



G A O

Accountability * Integrity * Reliability

United States Government Accountability Office
West Region-Seattle Office

Suite 2700
701 Fifth Avenue
Seattle, WA 98104

**GAO Review of the Indian Health Services' Collection and Preservation
of Evidence for Sexual Assault and Domestic Violence Cases**

Mandate for GAO Review in Section 266 of the Tribal Law Order Act of 2010:

GAO is coordinating this review with the Chairman and Ranking Members of the Senate Committee on Indian Affairs and the House Subcommittee on Indian and Alaska Native Affairs, Committee on Natural Resources.

Key Researchable Questions:

1. To what extent does the Indian Health Service in remote Indian reservations and Alaska Native villages have the capacity to collect and preserve evidence of sexual assaults and domestic violence incidents necessary for criminal prosecution?
2. What obstacles, if any, does the Indian Health Service face in collecting and preserving evidence in sexual assault and domestic violence cases, and what options exist for overcoming such obstacles?
3. What other factors, in addition to the collection and preservation of evidence by the Indian Health Service, contribute to the decision to prosecute these cases?

Time Frames:

Brief the committee's on the results by July 29, 2011, with a report to follow by October 26, 2011.

Agencies Involved in the Review:

- Department of Health and Human Services' Indian Health Service
- Department of the Interior's Bureau of Indian Affairs
- Department of Justice

GAO Contacts

- Jeff Malcolm, Assistant Director, Washington, D.C., 202-512-6536, malcolmj@gao.gov
- Tama Weinberg, Analyst in Charge, Seattle, Washington, 206-287-4822, weinbergt@gao.gov
- Kyle M. Stetler, Analyst, Seattle, Washington, 206-287-4844, stetlerk@gao.gov
- Katherine Killebrew, Analyst, Seattle, Washington, 206-515-8182, killebrewk@gao.gov

SEC. 266. STUDY OF IHS SEXUAL ASSAULT AND DOMESTIC VIOLENCE RESPONSE CAPABILITIES.

(a) **STUDY.**—The Comptroller General of the United States shall—

(1) conduct a study of the capability of Indian Health Service facilities in remote Indian reservations and Alaska Native villages, including facilities operated pursuant to contracts or compacts under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b et seq.), to collect, maintain, and secure evidence of sexual assaults and domestic violence incidents required for criminal prosecution; and

(2) develop recommendations for improving those capabilities.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the study under subsection (a), including the recommendations developed under that subsection, if any.

Approved July 29, 2010.

LEGISLATIVE HISTORY—H.R. 725 (S. 151):

HOUSE REPORTS: No. 111-397, Pt. 1 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 156 (2010):

Jan. 19, considered and passed House.

June 23, considered and passed Senate, amended.

July 21, House concurred in Senate amendment.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2010):

July 29, Presidential remarks.

