

Restoration

OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

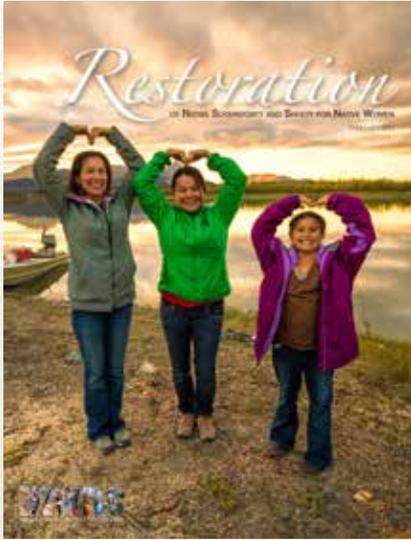
FEBRUARY 2015



National Indigenous Women's Resource Center

Restoration

OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN



Cover: Reflections of Native Love, Chandalar River, Vashrajji K'oo (Arctic Village) 2014.

Princess Lucaj, Jessica Black, and (left to right) reflect on the meaning of Native love as indigenous Gwich'in people. The NativeLove project is designed to raise awareness about the epidemic levels of violence against Native women and spur dialogue and change to increase the safety of Native women. For Princess Lucaj, Native love is "... the beauty that surrounds us. You're able to just be yourself and love with that big open heart and allowing yourself to be loved too." For Jessica Black, "Native love is love that is shown by what you do, not just what you say. It is everyday acts to show someone that you truly care about them and that you love and respect them." Vashrajji K'oo is located in the large Gwich'in speaking region of Alaska. "To us in our language ... Native love means have a love for everything ... respect everything," according to Sarah James, a member of the board of directors of Gwich'in Council International, and a resident of Vashrajji K'oo.



"With the arrival of 2015, NIWRC welcomes the many new efforts within Indian tribes to increase the safety of Native women. The development of new streams within our movement is exciting, including theater, public awareness through video and online social media, our new national resource book *Safety for Native Women: VAWA and American Indian Tribes*, and so many other creative projects. We thank these artists and writers for their efforts to increase the safety of Native women."

Lucy Simpson
Executive Director



"The first months of 2015 have opened the door to increasing lifesaving resources to assist Indian tribes in their efforts to better serve victims of crime. This national discussion is particularly important to Native women who suffer the highest rates of violent victimization in this country. Native women need increased services to stop the violence of abusers. This dialogue holds great promise for continuing the success of the safety for Native women's movement."

Jacqueline "Jax" Agtuca
Restoration Magazine Editor





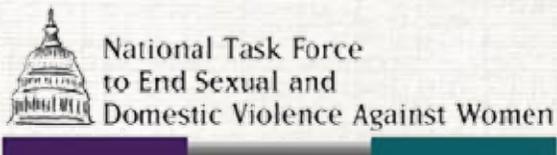
6 NativeLove Awareness Campaign



 #NativeLoves
fb.com/nativeloveis
 T-shirts available at
nativelove.niwrc.org



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Dear Friends,

Welcome to the 2015 Washington Executive Session of NCAI!

Since the establishment of the NCAI Task Force on Violence Against Women in 2003, *Restoration* magazine has provided tribal leaders, advocates, and attendees with an update on issues impacting the safety of American Indian and Alaska Native women.

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

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

As we look forward to the coming of spring, it is a time to celebrate the blossoming and continued growth of our movement to increase the safety of Native women. This *Restoration* shares stories to celebrate! We celebrate the incredible reception for the release of the new national resource book *Safety for Native Women: VAWA and American Indian Tribes*. We celebrate the continued production of the play *Sliver of a Full Moon* summarizing the importance of the VAWA 2013 restoration of jurisdiction over non-Indians with the inclusion of the voices of Alaska Native advocates. We also celebrate that these written and theatrical new works are joined by other creative expressions of our movement,

such as Shan Goshorn's basket, titled Reclaiming Our Power, celebrating passage of VAWA, and Ryan Red Corn's contribution via film to the NativeLove campaign.

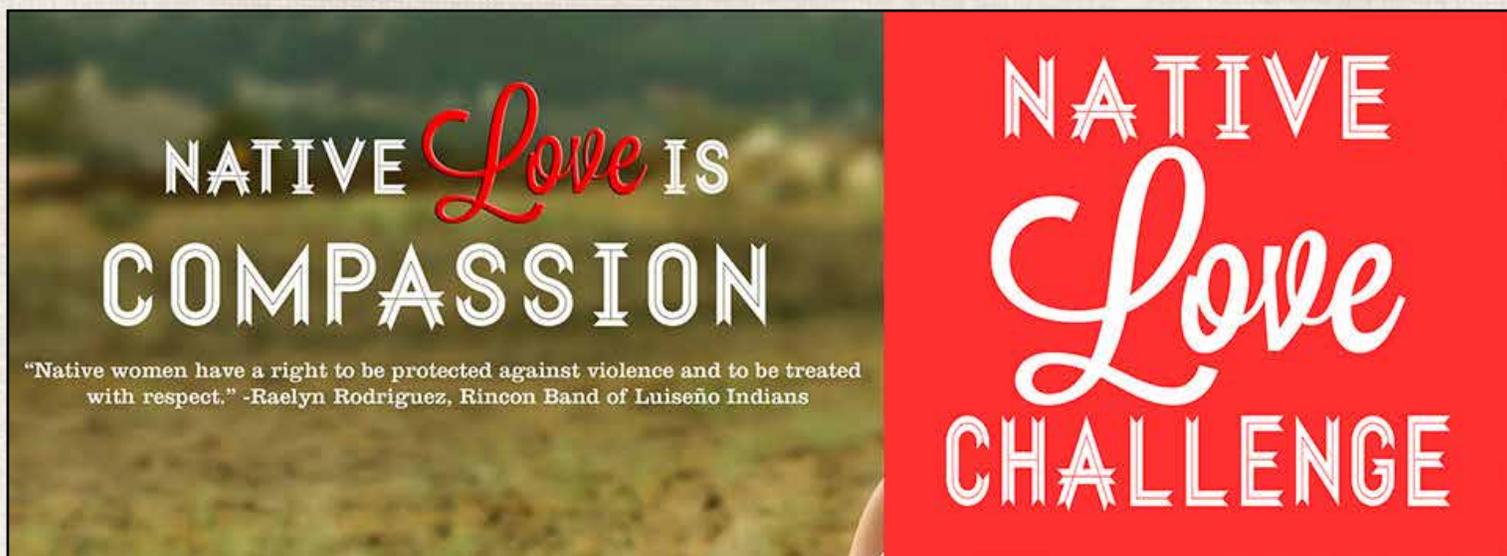
As with each volume of *Restoration*, we hope this information assists you in understanding the many new developments in our efforts to increase the safety of Native women in the United States!

Co-Chairs, NCAI Task Force on Violence Against Women

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



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



What does Native Love mean to you?

#NativeLoves _____

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

NATIVE Love CHALLENGE

*For a NativeLove T-shirt,
visit the National Indigenous
Women's Resource Center's
online store at nativelove.niwrc.org*



NativeLove Awareness Campaign A Verizon NIWRC Partnership

Verizon has partnered with NIWRC for our NativeLove campaign to raise awareness and help end domestic violence by encouraging and empowering Native youth to redefine "Native Love."

Those of us in Native communities often hear jokes about "Indian lovin'" as waking up with a hickey and a black eye—that's not love, it's dating violence. This project gives us the opportunity to think about what Native Love really is, so we can create change in our thinking and restore our traditional ways of loving, which are characterized by respect, honor, kindness, compassion, and community.

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

“To me, Native Love represents the foundation of what binds our communities together.” —Ryan Red Corn, member NativeLove team



Students at Chemawa Indian School listening to the NativeLove Challenge! Verizon in partnership with NIWRC launched the NativeLove Challenge at Chemawa on February 9, 2015, to raise awareness about teen dating violence. The project encourages Native youth to think about what Native Love really is, in the hopes of creating change and restoring safety among our nations and communities by returning to traditional ways of love, characterized by respect, honor, kindness, family, and compassion. The students engaged in an interactive discussion, participated in a video-recording workshop, and shared much laughter with Buffalo Nickel Creative’s Ryan Red Corn, Dallas Goldtooth, and Sterlin Harjo.

Ryan Red Corn of the 1491s and Buffalo Nickel Creative, Inc. has joined the NativeLove team! When asked, “What does Native Love mean to you?” Ryan responded with

“To me, Native Love represents the foundation of what binds our communities together. In our community, they say Pahanle the wahoin kaxa pi—Keep respect first in your life. But the translation does not do it justice, because what it’s referring to is the substance that binds us together, as families, as communities, as nations. When we keep that respect in front of us like that, it facilitates those good feelings like that. That love that you have for your family members, that you have for your land, that you have for your tribe, it comes from that place. Being asked to participate in a project like this, that serves to bolster and amplify that way of thinking, is an honor and it’s the type of project you dream about from a creative director’s point of view.”

On February 9, 2015, NIWRC and Buffalo Nickel Creative are visiting the Chemawa Indian School to launch the NativeLove Challenge and talk about healthy relationships. Please join the challenge and share the tools for youth and educators available on our website. For a NativeLove T-shirt, visit our store at nativelove.niwrc.org

On February 11, 2015, NIWRC held a NativeLove webinar; you can view a recording at <http://niwrc.org/webinars>

Lynn Rosenthal to Leave the White House

On January 16, 2015, the White House announced the departure of Lynn Rosenthal as the White House Advisor on Violence Against Women. Vice President Biden, the author of the Violence Against Women Act, appointed Lynn Rosenthal in June 2009. The position was created under the Obama–Biden administration and was specifically dedicated to advising the President and Vice President on domestic violence and sexual assault.

Commenting on Lynn’s departure, Vice President Biden stated, “Lynn has made ending the scourge of violence against women the cause of her life. She was there as an advocate in the trenches when I wrote the Violence Against Women Act 20 years ago. She was there when President Obama and I were sworn into office, and my first request was to have Lynn made the first-ever White House Advisor on Violence Against Women. She was there when we reauthorized the Violence Against Women Act over the years—working to prevent domestic violence homicides and extending protections to Native American women, and LGBT Americans. She worked with me to reach a new generation of young women and to get men involved in speaking out about abuse.”



“For more than 20 years she has been there—leading national organizations, building state coalitions, training new advocates, safeguarding our workplaces, and most recently, advising the President and me with her characteristic dignity and an unwavering determination. While she is leaving the White House, I know she will continue to be a passionate voice for the right of every woman—and every person—on the planet to be free from violence and abuse. That’s the right that measures who we are as a country—and it is what measures the work of Lynn’s life.”

From 2000 to 2006, Ms. Rosenthal was the Executive Director and President of the National Network to End Domestic Violence (NNEDV). She also served as executive director of a local domestic violence shelter in North Florida and has led state domestic violence coalitions in Florida and New Mexico. While serving in the White House, Lynn has coordinated efforts to reduce domestic violence homicides, address domestic

violence in the workplace, raise awareness about the effects of violence on youth, and improve the nation’s response to sexual violence.

“Lynn Rosenthal is a strong ally in the effort to increase the safety of American Indian and Alaska Native women. We wish her well in her future efforts to end violence against women,” stated Lucy Simpson, Executive Director, National Indigenous Women’s Resource Center.

Left: Lynn Rosenthal, White House Advisor on Violence Against Women, and Jax Agtuca, NIWRC Public Policy Consultant, attend the Sliver of a Full Moon, Washington, DC, performance, March 2014.

Below: March 11, 2014, Washington, DC—Lynn Rosenthal, White House Advisor on Violence Against Women, attends Sliver of a Full Moon performance in celebration of the one-year anniversary of the restoration of jurisdiction over non-Indians under VAWA 2013.



Safety for Native Women: VAWA and American Indian Tribes

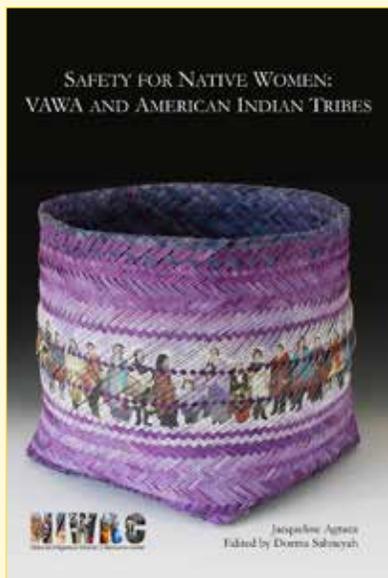
A Welcomed Resource by Indian Tribes, Tribal Coalitions, and Universities

“One of my many tribal roles is teaching at the Palomar College, and the VAWA tribal book provides everything in one place,” said Juana Majel, Co-Chair NCAI Task Force on Violence Against Women. “Many of us have lived the VAWA journey, but for my students it provides the history of our tribal grass roots movement.”

In October 2014, a new VAWA resource book was released to provide the perspective of the tribal grassroots movement on the significance of VAWA. The tribal VAWA book has sold 1,000 copies in 6 months and is being used widely by tribal coalitions, colleges and universities, and movement organizers.

Safety for Native Women: VAWA and American Indian Tribes

National Indigenous Women’s Resource Center
By Jacqueline Agtuca, Edited by Dorma Sahneyah



The Violence Against Women Act (VAWA) is celebrated as landmark federal legislation that fundamentally changed the response of the United States to violence against women. While the impact of VAWA on the federal and state governments is often discussed, the relationship of VAWA to Indian tribes and the safety of Native women is not.

The purpose of this book is to provide the perspective of the tribal grassroots movement for the safety of Native women on the significance of VAWA and specifically the Safety for Indian Women Title. Through this publication, we hope to increase the awareness of the VAWA tribal provisions, review the impact of VAWA upon the response of Indian tribes to such violence, and shed light on unaddressed legal barriers to the safety of Native women.

We hope to provide readers with a greater understanding of the complex political relationships in which the epidemic of violence against Native women is rooted, how it has developed over time, and how it continues in America today. In particular, this book provides readers with a tribal perspective of four political relationships that forged a national movement for the safety of Native women:

- The relationship of the tribal grassroots movement for the safety of Native women to the passage in 1994 and reauthorizations of the Violence Against Women Act in 2000, 2005, and 2013.
- The relationship of the colonization of American Indian tribes and Alaska Native Villages to contemporary violence committed against Native women.
- The relationship of the Tribal Title of VAWA to the sovereignty of Indian tribes and enhancing the safety of Native women.
- The relationship of certain federal laws to the vulnerability of Native women as a population to violent victimization, and the lack of justice services for their protection.

In this context, this book attempts to share the impact of U.S. laws and policies upon the safety of American Indian and Alaska Native women.

"While the impact of VAWA on the federal and state governments is often discussed, the relationship of VAWA to Indian tribes and the safety of Native women is not. We also have a VAWA story that must be told," said Lynn Hootch, NCAI Co-Chair. "The Yup'ik Women's Coalition will use the VAWA book at our training on sexual assault for 13 Yup'ik villages during April Sexual Awareness Month."

The VAWA tribal book is a powerful presentation of the impact of the colonization of American Indian tribes on the safety of Native women and the changes needed to address such violence under VAWA. "Through this resource book we

hope to increase the awareness of the VAWA tribal provisions, review the impact of VAWA upon the response of Indian tribes to such violence, and shed light on unaddressed legal barriers to the safety of Native women," said Lucy Simpson, Executive Director of NIWRC. "We hope to provide readers with a greater understanding of the complex political relationships in which the epidemic of violence against Native women is rooted, how it has developed over time, and how it continues in America today."



Safety for Native Women: VAWA and American Indian Tribes

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

Paperback \$19.99

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

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

"Many thanks to the National Indigenous Women's Resource Center team and partners for all the good work."
—Karla General, Staff Attorney, Indian Law Resource Center

"Beautifully written and the best history of how tribal grassroots increased safety and access to justice through VAWA. Thank you for all you wonderful sisters have done!"
—Rob Valente, National Domestic Violence Hotline

The National Indigenous Women's
Resource Center presents...

Women are Sacred

Announcing
12th Women
Are Sacred
Conference

Best Western
Ramkota
Rapid City, South
Dakota
June 1-3, 2015

In collaboration
with the Tribal Law
& Policy Institute,
Mending the Sacred
Hoop, nonprofit
tribal coalitions, Red
Wind Consulting,
and many others,
NIWRC invites you
to join us at our
12th Women Are
Sacred Conference,
June 1-3, 2015, to
honor the life work
of Tillie Black Bear
(1946-2014).

Tillie's teachings
will be woven
throughout the
conference, as we
continue to ground
our grassroots
movement and
put into action
what Tillie taught
us about ending
violence against
women, including
treating each other
as relatives and

June 1-3, 2015
Rapid City, SD



being compassionate, respectful, and responsible to and for each other.

We look forward to a Women Are Sacred Conference that continues to:

- Inspire the development and implementation of tribal-specific responses to responding and ending violence against Native women
- Build partnerships and alliances that strengthen the grassroots movement
- Advocate for change through the removal of institutional barriers to women's safety

For updated information and registration, please check our website: www.niwrc.org

Since 1998, Sacred Circle along with several tribal organizations, and now NIWRC, have organized these conferences to help elevate the grassroots work of tribes, advocates and survivors, and nonprofit tribal organizations and coalitions to address violence against American Indian and Alaska Native women. Much of this work has included tribes looking to their customs and traditions, including through their language, creation stories, and ceremonies, to protect their women and children. Much of this work has also addressed reversing or overcoming the impact of federal laws, policies, and practices that sanctioned and normalized violence against tribes and Native women in thought and behaviors, as recently addressed in VAWA 2013 with the passage of Section 904.

We still need emergency crisis shelter services for at least half of the federally recognized tribes across the country, and emergency sexual assault services for most of the tribes. However, as we enter the 21st year since the first Violence Against Women Act was signed into law by President Clinton, we are at the place in the grassroots movement when our work to end violence against women must push forward and continue to build a groundswell that, as Tillie so often said, makes connections beyond the shelter doors. While emergency victim services provide critical lifesaving services, the long-term solution lies in addressing the root causes of violence against Native women.

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

June 10, 2013, Albuquerque, NM—NIWRC staff members enjoy a moment during the 2013 Women Are Sacred Conference.



July 19th National Tillie Black Bear Women Are Sacred Day

We thank you for your life's work to end violence against Native women and children.

The United States has been blessed with the leadership of many great women; such leadership is often found across communities and generations. Tillie Black Bear is one such woman. A member of the Sicangu Lakota Nation, Tillie believed in the teachings of the White Buffalo Calf Woman, and one of the first teachings she brought to the Lakota people was that even in thought women are to be respected. Her steadfast leadership was rooted in the clarity of her beliefs and dedication to Native peoples and women.

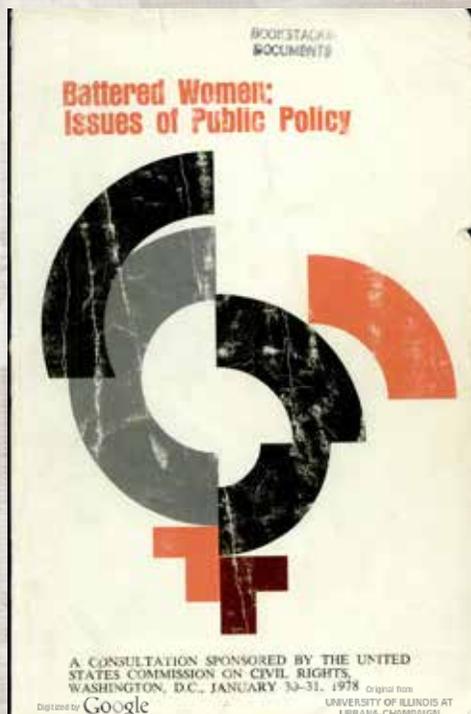
Grandmother of the Battered Women's Movement

In January 1978, Tillie began her national movement building by testifying in Washington, D.C., at the first U.S. Commission on Civil Rights Consultation on wife battering attended by over 600 people. The consultation was intended both to define the problems and to address potential solutions, including the need for federal legislation. Tillie spoke on a panel in response to a presentation on Support Services, Shelters: Short-Term Needs, and some of what she shared included:

I am of the other opinion that we need to get in there and make people aware of our problem and that some action be initiated on the part of the different agencies around the reservation. I think that in urban areas there are opportunities that people have to deal with in respect to their

problems. But oftentimes, the same type of problem that exists in the urban area is not dealt with in the rural area because it is behind closed doors. I think that we need to start opening those closed doors in rural America as well as on Indian reservations.

Around this time, Tillie connected with other advocates and committed to found organizations like the National Coalition Against Domestic Violence, South Dakota Coalition Against Domestic and Sexual Violence, and White Buffalo Calf Woman Society. Tillie's leadership, accomplishments, and unending commitment to open closed doors and make connections beyond the shelter doors is part of her legacy. In 2011, Tillie helped to found the National Indigenous Women's Resource Center. Tillie also played a leadership role in federal legislation such as the Violence Against Women Act and Family Violence Protection and Services Act, which from the very



"In 1978, Tillie was the first Native woman to organize a national movement and educate Congress on domestic violence. Tillie leaves a strong legacy of tribal grassroots organizing. We are honored and challenged to continue to build our movement for safety. Tillie inspired millions of other Americans from all walks of life to end domestic and sexual violence. We would like to celebrate Tillie's life with a national day to honor her life's work."

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

beginning of both federal laws included set-asides for Indian tribes, and the creation of a VAWA tribal coalition program from VAWA 2000. Tillie led a Wiping of the Tears Ceremony at the Senate building, and as part of the NCAI Task Force helped restore jurisdiction over non-Indians to Indian tribes. She received a long list of awards, including recognition from three U.S. presidents.

Tillie's understanding of leadership, social change, organizing, movement building, and making relatives gives us glimpses of her larger legacy. For her lifelong dedication to building

a national movement to increase the safety of Native women, Tillie is known as the grandmother of the grassroots movement for the safety of Native women and the national battered women's movement. A mother, grandmother, and auntie or friend to all who met her, Tillie, with her visionary leadership, helped pave the way for organizing a national domestic violence movement. Tillie led the movement forward in her dual quest to achieve the restoration of sovereignty for Native people, and safety for all survivors of violence.



August 30, 1999, Chicago, IL—Tillie Black Bear speaking at the Ending Domestic Violence in the New Millennium Conference organized by the Department of Health and Human Services, ACF, FVPSA Office. Standing left to right: William Riley, Karen Artichoker, and Jacqueline Agtuca.

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

To join the call for creating July 19th as National Tillie Black Bear Women Are Sacred Day, please join this campaign: <http://goo.gl/Y6FulG>

Honoring Tillie's Life's Work

As we pause to honor and reflect on Tillie's life, the National Indigenous Women's Resource Center asks all those concerned with the safety of Native women to commit to an action and carry out a responsibility that each of us has to end the violence. Such actions celebrate Tillie's life and the beginning of the battered women's movement—by declaring July 19th National Tillie Black Bear Women Are Sacred Day. Recommended actions for July 19th National Tillie Black Bear Women Are Sacred Day include:

- A day of service and unity
- A day of reflection, self care, wellness, perseverance, vision, generosity, and love
- A day of making relatives and thankfulness
- Office closures in commemoration of the Grandmother of the Battered Women's Movement

VAWA Special Domestic Violence Criminal Jurisdiction Opens to Indian Country on March 7, 2015—Get Ready Now!

Tribes across the country will be able to begin exercising jurisdiction under VAWA 2013 on March 7, 2015. Tribes will no longer need the approval of the Department of Justice, but will have to comply with all of VAWA 2013's statutory requirements. Now is the time to get ready to protect your community by updating tribal codes and preparing tribal court systems and police officers to implement special domestic violence criminal jurisdiction (SDVCJ).

Over one year ago, three tribes—the Confederated Tribes of the Umatilla Indian Reservation (Oregon), the Pascua Yaqui Tribe (Arizona), and the Tulalip Tribes (Washington)—began exercising SDVCJ on an accelerated basis. These three tribes have learned lessons and experienced on a daily basis the lifesaving potential of exercising tribal jurisdiction over non-Indians under VAWA 2013. The tribes are exercising their sovereign power to investigate, prosecute, convict, and sentence both Indians and certain non-Indians who commit crimes of domestic violence, dating violence, or violation of protection orders.

Resources Available to Implement VAWA

Over the past year and a half, 41 tribes have worked in collaboration as part of the Intertribal Technical-Assistance Working Group (ITWG) on SDVCJ to implement VAWA. With three tribes currently exercising SDVCJ on an accelerated basis, the ITWG member tribes continue to discuss best practices, training needs, and resource development. The ITWG—along with the Departments of Justice and Interior—has held teleconferences, topical webinars, and three in-person meetings to discuss best practices on responding to domestic violence and enhancing



December 10, 2014, Palm Springs, CA—Pasqua Yaqui Attorney General Alfred Urbina and Chief Prosecutor O.J. Flores share lessons learned from implementing VAWA special domestic violence criminal jurisdiction over non-Indians during the fourth meeting of the ITWG.

criminal procedures necessary to successfully implement VAWA. Many of the resources developed by the ITWG are available online.

NCAI Launches Technical Assistance Website

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

The website includes a tribal code checklist, which offers a quick guide to the due process requirements. Additionally, the website collects information from the Inter-Tribal Technical Assistance Working Group (ITWG), which is a collaboration of 40 tribes sharing information and advice on how to best implement VAWA, combat domestic violence, recognize victims' rights and safety needs, and safeguard defendants' rights. Three of the ITWG tribes have also been

participating in a DOJ Pilot Project that allowed them to begin exercising jurisdiction over non-Indians last year. Materials from the three pilot tribes are available, and offer useful examples of how individual tribes have modified tribal code language and constructed jury pools for VAWA cases. The Pascua Yaqui Tribe has also developed a "Practical Guide to Implementing VAWA and TLOA."

The website includes past webinars on a variety of VAWA implementation topics, including: jury pools and selection; defendants' rights; protection orders; and victims' rights. Finally, the website will track any VAWA updates and upcoming events. All tribes seeking to implement SDVCJ are also encouraged to join the ITWG. Please contact tribal-vaawa@ncai.org for more information or with any questions, or Virginia Davis, Senior Policy Advisor, at vdavis@ncai.org.



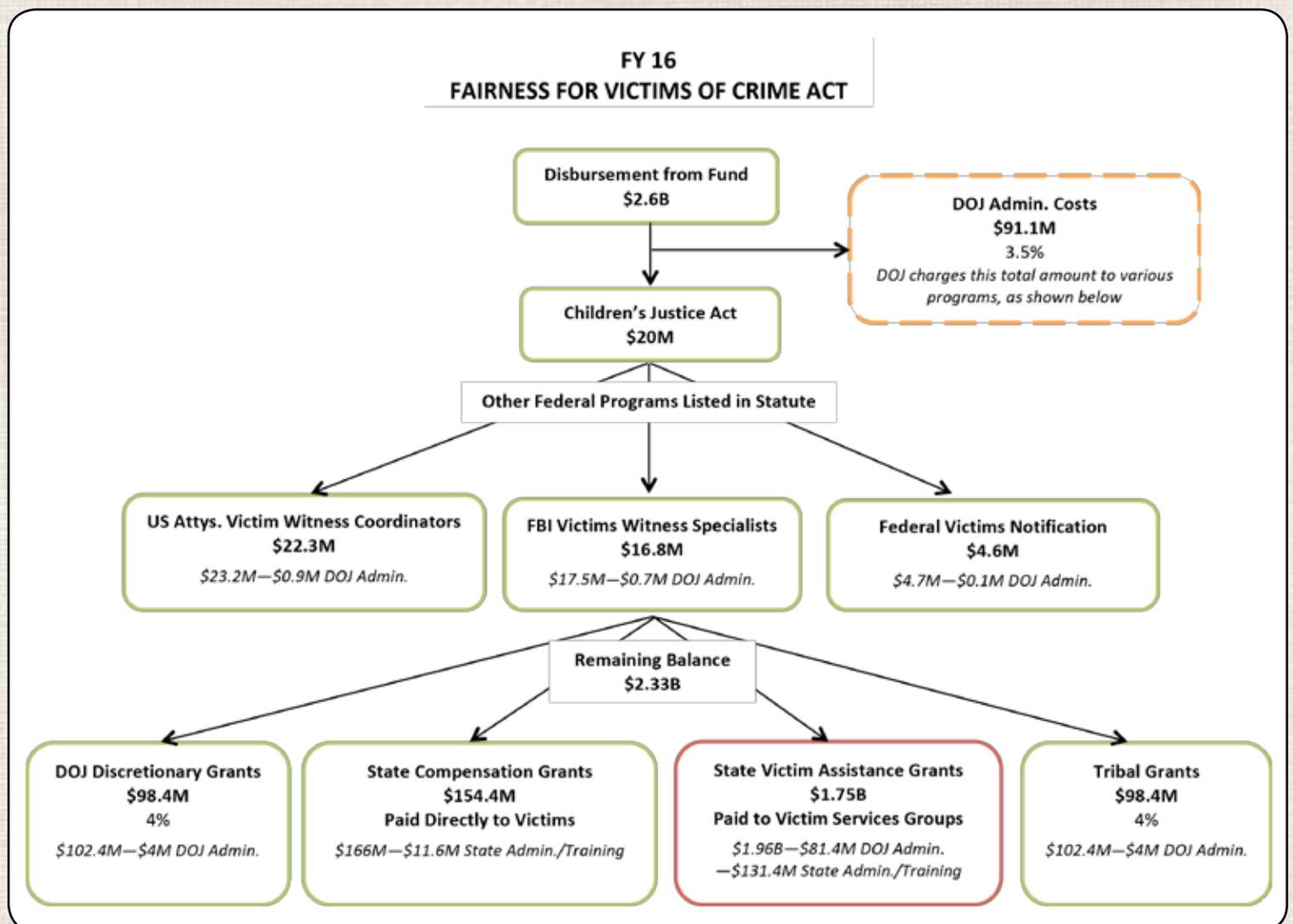
December 10, 2014, Palm Springs, CA—Members of the ITWG hold their fourth meeting.

Victims of Crime Act Update—Congress Considering Funding for Tribes

As this edition of *Restoration* magazine goes to print, a bi-partisan group of Senators and Congressmen are preparing to introduce the Fairness for Victims of Crime Act, a bill that will amend the Victims of Crime Act (VOCA) and create, for the first time, a formula funding stream for tribal governments to provide crime victim services and compensation. The draft legislation would create a 4% allocation for tribal governments from the Crime Victims Fund (the Fund). The legislation would also make distributions from the Fund automatic. If the legislation passes, it will result in \$98 million for tribal victim services and compensation programs in FY 2016. The creation of a tribal crime victim services and assistance programs would be a significant step toward ensuring that crime victims in tribal communities have access to the services and justice they deserve.

NCAI Resolution Supports Creation of Tribal VOCA Program

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



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

Background

The Fund was established by the Victims of Crime Act, which was first passed in 1984. The Fund serves as a dedicated funding source for victim assistance and crime victim compensation throughout the United States. Fines and penalties paid by convicted federal criminal offenders finance the Fund, not taxpayer dollars.

Since 2000, Congress has capped how much is available from the Fund for distribution. In recent

years, distributions from the Fund have been about \$700 million. However on December 16, 2014, President Obama signed a bill significantly increasing the distributions for FY 2015 to \$2.3 billion. Unfortunately, the vast majority of that funding is distributed via a formula grant to states and territories and is not reaching tribes and tribal communities. Based on the 1984 legislation, only states are eligible to receive formula victim assistance and crime victim compensation grants.



Criminal Justice Training Institute to Be Held, March 31–April 2

Beginning March 7, 2015, all federally recognized tribal nations will be able to exercise inherent tribal criminal jurisdiction over non-Indians committing domestic violence, dating violence, and violations of protection orders in Indian country, as recognized and affirmed by the Violence Against Women Reauthorization Act (VAWA) of 2013.

The tribal provisions in Title IX of VAWA 2013 are the result of years of government-to-government consultations with the federal government. It signifies an acknowledgment that violence against Native women has reached epidemic proportions requiring serious attention. Particularly, Native women are battered, raped, and stalked at far greater rates than any other population of women in the United States: 34% of Native women will be raped in their lifetimes and 39% will be victims of domestic violence.

The inclusion in VAWA 2013 of Special Domestic Violence Criminal Jurisdiction (SDVCJ) provisions to increase the safety of Native women is an historic step forward in strengthening tribal sovereignty and fulfilling the United States' federal trust responsibility to tribal nations.

In commemoration of the recognition of Congress of the seriousness of violence committed against Native women, the National Indigenous Women's Resource Center will host a Criminal Justice Institute (CJI) from March 31 to April 2, 2015, in Chandler, Arizona. The CJI is being designed to address various issues connected to the implementation of SDVCJ and its intersections with the Tribal Law and Order Act, domestic violence advocacy, and culture and community.

As early as February 2014, several tribes have taken the lead in implementing SDVCJ over non-Indian perpetrators of domestic violence, an authority that tribes had been divested of at least 35 years ago. It is hoped that these tribes' experiences will prove invaluable to determining next steps in the implementation process while maintaining safety and justice for Native women/survivors and children at the forefront.

Those interested in attending the Criminal Justice Institute can check NIWRC's website (niwrc.org) for additional information, including registration, agenda, and other logistics. Questions can be directed to Dorma Sahneyah, NIWRC Program Specialist, at dsahneyah@niwrc.org.

Feeding the Fire for Tribal Safety, Justice & Sovereignty for Native Women

This NIWRC Criminal Justice Institute is designed for law enforcement personnel, prosecutors and others involved in the criminal justice and tribal community response to domestic violence, especially today when increased focus is on addressing the disproportionate rates and forms of violence that American Indian and Alaska Native women suffer.

Historic provisions of the Violence Against Women Reauthorization Act of 2013 recognize and affirm inherent tribal criminal jurisdiction over all persons in certain domestic violence cases. This "Special Domestic Violence Criminal Jurisdiction" takes effect nationwide on March 7, 2015, at which time Indian tribes meeting implementation requirements will be able to prosecute non-Indians who abuse Indian women. NIWRC will host a Criminal Justice Institute aimed at improving responses to victims, enhancing their well-being, and enhancing tribal justice systems' capacity to hold offenders accountable.

When: March 31 - April 2, 2015

Where: Wild Horse Pass Hotel & Casino, Chandler, AZ

Registration & agenda will soon be posted at NIWRC.org!

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

This April, three Alaska Native Villages will pilot test an indigenous Alaska Native curriculum on domestic violence. The curriculum is being developed in partnership by two sister organizations: the National Indigenous Women's Resource Center (NIWRC) and the Alaska Native Women's Resource Center (ANWRC).

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

"The pilot training of the curriculum in Emmonak will be held April 13–14 at the Emmonak City Complex," said Joann Horn, Director, Emmonak Women's Shelter. "By developing and offering this curriculum, we hope to support Yup'ik villages to address violence against women by bringing together our elders, leaders, first responders, service providers, and community members."

The ANWRC comprises longtime advocates for the safety of Alaska Native women. Most of the ANWRC board members have dedicated their lives to addressing violence against women in Alaska villages. All are Alaska Native and have lived under a state system inadequate to protect Alaska Native women. "Since passage of VAWA in 1995, we have attended years of trainings that are not reflective of our experience as Alaska Natives," said Tami Jerue, Tribal Administrator, village of Anvik. "The Western criminal and civil justice system is largely absent from our villages, offering little real justice in our lives."

Teachings, Language, and Voices

The curriculum contains three key components that draw upon the teachings, language, and voices of Alaska Native survivors of domestic violence within their villages. The language

component is one of the foundations of the curriculum. "Many villages still speak their Native languages, and others not as much. As Natives, all of us know we have our own language that reflects our beliefs as Alaska Native peoples," said Nettie Warbelow, village of Tetlin.

At the time of statehood in 1959, more than 20 indigenous languages were spoken within the boundaries of the state of Alaska. Within these languages, the cultural beliefs of the various indigenous peoples were reflected. The project partners, recognizing the foundational role their respective languages have in the respect and safety of Native women, will draw upon specific terms for village-based training. In the village of Emmonak, the training will be offered in Yup'ik and English. The three villages offering the April pilot trainings will use terms and phrases of their respective languages.

"The Yup'ik word for 'enough' is *Doi*, meaning 'no more.' In the Yup'ik language, no words exist for domestic violence because traditionally such a pattern of abuse did not exist. The word *Doi* stands for a cultural response of ending a conflict or unacceptable behavior. When the elders representing a family or community responded with *Doi*, the conflict was ended," Lynn Hootch stated. The Emmonak working committee will use the term *Doi* and the concept of authority it represents during the two-day pilot for the village of Emmonak and outlying Yup'ik villages. Of the Yup'ik villages attending, only one has law enforcement and none have 911 emergency services. Due to the absence of law enforcement, victims and service providers must rely on traditional Yup'ik approaches in addressing domestic violence.

The Tetlin Athabascan word for "no" is *Enagh iy*. The phrase that will be used for the village of Anvik training is *Nee' AANEEGN' keh' ena tsanelteh* (*Our Indian way says no more anger*). The Athabascan language has various dialects and the words and differ based on what is spoken in the village.

The Tlingit phrase that reflects the traditional basis of safety for Tlingit women is *Woosh Yáa Awooné Yak'úi* (*Respect for each other is good*). This phrase and others will be used by the organizers of the training scheduled for April 20-21 to enhance the understanding and response of the village of Kake to domestic violence. The village of Kake is developing a strong culturally based response to understanding and addressing domestic violence.

How the Curriculum Is Being Developed

The development of the curriculum is interactive with the villages participating in the process and to be served. It is being produced over several phases. During the first phase, the project partners worked collectively to identify key components of responding to domestic violence in their villages. The outline was developed based on their prior efforts as a grassroots advocacy movement for the safety of Alaska Native women. The outline also contained a legal section based on a review of the relevant law (village, state, federal) governing cases of domestic violence in Alaska Native

Villages. "The law we live under day-to-day is our village law, and a large part of village law is unwritten," said Nettie Warbelow, of the village of Tetlin.

"Our unwritten law we have abided by as traditional aboriginal people within the U.S. It is not the intention of this written code to undermine or eliminate our unwritten law; we will continue to value and implement the knowledge of those customs and beliefs which cannot be written. In order to strengthen this written law, parents must teach their children the unwritten law of our Tetlin Athabascan heritage. Parents need to teach their children who they are."

—Donald Adams, chief of Tetlin, 1998

"This indigenous Alaska Native-based curriculum is an important component of the future resources that ANWRC will offer to Alaska Native Villages," said Tami Jerue. This project to create the ANWRC and this curriculum is funded by the Office on Violence Against Women.

October 15, 2014, Rapid City, SD—Chief Carl Jerue, Native Village of Anvik, calls upon the USDOJ to assist in the repeal of Section 910 Special Rule on Alaska enacted under VAWA 2013 during the 2014 VAWA-mandated consultation..





Joann Horn, Emmonak Women's Shelter, celebrates the repeal of Section 910.

The National Movement for Change: The Repeal of Section 910— A Breath of Hope for the Future of Alaska Native Women

Many across the lower 48 celebrated with our Alaska tribal leaders, Alaska sisters, and longtime grassroots advocates in a recent victory: the repeal of Section 910 of the Violence Against Women Act (VAWA) of 2013 signed by President Obama in December 2014. Many lauded the repeal as a step in the right direction to promote sovereignty and safety of Alaska Native women who continue to suffer the highest rates of domestic and sexual violence in the nation. However, most supporters of the repeal acknowledge the need for additional reforms required to increase the safety for Alaska Native women and hold offenders accountable.

Despite strong opposition led by the Alaska Federation of Natives (AFN), Alaska tribal leaders,

tribal organizations such as the Yup'ik Women's Coalition, and allies involved in the national movement, Section 910—known as the "Special Rule for the State of Alaska"—was included in the passage of the VAWA 2013, which prohibited Alaska tribes (with the exception of the Metlakatla Indian Community) from the criminal jurisdiction expansions afforded to other Indian tribes. VAWA excluded all but one of the 229 Alaska tribes.

Upon the reauthorization of VAWA 2013, Lenora "Lynn" Hootch, executive director of the Yup'ik Women's Coalition, expressed mixed feelings, "I was struck with many emotions. I was happy and celebrated with our Native sisters in the lower 48 for the justice they were able to achieve. However, sadness and confusion came over me regarding the 'Special Rule for the State of Alaska.' I could not fathom why Alaska Native women were not afforded the same protections as our sisters in the lower 48."

Section 910 was added to VAWA 2013 by Senator Lisa Murkowski (R-Alaska). As a result, Murkowski's exclusion of Alaska Native women in VAWA 2013 ignited a contentious debate and national outcry throughout Alaska, among Indian tribes in the lower 48, and among national movement allies about criminal jurisdiction in Alaska Native Villages and the need for legal protections for Alaska Native women against VAWA-related crimes.

VAWA 2013 Title IX. Safety for Indian Women: Section 904 and Restoration of Criminal Jurisdiction

VAWA 2013 represented landmark legislation and legal reform that recognized the unique legal responsibility of the United States to assist Indian tribes in safeguarding the lives of Native women by returning limited criminal jurisdiction to Indian tribes over non-Indian offenders. Section 904—an historical tribal provision—recognized an Indian tribe's inherent authority to investigate and prosecute crimes of domestic violence, dating violence, and protection order violations in Indian

country. However, all but one Alaska Native tribe was excluded from this provision.

The issue for Alaska tribes concerns their land status or "lack" of Indian country, which has been legally interpreted to exclude Alaska tribes. Section 910 prohibited the ability of Alaska tribes to exercise limited criminal jurisdiction as provided under Section 904 of VAWA 2013. Section 910 reads in part:

"In the State of Alaska, the amendments made by Sections 904 and 905 shall only apply to the Indian country (as defined in Section 1151 of Title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve."

The long pattern of federal and state laws interwoven with layers of damaging policy decisions, such as Section 910, have negatively impacted Alaska Native tribes including their ability to protect their citizens. These laws, policies, and practices have created an environment in which Alaska Native women as a population are

June 11, 2014, Anchorage, AK—Troy Eid, Chair Indian Law and Order Commission, speaks with participants of the Attorney General's Advisory Committee on American Indian and Alaska Native Children Exposed to Violence Hearing in Anchorage (left to right) Joann Horn, Director Emmonak Women's Shelter; Andrea Sanders, former Legislative Assistant Senator Begich; Lynn Hootch, Executive Director, Yup'ik Women's Coalition; and Megan Alvanna-Stimpfle, former Legislative Assistant Senator Murkowski.



particularly vulnerable to VAWA crimes of domestic violence, sexual assault, dating violence, stalking, and sex trafficking.

“The inconsistent recognition of tribal authority, coupled with the poor response from state law enforcement, has created an extremely dangerous environment for Alaska Native women,” said Tamra Truett Jerue, an Athabascan from Interior Alaska and member of the Alaska Native Women’s Resource Center. Moreover, many advocates, such as Jerue recognize that violence against Native women occurs as a spectrum in the lives of American Indian and Alaska Native women and further understand that the violence is undeniably linked to the steady erosion of the sovereign authority to protect women.

Section 905 Protection Orders and Full Faith and Credit in Indian Country

Section 905 recognized that an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders anywhere in Indian country (as defined in Section 1151), which also fulfilled the intent of VAWA 2005 regarding tribal civil jurisdiction to issue protection orders. For Alaska tribes, Section 910 further created confusion concerning the issuance and enforcement of protection orders against tribal members and non-Indians. Consequently, Alaska tribes with tribal courts assumed that they could not issue restraining orders to protect women experiencing domestic violence.

The Epidemic of Violence Against Alaska Native Women

Last November, the Indian Law and Order Commission (ILOC) released its findings and recommendations entitled *A Roadmap for Making Native America Safer*. The report confirmed the alarmingly high rates of domestic, sexual, and other forms of violence including murder against Alaska Native women that continues to permeate throughout the State of Alaska. Per the ILOC report, “Alaska Native women are disproportionately victimized at the highest rates across the country... [and] although they comprise 19% of the population, [they are] 47% [of the state’s] reported rape victims. Furthermore, they

“have reported rates of domestic violence up to 10 times higher than in the United States... [and] the rate of sexual violence victimization among Alaska Native women was at least seven (7) times the non-Native rate.”

The Repeal of Section 910: Further Reform Needed

The repeal of Section 910 essentially cleared the way for legal reforms to provide stronger protections for Alaska Native women. Equally as significant, the repeal of Section 910 sent a strong message that the tribal authority and sovereignty of Alaska tribes matter, including the recognition of civil protection orders issued by Alaska tribal courts. However, much work lies ahead as Alaska Native tribes must still contend with the land status issue. But, recent developments addressing this concern have come to light by way of the Department of Interior (DOI).

The DOI recently announced a rule to take land into trust for all federally recognized Alaska Native tribes. Prior to the announcement, Alaska tribes were prohibited from the land-into-trust process, which led to numerous lawsuits brought by several Alaska tribes in federal court. In addition to addressing this litigation, the DOI rule responded to concerns raised at tribal consultations and to recommendations by the ILOC report, calling on Congress to support the land-into-trust process for Alaska Native tribes. Land into trust for Alaska Native lands would not only support tribal self-governance and sovereignty, it would also lend support to ensure that Alaska Native tribes have the requisite authority to protect all of their citizens, including Alaska Native women, especially with regard to VAWA-related crimes.

With the concerted efforts of many, the repeal was hard fought and achieved by Alaska Native tribal leaders, longtime grassroots advocates, and the many allies involved in the national movement to increase the safety for Native women. “Restoring the legal authority of villages to respond effectively to crimes and make decisions regarding the safety, health, and well-being of residents is critical for addressing the issues of domestic violence, sexual assault, homicide, suicide, and substance abuse—/ alcohol-related deaths,” said Jerue.

The repeal of Section 910 is a result of life-changing, history-making, grassroots-organizing efforts and ally building by Native women, tribal leaders, tribal coalitions, and advocates. But to keep the momentum going and grow the movement, the advocacy for the rights of Alaska Native women and Alaskan tribal sovereignty must continue nationally. The situation remains dire, as Alaska Native women continue to suffer and

die at the highest rates in the country. By joining efforts and working toward law and policy reform, barriers can be removed to save the lives of Alaska Native women with the hope that they may truly experience the safety they're entitled to in their homes and villages.

VAWA National Program of Research Update

When American Indian and Alaska Native (AI & AN) women, including longtime grassroots advocates and tribal leaders, formally came together to discuss violence against Native women in the early 2000s, they immediately recognized a pattern or epidemic of severe violence being committed against Native women. Although hundreds, if not thousands, of horrific anecdotal experiences were being shared from the field, advocates and tribal programs lacked data about the violence against Native women. Observing the advances that their non-Native allies made in serving non-Indian populations, they realized that data would be necessary to support requests for resources to meet the needs of Native women impacted by violent crimes.

Although several national studies were conducted in the early 1990s and 2000s, the statistics for AI & AN women were very limited, but almost every study conducted examining a certain race or ethnicity as a factor for assaults committed against women concluded that AI & AN women suffered at rates higher than any other group of women in the United States. A few local and regional studies also had findings consistent with the national studies. Finally, additional research revealed that non-Indian perpetrators were targeting AI & AN women for violent assaults. Although limited, these statistics conveyed the dangerous reality confronting Native women: that violence threatened not only the future of AI & AN women, but Indian tribes. Accordingly,

the tribal advocates and leaders looked to the Violence Against Women Act (VAWA) to do more—to provide a bridge for research and analysis urgently needed to understand violence against Native women.

As a result of their commitment, grassroots advocates and tribal leaders joined together to create a national movement to educate members of Congress and to reauthorize VAWA 2005. These efforts led to the historic victory of the inclusion of Title IX. Safety for Indian Women and included, among other provisions, Section 904(a)(3) a Task Force to Guide Research. In addition, VAWA 2005, Title IX, Section 904(a)(1)(2), authorized the National Institute of Justice (NIJ), in consultation with the Office on Violence Against Women, to

conduct research on violence against AI & AN women in Indian country. The purpose of the research program is to:

- Examine violence against AI & AN women (including domestic violence, dating violence, sexual assault, stalking, and murder) and identify factors that place AI & AN women at risk for victimization.
- Evaluate the effectiveness of federal, state, tribal, and local responses to violence against AI & AN women.
- Propose recommendations to improve effectiveness of these responses.

Furthermore, NIJ's program of research on violence against Indian women is designed to: (1) provide for the first time an accurate reporting of violence against AI & AN women in tribal communities, (2) provide reliable valid estimates of the scope of the problem, and (3) identify problems and possible solutions in dealing with these issues that may lead to public policies and prevention strategies designed to decrease the incidence of violent crimes committed against Native women. Results from these studies are expected to help establish and enhance justice systems that successfully restore victim safety and promote healing.

Moreover, VAWA 2013 amended the VAWA 2005 research provision to clarify that Congress intended Alaska Native women to be included in the program of research, added sex trafficking to the type of violence to be examined, and extended the authorized funding

level at \$1 million annually until 2018. Under Section (b), NIJ is currently working in close partnership with the second Task Force established under Section (b) of the statute to assist in the development and implementation of the study and program of research.

Finally, according to the USDOJ, "NIJ is also conducting a number of other studies evaluating the effectiveness of federal, state, tribal, and local responses to violence against Indian women in Indian country. These studies include primary data collection of information related to victimization of AI & AN women." To date, NIJ has evaluated "the effectiveness of federal responses to crimes committed against AI & AN women living in tribal communities. However, state, local, and tribal responses have not been evaluated. In the near future, NIJ will seek proposals to conduct evaluations of promising programs that effectively respond to violence

against Indian women living in tribal communities. Results from these evaluations are expected to help establish and enhance justice systems that successfully restore victim safety and promote healing."

The coordinated effort of the grassroots movement led to the inclusion of landmark provisions to support the research and analysis needed to examine the crisis facing Native women. The 904 Task Force and baseline study further provided and continues to provide members of Congress with detailed information about the nature and extent of the violence committed against Native women and also provides further justification to tribal governments in their efforts to promote sovereignty and safety for Native women.



December 11, 2014, Palm Springs, CA—Christine Crossland, National Institute of Justice, presents on the National Baseline Study on Violence Against Indian Women enacted under VAWA 2005 at the 14th National Indian Nations Conference, Justice for Victims of Crime.

Reauthorization of the Family Violence Prevention and Services Act, NCAI Atlanta Conference Passes Resolution in Support

“Since 1984, shelter programs for women fleeing abuse have been the heart of our nation’s response to domestic violence and for the majority of Indian tribes the only source of federal support,” said Juana Majel, Co-Chair, NCAI Violence Against Women Task Force. “We must once again rally to support reauthorization of this lifesaving program.”

NCAI Atlanta Resolution ATL-14-028 Supporting FVPSA Reauthorization

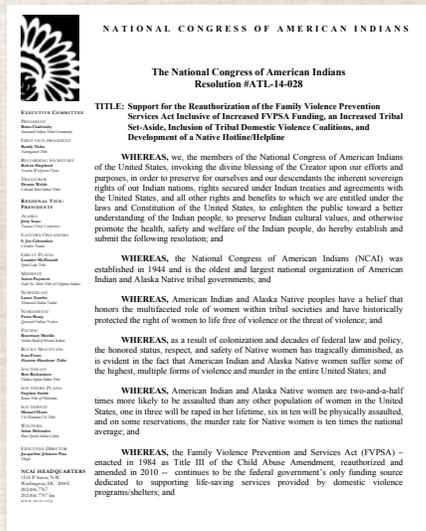
During the Atlanta NCAI conference, the NCAI Task Force worked with tribal leaders, advocates, and tribal coalitions to submit a resolution, ATL-14-028, supporting reauthorization of FVPSA. The resolution included several important tribal amendments. The NCAI voted unanimously in support of the resolution that will provide direction to NCAI staff and the NCAI Task Force on Violence Against Women to work toward reauthorization in 2015. The resolution states the following support:

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

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

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

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



Over the past 30 years, tribal programs have grown to provide a spectrum of services, which include: shelter; safety planning; counseling; legal services; child care and services for children; career planning; life skills training; community education and public awareness; and other necessities, such as clothing, food, and transportation. Yet, despite these advances, funding and services still do not exist for over one-half of all Indian nations.

FVPSA 2010 Established National Indian Resource Center and Authorized Regional Resource Centers

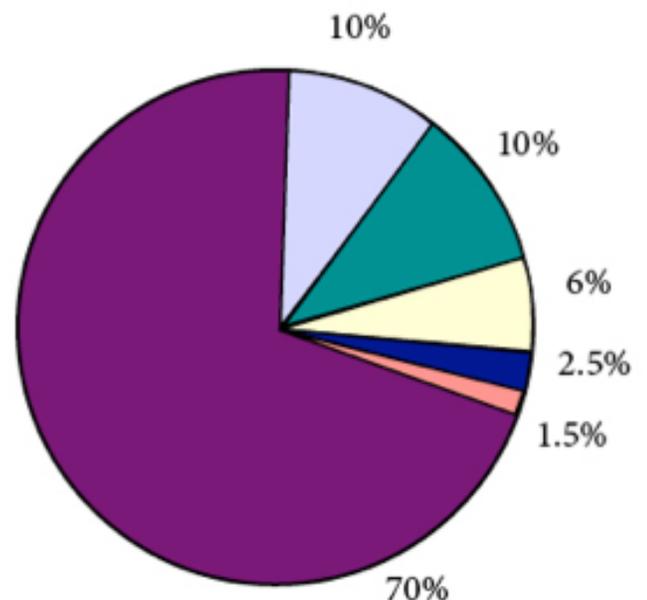
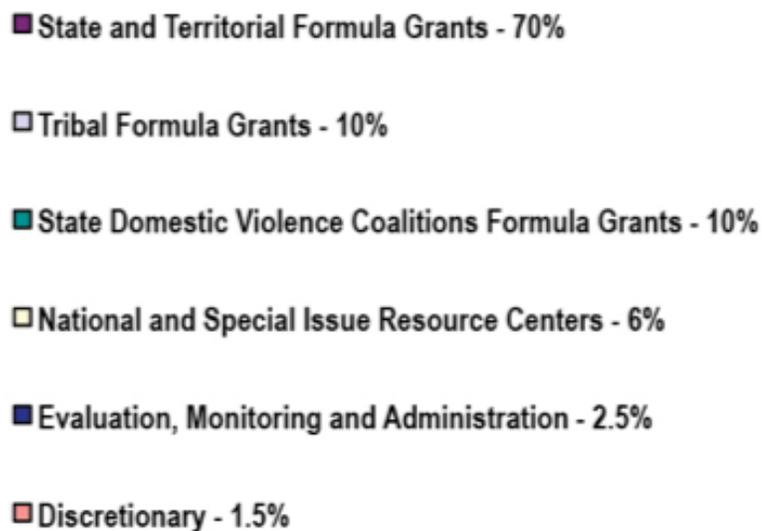
One of the most significant reforms under the 2010 FVPSA was the creation of the National Indian Resource Center Addressing Domestic Violence and the Safety of Indian Women. Since 2011, the

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

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

In addition the following are authorized under FVPSA:

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



National Indigenous Women's Resource Center has served as this national center. FVPSA 2010 also included major mandates to support increased emergency shelter and related services for victims of domestic violence within Indian nations and tribal communities. In addition, FVPSA 2010 for the first time created the Resource Centers to Reduce Tribal Disparities grant program, authorizing resource centers to be funded within states in which the population of Indians exceeds 10 percent of the total population of the state. Although FVPSA 2010 authorized the possibility of these regionally based centers, no center has yet to be funded.

History of FVPSA

First passed in 1984, FVPSA is the oldest and only federally dedicated funding stream for domestic violence shelters and services programs in the country. FVPSA supports more than 200 tribal programs based on an annual set-aside for Indian tribes. The legislation mandates that "not less than 10 percent" of the annual appropriation shall be used to support Indian tribes to achieve the purposes of the Act. FVPSA also funds emergency shelter, crisis hotlines, counseling services, victim assistance initiatives, and programs for underserved communities.

Sliver of a Full Moon: Focus on Alaska

The last time we performed *Sliver of a Full Moon*, at the United Nations in New York, we decided to focus on Alaska because we were performing for an international community. Although many in the United States had overlooked the fact that Section 910 of the 2013 reauthorization of VAWA specifically exempted 228 federally recognized tribes in Alaska, we strongly believed that the injustice of their absence would resonate with the international community.

Our dream was huge. Indeed, when Lynn Hootch, Joann Horn, Tami Jerue, Nettie Warbelow, and Priscilla Kameroff took the stage in New York, our goal was no less than the repeal of Section 910. We had no idea in September that by the time we saw each other again in December, this would have already happened.

But there I was, having just arrived in my hotel room in Palm Springs on December 11, waiting for a phone call from Joann or Nettie telling me where I should meet everyone. I had come to Palm Springs to interview all of the women so that we could incorporate their stories and create a

deeper, more authentic Alaska narrative in *Sliver of a Full Moon*. When I finally spoke to the women, there were tears. There were cries. And they were dancing.

Turns out as I was driving to the hotel that night, the House voted to repeal Section 910. Just a few days ago, the Senate had repealed the provision of VAWA 2013 that specifically excluded them as the only class of Native American women whose tribes would continue to have *no* jurisdiction to protect them.

Everyone agreed. This was a miracle. And it is also the result of hard work—these women travel all over the United States and tell their stories. It is the result of their refusal to sit in silence and in fear, and it is the direct result of their decision to speak out.

I spent the next day interviewing them, and I think their words articulate what this victory means to them in a way that my words never could. Here are just a few highlights from their interviews.



*September 21, 2014, New York City—Following the UN performance, (from left) Mary Kay Henry, President of the Service Employees International Union, and Jodi Gillette, White House Senior Policy Advisor for Native American Affairs, join with Alaska Native advocates who added their voices to *Sliver of a Full Moon*.*

Mary Kathryn Nagle: How did you feel in 2013 that VAWA passed in March 2013 with a tribal jurisdiction provision?

Lenora Hootch: When I first heard in March of 2013, I know we were really happy that VAWA passed, but when we understood that it excluded the tribes in Alaska, I was really confused. I said, why are they excluding the 229 tribes in Alaska? That's not fair, we're Natives like they are out in the lower 48. How are we different from them? I was really angry. I was really upset. I said I need to call people and try to get a better understanding of why. Why is this happening?

* * *

Mary Kathryn Nagle: Repealing Section 910, what kind of message does that send?

Tami Jerue: They're listening finally. Someone's listening finally. We don't have to be different; we have so many similar issues. We sit down with any group in the states, from any tribe, except for all of our bloodline and corporate and other issues, we're the same. We want to live in our communities; we want to raise our children; we want to have healthy families. We want the same things everyone else in America wants. It's just that ... I'm just tired of the fight.

* * *

Mary Kathryn Nagle: Did you hear last night that the House and the Senate have voted to repeal Section 910? How do you feel about that?

Nettie Warbelow: Yes. Wonderful! We're really excited. Celebration. It's a joyful moment. I'm like thankful, Lord, for everything. It's been a long journey. And then we were shocked. You can't believe 229 villages were left out and only one was represented. So here we are. And yeah, it's historic.

Mary Kathryn Nagle: Section 904 says that this tribal jurisdiction provision only applies to tribes in Indian country. So there's more work to do, right?

Nettie Warbelow: There is more work to do. We'll just keep going forward, taking different avenues to be recognized as Indian country for Alaska because it's needed. Every community, every village in Alaska is not the same. We are all very different and unique. And our tradition and culture and our language differ, and yet we're still the same people.

* * *

Although the elimination of Section 910 is a solid victory, Section 904 of VAWA limits the tribal



September 21, 2014, Joe's Public Theater, New York—(left to right) Jodi Gillette, White House Senior Policy Advisor for Native American Affairs; Joann Horn, Director, Emmonak Women's Shelter; and Brenda Pipestem, a member of the organizing committee, reflect on the Off-Broadway performance of Sliver of a Full Moon.

jurisdiction to “Indian country.” Unfortunately, many individuals do not realize that the United States Supreme Court, in *Alaska v. Native Village of Venetie Tribal Government* (1998), concluded that Alaska contains no “Indian country.” This is a hard decision to comprehend given that Alaska is home to 229 federally recognized tribes and thousands of American Indians, whose ancestors have lived there for thousands of years.

The conclusion: there’s more work to do. Until the ambiguity of “Indian country” in Section 904 is corrected to make clear that Section 904 applies to all tribes in Alaska, we will continue to tell stories. We will take *Sliver of a Full Moon* to Alaska and back—and by the time we get back, there had better be a full restoration of tribal sovereignty!

September 21, 2014, Joe’s Public Theater, New York— The cast of Sliver of a Full Moon, Off-Broadway debut at Joe’s Pub at The Public.



Sliver of a Full Moon goes to Yale Law School (March 31, 2015)

On Monday, January 26, while many New Yorkers stood in line to buy candles, flashlights, and bottled water, Director Madeline Sayet and I boarded a train at Grand Central headed north. Although many were rushing home to escape the predicted “historic” blizzard (the blizzard that never was!), Madeline and I were simply praying the Governor kept public transit running long enough for us to make it to Yale and back. Yale’s Native American Law Student Association was hosting auditions for *Sliver of a Full Moon*, and we had to be there.

Admittedly, I wondered whether we should cancel the auditions in the face of such disastrous weather predictions. But I am so thankful that we did not. After spending only a few hours watching the individuals walk in and out the door at the Yale Native American Cultural Center, it became quite clear that the Native community at Yale is incredibly dedicated to telling the story of *Sliver*. The students at Yale have raised their own money to host us and to fly out our Strong Hearts, Diane Millich, Billie Jo Rich, and Lisa Brunner, to Yale Law School to share their stories with the entire campus community.

Nothing at this point could be more critical. We all know that the tribal jurisdiction provision of VAWA 2013 will one day go up to the United States Supreme Court. Most likely, an individual who has been prosecuted by one of our tribes will argue that the tribal jurisdiction provision is unconstitutional. What will the Supreme Court do? How will it decide this case?

After working closely with my tribe (Cherokee Nation of Oklahoma) on the *Adoptive Couple v. Baby Girl* Supreme Court case in April 2013, I know firsthand the cost of ignorance. During the argument in that case, it became painfully clear that the majority of the Justices did not know how an individual becomes a citizen of a federally recognized tribe. At the heart of it, they did not understand our sovereignty. This ignorance of our sovereign existence as American Indian Nations resulted in a decision that caused great damage to the Indian Child Welfare Act.

We cannot let the same thing happen to the 2013 VAWA tribal jurisdiction provision. Although no Supreme Court Justice has ever hired a Native American law clerk, they have hired plenty of Yale Law School graduates. Indeed, they hire more Yale graduates than any other school.

Thus, the most important thing we can do now is tell our stories to the future law clerks of the Supreme Court. The power in the stories that Billie Jo, Diane, and Lisa share is undeniable. Indeed, it



*September 21, 2014, New York City—Cherokee playwright Mary Kathryn Nagle and younger sister Rebecca Nagle attend pre-performance rehearsal of *Sliver of a Full Moon* at the UN Church Center.*

is the story of these women survivors (and many others) that created a change in the law in the first place.

As we prepare for what we know will be another battle, the best strategy we have is to put our Strong Hearts to the front. On March 31, 2015, at Yale Law School, that is precisely what we will do.

ARTS & CULTURE NEWS
Provided by Mary
Kathryn Nagle
Arts and Culture
Contributor



2015 Follow-up to the UN World Conference on Indigenous Peoples

By Jana L. Walker, Karla E. General, and Christopher T. Foley, Attorneys, Indian Law Resource Center

At the United Nations World Conference on Indigenous Peoples, September 22–23, 2014, the UN General Assembly adopted by acclamation an Outcome Document taking important steps to implement the UN Declaration on the Rights of Indigenous Peoples such as (1) initiating a process to create a permanent body in the UN system that will monitor and encourage implementation of the Declaration; (2) considering options for tribal and other indigenous governments to participate in UN meetings on a permanent basis; (3) respecting places sacred to indigenous peoples; and (4) addressing violence against indigenous women. The Outcome Document also calls for the development of an action plan to bring greater coherence and effectiveness to the UN’s work relating to indigenous peoples. The Under-Secretary-General of Economic and Social Affairs, Wu Hongbo, has been appointed to facilitate and oversee the plan.

March 13, 2014, United Nations Headquarters, New York City—American Indian delegation attends the Commission on the Status of Women 58th session and visits with UN Special Rapporteur on Violence Against Women, Rashida Manjoo. The Indian Law Resource Center led in organizing the team.



To address violence against indigenous women, states have committed to intensify their “efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous peoples and individuals, in particular, women . . . by strengthening legal, policy, and institutional frameworks.” States specifically urged the Human Rights Council, in consultation with the Special Rapporteur on violence against women, the Special Rapporteur on the rights of indigenous peoples, and other UN actors, to consider the causes and consequences of violence against indigenous women and girls. States also invited the Commission on the Status of Women, the global policymaking body dedicated to the advancement of women, to consider the empowerment of indigenous women at a future session. Follow-up work regarding the UN’s decisions to address violence against indigenous women will be concentrated in several UN bodies. Further information is available at www.indianlaw.org/worldconference.

Follow-up in the Commission on the Status of Women (CSW)

The 59th Session of the CSW (CSW59), March 9–20, 2015, New York, will focus on “Implementing the Beijing Declaration and Platform for Action” and the “Post-2015 Development Agenda.” The Indian Law Resource Center, with the National Congress of American Indians, the National Indigenous Women’s Resource Center, and Clan Star, Inc., filed a written statement with the Commission that addresses the epidemic of violence against indigenous women and girls in the United States, highlights legal barriers to safety for Alaska Native women, and urges the CSW to implement decisions of the World Conference by

examining empowerment of indigenous women at a future session. More information is available at www.unwomen.org/en/csw/csw59-2015.

Follow-up in the Human Rights Council

The Human Rights Council is the UN’s principal intergovernmental human rights body responsible for the promotion and protection of human rights around the globe. The Council will meet during its 29th Session (June 15–July 3) to discuss the human rights of women and receive a report by the Special Rapporteur on violence against women, and at its 30th Session (September 14–October 2) to discuss implementation of the World Conference Outcome Document and receive reports by the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples. Along with follow-up work to the World Conference in the Council, these sessions also provide opportunities to meet informally with states, relevant special procedures mandate holders, and other UN bodies. More information is available at www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx.

Follow-up in the 2015 UN Permanent Forum on Indigenous Issues

The 14th Session of the Permanent Forum on Indigenous Issues, April 20–May 1, New York, will address the World Conference Outcome Document and the report from the January 27–29 expert group meeting, “Dialogue on an Optional Protocol to the United Nations Declaration on the Rights of Indigenous Peoples.” More information, including registration, is available at <http://undesadspd.org/IndigenousPeoples/UNPFIIISessions/Fourteenth.aspx>.



INTERNATIONAL NEWS

Provided by Jana L. Walker and Karla E. General, Attorneys at the Indian Law Resource Center.

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





September 22, 2014, United Nations Headquarters, New York City— Dawnadair Lewis, Associate Director, WomenSpirit Coalition Washington State, and Leann Guy, Director, Southwest Indigenous Women’s Coalition, wait in a security line to enter the United Nations and attend the first World Conference on Indigenous Peoples.

Universal Periodic Review

The Universal Periodic Review (UPR) is a state-driven process of the Human Rights Council to review the human rights situation of UN member states every four years. During the UPR’s 22nd Session, May 4–15, Geneva, the United States is scheduled for its review by the UPR Working Group on May 11 for its human rights record, including its compliance with the UN Declaration on the Rights of Indigenous Peoples. NGOs cannot participate during the review, but may attend, observe, and meet with states.

The United States’ UPR report is due February 2. To further inform the review, a stakeholder report, *Violence Against American Indian and Alaska Native Women*, was jointly submitted to the UN Office of the High Commissioner for Human Rights by the Indian Law Resource Center, National Congress of American Indians, National Indigenous Women’s Resource Center, and Clan Star, Inc., with supporting organizations and

entities: Yup’ik Women’s Coalition, Emmonak Women’s Shelter, and Emmonak Village. The UPR Working Group is expected to adopt its report on the United States on May 15. The report will be reviewed and approved during the 30th Session of the Human Rights Council, where NGOs and other stakeholders will be able to make comments.

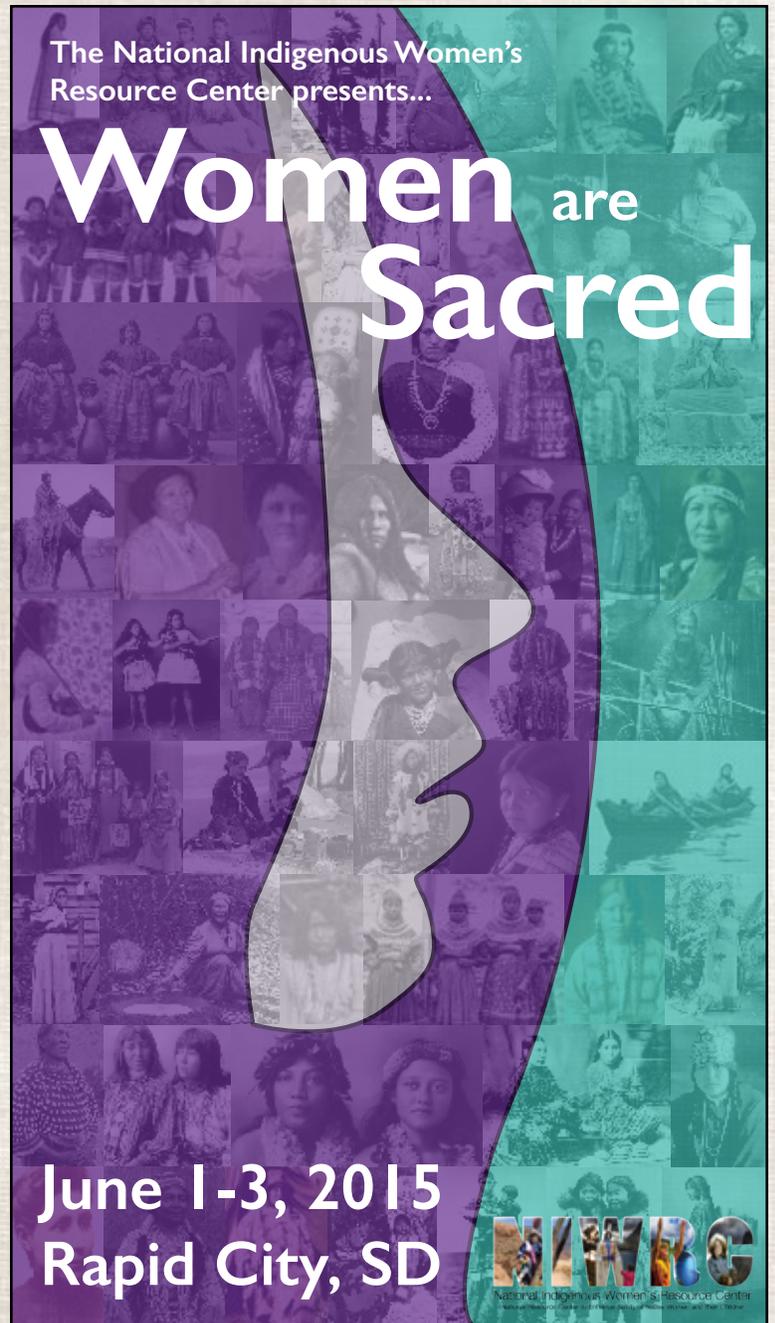
Inter-American Commission on Human Rights

The Organization of American States, an intergovernmental organization of 35 states of the Americas, includes two regional human rights bodies: the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. This regional human rights system functions to provide individuals, organizations, and indigenous peoples in the Americas a means to seek justice for human rights violations that they are unable to achieve domestically. Though the United States has not accepted jurisdiction of the

Court, it is subject to review by Commission which can, among other actions, hold thematic hearings on human rights issues. In 2011, the Commission held a thematic hearing on "Violence against Native women in the United States."

In January 2015, the National Congress of American Indians Task Force on Violence Against Women, National Indigenous Women's Resource Center, Clan Star, and the Indian Law Resource Center filed a request for a thematic hearing during the Commission's 154th Session, scheduled for March 13-27, in Washington DC. A similar request for a hearing at the 153rd Session was denied. The proposed hearing will inform the Commission of the continuing failure of United

States law to protect American Indian and Alaska Native women from violence, missing and murdered Indian and Alaska Native women, and the impact of extractive industries on the safety of Native women. The request coincides with the January 12, 2015 release of the Commission's "Report on Missing and Murdered Indigenous Women in British Columbia, Canada."



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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 Restoration of 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.”

2014-2015 Webinar Schedule

Native Wellness: HIV/AIDS	March 4
Substance Abuse and Domestic Violence: What's the Connection?	March 18
Gender-based Violence: The Connections Between DV & SA and the High Rates of Murdered & Missing Women	April 1
Namelehuapono: Culture and Place-Based Healing for Violence Against Native Hawaiian Women	April 15
Walking the Path Together Tools: A Danger Assessment Tool for First Nations Women	May 6
Native Youth: Coaching Boys into Men	June 10
Fatherhood and Wellness for Native Men, Teens, and Boys	June 24
Tillie Black Bear: We Are All Relatives in This Work	July 15
Restoration of Family Values and Healthy Community Characteristics	August 19
Violence Against Indian Women National Baseline Study (NBS)	September 16

All webinars are start at 1pm MST.

Please visit our website for the most up-to-date schedule, details of each webinar, and registration: niwrc.org/webinars.

RESTORATION OF SOVEREIGNTY & SAFETY MAGAZINE, 2003-2015

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

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

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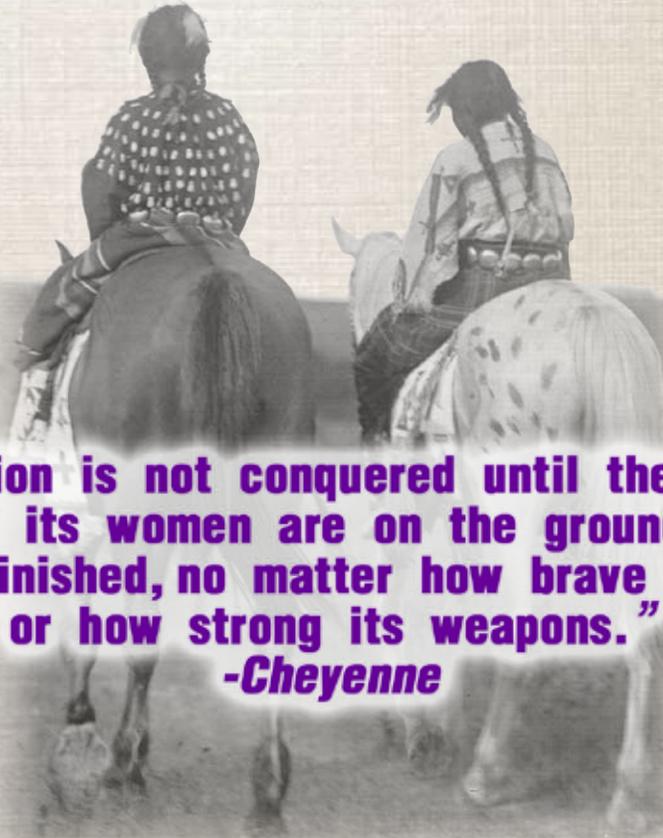
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**“A Nation is not conquered until the hearts
of its women are on the ground.
Then it is finished, no matter how brave its warriors
or how strong its weapons.”
-Cheyenne**

Violence Against Women Is Not Our Tradition



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