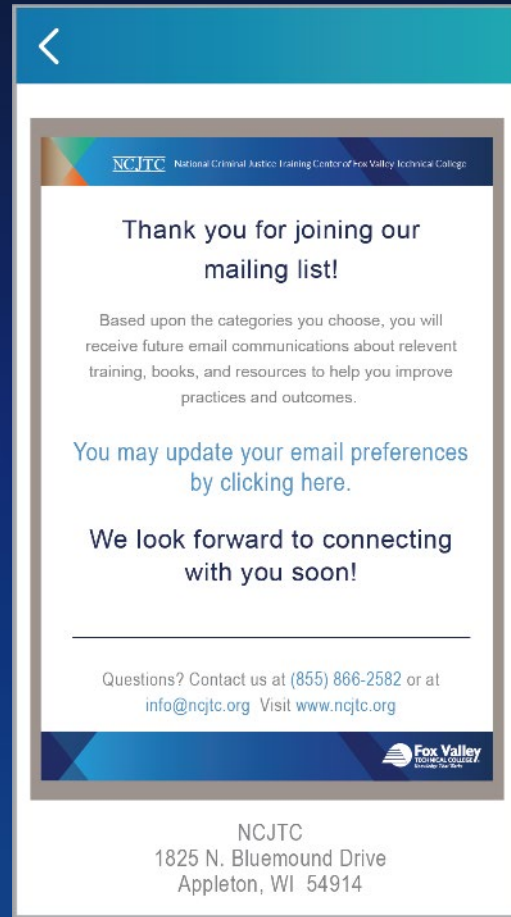
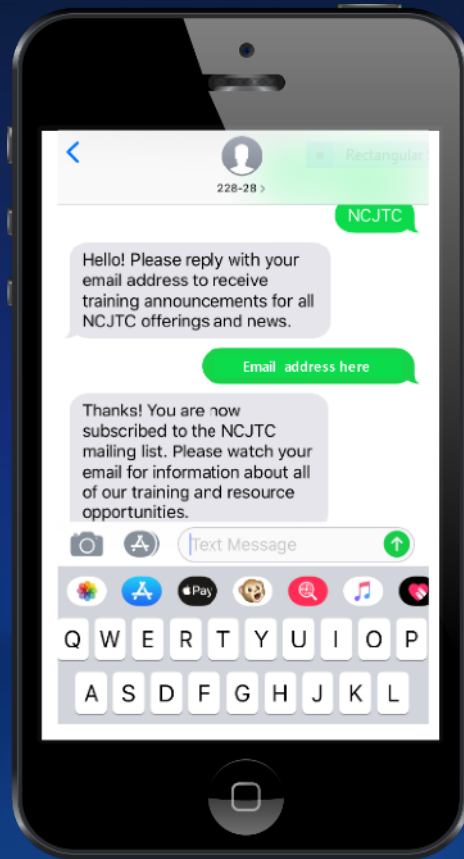




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Developing a Tribal Coordinated Community Response Team (CCR)

September 8, 2020

Presented by:
Bonnie Clairmont & Kelly Stoner
Tribal Law and Policy Institute



Webinar Information



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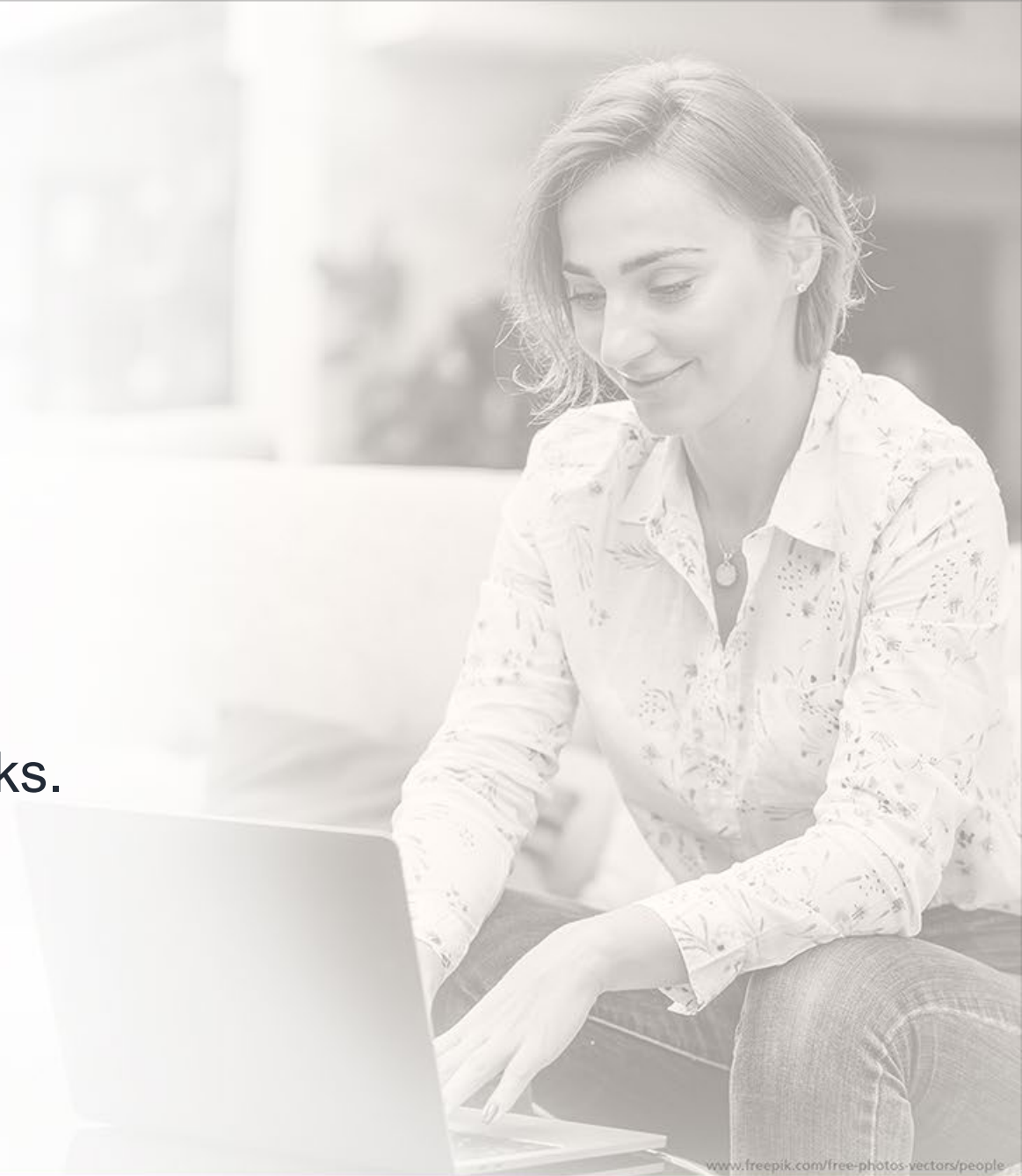


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Presenters



Bonnie Clairmont

Victim Advocacy Specialist
Tribal Law and Policy Institute



Kelly Stoner

Victim Advocacy Legal Specialist
Tribal Law and Policy Institute

Learning Objectives

- 1 Define a Coordinated Community Response (CCR) Team
- 2 Describe the benefits of a CCR Team
- 3 Discuss development of a CCR Team
- 4 Explain the importance of confidentiality with CCR Teams

Data on DV in Tribal Communities

- 56.1% of American Indian/Alaska Native (AI/AN) women have experienced sexual violence
- 55.5% have experienced physical violence by an intimate partner¹
- AI/AN women suffer domestic violence and physical assaults at rates higher than any other ethnicity²

1. National Institute of Justice Research Report: Violence Against American Indian and Alaska Native Women and Men. U.S. Department of Justice (2016). 2 Brief for National Network to End Domestic Violence et al. as Amici Curiae Supporting Respondents at 2, Plains Commerce Bank v. Long Family Land and Cattle Co., 128 S. Ct. 2709 (2008) (No. 07-411);

2. Steven W Perry, American Indians and Crime: A BJS Statistical Profile 1992-2002, Bureau of Justice Statistics, US Department of Justice, Office of Justice Programs, December 2004.





Tribal Coordinated Community Response Approach

Historically, tribal communities had customs and traditions that brought community together to help someone harmed by violence and a tribal justice system in place to prevent violence from occurring and to hold offenders accountable.

Is your tribal community experiencing ANY OF these common challenges when addressing sexual assault?

- Victims not reporting, distrusting criminal justice system resulting in low reporting rates
- Lack of communication and coordination between agencies
- Lack of cooperation between tribal and other jurisdictional authorities
- Lack of clear understanding about roles when responding to DV



Is your tribal community experiencing ANY OF these common challenges when addressing sexual assault?

- Lack of offender accountability
- Problems with protection order violations
- Gaps in the response to DV
- Victims concerned about confidentiality, privacy and safety needs
- Culturally inappropriate and insensitive treatment of victims of DV





QUESTIONS:

- Do any of these challenges resonate with you?
- Are there other challenges not listed here?



A Coordinated Community Response (CCR) to Domestic Violence may help your community address these challenges.

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

Created by Bonnie Clairmont, TLPI



CCR – What is it?

- Multi-agency collaboration
- Membership include individuals who:
 - respond to domestic violence incidents within a tribal community
 - coordinate and collaborate to develop and implement policies and practices to establish culturally appropriate, victim centered responses
 - ensure batterer accountability
- Each agency plays a vital role to ensure a consistent response



CCR teams implement a variety of strategies that may include:

- Interagency policies and protocols specific to internal information-sharing, confidentiality, privacy policies when doing case reviews
- Development of CCR response protocols for each agency
- Signed agreements and MOU's to ensure protocols, policies are followed
- Development of training for CCR on protocols

Benefits of a CCR

- Interagency cooperation
- Cross jurisdiction cooperation
- Protocols for information sharing, confidentiality policies, roles and responsibilities, developing victim centered responses
- Training for responders
- Increase victim trust in criminal justice system
- Shared focus of offender accountability

Additional Benefits of a CCR

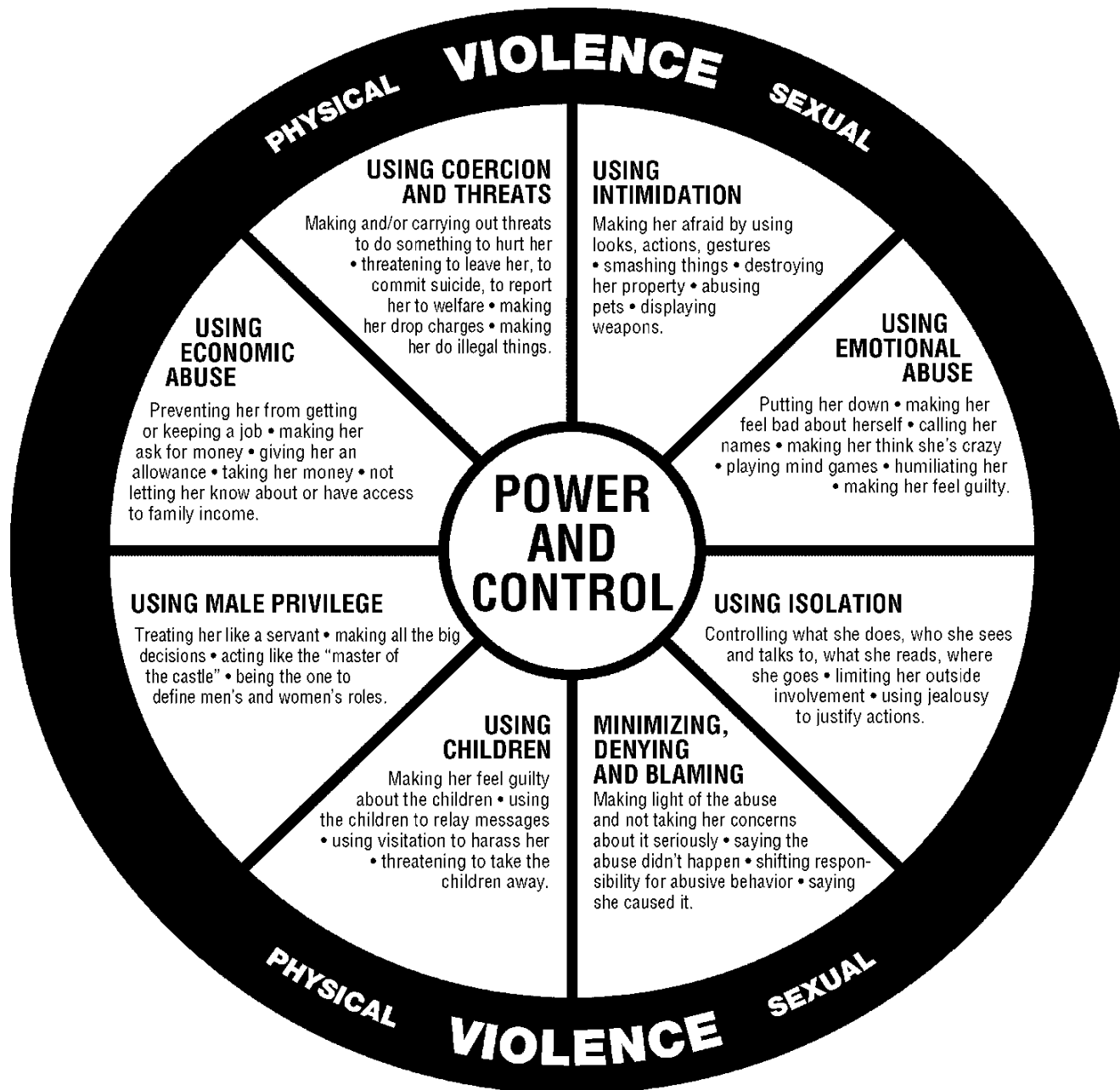
- Convey an environment of collective compassion in the community for those who have been harmed by sexual violence
- Sends a message to the community that domestic violence is intolerable and offenders will be held accountable to the fullest measure of the law
- Maximizes the utilization of limited resources through information sharing, communication and cooperation

Additional Benefits of a CCR *(Cont.)*

- Provides a road map to disciplines for providing victim centered services
- Restores hope in the community that the leaders and service providers are making concerted efforts to respond to crime in a holistic, tribally appropriate way
- Community education and awareness and training for all agencies represented on the CCR on issues such as how and why domestic violence occurs

Domestic Abuse Intervention Project

202 East Superior Street
Duluth, MN 55802



Coordinated Community Response



What We've Learned from the Development of Teams in Tribal Communities

- There are both challenges and benefits
- Identify who is needed at the table
- Discussion on why a CCR/task force is needed
- Identify roles for each member/agency
- Develop procedures/protocols/ on how members and responders work with one another
- Determine how policies and protocols will be institutionalized
- Identify how the work of the CCR/task force will sustain itself

CCR Responsibilities

- Provide leadership in the development of a common philosophical framework to guide the coordinated community response, ensuring that victim safety is a priority and promotes cultural traditions
- Create consistent, standardized policies, procedures and protocols focused on the operational meaning of safety acknowledging confidentiality as an integral component
- Monitor/track batterers' cases from initial contact through case disposition and probation to ensure practitioner systems and batterer accountability

CCR Responsibilities (Cont.)

- Ensure that all women who have been battered and at-risk family members, have 24-hour access to resources, support, accurate information and advocacy services.
- Utilize a combination of sanctions, restrictions and rehabilitation/re-education services to hold offenders accountable
- Evaluate the coordinated community response from the standpoint of victim safety, offender accountability and the goals of the intervening agencies
- Ensure the initiative utilizes traditional life ways as guiding principles, including work to undo harm

Adapted from Duluth Abuse Intervention Project

Developing Policy and Protocol

“It is not a collection of good policies, but a collective policy.”

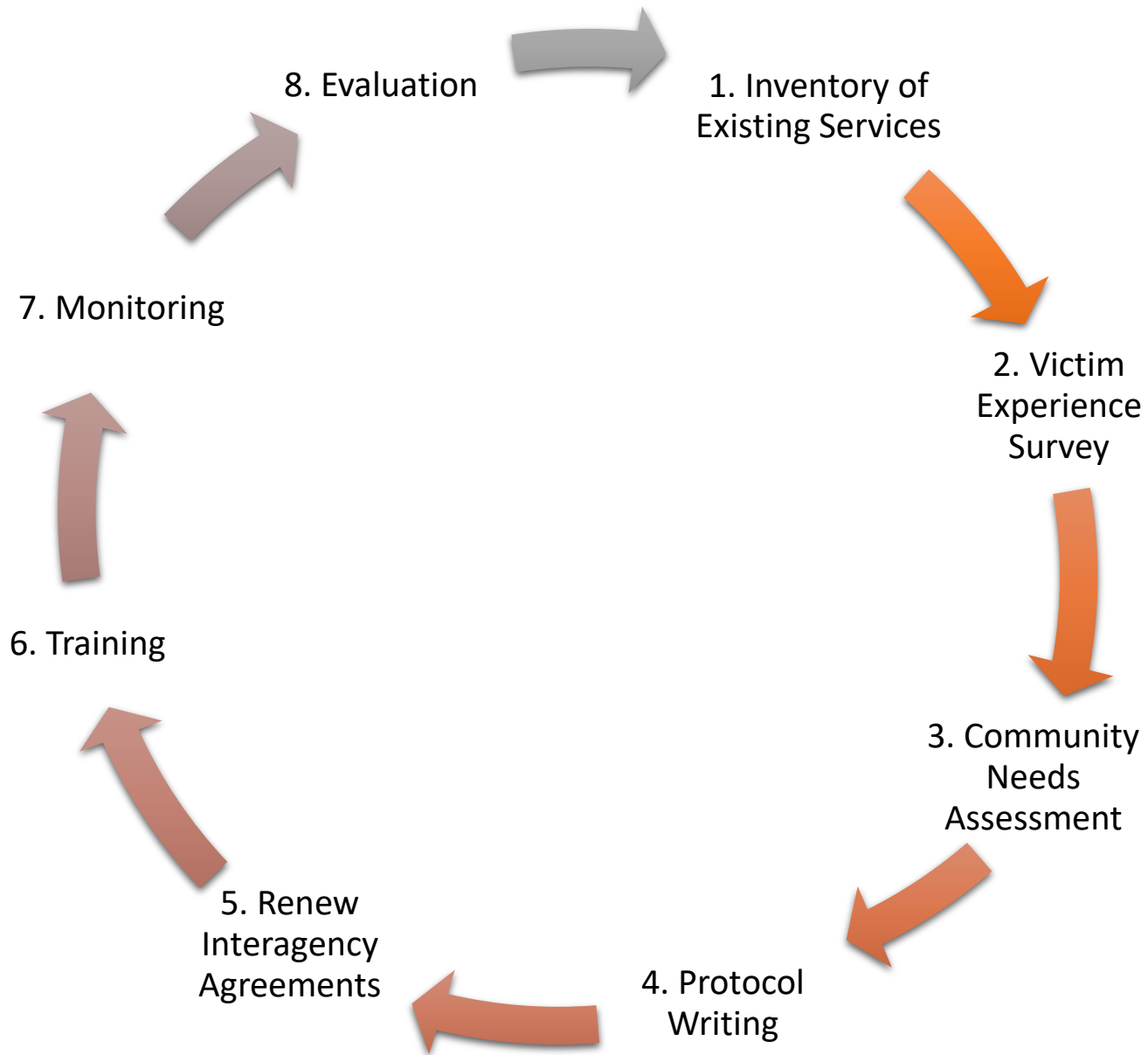
*From: Blueprint for Safety-An Interagency
Response to Domestic Violence Crimes –
Praxis International 2012*

Policy and Protocol Purpose

Blueprint operates on three levels:

- 1) What victims need to be safe
- 2) What practitioners need from each other to do their jobs
- 3) What is required by each worker and agency to hold the offender accountable.

Example of a protocol development process



Protecting Victim Information



- Privacy
- Confidentiality
- Privilege

Protecting Victim Information Privacy

Privacy is the expectation that when a victim shares information with another individual (*the individual does not have to be a professional*), the information will go no further without the victim's consent.

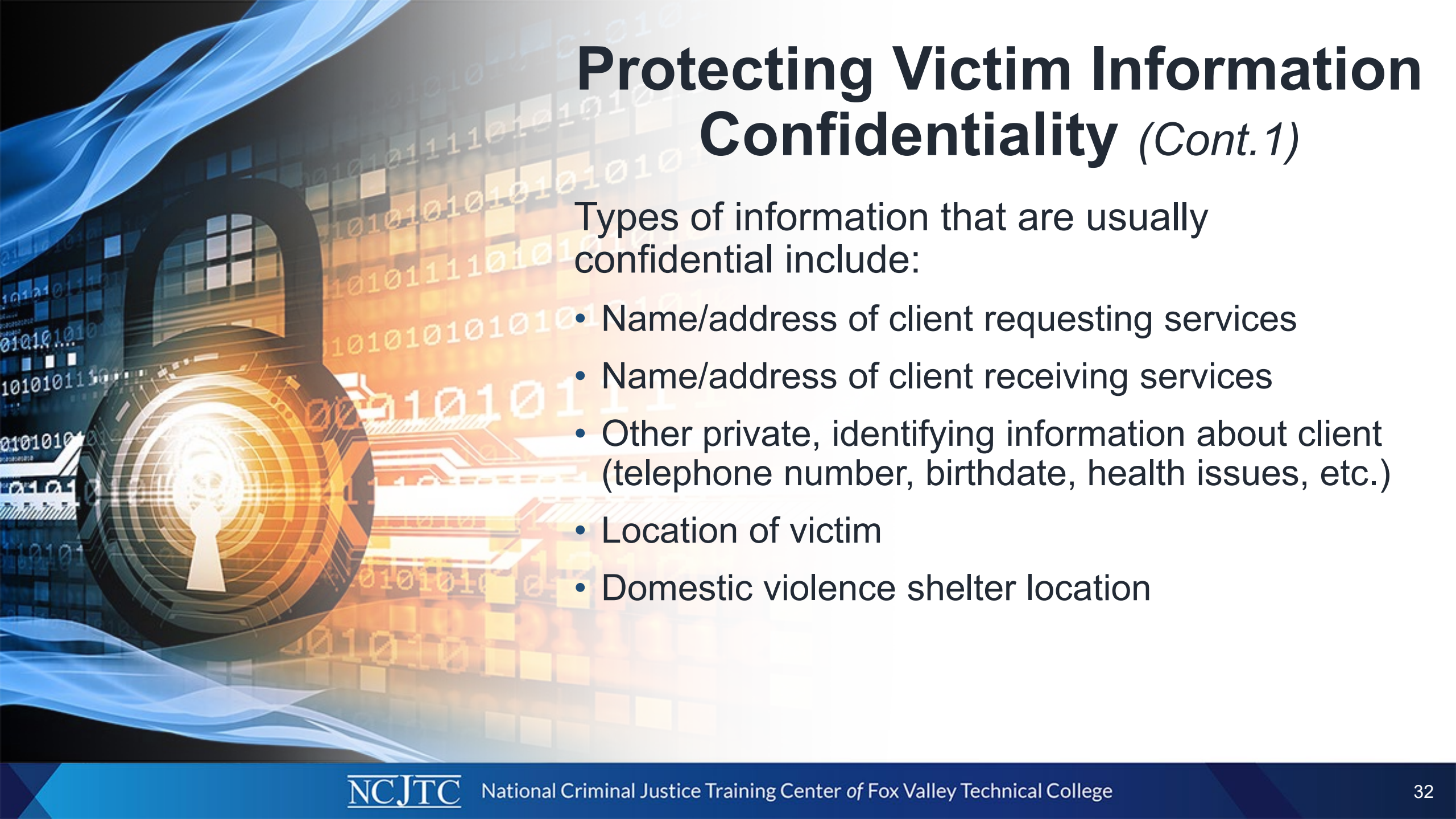


Protecting Victim Information Confidentiality

Protecting the ***confidentiality*** of communications is an ethical duty to keep the victim's information private

Victim statements are meant only for the service provider and the information may only be disclosed with client consent

If the service provider discloses the victim's information without the victim's consent, the service provider may be liable for an ethical breach of duty and lose any of their licensure or certifications



Protecting Victim Information Confidentiality *(Cont.1)*

Types of information that are usually confidential include:

- Name/address of client requesting services
- Name/address of client receiving services
- Other private, identifying information about client (telephone number, birthdate, health issues, etc.)
- Location of victim
- Domestic violence shelter location

Protecting Victim Information Confidentiality *(Cont.2)*

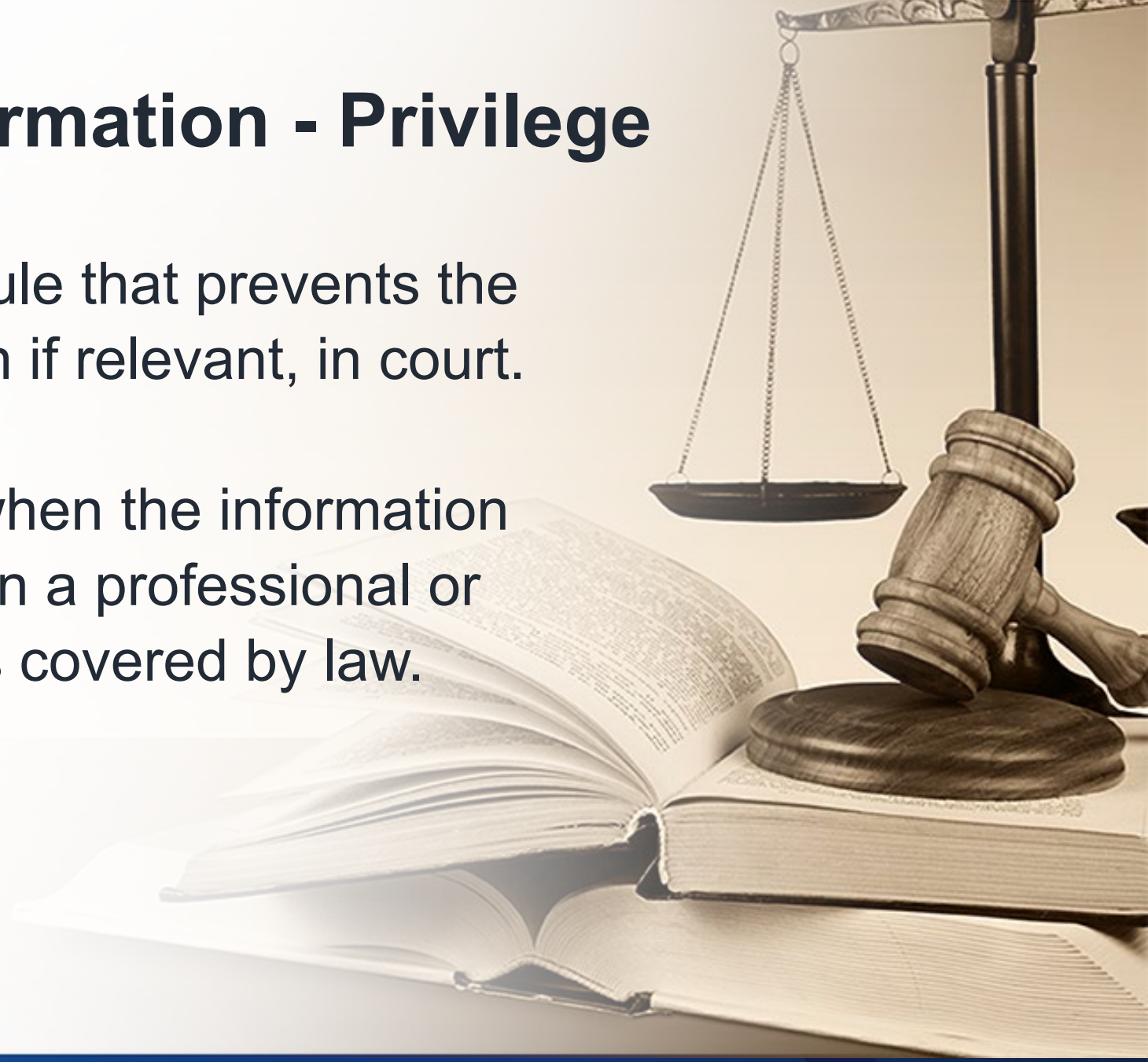
The victim's permission to disclose certain victim information should be executed in a written release of information form.

- Lists what specific information you can disclose
- Identifies to whom the information can be disclosed
- Is signed by the client
- Includes an expiration date
- Provides notice that the client can rescind their permission at any time if they choose

Protecting Victim Information - Privilege

A ***privilege*** is an evidentiary rule that prevents the disclosure of information, even if relevant, in court.

Privilege can come into play when the information was originally communicated in a professional or confidential relationship that is covered by law.

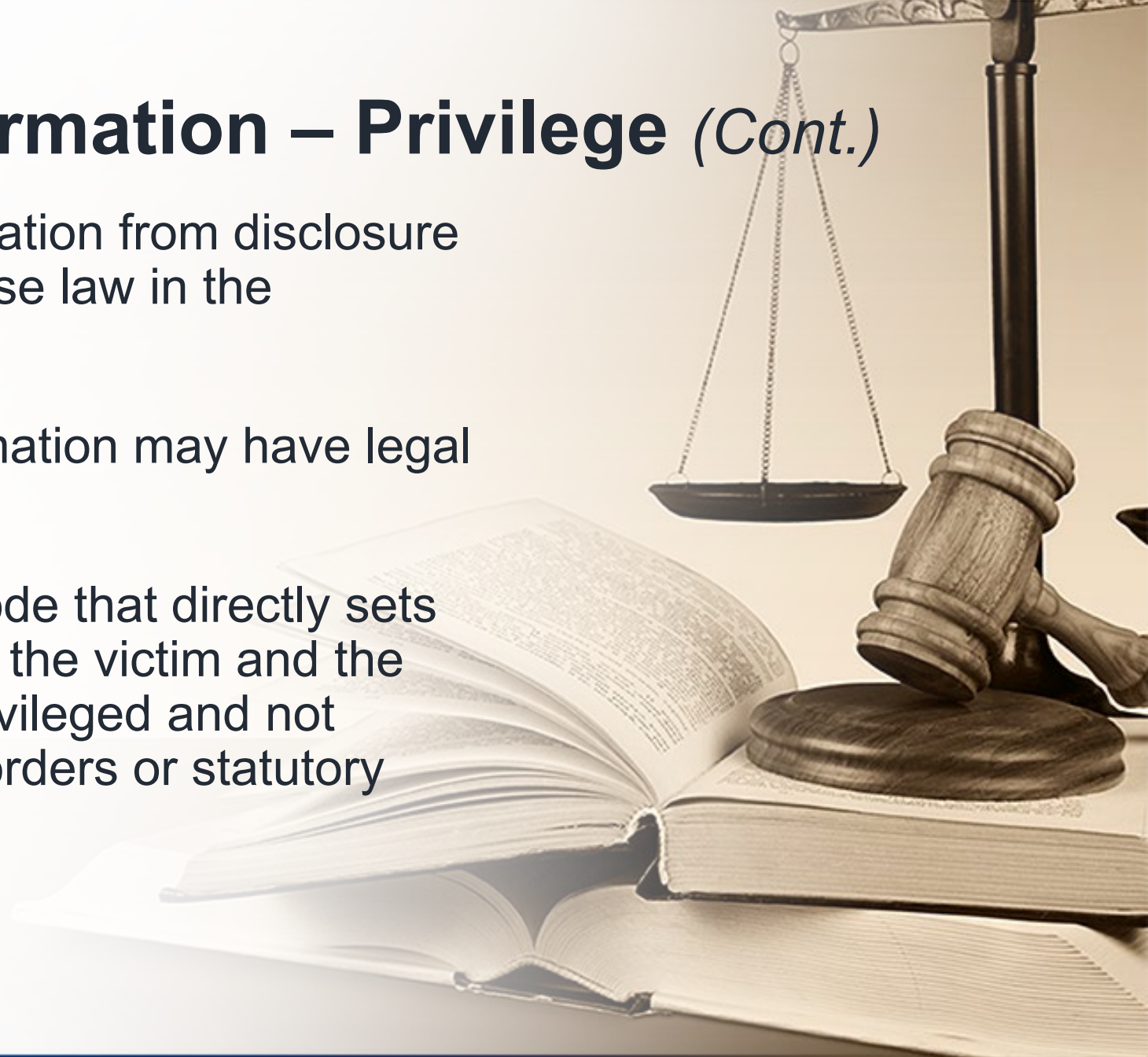


Protecting Victim Information – Privilege *(Cont.)*

Privileges that protect victim information from disclosure are usually set out in statutes or case law in the applicable jurisdiction.

A disclosure of the privileged information may have legal and/or criminal consequences.

It is best practice to have a tribal code that directly sets forth that communications between the victim and the advocate providing services are privileged and not subject to disclosure absent court orders or statutory mandate.





- The CCR will need to develop policies and protocols around privacy, privilege and confidentiality particularly as it relates to information sharing and case reviews.



Developing a Plan to Establish a Wide Base of Community Support for CCR

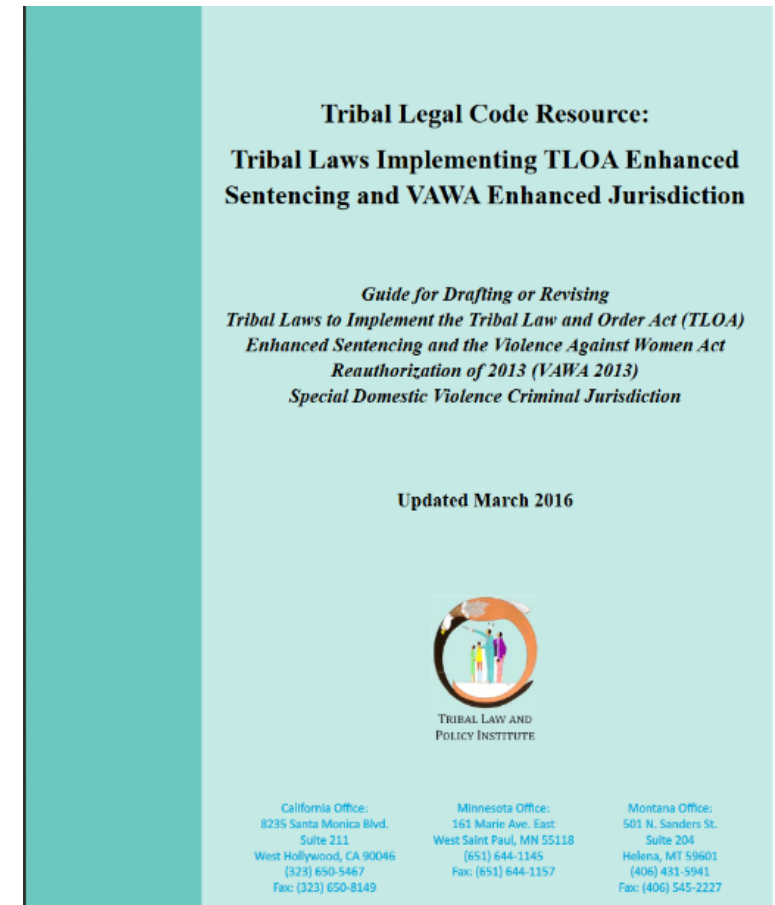
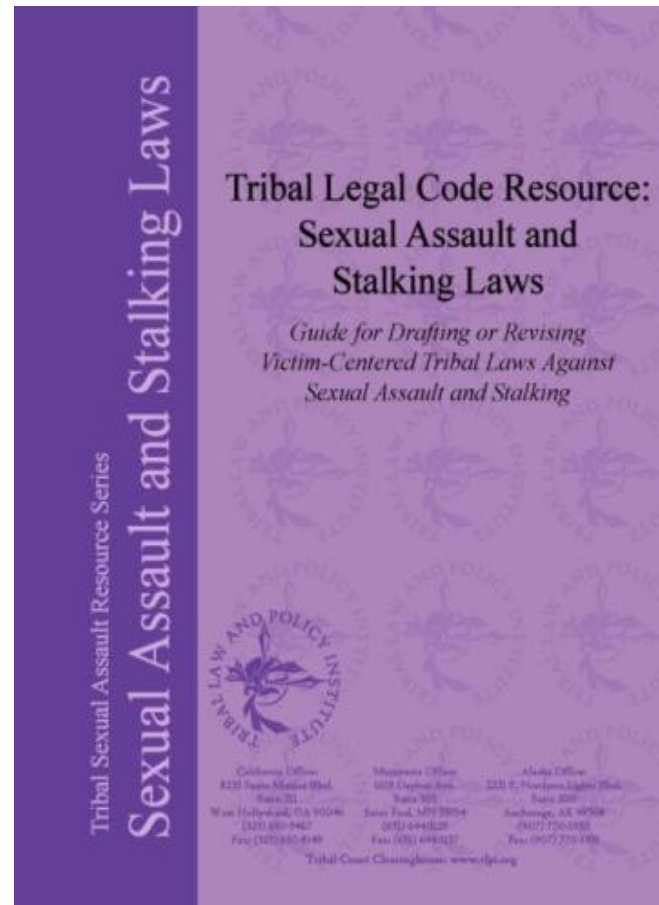
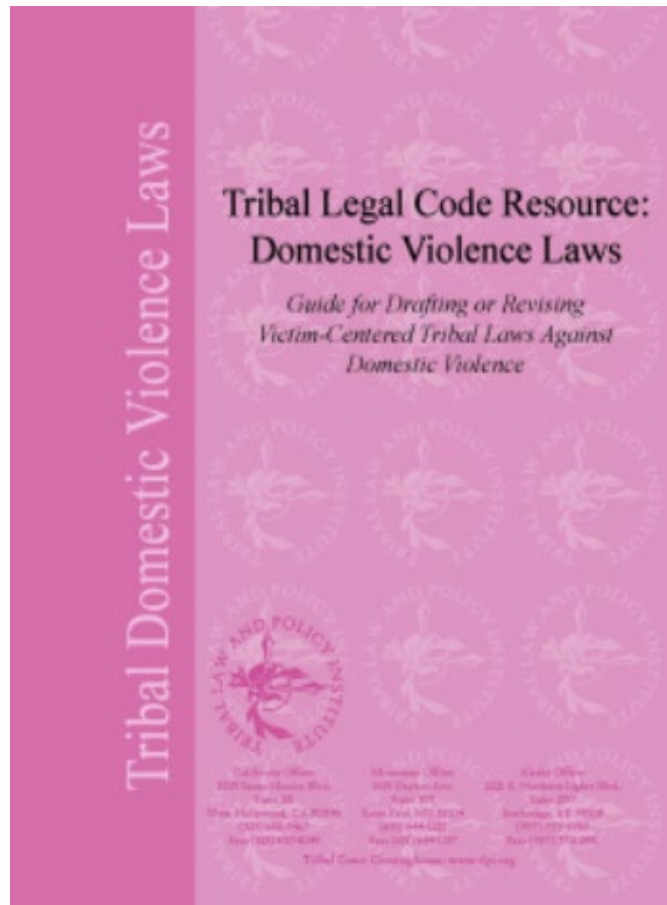
- Why is this important
- How do you establish this support
- Who do you target and why
- Who will do outreach
- What resources will you need

How will the CCR be Sustained

- Training
- Funding
- Development of tools:
 - Train the trainer curricula
 - Assessment tools that are culturally and tribally appropriate
 - Community awareness tools
 - Culturally/tribally specific assessment and tracking tools
- Strategic planning
- Community buy in from leadership to be community-based
- Evaluate the work and obtain feedback from stakeholders to keep work current with laws, trends, and victim needs

Resources

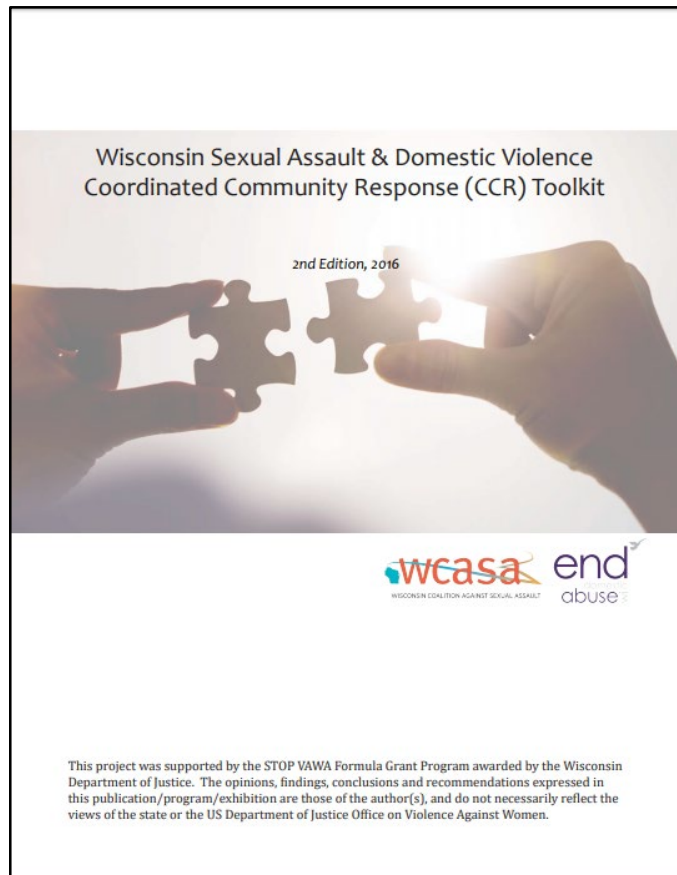
www.home.tlpi.org



Additional Resources

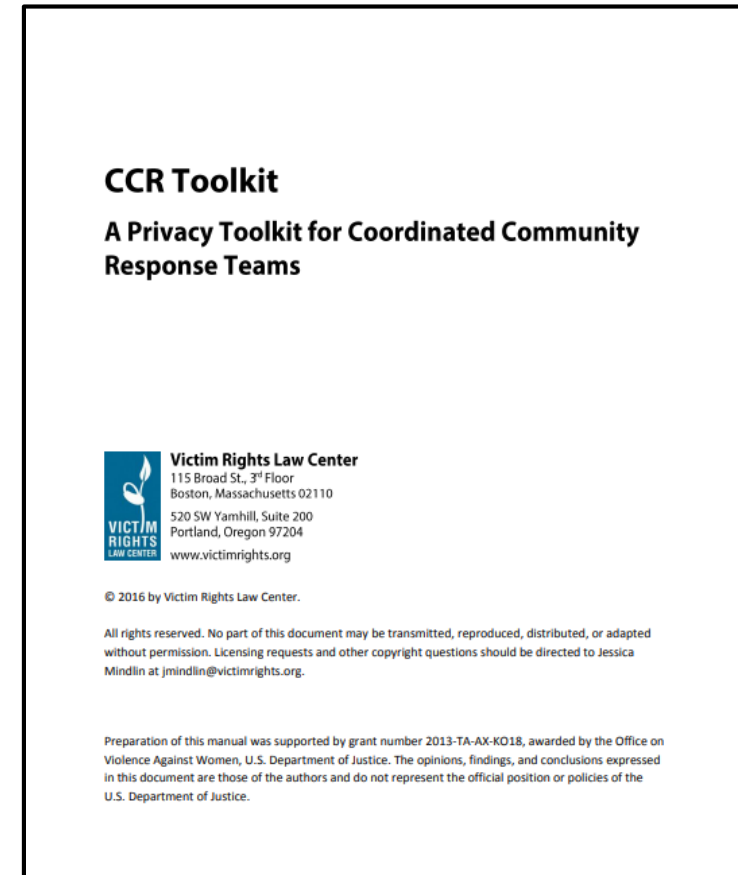
End Domestic Abuse Wisconsin

<https://www.endabusewi.org/for-advocates/ccr-toolkit/>



Victim Rights Law Center

<https://www.victimrights.org/sites/default/files/CCR%20Toolkit.pdf>







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