



Tribal Consultation
VAWA 2013, Section 903
September 2, 2020



National Indigenous Women's Resource Center

1

Welcome!
Today's Presenters

NCAI Task Force Co-Chairs:

<p>Juana Majel Dixon Traditional Legislative Councilwoman Pauma Band of Luiseno Indians</p>	<p>Kelbie Kennedy Policy Counsel NCAI</p>
<p>President Shannon Holsey Stockbridge Munsee Band of Mohican Indians</p>	<p>Debra O'Gara Policy Specialist AKNWRC</p>
	<p>Elizabeth Carr Senior Native Affairs Advisor NIWRC</p>

2

**15th Annual
Government-to-Government
Violence Against Women
Tribal Consultation**

Virtual
Tribal Consultation
on Violence Against Women

October 27-30, 2020
<https://www.ovwconsultation.org/>

3

Schedule

- **Tribal Leaders Caucus Meeting**
 - October 26, 2020
 - 3-5 PM (EST)
 - <https://www.ovwconsultation.org/Events/Tribal-Caucus>

- **DOJ VAW Tribal Consultation**
 - October 27-30, 2020
 - 1 PM (EST)
 - <https://www.ovwconsultation.org/Agenda/Agenda-at-a-Glance>

4

DOJ VAW Tribal Consultation

- The Department of Justice's annual Tribal Consultation on Violence Against American Indian and Alaska Native Women is held pursuant to Public Law 109-162, Title IX, Section 903, Violence Against Women Reauthorization Act of 2005.
- Section 903 requires the Attorney General to conduct an annual consultation with Indian tribal governments **to address the federal administration of all tribal funds and programs established under VAWA.**

5

Purpose of DOJ VAW Tribal Consultation

- Section 903, VAWA 2005 directs the Attorney General to solicit recommendations from Indian tribes on the following:
 - **administering tribal funds and programs;**
 - **enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, stalking, *and sex trafficking*; and**
 - **strengthening the federal response to such violent crimes.**

6

Annual DOJ VAW Tribal Consultation Report

- Section 903, VAWA 2005 mandates the Attorney General to submit a report to Congress on the annual consultation that –
 - **contains recommendations made by Indian tribes during the year covered by the report;**
 - **describes actions taken during the reporting year to respond to recommendations made during the year or a previous year; and**
 - **describes how the Attorney General will coordinate and collaborate with Indian tribes, Secretary of HHS, and Secretary of the Interior to address recommendations made.**

7

Notice of DOJ VAW Annual Tribal Consultation

- Section 903, VAWA 2013 requires the Attorney General *not later than 120 days before* the consultation date to notify tribal leaders of the date, time, and location of the consultation.

8

Significance of DOJ VAW Tribal Consultation

- Provides critical opportunity for government-to-government dialogue and for Indian tribes to identify barriers and implement solutions that will enhance their capacity as governments to protect their citizens.
- Feedback opportunity on what works/doesn't work in how Department of Justice, Department of Health and Human Services, and Department of Interior funds and programs are administered as related to violence against women.
- Raise awareness on current, outstanding and/or emerging issues.
- Help ensure coordination and collaboration with Indian Tribes, HHS, DOJ and the Secretary of the Interior in addressing intersecting issues.
- Help to design a legal framework for change and removal of barriers, inequity, etc.

9

Platforms for Change

- *National* platform unites movement on a national level
- *Regional* platform unites movement on a regional or tribal-specific level

10

Preparing for DOJ VAW Tribal Consultation

- Review VAWA 2013 in context of tribe/region
- Review Family Violence Prevention and Services Act (FVPSA) in context of human services support to address VAW issues within tribal communities.
- Identify tribal or region-specific platform issues
 - Extend VAWA 904 jurisdiction to sexual assault crimes
 - Parity in funding for Tribes under FVPSA, VOCA
- Develop consultation statement on specific platform issues

11

Review VAWA 2013 in context of specific tribe/region

- Inherent Tribal Sovereignty is reaffirmed
- Section 904: Implementation of special domestic violence jurisdiction over non-Indians
- Section 905: Full civil jurisdiction over everyone to issue & enforce protection orders is clarified
- “Sex Trafficking” language is included under tribal government & Tribal Coalitions program
- Tribal Coalitions program is strengthened

12

2020 Issues of Concern

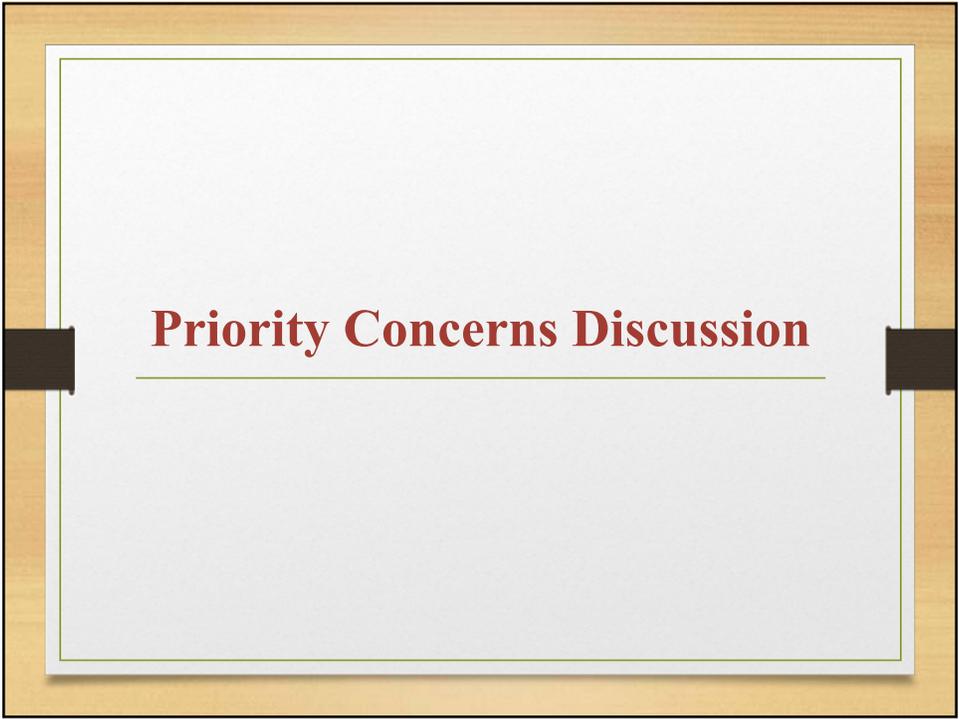
- Tribal Jurisdiction Over Non-Indian Offenders
 - Increased authority/SDVCJ jurisdiction
- Disbursement of Crime Victim Funding/Support for Permanent Fix
- Increased Protections from Sexual Assault and Services for Women Surviving Rape
- Improve Public Safety Funding Mechanisms
- Impact of Extractive Industries on Safety of Native Women
- Outstanding Unaddressed Issues/Missing and Murdered Native Women
- Increase Federal Penalties for Tribal Protection Order Violations and Exclusion Orders

13

2020 Issues of Concern

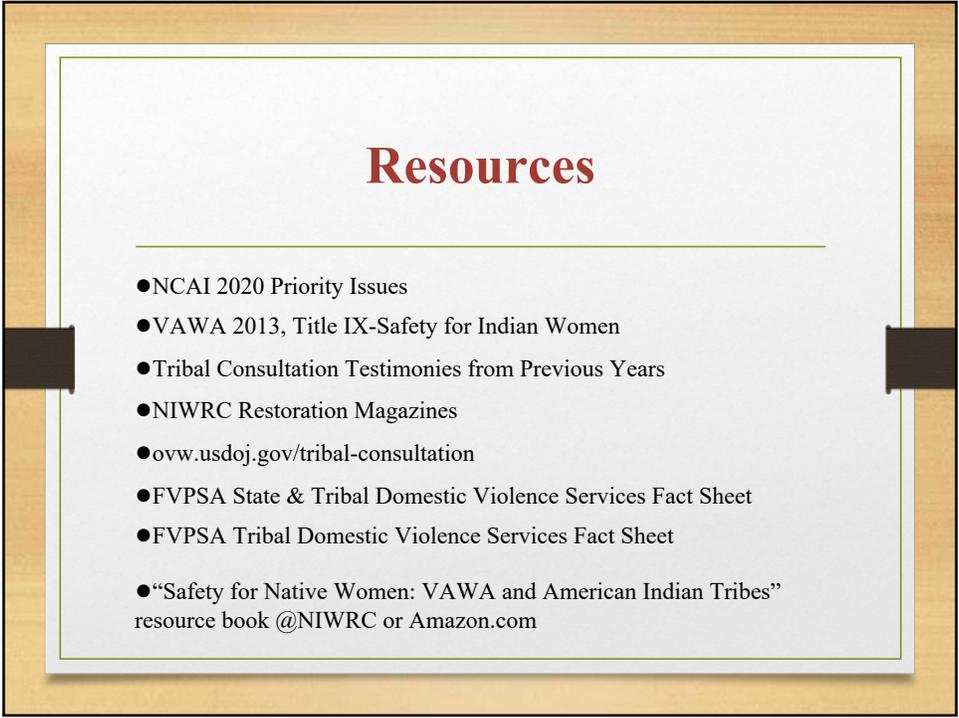
- Alaska issues of concern
- FVPSA allocation formula for Indian tribes
- FVPSA funding to support shelter/safe housing needs

14



Priority Concerns Discussion

15



Resources

- NCAI 2020 Priority Issues
- VAWA 2013, Title IX-Safety for Indian Women
- Tribal Consultation Testimonies from Previous Years
- NIWRC Restoration Magazines
- ovw.usdoj.gov/tribal-consultation
- FVPSA State & Tribal Domestic Violence Services Fact Sheet
- FVPSA Tribal Domestic Violence Services Fact Sheet

- “Safety for Native Women: VAWA and American Indian Tribes” resource book @NIWRC or Amazon.com

16

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17

Thank You!

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18

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