



FORENSIC NURSING



In Tribal Communities

PRESENTED BY

ANNA LEE LENNOX BSN

RN SANE-A FNE

Whiteriver Service Unit
Sexual Assault Nurse Coordinator

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OBJECTIVES



01

The participant will be able to define what forensic healthcare is

02

The participant will identify challenges presented to forensic teams in tribal communities

03

The Participant will have basic knowledge to meet the needs of victims of violence in a medical setting

WHAT IS A FORENSIC NURSE?

Forensic nurses are specially trained registered nurses (RNs) and serve victims of abuse, violence, human trafficking, and more. Their job responsibilities may include: Collecting evidence. Photographing injuries for evidence. Working with victims of domestic abuse or violence.



More than four in five American Indian and Alaska Native women and men have experienced violence in their lifetime, and more than one in three experienced violence in the past year, according to a new report from an NIJ-funded study.

-Violence Against American Indian and Alaska Native Women and Men

VIOLENCE IS A HEALTHCARE ISSUE

“Violence is an international public health issue that destroys the quality of life in communities and societies worldwide (United Nations, n.d.) The World Health Organization (WHO) defines violence as the intentional use of physical force or power, threatened or actual, against oneself, another person or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation (WHO, 2002). Violence includes intentional and unintentional injury

found in individuals who seek health care following acts of family violence, intimate partner violence (IPV), child abuse, elder abuse, rapes or sexual assaults, trafficking, youth-on-youth violence, gang warfare, terror, war, disaster, and violence in schools, workplaces and prisons (American Nurses Association, 2017)”

-Violence is a Public Health and Healthcare Issue
International Association of Forensic Nurses



**Intimate Partner
Violence/ Domestic
Violence**

Homicides

Child Abuse

Human Trafficking

Elder Abuse



Sexual Assault

Assaults with Deadly
Weapons

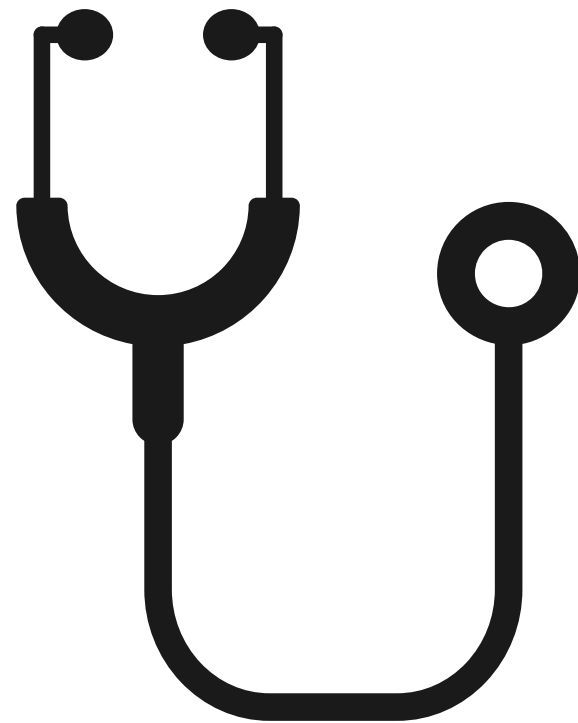
Photography 



 Documentation



Screening and interventions



 Physical Assessment



 Mental Health screening and interventions



 STI Prevention/
Pregnancy Prevention

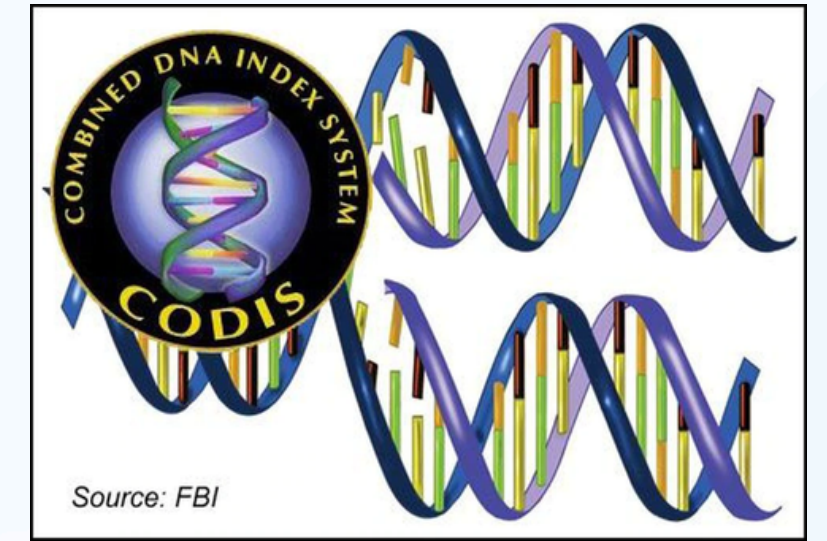


 Legal testimony/
consultation

Medical Forensic Exam



Types of DNA collected



DNA Collection ("RAPE Kit")

120 hours - adults
and teens

72 hours - children

-DOJ National Protocol for Sexual Assault Medical Forensic Examinations

✔ In the Hospital/ Clinic



Meet with patients in the Emergency Department, Clinic, OB, and Inpatient setting to provide resource material and educate on forensic services

✔ In the Community



Coordinate community outreach and meet with community and tribal partners



02

CHALLENGES IN TRIBAL COMMUNITIES



Concurrent Jurisdictions



Local Tribal Law Enforcement

Local Law enforcement has jurisdiction over crimes being committed on tribal lands, and abide by tribal laws (each tribe has it's own set of codes)



Bureau of Indian Affairs

BIA Investigates major crimes on tribal lands



Federal Bureau of Investigations

FBI also helps to investigate and prosecute major crimes on tribal lands



State and County may also be involved



Laws You Should Know

Major Crimes Act of 1885



In a nutshell: the federal government is responsible for prosecuting most serious crimes committed in Indian Country including: Murder, manslaughter, rape, assault with intent to kill, arson, incest, and burglary

Concurrent Jurisdictions= No double jeopardy

Tribal Law and Order Act (2010)

3 year sentences IF defendant has a licensed attorney

Federal/ State/ County can only prosecute a non native defendant

The Indian Civil Rights Act of 1968 (ICRA)

is a federal law. It says Indian tribal governments cannot enact or enforce laws that violate certain individual rights
freedom from excessive bail, excessive fines, cruel and unusual punishment and, for conviction of any one offense, freedom from punishment greater than imprisonment for one year and a fine of \$5,000 or both

Violence Against Women's Act (VAWA) 1995



Funding to groups working with sexual assault and IPV victims
Tribes are able to exercise their sovereign power to investigate, prosecute, convict, and sentence both Indian and non-Indians who commit covered crimes in Indian country against Indian victims.

- Except that to participate tribes requireProtect the rights of defendants described in the Tribal Law and Order Act of 2010, by providing:
 - Effective assistance of counsel for defendants;
 - Free, appointed, licensed attorneys for indigent defendants;
 - Law-trained Tribal judges who are also licensed to practice law;
 - Publicly available Tribal criminal laws and rules; and
 - Recorded criminal proceedings.



03

What can healthcare providers do for victims of violence?



- #1 Deliver quality care for a healthcare patient
(If you are seeing patients in the ED- remember
they are an ED patient first)
- #2 Do not be afraid to talk to the patient
- #3 Know your mandated reporting laws
- #4 Work with your facilities to ensure you have
resources and a response in place
- #5 Our documentation language matters

Language Matters

- Strangulation vs. Choking
- **Avoid words such as “Alleged”**
 - Chart what you see, not what you think
- **Patient quotes, when appropriate can be helpful**
 - Victim Shaming- judgement
- **talking about the offender negatively in IPV**

Sources:

<https://www.forensicnurses.org/page/WhatisFN/>

<https://www.forensicnurses.org/wp-content/uploads/2022/05/Violence-is-a-Health-Issue-2022.pdf>

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World Health Organization. (2002). *World report on violence and health*. Geneva, Switzerland: World Health Organization.

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**THANK
YOU**

Questions?



Anna.Lennox@ihs.gov

928-338-5532