

Rape rates of American Indians in Robeson and surrounding counties

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## **Abstract**

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American Indians experience rape at a disproportionately high rate compared to their representation within the United States population. Despite federal, state, and tribal interventions to combat sexual violence in Indigenous communities' rape rates are still high. Underreporting of rape in Indigenous communities can be accounted for by patriarchal ideals that negatively influence the treatment and responses to rape. Victim-blaming attitudes and behaviors permeate criminal justice systems' and Rape Crisis Centers' interactions with Native rape victims and encourage and account for the underreporting of the crime. State-recognized tribes are particularly affected because of their lack of status and national focus. The Lumbee Tribe of Robeson County is the largest state-recognized tribe in North Carolina and must rely on North Carolina's legislation, police forces, and Rape Crisis Centers to provide justice and advocacy for their communities' rape victims. The Lumbee's tribal-based Rape Crisis Center, Enlightening Native Daughters was created to provide culturally competent services to better assist their communities'; however, it fails to adequately address rape because of its emphasis on educating women and not cultural revitalization. In order to see permanent changes in rape rates of Indigenous people a paradigm shift in popular thinking needs to occur in which matriarchal gender roles and gender typing of masculinity and femininity are taught.

## **Introduction**

Rape has become an endemic in Indian country that continues to grow despite federal, state, and tribal government interventions. Compared to all other ethnicities in the United States, American Indian women are disproportionately victims of sexual violence with one in every three having experienced a rape (Amnesty International, 2007, p. 3). The racial caste-like hierarchy and patriarchal ideals that exist in American society influence the criminal justice system's treatment and prosecution of rapists of Native women, imbedded victim-blaming, and lack of cultural competency of rape crisis centers. State-recognized tribes are particularly affected because of their lack of status and national focus. The Lumbee Tribe of Robeson County is the largest state-recognized tribe in North Carolina; in North Carolina Lumbee tribal members primarily live in Robeson county but can also be found in Hoke, Scotland and Cumberland counties. The federal and state criminal justice systems' and rape crisis centers of Robeson and its surrounding counties of Hoke, Cumberland, and Scotland are exacerbating the socio-political underpinnings of rape amongst the Lumbee.

American Indians compose a small percentage of the overall United States, U.S., population. Barnes, Adams, and Powell-Griner (2005) reported that in 2000 American Indian/Alaska Natives constituted 1.3% of the U.S. population or a total of 2.7 million people (p.1). Statistically speaking because American Indians only constitute 1.3% of the population, their statistics are often left out of data sets in favor of Caucasian, African-American, or even Hispanic populations. In North Carolina as of 2014 1.6% of the total population was American Indian/Alaska Native. Of that 1.6%, 39.7% live in Robeson County (U.S. Census Bureau, 2015, Race and Hispanic Origin section). Robeson County has the highest number of American Indians living within its boundaries than any other county in the state. The primary tribe located within

its boundaries is the Lumbee, a tribe with state-recognition. The rate of violent crimes in these four counties can be reflective of the Lumbee tribe's large concentration. Robeson county has the highest crime rate in NC with a violent crime rating of 809.5 in 2012 (NC Dept. of Justice). In 2015 the U.S. Department of Justice reported a total of 126,000 rapes and sexual assaults in North Carolina alone (Tribal Communities section). The North Carolina Department of Justice (2013) defines violent crime as rape, murder, aggravated assault, and robbery. The surrounding counties of Cumberland, Scotland, and Hoke's violent crime rate in the same year was 583.1, 528.5, and 140.6 respectively. However, as high as the data is it is still not a true reflection of the number of violent crimes committed in the Lumbee community, especially in terms of rape. Many rapes are not reported and thus not gathered into state statistics.

### **Underreporting of Rape among Indigenous People**

Statistical numbers of rape amongst American Indian women is a gross underrepresentation of the actual number of rapes in Native communities' because of current methods of gathering data. According to Amnesty International USA's (2007) "Maze of Injustice" Report, the statistical data of rape rates of Native women comes from reported accounts to police, rape crisis centers, hospitals, and counselors (p.2). Therefore, if a women does not report her rape to an authority it is not included in the data. In tribal areas where Native women are 2.5 times more likely than all other races in the U.S. to be raped this means that most rape victims never report (U.S. Dept. of Justice, 2015, Tribal Communities section). Even current statistics state that Native communities have high incidences of rape, yet the relatively small numbers of Native rape victims prevents this issue from being put in the limelight. Indigenous women, including in the Lumbee community, are systematically not seeking legal retribution for this crime over the course of generations. According to the National Violence

Against Women, NVAW, Survey, the reporting rates of rape have remained relatively unchanged since 1990; 16% of all rapes were reported to the police in 1990 and 16% of all rapes were reported in 2007 (Raphael, 2013, p. 138). In the span of almost twenty years the number of women coming forward to speak about their victimization remained the same despite the increased laws, number of agencies that can respond to rape, and awareness of the issue. Moreover, Native women do not see a good incentive to report the crime even with the policy changes and legal protection against rape because, according to Amnesty International USA (2007), there is a recurrent and prevalent belief among most Native women that nothing will be done by authorities (p.2). Many Native women are recalcitrant to speak up about their victimization on the differing authority levels because of the precedent of frequent but not always inactivity and priority of Native rape victims. The women themselves often also remain silent because of the influence of American society's beliefs about rape. In the Lumbee community in particular Southern ideologies may also have an important impact in why rape victims do not report.

In the American South, religion's value on women contributes to the underreporting of rape. Christianity, the most popular religion in the South, heavily influences the state of NC's and local communities' popular thinking. Beyond the meaningful spirituality stands a very patriarchal message of male dominance: daughters must obey their fathers, wives must obey their husbands. Ideas of rape are influenced by these Christian ideals that promote among other things the denial of marital rape. Raping is thus framed by a devout Christian as "bad sex," in which the wife did not enjoy it as much, but was obligated to perform. Defining sex in terms of "good" and "bad" invalidates a woman's claim to forced non-consensual sex and minimizes the act, says Raphael (2013, p. 148). In the contemporary Lumbee community Christianity is a cornerstone to

the culture and thus the understanding of sexual autonomy is shaped by Christian popular thinking. According to the Lumbee scholar Malinda Maynor (2002) church is “integrated with the swamps and with [Lumbee] communities...Christianity as an institution and a spiritual practice grounds [the Lumbee people] in [their] home place.” Although Christianity is an adopted religion that has taken the place of the traditional tribal spirituality, it still provides a set of morals and values that shape communal thinking and practices. Thus it can be asserted that the patriarchal values and norms taught through Christianity are being taught in these tribal communities. The value and social subordination of women and a woman’s sexuality are being limited to the positions that Christianity assigns to women. In terms of the broader state and national popular thinking rape is influenced not only by religion but also patriarchal gender-roles. These beliefs can lead to negative attitudes towards rape and underreporting.

Misperceptions of rapists in American popular culture fuel rape myths and rape crisis. Gender-roles and definitions of masculinity are infused in popular culture and media portrayals. Media betrayals of rapists can lead viewers to romanticize the depictions and definition of the physical and psychological appearance of men who rape. Media and official statistics, says Byfield (2014) portray black males as the “only ones who rape [and that they have] no respect for women” (p. 59). This false accusation by media outlets leaves women to believe that all men of color are rapists and seemingly justifies the relegation of non-whites to their subordinate social standing in society. Viewing rapists through this stereotypical lens further denies the plausibility of white men to rape. The dogmatism that so often accompanies the popular notion of a rapist not only reinforces the illegitimacy of rape but also obscures the reality that most rapists are, regardless of ethnicity, acquaintances of the victim. According to RAINN’s (2016) latest statistic four out of five victims knew their rapist. Denying the reality that one knows their

potential rapist creates a false-sense of security for many women because of the statistically smaller number of non-whites than whites. Instead of acknowledging the culpability of those that are in one's community most Americans hold fast to their misperceptions thereby self-perpetuating the ideas. Believing in the just-world belief that only a select small group of men constitute potential rapists can be considered a self-interest strategy because it allows the individual to justify actions and behaviors that go against their own cognitive thinking processes. The conceptualization of a rapist then helps to self-perpetuate and engender the qualities and morals that masculinity entails because masculinity creates a justification for rape.

### **Rape Culture and its Influence on Indigenous Communities**

American society's normative behavior and popular thinking towards rape is based on patriarchal ideals of masculinity, which defines a masculine man as needing to forcibly have sex with women. Griffin (1975) argues that American conceptions of who rapes stem from the concepts of what constitutes masculinity and of the nature of male sexuality (p.22). Male sexuality is falsely thought to be based in a male's inherent animal-like instincts that overpower reasoning skills. In Western cultures the need to be dominant and controlling are associated traits of masculinity. The gender-typed qualities that masculine men have create situations in which non-consensual sex is an obligation if not resigned act that is thought to happen if one is to be masculine. Miedzian (2005) argues that a masculine man will be putting a woman in her subordinate place in society by raping her (p.161). Rape is then an act of power and not lust. From this interpretation men force themselves on women because they are biologically wired to do so and are required to reassert their authority over the supposedly lesser gender. This minimization of rape as being justifiable misplaces the blame on to the rape victim. From this patriarchal perspective the word rape, says Griffin (1975), is a construct created by women (p.

28). Definitions of femininity and masculinity are cultural constructs that narrowly define the parameters of female chastity and ownership of one's body. The gender-typing that Americans use further reinforces this oppressive form of masculinity in that women are taught not to be rapeable. Instead of teaching men not to rape men are often times being taught that if a woman strays from her gender-role it is the responsibility of a man to fix that problem. Many Native American communities have acculturated this American viewpoint on rape which has resulted in a majority of tribal community member's first reactions to the concept of rape to be disbelief. In Native communities' because these patriarchal beliefs are being taught, when a community member is raped the victim is most likely blamed for her supposedly inherent victimization as a method for the community to understand why the rape occurred.

In contemporary tribal communities the frequency of rape has desensitized the community so that victim-blaming and other negative reactions to sexual violence are common. Common reactions to rape, according to Peterson and Seligman (1983), include but are not limited to disbelief, dissociation, feelings of worthlessness, fears and phobias, and decreased social activities (p. 104). Reactions to trauma transcend the individual-level in terms of societal concern in a plethora of Native communities and are a way to rebalance the cognitive dissonance that happens when a community member is raped. At the community level rape victims may be blamed so that the community's popular thinking that in some cases accepts rape as an act of a "real" man can remain true in their minds. Victim-blaming of Native women in their own communities is even understood to be common place even when the white male perpetrator came into the community from outside (Bubar, 2014, p. 180). A vast amount of tribal communities' have experienced a widespread internalization of blame by its community members against their own people because of the acculturation of patriarchal values of women.

Traditional Native beliefs of women are incompatible with the contemporary patriarchal Euroamerican values on women's sexual autonomy which could be a contributing factor to the high incidents of rape in tribal communities'. The large majority of tribal members could through their support of restrictive sexual boundaries of women be so disconnected from their traditional tribal culture that they are resigned instead of outraged. Thus in too many tribal communities its members, both men and women alike, have adopted into their own communal values that rape is not only not a crime but also an inevitable part of American Indian culture.

Tribal community popular thinking shapes rape so that it is no longer seen as a crime but is an inevitable part of a Native woman's life. The adoption of Euroamerican values on sexual autonomy in many tribal communities influences the community's reaction to their rape endemic. On an individual-level the misplaced blame of the crime can cause rape victims to develop maladaptive coping strategies. Learned helplessness, the idea that past experiences to trauma result in future experiences of the same stimulus with reactions of passivity and futility in having control over that situation, in the face of rape can not only affect the individual but the community as well (Peterson & Seligman, 1983, p. 105). Many Native rape victims experience learned helplessness because of the paradoxical notions of femininity and gender-roles in traditional Native and American cultures. Past victimization, especially of a rape in an environment where rape is so frequent, can result in feelings of powerlessness. A cognitive thinking process then develops within the individual that being raped again is not just a possibility but a probability. Peterson and Seligman (1983) state that the lack of control over the rape itself can leave the victim feeling that gaining control back in their life is a futile effort and thus resort to maladaptive behaviors to cope (p. 103). After being blamed by society and their own communities, Native rape victims have a high potential to resort to this emotional numbing

and maladaptive passivity in their efforts to regain control over their lives and find their lost sense of safety. Maladaptive strategies it is important to note, says Peterson and Seligman (1983), are only effective in reducing short-term anxiety and coping; the overuse and reliance on maladaptive coping most likely leads to a long term coping strategy of passivity towards one's life (p.104). Healing from these traumas is stunted when almost an entire community engages in some form of learned helplessness. With a majority of community members believing that the rape of their women can not be prevented for future generations, the entire community could potentially acculturate learned helplessness into their popular thinking. The combination of patriarchal ideals and learned helplessness in the community's and individual's ability to combat rape, effectively prevent true healing from occurring. Tribal, state, and the federal governments have attempted to rectify the incompatible thinking of Euroamerican and tribal communities and thus promote healing by enacting new rape laws.

### **Rape Legislation and its Inadequacy**

Historically, laws regarding rape in the United States were perpetrator oriented. Nineteenth-century rape law requirements in the South forced the victim to prove she did not consent under the use of force (Sommerville, 2004, p. 43). Women, especially non-whites, were, through the legislation itself, accused of lying by asking the victim to provide evidence for the rape instead of asking the perpetrator to prove against the rape. This definitional loophole made it so that many of the rape cases in the nineteenth-century South were dismissed or charges were never pressed. Contemporary American rape laws, especially in southern states, continue to protect the perpetrator by defining rape as a forceful and non-consensual act. The North Carolina legal definition of first degree rape is vaginal intercourse without the person's consent and inclusion of a weapon, the physical assault of the victim, or having two or more individuals assist

or participate in the unwanted sexual act (N.C. Const. art. XIV, pt. VII.). North Carolina's rape law puts into popular thinking that forced sex that did not have a weapon is not recognized by society as a harmful act. All other sexual actions done non-consensually that do not adhere to the letter of that definition thus do not evoke in the minds of many police officers the term "rape." Some police officers then from a legal standpoint question the validity of a victim who reports the crime and will often dismiss the claim because it does not fit the parameters of the law (Martin, 2015). The legal parameters of rape in their boundaries create a justification for the crime and limit the protection by the law of sexual violence. Rape laws like North Carolina's aid in the underreporting process of Native rapes because not all rapes were under the use of force and thus not eligible for protection. Federal legislation like state legislation does not adequately cover the common characteristics of Native rapes thereby failing to do its intended purpose.

Federal legislation, such as that of the Violence Against Women Act, fails to adequately address rape in Indigenous communities in terms of depth and extent of coverage. The federal government has passed legislation to combat the high rate of rape in Native communities. In 1994 the first Violence Against Women Act, VAWA, was passed, which amongst other things authorized the U.S. Department of Justice to give grants to individual states and local communities to combat sexual assault and rape (Bevacqua, 2000, p.222). In Native communities VAWA was a historical precedent in its now national focus on sexual violence in those communities, particularly concerning American Indians. As of 2015, the Department of Justice had only four of the twenty-four total grant programs under the 1994 VAWA specific to American Indians. The Tribal Coalition Program that comes out of these grants, is the primary funding for many of the preventative and educational outreach services that tribes receive; as of 2014, the Tribal Coalition Program grant has funded a total of eighteen tribal sexual assault

coalitions of which were located in only sixteen states (U.S. Dept. of Justice, 2015). Despite legislators' efforts through VAWA, it fails to apply to all Native tribes and to provide adequate financial resources to even the few eligible tribes. Non-federally recognized tribes are not even eligible to receive funding under the Tribal Coalition Grant because of their state-recognized or no recognition status. Although there were tribes that received the grant and benefitted from those resources, the majority of tribes in the U.S. did not or could not benefit from this law and were forced to address sexual violence in their communities without federal support. Without effective federal legislation that state-recognized tribes and tribes with no recognition could utilize, tribal communities relied on state and local laws to provide for and protect their populations. Local policies are not reliable sources of legal protection for tribes because those in authority positions were at a significantly high rate not enforcing their laws. This lack of support of sexual violence legislation at the local level by many police officers can be seen in the lack of compliance with police procedures at some police stations.

### **Criminal Justice System Efforts to Combat Rape**

In an effort that suggests many local law enforcements do not support federal and state legislation on rape, a majority of police officers systematically do not prosecute rapists. Even though there are competent police officers that abide by police procedures, there are many that deny a woman the right to file a report. The on-scene officer, according to Raphael (2013), reserves the judgment of whether or not to administer a rape kit and thus decides on-site whether or not the crime occurred (p. 149). Many of the incompetent police officers on-site determine that the rape did not happen and thus make filing a police report no longer a possible option for the victim. This initial judgment not only aids in the underreporting of rape but it also forgoes any and all responsibility on the police force to investigate the crime. The frequent denial of

opening a criminal investigation of reported rapes denies the plaintiff the opportunity to receive legal justice like other reports of crimes would receive. After the determination of criminal intent if an investigation on the rape occurs a significant number of police officers then work to prevent the investigation from being prolonged (Raphael, 2013). The particular officers that put effort into blocking the legal route for rape victims that do get an open investigation actively attempt to encourage the woman to close the case by subtly and conspicuously placing the blame on the victim for her rape.

An unfortunately large number of officers treat rape victims unresponsively in an effort to prevent the victim from filing criminal charges. Although some officers will make every effort to investigate rapes without revictimizing the victim, the lack of training and group think causes an alarmingly large number of police officers to approach a woman who has reported being raped with insensitivity. Martin's (2005) research stated that "seventy-five percent of victims who report the crime of rape have no legal charges filed against their attacker" (p. 42). The vast percentage of women that are not filing criminal charges suggests that the treatment that they receive during the reporting process is victim-blaming in nature. Many police officers often treat victims of rape in an unresponsive manner, in which he or she is silent and aloof, and challenge the victim's experiences as per their organization's policy. Mainstream organizations, such as the police, tell their employees to "prioritize the organization's interests over the victim's" (Martin, 2005, p. 39). The empathic treatment and healing of the victim is not considered a priority to these unresponsive minded police forces when officers are required to delineate their time, resources, and energy towards a plethora of different crimes and criminal acts. For other criminal investigations being unresponsive may assist in objectively discerning the details and truth behind the crime; however, for rape victims this treatment is not effective in helping to determine

the legitimacy of the claim or to collect evidence in support of the crime. By not sharing in the victim's grief or expressing empathy this insensitive treatment will most likely convince the victim not to interact further with officers of the law and can revictimize her. This treatment that rape victims often receive when interacting with the criminal justice system hinders the legislation from helping protect victims of sexual violence and prevents the healing process from beginning. American Indians that seek legal help are navigating within a criminal justice system that is ideologically and structurally different from traditional tribal legal systems. This paradoxical dichotomy in treatment orientation of rape victims compounds so that Native women are systematically not healing from their trauma.

American Indian women that report rape are working within a criminal justice system that does not promote healing, which is fundamentally different from traditional tribal government criminal justice systems. Tribal governments traditionally attempted to give spiritual and emotional healing to the victim and community to restore the victim to balance and her previous place in life (Deer, 2015, p.22). Tribal legal systems in pre-Columbian times started the healing process during the criminal investigation and were victim-oriented in nature. Not only did they attempt to give responsive treatment to the individual they also brought the community into the investigation to create a support system as well as to start the community healing process. Contemporary tribal legal systems often reflect Euroamerican ideals and structure and have lost the community inclusion that traditional tribal systems had. Amnesty International USA (2007) states that many tribal criminal codes and statutes are mirrored after the state laws that in their definition sometimes require proof by the victim of physical force to constitute rape (p.63). Tribes with such laws are in the law's definition inadvertently blaming the victim by requiring her to justify and provide evidence for her rape. Perpetrators are being favored through

such laws by not having him being the one required to provide evidence that the crime did not occur just like in American rape laws. This assimilation of American rape laws conflicts with traditional Indigenous societal values and governmental legislation. When a rape occurs then the tribes with their rape laws mirroring non-tribal laws create an internal dilemma within their communities because of the non-compatible cultural precedents of treating rape. A further complication between tribal and American legal requirements is the jurisdictional questions when a crime happens on tribal land and involves an Indigenous person. It can be an ordeal in itself to determine which of the governing forces have the legal right to pursue an investigation and prosecute.

### **Tribal Sovereignty and the Criminal Justice System**

Interracial crimes involving American Indians are, due to federal legislation, under the jurisdiction of federal and state authorities. In cases of rape tribal law enforcement works in tandem with state and federal law enforcement. Amnesty International USA (2007) states that in most Native rape cases, the rapist was non-Indian (p. 8). Two if not three different sets of police forces from the different jurisdictional levels may work in tandem when the rapist is non-Indian. American Indians because of their special economic and political relationship with the U.S. federal government have certain degrees of self-sovereignty due to the fact that they are their own nations. However, due to legislation that has been passed over the years tribal sovereignty has been lessened especially when non-tribal members commit crimes on tribal land. Thus determining jurisdiction on the crime must be done before an investigation can occur. Defining who has jurisdiction, whether it be tribal, state, or federal, can be in itself a lengthy process and prevent prosecution from happening for an indefinite amount of time (Amnesty International, 2007, p. 62). Native rape cases may never even open because tribal governments abstain from

determining that there should be an open investigation until federal and state authorities release their own findings. In many instances the federal jurisdiction takes precedence over tribal jurisdiction. Depending on the federal initial investigation tribes may never open their own investigation and instead rely on federal forces to determine the report's validity. Amnesty International USA (2007) reports that between fall of 2002 and fall of 2003 "federal prosecutors declined to prosecute 60.3 percent of the sexual violence cases filed" (p.66). The majority of sexual assault crimes reported on tribal lands in that time frame were not pursued after the federal findings refuted criminal charges and thus there were no legal reparations for those Native women that filed. Many tribal governments are forced because of a lack of resources and federal and state legislation to rely on federal governmental resources and judgements over rape cases. Moreover, one of the major resources that tribal governments lack that federal authorities have taken tribal sovereignty over is the penalties for non-Indian perpetrators. Federal and state legislation have taken away tribal government's right to effectively determine the punishment for sexual violence offenders.

Tribal governments lack the self-sovereignty to enact justice on rape perpetrators because of legal limitations on non-Native offenders on Native land. One of the most vital governmental powers is to punish those that break the law, however, tribal government's power to do so has been restricted to, according to Amnesty International USA (2007), a maximum sentence of one year (p.63). This restriction to one year on all interracial crimes on tribal land effectively inhibits tribes from protecting their women from sexual violence. Compared to other criminal penalties for breaking laws, the penalty for raping an American Indian women is a small consequence which might encourage if not be an anti-deterrent to raping a Native woman out of all other women. State-recognized tribes, like their federally-recognized counterparts, are also being held

to the same limitations that federal and state legislation have regarding interracial crimes. However, because of a state-recognized status these tribes can not have a tribal police force which in turn creates an obligation to rely solely on state police forces to investigate the crime. Federal authorities have no jurisdiction on state-recognized criminal cases and can not provide those additional resources that many tribal governments, state and federally-recognized, lack. Many tribal governments, such as the Lumbee, are consequently often left helpless to protect their women. Community organizations are left to cover those areas that police forces and legislation can not when legal authorities are not able to adequately address the scope of sexual violence in state-recognized communities. In a non-legal effort to provide a voice to rape victims who are searching for justice, Rape Crisis Centers were created.

### **Rape Crisis Centers and Rape Work**

Rape Crisis Centers, RCCs, which were created in the 1970s, have the resources to focus on rape victims and their specific needs. RCCs specialize in rape work and can give the time and effort needed to provide services for rape victims, especially in communities where sexual violence is common. Rape work, according to Martin (2005), is “helping victims, examining victim statements [and] behaviors, testing victims, collecting evidence, and moving victims through the legal, health, and social service systems” (p. 13). Rape crisis workers strive to protect rape victims’ rights and victims immediate care in an effort to gather evidence to prove the rape occurred in case victims’ wanted to pursue legal action. One of the most basic services all RCCs provide is accompanying a victim to the hospital to get a rape kit. Rape workers’ may be the only kind face a victim sees because medical personnel are often “not trained in rape exams or in how to talk to and act around victims” (Martin, 2005, p. 77). Rape kits are only effective within the first couple of days after the rape. The presence of a trained rape worker can

be comfort to the victim because the kit can be just as traumatizing as the rape itself. A rape kit can take anywhere from a few hours to an entire day and involves the thorough full-body examination and photographing of the vagina, mouth, pubic area, hair, and any physical injuries (RAINN, 2009). The rape kit itself emphasizes that the victim's body is a crime scene, which dehumanizes the individual that was raped. Even though the RCC worker that is sent to meet the victim for the rape kit is supposed to be educated in the medical process, most advocates that go to the hospital visits are volunteers at the RCC. RCCs often do not give extensive training to their volunteers and what little training is given, if any at all, in most cases does not cover how to behave towards rape victims at hospital visits.

The chronic understaffing of full-time employees at RCCs results in volunteers doing a significant amount of rape work. Consequently, women that go to RCCs for their services are often working with volunteers instead of highly qualified full-time employees and will often not receive the services they are seeking. The number of full-time employees at the RCCs in Robeson and surrounding counties ranged from three to six, with the smallest number of full-time employees being at the Robeson Crisis Center of Robeson County (personal communication, Feb. 16, 2016). The Robeson Crisis Center's area of coverage encompasses the largest of the Lumbee communities as most of the Lumbee population lives in Robeson County and yet the understaffing of its RCC requires this organization to rely almost solely on its volunteers, especially in the majority of initial interactions with victims. Some clients that utilize RCC services then are only truly receiving services from poorly-trained, often uneducated about rape work from RCCs. Out of five RCCs in Robeson, Hoke, Cumberland, and Scotland counties, four allow volunteers to work directly with victims. Of these four only three offered training for their volunteers of which requirements ranged from twenty-one hour minimum a month to

attending a two-day workshop once a year (personal correspondence, Feb. 22, 2016). In communities where rape rates are extremely high, the rape education for volunteers at RCCs is incredibly minimal. The varying degrees of in-depth training in such a short period of time can not adequately equip volunteers with the knowledge to treat victims responsively. The vast majority of volunteers because of their limited education on sexual violence that RCCs provide will incorporate their own knowledge base on the subject when interacting with victims. Relying on volunteers to do the majority of rape work is only a short-term solution to providing rape services to victims. Popular culture often views having volunteers delivering services as always being a positive for the agency and those served, but having more full-time educated employees is more beneficial in the long-term for RCCs.

Volunteer workers at RCCs are not always beneficial to the centers in terms of re-educating local communities about rape. Volunteers, because of their non-employee nature, cannot be held liable by the RCC for their actions; however, mainstream community organizations do hold the RCC accountable for their volunteers' behavior. In this aspect, says Martin (2005), volunteers actually cost more than hiring more permanent staff (p.115). Volunteers are generally not trained adequately enough, like a full-time employee would be, to represent a victim in legal, medical, and health systems. Victims that reach out to RCCs are because of the reliance on volunteers often being treated no better by the workers' than by the completely untrained police officers and medical personnel. Rape work as a field is primarily made up of volunteers instead of highly trained staff members which causes community education on rape to be a reinforcing instead of a deconstruction of rape culture values (Martin, 2005). Although some volunteers do treat victims with sensitivity and are competent at their jobs, many volunteers treat victims with victim-blaming attitudes and beliefs. RCCs focus on the

“victim’s behavior, judgment, [and] dress” instead of reassuring the victim that the rape was not her fault (Martin, 2005, p.19). The examining of victim’s statements and behavior is an integral part of rape work which subtly blames the victim. Instead of focusing on the rapist’s actions and assigning the blame to him many rape workers subtly through rape work itself misplace the blame. When rape work as a system operates in this manner, rape work is self-perpetuating the rape culture that it has striven to deconstruct.

The reliance on volunteers helps to solidify the inclusion of victim-blame into the frame of RCCs. Even though many volunteers and most trained workers will treat victims appropriately most will not. Rape work frames itself as believing the victim is guilty before being proven innocent. Martin (2005) argues that untrained volunteers make the victim prove her legitimacy of her rape by questioning her actions instead of those of her rapist’s (p. 23). The lack of victim centered training and reliance on local community members to do the groundwork for the full-time staff at so many RCCs causes the rape work itself to incorporate victim-blame in their frame. Volunteers simply do not know how to respect and support a sex crime victim, because our society does not view unwanted sexual contact and interactions as criminal. Many of the volunteers that work directly with the clients are even unaware that “treating [the victim] gently, apologizing for their experience, and comforting them aids in their recovery” (Martin, 2005, p. 19). The unresponsive treatment that RCCs promote can be attributed to client interactions as a job. Similar to police forces’ organizational framework, many rape workers’ must multitask and decide where to put their time and resources. The difference however is that because RCCs only specialize in rape their unresponsive treatment is to ensure that the maximum number of clients are seen. RCCs are not as effective as they have the potential to be in addressing rape in their communities because of the dehumanization that such prerogatives and goals create. American

Indian populations in particular that seek RCC services in their counties because of the large number of rapes in their communities are not having their needs met because of the ineffective way that county RCC manage their resources and time. A potential solution to county RCCs being able to best serve their Indigenous clientele is to incorporate cultural competent services for Indigenous women.

### **Decolonizing Rape Crisis Centers**

The lack of cultural-competency in mainstream RCCs contributes to the low number of American Indian women that seek services from them. American Indians because of the dichotomous American and traditional tribal values on rape need more than just the basic advocacy and services that mainstream RCCs provide. Providers of Indigenous women, says Bubar (2014), argue that RCCs need to have culturally relevant sexual assault victim services for Indigenous women in order to address rape in tribal communities (p. 181). Cultural competency could bridge the gap between the different modes of popular thinking and cultures. In Robeson and surrounding counties, all four mainstream RCCs lack culturally competent services even though the Lumbee Tribe makes up the largest tribe in North Carolina. In a month's time period all four RCCs serve approximately one to five American Indian clients with the Robeson Crisis Center of Robeson County serving only one to two Natives in a month (personal communication, Feb. 22, 2016). The lack of culturally competent services at these crisis centers most likely contributes to the low number of Lumbee women seeking out these centers for help. Two of the RCCs would even refer their American Indian clients to another crisis center because they did not have the resources the woman needed (Robeson Crisis Center of Robeson County, personal communication, Feb. 22, 2016 and Domestic Violence and Rape Crisis Center of Scotland County, personal correspondence, Feb. 16, 2016). The RCCs that serve the Lumbee communities

are not able to adequately address the needs of their Lumbee clients as seen through the outside referrals; these county RCCs can not afford to put more energy and resources in their Native populations because they are underfunded and understaffed. Tribes are left to combat rape in their communities alone when these county-based RCCs are not equipped to deal with the high rate of sexual violence amongst its members. Tribal governments are left helpless when the one mainstream organization whose purpose is to advocate and assist rape victims cannot adequately meet tribal members' needs. The Lumbee Tribe of North Carolina, in an effort to address rape in their communities like so many other tribes, has created their own RCC whose intended purpose is to help through an understanding of tribal culture American Indian rape victims.

Enlightening Native Daughters, the Lumbee Tribe's RCC, was designed with the intention to provide the cultural competency that mainstream RCCs could not. In order to provide the same services that other ethnicities receive RCCs that serve an Indigenous community need to treat American Indian clients with American Indian culture and traditions in mind because they are not only different from American culture but also involve a different culturally specific popular thinking. RCCs founded by tribal nations can be effective organizations that address rape in a way that mainstream RCCs can not due to funding, understaffing, and lack of awareness of the issue. In Robeson and its surrounding counties Enlightening Native Daughters, END, is tasked with serving an even greater geographic area and population than the individual county-based RCCs are. Moreover, END takes the same frame on rape work and faces the same issues that non-tribal based RCCs do. Though END was created with the intention to better accommodate Lumbees, it like all four county-based RCCs does not provide culturally-specific services. Instead of incorporating Lumbee cultural traditions into their crisis center the limitation of their clientele to only American Indians was considered by END's

founders to be culturally-competent enough (personal communication, Feb. 22, 2016). The lack of inclusion of Lumbee specific cultural traditions in their tribe-based RCC is not true cultural competency and will not effectively aid its clients. END is a well-meaning Indigenous effort to combat rape in the Lumbee communities; however, without cultural-competency reconnecting with the traditional tribal values and beliefs of women's sexual autonomy is most likely more difficult. Rape work amongst the Lumbee still has some adjustments to be made in order to significantly lower the number of rapes in their communities.

A very troubling reality in contemporary American Indian communities, such as the Lumbee, is that sexual violence may be epidemic. Statistical data contributes to the underreporting of rape in Native communities because it is gathered solely from official reports, which are only capture a snapshot of a few of the sexual assaults of Native women. Rape rates in Native communities continue at an unknown rate, despite legislation and mainstream organization efforts, because a vast majority of local community members believe rape is the victim's fault. Rare police officers will respond appropriately to rape victims but the majority give unresponsive treatment and do not pursue criminal investigations of rape cases. RCCs dependence on volunteer workers has turned the field of rape work into a perpetrator-oriented field in which victim-blaming is incorporated into the behaviors and interactions of the majority of rape workers, volunteer and permanent staff. American Indian tribes that create their own RCCs to combat rape often imbue the same values and practices of rape work that mainstream organizations do and suffer the same problems. In efforts to address rape specifically in tribal settings some tribes have created their own crisis centers with culturally-competent and oriented services. The Lumbee Tribe's RCC titled Enlightening Native Daughters does not effectively solve the tribe's sexual violence because the program is based on educating Native women, not

stopping people who rape. If rape is ever going to be viewed differently and rates are to decrease, American culture will have to redefine its gender-roles and concepts of masculinity and femininity. Until then rape, especially in tribal communities, will continue to be a contemporary issue with no resolution in sight.

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