



**OF NATIVE  
SOVEREIGNTY AND  
SAFETY FOR NATIVE  
WOMEN**

November 2023 | Volume 20 | Issue 3



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# Letter from the National Indigenous Women's Resource Center

Dear Relatives and Friends,

It is our pleasure to share the November 2023 edition of Restoration of Native Sovereignty and Safety for Native Women Magazine. As seasons change and we near the end of the year, we want to express our appreciation for our abundance of blessings. We are grateful to our staff and contributors—past and present—for sharing their perspectives in each edition of Restoration. We celebrate with the National Congress of American Indians (NCAI) as they mark 80 years of organizing and advocacy to protect and advance Tribal sovereignty. Thank you to NCAI's leadership, staff, and membership for your dedication and tenacity over the decades!

Twenty years ago, Native women's advocates from Tribal Domestic Violence and Sexual Assault Coalitions and Tribal organizations, including the NCAI, Sacred Circle, and Clan Star, partnered to create the NCAI Task Force on Violence Against Women. This partnership over the past two decades, and the changes we've seen with new Native organizations and alliances with non-Native organizations, helped support the social changes made at the Tribal, federal, and state levels. Thank you to our NCAI Task Force and the National Task Force to End Sexual and Domestic Violence! We are stronger together and are grateful to our grandmothers, aunties, grandfathers, and uncles who advocated at the Tribal, federal, state, and international levels for women's safety and strengthening local Tribal responses. We honor you and ourselves by continuing that strong-hearted advocacy and continuing to organize ourselves, our partners, and our allies.

In this edition, we honor the leadership of the NCAI Task Force on Violence Against Women Co-Chairs and highlight some of the NCAI resolutions calling for respecting Tribal sovereignty and increasing Native women's safety over the past two decades. We mourn the passing and transition of advocates, leaders, family, and friends and are thankful for and welcome new strong-hearted leadership and allies—domestic and international. We will always center the voices of survivors of sexual assault and domestic violence, including those who have gone missing or been murdered, their families, and advocates. We know that restoring Indigenous protections rooted in Native cultures and histories and reforming and transforming federal, state, and local systems must be our priorities. Thank you to all survivors and their families for your resilience and for never giving up hope. Thank you to our staff, Board, partners, speakers, and participants who joined us and supported our Women Are Sacred (WAS) Conference this past June. It's been 25 years since Mending the Sacred Hoop and Sacred Circle partnered to organize the first WAS in 1998. Thank you, Mending the Sacred Hoop and Sacred Circle! We look forward to seeing everyone at the next WAS in 2025 and our upcoming events, virtually or in person.

Join us in February at NCAI's Executive Session in Washington, D.C., to celebrate 20 years of our Restoration Magazine, which has served as a communication bridge amongst our grassroots movement of survivors, advocates, Tribes, Tribal coalitions, Native organizations, and federal, state, and local policymakers. Thank you to all of our subscribers! Please consider supporting our advocacy through a subscription (please see back cover QR code) for yourself, Tribal Council, and federal, state, and local policymakers.

In strength and solidarity,



Ahéhee',  
*Lucy*  
Lucy Simpson, Esq.  
Diné  
Executive Director



PhilamayyaA,  
*Carmen O'Leary*  
Carmen O'Leary  
Cheyenne River Sioux  
Board Chairwoman



**OF NATIVE  
SOVEREIGNTY AND  
SAFETY FOR NATIVE  
WOMEN**

Restoration of Native Sovereignty and Safety for Native Women Magazine, 2003-2023

During the reauthorization process of the Violence Against Women Act in 2005, 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. *Restoration of Native Sovereignty and Safety for Native Women* emerged to fulfill this task.

*Restoration* 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 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.

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#### Published By



**NATIONAL  
INDIGENOUS  
WOMEN'S RESOURCE CENTER**

#### Comments

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*The Black Eagle Dancers performing during the opening ceremony of the Women Are Sacred Conference 2023 in Albuquerque, NM.  
Photo Courtesy of NIWRC Communications Team.*

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## EDITOR'S NOTE

**Paula Julian**, *Filipina*, Senior Policy Specialist and Editor, NIWRC *Restoration Magazine*

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On behalf of our NIWRC Restoration Magazine team—Liane, Kelsey, Tang, and I—thank you to all of our contributors for this November edition of Restoration Magazine and another year’s worth of content for “a political magazine created to make fundamental social justice changes based on the experience of their [American Indian and Alaska Native women and Tribal Nations’] movement to live free of violence.” Highlights of what’s happened since our June edition<sup>1</sup> include:

- The 15th Women Are Sacred Conference, June 26-28 in Albuquerque, NM, with over 400 participants.
- *Not Invisible Act* Commission Hearings in person in June and July and virtual in August. We expect Commission recommendations on actions the Federal Government can take to help combat violent crime—including missing persons, murder, and human trafficking—against Indians and within Indian lands to be released before the end of 2023 with a written response from the Secretary of the Interior and Attorney General not later than 90 days later.
- Hanna Harris’ Red Dress Special July 3, at the Northern Cheyenne Chief’s Pow-Wow and Rodeo led by her Mother, Sister, and Son—Malinda, Rose, and Jeremiah—remembering when Hanna went missing and was found murdered 10 years ago and honoring all missing and murdered Indigenous persons.
- Indian Tribes engaged in the 18th Annual Violence Against Women Act (VAWA) mandated Government-To-Government Tribal Consultation with the U.S. Departments of Justice (DOJ), Health and Human Services, and Interior August 8-10th in Tulsa. We expect the DOJ to release a summary report by early Spring 2024.
- Justice for Kaysera’s 4th annual campaign, August 24 to September 11 (marking the day Kaysera went missing through the day Kaysera’s family was notified she had been found and the lack of accountability and justice for her murder) led by her family in collaboration with NIWRC, Sovereign Bodies Institute, Rising Hearts, and Waking Women Healing Institute.
- Healing Our Spirit Worldwide The Ninth Gathering September 11-15 in Vancouver, Canada, with over 3000 participants worldwide. The National Indian Health Board is hosting the 10th Gathering in Washington, D.C., in 2026.
- The National Native American Boarding School Healing Coalition’s ongoing organizing including the National Day of Remembrance (September 30) and advocacy around Senate Bill 1723 (to establish a Truth and Healing Commission)

<sup>1</sup> <https://www.niwrc.org/restoration-magazine/june-2023/restoration-native-sovereignty-and-safety-native-women>

- Domestic Violence Awareness Month, including our annual Tillie Black Bear Women Are Sacred Day on October 1.

While the violence and trauma shared through these efforts are unspeakable and violate the fundamental human rights of Indigenous peoples, it is through the sharing by survivors surrounded with love and support that we can and will heal the hurt, restore Indigenous protections, hold governments, systems, and societies accountable, and effect the fundamental social justice changes Indigenous women, peoples, and Nations deserve.

One of the many healing experiences from the Healing Our Spirit Worldwide Gathering in Vancouver was a woman singing a song to honor the 215 children whose remains were found buried in a mass grave near Kamloops Indian Residential School and inviting participants to hold the children in our arms lovingly as she sang. Like Restoration Magazine, this song helps create and sustain the brave and safe spaces for the seeds of healing and justice to take root and grow. In this way, we nourish our groundswell and grassroots movement to continue advocating for social change and justice.

We look forward to the end of 2023, the change in seasons from summer to fall to winter, spending time with family and friends, resting, recharging, reflecting on the past year, and setting intentions for 2024. Thank you to our NIWRC family—our staff and Board of Directors—for another year of working with Tribes, Tribal organizations, and many others to improve responses to violence against women. Thank you to our extended family—our many partners and allies—for working with NIWRC to advocate for removing systemic barriers facing American Indian, Alaska Native, and Native Hawaiian women, their families, and communities. Thank you to our readers, especially our subscribers, for your support and sharing what you learn in these pages, especially our calls to action with your families, friends, policy and lawmakers, and communities. Together—unity in action—we are the groundswell that will continue to change the culture and thoughts that accept violence

against women as a norm. We must change the beliefs that disrespect women and the feminine in all systems and sectors—justice, education, health, economics, government, military, and religion.

How can we continue to center survivors of domestic violence, dating violence, sexual assault, sex trafficking, and their families, including those families of missing and murdered Indigenous women and relatives, and all of their helpers and advocates? How can we continue to address violence against women by strengthening connections with each other, the land, and the past, especially where we may not have strong or active connections? How can we evolve to account for new, expanded, deeper connections? Advocating for social change at local and federal also means we change and grow and continue to learn individually. What do you resolve to change, or how can you challenge yourself to grow? In 20 more years (through 2043), what do we want for ourselves, our families, Tribal Nations, Native Hawaiians, and relatives in other communities worldwide?

**Please share your thoughts with us through the QR code below** through January 15, 2024. As the late Yup'ik Elder Rose Borkowski shared, “Nothing is ever impossible. Everything’s possible,” and the grassroots movement from the 70s to the present times reflects the impossible.

***Paula S. Julian***  
*(Washté Wiya, Good Woman) Filipina*  
 Editor, *Restoration of Native Sovereignty and Safety for Native Women & Interim Co-Director for Policy, NIWRC*



**Scan Me**

# Honoring Ada Deer (August 7, 1935 – August 15, 2023)

## Her Advocacy and Leadership on Behalf of Indian Tribes

In the 1950s, the federal government initiated a termination policy that led to the creation of a corporate body to manage the Menominee tribe. Deer helped to organize a grassroots organization to restore federal recognition of the Tribe, known as Determination of Right and Unity for Menominee Shareholders, or DRUMS.

“Mainly I want to show people who say nothing can be done in this society that it just isn’t so,” Deer told *The Washington Post* in 1973. “You don’t have to collapse just because there’s federal law in your way. Change it!”

On Dec. 22, 1973, President Richard Nixon signed the law restoring official federal recognition to the Menominee tribe. Deer became the first woman to chair the tribe in Wisconsin, a position she held from 1974 to 1976.<sup>1</sup>

*Ada Deer and Shannon Holsey. Photo courtesy of Shannon Holsey.*



“Ada Deer, my fierce Warrior Woman. You taught us that no matter who you are, it takes guts to chase after a dream, stand up against injustice, or stick to your convictions—especially in the face of adversity or different beliefs. Women, especially, deserve to be celebrated for their tenacity as they’ve advocated for themselves or become their own champions during difficult times. That’s why we’re here to applaud, share and celebrate our sisterhood. So much of who I am is because of who you are. Thank you from the bottom of my heart. I am learning every day to allow the space between where I am and where I want to be. Love you.”

— Shannon Holsey

“With my friend Ada Deer in Anchorage in one of our conversations on restoring our Sovereignty like they did at Menominee with their recovery. She issued the Federal Recognition list of our Alaska Tribes as Assistant Secretary of the Interior. We had long conversations on the opportunities of Alaska Tribes. We still do. Tribal Sovereignty is non-negotiable ever! Rest in Peace my friend forever!”

—Mike Williams



*From left to right: Ivan Ivan, Emil Notti, Mike Williams, Ada Deer, and Doug Modig. / Photo courtesy of Mike Williams.*

<sup>1</sup> <https://news.wisc.edu/ada-deer-a-lifetime-of-firsts/>

# NIWRC Welcomes *New Board Members*

**Y**á'át'ééh and Tanyáŋ Yahípi (Welcome) to NIWRC's New Board Members, Brandi Liberty, Linda Thompson, and tai simpson! We look forward to the leadership they'll bring with the rest of our Board of Directors—Carmen O'Leary, Leanne Guy, Wendy Schlater, Wanette Lee, and Randi Barreiro. Please join us in welcoming Brandi, Linda, and tai into our NIWRC family.

**Brandi Liberty** is a citizen of the Iowa Tribe of Kansas and Nebraska and is a descendant of the United Houma Nation. She offers a unique blend of leadership, advocacy, and a deep understanding of Tribal and domestic violence issues. She is the owner and CEO of The Luak Group, providing consulting services for Tribes and Tribal entities on strategic community planning, leadership growth, and protection of Tribal sovereignty. She is one of the top five grant writers in Indian Country and has over \$74.5 million in federal and state-level grant awards for projects and programs serving Indian Country. Her specialties include Business Development, Indian Housing/NAHASDA, Grant Writing, Grants Management, Tribal Housing Human Resources, Technical Assistance/Training, Economic Development, Policy Development, Compliance, and Strategic Planning.

Brandi is a monthly columnist for Verite News in New Orleans, LA, addressing Indigenous culture, issues, and events for the Tribes located in the state. She is an



Enterprising Woman of Color, a program under the Minority Business Development Agency that focuses on providing women of color opportunities to expand their businesses. She has sat on multiple boards, including the Iowa Tribe of Kansas and Nebraska Election Board and the IPAI Community Loan Fund Board for the San Pasqual Band of Mission Indians.

“My aspiration is to amplify the voices of Indigenous women and drive systemic change, leveraging my vast network and multifaceted expertise, and taking my advocacy efforts to the next steps as a member of the NIWRC Board”—Brandi Liberty.

**Linda Thompson** is a citizen of the Bois Forte Band of Ojibwe, with ties to both Leech Lake and Mille Lacs Lake. She has worked for the Minnesota Indian Women's Sexual Assault Coalition since 2016 as a membership and outreach coordinator and is currently their operations director. From 2008-2016, Linda was the founding executive director for the First Nations Women's Alliance, a Tribal coalition serving Tribes in North Dakota, at which time she served as a Tribal Advisory Committee Member for the Indian Law and Order Commission, which released the 2013 *A Roadmap for Making Native America Safer Report*.

Linda has been a domestic violence and sexual assault advocate in both urban and reservation settings since 1992, including with the Spirit Lake Tribe (ND) and Women's Advocates (MN). She has also served on various boards, including the

*Brandi Liberty.*



Linda Thompson.

statewide sexual and domestic violence nonprofit coalition, CAWS North Dakota, Safe Alternatives for Abused Families Shelter, and Northern Plains Resource Conservation and Development. Linda has also served on various trafficking task forces and the North Dakota State Attorneys’ Fatality

Review Team.

“I have long admired the work, and have been proud of the national leadership and work of NIWRC leadership and staff”—Linda Thompson.

**tai simpson** is nimiipuu, a citizen of the Nez Perce Tribe and a storyteller, organizer, and advocate. She takes a passionate human-centered approach to her work. tai believes that progress toward community-focused goals is more important than always being exactly on track. Her leadership style is characterized by her lively and enthusiastic personality, speaking with assurance and conviction to have a stimulating influence on others. Her drive is purposeful, and directed at getting things done quickly. tai responds positively to challenges and pressure, leveraging her problem-solving ability. She maintains an unabashed willingness to learn and grow and believes deeply in community care and supporting collective purpose. tai has a warrior spirit destined for work in social justice, politics, and community organizing.

Since 2019, tai has been the collective stewardship co-director with the Idaho Coalition Against Sexual and Domestic Violence, and since 2010, she’s been a social justice and anti-racism education contractor and a founder and director/community organizer with the Indigenous Idaho Alliance. In 2019, tai was a TEDxBoise speaker on “Indigenous Storytelling as Political Lens.” She has served on the

boards of Planned Parenthood and the Potlatch Fund. tai is committed to the humanness of the work and uplifting our cultural ways of knowing while stewarding NIWRC’s mission into the future. Culture is prevention and our avenue to healing. Board and staff-centering Indigenous ways of knowing and experiences are essential to NIWRC’s work.

“I am humbled to offer my experience as a Black and Indigenous woman who must navigate torrential sociopolitical spaces to successfully advocate for survivors and families of missing and murdered Indigenous women and persons. I have strong coalitions built with local, state, and federal partners working collaboratively to end violence in Indian country”—tai simpson.

“Board members are responsible for setting and providing guidance on organizational policies. The role can be fun and challenging, requiring a commitment of time and duty. Exercising my traditional values has been key for me while serving on the NIWRC Board all these years. The role helps continue our commitment to the safety of Native women”—Carmen O’Leary

Ahéhee’,  
Lucy Simpson  
Executive Director

PhilamayyaA,  
Carmen O’Leary  
Board Chairwoman



tai simpson.

# Six Years of *Evolution*

By StrongHearts Native Helpline

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It's been more than six years since StrongHearts Native Helpline opened its phone lines to offer victim advocacy and support for American Indians and Alaska Natives (AI/AN). To say they've come a long way is an understatement—especially in the wake of a pandemic.

“We came out of a pandemic true to form as resilient Native people,” said Lori Jump, (Sault Ste. Marie Chippewa/ Anishinaabe) CEO, StrongHearts Native Helpline. “Not only did we survive as an organization, we thrived while facing adversity. Our commitment didn't waiver, and our determination to succeed was undeniable.”

Jump refers to established benchmarks to expand hours of operation from 9 a.m. - 5:30 p.m. to 24/7, to increase access by adding text and online chat advocacy, and to enhance advocate training by adding components to address sexual violence and human trafficking.



## Missing and Murdered Indigenous Relatives

“The additional training components speak to the crisis of our Missing and Murdered Indigenous Relatives (MMIR) and how they intersect with domestic and sexual violence,” Jump explained. “We collaborated with the Department of Homeland Security (DHS) Blue Campaign to develop culturally sensitive training to support victims of human trafficking.”

Unfortunately, people in most need of food and shelter are often preyed upon by predators who target the poorest communities in the country. They know where they find people desperate for work and take advantage of them under false pretenses by offering job opportunities or even love, support, and companionship.

## Increased Staff and Advocates

As StrongHearts became more widely known, staff and advocates anticipated growth in the number of contacts:

- In the first nine months, StrongHearts started with two advocates who answered a few hundred calls.
- The following year, the number of calls more than doubled.
- In 2019, StrongHearts increased its advertising and marketing efforts to spread awareness that help was available, resulting in several thousand more contacts.
- In 2020 and 2021, when the pandemic necessitated spatial distancing, StrongHearts responded by offering remote advocate positions. Again, contacts grew by several thousand.
- In 2022, contacts exceeded the “all-time” number in the previous five years.

Over six years, StrongHearts has hired 39 front-line advocates and 11 administrators and support staff. Advocates answered more than 40,000 contacts.

## Adaptation To Remote Work

Due to the COVID-19 pandemic, StrongHearts had to improvise and adapt to social distancing by utilizing and offering remote work to advocates and staff. Though this was never intended to be a permanent remedy, StrongHearts discovered that by providing at-home positions, more Native people could apply in different states nationwide.

“StrongHearts was created for Native Americans by Native Americans,” said Jump.

“By transitioning to remote work, we opened new doors for Native people to apply for jobs with StrongHearts. Headquartered in Minneapolis, MN, with a branch office in Sault Ste. Marie, MI, we now employ advocates in 15 different states.”

## Michigan Office

Welcomed by the State of Michigan, StrongHearts opened the Michigan office in Sault Ste. Marie. The State reached out to StrongHearts, wanting to support eradicating violence against Native Americans by providing after-hour services to Michigan Tribes.

Jump explained, “We know that abuse doesn’t happen between 8 a.m. - 5 p.m. The opportunity for victim-survivors to call their respective Tribes and



*Phone-based statistics over the course of six years.  
Provided by StrongHearts Native Helpline*

to connect with a StrongHearts advocate after hours can be lifesaving.”

Michigan’s pilot program allowed participating Tribes to “opt-in” and offer support and advocacy by tapping into StrongHearts phone lines after regular business hours. Tribal members could have direct access to a StrongHearts advocate and receive emotional support, crisis intervention, and safety planning, as well as referring them to Native-centered service providers and resources.

“Advocates help by listening and supporting survivors through some very dark hours when navigating intimate partner violence,” Jump explained. “This added layer of protection helps to bridge the gap between victim-survivors and Tribal member service providers and resources.”

## Real-Time Data

In just six years, StrongHearts data has identified victim survivor demographics, types and prevalence of abuse, barriers to justice, and discovered crisis-level disparities. Thus far, data suggests there is an incredibly high risk for domestic violence and sexual violence in all age groups and across the lifespan:

- Ages range from 13-73+ years. However, most contacts are between the ages of 20-39 years.
- Emotional, physical, and sexual abuse are more often reported than financial or digital abuse.
- The top five barriers to service include access to services, mental health services, other reasons, finances, and transportation.
- The crisis level disparities for Native American survivors, with 56 shelters and 257 Native-centered service providers. For non-Natives, there are 1,544 shelters and 3,643 service providers.

When Native people suffer some of the highest rates of violence among 574 federally recognized Tribal nations, it is appalling that there are only 313 culturally appropriate shelters and service providers. The disparities in services are catastrophic.

## National Statistics

A study conducted by the National Institute of Justice (NIJ) in 2010 and published in 2016 concluded:

- 97% of Native women and 90% of Native men experience violence at the hands of interracial (non-Native) perpetrators.
- 35% of Native women and 33% of Native men experience violence by intraracial (Native) perpetrators.
- More than 4 in 5 Native Americans have experienced violence in their lifetime.
- 83% of AI/AN women have experienced violence in their lifetime.
- 56% of women have experienced sexual violence.
- 28% of men have experienced sexual violence.
- In some counties, rates of homicide are 10x more than the national average.
- Homicide is the leading cause of death for Native women, with more than 3 in 4 being killed by intimate partners.

“Indigenous people have been plagued by five centuries of historical trauma that has accumulated throughout American History. As a culturally appropriate helpline for Native Americans by Native Americans, StrongHearts advocates understand the significance of being Native-centered, trauma-informed, and empowerment-based,” concluded Jump. “In our seventh year of operation, we are just beginning to address the need for cultural healing. We seek to eradicate violence, restore safety, and preserve sovereignty for all Tribal nations, but on a personal level. Every step we take toward healing is a step we take to ensure the safety and sovereignty of our children.”

## Source

André B. Rosay, “Violence Against American Indian and Alaska Native Women and Men,” June 1, 2016, [nij.ojp.gov](http://nij.ojp.gov)

# Supreme Court of the United States (SCOTUS) Upholds *Indian Child Welfare Act (ICWA)* Despite Challenge Based on Reverse Discrimination

By StrongHearts Native Helpline

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## Setting the Stage

It is important to recognize that when Native people speak about domestic violence and sexual violence, “anti-Indian” policy, or any other form of colonial violence, there is a great deal of hesitation because all too often those who should listen don’t, and those who listen dismiss the unspeakable truth about Native American History.

“Our relatives have experienced so many forms of trauma due to harmful interventions caused by federal and state policies. As a result, many of our children were lost—they were taken and, in many cases, never returned,” said Lori Jump (Sault Ste. Marie Chippewa/ Anishinaabe), CEO, StrongHearts Native Helpline.

“ICWA was the first of many attempts to restore balance in the justice system—justice for Native children who we now know were being stolen, tortured and murdered.”

## ***Haaland v. Brackeen***

The case of *Haaland v. Brackeen* is one of several custody cases wherein non-Native people wish to adopt Native children and, for the most part, achieve that goal—as did the Brackeens. But, the Brackeens didn’t stop at adoption because they garnered attention and sponsorship from special interest groups: Corporate lawyers, adoption agencies, and GOP billionaires, who held that ICWA was a form of race discrimination.

“ICWA was the first of many attempts to restore balance in the justice system—justice for Native children who we now know were being stolen, tortured and murdered.”

– Lori Jump, *Sault Ste. Marie Chippewa/ Anishinaabe*, CEO, StrongHearts Native Helpline

## Supreme Court Ruling

On June 15, the SCOTUS upheld ICWA to protect Native children. The majority (7-2) in favor of ICWA used the words of advocates, mothers, and grandmothers who testified before Congress in the ’70s. Their voice, work, and plea were to keep their children with the families and support systems where they were born.

Before ICWA, approximately one-third of Native American/Alaska Native children were taken from their homes by state welfare agencies and private adoption agencies, and a shocking 85% of those children were placed outside of family or community care with non-Native people.

## What is ICWA?

In a nutshell, the purpose of ICWA is “to protect the best interest of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture.” (25 U.S.C. §1902).

At its core, the ICWA served to protect the “best interests of Indian children” by establishing guidelines:

- Federal standards for the removal of Indian children from their families.
- Default preferences for the placement of Native children in adoptive or foster homes.
- The statute also contains several recordkeeping provisions.

## Support for ICWA Depends on Native Population With Each State

In *Haaland v. Brackeen*, three States and seven individuals (special interest groups) brought suit, asserting ICWA provisions are unconstitutional. States opposing ICWA, including Texas, Louisiana, Indiana, and Ohio, ultimately do not have large Native American populations.

The District of Columbia and 26 states in support of ICWA are home to 94% of federally recognized Tribes, and that includes California, Alaska, Arizona, Colorado, Connecticut, Idaho, Illinois, Iowa, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Virginia, Washington, and Wisconsin.

“The continued attack on our sovereignty is a serious one that involves more than meets the public eye,” concluded Jump.

“The practice of separating Native children from their families and communities was a form of

genocide—cultural genocide and literal genocide. That is why it is so important to our people to revive, teach, and preserve our culture, because in it we find a path toward healing.”

## More Information

For more information about ICWA and the case brought before the SCOTUS, please tune into “This Land” podcast hosted by Rebecca Nagle. The second season of *This Land* ([crooked.com/podcast-series/this-land/](https://crooked.com/podcast-series/this-land/)) is a timely exposé about how the far right uses Native children to dismantle American Indian Tribes and quietly advance a conservative agenda.



**STRONGHEARTS**  
Native Helpline

StrongHearts Native Helpline is a **24/7, confidential, and anonymous** domestic and sexual violence helpline for Native Americans and Alaska Natives.



**Lori Jump, Chief Executive Officer,  
StrongHearts Native Helpline**

*Photo courtesy of StrongHearts Native Helpline  
Communications Department.*



# Honoring 20 Years of the National Congress of American Indians (NCAI) Violence Against Women Task Force Leadership

By Paula Julian, *Filipina*, Senior Policy Specialist and Editor, NIWRC  
*Restoration Magazine*

**T**wenty years ago, in 2003, nonprofit Tribal domestic violence and sexual assault coalitions, Clan Star, Inc. and the National Congress of American Indians (NCAI) partnered to breathe life into the NCAI Violence Against Women (VAW) Task Force fulfilling NCAI’s resolution #STP-00-081 from the 2000 NCAI Annual Session in Minnesota which stated:

**WHEREAS**, all Indigenous Native Cultures have a belief that respects and honors Native women as life and care givers of nations; and

**WHEREAS**, the interaction between immigrants and Indigenous cultures has caused a significant breakdown of this value of respect and honor of Native women, resulting in a high rate of domestic violence directed toward Native women; and

**WHEREAS**, it is necessary for NCAI as the leadership for tribal governments to be pro-active in defense of Native women to curtail and prevent violence against Native women; and

**WHEREAS**, failure to recognize and acknowledge domestic violence as having a major impact on

Native communities, families, women and children, and diminishes, not only Native women but, also diminishes the heart and spirit of Native Nations as sovereign; and

**WHEREAS**, the future of indigenous nations rests in the secure status of women, to live in a environment free of violence.

Task Force Co-Chairs have led our grassroots movement, helping the Task Force fulfill its purpose to monitor national legal and policy issues and hold the United States accountable for exercising the federal trust responsibility. This responsibility has been exercised through the annual government-to-government Violence Against Women Act (VAWA) consultations since 2006, Senate and House hearings and Hill briefings, and ongoing dialogue between federal and Tribal policymakers about how to increase the safety of Native women.

“When our Tribal governments and leaders work with survivors and advocates, we can make a difference in the lives of our women, families, and Tribal Nations,



*Pictured left to right: Jacqueline Agtuca, Juana Majel Dixon, and Karen Artichoker. / Photo courtesy of Paula Julian.*



*Pictured left to right: Terri Henry, Juana Majel Dixon, Tillie Black Bear, and Jacqueline Agtuca. / Photo courtesy of Juana Majel Dixon.*

as we have seen over the last 20+ years. While we have so much more work to do, we recognize the importance of thanking and honoring our Co-Chairs for their strong-hearted leadership over the last 20 years and look forward to the changes we will secure with the next 20 years of NCAI’s VAW Task Force leadership,” said Carmen O’Leary, (Cheyenne River Sioux Tribe), Chairwoman, NIWRC Board of Directors.

“Our grassroots organizing with the NCAI VAW Task Force has helped to nourish the growth of our movement as reflected in Native organizations like NIWRC, the Alaska Native Women’s Resource Center, StrongHearts Native Helpline, Alliance of Tribal Coalitions to End Violence, and the Pouhana O Nā Wāhine, and our partnerships with non-Native allied organizations. We look forward to strengthening the capacities of and partnerships with Tribal Nations and Native Hawaiian communities to remove the systemic barriers in federal laws and policies disproportionately impacting Native women,” said Lucy Simpson, (Diné), Executive Director of NIWRC.

Join us for Task Force meetings preceding each NCAI session—Executive (February), Midyear (June), and Annual (October/November) and be a part of restoring sovereignty to increase Native women’s safety.

## Past VAW Task Force Co-Chairs

**Karen Artichoker** is a citizen of the Pine Ridge Indian Reservation and has been involved in the movement to

end violence against Native women for over 30 years when she co-coordinated the first “Indian Nations: Justice for Victims of Crime” conference. At that time, she was an employee and later a consultant for the South Dakota Coalition Against Domestic Violence and Sexual Assault. In that capacity, she served on the National Coalition Against Domestic Violence (NCADV) board in support of her long-time friend and mentor, Tillie Black Bear, the first native woman Chair of the NCADV Board of Directors. Karen provided a Native voice in the drafting and passage of the VAWA. She testified twice in front of the Senate Committee on Indian Affairs and created many relationships that led national organizations to ally with Native women and organizations. These relationships, along with the hard work of many other Native women, have moved Native women out of “invisible” status.

Karen is a founding mother of Cangleska, Inc., a domestic violence prevention and intervention program, and Sacred Circle, a National Resource Center to End Violence Against Native Women. Sacred Circle became the fifth resource center in the national technical assistance and training network supported by the Family Violence Prevention and Services Act (FVPSA). Sacred Circle provided the first opportunity to create Native-specific information and materials, including the *Restoration Magazine*, specific to violence against Native women. It solidified the Native voice on the national level. Karen was one of two founding co-chairs of the NCAI VAW Task Force. In 2011, Sacred Circle handed over the reins



to the National Indigenous Women's Resource Center (NIWRC) to continue serving as the National Indian Resource Center on Domestic Violence.

Karen lives in Rapid City, SD. She is the mother of four daughters and numerous grandchildren and great-grandchildren. She maintains a vision of a world where women are valued and respected as sacred.

**Terri Henry** looks forward daily to the opportunity to develop programming and activities and lead the evolution of the Tribal Employment Rights Office (TERO). She is especially proud of the accomplishments of the Mother Town Healing Program participants as she observes their growth in recovering from substance abuse into productive citizens.

Ms. Henry was honored to serve as the first Secretary of State for the Eastern Band of Cherokee Indians (EBCI) in 2016. Terri was elected to six consecutive years on the EBCI Tribal Council (2009-2015), the last two years of which she served as the first

*Terri Henry.*

*Photo courtesy of Eastern Band of Cherokee Indians.*



Chairwoman and had the distinction of chairing the Tri-Council of the Cherokee Nations at the historic capital in Tennessee.

Ms. Henry was appointed as an Independent Expert for North America to the United Nations Permanent Forum on Indigenous Issues from 2017-2019. Terri is well known for championing Tribal sovereignty issues nationally and providing leadership on the passage of laws strengthening Tribal sovereignty and self-governance. Over the years, she has played a key role in strategizing the grassroots movement addressing violence against American Indian and Alaska Native (AI/AN) women and supporting the passage of two seminal federal laws: The reauthorization of the Violence Against Women Act (VAWA) of 2013, including its previous iterations, and the Tribal Law and Order Act of 2010. To achieve these goals, Ms. Henry founded and co-chaired the National Congress of American Indians (NCAI) VAW Task Force. She is a founding member and first Board Chairperson of the National Indigenous Women's Resource Center (NIWRC) and currently serves as the Board Chair of the Indian Law Resource Center (ILRC).

She has been privileged for almost 25 years to work with many Tribal governments, to travel throughout Indian country and abroad, study and work at the

*Lenora "Lynn" Hootch.*

*Photo courtesy of Lenora Hootch.*



United Nations, and advocate for the human rights of Indigenous peoples and in support of the Declaration on the Rights of Indigenous Peoples and other international instruments. In 2008, Ms. Henry was one of the coauthors of an amicus brief in support of Jessica Gonzales concerning the failed response of the police. This was the first brief on violence against Indigenous women in the United States.

Ms. Henry’s educational background, small business, professional experience, and Cherokee life experience have given her a unique perspective from which to analyze legal and Tribal governmental issues.

**Lenora “Lynn” Hootch** is Yupik and an enrolled member of the Native Village of Emmonak, located in the Yukon Delta Region of southwestern Alaska. She was born, raised, and has lived in her Village all her life. She is an active member of her community. Lynn holds elected positions, including Emmonak Tribal Council, Advisory School Board member, volunteer church minister for local Parish Church, and a founding Board member of the Alaska Native Women’s Resource Center (AKNWRC). She also served on the NIWRC Board from 2011-2020 and co-chaired the NCAI VAW Task Force. Lynn is a founder of the Emmonak Women’s Shelter, a non-profit, grassroots organization founded in 1979 to increase safety for women and children who are victims of domestic violence, sexual assault, and other forms of abuse and to provide emergency shelter and assistance for these women and children.

Lynn currently serves as the Director for the Yupik Women’s Coalition, a regional Tribal coalition that raises public awareness of domestic violence, sexual assault, stalking and dating violence, enhances the response to violence against Native women at the local, state, and national levels, and provides technical assistance to other Tribes in Alaska to improve access to essential services for Native women victimized by domestic violence and sexual assault. Lynn is married and the mother of five beautiful children (three boys and two girls)—and a grandmother to 18 grandchildren, who bring life, joy, happiness, and love to all.

**Michelle Demmert**, Tlingit, Eagle, Ƙaax’oos. hittaan (Man’s Foot) clan is an assistant professor at



*Michelle Demmert.  
Photo courtesy of Michelle Demmert.*

the University of Alaska in the Department of Tribal Governance. She is a past delegate and former Chief Justice for the Central Council of Tlingit and Haida Indian Tribes of Alaska. As an attorney for over 30 years, she has served many roles in Tribal governments and Tribal agencies, including as co-chair of the NCAI VAW Task Force. Professor Demmert served as the Law and Policy Director for the AKNWRC, providing education and technical assistance and assisting with setting the policy and priorities for Alaska Tribes in domestic violence and sexual assault. Previously, she was in the General Counsel’s office at the Tulalip Tribes for nearly 10 years and held various positions with the Northwest Intertribal Court System, including Administrator and Chief Judge. Professor Demmert is a graduate of the University of Washington with a law degree and a BA in Psychology. She actively engaged in Alaska commercial fishing for salmon, halibut, and herring fisheries before she practiced law.

## Current Task Force Co-Chairs

**Juana Majel Dixon, Ph.D.**, is a citizen of the Paumayuma Band of Luiseño Indians and has served on the Tribe’s legislative council for 40 years. Juana has been a member of NCAI for nearly six decades and spearheaded the formation of NCAI’s VAW Task Force in 2003 as co-chair for the past 20 years, dedicating endless hours to the re-authorization of

VAWA in 2005 and ensuring the passage of VAWA and the Tribal Law and Order Act in 2013. She currently chairs the U.S. Department of Justice Tribal Actions Leadership Council, advising the Attorney General on public safety, criminal justice, and other critical issues facing AI/AN communities. Juana is co-chair of the Substance Abuse and Mental Health Services Administration Tribal Technical Advisory Committee and Southern California delegate with the Tribal Interior Budget Council.



*Shannon Holsey.  
Photo courtesy of Shannon Holsey.*

She has championed the UN World Council Against Racism and the UN Declaration on the Rights of Indigenous Peoples. Juana also served as the UN North American Indigenous Representative from 1998-2008. Juana holds a joint doctorate in U.S. policy and education and master degrees in behavioral science and psychology. She has taught federal Indian law and U.S. policy for 25 years at Palomar College. She is a visiting professor at San Diego State University, Claremont Graduate University, and Cal State San Marcos. Throughout her career as an advocate, educator, and traditional Native healer, she has traveled the world representing the unique perspectives of Indigenous peoples, raising awareness about Native sovereignty, trafficking, the stolen sisters movement, Tribal justice systems, racism, spirituality, healing, and education.

**Shannon Holsey** serves as president of the Stockbridge-Munsee Band of Mohican Indians. Holsey has served four terms as President, following eight years as a member of the Tribal Council. Holsey grew up on the Stockbridge-Munsee Reservation in Bowler, WI, and has committed the Tribe to serving as good stewards of its economic, environmental, cultural, and intellectual resources. Holsey received her Bachelor of Business Administration magna cum laude and master's degree Strategic Leadership and Communication from Seton Hall University and master's degree Human Resources and Employment Relations from Penn State University with distinction.

Holsey has also served her sixth term as president of the Great Lakes Inter-Tribal Council, representing 11-member Tribes with a land base of about 1 million acres spanning 45 counties. She is appointed to the Wisconsin State Legislature's Special Committee on State-Tribal Relations. She serves in the following capacities: NCAI Treasurer, NCAI Area Vice President for the Midwest region, MAST Secretary, INMED Advisory Council, CMA Tribal Technical Advisory Group, NCAI Subcommittee member of land management, Co-chair of NCAI VAW Task Force, Wisconsin's MMIW Task Force, Governor Appointed Student Debt Relief Task Force, National Council on Aging committee member, Region 5 EPA RTOC member, and 2020 presidential elector for the state of Wisconsin.

Holsey's philosophy on leadership recognizes that Native Americans are growing economies, preparing students to succeed, delivering high-quality health care, protecting the environment, upholding Tribal sovereignty, and solving the unique challenges facing Tribal communities.



# YOU'RE *Invited*

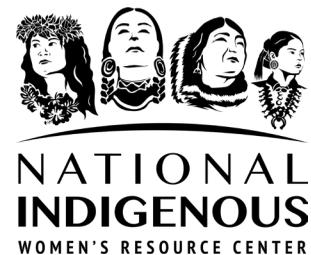


- The Westin Washington, DC Downtown  
999 Ninth Street NW  
Washington, D.C.
- Monday, February 12, 2024
- 7:00 - 8:30 PM (EDT)

## ABOUT THE RECEPTION

Twenty years ago on February 23, 2004, as Senators and Representatives entered room 902 of the U.S. Senate Office Building on Capitol Hill for a briefing on violence against American Indian women, they were greeted and handed a copy of the first Restoration of Native Sovereignty and Safety for Native Women. While systemic barriers remain disproportionately impacting Native women and Indian tribes, we take a moment to celebrate Tribal voices shared in the Magazine that have helped increase Native women's safety.

Join NCAI on February 12th, 2024, as we celebrate 20 years of our grassroots organizing to restore Tribal sovereignty and increase Native women's safety.



# National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

By Laura Van Oudenaren, Manager of Leadership Development, NCAI, and Kendra Kloster, *Tribal Citizen of Central Council of the Tlingit and Haida Indian Tribes of Alaska*, Co-Director, Law and Policy, Alaska Native Women’s Resource Center

The following list is a selection of the resolutions passed by NCAI that relate to violence against women. Since 2000, NCAI has passed more than 20 resolutions advocating for improved services and comprehensive responses to sexual assault, domestic violence, dating violence, missing and murdered Indigenous women (MMIW), and stalking. The table below captures key policy measures advocated for by a selection of the resolutions and their current status. The table represents only a portion of the resolutions passed related to violence against women and expanding the Tribal authority to protect American Indian and Alaska Native (AI/AN) women.

Despite the progress made on many of these resolutions, AI/AN women continue to experience disproportionately high levels of all forms of violence and sexual violence as compared to any other demographic in the US and Canada. NCAI and its partners will continue their efforts to realize the calls to action in resolutions that remain outstanding and introduce new resolutions that aim to eradicate violence against Native women.

RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<b>STP-00-81:</b> Violence Against American Indian/Alaska Native Women	“NOW THEREFORE BE IT RESOLVED, that NCAI establishes a task force and commissions a preliminary report on the level of domestic violence in our Nations, communities, and homes...”	The NCAI VAWA Task Force started meeting in 2003 and continues to meet three times per year before each NCAI session.	Yes
<b>ABQ-03-124:</b> Opposition to Senate Bill 1585 Section 109; Field Hearings in Alaska to Review the Battering, Rape, and Stalking of Alaska Native Women	“WHEREAS, S.B. 1585, section 109 would set a dangerous precedent of redirecting tribal funds to state governments that would impact all Indian tribes; BE IT FURTHER RESOLVED, that the NCAI does hereby request that the U.S. Congress oppose S.B. 1585 Section 109 because the bill is an attack on the sovereignty of Alaska Native Tribes and their ability to protect women and children.”	In the final version of the bill, section 109 was removed. In the final version, funds could be used for tribal law enforcement unless the tribe or village had fewer than twenty-five Native members living in the village year-round; or was located within the boundaries of seven specified boroughs.	Yes

## National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<p><b>PHX-03-034:</b> Support for the 2005 Reauthorization of the Violence Against Women Act Including Enhancements for American Indian and Alaska Native Women</p>	<p>“NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby resolve to support amendments to the Violence Against Women Act to increase the Federal response to violence against American Indian and Alaska Native women such as: Increasing the sentencing authority of Indian tribes in cases of domestic violence and sexual assault cases beyond one year and \$5,000; Increasing criminal authority to Indian tribes to prosecute non-Indian rapists and batterers...”</p>	<p>The 2005 VAWA Reauthorization was passed, and many of the amendments called for in PHX-03-034 have since been passed. Notably, in 2003, tribes were restricted to sentences of up to 1-year imprisonment, a fine of up to \$5,000, or both. Today, the Tribal Law and Order Act (TLOA) enhances tribal authority to impose sentences of up to three years imprisonment and/or a \$15,000 fine per offense for a combined maximum sentence of nine years per criminal proceeding.</p>	<p>Yes</p>
<p><b>GBW-05-019:</b> Supports the Reauthorization of the 1994 Violence Against Women Act</p>	<p>“NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby support the reauthorization of the 1994 Violence Against Women Act due for reauthorization in September 2005 and individual and collective efforts in advocating Congressional committee hearing and passage.”</p>	<p>The VAWA Reauthorization Act of 2005 was passed and signed into public law 109-162 on January 5, 2006.</p>	<p>Yes</p>
<p><b>PHX-08-015:</b> Support for the 2010 Reauthorization of the Violence Against Women Act Including Enhancements to Strengthen the Sovereignty and Safety of American Indian and Alaska Native Women</p>	<p>“NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby resolve to support amendments to the Violence Against Women Act ...including: 1. Increasing the sentencing authority of Indian tribes in cases of domestic violence and sexual assault cases up to three years for any single offense and \$15,000; 2. Restoring the criminal authority of Indian tribes to prosecute all persons committing crimes of domestic violence and sexual assault within tribal jurisdiction.”</p>	<p>In both the 2013 and 2022 reauthorization of VAWA, the criminal authority of Indian tribes to prosecute all persons committing crimes of domestic violence and sexual assault within tribal jurisdiction was expanded. TLOA allowed for the enhancement of sentencing provisions. The maximum sentencing was increased to three years in jail per offense and/or \$15,000 per offense, with the option to stack offenses up to nine years.</p>	<p>Yes</p>

## National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<b>MKE-11-034:</b> Support for Inclusion of Legislative Proposals that Enhance the Safety of Native Women within the 2011 Reauthorization of the Violence Against Women Act	“NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby support and urge Congress to amend the Violence Against Women Act of 2005 to: include” ...restoring optional, concurrent tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, and related crimes; increasing resources for restoring criminal jurisdiction, creating a 10% VOCA tribal-set aside, amending the Sexual Assault Services Program to include culturally appropriate service providers, amending the definition of rural to include all AI/AN tribes and increasing resources to tribes in PL 280 states.”	Some of the amendments proposed in MKE-11-034 have been realized, including improvements to restored jurisdiction, the creation of the SASP Culturally Specific Grant Program, and changes to the definition of rural. However, the VAWA Task Force and its allies continue to advocate for other amendments listed, including a 10% VOCA Tribal set aside, increased resources to tribes in PL 280 states, and funding to support tribes with restoring jurisdiction.	Partially
<b>LNK-12-001:</b> Support for “Plan B” Over the Counter for All American Indian Women Who Are Seventeen Years and Older	“BE IT FURTHER RESOLVED, that NCAI will urge the adoption and implementation of the over-the-counter access to Plan B within all IHS Service Units and emergency rooms and Contract Health Care facilities/providers pharmacy formularies; and... will request Dr. Yvette Roubideaux, the Director of IHS, to issue a directive to all service providers that emergency contraception be made available on demand -- without a prescription and without having to see a doctor -- to any woman age 17 or over who asks for it.”	In 2015, IHS finalized a policy that required the morning-after pill to be available to women of any age over the counter at IHS-run facilities, no questions asked. However, despite the policy changes, AI/AN women still struggle to access emergency contraceptives, especially in rural areas. Although the written policy of IHS changed, more advocacy is needed to ensure that all women have access to Plan B.	Partially
<b>SAC-12-038:</b> Support for Immediate Passage of the VAWA Reauthorization with Tribal Criminal Jurisdiction Provision Intact	“BE IT FURTHER RESOLVED, that the NCAI calls on Congress to immediately pass a final Violence Against Women Reauthorization Act that includes some form of the Tribal criminal jurisdiction...”	In 2013, the VAWA reauthorization passed. The 2022 reauthorization included much-needed criminal jurisdiction provisions for Alaska and ensured Indian Tribes in Maine can exercise STCJ and keep their communities safe.	Yes

## National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<b>REN-13-006:</b> Protect Alaska Native Women	“NOW THEREFORE BE IT RESOLVED, that NCAI supports the development of legislation that will: 1) Restore Alaska Native village lands as “Indian country” with Alaska tribal governments having the same authority to address the needs of their peoples as the tribes in the lower 48; and...provide separate funding to Alaska tribal governments for necessary law enforcement in rural villages.”	The VAWA 2022 reauthorization expanded tribal jurisdiction to include Alaska Native villages. However, funding remains inadequate to support necessary law enforcement and the implementation of this expanded jurisdiction.	Partially
<b>TUL-13-011:</b> To Support Adequate Funding for Tribal Coalitions Providing VAWA Related Technical Assistance to Indian Tribes	“BE IT FURTHER RESOLVED, that NCAI will...1. Advocate for adequate funding for Tribal Coalitions to allow for needed stability and growth...; 2. Work to ensure that any programs created to provide funds to Tribal Coalitions are administered on an annual basis and are not competitive in nature, as required under [VAWA 2013]; 3. Support the appropriate inclusion of Tribal Coalitions in meetings regarding violence against Native women, including NCAI meetings and the annual Tribal Consultation meeting required by VAWA.”	VAWA 2013 changed the Tribal Domestic Violence and Sexual Assault Coalitions Grant Program from discretionary to a combination of discretionary and formula funding. VAWA 2013 also required OVW to establish a biennial conferral process with state and tribal coalitions and technical assistance providers. Over time, funding has increased for the Tribal Coalitions. Still, NCAI and its partners continue to advocate for a continued investment in the program and increased flexibility of funding.	Yes
<b>ATL-14-048-B:</b> Tribal Access to Criminal Background Databases for Criminal and VAWA 2013 Purposes	“NOW THEREFORE BE IT RESOLVED, that NCAI does hereby request that the Attorney General direct DOJ to immediately review its decision about how criminal databases are accessed, enter into consultation with tribal governments on developing a comprehensive remedy for tribal government access to criminal databases, and provide tribes a direct portal that provides both immediate (name-based review) and full access (fingerprint and order entry) consistent with federal laws that authorize this access...”	Although significant gaps in data sharing remain, the DOJ launched the Tribal Access Program for National Crime Information (TAP) in August 2015 and has expanded yearly to provide Tribes access to national crime information systems for federally authorized criminal justice and non-criminal justice purposes.	Yes

## National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<b>SD-15-080:</b> Urging the Administration to Consult on Funding for Tribal Assistance at DOJ	“BE IT FURTHER RESOLVED, that the NCAI calls on Congress to uphold its trust responsibility and immediately appropriate sufficient funds to support tribal implementation of SDVCJ and tribal justice systems by: Appropriating the \$25 million authorized in VAWA 2013 for implementation of SDVCJ; Directing a portion of disbursements from the Crime Victims Fund to tribal governments so that tribes can provide critical victim services and compensation to crime victims on tribal lands; and Directing 7% of OJP discretionary programs to a flexible program for tribal assistance, as requested in the President’s budget and as included in both House and Senate CJS appropriations bills in recent years...”	The U.S. Dept. of Justice grant program for implementing SDVCJ first received an appropriation of \$2.5 million in fiscal year (FY) 2016 and an appropriation of \$5.5 million in FY 2022. VAWA 2022 reauthorized the grant program and authorized a new program to reimburse Tribal governments for expenses incurred in, relating to, or associated with exercising STCJ. The FY 2023 appropriation for these two programs is \$11 million. Additionally, in FY 2022, the Tribal Governments Program gave out 30 awards totaling over \$28 million. FY 2023 appropriations for the Tribal Governments Program is \$49.3 million, with final awards released September 26th, 2023. <sup>1</sup>	Partially
<b>PHX-16-077:</b> Address Crisis of Missing and Murdered Native Women	“NOW THEREFORE BE IT RESOLVED that the NCAI does hereby support the Congressional resolution creating a National Day of Awareness for Missing and Murdered Native Women and Girls.”	The Senate passed an annual resolution from 2017-2023 recognizing the National Day of Awareness for Missing and Murdered Native Women and Girls on May 5th.	Yes
<b>ECWS-20-003:</b> Establish a Working Group on Missing and Murdered Indigenous Women as part of the NCAI Task Force on Violence Against Women	“NOW THEREFORE BE IT RESOLVED that the [NCAI Task Force on VAWA] will establish a task force on missing and murdered indigenous women and...calls on the DOJ office on Violence Against Women, the [BIA], the Administration for Native Americans and other relevant federal agencies to provide funding support to the NCAI Working Group on MMIW.”	Although the VAWA Task Force continues to meet, the MMIW Working Group was never formally established. However, issues and priorities pertaining to MMIW continue to be discussed in the VAWA Task Force.	No

<sup>1</sup> <https://www.justice.gov/opa/pr/justice-department-awards-6819-million-grants-support-american-indian-and-alaska-native>

## National Congress of American Indians (NCAI) Resolutions Related to Violence Against Women

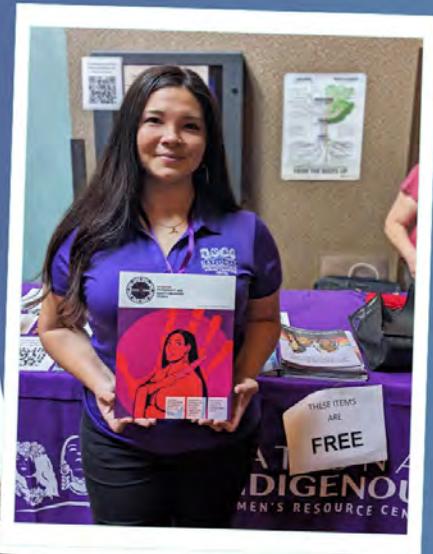
RESOLUTION	KEY POLICY	STATUS	ACHIEVED
<b>SAC-21-040:</b> Support Codifying an Alaska Native Tribal Resource Center on Domestic Violence and a Native Hawaiian Resource Center on Domestic Violence in the Family Violence Prevention and Services Act (FVPSA)	“BE IT FURTHER RESOLVED, that NCAI supports additional funding in the reauthorization of FVPSA to support a [sic] Alaska Native Tribal Resource Center on Domestic Violence and a Native Hawaiian Resource Center on Domestic Violence;”	The reauthorization of FVPSA was introduced by Sen. Murkowski in August of 2023, but at this time the reauthorization has not been passed.	No
<b>SAC-22-039:</b> Calling for the Amendment of 18 U.S.C. § 1152 to Expressly Preempt State Criminal Jurisdiction within Indian Country	“WHEREAS, amending 18 U.S.C. § 1152 to expressly preempt state jurisdiction over non-Indian crime within Indian Country will sufficiently fix the United States Supreme Court’s decision in <i>Oklahoma v. Castro-Huerta</i> and will restore balance in Indian Country, affirm over 200 years of precedent, and ensure that Indian tribes and the Federal government are responsible for prosecuting crimes in Indian Country involving Indians, while avoiding issues related to amending other federal statutes, including P.L. 280.”	The language of 18 U.S.C. § 1152 was not amended, and the U.S. Supreme Court’s decision in <i>Castro-Huerta</i> continues to have ramifications across Indian Country.	No
<b>ANC-22-007:</b> Supporting Indigenous Safety through Opposing Man-Camps for Thacker Pass	“NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) is opposed to the construction of man-camps near Tribal Nations and calls on the Departments of Justice, Interior, and Health and Human Services, and related agencies, to increase safety for Native women in order to address the crisis of Missing and Murdered Indigenous Women and Girls.”	Despite widespread resistance, man camps remain at Thacker Pass. NCAI continues to advocate against man camps and for accountability of extractive industries for violence against AI/AN women.	No

### What Remains To Be Done

The strength of the policy advocacy of the last 20 years is evidenced by the number of resolutions fully or partially realized. However, the work is far from over. Transforming resolutions into formal policies can take time. Our experience has been that changes such as special domestic violence criminal jurisdiction and VOCA tribal set-aside appropriations can take up to 10 years to secure. Likewise, there are many issues and needs regarding the implementation of VAWA that have not been captured in a formal resolution, including, but not limited to: Inadequate funding for restored jurisdiction, outstanding injustice of MMIW, Tribal funding and disbursement of the Crime Victims Fund, and disparities in BIA funding across states.

Out of NCAI’s adopted resolutions, the following initiatives remain outstanding:

- As called for in REN-13-006, Alaska still lacks adequate funding to support public safety.
- A *Castro-Huerta* fix has not been delivered, as called for in SAC-22-039.
- Although the emergency contraceptive policy called for in LNK-12-001 was enacted, many women still encounter problems with access, and some IHS facilities have not followed the policy.
- Although NCAI opposed man-camps and their deleterious effects in ANC-22-007, the Thacker Pass man-camp and others remain.
- As called for in SAC-21-040, the *Family Violence Prevention and Services Act* has not been reauthorized.”





The National Indigenous Women’s Resource Center (NIWRC) would like to thank all participants, vendors, partners, and co-sponsors who joined us at the Isleta Resort & Casino in Albuquerque, NM from June 26 - 28 for the **Women Are Sacred Conference 2023**.

We extend our heartfelt gratitude for your powerful insight, storytelling, and compassion. Let us continue to come together and share space as survivors, community leaders, advocates, and relatives to end violence against Native women. Together, we reclaim and uplift the feminine spirit that resides at the heart of our safety and survival as Indigenous people.



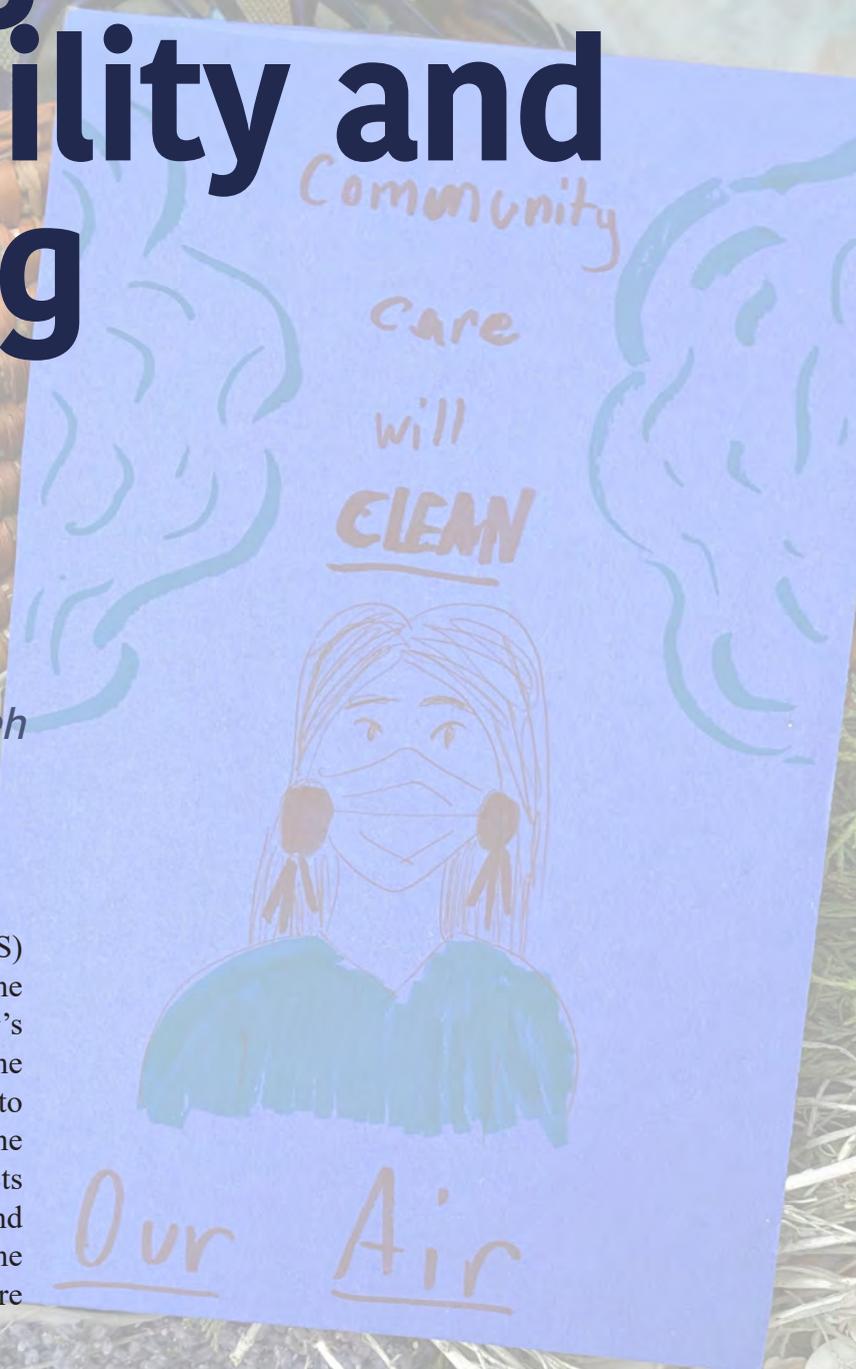
**WOMEN  
ARE  
SACRED  
2023**

# *Women Are Sacred* Reflections: Watering Seeds of Accessibility and Centering Safety

By Tia Bahozhoni, *Diné*, Policy Specialist, NIWRC, and Marquel Musgrave, *Nanbé Owingeh (Pueblo of Nambe)*, COVID TA Specialist, NIWRC

On June 26, the Women Are Sacred (WAS) conference began in Isleta Pueblo. It was the National Indigenous Women's Resource Center's (NIWRC) first in-person WAS conference since the onset of the COVID-19 pandemic. As we returned to gathering in person, it was critical we did so with the acknowledgment and understanding that the impacts of COVID-19 still greatly affect our daily lives and communities. The actions we take now impact the future of our communities and our current and future health.

The statistics surrounding COVID-19 support the need for our continued mitigation and education work. The risks of COVID-19 alone are not



enough to understand the severity of the risk to our communities' health. The overwhelming and emerging data on Long Covid drives our efforts to protect our communities' health. Long Covid is not a single illness but a collection of conditions that may result from the viral infection or the inflammation it triggers throughout the body. According to the U.S. Centers for Disease Control and Prevention (CDC), the syndrome can be identified four weeks after COVID-19 infection.<sup>1</sup> While COVID-19 deaths are significantly lower than in recent years, we are in a new phase where an estimated 1 in 10 infections leads to Long Covid.<sup>2</sup> Reinfections of COVID-19 increase the risk of Long Covid, developing diabetes, hospitalization, organ failure, disorders affecting the respiratory, musculoskeletal, and gastrointestinal systems, and death.<sup>3,4</sup>

According to a CDC pulse survey, cisgender women, trans people, and bisexual people are disproportionately impacted by Long Covid.<sup>5</sup>

Indigenous communities have experienced disproportionately negative COVID-19 impacts along with disparities in treatment. American Indian life expectancy dropped by 6.6 years from 71.8 years

in 2019 to 65.2 by the end of 2021.<sup>6</sup> COVID-19 was the third leading cause of death in the U.S. from 2020-2021 and is currently the 4th leading cause of death and a leading cause of death in children.<sup>7</sup> Adding to the loss, American Indian, Alaska Native, Native Hawaiian, and Pacific Islander children lost caregivers at rates about 3.5 times the rate of White children, and in some states, that rate was more than ten times.<sup>8</sup> These negative effects of COVID-19 show the need for ongoing community response and protection.

The immense collective grief from the loss of life of our beloved family and community members is compounded when we consider the deteriorated quality of life our relatives experiencing new disabilities and chronic health issues face and imagine what our lives would have been the past three years. We must acknowledge this and create spaces and opportunities to feel and heal this collective grief. We need one another, and in creating spaces of coming together, we can all do better to create a world where we do not try to return to the old world but instead build the world anew. A world with the learnings from the core values of our teachings and respective Nations, which allow us to survive and thrive. One way to do this is to be leaders in the clean indoor air revolution.

We know COVID-19 and other viral illnesses are airborne. We also know our communities across our Nations have been impacted by climate crisis-fueled wildfires impacting the outdoor and indoor air quality. We can lead in the implementation of



*Tia Bahozhoni and Marquel Musgrave preparing the Grand Ballroom space at the Women Are Sacred (WAS) Conference 2023 in Albuquerque, NM with COVID-19 mitigation carefully in mind. Photo courtesy of Marquel Musgrave.*

<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects/index.html>

<sup>2</sup> <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing---26-april-2023>

<sup>3</sup> <https://www.nature.com/articles/d41586-022-00912-y>

<sup>4</sup> <https://www.nature.com/articles/s41591-022-02051-3>

<sup>5</sup> [https://www.cdc.gov/nchs/pressroom/nchs\\_press\\_releases/2022/20220622.htm](https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2022/20220622.htm)

<sup>6</sup> <https://www.cdc.gov/nchs/data/vsrr/vsrr023.pdf>

<sup>7</sup> <https://www.ox.ac.uk/news/2023-01-31-covid-19-leading-cause-death-children-and-young-people-us>

<sup>8</sup> <https://www.covidcollaborative.us/initiatives/hidden-pain>

updating indoor air filtration and ventilation in all the spaces we congregate indoors. We are responsible to one another, our communities, and future generations to implement the tools we know to create safer, more accessible, and more equitable gathering spaces.

Therefore, in line with NIWRC's values of safety and respect, we implemented a multi-layered approach to COVID-19 mitigation at the WAS conference, consisting of reduced attendance capacity, mask-wearing, self-monitoring practices (such as daily pre-event testing), enhanced indoor ventilation and air filtration, and monitoring of indoor air quality. We strongly advocated for participants to wear masks and participate in additional layered mitigation strategies to protect themselves and others. This prevention strategy intended to provide an equitable, accessible, and safe gathering space for all participants as a practice of community care. One key study that informed our approach showed the combination of the two HEPA air cleaners and universal masking reduced overall exposure by up to 90%.<sup>9</sup> As testing access has reduced, we must utilize tools like wastewater monitoring to assess COVID-19's prevalence in our local communities. We utilized Biobot Analytics (including county data) as a resource to share with participants before they traveled to provide information about the local COVID-19 statistics.<sup>10</sup> We are grateful to all who practiced community care by engaging in our layered mitigation strategy by testing daily, wearing a mask, and doing the self-symptom assessment.

A highlight of the efforts during WAS was how the youth in the Youth Track led by NIWRC's Native Love program were excited to support the practice of community care by not only engaging in the Practicing Community Care by Cleaning the Indoor Air workshop and building a DIY Corsi-Rosenthal air purifier but also coming up with new innovative designs for their builds. One youth expressed this activity was their favorite from the entire Youth

Track. This exemplified how young people feel called to learn more, lead, and engage in practices supporting our collective communities' health.

Collective health was a major focal point at WAS, and with these COVID-19 layered mitigation tools, we tried to make the conference as accessible as possible. The rise of disability due to COVID-19 health complications motivated us to review our knowledge and actions based on a disability justice framework. Disability justice was created as an extension of disability civil rights, and centers on the lives of LGBTQ2S+ disabled people of color.<sup>11</sup> Structural and historical barriers are unique to these communities, and disability justice seeks to dismantle those barriers created by colonial capitalistic systems.

Indigenous disability justice considers kinship, knowledge, and environment. In-person events are becoming more normalized, strengthening our connections and bolstering growth within communities. We must work to ensure events are accessible to all who attend. The future of our work at NIWRC will continue addressing the need for accessible spaces and education on disability justice.

We understand that substantial and sustainable change is achieved through consistent action.

**“Our ancestors were careful in their planning to consider all our relations, and provided us these blueprints, as both an understanding and a practice, to caretake one another with radical love.”<sup>12</sup>**

-Dr. Sandra Yellowhorse (Diné)

Learn More

To learn more and access **NIWRC's COVID-19 Resources**, go to:

[www.niwrc.com/topic/covid-19](http://www.niwrc.com/topic/covid-19)

<sup>9</sup> <https://www.cdc.gov/mmwr/volumes/70/wr/mm7027e1.htm>

<sup>10</sup> <https://biobot.io/data/>

<sup>11</sup> <https://code.as.ucsb.edu/what-is-disability-justice/>

<sup>12</sup> <https://bit.ly/3ScoibP>

# Office on Violence Against Women Welcomes Director *Rosie Hidalgo*

By NIWRC



*OVW Director Rosie Hidalgo.  
Photo courtesy of U.S. Department of Justice.*

Rosie Hidalgo joined the Office on Violence Against Women (OVW) as its Director in July after serving as Special Assistant to the President and Senior Advisor on Gender-Based Violence at the White House Gender Policy Council. She previously worked at OVW as Deputy Director for Policy during the Obama-Biden Administration. During that time, Rosie was detailed to the Office of the Vice President, working with the White House Advisor on Violence Against Women.

Rosie has worked in the movement to end gender-based violence for over 30 years as a public interest

attorney and national policy advocate. At the outset of her career, she provided direct civil legal services through non-profit organizations in New York and Virginia. Before her work at the White House, she was the Senior Director of Public Policy for Casa de Esperanza: National Latin@ Network for Healthy Families and Communities (now Esperanza United), a national resource center with a focus on providing training, research, and policy advocacy to prevent and end domestic violence and sexual assault. Rosie also served on the Biden Foundation's Advisory Council for Ending Violence Against Women and the American Bar Association's Commission on Domestic and Sexual Violence.

The daughter of immigrants from Cuba, Rosie spent a total of 10 years as an adult living in three different countries in Latin America, including the Dominican Republic, where she helped establish and coordinate a community-based domestic violence prevention and intervention network and worked as a consultant for the World Bank on social services reforms.

She received her Bachelor's degree in Government and International Relations from Georgetown University and her J.D. from New York University School of Law, where she was a Root-Tilden Scholar.

"Rosie has been a strong hearted ally to Native women and Indian tribes. NIWRC looks forward to working with Director Hidalgo to implement VAWA 2022 amendments," said Lucy Simpson, Executive Director, NIWRC.

# Special Law Enforcement Commissions: Increasing Options in Indian Country

By Leslie A. Hagen, National Indian Country Training Coordinator,  
U.S. Department of Justice



*Leslie Hagen, National Indian Country Training Coordinator, US DOJ. / Photo courtesy of Leslie A. Hagen.*

One challenge in investigating cases in Tribal communities is the limited number of law enforcement personnel and frequent turnover in Tribal police department staffing. Getting Tribal and local law enforcement officers a Bureau of Indian Affairs (BIA), Office of Justice Services (OJS) issued Special Law Enforcement Commission (SLEC) is one way to get additional “boots on the ground” able to exercise federal authority for crimes committed in Indian country. An SLEC allows officers to enforce federal criminal statutes and federal hunting and fishing regulations in Indian country.

OJS issues SLECs to Tribal, Federal, State, and local full-time certified law enforcement officers who will serve without compensation from the Federal government. Authority to enter into Deputation Agreements and SLECs is based on federal law and federal regulations.<sup>1</sup> As stated in Section 4-04 of the BIA-Office of Justice Services Law Enforcement Handbook 3rd Edition, SLECs are to be issued or renewed at BIA-OJS discretion and only for legitimate law enforcement needs.<sup>2</sup>

Officers seeking an SLEC must meet certain minimum qualifications. In part, these requirements include:

<sup>1</sup> 25 U.S.C. § 2804 (Pub. L. 101-379), 25 C.F.R. Part 12

- The officer must be a full-time certified law enforcement officer of a Federal, State, local, or Tribal law enforcement agency.
- The officer must not have been convicted of a misdemeanor offense the year preceding the issuance of the SLEC, except for minor traffic offenses, excluding misdemeanor DUI/DWI convictions.
- The officer must never have been convicted of a misdemeanor crime involving moral turpitude (including any convictions expunged from the applicant’s record).
- The officer must never have been convicted of a misdemeanor crime of domestic abuse that prevents the applicant from possessing a firearm or ammunition.
- The officer must sign a “Domestic Violence Waiver” certifying that they have never been convicted of a domestic violence offense, including convictions in a Tribal court.
- The officer must have successfully passed the Criminal Jurisdiction in Indian Country (CJIC) examination with a score of 70 % or higher.<sup>3</sup>

The Tribal Law and Order Act of 2010<sup>4</sup> shifted primary responsibility for delivery of CJIC training to DOJ.<sup>5</sup> Course development and responsibility for CJIC training have been assigned to DOJ’s National Indian Country Training Initiative (NICTI). The NICTI was launched in July 2010 to ensure that DOJ prosecutors, as well as state and Tribal criminal justice, social service, and health care personnel, receive the training and support needed to address the challenges relevant to Indian country investigations and prosecutions. The NICTI is located at the National Advocacy Center (NAC), a nationwide training center operated by the DOJ in Columbia, SC. The NAC is the premiere federal training institution for teaching legal and leadership skills to DOJ personnel and the broader government community. The NICTI hosts residential courses at the NAC each year, prepares and delivers distance education products, and authors and disseminates written educational materials. In addition,

the NICTI Coordinator teaches at many Tribal and federal events every year. Since NICTI’s inception in 2010, over 21,600 personnel have been trained through NICTI-hosted training. The numbers have increased since COVID and NICTI’s incorporation of webinar training, which has increased training accessibility.

The CJIC training curriculum covers such topics as search and seizure law, criminal jurisdiction in Indian country, federal criminal procedure, the Crime Victims’ Rights Act, and investigating sexual assault, domestic violence, and child abuse crimes occurring in Tribal communities. Following two full days of lecture, CJIC students take a 50-question test.

Before the pandemic, the CJIC class was typically hosted by United States Attorney’s Offices (USAO). In a typical year, roughly 15 classes were held with approximately 500 officers in attendance. Unfortunately, in March 2020, all in-person CJIC classes ended due to the pandemic. On July 9, 2020, the United States Supreme Court issued its opinion in *McGirt v. Oklahoma*.<sup>6</sup> In *McGirt*, the Court held that the land within the boundaries of the Creek Nation’s historic territory remains an Indian reservation for purposes of federal criminal law. Therefore, it was critical that hundreds of officers in Oklahoma quickly receive the training that would allow them to pursue getting an SLEC and the ability to enforce federal criminal statutes. Accordingly, the NICTI was called upon to develop an online version of the CJIC class. All of the individuals attending a CJIC class should be working in or with Tribal communities or with Indian people. One of the criteria for being accepted into the class is that the individual is employed as full-time law enforcement.

The CJIC class is now virtual only and is held approximately three times per year. The graph below illustrates the dates of CJIC training offered by the NICTI, the total number of students receiving the training, and the number of state, local, and Tribal officers in Oklahoma who attended the training.

It is very important to remember that not every officer who has taken the CJIC class now holds an SLEC. In September 2019, then-OJS Director Charles Addington issued a memorandum stating

<sup>2</sup> on.doi.gov/3F18aC2

<sup>3</sup> Id.

<sup>4</sup> Pub. L. No. 111-211, tit. II, 124 Stat. 2261 (2010)

<sup>5</sup> 25 U.S.C. § 2810(7)

<sup>6</sup> 140 S.Ct. 2452 (2020)

that completing the CJIC class is one way for Tribal police officers to satisfy the BIA Basic Police Officer Training certification requirements. There are other reasons why an officer who successfully completes the CJIC class may not get an SLEC. The primary reason is the failure of the applicant or the Tribe to submit a completed SLEC application package to the BIA. A second reason is the Tribal police department not completing the deputation agreement with BIA. A third reason is the lack of an adjudicated background investigation for the officer seeking the SLEC.<sup>7</sup>

An SLEC, once issued, can be revoked or suspended for cause. Termination can happen when an officer is fired or resigns his or her position, there is a sustained allegation or serious misconduct, or there is a finding that the SLEC was misused. An SLEC is good for five years. An officer holding an SLEC will need to reapply within 90 days of the expiration of the SLEC. An officer seeking a renewal of his or her SLEC will need to retake the CJIC class.

Holding an SLEC is beneficial to a Tribal or local police officer in several instances. An SLEC officer acting under the authority granted by a Deputation Agreement and within the scope of his or her duties shall be considered an employee of the U.S. Department of the Interior for purposes of:

- 5 U.S.C. § 3374(c)(2) (coverage under the Federal Tort Claims Act)
- 18 U.S.C. §§ 111 and 1114 (assault and protection of officers)
- 5 U.S.C. §§ 8191- 8193 (compensation for work injuries)

For example, if a Tribal police officer and SLEC holder is arresting a defendant for a federal

offense and is assaulted by the suspect, the USAO may then be able to charge the offense of Assault on a Federal Officer.<sup>9</sup> And if the officer suffers injuries, he or she may be eligible for compensation. It is important to remember that these protections apply when an SLEC holder is exercising federal authority. So, if a suspect assaults the Tribal officer during an arrest for violating the Tribe’s criminal code, these additional federal protections likely will not apply. However, there are different holdings among federal judicial circuits, so it is best to consult federal case law in your jurisdiction if there are questions.

The SLEC program provides Tribes with an additional justice tool if they choose to use federal laws to hold offenders accountable in Tribal communities. The training is free and easy to obtain now that it is virtual. If a police department does not currently have an SLEC program and is interested in starting one, they are encouraged to contact their BIA Special Agent in Charge (SAC). The regional BIA SAC controls the deputation process. One important caveat is that current law and federal regulations concerning SLECs specifically include the term Indian country. So, currently, Tribes in Alaska are likely unable to initiate an SLEC program until there is a change in law and federal regulations.

*Number of students attending the CJIC training curriculum from 2020 through 2023. / Table courtesy of Leslie A. Hagen.*

Date	Total Students Attended	OK Students Attended
August 26-27, 2020	355	355
October 5-6, 2020	640	244
January 12-12, 2021	764	465
March 23-24, 2021	585	387
June 15-16, 2021	640	459
September 27-28, 2021	269	117
December 7-8, 2021	255	114
March, 8-9, 2022	237	79
August 17-18, 2022	317	54
November 30 - December 1, 2022	225	57
March 29-30, 2023	264	38
August 8-9, 2023	177	15
<b>Total</b>	<b>4728</b>	<b>2384</b>

<sup>7</sup> Supra at 2.

<sup>8</sup> Id.

<sup>9</sup> 18 U.S.C. § 111

# Rose M. “Lashawaat” Quilt, J.D. (Yakama) Stepping Back from NIWRC

By NIWRC

Rose is enrolled with the Confederated Tribes and Bands of the Yakama Nation and is also of the Lummi Nation. Raised on the Yakama reservation, her family traveled between Yakama and Lummi Island to learn both Tribes’ traditional ways, songs, and ceremonies. Rose and her children were also culturally adopted into a beautiful Tlingit and Haida family from Keex Kwaan (Kake), Alaska.

We thank Rose for 11 years of her warmth, hospitality, laughter, and strong-hearted advocacy with NIWRC and send her prayers as she moves on to what life has in store for her as she cares for her family. During her time with NIWRC, she served as staff lead with the Office on Violence Against Women (OVW) Tribal Coalitions TA project, providing technical assistance and training to nonprofit Tribal Domestic Violence and Sexual Assault Coalitions and assisting with the development of the Alaska Native Women’s Resource Center grassroots organizing curriculum. Rose also led on collaborating closely with surviving family members of missing and murdered Indigenous women (MMIW) to provide education, awareness, and policy reforms regarding MMIW and coordinated annually on an MMIW National Week of Action in partnership with an MMIW Family Advisory Group and National Partners. She also co-led NIWRC’s native youth project for several years and contributed to NIWRC’s

*Rose at Yupik Women’s Coalition regional at the Village of Nunam Iqua. Photo courtesy of Paula Julian.*



*Restoration Magazine* throughout her tenure with us. Since 2015, Rose served as Director of Policy and Research within NIWRC, bringing many years of personal and professional experience to continue advocacy efforts led by many movement leaders before her. Her wisdom and vision, drawing on the strength of her Indigenous lifeways, have been invaluable in guiding NIWRC’s Policy Team and their collaborative ability to advocate for law and policy changes, strengthening Tribal sovereignty and increasing Native women’s safety.

We wish Rose the best and know that our paths will cross again. Although we will miss Rose as part of our NIWRC family, we acknowledge that we do the work we do for the health and happiness of our families. We wholeheartedly support Rose in fulfilling her responsibilities to herself and her family.

Rose shared, “As a survivor of several forms of violence and systems not designed to work for me, it has been an honor to serve NIWRC and AI/AN women and children in organizing and advocating to change laws and policies to support them and their healing. I have no doubt that my absence from the movement will be brief as much remains to be done for our people, so look for me in meeting spaces and Zoom meetings near you!” We echo these sentiments and then some.

With love and respect for our sister,

**Lucy Simpson**

Executive Director

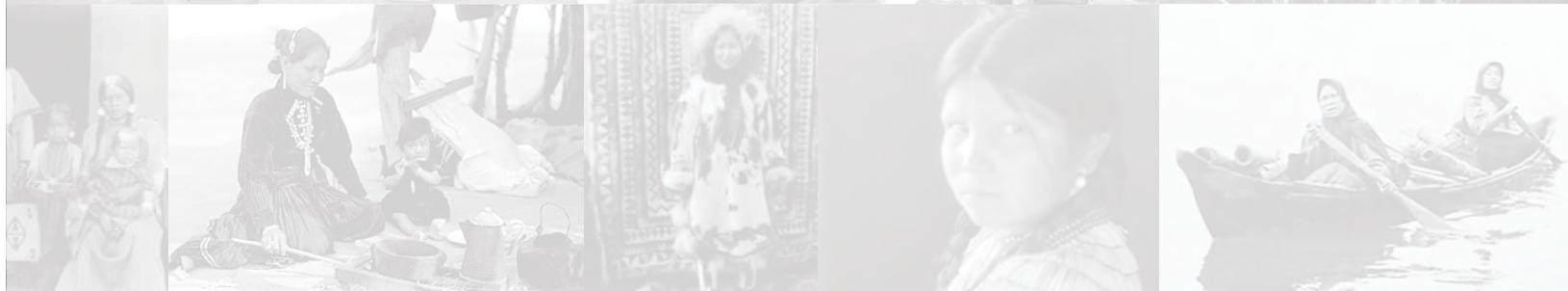
National Indigenous Women’s Resource Center



*Rose with President Biden and Deborah Parker, former NIWRC Board at VAWA 2022 Commemoration. / Photo courtesy of Rose Quilt.*



# Tribal PERSPECTIVES



*Tai Simpson, Dolly Tatofi, and Wendy Schlater speaking at the June Women Are Sacred Conference closing plenary panel. Photo courtesy of Paula Julian.*



# We Are Born of *Spirit* Through Mother Earth and the Womb of a Woman: Exploration of Identity

By tai simpson, *nimiipuu*, Wendy Schlater, *Payomkawichum*, Dolly Tatofi, *Native Hawaiian*, and Paula Julian, *Filipina*

The strong-hearted leadership of survivors and advocates have been the lifeblood of our grassroots movement over the last three decades to restore the sovereignty of Tribal Nations and increase Native women's safety. Restoring Indigenous protections rooted in Native cultures, customs, and traditions and reforming and transforming federal, state, and local systems requires:

- A political clarity of the inextricable link between violence against women and colonization reflected in federal laws, policies, and practices,
- National grassroots organizing by Indian Tribes, and Tribal and non-Tribal allied organizations to remove systemic barriers disproportionately impacting Native women.
- Prioritizing Indigenous worldviews of justice, health, safety, to inform the development of solutions recognizing the sacredness of Native

women and the resilience and strength of Native cultures. Indigenous identities are central to Indigenous worldviews.

As Alaska Native sisters from the Yup'ik Women's Coalition shared:

*Women were so respected and honored. The enemy came and stole their identity, but we can get our identity back. We have been silent for so long. It's time to start talking. We are young, beautiful, intelligent women, and we have a right to say no. Our body is ours. It's no one's body but ours. We know that the system is failing. The only way that we can help our people is if we do something about it...Our movement is like a seed that has been covered and buried for a long time, and now it's starting to bloom. **I feel like there's a fire inside of me that wants to burn.**<sup>1</sup>*

<sup>1</sup> <https://www.yupikwomen.org/news-and-updates/ywc-psa/>

At our June 2023 Women Are Sacred Conference, we invited three Native women to discuss what identities each of them brings into our shared space at the moment and what stories or truths need to be shared about those identities. We invite you all to have these discussions with each other. We thank tai, Dolly, and Wendy for sharing some of their thoughts with us below.

## *tai*

I have known womanhood as I was carried as an egg while my mother was carried in utero inside her mother. Their stories as women, grams, aunties, sisters, and lovers are connected to the water that birthed each of us. It's the water that connects us to the sky and the earth. It's encompassing and powerful. On quiet days, standing by the river, we can hear the river song that connects our generations. I rely on this matriarchy and ancestral connection to land and nature as an engine for my life and way of being. Every day, I consider how to serve and honor my body, my body, a gift from the land. Every day, I consider and reflect on stories, gifts from matriarchs before me. Every day, I consider how to write a story with my life that deems me worthy of my descendants, a gift I give to them.

Identity is not the individual experience we are conditioned to believe. Identity is a reflective woven fabric of my history, ancestry, future, and current life. Each thread represents my laughter, my hurt, my joy, my tears, my pain, my steps, my falls, and even the experiences of those in my community and family. I am never alone, always held by my own experience but also connected to those around me, by the water and land in me, and by the time that connects the generational arc of my life.

I am honored and humbled to be in this vessel at this time with these loved ones. I am expansive and limitless. Imagining a world without violence, practicing decolonization, embodying liberation and abolition is more than possible when I, we, recognize the power in that limitlessness.

## *Wendy*

The identities I bring in the spaces I fill today foremost are relative, including 2S Payomkawichum Sungal (woman), mother, co-parent, daughter, Sister, Aunty, cousin, and friend. Being a good relative helps me show my best self as a Sun-dancer, Tribal leader, advocate, traditional singer and activist.

My values, I feel, can be represented with the beginning of our people's Creation truth in being born of spirit with a value/instruction of being a good relative doing no harm and, if harm is done, working towards healing and reconciliation. I know I am not perfect, but I try to end my days by making things right between people I may have had a conflict with (including myself) and growing from that point.

One value of surrendering and giving unconditionally that is in our people's creation truth was when our teacher Wiiyoot died. Wiiyoot was the first to die and return as Moyla Wiiyoot, the new moon, who guides our spirits to the Milky Way when we leave this realm. Up to this point, our people had survived on white clay. When death came to our people, their diet changed, and they craved meat. Sukut (deer) is the first to lay their life down willingly so the people may eat. Sukut instructed how to take their life and prepare their body to nourish the people.

Every day, when I am mindful and show up with my best self, I go back to our people's first teachings and use those to facilitate my interactions with those I live and work with. I often marvel at the examples of the seasons and how each brings us different environments to nourish the food that will grow for us to eat, use as medicine for ceremonies, or the materials to make our homes, clothing, baskets, etc. I pause and am reminded how loved we are and cared for no matter what we

identify as. The seasons and all that comes with it show up for us All! I am so thankful to Tamáayawuti Mother Earth, for she has not only birthed us but has lived and gifted us with all the medicine, tools, and cognitive thinking so we may All continue to live fruitful lives interacting as good relatives. The choice is ours to make ;) Ayalanik (live a good life).

## Dolly

He Wāhine Wau, I am woman. A simple statement yet deep understanding around what it means to be wāhine. Wā is the expanse, a period of time and space; this includes everything and everyone. Hine, also known as Hina, is the female essence that carries this wā. It aligns with the kuleana that women have and bring forth especially in this earthly space. Wāhine are the path for everyone that is born and should continue to be the path while our breath is still strong. A great reminder that needs to continue to reverberate across Papa, mother earth. I grew up diverse. Ethnically I am Hawaiian, Chinese, Russian, Samoan, and Portuguese and I had a dream to become a translator of all of these languages in order to help others to communicate effectively; it was about bridging understanding. Being so diverse had emphasized the importance of being sensitive to the ways of a people and not having judgment. As we reflect on the LGBTQ+ population and how identification continues to expand it should make us stop and wonder on a deeper level why this is so. Why do the labels continue to evolve? There has to be something about this, why do people want to be specifically identified in a certain way?

Connecting to this thought I do not claim one pronoun and rather say that my pronoun is whatever you feel. I also don't claim one identity, yet I identify highly in the spiritual; essence is where our true self lies, our genuine, authentic, and complete self. Essence is experienced mostly through feeling, and this is why ALOHA is my identity. All I know is aloha; love. Aloha is the feeling that we need to bring back completely in our ways of living and being, and it needs to be 'oia'i'o, have that spirit of truth because this is what people feel and come to know as truth.

We each have stories of aloha and how someone or

someplace made us feel. Just like how what we say and do should align, the same can be said about how we say and what we say need to align with pure intent. Aloha is a pathway to perpetual healing; it is the medicine that we have always had.



*The Women Are Sacred Conference 2023 took place in Albuquerque, NM in June, boasting over 600 attendees. Photo courtesy of NIWRC.*



# The Coalition to Stop Violence Against Native Women Centering Impacted Families of MMIWR

## Empowering Voices to Demand Justice and Healing

By Tiffany Jiron, *Pueblo of Isleta*, Policy & Advocacy Director, CSVANW, and Celina Montoya Garcia, *Pueblo of Ohkay Owingeh*, Land & Body Violence Coordinator, CSVANW

The crisis of missing and murdered Indigenous women (MMIW) is a deeply troubling and pervasive issue that demands urgent attention and action. Indigenous women and girls have been disproportionately affected by violence, facing alarmingly high rates of disappearance and homicide across Turtle Island, so-called the United States. This article aims to shed light on the important issue impacting so many of us. The Coalition to Stop Violence Against Native Women (CSVANW) recognizes the underlying causes and emphasizes addressing this crisis and seeking justice for the victims. Justice for a family member's loved one has been heavily on our minds. Together, we have been making much-needed efforts to support families impacted by the Missing and Murdered Indigenous Persons epidemic.



## The Heart-Wrenching Crisis

The extent of the crisis facing American Indian and Alaska Native (AI/AN) women is staggering. According to reports and studies, Indigenous women are significantly more likely to experience violence and go missing than any other demographic group. In the United States, the National Crime Information Center reported that, as of 2019, there were over 5,700 unresolved cases of missing Indigenous women. More than 650 persons have been reported as missing to law enforcement in New Mexico and the Navajo Nation as

*NIA Commission Hearing in Albuquerque, NM. Celina Montoya-Garcia, Land & Body Violence Coordinator, Terrie Chavarria, Santa Clara Pueblo Social Services, and Tiffany Jiron, Policy & Advocacy Director. / Photo courtesy of CSVANW.*



of April 2023. Sadly, some relatives sometimes don't get reported as missing and are marked as "runaways." Any person under 18 should not be considered a "runaway" because they rely on their life-givers or guardians for basic survival needs.

## Root Causes and Contributing Factors

To understand the root causes of MMIWR, we must acknowledge the impacts of settler colonialism and nuclear colonialism that inflicts violence to this day through massacres and diseases, broken treaties, boarding schools, and land extraction. What happens to the land happens to us as Indigenous peoples. Root causes include the impacts of extermination, manipulation, and colonization of Indigenous peoples.

U.S. Federal policies are also to blame, such as the Removal Act of the 1830s and the Indian wars of 1870 - 1890 led by U.S. presidents. Religious persecution in the 1870s nearly destroyed Indigenous societies and spirituality. The Residential Boarding Schools era was another U.S. federal policy that led to countless Native children being forcibly removed from their families and sent to federal and Christian boarding schools. It was also when child sexual abuse can be traced back through generations.

(From left to right) Jolene Holgate, Training and Education Director, Ruth Anna Buffalo, NIA Commissioner, Tiffany Jiron, Policy & Advocacy Director, Governor Max Zuni of the Isleta Pueblo, and Celina Montoya-Garcia, Land & Body Violence Coordinator. / Photo Courtesy of CSVANW.



Land violence was and still is a tactic to eliminate Indigenous peoples to gain access to land and water. Man camps are prevalent in or near Indian country because of the extractive business industries that are taking place. They have been a concern since the 1978 Oliphant Supreme Court decision prevented Tribes from prosecuting non-Indians who raped or assaulted Indians on Tribal lands. While the Violence Against Women Act of 2013 and 2022 addressed this gap by returning criminal jurisdiction to Tribes over non-Indians who commit these acts, much work remains to prevent violence against Native women and strengthen Tribal capacities to respond. Since the oil boom, Native communities have reported increased rates of human trafficking, sex trafficking, and MMIW in their communities.

### **Addressing the Crisis**

Addressing the crisis of MMIW requires funding for the impacted families and action from the U.S. federal government. Families need access to funds to search for their loved ones. These funds should cover the travel costs to search for a missing person, including lodging and gas. The funds would also cover the expense of MMIWR events such as MMIWR gatherings and awareness. I imagine a time and place for impacted families to access funds covering food and supplies to bring people to action so that their loved one is not forgotten. More funding is needed for Tribal programs, Tribal Coalitions, and Tribal Law Enforcement agencies to support the impacted communities. Congress can pass the Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act, re-authorize the Family Violence Prevention and Services Act (FVPSA,) and increase non-competitive funding for Tribal programs providing services.

### **Empowering the Families**

CSVANW supported 11 families who attended the Not Invisible Act (NIA) Commission hearing in Albuquerque, NM, by providing each family with \$500-\$1,000 Visa Giftcards from our donations to assist with lodging, meals, and travel costs to testify on behalf of their missing or murdered family member. CSVANW staff Tiffany Jiron and Celina Montoya-Garcia, along

with two of our members, Terrie Chavarria and Sadie, opened up the NIA commission hearings with a song sung in Tiwa and a powerful poem (see page 47). Our Policy and Advocacy Director, Tiffany Jiron, attended a radio interview with KUNM a few days after the NIA Commission Hearings. Our Land and Body Violence Coordinator, Celina Montoya-Garcia, held a Press Conference at the Indian Pueblo Cultural Center in Albuquerque the day after the NIA Commission Hearings ended. It provided another opportunity to share more about their loved ones through local news media.

The CSVANW's Land & Body Violence Coordinator, Celina Montoya Garcia, held the first ever MMIWR Advocacy Training in New Mexico. The training centered on healing and justice. A committee of community leaders created the training framework—Dr. Christina Castro, Three Sisters Collective, Chastity Sandoval, Advocate, David Adams, Parnall & Adams Law, Celina Montoya-Garcia, CSVANW, Jolene Holgate, CSVANW, Deiandra Reid, Advocate, Tara Trudell, Advocate, and Reyes DeVore, Pueblo Action Alliance. This committee met over six months to collectively develop the first MMIWR Advocacy training in New Mexico, creating a network of trusted MMIWR advocates who hold institutional and healing knowledge to inform better responses to the crisis. Utilizing a trauma-informed approach, we trained advocates on the dynamics of MMIWR, system gaps, and resource navigation to support families experiencing the crisis of MMIWR. On September 6 and 7, the training had over 25 people in attendance.

CSVANW centers the families impacted by violence, and we are honored to be trusted with their stories. This work is meaningful to us. We do this healing heart work with many of our personal experiences cornered in our minds. We are guided to do this work through our traditional knowledge and beliefs. We carry out this work with love for all of our Indigenous people. We are cyclebreakers rooted in love and kinship; and together, we do more.

# Minnesota Indian Women's Sexual Assault Coalition to Expand National Policy Work

By Ingrid Anderson, *Standing Rock Lakota Descendant*, National Policy Director, MIWSAC

We each understand the enormity of sexual violence within our families and communities; many of us carry the weight of the violence our mothers and grandmothers experienced. We observe our children and contemplate their futures: How can we protect them? How can we protect ourselves?

The Minnesota Indian Women's Sexual Assault Coalition (MIWSAC) strives to find solutions to these questions and more with the development of a policy team within the National Tribal Sexual Assault Resource Center. This unique resource center model allows us to focus on the culturally specific needs, joys, tools, and challenges of our relatives and Tribal communities in addressing sexual violence. In conjunction with the launch of intentional national policy work, MIWSAC is enhancing our state policy work. MIWSAC is conducting surveys and listening sessions with coalition members to inform our policy priorities at every level of government. We aim to strengthen the sovereignty of our Tribal coalition members and to uplift the voices of survivors and service providers.

We strongly believe and call attention to the reality that sexual violence must not be conflated with domestic violence or intimate partner violence. Through the stories of our relatives and colleagues, we are consistently reminded that sexual violence is its own unique issue to address. Though legal options and remedies may look similar to those available to survivors of other forms of violence, the current policy and funding paradigms used to support victims and survivors of domestic violence must not be considered the panacea for all types of violence. Sexual violence

against American Indian and Alaska Native people (AI/AN) must be understood in the context of both colonial and lateral violence if we are to truly work toward its prevention and eradication.

MIWSAC staff has the great privilege of hearing from many folks working directly with survivors in their local communities, and their concerns echo much of what we heard in testimony at this year's annual Violence Against Women Government-to-Government Tribal Consultation in Tulsa August 8-10. The pervasive risk factors observed across Tribal communities, including housing insecurity, economic instability, exploitation of natural resources, insufficient funding for law enforcement, jurisdictional confusion, and disconnection from culture, perpetuate systems where violence can flourish. Sexual violence demands a honed response to each of these factors, both through policy development and community-driven response. Addressing sexual violence distinctly from other forms of violence ensures that funding remains focused on its elimination, increased access to justice, and promotion of healing through culturally informed practices. Victims and survivors deserve unfettered access to justice as they define it for themselves.

At the end of the day, we are resilient people by virtue of our existence. The elimination of sexual violence against AI/AN people will only come from a proactive, multi-pronged, and unified approach. We must not accept a model response to sexual violence that does not meet the self-defined needs of our relatives; we must listen to the needs of our relatives and lift our voices, then be bold in developing and advocating for policy that ensures our safety.



REFLECTION  
OF  
INSPIRATION

## By Reflection of Inspiration Staff & Board

Reflection of Inspiration Inc. (ROI) was created in 2022 to empower individuals and organizations to be successful for their families and within their communities by encouraging positive development and providing educational programs and resources. ROI is a non-profit organization located in the mountains of Western North Carolina. Executive Director DeMakus Staton was always told by his mother, “Show me your friends, and I’ll show you your future.” So, what does it mean? It is not just some cool quote or a random idea from Google.

In life, we are surrounded by people, things, situations, and facilities that affect our thoughts and feelings. Stanton stated that Reflection of Inspiration serves as a catalyst for demonstrating and leading by example. “We want individuals and organizations to look at ROI and be inspired, and we want to be a reflection of what it looks like to accomplish your goals, hence the name Reflection of Inspiration.”

Recognized as a Tribal Coalition, ROI is grant-funded through the Department of Justice Office on Violence Against Women. ROI’s first Tribal Coalition Member was the Eastern Band of Cherokee Indians (EBCI) Domestic Violence & Sexual Assault program, and ROI’s service area continues to expand.



ROI assists its coalition members with educational programs to support communities and organizations in achieving their aspirations and provides advocacy training programs tailored for individuals and organizations. ROI offers guided support in developing responses to domestic violence and sexual assault specific to the Tribal organization. ROI will host yearly events, quarterly meetings, and resource information, including printed materials.

ROI is excited to debut its culturally curated care packages created for advocacy programs to present to victims of domestic violence and sexual assault that they serve, with the hope of easing the difficulties faced after trauma.

ROI’s Board and staff have been and continue to be educated in advocacy training to serve members better. ROI is currently accepting new members.

ROI has a five-person Board of Directors who are from the communities in which they serve. ROI Board of Directors are DeMakus Staton, President; Marsha Jackson, Vice President; Renissa Mclaughlin, Member at Large; Michael Quillen, Treasurer; and Kayla Smathers, Secretary.

Reflection of Inspiration employs three full-time staff members: DeMakus Staton, the Executive Director, Brittany Hampton, the Membership and Outreach Manager, and an Operations Manager (Vacant).

### Our Goals & Events:

- Establish and Improve Tribal DVSA (Domestic Violence & Sexual Assault) programs and Coalition Members in compliance with their awards.
- Establish Resource Guides and Flow charts to help survivors navigate the DVSA services available to them.
- Host a Domestic Violence & Sexual Assault Event from November 16th - 17th at Harrah’s Cherokee Casino Resort.

“We want individuals and organizations to look at ROI and be inspired, and we want to be a reflection of what it looks like to accomplish your goals, hence the name Reflection of Inspiration.”

—DeMakus Staton, Executive Director and Board President, ROI.

## Our Board



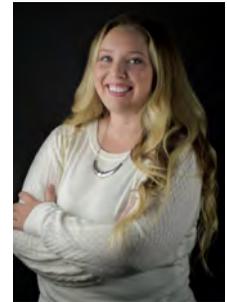
Marsha Jackson  
Vice President  
*(Eastern Band of Cherokee Indians)*



Michael Quillen  
Treasurer



Renissa Mclaughlin  
Member-at-Large  
*(Eastern Band of Cherokee Indians)*



Kayla Smathers  
Secretary

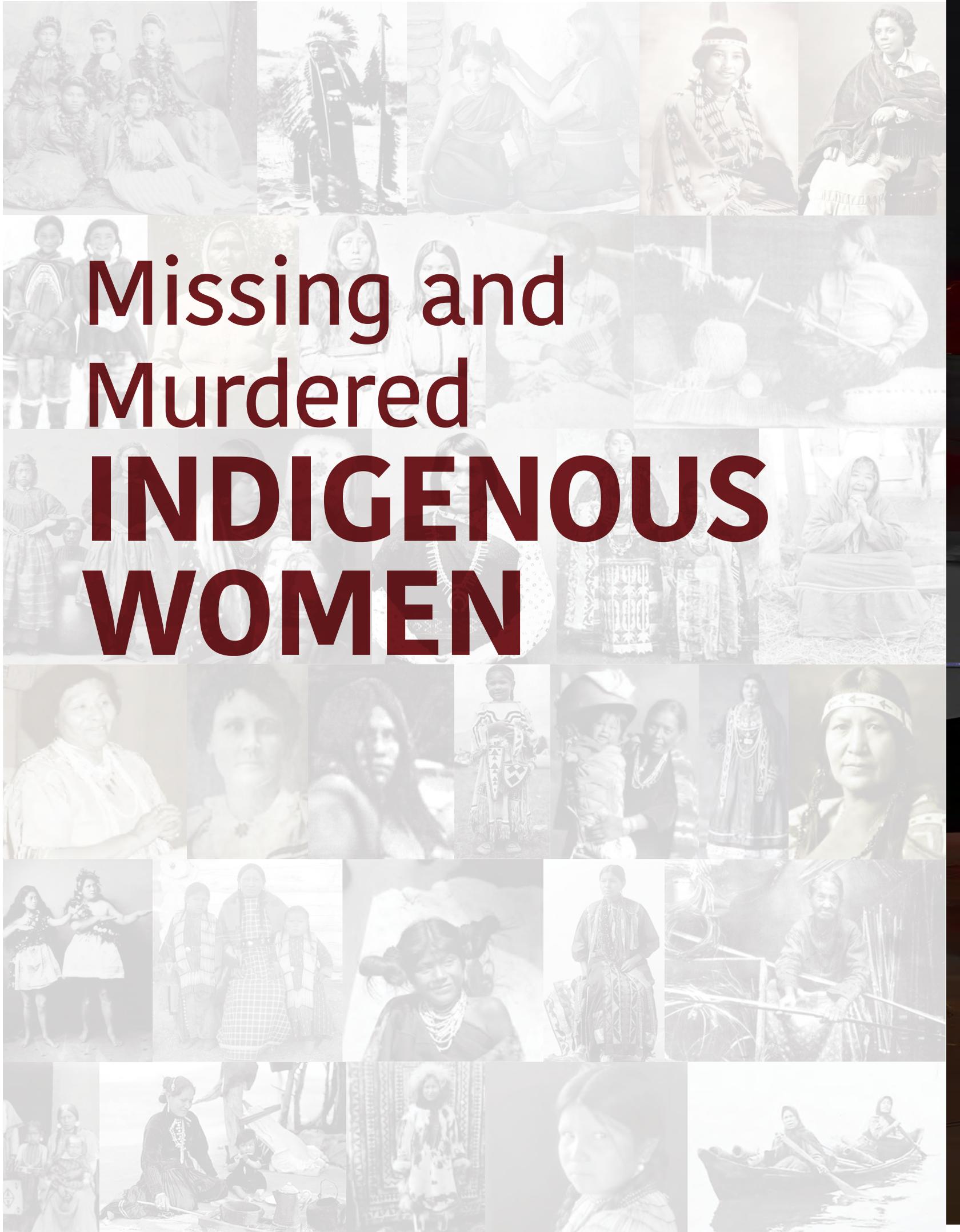
## Our Staff



DeMakus Staton  
Executive Director/Board President



Brittany Hampton  
Membership and Outreach Manager  
*(Eastern Band of Cherokee Indians)*



# Missing and Murdered INDIGENOUS WOMEN

# Desert Stars

By Celina Montoya-Garcia, *Pueblo of Ohkay Owingeh*  
Land & Body Violence Coordinator, CSVANW

Twenty-three sovereign nations in New Mexico  
Most planted along the Rio Grande  
Like Buffalo gourd  
Where no one and everyone is responsible  
Power, control  
I mean Jurisdictions  
I mean a Nexus

We are well adapted to  
The desert  
Like Cacti  
Lovely blooms of magenta

Instead we are neglected like overgrown  
squash shells hidden under the sun  
Taken and then  
Forgotten

At birth we are composed of 270 bones  
Carefully crafted by creator's hands like a Yamaha  
piano

Why are we not honored like the soft pottery that sits  
on your shelf  
For your guests to gaze at  
We too come from the same clay  
That you admire

I will dance for them  
until they are home  
Let their names wrap around your spine  
Like tendrils grown from ancestors' prayers

Amber Pinto  
Anderson Scott  
Angel Roanhorse  
Anna Curley

The human nervous system is complex  
I read once that if you joined the peripheral nerves from  
One end to the other  
It would wrap around the world two and a half times  
Like community love  
Bound by our songs  
Your child is my child  
Ashley Collins  
James Willie  
Tiffany Reid

Like the law of nature  
They are the stars so far away that your eyes cannot see  
Yet they are still here  
We are still here

I will catch our tears in a blanket  
Until they are home  
So that their loved ones may  
wash them in salt waters  
where healing begins  
rebirth  
transcendence

I tap my chest to the beat of my heart  
A lifeline to the universe  
Let the milky way guide you home

Mark Aguilar  
Zacharia Shorty  
Misty Bedonie  
Calvin Martinez

Let hope continue to lift our  
Shoulders  
Until their smiles connect with ours

From this dawn to the next  
We will rise  
Pray

*And rise again*

# First Lady of Navajo Nation's Address at *Not Invisible Act* Commission Hearing

By First Lady Jasmine Blackwater-Nygren, *Diné*, Navajo Nation

Yá'át'ééh (Greetings), shik'éeí dóó shidine'é (my family, people and friends).

Good morning. My name is Jasmine Blackwater-Nygren. I am the First Lady of the Navajo Nation.

Thank you, Commissioners, Support Staff, Survivors, Families, & Advocates of MMIP, for the opportunity to speak with you here today at the Not Invisible Act Commission Hearing.

Many of you are dedicated to bringing our Indigenous relatives home and now commit your efforts to supporting the Not Invisible Act.

As we gathered yesterday and today, we remember all Stolen Sisters and Indigenous Peoples and commit to unite as one voice and community to fight for justice, promote survivor and family safety, and support healing.

I stand here this morning as a witness to many brave relatives who share their stories. It is within these

stories that we find the brutal truth of a reality that has long gone unnoticed. Missing and Murdered Indigenous Peoples is an ongoing crisis that began with the start of colonialism. Many still believe colonialism is a relic of the past, but it is a system of oppression that continues to threaten Indigenous communities all across this country. However terrifying colonialism may be, it is countered by the resilience of our people. Resilience is not always about being strong or being able to remain on one's two feet. Resilience is also about getting back up again even after being knocked down and to continuing to move forward. I am encouraged to see many relatives today who are resilient and have gathered to connect with one another and work together to solve the MMIP and Human Trafficking issues that affect Indigenous People both individually and collectively.

I commend the dedication of the Not Invisible Act Commissioners who have heard countless stories of pain and anger from across all of Indian Country. It is their work that will lead to the coordination of an improved intergovernmental response to counter the national crisis of missing, murdered, and human trafficked Indigenous people.

I also commend the survivors and families that have come before this commission to provide their testimony. Reliving the trauma, the pain, and the

**“The woman is the foundation on which Nations are built. She is the heart of her Nation. If that heart is weak, the people are weak. If her heart is strong and her mind is clear, then the Nation is strong and knows its purpose. The woman is the centre of everything.”**

—OJIBWE ELDER ART SOLOMAN

anger, is not at all easy. But it is with their bravery and resilience that we hear their truth. We can support them by attentively focusing on what is shared without judgement or pressure. We can support their need for safety by encouraging them that they are not alone.

We can support them by assuring them their loss and pain will not be in vain. And most importantly, to let them know that they are loved.

You are loved.

The road to recovery remains traveled and “We Fight, We Resist, We Rise” against the endless fight for Indigenous justice by addressing the gaps and loopholes within the system that fails to keep our loved ones safe. However, I am encouraged by recent federal efforts to address the MMIP crisis like the 2022 reauthorization of the Violence Against Women Act which expanded the list of covered crimes, like sexual violence, sex trafficking and stalking, for which tribes can prosecute non-Indians. Or the enactment of Savanna’s Act, which clarifies federal, state, tribal and local law enforcement responsibilities with respect to missing and murdered Indigenous people and requires better data collection methods for MMIP cases.

I am especially encouraged by the efforts of Tribes across Indian Country taking the initiative to locally address MMIP and human trafficking. The Navajo Nation also has taken steps to educate, bring awareness, and respond to the crisis.

### **The Navajo Nation took action by creating:**

- The Missing and Murdered Diné Relatives (MMDR) initiative, which has collectively supported to empower Navajo communities to promote prevention, awareness, and resources to recover missing Indigenous relatives and provide support to families of MMDR.
- Operation Rainbow Bridge was established by Navajo Nation President Buu Nygren to address reports of missing relatives who were suspected of being preyed upon by fraudulent rehabilitation centers and suspected human trafficking attempts. The aggressive on-the-ground response to finding missing relatives in Arizona have exposed many fraudulent homes, recovered many Navajo and other relative tribal members and connected them with legitimate and ongoing resources and reunification with families.

Although impactful our efforts may be, they are still not enough to prevail against the MMIP and human trafficking crisis facing Indigenous communities. To exercise resilience today, changes in federal, state, and tribal circumstances must happen. Tribal nations must be allowed to exercise greater authority of public safety programs that are not hindered by red tape. Consistent, effective, and expanded communication must take place between federal, state, and tribal agencies. And robust mandatory funding of tribal programs must be implemented immediately to swiftly address the national MMIP crisis. The first step to addressing the crisis is to acknowledge there is one, and today I am humbled that we gather to acknowledge this truth. Now we must take on the great responsibility of implementing action to make good on the words we speak today.

Ahéhee’ (Thank you)

*Jasmine Blackwater-Nygren, First Lady of the Navajo Nation. / Photo courtesy of Navajo Nation Office of the President and Vice President.*



# Written Testimony to *Not Invisible Act* Commission From Mary Kathryn Nagle

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By Mary Kathryn Nagle, J.D., *Cherokee Nation*,  
Attorney At Law, Counsel to NIWRC

Thank you for providing me with the opportunity to speak before the Commission on July 25, 2023, in Billings, Montana. I write to follow up with written testimony and recommendations for the Commission.

First, I want to honor and recognize the hard work that each of you is doing. Receiving all of this testimony and bearing witness to the overwhelming tragedy and trauma our community members face in Indian Country is incredibly hard to do. Whether you serve as a federal employee or a grassroots community activist, I thank you for your service and sacrifice.

As you can see from the testimony provided, the trauma from the Missing and Murdered Indigenous Persons crisis is widespread. Although it seems as though there is no end to the crisis in sight, there are solutions the federal government can enact. I hope the Commission will recommend these solutions to Congress and federal agencies. This crisis results from federal policies dating back to military massacres at

the time of the United States' formation. The United States used violence against Native women to gain political power and geographic territory. It is not a coincidence that the violence continues today. Having caused it, the United States has a treaty trust duty and responsibility to take actions to stop it.

This treaty trust duty and responsibility does not end at the reservation border. Instead, it extends to every corner of Tribal Nations' treaty territories, both historic and present. The United States Constitution commands that treaties, once signed by the President and ratified by the Senate, become the "Supreme Law of the Land." The United States is failing to abide by its own Constitution.

There are recommendations this Commission can make to bring the United States into compliance with its Constitution and the treaties this Nation has signed with Tribal Nations.

First, this Commission should recommend that Congress enact the Legislative Proposal passed by National Congress of American Indians Resolution SAC-22-043<sup>1</sup>. As many testified in Billings (and at

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<sup>1</sup> <https://ncai.assetbank-server.com/assetbank-ncai/assetfile/3164.pdf>

hearings across Indian Country), when their loved one was murdered on their Reservation, their tribal government was precluded from arresting and prosecuting the perpetrator because of the Supreme Court's decision in *Oliphant v. Suquamish Indian Tribe*. In *Oliphant*, the Supreme Court eliminated tribal criminal jurisdiction over crimes committed by non-Indians on tribal lands. This has made it nearly impossible for tribal governments to address the MMIP crisis. While the federal government has a trust duty and responsibility to address the crisis, this crisis will never be fully addressed until and unless the inherent right of our Tribal Nations to protect our people is fully restored.

**“Despite having the jurisdiction to arrest and prosecute the individuals killing Native people, more often than not, States decline to investigate and prosecute.”**

— Mary Kathryn Nagle, J.D., (Cherokee Nation), Attorney At Law, Counsel to NIWRC

The Legislative Proposal in SAC-22-043 also addresses the Supreme Court's harmful decision in *Oklahoma v. Castro-Huerta*. In a moment of absurdity, the Supreme Court gave the criminal jurisdiction it took away from Tribal Nations in *Oliphant* to States. States, however, hardly—if ever—use this jurisdiction to protect Native lives. As the testimony you heard reveals, States have jurisdiction to arrest and prosecute the individuals who have killed Mika Westwolf, Kaysera Stops Pretty Places, Selena Not Afraid, Allison HighWolf, Harley Frueh, Rainy Hill—the list goes on. Despite having the jurisdiction to arrest and prosecute the individuals killing Native people, more often than not, States decline to investigate and prosecute. The Supreme Court's decision to place this jurisdiction in the hands of States—and not Tribes—puts the lives of our people in greater jeopardy.

Congress can fix this.

Beyond restoring the inherent jurisdiction of Tribal Nations to protect tribal citizens in their own homes, this Commission can and should make recommendations to hold the FBI accountable. Currently, the FBI has jurisdiction to investigate the homicides of Native people on most reservations (save those under state jurisdiction under PL-280, for instance). Although the FBI has jurisdiction to investigate the homicides of Native people, they rarely do. The FBI's disdain for protecting Native lives is so systemic and pervasive that the tragic stories of those like Steven Bearcrane, Lindsey Whiteman, Braven Glenn, or Olivia Lonebear are all too common. President Biden and his Administration cannot profess to care about and prioritize the MMIP

crisis and continue to allow the FBI to ignore the homicides of Native people and treat MMIP families with such offensive disrespect. The FBI is traumatizing Native families, and it is up to the Biden Administration to address it.

The possible solutions for addressing the FBI's systemic disdain for investigating the homicides of Native people deserve consideration. Legislation may be necessary to create a political appointee position for a Native deputy director or under-secretary, much like the Department of the Interior has an Assistant Secretary of Indian Affairs. The key to such a path forward would be ensuring this new position has line authority in some form that extends to agents throughout Indian Country. Parking a Native subject matter expert in the FBI with no line authority will do nothing to address the crisis. The FBI needs systemic, institutional change. And that change will not come unless someone is placed within the agency—someone who has both (1) the subject matter expertise to address the MMIP crisis and (2) the authority to make it happen.

Also, how the FBI recruits and places agents in Indian Country must be changed. Currently, many positions in Indian Country are two-to-three-year rotations that new agents must finish before moving

on to the placement they truly desire. This plays a huge role in the complete lack of motivation FBI agents demonstrate for addressing the MMIP crisis.

The FBI does not dedicate sufficient resources to investigating homicides in Indian Country. The Commission should recommend an increase in staffing and funding to pay more agents in the field and more resources to conduct investigations when Native people are murdered.

It speaks volumes that not a single person from the FBI appeared at the Billings hearing. I understand a representative or two from the FBI may have tuned in via Zoom. However, the fact that the FBI did not send one of its agents from the Billings office to the hearing in Billings demonstrates the complete lack of consideration the FBI has for the MMIP crisis. The FBI cannot sit in the comfort of its DC offices and listen to these families' stories via Zoom. Having contributed significantly to the crisis we face, the FBI should be sitting in the front row, watching and witnessing the agony the FBI has caused. No one enjoys being held accountable for their unlawful or problematic behavior—but until the FBI is willing to show up, their participation in this Commission physically is unlikely to be meaningful. And that violates the purpose and plain language of the statute that Congress passed to create this Commission.

Last, and far from least, the Commission must recommend a solution to provide the Missing and Murdered Unit (“MMU”) within the DOJ with more authority. I represent roughly 12 MMIP families. Out of those families, the MMU is only investigating one of those cases, despite the fact that all 12 have requested MMU assistance. Some of the cases are not being investigated because the FBI has refused to cooperate with the MMU (which, again, highlights the problematic role the FBI continues to play). Still, most of them are not being investigated because the local county or state law enforcement agency refuses to cooperate with the MMU.

This highlights a significant problem. Without the authority to issue a warrant or a subpoena off-reservation lands, the MMU can only investigate the cases that a state or local law enforcement agency asks the MMU to investigate (or consents to having the MMU investigate). And the state and law enforcement agencies refuse to ask or provide consent for the MMU to act. It is not difficult to understand why. The reason that state and local law enforcement agencies refuse to investigate the homicides of Native people is that these authorities either (1) do not value Native lives and thus do not prioritize providing public safety for Native people or (2) are corrupt and engaged in assisting the perpetrator in covering up the crime committed against a Native victim. Allowing the MMU to investigate a Native homicide that a local law enforcement agent has chosen not to investigate—or, in many instances, has refused to classify as a homicide—would shed an unfavorable light on local law enforcement agencies. So, of course, they refuse to consent to something that is going to make them look bad.



Currently, there is nothing to stop local law enforcement from doing this. The fact that a county or local law enforcement agency says no to the MMU is not made public, and the local law enforcement agency refusing to cooperate with the MMU is not at risk of losing its DOJ funding. This has rendered the MMU unable to address the MMIP crisis.

There are solutions. First, the Commission could recommend that the DOJ refuse to grant funding to law enforcement agencies that do not consent to allow the MMU to investigate the homicide of a Native person. It is important to note that one way local law enforcement agencies insulate perpetrators and their reputation is to classify homicides as “suicides.” This is the case for several of my families, despite the fact that strong evidence exists to demonstrate that the death of their loved one was a homicide and not a suicide. Thus, for this solution to work, the MMU and DOJ cannot rely on the state agency’s classification of the death as a suicide or “natural causes” or hypothermia—or any of the excuses state agencies use not to investigate the homicide of a Native person. Suppose the MMU has any reason to believe a homicide may have occurred, and the state agency refuses to allow (and by allow, that means provide the entire evidence file to) the MMU. In that case, the DOJ should immediately cut off all funding to that state agency. For instance, the Big Horn County Sheriff’s Office has refused to allow the MMU to investigate the murders of Kaysera Stops Pretty Places and Allison Highwolf. And yet, Big Horn County continues to receive funding from the DOJ. This is not right.

Second, the Commission could recommend that Congress pass a law extending the MMU’s investigative authority to any and all historic treaty territories. This would cover border towns with high MMIP rates (such as Benson County in North Dakota and Big Horn County in Montana). Congress would be well within its constitutional authority to pass such a law (as numerous treaties impose a treaty and trust duty on the United States to safeguard the lives of Native people within historic treaty territories), and

as the Court recently acknowledged in *Haaland v. Brackeen*, passing legislation to effectuate treaty rights and duties is well within Congress’s constitutional authority. Not only would this be constitutional and legal, it would be quite effective. If such a law were passed, sheriffs in counties like Benson, ND, and Big Horn, MT, would no longer be able to protect their friends and acquaintances who murder Native women and their attempts to prevent the MMU from investigating the homicides of Native people would no longer prevent the MMU from doing its job.

We are a long way from solving the MMIP crisis. But I am encouraged by the hearings and your serious consideration of this crisis. The report and recommendations you publish have the potential to make a huge difference in Indian Country. If done well, your efforts could save lives.

I appreciate the opportunity to share my thoughts and recommendations, and I would be happy to visit with the Commission if there are questions regarding any of my recommendations.



# ANNOUNCING: The Family Advisors' Webpage



## NIWRC Launches New Webpage for **MMIW Family Advisors!**

Use the link above or scan the QR code:



# Fourth Annual #JUSTICE *for* KAYSERA

By Kelsey Foote, *Tlingit*, Director of Communications, NIWRC

In August 2019, 18-year-old Kaysera Stops Pretty Places was tragically murdered in Big Horn County, MT.

Years later, a grim shadow of inaction still looms over her case, with no criminal investigations initiated by law enforcement agencies, including the FBI, Big Horn County Sheriff's Office, and the Montana Department of Justice. This failure to act has spurred Kaysera's family, in partnership with the National Indigenous Women's Resource Center (NIWRC) and the Sovereign Bodies Institute (SBI), to institute an annual commemoration in her name, coupled with an impassioned call for justice, not only for Kaysera but for all missing and murdered Indigenous women (MMIW) — the #JusticeforKaysera campaign.

This year marks the fourth annual #JusticeForKaysera campaign, spanning events from August 25, the day after Kaysera's disappearance, through August 29, when her body was discovered, concluding on September 11, the day her family received the heartbreaking news of their loss.

Key events included both in-person gatherings and virtual, nationwide events:

- A *Say Their Names* billboard dedication followed by an in-person rally held in Hardin, MT, uniting the community in support of the family's pursuit of justice.
- A Twitter storm led by NIWRC that invited public engagement and spotlighted Kaysera's case, highlighting the government's lack of action.
- A webinar, "Four Years Later: Kaysera's Family Continues to Fight for Justice," where NIWRC, Mary Kathryn Nagle, and Kaysera's family discussed the status of Kaysera's case and the fight for justice.
- Two luminary events held by SBI, one in Hardin, MT, and another in Lame Deer, MT to shed light on the struggles of families who have directly witnessed the MMIW crisis, surrounding them in support.
- Daily reminders in which Kaysera's family encouraged individuals to send letters or written communication to the elected and appointed leaders in the Montana and United States governments.
- The Pretty Eagle Woman 5k/1 mile Walk for Missing and Murdered Indigenous Peoples Awareness.

We extend our heartfelt gratitude to all communities, organizations, and individuals who joined us.

Together we stand united in honor of Kaysera to ensure that her story and countless others are never forgotten. Thank you for being a crucial part of this ongoing journey towards justice, healing, and remembrance.

*Social media graphic promoting the webinar hosted by NIWRC, Mary Kathryn Nagle, and Kaysera's family.*





# Legislative **REFORMS**





# Legislative UPDATE

By Kerri Colfer, *Tlingit*, Director of Legislative Affairs, NIWRC

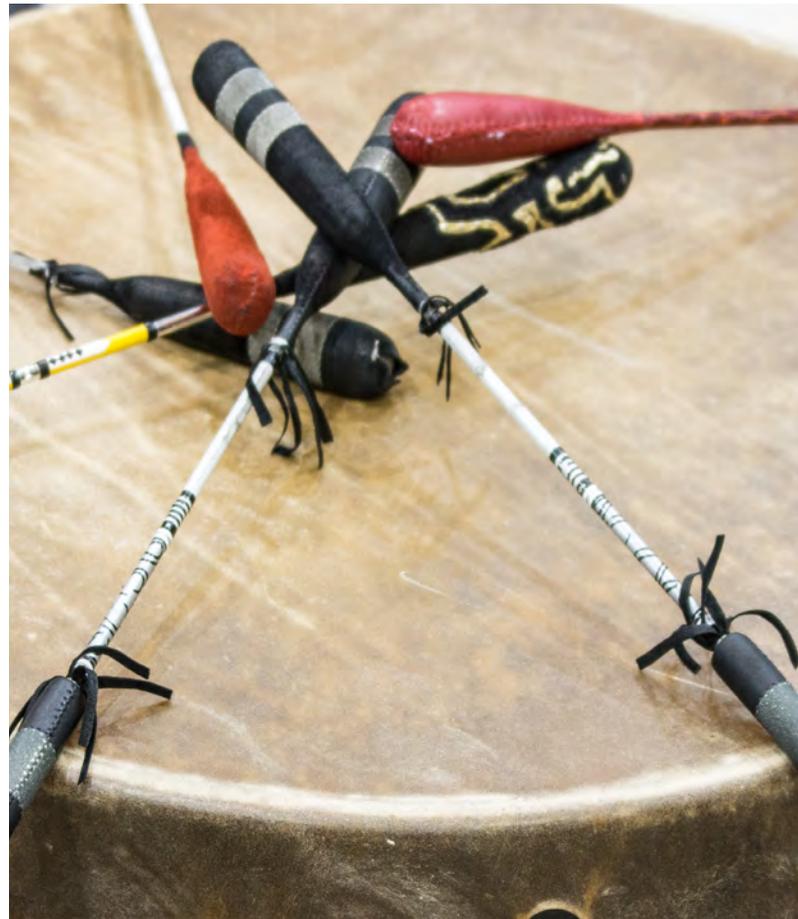
## *Family Violence Prevention and Services Act (FVPSA)*

On July 27, U.S. Senators Bob Casey (D-PA) and Lisa Murkowski (R-AK) introduced the *Family Violence Prevention and Services Improvement Act* (S. 2693).

The *Family Violence Prevention and Services Act* (FVPSA) provides critical funding for shelter and supportive services for victims of domestic violence, including those in Indian Country.

The bill would expand grant programs and make many needed improvements so that more survivors have access to support and safety, including:

- Adjustment of the funding distribution formula to increase the amount that Tribes receive from 10% to 12.5%;
- Dedicated funding for Tribal coalitions to provide culturally appropriate technical assistance to Tribes;
- Permanent funding for the national Indian domestic violence hotline;
- Permanent funding for the Alaska Native Tribal Resource Center on Domestic Violence to reduce disparities facing Native victims; and
- Permanent funding for the Native Hawaiian Resource Center on Domestic Violence.



On April 13, Representatives Lucy McBath (D-GA-7), Gwen Moore (D-WI-4), Brian Fitzpatrick (R-PA-1), and Young Kim (R-CA-40) introduced the *Family Violence Prevention and Services Improvement Act of 2023* (H.R. 2604) in the House. The bill currently has 42 cosponsors.

## ***Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act***

On February 16, Senators Catherine Cortez Masto (D-NV) and John Hoeven (R-ND) introduced the bipartisan *BADGES for Native Communities Act* (S. 465) in the Senate. On March 1, Representatives Ruben Gallego (D-AZ-3), Dan Newhouse (R-WA-4), and Sharice Davids (D-KS-3) introduced the *BADGES Act* in the House (H.R. 1292).

The bill would promote recruitment and retention of federal law enforcement, address inefficiencies in federal missing persons data systems, increase Tribal access to the National Missing and Unidentified Persons System (NamUs), and establish a grant program to improve coordination efforts between states, Tribes, and Tribal organizations on cases of missing and murdered persons.

## ***Strengthening Protections for Domestic Violence and Stalking Survivors Act of 2023***

On February 9, Senator Amy Klobuchar (D-MN) and Representatives Debbie Dingell (D-MI-6), Brian Fitzpatrick (R-PA-1), and Sheila Jackson Lee (D-TX-18) introduced the bipartisan, bicameral *Strengthening Protections for Domestic Violence and Stalking Survivors Act of 2023* (S. 321/H.R. 905).

The bill would close what is known as the “dating loophole” or “boyfriend loophole” by preventing convicted stalkers and former dating partners convicted of domestic violence from purchasing or owning firearms. Current law prohibits spouses, former spouses, those cohabitating together, and those with a child in common from owning a firearm if there is a protective order against them. The *Strengthening Protections for Domestic Violence and Stalking Survivors Act* would add convicted stalkers and dating partners convicted of domestic violence to this list in an effort to close those gaps that embolden abusers and put women in danger.



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PONW Staff at Papa ‘Ōlelo session in Hilo in July. From left to right: Nikki Cristobal, Dayna Schultz, and Vernon Viernes. / Photo courtesy of Dayna Schultz.

# Conversations With the Field (CWTF) Papa ‘Ōlelo Session Updates

By Dr. Dayna Schultz, *Kanaka ‘Ōiwi*,  
 Founder and Executive Director of  
 Pouhana O Nā Wāhine

A safe place for those in need of connecting and healing takes place at Pouhana O Nā Wāhine (PONW), the first Native Hawaiian Resource Center that focuses on Domestic Violence by and for Native Hawaiians. PONW is dedicated to restoring the Native Hawaiian way of life by being rooted in the beliefs, practices, and ceremonies our Indigenous relatives have done for many generations.

The Papa ‘Ōlelo is PONW’s adaptation of the National Indigenous Resource Center’s CWTF (Conversations with the Field recently changed

to Conversations with Communities) community engagement and facilitation tool used to gather and share information. The Papa ‘Ōlelo aims for survivors and service providers to voice their mo‘olelo (stories that can encourage and enhance healing with the intentions to “Ho‘olohe” (listen/hear), create a pu‘uhonua (refuge), and provide an opportunity for survivors to use their leo (voices) “to break the silence” of their ‘eha and kaumaha (pain and grief).

While the goal is to bring this healing opportunity to Hawai‘i-wide, to date, PONW’s Papa ‘Ōlelo sessions have been held on O‘ahu, Hilo, and Kaua‘i via in-person and virtual. The focus of these sessions is on the survivors’ and service providers’ mo‘olelo, which includes their mana‘o (opinions/beliefs/thoughts) about the contributing factors of domestic violence in their community, solutions to address domestic violence, and how culture can be a role in helping survivors heal when dealing with many forms of abuse. When PONW asks survivors and service providers to share their mo‘olelo, the main objective is for survivors and providers to focus on healing through the roots of practices and beliefs in the Native Hawaiian culture and kōkua (help) us to build a solid kahua (foundation) for this resource center to thrive well into the future.

From PONW’s Papa ‘Ōlelo sessions, the survivors and service providers have identified various forms of abuse, including mental, physical, emotional, spiritual, cultural, and financial. Through these types of abuse, survivors and providers have shared

common risk factors, such as intergenerational trauma, colonization, toxic masculinity, parental and familial alienation, and capitalism. From one of the PONW Papa ‘Ōlelo sessions, a survivor shared that ‘Ohana (family) can be contributors to the abuse in that they abide by problematic beliefs and practices about how women should act in abusive situations. She stated, “[In my ‘ohana] it’s not okay to leave the abuse because you leave your family behind.” Survivors/providers also shared many forms of oppression — individual ‘ohana, kaiāulu (community), and systems — while navigating abusive situations, including feeling as if the system causes more trauma and the process of coming to the awareness that they are victims because violence was normalized in their upbringing. This further reflects how the generational impact leads survivors to remain strong in their silence rather than with their voices.

Survivors shared that the colonized form of our culture can be a risk factor through being silenced and rendered invisible in the abuse and stripped of their cultural identity, leading to the repeated cycle of generational trauma. Specifically, survivors mentioned intergenerational challenges in the social acceptance of talking about the abuse, rigid gender roles, and the way Native Hawaiian cultural practices are discouraged. For example, one survivor spoke about her abuser shunning the cultural practice of la‘au lapa‘au (traditional medicinal healing using plants) and resorting to Western medications, highlighting how Native Hawaiians experience a cultural aspect to abuse.

At all Papa ‘Ōlelo sessions, survivors and service providers mentioned needing more abuser accountability. One provider stated, “There needs to be more education, more resources where self-development, self-worth, and accountability are explored for abusers, where we are using preventative vs. punitive measures so they actually show up to get the help they need.”

Survivors and service providers also mentioned an abundance of strengths in navigating abuse. Being connected to one’s ‘ohana and culture was stated to be a protective factor by survivors and providers. A

survivor said that what helped her navigate out of an abusive relationship was “knowing the importance of healthy family support, mentorship, understanding what it means to have a piece of [my Hawaiian] identity.” At all of the Papa ‘Ōlelo sessions, service providers and survivors expressed needing more spaces like the Papa ‘Ōlelo where survivors and providers can feel safe to talk honestly and openly about their experiences in community with those from their own culture and with shared lived experiences. Survivors shared a large protective factor: Having available, affordable, and safe housing to escape the abuse. The housing crisis in Hawai‘i was one of the most prominent risk factors stated by survivors and providers. Solutions offered by both survivors and service providers were establishing housing communities that use ‘āina (land; that which feeds) as a way to heal, feed themselves and their ‘ohana, and create a kaiāulu that is responsive to the needs of Native Hawaiian survivors and the whole ‘ohana unit.

Survivors and service providers have commonly expressed the need to continue to “talk about it,” learn the different ways to heal, and have an open space where people can turn to. As PONW Board of Director, Aunty Nani Fay Paglinawan has stated, “When I acknowledge where I come from, I’m healing, and when I heal myself, I help to heal my mother, my mother’s mother, my mother’s mother’s mother.”

To honor and respect survivors’ confidentiality, PONW Papa ‘Ōlelo ensures closed sessions with survivors separate from providers while allowing both groups to express strengths and challenges to PONW’s Papa ‘Ōlelo gatherings. The Papa ‘Ōlelo sessions thus far demonstrate the need to create more spaces like these that give survivors a safety net to honestly share their experiences, emphasizing that they are not alone. PONW Papa ‘Ōlelo sessions are about the empowerment of what a safe place can provide to those who are healing or need healing by restoring our Native Hawaiian way of life.

# The Alaska Native Women's Resource Center Celebrates the Release of Its New Resource Book *Alaska Native Women: Ending the Violence, Reclaiming a Sacred Status*

By the Alaska Native Women's Resource Center (AKNWRC)



*AKNWRC's official book reception took place at the 2023 Women Are Sacred Conference in Albuquerque, NM. / Photo courtesy of Kelsey Foote.*

Surrounded by friends, family, and strong-hearted advocates from all across Indian Country, the Alaska Native Women's Resource Center (AKNWRC), its Board of Directors, Staff, and Organizational Partners celebrated the release of their new resource book, "Alaska Native Women: Ending the Violence, Reclaiming a Sacred Status," at their launch reception held during the 2023 Women Are Sacred (WAS) Conference at the Isleta Resort and Casino in Albuquerque, NM.

In a heartfelt tribute to the late Shirley Moses, a pioneering figure of the AKNWRC, we unveiled a groundbreaking resource: a compelling book that offers a unique Indigenous perspective on the pervasive issue of violence against Alaska Native women. This literary milestone is dedicated to

Shirley Moses' memory and marks the AKNWRC's unwavering commitment to addressing this critical issue from a culturally sensitive perspective.

The AKNWRC publication represents the first attempt to explain the complex problem of violence against Alaska Native women through the eyes of Alaska Natives. Beyond merely recounting individual acts of violence, this book delves deep into the socio-historical context, shedding light on the disturbingly disproportionate rates of violence endured by Alaska Native women across generations. In its pages, readers will find a path toward healing, understanding how this crisis of violence has evolved, driven by systemic barriers and the insufficient protection afforded to Native women.



*Tami Truett Jerue and Christopher Foley share a smile while recognizing the Indian Law Resource Center's invaluable contributions to the AKNWRC resource book. / Photo courtesy of Rick A. Garcia, AKNWRC.*

The book's unveiling was a momentous occasion, featuring moving selected readings by distinguished contributors, including Lynn Hootch, Director of the Yup'ik Women's Coalition; Martha Bravo, the daughter of the late Shirley Moses; Nettie Warbelow, Tribal Court Judge for the Native Village of Tetlin; and Tami Truett Jerue, Executive Director of AKNWRC. Additionally, the event served as a platform to acknowledge and honor the invaluable contributions of partner organizations, the National Indigenous Women's Resource Center and the Indian Law Resource Center, who have been steadfast allies in advancing this vital work from its inception.

After decades of relentless advocacy for survivors, the AKNWRC's board and dedicated staff profoundly understand domestic violence and sexual assault and recognize the sacred status of Alaska Native women within Indigenous Nations. They trace the roots of the ongoing crisis of violence back to colonization that affected Alaska Natives. The book's title calls for necessary legal and policy reforms, encapsulating the vision of ending violence against Alaska Native Women, intricately entwined with the restoration of the sacred status of women within sovereign Indigenous Nations.

This newly unveiled resource offers insight into the fundamental changes required to eradicate domestic violence and sexual violence, ultimately paving the way for a future where Alaska Native women are free from fear and violence.

*The AKNWRC book release included selected readings from distinguished Alaska Native advocates and contributors. Photo courtesy of Rick A. Garcia, AKNWRC.*



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# Tami Truett Jerue Receives the 2023 Tillie Black Bear Women Are Sacred Award

By the Alaska Native Women's  
Resource Center (AKNWRC)

The lifelong achievements and leadership of Tami Truett Jerue, Executive Director of the Alaska Native Women's Resource Center (AKNWRC), were celebrated at the 2023 Women Are Sacred Conference in Albuquerque, where Tami, alongside her daughters Bryana and Elizabeth, granddaughter Laura, AKNWRC Board of Directors and Staff, and countless colleagues and friends, received the prestigious Tillie Black Bear Women Are Sacred Award for her decades-long leadership, advocacy, and love for Native survivors of gender-based violence in Alaska and nationwide.

To know Tami is to love her. As a Tribal citizen of the Anvik Village, a small Deg Hit'an Athabascan community on the Yukon River, Tami has dedicated her life to serving her community, empowering Alaska Native (AN) Tribes, and being an advocate in the trenches, providing emergency services and safety planning to people in danger of imminent harm across the state.

Working in domestic violence, sexual assault, and intersecting issues for the last 40 years, Tami has worked tirelessly to ensure that survivors of all violence receive the best culturally grounded support, whether from her own advocacy work or by providing culturally sensitive training to others. Tami's experiences have guided her work, rooted in AN and Indigenous teachings, principles, and traditional knowledge and customs.

As a grassroots organizer, Tami, alongside other dedicated AN advocates, began creating an Alaska statewide resource center to concentrate the movement's work in Alaska and provide desperately needed culturally specific training and technical assistance to Tribal domestic violence and sexual assault programs across the state. Formally organized in 2015, AKNWRC, under Tami's leadership, has grown in staff, reputation, and reach over the past seven years. The AKNWRC has become a leading voice for AN survivors of violence statewide, nationwide, and internationally, helping raise the voices, stories, challenges, and priorities of AN survivors and Tribes, advocating for change while seeking to increase Tribal infrastructure, programming, services, and sovereignty of all AN Tribes.

Tami is the Indigenous voice for change, advocacy, and empowerment for AN survivors of violence and Tribes. Tami's dedication to her community and commitment to ending domestic violence is truly inspiring. Her work continues to profoundly impact the lives of survivors and their families, inspiring change for generations to come.

## About the Tillie Black Bear Women Are Sacred Award

The biannual Tillie Black Bear Women Are Sacred Award is dedicated to Tillie Black Bear, the first Indigenous woman to advocate for battered Indian women nationally until her passing in 2014. Tillie is recognized as the Grandmother of the Battered Women's Movement for her leadership spanning almost four decades. Tillie provided leadership at critical moments of struggle for safety and sovereignty, and her handprints rest on national legislation to advance safety for women, including a national agenda for strengthening the sovereignty of Indian Nations. The award honors Tillie's legacy by recognizing outstanding grassroots advocates who exemplify the teachings and dedication that Tillie instilled in the movement to restore safety for Native women.

# Alaska Native Women's Resource Center (AKNWRC) Advocacy Training: A Tool for Safety

By Tami Truett Jerue, *Native Village of Anvik*, Executive Director, AKNWRC, and Kristie Traver, Program Specialist, AKNWRC



*Advocate Organizers at September 2023 Advocacy Training. / Photo courtesy of Andrea Wuya, AKNWRC.*

The Alaska Native Women's Resource Center (AKNWRC) provided its second advocacy training focused on rural Alaska Tribal programs with the Office for Victims of Crime (OVC) Tribal Set Aside Victim Service programs. Forty-eight participants from 14 different tribes participated. Many Tribes nationwide and in Alaska are developing and enhancing victim service programs as independent services or as part of broader justice system development. While each program is unique to its Tribe and/or community, advocacy services are critical with all of them. Victim advocates, regardless of their specific titles, are a critical resource to help victims and survivors navigate the systems that offer needed services and work towards broader systemic changes to ensure better services, processes, and outcomes for victims.

While several victim advocacy training courses have wonderful content, until this year, there has

never been an Alaska Tribal cultural-specific, victim-centered advocacy training course. In addition to 40 hours of training content conducted in person, AKNWRC's advocacy training program includes a mentorship component to connect with Advocacy Organizers (experienced Tribal victim advocates).

AKNWRC's Advocacy Curriculum was developed by on-the-ground Tribal advocates with a long history of working in isolated/remote villages for years, often before formal programs were developed in these communities. Some communities operate without law enforcement, health care, shelter, or other supportive systems to assist victims/survivors. AKNWRC intends to offer the advocacy training program several times each year to ensure as many rural advocates as possible have access to training designed specifically for their needs. AKNWRC hopes to establish a network of advocates across Alaska who can access support and develop and create peer support amongst each other to help Tribal programs work within their Tribal justice systems to establish safety, support, and long-term healing for victims/survivors. Providing the opportunity to pair more experienced advocates) with newer advocates to help support and encourage them, transfer knowledge, and hopefully build sustainability across the state in Tribal victim services staffing. Many Tribal Advocates, especially those in rural Alaska, are one-staff programs that receive minimal support and guidance. AKNWRC's advocacy training program was developed to meet their unique needs and improve services to Alaska Native victims and survivors.

# DOJ's Proposed Framework for the Alaska Pilot Program and Attorney General Garland's Alaska Visit and Roundtable Discussion on Public Safety in Alaska

By Rick A. Garcia, Esq. Co-Director of Law and Policy, Alaska Native Women's Resource Center

The Violence Against Women Act (VAWA) Reauthorization of 2013 and 2022 included historic Tribal provisions that recognized the inherent authority of “participating Tribes” to exercise “special tribal criminal jurisdiction” (STCJ) over non-Indian defendants who commit certain “covered crimes” of domestic violence in Indian country (commonly referred to as a partial Oliphant fix). Subtitle B of VAWA 2022 creates an Alaska Pilot Project Program where Alaska Tribes, who meet certain statutory requirements, may apply to the Department of Justice (DOJ) to exercise STCJ to protect their Tribal citizens and communities in the same manner as lower-48 Tribes have had the opportunity to do since 2013.

Since VAWA's passage on March 15, 2022, Alaska Tribes have been anxiously waiting for an update from the Department of Justice (DOJ) regarding the process for Alaska Tribes who are ready to exercise STCJ and for those aspiring to become a Pilot Program Tribe. VAWA 2022 mandated the U.S. Attorney General to release a process no later than one year after enactment or by March 15, 2023.



**View the Framing Paper!**  
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On August 3, 2023, just 5 days before the Annual Office on Violence Against Women (OVW) Government-to-Government Consultation and almost five months after the deadline established in VAWA, the DOJ released the long-awaited framework for Alaska Tribes who wish to implement STCJ. In addition to detailing three tracks designed to accommodate Alaska Tribes in different readiness phases of STCJ implementation, the “proposed framework” recognizes the need for additional support, both in technical assistance and funding, for Alaska Tribes to fully implement STCJ and to request designation as a “participating Tribe” under 26 U.S.C. §1305(d)(1).

In addition to a newly announced “Federal Project Liaison” position within DOJ whose responsibilities include reaching out to Alaska Tribes to discuss goals and readiness to exercise STCJ, identify unmet statutory requirements, as well as training and technical assistance needs, the framework includes “Appendix A,” a questionnaire designed to be used by the Federal Project Liaison and DOJ staff in determining whether an Alaska Tribe

meets the statutory requirements of 25 U.S.C. §1304 for exercising STCJ over non-Indians as part of the process for designation as a Participating Pilot Program Tribe. Under the currently designated DOJ process, Alaska Tribes who are requesting designation under Tracks Two or Three will be required to complete Appendix A.

The proposed framework places a heavy emphasis on aspiring and implementation-ready Alaska Pilot Program Tribes in utilizing the newly created Alaska Inter-Tribal Technical Assistance Working Group (ITWG), recently awarded to the Alaska Native Justice Center, in collaboration with the Alaska Native Women's Resource Center (AKNWRC), RurAL Cap, University of Alaska Fairbanks, and the Tanana Chiefs Conference. The Alaska ITWG, modeled after the successful ITWG established for all federally recognized Tribes in 2013, will offer Alaska Tribes resources, training and technical assistance, and highly specialized and collaborative implementation assistance for Alaska Tribes who are ready to implement STCJ and for those who aspire to implement it.

**TRACK ONE** is designed for Alaska ITWG Membership and active participation. This track welcomes Alaska Tribes with an interest in exercising STCJ or exploring the possibility of doing so in the future. Such Tribes are encouraged to submit a Statement of Preliminary Interest to express their intent to become part of the Alaska ITWG community.

While Alaska ITWG membership and participation are not obligatory prerequisites for Alaska Pilot Program designation, choosing to be a part of the Alaska ITWG offers distinct advantages. Tribes within the Alaska ITWG will gain access to specialized technical support tailored to help them delve into and fully implement STCJ.

By participating in Track One, Tribes can benefit from a collaborative ecosystem that fosters knowledge sharing and capacity building. The Alaska ITWG serves as a valuable platform for Tribes to navigate the complexities of STCJ, ensuring they are well-prepared to exercise STCJ effectively, both for present and future considerations.

It is important to note that Alaska ITWG membership and participation are not required for Alaska Pilot Program designation. However, Alaska ITWG Tribes will receive targeted technical assistance to enable them to explore and fully implement STCJ.

**TRACK TWO** is a tailored initiative aimed at assisting Alaska Tribes on their journey towards self-governance. This initiative is ideal for Alaska Tribes seeking Preliminary Pilot Program designation, as well as those Tribes interested in exercising STCJ.

For Alaska Tribes aspiring to attain Preliminary Pilot Program designation, the process begins with completing a comprehensive questionnaire found in Appendix "A." In this questionnaire, Alaska Tribes are required to indicate areas where they have established laws, policies, or procedures (by responding with a "No") and provide pertinent legal documentation for those areas where such frameworks are in place.

Once the completed questionnaire is submitted to DOJ, the Department will designate a Federal Project Liaison. This liaison will collaborate with the Alaska ITWG collaborative group to initiate contact with the Tribe. The primary objectives of this engagement include discussing the Tribe's goals, assessing its readiness, identifying any outstanding requirements, as well as addressing training and technical support needs. A tailored Readiness Plan will be developed to aid the Tribe in fulfilling any outstanding requirements. Tribes choosing to participate in Track Two will be officially recognized as Preliminary Pilot Program Tribes, and there are no limitations on the number of Tribes that can join this track.

While participation in Track Two does not require Alaska ITWG membership, it is strongly encouraged and highly recommended. This collaborative approach can significantly enhance the support and resources available to Tribes as they progress toward self-governance within the STCJ framework.

**TRACK THREE** has been designed to support Alaska Tribes ready to take the crucial step of requesting designation as Participating Pilot Tribe and who are poised to put STCJ into practice. Under

this track, Alaska Tribes interested in pursuing this designation must initiate the process by submitting a Request for Designation, accompanied by a completed questionnaire that has been certified by Tribal Leadership.

Once completed designation materials are received by DOJ, a diligent review will be conducted by Department staff. Based on this review, one of the following outcomes will be recommended: (a) Attorney General designation as a Participating Pilot Program Tribe, (b) continuation of the Tribe's status as a Preliminary Pilot Program Tribe (if applicable), or (c) extending an invitation to the Tribe to become a Preliminary Pilot Program Tribe.

For those Alaska Tribes whose request for designation as a Participating Pilot Project Tribe is approved, a comprehensive external communications plan will be developed in collaboration with the Federal Project Liaison. This plan will facilitate the notification of stakeholders, media, and Congress about the Tribe's achievement. Simultaneously, the Department's Tribal Justice and Safety website ([www.justice.gov/tribal](http://www.justice.gov/tribal)) will be updated to reflect this significant milestone.

Track Three imposes a limit, with no more than five Alaska Tribes being eligible for designation per calendar year by the Attorney General (as per 25 U.S.C. §1305(d)(1) and (5)).

While we extend our appreciation to DOJ for finally unveiling a long-awaited process that empowers Alaska Tribes to seek participation in the Alaska Pilot Program, we must acknowledge certain

critical concerns. We recognize the DOJ's efforts in acknowledging the importance of technical assistance and funding for this program. Nevertheless, there remain substantial challenges related to stable, non-competitive funding, which is indispensable for the program's ultimate success.

One of the primary concerns is that the DOJ's proposal does not sufficiently address how the crucial funding needs of the Alaska Pilot Program will be met. Despite recognizing that implementation will require funding to Alaska Tribes and that funding is essential for success, the proposal does not address how funding will be provided, except to mention that a current OVW funding solicitation that will close in two weeks is available. Whether or not this is the primary funding source for Alaska Pilot Program implementation remains unclear. For Alaska Tribes who did not meet the August 2023 OVW funding solicitation deadline, normal DOJ funding processes would likely mean that the next opportunity to apply for funding to support Pilot Project Program implementation would likely be Spring 2024, with funding made available in October 2024.

Sustainable funding is the lifeblood of any program, especially one as transformative and potentially impactful as the Alaska Pilot Program. Ensuring consistent and dependable funding is essential to enable Alaska Tribes to effectively exercise STCJ within the framework of the pilot program. Sustainability is at risk without a clear strategy for addressing these funding needs.

Additionally, ongoing delays and what appears to be a lack of consideration for the typical DOJ grant

*Sand Point, Aleutian Islands in Alaska. / Photo usage or license donated by Kelsey Foote, NIWRC.*



timelines prompt concern and apprehension. These delays have the potential to undermine the Alaska Pilot Program's effectiveness and efficiency. Timely and efficient execution is pivotal to delivering the program's intended benefits to Alaska Tribes and any disruption in this regard could have far-reaching consequences.

## Attorney General Garland's Alaska Visit and Roundtable Discussion on Public Safety

Attorney General Merrick Garland, the highest-ranking law enforcement official in the nation, embarked on a significant journey, traveling to Alaska Native Villages and engaging in meaningful discussions with Alaska Native leaders and advocates in Anchorage. The primary focus of these discussions was to explore viable paths forward in addressing the pressing public safety crisis that disproportionately impacts Alaska Native Villages and their citizens.

In a pivotal roundtable dialogue held in Anchorage on August 22 representing the culmination of his rural and public safety tour of Alaska, AG Garland led conversations with representatives of Alaska Native organizations with a particular emphasis on public safety concerns. This visit underscored the DOJ's unwavering commitment to supporting initiatives aimed at bolstering public safety and fostering justice solutions within the unique context of Alaska.

In his opening remarks, AG Garland recognized "that Alaska Native families and communities have endured persistently high levels of violence and that women and girls have bore the brunt of that violence."

Roundtable participants included: Senator Murkowski, Attorney General Garland, U.S. Representative Mary Peltola, Tami Truett Jerue and Rick Garcia from the AKNWRC, and representatives from the Alaska Federation of Natives, Tanana Chiefs Conference, Alaska Native Justice Center, Association of Village Council Presidents, and the Alaska Department of Public Safety.

Speaking briefly on the passage of VAWA 2022 and

the newly created Alaska Pilot Program, AG Garland expressed his desire to "spend my time today listening to your ideas and addressing any questions that you have."

Roundtable participants highlighted the unique legal jurisdictional and physical landscape of Alaska that has contributed to the current public safety crisis and emphasized the need for consistent, non-competitive, and reliable Tribal public safety and justice funding for Alaska Tribes.

In the context of the Alaska Pilot Program and funding for Alaska Tribes to support success with VAWA implementation, Rick Garcia, AKNWRC Co-Director of Law and Policy, and Michelle Demmert, *Not Invisible Act* Commissioner, urged the DOJ to think outside of their normal funding box and develop an innovative, multi-year, multi-agency, mini-consolidation grant programs approach to funding, that includes multiple federal agencies, for Alaska Tribes to fully implement VAWA 2022 and the Alaska Pilot Project.

Tami Truett Jerue, AKNWRC's Executive Director, highlighted the vital need to ensure that advocacy and trauma-informed victim services in Tribal justice system operations and capacity-building efforts for Alaska Tribes are considered, commenting that "Tribally based victim services are crucially important in the broad spectrum of violence that our Alaska Native women and children face from birth to death."

AG Garland's recent visit to Alaska marks the second time in recent years that a sitting Attorney General of the U.S. has visited Alaska to discuss public safety concerns, particularly with Alaska Native Tribes and their citizens. In 2019, AG Barr visited Alaska and met with Alaska Native leaders and advocates to discuss the ongoing public safety and justice concerns in Alaska that affect predominantly rural, off-road, and Alaska Native communities. After his 2019 visit, AG Barr declared a law enforcement emergency in rural Alaska and authorized more than \$10 million in immediate funding to support policing in Alaska Native Villages in rural Alaska hub communities.



Photo of Mary Kathryn Nagle. / Photo courtesy of Mary Kathryn Nagle.

# VAWA Sovereignty Initiative Update

## September 2023

By Mary Kathryn Nagle, *Cherokee Nation*, Counsel, NIWRC

The *Violence Against Women Act* Sovereignty Initiative continues its important work in safeguarding the sovereignty of our Tribal Nations to protect our women and children from violence on Tribal lands. The Initiative was busy over the summer as the Supreme Court issued its decision in *Haaland v. Brackeen*—a case in which the NIWRC filed an *amicus* brief—and the NIWRC filed a new *amicus* brief in *United States v. Rahimi*. This update will discuss both in turn.

### ***Haaland v. Brackeen***

On June 15, the Supreme Court issued its decision in *Haaland v. Brackeen*. In a 7-2 decision, the Supreme Court upheld the constitutionality of the Indian Child Welfare Act (ICWA). This is a huge victory for Indian Country and all Tribal Nations, as the decision upholds the inherent sovereign authority of our Tribal Nations to protect Indian children and Indian families.

The NIWRC filed an *amicus* brief in *Brackeen*, articulating the reasons why ICWA constitutes a critical tool to protect Indian children and women from domestic violence and sexual assault. The NIWRC filed its *amicus* brief in August 2022, and oral arguments were heard in November 2022. Then, we all waited on pins and needles until the Court finally issued its decision this past June.

Indian Country is now breathing a sigh of relief following this watershed victory—but there are a couple of important things to keep in mind. The decision is a huge victory because the Court held that Congress does in fact have the requisite constitutional authority to pass ICWA, thereby dismissing one of the *Brackeen* plaintiffs' main challenges to ICWA.

However, the Court did not reach the merits on the plaintiffs' equal protection challenges. Plaintiffs in this case have argued that when Congress uses "Indian" to pass legislation related to citizens of Tribal

Nations, “Indian” causes a raced-based classification that violates the Fourteenth Amendment’s Equal Protection Clause (as incorporated against the federal government in the Fifth).

Historically, the Supreme Court has always held that “Indian,” when referring to citizens of Tribal Nations, constitutes a political classification, not a racial classification. This has been the law since the Fourteenth Amendment’s Equal Protection Clause was created and passed in 1868. However, the plaintiffs’ law firm in *Brackeen* (specifically Gibson Dunn)—as well as the Goldwater Institute—have made it their mission to secure a federal court decision declaring “Indian” to be an unconstitutional race-based classification. This of course would have huge consequences for all federal statutes that currently rely on “Indian” as a political classification in relation to citizens of Tribal Nations.

In *Brackeen*, the Court punted the question for another day. The Court dismissed the plaintiffs’ claims based on an Article III doctrine known as “standing,” essentially concluding that the Court did not have jurisdiction to hear the plaintiffs’ Equal Protection claims because they could not establish that their injuries were fairly traceable to the actions of the federal government defendants, and thus, plaintiffs failed to satisfy Article III standing. This leaves the door open for other plaintiffs to come back to the courthouse with claims that will meet the requirements for Article III standing, and attorneys at Goldwater Institute have already pledged to do this.

Thus, we must remain vigilant and prepare for the attacks against Tribal sovereignty and Tribal Nations that the Goldwater Institute and Gibson Dunn are currently planning. Although the Court’s decision in *Brackeen* gives us significant reason to celebrate, we must also brace ourselves for the ongoing attacks Gibson Dunn and the Goldwater Institute have promised to bring.

## ***United States v. Rahimi***

On August 21, the NIWRC filed its *amicus* brief in *United States v. Rahimi*. This case has been scheduled for oral argument before the Supreme Court on

November 7. In *Rahimi*, the Fifth Circuit Court of Appeals held that 18 U.S.C. § 922(g)(8) violates the Second Amendment. If left untouched, this decision threatens to leave Native women and children even more vulnerable and susceptible to homicide than they are at present.

Section 922(g)(8) is the federal law that prohibits individuals subject to a protection order from accessing and possessing firearms. The NIWRC filed its *amicus* brief to explain how the loss of § 922(g)(8)’s protections will place Native women at even greater risk. Native women are more likely to be victimized by domestic violence than any other population in the United States. When a Native woman goes to her Tribal Court and secures a protective order, § 922(g)(8) makes it illegal for her abuser to access a firearm. Section 922(g)(8) is a statute that saves lives.

Under the Supreme Court’s Second Amendment jurisprudence, whether § 922(g)(8) remains constitutional and in effect as federal law will depend on whether the Court finds the firearm regulation in § 922(g)(8) to be commiserate with firearm regulations at the time of the Second Amendment’s passage. Thus, a good deal of the briefing and discussion at oral argument will be focused on relevant historical analysis. The NIWRC’s *amicus* brief points out that, although the Second Amendment was initially passed to protect the right of individual Americans to possess firearms in order to kill Indians. However, this policy, changed by the time the United States passed the Fourteenth Amendment—a time when the United States was signing numerous treaties with Tribal Nations and promising to protect Tribal citizens from “bad men”—white men seeking to do harm to Tribal citizens on Tribal lands. The NIWRC *amicus* brief, therefore, makes the argument that § 922(g)(8)’s prohibition on access to firearms for individuals subject to a protection order is part and parcel of the United States treaty trust duty and responsibility to safeguard the lives of Native women.

Because oral argument will take place in early November, it is likely that a decision in this case will come down sometime in spring of 2024. The NIWRC will monitor the case closely and provide updates as they come in.

# New Alternative Report Filed With the UN Committee on the Elimination of Racial Discrimination

By Jana L. Walker, *Cherokee, Delaware*, and *Loyal Shawnee*, and Christopher Foley, *Cherokee*, Senior Attorneys, Indian Law Resource Center



*Judite Guajajara, Legal Advisor for COIAB (Brazil), accepting the U.S. State Department Global Anti-Racism Champion Award. / Photo courtesy of ILRC.*

On September 6, the Indian Law Resource Center (ILRC), working together with our partners at Alaska Native Women’s Resource Center (AKNWRC), National Indigenous Women’s Resource Center (NIWRC) with its project STTARS Indigenous Safe Housing Center (STTARS), and the Pouhana O Nā Wāhine (PONW), filed an Alternative Report with the UN Committee on the Elimination of Racial Discrimination (Committee).

The Committee is a body of experts that monitors the compliance by member state parties with the International Convention on the Elimination of Racial Discrimination (Convention), a binding treaty adopted by the United Nations in 1965 and ratified

by the United States in 1994. The Convention offers protections for Indigenous women and all other persons against racial discrimination in all its forms. Racial discrimination continues to be a major barrier throughout the world to the complete realization of human rights.

As part of its obligations under the Convention, the United States must file periodic reports with the Committee about its implementation of the treaty. When the United States files these reports, non-governmental organizations are also given an opportunity to file their alternative reports, providing further information and context to the Committee.

“In 2022, the United States filed its most recent treaty report,” explained Chris Foley, Senior Attorney at the Indian Law Resource Center. “At that time, this same group of partners filed an alternative report titled “Violence Against Indigenous Women in the United States, including the Crisis of Missing or Murdered Indigenous Women, and Lack of Safe and Adequate Housing for Indigenous Survivors.” After the Committee considered the United States’ report and alternative reports, including ours, it issued Concluding Observations. “We were very gratified to see the Committee understood the gravity of the MMIW crisis that we reported about last year and called for prompt action,” said Foley.

In ¶ 49 of its Concluding Observations, the Committee expressed very serious concerns about indigenous rights, including “[t]he lack of adequate measures and funding to address [the] crisis concerning missing and murdered indigenous peoples.” The Committee continued in ¶ 50,

Drawing the attention of the State party to the United Nations Declaration on the Rights of Indigenous Peoples, and to the recognition by the Human Rights Council [footnote omitted] that the legacies of colonialism have a negative impact on the effective enjoyment of all human rights and that indigenous peoples were victims of colonialism and continue to be victims of its consequences, **the Committee recommends that the State party:**

....

**(e) Take additional measures and provide adequate funding to implement statutes and policies that address the crisis concerning missing and murdered indigenous peoples.**

Finally, the Committee requested that the United States provide a one-year follow-up report about steps taken to implement this recommendation. The follow-up reporting requirement opened the door for the ILRC and our partners to file information again, informing the Committee regarding the United States’

response over the last year. “As the United States did not submit a timely follow-report to the Committee as requested,” said Jana Walker, Senior Attorney at the Indian Law Resource Center. “It was all the more important for us to submit this alternative report to inform the Committee about whether the United States took any additional measures in the last year to implement statutes and policies addressing the crisis of missing and murdered indigenous people in the United States.”

While our alternative follow-up report acknowledges some progress by the United States over the last year, it concludes by noting, “while indigenous lives are being lost daily and indigenous peoples continue to go missing, maintaining the status quo is not an option and the United States must take firm actions with a sense of urgency and the necessary resources aimed at stopping this crisis. The historical federal underfunding of tribal justice systems is a violation of the ICERD and the United States’ domestic trust responsibility to American Indian and Alaska Native Tribes.” The full text of the Alternative Report is available at [indianlaw.org/safewomen/international#Treaty](https://indianlaw.org/safewomen/international#Treaty).

## **Judite Guajajara, Legal Adviser to COIAB in Brazil, Was Awarded the Global Anti-Racism Champion Award From the U.S. State Department**

For many years now, the ILRC has coordinated Parallel Events at the UN Commission on the Status of Women with NIWRC and various other partner organizations in the United States and other countries to center Indigenous women’s rights within global discussions of women’s human rights. For the past two years, one of our advocacy partners at the Commission has been Judite Guajajara (Guajajara Indigenous people), a Legal Advisor for the Coordination of the Indigenous Organizations of the Brazilian Amazon (COIAB), the largest regional Indigenous organization in Brazil. At our 2023 Parallel Event, for example, Judite discussed how COIAB defends Indigenous peoples’ rights,

noting specifically COIAB’s work to break the silence on topics like gender-based violence. She explained that a principal cause of violence against Brazilian Indigenous women is illegal extraction, including mining, causing a humanitarian crisis in the Yanomami territory and other Indigenous lands.

In August, Judite was given one of the first annual Global Anti-Racism Champion Awards by the U.S. State Department in recognition of her work to protect and promote Indigenous rights in Brazil. According to the U.S. State Department, the Global Anti-Racism Champion Awards are given to global civil society leaders “who have courageously advanced the human rights of members of marginalized racial, ethnic, and Indigenous communities and combatted systemic racism, discrimination, and xenophobia worldwide.” Judite was recognized for her international advocacy work exposing Indigenous rights violations against the Guajajara and Awá peoples of the Araribóia Indigenous Land. “This award is incredibly well deserved,” said Jana Walker, Senior Attorney at the Indian Law Resource Center. “Judite is a leading voice for indigenous women’s rights in Brazil and an outstanding lawyer and advocate. Congratulations!”

*Pictured right to left: Judite Guajajara, Legal Advisor for COIAB (Brazil), and Miranda Carman, Project Operations Manager for the Indian Law Resource Center at the U.S. State Department Global Anti-Racism Champion Award ceremony. / Photo courtesy of ILRC.*



# Upcoming International Events

**MARCH 11 - 22, 2024**

## 68TH SESSION OF THE UN COMMISSION ON THE STATUS OF WOMEN (CSW)

The CSW will meet in New York from March 11-22, 2024.

The Priority Theme of this session is “Accelerating the achievement of gender equality and the empowerment of all women and girls by addressing poverty and strengthening institutions and financing with a gender perspective.” The Review Theme is “Social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls.” In 2019, when the Review theme was last addressed, the Commission recommended countries and governments to “promote and protect the rights of indigenous women and girls living in rural and remote areas by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence...” (Paragraph 47(s)).

Further information about the session, including details about registration and additional participation opportunities, will be posted when available at [unwomen.org/en/csw/csw68-2024](https://unwomen.org/en/csw/csw68-2024).

# Fifth Convening of the Trilateral Working Group on Violence Against *Indigenous Women and Girls*

## Creator's Law and Our Inherent Rights

By Caroline LaPorte, *Immediate Descendant of the Little River Band Of Ottawa Indians*, Director, STTARS Indigenous Safe Housing Center

Canada hosted the Fifth Trilateral Working Group on Violence Against Indigenous Women and Girls in September. The current workgroup members from the United States are Nicole Matthews (Executive Director, MIWSAC), Dawn Stover (Executive Director, ATCEV), Whitney Gravelle (President, Bay Mills Indian Community), Dr. Diane Gout (Executive Director, Gray O.A.K., LLC), Mary Kathryn Nagle (General Counsel to the National Indigenous Women's Resource Center), Justice Anne McKeig (Associate Justice, Minnesota State Supreme Court), Angel Charley (Executive Director, Coalition to Stop Violence Against Native Women), Erica Pinto (Chairwoman, Jamul Indian Village), Shanna Parker (CEO, Angels Go To Work), Christina Love (Senior Specialist, Alaska Network on Domestic Violence and Sexual Assault), Tami Truett Jerue (Executive Director, AKNWRC) and Caroline LaPorte (Director of STTARS Indigenous Safe Housing Center and Associate Judge, Little River Band of Ottawa Indians). Nicole, Dawn, Christina, Shanna, Diane, and I traveled to Ottawa for the in-person event.

The Trilateral Working Group (WG) is a convening between the United States, Mexico, and Canada that was created as an outcome of the North American Leaders' Summit (2016). The WG is an affirmation of each Country's commitment to addressing gender-based violence impacting Indigenous women, girls, Two-spirit, and gender-diverse individuals. Department of the Interior Secretary Deb Haaland, Assistant Secretary Bryan Newland, Office on

Violence Against Women Director Rosie Hidalgo, and Elizabeth Reese from the White House Domestic Policy Council were present and represented the United States Government.

For the Fifth Convening, workgroup members were asked to think about four specific event concepts and themes:

1. Human trafficking (including root causes and early intervention/prevention).
2. Leadership development of Indigenous women, young women, girls, and Two-spirit and gender-diverse peoples.
3. Data collection (data tracking and the need for the development of a tool/mechanism for MMIWG and human trafficking of Indigenous women and girls).
4. Access to Justice (including culturally respective practices).

The meeting in Ottawa focused on human trafficking and access to justice.

During the first day of the Fifth Convening, the Indigenous women leaders and the federal counterparts met separately in two distinct groups. We first spent time reviewing and strengthening the terms of reference. In particular, we looked at adding the acknowledgment of state and political violence, the legal and fiduciary obligations of our respective colonial governments, of being inclusive towards



*Trilateral Working Group on Violence Against Indigenous Women and Girls Members from the U.S. with federal officials. Seated from left to right Nicole Matthews and Shanna Parker. Standing from left to right, Miranda Baxter, Caroline LaPorte, Rosie Hidalgo, Dawn Stover, and Diane Gout. / Photo courtesy of Caroline LaPorte*

gender-diverse and Two-spirit relatives, and calls for accountability and action on the part of the United States, Canada, and Mexico. During this discussion, Indigenous women leaders were frustrated by the continued use of the words “stakeholders” and “partners,” much preferring the term “rightsholders.” Additionally, the discussion focused heavily on Creator’s law—our inherent rights—and the need to exist outside of the government’s containers for us as Indigenous peoples.

Our meeting resulted in the following questions that we raised before the United States, Canada, and Mexico:

1. Are the three key deliverables from the terms of reference still valid?
2. What is the actual coordination between the governments and the rightsholders (the Indigenous women)?
3. What can be done to ensure continuity of the workgroup?
4. How will colonial governments be accountable to us?

“We need to help our colonial counterparts understand our medicine, our law. We are taught to share and we are taught to care for those around us. Those are our values. All Indigenous peoples have that in common,” said Gerri Sharpe, Pauktuutit Inuit Women of Canada.

Working Group members shared the following with the government officials present:

- Need to deepen our relationship towards reconciliation/ need to see progress.
- Must honor and recognize our members’ distinct cultural and gender identities.
- Principles of engagement could be developed and formally recognized.
- Equal voice.
- Must have adequate/equitable financial support to participate meaningfully.
- Identify and monitor successes.
- We need cohesive deliverables/formal work plan.
- Need to move beyond trauma-informed (to center cultural identity).
- Critical that we focus on root causes.
- We are not vulnerable. We are targeted.
- Human rights framing needs to be strengthened to include duty, due diligence, and state/ political violence.
- When governments change, there is no continuity. We need structure and ensuring the continuation of this workgroup.
- Agenda should be built by the Indigenous women.
- Framework of rights needs to talk about/ address/acknowledge the violence that accompanies it.
- Free trade impacts need to be considered.

- Need mechanisms for prevention.
- Workgroup members are frustrated by the regurgitation of the same discussion.
- Being uprooted from land impacts everyone.
- Violence against children must be centered.
- We must teach empathy.
- Tension between traditional economies and capitalism (how can we support traditional economies).
- Lack of adequate resources.
- Balance of power remains an issue.
- Need timelines with action.
- The US and Canada have similar legal/fiduciary responsibilities.
- Change the partnership/stakeholder language (we are nations/rightsholders).
- Technology is impacting the role of culture in many communities in detrimental ways.
- Creator's law is our law.



FROM THE LINK  
[bit.ly/467gufx](https://bit.ly/467gufx)

Section 605 of VAWA 2022 [footnote omitted]:

- amends section 103(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(b)) to change the criteria for survivors whom HUD must consider as “homeless” under programs such as the Emergency Solutions Grants and Continuum of Care Program;
- amends section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383) to provide that Continuum of Care grant awards can be used for facilitating and coordinating activities to ensure and monitor compliance with VAWA's emergency transfers provision and confidentiality protections; and
- adds a new section 41416 to VAWA (34 U.S.C. 12496), which provides authorization for HUD to make training and technical assistance grants (subject to appropriations) to support the implementation of VAWA's Housing Rights Chapter, including technical assistance agreements with entities whose primary purpose and expertise is assisting survivors of sexual assault and domestic violence or providing culturally specific services to survivors of domestic violence, dating violence, sexual assault, and stalking.[footnote omitted]

“There have been a lot of conversations today about human rights and human rights framing, which, of course, ideally centers on self-determination principles. And I want to start today by recognizing our Nationhood, as there are 576 federally recognized tribes in the United States...all of whom are sovereign...and all of whom are owed the legal and fiduciary duties of the federal government via the trust responsibility and relationship that has been memorialized in treaties, in Article 1 section 8 of the US Constitution, in Supreme Court Precedent, and as elder Commanda reminded us yesterday, originates and continues in each of us,” said Caroline LaPorte, STTARS.

“Social and economic inequities must be resolved. Rates of poverty, food insecurity, severe housing and infrastructure gaps, and the policies that uphold them need to be rectified. We do not have shelters and transitional homes. Many Inuit have nowhere to turn if they are fleeing family violence...The Crown-Indigenous partnership committee has been able

to come to some concrete things we can work on together...so let's run in unison. Let's run in the right direction. Let's run following Indigenous women, leaders, and girls,” said Aluki Koteirk, Nanavut Tunngavik, Inc.

“A water reservoir was created in our territory, so we were removed from Oaxaca and placed in Veracruz. When you are uprooted, think about a tree...if a tree is forty, fifty, sixty years old, if you move it, what happens to that tree? That tree is us. Many of our senior women cried. They miss the rivers, the mountains. Development caused the death of our past. Often the cruelest way of violence is the taking of who you are”—Guadalupe Galvan, Pueblo Chinanteco.

Nicole Matthews, and Shanna Parker provided testimony specifically relating to human trafficking, and Christina Love and Caroline LaPorte provided testimony regarding access to justice. We focused on what was working: Policies based on self-

determination, policies and programs that uphold and center survivor autonomy, and increased access to funding. We provided that self-determination was the best approach because we have our own law, Creator's law, we have our own values and our own ways of being and knowing, and because culture is the core of prevention. Focusing on what was not working, members turned towards the current composition of the Supreme Court; how access to justice for thinktanks like the Goldwater Institute or the Heritage Foundation is high while access to justice for survivors, Tribal Nations, and advocates is seriously under-resourced; the many ways in which empire is entrenched; and how the federal government refuses to meet peoples' basic needs.

**STTARS specifically recommended the following in writing:**

- Ensure a full Oliphant fix.
- Ensure increased Tribal access to NCIC.
- Codify Morton v. Mancari.
- Indian law should be bar-tested.
- Funding needs to be available for survivors to have access to legal services.
- Indian Country needs a tax base.
- Consistent access to SANE and SART.
- Separate victim advocate programs from law enforcement (should not be housed together).
- Economic impacts on survivors need to be prioritized (includes child support concerns/enforcement).

## Housing and Shelter

- VAWA Section 605 (see text box). Needs full consultation
- Ensure fulfillment of the VAWA Housing Director position
- Expand allowable uses of VOCA dollars to include construction for programs/shelter
- Increased funding for transportation vouchers
- Increased substance abuse supports
- Legislators should refrain from enacting laws that criminalize homelessness
- Increased funding for transitional housing in Indian Country

- Funding for housing/DV advocates
- Funding for housing navigators
- Funding for legal advocacy
- Funding for financial assistance programs
- Increased funding for project-based vouchers
- Remove artificial rules (credit checks should not be a bar to housing/shelter access)
- Rent control/cancellation
- Flexible funding for survivors/programs

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# Call for Proposals

The National Indigenous Women's Resource Center (NIWRC) and the STARS Indigenous Safe Housing Center (STARS) are dedicated to supporting grassroots advocacy programs and uplifting the voices of those determined to end violence against Native women and children.

Through our funding opportunities, we aim to bolster initiatives led by strong-hearted programs and organizations, empowering them to create meaningful impacts within their communities.



Deadline  
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STARS has a unique funding opportunity for programs addressing housing insecurity and homelessness for survivors of gender-based violence. We have pass-through ARP funds for Tribal domestic violence programs and shelters and Tribal not-for-profit organizations. Eligible programs can receive up to [\\$15,000 per award](#) and can reapply for additional funds.



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WOMEN**

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“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 their weapons.”

—CHEYENNE PROVERB



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