



Practice Brief 15

Honoring the Ancestors: An Interview with Gina South

NCA Accreditation Standards this brief addresses:
Standard 1: Multidisciplinary Team
Standard 9: Organizational Capacity

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Gina M. South is the Juvenile Division Chief and Assistant Prosecuting Attorney for the Choctaw Nation of Oklahoma. NCARC's Jennifer Calder interviewed Gina to discuss her experience leading the development of her Tribe's MDT and CAC. The interview has been edited for length and clarity.

Can you tell us how you became involved in starting an MDT and a CAC for your nation?

One of my previous positions was as the State Director for the Alabama Network of Children's Advocacy Centers, or the state chapter, as we call it. I was about a year into my work there studying children's advocacy centers, crimes against children, and child sexual abuse. It was clear that using an MDT to prosecute child sex abuse was an effective

best practice. In addition, MDTs help a child to get therapy and for the family to be able to access therapy through a CAC. I remember this clear moment where it clicked with me, and I was like, "Oh, my Gosh! I wish the Choctaw Nation could have this kind of a system!" I really saw the benefit for the children of the Choctaw Nation, where I am a Tribal member, of having the use of an MDT reviewing their cases.



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A few years later, my family moved back to Oklahoma. I was, and still am, an Assistant Prosecutor for the Choctaw Nation. I happened to overhear our Tribal Prosecutor, Kara Bacon, talking out in the hall to the Senior Executive Officer. They were discussing the different systems, policies, and procedures they were going to have to put into place to fully prosecute crimes in the wake of the *McGirt v. Oklahoma* decision

and about everything that was happening legally in Oklahoma at the time.

I overheard them say that there was supposed to be an MDT, and I came running out of my office and asked if I could work on this. I didn't expect that it was something that would be placed in my path. I was so excited that Kara said I could work on developing an MDT. I am so grateful for her. She's a fantastic prosecutor. She successfully prosecuted child sex abuse cases when she was working for the state and here at the Choctaw Nation. We've had several successful prosecutions of child sex abuse since we set up the MDT, and that is so exciting to see a system start at nothing and then be built up to where we have the policies and procedures in place that are working where we see everybody coming together. This is an exciting moment in time to be here and be part of it. I'm grateful that I've had the chance to work on this for Choctaw Nation.

The McGirt Case

McGirt v. Oklahoma was the 2020 U.S. Supreme Court decision finding that, in regard to the Major Crimes Act, Oklahoma's Tribal nations retained shared criminal jurisdiction with the federal government within the original 1866 boundaries of their reservations. The decision reversed the State of Oklahoma's claim to jurisdiction on lands originally granted to the Choctaw, Cherokee, Muscogee Creek, Seminole, and Chickasaw nations. Oklahoma had claimed jurisdiction over these lands since statehood in 1907, acting as though the reservations had been disestablished. But the Supreme Court decision asserted that since the U.S. Congress never disestablished the five reservations, they had not, in fact, been disestablished.

As a result of *McGirt*, the five reservations have been restored to their original boundaries, and each of the five Tribes now has shared jurisdiction with the federal government over crimes committed within those boundaries. The after-effects of *McGirt* have been wide-ranging, requiring the Tribes, the federal government, and the State of Oklahoma to re-structure their criminal justice systems within the boundaries of the five nations (see below).



When you think about that development stage when you received the go-ahead to get started on the Choctaw Nation’s MDT, what were some of those first steps? What should other Native nations that are thinking about starting an MDT consider in that early stage of development?

I think for us, it was a little bit easier because we already had the Choctaw Nation Tribal Code in place that we needed to proceed with creating an MDT. I don't think people knew what that would translate into. But you know, you start with first things first, and that is making sure that you have the support in the code. Having the code portion in place, which said Choctaw Nation was supposed to rely on a multidisciplinary team process to investigate and prosecute child abuse, was the number one key component that allowed me to say, “This is something we have to do.” You can take that to the other departments within the Tribe and say, “I've got code backing me up. So, let's go ahead and put the procedures in place that will allow us to do that and make it what it's supposed to be.”

You had the code in place, which is what you would recommend as a first step for everybody. What came next?

Having the code in place allowed me to begin with my MDT member stakeholders, who were the different Tribal agencies: Tribal law enforcement and Tribal children and family services. I was able to start with just those two departments, and with me being in prosecution, that brought together three different departments all at once: prosecution, law enforcement, and child welfare. I reached out to the supervisors in those departments and started talking to them, and the

conversation was, “We have the code in place. This is what the code says, so let's talk about how we're going to do that.”

This process of engagement, generating interest and buy-in—how long did this take?

I think that engagement is something that is an ongoing process. Even today, a year afterward, I think we're still focused on engagement because, for example, you'll find out that there's somebody maybe at a higher level who doesn't know what it is that you're doing. They weren't involved in it from the beginning. So even at this stage, we need to build that understanding and awareness with stakeholders about what an MDT is, what it does, and what its purpose is. Buy-in really is a constant, ongoing process of educating people about what you're doing and what the benefits are.

There's another factor I want to mention, too. I've always operated from the perspective of, “Let's work in the child's best interest.” But not everybody comes to the table with that being the first thing in their mind. For example, if you are in law enforcement, the first thing you have in mind might be public safety, or it might be operating your department within the policies and procedures that you have in place. There's nothing wrong with that, but they're not necessarily thinking that the system we put into place has to be in the best interest of the child. So, when you talk to people as an MDT facilitator, you talk to them from the perspective of how it's good for their department, and this is how it's going to help them do their job, and how it's going to make their job easier.

That's so important to underline, that you are always working on engagement. I imagine a lot of people assume that engagement is purely a start-up issue.

Right, and something that is unique to Tribes is that there can be high turnover in certain positions, and so knowing that there's high turnover, you need to have part of your plan be continual education for your partners and stakeholders. Sometimes people shift positions within a department, and it might be that you were talking to one person, and you have something in place and lined out, and then all of a sudden, they're not in that position anymore. It's really important to know why you're doing what you're doing so that your messaging is always the same and consistent.

You're talking about one of the barriers a lot of our human services systems in Tribal communities face. I'm wondering if we can keep going along these lines. Would you be willing to share about some other barriers you've faced and how you have addressed them?

For me, time was a barrier. Because we were building our system from scratch, everyone had everything on their plate, and it wasn't figured out in terms of specific job components. I had too much on my plate. As a prosecutor, I'm the Juvenile Division Chief, so I am responsible for all of the Tribal custody cases. Before, I was also involved in the Indian Child Welfare Act (ICWA) cases, which are state cases where Tribal children are in state custody. Now that we've figured out our MDT duties more fully, several of those things have been taken off my plate, or we've created other positions to deal with certain aspects of

those. We all know that people wear different hats in their jobs, and you're having to juggle all those responsibilities. Then add to that being asked to start something new or do something totally different. The time piece is a challenge.

What you're saying also leads to the issue of sustainability. For instance, if one person fills multiple roles, one of which is the MDT Facilitator, how do you ensure sustainability?

Right. When we were setting up what the MDT was going to look like and how it was going to function, my plan was to talk to the different stakeholders and make sure that we had their buy-in to seek funding and to ensure that I had one person whose sole responsibility was the MDT and getting it off the ground. I was busy, and I was being pulled in so many different directions, and I knew that it would be very important and crucial for me to have that one individual who had no other responsibilities other than engaging with the MDT.

From the work that I had done previously with the Alabama CAC state chapter, I was very familiar with the National Children's Alliance and the structure and the grant support that they provide to States and to CACs. I knew there was funding out there. My plan was that we were going to rely on grants, as Tribal budgets are very limited. I knew grant money is available every year that the federal government distributes through multiple agencies and many different departments, and that there are different ways to access that money. You just have to know what you want to do with the money.

[See ["NCARC Practice Brief 11: Funding for Child Advocacy Centers,"](#) for more information

about National Children’s Alliance, federal, and other sources of funding for Tribal CACs.]

We’ve been able to get additional grants since then. I just wanted to make sure that we were going to be secured with a grant that was going to take us through the first several years, and then we would be able to look for additional grant funding after that. I’m continually watching for grants that will serve the purpose of what we’re trying to do, which means that probably every year, or every other year we’re going to have to continue to seek funding.

If at some point the Tribe decides that they’re able to pay for the MDT, that would be wonderful, but I don’t want to take money from some other department within the Tribe or take away from the good things that they’re doing. I want to use those funds that I know the federal government has available for this purpose.

That makes sense. You don’t want to take funding away from other work and detract from existing programming. That reminds me: I know that the Choctaw Nation was already an active partner with some existing CACs in the area. Have there been any tensions around the fact that a new Tribal MDT is taking on some of the responsibilities of those other organizations, with their existing MDTs?

I don’t want to take away from something good that’s already happening that other people are doing. I don’t want to put any CAC or MDT “out of business.” I want us to collaborate to the point where we’re clear on who is doing what. Because really, there’s enough crime out there for everyone to share. We don’t want that to

be the case, but unfortunately, there’s more than enough to keep everyone busy.

There were a lot of conversations that our team members and I had with other agencies. For example, when I was starting, I met with people from the National Children’s Alliance (NCA) and talked to them to make sure I had funding. This kind of triggered an awareness from other people who were seeking the same grants from NCA. I think some people had the sense that we might be “moving in on their territory” by starting our own CAC. Some people at the state level were concerned, so I connected with Jimmy Widdifield, who was from the Oklahoma Commission on Children and Youth for the State of Oklahoma, and who is now with the National Children’s Advocacy Center, providing training and technical assistance to CACs. He was such a wonderful, kind, and helpful resource. I think he connected me to Carrie Little, who is the Executive Director for the Children’s Advocacy Center of Oklahoma. I had a lot of phone calls with all of these different people.

I looked at the map of our jurisdiction, and I marked out on the map where the four other CACs within our jurisdiction were located. There was sort of one on each corner of our nation, and with Carrie’s blessing, I started talking with the directors of those CACs letting them know that we’re going to start prosecuting some cases. I told them that to do this, we need to make sure that we’re working in collaboration with you, our prosecutors are connected with you, and we’re worked into that process.

In addition, I let them know that we were going to start our own MDT and that we want to be a resource for other agencies in the area if they

need to rely on our services as well. My perspective was that, yes, we were going to do something new, but we wanted to do it in a location where it would be beneficial to all the children in Oklahoma, not just to Tribal children, but to kids who are in one part of the State that is currently underserved. I wanted people to know that we were going to be an additional resource that they could rely on.

We approached it as a partnership and a collaboration. We were not trying to take them out of the position that they were in or to knock them off their spot. Our position was, “We want to work with you, and we want to do the same type of work that you’re doing.”

What would you say to other Tribes that might be trying to navigate these kinds of issues?

It is difficult if you’re a Tribe to understand what that hierarchy is within the CAC movement. To understand that there’s the National Children’s Alliance, and they are the accrediting organization. Then underneath that, you have the different regional CACs, like the Southern Regional CAC in our region. Then under that, you have a state chapter, and then under that, you have the local CACs.

Trying to figure out where a Tribe was going to fit in was challenging. I think that’s something that’s still going on. As Tribes begin to reach out to these regional agencies, then I think the regionals at some point are going to go back to their funding sources and say, “Okay, let’s make sure that we have the funding that we can direct to the Tribes to make sure that it’s there.” And it is there. The funding is in place, but I think it’s a matter of educating all of those stakeholders and letting them know that Tribes

are here. We want to engage in best practices. We want the very best for our children, so we’re going to become part of that process, and we need to have a seat at the table.

What other advice could you give to Tribes that are thinking of starting their own MDTs or CACs?

It’s important for a Tribe that is thinking about doing this to make sure that you have the buy-in from your community stakeholders. You might need to go and talk to your community elders. You might need to talk about how child abuse was handled historically and about how there’s a new way, a new system that you’re aware of, and talk to them about what it could look like for a Tribal MDT.

An important thing that people have to take into consideration is culture and their historical knowledge of the culture. If you’re wanting to start something new, you need to make sure that you’re doing it in a culturally appropriate manner. At the Choctaw Nation, we were starting with a code that was based on the state code, but as time went by, we were able to incorporate cultural components that make it truly unique to the Choctaw Nation. For instance, we can incorporate healing practices or traditional methods of therapy for families.

One thing that’s unique about Tribes is that the things that may be considered frivolous in a non-Native culture may be considered healing to a Tribal culture, like art, beading, sewing, basket-making, painting, and drumming. All of those things may seem like extras in a non-Native world, but in the Native world, those are the things that heal your soul. Those are the ways you express yourself and your feelings about your community, and the things

that bring you healing are considered medicine. You can bring in that cultural component from the beginning, by contacting your elders and contacting the people in the community who hold the history of the nation. That really is going to be different for every single Tribe and different for every single community.

I think it's also important when looking at grants. If you look at the grant language, it may say something about traditional healing practices or traditional Tribal practices. It may give you a way to fund those projects that you want to make available for the children in your community. For victims of child sex abuse, if you want to incorporate traditional healing methods, there is funding to do that. You can pay the person who has maybe a sweat lodge, or who has a drumming circle that they regularly do. You can pay those community members through the grant because that is a traditional healing practice or traditional method that you want to make a part of your MDT response.

Is there anything else you would like to speak to about your work in starting an MDT for your nation?

One thing I have learned is that if you're reaching out to Tribal leadership to get this started, you're going to need to convince them. Get to know each of those people individually. One of them is going to be your advocate. There's going to be someone on the Tribal council who is passionate about children and passionate about making sure that families and communities are whole.

Child sex abuse and child abuse are difficult issues to address in Indian Country. It's also

something that, as Native people, we were discouraged from talking about because words have value, and the words you use are important. There has been a belief that some things are better left unsaid. Starting an MDT means trying to make the shift to the belief that we have to acknowledge something in order to heal from it.

That may require you to do more work with your elders in the community. It might mean that you need to go out and meet with the grandmothers. You might need to talk to them about their childhood, their experiences, or maybe their grandparents' experiences. Getting people to talk about those things in Native communities is a challenge, and it's sometimes difficult because we have been taught not to discuss that, and there is a very real stigma on putting certain things into words.

I think that is unique to Tribal nations. It may not be true for all of them, but I know that it's true for us, and it's hard for us to acknowledge that type of thing. But maybe you can communicate a perspective that says, "We want to do what's best for our children, and we know that you, as grandmothers and grandparents, have endured these things in the past, and maybe there wasn't a good way for you to deal with that. We want our children in the future to be able to deal with these things, and this is how we would like to approach it." That might be a starting point for you to get the buy-in that you need from elders.

Do you have any closing words for others who are out there reading this?

I am so grateful that I've been here in Southeast Oklahoma currently and that I've been able to participate and be part of this process. It is exciting, and it is something that's extremely fulfilling. I do think of things that my grandmother experienced and that her mother experienced, and I feel like when I'm engaging in this, this is something that I'm doing for them, trying to put into place something that they may not have had, and trying to be part of something that will honor the ancestors always.

It's just an exciting time to be part of this work, and I'm really thankful and grateful to all of the people who are always so willing to help and offer suggestions. Whether you're talking about a Native community, whether you're talking about larger community, I find people who are involved in child welfare to be very encouraging and open to collaborating, which is really important when you are doing this work.



Gina M. South is the Juvenile Division Chief and Assistant Prosecuting Attorney for the Choctaw Nation of Oklahoma. Mrs. South is a member of the Alabama Bar Association, the State Bar of Texas, and the

Choctaw Nation Bar. She has served as a member of the Volunteer Lawyers Association of Alabama, the State Director for the Alabama Network of Children's Advocacy Centers (ANCAC), and a board member and trainer with the Native American Children's Alliance. She is currently the newest member of the board for the Children's Advocacy Centers of Oklahoma. Starting in 2020, Gina directed the conversion of her nation's existing Child Protection Team to a Multi-Disciplinary Team (MDT). The Choctaw Nation's MDT is the first Tribal MDT in the state of Oklahoma to achieve accreditation with the National Children's Alliance and to gain membership with the Children's Advocacy Centers of Oklahoma. In August of 2023, the Tribe opened the Ahni (Hope) Center, the first Tribal CAC/Family Justice Center in Oklahoma.

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