



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

June 2022 | Volume 19 | Issue 2



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Letter from the National Indigenous Women's Resource Center

Dear Friends,

It is our pleasure to share with you the June 2022 edition of *Restoration of Native Sovereignty and Safety for Native Women* magazine. Our hearts are full for the content shared in this latest edition, as we are making great strides in the work to call for safety and sovereignty for Native women.

Here at the National Indigenous Women's Resource Center (NIWRC), we are winding down from the National Week of Action for Missing and Murdered Indigenous Women (MMIW), where millions of people were reached through this grassroots campaign to call for justice for our stolen sisters. Together with advocates across Indian Country, we also spurred an update from the U.S. Department of the Interior on the Not Invisible Act and its Commission, which was long past due. We will continue to work with our family advisory group and national partners to organize for our missing and murdered sisters with the voices of survivors and MMIW family members leading the way.

We also continue to push for the reauthorization of the Family Violence Prevention and Services Act (FVPSA), which provides critical support for shelters, coalitions, training and technical assistance centers, children's services, emergency response hotlines, and prevention initiatives, including for the NIWRC, StrongHearts Native Helpline, and the Alaska Native Women's Resource Center. FVPSA is the only federal grant program dedicated to domestic violence shelter and supportive services and is the primary source of funding for these services for Indian Tribes. Collectively, we must push for the reauthorization of FVPSA to ensure survivors have the shelter and supportive services they need. Take action to support FVPSA reauthorization by signing up on our Action Center at niwrc.quorum.us.

This spring, we also celebrated the reauthorization of a Violence Against Women Act (VAWA), which was included in the omnibus appropriations bill. This would not have been possible without the groundswell of survivors, families, advocates, and Tribal leaders who successfully pushed VAWA reauthorization to the finish line in March. We also extend our appreciation to the Senate for taking this critical step to move VAWA forward with provisions that restore the authority that Tribes need to bring safety and justice to Native women in their communities.

From our board and staff, it is important to us to stay the path in our mission to support Indigenous-based advocacy to restore safety to Native women and uphold the sovereignty of Native Nations. As we continue our work to provide training and technical assistance, policy development, and educational resources for Tribes and advocates, we thank you for your ongoing support.

In strength and solidarity,



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



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



Restoration of Native Sovereignty and Safety for Native Women Magazine, 2003-2022

During the reauthorization process of the Violence Against Women Act in 2005, several national organizations came together to take a stand for the safety of Native women: Sacred Circle National Resource Center to End Violence Against Native Women, Clan Star, Inc., the National Congress of American Indians, and the National Task Force to End Sexual and Domestic Violence. It was recognized that to fully participate in the national movement to create the changes needed to increase safety for Native women, broad communication was essential. *Restoration of Native Sovereignty and Safety for Native Women* emerged to fulfill this task.

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

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Published by the



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NIWRC's Kerri Colfer (center), Tlingit, and Paula Julian (right), Filipina, with Rep. Sharice Davids (left), Ho-Chunk.

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EDITOR'S NOTE



The past few months have felt like a whirlwind. On the heels of the reauthorization of the Violence Against Women Act (VAWA) this March and the push for justice during the National Week of Action for Missing and Murdered Indigenous Women (MMIW), we can feel the groundswell beneath our feet.

Take a moment to ground yourself in that feeling. That strength. That courage. It's there for you even if we don't 'see' it all the time. That strength is a well, offering us hope in those dark moments when we need it most.

As we all know, it can be hard to ignore those dark moments, which seem to be relentless, coming in wave after wave. The attack on women's body sovereignty with a potential *Roe* overturn. The recent mass shooting in Buffalo, New York, where ten Black people were killed at a grocery store, followed by the 19 children and two teachers killed in the mass school shooting in Uvalde, Texas. Russia's war in Ukraine...and the list goes on. More violence. More suffering. More pain.

Now, come back—remember that strength from before.

The strength of all the women in your family, your friends, your networks. We are right here, being strong with you and for you, alongside you. That strength... is sacred. It's the reason we do this work, why we are here: the women.

NIWRC's Executive Director, Lucy R. Simpson (Diné), once said, "If we can come back to a place where women are sacred, that gives us the foundation for building everything else up."

*Come back to this place of strength.
Be strong for yourself, your family, and the ones that are still to come.
We are here for the women.*

Each of us are part of the movement to build everything back up. As we look at what's coming down the path, we must remember to lean into this strength, because we cannot do this work alone. While we lift the progress made with VAWA reauthorization and steps made to name members of the Not Invisible Act Commission, we cannot let up on calling for justice for missing and murdered Indigenous women. We cannot let up until everyone in our communities is safe once again.

"If we can come back to a place where women are sacred, that gives us the foundation for building everything else up."

—Lucy R. Simpson, NIWRC Executive Director



Together, we are a movement. We represent the hope that our grandmothers held for us.

—Mallory Adamski, Editor of *Restoration*



Looking ahead, we cannot lose sight in calling for movement on Savanna's Act. Savanna's Act is named after Savanna LaFontaine-Greywind (Spirit Lake Nation of North Dakota), who was 22-years old when she was murdered while she was eight months pregnant in 2017. Under Savanna's Act, federal authorities are required to analyze federal data related to missing and murdered Indigenous women to improve responses to this crisis. Yet, while there has been *some* movement by the U.S. Department of Justice (DOJ) to analyze federal databases on missing and murdered cases and provide more detailed statistics, a plan to continue this work has yet to be released. So, what's next?

As a groundswell, we must continue the push to make MMIW visible, for this issue is not a single dark moment but a long-standing crisis impacting everyone's safety, young and old. If the women are not safe, who is? The DOJ, the Federal Bureau of Investigations (FBI), and Bureau of Indian Affairs (BIA) Police must be held accountable to their obligations to Indigenous women.

We must keep the pressure on federal authorities to improve data collection around MMIW and public safety for our families and the ones that are still to come. Not one more stolen sister. Not. One.

*Come back to this place of strength.
We are here for the women.*

Make no mistake, there are going to be more dark moments, and each generation of advocates will tell you about the challenges they faced along the way. It is in these moments that you must remember you are not alone. The voices coming through the pages across this magazine are proof you are not alone. There is strength in our united voices. There is strength in solidarity. There is strength in humility that we can lean on each other for support and learn from each other—that not one single person has all the answers, but together, we can carve a path forward that represents us all and lifts us all as women.

There are going to be moments that test us, push us in different directions, force us to question why we do the work—but we must keep trying. Remember, the sun will rise again tomorrow. Hold onto our collective strength. Together, we are a movement. We represent the hope that our grandmothers held for us.

Keep building. Step into your strength. You are not alone. Come back to strength.

*Mallory Adamski
Diné, Tódich'ii'nii (Bitter Water) Clan, born for Tó'áhani (Near the Water) Clan
Editor, Restoration of Native Sovereignty and Safety for Native Women*

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NIWRC Announces Transformative \$5 Million Gift from MacKenzie Scott

Large Donation to Support Sustainability and Advocacy Efforts

By Mallory Adamski, *Diné*, Editor, Restoration Magazine

On March 28, 2022, the National Indigenous Women's Resource Center (NIWRC) announced it has received a historic donation of \$5 million to support its work to end violence against Native women from philanthropist MacKenzie Scott. The announcement comes as growing attention to violence in Indigenous communities gains traction across the country and world as a result of the groundswell of Indigenous advocates and Tribal Nations calling for systemic and social change.

“On behalf of the NIWRC staff and board, we would like to thank MacKenzie Scott for shining a hopeful light on our efforts to lift the voices and strengthen the efforts of Tribes, grassroots advocates, and survivors working to protect Native women in their communities,” said Lucy R. Simpson, NIWRC Executive Director and a citizen of the Navajo Nation. “This gift from MacKenzie Scott—the largest in NIWRC’s history—will be instrumental in moving so much of our advocacy work forward and sustaining our infrastructure for years to come.”

Across the U.S., violence against Indigenous women is a constant threat, where more than half (56.1%) of Native women have experienced sexual violence; one in two (55.5%) have endured physical intimate partner violence; and 96% of Native female victims of sexual violence experience violence at the hands of a non-Native perpetrator (ex. individual of another race). There is also growing attention to the crisis of missing and murdered Indigenous women (MMIW), where, on some reservations, the murder rate of Native women in

IN THE NEWS

the U.S. is more than 10 times the national average.

For the past 10 years and with over a century of collective experience, the staff and board of the National Indigenous Women's Resource Center have offered culturally-rooted training, advocacy, and policy development focused on gender-based violence issues, including domestic violence, sexual violence, MMIW, stalking, and sex trafficking. As one of Scott's beneficiaries, NIWRC will continue its efforts to strengthen Indigenous-based responses to reclaim safety for Native women and restore their sacred status.

“We are thrilled with MacKenzie Scott's dedication to investing in Indigenous communities and Native nonprofit organizations such as the National Indigenous Women's Resource Center,” said Cherrah Giles, NIWRC former Board Chairwoman and a citizen of the Muscogee Nation. “So much of our grassroots advocacy requires unrestricted funding, so we are grateful for this donation from Ms. Scott in supporting our advocacy on behalf of Native women seeking justice and safety.”

NIWRC'S HYBRID ADVOCACY WORKSHOP BRINGS ADVOCATES TOGETHER

More Than 50 Advocates Participate in 'Foundation and Key Principles: Strengthening the Role of Advocacy in Indian Country' Workshop

By Liane Pippin, *Cherokee Nation*, Communications Specialist, NIWRC



(Left photo) Left to right, Brenda Hill and Kim Zahne. (Right photo) Workshop participants in Albuquerque, New Mexico, in April 2022. / Photos courtesy of NIWRC.

Participants of the workshop, 'Foundation and Key Principles: Strengthening the Role of Advocacy in Indian Country,' found strength and community through using Indigenous culture and history to inform the work of advocacy for survivors of domestic violence, sexual violence, and battering/intimate partner violence in Indian Country. This virtual and

in-person three-day event in Albuquerque brought together over 50 advocates and allies from over 17 Tribal nations including Alaska to restore strength to the advocacy community after the COVID-19 pandemic suspended so many in-person events and gatherings.

“This is the first workshop I have been able to attend



NIWRC's Brenda Hill (left) and Kim Zahne (right) Photo courtesy of NIWRC.

“When we heal ourselves,
we heal our Ancestors.”

—Rosemary Savage-Cook,
Healthy Relationships Advocate
for APIA (Healthy Relationships
Team) Community Health
Services

since pre-pandemic,” said April James (Swinomish) from Washington State who joined the event in-person. “Sitting idle for two years was not easy.”

Presenters Brenda Hill (Siksika), NIWRC Director of Technical Assistance & Training, and Kim Zahne (Tewa-Hopi), Technical Assistance and Training Specialist, spoke extensively about how the Indigenous concepts of relationships, resilience, trauma-informed approaches, and sovereignty deeply inform the principles and foundations of advocacy work. Providing a culturally based, survivor-centered and trauma-informed foundation for advocacy for all relatives also included addressing issues related to the intersections of oppression: sexism, heterosexism, classism, able-bodyism and racism. The three-day event revealed personal stories and discussions as participants shared their experiences with institutional, systemic, and legal barriers that challenge the ability to obtain survivor safety, resources, and offender accountability.

“The Aleutian Pribilof Island Region is extremely isolated,” said Rosemary Savage-Cook, Healthy Relationships Advocate for APIA (Healthy Relationships Team) HeaRT Community Health Services who traveled from Alaska to participate. “Island communities are sparsely populated and accessible only by plane or boat when weather permits travel. Isolation plays a serious and devastating role on the justice system in the region. Often incidents of domestic violence and sexual assault go unreported. This occurs because people in the small village do not have an alternative place to stay, a way to escape their abuser, access to or knowledge of resources available, and in part due to the size of the communities, privacy is often an issue.”

Along with regional barriers, advocates also expressed the need for community support and self-care—practical resiliency tools challenged by the intensified isolation experienced during the height of COVID-19.

Making the hybrid workshop informative, accessible, and safe was of the utmost importance to NIWRC, knowing the importance of community and support advocates themselves need. Despite difficulties imposed by the pandemic, a spirit of resiliency thrived throughout the workshop.

“Missing the continued trainings [due to the pandemic] on advocacy trainings is so significant to the work that we do for our community,” said James—attendee of NIWRC’s events for the past 10 years. “Advocacy for Indigenous women is ingrained in the core of my spirit, hoping my advocacy skills are helping our dear sisters, our daughters, our mothers, our aunts and grandmothers.”

Giving support to each other was key for both the speakers and participants. Additional NIWRC staff attended in-person and provided technical support and outreach. Advocates themselves, expressed feeling re-invigorated after the workshop. NIWRC first hosted this workshop in-person in September 2021, and it was filled to capacity.

“One Inupiaq elder said: ‘Our people have been waiting for this for a long time,’ Savage-Cook said. “It is important for our people to understand the history in order to heal from the trauma....’

Savage-Cook added, “And my mentor and grandma who is no longer with us, Rita Blumenstein, Tribal Doctor says: ‘When we heal ourselves, we heal our Ancestors.’”

StrongHearts Native Helpline Observes Five-Year Anniversary with More Than 20,000 Calls

By Ericca “CC” Hovie, *Sault Ste. Marie Tribe of Chippewa Indians, Communications Manager, StrongHearts Native Helpline*



Ericca “CC” Hovie, Communications Manager, StrongHearts Native Helpline

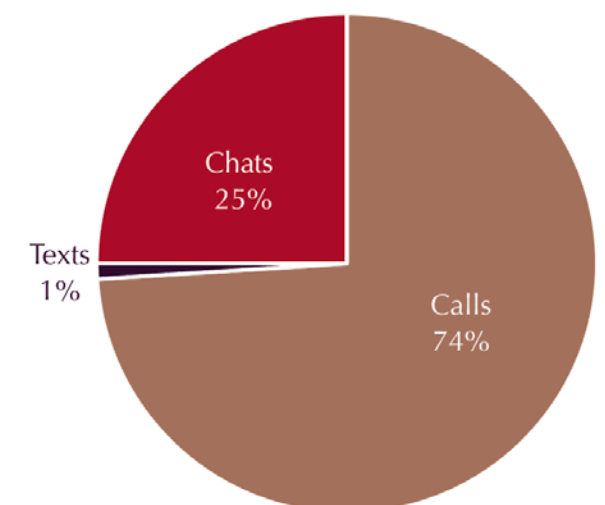
In March 2022, StrongHearts Native Helpline observed five years of successful operation. More than 20,000 calls have been received since the organization’s launch in 2017. Significant organization milestones over the past five years include:

- An increase in operating hours to 24 hours a day, 7 days a week, 365 days a year
- Launch of a new website
- Addition of sexual violence advocacy, chat, and text advocacy
- Opening of a branch office in Sault Ste. Marie, Michigan (in addition to the national headquarters in Eagan, Minnesota)
- Launch of the Michigan Enhancement Project to expand that state’s existing domestic violence and sexual violence advocacy services to support Tribal programs and their contacts (a partnership with the Division of Victim Services at Michigan’s Department of Health and Human Services, which also provided the funding)
- In October 2021, StrongHearts became an independent, national Native nonprofit 501(c)3 organization with its own board of directors

“In 2021, StrongHearts Native Helpline continued its commitment to provide culturally-appropriate advocacy despite the continuing COVID-19 pandemic—it is through the resilience of our ancestors and our own

experience with hardships that we were able to stay the course,” said Lori Jump, (Sault Ste. Marie Tribe of Chippewa Indians) Director, StrongHearts Native Helpline. “With tenacity, we will continue our mission to restore power to Native Americans and Alaska Natives impacted by domestic, dating, and sexual violence by providing a system of safety, sovereignty, and support in 2022 and beyond.”

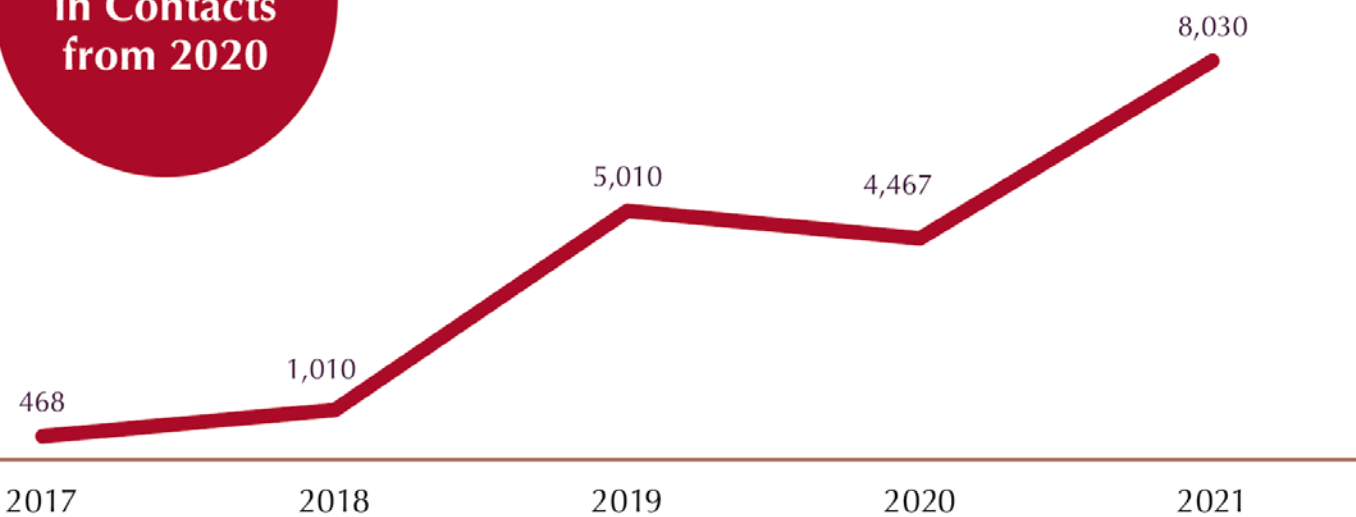
Types of Contacts in 2021



Types of Contacts. The pie graph shows the percentage of calls, texts, and chats received in 2021. / Graphic courtesy of StrongHearts Native Helpline.

**80% Increase
in Contacts
from 2020**

Contacts By Year



Contacts by year. The line graph shows an increase in contacts from 2017 to 2021. / Graphic courtesy of StrongHearts Native Helpline.

StrongHearts Native Helpline History

In 2012, the National Indigenous Women’s Resource Center (NIWRC) and the National Domestic Violence Hotline (The Hotline) prioritized the need for a domestic violence hotline to support Tribal communities across the United States. Together with input from Tribal leaders, a Native women’s council, domestic violence experts, and the Family Violence Prevention and Services Program, NIWRC and The Hotline developed a plan to establish StrongHearts Native Helpline, a Native-centered hotline staffed by advocates with a strong understanding of Native cultures, as well as issues of Tribal sovereignty and law.

StrongHearts began its services in March 2017 in Austin, Texas—home to the National Domestic Violence Hotline, which provided initial infrastructure and technology support. On October 1, 2021, StrongHearts Native Helpline became a national, Native nonprofit 501(c)3 organization with its own board of directors, and it remains a proud partner of the NIWRC and The Hotline.

StrongHearts Native Helpline is funded by the Administration on Children, Youth and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services; the Office for Victims of Crime: Michigan Department of Health and Human Services.

About StrongHearts Native Helpline

StrongHearts Native Helpline is a 24/7/365 culturally-appropriate domestic, dating, and sexual violence helpline for Native Americans, available by calling or texting 1-844-762-8483 or clicking on the chat icon at strongheartshelpline.org.

For the full 2021 report, please visit StrongHearts Native Helpline at strongheartshelpline.org and click on “For Supporters” and then “Reports.”

StrongHearts Native Helpline Welcomes Four Tribal Advocacy Programs

New Michigan Project Expands Access to Domestic and Sexual Violence Services

By Ericca “CC” Hovie, *Sault Ste. Marie Tribe of Chippewa Indians*, Communications Manager, StrongHearts Native Helpline

StrongHearts Native Helpline welcomes Little River Band of Ottawa Indians (LRBOI), Keweenaw Bay Indian Community, Bay Mills Indian Community, and Hannahville Indian Community to the Michigan Enhancement Project.

In 2021, StrongHearts launched a pilot project in Michigan to expand its existing domestic violence and sexual violence advocacy services to support Tribal programs and their contacts in that state. The project is a partnership with the Division of Victim Services at Michigan’s Department of Health and Human Services, which is also providing the funding.

A well-recognized issue throughout Tribal domestic violence advocacy and shelter work is that many Tribal programs are small with limited staff. Their advocates may need to carry pagers or cell phones at all times to respond to victims, resulting in overtime and additional stress. Sometimes, advocates are unable to respond and victims calling after hours are simply advised to call back during office hours, which can create a safety issue for them. This project will give Native American victim-survivors in Michigan access to culturally-appropriate advocacy 24/7 even if they call their local Tribal program after regular operating hours.

“The LRBOI Victim Services Program (VSP) is not funded to provide 24-hour hotline service; for years we have done our best to answer after-hours calls but there are times calls have been missed,” said Shanaviah Canales, Victim Services Program Manager, LRBOI

“

We are looking forward to continuing to work together with enhancing the culturally-honoring advocacy services and to ensure all Native victim-survivors are provided life-saving tools and receive immediate support to ensure safety and can be free from living in a life of abuse.

—Shanaviah Canales, Victim Services Program Manager, LRBOI VSP

”

VSP. “This partnership benefits victim-survivors by providing culturally-honoring services after hours. This partnership will sustain the VSP, which provides a coordinated collaborative multidisciplinary response to victims of crime, their families, and the community.”

By opting in, Tribal programs will be able to set their after-hours answering service to prompt callers to press one to transfer directly to StrongHearts Native Helpline advocates. StrongHearts advocates will be aware that the call is coming from a Tribal program in Michigan, but the call will be completely confidential and anonymous.

“We are looking forward to continuing to work together with enhancing the culturally-honoring advocacy services and to ensure all Native victim-survivors are provided life-saving tools and receive immediate support to ensure safety and can be free from living in a life of abuse,” Canales said.



Shanaviah Canales, Victim Services Program Manager, LRBOI VSP. / Photo courtesy of Shanaviah Canales.

STTARS Indigenous Safe Housing Center Partners With Cardozo Law Institute in Holocaust and Human Rights to Develop a Tribal Safe Housing Code Clearinghouse

Highlighting Best Practices for Relations with Non-Native Organizations and the Critical Need for Safe Housing For Indigenous Survivors of Gender-Based Violence

By Brett Jones; Sheryl Wallin; Gwen Packard, *Ihanktonwan Dakota*, Senior Housing Specialist, STTARS Indigenous Safe Housing Center, and Caroline LaPorte, *Immediate Descendant of the Little River Band Of Ottawa Indians*, STTARS Director

The STTARS Indigenous Safe Housing Center, a newly launched project of NIWRC, has strategically developed a critical partnership with the Cardozo Law Institute in Holocaust and Human Rights (CLIHHR) to implement the Tribal Housing Code Clearinghouse—one of the center’s key projects.

“The vision of the STTARS Indigenous Safe Housing Center is ‘Safe Housing for All our Relatives.’ We take that to mean that housing is not a conditional right, but rather a human right. Taking it even further, a right that is inherent in non-human relatives as well,” said Caroline LaPorte (Immediate Descendant of the Little River Band Of Ottawa Indians), Director, STTARS Indigenous Safe Housing Center. “We do this work from that framing, and as such, it was essential for us to find a partner who approached their work with a similar set of foundational values.”

CLIHHR conducts research and provides legal assistance through its “action arm”—the Benjamin B. Ferencz Human Rights and Atrocity Prevention (HRAP Clinic). The HRAP Clinic acts as a pro bono law firm consisting of law students who engage with human rights projects all over the world under the supervision of Professor Jocelyn Getgen Kestenbaum, the Clinic’s director. Two students, Sheryl Wallin and Brett Jones studied the Missing and Murdered Indigenous Women (MMIW) crisis and the ways that modern violence



From left to right, Sheryl Wallin, Brett Jones, and Jocelyn Getgen Kestenbaum, Cardozo Law Institute in Holocaust and Human Rights. / Photo courtesy of Sheryl Wallin, Brett Jones, and Jocelyn Getgen Kestenbaum.

“The lack of safe, available, accessible, and affordable housing for Indigenous survivors of domestic violence is one of the most critical factors, as they weigh the risks of leaving or staying, as they work to keep themselves, their children, and their pets safe.”

—Gwendolyn Packard, *Ihanktonwan Dakota*, Senior Housing Specialist

against Indigenous people is a direct and intended result of unresolved and ongoing historical violence.

“CLIHHR’s mission and their demonstrated work showed that they had an exceptional commitment to equity and that as a non-Native organization, they had the capacity to support, rather than supplant our work,” LaPorte said. “I’ve had the pleasure of working with Professor Jocelyn Getgen Kestenbaum and her amazing students for a while now, and Brett and Sheryl are no exception.”

More specifically, in the past year, the students of the HRAP Clinic have been working with STTARS on the Tribal Housing Code Clearinghouse, which is shaping up to be a massive project. The goal of this Clearinghouse is to better understand how Tribal and federal law and policy affect the ability of Indigenous survivors of gender-based violence to access, maintain, and sustain safe housing and shelter.

“The lack of safe, available, accessible, and affordable housing for Indigenous survivors of domestic violence is one of the most critical factors, as they weigh the risks of leaving or staying, as they work to keep themselves, their children, and their pets safe,” said Gwendolyn Packard (Ihanktonwan Dakota), Senior Housing Specialist. “We must work to create more comprehensive housing solutions for all survivors; safety and self-sufficiency for survivors should not be unreasonable expectations.”

This partnership has developed organically over the years, and in the past five months, the partnership has been hard at work locating, analyzing, and developing a database of Tribal housing codes and related ordinances and regulations.

LEARN MORE

Join the STTARS mailing list: n8ve.net/ilX18

Watch STTARS webinar, “Introducing a Tribal Safe Housing Center”: n8ve.net/wmFbv



The students have been instrumental in helping STTARS collect the housing codes of the 574 federally recognized Tribes, and assisting staff in analyzing thematic legal responses to homelessness and housing instability, which often impact Indigenous gender-based violence survivors uniquely and disproportionately. The amount of time, resources, and expertise that is needed to handle a project like this, especially as a new center, is not met without partnerships like this one. It goes without saying that working with non-Indigenous partners takes investment from Native-led organizations too. The HRAP Clinic's students have dedicated serious time and personal commitment to learning about the complex legal landscape impacting Indigenous peoples and have begun to fully understand the restraints imposed on Tribal communities through hundreds of years of genocide and colonization.

"The fact that our system of justice has let thousands of our neighbors, sisters, mothers, and elders suffer in silence or disappear without acknowledgment undermines the safety of everyone living in this country," said Sheryl Wallin. "But in an attempt to help our Indigenous brothers and sisters, it's possible for us non-Indigenous allies to act in a way that we think is right, rather than to ask our brothers and sisters what they need in the face of both immediate and generational losses. But that is the issue; we cannot do this work as allies. We must do it as kin, where we center the voices, acknowledge the lived experiences, and work to support the advocacy of Indigenous people. We are realizing that kinship requires an enormous amount of trust. It has required us to humble ourselves enough to do our own internal development, and that the internal work is very much ongoing."

As part of this work, which will be ongoing throughout the life of STTARS, we are hoping that others will join us in contributing. If you have a housing code or ordinance or regulation that impacts housing access, stability, and survivor safety, we would love to work with you. In that vein, STTARS and the HRAP Clinic have created a form so supporters can submit information for this Clearinghouse to help create a useful tool for our communities. Access the form here: <https://n8ve.net/vcjuY>

If you need any help completing this form, please reach out to us at housing@niwrc.org.

"If we hope to remove the restraints of existing systems and develop a more compassionate legal landscape, we

as lawyers need to go further than research and analysis," said Brett Jones. "Human rights lawyers have to do more than just bring lawsuits or draft statutes, we need to make the issues as real and immediate to others as they are for the people directly affected. We must inform our families, friends, supervisors, institutional leaders, local officials, national figures, and our governmental representatives about the issue. We must teach others to humble themselves, to question the status quo, and to embody kinship and relational values. We must rethink what legal empowerment and legal tools are, and then we must shift our work away from inherently problematic western systems. We have to acknowledge that these systems, which non-Indigenous people benefit from, were intended to harm Indigenous people. The solutions cannot come from western spaces of thinking and existing. These systems supplant Indigenous ones and are therefore not redeemable."

Support Tribal Housing Code Clearinghouse

If you have a housing code or ordinance or regulation that impacts housing access, stability, and survivor safety, submit information to our Clearinghouse. Access the form here: n8ve.net/vcjuY

For questions about the Tribal Housing Code Clearinghouse, contact housing@niwrc.org.

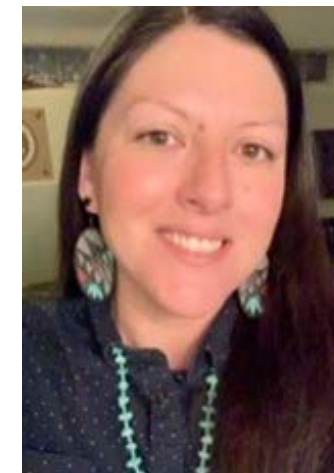


NIWRC Welcomes New Staff Members

Strengthening Our Efforts to Support Tribes and Grassroots Advocates

By Mallory Adamski, *Diné*, Editor, Restoration Magazine

Planting seeds for change, the staff of National Indigenous Women's Resource Center (NIWRC) is pleased to share the hiring of additional staff to support the organization's ongoing efforts to offer culturally based technical assistance and training, advocacy, and programmatic and policy development for Tribes and grassroots advocates. The new members of the NIWRC team include Jovita Belgarde (Ohkay Owingeh and Isleta Pueblos of New Mexico and the Turtle Mountain Chippewa Nation of North Dakota) as the organization's first Youth Program Specialist; Carolyn Gresham as Grant Management Specialist; Kelsey Foote (Tlingit) as Communications Specialist; and the first ARP Survivors of Domestic and Sexual Violence Technical Assistance and Training Specialist, Lisa Marie Iyotte (A'aninin).



Jovita Beldarde / NIWRC

Jovita Beldarde is from the Ohkay Owingeh and Isleta Pueblos of New Mexico and the Turtle Mountain Chippewa Nation of North Dakota. She is passionate about working with Native youth and making positive social change in Native communities. Jovita received her B.A. in Criminology from the University of New Mexico and received her Prevention Specialist Certification from the New Mexico

Credentialing Board for Behavioral Health Professionals. She has worked in the prevention field for seven years prior to coming to NIWRC, working with Native youth doing violence prevention, suicide prevention, substance abuse prevention, and experiential education. As our new Youth Program Specialist, Jovita will continue to work from a strength-based perspective that encourages growth, healing, and intentionality. She believes that youth engagement is key to creating strong healthy communities.

"Native youth are our future leaders and they deserve caring support," Belgarde said. "We should uplift their voices to advocate for their communities and eliminate violence against all of our relatives. NativeLove should be a vehicle for Indigenous youth-led advocacy that can drive solidarity, kinship, and anti-violence work for future generations."

"Native youth are our future leaders and they deserve caring support."

—Jovita Belgarde, *Ohkay Owingeh and Isleta Pueblos of New Mexico and the Turtle Mountain Chippewa Nation of North Dakota*, Youth Program Specialist



Carolyn Gresham / NIWRC

Carolyn Gresham joins NIWRC as the Grant Management Specialist. Carolyn has 15 years of grant management experience working with State government, Tribal government, and nonprofit organizations. She has a B.A. in Accounting as well as a M.A. in International

Forensic Accounting. Carolyn looks forward to helping NIWRC grow their grant portfolio to further the mission of providing national leadership to end violence against Indigenous women.



Kelsey Foote / NIWRC

Most recently, Kelsey completed a project as a children’s

The organization’s newest Communications Specialist, Kelsey Foote, is Raven, Taakw.aaneidí. Kelsey grew up in Southeast Alaska, learning about her Tlingit culture through the Johnson O’Malley Program and the Sitka Native Education Program. Before earning her degree in English from the University of Alaska Anchorage, Kelsey completed an internship

“The representation of Indigenous peoples in media is critical in addressing issues—crises that are lacking national recognition. As a Communications Specialist, I am hoping to support NIWRC publications and media in lifting up the collective voices of advocates and survivors, bringing such issues to light.

—Kelsey Foote, Raven, Taakw.aaneidí, Communications Specialist



book illustrator for Baby Raven Reads, an award-winning program through Sealaska that promotes early literacy, language development, and school readiness for Alaska Native families. Kelsey’s work focuses on cultural preservation, educational materials, and the representation of Indigenous peoples in media.

is critical in addressing issues—crises that are lacking national recognition,” Foote said. “As a Communications Specialist, I am hoping to support NIWRC publications and media in lifting up the collective voices of advocates and survivors, bringing such issues to light.”

Lisa Marie Iyotte is NIWRC’s first ARP Survivors of Domestic and Sexual Violence Technical Assistance and Training Specialist joining the Technical Assistance and Training team.



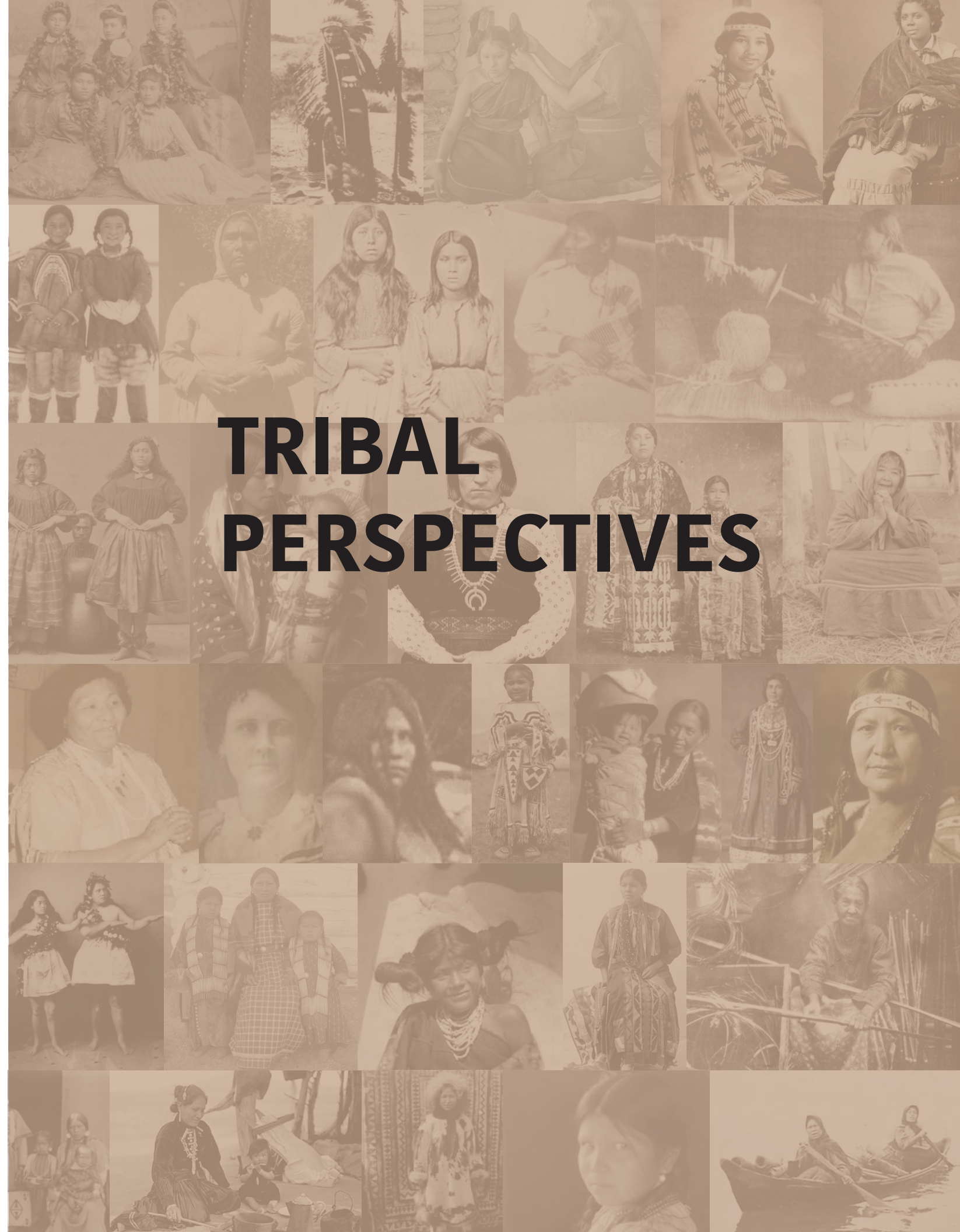
Lisa Marie Iyotte / NIWRC

Lisa has advocated for ending violence against Indigenous women for more than 19 years. She applies her personal experience and knowledge of healing through spirituality to provide culturally responsive services to individuals, Tribes, and nonprofits.

Before joining the NIWRC, Lisa volunteered and worked for a number of nonprofits serving Indigenous cultures across the Upper Midwest. She has received several awards and spoken nationally including at The White House to advance the rights of Indigenous women and their children.

Lisa grew up on the Sicangu Makoce, the Rosebud Reservation in South Dakota where her mother, Roseanne Cochran (Packard), is an enrolled Tribal member. Lisa is an enrolled Tribal member as A’aninin of the Fort Belknap Gros Ventre Tribe in Montana where her father, Ruben Cochran, is from.

To read full biographies on all staff, visit niwrc.org/staff



TRIBAL PERSPECTIVES

JUNE IS PRIDE MONTH

We see you. We support you. We honor your spirit.



Artwork by Neebin Southall



Showing Up in Support of Indigenous 2S+/LGBTQ+ Survivors for Pride Month

Joint statement by the National Indigenous Women's Resource Center, StrongHearts Native Helpline, and the Alaska Native Women's Resource Center

By Liane Pippin, *Cherokee Nation*, Communications Specialist, NIWRC

This June, the National Indigenous Women's Resource Center (NIWRC), StrongHearts Native Helpline (StrongHearts), and the Alaska Native Women's Resource Center (AKNWRC) acknowledge, support, and lift the voices of Native Two-Spirit, non-binary, lesbian, gay, bisexual, transgender, queer, and/or questioning survivors of violence for Pride Month. As Indigenous nonprofit organizations, we strongly support the need to facilitate inclusive conversations about the identities intersecting across the Indigenous and 2S+/LGBTQ+ spectrum. When NIWRC, StrongHearts, and AKNWRC raise awareness on gender-based violence issues, we also recognize that our 2S+/LGBTQ+ relatives experience domestic violence and sexual violence at exceptionally high rates.¹ Violence and abuse can happen to anyone. Across Indigenous cultures and communities, our traditional teachings uphold respect for all identities and celebrate diversity. As relatives, we must stand firmly against dangerous attitudes toward our 2S+/LGBTQ+ relatives and instead, use our Indigenous values and sacred teachings of love, respect, and compassion to advocate with and for them. **We see you. We support you. We honor your spirit.**

For generations, Western culture has demonized Indigenous religions and teachings about gender and sexuality, including the pre-existing traditional understanding that Two-Spirit individuals, embodying male and female spirits, are blessed by Creator. Colonialism and Western patriarchy threaten our relatives on the 2S+/LGBTQ+ spectrum with policy, violence, and oppression across the United States. Within the 2S+/LGBTQ+ community, intimate partner violence occurs at a rate equal to or higher than that of the cis-heterosexual

community.² American Indians, Alaska Natives, and Native Hawaiians in 2S+/LGBTQ+ communities face systemic discrimination, violence, and harassment at disproportional rates.³ According to the 2015 U.S. Transgender Survey (USTS), of all the respondents who experienced sexual assault, 65% were American Indian/Alaskan Natives. Also, 73% of Native respondents experienced intimate partner violence, including physical violence, compared to 54% of the overall USTS respondents. 2S+/LGBTQ+ relatives also experience other forms of domestic violence and additional barriers to seeking help due to fear of discrimination or bias. These statistics do not include the intergenerational and individual trauma our Indigenous relatives experience. There is a need for intergenerational efforts to recognize, reclaim, and dismantle oppressive and systemic injustices toward 2S+/LGBTQ+ survivors.

Although there are incredible resources available for LGBTQ+ survivors, there is an urgent need for more culturally-tailored, inclusive programs and resources that offer support services for Indigenous 2S+/LGBTQ+ survivors. As family members and communities, we must collectively advocate for more inviting, safe, accessible, and inclusive spaces for our 2S+/LGBTQ+ relatives. All members of our families, communities, and nations should feel safe, protected, and supported to live free of violence and discrimination.



¹ <https://n8ve.net/WQOPH>

² <https://n8ve.net/8SaRq>

³ <https://n8ve.net/WQOPH>



Tips for Family and Friends



Show up: Family members and friends of 2S+/LGBTQ+ relatives can create safe spaces simply by showing up, listening, and acknowledging their relative’s experiences. Keeping “open minds and hearts” can positively impact Indigenous 2S+/LGBTQ+ survivors.



Believe survivors: Validate the feelings of 2S+/LGBTQ+ relatives, assuring them that the violence they experienced is not their fault and they are not alone. Offering support when a loved one is hurting, even in seemingly small ways, encourages connection and protects against isolation.



Celebrate sacred teachings: Learning more about Indigenous 2S+/LGBTQ+ communities—including their history of trauma and teachings about love, compassion, courage, and support—can help reverse the shame tied to Western norms about gender and sexual orientation. Return to traditional teachings that honor all identities and sexualities.

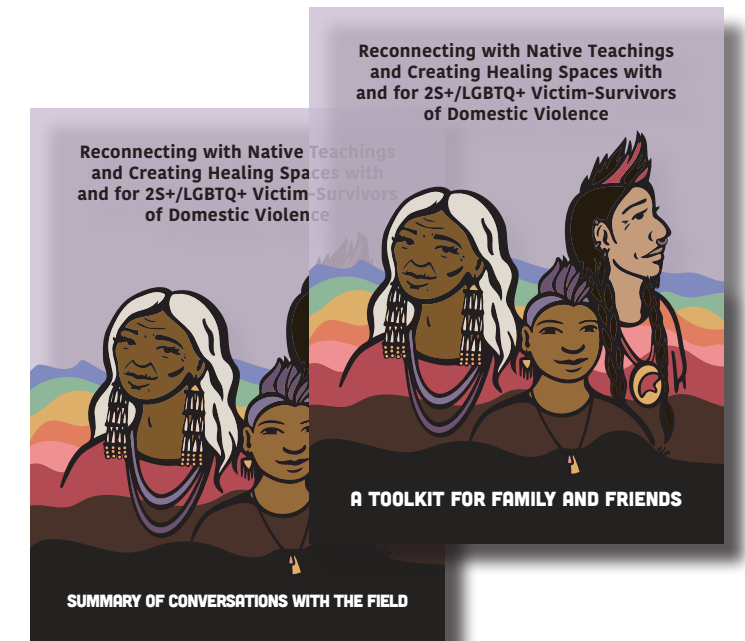
Artwork by Neebin Southall



Reconnect With Traditional and Healing Teachings

Release of Toolkit For Family and Friends of Indigenous 2S+/LGBTQ+ Victim-Survivors of Domestic Violence

By Paula S. Julian, *Filipina*, Senior Policy Specialist, NIWRC



Since 2019, the National Indigenous Women’s Resource Center (NIWRC), the National LGBTQ Institute on Intimate Partner Violence¹, and the Avellaka Program Rainbow of Truth Circle of the La Jolla Band of Luiseno Indians have collaborated on a project examining the unique needs of Native Two-Spirit+ and LGBTQ+ survivors (2S+/LGBTQ+) of domestic violence and gender-based violence. Very few formal resources exist to support this community, so this project aims to improve the capacity of the best safety net to support Native 2S+/LGBTQ+ survivors: family and friends. Acknowledging this gap, our agencies began drafting a toolkit for family and friends to learn how to support and protect Native 2S+/LGBTQ+ survivors.

A primary aim of the toolkit is to support family and friends of Indigenous 2S+/LGBTQ+ survivors to reconnect with Indigenous teachings about what it means to be family and value one another. Teachings across Indigenous cultures affirm that all individuals have a place in our families, societies, and nations and were not abused, feared, or excluded because of their gender identity or sexual orientation. Colonization challenged these Indigenous teachings, imposing western norms about gender identities and sexual orientation. The toolkit provides information and strategies to encourage families and friends to reconnect with these teachings and improve

their capacity to support their Indigenous 2S+/LGBTQ+ family and friends who may be survivors of domestic violence, sexual violence, or abuse. 2S+/LGBTQ+ are individuals who identify as two-spirit, additional gender identities and sexual orientations, lesbian, gay, bisexual, transgender, and queer or questioning.

To further develop the toolkit and ensure its cultural relevance, we held two virtual Conversations With the Field (CWTF): one in December 2020 and one in January 2021. We invited CWTF participants to let us know if they were interested in joining ongoing discussions to develop the toolkit. The CWTF is a facilitation tool developed by NIWRC for organizing national dialogue related to the domestic violence and gender-based violence movement. The CWTF discussion groups (DGs) are utilized to develop the structure of a national platform of current and emerging issues of concern and recommendations to increase the safety of victims-survivors of domestic violence and gender-based violence. Typically, these DGs begin with an overview, followed by a discussion, and then a summary.

Our main goal of the CWTF was to inform the development of the toolkit. We wanted to learn more about what families and friends need to support Indigenous 2S+/LGBTQ+ victim-survivors of domestic violence and gender-based violence, to take an active role to reduce isolation, assist with safety planning, provide survivors with validation, encouragement, and long-term support, and avoid victim-blaming.

¹ From Nov. 2020 through Oct. 2021, the National LGBTQ Institute on Intimate Partner Violence formerly a project from a partnership between the Northwest Network and the National Coalition of Anti-Violence Programs became a project of the National Resource Center on Domestic Violence.



Members of the 2S+/LGBTQ+ Toolkit Development Advisory Committee include, clockwise from top right: Wendy Schlater; Juana Majel Dixon; Debra O'Gara; Linda Locklear; Carrie Lippy; and Paula Julian. Not pictured: Kim Zahne and Olivia Gray. / Image courtesy of Paula Julian, NIWRC.

CWTF participants who expressed interest in participating in ongoing discussions formed our 2S+/LGBTQ+ Toolkit Development Advisory Committee with whom we had additional discussions to finalize our toolkit. Included in the toolkit is a previous article, titled, “Stories Are Our Medicine: Reconnecting with Indigenous Teachings to Create Healing Spaces With and For Native 2SLGBTQ Survivors of Violence” that the Committee worked together to include in NIWRC’s *Restoration Magazine* June 2021 edition. We thank and recognize our Committee for their time and effort to develop and finalize the toolkit that we released last month.

Resources and local organizing efforts to develop advocacy and programming are important to increase options for 2S+/LGBTQ+ victim-survivors. In the meantime, the Toolkit for Family and Friends of Indigenous 2S+/LGBTQ+ Victim-Survivors of Domestic Violence to Reconnect with Traditional and Healing Teachings provides information and strategies to support families and friends to reconnect with their teachings,

including borrowing or creating new teachings, and to improve their capacity to support their 2S+/LGBTQ+ family and friends who are survivors of domestic violence or sexual violence or abuse. Family members can take active roles within their immediate family and larger community spaces to protect, reduce isolation, assist with safety planning, support survivors, and avoid victim-blaming. Having families and friends who are loving, understanding, respectful, and accepting is the best healing and safety net for 2S+/LGBTQ+ survivors.

“I am excited about the release of the toolkit because it is going to inform those family members who want to support and care for their 2S/LGBTQ relatives who are victims of physical and sexual violence,” said Wendy Schlater (La Jolla Band of Luiseno Indians), Director, Avellaka Program.

Links to the toolkit and summary can be found on the following resource page. For more information, reach out to NIWRC via our website: niwrc.org/contact.



Helpful Resources for 2S+/LGBTQ+ Advocacy:

For Family and Friends:

- Toolkit:** How Families and Friends Can Reconnect with Native Teachings and Create Healing Spaces with and for Native 2S+/LGBTQ+ Victim-Survivors of Domestic Violence: <https://n8ve.net/qCipx>
- Summary:** How Families and Friends Can Reconnect with Native Teachings and Create Healing Spaces with and for Native 2S+/LGBTQ+ Victim-Survivors of Domestic Violence: <https://n8ve.net/lnNTn>
- Restoration Magazine:** Reconnecting with Indigenous Teachings to Create Healing Spaces with and for Native 2SLGBTQ Survivors of Violence: <https://n8ve.net/aglm3>
- Two-Spirit Identity from StrongHearts Native Helpline: <https://n8ve.net/n45rB>
- LGBTQ2S (Two-Spirit) Resources by the Southwest Indigenous Women’s Coalition: <https://n8ve.net/Oehkr>
- Two-Spirit People from the National Congress of American Indians: <https://n8ve.net/pmtkh>

For Native Youth

- Native Youth Sexual Health Network: <https://n8ve.net/ckDnW>
- It Gets Better Project: <https://n8ve.net/GbuhD>
- Indigenizing Love: A Toolkit for Native Youth to Build Inclusion PDF: <https://n8ve.net/DcNu5>
- A Guide to Being an Ally to Transgender and Nonbinary Youth by The Trevor Project: <https://n8ve.net/vrnxt>
- How Can I Make My Center An Affirming Place For People Who Identify As LGBTQ? by NRCDV: <https://n8ve.net/XapPA>
- Setting The Stage: Strategies For Supporting LGBTIQ Survivors by Washington Coalition of Sexual Assault Programs: <https://n8ve.net/uNq6r>

Get Help

- StrongHearts Native Helpline** call/text 1-844-7NATIVE (762-8483), or chat: strongheartshelpline.org. StrongHearts Native Helpline is a 24/7 domestic violence, dating and sexual violence helpline for American Indians and Alaska Natives, offering culturally appropriate support.
- The Trevor Project** call 1-866-488-7386, text 678678, or chat thetrevorproject.org/get-help. The Trevor Project has trained crisis counselors who understand the challenges LGBTQ young people face, available 24/7.





Register Now

Specialty Institute
June 28-30, 2022

Addressing the Spectrum
of Housing for Victim/
Survivors of Domestic
Violence, Sexual Violence,
and Trafficking in
Indigenous Communities

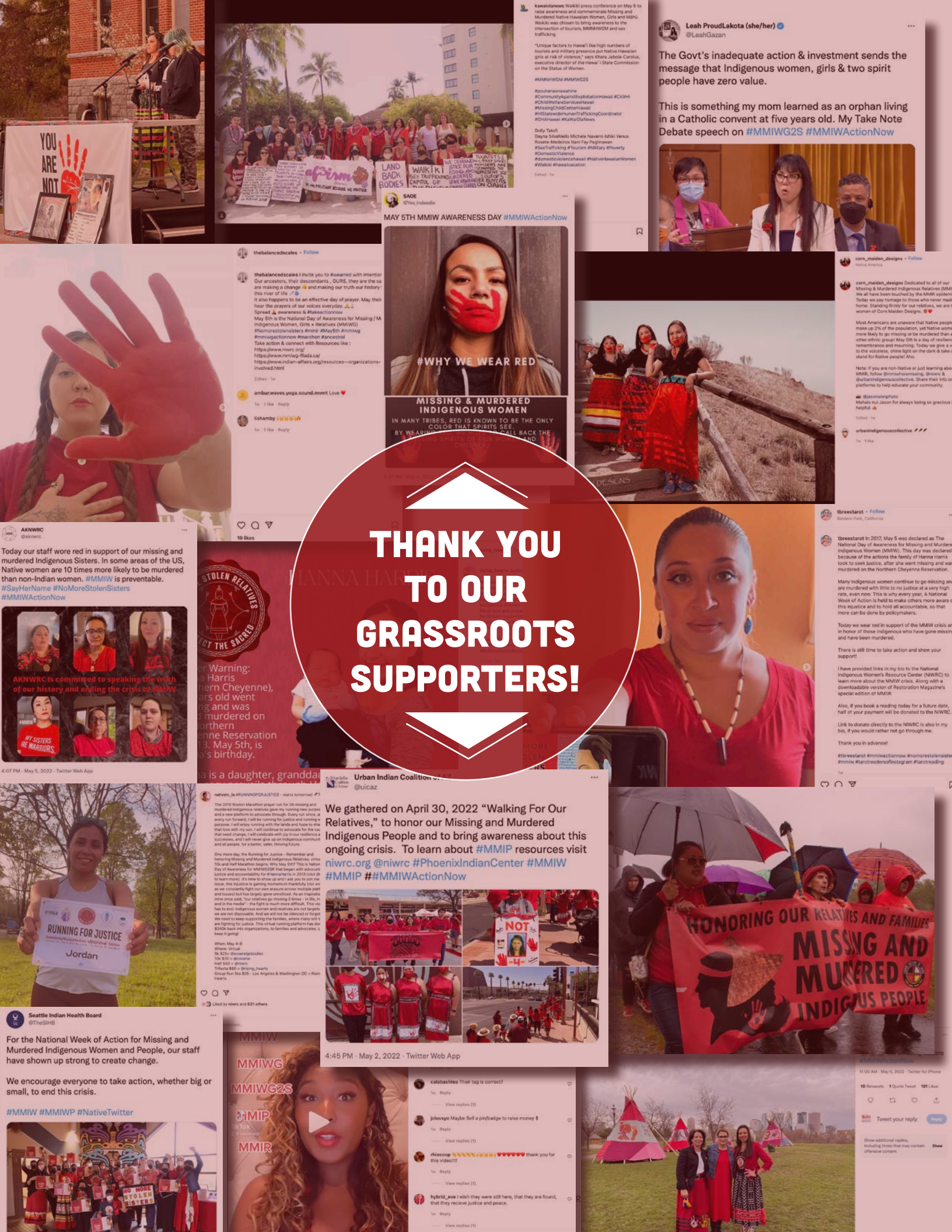
Please join us for this virtual training!

More information on this training and more at
[niwrc.org / events](https://niwrc.org/events)

fb.com/niwrc [@niwrc](https://twitter.com/niwrc) [niwrc](https://www.instagram.com/niwrc)



MISSING AND MURDERED INDIGENOUS WOMEN

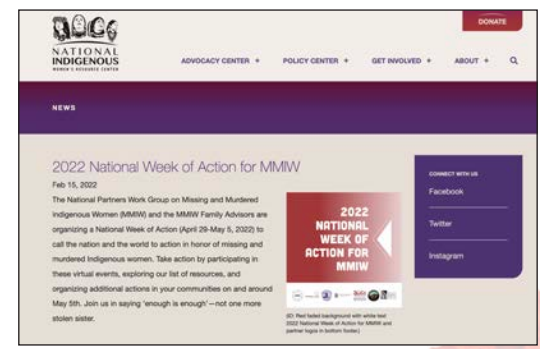


BY THE NUMBERS

2022 National Week of Action for MMIW Analytics Overview

5 VIRTUAL EVENTS
APRIL 29-MAY 5, 2022

776 REGISTERED
FOR VIRTUAL EVENTS



67,913 WEBSITE VIEWS
OF NIWRC.ORG/MMIWNATLWEEK22
FEBRUARY 15-MAY 5, 2022

22.9 MILLION PEOPLE
REACHED
BY #MMIWACTIONNOW FROM
APRIL 29-MAY 5, 2022



Overall Virtual Event Registration Data

776 registered

446 cities around the world

49 states + DC across the US

7 provinces across Canada

Top 3 states represented

Alaska - 84 registrants

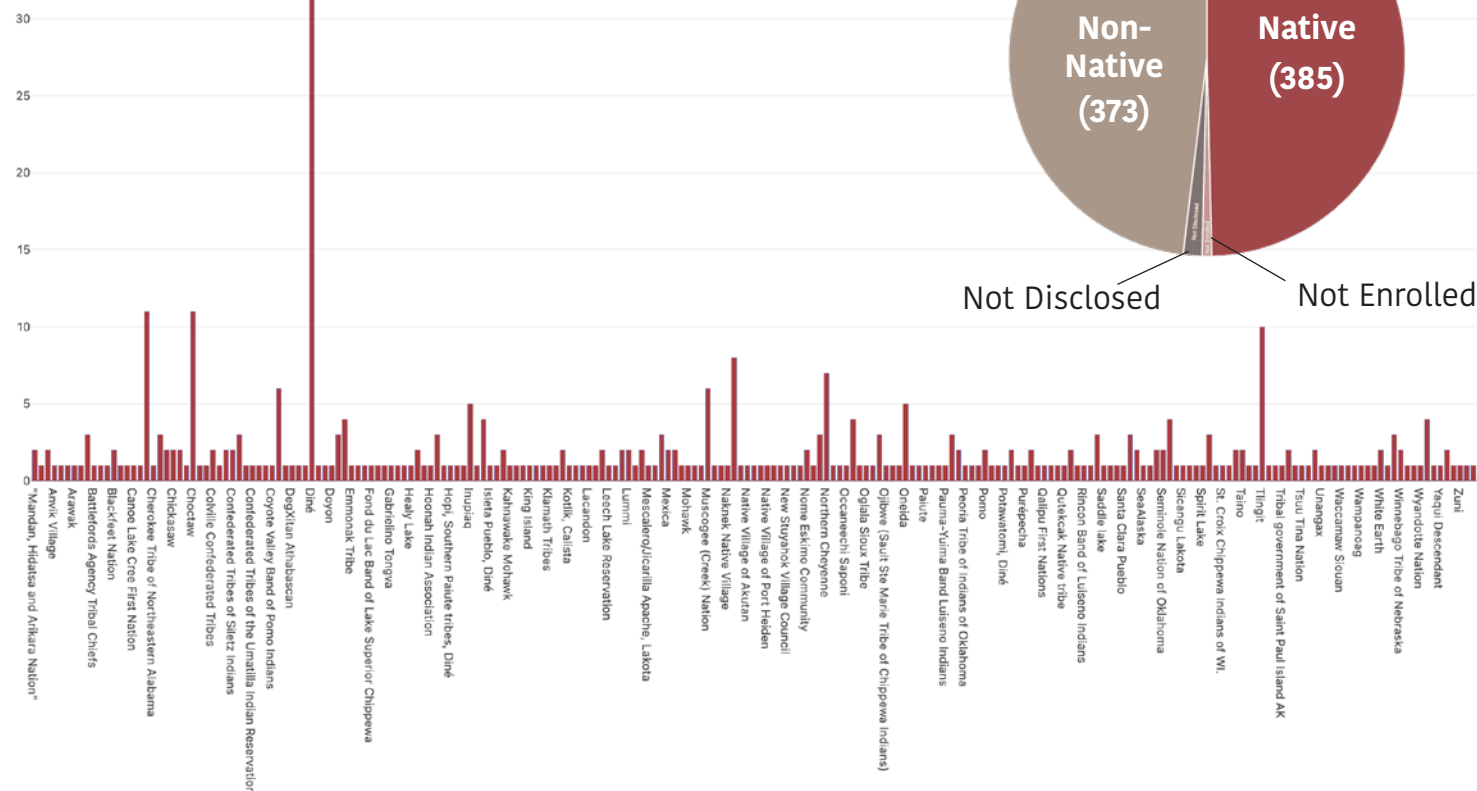
California - 72 registrants

Washington - 66 registrants

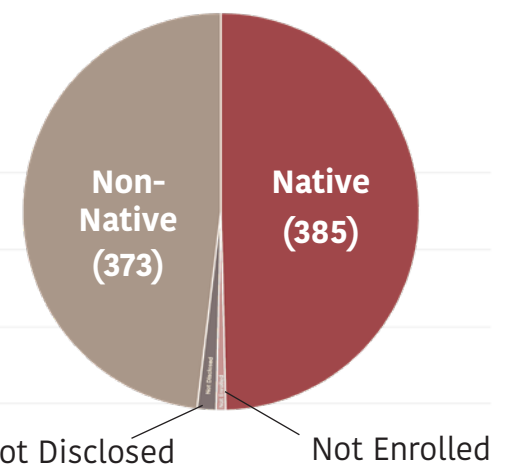
229 Indigenous Nations represented from across the lower 48, Alaska, Hawaii, Pacific Islands, and Canada

(*Based on attendees that disclosed their Tribe)

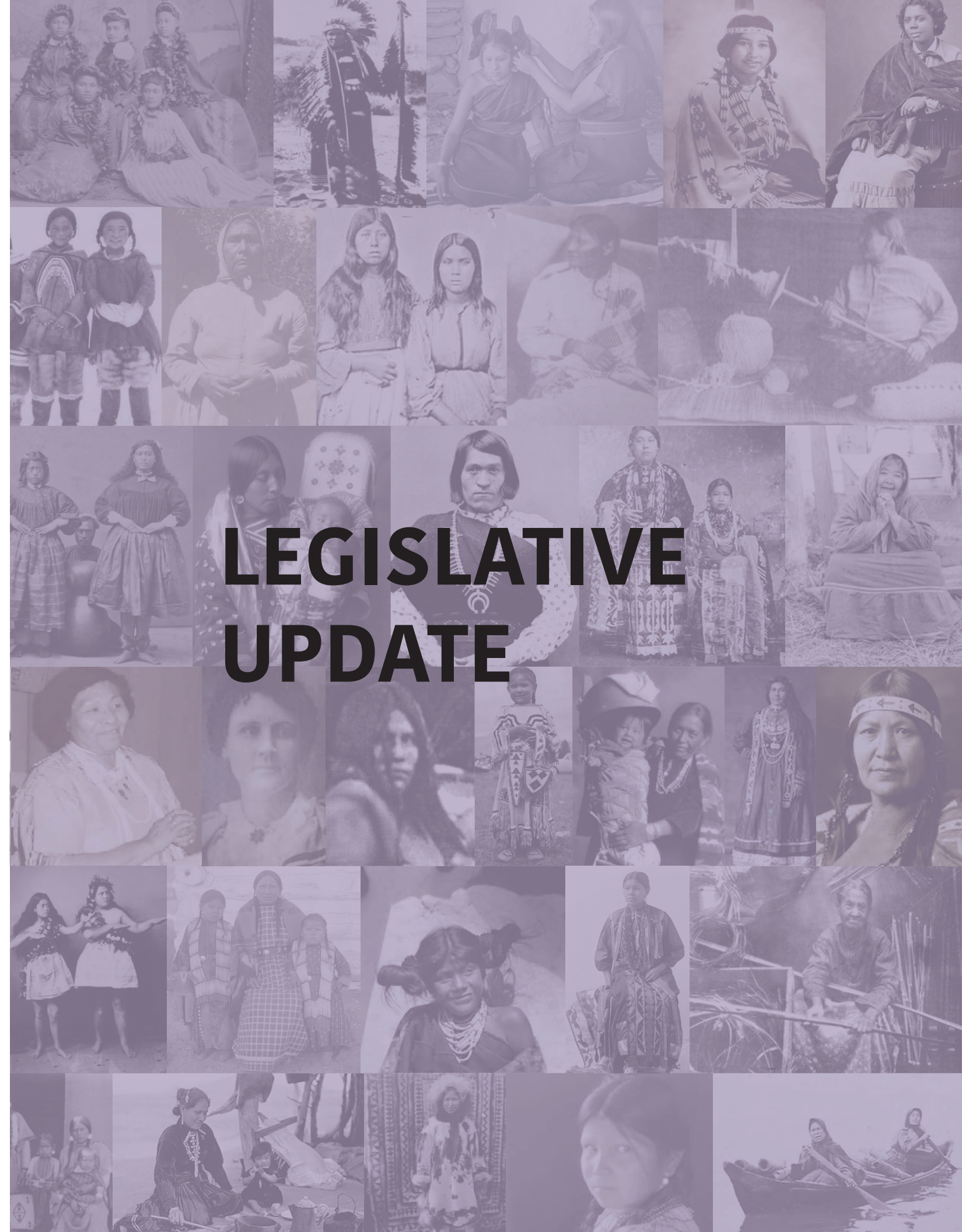
Indigenous Representation



Native v. Non-Native Attendees



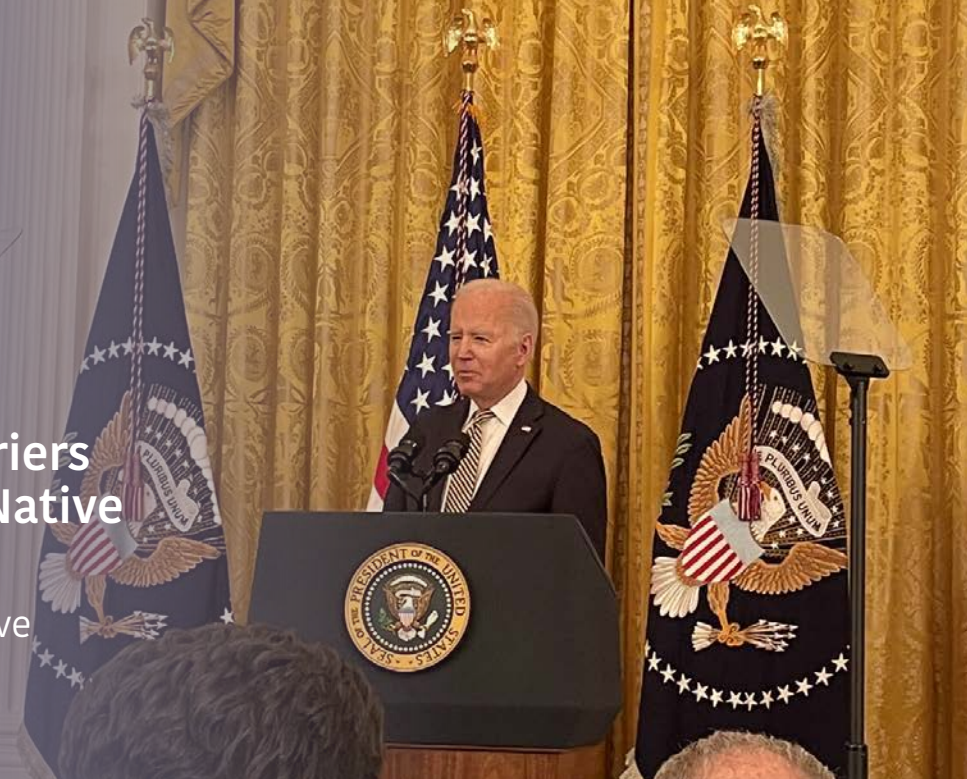
LEGISLATIVE UPDATE



2022 Legislative Update

Reforms and Increased Resources to Remove Barriers to Safety and Justice for Native Women

By Kerri Colfer, *Tlingit*, Senior Native Affairs Advisor, NIWRC



President Biden delivers remarks at an event at the White House to commemorate the reauthorization of the Violence Against Women Act. / Photo courtesy of Kerri Colfer, NIWRC.

Violence Against Women Act (VAWA)

On March 10, the U.S. Senate voted¹ to reauthorize the bipartisan Violence Against Women Act Reauthorization Act of 2022 (VAWA) through the passage of the Consolidated Appropriations Act, 2022 (H.R. 2471), the omnibus government funding bill for the fiscal year 2022.² The bill was signed into law by President Biden on March 15.

Now reauthorized through 2027, VAWA 2022 includes historic provisions that restore critical categories of Tribal criminal jurisdiction necessary to protect Native women and children, including sexual assault, stalking, sex trafficking, child violence, obstruction of justice, and assault on Tribal justice personnel.

In addition to restoring Tribal jurisdiction over certain crimes, VAWA:

- Codifies the Tribal Access Program (TAP) to enhance Tribes' ability to access and obtain information from national criminal information databases;
- Establishes a reimbursement program, through which the U.S. Attorney General may reimburse Tribal governments for expenses incurred in exercising special Tribal criminal jurisdiction (STCJ);

- Permanently reestablishes the U.S. Bureau of Prisons (BOP) Tribal Prisoner Program to allow Indian Tribes to place offenders convicted in Tribal Courts of violent crimes in federal facilities if the sentence includes a term of imprisonment for one or more years; and
- Increases resources to Tribal governments exercising STCJ.

The Violence Against Women Act Reauthorization Act also establishes an Alaska pilot project, which will enable a limited number of Alaska Native villages to exercise STCJ, and clarifies that Tribes in Maine are also eligible to exercise STCJ.

Family Violence Prevention and Services Improvement Act of 2021 (FVPSA)

On October 26, 2021, the United States House of Representatives voted 228 to 200 to pass the bipartisan Family Violence Prevention and Services Improvement Act (FVPSA) of 2021 (H.R. 2119).³ The bill, which was introduced on March 23, 2021 by Representatives Lucy McBath (D-GA-06), Gwen Moore (D-WI-04), Don Young (R-AK-At Large), and John Katko (R-NY-24), provides critical funding for shelter and supportive services for victims of domestic violence, including those in Indian Country.

On July 21, 2021, the Senate Committee on Health, Education, Labor, and Pensions marked up S. 1275.⁴ The bill advanced out of Committee by voice vote.

This FVPSA reauthorization bill provides critical support for shelters, coalitions, training and technical assistance centers, children's services, emergency response hotlines, and prevention initiatives. The FVPSA is also the only federal grant program solely dedicated to domestic violence shelter and supportive services and is the primary source of funding for these services for Indian Tribes.

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

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

May 5 National Day of Awareness for Missing and Murdered Indigenous Women and Girls (MMIWG) Resolutions and Presidential Proclamation Introduced

U.S. Senators Daines (R-MT) and Tester (D-MT) introduced a Senate resolution designating May 5, 2022 as the National Day of Awareness for Missing and Murdered Native Women and Girls.⁵ The Resolution passed in the Senate by unanimous consent.

Rep. Dan Newhouse (R-WA-4) introduced a House Resolution designating May 5 as the National Day of Awareness for Missing and Murdered Native Women and Girls.⁶

May 5 was the birthday of Hanna Harris, a 21-year-old Northern Cheyenne woman who disappeared from her home in Lane Deer, Montana in 2013. Her body was

found several days later by a volunteer search party after police failed to take the case seriously. Her case then went unsolved for nine months.

The resolutions recognize the high rates of violence committed against Indigenous women and call for May 5 to serve as a day to commemorate the lives of those who have gone missing or have been murdered and to stand in solidarity with their families.

The White House issued a May 5 Missing or Murdered Indigenous Persons Awareness Day proclamation.⁷ The proclamation calls for strengthening prevention, early intervention, supportive services, data collection, and information sharing, in accordance with the November 15, 2021, Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People.

Interior Secretary Haaland Appoints Members to Not Invisible Act Commission

On May 5, 2022, Secretary of the Interior Deb Haaland (Laguna Pueblo) and Deputy Attorney General Lisa Monaco announced members of the Not Invisible Act Joint Commission on Reducing Violent Crime Against Indians (Commission) during a virtual event recognizing the National Missing or Murdered Indigenous Persons Awareness Day.⁸ The Commission was established by the *Not Invisible Act*, which was signed into law in 2020.⁹

Over the next 18 months, the Commission, which is composed of Tribal leaders, law enforcement, federal partners, advocates, Native organizations, survivors, and family members, will make recommendations to the Departments of the Interior and Justice to combat the crisis of violence against American Indians and Alaska Natives.

Members of the Commission include Kerri Colfer (Tlingit), NIWRC's Senior Native Affairs Advisor, and three members of NIWRC's Missing and Murdered Indigenous Women Family Advisory Committee: Dr. Grace Bulltail (Crow Tribe); Leanne Guy (Diné); and Patricia Whitefoot (Yakama Nation and Warm Springs Tribe).

¹ <https://n8ve.net/hHXgN>

² <https://n8ve.net/rZeA0>

³ <https://n8ve.net/VvIzj>

⁴ <https://n8ve.net/Ezuxw>

⁵ <https://n8ve.net/uSyyO>

⁶ <https://n8ve.net/fCCZC>

⁷ <https://n8ve.net/eXr3L>

⁸ <https://n8ve.net/yPKvX>

⁹ <https://n8ve.net/ptlWo>



Celebrating VAWA 2022

After Long Wait, Violence Against Women Act Once Again Reauthorized Through 2027

By Kerri Colfer, *Tlingit*, Senior Native Affairs Advisor, NIWRC

From left to right, seated: Kerri Colfer, NIWRC; Kelbie Kennedy, NCAI; Mary Kathryn Nagle, Counsel to NIWRC; Teri Gobin, Tulalip Tribes; Rep. Sharice Davids (D-KS); Deborah Parker, National Native American Boarding School Healing Coalition. From left to right, standing: Dawn Stover, Alliance of Tribal Coalitions To End Violence; Rose Quilt, NIWRC; Libby Washburn, White House Domestic Policy Council; Chalyee E'esh Richard Peterson, Central Council of Tlingit & Haida Indian Tribes of Alaska; Lori Jump, StrongHearts Native Helpline; Bryan Newland, Asst. Secretary for Indian Affairs, USDIO; unidentified woman; Heidi Todacheene, Senior Advisor to the Secretary, USDIO; J. Michael Chavarria, Pueblo of Santa Clara; Lisa Koop Gunn, Tulalip Tribes; Kim Moxley, Senate Committee on Indian Affairs; Concetta Tsosie de Haro, Senate Committee on Indian Affairs; Michelle Demmert, Alaska Native Women's Resource Center; Tami Truett Jerue, AKNWRC; Rani Williams, Office of Sharice Davids; Paula Julian, NIWRC; PaaWee Rivera, White House Office of Intergovernmental Affairs. / Photo courtesy of Paula Julian, NIWRC.

On March 16, 2022, Tribal leaders, domestic and sexual violence advocates, survivors, and members of Congress were invited to an event at the White House hosted by President Biden to commemorate the reauthorization of the Violence Against Women Act (VAWA).

President Biden delivered remarks celebrating the expanded protections for survivors in the new VAWA bill, including protections for Tribes and Native survivors.

The bill, which was included in the Consolidated Appropriations Act, 2022 (H.R. 2471), was signed into law on March 15 and includes historic provisions to restore Tribal jurisdiction over non-Native perpetrators of certain crimes and provides much-needed resources to Tribal governments to address violence against Native women. This is the fourth reauthorization of VAWA since it was first signed into law in 1994.

Watch Remarks by President Biden Celebrating the Reauthorization of the Violence Against Women Act:
n8ve.net/Fw3fl



NIWRC Senior Native Affairs Advisor Kerri Colfer with President Joe Biden. / Photo courtesy of Kerri Colfer, NIWRC.



From left to right: Heidi Todacheene, USDIO; Bryan Newland, Assistant Secretary for Indian Affairs, USDIO; Whitney Gravelle, Bay Mills Indian Community Executive Council; Paula Julian, NIWRC; Rose M. Lashawaat Quilt, NIWRC; and Kerri Colfer, NIWRC. / Photo courtesy of NIWRC.



From left to right: Chalyee E'esh Richard Peterson, Central Council of Tlingit & Haida Indian Tribes of Alaska; Shannon Holsey, Stockbridge-Munsee Band of Mohican Indians; Rose M. Lashawaat Quilt, NIWRC; Lori Jump, StrongHearts Native Helpline; Dawn Stover, Alliance of Tribal Coalitions to End Violence; Michelle Demmert, AKNWRC; Deborah Parker, National Native American Boarding School Healing Coalition; Tami Truett Jerue, AKNWRC; Paula Julian, NIWRC. / Photo courtesy of NIWRC.

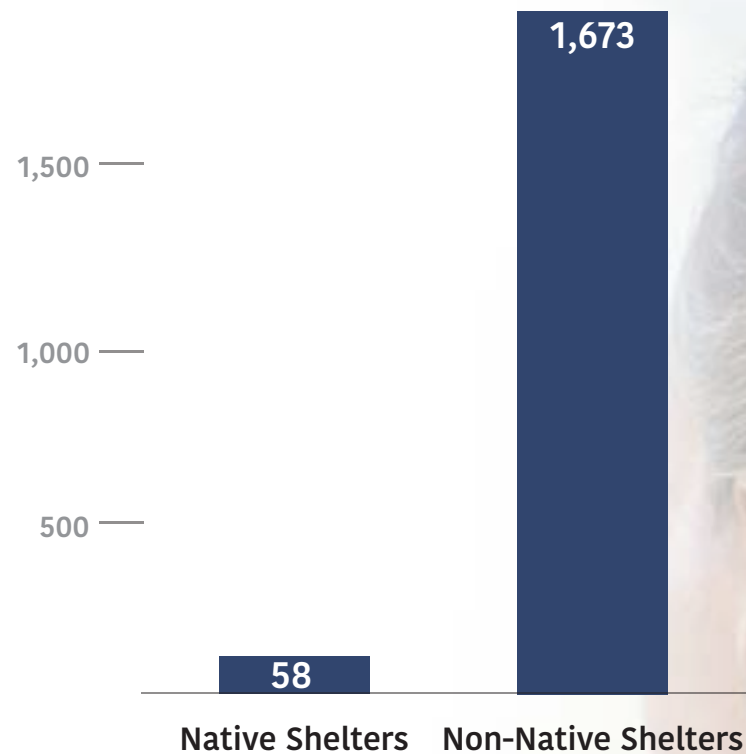


From left to right: Mary Kathryn Nagle, Counsel to NIWRC; Kerri Colfer; and Kelbie Kennedy, NCAI Policy Manager. / Photo courtesy of Kerri Colfer, NIWRC.



From left to right: Lori Jump, StrongHearts Native Helpline; Michelle Demmert, Alaska Native Women's Resource Center; Rose M. Lashawaat Quilt, NIWRC; Sheila Jackson Lee, Representative (D-TX); Deborah Parker, National Native American Boarding School Healing Coalition; Bryan Newland, Asst. Secretary for Indian Affairs, USDIO; Concetta Tsosie de Haro, Counsel, Senate Committee on Indian Affairs; Heidi Todacheene, Senior Advisor to the Secretary, USDIO; and Paula Julian, NIWRC. / Photo courtesy of Paula Julian, NIWRC.

Domestic Violence Shelters in the U.S.



There are only 58 Native domestic violence shelters nationwide for 574 federally recognized Indian Tribes.

Help push for FVPSA reauthorization in NIWRC's Action Center

Sign up quickly and easily at niwrc.quorum.us

[fb.com/niwrc](https://www.facebook.com/niwrc)
[@niwrc](https://twitter.com/niwrc)
[niwrc](https://www.instagram.com/niwrc)

Legislative Update VAWA 2022 Housing Provisions

By STTARS Indigenous Safe Housing Center Staff



Where can I find an analysis on the Violence Against Women Act (VAWA) 2013/2005 related to housing security/access to safe shelter for American Indian, Alaska Native, and Indigenous peoples within the U.S.?

This article is intended to be a brief legislative update that evolves as we delve more into the text of the full Violence Against Women Act. However, the National Indigenous Women's Resource Center published an article in the June 2018 *Restoration Magazine* regarding VAWA housing provisions, which can be accessed here: <https://n8ve.net/kuNaw>

We also encourage you to read the housing report, National Workgroup on Safe Housing for American Indian and Alaska Native (AI/AN) Survivors of Gender-Based Violence: Lessons Learned, which can be accessed here: <https://n8ve.net/RpedO>

Were any new housing or shelter-related provisions added to VAWA 2022?

Yes. The STTARS Indigenous Safe Housing Center (STTARS) is still reviewing VAWA 2022 and working with partners to better understand the changes to housing provisions in the latest iteration. However, we have included our initial review below:

Provisions of note so far are the following:

- Compliance reviews which should improve overall implementation and compliance
- Funding for training and technical assistance
- Amending the McKinney-Vento Homeless Assistance Act's definition of "homelessness"
- The right to report crime without risking one's housing/anti-retaliation provisions
- Reauthorizing and improving the VAWA transitional housing program
- A study on victims of trafficking
- Time limits on when HUD and other federal agencies must promulgate VAWA regulations

- Codifying the VAWA Housing Director Position

STTARS wants to highlight that amending the McKinney-Vento Homeless Assistance Act definition of "homelessness" was included in the 2020 report recommendations by the National Workgroup on Safe Housing for AI/AN Survivors of Gender-Based Violence.

Section	Section Title
Section 601	Housing Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking
Section 602	Ensuring Compliance and Implementation; Prohibiting Retaliation Against Victims
Section 603	Protecting the Right to Report Crime from One's Home
Section 604	Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Section 605	Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Section 606	Study and Report on Housing and Service Needs of Survivors of Trafficking and Individuals at Risk for Trafficking

Section 602

Section 602 now defines standards of compliance under covered housing programs; includes detailed reporting requirements, including the number of emergency transfers requested and granted, as well as the length of time needed to process them; includes standards for corrective action plans where compliance standards have not been met; requires some form of consultation (not Tribal specific); establishes a gender-based violence office with a violence against women director (and establishes their duties); and requires each appropriate agencies to issue regulations in accordance with section 553 of Title 5 in of the U.S.C. no later than two years after VAWA 2022 is enacted.

Rather importantly, Section 602 states that no public housing agency or owner or manager of housing assisted under a covered housing program shall discriminate against any person because that person has opposed any act or practice made unlawful by the act. It also prohibits coercion, intimidation, threats, interference, or retaliation against any person in the exercise/enjoyment of, on account of the person having exercised/enjoyed, or on account of the person having aided or encouraged any other person in the exercise/enjoyment of any rights or protections under the Act.

Section 605

Section 605 amends the HEARTH Act so that the definition of “homeless” means: any individual or family who is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous traumatic or life-threatening conditions related to the violence against the individual or a family member in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized. However, the definition also includes the following limiting language: has no other safe residence and lacks resources to obtain other safe permanent housing.

The STTARS team alongside its National Workgroup on Safe Housing for AI/AN Survivors of Gender-Based Violence is working to address the limiting language and hopes to advise policymakers regarding ways to implement that new language while centering the intersectional needs of survivors.

Section 606

This section outlines the scope of a new study on trafficking and housing insecurity/homelessness. Section 606 defines “severe form of trafficking” to be the same as that found in section 103 of the TVPA (2000). This section applies to survivors of trafficking, including severe forms of trafficking, and those at risk of being trafficked. This section requires the government to coordinate with the “Interagency Task Force to Monitor and Combat Trafficking established under Section 105 of the TVPA (2000), the US Advisory Council on Human Trafficking, and the Secretary of HHS.

What additional provisions should I know about?

Section	Section Title
Section 206	LGBTQ Specific Services Program (see Section B(2)(A))
Section 701	Findings for Title VII (Economic Security for Victims)
Section 704	Study and Reports on Barriers to Survivors’ Economic Security Access (See Section C(1)(B))
Title X- Improving Conditions for Women in Federal Custody	Prohibition on Placement of Pregnant Prisoners or Prisoners in Post-Partum Recovery in Segregated Housing Units (See Section 1001(C))
Title XI- Law Enforcement Tools to Enhance Public Safety	Some provisions throughout, including for Native Hawaiians.



The Centers for Disease Control and Prevention reports that survivors of severe intimate partner violence lose nearly eight million days of paid work. Women disproportionately need time off to care for their health or to find safety solutions, such as obtaining a restraining order or finding housing, to avoid or prevent further violence. / Photo courtesy of STTARS.

STTARS wants to call attention specifically to §701. Just as the findings in Title IX are critically important to the Safety for Indian Women chapter in the VAWA, these findings are significant and useful in terms of addressing the financial impact of violence on survivors generally (not Tribal specific). In particular, these findings called attention to the following:

- 60% of single women lack economic security and 81 percent of households with single mothers live in economic insecurity. Significant barriers that survivors confront include access to housing, transportation, and childcare. (§701(4))
- 92% of homeless women have experienced domestic violence, and more than 50% of such women cite domestic violence as the direct cause of homelessness. Survivors are deprived of their autonomy, liberty, and security, and face tremendous threats to their health and safety. Id.
- The CDC reports that survivors of severe intimate partner violence lose nearly 8,000,000 days of paid work. Women disproportionately need time off to care for their health or to find safety solutions, such as obtaining a restraining order or finding housing, to avoid or prevent further violence. (§701(5)).

use, and maintain access to money, credit, ownership of assets, or governmental or private financial benefits, including defaulting on joint obligations (such as school loans, credit card debt, mortgages, or rent). Other forms of such abuse may include preventing someone from attending school, threatening to or actually terminating employment, controlling or withholding access to cash, checking, or credit accounts, and attempting to damage or sabotage the creditworthiness of an intimate partner, including forcing an intimate partner to write bad checks, forcing an intimate partner to default on payments related to household needs, such as housing, or forcing an intimate partner into bankruptcy.” (§701(15)).

LEARN MORE

View National Workgroup on Safe Housing for American Indian and Alaska Native Survivors of Gender-Based Violence: Lessons Learned: n8ve.net/RpedO

The findings also define economic abuse as “behaviors that control an intimate partner’s ability to acquire,

Preparing for DOJ OVW Tribal Consultation

17th Annual Government-to-Government Consultation on Violence Against Women

In 2005, Congress amended the Violence Against Women Act (VAWA) to include a Tribal title, mandating that the U.S. Department of Justice organize an annual Tribal consultation dedicated to addressing violence against Indian women with federally recognized American Indian and Alaska Native Tribes. In 2022, the 17th Annual Government-to-Government Violence Against Women Tribal Consultation will take place in Anchorage, Alaska, from September 21-23, 2022, organized by the Office on Violence Against Women (OVW).

The 2022 reauthorization of VAWA continued the progress to address violence against Indian women, affirming the authority of Tribal governments to respond to violence against Indian women by non-Indian offenders within their respective jurisdiction. VAWA 2022 recognized the injustice of failing to include Maine and Alaska Indian Tribes within the 2013 Special Domestic Violence Criminal Jurisdiction provision and includes language for Maine Tribes and the creation of a historic Alaska Pilot Project. Concerns and discussion regarding the implementation of these and other critically needed VAWA 2022 Tribal sections are essential to this September's annual consultation.

At the broadest level, this nation-to-nation interaction provides a forum for Tribes and the United States to discuss, examine, and address issues and matters that directly impact the safety of Indian women. Statements and recommendations made by Tribal Nations are an essential part of the Tribal consultation process. This consultation is a dedicated space for Tribal leaders and authorized representatives to bring forward any legal, policy, and administrative issues essential to safeguard the lives of Indian women and the successful implementation of VAWA to the United States federal government.

“Under the consultation mandate, the federal departments—Departments of Justice, Health and Human Services, and Interior—must each consult annually with Indian nations on issues concerning the safety of Indian women. To continue to increase protections for Native

women, Indian Nations need to continuously identify the roadblocks and solutions that will allow us as governments to protect women.”—Juana Majel, Co-Chair, NCAI Task Force on Violence Against Women

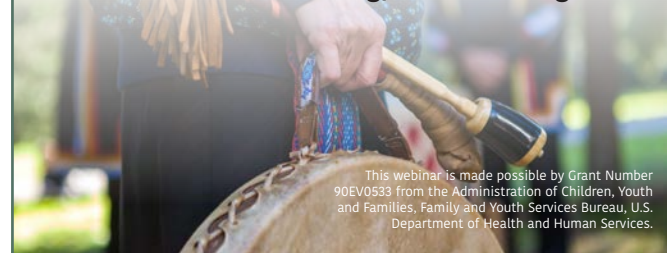
Because of several concerns identified from the Tribal consultations from 2006 to 2012, Congress strengthened the consultation mandate in the reauthorization of VAWA in 2013. The VAWA 2013 amendment addressed concerns from Tribal leaders about the consultation process, allowing for mutual dialogue with governments regarding the legal and policy roadblocks to the safety of Native women.

Save The Date - August 3, 2022

Join us for a Preparatory Webinar: Tribal Consultation on Violence Against Women Act (VAWA) 2013, Section 903

VAWA 2005 requires the DOJ, HHS, and DOI to engage in formal consultation with Indian Tribes on an annual basis to address concerns that impact the safety of Indian women at the broadest level. Participation in this nation-to-nation consultation is critically important for tribal leaders to dialogue with government officials about solutions and strategies to address issues related to violence against Native women. We hope that you will join our webinar to review outstanding or emerging issues to address the most serious roadblocks to the safety of Native women and how you can voice your concerns and provide recommendations to increase accountability and enhance the safety of Native women (*subject to change*).

Check back at niwrc.org/events to register



VAWA amendments to the consultation provision mandated the Departments of Interior and Health and Human Services to attend, as well as for the U.S. Attorney General to submit a report to Congress detailing Tribal recommendations and the progress made in addressing Tribal concerns. To view the 2021 OVW Tribal Consultation Annual Report, visit n8ve.net/Fld19. Past consultation reports can be found on the Department of Justice's website at n8ve.net/kr3Lr.

Resources to Help Prepare for Consultation

Consultation Support

Consultations between the U.S. federal government and Tribal governments provide critically important venues to address violence against American Indian and Alaska Native women. The National Indigenous Women's Resource Center (NIWRC) offers consultation support to assist Tribal leaders in identifying priority issues and in the development of recommendations for systemic improvements to increase the safety of Native women. NIWRC staff can provide resource materials to help Tribal leaders, grassroots advocates, and Tribal coalitions prepare for consultations and engage with the federal government. Visit our Consultation Support page on our website at niwrc.org/consultation-support for more information. You can also connect with our staff for assistance at niwrc.org/contact.

Priorities Brief

In preparation for each of the annual Tribal consultations, the NIWRC and the National Congress of American Indians' (NCAI) Task Force on Violence Against Women have assisted Indian Tribes with their preparations. The organizations will be releasing a priorities brief outlining important information in advance of Tribal consultation for Tribal leaders later this summer. Visit our Consultation Support page on our website at niwrc.org/consultation-support for this priorities document when released.

Preparatory Webinar

NIWRC, NCAI, and the Alaska Native Women's Resource Center will host a national webinar to summarize key national concerns and emerging issues for Tribal leaders and representatives to consider in advance of Tribal consultation. During the webinar, Tribal leaders and representatives receive a briefing on priority issues, specific Tribal concerns, and recommendations for the consultation. Please join us for this preparatory webinar this summer. Visit our Events page on our website for more information and to register: niwrc.org/events.

VAWA Tribal Consultation Mandate

Safety for Indian Women, VAWA 2005 §903 and VAWA 2013 §903 (Amended by Savanna's Act)

- In General—The Attorney General shall conduct annual consultations with Indian tribal governments concerning the federal administration of tribal funds and programs established under this Act, the Violence Against Women Act of 1994 (Title IV of Public Law 103-322; 108 Stat. 1902), and the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491).
- Recommendations—During consultations under subsection (a), the Secretary of the Department of Health and Human Services, the Secretary of the Interior, and the Attorney General shall solicit recommendations from Indian tribes concerning—
 - administering tribal funds and programs;
 - enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, homicide, stalking, and sex trafficking;
 - strengthening the federal response to such violent crimes; and
 - improving access to local, regional, state, and federal crime information databases and criminal justice information systems.

VAWA 2013 Amendments to the VAWA 2005 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 was added to the list of items to be addressed at the consultation.

Mana Wahine (Powerful Women)

Calling for Change, Creating A Native Hawaiian Resource Center on Domestic Violence

By Rosemond K. Pettigrew, Dayna Schultz,
Psy. D., LSW, CSAC, NaniFay Paglinawan and
Dolly Tatofi, Board of Directors, Pouhana 'O Nā
Wahine. Paula S. Julian, *Filipina*, Senior Policy
Specialist, NIWRC



Here, advocates speak to the significance and importance of the establishment of a Native Hawaiian Resource Center on Domestic Violence in creating space for Native Hawaiians to heal and change, individually and collectively.

Paula Julian

Marlin Mousseau is a Lakota man, a recovering batterer, a tiblo (older brother), and longtime advocate. One of the lessons I've learned from Marlin is the importance of identifying the point in the specific histories of Native people when your culture began to shift away from respect for women to violence against women. The U.S. overthrow of Queen Lili'uokalani was such a shift for Native Hawaiians that is reflected in the systemic

barriers, violence, and disparities that Native Hawaiians experienced. Marlin says if you know this starting point, then you can end it. We are the sisters, aunties, and relatives that are here to share aloha and support women, and help others learn to do the same. A Native Hawaiian Resource Center on Domestic Violence will create a space as a family for survivors and help others learn how to be family and best support survivors. The Pouhana 'O Nā Wahine is changing the trajectory for themselves, their children, and their grandchildren. Thank you, sisters, for your faith, commitment, and efforts to make these changes. In the silence and darkness of the genocide and violence Native Hawaiian women have experienced, you sisters have been the brightest light and most beautiful voice.



NIWRC Senior Policy Specialist Paula Julian meeting with Representative Kaiuli'i Kahele's D.C. staff Kana Smith and Hokulani Johnasen, March 16, 2022. / Photo courtesy of Paula Julian, NIWRC.



Rosemond Pettigrew and NaniFay Paglinawan at the IVAT Conference in Hawaii, March 30, 2022. / Photo courtesy of Dayna Schultz, NaniFay Paglinawan, Rosemond Pettigrew and Dolly Tatofi.

Aunty NaniFay Paglinawan

I was born on the Big Island, raised on Oahu, and lived on Maui. Those different environments made me—the different mountains, valleys, and oceans. My husband was a fisherman, and we camped a lot with my children on pohaku (rocks). We didn't do sandy beaches and all those nice tourist stuff. My mother ran her own restaurant and luaus and served Native foods. I was raised picking limu (seaweed) and different parts of the ocean grow different limu—freshwater, saltwater, and Muliwai, which is where the saltwater and the freshwater meet, which is my favorite and one of the best limus.

My story is a very common one for Native Hawaiians because of the trauma of colonization, and the effects of this trauma, the alcohol, the abuse, the drugs, and addiction. We need to acknowledge this trauma so that we can heal. When I acknowledge where I come from, I'm healing, and when I heal myself then I help to heal my mother, my mother's mother, my mother's mother's mother.

I did my genealogy around women's issues and domestic violence, and I can go way back on both my mother's and father's sides, including the White British part of me. Plenty British married Hawaiians for land, and my family isn't any different. I learned about the British practice of the lords that overlooked the lands who had

sex with girls before they married when they got their first period. That's rape that unfortunately continued up until my parents' generation, which is very hard to talk about. Very painful, and most definitely impacted my generation.

Because of my work as an advocate and personal work and choices for myself, I've been able to make changes in my life for my children and mo'opuna (grandchildren). It cannot be somebody else that's going to change it or break it. I must break it. I must ask myself what do I do and figure out how to do it? I don't want to abuse in my household. I don't want to hit my children. I did it different. My daughter is definitely different from me, a good different. She can talk and have a conversation with her children and laugh and hug. The generational trauma is breaking, it's changing for my mo'opuna.

I've been in this movement since my daughter was born and she is now 43 years old. For 43 years, I've been actively involved in different ways. I'm a different human being than I was 50 years ago and to have Congress acknowledge the need for a Native Hawaiian Resource Center on Domestic Violence (NHRCDV) means a lot to me.

On a global basis, we're all starting to stand up and the energy around the globe is connecting. We each have a responsibility. Helping us help each other and the world. It just cannot be any other way.

As an advocate and a survivor, too often women especially in prison have been so impacted by their victimization, hesitating to take care of themselves



When I acknowledge where I come from, I'm healing, and when I heal myself then I help to heal my mother, my mother's mother, my mother's mother's mother.

—Aunty NaniFey Paglinawan,
Pouhana 'O Nā Wahine



because they've learned that they need someone else's permission. The process of healing and changing sometimes involves me giving women permission with aloha to take care of themselves. The NHRCDV will create a space for us as Native Hawaiians to heal and change, individually and collectively. The NHRCDV can be like the blowing of the pu (conch shell) used for pule kahoahoa (appeals) that is raised toward the heavens from east to west and north to south for change. The NHRCDV can be the medium for all to heal. We have Hawaiian organizations helping in different ways, but they don't collaborate enough. The NHRCDV can be a means of collaboration whether you're working with youths, adults, elderly, babies, foster care, or trafficking.

We are four different people. We need different, we don't want all the same. Different can be powerful. We have the same intention. We're going to approach it in four different ways and that's positive. I do not take that as a negative.

Rosemond "Loke" Pettigrew

Our aina (land) is our foundation, our life, and protection. The taking and mistreatment of our aina have resulted in anger, substance abuse, violence, and the disparities Native Hawaiians experience due to the loss of connection with our identity as keiki o ka aina (children of this land). As a domestic violence advocate and Native Hawaiian community member, I understand, have witnessed, and experienced the impact on our people from contact with foreigners like Captain Cook in 1778, to the overthrow of our government in 1893, to today 2022.

I don't recall, in my 14 years of working at the domestic violence shelter on Molokai or in my 26 years working for the Hawaii State Judiciary and participating in statewide conferences, the history of violence and atrocities committed against Native Hawaiians was ever presented. I would estimate that within the last six years a shift occurred and local domestic violence and other programs, working with Native people, started to incorporate Native Hawaiian cultural practices into their agencies as a tool for healing from the violence. However, there was no program content addressing the specific needs of Native peoples and the hardships we have faced due, in large part, to the colonizers. The impact of colonization on Native Hawaiian communities was not even on anyone's radar, in my opinion. I'm not saying the information and content of the conferences weren't relevant to the work that we do. It is relevant.



Loke Pettigrew (above) Pouhana 'O Nā Wahine, presenting at the IVAT conference in Hawaii, March 30, 2022. / Photo courtesy of Dayna Schultz, NaniFay Paglinawan, Rosemond Pettigrew and Dolly Tatofi.

A Native Hawaiian Resource Center on Domestic Violence will uniquely address the issues that we as Native Hawaiians continue to experience.

I have also seen that little seems to have changed today for women victimized by domestic violence from the 1980s. Women often don't call law enforcement for help for so many reasons, including shame, guilt, worry about where she and her children are going to live, not having money, ill-treatment by law enforcement, and fear of their children being taken away by child protective services, the list goes on. I also understand that it's not unusual for women to feel like they may have greater support from close friends or family than from agencies and programs because of trust issues, comfort zone, or judgment in shelter settings. So, our work to support the capacity of our families, friends, and communities must be central for us as a resource center.

Native Hawaiian communities have different needs based on many factors. Some live on Hawaiian Home Lands (homesteads) while others live in urban or rural areas of Hawaii or out of state. Housing needs of Native Hawaiians continue to plague our people as the cost of housing in Hawaii has skyrocketed and the need for housing has increased. A 2017 report issued by the U.S. Department of Housing and Urban Development found that "Nearly half of Native Hawaiian households experience a problem of affordability, overcrowding,



PONW members Dolly Tatofi, Rosemond Pettigrew, NaniFay Paglinawan and Dayna Schultz with Honolulu Mayor Rick Blangiardi's historic proclamation May 5 recognizing Missing and Murdered Native Hawaiian Women. / Photo courtesy of PONW.

and structural inadequacy." Regardless of where our kanaka (people) live, many continue to experience health, educational, economic, and social disparities as recognized by Congress in the 1993 Apology to Native Hawaiians.¹

There's a lot of work to do to heal from the violence and trauma and to prevent further violence in Native Hawaiian communities. Our people have survived in the face of adversity, and we continue to thrive and rise above the injustices by defending our sacred spaces, restoring ancient fishponds, cultivating kalo (taro), honoring our rich cultural heritage, and exercising our right to be Hawaiian on the aina (land) of our kupuna (ancestors). The pride of our people is reflected in the Second Hawaiian Renaissance of the 1970s.

An NHRCDV can focus on addressing domestic violence and sexual violence from a Native Hawaiian perspective, including educating on the history of this violence, and the ways in which our identities as Indigenous peoples have been attacked. This education can strengthen the societal response and capacity to increase the safety of our families. A resource center with dedicated staff can promote community awareness and outreach campaigns and provide important visibility

¹ Public Law 103-150, 103rd Congress Joint Resolution 19, Nov. 23, 1993

for Native Hawaiians, especially for survivors to know that they have a place designed and managed by and for Native Hawaiians as our primary purpose. The Pouhana 'O Nā Wahine's efforts would strengthen mainstream agencies, organizations, and the state that serves all people but specifically increase their capacity to address the violence against Native Hawaiians.

Since 2015 we have worked tirelessly to get to where we are today. We have manifested what change we want to see with our hearts, mind, time, and effort and our federal policymakers responded recently with an appropriation for the NHRCDV. It is the Pouhana 'O Nā Wahine's intention to open and operate the NHRCDV. It is a monumental time for us as advocates and this is the first federally funded program in Hawaii to address the disparities of violence against Native Hawaiian women. It has taken 244 years from 1778 for this shift to occur to restore the respect of women and our people. This shift is due, in large part, to our organizing work as the Pouhana 'O Nā Wahine with Congressional champions in Washington, D.C., and our sister organizations the NIWRC, the Alaska Native Women's Resource Center (AKNWRC), the National Congress of American Indians (NCAI), StrongHearts Native Helpline, the Alliance of Tribal Coalitions To End Violence, the Indian Law Resource Center, and our many other partners at the state and national levels.

“There’s nothing like having someone from your own culture to sit with you, cry with you, hug you, and hold you during your most vulnerable time, so that’s what it means to me.”

—Dayna Schultz, Pouhana ‘O Nā Wahine

Dayna Schultz

Speaking at the recent Institute on Violence, Abuse, and Trauma (IVAT) conference in Hawaii was a big reminder of the work, our reasons, mission, and passion. I speak as a survivor, more so in the last year than I have throughout my career. This is my truth. He was in the 25th Infantry of the Army. With my Dad and Grandpa being veterans of the 25th Infantry—so it’s not all negative, as there’s some pride in that command—but I never talked about my story with my family, friends, or publicly.

Sharing my experience, it’s important for others to know because my story may be like your story. I had no support system far from home. I was not going to tell people what was going on at my house. I told myself to bear the pain. I felt very lost. The depression set in, and it was so heavy. I was stuck and there was nothing healing about my environment. Everything that I was internally, wasn’t supported externally, which further compounded the pain and increased the silencing of my trauma.

Fast forward 22 years, I felt that I had a lot of spiritual support that day at the IVAT conference. I am stronger and have a good support network, including but not limited to, healers and fellow survivors in the community, which helps to balance my mana (spiritual energy).

I started doing the work as a survivor so I could heal. That was my way of healing because no one in my family talked about it. It was like, get over it, move on with your life, and it wasn’t until the advocates who supported me told me you cannot put a timeline on your healing from that kind of victimization. I am grateful for the sister advocates who supported me in my most vulnerable time.

Telling my story at IVAT reminded me of the importance of having something for Native Hawaiian people and

being recognized as a nation, as a people separate from others. As Native Hawaiians, we have a distinct history and culture.

It’s important for us to have funding for an NHRC DV because, for survivors like me that were on the continent (stateside) and didn’t have any connection to home or culturally specific resources at that moment, an NHRC DV can help provide that. We’ll have legs and arms that can make that possible to help survivors in their most vulnerable, darkest times. They connect with someone that understands where they’re from and what their values are. The importance of not necessarily locking up their abuser but healing the family and having that regard and not saying let me fix you but giving them space to let them sit in it if that’s what they need to do. Let them be, hold them in that space, and have that aloha resonate from our islands to all over the continent. There’s nothing like having someone from your own culture to sit with you, cry with you, hug you, and hold you, so that’s what it means to me.

The NHRC DV can provide education to the military since my domestic violence occurred on a military base and educate them because they revictimized me. Instead of taking care of me, they told me I had five days to get out of the house since the house is for the soldier, despite the domestic violence and his infidelities, alcoholism, and multiple traumas. Education for the military is vital, along with breaking that cycle of revictimizing the victim for seeking help and being preyed upon by other military members.

Also, it’s important that younger people, high schoolers, and middle schoolers are aware that domestic violence is not healthy and normal. The NHRC DV can bring this awareness to light and help ensure the never-ending flow of our Native Hawaiian worldview of being pono (in

balance) from our keikis (children) to kupuna (elderly). People will hear our voices, our messages, and continue to carry it through to others—forever flowing.

I also want to build relationships with agencies that are driven to help Native Hawaiians, so our resource center will be successful because at the end of the day we’re helping our people. In Auntie NaniFay’s honor, and for many other survivors like me, we’re going to be on the map, and indisputable. While I watched President Biden’s VAWA Commemoration event this past March, I projected into the universe that for the next reauthorization of the Violence Against Women Act, Native Hawaiians are going to be there and be meaningfully recognized. It’s totally on, I got more years left in my lifetime. I’m up for the challenge.

Dolly Tatofi

Today we live in a po’o (head) heavy society. We overuse our brain/mind muscles and forget to use our other muscles such as our pu’uwai (heart) and na’au muscles. Because of this disproportionate use of our muscles, we add to the disconnect that was caused by colonizers. We also cannot forget that our kino (body) is a muscle that needs attention because this helps us capture what we know to be true, and it presents physically and visually. We subconsciously carry the disconnect with our own beings, making it difficult to connect with others. We need to ask ourselves—do I really want to carry that disconnect that was passed on to me? Something does not feel right. Sometimes we need situations to remind us of these disconnects so that we can utilize the other parts of our being to maintain lasting, loving relationships. In my eyes, although we were physically disrupted when our lands were abused and taken from us, which led to mental disruption and emotional unrest, we still have a spiritual being that knows and feels others and can maintain a connection no matter the circumstance.

Uncle Ishmael (Stagner) wrote a book Na Hulu Kupuna O Hula and talked about P.I.N.K. (Pu’uwai, ‘Ike, Na’au, and Kino). Sometimes, I ask and put it out there, what are you pinking today? Instead of what you think? It’s a great tool for understanding where you are at any moment. How is your Pu’uwai (heart), your ‘Ike (head), your Na’au (intuition/gut), and your Kino (body)? How are those all aligned or not? We must be in a state of alignment to be fully present.

I’m deeply grateful for the essence of Queen Lili’uokalani to support us to stand strong in this present



Dayna Schultz (above) and Dolly Tatofi (below), Pouhana ‘O Nā Wahine, presenting at the IVAT Conference in Hawaii, March 30, 2022. / Photo courtesy of Dayna Schultz, NaniFay Paglinawan, Rosemond Pettigrew and Dolly Tatofi.

time. I'm trying not to cry, trying to hold it together. It's not just sadness for that time and all that she took on. She had to be strong and think through how she was going to create peace for all. Some people think Lili'uokalani made her choices to save just our people. I believe she did it for everybody, even for the people that held guns against her. I don't feel that it was just for our people. She had a caring spirit for everyone no matter who they were. You can find this essence in the songs she wrote. She loved, honored, and respected everyone. What she did was very powerful and amazing in the quietest and most peaceful way. This is what I see as aloha with grace.

Reflecting on Lili'uokalani...I honestly did not know that back in 2015 with our first meeting with NIWRC that this would be part of my journey. Supporting and advocating for women and families in the domestic violence field was not my forte. I'm not immersed in it. It's not my focus. I have not knowingly been exposed to the pain and suffering of abuse that my Pouhana sisters have endured. I am very grateful to be here, and I feel that this is why Lili'uokalani has been ever so present in these moments. We are in a position like that now and need to help everybody open their hearts to organize and increase Native Hawaiian women's safety. And the way to do this is with complete Aloha. This is paramount. (See Aloha Spirit Law on opposite page.)

For the Pouhana 'O Nā Wahine's recent IVAT presentation we talked about the imposition of another culture upon our people that resulted in depression and aggression for us. During our presentation, you could feel all the emotion and anger build up in us and the participants. In the middle of our presentation, we needed everybody to breathe because we didn't want to be stuck in that emotion. We had an 'umeke (sacred bowl) in the room to direct all that energy through Hanu (inhale) and Hā (exhale). I was able to release this wai (water) back into the kai (ocean) to be transformed into aloha with the help of kūpuna (ancestors) and nā Akua a me nā 'aumakua (the gods and family spirits) of that wahi (space). We're not going to stay there in all that pain and suffering. We want to be in aloha always and in all ways. That was an example that those emotions are still trapped within us and our people. We need healing for unresolved and residual trauma through regular practices of ho'oponopono (Hawaiian conflict resolution) and other healing modalities.

With the essence of Lili'uokalani making her presence more and more apparent, now is a time to huliau and turn

to remember what Lili'uokalani embodied in her state of peace. Now is the time we can onipa'a (be steadfast) in a way that is grounded, strong with aloha as Lili'uokalani did.

While the 1993 Apology Bill signed by President Clinton may have been a good start, we must ask how long are we going to wait for real resolution? If you don't resolve things timely, you're not living in a pono state (to be in a state of harmony or balance with oneself, others, the land, work, and life itself), which affects everything that you're connected with. We want to be pono or P.I.N.K. with ourselves to help and trust others.

You must be grounded and balanced to affect people in an honorable way. We shouldn't be in a state of needing protection. If we are in a state of being sacred, then we are protected. Protection will return once honor and respect for each other is restored.

Social support for women is so important to heal from trauma and domestic violence. They need a strong system to help keep them uplifted, and functioning, so that they can be strong women for themselves, their family, and their kids. This is how women were and still are. They always supported each other, no matter what. We need those with the same kind of mind and heart to help because people are going to be called no matter what ethnicity you are, and there are people that have helped carry our culture and language. We need our women to remember who we are; we are the pouhana (pillar) for our homes, for our nation.

It's time that we look at and organize around these things. It doesn't solve everything, but it's a beginning to more healing and what aloha is. It's embedded in Hawaii law since the passage of our Aloha Spirit Law in 1986. We need to utilize it and educate ourselves, society, and our lawmakers.

The Pouhana 'O Nā Wahine (Pillars of Women) is committed to opening the Native Hawaiian Resource Center on Domestic Violence to reflect and practice all the ways that we can live and be in a pono state, ho'oponopono and heal from trauma, restore aloha, respect, honor, and trust, be P.I.N.K. and in alignment like Queen Lili'uokalani.



From Chapter 5 of Hawai'i Revised Statutes:

§ 5-7.5 "Aloha Spirit". (a) "Aloha Spirit" is the coordination of mind and heart within each person. It brings each person to the self. Each person must think and emote good feelings to others. In the contemplation and presence of the life force, "Aloha", the following unuhi laulā loa may be used:

"**Akahai**", meaning kindness to be expressed with tenderness;

"**Lōkahi**", meaning unity, to be expressed with harmony;

"**Olu'olu**", meaning agreeable, to be expressed with pleasantness;

"**Ha'aha'a**", meaning humility, to be expressed with modesty;

"**Ahonui**", meaning patience, to be expressed with perseverance.

These are traits of character that express the charm, warmth and sincerity of Hawaii's people. It was the working philosophy of native Hawaiians and was presented as a gift to the people of Hawai'i. "Aloha" is more than a word of greeting or farewell or a salutation. "Aloha" means mutual regard and affection and extends warmth in caring with no obligation in return. "Aloha" is the essence of relationships in which each person is important to every other person for collective existence. "Aloha" means to hear what is not said, to see what cannot be seen and to know the unknowable.

(b) In exercising their power on behalf of the people and in fulfillment of their responsibilities, obligations and service to the people, the legislature, governor, lieutenant governor, executive officers of each department, the chief justice, associate justices, and judges of the appellate, circuit, and district courts may contemplate and reside with the life force and give consideration to the "Aloha Spirit". [L 1986, c 202, § 1]



VAWA 2022 and Alaska Indian Tribes

Now That VAWA Is Reauthorized, What Next?

By Michelle Demmert, *Tlingit, Eagle, Kaax'ooos. hittaan clan*, Law and Policy Director, AKNWRC

The Violence Against Women Reauthorization Act (VAWA) of 2022¹ includes a Tribal title with a specific section on Alaska Indian Tribes entitled “Subtitle B: Alaska Tribal Public Safety Empowerment.” These provisions, Sections 811-813,² empower tribal governments to work, in partnership with state and federal authorities, to address public safety in Alaska Native Villages by clarifying tribal authority, creating a pilot project extending certain jurisdiction over non-Indians made available under VAWA 2013, and providing new resources and recognized authority.

VAWA 2022 is complementary to existing state, Tribal, and federal jurisdiction by creating more resources and tools to address domestic violence and other qualifying crimes in communities that may lack local law enforcement. In this law, Congress recognizes and affirms the inherent authority of any Indian Tribe occupying a Village in the State of Alaska to exercise criminal and civil jurisdiction over all Alaska Natives and American Indians present in the Village. It reaffirms and strengthens Tribal authority, while the state jurisdiction continues in the same manner as it does under current law. The proposed change is about collaboration and partnership.

What VAWA 2022 and the Alaska Tribal Public Safety Empowerment Section Does and Why It Is Needed

What does VAWA 2022 do for Alaska Tribes?

- The law clarifies Alaska Tribal authority to address

civil and criminal matters, including protection orders involving Alaska Natives in the Village or within their authority.

- The law also creates a limited criminal jurisdiction pilot project modeled after the successful pilot project implemented by Tribes outside Alaska that was included in VAWA 2013.
- The law defines the territorial jurisdiction of an Alaska Tribe. Instead of the usual reference of “Indian Country,” an Alaska Tribe’s jurisdiction is the “Village,” which means the Alaska Native Village Statistical Area covering all or any portion of a Native Village ...as depicted on the “Tribal Statistical Area Program Verification map of the Bureau of the Census.”³

Why are these changes needed?

- Alaska Native communities, particularly women and children, are experiencing exceptionally high rates of violence.
 - Despite making up 19% of the State population, Alaska Natives are 47% of reported rape victims in the State.
 - Alaska Natives are overrepresented in the domestic violence population by 250%.
- The remoteness and isolation of Native villages make it very difficult to address crime.
 - Over 40% of Villages have no full-time law enforcement presence.
 - On average, there is one law enforcement officer per one million acres in rural Alaska.

Why is the focus on Alaska Tribal governments?

- The combined impact of Public Law 280, the Supreme Court’s Venetie decision, and the timing

of historical legal events in Alaska have created a jurisdictional quagmire that has placed those most vulnerable at risk and dependent on the state for public safety and justice: Alaska Native women.

- Local Alaska Native governments have an important role to play in ensuring safety in their communities, but their authority to do so has not always been supported. In addition, funding and resources have not been available in parity with the lower 48 Tribes located in non-PL 280 states. Many experts, including the Alaska Public Safety Commission,⁴ the Indian Law & Order Commission, and the U.S. Department of Justice, have suggested that clarifying tribal authority could help improve safety in Alaska Native villages. VAWA 2022 is a significant step.

How the Pilot Project Will Be Implemented

Section 813(c) authorizes a limited number of pilot programs to be identified which would then begin to address violence against women crimes committed by non-Natives. Designated pilot project Tribes and those working towards becoming a pilot project Tribe will be eligible for programs that will build infrastructure—courts, police, prosecutors, and public defenders—to address crimes by non-Indians and their citizens. The Pilot Project will take time to implement. Tribes may request to be a pilot. Tribes that participate will be able to arrest and prosecute non-Natives for certain crimes (see below) and will have more resources available to address crimes by their citizens.

What crimes can be prosecuted as part of the Pilot Project?

- Covered crimes are domestic violence, dating violence, child violence, sexual assault, stalking, sex trafficking, obstruction of justice, and assaults against Tribal justice personnel. All crimes, except assaults against Tribal justice personnel, must be committed against a Native victim.

Which Tribes will be participating in the Pilot Project?

- The U.S. Attorney General will select up to five Alaska Tribes per year to participate in the pilot program. Preference in the selection will be given to Tribes occupying villages where the population is predominantly Indian and where there is no permanent state law enforcement presence. The

Specific Findings are Important from the Law:

SEC. 811. FINDINGS; PURPOSES

(a) FINDINGS. —Congress finds that—

- (1) according to the report of the Indian Law and Order Commission established by section 15 of the Indian Law Enforcement Reform Act (25 U.S.C. 2812), Alaska Native women—
 - (A) are overrepresented in the domestic violence victim population by 250 percent;
 - (B) in the State of Alaska, comprise—
 - (i) 19 percent of the population of the State; but
 - (ii) 47 percent of reported rape victims in the State; and
 - (C) as compared to the populations of other Indian Tribes, suffer the highest rates of domestic and sexual violence;
- (2) most Alaska Native villages are located in remote areas that—
 - (A) are often inaccessible by road; and
 - (B) have no local law enforcement presence;
- (3) most Alaska Native villages are located in remote areas that—
 - (A) determined that the Alaska Department of Public Safety—
 - (i) has primary responsibility for law enforcement in rural Alaska; but
 - (ii) provides only 1 to 1.4 field officers per 1,000,000 acres; and
 - (B) recommended that “devolving authority to Alaska Native communities is essential for addressing local crime. Their governments are best positioned to effectively arrest, prosecute, and punish, and they should have the authority to do so-or to work out voluntary agreements with each other, and with local governments and the State on mutually beneficial terms”; and
- (4) the unique legal relationship of the United States to Indian Tribes creates a Federal trust responsibility to assist Tribal governments in safeguarding the lives of Indian women.

¹ VAWA 2022 was enacted as part of the Consolidated Appropriations Act of 2022, H.R. 2471, Division W, <https://n8ve.net/MB6F2>

² Tribal jurisdictional provisions of H.R. 2471, codified into 25 U.S.C. 25 U.S.C. §§ 1304.

³ <https://n8ve.net/II6qE>

⁴ Indian Law and Order Commission, A Roadmap for Making Native America Safer: Report to the President and Congress of the United States, Executive Summary, x, (2013), <https://n8ve.net/fze8b>

Attorney General must also determine that the participating Tribe will be able to protect the defendant's rights under the Indian Civil Rights Act.

Will Tribal justice systems provide due process and protect constitutional rights?

- All Tribes accepted into the Pilot Project will need to demonstrate that they can protect due process rights required in the Indian Civil Rights Act, most Alaska Tribal Constitutions, and the reauthorized VAWA 2022.

What is a Tribe's territorial jurisdiction?

- The term Village means the Alaska Native statistical area covering all or any portion of a Native Village as defined by section 3 of ANCSA.

What will a Tribe need to develop a plan to implement the Pilot Project to prosecute non-Indians?

- A Tribe will need to:
 - develop a plan for law enforcement, prosecutors, defense attorneys, and a Tribal court system, or the ability to contract for any of these services for prosecuting non-Indians who commit the designated crimes.
 - be a “court of record” (“record proceedings” and have a law-trained judge to handle these cases.
 - have a written criminal code that is publicly available and court rules, policies, and procedures as required in ICRA.
 - evaluate their constitution and update it as needed to allow the expanded services to have a plan for incarcerating offenders as necessary.
 - consider a plan to provide or refer offenders for treatment and rehabilitation programs and victims' services.

Where will non-Native defendants be jailed?

- Depending upon the crime and the circumstances, restorative alternatives to incarceration may be preferred instead of jail. Otherwise, if incarceration is necessary, defendants can be housed in Tribal, state, or municipal detention and, in some circumstances, federal detention centers.

How will Tribes pay for the costs associated with the Pilot Project?

- The law authorizes up to \$25 million to support Tribal implementation of VAWA's jurisdiction provision under a reimbursement program, and Tribes in the Alaska Pilot Project will be eligible to apply

for these funds. In addition, Tribes can continue to apply for other DOJ grant funds through the Consolidated Tribal Assistance Solicitation (CTAS), and other grants that support various aspects of the new programs from the Tribal Governments, OVW, OVC, and BJA grants, and yearly funding from the BIA, which can be used for many of the costs associated with the Pilot Project and to maintain their justice systems. The Attorney General has up to one year to come up with a reimbursement program for eligible costs. It will be vital that Alaska Tribes make the case for programs that will help build the necessary infrastructure needed to successfully implement the Pilot Project.

Can Tribes work together to participate in the Pilot Project?

- Yes. The law clarifies that Tribes can partner and participate jointly—two or more Tribes can work together. Tribes can also designate a Tribal organization to participate on the Tribe's behalf.

Is there technical assistance available?

- The DOJ is still looking at ways to implement the pilot program but has referenced an intertribal working group similar to the VAWA 2013 intertribal working group. This group, composed of Tribes, Tribal technical assistance providers,

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- Alaska Natives are overrepresented in the domestic violence population by 250%.

Tribal-Specific VAWA Resources:

National Congress of American Indians

- Violence Against Women webpage: n8ve.net/G10tq
- Tribal VAWA Resource page: n8ve.net/vJD5Z

Tribal Law and Policy Institute

- VAWA 2022 Tribal Title Provisions: n8ve.net/hF6aM
- Legal Code Development Series: n8ve.net/dp5GN

Senate Committee on Indian Affairs

- Section-by-Section Summary of VAWA 2022 Tribal Provisions: n8ve.net/mFfQL

Inter-Tribal Working Group

- Summary of VAWA 2022 Tribal Provisions: n8ve.net/ST14G
- Redlined version of VAWA 2022 Tribal Jurisdiction Provisions: n8ve.net/HhAZd
- Indian Civil Rights Act, 25 U.S.C. §§ 1304, as amended by VAWA 2022

and mainstream agencies meet a few times a year in person and monthly telephonically to share ideas and resources.

- In addition, the law creates an Alaska Tribal Public Safety Advisory Committee that will be composed of Tribes, law enforcement, advocates, attorneys, and others to work on common issues and share resources.

When does the law take effect and will the Pilot Project expire?

- The law takes effect on October 1, 2022. The Attorney General next needs to develop a process for considering Tribal requests to participate in the Pilot Project, and the law makes clear that a Tribe can request to participate in the Pilot Project at any time after the law is passed. The Pilot Project does not expire. It is, however, limited to 30 Tribes unless the Attorney General provides notice that additional Tribes will be permitted to participate.

How Does VAWA 2022 Impact the State of Alaska

Does this law change state jurisdiction?

- No. The law is clear that existing state and federal jurisdiction is unchanged. Tribal authority would operate concurrently with state and federal authority. It would provide an additional layer of protection for victims, particularly in places where there is no permanent state law enforcement presence. The law does not divest the state of its existing authority.

Does the law create “Indian country” in Alaska?

- No. “Indian country” is a legal term of art and its definition is not changed by the law. The legal status of land in Alaska is not in any way changed by the law

Will VAWA 2022 cost the state money?

- No. The law does not place any financial burden on the State. The law authorizes funding that Tribes may be able to access for implementation. However, it should be noted that the state has failed to provide nearly 40 % of rural communities with law enforcement and that the state court system has continued to shrink. Alaska Natives are state citizens too and should be eligible for state-funded programs like any other state citizen.

Why is Alaska singled out in VAWA 2022?

- In VAWA 2013, Congress reaffirmed the jurisdiction of Tribes to prosecute non-Indians for crimes of violence against women for over eight years and has been prosecuting Indians for these types of crimes for even longer. VAWA 2013 was written to deal with areas known as “Indian country,” and Alaska Villages do not occupy Indian country. Where VAWA 2013 has been implemented, many repeat offenders have been held accountable and victims have seen justice for the first time. Participating Tribes also report that implementing VAWA has improved their relationships with federal and state authorities.

SAVE THE DATE

Upcoming Meetings

**AKNWRC Summit:
Standing Together We Take Our Power Back**


When: August 9-11, 2022 (9:00am-4:00pm AKST with Evening Activities)

Where: Anchorage (Location TBD) & Virtual option

Who: Tribal leadership and tribal advocates

What: Training on domestic violence and building our community safety nets around prevention. Enhancing our community safety through education and prevention while weaving culture in as a healing factor.

For more information, please contact us at info@aknwrc.org



This publication was made possible by Grant Number #90-EV-0454-01-00 from the Administration on Children, Youth and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the U.S. Department of Health and Human Services.

Save the Date: Unity Meeting 2022
Increasing the Safety of Alaska Native Women


When: October 19, 2022 at 1 pm - 5 pm AKDT

What: Get updates on AKNWRC's year, policy changes, and other important DV/SA field updates.

Where: Anchorage & Virtual

Who: Alaska Native village-based advocates/victim services, tribal leadership & community members

For more information, contact us at info@aknwrc.org


Integrated Public Alert and Warning System

Tribes Can Use the Federal Emergency Management Agency's (FEMA) Integrated Public Alert and Warning System (IPAWS) to Help With MMIW Issues

By Michelle Demmert, Tlingit, Eagle, Kaax'oos.hittaaan clan, Law and Policy Director, AKNWRC

When a woman or person goes missing in our community, where do we turn? We should go to law enforcement to immediately report the missing person, but some communities lack law enforcement and sometimes, law enforcement may not take a missing person report right away, despite the message being we can report a missing person at any time. What do we do? We know that our chances of finding a person are much better when our communities are alerted to the situation as soon as possible. Tribes can take matters into their own hands and utilize the Federal Emergency Management Agency (FEMA), Integrated Public Alert and Warning System (IPAWS) to create a process to alert your community to the missing person. The IPAWS is an alert system offered by FEMA and is available for free to any Tribe, community, city or state in the country. The Cocopah Indian Tribe was the first Tribe in the nation to use IPAWS and we hope that many of our Alaska Tribes will become IPAWS Tribes, too.

The IPAWS system operates through the internet, cell phone, and radio. IPAWS, once it is set up, allows the community to put out an alert to residents in a defined area, about a missing person or any other Tribal governmental issue of importance including health concerns, resource availability, weather alerts, etc. The alert can be a cell phone call or text, or an announcement on the local TV or radio station. As mentioned, the emergency 'event' is determined by the community and can be a missing child, vulnerable adult, elder or anyone under any situation determined by the protocols of the community.

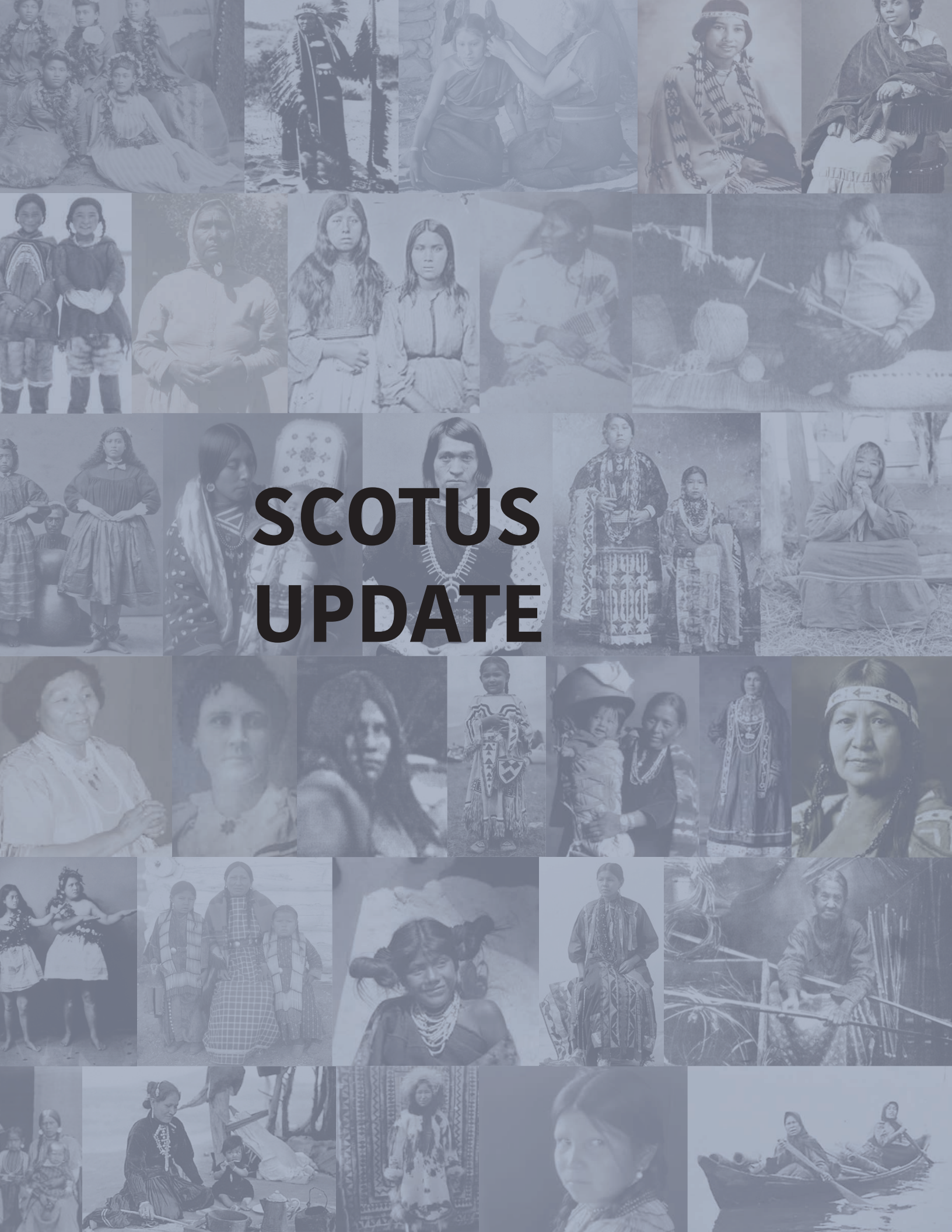
Communities can implement policies to ensure that the missing person is not voluntarily missing but is unexpectedly gone. The only costs are optional infrastructure improvements and the telecom software

(the more special features, the higher the cost) such as a computer, software to implement IPAWS and potentially other voluntary options. The FEMA IPAWS team will do a demonstration as they did for us at the Alaska Native Women's Resource Center. Again, FEMA will do all the training and interface with the telecom technicians at no cost and provide ongoing technical assistance.

This low-tech alert and warning system may be one of the tools that Tribal communities utilize to address missing person issues quickly to hope for better outcomes. Law enforcement should still be notified, but IPAWS can provide for an easier way to alert the community right away.

MORE INFO ON IPAWS

- ▶ More information about the Integrated Public Alert and Warning System: n8ve.net/J4K4D
- ▶ IPAWS Contact: ipaws@fema.dhs.gov
- ▶ AKNWRC Contact: michelle.demmert@aknwrc.org



SCOTUS UPDATE

SCOTUS UPDATE

The Latest On *Denezpi v. United States* and *Oklahoma v. Castro-Huerta*

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



As the 2021 Term comes to an end, the National Indigenous Women’s Resource Center (NIWRC) and Native women’s rights advocates are watching two cases very closely: *Denezpi v. United States* and *Oklahoma v. Castro-Huerta*. The NIWRC filed *amicus* briefs in both cases, highlighting the implications on issues related to safety for Native women and children that are inherent in both. The Court heard oral arguments in *Denezpi* on February 22, 2022, and oral arguments in *Castro-Huerta* were heard on April 4, 2022, and we expect the written decisions will be released by the end of June.

Denezpi v. United States

In *Denezpi*, the petitioner, Denezpi, asked the Supreme Court to address whether a Court of Indian Offenses (“CFR court”) constitutes a federal agency such that the U.S. Constitution’s Double Jeopardy Clause would preclude his subsequent prosecution in a United States District Court for the same conduct underlying his conviction in the CFR court. In its *amicus* brief, the NIWRC argued in support of the United States’ position that under the “separate sovereigns doctrine,” Denezpi’s dual prosecutions did not violate the U.S. Constitution’s Double Jeopardy Clause. The Supreme Court took up a similar legal question regarding the separate sovereigns doctrine in *Gamble v. United States* in 2019, a case in which the NIWRC also filed an *amicus* brief. In that case, the Supreme Court found the separate sovereigns doctrine is constitutional and remains in force (that case concerned dual prosecutions in federal and state courts, and the NIWRC’s *amicus* brief educated the Supreme Court on the potential implications of a decision eroding the separate sovereigns doctrine).

The February 22 argument in *Denezpi* was very concerning. Because Denezpi was challenging his

Although the question before the Court is whether a CFR court exercises federal versus Tribal authority, no Tribal Nation was permitted to speak or argue during the oral argument.

subsequent conviction in federal court, the United States was a party to this case and not the Tribal Nation whose sovereignty was in question. That is, although the question before the Court is whether a CFR court exercises federal versus tribal authority, no Tribal Nation was permitted to speak or argue during the oral argument. The Ute Mountain Ute Tribe—whose sovereignty was being challenged—submitted an *amicus* brief in support of the argument that CFR courts are tribal courts, but the United States was the only party permitted to speak in favor of tribal sovereignty in the United States Supreme Court.

Merle Denezpi, a Navajo citizen, was arrested on July 20, 2017, by Ute Mountain Ute Tribal authorities and charged with violating Ute Mountain Ute assault and battery laws, as well as two provisions regarding terroristic threats and false imprisonment of the Code of Federal Regulations, for his July 17, 2017, sexual assault of a Navajo woman. The assault was committed while the two were at Denezpi’s girlfriend’s house on



Mary Kathryn Nagle, Cherokee Nation, Counsel to NIWRC. / Photo courtesy of Mary Kathryn Nagle.

the Ute Mountain Ute Indian reservation near Towac, Colorado. Mr. Denezpi entered a plea to the assault charge under tribal and federal law in CFR court and on December 6, 2017, he was released from tribal custody for time served. Six months after Denezpi was released from tribal custody, he was indicted by a federal grand jury on one count of aggravated sexual abuse in Indian Country under federal law.

As the NIWRC noted in the opening of its brief, even though violence against Native women traces its roots to the origins of colonialism, the continued acceptance of violence against Native women in the culture at large is made possible by a legal framework that prevents Tribal Nations from prosecuting most violent crimes committed against Native women and children, necessitating a dual sovereign framework where both CFR courts (acting

under inherent tribal authority) and federal courts can prosecute for crimes committed against Native women and children on tribal lands. The *amicus* brief argued four main points: (1) the current rates of violence against Native women and children constitute a crisis; (2) CFR courts play a critical role in addressing sexual assault and domestic violence crimes committed against Native women and children; (3) jurisdictional and sentencing limitations imposed on Tribal Nations (and therefore CFR courts) renders tribal-federal collaboration critical for the safety of Native women and children; and (4) excluding CFR courts from the separate sovereigns exception would undermine safety and justice for Native women and children.

Overall, the argument focused heavily on the bureaucratic red tape involved in the Bureau of Indian Affairs' administration of CFR courts while entirely overlooking the underlying issues of tribal sovereignty and safety for Native women. It was clear during the course of the argument that the attorney arguing for the United States did not understand the connection between sovereignty and safety for Native women. Although Justices repeatedly asked questions regarding what possible interest a Tribal Nation could have in a prosecution such as this one in a CFR court, the attorney representing the United States Department of Justice ("DOJ") said nothing as to the connection between tribal sovereignty and safety for Native women and children. Even though the NIWRC's *amicus* brief clearly spelled out why the epidemic of violence against Native women and children necessitates the finding that CFR courts exercise tribal authority and function as tribal instrumentalities, the DOJ attorney did not make or suggest such a connection during oral arguments.

Although it is impossible to predict the outcome at this point, the argument did not go well for Tribes and Native women advocates. In its *amicus* brief, the NIWRC warned that if the Court were to conclude that prosecutions in CFR courts preclude subsequent prosecutions in federal court for the same offense, Tribes will face two frustrating choices each time one of their women or children is sexually assaulted on tribal lands: (1) waiting to see if federal charges will be filed against a defendant to allow for a meaningful sentence which matches the severity of the crime, while risk the loss of the ability to file tribal charges in CFR court in the event of a federal declination because the tribal statute of limitations will have tolled by the time the tribal prosecutor knows whether the United States will file federal charges; or

As the NIWRC noted in the opening of its brief, even though violence against Native women traces its roots to the origins of colonialism, the continued acceptance of violence against Native women in the culture at large is made possible by a legal framework that prevents Tribal Nations from prosecuting most violent crimes committed against Native women and children.

(2) bringing tribal charges in CFR court to ensure some sort of justice, and thereby precluding the possibility of a subsequent federal prosecution and a meaningful sentence that could deter future violent crimes committed by the same, or additional, offenders.

No Tribal Nation should have to face this choice. All Tribal Nations should have the right to exercise their own inherent authority to prosecute crimes committed against their women and children, regardless of whether they utilize a CFR court or their own tribal court. The failure of all involved in the oral argument to recognize Tribal Nation's sovereign interest in protecting their women and children from sexual assault is incredibly disturbing.

To be sure, the Supreme Court's complete indifference to impacts on Native women and children is jarring and illustrates the larger issue: namely, that there has never been a Native Justice on the Supreme Court, and—outside of Justices Sotomayor and Gorsuch—the Justices do not hire Native law clerks. Furthermore, Tribes and their attorneys are often shut out from making arguments to the Court in crucial Indian law cases where, instead of Tribes, the DOJ argues these cases. All too often, however, the DOJ's attorneys arguing on behalf of tribal sovereignty cannot answer the most basic questions about it.

"It was very disturbing to sit through the entire argument and never hear a single question or comment made about the Native sexual assault victim or how the Supreme Court's decision might lessen or enhance her protection," states Sarah Deer, (Muscogee (Creek) Nation), co-counsel to the NIWRC. "We have a lot of work to do to address the erasure of Native women at the highest echelons of the United States government."

Oklahoma v. Castro-Huerta

Following the Muscogee (Creek) Nation's historic victory in *McGirt v. United States*, the State of Oklahoma has filed more than thirty petitions for certiorari asking the Supreme Court to reverse itself and judicially disestablish a reservation that Congress itself has refused to eliminate. So far, the Supreme Court has declined to take Oklahoma's invitation to reverse itself. In the case of *Oklahoma v. Castro-Huerta*, Oklahoma's cert petition asked the Court to both (1) reverse *McGirt* and (2) grant Oklahoma criminal jurisdiction over non-Indian perpetrated crimes against Native victims on tribal lands. The Court granted cert. on the second question but denied Oklahoma's request to take up the first. Technically, the question presented is whether the General Crimes Act, 18 U.S.C. § 1152 ("GCA") provides for exclusive federal jurisdiction or concurrent state and federal criminal jurisdiction over non-Indians who commit crimes against Indians in Indian country. Respondent Castro-Huerta is a non-Indian who was convicted in Oklahoma state court of severely neglecting his stepdaughter, an enrolled member of the Eastern Band of Cherokee Indians.

The oral argument focused on the proper role of text and statutory history in interpreting the GCA; what analysis the Court should apply in determining whether the GCA had preempted state jurisdiction; and the significance of the practical law enforcement issues which have developed in Oklahoma since the Court's decision in *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020). Oklahoma maintained its false "the sky is falling narrative" and continued to assert that *McGirt* has created a public safety crisis whereby thousands of criminals now roam free. Of course, this false narrative has been thoroughly debunked by the excellent investigative journalistic work of Allison Herrera and Cherokee journalist

Rebecca Nagle whose article in *The Atlantic*, “Where is Oklahoma Getting its Numbers From in its Supreme Court Case” (<https://n8ve.net/rWv5o>) demonstrates that Oklahoma has no data or actual evidence to substantiate its claims that *McGirt* has led to a public safety crisis. One of the highlights of the April 4 oral argument was when Justice Sotomayor questioned Oklahoma’s attorney about the research in the article and asked him to explain how Oklahoma had come up with its numbers. He was unable to respond.

The NIWRC’s *amicus* brief made critical points to support the Tribes’ and Castro-Huerta’s position that the Court should not grant Oklahoma the jurisdiction it requests. First, the NIWRC agreed with Respondent that Congress, and only Congress, has the requisite constitutional authority to grant a State criminal jurisdiction on Indian country lands. The Supreme Court simply does not have the necessary authority to fulfill Oklahoma’s request.

Second, the NIWRC noted that Congress is well-aware of the crisis of non-Indian violence against Indian victims on tribal lands, and Congress is actively engaged in addressing it. Specifically, Congress just reauthorized the Violence Against Women Act (“VAWA”), and in doing so, restored several critical categories of non-Indian crimes, including child abuse—a category that could include tribal prosecutions of severe criminal neglect of a child if so defined by the implementing Tribe. Thus, as the NIWRC argued in its *amicus* brief, there is simply no need for the Court to give States this jurisdiction when Congress is focused on restoring the jurisdiction to the sovereign with the most significant interest in protecting tribal citizens: the Tribal Nations themselves.

The NIWRC *amicus* brief also included facts and evidence documenting the failures of laws such as the Kansas Act and PL-280, whereby Congress has elected to grant States criminal jurisdiction over crimes committed throughout Indian country. In those examples, the NIWRC argued, Native women and children have been less safe since the States have failed to allocate sufficient resources to law enforcement on tribal lands and ultimately have failed to adequately prosecute crimes committed against Native people.

The NIWRC *amicus* brief was joined by several organizations and Tribal Nations, including the Confederated Tribes of the Chehalis Reservation,

Once again, the absence of a Native woman’s voice during oral argument remains highly problematic and only serves to perpetuate misinformation regarding what will increase or decrease safety for Native victims of crime.

the Confederated Tribes of the Umatilla Indian Reservation, the Prairie Band Potawatomi Nation, the Seminole Nation, and the Yurok Tribe. The NIWRC was also joined by 37 additional tribal coalitions, nonprofit organizations, and Tribal Nations that share the NIWRC’s commitment to end domestic violence, rape, sexual assault, and other forms of violence against Native women and children in the United States.

During oral arguments, several Justices (for instance, Justice Kavanaugh, but also Justices Alito and Sotomayor) suggested that granting Oklahoma this requested jurisdiction would help Native victims and would be in their best interest. Unfortunately, both the attorney arguing for Castro-Huerta and the attorney arguing for the United States failed to inform the Court that Native victims (or as we prefer to be known, survivors) had filed an *amicus* brief in this particular case making clear why granting Oklahoma its requested jurisdiction would not serve the interests of Native victims. Once again, the absence of a Native woman’s voice during oral argument remains highly problematic and only serves to perpetuate misinformation regarding what will increase or decrease safety for Native victims of crime.

The Supreme Court should issue a decision in *Castro-Huerta* by the end of June.

“We have a lot of work to do to address the erasure of Native women at the highest echelons of the United States government.”

—Sarah Deer, *Muscogee (Creek) Nation*, co-counsel to the NIWRC





Advocates Speak Out on Potential Overturn of Roe as Final Decision in *Dobbs* Looms

Rollback on Roe Decision Would Open the Door for State Abortion Bans

By Mallory Adamski, *Diné*, Editor, Restoration Magazine

Women's March - Pennsylvania Ave., Washington D.C. / Photo courtesy of Vlad Tchompalov on Unsplash.

In May, women and reproductive justice advocates across the nation were shocked when a leaked draft U.S. Supreme Court decision hinted at a strike down of the *Roe v. Wade* decision, which held that the constitutional right to privacy includes a woman's right to terminate a pregnancy by abortion. Last winter, advocates and organizations first sounded the alarm on *Dobbs v. Jackson Women's Health Organization* after the state of Mississippi filed a brief that called for the complete overturn of *Roe*, as a rollback on the case would open the door for abortion bans at the state level.

In response to the case, Cecilia Fire Thunder, Lael Echo-Hawk, Sarah Deer, Lauren van Schilfgaarde, Abigail Echo-Hawk, Kaeli Flannery, Elise Higgins, the Native American Community Board, and the National Indigenous Women's Resource Center, along with 32 organizations and 225 individual signatories, filed an *amicus* brief in *Dobbs*. The *amicus* brief outlined the threat to reproductive justice and body sovereignty and its potential harm to Native women, girls, and birthing people. Oral arguments were heard in *Dobbs* before the U.S. Supreme Court on December 1, 2021.

While a final opinion in *Dobbs v. Jackson Women's Health Organization* remains pending at the time

this issue of *Restoration* goes to print, advocates are speaking out on the impact of such a decision on the body sovereignty and safety of Indigenous people.

▶ **View *amicus* brief, National Indigenous Women's Resource Center-Native American Community Board-Fire Thunder:**
n8ve.net/4QbLp

▶ **Read The Guardian article, "Indigenous and Alaska Native women could face escalated violence if Roe is repealed," including interview with NIWRC's Kerri Colfer:**
n8ve.net/RtxBN



Lauren van Schilfgaarde (Cochiti Pueblo), San Manuel Band of Mission Indians Tribal Legal Development Clinic Director at the UCLA School of Law

"Meaningful healthcare for Native communities must always include meaningful reproductive healthcare. The leaked draft *Dobbs* opinion purports to deviate from this critical obligation, dubiously reasoning that the right to unencumbered reproductive healthcare is neither "deeply rooted in this Nation's history and tradition" nor "implicit in the concept of ordered liberty." In many ways, Justice Alito's observation is true. Natives' access to safety, well-being, and self-determination has historically long been denied. The irony of upending decades of legal precedent upholding the right to abortion care in the name of historical constitutional interpretation has not been lost on reproductive health advocates. Surely our constitution, our legal foundation, recognizes "liberty" to include the critical importance of reproductive autonomy, integrity, and safety."

Abigail Echo-Hawk (Pawnee), Executive Vice President of Seattle Indian Health Board and Director of Urban Indian Health Institute

"It is unacceptable for the Supreme Court to overlook the data in its decision making and not acknowledge that Native women have the highest rates of sexual violence in the country. More than half of all Native women have experienced sexual violence in their lifetime, and at the very least, should have the right to access safe and legal abortions. If *Roe v. Wade* is overturned, we will see another instance in which our federal government has decided that Native women don't count."



Sarah Deer, J.D. (Muscogee Nation), Professor of Women, Gender and Sexuality Studies at the University of Kansas

"The federal government has attempted to control Native women's reproductive decisions for centuries. From targeted killings to forced sterilization, from child removal to prescribing dangerous long-term birth control, Native people have struggled to have the right to choose if, when, and how to have children. Currently, Indian Health Services cannot provide abortion services except in very limited circumstances because federal law bans using federal dollars for abortion. While the official *Dobbs* decision has not been released as of this writing, the draft opinion suggests that the Supreme Court will further government control over Native bodies by allowing states to ban all abortions, including patients who have become pregnant due to child sexual abuse or sexual assault. This roll-back of rights will hit poor women and Native women particularly hard."

Lucy Simpson (Diné), Executive Director of the National Indigenous Women's Resource Center

"It's no secret that the federal government has historically failed Indigenous people in all areas of health and safety, and this failure to deliver on their trust responsibility to Indian Nations has jeopardized the reproductive health of Indigenous women and birthing people for far too long. The leaked draft decision in *Dobbs* makes it clear that the Supreme Court fails to understand how an overturn of *Roe* harms the sovereign rights over our bodies as women and violates our human rights."





INTERNATIONAL ADVOCACY UPDATE

Raising Global Awareness of Violence Against Indigenous Women in the Context of Climate Change

By Jana L. Walker, *Cherokee Nation/Delaware Tribe/Loyal Shawnee descent*, and Christopher Foley, *Cherokee Nation*, Attorneys, Indian Law Resource Center

INTERNATIONAL UPDATE

In addition to advocacy at Tribal, state, and federal levels, international human rights law can provide Indigenous peoples and Indigenous women with significant opportunities to raise global awareness about the crisis of violence against Indigenous women in the United States. “Besides creating new advocacy spaces to strengthen grassroots efforts to restore safety to Indigenous women and to gain strong federal responses, participation in international advocacy helps Indigenous women and organizations in the United States from allies around the world,” says Jana Walker, a senior attorney at the Indian Law Resource Center. “These allies can include other Indigenous women, peoples, and organizations as well as human rights bodies and experts that can be helpful in pressuring the United States to meet its human rights obligations to Indigenous women and peoples.”

Advocacy During the UN Commission On the Status of Women (CSW)

The CSW is the UN’s principal intergovernmental body that focuses exclusively on the promotion of gender equality and the empowerment of women worldwide. The CSW met in New York for its 66th session from March 14-25, 2022, with the priority theme of “achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies, and programmes.”

This year, in order to share information with the CSW, to form partnerships with new Indigenous allies, and to raise awareness throughout the world about the impact of climate change on Indigenous women, the Indian Law Resource Center organized a virtual parallel event on March 22, 2022, *Climate Change and Indigenous Women's Rights: Brazil; Guatemala; United States*.

Our partners for this event were Indigenous- or Indigenous women-led organizations including the Alaska Native Women’s Resource Center (AKNWRC), National Indigenous Women’s Resource Center (NIWRC), the Native Women’s Society of the Great Plains (NWSGP), the Pouhana ‘O Nā Wahine (PONW), the Coordination of the Indigenous Organizations of the Brazilian Amazon (COIAB)—a leading Indigenous rights organization representing 160 different Indigenous peoples within the Brazilian Amazon—and the International Mayan League (IML), an NGO that works with Mayan communities in Central America and the United States.

Our event featured a panel of Indigenous women from our partner organizations discussing how climate change may increase and fuel violations of Indigenous women’s rights, including violence against Indigenous women, and the strategies they are pursuing to restore safety in their communities through policy reform.

Summary of Parallel Event Panel Discussion On Climate Crisis, Including Environmental Degradation, and Related Displacement and Violence Against Indigenous Women

The UN Human Rights Council recognizes that “environmental degradation, climate change, and unsustainable development constitute . . . pressing and serious threats to the ability of present and future generations to enjoy human rights, including the right to life,” and the human rights implications “are felt most acutely by those segments of the population that are already in vulnerable situations, including Indigenous peoples and women and girls.” A/HRC/RES/48/13 (2021), at 2.

The UN further recognizes that Indigenous women often suffer multiple, intersecting forms of discrimination and higher rates of violence than other women. They are battered, raped, trafficked, murdered, and disappear at extraordinary rates because of their gender and because they are Indigenous. A/HRC/RES/26/15 (2014), at 2. The UN also has found climate change to be an aggravator of gender-based violence against women and girls as highlighted in a 2019 study by the Office of the High Commissioner on Human Rights. A/HRC/41/26.

Moreover, in 2021 for the first time, the UN Human Rights Council recognized that the human right to a clean, healthy, and sustainable environment is “important for the enjoyment of human rights.” A/HRC/RES/48/13 (2021), at 3.

Two international instruments are of particular importance to Indigenous peoples and Indigenous women. “Both the UN and American Declarations on the Rights of Indigenous Peoples are significant affirmations of the rights of Indigenous women to enjoy protection against all forms of violence and discrimination,” notes Christopher Foley, a senior attorney at the Indian Law Resource Center. “And, both Declarations also recognize that Indigenous peoples have the right to the conservation and protection of the environment.” The UN Declaration also recognizes that Indigenous peoples have the right to be secure in their own means of subsistence and both Declarations recognize a right to restitution or, in the case of the American Declaration, just and fair redress where they are deprived of this subsistence right. In addition, the American Declaration explicitly recognizes Indigenous peoples’ right to a healthy, safe, and sustainable environment.

Specific Examples of Impacts on Indigenous Women and Communities In the Context of Climate Change

In the United States, climate change and environmental degradation impact Indigenous communities in ways that strike at the very core of who Indigenous peoples are and how they live. In many Indigenous communities, such as those in rural Alaska where food security depends heavily on subsistence hunting, fishing, and gathering on land and water, global warming is already negatively impacting vital resources and the environment. Debra O’Gara (Tlingit/Yup’ik Wrangell/Mountain Village), Senior Policy Specialist, AKNWRC, offers a vivid firsthand description of how climate change is depleting subsistence resources in Alaska:

“
Violence, detention, and language discrimination are practically universal threats that Indigenous women migrants face, and climate change migrants will be no exception.
– Juanita Cabrera Lopez,
Executive Director, International
Mayan League
”

“I have a memory of standing on the banks of the Yukon River watching skiffs come in to unload fish at the cannery. One of several boats was moving very slowly because it was so loaded with King salmon that only one inch of the boat cleared the water. That was only 50 years ago, less than a lifetime. Today there are no Kings returning.”

Destruction of the environment by extractive industries, including through the siting of pipelines and the encroachment of their non-Indigenous workers into Indigenous territories, elevates the risk and occurrence of violence, sexual assault, death, and trafficking and increases fear in Indigenous women and communities. In the United States, extractive industries within Indigenous territories and lands also carry a high risk of causing negative health consequences through contamination of the air, water, land, and even fish and wildlife. For example, an oil pipeline break, particularly one that runs under a river, could pollute the only water supplies

for multiple Indigenous Nations in the United States. These Tribal homelands and their natural resources—especially water—are irreplaceable.

The Maya Ch’orti Indigenous peoples, located in what is known as the Dry Corridor in Guatemala, are dealing with climate change impacts. Extractive industries, such as hydroelectric plants, mining companies, illegal logging, and farmers, have encroached on their territories and are taking resources including water, minerals, and timber. Maya Ch’orti women face violence for defending their lands, and a number of them have been criminalized and assassinated due to their activism against such projects.

In Brazil, the human population and the environment meet in the Amazon forest—forests that are critical for Indigenous peoples as well as all of humanity. Indigenous territories are experiencing invasions of extractive industries engaged in mining, cattle ranching, and logging. When Indigenous peoples act to defend their rights and their lands the homes of Indigenous leaders are burnt down; Indigenous women are raped; Indigenous lives are threatened.

The destruction and theft of Indigenous peoples’ natural resources can lead to economic poverty for Indigenous women and communities, and the loss of the community’s ability to engage in their cultural practices or even to live on their traditional homelands. Climate change-related disruptions exacerbate these economic pressures and lead to increased homelessness and migration of Indigenous women as they leave their territories to seek economic security. As Juanita Cabrera Lopez, the Executive Director of the International Mayan League noted, “Indigenous peoples’ migration . . . is characterized by unique vulnerabilities . . . stem[ing] from our Indigenous identity and the intersection of discrimination, racism, and language, and this is clearly seen in the arbitrary detention of Juana Alonzo Santizo of the Maya Chuj Nation for seven years in Reynoso, Tamaulipas, Mexico.” Her detention followed discrimination, torture, and interrogation by police in Spanish, a language Juana did not speak then. See Opinion 35/3021 of the UN Working Group on Arbitrary Detention (A/HRC/WGAD/2021/35) “Violence, detention, and language discrimination are practically universal threats that Indigenous women migrants face, and climate change migrants will be no exception,” notes Lopez.

Climate change can result in displacement of Indigenous communities living on shorelines or islands, for example in Alaska and Hawai’i, and loss of their housing and other infrastructure due to erosion of shorelines and submersions due to storm surges and increased sea level. Climate change and environmental degradation also increase the overall stresses in Indigenous communities and households through the loss of normal seasonal activities and gatherings tied to cultural identity.

Native Hawaiian women are dealing with climate changes projected to affect coastal and marine ecosystems as well as environmental degradation due to unsustainable tourism, scientific research, and military activities, all of which add to shortages in natural food sources such as fish and seaweed, loss of coral resources, and impacts on being able to practice their cultural beliefs at sacred spaces such as Mauna Kea.

In conclusion, all of these climate change-related impacts fuel increased violence against Indigenous women, which is already at unprecedented levels on Tribal and Alaska Native lands and also within other Indigenous communities. Protecting Indigenous women’s rights, securing Indigenous land rights, and achieving climate justice are interconnected, and the voices and participation of Indigenous women and Indigenous peoples at all levels throughout the world are essential and critical to achieving all these.

Joint Statement to Ms. Reem Alsalem, UN Special Rapporteur on Violence Against Women

As an outcome of our parallel event at CSW66, the Alaska Native Women’s Resource Center (AKNWRC), Coordination of the Indigenous Organizations of the Brazilian Amazon (COIAB), Indian Law Resource Center (ILRC), International Mayan League (IML), National Indigenous Women’s Resource Center (NIWRC), Native Women’s Society of the Great Plains (NWSGP), and Pouhana ‘O Nā Wahine (PONW) offered a Joint Statement on Climate Change and Indigenous Women’s Rights: Brazil, Guatemala, and the United States as input to inform the UN Special Rapporteur’s Report to the 77th session of the General Assembly on violence against women, in the context of the climate crisis, including environmental degradation and related disaster risk mitigation response. The 77th session of the General Assembly will take place on September 13-20, 2022, in New York.

CALENDAR

UPCOMING INTERNATIONAL EVENTS

April 25-May 6, 2022 21st Session of the UN Permanent Forum on Indigenous Issues

Established by the UN Economic and Social Council (ECOSOC) in 2000, the Permanent Forum on Indigenous Issues is a high-level advisory body that deals solely with indigenous issues. The Forum is composed of 16 independent expert members serving three-year terms, half of whom are nominated by states and half of whom are nominated by Indigenous organizations in their regions. The Permanent Forum is mandated to discuss economic and social development, culture, the environment, education, health and human rights. This year's session will address the theme "Indigenous peoples, business, autonomy and the human rights principles of due diligence including free, prior and informed consent." Official documents and other information about the session are available online: n8ve.net/fjtoi

July 4-July 8, 2022 Expert Mechanism on the Rights of Indigenous Peoples

The Expert Mechanism on the Rights of Indigenous Peoples provides expertise and advice to the Human Rights Council on the rights of indigenous peoples. It also helps member states with their implementation of the Declaration on the Rights of Indigenous Peoples. Annually, the Expert Mechanism holds a five-day session where representatives from Indigenous peoples, Indigenous peoples organizations, civil society, states, and

academia can participate. The 15th session of the EMRIP will take place at UN Headquarters in Geneva, Switzerland. More information will be provided soon online: n8ve.net/oaUsk



June 13-July 8, 2022 / Sept. 12-Oct. 7, 2022 50th and 51st Sessions of the UN Human Rights Council

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and making recommendations on them. The 50th session will take place June 13-July 8 and typically includes the Council's annual full-day discussion on the rights of women. The 51st session will be held on September 12-October 7, 2022 and typically includes a half-day discussion on indigenous peoples' rights. When available, further information about these sessions will be posted online: n8ve.net/uVTk6



RESEARCH UPDATE



NIWRC's Research Ways Of Knowing, Belonging, and Knowledge Building

Highlights of Gwendolyn "Gwen" Packard as an Advocate and Community Organizer

By Kendra M. Root, *Muscogee Nation/Euchee*, Research Associate, NIWRC, and Gwendolyn Packard, *Ihanktonwan Dakota*, Senior Housing Specialist, NIWRC

The Indigenous Research Collaborative to End Violence Committee (IRCEV Committee). / Photo courtesy of Gwendolyn Packard, NIWRC.

With historical traditional research methods in mind, Native people have included research collection methods in our communities since our creation. Historical traditional methods display quantified numerical systems such as crops, horses, and headcounts of Native peoples within the community. Assessments of crops, animals, and people were also a notion of traditional research methods for making meaning for ways of knowing within historical Native communities.

From NIWRC's early beginnings, promoting Indigenous research has been ingrained and included in all parts of our efforts. Gwendolyn Packard has spearheaded NIWRC's Research arm in advocating for the practice of informed research on violence against Indigenous women and continuing to promote our traditional practices of quantitative and qualitative data collection methods. With her foundational background in understanding research in Native communities, she brings a lifetime of ways of knowing in relevance to knowledge building for

our Native Nations, communities, and people. She has provided the pathways and structures for research leaders in our field to exhibit the resistance to Western notions of epistemology by decolonizing efforts and thus providing data collection as the gathering of knowledge in an ethical and Indigenous ways for making meaning.

Gwendolyn provides a true Native woman's soul and heart that understands our Native communities and holds the desire to provide our communities with Indigenous research analysis for the purpose of giving back. Gwen has provided her expertise as an organizer, leader, and a strong Native woman's voice in the fields of domestic violence, sexual abuse, trafficking, trauma, mental health issues, and networking with Native researchers to build a solid platform for multiple research initiatives. As the primary organizer, she was instrumental in the establishment of the Indigenous Research Collaborative to End Violence (IRCEV) Committee, for the purpose of strengthening the understanding of violence against Native women

and children, and the spectrum of related issues experienced across Native communities from a cultural or Indigenous perspective. The expertise of the IRCEV Committee contributed to the understanding of current knowledge on violence against Native women, the ongoing research efforts, and addressing urgent or missing areas of research in the field as the primary goal.

Gwen has used her voice to provide spaces for multiple roundtable discussions, webinars, in her writings, and through partnership initiatives to promote fruitful discussions and understanding of Native experiences. Her voice and expertise have carried her to become an expert panelist for the U.S. Department of Health and Human Services, Administration for Children and Families, to provide adequate information from a Native woman's perspective on ways to strengthen the National Domestic Violence Hotline Services Assessment Framework based on Theory (SAF-T) Project.

Furthermore, her highest accomplishment is being a lifelong advocate for Native women survivors of violence. Her voice is the perpetuation of the many Native women survivors and efforts of awareness to combat the spectrum of violence against Native women and children. Gwen's actions in ensuring and securing the protection, safety, and wellness of our Native women and children are seen throughout her involvement in her Tribal community, city, and her work within NIWRC on Research, Training and Technical Assistance, and most recently in the STTARS Indigenous Safe Housing Center. As a fierce advocate and voice, combating the spectrum of violence is no easy task; however, with Gwendolyn Packard on the frontlines with her army of Grandmothers, Mothers, Sisters, Aunties, Daughters, Researchers, and Advocates, we are all holding our fists up for justice, systemic and policy changes!

Gwen has provided the expectations of leadership and standards for our growing Research arm at NIWRC. There are not enough words to express gratitude and thankfulness to her. A big heartfelt Mvto! Thank You to Gwen for sharing her expertise, passion, and commitment to the Indigenous research field.

HIGHLIGHTS Research Initiatives Led by Gwendolyn Packard

Trauma Informed Care Initiative

Initiative leader and assisted in the development of Evidence Based Practices of trauma and mental health issues in Tribal domestic violence programs and shelters.

IRCEV

Provided diligent organizing to establish the Indigenous Research Collaborative to End Violence (IRCEV) Committee of National Researchers.

Roundtable Events

A leader in roundtable discussions to enhance the understanding and knowledge building on violence against Native women and children.

Provides a safe space for the Indigenous ways of gathering knowledge to uplift the Native experiences on the spectrums of violence within Indian Country.

Webinars

Held countless educational webinars to share her expertise in the vase and varieties of knowledge to give back to Indian Country on research efforts that are in support of actions to fight against the spectrum of violence against Native women, girls, and children.

Resource Materials

Instrumental in the development of Addressing Domestic Violence in Tribal Communities through Trauma-Informed Approaches resource booklet.

Partnerships

Developed critical partnerships with Native women survivors of violence, advocates, policy, and Tribal leaders throughout Indian Country to enhance awareness and actions in combating the spectrum of violence.

Journal Articles Published

Co-authored an article published in the Journal on Interpersonal Violence (2014), Research agenda for violence against American Indian and Alaska Native women: Toward the development of strength-based and resilience interventions: <https://n8ve.net/ZcUON>

Co-authored an article published in the Journal of Interpersonal Violence (2022), We've already endured the trauma, and who is going to either end that cycle or continue to feed it?: <https://n8ve.net/eltaD>

Commemorating Women's History Month and International Women's Day

A Knowledge Building Educational Resource

This spring, NIWRC created an educational resource containing biographies of four Indigenous women to accompany a Twitter Storm for International Women's Day on March 8, 2022. The brief biographies highlighted the women's contributions to the movement of securing the protection, health, safety, and welfare of Indigenous women and children for the awareness and actions of social justice, policy reforms, and strengthening Tribal sovereignty. The biographies provided knowledge of each of the women's contributions and resources for exploration and knowledge building. Visit our Resources Library to view the full biographies of these four powerful Indigenous women: Tillie Black Bear, Sarah Deer, Karen Artichoker, and Lenora "Lynn" Hootch: <https://n8ve.net/csBzu>



From left to right, top to bottom: Sarah Deer (photo courtesy of Sarah Deer) and Lenora "Lynn" Hootch, Tillie Black Bear and Karen Artichoker. / Photos courtesy of NIWRC.



OF NATIVE SOVEREIGNTY AND SAFETY FOR NATIVE WOMEN

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June 2022 | Volume 19 | Issue 2

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





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ISBN 9780985656614

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