New Mexico State Legislators Indian Affairs Committee

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September 9, 2019

Senator Pinto Library, Dine College

Request

- Support our recommendations and resolutions
- Request for funds for victims: education
- Request for legislation changes for victims: justice, legal services
- Cross jurisdiction for victims: rights, protection, restitution
- Extend state justice, health services, and benefits to victims on reservations

Experiences

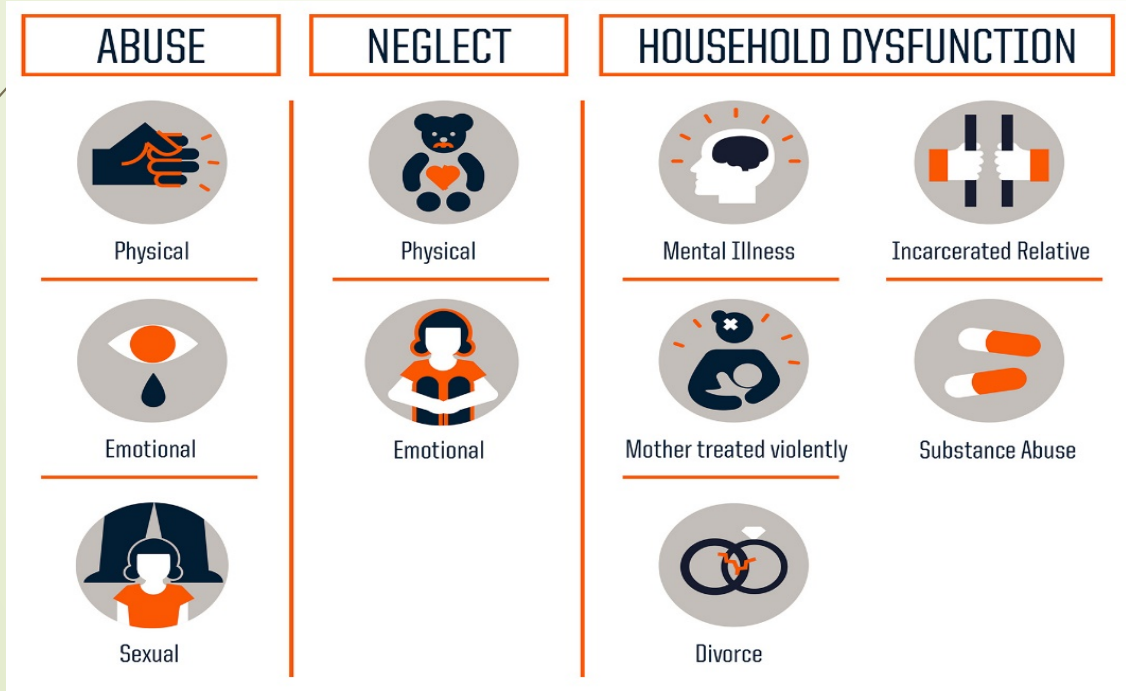
- 2005 Son told me his cousin raped him
- 2006 Perpetrator confessed at Navy boot camp
- 2006-2011 We moved to Maryland, USDOJ ignores 7 amendments
- 2011 Son enrolls at Dine College
- 2012 Shed set up, mother lies about homesite lease, SR FC ignores FL
- 2013 restraining order, building material, NN informed-no action
- 2014 threats from brother, mother lies, Vet program director
- 2015 FL ignored, RO against son and I (Shiprock FC and NN SC)
- 2016 Filed with state2017 livestock stolen, SC letter, UNM
- 2018 Grazing Permit, divorce, defamation, litter
- 2019 Senator Pinto sponsored the Senate Memorial
- Extend nationally to protect all and with perpetrator accountability

Adverse Childhood Experiences (ACEs)

- Childhood experiences
- Tremendous impact on future violence victimization and perpetration, and lifelong health and opportunity
- Lack of accountability perpetuates the trauma
- ACE and unaddressed trauma has led to an epidemic; a costly public health crisis

ACE CDC-Kaiser ACE Study

- All ACE questions refer to the respondent's first 18 years of life.
- Abuse, Neglect, Household challenges/dysfunction



Adverse Childhood Experience (ACE) Questionnaire Finding your ACE Score ra hbr 10 24 06	
While you were growing up, during your first 18 years of life:	
1.Did a parent or other adult in the household often … Swear at you, insult you, put you down, or **humiliate you**? or Act in a way that made you afraid that you might be physically hurt?	Yes No If yes enter 1 _____
2.Did a parent or other adult in the household often … **Push, grab, slap,** or throw something at you? or Ever hit you so hard that you had marks or were injured?	Yes No If yes enter 1 _____
3.Did an adult or person at least 5 years older than you ever… Touch or fondle you or have you **touch their body in a sexual way**? or Try to or actually have oral, anal, or vaginal sex with you?	Yes No If yes enter 1 _____
4.Did you often feel that … No one in your family loved you or thought you were important or special? or Your family didn't look out for each other, feel close to each other, or **support** each other?	Yes No If yes enter 1 _____
5.Did you often feel that … You **didn't have enough to eat**, had to wear dirty clothes, and had no one to protect you? or Your parents were too drunk or high to take care of you or take you to the doctor if you needed it?	Yes No If yes enter 1 _____
6.Were your **parents ever separated** or divorced?	Yes No If yes enter 1 _____
7.Was your **mother or stepmother: Often pushed, grabbed, slapped**, or had something thrown at her? or Sometimes or often kicked, bitten, hit with a fist, or hit with something hard? or Ever repeatedly hit over at least a few minutes or threatened with a gun or knife?	Yes No If yes enter 1 _____
8.Did you live with anyone who was a **problem drinker or alcoholic** or who used street drugs?	Yes No If yes enter 1 _____
9.Was a household member depressed or **mentally ill** or did a household member attempt suicide?	Yes No If yes enter 1 _____

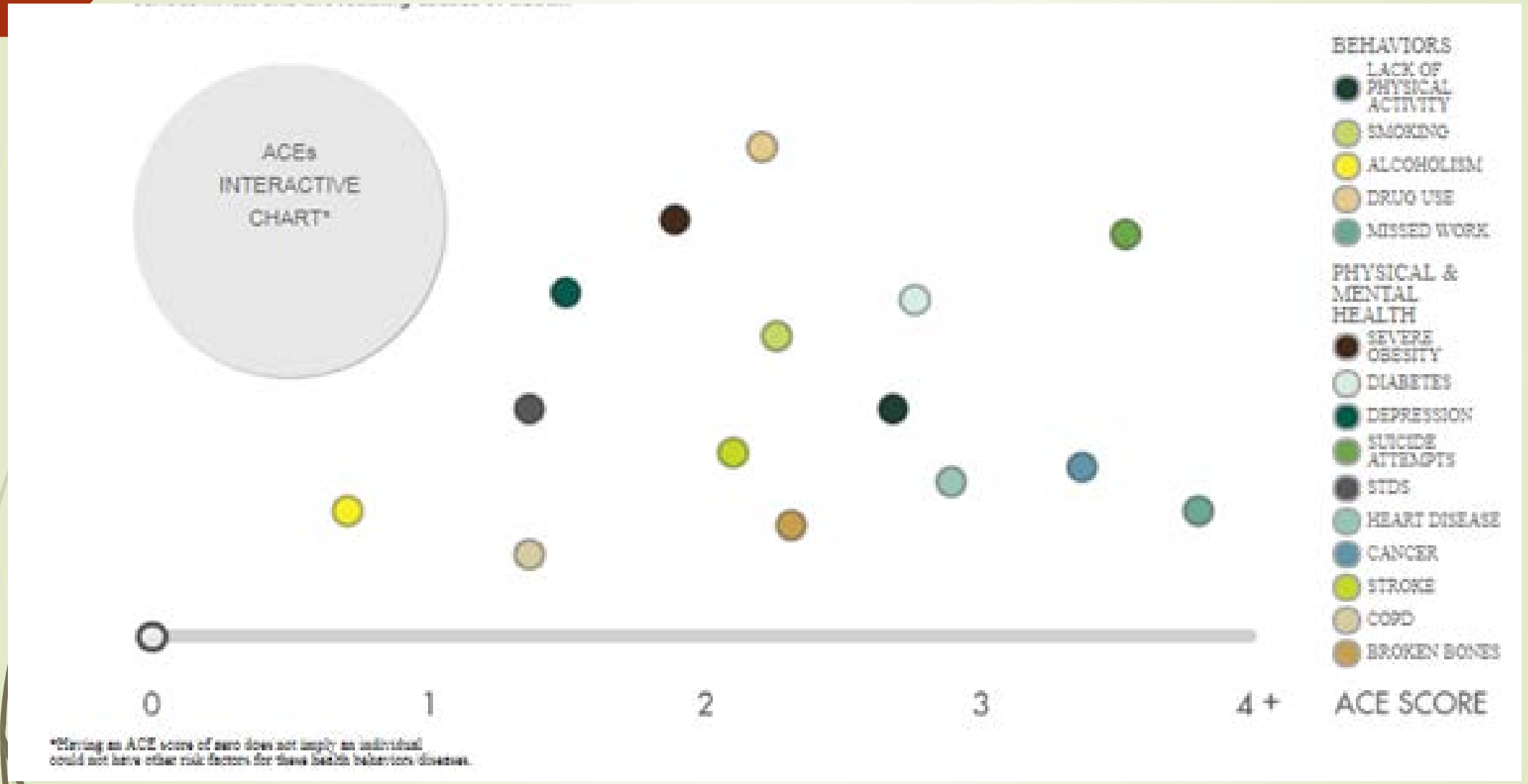
ACE Score Sex, percent by sex

Number of ACE Score	Female N=9,367	Male N=7,970	Total N=17,337
0	35	38	36
1	25	28	26
2	16	16	16
3	10	9	10
4 or more	15	9	13

As the number of ACEs increases so does the risk for the following*:

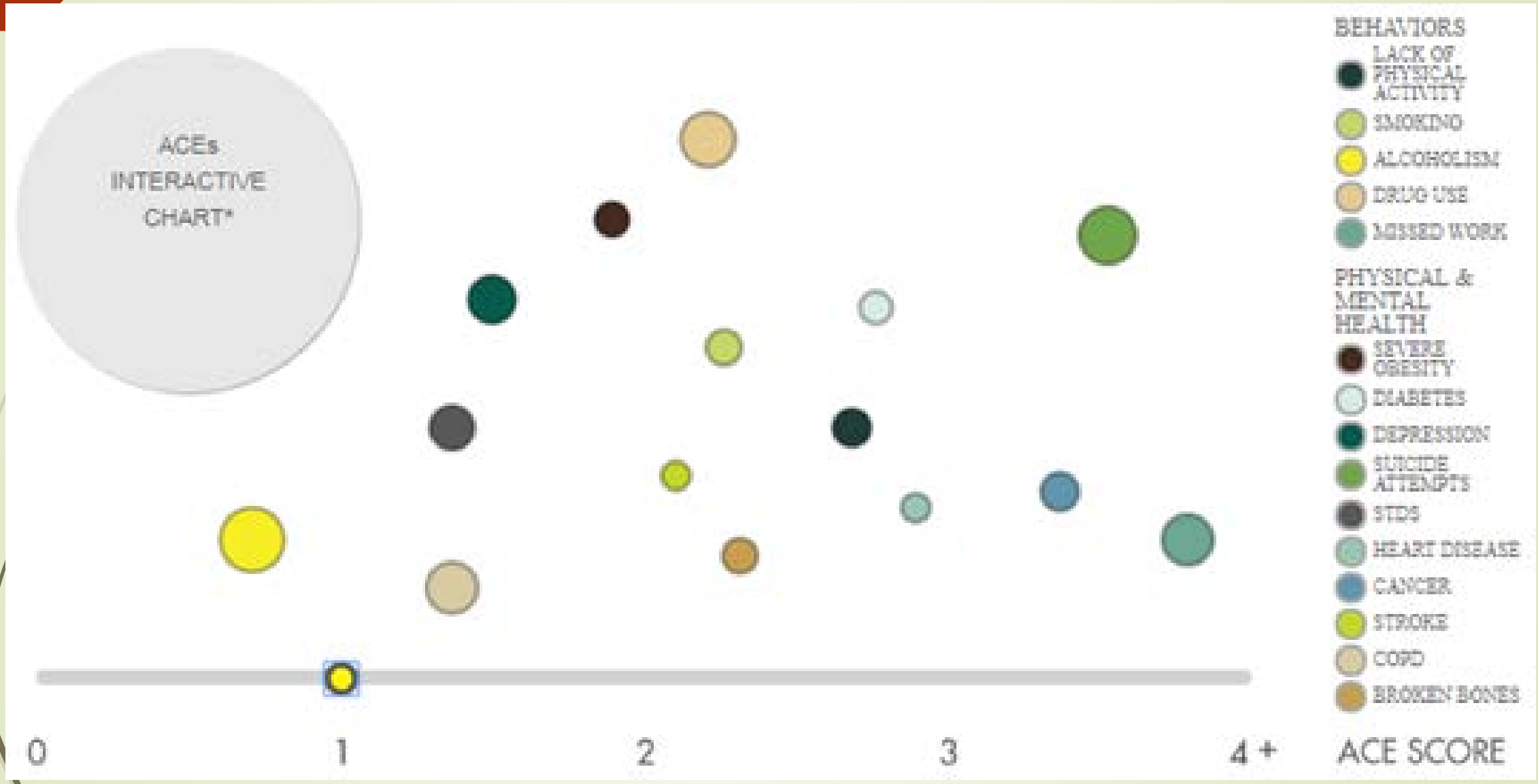
Alcohol and other substance abuse	Multiple sexual partners
Chronic obstructive pulmonary disease	Sexually transmitted diseases
Depression	Smoking
Fetal death	Self harm
Health-related quality of life	Unintended pregnancies
Illicit drug use	Early initiation of smoking
Ischemic heart disease	Early initiation of sexual activity
Liver disease	Adolescent pregnancy
Work - poor performance, missed	Risk for sexual violence
Financial stress	Poor academic achievement
Risk for intimate partner violence	Life expectancy, 80 to 60 years

ACE Score = 0

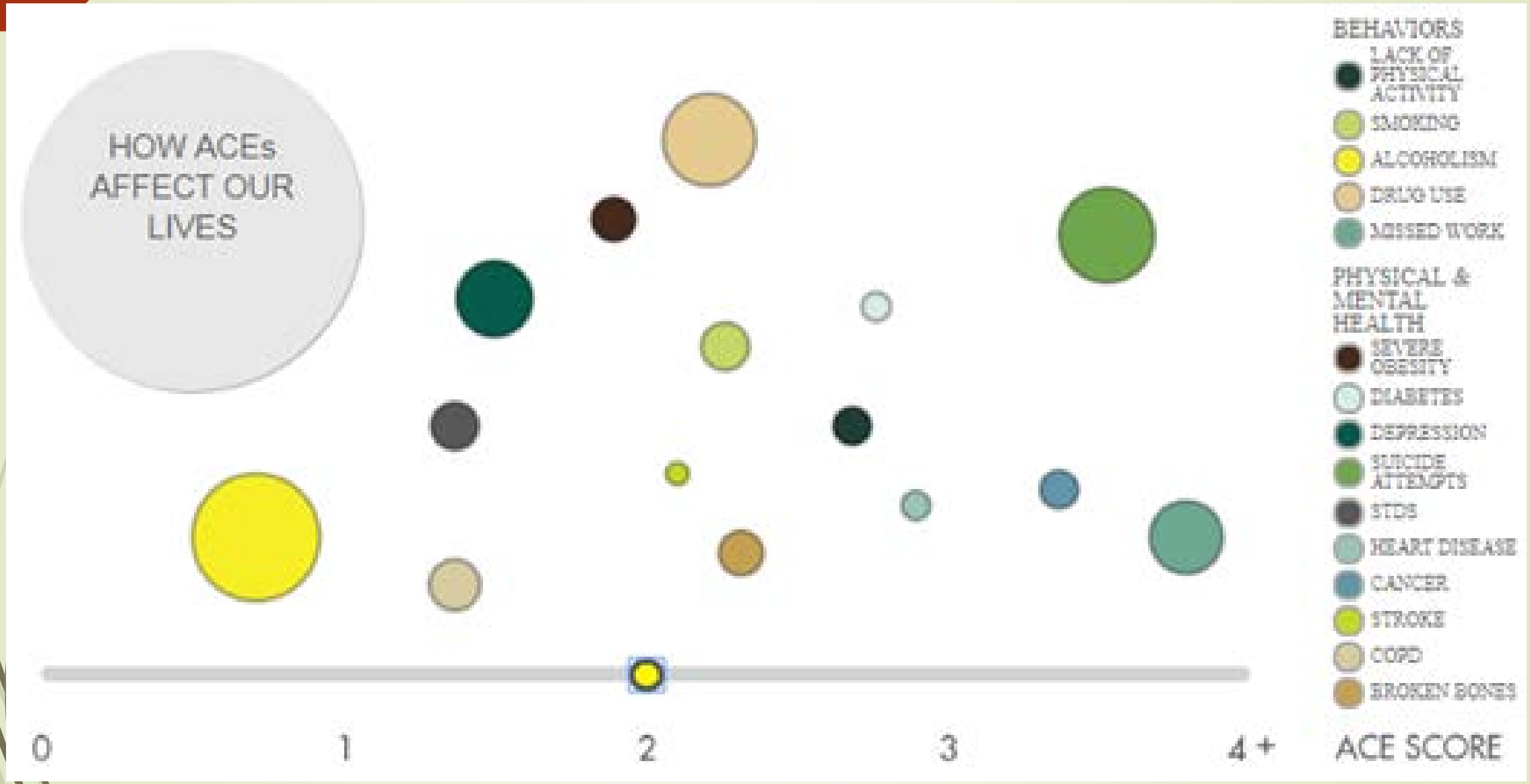


- https://vetoviolence.cdc.gov/apps/phl/resource_center_infographic.html

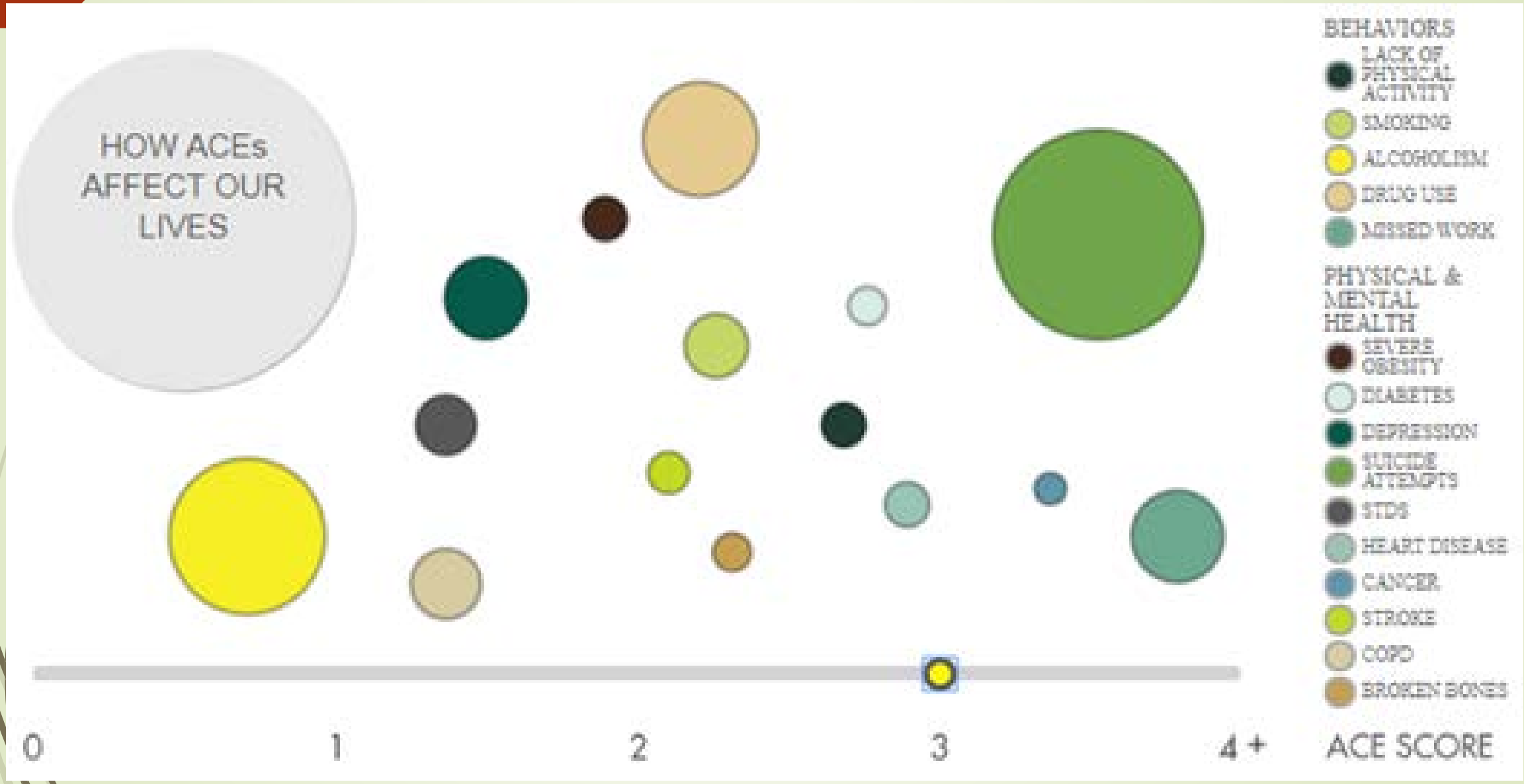
ACE Score = 1


ACEs
INTERACTIVE
CHART*
BEHAVIORS
LACK OF PHYSICAL ACTIVITY
SMOKING
ALCOHOLISM
DRUG USE
MISSED WORK
PHYSICAL & MENTAL HEALTH
SEVERE OBESITY
DIABETES
DEPRESSION
SUICIDE ATTEMPTS
STDS
HEART DISEASE
CANCER
STROKE
COPD
BROKEN BONES
0
1
2
3
4 +
ACE SCORE

ACE Score = 2


HOW ACEs AFFECT OUR LIVES
BEHAVIORS
LACK OF PHYSICAL ACTIVITY
SMOKING
ALCOHOLISM
DRUG USE
MISSED WORK
PHYSICAL & MENTAL HEALTH
SEVERE OBESITY
DIABETES
DEPRESSION
SUICIDE ATTEMPTS
STDS
HEART DISEASE
CANCER
STROKE
COPD
BROKEN BONES
0
1
2
3
4 +
ACE SCORE

ACE Score = 3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STROKE
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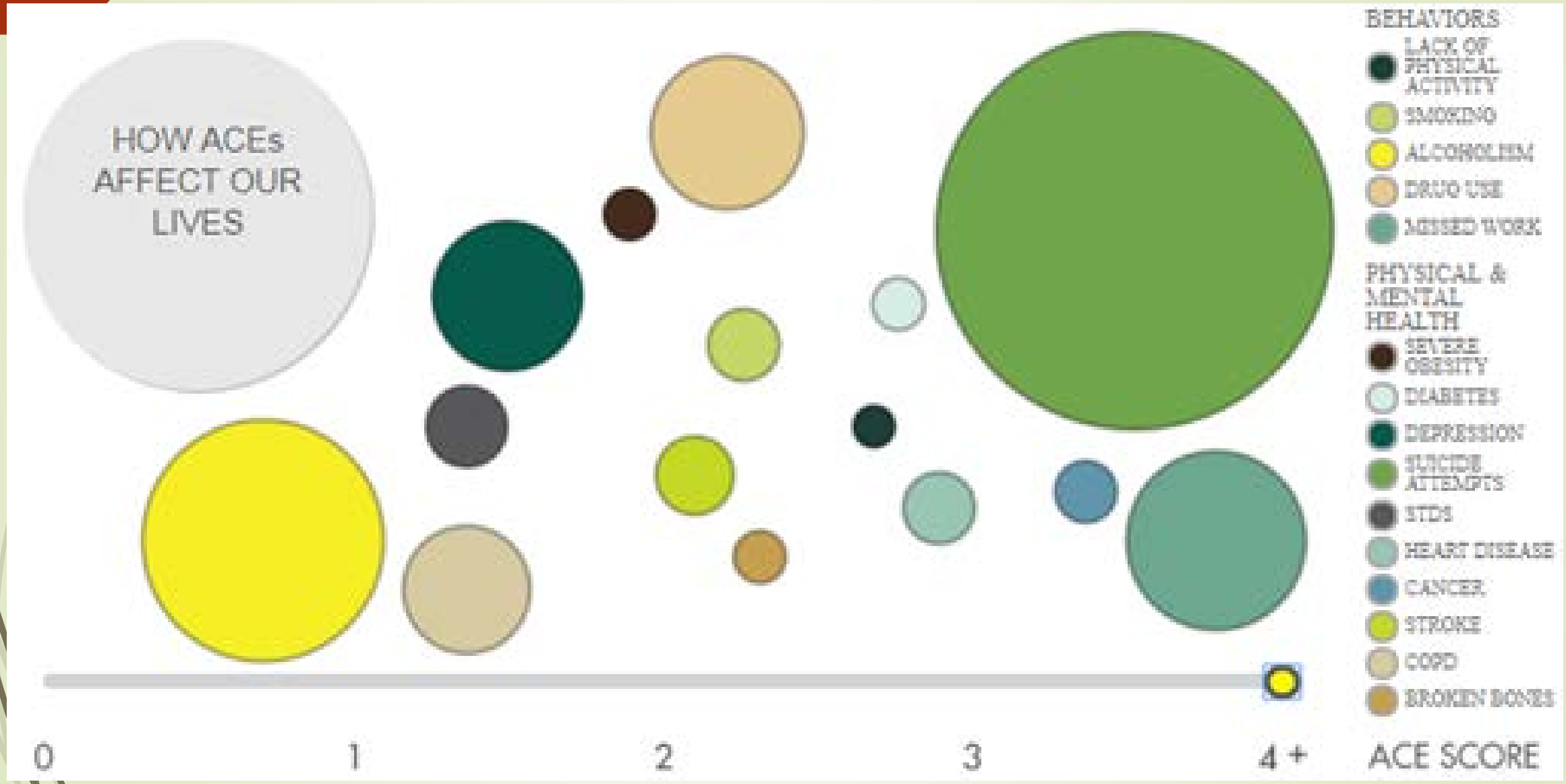
BROKEN BONES
0
1
2
3
4 +
ACE SCORE

ACE score = 4 lasting behavior & health effects

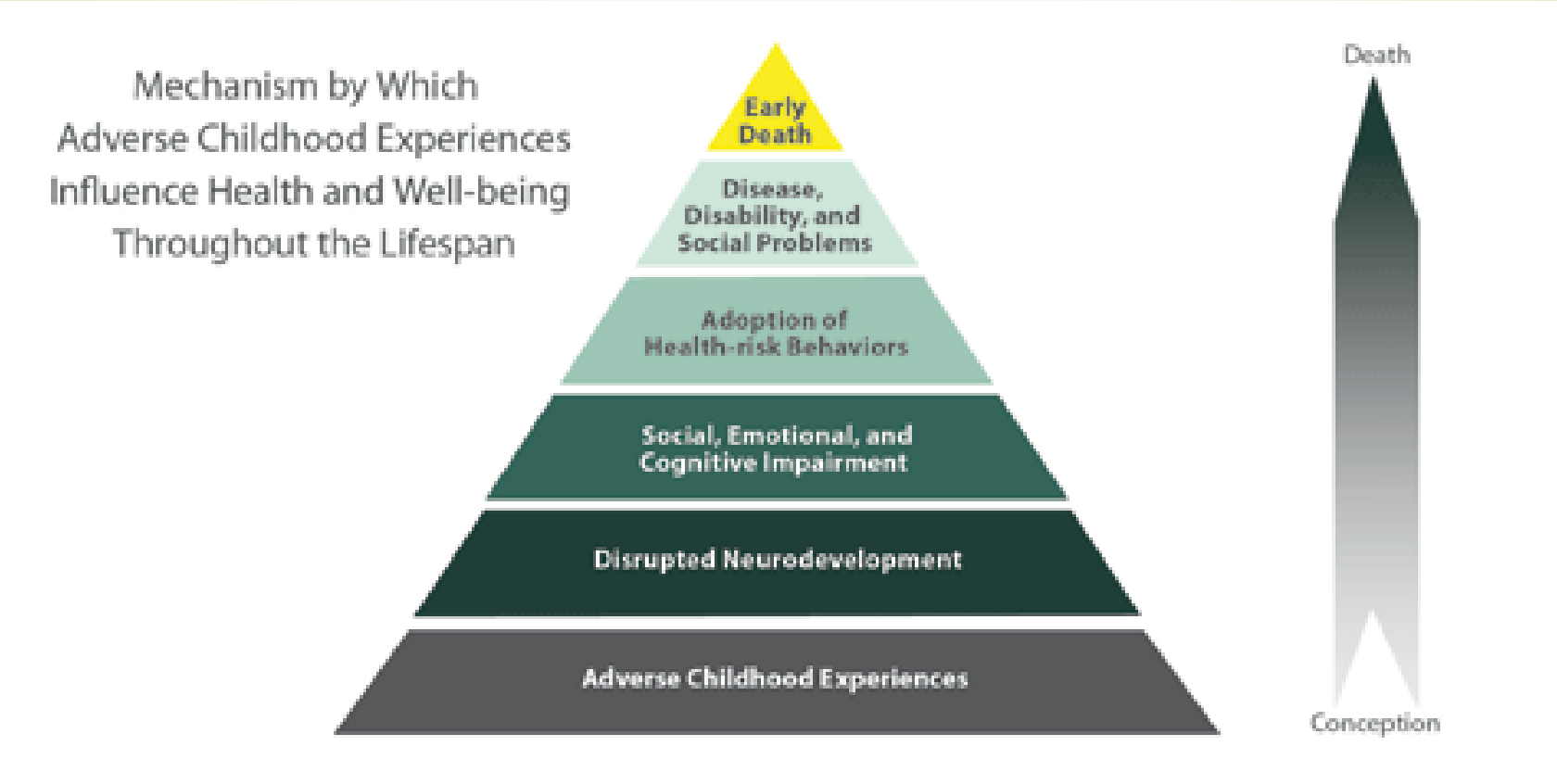


Dose Response Relationship

ACEs	2x	3x	4x
Suicide, life spam	3	6.6	12.2
Alcoholic	4	4.9	7.4
Behavior concerns	2.5	4	6
Missed school/work	2	2.5	5/5.5
Poor health	2	2.5	4
Academic failure	1.5	2.5	3

http://www.new.drny.org/docs/setf/trauma-adverse-childhood-exp-handout.amy.pdf
https://vetoviolence.cdc.gov/apps/phl/resource_center_infographic.html

Trauma and social location



Micro-aggression,

implicit bias,

epigenetics

/ Social conditions/local context \
/ Generation Embodiment/historical trauma \

https://www.cdc.gov/violenceprevention/acestudy/index.html

Long term health effects of childhood trauma

- A public health crisis: Strong link between ACE and adult onset of chronic disease and injury
- **Cost individual & society:** health care, welfare, special education, violence and crime, suicide, survivor productivity losses …
- ~$9.3 billion annual US economic burden of CSA impact, 2015
- **~$2 trillion *investigated*** CM annual economic burden, 2,368,000 nonfatal and 1670 fatal victims. 2018 CDC

ECONOMIC TOLL

The Centers for Disease Control and Prevention (CDC) estimates the lifetime costs associated with child maltreatment at **$124 billion.**

Peterson, C, Florence, C and Klevens, J (2018). The economic burden of child maltreatment in the US, 2015. Child abuse and neglect, 86, 178-183. The findings and conclusions in this report are those of the authors and do not necessarily represent the official position of the CDC 2015 non-fatal child maltreatment estimates.

Cost of a child sexual abuse, 2005-2019

Category	**Dollars**
Legal, attorney fees	178,590
Education	200,000
Home, safety, permit, security	325,000
Medical, counseling, CAM	136,300
Travel, food, lodging	23,000
Gas, auto	21,000
Total	883,890

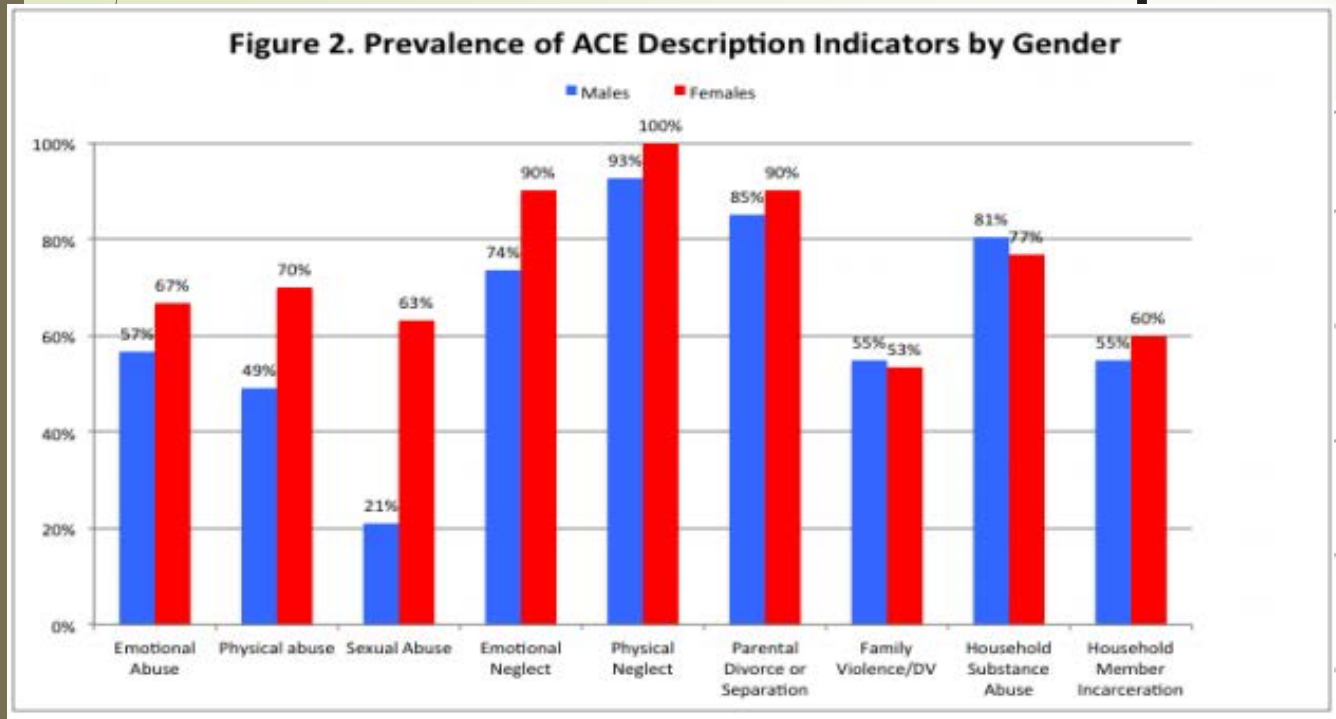
Life earning at minimum wage

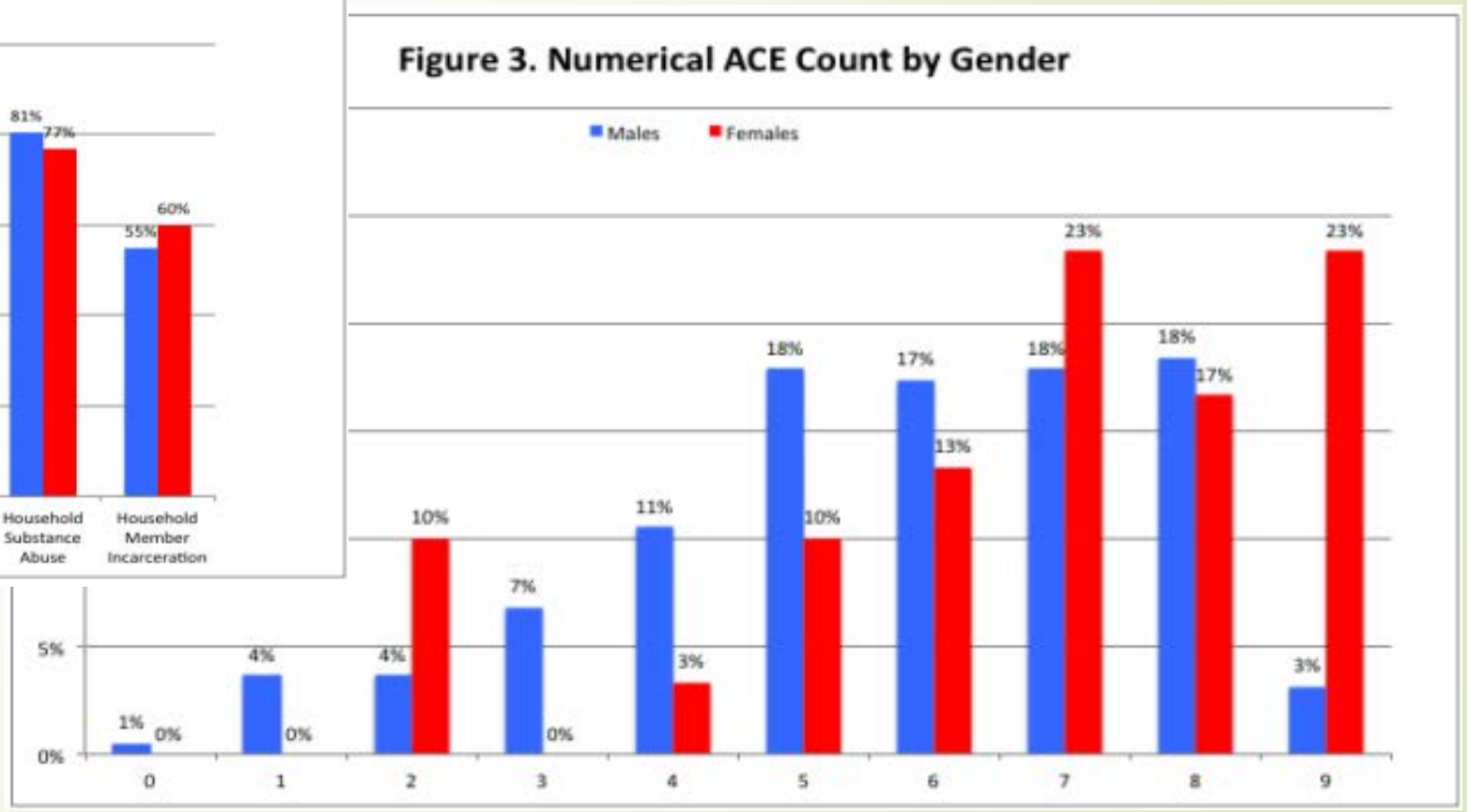
Start at aged 22 and work for 40 years

Employee	Hourly wage	Dollars
New Mexico	7.5	660,000
Federal	15	1,056,000

2016, 57,329 strong evidence of CSA cases, estimate lost wage $57,329,000,000. Excludes not strong evidence and not reported.

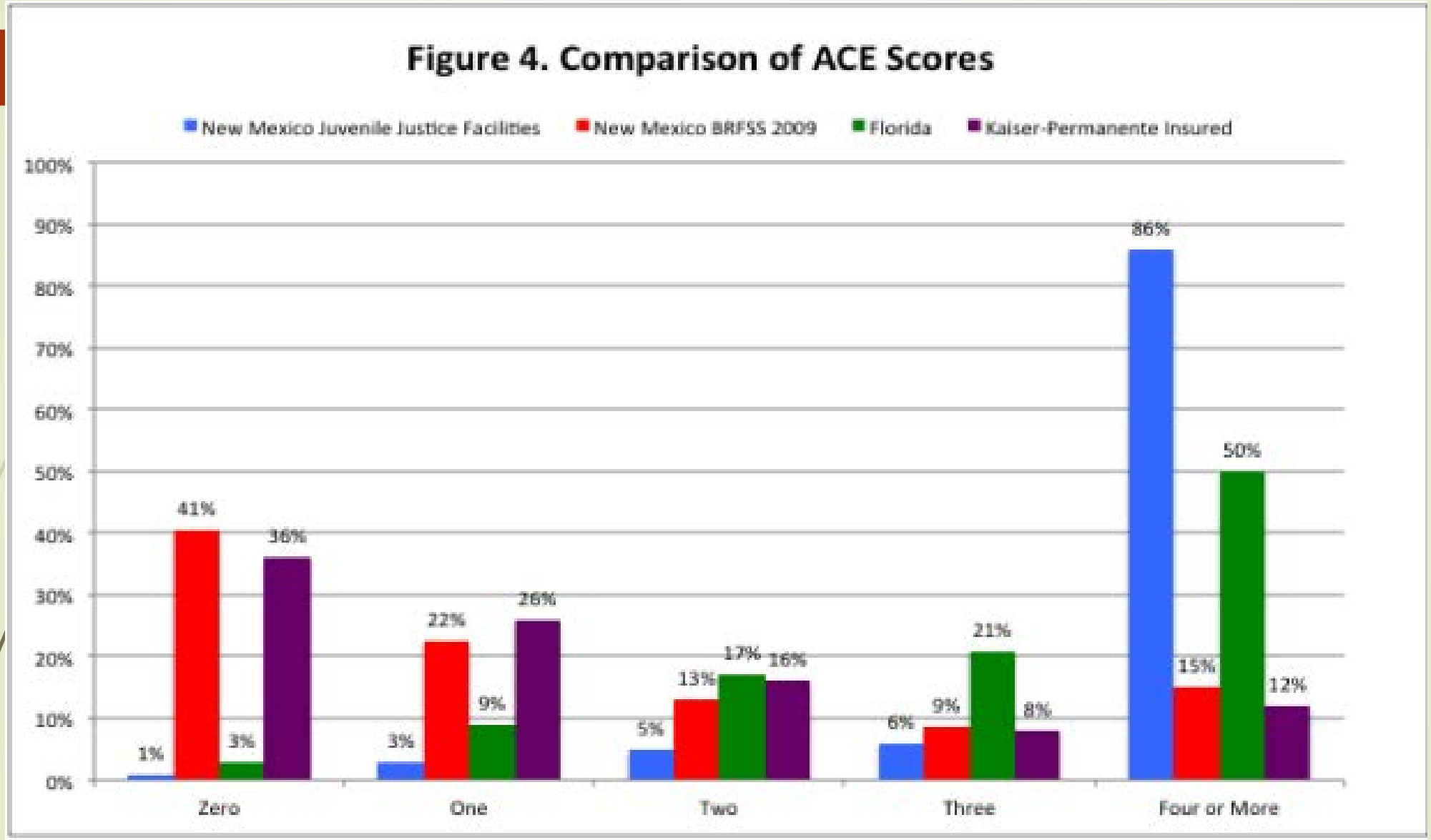
Adverse Childhood Experiences in the New Mexico Juvenile Justice Population, N=220





Yael Cannon, JD · George Davis, MD · Andrew Hsi, MD, MPH · Alexandra Bochte, JD · in Collaboration With the New Mexico Sentencing Commission Feb 2016
https://nmsc.unm.edu/reports/2016/adverse-childhood-experiences-in-the-new-mexico-juvenile-justice-population.pdf

Figure 4. Comparison of ACE Scores



What is trauma

- Violence and betrayal in lives, and histories and cultures
- Unbearable, intolerable, overwhelming, out of control
- Direct and indirect effects
- Imprint on the mind, body, and brain
- Reminds in minds, emotions, and biology
- Impacts nerves and brain development

Trauma leads to mistrust

- Attachment system in brain develops to ensure infant safety and survival
- Comfort, pleasure, and calm and balance attuned interaction between infant and caregiver creates a sense of safety within the infant
- Forms the basis for: all future relationships, sense of self-worth, lessen stress, regulate own emotions, make sense of life, create meaningful connections with others

Dealing with brain messages that you are under stress

- Drink
- Drugs
- Overeat
- Violent/aggressive behavior
- Blow up at teacher or supervisor
- Commit suicide
- Mind is dominated by stress, that you are not mentally present in the classroom or work

Trauma: a response to a negative event(s) that exceeds the person's ability to cope

- High rates of trauma exposure
- Complex
- Generations, historical
- Loss and grief
- PTSD
- Re-traumatize – people, system, structural
- Secondary and tertiary trauma
- Vicarious trauma

Trauma

- Adverse Childhood Experiences
- Freeze, flight, fight, fawn
- Lack of trauma care services/system
- Life time trauma
- Triggers
- Chronic disease
- Injury

Data

High ACE among AIAN estimated
Health and economical rates compared to the U.S. population, age-adjusted rate

1) alcoholism – 548 percent greater
2) motor vehicle – 200 percent greater
3) diabetes mellitus – 182 percent greater
4) unintentional injuries – 138 percent greater
5) poisoning – 75 percent greater
6) homicide – 75 percent greater
7) suicide – 74 percent greater
8) pneumonia and influenza – 37 percent greater (* & TB)
9) firearm injury – 27 percent greater

AIAN Population profile

Lower	Higher
population is younger	unemployment*
die earlier, life expectancy	poverty*
fewer are high school graduates*	early intentional death (homicide & suicide) *
even fewer are college graduates*	unintentional injury related deaths*
less household income*	birth rate
birthweight	years of productive life lost
fewer get prenatal care*	mothers with diabetes*
hospital admissions	

*Adverse for Navajo Area

NN Police Department, call for services and arrest, 2017

Offense	Call	Arrest	Percent	Charged no data
Homicide	32	8	25	
Rape	244	28	11.5	
Assault	1,876	539	28.7	
Sex Offense	1,884	26	1.4	
Child abuse	864	137	15.9	
Domestic Violence	3,386	1,484	43.8	
Drunkenness	24,805	15,217	61.3	

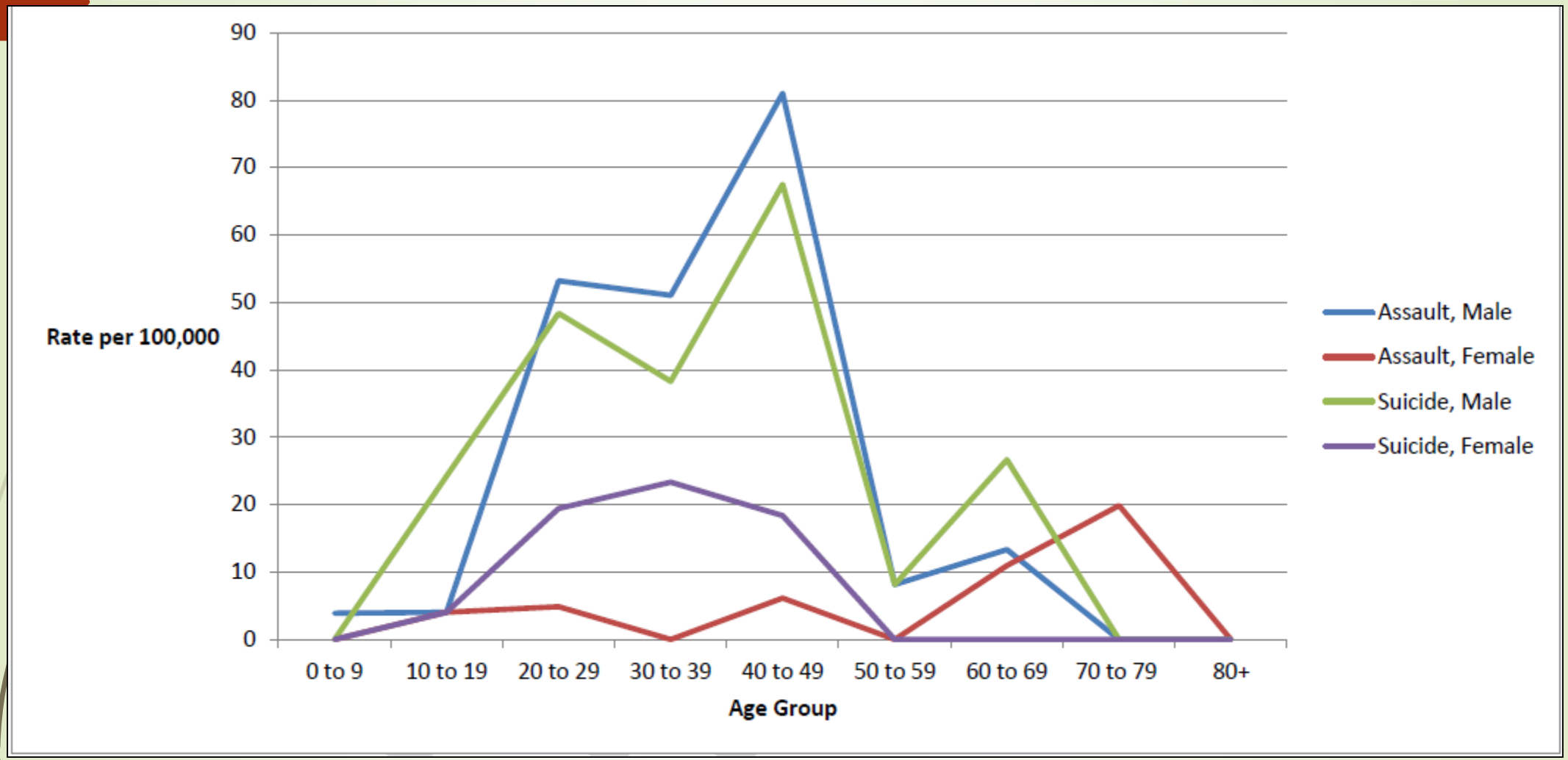
NAVAJO POLICE DEPARTMENT, Call for Services-Homicides, 2008-2018

Offense Description	Homicides	Total by state
Crownpoint	53	NM 93, 37%
Shiprock	40	
Tuba City	49	AZ 156, 63%
Chinle	48	
Window Rock	32	
Dilkon	18	
Kayenta	9	
TOTAL	249	

Number of Suicide and homicides, 2007-2017, NM Department of Health

Cause	McKinley	San Juan	Total
Al Suicide	160	107	267
Al Homicide	102	89	191
Total	323	456	779

Intentional Injuries by Gender, 2010-2013 NN Mortality Report



Percent of Middle School Students at Suicide risk, **Navajo YRBs** – 2014 report

Question	**2005**	**2008**	**2011**	**2014**
Ever thought about killing yourself	25.0%	24.7%	22.0%	21.8%
Ever made a plan about how you would kill yourself	15.2%	15.1%	13.4%	12.8%
Ever tried to kill yourself	12.7%	13.1%	10.7%	10.4%

Percent of High School Students at Suicide risk, **Navajo YRBS** – 2014-2017

Question	**2014**	**2017**
Seriously considered suicide	18.2	23.0
Attempted suicide	16.4	19.5
Reported a suicide attempt resulting in an injury, poisoning, or over dose	5.7	6.7

Comparison, rate per 1,000

1998-2016, N=35,704

U.S. CHILD MALTREATMENT	RATE, %
U.S. CHILD MALTREATMENT	9.2
U.S. GIRLS	8.7
U.S. BOYS	9.5
U.S. NATIVE AMERICANS	12.4
NAVAJO	18.3
U.S. CHILD SEXUAL VIOLENCE OF MALTREATMENT	9%
NAVAJO	25%

http://www.cdc.gov/violenceprevention/pdf/childmaltreatment-facts-at-a-glance.pdf

Navajo Department of Family Services

YEAR	CHILD ABUSE	CHILD NEGLECT	SEXUAL VIOLENCE	DV/Total
2012	716	1,876	339	
2013	615	1,949	354	1841
2014	792	2,648	503	1851/6959
2015	554	2,497	303	2677/6375

62% of Navajo population is under aged 40
DFS receives 1 report of child abuse every 18 minutes.

Quick Facts 2014, Department of Family Services, Navajo Social Services, April 01, 2015

Sexual Violence

- 2006, 338 rapes with 29 led to an arrest. There were 10 attempted rapes.
- 2007, 328 rapes with 17 led to an arrest. There were 6 attempted rapes.
- 2009, 368 rapes and 0 have been prosecuted by the US Attorney.
- 2010, 329 rapes and 7 attempted rape.
- Perpetrators are family members
- Occurs at home
- Extreme filtering by Law Enforcement, social services, DOJ

Navajo Judicial, fiscal year 2015

- 16 locations. Different geographic areas
- 21,432 cases, 31,539 filed, 52,971 caseload, 31,882 closed, 21,089 pending
- 94% civil, 4% criminal
- Unknown prosecution
- Unknown outcome, follow up
- Unknown repeat, habitual vs. case

Lack of Justice is costly

- Families take sides, dysfunction, shame, blame, deny, lies, disown, trauma –secondary, tertiary, vicarious, cycles to next generation, homeless, basic needs
- Higher education, adult behavior, substance use, mental health, complimentary alternative medicine, protection, rehabilitation, behavioral health
- Violence – staff, care, system, structural, lateral, environment
- Chronic diseases and early death

Delayed or Unreported

- Navajo Nation has become a haven for violence
- Many crimes go unreported or there may be delayed reporting because:
  - Victim blame, shame, silence, coerce, bandwagon
  - Lack of trust/confidence in the system/structure
  - Fear of retaliation from the perpetrator(s) and their families
  - Rapists are someone known by the victim, often family members
  - Habitual, reoffender, stalk
  - At home, relative, or friends' home

Victims' perspective

- Re-victimized, re-traumatized
- Lack of prosecution
- Abused by courts
- Face perpetrator in court appearance
- Courts rule against victims, children taken
- Court continues drag on
- Financial drain
- Courts on business hours, not 24/7

What *can* Be Done About ACES?

These wide-ranging health and social consequences underscore the importance of preventing ACEs before they happen. **Safe, stable, and nurturing relationships and environments** (SSNREs) can have a positive impact on a broad range of health problems and on the development of skills that will help children reach their full potential. Strategies that address the needs of children and their families include:

Voluntary home visiting programs can help families by strengthening maternal parenting practices, the quality of the child's home environment, and children's development.
Example: Nurse-Family Partnership

Home visiting to pregnant women and families with newborns

Parenting training programs

Intimate partner violence prevention

Social support for parents

Parent support programs for teens and teen pregnancy prevention programs

Mental illness and substance abuse treatment

High quality child care

Sufficient Income support for lower income families

Support

- Be the Priority ($1.25 trillion 2020 Navajo budget?)
- Be at the table
- Rights and lifetime protection
- Eliminate statute of limitation
- Enforce punitive measures, prosecution
- Waive court appearance
- Rescind all rulings against victims
- Expedite hearings and appeals, 24/7
- Protection, jurisdiction wavier
- Allow victims to take their cases to state, county, or city
- Laws and regulations
  - Because it is law does not mean it is right
  - Catch up with medical findings, as effect on 6 senses trigger

Save by investing in children, not compromising their lives

- Trauma Informed intensive, integrated care, services, basic needs
- 2 or multi-generation, age group approach
  - Infant 0-3, schools, parents,
- Crucial care and calm manner
  - Prevent ACEs with good parenting
  - Always available adult (AAA) support
- Training of the impact and prevention
- Teach victims they can move forward

Request direct services for victims on reservations

- Request for funds for victims: education
- Support our recommendations and resolutions
- Request for legislation changes for victims: justice, legal services
- Justice for victims, jurisdiction aside: rights, protection, restitution, investigation
- Extend state: health services and benefits, SANE, rape kits, SART
- Direct services: Tribe takes over head, charge for operation