



National Indigenous Women's Resource Center

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Media Contacts:

Elizabeth Carr
Senior Native Affairs Advisor, NIWRC
ecarr@niwrc.org

Warren Campaign Unveils Expansive Tribal Platform: Recognizing Tribal Sovereignty and the Importance of Protecting the Safety of Native Women

In preparation for the historic Frank LaMere Native American Presidential Forum, Senator Elizabeth Warren unveiled her campaign's Tribal platform today. NIWRC recognizes Senator Warren's focus on restoring Tribal sovereignty particularly in the context of protecting the safety of Native women.

Senator Warren's expansive Tribal platform includes the important structural reforms needed to enhance the safety of Native women by ensuring, "that America's sacred trust and treaty obligations are the law of the land — binding legal and moral principles that are not merely slogans, but instead reinforce the solemn nation-to-nation relationships with Tribal Nations." The platform calls for the recognition of the inherent jurisdiction of tribes over their sovereign territory through a full *Oliphant* fix and amending the Indian Civil Rights Act to empower tribal courts with sentencing power. It also calls for proposing a nationwide Missing Indigenous Woman Alert System and significantly increased Tribal funding for victim and family services.

NIWRC applauds Senator Warren for taking the lead on introducing a fully detailed tribal platform that recognizes the need to implement a full *Oliphant* fix and amending the Indian Civil Rights Act to restore tribal authority to protect Native women.

In 1978, a United States Supreme Court decision declared Tribal Nations could no longer exercise jurisdiction over non-Indians who commit crimes on tribal lands. Since then, violent crimes against Native women on tribal lands have skyrocketed. Today, Native women experience rates of domestic violence, sexual assault, and murder rates higher than any population in the United States. It is no surprise that the majority of these crimes, according to statistics from the U.S. Department of Justice, are committed by non-Indians, but because of the Supreme Court's decision in *Oliphant*, Tribal Nations are now unable to protect their women living on their own lands.

The 1968 Indian Civil Rights Act bars tribal courts from imposing punishments greater than three years in prison per offense and nine years as a total sentence. This limitation further and severely

restricts the ability of Tribal governments to appropriately respond to serious crimes of violence against women.

“We appreciate Senator Warren’s focus on reforms to address hundreds of years of ill-conceived federal policies that have left Native women vulnerable to extremely high rates of violence. It is imperative that all candidates recognize that in order to address the MMIW crisis and fully protect Native women, the Federal Government must restore local tribal authority and jurisdiction” said Lucy Simpson, Executive Director, National Indigenous Women’s Resource Center (NIWRC).

“When it comes to presidential debates and campaigns, Native women are often forgotten,” states NIWRC Board President Cherrah Giles. “Although we suffer the highest rates of domestic violence in the United States, our issues hardly ever make campaign headlines. Senator Warren’s platform not only elevates and shines a light on the critical need to ensure safety for Native women, perhaps more importantly, it provides a well-thought, intelligent policy path to get there: a full *Oliphant* fix.”

“Nothing in the Constitution precludes the exercise of tribal jurisdiction over individuals who commit crimes on tribal lands,” states Mary Kathryn Nagle, legal counsel to the NIWRC. “To be sure, the Supreme Court’s decision in *Oliphant* was not based on principles of constitutional law, but rather, the Court’s decision came as the culmination of decades of efforts to exterminate tribal sovereignty and protections for tribal citizens dating back to the time of President Andrew Jackson.”

“Senator Warren’s presidential platform creates the potential for a new chapter in American history,” states NIWRC Board Member Leanne Guy. “A chapter where safety for Native women is a campaign priority, not a critical issue left on the proverbial campaign floor.”

About the National Indigenous Women’s Resource Center

The National Indigenous Women’s Resource Center, Inc. (NIWRC) is a nonprofit organization that is dedicated to restoring the sovereignty of Native nations and safeguarding Native women and their children. The NIWRC supports culturally grounded, grassroots advocacy and provides national leadership to ending gender-based violence in Indigenous communities through the development of educational materials and programs, direct technical assistance and the development of local and national policy that builds the capacity of Indigenous communities and strengthens the exercise of tribal sovereignty. www.niwrc.org

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