

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

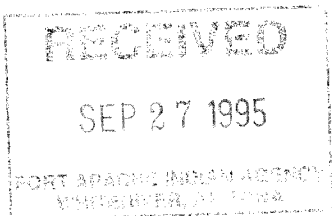
WHEREAS, the White Mountain Apache Tribe recognizes that domestic violence on the Fort Apache Indian Reservation has a serious negative impact on our Apache people; and


WHEREAS, there is support from the Whiteriver Police Department, Apache Behavioral Health Services, and White Mountain Safe House to work cooperatively with the Prosecution Unit of the Legal Department of the White Mountain Apache Tribe to develop a system of services to improve the community and criminal justice system's response to violence against women; and


WHEREAS, the White Mountain Apache Tribe wishes to submit an application for a White Mountain Apache Domestic Violence Project grant through the Governor's Office, State of Arizona.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Prosecutor's Office to submit an application for a White Mountain Apache Domestic Violence Project grant through the Governor's office, Division for Women, State of Arizona.

The foregoing resolution was on September 27, 1995, duly adopted by a vote of eight for and one against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (i), (j), (k), (m), (q), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).




Chairman of the Tribal Council


Secretary of the Tribal Council

NARRATIVE ON THE APPROACH TO THE SCOPE OF WORK

The White Mountain Apache Tribe, through a coordinated approach with Behavior Health, Safe House, and the Whiteriver Police Department, seeks to develop a system of services to improve the criminal justice system's response to domestic violence.

The services to be provided to the community and to victims of domestic violence, while traditional for the most part, are designed to strive to incorporate and understand, as well as to effectively respond to the cultural sensitivities and needs of the Apache people in confronting the problem of violence against women on the reservation.

The White Mountain Apache Domestic Violence Project proposes to meet the following purposes:

- 1) Training law enforcement officers and prosecutors to more effectively identify and respond to domestic violence cases;
- 2) Develop and implement more effective police and prosecution policies, protocols, orders, and services specifically dedicated to preventing, identifying, and responding to reports of domestic violence;
- 3) Develop data collection designed to identify and track arrests, protective orders, violations of protection orders, prosecutions, and convictions of domestic violence cases;
- 4) Provide a specially trained advocate to accompany victims to court; and
- 5) Develop a program to address the special needs and circumstances of the White Mountain Apache Tribe in dealing with the incidents of domestic violence.

IMPLEMENTATION PLAN

A. OVERVIEW

1) The Area

The Fort Apache Indian Reservation is located in east central Arizona in portions of Navajo, Apache, and Gila Counties. It is 75 miles long and 45 miles wide, encompassing more than 1.6 million acres. The 3,375 square miles supports a population density of only 4.1 person per square mile.

2) The Population

The population of the White Mountain Apache totals approximately 14,500 Indian and non-Indians. Approximately 12,000 of the population are enrolled as tribal members. Membership is based on constitutional requirement for an individual to meet the Indian and White Mountain Apache blood quantum to be enrolled. Approximately 2,000 are from other Indian tribes, primarily Navajo, and the remaining residents are non-Indians employed by the Tribe, the Indian Health Service, and the BIA.

3) Income

According to the latest census data, the median income for males on the reservation is \$4,400 per year; for the females \$2,800 per year; and more than 50% (52.7) of households fall below the U.S. poverty line.

4) Special Problem Contributing to Domestic Violence

Estimates of alcoholism among tribal members range from 40-60%. All residents are, therefore, affected. In 1991 a study by the Whiteriver Hospital found that 43.3% of all adult medical inpatient admissions were alcohol related. According to the Indian Health Service Office of Environmental Health, from 1987-1991, 48% of reservation injuries requiring hospitalization were alcohol related.

B. DOMESTIC VIOLENCE ON THE RESERVATION

The known magnitude of domestic violence on the Fort Apache Indian Reservation is appalling, the suspected number of domestic violence cases, and the devastating affect on the Apache people is frightening.

The 1994 Victims of Crime Act Report to the Arizona Department of Public Safety reports 63 primary and 160 secondary victims of domestic violence on the Fort Apache Indian Reservation, the largest single category of crime victims.

The Tribal Prosecutor's office records show that there were 43 battery and 48 assault related complaints filed from October, 1994, to March, 1995 - 46% of which are estimated to involve domestic violence. It is believed that with increased community awareness of available services that would be made possible with funds from this grant application that the number of reported incidences of domestic violence would increase.

C. SERVICES AVAILABLE TO ADDRESS DOMESTIC VIOLENCE

The Fort Apache Indian Reservation is, for the most part, self-contained. Few services are available on the reservation from outside service providers, therefore, the Tribe looks internally to address its problems.

There is currently informal networking between the Tribal Prosecutor's office, Behavioral Health Services, and the Whiteriver Police Department to address the needs

of victims of domestic violence. The services provided include limited counseling for domestic violence, transportation to emergency shelter, and prosecution of offenders.

There are no emergency shelter facilities for domestic violence victims on the Fort Apache Indian Reservation. The closest shelter facility, which accepts tribal members, is "White Mountain Safe House", located off the reservation in the Pinetop area. Pinetop is approximately 30 miles from Whiteriver, the largest populated area of the reservation, and the seat of Tribal government.

The limited services available do not begin to address the needs of domestic violence victims or the impact of domestic violence on the reservation.

D. PROPOSED SERVICES

The following programs are proposed for the White Mountain Apache Domestic Violence Project, to address the special needs of the Apache people, which would be developed and coordinated by the Prosecution Unit of the White Mountain Apache Tribe Legal Department.

1) Law Enforcement Assistance and Training

The White Mountain Apache Domestic Violence Project would train law enforcement officers in the identification of domestic violence cases, including:

- a) Symptomology and dynamics of domestic violence;
- b) Effective investigation tools to support prosecution of offenders and prosecution policies and procedures;
- c) Available services on and off the reservation;
- d) Assistance in the development of written protocols for law enforcement including standards to assist victims and to support successful prosecution;
- e) Provide law enforcement with program brochures for first-response officers to give to victims; and
- f) Training to include written bulletins, workshops, and updates on domestic violence.

2) Community Education on Dynamics of Domestic Violence on the Fort Apache Indian Reservation through:

- a) Public Service announcements on local Apache radio as well as in the Apache Scout newspaper;

- b) Coordinating community presentations to address the magnitude and impact of domestic violence on the community; and
 - c) Developing a brochure and other written information in English and Apache outlining law enforcement and community services.
- 3) Develop domestic violence protocol and data collection to identify the number of domestic violence calls received and responded to by law enforcement on the Fort Apache Indian Reservation.
- a) Data Collection to include:
 - 1) Number of domestic violence cases filed;
 - 2) Number of domestic violence cases rejected;
 - 3) Number of cases prosecuted;
 - 4) Relationship to victim of individual charged;
 - 5) Number of cases diverted/deferred;
 - 6) Number of cases dismissed;
 - 7) Number of defendants acquitted;
 - 8) Convictions by: a) trial; and b) plea
 - 9) Type and length of sentence;
 - 10) Type of program intervention/service
 - a) protection orders
 - b) crisis counseling and referrals
 - c) emergency shelter
 - d) advocacy
 - e) orientation to criminal justice system
 - f) court escort/support
 - g) transportation assistance to court
 - h) case status information
 - i) other emergency services

E. WORK PRODUCT

A handbook, outlining the services developed, will be developed as a "how to" manual for use by other Indian tribes. The handbook will include; but not be limited to:

- 1) Training handouts for law enforcement
- 2) Written protocols developed for effective prosecution
- 3) Forms and/or checklists for use by law enforcement
- 4) Public service announcements
- 5) Data collection procedures
- 6) Sample protection orders
- 7) Court advocacy procedures and policies

F. PROPOSED EVALUATION OF ACTIVITIES AND PRODUCT

An interagency network group will be established to meet regularly to support staff development, facilitate communication, and identify needs. This group would evaluate, on an on-going basis, the project goals and whether or not they are being met. The group will be comprised of a cross section of community service providers, law enforcement, and the Tribal Prosecutor's office.

Data on the number of cases handled and the services delivered will be collected to identify and track cases as they move through the criminal justice system. Quarterly reports will be prepared which will include the data collected as well as program accomplishments during the particular period, i.e. new policies and procedures developed, development of domestic violence statute and implementation, etc.