

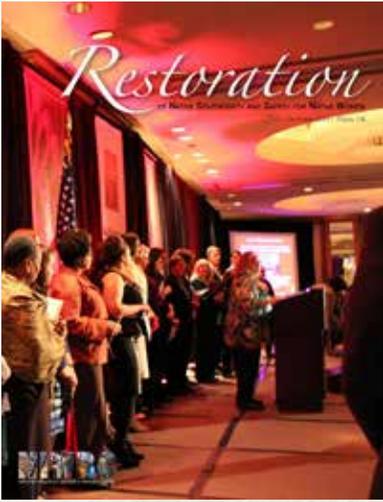
Restoration

OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

OCTOBER 2013 | TULSA, OK



National Indigenous Women's Resource Center



Cover: Juana Majel-Dixon, Co-Chair of the NCAI Task Force on Violence Against Women standing at the podium honors members of the National Task Force for their support of the tribal provisions contained in VAWA 2013.

Restoration
OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN
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RESTORATION OF SOVEREIGNTY & SAFETY MAGAZINE, 2003-2013

Ten years ago during the reauthorization process of the Violence Against Women Act, three 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, the National Congress of American Indians, and the National Task Force to End Sexual and Domestic Violence. It was recognized that to fully participate in the national movement to create the changes needed to increase safety for Native women broad communication was essential. The *Restoration of Sovereignty & Safety* magazine emerged to fulfill this task.

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

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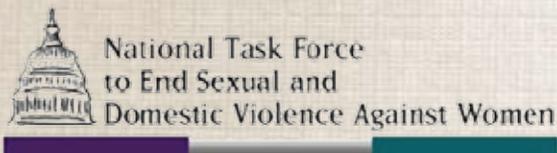
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Dear Friends,

Welcome to the 2013 NCAI Annual Conference!

At every national meeting since 2003, *Restoration* magazine has provided tribal leaders, advocates, and attendees with an update on emerging issues impacting the safety of American Indian and Alaska Native women.

This volume provides highlights of the implementation process of VAWA 2013, which restores limited jurisdiction over non-Indians in cases of domestic violence to Indian nations. Since 2011, the NCAI Task Force on Violence Against Women has worked diligently to ensure reauthorization of VAWA inclusive of the lifesaving tribal provisions. As implementation of these exciting provisions advances, we hope to provide ongoing updates. Indian nations across the United States watch in anticipation of which tribal nation will be the first to fully implement this historic amendment.

Our cover is a photo of members of the National Task Force to End Violence Against Women as they are honored by the National Congress of American Indians for standing with Native women and Indian tribes in the historic struggle to reauthorize VAWA 2013. We extend to the National Task Force our heartfelt appreciation for their dedication and unrelenting support to enhancing the safety of Native women.

Many regional inter-tribal organizations are preparing for the VAWA 2013 annual consultation. This year's consultation will be held on October 31, 2013, in Bismarck, ND. The Safety for Indian Women Title mandates that the U.S. Department of Justice (USDOJ) conducts an annual consultation with Indian nations on issues concerning the safety of Indian women. A national consultation is the highest level of policy discussion between the United States and Indian nations as governments. This interaction on a nation-to-nation basis allows the governments to discuss critical issues that at the broadest level impact the safety of Indian women.

We hope this information will assist you in understanding where we stand in our efforts to increase the safety of Native women in the United States!



Juana Majel
1st Vice President
National Congress of
American Indians



Terri Henry
Tribal Council Member
Eastern Band of
Cherokee Indians

OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH!

Throughout the month of October, Tribal Domestic Violence and Sexual Assault Coalitions (TDVSAC), tribal programs, and tribal communities will observe Domestic Violence Awareness Month (DVAM). The events will honor the countless victims and survivors of domestic violence.

As a way to raise awareness among tribal communities, TDVSAC has collaborated on many important DVAM projects, including a proclamation declaring the Columbus Day holiday as “National Native American and Alaska Native Domestic Violence Awareness Day of Unity,” which has been forwarded to the White House for President Obama’s consideration and signature.

To kick off the National Native American and Alaska Native Domestic Violence Awareness Day of Unity, TDVSAC will unite for a lantern ceremony in downtown Tulsa to remember and honor victims, survivors, and our Native sisters who were murdered or remain missing. This coordinated event will honor Janett Reyna, former Director of the Ponca Tribe of Oklahoma’s Domestic Violence Program, who was murdered on August 8, 2013. Janett was 29 years old at the time of her death.

The lantern ceremony is free and open to the public. Purple DVAM pins will be handed out at the ceremony, and everyone is encouraged to wear one in support of DVAM. The evening will feature a staged reading of *Sliver of a Full Moon* in celebration of the passage of VAWA 2013, and will be held immediately following the ceremony at the adjacent Oklahoma Jazz Hall of Fame.

TDVSAC and tribal programs will continue to participate in numerous DVAM activities throughout the month of October, including public service announcements, radio interviews, candlelight vigils, and other events, so please check your local/regional newsletters and community calendars for opportunities to join efforts to raise awareness about domestic violence.



1 Almost 36 percent of women are victims of rape, physical violence, and/or stalking by an intimate partner at some point in their lifetime*

2 Approximately 1 in 5 American women are raped at some point in their lifetime; nearly half of American women experience sexual assault other than rape.

3 Twenty-four percent of women and 14 percent of men experience severe physical violence by an intimate partner during their lifetime. In 2011 alone, 1.4 million people experienced domestic violence in the United States.

4 Only 60 percent of domestic violence and intimate partner violence incidents are ever reported to the police.

Domestic Violence Awareness Month

October 2013

5 Forty-four percent of non-Hispanic Black women, 46 percent of American Indian or Alaska Native women, and 53.5 percent of multiracial non-Hispanic women are raped, physically abused, or stalked by an intimate partner in their lifetime.

6 Twenty percent of youth in detention centers report witnessing or experiencing some combination of sexual or physical abuse or family violence; 15 percent report experiencing emotional abuse and family violence without physical or sexual abuse.

*Although both men and women can be victims of domestic violence, the majority of victims of abuse and coercive control are women. Therefore, this fact sheet reflects that reality. See Michele C. Black et al., National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, The National Intimate Partner and Sexual Violence Survey (NISVS): 2002 Summary Report (2012), http://www.cdc.gov/Violenceprevention/pdf/NISVS_Report2012-a.pdf. (Noting that women are over 3.5 times more likely than men to experience rape, physical violence, and/or stalking at the hands of an intimate partner during their lifetime).

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7 Approximately one of every five Latinas will experience intimate partner violence during her lifetime. Latinas are only half as likely to report abuse to authorities as survivors from other ethnic/racial groups. Latinas prefer to tell family members, female friends, or neighbors about intimate partner violence, while non-Latinas are more likely to tell health care workers or clergy.

8 Men and women who are raped, stalked and/or physically abused by an intimate partner in their lifetime are more likely to experience frequent headaches, chronic pain, difficulty sleeping, limitations on activity, poor physical health and poor mental health than those who do not experience intimate partner violence.

9 Approximately one in six women in the United States experiences severe stalking, which makes her fear that she or someone close to her will be harmed or killed.

10 Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women—59.5 percent versus 49.8 percent, respectively.

11 An estimated 30 percent of second-generation Filipina women experienced physical violence and an estimated 18 percent of second-generation Indian/Pakistani women experienced sexual violence at 16 years of age.

12 The majority of stalking victims (66 percent of women and 41 percent of men) are stalked by a current or former intimate partner. Seventy-six percent of femicide victims were stalked by intimate partners prior to their murder.

13 Approximately 9 percent of high school students report experiencing dating violence in the form of hitting, slapping, or the intentional infliction of physical harm.

FULL PAGE DOMESTIC VIOLENCE AWARENESS MONTH CALENDAR FACT SHEET ON PAGE 40-43!

14 Dating violence among adolescent girls has been shown to increase the risk of heavy episodic drinking, depression, suicidal ideation, smoking, and future victimization in young adulthood.

15 Forty-four percent of youth reporting physical teen dating violence also reported a history of child maltreatment; two out of three reported witnessing an assault between other family members.

16 Twenty-two percent of adult female and 15 percent of adult male victims of rape, physical violence, and/or stalking by an intimate partner first experienced some form of partner violence between the ages of 11 and 17.

17 Victims of digital abuse and harassment are twice as likely to be physically abused, two and a half times as likely to be psychologically abused, and five times as likely to be sexually coerced.

18 Teenagers who experience physical dating violence are almost twice as likely to consider or attempt suicide as teens that do not experience similar violence.

19 Children who are frequently exposed to domestic violence are more likely to suffer from depression and to become victims of statutory rape and sexual misconduct.

20 Compared to homes without guns, the presence of guns in the home is associated with a 3-fold increased homicide risk within the home. The homicide risk connected to gun ownership increases to 8-fold when the offender is an intimate partner or relative of the victim, and is 20 times higher where previous domestic violence exists.

21 Almost half of children who witness domestic violence try to intervene to stop the violence by yelling at the abuser to stop, calling 911, or trying to seek help from another.

NATIONAL TRIBAL DOMESTIC VIOLENCE ACTIVITIES:

MONDAY, OCTOBER 14TH, 2013
OKLAHOMA JAZZ HALL OF FAME,
111 E 1ST STREET, TULSA, OK

6:00 - SLIVER FULL MOON RECEPTION
7:00 - LANTERN CEREMONY
7:30 - SLIVER OF A FULL MOON PERFORMANCE

22 A recent study found that 50 percent of youth between the ages of 14-24 experienced technology abuse.

23 LGBTQ victims of domestic violence may be reluctant to report the abuse due to fear of discrimination or bias based on sexual status. When LGBTQ victims do seek help, they face barriers unique to their status, such as lack of access to domestic violence shelters.

24 Female intimate partners are more likely to be murdered with a firearm than all other means combined.

25 According to one study, every dollar spent on protective order intervention in domestic violence cases results in a savings of \$30.75 to society.

26 Between 18 and 48 percent of battered women remain in their home out of concern for the well-being of their pets or livestock.

27 One in four dating teenagers is abused or harassed by their partners either online or through text messages.

28 Domestic violence in same-sex relationships occurs at the same or higher rate as in heterosexual relationships.

29 Within the Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected (LGBTQH) Community, people of color make up the majority of survivors of intimate partner violence at 66.8 percent.

30 Domestic violence is a leading cause of homelessness for women and children.

31 Ninety-four percent of female murder victims are killed by a man they knew. This means that females are 16 times more likely to be killed by a male acquaintance than by a male stranger.



IN HONOR OF JANETT REYNA

AUGUST 16 EMAIL FROM
PONCA TRIBE'S RANDY ROSS TO MARY KATHRYN NAGLE

Today was a sad heart wrenching day, but the Ponca community, and tribal leadership showed up to embrace Janett as she takes her journey at such a young age. She was honored for her service to the Ponca people as the Domestic Violence Program Director for the Tribe. She was a former Blackwell police officer but her calling was to help Native women deal with abusive relationships and domestic violence.

It was a very moving time today, she was someone who came to help and it's hard to know why her road took her away so early in life. They were talking that her ex husband was jealous and it would appear that he determined that if he cannot have her, then no one shall.

They did a picture story of her life; she could have been anyone's daughter, a beautiful child born October 27, 1983 in south Texas. Her Mexican heritage strong, and her mother took her north and found themselves in Ponca City Oklahoma. They stayed and created ties to include the Ponca tribal community.

Her best friend is Oglala Lakota and she was there and unable to talk to the crowd because of grief, but she was there with her grandmother who I had met through Grama Rosetta.

The tribal police officers came and provided a honor escort and honor guard to take her to her final resting place.

This is the song (<http://youtu.be/cmSbXsFE3I8>) that opened her life story today. A song she loved they were saying.



Janett Reyna, former Director of the Ponca Tribe of Oklahoma Domestic Violence Program, October 27, 1983 - August 8, 2013.

I hope you listen to the song, it was a good choice. Rev Jimmy White of the Ponca Indian Methodist church sang gospels in Cherokee language for her, it was a nice service and so much sadness; the children are victims in this loss most of all.

So I think of all the good things we have, and today was humbling, to see what we have as a gift and all the good things and to see what others suffer and have lost more than any of us can imagine, their mother at age 29 years old and the children who survive are mere babies. It makes men cry to see this, it makes fathers cry, like me.

Say a prayer tonight, for Janett as she takes her journey to the spirit world.



SLIVER OF A FULL MOON: TO BE STAGED AT NCAI ANNUAL CONVENTION

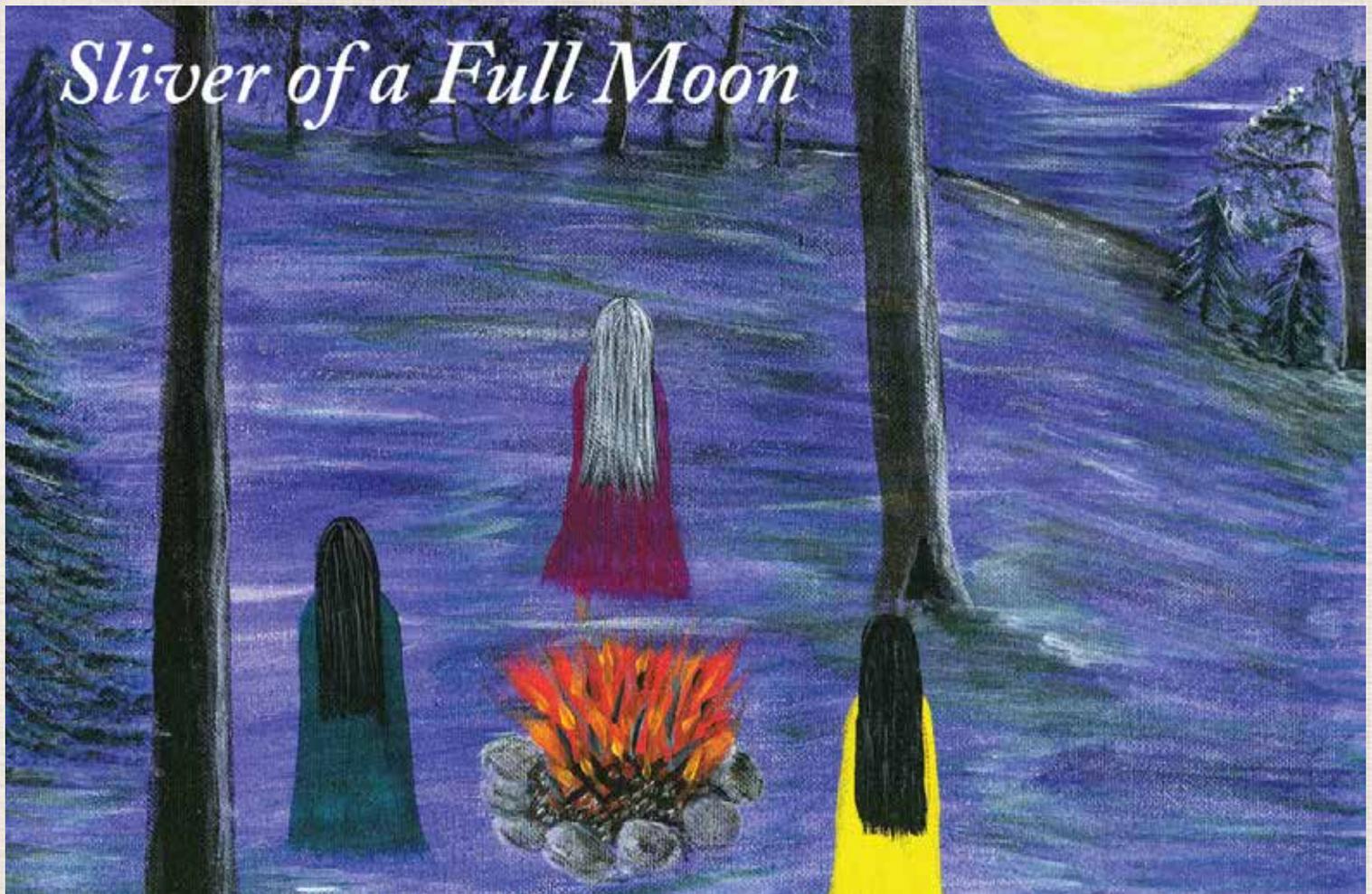
Sliver of a Full Moon: To be staged at the National Congress of the American Indian's Annual Convention, October 14, 7:30 p.m., Oklahoma Jazz Hall of Fame, Tulsa, OK.

On October 14, 2013, Columbus Day, the National Indigenous Women's Resource Center (NIWRC) will sponsor the Oklahoma premiere of *Sliver of a Full Moon*—a new play by nationally acclaimed playwright Mary Kathryn Nagle. *Sliver of a Full Moon* documents the reauthorization of the Violence Against Women Act after thousands of Native women and men stood up and fought for the inherent right of American Indian Nations to protect their own citizens. The play will be performed at the National Congress of American Indian's Annual Convention, on Monday, October 14, 2013, at 7:30 p.m., at the Oklahoma Jazz Hall of Fame in Tulsa, Oklahoma.

On March 7, 2013, President Obama signed VAWA into law. As reauthorized, the Act recognizes the inherent sovereignty of American Indian Nations to prosecute non-Indians who commit acts of domestic violence on Native lands. *Sliver of a Full Moon* is a

portrayal of resistance and celebration. It is the story of a movement that restored the authority of Indian tribes over non-Indian abusers to protect women on tribal lands. Although thousands contributed to this victory, *Sliver of a Full Moon* follows the story of five Native women who took a stand, and two Native men, including Congressman Tom Cole, who stood with them to win this victory. The cast includes the Native women—Diane Millich (Southern Ute), Lisa Brunner (White Earth Ojibwe), and Billie Jo Rich (Eastern Band Cherokee)—who stepped forward to publicly share their stories of abuse by non-Indians and counter staunch opposition to the tribal provisions. Their stories are that of a movement with a vision of a full moon under which the sovereignty of Indian tribes is fully restored over their lands and peoples.

Professional actors will join these women to portray the characters of Congressman Tom Cole (Darryl Tonemah), Tulalip Tribe's Vice-Chairwoman Deborah Parker (Lily Gladstone), and Eastern Band Cherokee Councilwoman Terri Henry (Kimberly Guerrero). Oklahoma-born-and-raised Kimberly Guerrero (Cherokee Nation) is known



for her recent role as Wilma Mankiller in *The Cherokee Word for Water*. Guerrero joins *Sliver of a Full Moon* after a Broadway tour where she played Johanna. Other famous Oklahoma Natives are featured, including Darryl Tonemah (Kiowa/Comanche Tuscarora); Arigon Starr (Kickapoo Tribe); and Lily Gladstone, who recently finished filming the critically acclaimed *Winter in the Blood*.

Sliver of a Full Moon is more than a celebration; it provides an education as to why the tribal jurisdiction provision constituted a critical component to the reauthorization of VAWA in 2013. “In many cases, these non-Indian perpetrators make a deliberate choice to live on our reservations, whether in connection by marriage to a tribal member or to avoid accountability for violent crimes committed against Native women,” said Terri Henry, Eastern Band of Cherokee Indians Tribal Councilwoman—Paint Town Community, President NIWRC Board of Directors, and Co-Chair of the National Congress of American Indians’ Task Force on Violence Against Native Women. “VAWA strengthens the ability of tribal governments to protect Native women locally from domestic and dating violence,” Henry added.

Diane Millich’s story is a testament to the necessity of VAWA’s tribal jurisdiction provision: “If the Violence Against Women Act tribal provisions had existed 15 years ago, my story would be very different. When I was 26 years old I dated a non-Indian; a white man. We were married and he moved into my home on the reservation. To my shock just days after our marriage he assaulted me. I left and returned over 20 times. After a year of abuse and more than 100 incidents of being abused, I left for good. The VAWA signed by the President would have allowed my tribe to arrest and prosecute my abuser. With the inclusion of the tribal provisions, VAWA can finally reach Native women like me and so many other victims.”

Appropriately, *Sliver of a Full Moon* will be presented on Columbus Day, which marks Christopher Columbus’ arrival in the Western Hemisphere in 1492—the beginning of five hundred years of endemic violence against Native women. NIWRC has elected to present *Sliver of a Full Moon* on Columbus Day out of recognition that all Native women have the right to a tribal government with full sovereignty to protect them on their lands—the lands that belonged to their mothers and grandmothers before Columbus’ arrival.

“Native women have endured violence since colonization, and their blood continues to be shed due to the unjust and unacceptable loopholes in U.S. law. We are pleased that Congress has finally stepped up to address the unchecked violence against Native women by freeing the hands of Indian nations to protect Native women in their own communities from rapist and batterers.” Juana Majel Dixon, NCAI, First Vice President, Co-Chair NCAI Task Force on Violence Against Women, 2003–2013.

Director Carolyn Dunn (Mvskoke/Cherokee) is a poet, playwright, musician, and mom, and is the author of two volumes of poetry, *Outfoxing Coyote* (2001) and *Echolocation: Poems and Stories from Indian Country, L.A.* (2013). She is the co-editor of two volumes of American Indian prose and poetry, and co-author (with folklorist Ari Berk) of *Coyote Speaks* (2008). Her plays have been produced for the stage with Native Voices at the Autry, Montana Repertory Theater, and the La Jolla Playhouse. Her scholarly work in the field of American Indian literature and theater have appeared in several anthologies, including *Reading Native American Women: Critical/Creative Representations, American Indian Performing Arts: Critical Directions*, among others. She is the Managing Director of the Resource Centers at UC Santa Cruz, where she also teaches in the Literature Department and in the Feminist Critical Race and Ethnic Studies. She is currently at work on several novels and a new coming-of-age play, *Soledad*.

Playwright Mary Kathryn Nagle is a citizen of the Cherokee Nation and an honorary member of the Ponca Tribe of Nebraska. Nagle is also a member of the Public Theater’s 2013 Emerging Writers Group. She is a direct descendant of Major Ridge and John Ridge, Cherokee leaders who along with Principal Chief John Ross, brought cases to the U.S. Supreme Court in the 1830s to preserve the Cherokee Nation’s sovereign right to exist. To Nagle, writing this play is recognition of the fact that “although President Andrew Jackson stripped Indian nations of their lands in the 1830s, he never took their inherent sovereignty. *Sliver of a Full Moon* is a celebration of the first step in our return journey home to full sovereignty.”

NIWRC is thankful for its partners who have made the October 14, 2013, presentation of *Sliver of a Full Moon* possible. The October 14th performance is sponsored in part by: Cherokee Nation of Oklahoma; Eastern Band Cherokee Nation; Osage Nation, and the Muscogee (Creek) Nation.

For more information on the Sliver of a Full Moon visit: www.sliverofafullmoon.org
To purchase tickets visit: <http://myticketoffice.com/events.asp?id=11&loc=254>

Sliver of a Full Moon

“NIWRC hosted the first reading of Sliver of a Full Moon last June at the annual Women Are Sacred Conference in Albuquerque and is again hosting the Tulsa performance on October 14. Support of Sliver of a Full Moon is a critically important part of NIWRC’s ongoing efforts to increase public awareness about violence against Native women and to build a national movement to increase the safety of Native women in the United States.”

—Lucy Simpson, Executive Director, National Indigenous Women’s Resource Center

INTERTRIBAL WORKING GROUP ON SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION: PREPARING VAWA 2013 FOR ACTION

The passage of VAWA 2013 opened the door for Indian tribes to protect Native women abused by non-Indians within the jurisdiction of certain Indian tribes. Implementations of these important amendments to the Indian Civil Rights Act are underway. We provide the following highlights for you to share in this historic process.

Pilot Project Launched

The Department of Justice (DOJ) posted its Notice of Proposed Procedures for the VAWA 2013 Tribal Pilot Project (<http://federalregister.gov/a/2013-14158>) on June 14, 2013.

Summary of the Pilot Project follows:

- Tribal jurisdiction over non-Indian perpetrators of domestic violence and dating violence— known as Special Domestic Violence Criminal Jurisdiction (SDVCJ) under VAWA 2013— becomes generally available on March 7, 2015,

but tribes can start earlier if approved through the Pilot Project. (To participate in the Pilot Project, a tribe must have submitted a preliminary expression of interest by July 15, 2013.)

- The Pilot Project is for tribes who wish to exercise SDVCJ and is essentially composed of a **collaborative workgroup** of tribal officials, justice experts, and DOJ personnel working together to develop best practices on combating domestic violence and criminal procedures necessary to successfully implement SDVCJ. DOJ announced formation of this workgroup, known as the Intertribal Technical Assistance Working Group on SDVCJ (ITWG), in its June 14 notice.
- The Pilot Project has two phases. **Phase One** is a planning and assessment phase, which began in the spring of 2013 and is ongoing. **Phase Two** is the implementation phase, which will start in late 2013 and run through March 7, 2015. In Phase Two, a tribe seeking approval to exercise SDVCJ must complete and submit an Application

Questionnaire promulgated by DOJ and attach relevant excerpts of the tribe’s laws, rules, and policies.

NCAI hosted a Pre-Meeting deemed the 1st Intertribal Working Group Meeting for the VAWA 2013 Implementation Pilot Project at its Mid-Year Conference in Reno on June 24, 2013—and tribal leaders, judges, victim advocates, court personnel, prosecutors, and defenders walked away with an understanding of the goals behind the VAWA Tribal Pilot Project and the ITWG. The Pre-Meeting included discussion on: DOJ procedures, jury pools, law-trained judges and public defenders, necessary revisions of tribal codes and procedures, detention, habeas corpus, and implementing SDVCJ on a budget. The DOJ’s lead official on the Pilot Project, Deputy Associate Attorney General Sam Hirsch, engaged in dialogue with tribal representatives and discussed whether or not tribes should consider joining the Pilot Project. The Department of the Interior Assistant Secretary-Indian Affairs, Kevin Washburn, was also in attendance to discuss the role of DOI in the Pilot Project relating to detention facilities and law enforcement.

After the July 15 deadline, 27 tribes submitted preliminary expressions of interest to participate in the Pilot Project and the ITWG. That number has grown, and currently, 38 tribes have representatives participating in the ITWG.

First In-Person Meeting

The first formal in-person meeting of the ITWG was hosted at the National Advocacy Center in Columbia, South Carolina, on August 20–21, 2013. The DOJ was able to provide travel and lodging for two participants per ITWG tribe. A handful of tribes decided to send more than two participants at their own expense. NCAI, Tribal Law and Policy Institute, and the National Council on Juvenile and Family Court Judges provided training/technical-assistance (T/TA). The ITWG tribes range from being ready to implement SDVCJ on an accelerated basis, to those who are in the earlier stages of code development. ITWG participants have proven themselves to be a dedicated group in identifying potential challenges and issues with the implementation of SDVCJ.

The ITWG divided into topical breakouts on: code development and publication; jury selection, judicial requirements, and recording proceedings; and victims’ rights, law enforcement training, and detention. Defender issues and defendants’ rights were focused into a Tribal Defender Advisory Group. The ITWG also divided into tracks based on readiness: getting started; ramping up; and final stages. The discussions by track were highly beneficial. Tribal participants from justice systems that are already equipped to implement SDVCJ readily shared information with others who were in more preliminary stages of planning.

INTERTRIBAL TECHNICAL ASSISTANCE WORKING GROUP ON SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION (ITWG)

- | | |
|--|--|
| 1. Cherokee Nation | 21. Prairie Band Potawatomi Nation |
| 2. Chickasaw Nation | 22. Pueblo of Isleta |
| 3. Colorado River Indian Tribes of the Colorado River Indian Reservation | 23. Pueblo of Laguna |
| 4. Confederated Tribes of the Umatilla Indian Reservation | 24. Pueblo of Santa Clara |
| 5. Eastern Band of Cherokee Indians | 25. Quapaw Tribe |
| 6. Eastern Shawnee Tribe of Oklahoma | 26. Quinault Indian Nation |
| 7. Gila River Indian Community of the Gila River Indian Reservation | 27. Sac and Fox Nation |
| 8. Fort Peck Assiniboine & Sioux Tribes | 28. Salt River Pima-Maricopa Indian Community |
| 9. Hopi Tribe of Arizona | 29. Sault Ste. Marie Tribe of Chippewa Indians |
| 10. Kickapoo Tribe of Oklahoma | 30. Seminole Nation of Oklahoma |
| 11. Menominee Tribe of Wisconsin | 31. Sisseton-Wahpeton Oyate of the Lake Traverse Reservation |
| 12. Mississippi Band of Choctaw Indians | 32. Spokane Tribe |
| 13. Muscogee (Creek) Nation | 33. Standing Rock Sioux Tribe of North and South Dakota |
| 14. Nez Perce Tribe | 34. Suquamish Indian Tribe of the Port Madison Reservation |
| 15. Nottawaseppi Huron Band of the Potawatomi | 35. Three Affiliated Tribes of the Fort Berthold Reservation |
| 16. Oneida Tribe of Indians of Wisconsin | 36. Tulalip Tribes of Washington |
| 17. Pascua Yaqui Tribe of Arizona | 37. White Earth Nation |
| 18. Passamaquoddy Tribe | 38. Winnebago Tribe of Nebraska |
| 19. Pauma Band of Mission Indians | |
| 20. Pokagon Band of Potawatomi Indians | |

Webinars

Since its initial meetings, the ITWG has continued its work by participating in webinars facilitated by several T/TA organizations assisting with implementation (NCAI, TLPI, NCJFCJ). The first webinar was held on September 13, 2013, and focused on the fair cross-section requirement for jury pool selection. Panelists Paula Hannford-Agor, a national expert from the Center for Jury Studies, and Hon. Steven Aycock, former judge for the Colville Tribes and current Judge-In-Residence for NCJFCJ, led the webinar discussion and answered questions from participants. Follow-up webinars on jury pool selection are being developed.

A second webinar series on defenders and defendants' rights started on September 27, 2013. Panelists Ron Whitener, Director of the Tribal Court Public Defense Clinic; Levon Henry, Executive Director of DNA-People's Legal Services; and Maha Jweied, DOJ's Access to Justice Initiative, led the webinar discussion and also answered questions from participants. The next webinar in the defender and defendants' rights series will focus on conflict counsel.

The first webinar on victims' rights and best practices is scheduled for early October. Invited panelists include Kelly Gaines Stoner, Judge, Seminole Nation of Oklahoma & Tribal Family Violence Specialist, TLPI, and Leslie Hagen, Native American Issues Coordinator, Executive Office for United States Attorneys & Senior Counsel, SMART Office.

Second In-Person Meeting

The second formal in-person meeting of the ITWG is scheduled for October 29–30, 2013, in Bismarck, North Dakota, preceding the DOJ Office on Violence Against Women's Annual Tribal Consultation, which will take place in Bismarck on October 31. The draft agenda for the ITWG meeting includes plenary sessions on: 1) **law enforcement and detention issues** with Darren Cruzan, Deputy Bureau Director, Office of Justice Services, Bureau of Indian Affairs; 2) **preparing responses to habeas petitions** with Brent Leonhard,

Tribal Attorney/SAUSA, Confederated Tribes of the Umatilla Reservation, and ITWG participant, and Michelle Rivard-Parks, Associate Director of the Tribal Judicial Institute and former Chief Prosecutor, Spirit Lake Nation; and 3) **improving communication with U.S. Attorneys and AUSAs** with Tim Purdon, U.S. Attorney for the District of North Dakota and Chair of the Attorney General's Advisory Council Native American Issues Subcommittee; Amanda Marshall, U.S. Attorney for the District of Oregon and member of the Attorney General's Advisory Council Native American Issues Subcommittee; and Leslie Hagen, Native American Issues Coordinator for the Executive Office for United States Attorneys and former Assistant U.S. Attorney. The agenda will also include breakout sessions similar to the first formal meeting to provide time for ITWG participants to engage in dialogue with each other.

Phase Two: Implementation

Submissions were due on comments to the Proposed Procedures for the VAWA 2013 Tribal Pilot Project on September 12, 2013. The DOJ noted that the **Application Questionnaire** would be attached to the Final Notice. This Application Questionnaire will be the mechanism by which tribes will formally request to be designated as a participating tribe and seek approval from the Attorney General to implement SDVCJ on an accelerated basis. It is anticipated that the Final Notice will be published in the Federal Register in late October or early November. Thus, we could see some of the first approvals before the end of 2013.

The Lasting Legacy of the ITWG

It is unlikely that Phase Two of the Pilot Project will be the end of the ITWG. Not every tribe is ready to implement SDVCJ on an accelerated basis—and some do not necessarily want to participate in the Pilot Project. The lasting legacy of the ITWG will be to continue information-sharing and developing best practices. The ITWG participants are a focused and motivated group with one ultimate goal in sight: the **safety of Native women**.



VAWA 2013 IMPLEMENTATION AND INDIAN NATIONS

September 08, 2013

Photo: Senior Advisor Valerie Jarrett speaks to Tulalip Court leaders about the implementation of VAWA 2013 in Indian country. September 5, 2013. (by Charlie Galbraith, Associate Director of Intergovernmental Affairs)

[The morning of September 5], we made our way north from Seattle, past gorgeous waterways, and lush greenery to visit with the Tulalip tribes of western Washington, where we were greeted by Tribal Chairman Mel Sheldon, Vice Chairwoman Deb Parker, and Chief Judge Theresa Pouley. We saw first-hand, a tribal court system which serves to both honor the traditions of its people and to foster a renewed era of tribal self-determination.

The Tulalip Tribes of Washington, like many American Indian tribes, have built a tribal court system that serves the civil needs of their community, holds criminals accountable, and protects the rights of victims and the accused in criminal cases. By engaging the entire spectrum of stakeholders, including judges, the police, public defenders, tribal attorneys, as well as tribal elders, and even offenders in many cases – the system they have put in place is producing impressive results with a unique focus on innovative, restorative, and communal solutions.

Because of the successful 2013 Reauthorization of the Violence Against Women Act, which President Obama signed into law on March 7, 2013, tribal courts and law enforcement will soon be able to exercise the sovereign power to investigate, prosecute, convict, and sentence those who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country, regardless of the defendant's Indian or non-Indian status. The tribal provisions of this landmark legislation were originally proposed by the Department of Justice in 2011 to address alarming rates of violence against Native women. We believe today, as we did then, that this is not only constitutionally sound law, but it is also a moral prerogative and an essential tool to ensure that non-Indian men who assault Indian women are held accountable for their crimes.

The 2013 VAWA reauthorization might never have happened without the relentless efforts of Native women advocates like Tulalip Tribal Vice Chairwoman Deborah Parker, whose personal courage and dedication to this

cause helped carry the day. The Tulalip Tribe was but one example that helped demonstrate to Congress and many others that there are tribal courts prepared to exercise this important authority that was swept away by the Supreme Court's 1978 Oliphant ruling.

This new law generally takes effect on March 7, 2015, but also authorizes a voluntary pilot project to allow certain tribes to begin exercising this authority sooner.

After a visit to the Tribal Courthouse, we then visited the Tulalip Legacy of Healing Safe House, a domestic violence shelter housed in facilities renovated with federal Recovery Act funds, to provide victims a safe place, and the chance they need to start fresh and rebuild.



And finally, it wouldn't have been an authentic trip to Tulalip lands and the Pacific Northwest without a traditional salmon luncheon. We joined around 50 tribal members at the Hibulb Cultural Center to learn more about the ancient tribal traditions of the Tulalip people, and of course, to enjoy the region's most time-honored and delicious delicacy.

We were reminded this week of how much progress is being made by tribal justice systems across the country. These efforts are being led by courageous Native people like the Tulalip who are dedicated to making the promise of the VAWA 2013 Reauthorization into a reality for generations of Native American women.

A White House Blog Post. Valerie Jarrett is the Senior Advisor to the President and Tony West is the U.S. Associate Attorney General

VAWA 2013: TRIBAL CONSULTATION MANDATE PREPARATION UNDERWAY FOR ANNUAL CONSULTATION OCTOBER 31ST, BISMARCK, ND

The VAWA 2005 Safety for Indian Women Title established the mandate that the U.S. Departments of Justice (USDOJ) and Health and Human Services each conduct an annual consultation with Indian nations on issues concerning the safety of Indian women. In the drafting of the 2005 Tribal Title, consultation was viewed as an essential safeguard to the implementation of VAWA to strengthen the ability of tribal governments to increase the safety of Native women.

During such consultations, the United States solicits recommendations from Indian tribes concerning three specific areas:

1. Administering tribal funds and programs
2. Enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking
3. Strengthening the federal response to such violent crimes

The historic amendments of VAWA 2013 further strengthen this mandate and confirm that the inclusion of a separate annual consultation continues to be essential to the implementation of VAWA with Indian tribes. This interaction on a nation-to-nation basis has allowed tribal governments and the United States to discuss matters that at the broadest level impact the safety of Indian women, and to propose strategies to address these issues. The VAWA 2013 tribal amendments are the result of the concerns raised during the consultation process since 2006. Over the last seven years, tribal

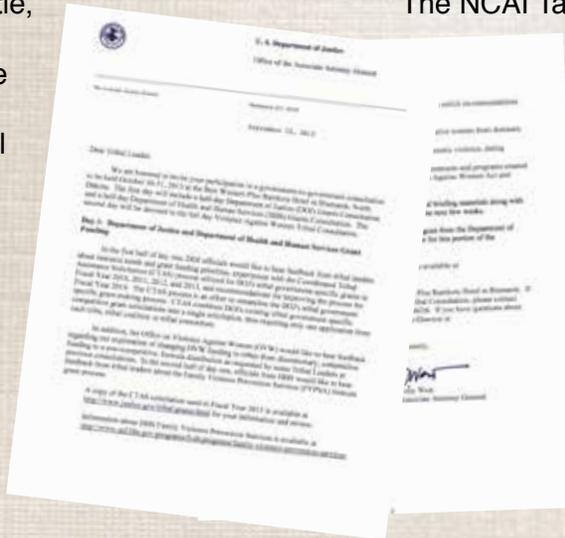
Natasha Anderson (left), NCAI Staff Attorney, and Germaine Omish-Lucero, Co-Director Strong Hearted Native Women's Coalition, prepare for the upcoming VAWA Annual Consultation in Bismarck, ND on October 31, 2013.

leaders have engaged the leadership of the USDOJ to raise the most serious roadblocks to the safety of Native women and to the ability of Indian tribes to protect women.

The NCAI Task Force understood that for VAWA to systematically increase protections for Native women, Indian tribes as nations would need to identify barriers and solutions to enhance their abilities as governments to protect women. In preparation for each of the annual consultations, the NCAI Task Force coordinated a preparatory caucus for tribal leaders. During these caucuses, tribal leaders received a briefing and reviewed outstanding issues concerning the safety of Indian women. The caucus developed a list of recommendations regarding the implementation of VAWA that was provided to the USDOJ and the

White House.

For each VAWA consultation a special edition of the *Restoration* magazine is published to assist tribal leaders in the consultation process. It provides a review of the tribal provisions contained in the Tribal Title and previous recommendations made to the USDOJ addressing the three areas mandated by the statute. Lastly, additional



recommendations are provided to the USDOJ that could significantly increase the capacity of Indian tribes to assist victims of domestic violence, dating violence, sexual assault, and now, sex trafficking. The 2013 annual consultation will be held in Bismarck, ND, on October 31.

VAWA 2013 amendments to the annual VAWA consultation mandate require:

- The Attorney General provides 120 days' notice to Indian tribes of the date, time, and location of the annual consultation.
- The Secretary of Interior attends the annual consultation.

- The Attorney General submits to Congress an annual report that:
 - Contains the recommendations made by Indian tribes during the year covered by the report
 - Describes actions taken during the year to respond to recommendations made during the year or a previous year
 - Describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations
- Sex trafficking is added to the list of items to be addressed at the consultation.



About the Government-to-Government Violence Against Women Consultation

The U.S. Department of Justice, Office on Violence Against Women invites tribal leaders from across the nation to attend its 8th Annual Government-to-Government Consultation on **October 30 and 31, 2013**, in **Bismarck, ND**.

The purpose of the event is to solicit recommendations on how to end violence against American Indian and Alaska Native women. Participants will be allowed to provide oral and written testimony.

OVW Consultation Schedule

Day 1 (Wednesday, October 30) begins with a half-day DOJ consultation on the Coordinated Tribal Assistance Solicitation (CTAS) grant process. OVW will also solicit comments on possibly transitioning to a non-competitive formula grants process. The second half of the day will be a consultation on the Family Violence Prevention Services (FVPSA) formula grant process with the Department of Health and Human Services (HHS).

Day 2 (Thursday, October 31) will be devoted to the Government-to-Government Consultation on Violence Against Women.

Other DOJ Events

The OVW Government-to-Government Consultation is being held in conjunction with other DOJ events. All these events will take place at the event hotel in Bismarck, ND.

- **Interdepartmental Tribal Justice, Safety & Wellness Session 16**
Tuesday October 29 – Wednesday, October 30



U.S. Department of Justice Government-to-Government Violence Against Women Consultation website: ovwconsultation.org.

SENATE COMMITTEE ON HOMELAND SECURITY HOLDS HEARING ON SEX TRAFFICKING

On Monday, September 23, 2013, the Senate Committee on Homeland Security and Governmental Affairs held a hearing titled Combatting Human Trafficking: Federal, State, and Local Perspectives. While Indian tribes were not listed in the title of the hearing, the National Indigenous Women's Resource Center was invited to testify on the incidence of human trafficking, how it impacts Indian reservations, and tribal strategies to combat human trafficking and provide assistance and services to trafficking victims.

Over the last decade, tribal advocates and organizations such as the Minnesota Indians Women's Sexual Assault Coalition have worked daily to increase awareness of the long history of sex trafficking and its impact on Native women and tribal communities. These public education efforts led to concrete legislative reform in the addition of sex trafficking as a new purpose area for which Indian tribes and coalitions can use their VAWA tribal funds.

“With the inclusion of sex trafficking as a purpose area for Indian tribes and coalitions under VAWA 2013, it is now important to broaden the focus of national attention on the safety of Native women to include sexual exploitation and trafficking,” said Juana Majel-Dixon on the passage of VAWA 2013. “In order to address these egregious discrepancies, the U.S. government must continue to resolve the jurisdictional maze faced by Native women by ensuring the effective prosecution of perpetrators of this heinous crime.”

Exact statistics on the prevalence of Native women in the sex trade are lacking because law enforcement generally does not track racial or ethnic statistics. Nonetheless, it is clear that Native women are among those most vulnerable to trafficking. “This is an issue within Indian tribes and the United States that has not received adequate research or attention. We are challenged by the reality that Native women and girls are the victims of sex trafficking. Now with the passage of VAWA 2013 we can do more!” said Juana Majel, Co-Chair, NCAI Task Force on Violence Against Women.

“THE DEVASTATING IMPACT OF HUMAN TRAFFICKING OF NATIVE WOMEN ON INDIAN RESERVATIONS”

Hearing on “Combating Human Trafficking: Federal, State, and Local Perspectives” before the Committee on Homeland Security and Governmental Affairs, Monday, September 23, 2013

Partial Statement of the National Indigenous Women’s Resource Center (NIWRC) by Lisa Brunner, NIWRC Program Specialist

Domestic human trafficking of Native women in the United States has a longstanding history, beginning with the colonization of America, forced removal from Indian homelands to reservations, to boarding schools and urban relocation.

Native women experience violent victimization at a higher rate than any other U.S. population. According to Congressional findings, 34.1% of Native American and Alaska Native women will be raped in their lifetime; 64% will be physically assaulted. Native women are stalked more than twice the rate of other women, and are murdered at more than 10 times the national average. Non-Indians commit 88% of violent crimes against Native women.

Human trafficking represents yet another layer of violence on a continuum that many Native women face over their lifetime. Human trafficking must be addressed as part of the current epidemic levels of violence within tribal communities and nations. For decades, Indian tribes have been denied access to lifesaving information contained in databases such as the National Crime Information Center (NCIC). Furthermore, tribal data for the majority of tribes is not included in such registries. These barriers impede our understanding of the scope of human trafficking in tribal nations and Alaska Villages, and also continue to impede the safety for Native women.

Congress has recognized these data collection barriers and enacted legislation to allow Indian tribes to enter and access information into the NCIC under the Violence Against Women Acts of 2005 and 2013. In addition, the same provision was included under the Tribal Law and Order Act of 2010. VAWA 2005, Tribal Title IX – Safety for Indian Women, Section §905(a) Access to Federal Criminal Information Databases, Section 534 of Title 28, United States Code (2) specifically states:

“(d) Indian Law Enforcement Agencies-The Attorney General Shall permit Indian law enforcement agencies, in cases of domestic violence, dating violence, sexual assault, and stalking, to enter information into federal criminal information databases and to obtain information from the databases.”

This same provision was included in the Tribal Law and Order Act of 2010, Title III. Empowering Tribal Law Enforcement Agencies and Governments §303. And VAWA 2013 once again reaffirmed this lifesaving provision. Yet, although Congress has enacted these provisions, many Indian tribes still are denied access to the NCIC.

As an enrolled member of the White Earth Ojibwe Nation in Minnesota, I live and raise my children on my reservation. I have worked for over 15 years to address domestic violence and sexual assault of Native women and have witnessed and heard countless stories of the human trafficking—girls as young as 12 are victims of this crime. With the introduction of heroin, we now see girls and women who are trafficked with needles in their



HEIDI HEITKAMP
NORTH DAKOTA



RECEIVED
7/24/13
JAC

United States Senate

Dear Lisa,
you did a great job
yesterday. It was testimony
that will be long remembered
by the folks in the
room.
now the work begins.
Heidi

U.S. Senator for North Dakota Heidi Heitkamp and Lisa Brunner, NIWRC Program Specialist, prior to the Senate Homeland Security Hearing on Human Trafficking.

arms. Native women and girls are sometimes sold for \$20 worth of heroin. Mothers call local county sheriffs departments to report their daughters missing, only to be told, "We have better things to do with our time" or "Why don't you be a mother and know where the hell your daughter is."

It is difficult, given the jurisdictional complexity of the 565 federally recognized tribes in the country with non-Public Law 280, Public Law 280, 638 Contract, Land Claim Settlement States, Oklahoma's checkerboard, and Alaska Native Villages that do not have law enforcement (or have to wait from one day to many days Alaska State Troopers to respond due to weather conditions). To add to the complexity, while VAWA 2013 restored to Indian tribes jurisdiction over perpetrators committing domestic violence, dating violence, and violations of an order of protection, this new authority will not be implemented by all tribes.

Recent extractive industries, such as oil fracking and pipelines, have given rise to "predator economics," particularly at the Fort Berthold Nation in North Dakota and Fort Peck Reservation in Montana. "Man camps" at the Bakken Formation have resulted in double and triple the number of sexual assaults, domestic violence and sex trafficking incidents since 2008, according to victim advocates responding to calls for service.

According to a story in the Bismarck Tribune, North Dakota's Uniform Crime Report shows that violent crime is up 7.2% in the state and that a record high

of 243 rapes were committed in 2012. North Dakota Attorney General Wayne Stenehjem noted that 12 of the state's top oil-producing counties accounted for much of the crime. He further noted that police have seen an increase in sex trafficking, drugs, and other organized criminal enterprises in these areas.

Lack of documentation at these man camps presents multiple layers of issues. Emergency services often can't find camp locations, since they are located in isolated areas where there is usually no cell phone service. Undocumented man camps, which typically consist of 50–100 trailers rented out by a rancher or farmer on his land for income, pose a special problem for emergency services and organizations, as these locations don't exist on a map.

In Montana, the Bakken oil boom has impacted the largest reservation on the Fort Peck Tribes, and residing counties have experienced a population and crime explosion. The majority of employees from the oilrigs are not from Fort Peck Tribes or Roosevelt County or from Montana. There are reported increases in drug use and trafficking, theft, alcohol-related incidents, and assaults within the last year. Law enforcement response, tribal domestic violence and sexual assault services, and medical response to these crimes have tripled in the last year, including two homicides and one homicide-suicide related to domestic violence in the home.

Via Email (lbrunner@niwrc.org)

Ms. Lisa Brunner
Program Specialist
National Indigenous Women's Resource Center
515 Lame Deer Avenue
Lame Deer, MT 59043

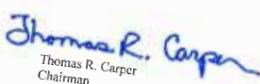
Dear Ms. Brunner:

We request that you send a designee or designees to testify at a hearing titled "Combating Human Trafficking: Federal, State, and Local Perspectives" before the Committee on Homeland Security and Governmental Affairs on Monday, September 23, 2013, at 2:30 p.m. in SD-342, Dirksen Senate Office Building.

The purpose of the hearing is to raise awareness about domestic human trafficking, and examine efforts to coordinate federal, state, local and tribal efforts to combat human trafficking within the United States. We ask that your testimony discuss the incidence of human trafficking in your state, including how it impacts Indian reservations, and the existing state, local, and tribal strategies to combat human trafficking and provide assistance and services to the trafficking victims. We also ask that you address the role you and your organization play, and how you work with tribal, federal, state and local authorities in combating trafficking.

The committee requests that you summarize your testimony in 5 minutes or less, although a longer written statement may be submitted for the official record. This will allow adequate time for you to engage in questions and answers with members of the committee. Committee rules require that your testimony be submitted by 10 a.m. on Thursday, September 19, 2013. Please send your written statement and a brief biography by email to the committee's chief clerk, Laura Kilbride, at laura_kilbride@hsgac.senate.gov.

We look forward to your participation in this hearing. If you have any questions, please contact Blas Nunez-Neto with the majority staff at 202-224-2627 or William McKenna with the minority staff at 202-224-4751.

Sincerely,

Thomas R. Carper
Chairman
TRC/TAC:iwk


Tom A. Coburn, M.D.
Ranking Member



"Whether in factories, on farms, or in your local diner, human trafficking of workers is right under our noses. No longer can we turn a blind eye to the issue. Today, at a Senate Homeland Security Committee hearing, my colleagues and I heard from experts in the field about how to address the problem of human trafficking in the U.S." Senator Heidi Heitkamp.

Sexual assaults, related sex crimes, and domestic violence incidents among victims who are in relationships with oilrig employees and who have not lived in Roosevelt County nor in Montana for more than a year are on the rise. Often these victims have no resources, no family support, and are unfamiliar with the community in which they live.

Within Northeastern Montana, there are currently three man camps with several more only 70 miles away in the neighboring state of North Dakota. Many tribal advocates have responded to victims who have been trafficked at the man camps and report that young Native women are often preyed upon. Groups of men from the camps use drugs and alcohol to lure young Native women to "party." This has resulted in 11 young Native women, ranging from ages 16 to 21, reporting rape, gang rape, and other sex acts. The majority of these victims are afraid to report due to fear and shame.

Several older Native women are frequently used to traffic drugs, particularly "meth," to the man camps. Recently, three Native women were arrested for drug trafficking, but also sex for money. As a result, all three women lost custody of their minor children to the system. One tribal advocate reported responding to a sexual assault of a 70-year-old Native woman who was partying at a man camp. She was gang raped, beaten, and dropped off at the reservation border. Out of fear, the victim did report the crime to law enforcement, but the advocate was able to seek medical attention for her. Another issue involved with the man camps in Fort Berthold is lack of monitoring

and registration of sex offenders who pose a serious threat to the safety of women and children in the area.

The Fort Peck Tribes SORNA program reports that one year ago, there were 48 registered sex offenders; now there are over 600. Non-Native sex offenders do not recognize tribal jurisdiction and feel they do not have to report to the tribal SORNA program. U.S. Marshals and other law enforcement agencies, however, have assisted in gaining registration of known sex offenders on the tribal registry.

With the potential for the Keystone Pipeline, which is part of a system through South Dakota that will transport oil sands from Canada to the refineries in the Gulf Coast of Texas, tribal nations in South Dakota are learning from the tragic realities of their sister nations in Montana and North Dakota and are aiming to stop this crisis before it impacts their communities.

On a positive note, federal, state, and local response has lead to the first state to use the federal sex trafficking statutes to prosecute both customers ("Johns") and pimps in South Dakota.

Another aspect of to the domestic human trafficking issues in the U.S. and tribal nations is the national adoption industry. An article in Indian Country Today, "Trafficking of Native Children: The Seamy Underbelly of U.S. Adoption Industry," sheds light on the practice of selling Indian infants and children to the highest bidder, which brings in revenue for lawyers (from \$25,000–

\$100,000 per child). The article stated that in 2012, 50 Native children were adopted out from North Dakota to South Carolina. These adoptions were done without the tribe's knowledge or consent or that of the biological father's.

To really gain insight to domestic human trafficking in the U.S., one must examine the many sectors in which such trafficking is facilitated, whether it be extractive industries, pimps, gangs, cartels, victims' own family members, or lawyers working in the adoption industry.

There is a great need for training, development of codes, community education, and awareness of the

silent epidemic that has been occurring not only in tribal communities, but throughout the country. The Violence Against Women Act of 2013, Tribal Title IX – Safety for Indian Women was amended to add sex trafficking to the list of purpose areas and allow tribes and tribal coalitions to help create a response to this crisis.

The many faces and different avenues of trafficking must be examined and taken into account to understand and enhance the response to this epidemic that not only impacts tribal nations and Alaska Villages, but all citizens of this country.

JURY POOL SELECTION AND CASES OF RAPE: THE NEED FOR INCREASED PUBLIC AWARENESS

EMAIL TO DEE KOESTER, EXECUTIVE DIRECTOR OF WOMENSPIRIT COALITION

As I sat in the courtroom yesterday for my jury duty for a rape case, the prosecutor questioned all potential jurors, a standard process. The prosecutor asked whether anyone had been a victim of a similar crime and felt they would be too adversely impacted by personal experience to be able to listen to the testimony or give a fair verdict. Two women of the pool of nearly 40 raised their hands and were excused. Later he asked if anyone had had a close friend or family member who was victimized in such a way; about a half dozen had, one of whom was excused.

Later on, he asked flat out if any in the jury pool had been a victim of rape. Slowly, about 10 hands were raised. Apparently several others, like myself, had experienced rape but didn't feel compelled to respond to the earlier question because we didn't feel so adversely affected as to render us incapable of being effective jurors. As horrific as the incident was, we all had become "comfortable" with our story, as it was such a normal part of us. The impact of our victimization may have been diminished by time, therapy, denial, or survival skills such as selective memory, and we sat there in broad daylight and claimed that we were not too impacted by our experiences.

As the prosecutor went juror by juror, asking details of when the rape occurred, whether it had been reported, prosecuted, in what court it had been charged (if any) and if there was a conviction, and how we felt about the results and the judicial system, we all gave our stories. Brief as they were, we sounded like AA meeting participants where instead of giving our names we gave our juror badge numbers and stated our anonymous facts: "Number 21. I was raped 'x' number of years ago, and it was never reported or prosecuted." After each one finished their testimony, the prosecutor asked, "Any more?" and more hands would rise. By the time he ran out of jurors to call on, instead of the 10 who initially responded with hands raised, nearly every hand was raised and all but about 3 women and the 3 men present had told of their experience. I wondered how many of those who spoke had ever admitted aloud what had happened to them before. I was sure some never had. Oh the power and courage breaking the silence inspires!

How tragic it was that this random sampling of our community showed about a 90 percent rate of women reporting they had been raped, especially when we know so

many won't openly admit it for any reason, no matter if they are under oath, because of denial, fear, guilt, shame, or other reasons; so the sampling of that room could easily have been 100 percent in actuality! And how ironic of us all introducing ourselves as numbers when we are the very statistics we talk about on a regular basis and the act of rape dehumanizes us and makes us a case number if we report and a majority number if we don't.

For my experiences and strong opinions I was quickly excused from the jury selection, and while I claimed non-impact by my history, I left the courtroom heavily impacted by what I had just witnessed, knowing it wasn't a rare freak coincidence but it is actually the reality in which we live. With tears I was rejuvenated and committed to make a difference, even the slightest one, in hopes that one day the reality will be different and that our sisters, daughters, and mothers will be safe!

Thank you, WomenSpirit, for the wonderful work you do!

NATIONAL TRAINING OPPORTUNITIES

TRIBAL FORENSIC HEALTHCARE TRAINING PROJECT

The Tribal Forensic Healthcare Training project is excited to announce the upcoming schedule of Sexual Assault Examiner Classroom Trainings and Clinical Skills Trainings. These multi-day trainings run from September 2013 - February 2014, and are open to registered nurses, advanced practice nurses, physicians, and physician assistants.

Registration is free to health care providers from IHS, Tribal, and Urban Indian health care facilities. Health care providers from other facilities that serve American Indian or Alaska Native victims of sexual assault are also eligible to attend at no cost. For the full list of dates and locations, as well as additional information about the trainings, please see the attached flyer or visit www.tribalforensichealthcare.org.



TRIBAL FORENSIC HEALTHCARE TRAINING PROJECT
www.tribalforensichealthcare.org

Sexual Assault Examiner Clinic

Registered nurses, advanced practice nurses attend this two day, hands-on clinical skills training to enhance clinical practice skills in the care of adult victim in a patient care setting and include hands-on active role playing, genital trauma and mock patient assessments. Participants will maintain specific skills such as performing detailed physical examination techniques, proper evidence collection and the guidance of experienced preceptors.

Registration is free to health care providers from IHS, Tribal, and Urban Indian health care facilities. Health care providers from other facilities that serve American Indian or Alaska Native victims of sexual assault are also eligible to attend at no cost. For the full list of dates and locations, as well as additional information about the trainings, please see the attached flyer or visit www.tribalforensichealthcare.org.

To register or get more information, please visit www.tribalforensichealthcare.org

Dates & Locations:

- **Colorado Springs, Colorado**
 - o September 11 – 12, 2013
 - o October 29 – 30, 2013
 - o January 28 – 29, 2014
- **Anchorage, Alaska**
 - o January 13-14, 2014

Questions? Email us at tribalforensichealthcare@iafn.org

16 Nursing CE and 16 CEUs will be offered. We are currently in the process of seeking CME.



The planners, presenters, and content reviewers of this training disclose no conflict of interest relative to this educational activity. The International Association of Forensic Nurses is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center's Commission on Accreditation. JBS International, Inc. is an approved provider of CEUs through NAADAC, the Association for Addiction Professionals (Provider Number 000208)

Sexual Assault Examiner Trainings

Registered nurses, advanced practice nurses, physicians, and physician assistants are invited to attend this five-day, classroom-based sexual assault examiner (SAE) training. Participants will learn the elements of conducting comprehensive adult/adolescent medical forensic examinations in cases involving sexual assault. This 40 hour classroom-based course will cover topics including:

- Trauma Informed Care
- Dynamics of Adult/Adolescent Sexual Assault
- The Medical Forensic Evaluation
- Medical Management
- Program/Operational Issues
- Patient-Centered Coordinated Team Approach
- The Justice System and Testimony
- Vicarious Trauma and Self Care

Registration is free to health care providers from IHS, Tribal, and Urban Indian health care facilities. Health care providers from referral facilities that serve American Indian or Alaska Native victims of sexual assault are also eligible to attend at no cost. Materials will be provided. Meals are not provided.

To register or get more information, please visit www.tribalforensichealthcare.org

Dates & Locations:

- November 4 – 8, 2013 in Billings, MT
- November 11 – 15, 2013 in Fairbanks, AK
- November 18 – 22, 2013 in Rapid City, SD
- December 2 – 6, 2013 in Sacramento CA
- December 9 – 13, 2013 in Columbia, SC
- January 6 – 10, 2014 in Bemidji, MN
- February 3 – 7, 2014 in Phoenix, AZ

Questions? Email us at tribalforensichealthcare@iafn.org

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TO REGISTER OR GET MORE INFORMATION, VISIT TRIBALFORENSICHEALTHCARE.ORG

TRIBAL COALITIONS WORKING TO ENHANCE THE SAFETY OF NATIVE WOMEN: HOSTING VAWA SUMMITS, REGIONAL CONFERENCES, AWARENESS EVENTS ACROSS TRIBAL NATIONS

Across the United States tribal coalitions are organizing to inform and unite Indian nations and communities to increase the safety of Native women through implementation of VAWA 2013. A Tribal Leaders Summit in Bismarck, a VAWA 2013 Tribal Leaders Summit in Rincon, a southwest regional meeting in Phoenix, and so many other gatherings highlight the important role of tribal coalitions in the effort to understand and implement VAWA 2013.

“The primary purpose of this tribal coalition is to provide training and technical assistance to Indian tribes in our region. Tribal leadership and programs responding to our women victimized by domestic or sexual assault are the critical links to implementing VAWA 2013,” said Juana Majel, Board President, Strong Hearted Native Women’s Coalition, during the opening session of the Southern Tribal Leaders VAWA Symposium on September 18, 2013. “We must understand the tribal amendments of VAWA 2013 and develop a regional platform for action that fits the needs of our tribes.”

Tribal coalitions are facilitating efforts to unite tribal leaders and advocates serving Native women to identify barriers and solutions within their regions and membership. Through this process, a platform to enhance the safety of Native women nationally can be advanced to continue the historic victories achieved under VAWA 2013.

Tribal coalitions consist of members from tribal sexual assault and domestic violence programs, as well as

individual women and men who are committed to ending the violence in their tribal communities and villages. “Tribal communities rely on tribal coalitions for training and technical assistance. The coalitions are regionally based and offer assistance that comes from their understanding of the tribal communities they belong to and that they serve.” Juana added. “The coalition is an important information bridge on developing state, federal, and tribal policies and issues that impact the safety of women, and regarding the accountability of the perpetrators.”

The majority of the memberships of the tribal coalitions have a long history in the movement for the safety of Native women. During the late 1970s and early '80s, American Indian and Alaska Native women opened their homes to help their sisters fleeing violence and seeking safety. This was a time when violence against wives and girlfriends was not viewed as a serious problem. Domestic violence was rarely seen as a violent crime even in the most severe cases when violence within the home resulted in homicide.

While state coalitions have received federal funding for several decades, the tribal coalitions only became eligible for federal funding under the Violence Against Women Act of 2000. At that time, it was recognized that tribal coalitions could, like their state coalition counterparts, provide training and education based on their tribal expertise to their tribal communities. This acknowledgment represented a tremendous step forward in that it opened the door for tribal coalitions to



Santa Rosa Councilwoman Veronica Uhrle , Viejas Chairman Anthony Pico, Vice Chairwoman Stephanie Spencer, Juana Majel-Dixon, La Jolla Tribal Chair LaVonne Peck, Mesa Grande Chairman Mark Romero, Mesa Grande Councilman Virgil Romero, Cahuilla Councilwoman Samantha Thornsberry

provide assistance based on the specific knowledge, practices, and beliefs of the Native communities to be served. Although some state coalitions offer assistance to tribal communities, most do not have the expertise necessary in federal Indian law or tribal laws of the Indian tribes, tribal organizations, or nonprofits to be served.

“The Yup’ik people have lived in the Yukon Delta region for thousands of years. We speak Yup’ik, the river is our highway, and our villages still live off the ocean and the land. As a people we respect women and all things . . . some of our relatives have lost our beliefs and the way home is through our teachings. The Yup’ik Women’s Coalition is assisting in this process.”

—Lynn Hootch, Executive Director, Yup’ik Women’s Coalition

Right: For the fifth year in a row, the Silent Witness silhouettes were carried into grand entry on Saturday evening, Sept. 7th at the 44th Annual United Tribes International Pow Wow at the United Tribes Technical College’s campus in Bismarck, N.D. Native Women’s Society of the Great Plains, First Nations Women’s Alliance, Fort Berthold Coalition Against Domestic Violence and NDCAWS and domestic violence advocates carried the silent witnesses to promote awareness with the life-sized images of women and children who died in acts of domestic violence in Indian country.

Below right: Nikki Qumyintewa, Miss Hopi, Mishongnovi Village, Pumpkin Clan (left) and Lori Honyoama, First Attendant, Hotevilla Village, Corn Clan attend the Southwest Indigenous Women’s Coalition and NIWRC Regional Conference at Wild Horse Pass Hotel. Miss Hopi has as her platform eliminating domestic violence against Native women.

Below: Kasen Street of Spirit Lake Tribe in North Dakota.

Opposite page: Tribal leaders gathered on September 18th for the Southern California Tribal Summit on the Violence Against Women Act 2013 at the Rincon Casino Resort.



PROSECUTION OF NON-INDIANS VIOLATING TRIBAL BANISHMENT ORDERS

One of the most urgently needed and lifesaving sections of VAWA 2013 Title IX's Safety for Indian Women is Section 904. This section restores tribal jurisdiction over non-Indians committing crimes of domestic violence to Indian tribal members. By enacting this section, Congress upheld the inherent right of tribal governments to protect Native women. In restoring criminal jurisdiction over non-Indians, Congress included three categories of crimes—domestic violence, dating violence, and certain violations of protection orders. The effective date for implementation of Section 904 is March 7, 2015.

Until that time, Native women seeking an order of protection from their tribal court rely on the United States to prosecute those who violate such tribal court orders. The violation of such a protection order by a non-Indian requires an immediate response. To prevent abusers from continuing to abuse Native women on tribal lands, tribal courts have also frequently issued banishment orders in cases of non-Indians committing domestic violence within the jurisdiction of the tribal government.

The Rosebud Sioux Tribe of South Dakota is one example. Steven Nichols, a non-Indian, was convicted in federal court in June 2011 for assaulting his girlfriend, who is a tribal member. The tribal court issued a banishment order and the tribal council voted to exclude him that same month. He failed to abide by the banishment order and was arrested four times for coming back to the reservation.

In the summer of 2011, the Rosebud Sioux Tribe's Attorney General petitioned the tribal court to bar Nichols from entering the lands of the Rosebud Sioux Indian Reservation. On June 10, 2011, Nichols was served with notice of the proceedings. On September 22, 2011, the Rosebud Sioux Tribal Court entered an Emergency

Writ of Exclusion barring him from entering the lands of the Rosebud Reservation. On September 22, 2011, the Rosebud Sioux Tribal Council also voted to exclude Mr. Nichols from the Rosebud Reservation. On September 23, 2011, a tribal law enforcement officer served him with the exclusionary order and escorted him off the reservation.

Tribal law enforcement officers later learned that Nichols had re-entered the reservation. On September 9, 2012, officers apprehended him and again transported him off the reservation. On January 30, 2013, officers learned Nichols was staying at a residence within the reservation. Officers searched for Nichols and found him hiding in a crawl space of the residence. He was arrested on federal criminal trespass charges and transported off the reservation and into federal custody. The investigation was conducted by the Rosebud Sioux Tribe Law Enforcement Services.

Assistant U.S. Attorney Tim Maher prosecuted the case. Mr. Nichols was found guilty of two counts of criminal trespass and sentenced on February 27, 2013, by U.S. Magistrate Judge Mark A. Moreno. Steven Nichols, age 42, was sentenced on Count 1 to 30 days in custody and a \$5 special assessment to the Victim Assistance Fund. On Count 2, he was sentenced to one year of probation, and ordered to not re-enter the lands of the Rosebud Sioux Indian Reservation.

The enforcement of tribal orders of protection and banishment orders against non-Indians is essential to the safety of Native women and the entire tribal community.



JUSTICE FOR ALASKA NATIVE WOMEN

Native women experience violent victimization at a higher rate than any other population of women in the United States. More than 1 in 3 Indian women will be raped in their lifetime; more than 6 in 10 will be physically assaulted; and Indian women are stalked at more than twice the rate of other women.

“What we do know about violence specific to Alaska Native people?

- Nearly **1 out of every 10 women** who recently gave birth was physically abused in the 12 months before pregnancy.
- In 2011, there were **1,412** substantiated child victims of maltreatment in Alaska. In 2009, **31% of adults** reported witnessing domestic violence as a child.
- **1 out of 10** teens reported experiencing dating violence in the last 12 months.
- **1 out of 2** women and **1 out of 4** men have experienced physical and/or sexual violence in their lifetime.
- Every year, there are cases of elder abuse reported to the State Troopers or the State Adult Protective Services.

In summary, the current data reveals that by the time an Alaska Native person reaches adulthood, the chance of having been a victim of domestic or sexual violence is quite high (**women 51% and men 29%**). Women are disproportionately affected by both types of violence.”

—Executive Summary, *Healthy Native Families: Preventing Violence At All Ages (2nd ed.)*¹

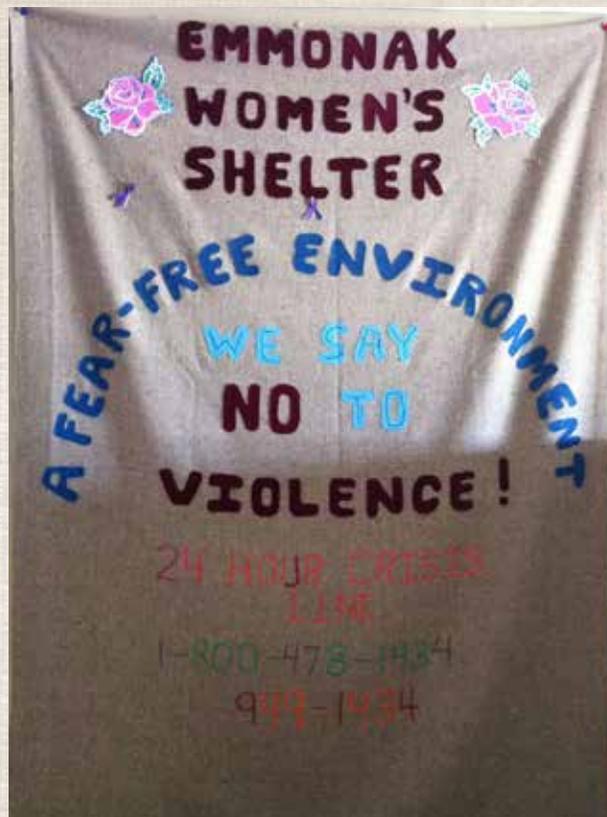
Just like their sisters in the lower forty-eight, Native women in villages across Alaska experience violence at epidemic rates because of laws, policies, and practices that have limited tribal government’s authority to protect and ensure the health and well-being of their citizens. These laws, policies, and practices—imposed by Russian and U.S. governments—have created an environment in which Alaska Native women are perceived as “game” and it’s “open season” on Native women, as some advocates have described. As advocates in the lower forty-eight have shared, it’s not a question

of if a Native woman will be raped or will experience violence, but more a question of *when* and how many times.

Because Alaska is geographically separated from the lower forty-eight, and villages are remote and spread out across the state, this inhumanity—far removed from the rest of the country—has festered, and offenders and predators can commit serial crimes with impunity. Despite the truth of these hate crimes and in the face of extreme and detrimental outside forces, Alaska Native people and tribal governments have always stood firm in defending their ways of life, doing what they can to pass on and maintain their life-affirming traditions. So, while an epidemic of violence exists against Alaska Native women and their children, there are many positive, Native-driven initiatives to enhance the safety of Native women and their children as is evident in the efforts of Native women’s advocates, village governments, and the Alaska Federation of Natives (AFN), including the 2013 Annual Convention of which the theme this year is Traditional Alaska Native Family Values.

The Emmonak Women’s Shelter, Alaska Native Women’s Coalition, Yup’ik Women’s Coalition, other Native women’s advocates, and tribal leaders across Alaska have worked tirelessly over the last 35 years to respond to these epidemic rates of violence against Alaska Native women. Working within villages, hub communities, cities, with state and federal governments, and with allies in the lower 48 and in international

arenas, advocates and tribal leaders have patiently educated others about their needs, challenges, barriers, and solutions in response to violence against women, especially in remote, off-road Alaska Native Villages. Some of these needs and challenges similar to those of Native women and tribes in the lower 48 can be categorized under the need for Native village-based advocacy and direct victim services, and the need for safety and access to justice and effective means of holding offenders accountable as defined by the local tribal government. Other needs and challenges or barriers are tied more uniquely to the history of laws, policies, and practices of U.S. and Russian governments.



One such example is the impact of the U.S. Supreme Court case *Alaska v. Native Village of Venetie Tribal Government*, which determined that the only Indian country in Alaska is the Metlakatla Indian Community.

Over the next five years, the challenge of building a groundswell to educate the country and engage tribal, state, and federal leadership about what changes must be made in laws and policies will be critical to reducing these epidemic hate crimes against Native women, including domestic and sexual violence, dating violence, stalking, and trafficking.

Based on many lessons learned over the last 18 years by survivors, advocates, tribal leaders, and other activists in the movement to pass and strengthen the Violence Against Women Act, solutions to ending the violence against Alaska Native women will require strategic

¹ Kemberling, M. M., & Avellaneda-Cruz, L. D. (2013, March). *Healthy Native Families: Preventing Violence At All Ages* (2nd ed.). Anchorage, AK: Alaska Native Tribal Health Consortium, Alaska Native Epidemiology Center.

ALASKA SAFE FAMILIES AND VILLAGES ACT OF 2013

Representing approximately 45% of all Indian tribes in the United States, Alaska is home to 229 federally recognized tribes. Although Alaska Natives comprise only 15.2% of the population of the State of Alaska, they comprise 47% of the victims of domestic violence and 61% of the victims of sexual assault. *See UAA Justice Center Report to the Council on Domestic Violence and Sexual Assault* (May 13, 2010).

Alaska Native Villages also suffer disproportionately high rates of illicit drug use, alcohol abuse, and suicide. The State of Alaska's public safety system does not effectively serve vast areas of the state—in which many remote Alaska Native Villages are located—except in response to serious crimes involving severe injury or death.

At the beginning of August, Senators Mark Begich (D-AK) and Lisa Murkowski (R-AK) jointly sponsored the introduction of Senate Bill 1474, the Alaska Safe Families and Villages Act of 2013. Senate Bill 1474 differs from previous versions of the Alaska Safe Families and Villages Act (S. 3470 and S. 1192 respectively). Section 6 of S. 1474 does call for the repeal of Special Rule for State of Alaska in Section 910 of VAWA 2013.

The bill focuses on 1) improving the delivery of justice in Alaska Native Villages by encouraging the state and Indian tribes to enter into intergovernmental agreements relating to the enforcement and adjudication of state laws relating to drug and alcohol offenses; and 2) enhancing coordination and communication among federal, state, tribal, and local law enforcement agencies. Previous versions (S. 3470 and S. 1192) included “to enhance existing tribal authority over domestic violence and child abuse and neglect” as part of its purpose.

After its introduction, S. 1474 was referred to the Senate Committee on Indian Affairs on August 1, 2013. No action or hearings are currently scheduled.

partnerships and alliances and a commitment to growing the movement to ensure that the needs and realities of Alaska Native women and tribes are reflected in the Act. Over the past year, the National Indigenous Women's Resource Center (NIWRC) has facilitated discussions with advocates and tribal leaders to determine priorities in addressing violence against Alaska Native women, and develop a long-term organizing campaign to sustain the critical work of enhancing the safety of Alaska Native women and defending village sovereignty. October 22, 2013, in Fairbanks marks an important point in this campaign by connecting advocates and tribal leaders at the upcoming Alaska Federation of Natives Annual Convention to discuss this work, begin to build unity, and determine the best course of action to pass on traditional Alaska Native family values that upholds tribal sovereignty and the safety of Native women.



NCAI RESOLUTION: REN-13-006

PROTECT ALASKA NATIVE WOMEN

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, all tribal sovereign nations honor, respect, and hold sacred our Native women; retain our inherent right to regulate domestic relations for our women, children, and families; and

WHEREAS, Alaska is home to 229 federally recognized tribes; there are over 200 rural Alaska Native villages in which federally recognized Indian tribes operate, and only 78 of those are served by local trained State law enforcement; and

WHEREAS, Alaska Native villages suffer disproportionately from crimes and civil disturbances rooted in alcohol abuse, illicit drug use, suicide, and domestic violence; and

WHEREAS, Alaska Native women suffer the highest rate of forcible sexual assault in the United States, an Alaska Native woman is sexually assaulted every 18 hours, and according to the Alaska Native Tribal Health Consortium, 1 in 2 Alaska Native women experience physical or sexual violence in their lifetime; and

WHEREAS, geographical remoteness, extreme weather, and the lack of transportation infrastructure present challenges responding to crime in Alaska Native villages and providing access to state judicial systems in a timely manner; and

WHEREAS, Alaska Native women in urban areas are also threatened by physical and sexual violence; and

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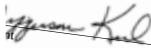
WHEREAS, federally recognized Indian tribes that operate within Alaska Native villages must be able to carry out local, culturally relevant solutions to effectively address the lack of law enforcement in villages and the lack of access to swift State court proceedings;

WHEREAS, NCAI urged Congress to include protections for Alaska Native victims

NCAI 2013 Mid Year

Resolution REN-13-006

at the 2013 Midyear Session of the
asino from June 24 - 27, 2013 in



REN-13-006

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NATIONAL CONGRESS OF AMERICAN INDIANS
The National Congress of American Indians
Resolution # REN-13-006

TITLE: Protect Alaska Native Women

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WHEREAS, geographical remoteness, extreme weather, and the lack of transportation infrastructure present challenges responding to crime in Alaska Native villages and providing access to state judicial systems in a timely manner; and

WHEREAS, Alaska Native women in urban areas are also threatened by physical and sexual violence; and

WHEREAS, the State of Alaska continues to withdraw law enforcement resources from rural Alaska and Alaska Native women are increasingly at risk; and

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Jeffrey Kull

First Vice President
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ALASKA
Misty Williams

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IDAHO
Misty Williams

OREGON
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WASHINGTON
Misty Williams

WESTERN
Misty Williams

YUKON
Misty Williams

ALASKA
Misty Williams

of sexual assault, domestic violence, dating violence, and stalking in any final bill reauthorizing the Violence Against Women Act (see NCAI Resolution # SAC-12-038); and

WHEREAS, the final version of the reauthorization of the Violence Against Women Act of 2013 contained a “Special Rule for the State of Alaska” in Section 910 which thereby applied sections 904 and 905 of VAWA only to the Metlakatla Indian Community, Annette Island Reserve; and

WHEREAS, NCAI applauds the historic victories obtained for some tribes in VAWA 2013 but also recognizes that the safety of Alaska Native women is still at risk; and

WHEREAS, the Alaska Safe Families and Villages Act has been introduced in the 111th and 112th Congresses (S. 3740 and S. 1192 respectively) by Alaska Senator Mark Begich.

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
- 2) At a minimum, restore the authority of Alaska tribes to address domestic violence, dating violence and sexual assault within village lands, as well as related problems of alcohol and drug abuse; and
- 3) Provide separate funding to Alaska tribal governments for necessary law enforcement in rural villages; and

BE IT FURTHER RESOLVED, that NCAI supports the Alaska Safe Families and Villages Act and supports further amendments to expand the pilot project of VAWA 2013 to include all tribes in Alaska.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

THE TULALIP TRIBES RESOLUTION

RESOLUTION IN SUPPORT OF TRIBAL EQUALITY IN VAWA LEGISLATION

WHEREAS the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws of the Tribes approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. §476); and

WHEREAS, pursuant to the Tulalip Tribes Constitution Art. VI. Section 1, the Board possesses the authority to safeguard and promote the peace, safety, morals, and general welfare of the Tulalip Reservation; and

WHEREAS, pursuant to the Tulalip Tribes Constitution Art. VI. Section 1 the Board possesses the authority to adopt resolutions;

WHEREAS, the Tulalip Tribes recognizes that domestic violence within all Indian Communities, damages and impacts all those within the community; and

WHEREAS, the Tulalip Tribes has a compelling interest in promoting and maintaining the health and well-being of not only victims of Domestic Violence on the Tulalip Reservation, but supporting other tribes that were left out of, or excluded from recent legislation as it impacts all sovereign Indian Nations; and

WHEREAS, the United States Congress passed legislation to reauthorize the Violence Against Act (VAWA 2013) in March 2013; and

WHEREAS, the legislation included a special provision for Alaska Native Tribes and a disclaimer provision related to the law and the status of Alaska Natives (Section 910); and

WHEREAS, with the exception of the Metlakatla Indian Community, Annette Island Reserve, VAWA 2013 does not grant expanded jurisdiction to Alaska Native Tribes, and essentially maintains the status quo situation for women and families; and

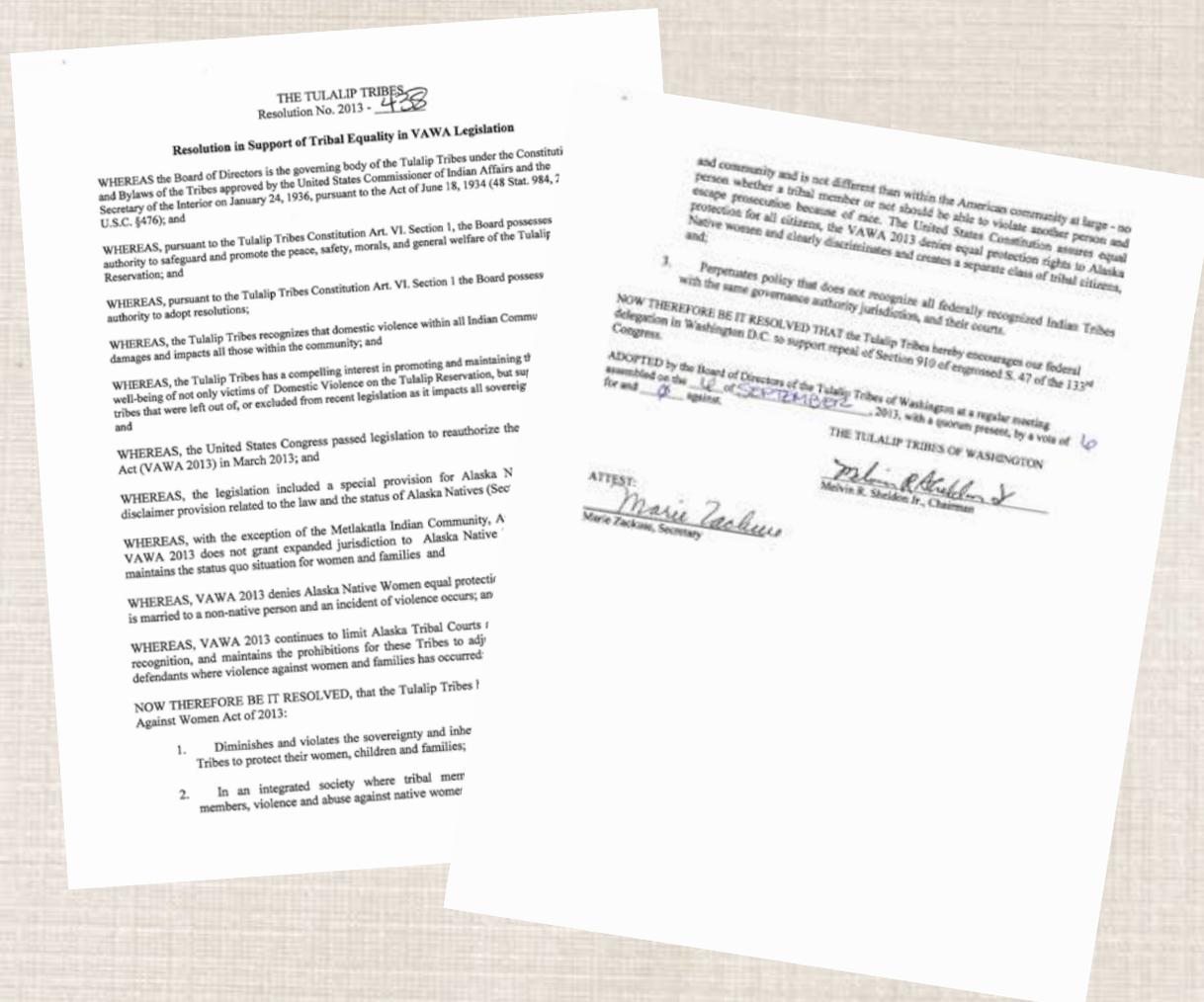
WHEREAS, VAWA 2013 denies Alaska Native Women equal protection where a native woman is married to a non-native person and an incident of violence occurs; and

WHEREAS, VAWA 2013 continues to limit Alaska Tribal Courts and their court orders from recognition, and maintains the prohibitions for these Tribes to adjudicate non-Indian criminal defendants where violence against women and families has occurred;

NOW THEREFORE BE IT RESOLVED, that the Tulalip Tribes hereby finds that the Violence Against Women Act of 2013:

1. Diminishes and violates the sovereignty and inherent rights of the Alaska Native Tribes to protect their women, children and families;
2. In an integrated society where tribal members are married to non-tribal members, violence and abuse against native women is no less impacting to the family and community and is not different than within the American community at large - no person whether a tribal member or not should be able to violate another person and escape prosecution because of race. The United States Constitution assures equal protection for all citizens, the VAWA 2013 denies equal protection rights to Alaska Native women and clearly discriminates and creates a separate class of tribal citizens, and;
3. Perpetuates policy that does not recognize all federally recognized Indian Tribes with the same governance authority jurisdiction, and their courts.

NOW THEREFORE BE IT RESOLVED THAT the Tulalip Tribes hereby encourages our federal delegation in Washington D.C. to support repeal of Section 910 of engrossed S. 47 of the 113th Congress.



MILESTONES IN THE UNITED STATES TO INCREASE SAFETY FOR NATIVE WOMEN



1977 : THE WHITE BUFFALO CALF WOMAN SOCIETY, ON THE ROSEBUD SIOUX INDIAN RESERVATION, ESTABLISHES THE FIRST NATIVE WOMEN'S SHELTER ON AN AMERICAN INDIAN RESERVATION.

1978 : THE U.S. COMMISSION ON CIVIL RIGHTS COMMISSIONS BATTERED WOMEN: ISSUES OF PUBLIC POLICY, WHICH COMPILES 700 PAGES OF WRITTEN AND ORAL TESTIMONY AND EXAMINES THE NEED FOR A FEDERAL ROLE IN APPROACHING DOMESTIC VIOLENCE. TILLIE BLACK BEAR, SICANGU LAKOTA, TESTIFIES DURING THE HEARINGS ON DOMESTIC VIOLENCE COMMITTED AGAINST NATIVE WOMEN.

NATIONAL COALITION AGAINST DOMESTIC VIOLENCE IS FOUNDED TO PROVIDE ADVOCACY AND RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE. TILLIE BLACK BEAR SERVES AS A FOUNDING MOTHER AND BOARD MEMBER

1979 : THE FIRST ALASKA NATIVE VILLAGE-BASED SHELTER, THE EMMONAK WOMEN'S SHELTER, IS FOUNDED IN YUKON DELTA REGION OF ALASKA.

1984 : THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT (FVPSA) IS AUTHORIZED. FOR THE FIRST TIME, FEDERAL FUNDING IS AVAILABLE TO HELP VICTIMS OF DOMESTIC VIOLENCE AND THEIR DEPENDENT CHILDREN.

1985 : U.S. SURGEON GENERAL C. EVERETT KOOP IDENTIFIES DOMESTIC VIOLENCE AS A PUBLIC HEALTH ISSUE THAT CANNOT BE DEALT WITH BY THE POLICE ALONE.

1987 : NATIONAL COALITION AGAINST DOMESTIC VIOLENCE DESIGNATES OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH.

1990 : SENATOR BIDEN INTRODUCES THE FIRST VERSION OF THE VIOLENCE AGAINST WOMEN ACT TO THE SENATE.

1991 : AMERICAN INDIANS AGAINST ABUSE IS INCORPORATED AS THE FIRST TRIBAL COALITION REPRESENTING ALL 11 TRIBES OF WISCONSIN

1994 : THE VIOLENCE AGAINST WOMEN ACT IS INTRODUCED AGAIN IN CONGRESS AND IS PASSED WITH BIPARTISAN SUPPORT AS PART OF THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT. VAWA IS SIGNED INTO LAW ON SEPTEMBER 13, 1994, BY PRESIDENT CLINTON.

1998 : SACRED CIRCLE, NATIONAL RESOURCE CENTER TO END VIOLENCE AGAINST NATIVE WOMEN ESTABLISHED.

2000 : CONGRESS REAUTHORIZES THE VIOLENCE AGAINST WOMEN ACT IN A BIPARTISAN MANNER AND IS SIGNED INTO LAW BY PRESIDENT CLINTON. VAWA 2000 INCLUDES THE FIRST FEDERAL FUNDING STREAM FOR TRIBAL DOMESTIC VIOLENCE AND SEXUAL ASSAULT COALITIONS.

2001 : THE ALASKA NATIVE WOMEN'S COALITION AND OTHER TRIBAL COALITIONS FUNDED UNDER VAWA.

2003 : THE NATIONAL CONGRESS OF AMERICAN INDIANS ESTABLISHES A NATIONAL TASK FORCE ON VIOLENCE AGAINST NATIVE WOMEN.

2005 : THE VIOLENCE AGAINST WOMEN ACT IS ONCE AGAIN REAUTHORIZED IN A BIPARTISAN MANNER BY CONGRESS AND SIGNED INTO LAW BY PRESIDENT BUSH ON JANUARY 5, 2006. IMPROVEMENTS INCLUDE A TRIBAL TITLE; SAFETY FOR INDIAN WOMEN.



2006 : THE YUP'IK WOMEN'S COALITION ESTABLISHED AND FUNDED UNDER VAWA.

2007 : A COALITION OF INDIGENOUS ORGANIZATIONS AND INDIVIDUALS SUBMITS A COLLABORATIVE REPORT TO THE UN COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (CERD) ON THE UNITED STATES' OBLIGATIONS TO INDIGENOUS PEOPLES, HIGHLIGHTING THAT NATIVE WOMEN ARE VICTIMS OF RAPE AND SEXUAL VIOLENCE AT MUCH HIGHER RATES THAN ANY OTHER GROUP OF WOMEN IN THE UNITED STATES, AND THAT THE CURRENT CRIMINAL JURISDICTIONAL SCHEME CREATED BY U.S. LAW IMPEDES THE ABILITY OF INDIAN NATIONS TO PROTECT THEIR CITIZENS. THE UNITED STATES RATIFIES THE INTERNATIONAL CONVENTION FOR THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (CERD CONVENTION) IN 1994.

ON SEPTEMBER 13, 2007, THE UN GENERAL ASSEMBLY ADOPTS THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES, A POWERFUL AFFIRMATION OF INDIGENOUS RIGHTS.

2009 : PRESIDENT OBAMA DECLARES APRIL AS SEXUAL ASSAULT AWARENESS MONTH.

LAVETTA ELK WINS CIVIL LAW SUIT AGAINST THE UNITED STATES UNDER THE "BAD MEN" CLAUSE OF THE 1868 FORT LARAMIE TREATY FOR DAMAGES FROM A SEXUAL ASSAULT BY A U.S. ARMY RECRUITER.

2010 : THE NATIONAL INDIGENOUS WOMEN'S RESOURCE CENTER IS FOUNDED.

PRESIDENT OBAMA ANNOUNCES U.S. SUPPORT FOR THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES. ARTICLE 22 OF THE DECLARATION IS SIGNIFICANT FOR NATIVE WOMEN, CALLING ON

COUNTRIES TO "TO ENSURE THAT INDIGENOUS WOMEN AND CHILDREN ENJOY THE FULL PROTECTION AND GUARANTEES AGAINST ALL FORMS OF VIOLENCE AND DISCRIMINATION..

PRESIDENT OBAMA SIGNS INTO LAW THE TRIBAL LAW AND ORDER ACT INCREASING THE SENTENCING AUTHORITY OF TRIBAL COURTS FROM ONE TO THREE YEARS UNDER CERTAIN CONDITIONS.

SENATE INDIAN AFFAIRS COMMITTEE CHAIRMAN DANIEL K. AKAKA (D-HAWAII) INTRODUCES S. 1763, THE STAND AGAINST VIOLENCE AND EMPOWER NATIVE WOMEN (SAVE NATIVE WOMEN) ACT, THAT WOULD PROVIDE TRIBAL GOVERNMENTS WITH JURISDICTION OVER NON-INDIANS WHO COMMIT CRIMES ON INDIAN LANDS.

2011 : AT THE REQUEST OF NATIVE WOMEN AND INDIAN ORGANIZATIONS, THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS HOLDS A FIRST-EVER THEMATIC HEARING IN WASHINGTON, D.C., ON "VIOLENCE AGAINST NATIVE WOMEN IN THE UNITED STATES." THE COMMISSION ISSUES AN ANNEX TO PRESS RELEASE URGING COUNTRIES TO DILIGENTLY ADDRESS ALL FORMS OF VIOLENCE AGAINST WOMEN.

2012 : DIFFERENT VERSIONS OF VAWA 2011 PASS IN THE SENATE AND IN THE HOUSE OF REPRESENTATIVES. CONGRESS FAILS TO REAUTHORIZE VAWA AND THE ACT REMAINS EXPIRED DUE IN PART TO OPPOSITION OF SOME HOUSE REPUBLICANS TO RESTORING LIMITED CRIMINAL JURISDICTION TO INDIAN TRIBES OVER NON-INDIANS COMMITTING DOMESTIC VIOLENCE, DATING VIOLENCE, AND VIOLATING AN ORDER OF PROTECTION ON TRIBAL LANDS.

2013 : PRESIDENT OBAMA SIGNS REAUTHORIZATION OF VAWA..

URGENT NEED TO ADDRESS VIOLENCE AGAINST ALASKA NATIVE WOMEN

While Alaska Native Villages and nonprofits are eligible for 19 of the 21 grant programs administered by the OVW, the reality is that very few of the 229 federally recognized Indian tribes in Alaska actually access funding under the Violence Against Women Act. This sad reality stands in stark contrast to the overwhelming need of Alaska Native women for safety.

While it is well known that one in three Indian women reports having been raped during her lifetime, less is known about violence against Alaska Native women. The unfortunate truth is that while this statistic is shocking we know that it is in reality far greater for Alaska Native women. Since the inception of the annual USDOJ consultations mandated by the VAWA Safety for Indian Women Title of 2005, we have raised concerns and believe now is the time that our concerns be addressed by law. The VAWA consultations have been in our experience very productive; however, for various reasons most of our concerns regarding Alaska Natives go unaddressed. It is essential therefore that these concerns be addressed by solutions that are institutionalized into the structure and culture of OVW.

Meaningful Access to OVW Program and Administrative Staff

The establishment of the Deputy Director for Tribal Affairs and the tribal unit under the VAWA 2005 represented a tremendous step forward in changing the structure of OVW to recognize the distinct relationship of OVW to Indian tribes and Alaska Native Villages. Unfortunately, the four-hour time difference between Washington and Alaska creates restriction on the availability of OVW to Alaska Native grantees. The reality that OVW is only available for 50% of the day or week results in many issues that place Alaska grantees at a disparity from other grantees in the lower 48. These issues impact fundamental daily operations from guidance on submission of an application to closure of a grant. Further the OVW staff that administers the 21 various grant programs requires training on the complicated relationship between the federal government and Indian tribes; and this lack of training is exacerbated in relationship to Alaska Native Villages.

Lastly, we have raised many times at consultation the importance of full staffing of the tribal unit. Since the establishment of the unit, it has seldom operated with more than one-half the positions assigned to it, let alone the number required to adequately respond to tribal grantees. The lack of adequate staffing of the tribal unit jeopardizes the successful implementation of OVW

projects by all tribal grantees. We applaud the tribal unit staff but recognize the current staffing level is the design for failure and demoralization. Given the unique and complicated relations to Indian tribes, the unit must be supported in a meaningful way through adequate staffing.

OUTSTANDING CONCERNS AND RECOMMENDATIONS REGARDING INCREASED ACCESS TO ALASKA NATIVE VILLAGES:

- **Recommendation:** A regional office should be established in Alaska staffed by personnel with demonstrated expertise in Alaska Native Villages and addressing violence against Alaska Native women.
- **Recommendation:** All OVW staff should receive basic training on federal Indian law, current Presidential orders with regard to Indian tribes, and the application of VAWA federal crimes and grant programs to Indian tribes and Alaska Native Villages.
- **Recommendation:** A mandatory threshold should be established for the day-to-day staffing level of the tribal unit.

Technical Assistance Specific to Alaska Native Villages

Currently no OVW technical assistance specifically designed to address the needs of Alaska Native Villages and women is provided or available. The technical assistance offered for the various grant programs for which Alaska Native Villages are eligible do not offer specific technical assistance for the Villages. Many times Alaska Native grantees are required to attend grant technical assistance training that frankly do not apply to the Village context. Further, technical assistance meetings are consistently held in the lower 48, limiting the number of participants from Alaska grantees.



Increased technical assistance is needed to advance the capacity of Alaska Villages to enhance the safety of women living in their homes or other villages. Our governments and services are the first responders and long-term care providers for women living within the villages. Alaska Native Villages and women's organizations have worked for more than 20 years to increase safety for our Native women and are most appropriate to provide technical assistance on a regional level.

OUTSTANDING CONCERNS AND RECOMMENDATIONS REGARDING TECHNICAL ASSISTANCE TO ALASKA NATIVE VILLAGES:

- **Recommendation:** Technical assistance should be developed and offered to Alaska Native Villages to enhance the safety of women from domestic violence, sexual assault, and sex trafficking.
- **Recommendation:** Technical assistance should be offered in Alaska and an annual OVW technical assistance conference should be designed for Alaska Native Villages and women.
- **Recommendation:** Technical assistance should be provided by those with demonstrated expertise in assisting Alaska Native Villages in response to domestic violence and sexual assault and those with expertise in understanding violence against Alaska Native women.

Increased Efforts to Address Sexual Assault of Alaska Native Women

Alaska has the highest rate of sexual assault in the country and the rate of violence against Alaska Native women is more than double that of any other population of women. In this context, we highlight the stark absence of sexual assault services specific to Alaska Native women. Specifically the Sexual Assault Demonstration Initiative administered by OVW while having one tribal sexual assault project in Arizona does not address the safety issues and needs of Alaska Native women living in the Anchorage/Fairbanks areas or rural/remote villages. It is our opinion that given the rate and severity of sexual violence against Alaska Native women, it is essential that OVW launch an initiative to address this crisis. While sexual assault occurs in all communities, the stark reality

is that the crisis facing Alaska Native women should not and cannot continue to be ignored.

OUTSTANDING CONCERNS AND RECOMMENDATIONS REGARDING INCREASED ACCESS TO ALASKA NATIVE VILLAGES:

- **Recommendation:** Develop specific programing and technical assistance to assist Alaska Native Villages and service providers respond to sexual assault.
- **Recommendation:** Convene and launch an initiative to increase awareness and address sexual assault against Alaska Native women within Alaska.

OUTSTANDING CONCERNS AND RECOMMENDATIONS REGARDING INCREASED ACCESS TO SERVICES BY ADDRESSING LANGUAGE ACCESSIBILITY:

Alaska Natives typically continue to speak our native languages yet, unfortunately, oftentimes state employees and urban service providers do not have language interpreters for Alaska Native languages. The ability to speak to crisis intake and service providers in your own language is essential to a woman following a domestic or sexual assault.

- **Recommendation:** OVW should require that grantees in Alaska receiving VAWA funding have available staff that speaks the language of the population of Alaska Native women to be served.

OUTSTANDING CONCERNS AND RECOMMENDATIONS REGARDING USAGE OF TELEMEDICINE SERVICES FOR DOMESTIC AND SEXUAL VIOLENCE

Telemedicine in Alaska is essential giving the rural and remote geographic isolation of many Alaska Native Villages. Currently, Indian Health Services regional telemedicine program cannot be used for domestic and sexual violence incidents.

- **Recommendation:** Amend implementation plan so that Indian Health Services regional telemedicine services includes usage for public safety services responding to domestic and sexual violence.



SAVE-THE-DATE!
TUESDAY, OCTOBER 22, 2013
9 A.M. - 5 P.M.



CREATING A WINNING STRATEGY: VAWA 2013 AND CONTINUING ADVOCACY TO PROTECT OUR ALASKA NATIVE MOTHERS, DAUGHTERS AND SISTERS

DAVID SALMON TRIBAL HALL | FAIRBANKS, ALASKA
AFN 2013 ANNUAL CONVENTION
OCTOBER 24-26, 2013

INTERNATIONAL UPDATE

JANA L. WALKER AND KARLA E. GENERAL, ATTORNEYS, INDIAN LAW RESOURCE CENTER

Indian nations and Native women's and other Indian organizations and advocates continue to use international advocacy to combat violence against indigenous women and restore safety to Native communities.

24TH SESSION OF THE UN HUMAN RIGHTS COUNCIL

The session took place on September 9–27, 2013, in Geneva, Switzerland. Composed of 47 member states, the Council is responsible for promoting universal human rights throughout the world, including making recommendations to the UN General Assembly. Among the session's agenda items were planning for the 2014 UN World Conference on Indigenous Peoples and an annual discussion on the integration of a gender perspective into the work of the United Nations.

UN World Conference on Indigenous Peoples

Preparations are underway by indigenous peoples and governments to shape the action recommendations to be adopted by the UN General Assembly at the World Conference on Indigenous Peoples to be held on September 22–23, 2014, in New York City. As part of this process, the Indian Law Resource Center brought proposed recommendations for action by the World Conference to the attention of the UN Human Rights Council. The set of three priority recommendations has been endorsed by 72 Indian nations and 10 Indian and Native Hawaiian organizations in the United States. The recommendations have also been supported by resolutions of the National Congress of American Indians in the United States and the Assembly of First Nations in Canada.

The recommendations are a call for the UN to establish a new body responsible for promoting and monitoring the implementation of the UN Declaration on the Rights of Indigenous Peoples and, secondly, a proposal for the UN to provide indigenous peoples a new status for participating in UN activities—a regular and permanent status different from a non-governmental or civil society organization. The third recommendation, additionally supported by the NCAI Task Force on Violence Against Women, Clan Star, Inc., and the National Indigenous Women's Resource Center, is a three-prong course of action for combating violence against indigenous women. This third proposed action includes convening a high-level conference on violence against indigenous women, requiring the implementing body to pay particular attention to the rights of indigenous women and children, and creating a Special Rapporteur on the human rights of indigenous women and girls.

Annual Discussion on the Integration of a Gender Perspective

The Indian Law Resource Center offered written and oral statements addressing the Human Rights Council's resolution 6/30, which calls for gender integration in all aspects of UN work and activities, and recognizes the need to eliminate all forms of discrimination against women. The Center's oral statement was the only one specifically mentioning indigenous women and their rights to be protected against violence and discrimination. The statements urged the UN to take strong action on this issue at the 2014 World Conference on Indigenous Peoples.



The oral and written statements introduced to the Human Rights Council can be found on the Indian Law Resource Center's website at www.indianlaw.org.

TREATY-MONITORING BODIES

The United States is a signatory to several important international human rights treaties, including the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. As a state party, the United States is obligated to report periodically to the United Nations' treaty-monitoring bodies and is subject to review for its compliance with the treaties.

International Covenant on Civil and Political Rights

The Human Rights Committee will review the United States for compliance with the Covenant on October 17–18, 2013, during its 109th session in Geneva, Switzerland. The Indian Law Resource Center, along with the NCAI Task Force on Violence Against Women, the National Indigenous Women's Resource Center, and Clan Star, Inc., prepared a shadow report, titled "Combating Violence Against Indian and Alaska Native Women—United States Violations of the International Covenant on Civil and Political Rights Through Its Discriminatory Legal System." The report details human rights violations against Native women due to the United States' discriminatory legal system, and makes several recommendations to address the epidemic levels of violence against Indian and Alaska Native women. The shadow report was hand-delivered to the Secretariat of the Human Rights Committee on September 12, 2013. The Office of the High Commissioner for Human Rights has posted the report online at: http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/USA/INT_CCPR_NGO_USA_15124_E.pdf.

International Convention on the Elimination of All Forms of Racial Discrimination

In August 2014, the UN Committee on the Elimination of Racial Discrimination will review the United States for its compliance with the International Convention on the Elimination of All Forms of Racial Discrimination during its 85th session in Geneva, Switzerland. The report of the United States was submitted to the Committee on June 12, 2013, and is available at: <http://www.state.gov/j/drl/hr/treaties/index.htm>. To inform the United States' report, the NCAI Task Force on Violence Against Women, Sacred Circle, and the Indian Law Resource Center submitted joint comments to the State Department highlighting the epidemic levels of violence against Native women and systemic barriers in U.S. law contributing to this human rights crisis.

The Committee welcomes the submission of shadow reports from civil society organizations and indigenous peoples to assist in its review. Such shadow reports will likely be due in December 2013.



VICTIMS OF CRIME ACT AND INDIAN TRIBES

NEW FUNDING STREAM PROPOSED FOR INDIAN TRIBES

The President's FY 2014 budget proposed a \$20 million VOCA funding stream to support tribal victim assistance and compensation programs. This funding is critically needed to offer lifesaving services to individuals who have been victimized by crime within the jurisdiction of an Indian tribe. The need for services on tribal lands is desperate: at least 34% of American Indian and Alaska Native women will be raped in their lifetime; 39% will be subjected to domestic violence in their lifetime; and, on some reservations, Native women are murdered at rates more than ten times the national average. Currently, there are more than 550 federally recognized tribes but no dedicated VOCA funding stream, which parallels state VOCA funding, to support tribes in addressing the needs of crime victims.

The NCAI Task Force commends the President and calls upon Congress to support establishing a \$20 million funding stream for tribes to provide services to Native victims. The VOCA Fund is derived entirely from fines and penalties paid by offenders at the federal level, not taxpayer revenue, and is largely distributed to the states through a formula grant. The funding stream for Indian tribes would be administered by the Office for Victims of Crime (OVC) directly to Indian tribes and not through the states.

Given the inadequate law enforcement response to violence against Native women, victims of domestic and sexual violence often find themselves waiting days, weeks, and months for justice officials to answer their calls for assistance, and for many, those calls go unanswered entirely. Federal, tribal, and state systems are flawed with jurisdictional gaps, under-resourced, and in some instances, completely ineffective, placing Native women at increased risk. This state of affairs complicates the ability of Native women to access emergency services. It is unusual to find services common to non-tribal communities, such as shelter programs and rape crisis services, available within tribal communities.

Call for a Permanent Tribal Set-Aside Within VOCA:

In the current economy, securing federal funding for any services is a difficult task, but given the urgency of the situation, the creation of such services cannot wait. Since 2003, the NCAI Task Force has recommended that Congress create a tribal set-aside within the Crime Victims Fund ("the Fund") to develop and maintain

services for Indian women victimized by domestic and sexual violence. The total amount of deposits into the Crime Victims Fund for FY 2012 was a record amount, \$2,795,547,045. The next closest year was 2010 when \$2.3 billion was deposited. The Fund currently has a reserve balance of approximately \$8 billion. Given the crisis confronting American Indian women, the NCAI Task Force is now calling for the immediate creation of an "above the cap" tribal set-aside in the Victims of Crime Act (VOCA). This request, while acknowledging the inclusion of the \$20 million tribal set-aside in the President's budget recognizes the need to establish a permanent dedicated funding stream for Indian tribes within VOCA.

This past May, the Office for Victims of Crime (OVC) released the Transforming Victim Services (Vision 21) Final Report. The executive summary of the report states, "The goal for Vision 21: Transforming Victim Services is simple yet profound: to permanently alter the way we treat victims of crime in America."

Vision 21 recommendations recognized that new challenges call for new solutions. Essential for Indian tribes is the recommendation to "partner with Congress to ensure flexibility and innovation in programing and funding." More specific to Indian tribes the recommendation states, "It is worth revisiting the authorizations for VOCA-funded programs to address their reach, efficacy, and accountability."

Background of the Fund: The Fund was established under the 1984 VOCA to help victims cope with the trauma and aftermath of violent crime. Rather than being funded by taxpayer dollars, the Fund is entirely funded by fines and other penalties imposed on federal offenders committing offenses on tribal lands. Congress sets an annual limit or "cap" on the amount to be released from the Fund. The proposed "above the cap" tribal set-aside would increase the amount released from the VOCA Fund to establish and fund the new domestic and sexual services program for Native women. This "above the cap" set-aside would not alter funding to current VOCA grantees. This funding stream is a viable given that the deposits into the Fund are consistently high.

Ending the Disparity: Currently, no dedicated tribal funding stream is provided under the VOCA for services to victims within Indian tribes. This lack of funding to Indian tribes is unacceptable given the levels of violence and lack of services for victims. The USDOJ statistics document the well-known fact that violence against

Victims of Crime Act

Rebuilding Lives through Assistance and Compensation

Crime Victims

Victim Assistance

VOCA and the Crime Victims Fund help victims rebuild their lives by supporting programs that provide services directly to victims, such as crisis intervention, emergency shelter, emergency transportation, counseling, and criminal justice advocacy.

Victim Compensation

Victim compensation helps victims rebuild their lives by reimbursing victims for costs in the immediate aftermath of crime, such as crime-related medical costs, mental health counseling, funeral and burial costs, and lost wages or loss of support. Victim compensation is used as a payment of last resort and is paid when other financial resources (e.g., private insurance and worker's compensation) do not cover the loss.

Public and Private Organizations

Victim Assistance

Organizations (called "sub-recipient programs") use the VOCA victim assistance funds to provide direct services—

such as crisis intervention, emergency shelter, transportation, and criminal justice advocacy—to crime victims free of charge. Victim advocates in these programs inform victims about the eligibility requirements of compensation and assist victims with the required paperwork.

States and Territories

VOCA administrators distribute VOCA victim assistance and compensation grants. All states and territories, including the Northern Mariana Islands, Guam, and American Samoa, receive annual VOCA victim

assistance grants, which are awarded competitively to local community-based organizations that provide direct services to crime victims. Similarly, all states, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico receive VOCA

compensation grants after satisfying criteria set forth in VOCA and OVC program rules.

Victim Compensation

State programs (sometimes called commissions or boards) distribute compensation directly to victims who must satisfy eligibility requirements.

Office for Victims of Crime

VOCA is administered by the Office for Victims of Crime (OVC) within the Office of Justice Programs, U.S. Department of Justice. OVC distributes victim

assistance and compensation funds to states and U.S. territories, in accordance with the Victims of Crime Act. OVC may also use funds for demonstration projects, program evaluation, compliance efforts, training and technical assistance services, and other related activities.

Crime Victims Fund

The Crime Victims Fund (the Fund), established by the Victims of Crime Act of 1984 (VOCA), is a major funding source for victim services throughout the United States and its territories. Millions of dollars collected are deposited into the Fund annually and support the state victim assistance and compensation program efforts. Since 1986, \$4.8 billion in VOCA victim assistance funds and \$1.8 billion in compensation funds have been awarded.

U.S. Attorneys

U.S. Attorneys' Offices, federal courts, and the Federal Bureau of Prisons collect criminal fines, forfeited bail bonds, penalties, and special assessments, which are deposited into the Crime Victims Fund.

COLLECTIONS >

DEPOSITS >

DISBURSEMENTS >

STATE ADMINISTRATION >

DIRECT SERVICES >

REBUILT LIVES



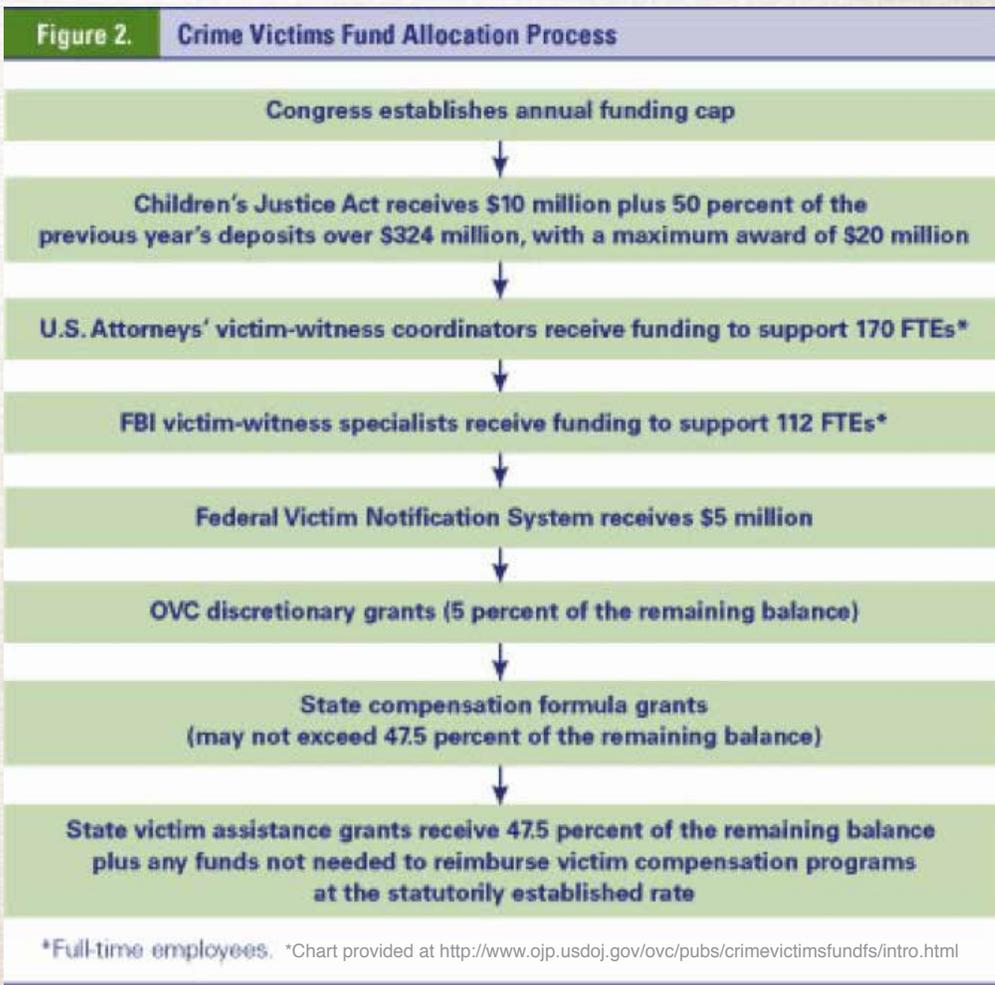
Office for Victims of Crime

OVC

"Putting Victims First"

THE NATIONAL CENTER FOR
Victims of Crime

www.ncvc.org • 1-800-FYI-CALL



Indian women is more than double that of any other population of women; yet services are lacking or do not exist in many tribal communities. While states and territories receive an annual formula amount from the VOCA Fund, the reality is that Indian tribes do not receive such an allocation.

The two small discretionary programs administered by the OVC on a competitive basis (Children's Justice Act Partnerships for Indian Communities Grant Program and Tribal Victim Assistance) cannot be compared to the current state formula program. An "above the cap" amount for Indian tribes would balance the current disparity in the allocation of VOCA funds. Releasing more of the VOCA Fund to create the domestic and sexual assault services program for tribal victims will provide lifesaving services for Native women and their children.

COMMENT PERIOD: PROPOSED REGULATION FOR THE VICTIMS OF CRIME ACT VICTIM ASSISTANCE FORMULA GRANT PROGRAM

The Office for Victims of Crime (OVC) announced that a proposed regulation for the Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program has been posted in the Federal Register and on Regulations.gov for a 60-day comment period, ending October 28, 2013.

VOCA authorizes OVC to provide annual grants from the Crime Victims Fund to states and territories to financially support direct services to crime victims through eligible

victim assistance programs. The proposed regulation provides guidance to state/territorial agencies administering the VOCA victim assistance program, and reflects changes in VOCA, the allocation of funds, OVC policy, and the needs of the crime victim field.

This proposed regulation gives states and territories greater flexibility in providing the funding to support vital services for victims of crime. Section 94.117 refers to allowable costs and Section 94.118

refers to costs to support direct services. The proposed regulation may impact your programs or the manner in which you provide emergency services to victims of federal crime, so it is important to provide us feedback regarding these potential effects and any recommend suggestions on how to improve the proposed regulation. Please go to Regulations.gov to view an electronic version of the proposed regulation and provide your comments using the form on the site.

NATIVE ALLIANCE AGAINST VIOLENCE: OKLAHOMA'S TRIBAL DOMESTIC VIOLENCE AND SEXUAL ASSAULT COALITION



Founded in 2009, the Native Alliance Against Violence (NAAV) is Oklahoma's only tribal domestic violence and sexual assault coalition. The NAAV is centrally located in Oklahoma City and serves the federally recognized tribes in Oklahoma. Through the spirit of respect and cooperation, the Native Alliance Against Violence strives to unify tribal service programs throughout Oklahoma by providing culturally appropriate technical assistance, training, and support to eliminate domestic violence, sexual assault, stalking, and dating violence to restore balance and safety for Native communities. The NAAV is founded, led, and governed by Native women.

Having the second highest Native American population in the United States, Oklahoma is home to 38 federally recognized tribes, representing more than 8.9% of the state's total population. Each tribe is distinct in its culture, language, religion, and history. However, despite this vast cultural diversity, Oklahoma tribes do share intergovernmental similarities with each other that no other tribes in the nation experience. It is the pairing of these vast cultural differences with such close intergovernmental similarities that makes providing training and technical assistance so complex. The NAAV training and technical assistance seeks to meet the each individual tribe's needs and issues which vary depending on their infrastructure.

"We have excellent programs operating in Oklahoma Indian country and a great number of committed people working together in a common effort to end violence against Native women," stated NAAV Executive Director Dawn Stover. The annual NAAV Tribal Summits continue to be an overwhelming success with more than 60 individuals attending the 2012 Summit, representing 22 tribes/tribal programs. The Summits provided a forum for tribal leaders and program staff to meet and share the challenges, accomplishments, and best practices of their tribal victim service programs.

Oklahoma Stats on Domestic Violence, Sexual Assault, Stalking, and Dating Violence

Oklahoma has yet to move out of the top 20 in the number of women murdered by men and currently ranks 11th in the nation for the number of domestic violence-related homicides. Sexual assault is also an urgent issue in Oklahoma with the number of reported rapes rising more than 20% in the last five years, and an average of nearly 1,500 rapes being reported each year. Stalking is equally as troubling. The Oklahoma Fatality Review Board reported that stalking behavior by a perpetrator was documented in 20% of the Oklahoma intimate partner homicides. Unfortunately, violence relationships are also being documented among our youth with 20% of Oklahoma teens reported being hit, slapped, or physically hurt by a boyfriend or girlfriend, compared to 9% of all students nationwide. In fact, the rate of dating violence for Oklahoma ninth graders is more than three times the national average, at a rate of 26% for Oklahoma freshman, compared to 8% nationwide.

Violence against our Native women has reached epidemic proportions. The latest data from the Bureau of Justice Statistics indicates that Native Americans are twice as likely to experience domestic violence as any other group. A 2002 Oklahoma report mirrored the Bureau of Justice Statistics indicating that Oklahoma Native Americans experienced the highest rates of stalking and harassment among all other ethnic groups. Seventeen percent (17%) of Native American women—at least twice that of other groups—are stalked each year.

Tribal governmental support is the cornerstone of coordinated tribal systemic response to domestic violence sexual assault and stalking in Oklahoma Indian country. Tribal governmental support of victim service providers sends a zero tolerance message to batterers in each tribal community. The NAAV is supported by the tribes in Oklahoma, and will continue to eagerly provide leadership for technical assistance, training, and support for tribal programs in the state.





National Indigenous Women's Resource Center

Dear Friends,

The National Indigenous Women's Resource Center (NIWRC) celebrates the beginning of our third year serving as the National Indian Resource Center dedicated to strengthening the grassroots movement and restoring tribal sovereignty to increase the safety of Native women. The past two years have been a flurry of activities, historic events, and cultural shifts for NIWRC and our movement, including President Obama signing the Violence Against Women Act 2013 with its historic tribal provisions!

In this past year, with our second year of Family Violence Prevention and Services Act (FVPSA) funding, we conducted four regional trainings, monthly webinars, a Women's Leadership Discussion on Development of a National Platform to Increase the Safety of Native Women and Sovereignty of Tribes, the 11th Women Are Sacred Conference, including providing support for the production of Sliver of a Full Moon; participated in NCAI Task Force meetings; published four issues of Restoration Magazine; and so much more.

NIWRC was also honored and excited to assume the policy and legal technical assistance and training role to tribal coalitions, previously provided by Clan Star and funded by the Office on Violence Against Women. In this capacity, NIWRC assumes technical assistance to the tribal coalitions on emerging legal and public policy issues impacting the safety of Native women. To accomplish this work, we hired additional staff, Rose Quilt and Lisa Brunner.

We now look forward to NIWRC's third year of existence! NIWRC is gearing up for the next two years as the current FVPSA technical assistance provider. We look forward to continuing to collaborate closely for the next three years with tribal coalitions on emerging legal and policy issues in support of their efforts to enhance the safety of Native women. And we are particularly excited to work side-by-side with longtime Alaska Native women's advocates and tribal leaders over the next two years to remove barriers to women's safety in Alaska.

Thank you for working with us to make NIWRC a strong advocate for tribal sovereignty to achieve an end to violence against Native women and encourage the use of tribal customs and traditions to restore the safety of Native women. We express our heartfelt appreciation to all those who have assisted us over the last two years, and in particular, the NIWRC Board of Directors for their leadership in the development of the Resource Center; Native women's advocates and tribal programs, as you oftentimes are the only safe place for women; tribal coalitions, as you advocate for social change in your regions of the country; tribal leaders for taking on the responsibility of protecting women and children; our sister Resource Centers for standing by Native women and Indian tribes and ensuring that the movement to end violence against women represents the First Nations of these lands; the National Congress of American Indians Task Force on Violence Against Women for standing with us to remove legal and policy barriers to women's safety; and our federal partners, the Department of Health and Human Services' Administration on Children, Youth, and Families and Department of Justice Office on Violence Against Women.

Working in partnership we can end violence against Native women.



Respectfully,

Lucy Simpson, Esq.
Executive Director

LESSONS OF THE NCAI TASK FORCE ON VIOLENCE AGAINST WOMEN

THE LESSONS OF THE NCAI TASK FORCE ARE NUMEROUS AND HAVE INCREASED SIGNIFICANCE TO INDIAN NATIONS IN THE WORLD IN WHICH WE CO-EXIST AS SOVEREIGNS AND INDIGENOUS PEOPLES. SINCE 2003 MANY LESSONS EXIST BUT THE FOLLOWING STAND OUT AS PRINCIPLES TO GUIDE FUTURE ORGANIZING EFFORTS TO INCREASE THE SAFETY OF NATIVE WOMEN.

AMERICAN INDIAN AND ALASKA NATIVE:

Recognition of the unique relationship of and distinction between American Indian tribes and Alaska Native Villages. This emphasis is of critical importance to the defense of sovereignty in the lower 48 United States as well as that of 227 federally recognized Indian tribes in Alaska.

ADDRESSING PUBLIC LAW 83-280: In 1953, during the termination era, Congress enacted what is known as PL 280. This Act transferred federal criminal justice authority to particular state governments. The Department of Interior, as a policy interpretation, denied access to Indian tribes located within those states to federal funds to develop their respective tribal justice systems. Often when a woman is raped within an Indian tribe located within a PL 280 state, no criminal justice agency may be available to assist her. As a result, the perpetrator is free to continue committing horrific violence against the same or different woman. Efforts of the Task Force have included addressing safety for women living within both a federal-tribal and state-tribal concurrent jurisdiction.

BALANCING WESTERN AND INDIGENOUS JUSTICE APPROACHES: The strategic goal of the NCAI Task Force is to increase safety and restore the sacred status of American Indian and Alaska Native women. A dual approach to achieving this goal exists. One approach is to reform the Western justice systems response to crimes of violence against Indian women. The other approach is to strengthen the tribal beliefs and practices that operate as protectors of women within tribal nations.

BROAD COMMUNICATION: Since the creation of the NCAI Task Force it has regularly published *Sovereignty & Safety* magazine to inform and share with tribal leadership, advocates, and tribal communities emerging issues impacting the safety of Native women. The magazine serves as an information bridge for the thousands of tribal leaders and community members to understand and participate in the movement to increase the safety of Indian women.



“The NCAI Task Force represents the maturation of a grassroots movement across American Indian and Alaska Native communities to increase the safety of Native women.”

Juana Majel, 1st Vice-President, NCAI.

Almost 36 percent of women are victims of rape, physical violence, and/or stalking by an intimate partner at some point in their lifetime*



Approximately 1 in 5 American women are raped at some point in their lifetime; nearly half of American women experience sexual assault other than rape.



Twenty-four percent of women and 14 percent of men experience severe physical violence by an intimate partner during their lifetime. In 2011 alone, 1.4 million people experienced domestic violence in the United States.



Only 60 percent of domestic violence and intimate partner violence incidents are ever reported to the police.



Domestic Violence Awareness Month

October 2013

Forty-four percent of non-Hispanic Black women, 46 percent of American Indian or Alaska Native women, and 53.8 percent of multiracial non-Hispanic women are raped, physically abused, or stalked by an intimate partner in their lifetime.



Twenty percent of youth in detention centers report witnessing or experiencing some combination of sexual or physical abuse or family violence; 15 percent report experiencing emotional abuse and family violence without physical or sexual abuse.



*Although both men and women can be victims of domestic violence, the majority of victims of abuse and coercive control are women. Therefore, this fact sheet reflects that reality. See Michele C. Black et al., National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report 39 (2011), http://www.cdc.gov/ViolencePrevention/pdf/NISVS_Report2010-a.pdf. (finding that women are over 3.5 times more likely than men to experience rape, physical violence, and/or stalking at the hands of an intimate partner during their lifetime).

Domestic Violence Awareness Month

7

Approximately one of every five Latinas will experience intimate partner violence during her lifetime. Latinas are only half as likely to report abuse to authorities as survivors from other ethnic/racial groups.

Latinas prefer to tell family members, female friends, or neighbors about intimate partner violence, while non-Latinas are more likely to tell health care workers or clergy.

8

Men and women who are raped, stalked and/or physically abused by an intimate partner in their lifetime are more likely to experience

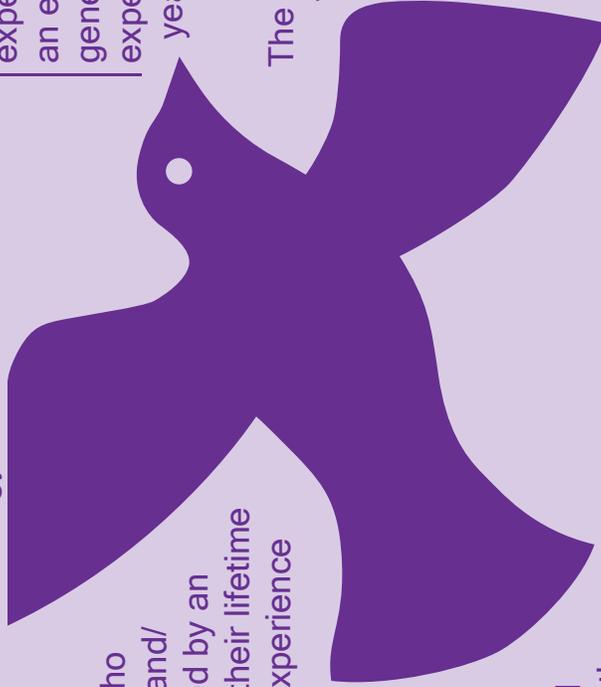
frequent headaches, chronic pain, difficulty sleeping, limitations on activity, poor physical health and poor mental health than those who do not experience intimate partner violence.

10

Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women—59.5 percent versus 49.8 percent, respectively.

11

An estimated 30 percent of second generation Filipina women experienced physical violence and an estimated 18 percent of second generation Indian/Pakistani women experienced sexual violence at 16 years of age.



12

The majority of stalking victims (66 percent of women and 41 percent of men) are stalked by a current or former intimate partner.

Seventy-six percent of femicide victims were stalked by intimate partners prior to their murder.

9

Approximately one in six women in the United States experiences severe stalking, which makes her fear that she or someone close to her will be harmed or killed.

13

Approximately 9 percent of high school students report experiencing dating violence in the form of hitting, slapping, or the intentional infliction of physical harm.

Domestic Violence Awareness Month

14 Dating violence among adolescent girls has been shown to increase the risk of heavy episodic drinking, depression, suicidal ideation, smoking, and future victimization in young adulthood.

18 Teenagers who experience physical dating violence are almost twice as likely to consider or attempt suicide as teens that do not experience similar violence.

15 Forty-four percent of youth reporting physical teen dating violence also reported a history of child maltreatment; two out of three reported witnessing an assault between other family members.

19

Children who are frequently exposed to domestic violence are more likely to suffer from depression and to become victims of statutory rape and sexual misconduct.

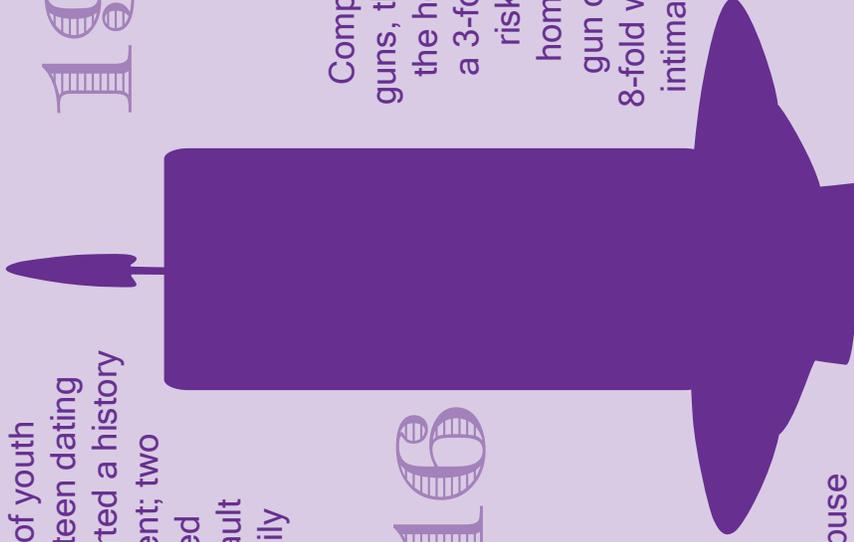
16 Twenty-two percent of adult female and 15 percent of adult male victims of rape, physical violence, and/or stalking by an intimate partner first experienced some form of partner violence between the ages of 11 and 17.

20 Compared to homes without guns, the presence of guns in the home is associated with a 3-fold increased homicide risk within the home. The homicide risk connected to gun ownership increases to 8-fold when the offender is an intimate partner or relative of the victim, and is 20 times higher where previous domestic violence exists.

17 Victims of digital abuse and harassment are twice as likely to be physically abused, two and a half times as likely to be psychologically abused, and five times as likely to be sexually coerced.

21

Almost half of children who witness domestic violence try to intervene to stop the violence by yelling at the abuser to stop, calling 911, or trying to seek help from another.



Domestic Violence Awareness Month

22

A recent study found that 50 percent of youth between the ages of 14-24 experienced technology abuse.

27

One in four dating teenagers is abused or harassed by their partners either online or through text messages.

23

LGBTQ victims of domestic violence may be reluctant to report the abuse due to fear of discrimination or bias based on sexual status. When LGBTQ victims do seek help, they face barriers unique to their status, such as lack of access to domestic violence shelters.

28

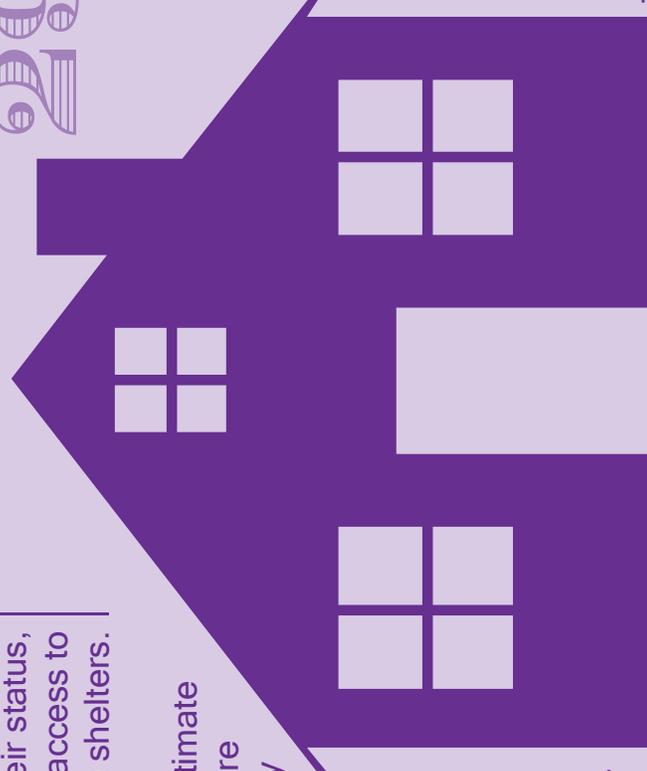
Domestic violence in same-sex relationships occurs at the same or higher rate as in heterosexual relationships.

29

Within the Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected (LGBTQH) Community, people of color make up the majority of survivors of intimate partner violence at 66.8 percent.

24

Female intimate partners are more likely to be murdered with a firearm than all other means combined.



30

Domestic violence is a leading cause of homelessness for women and children.

25

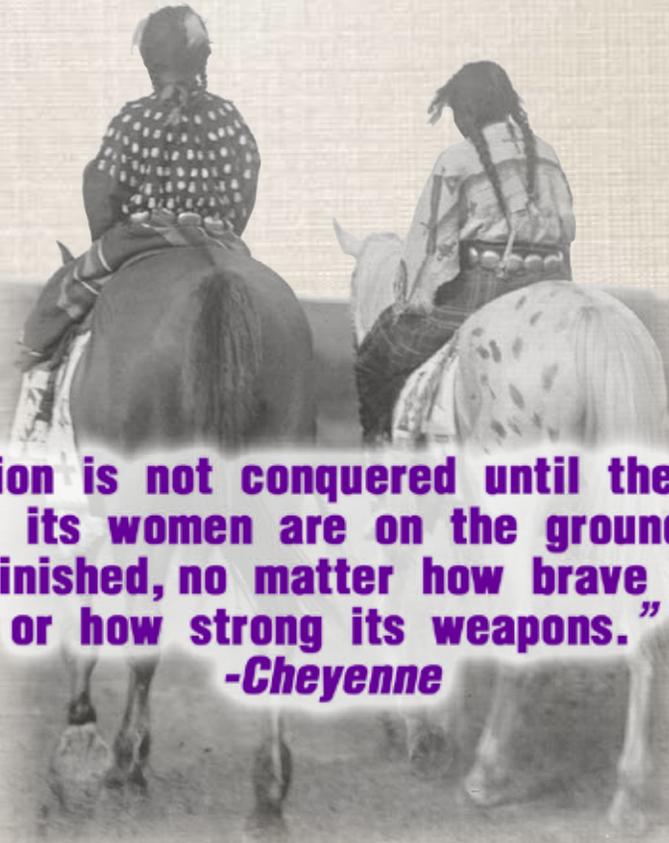
According to one study, every dollar spent on protective order intervention in domestic violence cases results in a savings of \$30.75 to society.

31

Ninety-four percent of female murder victims are killed by a man they knew. This means that females are 16 times more likely to be killed by a male acquaintance than by a male stranger.

26

Between 18 and 48 percent of battered women remain in their home out of concern for the well-being of their pets or livestock.



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

Violence Against Women Is Not Our Tradition



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