



# *Restoration*

OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

JUNE 2015



National Indigenous Women's Resource Center



Cover: June 2, 2015 - Lisa Thompson-Heth, Executive Director of Wiconi Wawokiya, Inc., of the Crow Creek Sioux Indian Tribe, attends the 2015 Women Are Sacred Conference in Rapid City, South Dakota. Lisa was recently awarded the National Crime Victim Service Award from the Office for Victims of Crime and USDOJ. See page 38.

"On July 17, we will honor the one-year memorial of the passing of Tillie Black Bear, the grandmother of our movement for the safety of Native women. On behalf of the entire family of the National Indigenous Women's Resource Center, we dedicate this magazine and the recent Women Are Sacred Conference to Tillie and her national public policy advocacy to create the lifesaving national reforms under VAWA, FVPSA, and so many other legislative and public policy reforms."



Lucy Simpson  
Executive Director

"Tillie Black Bear understood the importance of the national political movement and strategic alliances to increasing the safety of Native women. As she stated many times, in order to advance our movement we must move beyond the shelter doors—tribally, inter-tribally, nationally, and internationally. Tillie's political organizing advanced the protection for Native women and also the sovereignty of Indian nations. We thank Tillie for her strategic insight and for her contribution to our movement of resistance."



Jacqueline "Jax" Agtuca  
Editor  
*Restoration*

*Restoration*  
OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

Subscriptions Now  
Available!

[restoration.niwrc.org](http://restoration.niwrc.org)  
\$30 Individual / \$100 Institutional



- 6 :: 12th Women Are Sacred Conference
- 9 :: Tribute to Tillie Black Bear, December 10, 1946-July 19, 2014
- 10 :: Honoring Tillie's Life's Work
- 11 :: My Name Is Tillie Black Bear
- 13 :: Coleen Clark Selected: First Recipient of the Tillie Black Bear Women Are Sacred Memorial Award
- 14 :: NativeLove: A Domestic Violence Awareness Campaign
- 17 :: Thousands "Wear Orange" on National Gun Violence Awareness Day, June 2nd
- 18 :: New VAWA Resource Book Reaches Distribution of 1,500
- 20 :: Indigenous Curriculum Pilot Trainings: Alaska Native Villages of Emmonak, Anvik, and Kake
- 23 :: NCAI Launches Technical Assistance Website
- 24 :: Special Domestic Violence Criminal Jurisdiction Over Non-Indians
- 26 :: 20/20 Vision Awards: American Bar Association, Commission on Domestic and Sexual Violence
- 28 :: Addressing the Crisis of Alaska Native Children: Child Protection and Custody Issues in the Context of Domestic Violence
- 30 :: Victims of Crime Act Update: National Call for Congress to Create VOCA Funding for Tribes
- 31 :: Tribal Leaders Comments on Need for a Tribal VOCA Grant Program  
Victims of Crime Act Funding: Providing Services and Justice to Native Victims of Crime
- 33 :: Family Violence Prevention and Services Act Sunsets Dec.10, 2015
- 36 :: Views from Tribal Leaders on FVPSA Reauthorization During the VAWA 2014 Consultation
- 38 :: Support for FVPSA Reauthorization Inclusive of a National Native Domestic Violence Hotline/Helpline

Tribal Advocate Highlights

- 38 :: Lisa Thompson-Heth Receives National Crime Victim Service Award
- 40 :: Wiconi Wawokiya, Inc., Shelter and Services, Founded in 1985

Changing Culture

- 42 :: Sliver of a Full Moon, A Full House at Yale University

International News

- 44 :: World Conference on Indigenous Peoples' Follow-Up Work



Dear Friends,

Welcome to the 2015 Mid-Year Conference in St. Paul, MN.

Since the establishment of the NCAI Task Force on Violence Against Women in 2003, *Restoration* magazine has provided tribal leaders, advocates, and attendees with an update on emerging issues impacting the safety of American Indian and Alaska Native women. This volume provides exciting highlights of emerging national issues and the potential of two increased federal resources under the Victims of Crime Act (VOCA) and the Family Violence Prevention and Services Act (FVPSA).

More than 30 years ago, Congress enacted the VOCA to provide lifesaving resources to crime victims. The VOCA is solely funded by revenue generated from federal prosecutions. Over the last decade, the NCAI Task Force, tribal leaders, and the tribal grassroots movement have raised concerns that under the VOCA no dedicated funding stream exists for Indian tribes. Tribal leaders consistently expressed these concerns during previous USDOJ annual VAWA consultations. In addition, NCAI passed a resolution in support of amending VOCA to create a dedicated Indian VOCA program during the Anchorage 2014 national conference. We encourage everyone concerned to follow this exciting development.

In addition, during the Atlanta NCAI conference in October 2014, the NCAI Task Force worked with tribal leaders, advocates, and tribal coalitions to adopt Resolution #ATL-14-028, which supports reauthorization of the FVPSA in 2015. The resolution supports several important tribal amendments, including an increase in the percentage Indian tribes receive annually, creation of a tribal coalition grant program, and a National Native Hotline/Helpline to assist tribal victims.

The NCAI Task Force on Violence Against Women has worked for more than a decade to steadily increase the safety of Native women on a national level. Year after year, we have consistently joined together to strengthen our national movement. As we realize this common goal, we also recognize the importance of summarizing important lessons learned over the years and sharing those lessons broadly with the American public.

As with each volume of *Restoration*, we hope this information assists you in understanding the many new developments in our efforts to increase the safety of Native women in the United States!

Co-Chairs, NCAI Task Force on Violence Against Women

Juana Majel  
Traditional Legislative  
Counsel, Pauma Band of  
Luiseno Mission Indians



Lenora Hootch  
Executive Director,  
Yup'ik Women's Coalition  
Native Village of Emmonak



## Task Force on Violence Against Women and VAWA Implementation Agenda

Sunday, June 28, 2015

1:00 p.m. – 4:00 p.m.

---

1:00– 1:15 p.m. **Opening & Introductions**

NCAI Task Force on Violence Against Women Co-Chairs:

*Juana Majel-Dixon*, Pauma Band of Mission Indians

*Lenora “Lynn” Hootch*, Yupik Eskimo (Village of Emmonak)

1:15 – 2:15 p.m. **VAWA Implementation Update & Discussion**

*Virginia Davis*, Senior Policy Advisor, NCAI

*Michelle Demmert*, Tribal Attorney, Tulalip Tribes

2:15 – 2:30 p.m. **Overview of Restoration Magazine: News and Emerging Issues**

2:30 – 2:45 p.m. **Department of Health & Human Services, FVPSA Update**

*Shena Williams*, Senior Program Specialist, ACF HHS

2:45 – 3:15 p.m. **Department of Justice Office on Violence Against Women Update**

*Lorraine Edmo*, Deputy Director, Tribal Affairs, OVW USDOJ

3:15 – 4:00 p.m. **Policy Updates**

- FVPSA
- VOCA
- Appropriations
- International Advocacy

What does Native Love mean to you?  
#NativeLoves \_\_\_\_\_

Join the conversation  
via twitter, instagram, facebook, tumblr, youtube, etc.  
Use #NativeLoves

# 12th Women Are Sacred Conference

## Dedicated to the Life Work and Legacy of Tillie Black Bear

On June 1-3, 2015, the 12th Women Are Sacred Conference (WAS) was held in Rapid City, South Dakota. This year's conference was dedicated to Tillie Black Bear (1946-2014). Close to 300 participants from across the country, including tribal advocates, tribal program personnel, and many others dedicated to the safety of Native women, attended and celebrated the contributions and legacy of Tillie Black Bear. In addition, Celebrating All Things Feminine Wacipi was held on the second night of WAS.

*"I wanted to thank you for the opportunity to present at the WAS conference. The conference was excellent and I enjoyed participating in it very much. Everyone's hard work was evident from start to finish. Please forward my congratulations to all."*

—Beverly Cook, Tribal Chief,  
Saint Regis Mohawk Tribal Council

Since 1998, the Women Are Sacred Conference has spotlighted the grassroots work of tribes, advocates and survivors, and nonprofit tribal organizations and coalitions to address violence against American Indian and Alaska Native women. The conference included sessions designed to share tribal approaches to domestic violence based on tribal customs and traditions, including Native languages, creation stories,

and ceremonies. Many of the sessions also addressed reversing or overcoming the impact of federal laws, policies, and practices that serve as barriers to safety for Native women, most recently addressed in VAWA 2013 with the passage of Section 904.

### Tillie Black Bear Memorial Award

In memory of Tillie Black Bear the National Indigenous Women's Resource Center established the Tillie Black Bear Women Are Sacred Memorial Award. The award was presented for the first time at the Rapid City conference. Tillie's daughter Connie Black Bear-Brushbreaker and sister friend Roxanne Sazue, Chairwoman of the Crow Creek Sioux Indian Tribe, attended to present the award to Coleen Clark, a longtime advocate for women. In appreciation of the award, Coleen will travel to St. Francis next month for Tillie's one-year memorial and present a staff for future award recipients.

### Native Youth Sessions

For the first time, the WAS conference included a youth track intended to engage Native youth to enhance their capacity to become part of the grassroots movement to effect social change in laws, policies, and social norms and respond to violence against women within





*"I've learned so much through the WAS conference. My sister, her coworkers, and other Native women who are leaders were once victims and survivors of domestic and sexual violence. If you have dealt with something heavy in your life, you have been victim at some point. You are a survivor. And one day you will be a leader. This gives me so much hope."*

–Araceli Spotted Thunder

their nations. One focus of the youth track was the use and development of social media, digital storytelling, and arts/culture to effect change through a dynamic process that can be engaging for youth. Native youth developed video messages that were presented at the conference's closing plenary and at which conference participants offered words of encouragement to the youth.

### **Celebrating All Things Feminine Wacipi**

Those attending the WAS conference enjoyed the Celebrating All Things Feminine Wacipi, which was held on the second night of WAS. Each year, the South Dakota Coalition Ending Domestic & Sexual Violence offers the resources to any Native member program

to sponsor the Honoring All Things Feminine Wacipi. This year, Wiconi Wawokiya, Inc. decided to sponsor and coordinate the Wacipi in honor of Tillie Black Bear. Native Women's Society of the Great Plains was a co-sponsor of the Wacipi and brought in Sunny Red Bear to speak to the youth. During the Wacipi, the youth were called into the circle and a prayer was said by an elder; a song and words of encouragement were given by Greg Grey Cloud. A presentation was held to honor the memory of Tillie Black Bear, and shirts in memory of Tillie were given to the dancers and participants of the WAS conference. Dance specials during the powwow included the Rabbit Dance, Potato Dance, Men's Fancy Shawl, and Women's Grass Dances.

### **Looking Forward to Women Are Sacred June 2017**

Emergency crisis shelter services are still needed for at least half of the federally recognized tribes across the country, and emergency sexual assault services for most of the tribes. As we enter the 21st year since the Violence Against Women Act was signed into law



*"Sitting here thinking about my Mommy. She would be and is here at this powwow. She was humble about what she did and how hard she worked fighting for the safety for women and children. I know she still has a very powerful presence in several circles. It's amazing and so healing for me to be here. I appreciate all the awesome words and stories of my mother. Some I have never heard, some make me laugh, and some made water escape my eyes. The work still continues and has come a long way and has a long way to go."*

–Connie Black Bear-Brushbreaker



June 3, 2015, WAS participants (from left) Araceli Spotted Thunder, Mary Kathryn Nagle, and Lisa Heth enjoy the moment by sharing what #NativeLove means to them..

by President Clinton, the grassroots movement to end violence against women must push forward to build the groundswell that created the Safety for Indian Women Title and the recent jurisdictional victories. While emergency victim services provide essential lifesaving services, the long-term solution to ending the violence is found in addressing the root causes of violence against Native women.

We honor Tillie by upholding our obligations and responsibilities to work together to remove the barriers to tribes exercising their sovereign authority, customs, and traditions that uphold women as sacred. Each of us must do our part to demand nothing less than safety and respect in thought and behaviors, as women are the heartbeat of Indian nations.

"As we continue to make changes locally, nationally, and internationally, let us remember Tillie's many teachings that served as the foundation of not just the Women Are Sacred Conference, but of the national grassroots movement to end violence against women, including in Tillie's words 'making those connections beyond the shelter doors.'"

–Lucy Simpson, Executive Director, NIWRC

For more information on the WAS Rapid City conference, please go to: [niwrc.org/was](http://niwrc.org/was).

"Sad to leave Rapid City, but so honored to have worked with so many powerful Native youth. Our world is in good hands because the next generation is ready to step up and lead!"

–Mary Kathryn Nagle





## Tribute to Tillie Black Bear, December 10, 1946–July 19, 2014 Grandmother of the Battered Women’s Movement

Matilda Laura Black Bear passed over into the spirit world on July 19, 2014. On this one-year anniversary of her passage we give thanks and prayers to the creator for her life and contributions to building the national movement for the safety of Native women.

Known to the movement as “Tillie,” she was well recognized as the Grandmother of the Battered Women’s Movement for her leadership spanning almost four decades. A citizen of the Rosebud Sioux Tribe, Tillie believed in the teachings of White Buffalo Calf Woman. One of the first teachings White Buffalo Calf Woman brought to the Lakota people was that even in thought, women are to be respected. Tillie was given the Lakota name Wa Wokiye Win, which means “woman who helps everyone” in English, a name she fulfilled in life.

### Tillie’s Legacy of National Movement Organizing

In 1978, as a young woman, Tillie testified at the first U.S. Commission on Civil Rights hearings on wife beating. That same year, Tillie went on to lead in building organizations that continue to serve as houses of the movement—the National Coalition Against Domestic Violence, and the South Dakota Coalition Against Domestic and Sexual Violence (formerly the South Dakota Coalition Against Domestic Violence). At the same time, Tillie organized in her home communities on the Rosebud reservation, serving as a founding mother to the White Buffalo Calf Woman Society.

For the next three decades, Tillie’s leadership continued to indigenize federal legislation—the Violence Against Women Act, the Family Violence Protection and Services Act, and much more. In

1995, after the passage of VAWA, Tillie met with the Department of Justice to plant a stake for VAWA to include Indian tribes. In 2000, Tillie helped shape the new VAWA tribal coalition program. In 2003, Tillie led a Wiping of the Tears ceremony at the Senate building to launch the struggle for the VAWA 2005 Safety for Indian Women Act. In 2011, as part of the NCAI Task Force, Tillie met with United Nation’s Special Rapporteur Rashida Manjoo as a pathway to the VAWA 2013 victory, restoring jurisdiction over non-Indians to Indian tribes. This same year, Tillie again provided leadership to found the National Indigenous Women’s Resource Center.

“We are a movement of resistance to colonization.”

Tillie’s understanding of social change, organizing, and movement building to make connections beyond the shelter doors to end violence against women are her living legacy. Tillie understood the connection between safety and sovereignty for Native women, and she understood the strategic role of organization. Tillie received many awards during her lifetime, including the Eleanor Roosevelt Award for Human Rights from President Clinton in 2000.

The NIWRC will forever hold Tillie in our hearts and honor her dedication to the safety of Native women and sovereignty of Indian nations. For this gift, we say thank you. And to her daughter, Connie, and Tillie’s entire family, we again thank you for sharing your beloved mother, sister, and Unci for almost four decades.

# Honoring Tillie's Life's Work

As we pause to honor and reflect on Tillie's life, the National Indigenous Women's Resource Center asks all those concerned with the safety of Native women to commit to an action to celebrate Tillie's life and the beginning of the battered women's movement—by declaring July 19th National Tillie Black Bear Women Are Sacred Day. Recommended actions for this include any action honoring Tillie's life, such as: A Day of Service and Unity; A Day of Reflection, Self Care, Wellness, Perseverance, Vision, Generosity, and Love; A Day of Making Relatives and Thankfulness; and office closures in commemoration of the Grandmother of the Battered Women's Movement.

To honor the life and legacy of Tillie Black Bear the National Indigenous Women's Resource Center has created an award to recognize outstanding grassroots direct service providers and advocates who exemplify the teachings and dedication that Tillie instilled in our movement to restore safety for Native women. The award will be presented biannually at the Women Are Sacred Conferences. The awardee will be selected from the movement and embody the teachings of Women Are Sacred, We Are All Relatives, integrity, making connections beyond the shelter doors, and exemplary service.



*"Tillie was the first Native woman to organize nationally to educate Congress on domestic violence, then called "wife beating." She leaves a strong legacy of tribal grassroots organizing and resistance to colonization. We celebrate her life with the creation of the Tillie Black Bear Memorial Women Are Sacred Award."*

—Lucy Simpson, Executive Director, NIWRC

## Call to Establish July 19th as National Tillie Black Bear Women Are Sacred Day

To join the call for creating July 19th National Tillie Black Bear Women Are Sacred Day, please join this campaign:

<https://goo.gl/n70COV>

Petitioning President of the United States

### Declare July 19th as National Tillie Black Bear Women Are Sacred Day. Collectively we all can honor the legacy of the Grandmother to the Anti-Violence Against Women Movement.

National Indigenous Women's Resource Center

**Sign this petition**


2 supporters  
87 needed to reach 100

Rebecca Blasing signed this petition

First name  
Last name  
Email  
United States  
Street address  
98038  
I'm signing because... (optional)

Sign

**National Tillie Black Bear (niw Wakiya Wini)**  
**Women Are Sacred Day**  
July 19th



Every nine seconds a woman is abused in an intimate partner relationship. Native women are abuse 2.5 times the national average of all other populations. More than One in three Native women will be raped. Three out of five will be physically assaulted. And the most difficult statistic of all, on some Indian reservations, Native women are being murdered at a rate 10 times the national average.

Native women have been surviving abuse in silence for centuries. 88% of abusers are non-Native who, since 1978, have had no criminal prosecution for their crimes due to a lack of jurisdiction on tribal lands.

# My Name Is Tillie Black Bear

The following article is the first of three parts that *Restoration* will print over the coming year. The three-part series is from an interview with Tillie Black Bear on her life journey and the national movement she helped organize over the span of almost four decades, 1977–2014. Through her words, we can further understand why Tillie described the safety for Native women’s movement as a “movement of resistance,” and why the safety of Native women is linked to strengthening the sovereignty of Indian nations.

## My Name Is Tillie Black Bear

I was born on December 10, 1946, at home in the small town of St. Francis on the Rosebud Sioux Indian reservation. The day after my birth, I was baptized into Catholicism as Matilda Laura Black Bear, but I grew up as Tillie. I am the third oldest of eleven children.

There is a belief among our people that we live in this world not as humans on a spiritual journey, but as spirits on a human journey. Lakota believe that the moment you are born, your spiritual being becomes a human being. And when you come into the world, the first person that touches you imparts their essence into you. This explained why I was the way I was.

When I was a young adult, I would visit my mother, and the aunties and grandmas would all be sitting there. I’d walk in probably a half hour late for lunch or something. As I’d meander in, my mom would say (in Lakota), “the woman who didn’t hurry” was the one who delivered me. The grandmas and aunties would look at me and go, “Hmm.” So throughout my lifetime, I think I always had the mannerisms of this elder.

## A Catholic Education

As a child, I probably spoke maybe less than 10 words in English. When I was five, I started a little public school in our community with probably not more than 30 other students. I lasted two weeks. At the end of the second week, the teacher sent me home with a note to my mother saying that I wasn’t school ready, that I needed to come



back the next year. Of course I was disappointed because I thought I would be going to school, but then my uncles—my mother’s brothers—thought that was cool. They said (in Lakota), “She’s so smart. She finished her first year in two weeks.” (Typical Lakota humor.) They saw something real positive in that, and it made me feel better.

The next year, my mother enrolled me in the first grade at the St. Francis Catholic boarding school three blocks south of where we lived. The mission school was run by the Franciscan sisters out of Mary Christ in Denver, Colorado. The Jesuit I believe was Father Haise was from Milwaukee, Wisconsin.

The first six weeks at school were very lonely. My long hair was cut short above my ears after I arrived; we all got haircuts. Every time someone from town came to the

school, I would say, “Tell my mom I am here,” but my mother wouldn’t come up because she was afraid that I would walk home with her. She wanted to make sure I’d stay in school. So I ended up at the mission for 12 years.

I spoke very little Lakota during that time because you were shunned if you spoke Lakota. Those who communicated in the classroom were the ones who could speak English; the non-English speakers took a back seat. Sometimes our behavior was misinterpreted and we got punished for speaking our language. So I learned then that I had to pick up the English language very quickly.

We went to mass every day at 6:30 or 7:00 a.m. I really didn’t know anything about myself. I was just

a tribal person growing up there. During the summer months, we got to go home, from the end of May to the end of August. At Christmas, we got to go home for two weeks.

In high school, I learned that my spirit was such that I was always being disciplined. The whole school was on a merit/demerit system, run military style with whistle blowing that commanded our behavior. During my tenth-grade year, I stayed at school all year because I didn't earn the privilege of being able to go home on Sundays, from 10 to 5. The school had many rules and I learned that the rules were not always necessary to define who I was, and so I would go around the rules, and figure out how I could still manage to be who I was.

I graduated in my twelfth-grade year. By that time, I was a really strong Catholic product. I went on to a Catholic college about 300 hundred miles away, which was also run by Catholic nuns. After three semesters, I dropped out and went home.

### **Coming Home to Lakota Beliefs**

I came home and went to business school to pick up accounting. Afterwards, I worked for the tribe's Equal Opportunity Employment program for about a year, until I decided that I would go back to college. I went to college off the reservation because we didn't have a community college on the reservation at that time. I spent two full semesters and three summers getting my bachelor's in secondary education. I moved home, and eventually went back to the university to work on my master's in counseling.

During that time, I lived in a very traditional way. My family all spoke Lakota and believed in our practices, as well as embraced Catholicism. When my aunt went through heart surgery, I remember I kept hearing and hearing this sun dance song. Finally I got up and prayed for my aunt's wellness, and said I would sun dance for her health. At the same time my uncle, who saw a medicine person, made the same pledge, the same vow. My aunt came through alright.

The following summer, at age 26, I sun danced to fulfill

my pledge. It was my first time and I danced with my uncle at Crow Dog's sun dance. They called it Crow Dog's paradise. My mother was a very strong tribal woman. She dressed me in a buckskin dress. My uncle, who was a medicine person, made the reed for my hair and my arms. He cut two eagle feathers for me to wear in my hair like the men did. They took me there early in the morning so I could go into the sweat lodge with the sun dancers. At the end of that day, because I was fulfilling a vow for my aunt, they fed the people and had a giveaway. That was my first, real introduction to our tribal ways.



I grew up in a time when the healing ceremonies had to be held in secret. When I was in the eighth grade, I can remember being home when they were having a ceremony at night. Sentries were posted a block or two away looking out for the Catholic priests or the police. I grew up in that era. My family was one of those that went

underground with the traditional ways—traditional spiritual practices. I started to practice those old ways, and today I call myself a recovering Catholic. Just like a recovering alcoholic, I still find myself in church sometimes for weddings, baptisms, or confirmations.

### **The Call: Joining the Battered Women's Movement**

After I got my master's, I went home with my two daughters. I had gotten into a relationship with a man who was very abusive. I was already working at Cangleska University as Dean of Student Services; I had my own home, and I was always very independent. Yet I got involved with a man who was abusive.

It took me probably about two years to leave that relationship. I was fortunate that he was from another reservation. If it wasn't for the strength that came from my family and my children, I probably would have stayed in that relationship a lot longer. My cousins kept talking to me and my aunts kept talking to me, and I eventually left the relationship. After that, I was really involved in my family again and everything was centered around my family.

I decided that to leave the reservation for a while and went to university for my doctoral studies. While

working on my doctorate in counseling (counselor education), I got a call from my friend Faith Spotted Eagle who was president/chair of the White Buffalo Calf Woman Society. Dialogue had started about White Buffalo Calf around 1976, and the organization was formed in December 1977. Faith asked if I would go to Washington, DC, to represent White Buffalo Calf

Woman Society. The U.S. Civil Rights Commission was having a two-day symposium on what they called "wife battering," and she asked if I would talk about the short-term needs of victims. I agreed to go because I just came out of an abusive relationship. I had survived.

## Coleen Clark Selected: First Recipient of the Tillie Black Bear Women Are Sacred Memorial Award

Born in Poplar, Montana, on November 2, 1949, Coleen Clark spent her early years in Wiota, a small farming community. She is a mother to 2 birth sons, and to 5 sons and 2 daughters blessed from other mothers' wombs. Coleen has 9 grandchildren and 12 great-grandchildren. She was told by her 4 grandmothers, who brought her into womanhood during her coming out ceremony, that she has a responsibility to be a good sister to women, to feed them, to help them, to love them unconditionally, and to learn about our history to pass on to the next generations. As Coleen has stated, "That is my humble, lifelong work. It will always be that way."

Coleen is an enrolled member of the Fort Peck Assiniboine and Sioux Tribes. She has worked for the tribes for 39 years. For 28 of those years, she has been writing grants and budgets to sustain the tribe's Family Violence Resource Center projects. Her current job title is Program Director for the Family Violence Resource Center.

In 1977, long before federal grants were made available for victims of domestic violence, sexual assault, and safety shelters, Coleen opened her home to battered victims and their children who were referred by

the Sheriff's Department. The Sheriff heard her at a workshop speaking on the rites of passage and values of being an Assiniboine woman as taught by her elders, and knew she could have a positive impact on these families.



Coleen continues those teachings by advocating on behalf of abused women and children. She is a survivor herself and dedicates her work to helping victims recover and heal from abuse. She credits her journey of healing by following her ancestors' footsteps in the traditional practice and faith of the annual Assiniboine Medicine Lodge. Coleen has presented at various conferences on issues of domestic and family violence, child abuse and neglect, traditional approaches to child rearing, emerging Native gangs, and promoting women's leadership. Her strong belief in teamwork is

based on the centuries-old system of societies that promoted equality in the circle and the sacredness of women and children. Her dedication is grounded in the belief that our social and health problems are too great for any one person to face alone, and she firmly believes it will take a strong committed team to begin the renewal of healthy life ways. She has received awards and merits from tribal and federal agencies to reduce violence in reservation communities. She completed her field study for NAES College on "Traditional approaches to reverse harmful behaviors in our village."

Coleen embodies Tillie's teachings because she is rooted in her customs and traditions as the pathway to ending violence against women. Coleen has advocated for women, children, and Indian tribes with integrity for as long as she can remember. Her life and her beliefs embody advocacy in action. She has been a true grandmother, mother, sister, auntie, and friend to so many. She brings with her the spirit of her ancestors, her mentors, and the love of her people.

# NativeLove: A Domestic Violence Awareness Campaign

## A Verizon NIWRC Partnership

Verizon has partnered with NIWRC on a campaign to raise awareness and help end domestic violence by encouraging and empowering Native youth to redefine "Native Love." The thoughts and voices of Native youth inform the campaign with the hope that by empowering the youth to use their voice, they will redefine NativeLove in a way that creates change and restores safety to Native women among our nations and communities.

The campaign, with support from Verizon, works to raise awareness through a NativeLove Challenge utilizing photos and videos, posters, social media campaigns, FAQs, and teen-relevant resources and toolkits. These are offered to support and inform youth and educators, as well as tribal leaders, courts, tribal police, policymakers, lawmakers, communities, and the public to promote change on this critical issue.

### NativeLove Campaign Success

On February 9, 2015, NIWRC and Buffalo Nickel Creative launched NativeLove at the Chemawa Indian School and talked about healthy relationships. Since the February launch, the campaign has been highly successful. Outreach efforts have grown across Indian tribes and schools. The NativeLove team also traveled to support the Native youth who experienced unfortunate events involving racism in Rapid City. A second event NativeLove attended was a community march to support ending youth suicide.

NativeLove outreach since February has included the Montana American Indian Higher Education Conference, Pechanga Sexual Assault Awareness Month, Gathering of Nations powwow, Ateyapi Lakota Youth project (Rapid City), American Horse School Pine



*The Lakota Women Warriors standing strong with Savannah LeCompte as they proudly wear their NativeLove T-shirts in support of NativeLove and Native youth on the final day of the 2015 Women Are Sacred Conference. Savannah worked extremely hard editing the youth video project which was shared at the WAS closing plenary.*



*Savannah LeCompte with NIWRC Executive Director, Lucy Simpson in full support of the NativeLove and Native youth on the final day of the 2015 Women Are Sacred Conference.*

Ridge Indian Reservation, and many other events. The campaign also reached the Alaska Native Villages of Emmonak, Kake, and Anvik.”

NIWRC spent time with students at the American Horse School in Allen, SD, on the Pine Ridge Reservation and participated in the 1,000 Men and Women March Against Youth Suicide. It began at the Oglala powwow grounds and led to the Oglala Tribal Office with closing remarks and encouraging words to support the youth.

“The high rate of youth suicide is just one of the areas that we hope NativeLove can support. We spent time with our young relatives, and with their mentors, teachers, parents, uncles, aunts, grandparents, and community leaders—listening to challenges, barriers, and successes and promoting a fun challenge along the way, one meant to inspire and empower teens to rethink and redefine what NativeLove means to them utilizing art/culture and social media.”

—Rebecca Balog,  
Grants Compliance Manager, NIWRC

## Campaign Tools

NativeLove is engaging youth across Indian nations and schools by sending packets of information to nearly every tribal school regarding the NativeLove challenge. In addition, the campaign is distributing youth and educator toolkits to support teens in discussing teen dating violence, awareness and looking to culture and tradition as a way to redefine and return to traditional ways of what love means for them.

## Women Are Sacred 2015 Youth Track

NativeLove was also woven into the youth track of the 2015 Women Are Sacred Conference. Youth from the Ateyapi program coordinated participants to develop, in their words and thoughts, three PSAs that were showcased to all WAS attendees during the closing plenary on the last day of the conference.

## Future Efforts of NativeLove

The NIWRC NativeLove team looks forward to attending the Native youth UNITY event in Washington, DC, responding to requests and engaging with more communities including youth and mentors, leaders, parents, educators, and youth advocates about NativeLove and teen dating violence. “As NativeLove continues on this path, we will continue to share the positive messages of what NativeLove means to youth, and we hope to hear from you and your community!

**NATIVE**  
*Love*

On your social media sites, use the **#NativeLove** hashtag.

Challenge criteria:

- Record what Native Love means to you.
- Challenge others to post their photo or video of what Native Love means to them.
- Video clips can range from 10 seconds to 2 minutes.
- Be creative!
- Submissions should include positive imagery and positive language, and be appropriate for ages toddler to 19 years old.
- Contestant ages are high school and younger.

Contest begins February 9 and ends September 1, 2015. Winners will be announced during Domestic Violence Awareness Month, October 2015.

Visit the NativeLove site at <http://nativelove.niwrc.org> and the NativeLove Facebook page for more information. Share what NativeLove means to you with **#NativeLoves!**



## Thousands "Wear Orange" on National Gun Violence Awareness Day, June 2nd

"The National Indigenous Women's Resource Center joined members of Congress, MTV, Motown Records, HBO, and thousands more in the National Gun Violence Awareness Day effort," said Executive Director, Lucy Simpson.

Wear Orange is a new campaign that aims to amplify existing efforts to reduce gun violence in America. It brings public awareness and honors the 88 Americans whose lives are cut short by gun violence every day—and the countless survivors whose lives are forever altered by shootings each year. The coalition designated June 2, 2015, as the first annual National Gun Violence Awareness Day. On this day, campaign partners invite everyone who agrees that more can be done to save American lives from gun violence to do one simple thing: wear orange.

Wear Orange and National Gun Violence Awareness Day was inspired by a group of Chicago teens who asked their classmates to commemorate the life of a slain friend by wearing orange. Their friend—Hadiya Pendleton, a 15-year-old high school student—marched in President Obama's second inaugural parade and was tragically shot and killed in Chicago just a week later. June 2nd would have been Hadiya's 18th birthday; First Lady Michelle Obama delivered the commencement address at what would have been Hadiya's graduation ceremony June 9th.

Sen. Chuck Schumer (D-NY), Sen. Dick Durbin (D-IL), Sen. Richard Blumenthal (D-CT), Sen. Chris Murphy (D-CT), Sen. Al Franken (D-MN), Rep. Bob Dold (R-IL), Rep. Mike Thompson (D-CA), Rep. Elizabeth Esty (D-CT), and Rep. Jim Himes (D-CT) are among the members of Congress to join the campaign. Wear Orange partners

comprise thousands of nonprofit organizations including those dedicated to ending domestic violence such as National Coalition Against Domestic Violence, National Network to End Domestic Violence, and the National Indigenous Women's Resource Center.

Originating in hunting culture—hunters wear orange to announce themselves to other hunters in the woods, orange acknowledges that America has a proud heritage of responsible gun ownership. But orange also reflects the value of human life. When hunting, it is expected you will take aim at a deer or bird, but you are also obligated to take care with your life and the lives of fellow hunters. By wearing orange on June 2nd, Americans pledged to:

- Honor the lives—and lost human potential—of Americans stolen by gun violence
- Do all we can to keep firearms out of the wrong hands
- Commit to responsible gun ownership
- Keep our children safe from gun violence

Efforts of note on June 2nd included:

- **MTV** network changed its on-air logo, as well as several of its social media avatars, to orange in recognition of National Gun Violence Awareness Day.
- **Motown Records**, the most widely recognized record label in history, turned its iconic logo orange on its social media platforms (@Motown on Twitter, @MotownRecords on Instagram) with staff and artists #WearingOrange.
- **HBO** network debuted the trailer for its hard-hitting new documentary, *Requiem for the Dead: American Spring 2014*. Told entirely through

social media postings, news accounts, and other found media, the new documentary offers an unvarnished portrait of the human toll from gun violence in America.

Anyone can join the Wear Orange campaign by visiting [wearorange.org](http://wearorange.org) and using the website's pledge tool to change their social media profile picture.



### Firearms' Role in Domestic Violence Homicide Cases

Congressional action has meant the difference between life and death for many victims of domestic violence, dating violence, sexual assault, and stalking. The Violence Against Women Act has promoted best practices to provide for victim safety. Since the passage of the Lautenberg Amendment, more than 146,000 domestic abusers tried and failed to buy a gun.

- Nearly one-third of all women murdered in the United States in recent years were murdered by a current or former intimate partner.
- Of females killed with a firearm, almost two-thirds were killed by an intimate partner.
- More than three times as many women are murdered by guns used by their husbands or intimate partners than by strangers' guns, knives, or other weapons combined.
- Homes with guns have a three-fold increased homicide risk as compared to homes without guns. When previous domestic violence exists, the risk of homicide in homes is 20 times higher.

Source: *National Task Force to End Sexual Violence Against Women.*

# New VAWA Resource Book Reaches Distribution of 1,500

## Safety for Native Women: VAWA and American Indian Tribes

Published in October 2014, *Safety for Native Women: VAWA and American Indian Tribes* provides the perspective of the significance of VAWA to increasing the safety of Native women. Since its October release, distribution has reached over 1,500, and the book is being widely used as a desktop reference by advocates, criminal justice personnel, and movement organizers. Colleges and universities are also adopting the book for various law and public policy courses to raise awareness of the history of violence against Native women and the impact of colonization on Indian tribes today.

"In speaking to a class at the Carr Center for Human Rights Policy at Harvard University, *VAWA and American Indian Tribes* was an important reference in sharing the historic restoration of jurisdiction over non-Indians and also the voices of Native women that were denied access to justice prior to the VAWA 2013 victory."

—Juana Majel Dixon, Pauma-Band of Luiseno Indians

The VAWA tribal book is a powerful presentation of the impact of the colonization of American Indian tribes on the safety of Native women and the changes needed to address such violence under VAWA. "Through this resource book, we hope to increase the awareness of the VAWA tribal provisions, review the impact of VAWA upon the response of Indian tribes to such violence, and shed light on unaddressed legal barriers to the safety of Native women," said Lucy Simpson, Executive Director of NIWRC.

"We also have a VAWA story that must be told. On April 16-17, we held a regional meeting of various Yup'ik villages and used the VAWA book. Everyone was very excited. This book includes the struggle of our women and villages."

—Lynn Hootch, NCAI Co-Chair and Director of the Yup'ik Women's Coalition

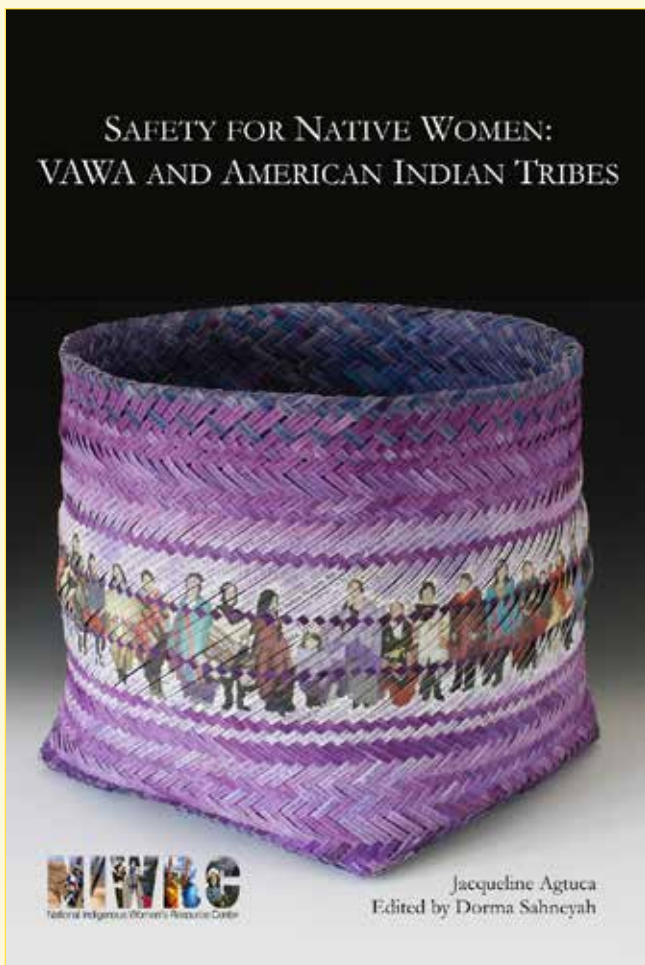
### *Safety for Native Women: VAWA and American Indian Tribes*

A powerful presentation of the impact of colonization of American Indian tribes on the safety of Native American women and the changes to address such violence under the Violence Against Women Act. This essential reading reviews, through the voices and experiences of Native women, the systemic reforms under the Act to remove barriers to justice and increase Native women's safety. It places the historic changes witnessed over the last twenty years under the Act in the context of the tribal grassroots movement for safety of Native women. Legal practitioners, students, and social justice advocates will find this book a useful and inspirational resource to creating a more just, humane, and safer world.

Paperback \$19.99 | Kindle \$12.99

All proceeds will support NIWRC efforts to increase the safety of Native women.

Order Books: <http://goo.gl/EHpp57>



SAFETY FOR NATIVE WOMEN:  
VAWA AND AMERICAN INDIAN TRIBES

NIWRC  
National Indigenous Women's Resource Center

Jacqueline Agtuca  
Edited by Dorma Sahneyah



Above: April 16, 2015 - Christine Teganlakla, Yup'ik Women's Coalition, registers participants of the two-day Yup'ik Villages Indigenous Community Engagement. Joel Okitkun, Tribal Administrator, Village of Bill Moore's Slough, receives his resource materials including a copy of Safety for Native Women: VAWA and American Indian Tribes.

Right: April 16, 2015 - Edward Adams, Tribal Administrator, Native Village of Nunam Iqua, reviews his notes alongside Safety for Native Women: VAWA and American Indian Tribes.



# Indigenous Curriculum Pilot Trainings: Alaska Native Villages of Emmonak, Anvik, and Kake

The Alaska Native Women's Resource Center (ANWRC) organized the test pilot of the new indigenous-based Alaska Native curriculum on domestic violence within three Native villages and regions. Most of the ANWRC board members have dedicated their lives to addressing violence against women in Alaska villages. All are Alaska Native and have lived under a state system inadequate to protect Alaska Native women. "Since passage of VAWA in 1995, we have attended years of trainings that is not reflective of our experience as Alaska Natives," said Tami Truett-Jerue, Board Member, ANWRC. "This indigenous-based curriculum is an important component of the future resources that ANWRC will offer to Alaska Native Villages," said Truett-Jerue.

Native Village of Emmonak, April 16-17, 2015

## Yuut Kenkutellriit Ikayutellartut

*people who love each other  
take care of each other*

"Our goal is to transform prior curriculums offered to Alaska Native Villages by compiling the collective knowledge of our villages, of violence, and our experiences as Alaska Native women," said Lynn Hootch, Director, Yup'ik Women's Coalition. "Our approach is a grassroots process to increase the self-reliance of villages, given the reality that most lack resources needed to respond to domestic violence."

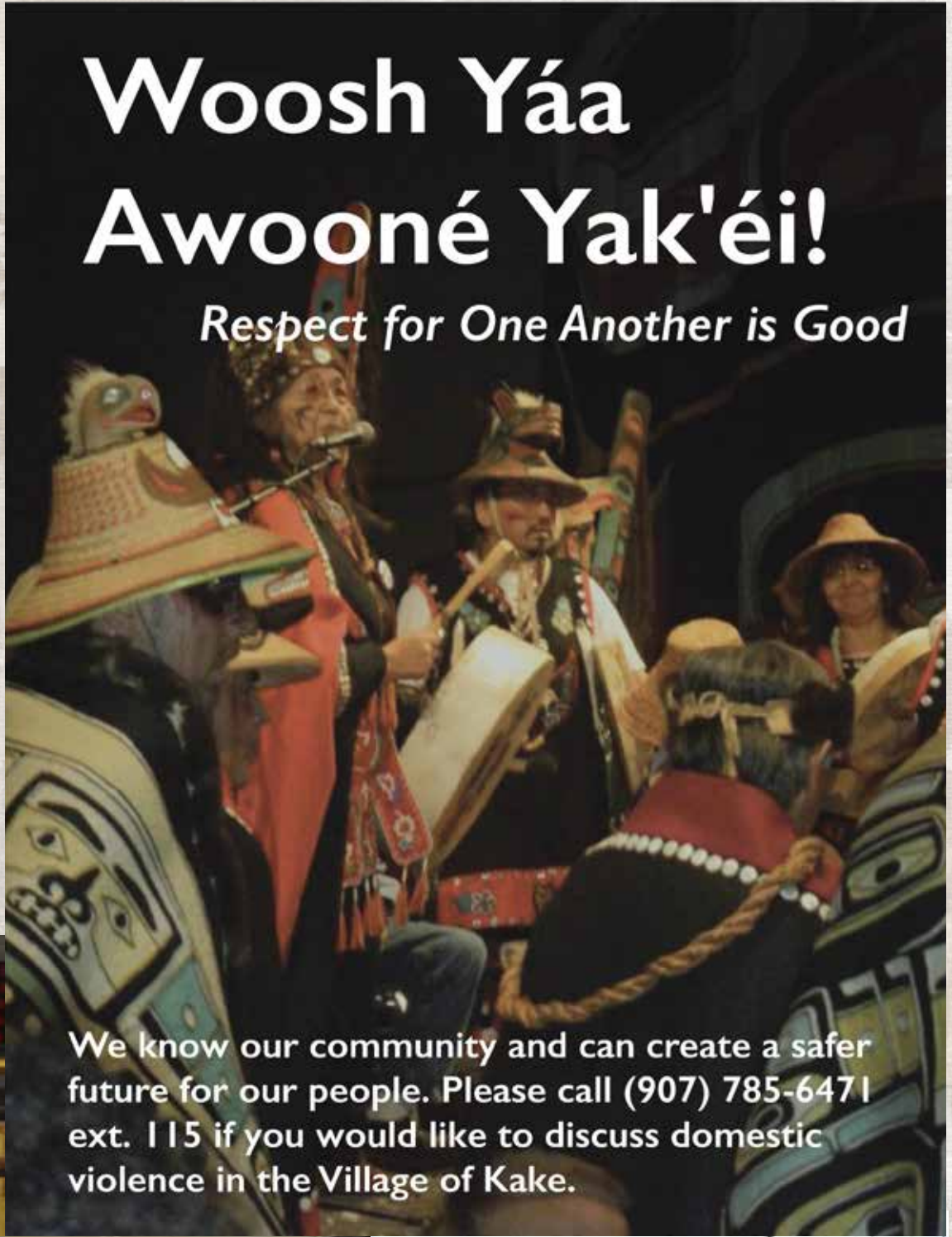


**We know our community and can create a safer future for our people. Please call (907) 949-1434 if you would like to discuss domestic violence in the Village of Emmonak.**

# Woosh Yáa Awooné Yak'éí!

*Respect for One Another is Good*

The Tlingit phrase that reflects the traditional basis of safety for Tlingit women is Woosh Yáa Awooné Yak'éí (Respect for each other is good). This phrase and others were used by the organizers of the two-day training to enhance the understanding and response of the Village of Kake to domestic violence. The Village of Kake is developing a strong culturally based response to understanding and addressing domestic violence.



**We know our community and can create a safer future for our people. Please call (907) 785-6471 ext. 115 if you would like to discuss domestic violence in the Village of Kake.**



“By developing and offering this curriculum, we hope to support Alaska Native Villages increase their response to domestic violence using their indigenous,” said Tami Truett-Jerue, Tribal Administrator, Native Village of Anvik. “The Western criminal and civil justice system is largely absent from our villages, offering minimal real justice in our lives.”



“Many villages still speak their Native languages and others not as much. As Natives we have our own language that reflects our beliefs as Alaska Native peoples,” said Nettie Warbelow, Village of Tetlin.

### **An Indigenous-Based Curriculum: Teachings, Language, and Voices**

The curriculum is indigenous in that it is based on the original teachings, language, and voices of the respective Native peoples. While the test pilot was held in the Yup'ik, Athabascan, and Tlingit regions, the ANWRC hopes to reach all of the Native villages of Alaska. The language component is one of the foundations of the curriculum because the indigenous languages reflect the beliefs of the respective people. The second foundation of the curriculum are the teachings of the respective people reflective of thousands of years of their culture and ways of life. And a third component are the voices of the Yu'pik, Tlingit, and Athabascan peoples, elders, women, and survivors.

### **How the Curriculum Is Being Developed**

The development of the curriculum is interactive with the villages participating in the process and is being produced over several phases. During the first phase, the project partners worked collectively to identify key components of responding to domestic violence in their villages. The outline was developed based on their prior efforts as a grassroots advocacy movement for the safety of Alaska Native women. The outline also contained a legal section based on our review of the relevant law (village, state, federal) governing cases of domestic violence in Alaska Native Villages. “The law we live under day to day is our village law and a large part of village law is unwritten,” said Nettie Warbelow, of the Village of Tetlin.

The project to create the ANWRC and the indigenous curriculum is funded by the Office on Violence Against Women. The curriculum was developed in partnership with two sister organizations: the National Indigenous Women's Resource Center (NIWRC) and the Alaska Native Women's Resource Center (ANWRC). The ANWRC comprises longtime advocates for the safety of Alaska Native women.

# NCAI Launches Technical Assistance Website

As of March 7, 2015, Indian tribes are able to prosecute non-Indians who abuse Indian women on tribal lands for the first time since the *Oliphant v. Suquamish* decision. Importantly, there are a number of due process requirements that must first be met. NCAI has developed a website to assist tribes as they implement the new law: <http://www.ncai.org/tribal-vaawa>.

The website includes various resources, including:

- A tribal code checklist, which offers a quick guide to the due process requirements.
- Information from the Intertribal Technical-Assistance Working Group (ITWG), which is a collaboration of 42 tribes sharing information and advice on how to best implement VAWA, combat domestic violence, recognize victims' rights and safety needs, and safeguard defendants' rights.
- Materials from the five tribes that have been participating in a DOJ Pilot Project that allowed them to begin exercising jurisdiction over non-Indians last year. These materials offer useful examples of how these pilot tribes have modified tribal code language and constructed jury pools for VAWA cases.
- A "Practical Guide to Implementing VAWA and TLOA" developed by the Pascua Yaqui Tribe.
- Information from past webinars on a variety of VAWA implementation topics, including: jury pools and selection, defendants' rights, protection orders, and victims' rights.
- Finally, the website will track any VAWA updates and upcoming events.

In addition, several free technical assistance resources are available—for example:

- The ITWG technical assistance team is available to review draft tribal codes, policies, or procedures you may be developing to implement the law. The team would be happy to look over your proposed changes to help make sure they fully comply with all of VAWA's statutory requirements.
- The Center for Jury Studies continues to be available to help address specific questions about VAWA's jury requirements and the logistics of creating a jury pool system that complies with VAWA. NCAI would be happy to connect you with them.
- Once you have implemented the law, the technical assistance providers and attorneys from the pilot tribes are available to help address issues that may come up with the investigation or prosecution of individual cases.
- The Tribal Law and Policy Institute has developed a "Tribal Legal Code Resource: Tribal Laws Implementing TLOA Enhanced Sentencing and VAWA Enhanced Jurisdiction" that offers guidance on drafting and revising tribal codes to implement TLOA and VAWA.



All tribes seeking to implement SDVCJ are also encouraged to join the Intertribal Technical-Assistance Working Group (ITWG). Please contact [tribal-vaawa@ncai.org](mailto:tribal-vaawa@ncai.org) for more information or with any questions, or Virginia Davis, Senior Policy Advisor, at [vdavis@ncai.org](mailto:vdavis@ncai.org).

# Special Domestic Violence Criminal Jurisdiction Over Non-Indians

"Indian tribes are retaking jurisdiction over domestic violence on their own land" appeared in *American Bar Association Journal* on April 1, 2015. We provide the following excerpt for readers as an opportunity to gain further insight as to the historic significance of the restoration of limited criminal jurisdiction to Indian tribes in certain domestic violence cases committed by non-Indian within the jurisdiction of the prosecuting tribe. Clearly this is an issue of significance not only to Indian nations and Native women but to the United States as well.

By Lorelei Laird, *American Bar Association Journal*

"Federal prosecutors are reluctant to institute federal proceedings against non-Indians for minor offenses in courts in which the dockets are already overcrowded, where litigation will involve burdensome travel to witnesses and investigative personnel, and where the case will most probably result in a small fine or perhaps a suspended sentence," Judge Ben Duniway wrote in the 1976 9th U.S. Circuit Court of Appeals ruling in *Oliphant*, before the case was granted cert to the Supreme Court.

That reluctance still applies. "The U.S. attorney's criminal caseload is super high, but it's all related to immigration and drug smuggling," says Fred Urbina, the attorney general for the Pascua Yaqui tribe of Arizona. "So they wouldn't take anything that wasn't a major crime where bones were broken or someone was sexually assaulted."

But that could change. Thanks to a provision in the 2013 reauthorization of VAWA, federally recognized tribes had the option to start prosecuting domestic violence by non-Indians as of March 7 this year. VAWA's Section 904 gives tribal authorities "special domestic violence jurisdiction" over non-Indians accused of intimate partner violence or violating a protective order. Three tribes involved in pilot projects testing the change took up jurisdiction more than a year ago and had already prosecuted 23 defendants as of March.

Yet supporters acknowledge that

the provision is not perfect. Drafters wrote the law narrowly, leaving out related crimes like sexual assault or child abuse. Implementing the law requires money that tribes may not have. And according to John Dossett, general counsel of the National Congress of American Indians, opponents of tribal jurisdiction—such as those who claim the measure infringes on defendants' constitutional rights—are expected to back a constitutional challenge to Section 904.

## A Step Toward Safety

Despite these limits, many Indian legal observers see Section 904 as a major step toward safer reservations, and, perhaps, full tribal criminal jurisdiction.

"For Indian country at least, it's huge," Urbina says. "I would even call it historic."

In *Oliphant*, then-Associate Justice William H. Rehnquist said the majority was "not unaware of the prevalence of non-Indian crime on today's reservations. ... But these are considerations for Congress to weigh."

Congress didn't weigh them until it took up the 2013 VAWA. In the 35 years in between, crimes committed in Indian country by non-Indians largely went unanswered, unless they were major enough to attract outside prosecutors' attention. The Indian Law and Order Commission, a bipartisan group appointed by Congress in 2010 to study justice in Indian country, called the resulting waste of lives and money

"shocking."

"When Congress and the administration ask why is the crime rate so high in Indian country, they need look no further than the archaic system," its November 2013 report said.

That's believed to be one factor driving the high rate of domestic violence against Indian women (and crimes against Indians generally). A 2008 survey by the Centers for Disease Control and Prevention found that two out of five Indian women reported being battered in their lifetimes; for all American women, it was one in four. And a Bureau of Justice Statistics report says when Indian women are victims of violent crimes, 88 percent of the perpetrators are not Indians.

Experts say that many victims don't even bother reporting crimes because they know little will be done.

Brent Leonhard, an attorney with the Office of Legal Counsel for the Confederated Tribes of the Umatilla Indian Reservation in eastern Oregon, says his tribe interviewed victims as part of a family violence program in 2011-2012. "Where the partner was non-Indian, we found that over 80 percent chose not to go to the police," he says.

That's part of the reason that support for Section 904 among Native Americans was strong. Dossett, the general counsel of the National Congress of American Indians, says he and his colleagues had been working on a measure like it since 2003.



Thirteen Native groups lobbied for the bill, according to the Center for Responsive Politics. The ABA lobbied for VAWA reauthorization, and the House of Delegates supported Section 904 with 2012's Resolution 301.

In a statement issued after Congress passed the reauthorization act, then-ABA President Laurel Bellows said, "Expanding protections for Native Americans, campus victims, survivors of sexual assault, and victims of violence, regardless of immigration status—and for the first time including protections for lesbian, gay, and bisexual victims—is a critical victory for human dignity."

But in other circles, Section 904 was controversial—so much that it became one of the roadblocks to VAWA's reauthorization. Critics, including Sen. Charles Grassley, R-Iowa, argued that because reservation juries are composed entirely or mostly of Indians, "the non-Indian doesn't get a fair trial." Conservative lawmakers also raised concerns that Section 904 would infringe on defendants' constitutional rights. (Tribes are not subject to the Constitution because they never adopted it.

However, the 1968 Indian Civil Rights Act reproduces many of the Constitution's due process protections, and tribes may enact their own civil rights laws.)

As a result, the final version of Section 904 was written narrowly. It covers only intimate partner violence or violations of protective orders that take place on federally recognized tribes' land. To be prosecuted, the accused must have a substantial tie to the tribe, live or work on the reservation, or have an intimate relationship with a member of the tribe.

Until December, the law also expressly excluded all but one of Alaska's 229 Native communities. That provision was originally inserted by Alaska Sen. Lisa Murkowski and former Sen. Mark Begich. Both pushed to repeal it after a backlash from Alaska Natives. President Barack Obama signed the repeal Dec. 18.

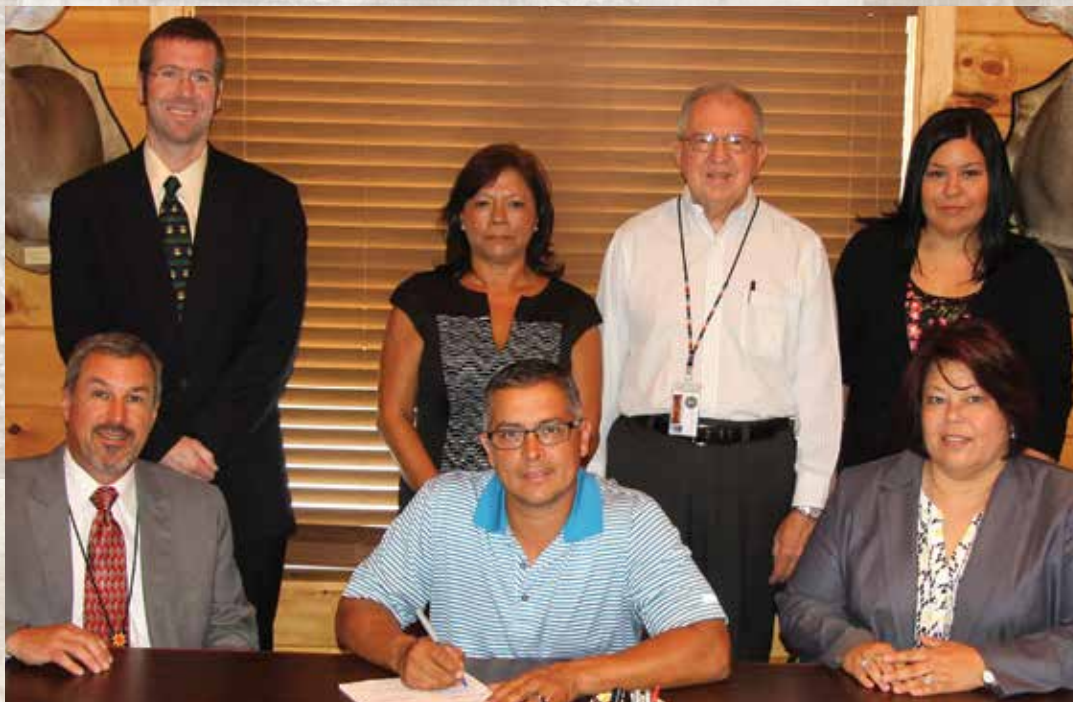
And in cases where the defendant could be imprisoned, Section 904 adds civil rights protections in tribal courts. It requires tribes to offer public defenders—at the tribe's expense—judges with legal training,

a guarantee of effective assistance of counsel, and juries drawn from a cross section of the community.

Those civil rights provisions have already gotten a workout on three reservations, which have been prosecuting crimes as part of the Justice Department's pilot project since Feb. 20, 2014. Those tribes are the Pascua Yaqui, the Umatilla, and the Tulalip tribes of northwestern Washington.

As of March, the three tribes had prosecuted 23 defendants on a total of 38 criminal counts: 16 defendants by Pascua Yaqui, five by Tulalip, and two by Umatilla. Nine cases ended in plea deals and Tulalip reservation attorney Michelle Demmert says the Tulalip court dismissed one case for insufficient facts. Umatilla deputy prosecutor Kyle Daley said that one more offender had been arrested but not yet formally charged. Most of the other cases are pending.

We thank Lorelei Laird and the American Bar Association Journal for this article and encourage readers to access the full article available at: <http://goo.gl/l6ZJg4>



*On Monday, June 15, Principal Chief Michell Hicks (seated center) signs Ord. No. 526 into law which outlines provisions for the Eastern Band of Cherokee Indians to enact the Special Domestic Violence Criminal Jurisdiction outlined in the VAWA Reauthorization of 2013. Shown (left-right) seated - Cherokee Chief Justice Bill Boyum, Chief Hicks, Tribal Council Chairperson Terri Henry; standing - Tribal Prosecutor Jason Smith; Iva Keys, EBCI Domestic Violence Program manager; J.T. Garrett, EBCI Human Services director; and Billie Jo Rich, an EBCI tribal member who stars in an American Indian play about domestic violence entitled "Sliver of a Full Moon". (SCOTT MCKIE B.P./One Feather)*

# 20/20 Vision Awards

## American Bar Association, Commission on Domestic and Sexual Violence

Congratulations to Jacqueline “Jax” Agtuca, as one of the recipients of the 20/20 Vision Awards by the American Bar Association’s Commission on Domestic and Sexual Violence. Since 1986, Jacqueline has dedicated her legal career to enhancing protections for women in the tribal, state, federal, and international arenas by serving in numerous capacities.

“The 20/20 Vision Award is well deserved for her contributions to building a national movement and mobilizing the legal profession against domestic and sexual violence by advancing VAWA. Jax has served as the editor of Restoration since its birth in 2003 and also as a legal and public policy consultant to the National Indigenous Women’s Resource Center since the founding of our organization.” –Lucy Simpson, Executive Director, NIWRC

In 1986, Jacqueline began her legal career by representing many

Native people as a staff attorney for the Legal Assistance Foundation of Chicago. Jax established a one-room outreach office in the basement of the American Indian Center in Uptown, where nearly 12,000 American Indians lived. She championed one of the first ICWA cases to be heard in Cook County and represented many Native women.

“1986 was a time in Chicago when the police response to violence against Native women ranged between insensitive to hostile. This response was and continues in many areas of the United States to be systemic in nature because we are women and Native. Calling the police was not a real option for Native women facing violence. Women lived in constant danger.”

Jacqueline then moved to the Bay Area in 1989 and joined the San Francisco District Attorney’s Office Family Violence Project. She served

as the Director of the Criminal Justice Advocacy Unit for the Family Violence Prevention Fund (from which developed Futures without Violence). At the Fund, she assisted in development of the first domestic violence criminal and civil training curricula for state court judges, and the first domestic violence prosecutor’s manual.

“The fundamental barriers to safety for Native women are the laws of the United States; many date back to the most violent and darkest history of colonization and genocide. This is not a gap in the law but a body of laws that serve as chained gates to justice. The legal system did not offer protection for the generations of women before me, and for this reason, legal reform was and continues to be essential to our lives.”



## Legal Reform As a Vehicle to Safety

In 1995, Jacqueline moved across the country to help launch the newly created Violence Against Women Grants Office, in Washington, D.C., at the United States Department of Justice. In this capacity, she helped establish new federal policy and programming to increase the safety of women, and particularly Native women. In 1999, Jacqueline became the Deputy Director of the USDOJ Office of Tribal Justice, which serves as the central point of coordination for USDOJ governmental relations with Indian tribes.

“Passage of VAWA reshaped the legal framework of the United States on domestic violence and began an uncharted path of unraveling old law

Opposite page:  
*October 25, 2011, Organization of American States, Inter-American Commission on Human Rights, Washington, DC, First Thematic Hearing on Violence Against American Indian Women - “As Tillie said many times, we must advocate at the tribal, intertribal, state, federal, and international levels.”*

and gradually creating new law. While we celebrate the 20-year anniversary of VAWA, the breath of VAWA must continue to grow and reach all tribal nations and so many others. ”

In 2001, Jacqueline left the Justice Department to become the the Public Policy Director of Clan Star, Inc., a tribal nonprofit dedicated

to improving justice to strengthen the sovereignty of Indian tribes and safety of indigenous women. Incorporated under the Eastern Band of Cherokee Indians, Clan Star served for more than a decade as the OVW technical assistance provider for the Tribal Domestic Violence and Sexual Assault Coalition Grant Program.



## Announcing the Recipients of the 20/20 Vision Awards

The Commission on Domestic & Sexual Violence is pleased to announce the recipients of the 20/20 Vision Awards. The awards were created in honor of the important work accomplished by the passage of the Violence Against Women Act and the creation of the Commission on Domestic & Sexual Violence 20 years ago. Recipients played an instrumental role in mobilizing the legal profession against domestic and sexual violence by either creating, supporting, advancing, or advocating for the CDSV or VAWA over the past two decades.

An awards reception will be held in the recipients' honor during the ABA Annual meeting in Chicago, IL. Event details will be released in the coming months. If you or your organization would like to purchase space in the program book, or if you would like to become an event supporter please contact [Vivian Huelgo](mailto:Vivian.Huelgo). The deadline to purchase ad space and a level of support is June 19, 2015.

### HONOREES

#### ABA President's 20th Anniversary Vision Awards

**Vice President Joseph Biden**  
United States of America, Washington, DC

**The Honorable Patrick Leahy**  
Senator, State of Vermont, Washington, DC

#### 20/20 Vision Awards

**Jacqueline Agtuca**  
Director of Policy, National Indigenous Women's Resource Center  
Lame Deer, MT

**Cherri N. Allison**  
Executive Director, Alameda County Family Justice Center  
Oakland, CA

**Allen M. Bailey**  
Owner, Law Offices of Allen M. Bailey  
Anchorage, AK

**Mike Bedke**  
Partner, DLA Piper  
Tampa, FL

**Jerry J. Bowles**  
Circuit Judge, Commonwealth of Kentucky  
Louisville, KY

**Sarah Buel**  
Clinical Law Professor, ASU College of Law  
Tempe, AZ

**Matthew J. D'Emic**  
Judge, New York State Supreme Court  
Brooklyn, NY

**Margaret B. Drew**  
Professor, University of Massachusetts School of Law  
Dartmouth, MA

**Terry L. Fromson**  
Managing Attorney, Women's Law Project  
Philadelphia, PA

**Sally F. Goldfarb**  
Professor, Rutgers Law School  
Camden, NJ

**Julie Goldscheid**  
Professor, CUNY Law School  
Long Island City, NY

**Grace Huang**  
Public Policy Coordinator  
Washington State Coalition Against Domestic Violence  
Seattle, WA

**Lisalyn R. Jacobs**  
Vice-President for Governmental Affairs, Legal Momentum  
Arlington, VA

**Mark Schickman**  
Attorney at Law, Freeland Cooper & Foreman LLP  
San Francisco, CA

**Michael R. Smalz**  
Senior Attorney, Ohio Poverty Law Center  
Columbus, OH

**Sharon Stapel**  
Executive Director, New York City Gay and Lesbian Anti-Violence Project  
New York, NY

**Joan Zorza**  
J.D., Domestic Violence Report  
Mitchellville, MD

“Once a reform is achieved, implementation becomes the next focus in making a real difference in the day-to-day lives of women. The tribal coalitions are a key link in the implementation of VAWA because of the organic relationship to their member tribal programs.”

## **Clarity in Strategy and National Grassroots Organizing Are the Key Ingredients**

Jacqueline is a founding member of and serves as a policy advisor for the National Congress of American Indians Task Force on Violence Against Women (2003–present). Since 2003, Jacqueline has served as the editor of the *Restoration of Native Sovereignty and Safety for Native Women* magazine. In 2007, she authored an historical overview of violence against Indian women within the anthology, *Sharing Our Stories of Survival*. In 2014, Jacqueline authored *Safety for Native Women: VAWA and American Indian Tribes*.



“When I left DOJ in 2001, I traveled in order to shift my vision back to organizing. It is important to take time to be thoughtful. As a movement, we must have a broad vision to change our reality. If we imagine ourselves standing on an arch in time from which we see everything before that moment and everything that will come after that moment, our daily struggles have a larger context. This view also provides a confidence in the beauty of the belief that women are sacred and will live safely again.”

## **Addressing the Crisis of Alaska Native Children: Child Protection and Custody Issues in the Context of Domestic Violence**

May 26-27, 2015, Anchorage, Alaska

Recent federal reports highlight the immediate need to address the crisis concerning Alaska Native children/youth. The Indian Law and Order Commission (ILOC) Report, *A Roadmap for Making Native America Safer*, specifically Chapter 2: “Reforming Justice for Alaska Natives: The Time Is Now” and Chapter 6: “Juvenile Justice: Failing the Next Generation,” addresses this urgent concern. In addition, *Ending Violence So Children Can Thrive*, specifically Chapter 5: “Empowering Alaska Tribes, Removing Barriers, and Providing Resources” (the Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence committee), exemplifies the urgent nature of the conditions of Alaska Native children/youth. These reports highlight fundamental problems that undermine Alaska tribes’ rights as

governments and their ability to protect their children/youth, including the sovereign authority to oversee their own internal affairs. The ILOC Report states:

“The Commission finds that the public safety crisis in Native America is emphatically not an intractable problem...We see breathtaking possibilities for safer, strong Native communities achieved through home-grown, tribally based systems that respect the civil rights of all U.S. citizens and reject outmoded federal command-and-control policies in favor of increased local control, accountability, and transparency.”

## National Council of Juvenile and Family Court Judges Convenes Meeting: Alaska Native Women's Community Conversation on Child Protection and Custody in the Context of Domestic Violence

In this context, the National Council of Juvenile and Family Court Judges (Council) hosted a Community Conversation on May 26-27, 2015, in collaboration with the National Indigenous Women's Resource Center (NIWRC) and the Alaska Native Women's Resource Center (AKNWRC). The goal of the meeting was to obtain comments and share knowledge and realities from the Villages that will inform the development and implementation of the Council's projects, including research and evaluation needs regarding child protection and custody involving Alaska Native victims of domestic violence. Council staff included Ruby White Starr, Sarah Smith, Victoria Sweet, Alicia Summers, and Lorie Sicafuse.

The Council convened the Community Conversation with several committee members of the AKNWRC including, Tami Truett Jerue (Athabascan), Shirley Moses (Inupiaq), Lenora Hootch (Yup'ik), Priscilla Kameroff (Inupiaq), Christine Teganlakla (Yup'ik), and Nettie Warbelow (Athabascan), along with NIWRC program specialists, Paula Julian and Rose Quilt, and NIWRC consultant Michelle Demmert. Other critical voices included Mary Ann Mills, Susan Wells (Kenaitze Indian Tribe council members and tribal court judges);

Diane Payne with Justice for Native Children; Ellen Sovalik, former tribal court judge from the Native Village of Barrow and now behavioral health aide with the Arctic Slope Native Association; Augustine Kignak and Marjorie Solomon from the Native Village of Barrow Social Service Department; Ron LeGrand with the National Network to End Domestic Violence; Etiony Aldarondo with the Dunspaugh-Dalton Community and Educational Well-Being Research Center at the University of Miami; and Christine Pate, Director of Legal Programs with the Alaska Network on Domestic Violence and Sexual Assault.

Many important issues were highlighted including the disproportionate percentage of Alaska Native children within the State of Alaska Office of Children's Services (OCS) foster care system. Meeting participants discussed the challenges facing Alaska Native tribes including, but not limited to: ICWA compliance challenges and the lack of understanding of ICWA by OCS employees, other state representatives, and judges; lack of culturally appropriate foster care options; PL-280 issues in the context of child protection and domestic violence; and lack of consistent efforts by the state and/or OCS to collaborate with Alaska tribes among other issues impacting Alaska Native children and their mothers experiencing domestic violence.

A common thread that ran throughout the conversation focused on the lack of recognition of tribal governments by the State of Alaska and the urgent need for the state to work closely with



Alaska's 229 tribal governments and the Alaska Native Women's Resource Center to immediately conduct annual government-to-government consultations on violence against women, including informing and collaborating on the development of the state's STOP implementation plans required by VAWA 2013. Other instances and illustrations directly from the field were shared with potential solutions, collaboration efforts, resources, and recommendations that were offered in the hopes of leading to better outcomes for the health, safety, and welfare of Alaska Native children, victims of domestic violence, and Alaska tribes.


## Looking Forward: Outcomes

Overall, in recognizing the critical link between tribal sovereignty and protecting Alaska Native children, meeting participants are determined to seek solutions, collaborate, and coordinate with appropriate partners, allies, and representatives in the hopes of mending a broken system that is not working for Alaska tribes and most importantly, Alaska Native children/youth. AKNWRC member Nettie Warbelow shared with meeting participants that solutions lie in tribal governments exercising their rights to take care of their own people, sharing "all your laws are locked in your language."

## Victims of Crime Act Update National Call for Congress to Create VOCA Funding for Tribes

As this edition of Restoration magazine goes to print, the Senate Committee on Indian Affairs is preparing for a June 10 Oversight Hearing on Addressing the Need for Victim Services in Indian Country. Nationally tribal leaders, advocates, the National Task Force to End Sexual and Domestic Violence, and many others have called for the creation of a tribal crime victim services and assistance programs. "This would be a significant step toward ensuring that crime victims in tribal communities have access to the services and justice they deserve," said Juana Majel, Co-Chair, NCAI Task Force on Violence Against Women.

## NCAI Resolution Supports Creation of Tribal VOCA Program



**NATIONAL CONGRESS OF AMERICAN INDIANS**  
May 12, 2015

Honorable John Culberson, Chairman  
U.S. House of Representatives  
House Appropriations Committee  
Subcommittee on Commerce, Justice, Science & Related Agencies  
Washington, DC 20515

Honorable Chaka Fattah, Ranking Member  
House Appropriations Committee  
Subcommittee on Commerce, Justice, Science & Related Agencies  
Washington, DC 20515

**RE: AVAILABILITY OF CRIME VICTIMS FUND FOR TRIBAL GOVERNMENTS**

Dear Chairman Culberson and Ranking Member Fattah:

On behalf of the National Congress of American Indians (NCAI), the nation's oldest and largest organization representing American Indian and Alaska Native tribal governments, I am writing to ask for your help addressing a long-standing inequity that leaves American Indian and Alaska Native victims of crime without access to the assistance and compensation that others in our country receive. Specifically, we are requesting that the CJS Appropriations bill include Indian tribes as direct recipients of the annual distributions from the Crime Victims Fund (CVF).

American Indian and Alaska Natives experience the highest crime victimization rates in the country:

- American Indian and Alaska Natives are 2.5 times more likely to experience violent crime than other Americans.
- Approximately 34% of American Indian and Alaska Native women are raped and 61% are assaulted in their lifetime.
- Due to exposure to violence, Native children experience rates of post-traumatic stress disorder at the same levels as Iraq and Afghanistan war veterans.

Despite these devastating rates of victimization in tribal communities, Indian tribes have largely been left out of the Crime Victims Fund, which is the federal government's principle means of providing resources for crime victims.

Unlike state and territorial governments, who receive an annual formula distribution from the CVF, Indian tribes currently do not have any direct access to CVF funds. Tribes are able to access CVF funds only via pass-through grants from the states or by competing for very limited grant resources administered by the Department of Justice. The current method of distributing federal victim services funding to tribal governments is simply not working. According to data from the Office for Victims of Crime, in 2014, the states passed through \$872,197,000—0.2% of available funds—to programs serving tribal victims. Of

**NCAI HEADQUARTERS**  
1100 17th St. N.E.  
Washington, DC 20002  
202 462-7000  
www.ncai.org

Last October, the National Congress of American Indians (NCAI) adopted Resolution ANC-14-048 supporting and urging Congress to create an "above-the-cap" reserve in the Victims of Crime Act, or alternatively, a 10% VOCA tribal set-aside that would fund tribal programs located within the jurisdictional boundaries of an

## Background

The Fund was established by the Victims of Crime Act, which was first passed in 1984. The Fund serves as a dedicated funding source for victim assistance and crime victim compensation throughout the United States. Fines and penalties paid by convicted federal criminal offenders finance the Fund, not taxpayer dollars. Since 2000, Congress has capped how much is available from the Fund for distribution. In recent years, distributions from the Fund have been about \$700 million. However on December 16, 2014, President Obama signed a bill significantly increasing the distributions for FY 2015 to \$2.3 billion. Unfortunately, the vast majority of that funding is distributed via a formula grant to states and territories and is not reaching tribes and tribal communities. Based on the 1984 legislation, only states are eligible to receive formula victim assistance and crime victim compensation grants.

Indian reservation or Alaska Native Village that provide services to Native women victimized by domestic and/or sexual assault. The Attorney General's Task Force on American Indian and Alaska Native Children Exposed to Violence also endorsed this recommendation in its 2014 report.

Provided here are NCAI briefing materials on the need for Congress to address this longstanding inequity that leaves American Indian and Alaska Native victims of crime without access to the assistance and compensation that are available to others in this country.

# Tribal Leaders Comments on Need for a Tribal VOCA Grant Program

During the 2014 VAWA USDOJ Consultation, numerous tribal leaders commented on the need for the creation of a tribal VOCA grant program.

## Herman Williams, Senior Chairman for the Tulalip Tribes

We need a permanent tribal set-aside under VOCA that is funded directly to tribes and not as a pass-through of the state block grant programs. VOCA receives more than \$2 billion each year as a result of fines and penalties—not from tax dollars. This money must go out to all victims of crime, not just state or federal court victims. We also need to be able to expand our victim services within communities, so that victims are able to stay in their communities and so communities are made safe for all.

## Michael Williams, Tribal Council Representative of the Akiak IRA Council, Akiak Native Community

Indian tribes are currently shut out of VOCA funding, the largest federal funding source for crime victims. Consistent with NCAI Resolution ANC-14-048, we ask DOJ to advocate for an increase in the VOCA funding cap and the creation of a 10% set-aside for tribal governments.

## Victims of Crime Act Funding Providing Services and Justice to Native Victims of Crime

### Key Points:

- American Indian and Alaska Natives experience the highest crime victimization rates in the country, but are largely left out of the programs funded through the Victims of Crime Act, the primary funding source for crime victim services and compensation.
- Congress should adopt appropriations language that would direct 10% of the annual disbursements from the Crime Victims Fund to tribal governments.

### Why is a Change to VOCA Needed?

American Indian and Alaska Natives experience the highest crime victimization rates in the country.

- American Indian and Alaska Natives are 2.5 times more likely to experience violent crime than other Americans.
- Approximately 34% of American Indian and Alaska Native women are raped and 61% are assaulted in their lifetime. On some reservations, the murder rate is 10 times the national average.
- Due to exposure to violence, Native children experience rates of post-traumatic stress disorder at the same levels as Iraq and Afghanistan war veterans.

Despite these devastating rates of victimization in tribal communities, Indian tribes have largely been left out of the Crime Victims Fund (CVF), which is the federal government's principle means of providing resources for crime victims.

Unlike state and territorial governments, who receive an annual formula distribution from the CVF, Indian tribes are only able to access CVF funds via pass-through grants from the states or by competing for very limited resources administered by the Department of Justice. The current method of distributing federal victim services funding to tribal governments is simply not working. According to data from the Office for Victims of Crime, in 2014, the states passed through \$872,197.00—0.2% of available funds—to programs serving tribal victims. Of the 566 federally-recognized tribes in the country, fewer than 20 received pass-through grants from the state.

The competitive grants from DOJ have been equally problematic. Fewer than ten tribes receive these grants each year for a three-year term, with no guarantee that this funding will be renewed. Unfortunately, without additional action by Congress, Indian tribal governments will continue to have no direct access to critical CVF funds.

## How Much Funding is Needed?

Tribal communities experience high victimization rates, geographic remoteness, high poverty, and an underdeveloped victim services infrastructure that is the result of the historic exclusion of tribes from the CVF programs. While we know need is high, it is difficult to calculate the precise amount needed to fully meet the needs of victims on tribal lands. Below are some examples of funding needs for victim services on tribal lands and how CVF funds could be spent.

- **Victim services in prosecutor offices.** Every prosecutor's office should have at least one victim assistant, who can link victims to community services, assist them in filing an application for victim compensation, provide notice of events and proceedings, assist victims in exercising their rights to make an impact statement or request restitution, and provide additional support. **NEED:** Approximately 200 Indian tribes operate criminal courts. Placing a victim assistant in each tribal prosecutor's office would cost **\$10 million.**
- **Children's Advocacy Centers** provide a child-focused, multidisciplinary response to child abuse, especially child sexual abuse. Native American children are at increased risk for victimization, but very few CACs exist on tribal lands. While some tribal communities may be served by CACs off the reservation, the average driving distance to a CAC from tribal lands is 62 miles. For over 100 tribal communities, the driving distance is between 100 and 300 miles. **NEED:** Creating access to CACs for 100 tribal communities at an average annual budget of \$200,000 would cost **\$20 million.** Creating it for 250 tribes (less than half

the tribes in the nation) would cost **\$50 million.**

- **Tribal Domestic Violence and Sexual Assault Services.** Native American women are assaulted at rates two and a half times the national average. While some tribes provide services for domestic violence and sexual assault victims, resources for doing so are woefully inadequate. **NEED:** For FY 2014, DOJ's Office on Violence Against Women received applications from tribal governments requesting approximately \$55.6 million for domestic violence and sexual assault services in its two primary tribal grant programs. OVW provided \$33.26 million, suggesting an unmet need of at least **\$22 million.**
- **Tribal Domestic Violence Shelters.** There are currently fewer than 40 tribal domestic violence shelters in operation. Those programs that do exist reported an unmet need of over 60,000 shelter bed nights in 2013. **Need:** Building a shelter program in an additional 50 tribal communities at a cost of \$300,000 would cost **\$15 million.**
- **Sexual Assault Forensic Examiners.** The rate of sexual violence in Indian Country far exceeds rates of sexual violence in other communities in the United States. More than two-thirds of tribal lands, however, are more than 60 minutes away from the nearest sexual assault forensic examiner. **NEED:** To fund one trained examiner in half of the 566 tribal communities at \$50,000 for salary and benefits would cost **\$14 million.**
- **Services for sex trafficking victims.** Sex trafficking victims need

specially designed services, including navigators to connect sexually exploited youth throughout the state with the shelter, support and services they need; shelters and housing; and training for criminal justice and child protective services professionals who come into contact with such victims. **NEED:** To fund one trafficking expert in half of the 566 tribal communities at \$50,000 for salary and benefits would cost **\$14 million.**

- **Legal assistance for victims Victims' rights clinics.** Victims' rights clinics represent the rights and interests of victims in the criminal case. They ensure that rights will be honored in practice, not just in statute. To date, only a few clinics have been created, though the need has been recognized. **NEED:** To meet the unique legal needs of tribal victims, each tribal community would ideally have access to a victims' rights attorney who is familiar with tribal law, custom, and culture. Providing one attorney for half of the nation's Indian tribes at \$80,000 for salary and benefits would cost **\$22 million.**

**Civil and family law assistance for victims.** Legal services are second only to medical services as the most-requested need of victims. Legal services can help victims with practical matters, including seeking protective orders, custody and child support issues, breaking a lease to regain safety, and so forth. Very few tribes currently operate legal services programs. There are currently 25 Indian legal services programs affiliated with the Legal Services Corporation. These programs have been very successful and report a high demand for services. **NEED:** Looking at typical expenses under an existing OVW grant program, the average cost



is \$163,265 per lawyer, which includes a legal aid-level salary and all overhead and related expenses (space, computer, benefits, required annual training, etc.). Funding an additional 100 tribal legal assistance lawyers for victims would cost **\$16.3 million**.

- Services for the survivors of homicide victims are rarely funded but sorely needed, for surviving spouses, children, and other affected family members and partners. Needed services include criminal justice advocacy, assistance in applying for victim compensation, funding to travel to trials that are out of state, legal assistance, financial counseling if the murdered victim was the breadwinner, mental health counseling or other therapy, and similar services. **NEED:** Iowa is the rare state that has committed to supporting regional services for survivors of homicide and

other violent crimes. In FY 2014, the state used \$393,441 in federal grant funds to support 4 regional programs for survivors of homicide and other violent crimes. Creating 25 such programs for tribal victims would cost approximately **\$2.5 million**.

### **Who Supports Creation of a Tribal Funding Stream From the CVF?**

Last year, NCAI, the largest national organization of American Indian and Alaska Native tribal governments, adopted Resolution ANC-14-048 urging Congress to establish a 10% allocation from CVF disbursements for tribes.

Recognizing the disproportionate need for victim services in tribal communities, the Office for Victims of Crime's Vision 21 report also called for increasing resources to tribal communities in order

to "ensure that victims in Indian Country are no longer a footnote to this country's response to crime victims."

The Attorney General's Task Force on American Indian and Alaska Native Children Exposed to Violence similarly called for a 10% tribal allocation from the CVF in its 2014 report.

A 10% tribal allocation from the CVF has also been supported by the National Task Force to End Sexual and Domestic Violence, a coalition of more than a thousand organizations that advocate on behalf of victims of domestic violence, dating violence, sexual assault and stalking.

*For more information, please contact NCAI Senior Policy Advisor Virginia Davis at [vdavis@ncai.org](mailto:vdavis@ncai.org).*

## **Family Violence Prevention and Services Act Sunsets Dec.10, 2015**

First passed in 1984, the Family Violence Prevention and Services Act (FVPSA) is the primary federal funding source dedicated to providing immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence and their dependents. Of the \$135 million appropriated to FVPSA in 2015, \$13.5 million in FVPSA formula grants were distributed based on population to more than 200 tribes in 26 states. Local tribal domestic violence programs served 30,452 victims of domestic violence and their children in 2013. This is 2.3 percent of clients served by FVPSA-funded programs. Ninety percent of adults served were female, and 10 percent were male.

Of the \$135 million appropriated to FVPSA in 2015, over \$95.5 million FVPSA formula grants were distributed based on population to every state, the District of Columbia, Puerto Rico, and four U.S. territories. FVPSA State and Tribal Grants fund close to 1,600 domestic violence shelters and 1,300 non-residential service sites. Each year, local domestic violence programs, including tribal programs, serve about 1.3 million victims of domestic violence and their children. In 2013, 92.5 percent of the adults served were female, and 7.5 percent were male.

The legislation mandates that "not less than 10 percent" of the annual appropriation shall be used to support Indian tribes to achieve the purposes of the Act. FVPSA funds include support for emergency shelter, crisis hotlines, counseling services, victim assistance initiatives, and other similar services. With funding under FVPSA many Indian tribes have developed tribal programs to provide a spectrum of services, including: shelter; safety planning; counseling; legal services; child care and services for children; career planning; life skills training; community education and public awareness; and other necessities, such as clothing, food, and transportation. Yet, despite these advances, funding and services remain nonexistent for over one-half of all Indian nations. Given this lack of resources, Indian tribes and tribal coalitions strongly support reauthorization of FVPSA.

## NCAI Resolution Supporting FVPSA Reauthorization

During the Atlanta NCAI conference in October 2014, the NCAI Task Force worked with tribal leaders, advocates, and tribal coalitions on Resolution #ATL-14-028, which supports reauthorization of FVPSA. The resolution included several important tribal amendments. The NCAI voted unanimously in support of the resolution that will provide direction to NCAI staff and the NCAI Task Force on Violence Against Women to work toward reauthorization of FVPSA in 2015.

*NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby resolve to support reauthorization of the Family Violence Services Protection Act and increased FVPSA funding under the Health Services Appropriations bill, and*

*BE IT FURTHER RESOLVED, that the NCAI does hereby resolve to support amendments to increase the tribal set-aside in FVPSA;*

FVPSA supports lifesaving emergency shelter, crisis lines, counseling, safety planning, legal assistance, and preventive education to millions of adults and children annually. These effective programs save and rebuild lives. A recently released multi-state study shows conclusively that the nation's domestic violence shelters are addressing both urgent and long-term needs of victims of violence, and are helping victims protect themselves and their children. There is an unconscionable gap between desperate need and available resources. In just one day in 2010, 1,746 domestic violence programs served 70,648 victims. On that same day, however, over 9,500 requests for services went unmet because programs lacked the necessary funding to meet the victims' needs. These statistics are for the United States and not reflective of the need of tribal domestic violence victims.

FVPSA is authorized at \$175 million but Congress has never appropriated the full amount. Tribal support is needed for Congress to reauthorize and increase the amount for this lifesaving program. NCAI, recognizing this need, included language in its resolution supporting both reauthorization and an increase in annual resources to Indian tribes under FVPSA.

## Support for Amending FVPSA to Include Tribal Coalitions

Currently, state domestic violence coalitions receive funding under FVPSA to support training and technical

assistance to member programs, serve as information clearinghouse for their respective states, and also coordinate FVPSA-related activities. The FVPSA legislation does not include comparable language for tribal nonprofit coalitions, and thus the FVPSA office is not authorized to fund tribal coalitions to provide similar support to their member tribal programs. This lack in authorizing language creates a gap in the support tribal programs receive to enhance their tribal response to domestic violence. The NCAI resolution included language supporting the creation of a tribal coalition grant program under FVPSA.

*BE IT FURTHER RESOLVED, that the NCAI does hereby resolve to support amendments to the FVPSA to include Tribal Domestic Violence Coalitions;*

## Call for Creation of National Native Tribal Hotline/Helpline

In 2012, the FVPSA-funded National Domestic Violence Hotline (NDVH) began collaborating with the National Indigenous Women's Resource Center (NIWRC) on an initiative aimed at enhancing hotline services and outreach to Indian tribes. A Native Women's Virtual Council comprising Native women from Alaska and several lower 48 states was formed to assist hotline advocates to better serve American Indian and Alaska Native callers. The initial focus was updating the hotline's database of information on tribal resources and identifying training needs of hotline staff on issues specific to Native victims of domestic and dating violence. Recognizing there are few Native organizations to assist Native victims; the NIWRC and the NDVH with input from the Native Women's Virtual Council have agreed that a remedy to this problem is a National Native Domestic Violence Hotline/Helpline developed and staffed by Native victim advocates. The NCAI resolution supports amending FVPSA to establish a national Native hotline.

*BE IT FURTHER RESOLVED, that the NCAI does hereby resolve to support a National Native Hotline/Helpline developed and run by Native advocates to provide information and culturally appropriate support and assistance to Native adult and youth victims of family violence, domestic violence, or dating violence.*

Indian tribes and tribal regional organizations supporting reauthorization of FVPSA may consider passing a tribal resolution supporting the recommended amendments contained in the NCAI Atlanta FVPSA resolution.

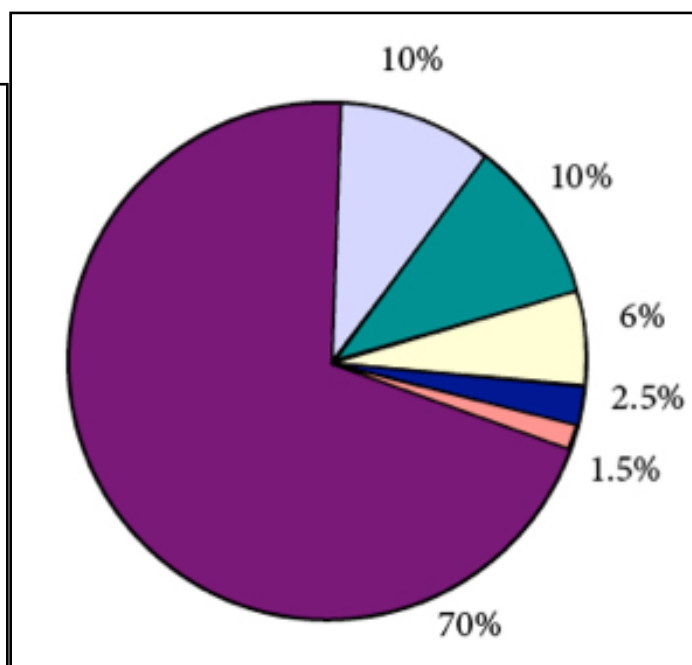
## FVPSA funding authorized by Congress at \$175 million in 2010, yet current appropriations are only \$135 million

- State formula to provide shelter and supportive services through subgrants to local domestic violence programs – local programs serve nearly a million adult and child victims annually – 70%
- Tribal formula to provide shelter and supportive services – 10%
- National and specialized training and technical assistance resource centers – 6%
- State Domestic Violence Coalitions to act as the information clearinghouses and coordinate state- and territory-wide domestic violence programs, outreach, and technical assistance – 10%
- Monitoring, evaluation, and administrative cost – 2.5%
- Discretionary projects – 1.5%

In addition the following are authorized under FVPSA:

- DELTA prevention grants authorized at \$6 million
- National DV Hotline authorized at \$3.5 million

- State and Territorial Formula Grants - 70%
- Tribal Formula Grants - 10%
- State Domestic Violence Coalitions Formula Grants - 10%
- National and Special Issue Resource Centers - 6%
- Evaluation, Monitoring and Administration - 2.5%
- Discretionary - 1.5%



NATIVE *Love* IS  
COMPASSION

“Native women have a right to be protected against violence and to be treated with respect.” -Raelyn Rodriguez, Rincon Band of Luiseño Indians

NATIVE  
*Love*  
CHALLENGE

## Views from Tribal Leaders on FVPSA Reauthorization During the VAWA 2014 Consultation

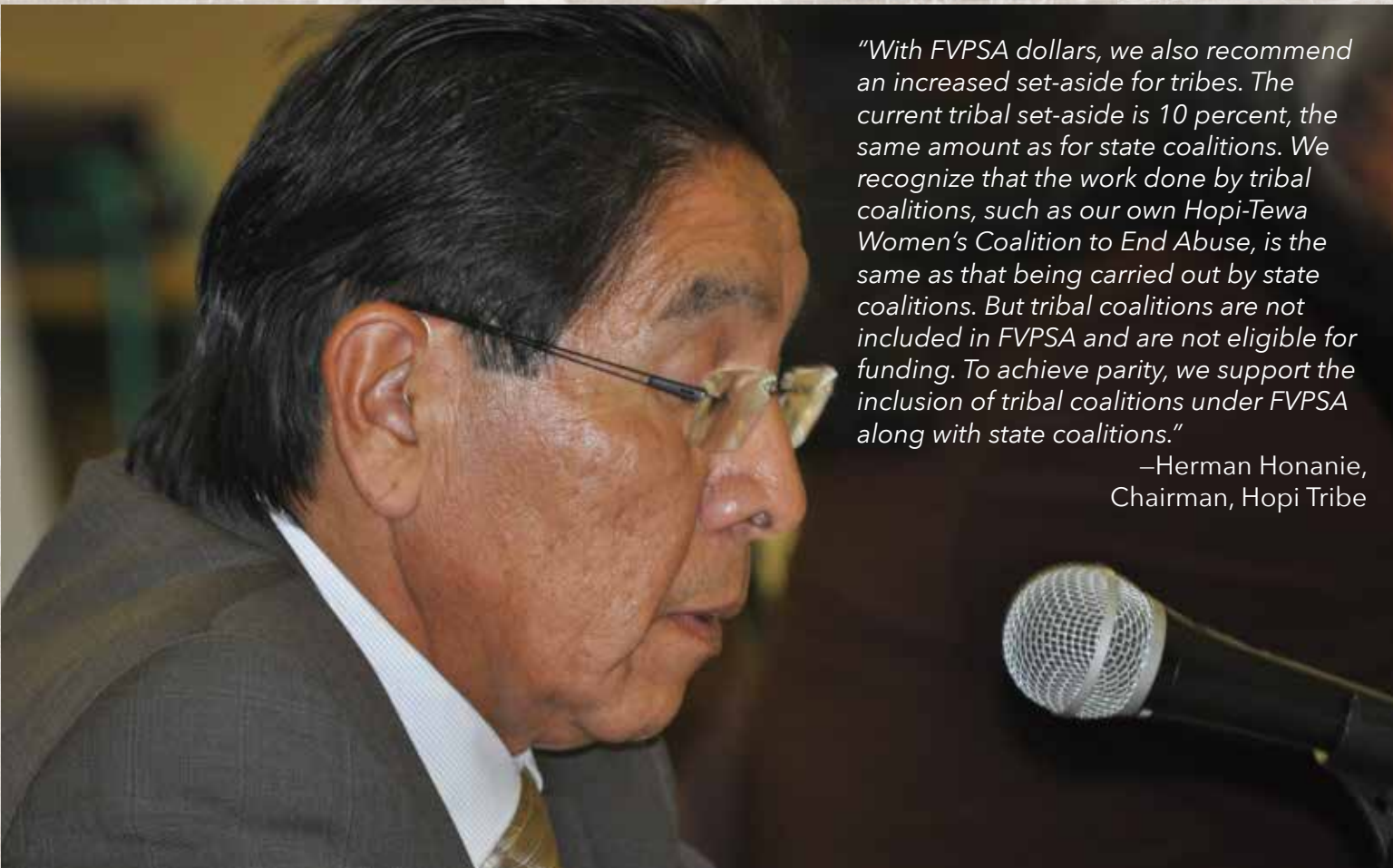
*'The Village of Anvik strongly supports increasing overall Family Violence Prevention and Services Act (FVPSA) appropriations, from the tribal allocation of 10 percent to at least 15 percent, and the creation of a separate, annual, non-competitive funding source specific to Alaska Native tribes out of the FVPSA tribal allocation.'*

*—Carl Jerue, Chairman, Native Village of Anvik*



*"With FVPSA dollars, we also recommend an increased set-aside for tribes. The current tribal set-aside is 10 percent, the same amount as for state coalitions. We recognize that the work done by tribal coalitions, such as our own Hopi-Tewa Women's Coalition to End Abuse, is the same as that being carried out by state coalitions. But tribal coalitions are not included in FVPSA and are not eligible for funding. To achieve parity, we support the inclusion of tribal coalitions under FVPSA along with state coalitions."*

*—Herman Honanie,  
Chairman, Hopi Tribe*



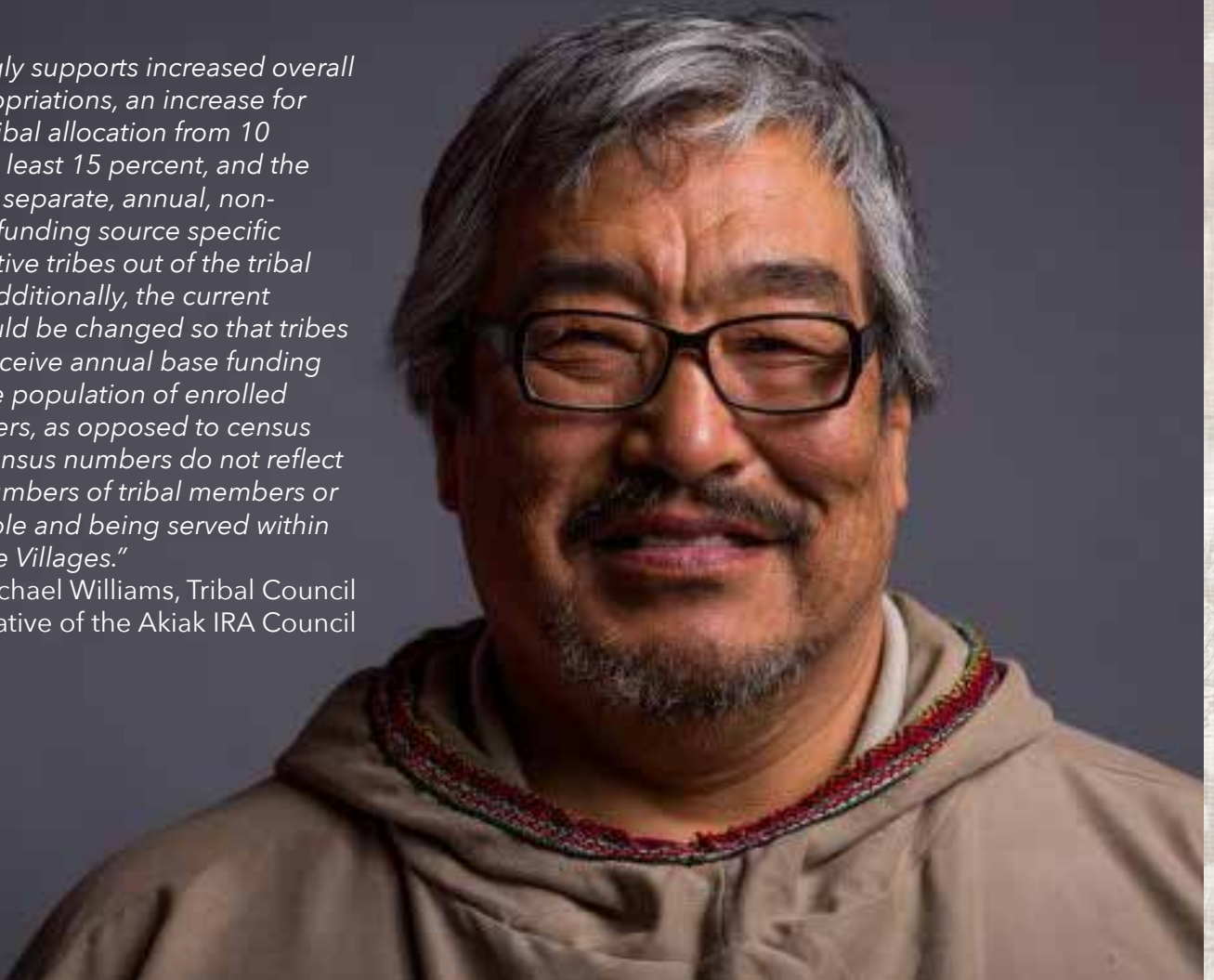
*"We are very proud of the work that our shelter program, Wiconi Wawokiya, Inc., has done in our community for the past 29 years. Wiconi has a shelter in Fort Thompson and Sioux Falls, with programs for emergency shelter, transitional housing, domestic violence offender education, children's advocacy services, and a number of training programs for advocates, law enforcement, and the public. Yet every year, the staff must scramble for money. The tribe authorizes Wiconi to write and administer the FVPSA grant. This is a good arrangement because it eliminates paperwork and bookkeeping for the tribe. The grant reports and application are manageable and the funding allows much more flexibility than OVW grants. But the funding is totally inadequate. The base amounts for each tribe must be raised."*

*—Roxanne Sazue, Chairwoman,  
Crow Creek Sioux Indian Tribe*



*"Akiak strongly supports increased overall FVPSA appropriations, an increase for the FVPSA tribal allocation from 10 percent to at least 15 percent, and the creation of a separate, annual, non-competitive funding source specific to Alaska Native tribes out of the tribal allocation. Additionally, the current formula should be changed so that tribes can opt to receive annual base funding based on the population of enrolled tribal members, as opposed to census numbers. Census numbers do not reflect the actual numbers of tribal members or victims eligible and being served within Alaska Native Villages."*

*—Michael Williams, Tribal Council  
Representative of the Akiak IRA Council*



# Support for FVPSA Reauthorization Inclusive of a National Native Domestic Violence Hotline/Helpline

For nearly 20 years, the National Domestic Violence Hotline (NDVH) has been a vital link to safety for many affected by domestic violence. Its advocates respond to calls 24/7, 365 days a year. Over many years, NDVH has continued to grow and expand contact services to include online chat and texting.

Gaps, however, exist in service delivery to Native callers/communities. For example, in calendar year 2013, 1,196 of 248,278 callers to the NDVH self identified as American Indian or Alaska Native. In calendar year 2014, 1,151 of 298,188 callers self identified as AI/AN. These statistics for both years represent less than ½ percent of the total calls. In 2014, the top 5 states in contact volume were California (176), Arizona (173), Texas (67), Washington State (57), and New Mexico (54).

The low Native caller trend maintained in 2014, in spite of the September 8, 2014, posting of a video of Ray Rice knocking out his then fiancée, which resulted in an 84 percent spike in calls to the NDVH. After learning the huge call spike had crashed the NDVH call system, the National Football League (NFL) announced it would donate funds to the NDVH. The NDVH is contributing a portion of this resource to help fund the creation of a National Native Domestic Violence Hotline (NNDVH).

NIWRC staff Lucy Simpson, Executive Director, Dorma Sahneyah, and Tang Cheam recently met with NDVH staff to begin the planning process, including establishment of timelines for site selection, infrastructure development, building a tribal resource database, staff hire/training, and tribal community outreach.

An integral part of insuring sustainable future funding for the NNDVH is support for reauthorization of the Family Violence and Prevention Services Act (FVPSA) inclusive of a National Native Domestic Violence Hotline/Helpline. The FVPSA sunsets on December 10, 2015, and given the overall inadequacy of resources for Indian tribes, tribal support for increased FVPSA funding for enhanced service delivery to Native victims of domestic violence is critical.

In October 2014, the National Congress of American Indians passed during its Atlanta conference Resolution #ATL-14-028, which supports the creation of a NNDVH to be developed and run by Native advocates to provide information and culturally appropriate support and assistance to victims of family violence, domestic violence, or dating violence.

## Lisa Thompson-Heth Receives National Crime Victim Service Award

On April 21, 2015, Executive Director Lisa Thompson-Heth of Wiconi Wawokiya, Inc., of the Crow Creek Sioux Indian Reservation, was awarded the National Crime Victim Service Award by Attorney General Eric Holder. The national award recognized the years of hard work and devotion Heth has shown in reducing violence in central South Dakota.

"It was a very humbling experience and I'm very honored," Heth said of receiving the national award. After providing victim services for almost 25 years, Heth dedicated the honor to numerous advocates in Indian country, staff members at Wiconi Wawokiya, Inc., and to God for illuminating her purpose

in life. "We've gone through some tough times over the years, so I

wouldn't feel right not to give glory and honor to our Creator for his



May 20, 2015 - Crow Creek Sioux Tribal Chairwoman Roxanne Sazue (left) congratulates Lisa Heth for receiving the National Crime Victim Service Award from the Office for Victims of Crime and USDOJ.

## Tribal Advocate Highlights

Tribal Advocate Highlights is a new section to *Restoration* dedicated to spotlighting the efforts of tribal advocates, tribal shelter programs, and tribal coalitions to increase the safety of Native women—what Tillie Black Bear called “work in the trenches.” We welcome this new section by introducing you to a tremendous program director, Lisa Thompson-Heth (Wiconi Wawokiya, Inc.). We are also pleased to showcase Wiconi Wawokiya, Inc., a tribal nonprofit serving as the umbrella organization for two tribal shelters and numerous services to end domestic and sexual violence on the Crow Creek Sioux reservation.

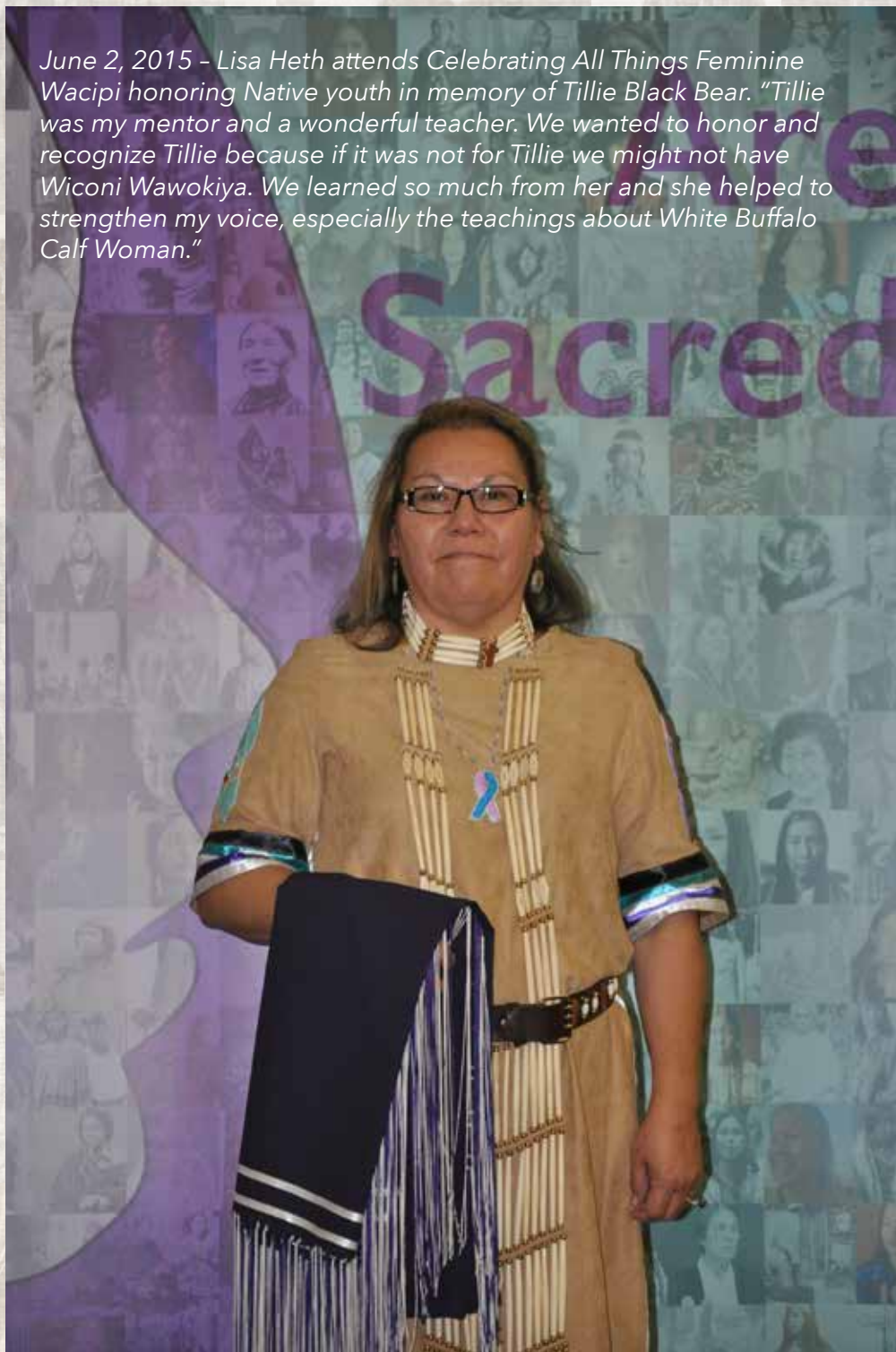
guidance and his ability to show me the way and provide me with the strength to sustain and keep going.” Heth said, “It’s heartbreaking to see the pain abused women and children go through and thankfully God has provided us with the means to meet their needs.”

The Office for Victims of Crime (OVC) leads communities across the country in observing National Crime Victims’ Rights Week. Each year, the OVC hosts the National Crime Victims’ Rights Service Awards ceremony honoring 12 individuals and programs for their extraordinary actions to bring positive and lasting changes in the lives of crime victims.

“The Department of Justice is proud to recognize the tremendous contributions of dedicated colleagues, passionate advocates, and extraordinary partners in the field of victim services,” said Attorney General Eric Holder. “From safeguarding survivors of sexual violence to assisting victims of mass marketing fraud, the recipients of today’s awards have been instrumental in our nationwide effort to protect the most vulnerable among us, to prevent and combat crime, and to help victims find hope and seek justice.”

Wiconi Wawokiya, Inc. translates from Dakota into “helping families” and is often referred to as Project SAFE Shelter. But it also includes Children’s SAFE Place, which is a member of the Child Advocacy Centers of South Dakota (CACSD).

*June 2, 2015 - Lisa Heth attends Celebrating All Things Feminine Wacipi honoring Native youth in memory of Tillie Black Bear. “Tillie was my mentor and a wonderful teacher. We wanted to honor and recognize Tillie because if it was not for Tillie we might not have Wiconi Wawokiya. We learned so much from her and she helped to strengthen my voice, especially the teachings about White Buffalo Calf Woman.”*



Heth's mission is to empower victims by providing them with a safe haven, while working to engage and educate communities throughout South Dakota on the dynamics of domestic violence, sexual assault, stalking, rape, and child abuse.

"On behalf of the Child Advocacy Centers of South Dakota, we applaud Lisa on receiving this well-deserved honor from the

Department of Justice, and appreciate the much-needed services she provides for so many victims," said CACSD Coordinator Casey Murschel. "Too often the public is unaware of the critical role victim services plays in the healing process of abuse victims, both children and adults. This award recognizes the importance of that work. Project SAFE Shelter and Children's SAFE Place both offer multidisciplinary victim services,

including the battered women's shelter, and a site for forensic and physical interviews and exams for adult and child victims. In addition, Heth created a computer center for victims to search for jobs, take classes online, and provide victims with services to relocate or restore financial independence.

## Wiconi Wawokiya, Inc., Shelter and Services, Founded in 1985 Located on the Crow Creek Reservation, Fort Thompson, SD



Wiconi Wawokiya, Inc. is a tribal nonprofit that began as a shelter and over the last three decades has expanded to offer additional services and also serve as an umbrella organization for a second shelter located in Sioux Falls. Wiconi Wawokiya

has been in continuous operation since 1985. It is one of the oldest tribal programs in the United States and has many lessons to offer to the movement from its experience.

In 1995, the organization opened its own shelter for victims of domestic violence. Prior to that time, the only form of shelter was office space and two bedrooms. The new facility currently has the capacity to provide shelter for 12 to 14 people, including children. Victims from both the Crow Creek and Lower Brule Reservations seek refuge here.

The shelter environment is like a home and provides safety in its location on the reservation so victims do not have to leave their jobs, have their children change schools, or be removed from their extended families when seeking support. Wiconi Wawokiya has developed a complex of buildings that provide services for adults and children, including a storage area for donated clothing and household items that victims may need to start their lives over.

*Project SAFE Shelter*, is a shelter for battered women and their children. The shelter also provides services to

victims of sexual assault and child abuse. Project Safe Shelter was originally started by a small, concerned group of volunteers. In 1986-1987, through assistance from the Family Violence Prevention and Services Act, the Crow Creek Sioux Tribe funded, for the first time in the history of the tribe, an emergency shelter for victims of family violence. In November 1989, the Crow Creek Bureau of Indian Affairs (BIA) loaned a three-bedroom house to Wiconi Wawokiya, Inc. for housing the shelter. In June 1993, the Tribal Council passed a resolution to accept a house from the BIA and in turn donated it to Wiconi Wawokiya, Inc. for housing the shelter. Wiconi Wawokiya gutted the house and remodeled it for both offices and living quarters for women and children. The shelter can house 14 to 16 people at one time.

Since 2000, Wiconi has served as the umbrella of their sister shelter Mita Maske Ti Ki (Lakota for My Sister's Friend's House) located off the reservation in Sioux Falls, South Dakota. More than just a house, it is a home,

Wiconi Wawokiya has been the impetus for social change in their community and surrounding rural communities.

offering a culturally sensitive option for women who seek shelter, 85 percent of whom are Native American. Mita Maske Ti Ki embraces a traditional Native belief that women and children are sacred, as well as providing a relaxed atmosphere that sets My Sister's Friend's House apart.

Wiconi Wawokiya, Inc. is located on the Crow Creek Sioux Indian Reservation in central South Dakota. The current population is approximately 3,500 people. The reservation encompasses 358,361 acres and lies within the boundaries of Hyde, Hughes, and Buffalo counties. It is significant that Buffalo County ranks as



the poorest county in the nation. Fort Thompson is centrally located on the reservation and is the center of government, tribal, and business interests. Big Bend District is 45 miles to the northwest and the Crow Creek District is 16 miles to the southwest.

Wiconi Wawokiya, Inc. receives its funding through grants on local, state, and federal levels and provides services to a large rural area including the Crow Creek Indian Reservation. This reservation and the surrounding communities that make up the service area experience significant geographical isolation. Since Wiconi Wawokiya, Inc. was established, the community has become more aware of domestic violence and sexual assault. With that awareness, Wiconi Wawokiya, Inc. has hope for a better tomorrow without violence within the community.



A graphic for Wiconi Wawokiya, Inc. featuring a teepee, a globe logo, and text: "WELCOME TO WICONI WAWOKIYA, INC. A LIFE WAY TO A BETTER FUTURE WITHOUT VIOLENCE IN OUR COMMUNITY. PROVIDING: DOMESTIC AND SEXUAL VIOLENCE PREVENTION/EDUCATION ON-CALL, CONFIDENTIAL VICTIM'S ADVOCACY A SAFE PLACE FOR WOMEN AND CHILDREN COMMUNITY ACTION TO ENDING DOMESTIC VIOLENCE CRISIS LINE: 1-800-SAFE-039 AFTER BUSINESS HOURS: 605-730-2471 UWO WELCOME SERVING THE CROW CREEK RESERVATION AND SURROUNDING RURAL AREAS SINCE 1985". The graphic includes a stylized globe logo on the left and a yellow and blue teepee on the right.

### Mission of Wiconi Wawokiya, Inc.

- To reduce violence in the homes, workplace, schools, and the communities in which we live.
- To provide safety to the victims of domestic violence, dating violence, stalking, adult and child sexual assault victims.
- To empower those who are oppressed by providing information, encouragement and support.
- To promote respect for individual differences and diversities.
- To educate a society on the dynamics of domestic violence and sexual assault in intimate relationships, stalking, rape and child sexual assault.

For more information on Wiconi Wawokiya, Inc., call (605) 245-2471, e-mail [wiconi@midstatesd.net](mailto:wiconi@midstatesd.net), or visit [www.wiconiwawokiya.org](http://www.wiconiwawokiya.org).

# Sliver of a Full Moon, A Full House at Yale University

ARTS & CULTURE NEWS Provided by Mary Kathryn Nagle | Photos by Tom Flickin

"How is *Oliphant* still good law?"

"You mean the Supreme Court hasn't overruled *Oliphant*?"

These were the questions asked by Yale Law School students on March 31, 2015, after witnessing our performance of *Sliver of a Full Moon*. The March 31st presentation at Yale was—thanks to Professor Ned Blackhawk and the students in the Yale Native American Law Students Association (NALSA)—a huge success.

Professor Blackhawk invited us to Yale to present *Sliver* after seeing us perform the play in Joe's Pub in New York last September. When NALSA President Katie Jones came forward with her plan to present the play to her fellow law students, I knew this was an opportunity we could not miss.

For the two hundred or so Yale Law School students sitting in the audience, this was their first introduction to *Oliphant* and the myriad of Supreme Court decisions that govern our lives—and as of now, prevent our tribal governments from protecting our people. Yale Law School sends more students to clerk on the Supreme Court than any other law school; yet the majority of Yale graduates who go on to serve our nation's highest court have no understanding of *Oliphant* or its impact on our people.

Someone has to educate them. And if American law schools won't do it, we will!

For those of you who have not yet met Katie Jones, look out. This young Cherokee woman is on her way to making a difference for all of our people! She worked tirelessly day and night for four months



Members of the Blue Feather Drum Group take the stage during the Yale performance.

to make this reading the most successful presentation of *Sliver* ever. Her hard work paid off, and the Honorable William Fletcher of the Ninth Circuit Court of Appeals accepted her invitation and agreed to give the keynote address.

The night began through an expression of respect and gratitude when Chief Lynn Malerba of the Mohegan Tribe of Connecticut welcomed the production with a prayer and blessing. After she offered her prayer, Judge Fletcher gave his opening remarks, emphasizing the importance of tribal sovereignty to allow tribal governments to protect their own citizens. He explained the damage caused by the Supreme Court's decision in *Oliphant*, a decision that removed tribal jurisdiction over non-Natives who commit crimes on tribal lands. And he educated the students on how and why the partial restoration in the 2013 reauthorization of VAWA is an important first step to restoring tribes' inherent authority to protect their citizens.

His remarks were followed by the Bluefeather Drum Group, a group of incredibly talented Native students at Yale. And then the play took the stage, featuring a cast of 15, including survivors Billie Jo Rich and Lisa Brunner, professional actors, and Native students from Yale. The audience laughed. They cried. And when the actors and survivors took their seats, the audience leapt to its feet. The standing ovation continued on until I took the microphone and begged people to sit back down. The love and support in that room was palpable.

Following the play, Chairwoman Terri Henry of the Eastern Band of Cherokee Indians joined Lisa Brunner, Billie Jo Rich, and the Native students from Yale in a lively talkback. The students peppered the panel with questions, and Lisa Brunner in particular gave thoughtful, straightforward answers to their complicated questions regarding Indian law.

Odds are, several future Supreme Court clerks were sitting in that

audience, and heard Lisa Brunner speak. Odds are, a future Supreme Court clerk heard Billie Jo's story. Odds are, for the first time, they heard a powerful woman tribal leader, Terri Henry, explain the significance of her tribe's sovereignty. And the odds are that a future Supreme Court clerk heard our Alaskan sisters' plea for justice: that none of us are safe until VAWA Section 904 is amended to ensure that all federally recognized tribes in Alaska are permitted to exercise the jurisdiction authorized in Section 904.

Because no Supreme Court Justice has ever hired a Native American law clerk, it is imperative that we educate all potential, future non-Native law clerks about how the decisions they write affect our lives. Because if we don't, who will?

I knew we had done our job when I overheard Yale Law students speaking after the play.

"I can't believe *Oliphant* is still good law."

"That should be overruled. All tribes should have the jurisdiction necessary to protect their citizens."

Our voices are powerful. I am so thankful to Professor Ned Blackhawk and NALSA President Katie Jones for providing us with such a powerful platform to use them!

Wado! Mary Kathryn



Above: March 31, 2015 - Playwright Mary Kathryn Nagle enjoys a moment with the cast and members of the Yale Native American Law Students Association who made the performance possible.

Below: Sliver of a Full Moon Yale performance cast members: (from right) Lisa Brunner, Program Specialist, NIWRC, and actress Tanis Parenteau.



# World Conference on Indigenous Peoples' Follow-Up Work

International Update Provided by Jana L. Walker, Karla E. General, and Christopher T. Foley, Indian Law Resource Center

The Outcome Document adopted during the September 2014 World Conference on Indigenous Peoples by the United Nations General Assembly contains important commitments by states to implement the UN Declaration on the Rights of Indigenous Peoples. Key provisions include decisions to (1) initiate a process to create a permanent body in the UN system that will monitor and encourage implementation of the Declaration; (2) consider options for tribal and other indigenous governments to participate in UN meetings on a permanent basis; (3) respect places sacred to indigenous peoples; and (4) address violence against indigenous women. The Outcome Document also calls for the UN to develop an action plan to bring greater coherence and effectiveness to the UN's work relating to indigenous peoples. Work to ensure that these commitments are fulfilled is now underway in various UN bodies.

## UN Permanent Forum on Indigenous Issues: Expert Group Meeting

On January 28-29, the UN Permanent Forum organized a Dialogue on an Optional Protocol to the UN Declaration on the Rights of Indigenous Peoples. This meeting brought together experts from within and beyond the UN system to discuss proposals for the creation of an implementing and monitoring body for the UN Declaration. While the agenda addressed only the idea of an optional protocol or treaty to create binding legal obligations on participating states to implement the Declaration, the two-day discussion considered other options, including changing the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, as called for in the Outcome Document. The Indian Law Resource Center urged that

any implementing body should not simply replicate existing modes of work, but should include innovative approaches to secure the broadest realization of the rights in the Declaration. The Center's proposals are available at <http://goo.gl/wD61dZ>.

## UN Commission on the Status of Women

The 59th session of the Commission took place March 9-20 in New York. The Outcome Document asks the Commission to consider the issue of violence against indigenous women at an upcoming session. The Center and the National Congress of American Indians submitted a joint written statement and, with the National Indigenous Women's Resource Center and Clan Star, Inc., prepared an oral statement addressing the legal barriers in U.S. law that contribute to this human rights crisis. The statements also urge the Commission to designate this topic as the Emerging Issue at its 2016 session. The United States made an oral statement on March 19th calling on the Commission to hold a panel discussion on the topic. More details about the session can be found at <http://goo.gl/bVKJF2>.

## UN Permanent Forum on Indigenous Issues

The Permanent Forum's 14th session was held in New York from April 20 to May 1, and included a half-day discussion on the World Conference. Some 90 indigenous nations and 21 organizations endorsed a statement urging inclusion of indigenous peoples' proposals in the Secretary-General's forthcoming report on follow-up work to the World Conference, and providing additional details of our recommendations for the implementing and monitoring body for the UN Declaration, a new status for indigenous governments

to participate in the UN, and actions to combat violence against indigenous women. The Center worked with the Native American Rights Fund and the National Congress of American Indians and leaders from several indigenous nations to meet with states and UN officials to discuss our proposals during the first week of the Forum. One of the Forum's draft recommendations



February 2015, Organization of American States Headquarters, Washington, DC. H.E. Diego Pary Rodriguez, Bolivian Ambassador to the Organization of American States and chair of the Working Group on the Draft American Declaration on the Rights of Indigenous Peoples (center) with indigenous caucus members during negotiations on the Declaration.

calls on the Commission on the Status of Women to consider the empowerment of indigenous women as a priority theme during its 2017 session, on the occasion of the tenth anniversary of the adoption of the UN Declaration by the General Assembly. Further details and documents from the session are available at <http://goo.gl/HbKXys>.



## Future Key Meetings

The Human Rights Council meets for its 29th session in Geneva from June 15 to July 3 where it will consider the report of the Special Rapporteur on Violence Against Women on June 16 and will hold its annual full day discussion of women's rights on June 19. The United States is also expected to host a side event on the topic of violence against indigenous women. The Center will attend to meet with and urge the UN and states to take strong and specific actions to combat violence against indigenous women and to fully and promptly implement the commitments expressed in the Outcome Document. The website for this session can be found at <http://goo.gl/SMW8my>. Additional future opportunities for advocacy work to secure actions to end violence against indigenous women include meetings in July of the Economic and Social Council in New York and the Expert Mechanism on the Rights of Indigenous Peoples in Geneva, and in September and October of the Human Rights Council in Geneva and the General Assembly in New York.

## Universal Periodic Review

On May 11, the Human Rights Council oversaw the United States' Universal Periodic Review, a review of the United States' overall human rights record. To assist the Council in this work, the Center, the National Congress of American Indians, the National Indigenous Women's Resource Center, Clan Star, Inc., and supporting entities including the Yup'ik Women's Coalition, the Emmonak Women's Shelter, and the Emmonak Village prepared and submitted a stakeholder report titled Violence Against American Indian and Alaska Native Women. More than 20 states made recommendations relating to indigenous rights and the UN Declaration, including recommendations to guarantee access to justice and to end impunity when prosecuting perpetrators of sexual violence against indigenous women. When available,

*April 2015, United Nations Headquarters, New York. Fourteenth Session of the Permanent Forum of Indigenous Issues. (Front row, from right) Virginia Davis, Senior Policy Advisor, National Congress of American Indians; Juana Majel Dixon, Councilwoman, Pauma Band of Luiseño Indians; Lindsay Earls, Legislative Counsel, Cherokee Nation; Tim Coulter, Executive Director, Indian Law Resource Center; and (back row, from right) Fatima Dames, Councilwoman, Mashantucket Pequot Tribal Nation; Heather White Man Runs Him, Attorney, Native American Rights Fund.*

the official report on the session and the U.S. response will be posted at <http://goo.gl/6BE3Tg>.

## Organization of American States—Negotiations on the Draft American Declaration on the Rights of Indigenous Peoples

The Organization of American States (OAS), a regional intergovernmental organization that seeks to build collaboration among its 35 member countries of the Americas, resumed negotiations on the draft American Declaration on the Rights of Indigenous Peoples in 2015 after suspending work in 2012 due to lack of funding. The American Declaration will be a regional human rights instrument that can be used by organs of the Inter-American system—namely, the Commission on Human Rights and the Court of Human Rights—to promote and protect the specific rights of indigenous peoples in the Caribbean and in North, Central, and South America. The Chair of the Working Group, Ambassador Diego Pary of Bolivia, led monthly rounds of negotiations—February 9–11, March 9–11, April 22–24, and May 13–15—with the goal of finalizing the text of the American Declaration to present for consideration by the OAS General Assembly, June 15–16, 2015.

Indigenous peoples terminated negotiations on the last day, May 15, when some states demonstrated a willingness to diminish rights already recognized in the UN Declaration on the Rights of Indigenous

Peoples. Nevertheless, the poor negotiating conditions during the May session do not and should not preclude future efforts to achieve an acceptable draft and adoption of the American Declaration under one condition: that the negotiated text must not fall below the standards of the UN Declaration. All member

states of the OAS have agreed to the UN Declaration and they should honor their commitment. Indigenous peoples must also have the opportunity to review the text and submit comments to the Committee on Juridical and Political Affairs, the Permanent Council, and the OAS General Assembly. Indigenous peoples remain eager

to see continued progress and the conclusion of negotiations after more than 17 years of work, so that we may begin to use the American Declaration to end ongoing injustices and to promote and protect the rights of indigenous peoples in the Americas.



Left: February 2015, Organization of American States Headquarters, Washington, DC. Meeting of the indigenous caucus during negotiations on the Draft American Declaration on the Rights of Indigenous Peoples.

Below: March 2015, Organization of American States Headquarters, Washington, DC. Negotiation session on the Draft American Declaration on the Rights of Indigenous Peoples.



Since 2008 the Indian Law Resource Center has contributed to Restoration Magazine by reporting on international developments impacting the safety of Native women and sovereignty of Indian nations.

# 2014-2015 Webinar Schedule

Tillie Black Bear: We Are All Relatives in This Work  
Restoration of Family Values and Healthy Community Characteristics  
Violence Against Indian Women National Baseline Study (NBS)

July 15  
August 19  
September 16

All webinars are scheduled to start at 1pm MST. Please visit our website for additional details of each webinar, registration, and recordings: [niwrc.org/webinars](http://niwrc.org/webinars).



Subscriptions Now Available!

[restoration.niwrc.org](http://restoration.niwrc.org)  
\$30 Individual / \$100 Institutional

## RESTORATION OF SOVEREIGNTY & SAFETY MAGAZINE, 2003-2015

Twelve years ago during the reauthorization process of the Violence Against Women Act, several national organizations came together to take a stand for the safety of Native women: Sacred Circle National Resource Center to End Violence Against Native Women, Clan Star, Inc., the National Congress of American Indians, and the National Task Force to End Sexual and Domestic Violence. It was recognized that to fully participate in the national movement to create the changes needed to increase safety for Native women, broad communication was essential. The *Restoration of Sovereignty & Safety* magazine emerged to fulfill this task.

The *Restoration of Sovereignty & Safety* magazine is a publication dedicated to informing tribal leadership and communities of emerging issues impacting the safety of American Indian and Alaska Native women. The name of the magazine, *Restoration of Sovereignty & Safety*, reflects the grassroots strategy of the Task Force that by strengthening the sovereignty of Indian nations to hold perpetrators accountable the safety of Native women will be restored. The magazine is a joint project of the National Congress of American Indians Task Force on Violence Against Women and the National Indigenous Women's Resource Center. It is produced and made available during national NCAI conventions and the annual USDOJ Tribal Consultation on VAWA.

**Editorial Content** Jacqueline "Jax" Agtuca

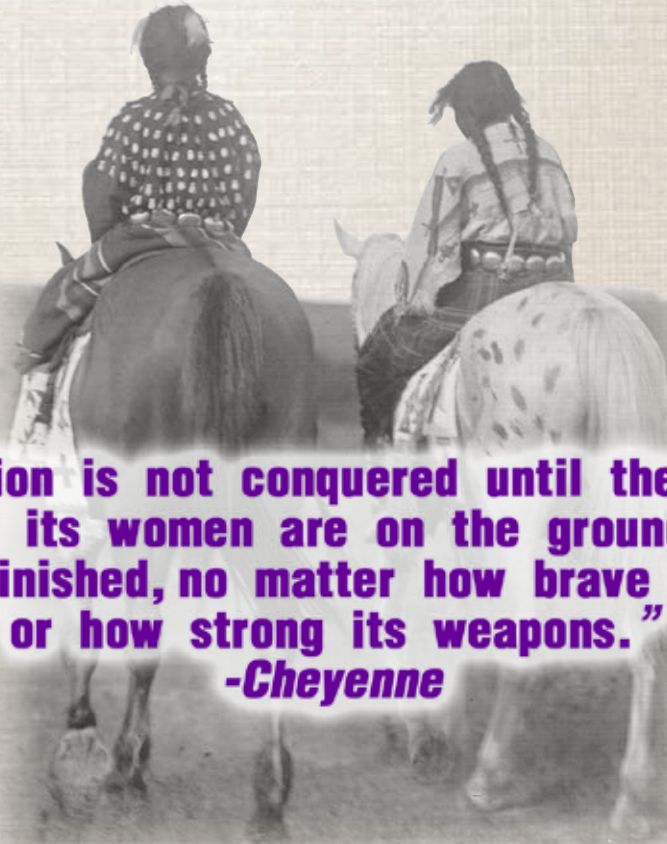
**Managing Editor** Tang Cheam

**Contributors** Virginia Davis, National Congress of American Indians  
Christopher T. Foley, Indian Law Resource Center  
Karla General, Indian Law Resource Center  
Lisa Thompson-Heth, Wiconi Wawokiya  
Lynn Hootch, Yup'ik Women's Coalition  
Joann Horn, Emmonak Women's Shelter  
Tami Jerue, Village of Anvik  
Paula Julian, National Indigenous Women's Resource Center  
Priscilla Kameroff, Emmonak Women's Shelter  
Mary Kathryn Nagle, Playwright  
Rose Quilt, National Indigenous Women's Resource Center  
Dorma Sahneyah, National Indigenous Women's Resource Center  
Lucy Simpson, National Indigenous Women's Resource Center  
Christine Teganlakla, Yup'ik Women's Coalition  
Jana Walker, Indian Law Resource Center  
Nettie Warbelow, Village of Tetlin

*Restoration*  
OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

**Address editorial correspondence to:**  
Restoration Magazine  
NIWRC  
PO Box 99  
Lame Deer, MT 59043  
[Restoration-Mag@niwrc.org](mailto:Restoration-Mag@niwrc.org)

Funding for this project was made possible by Grant # 90EV0409 from the Department of Health and Human Services. The views expressed herein do not necessarily reflect the official policies of the Department of Health nor does mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government.



**“A Nation is not conquered until the hearts  
of its women are on the ground.  
Then it is finished, no matter how brave its warriors  
or how strong its weapons.”  
-Cheyenne**

*Violence Against Women Is Not Our Tradition*





National Indigenous Women's Resource Center


515 Lame Deer Ave. Lame Deer MT 59043

1-855-649-7299 (406) 477-3896

info@niwrc.org • niwrc.org

 fb.com/niwrc

 youtube.com/niwrc

 @niwrc