



REVIEW OF AVAILABLE DATA AND LITERATURE ON SERVICES FOR AMERICAN INDIAN AND ALASKA NATIVE VICTIMS OF CRIME

National Congress of American Indians
September 2020

EXECUTIVE SUMMARY

The National Congress of American Indians (NCAI) partnered with the National Center for Victims of Crime (NCVC) to help American Indian and Alaska Native (AI/AN) victims of crime better access needed services. NCAI conducted a review of available data and literature on services for AI/AN victims of crime in order to identify gaps in available data. As a result of the research, NCAI created a visual timeline of the crime victimization process to highlight where and what gaps in information are present for the analysis of crimes, victims, and victim services.

- Key findings showed a need for additional data on crime and victimization rates, crime types committed and the types of services needed, the types of services needed and the availability of services, and the victim's need and ability to access relevant services. Additional data is needed for each comparison because **inconsistencies between definitions and data collections prevented direct comparisons to measure gaps in services or even the specific need for services.**
- Individual datasets showed that overall violent crime rates in the United States steadily decreased from 2007 – 2017, ¹ but datasets also showed an increase in victimization rates.² The data and literature further found that AI/AN experience the highest rate of violent victimizations in the United States.³ **Discrepancies in the focus of the data and the source of the data represent the first data gap in the crime victimization timeline.** Gathering additional AI/AN information on the crime rates and the victimization rates in Indian Country will provide a stronger foundation for data gathered further along the crime victimization timeline.

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- Limited variation in the crime and victimization types examined by datasets showed the need for additional resource gathering and highlighted another key gap in the data - **more information is needed on all crime and victimization types**. Domestic violence and sexual violence are important issue areas that merit significant data collections, and most of the robust datasets focused on these areas. To gain perspective and fully identify gaps in victim services for AI/AN victims of crime, robust data collections need to be completed on a wide variation of crime and victimization types. Collecting data from a wide variation of crime and victimization types can help begin to identify the potential victim need in services and may identify some crimes and victimizations as higher frequencies than previously known.
- **The third main gap in data comes from limited information and data collection on victim need and victim ability to access services for their needs**. This report looks into barriers that prevent AI/AN victims of crime from accessing needed services, but more data are needed on whether the victim is able to access specific needed services. To measure that ability to access needed services, data on victim needs in general is also required. Data measuring victim need and ability to access needed services is limited and focused on sexual and intimate partner violence. To address this gap in the data and understand the gaps in victim services for AI/AN, more data is needed measuring victim need and victim ability to access data across a variation of crime and victimization types.
- **The fourth gap in the data along the crime victimization timeline occurred with data on the victim service providers**. In order to measure needs and whether needs are being fulfilled, information previously discussed along the crime victimization timeline needs to have been gathered and analyzed. Data on victim service providers and the services they provide needs to be examined in the context of the crime and victimization rates and service types for different crimes and services, the victim's needs, and the barriers to accessing services in different areas. Examining these factors together will provide a more complete look into where and what the gaps in victim services for AI/AN victims of crime exist.

The second report in this report series will examine baseline data from the Tribal Resource Tool, a voluntary reporting opportunity for victim service providers with specialized services for AI/AN victims of crime. The third report in this report series will examine the data from the Tribal Resource Tool after one year of additional data collection. Due to limitations on the data gathered, the data examined with the Tribal Resource Tool cannot replace a robust data collection needed to provide a full picture of victim services in the United States.

OVERVIEW

The National Congress of American Indians (NCAI) partnered with the National Center for Victims of Crime (NCVC) on a project to help American Indian and Alaska Native (AI/AN) victims of crime better access needed services. The project involved conducting a review of available data and literature on services for AI/AN victims of crime. The aims for this review included the following:

- *Review available data on AI/AN crime and victimization rates;*
- *Assess the availability of victim services, needed victim services, and gaps in accessing services; and*
- *Understand the barriers that prevent AI/AN crime victims from accessing needed services.*

The review found that AI/ANs experience significantly higher rates of violent crime victimizations compared to the general population.⁴ Gaps in AI/AN victim services were explored and identified along a crime victimization timeline. Limited knowledge of services along the timeline impacted the overall availability of victim services.

METHODOLOGY

Definitions

A timeline for crime victimization was developed to clarify the different stages of crime and victimization (**Figure 1**). The timeline highlights where data may reveal gaps in access to AI/AN victim services. The images represent the entity involved and the blue arrows represent the actions that move to the next stage. Definitions of each element of the timeline are described below the illustration.

Figure 1. Accessing Victim Services: A Visual Timeline of the Criminal Victimization Process



Throughout this review, the following definitions are used when distinguishing between the perpetrator (criminal), the type of crime committed, the victimization, the victim, the impact or need for accessing victim services, and the type of victim services:

- **The perpetrator** is the individual who commits a criminal act through his/her **conduct** or action.
- The **crime type** is the specific crime that the perpetrator commits, including but not limited to, assault, property crime, drunk or drugged driving, or elder abuse.
- **Victimization** is the process of a crime occurring to an individual or individuals.
- **Victim** refers to an individual who has experienced a crime.
- After the crime is committed, the crime has some sort of **impact** on the individual, which creates a **need** for the victim to receive some form of assistance or service that can help the individual recover from the crime. For example, the impact could be medical need that resulted from the crime, emotional need, need to escape to a safe place, or a need for legal assistance.
- **Victim Services** are provided by governmental or non-governmental organizations that provide victims with support and services to assist with physical and/or emotional recovery.⁵

Background

In 2010, the Office for Victims of Crime (OVC) in the U.S. Department of Justice (DOJ) launched the *Vision 21* strategic initiative to facilitate discussion and grow the field of victim assistance.⁶ Victim services providers help crime victims with some form of support to assist with a physical, emotional, or financial recovery.⁷ Services could include but are not limited to protection or shelter, guidance through the criminal justice system, or medical care. Service providers may or may not include allied practitioners, organizations or services that do not identify as specifically for victims but may encounter victims as a part of their regular services (for example, in emergency rooms).⁸ The 2010 *Vision 21* final report summarized discussions held with victim assistance experts, federal funding agencies, and the online community, and included a literature review on victim assistance programs and crime rates in the United States as of the date of the report.⁹ Since the *Vision 21* report, new data and analyses on AI/AN victimizations have been released, crime rates and policing reporting rates have been updated, and more research on victim services has been conducted.

As a result of the *Vision 21* report, the National Congress of American Indians (NCAI) and its Policy Research Center partnered with the National Center for Victims of Crime (NCVC), the Tribal Law and Policy Institute (TLPI), and StrongHearts Native Helpline to create a new online tool for AI/AN victims of crime to access needed victim services including services with culturally relevant programs. In addition to the online tool, the partnership sought to identify potential gaps in the services available for AI/AN victims of crime. This review is a part of that work.

Methods

The NCAI Policy Research Center conducted a review of available data and research on crime rates, needed victim services, gaps in AI/AN victim services, and barriers to accessing victim services. The data and literature review addressed the first two project aims, *review available data on AI/AN crime and victimization rates* and *assess the availability of victim services, needed victim services, and gaps in accessing services*. The project team identified available data through conversations with the U.S. Bureau of Justice Statistics and the Office for Victims of Crime (OVC) on available data collections to help direct the data search. The NCAI Policy Research Center staff also attended the *Women are Sacred* conference (2018), the OVC Tribal Consultation (2018), and *Indian Nations* conference (2018) to gather more information and perspective on AI/AN victimizations and access to services.

Searches of the grey literature helped further find available data, analyses, and literature on AI/AN crime and victimization rates, including underreporting of crimes. Grey literature is literature not produced by a commercial publisher and includes literature from federal, academic, and business entities in either print or electronic formats.¹⁰ Examples of grey literature includes government publications, reports, and policies. In addition, Google Scholar and PubMed searches with key words of *American Indian Victim Services* and *Native American Victimization* furthered the literature on the subject. A review of citations in these resources helped provide additional information. The data portion of the review primarily examined five different federal datasets detailed below. The research review and grey literature primarily focused on publications from the last ten years that met search criteria but due to limited information available, some research cited in this report dates back to the early 2000s.

The work for the third aim, *understand the barriers that prevent AI/AN crime victims from accessing needed services*, primarily utilized sources from the literature review, including literature found through grey literature searches, federal reports, and Google Scholar and PubMed searches. Much of the literature findings were reaffirmed through the

information received at conferences focused on specific types of AI/AN victimizations, primarily on the topics of domestic violence and Missing and Murdered Women.

Data Sources

The team reviewed data from the U.S. Bureau of Justice Statistics (BJS) National Crime Victimization Survey (NCVS), the U.S. Centers for Disease Control and Prevention (CDC) National Intimate Partner and Sexual Violence Survey (NISVS) in combination with the NISVS AI/AN oversample, and the National Violence Against Women Survey (NVAWS). U.S. Census Bureau and the Federal Bureau of Investigation Uniform Crime Reporting (FBI-UCR) Program public datasets were also utilized.

The two main data collections in the United States to measure nonfatal violent crime rates are the FBI-UCR and NCVS.¹¹ Both datasets collect information on violent crime but each collects and defines data differently and cannot be directly compared to each other or expected to have the same rates for crimes.¹² An important limitation for all these datasets is that data distinguishing crimes and victimizations on tribal lands and urban areas are not included.

The data sources reviewed in this project are briefly summarized below:

The Federal Bureau of Investigation Uniform Crime Reporting (FBI-UCR) Program collects data on crimes committed and documented by law enforcement. At the time of this report, the FBI-UCR included four different data collections: the FBI National Incident-Based Reporting System (NIBRS); the Summary Reporting System; the Law Enforcement Officers Killed and Assaulted Program; and the Hate Crime Statistics Program.¹³ Information on the victim/victimization was not available from this data source because the data collected focused on the crime rather than the victim.¹⁴ The FBI UCR system is a self-reported system and not all state/local or tribal nations report data to the system. Federal reports do not necessarily track whether crime occur in Indian Country or involve AI/AN victims. The limited information on victimization served as the key limitation of this dataset to identify discrepancies between crimes committed and needed victim services.

Different law enforcement agencies around the United States enter their data into the FBI UCR system.¹⁵ The data includes homicide and commercial crimes in violent crimes but not sexual assault.¹⁶ Crime rates are measured on crimes documented and do not show information on all crimes committed.¹⁷ Changes in 2013 to crime definitions, such as for the definition of rape, impacted documentation of crimes and inclusion of data in

different reports.¹⁸ Evolving definitions disrupt continuous data and represent a limitation in this dataset.

National Crime Victimization Survey (NCVS) is a nationally representative survey conducted by the U.S. Bureau of Justice Statistics that focuses on victimizations rather than the criminal act.¹⁹ The NCVS includes data on crimes not reported to police.²⁰ NCVS defines violent crimes differently than the FBI-UCR system and includes sexual assault under violent crimes but does not include homicide or commercial crimes.²¹ NCVS data documents a crime against a household as one victimization rather than count each victim of the same crime. By limiting each victimization to one household rather than each victim, the data has a limited view of victimization rates.

FBI-UCR data and NCVS data classify and document criminal acts differently. The NCVS documents victimization rates by the year of the survey that data on a victimization was collected and not the year the crime was committed.²² Victims under the age of 12 are also not included in this survey.²³ Victimization rates are further skewed because the NCVS does not include information on individuals who are homeless or living in institutions such as nursing homes or correctional facilities.²⁴ The FBI-UCR system includes crimes against victims of all ages, all living situations, and documents crimes to the year the crime was committed and not the year the system obtained the information. These differences explain why crime rates can be different between the FBI and NCVS datasets.

NCVS often has few AI/AN respondents and may combine multiple years of data together for a more accurate estimate²⁵ or combine the AI/AN population with Asians, Native Hawaiians and Other Pacific Islanders, and persons of two or more races.^{26 27} Victimization rates for AI/ANs using NCVS data can vary widely depending on what combination of years are used. This is a limitation in the data and an aspect to remember when reviewing NCVS data for AI/AN victims.

National Intimate Partner and Sexual Violence Survey (NISVS) is an ongoing nationally representative survey by the U.S. Centers for Disease Control and Prevention (CDC).²⁸ The survey collects “national- and state-level data on intimate partner violence, sexual violence, and stalking victimization in the United States,” and other victimizations are not included in the survey.²⁹ The survey asks about victimizations over the previous year and over the lifetime of each survey participant. The survey uses questions about behaviors or actions experienced rather than legal definitions of crimes to determine victimizations (e.g. punched or kicked versus assault).³⁰

The **NISVS AI/AN oversample combined with the NISVS general sample** were used together to create a more nationally representative sample of the AI/AN population. The NISVS AI/AN oversample was an additional survey conducted that targeted respondents who identified as AI/AN or targeted areas in which at least half the residents identified as AI/AN.³¹ The oversample created a more representative sample size for the data analysis compared to other datasets with small AI/AN sample sizes. The combined samples provided responses from 2,473 women and 1,505 men who identified as AI/AN (alone or in combination with another racial group). Of those respondents, 83 percent of women and 79 percent of men were affiliated or enrolled with a tribe or village and 54 percent lived on a reservation or in an Alaska Native village within the past year. Partially completed interviews were included in the analysis and weighted accordingly. Estimates from the combined samples showed the total number of AI/AN victims and not how often victims experienced violence.³²

A key limitation of these datasets for measuring AI/AN victimizations and the needs or accessibility of victim services is the limited focus on sexual violence, intimate partner violence, and stalking. Analyses by the CDC primarily use the general NISVS dataset. The National Institute of Justice (NIJ) analyses for AI/AN victimization use a combination of the general NISVS dataset and the NISVS AI/AN oversample.

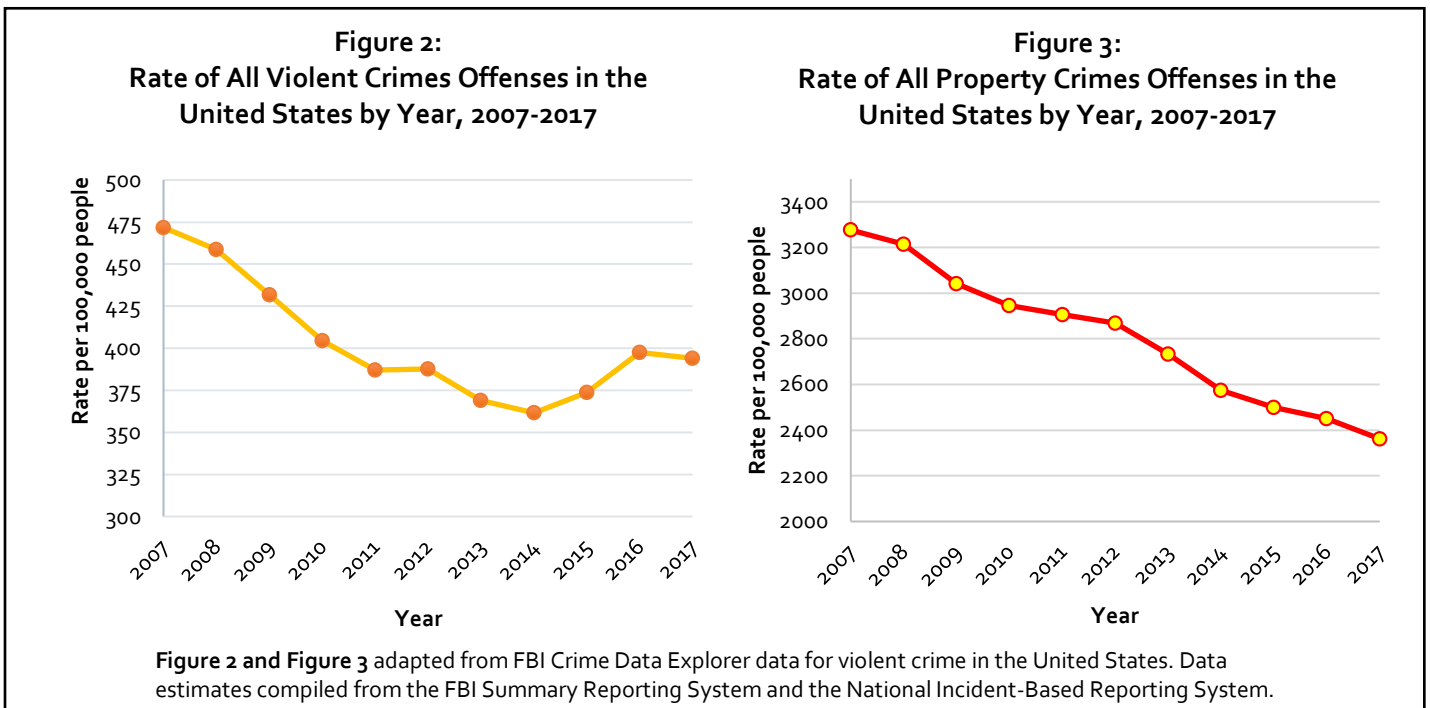
The National Violence Against Women Survey (NVAWS) was a national survey of men and women conducted between 1995-1996 by the CDC and NIJ to determine the frequency of violence. Similarly to the NISVS, NVAWS used questions specific to behaviors to determine victimizations rather than legal definitions. The survey data was limited to only 88 female and 105 male AI/AN respondents, which is the main limitation of this dataset. Estimates for certain victimizations were not completed for AI/AN men due to fewer than 5 responses.³³ The NVAWS covered victimizations over each respondent's lifetime rather than the past year like the NCVS and NISVS.³⁴

RESULTS

Crime and Victimization Rates

U.S. crime rates and AI/AN victimization rates were reviewed to identify any initial gaps between measurements of crime and victimization. U.S. crime rates are one measurement of crime in the United States and are generally calculated through arrests and reported crimes. In the visualization provided by Figure 1, crime rates measure perpetrators, conduct, and crime types. Victimization rates measure crime types, victimizations, and victims. Variation between the two rates can provide some insight into initial gaps in knowledge of crimes and victims.

Over the last ten years, overall violent crime and property crime rates in the United States decreased. Shown in Figure 2, FBI-UCR data measured decreasing overall violent crime rates between 2007 and 2017.³⁵ Data showed a slight rise in violent crime from 2014 to 2016 but 2018 projections showed a continued drop in the overall violent crime.³⁶ The fluctuation in violent crimes reported after 2013 could be related to changes in the definitions of certain crimes. In 2013, the definition of rape was expanded to consider perpetrators and victims of both genders, included the absence of consent, and incorporated allowance for situations beyond what had previously been included in the definition.³⁷ By expanding the definition, more crimes could be included in the violent crime rates and may not necessarily indicate a rise in crimes committed.



In addition to the overall decrease in violent crime rates, the United States experienced a steady decrease in reported property crimes from 2007 to 2017 (**Figure 3**).³⁸ Projections for 2018 property crime rates continue the trend of a decreasing property crime rate.³⁹ The FBI crime rates for all violent crime and all property crime appear to show that crime rates are decreasing overall. Of note, these rates are for the overall United States, and not just for AI/ANs.

Violent crime and property crime rates may be in an overall decline but studies on victimization rates do not reflect the same decrease. Between 2015 and 2017, victimization rates in the United States for individuals 12 years and older rose from 2.7 million victims to 3.1 million victims.⁴⁰ The rise in U.S. victimizations represented a 17 percent increase between those years. From 2005 to 2014, the Bureau of Justice Statistics found no statistically significant changes in serious violent victimization rates.⁴¹ The steady and recent increased victimization rates contrast with the declining crime rates shown by the FBI-UCR system.

NCVS and NISVS allow for the measurement of victimizations not reported to police. **The ability of the studies to count unreported crimes in victimization rates may explain some discrepancies between the decreased crime rate and the increasing victimization rate.** The differences in crime and victimization rates provide the first gap in information between crimes and victims in this report. A closer examination into victimization rates for AI/ANs is needed because **the AI/AN population experiences the highest rate of violent victimizations in the United States.**^{42 43}

According to the NISVS, more than four out of five AI/AN women (84.3 percent) and men (81.6 percent) have experienced violence in their lifetime (**Table 1**).⁴⁴ AI/AN women are 1.2 times more likely to experience any violence in their lifetime compared to non-Hispanic White-only women. AI/AN men are 1.3 times more likely to experience these types of violence than non-Hispanic White-only men.⁴⁵ AI/AN women are more likely to experience violent attacks with a weapon,⁴⁶ attacks resulting in injury, and are more likely to be killed by an intimate partner than other racial or ethnic groups.⁴⁷ The increased likelihood for violent victimizations for both AI/AN women and men highlights the information gap between crime and victimization rates.

Table 1: 2010 NISVS and AI/AN oversample Weighted Estimates of Experienced Violence

Violence Against Women	American Indian or Alaska Native	Non-Hispanic White Only	Relative Risk
Any Lifetime Violence	84.3%	71.0%	1.2
- Sexual Violence	56.1%	49.7%	NS
- Physical Violence by Intimate Partner	55.5%	34.5%	1.6
- Stalking	48.8%	26.8%	1.8
- Psychological Aggression by Intimate Partner	66.4%	52%	1.3
Violence Against Men	American Indian or Alaska Native	Non-Hispanic White Only	Relative Risk
Any Lifetime Violence	81.6%	64.0%	1.3
- Sexual Violence	27.5%	20.9%	NS
- Physical Violence by Intimate Partner	43.2%	30.5%	1.4
- Stalking	18.6%	13.4%	NS
- Psychological Aggression by Intimate Partner	73.0%	52.7%	1.4

^a This Table was adapted from Tables 6.1 and 6.2 in the “Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey”

^b NS = Percent not significantly different across AI/AN and non-Hispanic White groups

The differing trends in violent crime rates and violent victimization rates show a potential disconnect between the crime and the victim. **Data on sexual violence and sexual victimizations highlight further how disconnected information between crime and victimizations contributes to a gap in knowledge in describing victims and their numbers.** According to the CDC, 43.6 percent of women and 24.8 percent of men in the United States experienced sexual violence in their lifetime.⁴⁸ **Table 1 and Figure 4** show that 56.1 percent of AI/AN women and 27.5 percent of AI/AN men experienced sexual violence in their lifetime.⁴⁹ Sexual violence against AI/AN men does not show a statistically significant difference compared to non-Hispanic White only men; however, AI/AN women have a statistically significant increased relative risk compared to non-Hispanic white women.⁵⁰

Definitions of sexual violence can be expansive and victimizations include additional crimes beyond rape. **Due to different definitions of sexual violence, data on sexual victimizations is not comparable to specific crime rates, specifically rape rates.** Some datasets make rape victimizations into stand-alone categories separate from sexual violence.

Figure 4. Proportions of American Indian and Alaska Natives Who Have Experienced Sexual Violence



^a Rosay, André B. "Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey." *National Institute of Justice*. May 2016.

In addition to expanding the definition of rape crimes, the FBI discontinued use of data that did not use the updated definition of rape starting in 2017.⁵¹ AI/AN women are significantly more likely to experience a rape in a lifetime compared to women of other racial backgrounds.⁵² Between 1992 and 2005, an estimated average of 6, 956 rapes with AI/AN victims occurred, with the proportion of those victims by gender being 87 percent female victims and 13 percent male victims.⁵³ More than one in three AI/AN women have experienced sexual violence with penetration (35 percent) in their lifetime.⁵⁴ The differences in victimization rates show the elevated rate of sexual violence against AI/AN women and men. The lack of comparable crime rate data and crime definitions shows another informational gap between crimes and victimizations, which may impact the ability to identify needed victim services.

In addition to high percentages of violent crime, sexual violence, intimate partner violence, and stalking violence, **reports document an increase in AI/AN gang violence and human trafficking.**⁵⁵ The rise in gang violence is spreading to more tribal lands and the crimes committed are becoming more severe.⁵⁶ The increase in gang activity is tied directly to an increase in drug trafficking through tribal lands.⁵⁷ The rise in gang violence and trafficking on tribal lands contributes to increases in the number of AI/AN victims of violent crimes, sexual assaults, and property damage.⁵⁸ Minimal information is gathered on the victims of gang violence on tribal lands but the rise in gang activity highlights a key gap in information on determining victimization rates and the level of need for gang violence victim services.

Underreporting of crimes to law enforcement accounts for some variations in measurements between crime rates and victimization rates. According to 2017 data, only 45 percent of violent crime victims and 36 percent of property crime victims reported the crimes to police.⁵⁹ On average, between 2006-2010, 42 percent of serious violent crime victims and 39 percent of AI/AN victims did not report violent crimes to police.⁶⁰ A longitudinal study conducted with NCVS 2008-2012 data found that only 37.6 percent of AI/AN crime victims who responded to the survey reported crimes to

police and the other 62.4 percent of survey respondents did not report crimes to police.⁶¹ These two different examinations of the same study using different time periods with two years overlapping show a high variability in results. Underreporting of violent crimes impacts the baseline understanding of victims resulting from serious violent crimes, violent crime, and sexual violence. The baseline understanding of total crime victims impacts analyses and the understanding of access to and needs for victim assistance services.

Due to limitations on defining crime rates, determining victimization rates, and low reporting of crime and victimizations, the need for more information and data on crime rates and victimizations is clear. The higher rates of victimizations for the AI/AN population is shown throughout three different studies. Crimes like gang violence, human trafficking, and drug trafficking, are on the rise among the AI/AN population. Minimal information on victims of those crimes makes determining needed victim services challenging. The disconnected information between crimes committed, victimizations, and victims shows how measurements of the landscape do not fully capture the situation and worsen the lack of information to assess the needs of victims.

Accessing Victim Assistance Services

The second half of the criminal victimization timeline in Figure 1 focuses on the victim, the impact of a crime on a victim, the needs resulting from a victimization, and access to victim services that can fulfill those needs. Victim service providers are public or private organizations that provide victims with the support and assistance that may be required for the victim's recovery.⁶² While victim services may be available for particular crimes or in particular locations, services are not always available to all victims and not all victims use victim services. Victims may not be able to access services or may be uncertain as to the services available to them. The criminal justice system can be confusing and crime victims do not always know that they can access victim services or that they were indeed victims of a crime.

Both the NCVS and NISVS reveal how victim need for services does not mean access to victim services. The gaps between victim need and access to victim services compounds the disconnected information of crime rates and victimization rates. The higher rates of victimization and the lower ability to access needed services shows a different angle to information gaps in the criminal victimization timeline for AI/AN victims and access to victim services.

In 2017, the NCVS found that 8.3 percent of victims from violent crimes in the United States received assistance from a victim service agency.⁶³ To identify gaps in available

victim services, gaps between needed services and available services need to be measured. The NISVS and NISVS AI/AN oversample include information on AI/AN victim needs for victim assistance services and whether those victims could access the needed services.⁶⁴ The type of services needed by AI/AN victims are identified in **Table 2**.

Table 2: 2010 NISVS and AI/AN oversample Weighted Estimates of Services Needed by Victims of Physical Violence by Intimate Partners, Stalking, and Sexual Violence

Service Needed by Female Victims	American Indian or Alaska Native	Non-Hispanic White Only	Relative Risk
Medical Care	38.0%	16.6%	2.3
Housing Services	11.2%	4.2%	NS
Community Services	4.3%	4.6%	NS
Advocacy Services	8.8%	5.9%	NS
Legal Services	15.8%	16.4%	NS
Services Needed by Male Victims	American Indian or Alaska Native	Non-Hispanic White Only	Relative Risk
Medical Care	9.3%	5.1%	NS
Housing Services	0.7%	1.3%	NS
Community Services	<0.1%	1.4%	<0.1
Advocacy Services	3.0%	1.0%	NS
Legal Services	9.0%	11.1%	NS

^a This Table was adapted from Tables 6.5 and 6.6 in the “Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey”

^b NS = Percent not significantly different across AIAN and non-Hispanic White groups

Both AI/AN women and men indicated a greater for need medical care and legal services over the other victim services. Crime and victimization rates identified earlier in this report established that AI/AN female victims of crime were more likely to experience violence with a weapon and violence resulting in injury, and more than two out of five AI/AN female victimizations resulted in physical injury.⁶⁵ The identified need for medical services makes sense with the data on increased victimization rates and increased violence. The connection between the victimizations and identified needs illustrates how having more comprehensive information along the entire criminal victimization timeline can help fill gaps in knowledge and better identify victim needs. In comparison to non-Hispanic whites, only the difference in need for medical care was statistically significant for female AI/AN victims, with other rates being similar between groups.

Identifying the victim needs helps with the information gap in the criminal victimization timeline but identifying victim needs does not mean the victim will be able to access the needed victim services. NIJ measured victim access to needed services following a crime. Although AI/AN female victims were 1.5 times as likely to be physically injured and 2.3 times as likely to require medical care from a victimization compared to non-Hispanic White-only women, **Figure 5** shows that 38 percent of female AI/AN victims who needed services were unable to access the needed services.⁶⁶

Even if AI/AN crime victims are able to access needed services following a crime, the victim service may not provide the AI/AN victim with the best structured help for his/her healing and recovery. *Vision 21*

found that victim services based in Western cultural practices did not always prove to be effective in helping crime victims from differing nationalities and cultural backgrounds, including AI/AN victims.⁶⁷ A 2006 survey found that AI/AN women in New York City often utilized western victim assistance programs in conjunction with culturally appropriate victim service programs.⁶⁸ The same study identified the need for non-AI/AN service providers to consult with AI/AN communities to help build in more culturally appropriate and accessible services.⁶⁹ AI/AN victims of crime have been shown to be less likely to seek out victim assistance when victim services did not have culturally appropriate programs available.⁷⁰ Culturally appropriate victim services can increase the physical and emotional recovery of AI/AN victims compared to non-culturally appropriate services.⁷¹ The high impact that culturally appropriate services have for AI/AN victims illustrates how access to different program structures directly impact the strength of the victim’s recovery, creating another gap in access to appropriate victim services.

The inability of AI/AN victims to access services and the high need for victim services with culturally appropriate programs for AI/AN victims of crime identifies a different type of gap in access for AI/AN victims to receive needed help. More data on the gaps between the number and type of victimizations, the needs of victims, and the types of services offered in specific areas need to be collected and analyzed. The NISVS study showed the large gap in the ability of AI/AN female sexual violence victims to receive needed medical attention compared to other groups. More information such as this

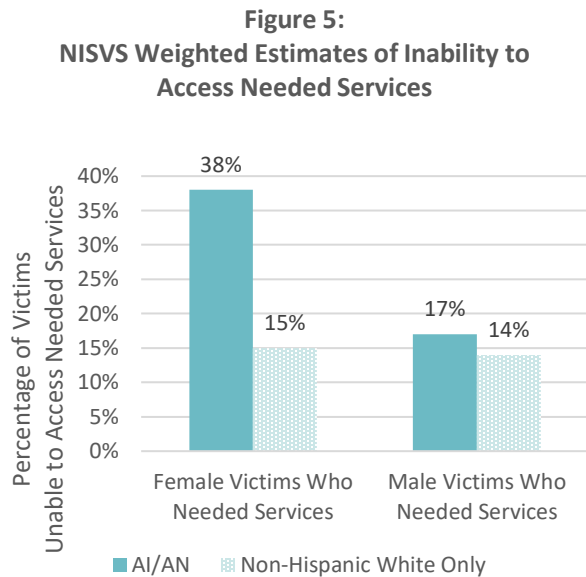


Figure 5: Adapted from Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey by André B. Rosay, Ph.D.

across crime types needs to be collected to show the full picture of the gaps in victim services. Filling the gaps between crime and victimization rates could help focus the examination of the victimization types and needs for victim services. The gap in access to victim services is clear; however, in order to understand how severe the gap is among the AI/AN population, further data collection is needed.

Barriers to Accessing Victim Services:

AI/AN crime victims experience a wide range of barriers that prevent access to appropriate needed services, and these barriers include jurisdictional and legal limitations, physical and geographic limitations, societal limitations, limited availability of culturally appropriate services, and financial limitations.⁷² These barriers make access to victim services difficult for AI/AN victims of crime. Legal and jurisdictional complexities confuse and deter AI/AN victims from successfully navigating the criminal justice system. Remote tribal lands, difficult geographies, and harsh weather conditions create physical barriers that prevent victims from finding victim services. Social and cultural norms, privacy concerns, and financial restraints also prevent AI/AN crime victims from seeking out victim services nearby.

Jurisdictional complexities can hinder protections for victims or complicate access to victim services. Restraining orders and other court protections granted by tribal governments are not always recognized and enforced by law enforcement off tribal lands. Legal protections granted by jurisdictions off tribal lands are not always enforced by tribal law enforcement.⁷³ The inconsistencies in enforcing and recognizing protections granted by different jurisdictions leaves victims unprotected in one or more jurisdiction. For both AI/AN men and women, sexual violence is more likely to be committed by an interracial partner rather than a partner of the same race.⁷⁴ This further adds to complications in jurisdictional authority and protections depending on a number of other factors about the crime. Particular crimes on tribal lands fall under federal jurisdiction. The FBI Office for Victim Assistance has roughly one-third of its entire FBI victim specialist workforce dedicated to working with Indian Country.⁷⁵ The FBI victim specialists help victims from Indian Country throughout the criminal case process. The multiple jurisdictions that may be involved in the aftermath of a crime complicate victim protections and whether a victim can find and access victim services for the specific circumstance. Legal services for victims can be a critical resource for AI/AN victims of crime.

The rural isolation, difficult geographies, and harsh weather conditions on some tribal lands prevent victims from accessing needed services as a result of the crime. Isolated rural locations can make escaping from perpetrators, utilizing local law

enforcement, and finding needed medical care impossible.⁷⁶ Rural victims are at higher risk of not receiving support and services due to geographic isolation.⁷⁷ Geographic isolation in differing forms and extreme weather conditions can be barriers to accessing victim services. Lack of transportation options often leaves victims without the option of escaping a perpetrator or they may have to seek help on foot. Due to weather related dangers, it could be just as or more dangerous for a victim of crime to escape or find shelter on foot. Geographic isolation can also come in the form of physically being cut off from help or needed services due to weather conditions and inability to travel. Some Alaska Native villages can be completely cut off from the rest of the population during winter months and victims can be trapped while needing medical care or equipment not available on location.⁷⁸ Extreme weather conditions and geographic isolation can physically prevent victims of crime from being able to access needed victim services. Victimization occurring on rural/ geographically isolated reservations can amplify risks to the victim's inability to access victim services.⁷⁹

Privacy fears deter AI/AN victims from seeking out victim services. Privacy concerns by the victim can range from not wanting the community to know about a victimization to safety concerns that the perpetrator will be able to find the victim.⁸⁰ Victims may first decide not to report crimes due to privacy concerns and fear of retaliation.⁸¹ Victims may feel they are unable to use local victim services without being found by his/her perpetrator or the community knowing because tribal communities can be small and perpetrators/victims within a community may be well known. AI/AN victims may feel pressure by the community to stay with and protect their perpetrators, particularly in cases of domestic violence.⁸² AI/AN victims have been shown to prefer to find shelter outside of his/her community due to privacy and safety concerns.⁸³ Fear of cultural stigmatization combined with the lack of privacy further prevents victims from seeking help.⁸⁴ Privacy concerns impact not only the victim's access to and ability to use victim services but also may impact crime reporting. Privacy concerns can negatively impact multiple points on the criminal victimization timeline as shown in Figure 1 and can increase the gaps in knowledge about the needs and access to victim services for AI/AN victims of crime.

The lack of culturally appropriate victim services acts as a deterrent for AI/AN victims from seeking help.⁸⁵ As discussed in the previous section, culturally appropriate programs significantly increase the recovery of AI/AN victims from the impacts of the experienced crime.⁸⁶ There are 574 federally recognized tribal nations in the United States with distinct cultures. What constitutes a culturally appropriate program remains ambiguous, likely varies by tribe, and may not have the same positive impact for all AI/AN crime victims. In order to define and measure access to culturally appropriate

AI/AN victim services, culturally appropriate and culturally specific programs need to be further defined in order to measure gaps in needed services for AI/ANs.

In addition to rural barriers and cultural concerns/pressures, **financial limitations or dependence prevent AI/AN victims from accessing services or escaping a perpetrator.** Financial ties to a perpetrator through housing or living costs may prevent victims from affording temporary or long term separate housing solutions. Financial ties not only may prevent a victim from accessing services, financial ties can force the victim to remain in a continuous victimization. Financial barriers can prevent victims from being able to afford needed help, such as medical help. Measurements for the wide range of financial barriers preventing victims from accessing services need to be considered and included in any attempt to identify the gaps in access to victim services for AI/ANs.

In addition to the high crime and victimization rates, AI/AN victims must overcome significant jurisdictional, geographic, societal, and financial barriers that prevent access to victim services. Defining the gaps between victimization and access to appropriate services needs to include measurements on the variety of barriers victims face that prevent access. In order to fill the gap in victim services and victim access to services, measurements need to be included on the barriers preventing access.

RECOMMENDATIONS

This report reviewed the available data on crime and victimization rates, assessed the availability of victim services, needed victim services, and gaps in accessing services, and reviewed the barriers that prevent AI/AN crime victims from accessing needed services. The report was structured along the three areas of the criminal victimization timeline, beginning with the perpetrator and ending with the victim services. Each section of the report explored different areas of the gaps in knowledge on the needs of AI/AN victims and their needs in accessing services.

Data and literature on crime rates and victimization rates among the U.S. population and surveys of AI/AN victims of crime reveal how the underreporting of crimes impacts the understanding of criminal victimizations, particularly AI/AN victimizations. Information from current datasets is not sufficient to determine how wide the differences in crimes and victimizations are among AI/ANs and compared to other racial and ethnic groups. A recommendation to fill this gap in information is to survey AI/AN and other victims of crime to understand a wider range of victimizations beyond sexual violence, intimate partner violence, and stalking.

Studies on needed AI/AN victim services found the higher likelihood for AI/AN victims to be unable to access needed services. The services needed by those interviewed was higher for medical care and legal assistance. NISVS focused on two types of services (medical and legal assistance) for three very specific types of victimizations (sexual violence, intimate partner violence, and stalking) and found gaps between those who needed services and those who were able to access services. More data measuring the needs of victims compared to the ability to access services is needed for a wider range of crime types, particularly in light of the underreporting of crimes and unknown rates of a wider range of crimes committed against AI/AN victims.

Barriers preventing AI/AN victims from accessing needed victim services represent the third area in the crime victimization process that requires additional analysis. While victim services might be available in some locations, other barriers prevent victims from being able to use needed services. Barriers ranged from physical and geographical barriers, weather-related constraints, isolation, small communities and privacy concerns, jurisdictional complexities requiring legal services, and lack of culturally appropriate services. To help victims access services, data needs to be collected on how victim services are helping victims of crime overcome access barriers and to what extent that assistance helps fill the access gap.

A defined standard of what constitutes the desired level of availability and access to victim services does not exist. However, based on the review of available data and literature on the subject, the evidence suggests several places in the criminal victimization process that decrease the ability of victims to access services. Data shows that the needs of AI/AN victims are not being met. Collecting more data on the different stages of the criminal victimization process will help identify the gaps in victim services for AI/AN victims of crime to help inform interventions and needed services.

ACKNOWLEDGEMENTS

This publication was produced as part of a series of reports by the NCAI Policy Research under Grant No. 2015-XV-BX-K0001, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this material are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

The NCAI Policy Research Center is grateful for the collaborative work of the project partners: National Center for Victims of Crime (NCVC), Tribal Law and Policy Institute (TLPI), StrongHearts

Native Helpline and the NCAI project team members: Gwynne Evans-Lomayesva, Yvette Roubideaux, Kelbie Kennedy, and Virginia Davis.

SUGGESTED CITATION

NCAI Policy Research Center (2020). *Review of Available Data and Literature on Services for American Indian and Alaska Native Victims of Crime*. National Congress of American Indians, September 2020.

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