



## THE HARVARD PROJECT ON AMERICAN INDIAN ECONOMIC DEVELOPMENT

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John F. Kennedy School of Government • Harvard University

### HONORING NATIONS: 2003 HONOREE

#### **Family Violence & Victim's Services Department of Family and Community Services Mississippi Band of Choctaw Indians (Choctaw, MS)**

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*Responding to the alarming frequency of domestic abuse and sexual assault among the Mississippi Band of Choctaw Indians, the Tribe's Department of Family and Community Services created the Family Violence and Victim's Services Program (FVVS) in 1999. By coordinating various agencies including Choctaw Law & Order, Choctaw Social Services, Choctaw Behavioral Health, and the US Attorney's Office FVVS ensures that victims receive comprehensive care and that perpetrators are dealt with appropriately. Just as essential as promoting the overall physical and emotional health of the Tribe, FVVS is changing the citizens' attitude about an important topic that often remains unaddressed.*

Although the Mississippi Band of Choctaw Indians' 30-year economic renaissance is widely cited as being one of Indian Country's greatest success stories, several aspects of the Tribe's social health have been slow to improve. In the late 1990s the Tribe commissioned a Mississippi State University study which found that a surprisingly high number of Choctaw homes experienced serious social problems including poor marital relations, verbal and physical aggression, sexual abuse, substance abuse, mental illness, and the intergenerational transmission of trauma resulting from cultural genocide. All of these problems contributed to a disturbing pattern of domestic violence.

Domestic violence was rising to epidemic levels among the Mississippi Choctaw. It was also one of the most underreported crimes. Many Choctaw offenders considered domestic violence to be an "internal family matter" rather than a criminal offense. Sadly, violence in the household is frequently tolerated and a pervasive attitude exists that there is nothing unusual or wrong about abusing family members. Not surprisingly, victims often remain silent. They may fear a stigma for attempting to end violent relationships or for carrying family matters into the courts. Victims also might feel that domestic abuse is not their problem, but the perpetrator's. Or, they become convinced that violence is an acceptable method of marital and familial interaction. As one Choctaw woman learned from her mother-in-law: "Your husband only does this to you because he loves you and wants you to stay."

Such learned attitudes which, it should be noted, are typical in Native and non-Native communities everywhere allow domestic violence to quietly fester. Unfortunately, the intergenerational toll of domestic violence is high; research finds that children who grow up in homes wracked by violence are more likely to become victims or perpetrators of violence in their own homes.

In 1999, the Mississippi Band of Choctaw Indians' tribal government decided that something had to be done to abate domestic violence. It decided to launch a domestic violence prevention program that would protect victims, monitor and reeducate perpetrators, and break the cycle of silence. Thus, the Family Violence and Victim's Services Program (FVVS) was born. Administered under the Band's Department of Family and Community Services, the Program brings together the financial, human, and technical resources of five different grant projects. It is staffed by a program director (who is also an attorney), a legal secretary, a victim assistance coordinator, a women's advocate, a victim assistance therapist, and a family violence counselor.

The Program works through several complementary strategies to combat domestic violence and its aftermath. Drawing upon the legal expertise of the staff, FVVS drafts and helps enforce laws that can help stem family violence. In 2000, for example, it drafted a Choctaw domestic violence code that was subsequently enacted by the Tribal Council. Since then, FVVS has consistently worked to expand the code's reach and effectiveness in combating domestic violence; in both 2002 and 2003, it augmented and revised the code. Based upon these successes, FVVS is part of a committee that is now drafting a complementary code that will protect the rights of vulnerable adults, particularly the elderly and infirm.

FVVS staff works to offer victims of domestic violence the kind of support and protection that was once lacking. For example, FVVS initiates one-on-one contact with all victims of domestic violence or sexual assault who are either identified in police reports or approach the Program for services. It offers legal representation for those victims who seek protection orders against their abusers. The Program provides victims assistance in identifying alternate housing, finding employment, accessing transportation to court or to a shelter, and receiving translation during court proceedings. Counseling and therapy are offered to both victims and perpetrators, serving the latter largely through a court-mandated Batterer's Reeducation Program which it supervises.

While tailored to the needs of the Choctaw community, FVVS offers more services than most programs in the state of Mississippi. This is the result, in part, of FVVS's extensive coordination with relevant agencies, including the Choctaw Social Services, Choctaw Health Center, Choctaw Behavioral Health, Choctaw Law and Order, and the Choctaw Attorney General's Office. This collaboration ensures that FVVS readily addresses victims' physical, emotional, and legal needs under a single roof. Regular meetings of representatives allow for a review of each month's challenges and successes in order to continue to enhance victims' services. Interagency cooperation also provides necessary cross-discipline expertise. For example, Choctaw Health Center nurses now possess excellent equipment for documenting abuse and are trained to take photos that meet court standards. Such collaboration reduces frictions among agencies, allowing all professionals to focus on victims' needs. This is especially critical to Choctaw victims who may request services from any one of the Tribe's seven communities within ten counties.

The Program also works to raise community awareness. For instance, FVVS established resource centers, in partner facilities, that provide information about its services and educational booklets on topics such as domestic violence, rape, sexual assault, and elder abuse. Further awareness is cultivated through an in-house resource center that consists of educational booklets, videos, and children's games dealing with family violence and anger. Every October FVVS marks Domestic Violence Awareness Month by sponsoring events and hanging "Stop Domestic Violence" banners in each Choctaw community. The Program routinely publishes articles in the Choctaw Community News and disseminates flyers, posters, brochures, and promotional items.

FVVS's commitment to drafting strict domestic violence codes, supporting victims through effective interagency collaboration, and raising public awareness has produced remarkable successes. Most notably, the Tribe has realized a significant increase in the identification and reporting of domestic violence crimes. In 1998 and 1999, Choctaw Law and Order received 542 calls reporting domestic violence. In 2000, 2001, and 2002, however, following the establishment of FVVS, it received 1,111 calls. These calls resulted in 457 arrests for domestic violence crimes and over 682 FVVS follow-up contacts with domestic violence victims. FVVS obtained more than 250 court orders for clients seeking protection from their abusers and graduated more than 200 perpetrators from their Batterer's Reeducation Program.

Behind the numbers, Family Violence and Victim's Services positively changes people's lives. For example, one Batterer's Reeducation Program participant reflected that he never realized he was part of the cycle of continued violence. He truly thought that domestic violence was a part of life. However, with the assistance of FVVS, he now understands why domestic violence is not acceptable and sees how he can change his behaviors.

These numbers and similar rehabilitation stories offer compelling evidence that FVVS is succeeding in changing Choctaw perceptions of domestic violence. FVVS is shifting Choctaw citizens' tendency to willfully ignore or dismiss incidents of domestic violence. Now, tribal citizens discuss and report its occurrence more openly. While domestic violence was once a private family matter, it is increasingly viewed as a serious public health issue that affects the entire tribal community. FVVS is moving rapidly toward the realization of one of its long-term goals: that every Choctaw citizen embraces a zero-tolerance attitude with respect to domestic violence. Not only the collaborating agencies, but also the tribal government offers its support of this agenda. With this vital support, the Program's activities and actions command respect.

These accomplishments are the result of four strategic decisions that can inform other Indian nations' efforts to develop their own violence prevention programs. First, FVVS is the result of an impressive coordination of tribal revenue and five funding sources, ranging from the US Department of Justice's STOP Violence Against Indian Women grant program to the state of Mississippi's Department of Public Safety, which administers a fund through the State's Victims of Crime Act. While seeking and maintaining financing for a multi-function violence prevention program is challenging, it generates distinct advantages for Choctaw citizens. Rather than seeking services from separate organizations, they can access a variety of victim-oriented services from a single operation. And FVVS is better able to synchronize its services, which helps it most effectively promote the safety, health, and autonomy of domestic violence victims and their families.

Second, FVVS replicates this focus on coordination in its interagency partnerships that are vital for serving victims' interests and to the overall success of the Program. For example, FVVS is an active member of the Protocol Committee charged with the task of developing the procedures that guide interagency coordination. The Committee's monthly meetings refine the effectiveness of sharing information, strengthening communication, increasing efficiency, and providing maximum protection for domestic violence victims. Through such procedures and protocols, and through less formal outreach, FVVS is able to work in conjunction with Choctaw law enforcement agencies, health services, and the judiciary. These forms of interagency familiarity and reliance make law enforcement and case management more efficient and comprehensive, and enhance their abilities to tailor services to individual victims and offenders. For instance, Choctaw Law and Order alerts FVVS of the arrest of an offender who has repeatedly been released on bail, FVVS may contact the tribal attorney general who may, in turn, alert the judge to the offender's criminal history and request that bail be denied.

Third, FVVS has undertaken important government-building work in drafting and enacting the Choctaw domestic violence code. Through its grounding in Choctaw culture, the code is both enforceable and effective. It clearly states that violence against family members is not in keeping with Choctaw values that hold the family sacred. Accordingly, the code contains strict guidelines for the treatment of domestic violence crimes including mandatory arrest, a twenty-four hour holding period, and a mandatory twenty-six week Batterer's Reeducation Program for offenders, a firearms prohibition and enhanced sentencing for repeat offenders, and a no-drop policy for the prosecution. Initially mirroring federal law, these guidelines now acknowledge Choctaw cultural realities. For example, the firearms prohibition modification takes tribal hunting needs into account, and the reeducation program eliminated negative reinforcement already influencing offenders in their daily lives. Notably, the code also formalizes the roles of FVVS' partners, and complements and enhances the partnerships noted above. Rightly, the Choctaw domestic violence code has become a model for other tribes to learn from.

Fourth, FVVS strengthens the self-determination of the Mississippi Choctaw by strengthening its individual citizens. By assisting individuals and families to overcome a problem that is connected to other debilitating social problems, the Tribe is addressing a national crisis. The Program offers holistic and accessible services that foster a sense of empowerment in former victims, enabling them to make better choices for themselves and their families. FVVS's Batterer's Reeducation Program encourages offenders to evaluate and learn from their behaviors. As one offender contemplated his life before the Program, he remarked: "I suppose either I or someone else would be dead." FVVS literally helps the Mississippi Band of Choctaw to build human capital through healing and also prevents victimization and/or loss of tribal citizens.

An Indian nation's human capital deserves such an investment. In changing community attitudes toward domestic violence, FVVS enhances its own citizens' respect for their own and other individuals' worth. The community-wide zero-tolerance attitude FVVS is striving for will undoubtedly result in further decreases in domestic violence crimes, and in turn, increase the health and productivity of the Mississippi Band of Choctaw Indian's most precious resource: its own people.

#### Lessons:

- The successful enforcement of tribal domestic violence laws requires coordination between key law enforcement, justice, and social service personnel, and close attention to the cultural considerations that may impact the laws' effectiveness.
- There is no substitute for effective and efficient program administration; as demonstrated by Family Violence and Victim's Services, solid program administration is critical to creating a consistent funding stream, inter-agency partnerships, and providing first-rate client services.
- Programs that promote individual and family healing make the whole nation stronger; they build human capital that, ultimately, supports tribal well-being and self-governance.