But let me introduce to you Lonna Hunter. Lonna is the project coordinator for the Council on Crime and Justice. And then Sarah Hicks Kastelic, Deputy Director of the National Indian Welfare Association. And finally, Darla Thiele, the Director of Equine Therapy Program at the Sunka Wakan Ah Ku Program. Darla had been previously scheduled to speak later in the program but due to traditional responsibilities in her home community, requested to testify on

this matter.

So, we appreciate all three of you. We'll begin with you, Lonna. And if you will speak directly into the microphone, we have a pretty full room so that everyone can hear and we will recognize you for 15 minutes.

LONNA HUNTER: Thank you, Senator. Thank you, Senator Dorgan and co-chair Joanne Shenandoah and members and members of the advisory committee. And all my relatives that are in the room today, I'd like to acknowledge all of you as well.

My name is Lonna Hunter, I'm from the Tlingit and Sisseton Wahpeton Oyate Nations in Sisseton, South Dakota and Juneau, Alaska the land of the Tlingit Nation. I want to acknowledge the land which we are in today which is the great Sioux Nation and acknowledge all of our ancestors and those who have come before us here as we speak and set the stage for the next few hearings.

I want to thank the Attorney General's National Task Force Advisory Committee on American Indian and Alaska Native hildren Exposed to Violence for implementing this

recommendation, and I hope that many of the outcomes and the stories you hear will help us to fully realize the extent of the needs for Indian children across this great land.

I want to acknowledge my teachers Bonnie and Jim Clairmont who are here with us today and the late Paul and Sheila Wellstone who cares deeply about our children's safety to live free from violence and to understand the extent that a child witnessing violence and/or experiencing child sexual abuse really is in deep, deep pain.

I've worked on the issue of co-occurrence since the late '90s traveling around Alaska, in many of the small villages and looking at the issues of how we have arrived at "failure to protect" and policies that were implemented in the late '90s.

However, my heart and soul, even as a lobbyist working on these issues, rests with Native children. My deep conviction and passion comes from being a childhood survivor of witnessing violence in my own home and as a survivor of child sexual abuse.

I hope to speak for many survivors

today whose voices may have been silent due to murder, mental health challenges, drug and/or alcohol addiction, institutionalization in prisons, mental health institutions, or from deep grief, deep pain and grief buried in graves across Indian Country and some of those graves marked unknown.

The issue of co-occurrence of domestic violence and child maltreatment has been studied in mainstream since the late probably '80s into the early '90s; however, in Indian Country, we are only beginning to realize the magnitude of this issue.

I would have liked to present the statistics on the studies of the co-occurrence in Indian Country for children witnessing domestic violence; however, there is little to no research on this issue.

The co-occurrence between domestic violence and child maltreatment according to Wendy Bancroft occurs between 50 and 70 percent. So 50 percent to 70 percent of children who are in homes where they're witnessing domestic violence, that is the rate of child maltreatment that they are experiencing.

However, we do not know those very specific statistics for Indian Country. The rate of violence against Indian and Alaska Native women by an intimate partner is upwards to 30 to 40 percent. And so, considering the rate of violence against American Indian/Alaska Native women, the high co-occurrence rate suggests that it's critical that we study or at least look at the research on this issue in Indian Country.

I traveled to Rosebud with the Tribal Law and Policy Institute to look at the co-occurrence of domestic violence and child maltreatment to do a site visit there and what I understood from interviewing child welfare workers, domestic violence advocates, survivors, and law enforcement, was that every child had witnessed violence or it was believed that every child had witnessed violence on the Rosebud Reservation.

There were 25,000 calls to law enforcement in one year and there were 25,000 folks who live in Rosebud, and at least two children a day were victims of crime. That is astronomical. That is off of the charts compared to the co-occurrence of child maltreatment and domestic violence in the mainstream.

Data from the Wind River Reservation estimates that at least 66 percent of families have history of domestic violence and at least 20 percent have been sexually abused and those are low numbers. We have to remember that under reporting is largely in the population of Alaska Natives/American Indian families because there is just basically no research.

Co-occurrence is looking at the issue of maltreatment, but it's also connecting this to the rate of child sexual abuse. The rate of child sexual abuse by a batterer is four to six times higher than a non-batterer. So, those dynamics of child sexual abuse occur largely when there is domestic violence present in those families.

When we look at the high rate of child sexual abuse in Indian Country and violence against Native women, it suggests that the rates could be even higher when considering the correlation to under reporting. This is echoed in the testimony by Elsie Boudreau, a Yup'ik survivor and child advocate from Alaska. Boudreau says that in 2010, 40 percent of children seen at Child Advocacy Centers for child sexual abuse were

Alaska Native, even though we only represent 15 percent of the entire population in the state of Alaska. That is just strictly unacceptable.

However, what we need to keep in mind is that any statistic that we are presenting on either of these issues, have not be studied in 562 tribes in Alaska or in the United States.

To understand co-occurrence and the rate that it occurs in our families and the dynamics of domestic violence and sexual assault and for children in child maltreatment, is to understand the dynamics of battering. We must challenge stereotypes embedded deeply in our society when we look at the issues of domestic violence and/or battery.

Challenging these stereotypes is often written off as man hating or some way blaming men, but the statistics suggest that this is a gender violence, that these rates that women are being battered and even murdered, simply do not point to the issue that we can dismiss gender all together.

We need to move beyond that and create the framework around systemic oppression of women and children and the dominance of

patriarchy based on privilege and gender.

So to understand this issue, we cannot take away the analysis of gender, nor can we remove the systemic and social structures of colonization on Indian families. My mother was a boarding school survivor. She entered boarding school from the time she was five until she was 18, and even in summertime, she was not able to go home because she had to work in farming communities and that was in the state of South Dakota at Stephan Boarding School.

So, when we think about systemic oppression of how this has affected more families and lives, it is a direct effect. You simply cannot be parented and understand how to parent if you are a child of boarding school era, and you simply cannot wish away the child sexual abuse that occurs and that have occurred in those missionary schools. We are still products today and we see those effects in our community.

Again, to understand the issue, we must understand the complex and compounding issue of oppression in all its forms. Oppression, gender, political, colonization, this is not a race issue. Native people, this is not about

race. This is about a political relationship to the United States government. And when we see these astronomical numbers, we understand the full extent of the historical trauma and realize the full frontal crisis we find ourselves in Indian Country with our women and children.

It is imperative to understand the context of historical colonization, battering, dominance, and oppression in our villages, communities, and tribal nations in Indian Country. It is imperative because it removes the lens of "victim blaming." This is not simply a matter of why did she stay. This is not simply about her will. This is not simply about the issue of her not protecting her children. This is an issue that we have to deal with not just in the criminal justice system but in our communities and responses and resources that are available to address these issues totally.

The issues of domestic violence, child sexual abuse, and child maltreatment must be addressed through understanding of the complexity of historical and intergenerational trauma. We must understand the impact of co-occurrence when children experience trauma at

a rate of two and a half times their peers and when the rate of PTSD in Native juveniles is three times higher than that of their peers.

The co-occurrence of violence against Native women and maltreatment rates of our Native children are unknown because we lack the research of co-occurrence in Indian Country. At best, our body of research in Indian Country is relatively small compared to mainstream research. Lack of research has directly delayed our response to the crisis in Indian Country.

For example, I worked on this issue, and even in mainstream culture in the early '90s and 2000, mainstream advocates challenged and helped organize repealing poor policies such as the "failure to protect" laws. In their place, they opted to implement assessment tools for the level of maltreatment and lethality of the batterer.

Additionally, the movement to end violence against women encouraged the preservation of the child and mother, viewing the role as a protective factor for children witnessing violence, except in cases where there was substantiated child sexual abuse. The same

poor policies have not been repealed in Indian Country.

We did a report with the Tribal Law and Policy Institute that travelled to several sites around the United States in Indian Country and also doing an online survey, and that suggested to us that these policies were still in place in many of those tribal communities.

In a recent report, this "delayed" response of research compared to that of mainstream advocacy groups. It suggests that in some Native jurisdictions, children were being removed from the family citing "failure to protect" and opening a case to child welfare against the mother and not the perpetrator.

We must look at this issue not as the woman's responsibility, with a non-offending parent's responsibility to the issues of violence. The perpetrator must be held fully responsible for the domestic violence that is occurring.

And the assessment is much more complex than I am presenting. The issue of remaining with the non-offending parent is critical because it also suggests the level of

healing that that child will be able to maintain if they can remain with the non-offending parent.

It is trauma to remove a child from the home because of witnessing violence, and it is critical to understand that this is a very complex assessment that needs to occur. But, it must come from the understanding -- how to understand what domestic violence is and the risk factors and the protective factors for that child.

In addition, the complexity of domestic violence speaks volumes when a child protection policy focuses on leaving the batterer. This is critical; however, you cannot suggest that a woman or a parent leave the batterer without understanding the full risks of her leaving her partner. This is the most vulnerable time for a woman. This is when lethality occurs. This is when murder happens. This is when children are being abducted. This is a very critical time. So, it is important to not blame the victim but to also understand the full complexity of what that risk is for the woman to leave.

These are complexities that you will

hear from today but to keep in mind trauma, healing, domestic violence, child maltreatment, batterers, child advocacy centers, suicide, and powerful healing methods from our people working on the front line of domestic violence and sexual assault advocacy, child welfare, child advocates, and prosecution.

We as Indian people, we hold the healing ability to heal our communities if given the resources and opportunities. I do not want to present our communities as indigent, poor, that we do not understand full complexity of culture and the impact and the ability to maintain our indigenous languages, that is part of the resilience of your communities is to realize the full potential of healing that we can bring to our communities as well.

This is not to put it lightly. Our communities need to tell across the nation that we cannot provide for our families and for our communities. We can. We simply do not access and do not have access to resources that are critical even just law enforcement.

There were two law enforcement officials on in Rosebud at one shift, and when

you think about how big Rosebud is, it's probably as big as Rhode Island. And to think that you could simply just have two law enforcement to hold batterers accountable, to show up at every -- when there's distances to travel were upwards to 40 miles one way.

We need vital resources that allow us to be at the forefront, special demonstration funding that addresses the co-occurrence of domestic violence and child maltreatment, batterers intervention programming, this is critical; community based research to address the rates that this is occurring in Indian Country; cross-training on domestic violence, co-occurrence, and effective interventions for safety and accountability of the batterer's violence; development of tribal codes that reflect the cultural values and safety of mother and child and accountability of the batterer; funding for civil legal resources and funding to address the issues of housing on our reservation communities. Thank you.

SENATOR BYRON DORGAN: Lonna, thank you very, very much for your testimony and the work that you have done on this matter.

Next, we'll hear from Dr. Sarah Kastelic. She joined the National Indian Child Welfare Association in January of 2011. She had previously worked for the National Congress of American Indians. She has done extensive amounts of work -- the National Indian Child Welfare Association is the most comprehensive source of information on American Indian child welfare, and we appreciate you being here. You may proceed.

SARAH HICKS KASTELIC: Thank you so much. (Speaking in Native language.) Good morning. NICWA is a native nonprofit organization located in Portland, Oregon. Our mission is to ensure the wellbeing of American Indians and Alaska Native children and families. NICWA has over 24 years of experience providing technical assistance and training to tribes, states, and federal agencies on issues that impact Indian child welfare and children's mental health.

NICWA provides leadership in the development of public policy that supports tribal self-determination and child welfare and children's mental health systems as well as compliance with the Indian Child Welfare Act.

NICWA also engages in research that supports and informs and proves services for Native children and families. NICWA is the nations most comprehensive source of information on American Indian and Alaska Native child maltreatment, child welfare, and children's mental health issues.

Native children face violence in their home, schools, and communities at alarmingly high rates. For this reason, I would like to thank this task force and its chairs, Senator Byron Dorgan and Joanne Shenandoah for their leadership and commitment that they made to better understand these issues at the practice, program, and policy level, and to provide recommendations to ensure that the violence Native children face is first and foremost prevented, and if these efforts fail, that the violence is adequately addressed and the trauma that is created is appropriately treated.

The focus of today's hearing is American Indian Children Exposed to Violence in the Home. Violence in the home includes both intimate partner violence as well as maltreatment. At NICWA, we understand that the

intersection of these two issues cannot be ignored. Parents who engage in violence are more likely to perpetrate violence against their children.

Children who witness or live where intimate partner violence is present face the long-term effects of trauma often associated with child abuse, and children who are maltreated are more likely to later perpetuate violence against others including intimate partners.

Recognizing these important relationships and NICWA's expertise, this testimony will focus predominately on child maltreatment or the physical and sexual abuse and neglect of children in the home at the hands of their caregivers and family members.

I want to note that child maltreatment comes in a variety of forms, including sexual abuse, physical abuse, and neglect among others. Among these different forms of child maltreatment, neglect is the most frequently occurring within Native families.

While the focus of this testimony and hearing will highlight abuse that is considered to be more violent in nature, such as physical

and sexual abuse, neglect can have serious effects upon children's self-esteem and outlook for the future; some that are longer lasting and more profound than the effects of abuse.

When thinking about child maltreatment in Indian Country, diversity of American Indian and Alaska Native tribes cannot be overemphasized. Tribes, villages, reservations, and urban Indian communities have vastly different resources, social and economic conditions, and cultural and traditional practices. These differing conditions affect child maltreatment and mean that no statements about child maltreatment can apply to all tribes and urban Indian communities across the country.

The perspectives, recommendation, and values of community members, youth, and victims should be given as much weight and priority or more as those recommendations that come from national organizations like NICWA and subject matter experts, such as myself.

With these considerations in mind, I'll provide important context for conversations about child maltreatment in Indian Country and recommendations for the key changes that will

prevent violence to Native children in the home, and when this is not possible, will ensure access to protection and treatment.

Prior to contact with Europeans, tribal child-rearing practices and beliefs allowed a natural system of child protection to flourish. Traditional Indian spiritual beliefs reinforced that all things had a spiritual nature that demanded respect, including children. Not only were children respected, but they were also taught to respect others. Extraordinary patience and tolerance marked the methods that were used to teach Indian children self-discipline.

At the heart of this natural system of beliefs, traditions, and customs, was an interdependent network of extended family community all of which share child-rearing responsibilities. In this way, the protection of children in the tribe was the responsibility of all people in the community. Child maltreatment was rarely a problem in traditional settings because of these traditional beliefs and natural safety net.

As European migration to the United States increased, traditional tribal practices in

child rearing were often lost as federal programs sought to systemically assimilate Native people.

Throughout the history of the United States, Native children and families have faced kidnapping, day schools, boarding schools, foster homes, and adoptive placements all in an effort to quote "kill the Indian" and save the man.

The outcome of these assimilation efforts is heightened risk factors for child maltreatment in Native communities. These policies left generations of parents and grandparents who were subjected to prolonged institutionalization and who did have, as Lonna said, positive models of family life and family discipline.

Further, boarding schools and relocation efforts have resulted in the destruction of kinship networks and traditional understandings of child rearing and protection damaging the natural safety net that was in place.

It was not until 1978, with the passage of the Indian Child Welfare Act, NICWA, that the federal government acknowledged the inherent sovereign right of tribal governments

and the critical role that they play in protecting their children and maintaining their families. Meaning, that for two centuries, the United States usurped tribe's rights to care for their families, further eroding the traditional and natural child protection systems of tribal communities.

Challenges in Native communities today mirror the risk factors for heightened maltreatment including poverty, mental and physical health problems, poor housing, and violence which are directly related to federal reservation and relocation policies.

The pattern of mistreatment of Native people and communities over the course of the centuries has had an additional effect on Native families that creates a heightened risk for child maltreatment: Historical trauma.

Researchers and experts believe that the shared experience by Native people of historic traumatic events such as displacement, forced assimilation, suppression of language and culture, and boarding schools creates a legacy of unresolved grief that, when untreated, is passed down through generations and experienced in ways

that reflect reactions to trauma: Increased mental health indicators, substance abuse, stress, and social isolation; all risk factors for child maltreatment.

There is little information on the specific and unique risk factors for child maltreatment in Native families. Without an accurate, nuanced understanding of the complex interaction of risk factors for child maltreatment, prevention, identification, intervention may be ineffective.

According to mainstream understanding of child maltreatment, limited existing data show that Native children at high risk. For example, in terms of parental risk factors, Native children are more likely than the overall U.S. population to live in households that are below the poverty line; Native parents are more likely to struggle with substance abuse and mental health issues and more likely to be single parents.

In terms of child characteristic risk factors, Native children are more likely to have special needs.

In terms of family risk factors, many

Native communities are socially isolated. Reservation communities are located in remote and sparsely populated areas, and often the housing within those communities is spread out over a large area.

Further, Native women are more likely than any other single racial or ethnic group to experience intimate partner violence.

And in terms of community and structural risk factors, Native people and families are more likely to live in communities where they will experience both high rates of criminal victimization and under-policing of the community. Native families are also more likely to live in areas of high poverty.

National data on Native children who experience child abuse and neglect are limited. The primary data available, outside very minimal data collected by the Bureau of Indian Affairs and Indian Health Service, is based on state child welfare data systems, which includes approximately 60% percent of tribal abuse and neglect cases.

Nonetheless, the limited data available do provide some basic understanding of

the prevalence of maltreatment in Native families and communities. Native children are 1.1 percent of all child maltreatment victims reported to state and county child welfare agencies.

Native children experience a rate of child abuse and neglect of 11.1 per 1,000 children. This compares to the national rate of victimization of 9.1 per 1,000. And Native children are more likely than children of other races and ethnicities to be confirmed as victims of neglect, 59.7 percent of cases, and are least likely to be confirmed as victims of physical abuse.

Facing trauma in the form of child maltreatment has long-term effects on the well-being of Native children. Particularly, when it goes undetected and undeterred.

Studies have shown that children have been abused or neglected have higher rates of mental health and substance abuse disorders, are more likely to be involved in the juvenile justice system, have worse educational outcomes, like truancy and grade repetition, and are more likely to have early pregnancies.

It is also important to understand

that individuals who experience abuse and neglect are more likely to be perpetrators of intimate partner violence and child maltreatment, creating a cycle of violence that is difficult to break.

Child maltreatment does not just have long-term effects on victims; it also comes at a great cost to society. According to the Centers for Disease Control, to manage all of the services associated with the immediate response to all child maltreatment costs 124 billion dollars a year. Although Native children are only a small fraction of child maltreatment victims nationally, that would still equate to billions of dollars a year being spent to respond to child maltreatment of Native children. For tribes who are already under resourced in the area of child welfare, this can be a huge strain on available resources.

Chronic social problems like child maltreatment also hold back communities; when they are unaddressed, they ultimately interfere with efforts to create and encourage economic development by draining off resources that could be used for economic and infrastructure development to, quote, "manage" these chronic and

persistent social problems.

With this background, I will now share key recommendations, and I only have time to highlight a few, there are many more within my written testimony. My recommendations are organized into five categories: Policy change, funding, coordination and collaboration, training and technical assistance, and data collection and research.

Policy: Tribal governments in PL 280 states face significant challenges in establishing an effective working relationship with the child welfare system regarding jurisdiction and service responsibility within the states in which they reside.

Where concurrent jurisdiction has been asserted, there can be uncertainty between tribes and states about who's responsible for dealing with child abuse and neglect. This can often result in delays in responding to reports of child abuse involving Native children on tribal lands. While tribes in some PL 280 states have been able to develop intergovernmental agreements to address these jurisdictional and service responsibility challenges, large numbers

have not been able to, largely due to their state's reluctance or unwillingness to negotiate agreements.

The federal process for resumption of jurisdiction of child welfare services for tribes under the Indian Child Welfare Act is very burdensome and can take two years or more to complete.

Our recommendation is twofold: One, reform the BIA process for resumption of jurisdiction with the consultation of tribal governments to establish a more efficient and effective process; and two, establish a mandate for PL 280 states to negotiate, in good faith with tribes, regarding the development of intergovernmental agreements that address jurisdictional and service responsibility challenges in child welfare.

Similar requirements are already contained within the Social Security Act requiring states to negotiate agreements with tribes on the operation of the Title IV-E Foster Care and Adoption Assistance program and the Chafee Independent Living program.

As with the domestic violence, child

abuse incidents on tribal lands present unique challenges, especially with regard to the ability to effectively deter criminal behavior in this area and address criminal prosecution of suspected perpetrators.

This year, Congress passed the Violence Against Women Reauthorization Act of 2013, VAWA, that provided a much-needed remedy to the inability of tribes to successfully deter and prosecute criminal acts of domestic violence involving non-Indians living within tribal lands.

Prior to enactment of this legislation, non-Indian domestic violence perpetrators on tribal lands were able to escape prosecution, leaving them to commit additional assaults with no legal consequences.

Tribes need similar authority to address criminal acts of child abuse by non-Indian perpetrators on tribal lands.

While there is limited data on this issue, there are countless anecdotes of sexual predators intentionally assaulting children on tribal land, with little or no consequence, due to lack of tribal authority to prosecute and extremely low federal prosecutions.

We recommend that federal agencies work with the Congress and tribal governments to pass legislation similar in concept to the provision within VAWA that would clarify tribal authority to prosecute criminal child abuse of Native children on tribal lands that occur at the hands of non-Indian individuals.

With regard to funding, there are a number of programs that have never been funded under the Indian Child Protection and Family Violence Prevention Act of 1991. We strongly recommend looking at those authorizations that are already in place and consider appropriations there that would make a significant difference in terms of child abuse treatment, child abuse prevention, and investigation of child abuse reports, family violence prevention and treatment, and establish an Indian Child Resource and Family Service Center.

We also recommend looking at the Child Abuse Prevention and Treatment Act, CAPTA, again, a number or programs which have little or no resources. There are further recommendations around coordination and collaboration. Certainly in term of issues that are complex as these, we

really need to look at various systems that are involved to address those challenges. Thank you for your time and attention.

SENATOR BYRON DORGAN: Dr. Kastelic, thank you very much.

Finally, on this panel we'll hear from Darla Thiele from the Spirit Lake Nation. She's the director of a diversionary project within the Spirit Lake Juvenile Court System. Darla, we are very pleased to have you speak. You may proceed.

DARLA THIELE: (Speaking in native language.) Good morning, my relatives, I greet you with a good heart and a hardy handshake. My Dakota name is Shining Star Woman. I am an enrolled member of the Spirit Lake Nation in Fort Totten, North Dakota. My English name is Darla Thiele.

I am a grassroots person. I come from the Spirit Lake Tribe. I've worked there with the Tribe since 1993. In that time, I've worked in the areas of alcohol and drug prevention for five years. I've worked for the Tribal Juvenile Court for 12 years and the Sunka Wakan Ah Ku program for the last five years.

I've also obtained and went back to school and got two degrees during this time in our community college in Liberal Arts and Indian Studies. I did this because our youth factor. I keep stressing education. Tell our youth, our kids you need to get our education. You need to go on to school. You need to finish school. Only because I wanted to model my beliefs and what I see because I believe if you ask a youth to do something, you better be able to do it yourself and be that example for them.

The Sunka Wakan Ah Ku Program (Bringing Back the Horses) is a culturally based equine program that utilizes the cultural interventions with the youth who are in the juvenile justice system and/or abusing alcohol or other substances. These cultural interventions include traditional practices; awareness of tribal history and heritage; cultural knowledge; and spiritual impacts of our way of life when we follow the teachings of the Dakota people which are wisdom, humility, courage, honesty, respect, and fortitude.

As Dacotah people, we are bringing back the horse culture, a culture we have strong

ties to in our history. The Dacotah people believe that the horse is sacred, he's our relative and comes from the west direction, he's a healer, and he speaks for our youth. We have many songs that are used in ceremonies that are tied to the horse. We are using cultural practices and horse knowledge along with the National Equine Assisted Learning. It's a great tool that helps us work with our youth in our community.

I'd like to share a story and an example of our work. One of the young ladies who's involved with our program. On May 21st, 2011, she had a brother and sister who were murder. She was in the program. She found that relationship as prayer. Prayer comes with everything in working with our horses. She found that comfort and trusted in the horse to help her deal with this tragedy. She went on for a whole year, she talked about her father who was put in jail. She always talked about I know my dad. I know he wouldn't do this. I know he's innocent. She just kept on and on and on and after a whole year of working with horses, and counseling and talking with others, a whole year went by. And

in that time, her father was found innocent and she was so happy. She came back and she told us and she talked about her brother and sister.

The hard part for her now was that she was a half sister, and when the funeral arrangements were being done, she wasn't included and it really hurt her really deeply. She was hurt real deeply. But after a year came by of her brother and sister being murdered, she asked, she came to the program and she asked, she said will you help me. Can we ride our horses in memory of my brother and sister. I said, yes, we can, and we took our horses and we had our ride and we rode ten miles to their grave site where they were buried, and we had a sending off ceremony for her; we had songs; we had a song by her spiritual leader; and we did a balloon release. And with Indian people, there is always food. So we had a meal that everybody came.

And she talked after that how it helped her to find closure. It helped her to feel better about what happened. She doesn't forget her brother and sister and all that happen, but she's able to move on. And she found this comfort with horses and trust and love in

that relationship that she developed with the horses.

We have many youth on our reservation who have stories to tell. We have young ladies who on weekends are at home taking turns with their siblings holding the door shut while the party is going on in the living room. And they take turns holding the door shut to make nobody comes in to bother any of the siblings.

We have a young man who's dealing with his mother being diagnosed and dieing of cancer and his father being diagnosed with brain cancer. He speaks of how the only time he's not afraid is when he's on that horse praying and riding.

We have families who have nine siblings and they're from home to move with other family members because they don't have a home to be in and lack of housing. We have our young kids who are worried about suicide. We see suicide happening and wondering, you know, what's happening with suicide. Why is this happening. What is going on. They have all these anxieties. Many are put in situations that are beyond their control.

There is a great need for more spirituality among both our youth and adult populations of Spirit Lake. This is coupled with the need for cultural identity and a sense of belonging to our community. These issues are critical as we are raising youth who don't know our values and the roles within our family systems, which at one time in the Dacotah family system, everything was kept in the community, everybody had a place, everybody had a name, you know, and we don't have that now.

This results in our kids not knowing who they are and emulating other races by trying to be people that they are not. And they're doing this because they lack a basic knowledge of who they are and where they come from. And we, as Dacotah people, we are spiritual people. He have a belief in Wakan Tanka, and we know that prayer is a daily part of life.

There are many times when our youth have come to me and asking and telling us, we don't know how to pray. We don't know. No one has ever taught us. Can you teach us how to pray so at times when we need to, we can say our prayers.

Without a strong belief system and a sustained relationship with our Creator, the Wakan Tanka, we cannot grow as human beings. And in order to move forward, we need to come to terms with the past and present and our ugly history. As Dacotah people, we need to move past this ugly history and push this and know who we are in the present so we can push on into the future because we need to planning for our children and grandchildren and those that are to come.

Our youth need to know their cultural identity, and I'll say it again, our youth need to know their cultural identity. They need to know who they are and where they come from.

Colonization is another thing that has taken over the lives of our parents and our grandparents. They have accepted the teachings of the missionaries that our ceremonies and culture are evil and that they should move on and no longer be practiced. They then teach this to their children and then they don't allow those young people who want to learn, they only want their children to come to ceremonies and to hear about sweats. As Dacotah people, we have a

ceremony for everything. They don't know their family trees or their history or family ties.

So, again, I say our young children need to know who they are. They need to move forward. A lot of our youth who are in the program want to know their family history, they want to hear ceremonies, they want to understand but they can't because their parents won't allow it. So they have to wait until they turn 18 years old before they can come and take part and learn all their cultural identities. We need the answer to help them to move to the future to have a safe and healthier life.

One of the barriers, both of our youth and their families face, are professionals. They come to and they have proper credentials that are required by the state, but they lack the cultural knowledge and ability or even desire to understand where our children and their families are coming from in their history and their lives.

When these "professionals" don't work with our families to find a workable solution but rather they make all the decisions for the family and the children, without consulting them in any part of the process, they have set that person

for failure. For any solution of assistance to have the chance of being successful, it has to involve the family, to come from within the family and for the family to set the goals.

A good and positive example of this is the Sacred Child Project. That concept is right on and it works with the family and that Sacred Child Project talks about how every person has good qualities, they have a good side to them, and they work with those qualities. They work with the families to set goals that they can achieve no matter how long it takes.

When you have professionals who sit down and make all the decisions for the families, they're already setting them up for failure and they won't be successful.

Another way that is done is when providers put their credentials ahead of the needs of the youth. Many professionals who come have a fear of losing their license by not following the status quo within the state and our leaders. There are times when what our young people or families need is not part of the prescribed methods of doing things within certain disciplines and professions such as licensed

addiction counseling.

Children and youth cannot be fooled, they know who is real, they know who is genuine, they know who is there to help, and they know who is just there for a job. I know one Licensed Addiction Counselor with a Masters Degree in Social Work, who, her treatment methods were not always standard, but she believed in her clients so much that she would not change her course when another Licensed Addiction Counselor didn't believe she should be doing what she doing because they were not the normal standards. This other counselor complained to the North Dakota Licensing Board.

One of the recommendations that I would like to say is that these professionals should display a willingness or openness to learn of the history and culture of the heritage of the people they are to serve.

Another recommendation is to develop a multidisciplinary team approach utilizing the Sacred Child model for child protective services, prevention and treatment planning that will work on a case-to-case basis.

The other thing I would like to say

is that the answers lie within our people within the communities, with our leaders, with the grassroots people, the common people and not from someone coming in and trying to solve the problems for us.

The Sunka Wakan Ah Ku program started with the grassroots people who realized that we can't wait for people to come in to our communities and tell us how to solve our problems, to tell us how to work with our youth.

When the problems came to light within our community, meetings were held with government officials but not one of them went into our communities to ask for people's advice or to help resolve the crisis. It got to the point where the BIA Affairs took over our child protection services, and the problems worsened because of the points made above and the trust in the systems was deteriorated further. They didn't come in and they didn't work with the people, but tried to make decisions for the people rather than working with them.

These are all serious matters that we're here for today, especially when it involves the safety of our children and youth. One way to

help us is to help us to look into -- give us that opportunity to look within our own communities for solutions, support our ideas, and help us to implement those ideas. But don't do it for us, it will not work. It needs to come from within.

There needs to be dialogue, not just testimony, there needs to be sharing of ideas and discussion revolving around those ideas, not just hearing thoughts, concerns, and ideas; asking questions; and then deciding how to proceed. While that does involve us, it still doesn't give us the responsibility and ownership.

I want to say today -- I also want to say I apologize to my elders out there for speaking before them. I don't sit here as someone who has all the answer or more knowledge than them. I want to say thank you for giving me the opportunity to come here today.

SENATOR BYRON DORGAN: Darla Thiele, thank you very much for your testimony today.

This first panel was to be background presentations and to give you some hearing for this panel. There has been a great amount or research done with respect Darla Theile's

circumstances on the ground programs that she has related to us. We have time for just a few questions from the task force and then the second panel today will be specifically about child sexual abuse in Indian Country and deal with some experts in that area.

But, if there are questions from this task force, any of these witnesses would gladly answer them.

RON WHITENER: I'll direct his question to Dr. Hicks Kastelic. One of the things that you brought up that is something that certainly I can rely on is the need to fully understand the problem, you know, the research is needed. Although we know that for, especially tribal organizations who are trying to get funding from the United States, we run into the problem of generalizability. What's the pathway to being able to support the type of research for these promising programs to show that they are working and then to justify it in Congress for funding?

SARAH HICKS KASTELIC: Good question. I think there are a couple of things that need to happen. One, is that there needs to

be resources devoted to this. So, there is actually quite a bit of robust literature in terms of mainstream models and looking at child maltreatment more broadly of the overall population. And there are mainstreams to do that. The Child Abuse Prevention Treatment Act channels resources primarily to universities and hospitals to do rigorous research on various problematic models.

I think for tribal communities, as you mentioned, there are a number of challenges but none of them insurmountable. You know, I think there's some pretty simple workarounds in terms of really considering methods like over channeling that help to get at some of the smaller population issues. But, also looking at creative ways of thinking about how evidence based practices get culturally adapted for various populations. And when you're looking at key components to which, you know, fidelity needs to be adhered but really looking at the variation as well.

And, I think there are ways that you can look at implementation of programs in different communities and aggregate data in

creative ways that allow you to get a larger sample even beyond oversampling and into individual communities.

So, there is some information in my testimony, written testimony, and I'd be happy to provide a lot more information, but all of this is really -- there are realistic ways to do this work. We just need to have the political will and dedicated resources to do it. Thank you.

SENATOR BYRON DORGAN: Other questions of the task force?

ERIC BRODERICK: This question is for Lonna. You said that the failure to protect policies had been repealed for the mainstream and not for Indian communities. What would it take to repeal those failure to protect policies for Indian communities?

LONNA HUNTER: Well, I think just to answer the question to generalability, (phonetic) I mean we have many sovereign nations, so it would take looking at this issue in terms of the best practices to come up with best practices in different jurisdictions, sovereign jurisdictions, in PL 280 jurisdictions, and to understand what is working in child welfare, as

doctor mentioned earlier, that part of the issue is getting the states on board with working with these jurisdictions but also maintaining the sovereignty of many of our tribes.

So, understanding, I think, the training issue of looking at why failure to protect cannot just exist in a vacuum, that it can't just be looking at just the child's welfare but it has to include the mother's safety/child relationship and to include batterer accountability because you certainly cannot open a child protection case in the mother's name and just the mother is being held accountable for the batterer's violence. I mean that is -- it just does not work. Those things have to be considered.

So, I think part of it is looking at research and I think the research also, to echo what she mentioned earlier, it has to be community based research. We can't have this research come from child protection agencies or agencies or systems that we do not trust to begin with. It has to come from either domestic violence programs, nonprofit organizations that work on this issue, you know, that we can fully

and completely kind of turn the data and trust the data coming back.

SENATOR BYRON DORGAN: Additional question of the task force?

MARILYN BRUGUIER ZIMMERMAN: This question is for Darla. Can you describe to me what it would look like for a state or federal agency that serves in the context of tribal CPS or working with children in the CPS Program what it would look like for the tibe to have a voice?

DARLA THIELE: I think that just bringing all the people together, everybody having a fair, equal amount of sharing and working together building that trust that relationship first and just bringing people all together in around table.