

Dear Robert G. McSwain

We welcome your appointment as Director of IHS and hope that you will be committed to ending violence against Native American & Alaska Native women. Last year Amnesty International issued a report entitled "Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Assault in the USA." Since the release there has been significant interest in this issue, including on the part of US policy makers.

According to the Department of Justice, Native American or Alaska Native women are two and one half times more likely to be raped or sexually assaulted than other women in the United States and more than one in three will be raped in her lifetime. In one of the tribal communities examined by Amnesty International, a number of survivors of sexual assault reported that they could not think of any woman in their community that had not suffered sexual violence.

Prosecutions for crimes of sexual violence against Native American women are rare in federal courts for many reasons. Amnesty International determined that one key factor in perpetrators of sexual violence to escape prosecution is the failure to collect vital evidence or to ensure that such evidence is presented at the trial.

Forensic examinations, including examinations conducted with "rape kits", can be of critical importance in prosecuting a case. It appears that IHS facilities lack clear and standardized protocols for treating victims of sexual violence. Thirty percent of responding facilities did not have a protocol in place for emergency services in cases of sexual violence. Standardized protocols are also essential to help ensure adequate and appropriate treatment of women who have suffered sexual assault. More specifically, there is a lack of available Sexual Assault Nurse Examiners (SANEs) and some IHS facilities do not even have rape kits available.

As Director, we urge you to ensure that the IHS:

- Provides free access to sexual assault examinations, known as "rape kits"
- Conducts all examinations by well-trained sexual assault nurse professionals
- Adopts and implements standardized policies for treating survivors of rape and sexual assault developed in coordination with Indigenous women's rights defenders

Sincerely,

Send to:

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