

**Alaska Rural Justice and Law Enforcement Commission
Options Worksheet for Work Groups**

Working Group: Domestic Violence/Child Abuse

Component: Coordination and Integration of Services

Option# D- CI 1

Statement of problem:

Communication and coordination among and between child protection and DV/SA service organizations and government institutions is neither systematic nor comprehensive enough, and often fails to include tribes.

Current Status:

DV community statewide has engaged in numerous MOUs with other institutions, though tribes are not always parties to those agreements; there is tremendous disparity between various regions statewide regarding institutional coordination and integration of both cp and DV/SA services – depending on region, coordination may or may not include tribal governments; there is some statewide effort to coordinate information sharing between OCS and regional Native non-profits through Tribal-State Working Group –tribal representation on this group is minimal, and fluctuates; Alaska State Court System coordinates cross-jurisdictional education with tribal judges and tribal organizations both by participating in tribal education, and by including tribal judges in state education programs; there are a number of community court agreements, created under state law, which formalize coordination between state, tribal and local governments on jj diversion matters; there is a disconnect between formal and informal policies adhered to by various arms of state government.

Ideal Status:

- a) All governments and institutions should be capable of offering relevant and necessary services without unnecessary duplication of efforts, and with mutual recognition and respect between and among the various service institutions.
- b) MOAs achieved as appropriate.

Structural Barriers (e.g., statutes, regulations, etc.):

- a) Lack of cross training.
- b) Power differential between government entities and private service providers.
- c) Misunderstanding and disagreement regarding how tribes are able to be involved in organizational agreements with the state.
- d) Some fundamental differences of approaches between DV/SA programs and child protection workers about how to best protect children.

Option(s):

Develop more effective coordination and communication, including cross training, among and between all governments and service agencies and organizations.¹ Cross training might include ANICWA or other Native social service agency.

¹ In its Final Report in May, 1994, the Alaska Natives Commission recommended that all agencies handling cases of child neglect or abuse should collaboratively renew efforts to eliminate child abuse and neglect among Alaska Natives, share data, and clarify their respective roles, including OCS, the judiciary, IHS, regional health corporations, and tribal councils. Vol. II, p. 34. The "Follow Up Table of Recommendations" from the Final Report of the Alaska Criminal Justice Assessment Commission of 2000 recommended that state agencies, treatment providers, tribal entities and community organizations to collaborate to establish aftercare and re-entry programs and procedures. See also the Final Report to the Governor by the Alaska Commission on Rural Governance and Empowerment, 1999, in which the Commission encouraged development of inter-governmental and inter-agency coordination mechanisms, and improving communications and cooperation among tribal, state, local governments and regional institutions, as well as within agencies, by encouraging agreements that enhance local decision-making.

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Option# D- CI 2

Statement of problem:

There is insufficient coordination between state and tribal governments, at all levels.

Current Status:

OCS collaborates with tribes in many regions (i.e., Bethel, Sitka) to make client contacts - without compensation; Sitka Tribe has formal agreement with Sitka Police Dept. and local shelter where tribe funds a DV position that serves the entire community, and local police recognize tribal protective orders and work with tribe; state court in Kake diverts some jj and dv matters to Kake Tribal Court in cooperative manner; Kawerak coordinates with tribes to handle OCS priority 3 cases under agreement with OCS; under previous administration, AST cooperated with Mount Sanford Tribal Consortium (MSTC) on police protection – will not do so under current administration, and are threatening tribal officers with prosecution for impersonating officer; there are numerous MOUs among those agencies and organizations that address DV, including SART teams, CACs, etc., though most do not include tribes; there is a statewide OCS tribal-state committee that includes reps from Alaska Native non-profits; dearth of separate child protection teams, and does not typically include tribe; Millennium Agreement and state implementation policies have not been rescinded by state but are not being implemented.

Ideal Status:

Tribal governments would be acknowledged as part of the service delivery scheme statewide, ensuring immediately accessible service presence in villages, as well as maximization of all available resources.

Structural Barriers (e.g., statutes, regulations, etc.):

Alaska State Executive branch policy prevents recognition of tribal authority; insufficient education and capacity development at tribal level in some communities; cross-cultural communication barriers and history of mistrust.

Option(s):

a) Amend state policy to recognize tribal civil decision-making; create voluntary MOU between tribes and state relating to coordination and integration of CP and DV protective services; encourage federal laws to require more coordination including regulations for funding; tribal,

state and federal authorities should increase the cross-recognition of judgments, final orders, laws and public acts of the three jurisdictions; fully implement Millennium Agreement.²

b) State offers opportunity to participate in MOAs to tribes, non-profits and other service providers

c) See "Options" submitted in Problem Area 1 of Development of Local Capacity Issues (i.e., D-LC 1-1) regarding tribes and state reaching agreement on tribal jurisdiction, state reconsidering AG opinion dated October 1, 2004, and funding for tribal courts, which are incorporated here by reference.

² See Resolution 27, Conference of Chief Justices. See also Wisconsin 161 Agreement, which provides for orderly and thorough coordination and integration between the Vilas County Department of Social Services and the Lac du Flambeau Lake Superior Chippewa Indians on all matters of child protection involving tribal children.

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Option# D- CI 3

Statement of problem:

- a) Lack of Child Advocacy Centers in Rural areas.
- b) Multi-Disciplinary Teams (MDTs) are not available in all communities

Current Status:

Child Advocacy Center (CAC). Seven in existence, only two in rural areas-Bethel and Nome. Others include Anchorage, Juneau, Fairbanks, and Wasilla. Kotzebue and Dillingham are working on establishing a CAC in their communities. They currently have active MDTs

Ideal Status:

- a) Readily available access to CAC's throughout rural Alaska.
- b) MDTs available in all communities, or team of similar nature with similar functions.

Structural Barriers (e.g., statutes, regulations, etc.):

- a) Remote sites sometimes inaccessible due to severe weather conditions.
- b) Small aircraft flight service is expensive.
- c) Funding to sustain Child Advocacy Centers also an issue.
- d) Law enforcement reluctant to utilize CACs & involve others in investigative process

Option(s):

- a) CAC staff trained and available to travel to remote sites with AK troopers whenever possible.
- b) Recommend Congress to continue Wellness fund.
- c) Wellness teams in villages to respond appropriately to initial problem
- d) Legislation for all law enforcement to go through CAC.

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Option# D- CI 4

Statement of problem:

There is a need for more culturally sensitive forensic services in remote communities statewide to ensure better protection for DV/SA and child abuse victims.

Current Status:

- a) While Alaska State Troopers are primary investigators for child abuse and DV/SA statewide for purposes of criminal prosecution, there are insufficient numbers of troopers or VPSO's to provide viable forensic response to investigation (time delays cause loss of evidence), and investigators often do not have sufficient cultural understanding to communicate well with witnesses and victims in villages; in Bethel Yupik-speaking women have been used to conduct interviews with great success; state does not recognize tribal policing, and therefore is unwilling to offer formal training to tribal police, who are often the first responders in villages, to assist with forensic investigation.
- b) Forensic Interview Training – OCS has training in place; Law Enforcement

Ideal Status:

- a) State, tribal and federal governments work cooperatively to maximize the collection of forensic evidence that is necessary to ensure protection of child abuse and DV/SA victims in remote communities.
- b) Train more culturally competent female interviewers
- c) Regional expert available

Structural Barriers (e.g., statutes, regulations, etc.):

Attitudes; cross-cultural understanding; availability of resources.

Option(s):

Establish roving position within each region for highly-trained forensic investigator who has cultural skills necessary to communicate within cultures served;³ train tribal police to the same degree that AST and other municipal police officers and investigators receive forensic training.⁴

³ In its Report "Improving Safety in Indian Country: Recommendations from the IACP 2001 Summit" the International Association of Chiefs of Police recommended that the federal government should fund services such as forensic exams. (Recommendation 44 at p. 27).

⁴ In its Final Report to the Governor, 1999, the Alaska Commission on Rural Governance and Empowerment recommended that a local law enforcement officer should be present in every community in Alaska, that such officers should be fully trained, staffed and paid, and that the state should support federal efforts to train, equip and pay tribal officers.

