all cases pending as expeditiously as possible.
 - A proposal has been submitted to the tribal court to set aside a block of court time to deal only with backlogged domestic violence cases. This block would also include all pending jury trials.

5. Provide technical assistance to law enforcement and other pertinent agencies.
 - The Attorney General and staff are available to assist with training law enforcement and other service providers on domestic violence, in conjunction with Cangleska, Inc. advocates. This team approach not only provides more complete information to other service providers but also demonstrates the close working relationship and shared commitment of both departments to ending violence.
 - Process for revocation of probation is under discussion for policy development.
 - The Attorney General is also available to give legal and practical feedback on proposed policy or statutory initiatives. As such he has reviewed and given feedback on the Model Domestic Violence Ordinance being proposed by Cangleska, Inc.

There may be times when advocates find they are on the opposite side of prosecution. Instead of assisting the prosecutor in holding an offender accountable, an advocate will be working with a defense attorney to prove self-defense.

These situations are uncomfortable and can strain working relationships. It is important that we maintain a personal sense of our own integrity and ethics. A good advocate may need to take risks to assist women to safety. Prosecutors may attempt to damage the credibility of the advocate as an expert witness; law enforcement obtain search warrants, attempt to serve subpoenas on shelters and attempt to jail advocates, sometimes with a satisfied glint in their eye and sometimes with reluctance and apologies.

Even in a coordinated community response we are not always on the same side. As a native domestic violence organization, we know that our community is in confusion. We know that there will be times when we will not and cannot see a situation the same way.

We know that politics might get involved that could endanger our jobs. However, the closer we come to coordinating our response, the safer Oglala women who are battered will be. Minimizing the chance that the battered Oglala woman will be revictimized by the criminal justice system of the Oglala Sioux Tribe, is enough to keep us invested in working with each other.

Infusion of energy and commitment into the prosecution of domestic violence cases on the Pine Ridge allows advocates to ethically encourage battered Oglala women to seek safety through a systems process. The work underway also serves to minimize blame from other components of the criminal justice system and lends to trust building that nurtures the development of coordinated response to stop violence against Oglala women.

THE COURT

“The court should be free from politics. However, the reality is that if you don’t listen to people they will go to their council representatives and pretty soon you’re up in front of the council with your job on the line.”

- *Court Personnel*

“There should be consequences for bad behavior. That is our way. Beating up a woman was never traditional. We had consequences for doing that. We have to set standards.”

- *Council Representative*

The Oglala Sioux Tribal Court(s) system processed over 22,700 cases in 1997 with a staff of sixteen personnel, which includes four judges. Again, lack of resources and overwhelming numbers create challenges in coordinated community response. Based on dialogue with advocates, the following areas have been identified that will serve to enhance victim safety and offender accountability.

ACCESSIBILITY OF JUDGES

Traditionally, tribal court judges have been easily accessible to the general public. This has become a practice directly detrimental to ensuring safety and fair treatment for battered women.

“Whoever gets the judge’s ear first gets what they want.”

- *Overheard from a Lay Tribal Defense Attorney*

Other court systems are organized to isolate their judges from ex parte communication. The purpose of any court is the fair and impartial finding of fact and interpretation of law surrounding a given criminal violation or civil dispute. Judges are required to respond to a higher standard of personal and public ethics, representing the objectivity and impartiality of the criminal justice system. Judges in a non-Indian court are seldom if ever accessible to litigants or parties before a trial or hearing. Judges in the OST Court are easily accessible by anyone, including batterers and their attorneys. The judges do not like the practice, but it continues anyway. This leaves the OST Court in a sort of limbo, caught between what has been common practice and what constitutes a fair and objective approach to criminal and civil litigation.

Cangleska, Inc. continues to consult with our tribal judges to find ways to at least minimize this practice, either through proposed legislation or court policy changes.

ELIMINATION OF “JUDGE SHOPPING”

The Oglala Sioux Tribal Court sits in two locations on the Pine Ridge Indian Reservation. Approximately sixty miles separate these locations. Each court tends to develop slightly different standard procedures. Each court has its own complement of civil and criminal clerks, juvenile case presenters, and bailiffs. Each has established differing sentencing guidelines and uses different court forms. Each of the four court judges operates independently, with little communication with the other judges. It is not unusual for one judge to hold arraignments, another to hear the case itself, while still another deals with related issues of child custody or support, order for protection hearings, divorce hearings, etc. The result is a lack of procedural and policy consistency within the OST Tribal Court system.

This system makes possible and encourages the practice of “judge shopping”. Because it was allowed in the past, people believe they should have the right to speak with a judge at any time, even about a pending criminal or civil action. Even if one judge will not discuss pending cases, that person takes it to another judge, one who may be sympathetic to their way of seeing the situation. Some judges are accessible and some are not. If one party gets to speak to the judge outside of court, the judge is more compelled and feels obligated to grant motions and issue orders. This is especially true of motions or petitions, which, often falsely, contend an emergency situation of child safety, destruction of property, or implied custody is at issue. In domestic violence cases, batterers seek retaliation by using the system to punish their victim. A BATTERERS' use of these ex parte or one-sided information, results in decisions based upon only half the story – the BATTERERS' half. The victim is not allowed to be heard in court before losing custody of her children, rights to her residence, or access to other shared resources. When it occurs, this practice often leads to conflicts between judges and courts. Individual batterers are allowed to use the system for their own ends, often with no accountability levied for their violence. The public loses respect and trust in the tribal court system.

Increased awareness has led to the judges themselves attempting to establish a workable communication system between each other, the criminal and civil courts, and between the two physically divided courthouses. Guidelines for establishing what constitutes an emergency situation are being developed. Plans to implement a computerized case-tracking system and moves to make judges less accessible outside the courtroom are the key to curtailing this practice.

EFFECTIVE PROBATION AND PRE-SENTENCE INVESTIGATION

Drafters of the OST Criminal Code made sure provisions were included to provide for monitoring offenders and use of probation as a sentencing option against those convicted of a crime. The OST domestic abuse code also includes this provision. However, no policy or procedure exists in the code detailing how this probation will work, who will implement it, or what resources will be available to make it a working part of court sentencing. The court, therefore, was and is unable to implement an effective probation component on its own.

Upon establishing Cangleska, Inc. Probation Department, this service was offered to the OST Court. Two of the four tribal judges immediately seized the opportunity to obtain detailed information about a BATTERERS' history before sentencing, and to provide for the supervised probation of domestic violence offenders. Shown the benefits of this supervised release from detailed reports to the court, the other two judges have also come to rely on Cangleska, Inc. for pre-sentence information and comprehensive supervised probation services. The court's reliance on these services has resulted in over 160 notices of probation violation and resulting bench warrants being issued for non-compliance since April 1997.

CANGLESKA, INC.
Serving the Ojibla Lakota Nation

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Rt. 1, SD 57702
(605) 455-2344
Fax: (605) 455-1245

SACRED CIRCLE
722 St. Joseph Street
Rapid City, SD 57701
(605) 341-2000
Fax: (605) 341-2472

Probation Department
Re: Request for records

Date: _____

This document will serve as an official request for Records/Reports:
Re: _____ D.O.B. _____
for the purpose of a pre-sentence investigation.

Probation Officer

*Women are Sacred - Violence is not Lakota Tradition
There's No Excuse for Domestic Violence*

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Sentencing Recommendations

Case #: _____ Date: _____

Subject: _____

Violation: Spouse Abuse, Section 99.2

Based upon the findings of the attached Pre-Sentence Investigation on the above subject, his/her having been found guilty of the charge of Spouse Abuse, Section 99.2, the Cangleska, Inc. Probation Department makes the following sentencing recommendations.

1. Successfully complete Cangleska, Inc.'s offender program to be monitored by the Cangleska, Inc. Probation Department
2. Undergo chemical dependency evaluation and follow all recommendations given.
3. Abstain from alcohol and all other illegal drugs.
4. Placed on probation for a period of _____ years with Cangleska, Inc. Probation Department.
5. Abide by all Temporary and Permanent Orders for Protection, and abstain from all various of the OST Code for during probation.
- 6.
- 7.
- 8.

Probation Officer

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ESTABLISH DOMESTIC VIOLENCE TRAINING CRITERIAL FOR ALL JUDGES

The groundwork is being laid to establish a Sioux Nations Bar Association, whose responsibilities will include establishing basic ethics requirements and rules of conduct for all tribal judges and attorneys who practice in tribal court. The first order of business for this bar association would be to establish basic mandatory training guidelines for judges, prosecutors, and defense attorneys. The result would be criteria which must be met by any judge and law-trained or lay attorney, before that person is licensed to practice or sit in tribal court.

DEVELOP UNIFORM CRITERIA FOR ISSUANCE OF ORDERS FOR PROTECTION

The OST judges have taken the initiative to upgrade procedure and establish a uniform set of document forms for orders for protection in both courts. The judges also are continuously upgrading informational criteria needed to grant orders for protection, and will conduct training with court and Cangleska, Inc. staff on those criteria. The judges continue to consult with Cangleska, Inc. on protection order enforcement and other basic issues of victim safety.

COORDINATE WITH SYSTEMS AGENCIES TO DEVELOP A COMPUTERIZED CASE-TRACKING SYSTEM

Ongoing communication between the court and other system agencies has resulted in an outline of the basic system needs to be implemented in a computerized case-tracking system. The system would tie together the tribal courts and other system agencies. The logistical problems of connecting two separate courts, nine law enforcement districts, the shelter, the other Cangleska, Inc. departments, and several other components, have led to several revised plans for implementation. Planning and organization are currently ongoing for such a system.

PROBATION

“The only way a court can take into account a pattern of abusive behavior, whether from an arresting officer or from a pre-sentence investigation, is if that behavior can be documented.”

- George Twiss, Director-Coordinated Response & Probation, Cangleska, Inc.

“Probation is a Tribal Court sentencing procedure that allows a person who is convicted of, or pleads guilty to, a crime to go free, provided certain conditions are met.”

- Cangleska, Inc. Probation Department Offender Manual

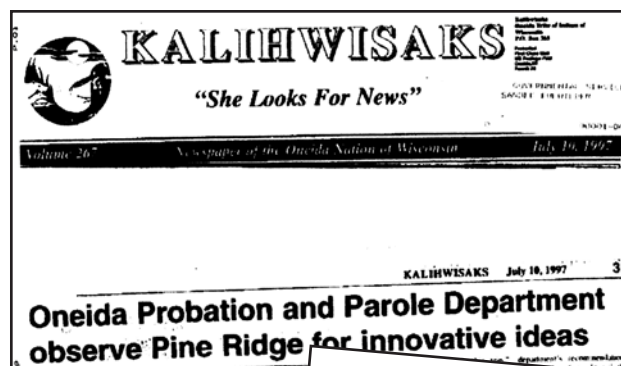
“The Oglala Sioux Tribal Court is giving you a chance to examine yourself and make changes inside of you, which will help you live a life free of violence – a life consistent with our values and beliefs as Lakota people.”

- Cangleska, Inc. Probation Department Offender Manual

Tribal courts are not equipped, nor do they have the resources, to keep every domestic violence offender locked up until completion of sentence. Jail space is at a premium, and the specific facts of a case, with the individual BATTERERS' criminal history, may not warrant full-term incarceration. If a batterer is the sole source of family income, has no prior history of violence, and can be demonstrated to be at low-risk of repeating his battering behavior, a lengthy jail sentence may place an undue burden upon the rest of the family. In these types of situations, supervised probation can be a valid sentencing option.

Probation is generally the supervised release of a convicted or admitted criminal, for a specific period, in lieu of all or part of a jail sentence. Probation can also be an added sanction imposed by the court in cases where the maximum jail time, costs, and other penalties is deemed insufficient by the court for the specific crime. Also the nature of the crime, such as domestic assault or similar crimes, might be such that a period of supervised probation is indicated to deter subsequent offenses.

Special conditions must be met throughout the probation period, or the individual may be subject to imprisonment for the term of the original jail sentence. Additional penalties may also be imposed for non-compliance with court-ordered probation and sentencing conditions. These conditions are usually a combination of specific conditions handed down by the court, along with administrative and monitoring restrictions and rules imposed by the agency charged with providing supervision.



novative ideas

very ideas through this trip," Officer Stevens said. "Through observation of the daily operations of the Cangleska, Inc. probation department, we were able to discover the importance of working with both the offender and the victim. Our ultimate goal is to be able to provide services to both." The victim services are an intricate portion of probation and parole," Donatzer added. "The trip provided a new viewpoint of victim services. We didn't even think of including victim services.

Without taking this trip to the Pine Ridge Reservation, we wouldn't have even considered this possibility as part of this program." The Cangleska, Inc. probation department's recommendations carried a lot of weight with the Judge's decision making process. Stevens and Donatzer hope the Oneida Probation and Parole Department will someday have the same influence and respect within the correctional community as the Cangleska, Inc. does in their community. "Some of the policies, procedures, and departments we observed just reaffirmed what we believed all along," Officer Stevens stated. "We feel that in order to create a successful probation and parole department, one that is conducive to both the victim and offender's needs, it is essential that we work with other Oneida Tribal agencies in the province of services."

The domestic abuse statute of the OST Criminal Code, as enacted in 1989 does make a provision for probation. There was, however, no policy, procedures, or statutory guidelines for implementing or enforcement of that probation. There were no provisions or allocations to support any type of probation department. There was no person, by virtue of their other duties, who could readily be designated to implement and administer a probation program for domestic violence offenders.

Judges were stymied because they realized the importance of supervised probation but could not utilize it effectively as a sentencing option. Their only options were to incarcerate all offenders for the full term of their sentence or incarcerate some and let the others free on unsupervised probation. The court’s efforts to improve accountability for domestic violence offenders were hampered by a lack of resources and the expertise to provide proper supervised probation for these offenders.


In 1996, as part of the comprehensive program design of Cangleska, Inc., a domestic violence-specific probation department was established. The function of this probation department would be to provide the following services for the OST Court:

- Establish and implement procedures for monitoring domestic violence offenders
- Establish and implement procedures for reporting non-compliance to the court
- Provide pre-sentence investigations on offenders to the court
- Establish strategies for specialized tracking/monitoring of repeat offenders
- Coordinate the gathering of all available information on offender violence
- Make offender information available to investigating officers, prosecutors, judges, other probation agencies, and other service agencies

ESTABLISH AND IMPLEMENT MONITORING PROCEDURES

Without established probation procedures, the Cangleska, Inc. Probation Department was starting from scratch. The director set the basic guideline for department offender files – document or secure copies of existing documents, which show criminal history, past assaults, past probation/parole violations, and/or any available indicator of violent behavior. These documents include police reports, victim statements, offender statements/confessions/ admissions, case dispositions, criminal complaints, pre-trial releases, probation/parole documents, restraining orders, orders for protection, pre-sentence investigations, interviews, medical reports, NCIC inquiries, state warrant checks, and correspondence/referrals from other agencies.

Key to monitoring domestic violence offenders was obtaining victim input and compiling a dangerousness/lethality

 <p>CANGLESKA, INC. Serving the Oglala Lakota Nation</p>	<p>SHELTER & BUSINESS OFFICE: P.O. Box 638 Kyle, SD 57752 (605) 455-2244 Fax: (605) 455-1245</p> <p>SACRED CIRCLE 722 N. Joseph Street Rapid City, SD 57701 (605) 341-2090 Fax: (605) 341-2472</p>
<p>Probation Department</p> <p>Re: Request for records</p>	
<p>Date: _____</p>	
<p>This document will serve as an official request for Records/Reports:</p>	
<p>Re: _____ D.O.B. _____</p>	
<p>for the purpose of a pre-sentence investigation.</p>	
<p>_____ Probation Officer</p>	
<p><i>Women are Sacred - Violence is not Lakota Tradition There's No Excuse for Domestic Violence</i></p>	

sentence investigation compiles and documents any past behavior, which allows judges to make more informed and appropriate sentencing decisions. OST tribal judges were quick to see the value of this service and challenged the probation department to provide such investigations from the first day of the department's operation.

The two-court system on the Pine Ridge Indian reservation, and the lack of computerized communication technology, coordinating and making available any pertinent information to the appropriate judge before sentencing has its own challenges. However, having an extensive documentary base on prior offenders, and by utilizing facsimile transmission, probation officers are able to provide basic pre-sentence and pre-release reports, sometimes within minutes of a judge's request. This documentary base utilizes documents and reports from tribal, state, and federal courts, other probation/parole agencies, law enforcement agencies, and any other source of information on the offender. Pending civil action is also included, to minimize the BATTERERS' ability to use other parts of the court system to retaliate against the victim for his arrest and incarceration.


The investigation and report focuses on those areas which show a pattern of violent behavior and accentuate any direct threats to the safety of the victim.

SPECIALIZED TRACKING/MONITORING OF REPEAT OFFENDERS

Since repeat offenders make up at least 48.4% of the new arrests for domestic assault in the OST court system, specific strategies needed to be developed to provide for more intense monitoring of habitual offenders.

This intense tracking was especially needed for those convicted felons who had completed their prison sentences for violent crimes against women and were back on the reservation. Close contact was maintained with state and federal probation/parole officers. The department implemented provisions for random drug testing, home visits by probation and law enforcement, and regular probation office check-ins. Information from these procedures was then incorporated into any pre-sentence investigations, probation violation notifications, and reports to federal or state probation/parole officers. However, the resources and personnel needed to effectively do this type of monitoring for the majority of repeat offenders remains a restricting factor.

Because victims of repeat offenders, felony or otherwise, are at greater risk of further assault, the tracking relies on close contact with the advocate providing services to the victim. Repeat offenders are usually well acquainted with the criminal justice system, mandatory arrest provisions, and what constitutes assault. They have learned what will send them back to jail. Because of this experience, repeat offenders may be very adept at masking behavior and using other tactics of power and control,



PROBATION DEPARTMENT

PRE-SENTENCE INVESTIGATION (PSI) PROTOCOL

PROCEDURE:

1. Receipt of PSI request from Tribal Court
2. Copy of police report and complaint from Clerk of Court
3. Request investigate Tribal Criminal History
4. Past Spouse Abuse case files, including date/time of incident, arrest date and disposition
5. Check/copy any other case files involving violence
6. Note any bench warrants issued because of non-compliance of court order (DTLOC)
7. Request NCIC Criminal History check (police department)
8. Pre-sentence Interview - Defendant
9. Victim Interview (Questionnaire)
10. Family/Acquaintance/Witness interviews (if warranted and available)
11. May be telephone interviews
12. Housing, counseling, treatment, employment, etc. inquiries
13. Complete any Memorandums to the File from the Probation Officer(s)
14. Review of information and completion of Dangerousness/Lethality Checklist
15. Formulation of Sentencing Recommendation
16. Complete Sentencing Recommendations form and Summary of Criminal History Sheet
17. Complete completed PSI Report with cover sheet
18. Provide requesting judge/magistrate with copy of complete PSI
19. Appear at sentencing hearing to give testimony or answer questions on the PSI

PRE-SENTENCING INVESTIGATION PACKET/REPORT (Compiled in this order):

- Cover sheet
- Tab A - Sentencing Recommendations
- Tab B - Summary of Criminal History
- Tab C - Dangerousness/Lethality Checklist
- Tab D - Victim Questionnaire
- Tab E - Pre-sentence Interview - Defendant
- Tab F - Other Interviews / Memorandums
- Tab G - Police Report (current incident)
- Tab H - NCIC Warrant Check / Criminal History
- Tab I - Tribal Criminal History Check
- Tab J - Other Information / Reports

Note: Due to time constraints or unavailability of information, every PSI may not have this many sections or as much information. If sections are deleted, you need not insert a tab for that section. Just adjust the tab designations for the sections you do have.

rather than resorting to physical violence. Isolation and threats are predominant tactics used and are often discovered only through continued communication with the victim.

COORDINATE THE GATHERING OF OFFENDER INFORMATION

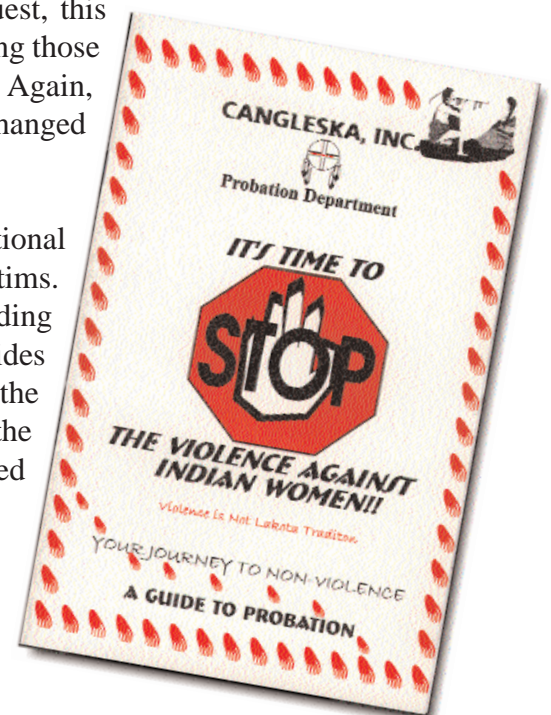
Tribal court and law enforcement do not currently have the capacity or procedures to compile separate offender files. The goal of this probation department has been to demonstrate to the police and the courts how freely providing all pertinent information to Cangleska, Inc can result in available, speedy, and complete information on individual offenders. Patrol officers have come to rely on the probation department to provide background information to help them establish patterns of abusive behavior for probable cause determinations. Judges know that Cangleska, Inc. has this type of information at hand for consideration in setting bail and sentencing. Prosecutors use the Cangleska, Inc. offender information to develop their cases.

Although this coordination of offender information is relied upon by the system, a lack of reciprocity continues to thwart full coordination of information. Ongoing dialogue has set aside some barriers, only to have others surface. Until a fully functional computer information system is in place, Cangleska, Inc. relies on compiling manual files from documents submitted on a case-by-case basis from system agencies. Statutory requirements added to the proposed model code should make a more complete coordination of information possible.

MAKE OFFENDER INFORMATION AVAILABLE TO ALL PERTINENT AGENCIES

Confidentiality is the key to keeping women safe and providing effective victim services. However, the majority of the Cangleska, Inc. Probation Department files contain documents which are classified as public information. This information deals directly with a documented pattern of behavior and documented violence by the batterer. The problem before was not having one agency with the capability to compile that information for easy reference by system agencies. Now Cangleska, Inc. compiles this information. Upon request, this information is made available to any pertinent agency, including those providing additional counseling or treatment to batterers. Again, without a computerized system, this information is exchanged through paper files, documents, and reports.

Advocates for victim safety issues and risk assess additional information on offenders, which has been received from victims. Options are reviewed with the individual victims, including possible retaliation by the batterer. The victim then decides whether or not to include that information in the report to the requesting agency. Should the victim decide not to disclose the information, it is not made part of the report and is not included in the report. That information remains confidential.



BATTERERS' RE-EDUCATION

How to Provide Women Safety & Batterer Accountability When the Batterer Uses the Tactic of

... Physical / Sexual Assault:

- Provide safe space and confidential medical care
- Have the batterer arrested, prosecuted and sentenced to the full extent of the law
- Provide easy access to protection and restraining orders, ensuring enforcement
- Assess for possible threats from his family or friends
- Acknowledge the pain and sense of betrayal that comes from victimization
- Assist and talk with women from a place of compassion and validate her strengths

... Male Privilege:

- Act in a way that validates the sacredness of women
- Express the right of women to move through the world with respect and compassion
- Avoid collusion - confront the batterer's belief about his right to control his partner
- Respectfully confront him about his behavior
- Actively support women's expertise about themselves and their expressed needs

... Isolation:

- Provide respectful support and assistance to women
- Provide outreach and easy access to services, including transportation, childcare, etc.
- Remove any barriers to her regaining power and control over her life
- Deal directly and immediately with on-going threats of violence
- Create and enforce sanctions for interfering with her moving freely and without fear

... Intimidation:

- Allow advocates to accompany her
- Shield her from this tactic, being aware that it includes looks or gestures from him, his relatives or friends
- Avoid use of position as an authority figure to reinforce intimidation tactics
- Communicate clearly that intimidation is unacceptable by naming the behavior and enforcing consequences

... Emotional Abuse:

- Treat and name women as relatives, not as "cases" or other objectifying labels
- Do not make her justify her actions or requests for assistance or resources
- Validate her thoughts, feelings, actions and decisions
- Provide accurate information that lets her know the violence is never her fault, she did not cause and can not alone stop his violence
- See and speak to the best in her
- Support her healing in her own way
- Speak with her as a friend, honestly and respectfully

... Minimizing, Lying and Blaming:

- Avoid collusion with the batterer by buying into his stories or manipulation of systems to maintain control of his partner
- Believe in her and what she says
- Understand the dynamics of battering to avoid minimizing or blaming her for his behavior
- Focus on the truth and confront him about his dishonesty
- Find ways to hold him accountable and change his behavior.

... Using the Children:

- Act in ways that reflects the understanding that mother abuse is child abuse
- Understand that if we protect women, they can protect their children
- Do not allow the batterer to use children as weapons or means of access for violence against their mother through custody or visitation
- Provide the safety and resources for the mother and children to stay together
- Know that removing children from their mother for "failure to protect" revictimizes children and mothers
- Create laws that asserts that battering is child abuse

... Economic Abuse:

- Provide free, easily accessible resources and services
- Acknowledge that poverty, especially lack of housing, causes women and their children to return to the batterer or be homeless
- Create appropriate resources without barriers

... Coercion and Threats:

- Create safety and comfort for women to express themselves and do things freely
- Know that his past use of violence may continue to affect her
- Affirm her thoughts, feelings and opinions
- Understand that using position and authority to make her do what you want her to do is disrespectful and abusive
- Create and enforce laws that validate her rights and hold the batterer accountable for his violence

... Cultural Abuse:

- Provide support and accurate information
- Understand our role as relatives to all things in Creation
- Be responsible for our role as relatives by holding ourselves accountable to women who has been victimized, children and other relatives
- Respect her Path as being equally important as our own
- Honor her privacy without it being an excuse for inaction

... Ritual Abuse:

- Validate her fears and concerns
- Provide accurate information
- Provide whatever she needs to practice her spiritual ways
- Practice our spirituality so our relationship with our sisters reflects humility and self-understanding

An effective system intervention needs to include some type of program for batterers. Our Lakota people have a strong tradition of never giving up on a relative and helping them whenever we can. The BATTERERS' education component conveys that effort to help domestic violence offenders to "change" their violent ways. Such a program cannot be a "treatment" program because battering is not a disease to be "cured". It cannot be a "counseling" program, because that implies a mental or social dysfunction, which the batterer cannot control. Addressing battering as a pattern of violent behavior, learned from and supported by the dominant non-Native culture, points out the individual's own conscious decision to adhere to role-model stereotypes and a choice to exert power and control over another person. Perhaps a better guiding principle for batterers' program should focus on accountability for individual violence, but also offer the information and tools to "grow" as individuals, and to grow beyond their need for violence. In that way, a more productive type of "change can be achieved, one which results in a better Lakota husband, father, brother, son, and relative.

Teaching batterers why they use violence and alternatives to change their battering behavior may be more realistic to fostering a "change." The Cangleska, Inc. batterer Re-education Department utilizes the basic Duluth-model program, but also seeks to assist offenders to

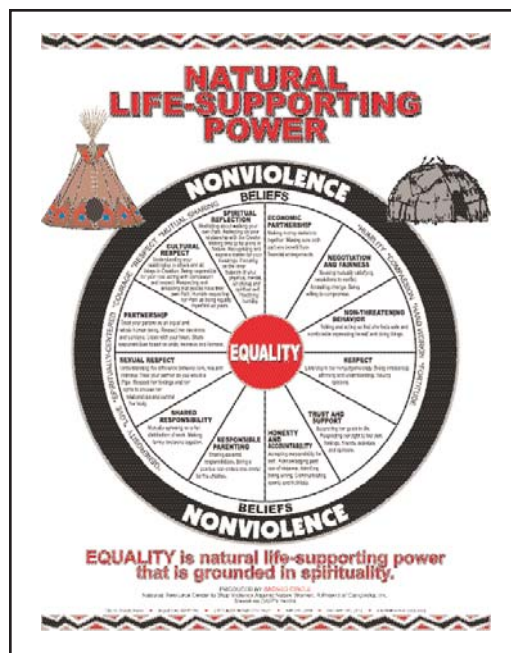
realize that they can choose to walk through life in a non-violent way. One key is to give them motivation and support as they seek this path.

Cultural values are used to promote positive aspects available through a traditional Lakota life of non-violent behavior and respect for women. Initial responsibility for one's violent actions needs to be stressed and accepted by the offender, or a batterer will not be willing to take the steps to becoming non-violent. Awareness and belief that "women are sacred" must be a part of the overall program philosophy.

Class exercises, lectures, group discussions, and informative materials continually stress that batterers must take individual responsibility and accountability for violent behavior. The OST Code echoes this accountability by mandating 24 domestic violence classes as a condition of all sentencing options for domestic abuse. These classes are conducted weekly by Cangleska, Inc. Batterers are required to attend and participate, and agree to abide by a contract between themselves and Cangleska, Inc., a violation of which has been found by the OST Court to constitute non-compliance with sentencing conditions.

Class attendance and the organization's probation department monitors participation, with non-compliance being swiftly reported to the tribal court. The trained group facilitators who hold the classes monitor individual participation and progress through the classes. Outreach advocates keep facilitators and probation officers advised on any violent or abusive behavior exhibited by the batterer outside the classroom. Alcohol and drug use is strictly forbidden as a condition of their contract. Such behavior is inconsistent with the contract and could constitute a sentencing condition violation. In short, all facets of the program tend to remind batterers of their accountability and urge them to "walk their talk" outside of class. The overall message is one of non-tolerance for violent behavior.

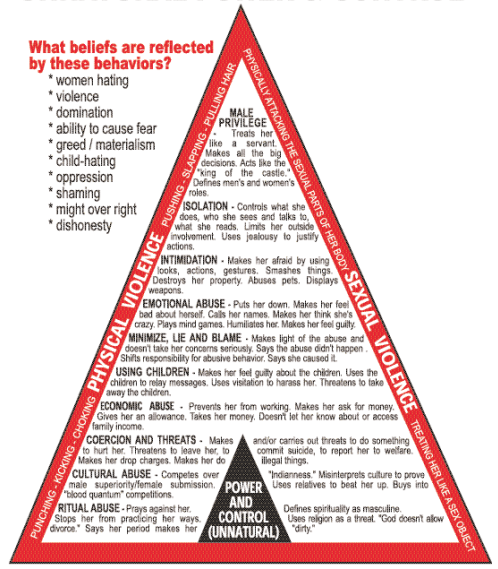
Alcohol and drug abuse, while not direct causes of domestic violence, do increase the frequency of violence and the severity. This chemical dependence also hampers effective batterer re-education efforts. We recognize that many batterers on the Pine Ridge Indian reservation may need help with problems of alcoholism before they can attempt to walk a non-violent path.



UNNATURAL POWER & CONTROL

What beliefs are reflected by these behaviors?

- * women hating
- * violence
- * domination
- * ability to cause fear
- * greed / materialism
- * child-hating
- * oppression
- * shaming
- * might over right
- * dishonesty



VIOLENCE = Having societal and individual power that gives privilege to certain groups over others. This leads to many forms of oppression that destroy, kill, and creates an unsafe, fearful and unnatural environment for everyone.

Produced by Sacred Circle - National Resource Center to Stop Violence Against Native Women

Other resources are needed to facilitate their growth and development as individuals. These resources and additional services are not currently available, or are available on only a limited basis from other existing programs.

Through expansion of the organization, a better law enforcement response, and supervised probation, the batterers' re-education department has been able to identify the following areas of need to affect a non-violent growth for reservation batterers:

MORE CULTURALLY-RELEVANT, BILINGUAL, AND INDIVIDUAL GROWTH ELEMENTS IN THE CURRICULUM

Following an increase in cultural and Lakota spiritual materials in the class curriculum, positive reviews and requests for additional materials/activities were received from members of the batterers' groups. A noticeable increase in class attendance was also noted. The facilitators reported more class participation and retention of class materials when related to Lakota cultural examples and values. Repeat offenders even became more responsive. Class attendees also began to request information on anger management, parenting, job skills, etc. The department began to consider the possibility of expanding the scope of the class materials, while still maintaining the basic Duluth-model concepts. Of course, to include all the additional information, the 24-week format had to be expanded.

The department is developing an expanded curriculum, which would last 48 sessions. The curriculum would address much of the requested information and more cultural and spiritual elements. The curriculum would also address many of the patented excuses used by batterers. "I can't control my anger." Answer: install anger management. "The kids make me nuts and I take it out on her." Answer: parenting sessions. "I can't get a job, and it makes me frustrated and angry." Answer: teach job skills and /or make GED certification a homework project. "I only get violent when I drink." Answer: A chemical dependency education and evaluation block of classes.

The new curriculum will require at least a year of development and field-testing. A contributing factor to implementation of the expanded curriculum will be the passage of the new model code, which would make the 48 sessions mandatory.

A NEED FOR MORE ACCESSIBLE CLASS LOCATIONS AND TIMES

As law enforcement arrests increased, class sizes increased. Offenders from across the reservation now were ordered to attend classes. Along with a more comprehensive curriculum, the department also faced a need to provide more class sites or more class times each week. With this problem came the added requirement of providing additional trained facilitators.

All Cangleska, Inc. staff were provided cross training in group facilitation, along with supervised experience in working with batterer groups.

Individuals from law enforcement and other service agencies were identified, with the goal of getting them trained and able to facilitate groups in each of the nine reservation districts. Adequate training, scheduling, and site resources for the groups remain a problem.

A NEED TO ESTABLISH A CHEMICAL DEPENDENCY SCREENING & EVALUATION PROCESS

A program is being designed for implementation of a chemical dependency screening and evaluation process which will be part of a four-session orientation for new attendees. The process will supplement existing chemical dependency programs, leaving them free to conduct court-ordered evaluations and set up treatment plans.

COORDINATED RESPONSE MONITORING

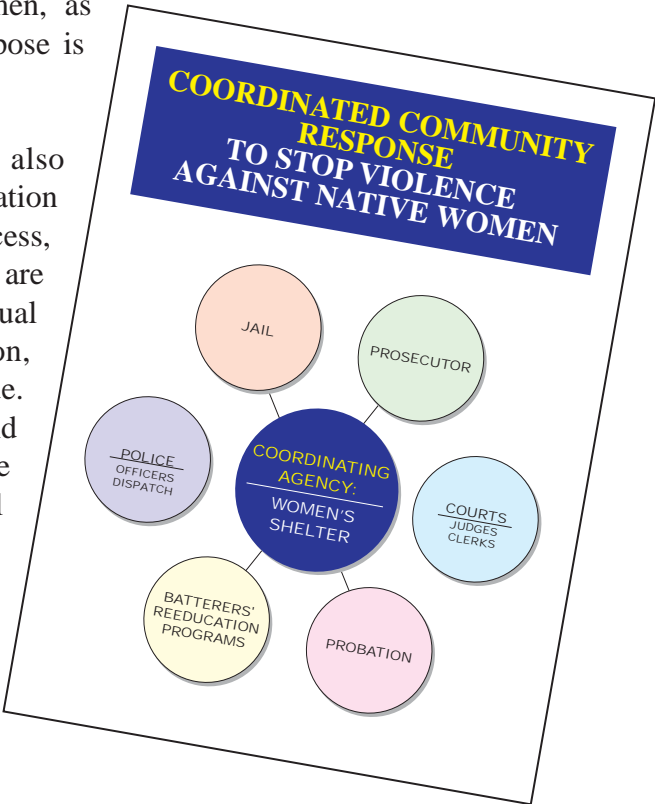
We fully realize that many communities were successful in setting up coordinating task forces, with all system agencies meeting en masse to develop policy. Just as it is true those mass meetings were fruitful in some communities, the experience on the Pine Ridge Indian reservation was very different. No matter what basic goals were shared, large planning meetings or “task forces” eventually ended in finger pointing, blaming, and rehashing of old personality conflicts and turf wars. There had to be a better way!

Cangleska, Inc. began attempting a coordinated response by initiating meetings with each system agency separately, establishing their issues and taking each issue back to the agency that the issue involved. A compromise was then found. The process was then repeated the other way, with the original agency’s concerns and issues. In this fashion, a controlled dialogue was provided, with Cangleska, Inc. as the go-between, to address and find compromises on key issues for the safety of Lakota women. This approach was used to establish and maintain basic communication channels, and to set up agreed-upon procedures for addressing differences.

By this process, Cangleska, Inc., with its integrated advocacy, probation, and shelter services has developed into the overall monitoring agency for a coordinated community response on the Pine Ridge Indian Reservation. System agencies have recognized this designation through continuing to utilize this system to address interagency conflicts. They also perceive this system as the only course which makes sense for the safety of women, as Cangleska, Inc. is the only agency whose sole purpose is victim safety and offender accountability.

All Cangleska, Inc. departments are therefore also responsible for collecting domestic violence information from all other system agencies. During that process, variations in policy, procedure, or law enforcement are reported and noted by Cangleska, Inc. staff. Individual agencies are then contacted for clarification, explanation, or to initiate dialogue to address the issue. In this manner, Cangleska, Inc. acts as a buffer and broker between system agencies, to minimize interagency disputes and to promote better overall communication and response.

To keep this process working, Cangleska, Inc. must be proactive in establishing dialogue during any system conflict. If we are not, the system immediately reverts back to the finger-pointing mass meetings of the past.



OGLALA SIOUX TRIBE 1997 STAFFING AND STATISTICS

OST DEPARTMENT OF PUBLIC SAFETY

Patrol Division (100)

Administration and Support Personnel (60)

- Nine substations in nine reservation districts
- Known for community policing and domestic violence initiatives
- 22,700 arrests in 1997
- Professional Standards and Training Office
- Mandated by Spouse Abuse Ordinance to 40 hours of domestic violence training/yr
- Reduced dual arrest rate from 10% to 1.2% (1997)

OST OFFICE OF THE ATTORNEY GENERAL

Attorney General

Assistant Prosecutors (2)

Prosecution Clerks (2)

OST COURT

Chief Judge

Associate Judges (3)

Court Administrator (1)

Juvenile Clerks (2)

Civil Clerks (4)

Criminal Clerk (1)

Records Clerk (1)

Supreme Court Clerk (1)

Bailiffs (2)

- Two courts – Pine Ridge and Kyle
- Processed over 12,000 cases in 1997
- Over 50% criminal court cases are domestic violence and elder abuse
- Over 40% of civil court docket related to domestic violence

DETENTION

Captain of Detention

Jailers (10)

Dispatchers (10)

Secretaries (2)

- Two detention facilities – Pine Ridge and Kyle
- Detained 22,700 prisoners in 1997

CANGLESKA, INC.
STAFFING AND STATISTICS

MANAGEMENT TEAM

Director of Outreach and Offenders' Program
Director of Probation and Coordinated Response
Director of Shelter and Administration

SHELTER – KYLE (Eastern Office)

Coordinator
Shelter Advocates (3)
Outreach Advocates (2)
Probation Officers (1)
Fiscal Coordinator
Media/Computer Specialist

- Provided shelter for 112 women and 246 children from 3/01/97 to 12/31/97
- Weekly support group
- Weekly offender class

PINE RIDGE OFFICE (Western Office)

Probation Officers (2)
Outreach Advocate (2)
Office Manager (1)
Court Project Coordinator (1)
Volunteers (2)

- 514 women served from 3/01/97 to 12/31/97
- Weekly support group
- Weekly offender class
- 1,600 offenders monitors
- 48.4% (871) repeat offenders
- 25.2% of repeat offenders would be classified as habitual in state jurisdiction
- 16.5% of repeat offenders would be serving felony sentences
- estimate these figures represent 42-45% of actual offenders/women battered on the Pine Ridge reservation (based on national statistics)



PROBATION DEPARTMENT FLOWCHART

