

# SYNERGY

**RCDV:CPC** The Newsletter of the Resource Center on Domestic Violence:  
Child Protection & Custody

A Project of the National Council of Juvenile and Family Court Judges

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## National Indigenous Women's Resource Center

The National Indigenous Women's Resource Center (NIWRC) serves as the National Indian Resource Center<sup>1</sup> dedicated to increasing the safety of American Indian and Alaska Native (Indigenous) women. Like so many across our country and the world, including those of you reading this newsletter, NIWRC's staff and Board of Directors have dedicated their lives to a grassroots movement that affects social change to end violence against women. What we share with you in the following pages is a glimpse of our focused efforts to increase Native women's safety particularly for the 229 Alaska Native tribes. Available statistics for Alaska Native women are a loud and clear call to action for all of us to work together to support Alaska Native advocates, tribal nations, and their allies to remove institutional barriers to Native women's safety.

Funding from the Family Violence Prevention and Services Act (FVPSA) since 1984 has provided unprecedented, life-saving domestic violence shelter, advocacy, and supportive services across the country and within tribal nations, as well as technical assistance and training through FVPSA funded resource centers, including NIWRC and the National Council of Juvenile and Family Court Judges. As the grassroots movement continues to advocate for the safety of all women, especially those in rural, remote parts of our country, direct victim services, shelter, advocacy, and supportive services continue to remain at the heart of all of the work to strengthen the responses of all systems – tribal, state, and federal. By working in partnership with local community members, across jurisdictions and professions, we will end domestic violence and violence against women and change the culture that accepts this as a norm.

Ten years after FVPSA, the first Violence Against Women Act (VAWA) was signed into law in September 1994. This created another historic shift in United States laws, policies, and ultimately social and cultural norms that sanctioned violence against women in this country. With each reauthorization of VAWA since 1994, the grassroots movement- made up of domestic violence activists, advocates and survivors, and their allies- has



worked tirelessly to strengthen VAWA and improve implementation to enhance women's safety and ensure offender/predator/perpetrator accountability. The newest landmark provision in VAWA 2013- testament to this tireless advocacy- returns limited criminal jurisdiction over non-Indian offenders to Indian tribes for domestic violence crimes and violations of protection orders. This provision creates safety for many Native women, but NOT Alaska Native women, as these survivors have been excluded.<sup>2</sup> Clearly, much work remains to be done, to ensure inclusion of Alaska Native tribes, which make up 40% of the country's Indian tribes, in this landmark justice provision.

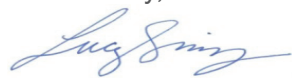
Signals that these changes in laws and policies are working to end violence against women and change social norms are reflected in a variety of ways, including but not limited to: reduced statistics, changed attitudes and beliefs that no longer tolerate violence against women, prevention through outreach to children and youth about unacceptable behaviors, accessible victim advocacy services to women from previously underserved communities (including, but not limited to, shelter, safety planning and rape crisis services), more women feeling safer and more secure in reaching out for help from family, friends, and first responders from all systems (academic, military, health, justice, social, etc.), and equal access to justice for survivors of violence.

For American Indian and Alaska Native (Native) tribes<sup>3</sup>, of which there are 567 recognized by the United States as of April 2014<sup>4</sup>, changes in laws, policies and social norms to end violence against women mean many things. It means the upholding of Native women's rights to live according to their customs and traditions, which throughout the history of colonization was deemed illegal and viewed as savagery. It also means having a local immediate response to these crimes, which other non-Native communities across the country expect and have, but for Native communities has been hampered by various institutional roadblocks.

Native customs and traditions have not and do not accept violence against women as the norm. In fact, there is ample evidence found in the historic writings of missionaries, anthropologists, government officials, and many other non-Indians, as well as in legal documents, that the women of our country's first nations held honored positions among their people and rarely experienced violence without immediate and serious consequences experienced by offenders.

Thank you for reading this edition of Synergy, and we encourage each of you to reach out to Indian tribes in your area to find out how you can support their efforts to end violence against women. We have come so far over the last 15 years since the passage of the first VAWA, and can continue to go even further with everyone coming together in a groundswell of support for social change. We hope to inspire you to learn more, as we need each other to make life-saving changes for ALL women.

In solidarity,



Lucy Simpson  
Executive Director

<sup>1</sup>The 2010 re-authorizing legislation for the Family Violence Prevention and Services Act (FVPSA) funding (within the Child Abuse Prevention and Treatment Act or CAPTA) created a National Indian Resource Center Addressing Domestic Violence and Safety for Indian Women.

<sup>2</sup>The exception is the Metlakatla Indian Community in Alaska which can implement this provision.

<sup>3</sup>For a list of all federally recognized tribes as of Jan. 2014, please go to:

<http://www.indianaffairs.gov/cs/groups/public/documents/text/idc006989.pdf>

<sup>4</sup>The U.S. Department of the Interior extended preliminary federal recognition to the Pamunkey Indian Tribe in Virginia in January 2014, making it the 567th tribe to gain federal recognition. The Tribe's status is expected to be officially recorded in the Federal Register after a mandatory public comment process is completed.

# Hello My Name Is: Alaska Native Voices Calling Out for Safety of Native Women

## Lenora “Lynn” Hootch



My name is Lenora “Lynn” Hootch and I am Yup’ik Eskimo from the Village of Emmonak. I welcome you to learn more about Alaska and the homelands of Alaska Native peoples.

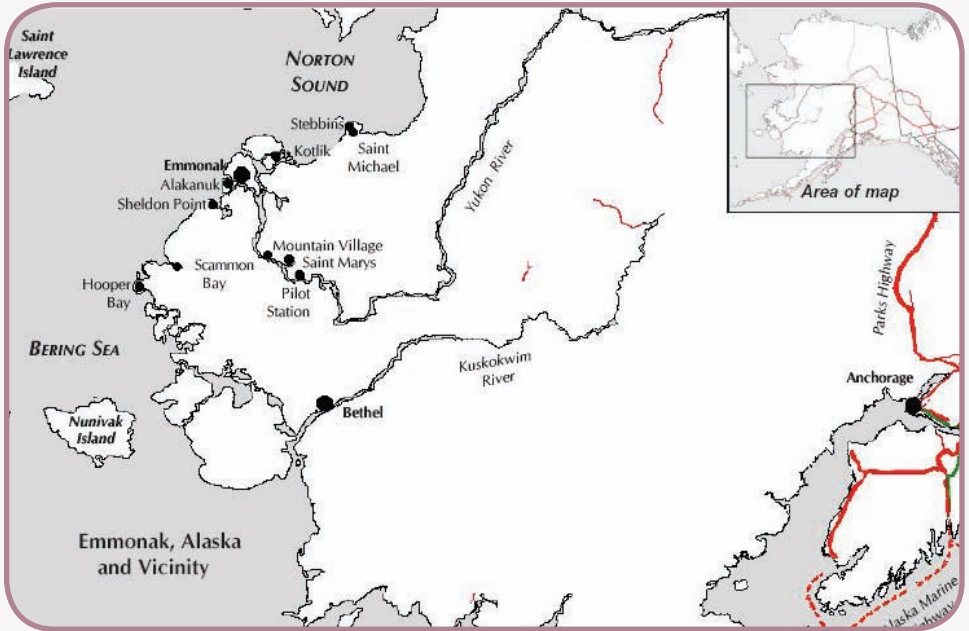
I have lived in my Native village most of my life and am a mother of five children and grandmother of six. I have been actively involved in my community and tribal government, where I currently serve on the Emmonak Tribal Council. I am also an active member of the local church’s Parish Council and have previously served as a City Council Member, Village Vice Mayor, and Advisory School Board Member. As a Yup’ik woman, I would like to share the urgent crisis facing Alaska Native women and ask for your support in the struggle to end the violence.

Over the last 35 years, I have dedicated my life to working with my community, surrounding villages, the state and nation, and allies in the lower 48 and internationally to uphold Yup’ik values, customs, and traditions in advocating for an end to violence against Alaska Native women. I am a founder and former director of the Emmonak Women’s Shelter, the only Native village-based shelter in Alaska operating since 1979. Concerned village members and volunteers like myself created the shelter—the second oldest known Native women’s shelter in the United States—because we saw a critical need to provide safety for women and their children victimized by domestic violence, sexual assault, and other forms of abuse. We opened the shelter to provide emergency shelter and assistance to victims and have helped women from all over the state

and throughout the country for over 30 years. More often than not, our efforts are on a volunteer basis and provided without any funding.

The Village of Emmonak is a Yup'ik Eskimo Village with a population of approximately 800 enrolled tribal members. Emmonak is located in southwestern Alaska, approximately 200 air miles northwest of Bethel, Alaska, and 490 air miles northwest of Anchorage. There are no road systems in the entire region; the river is our highway. Our primary mode of transportation includes boats during the summer months and snow machines during the winter months. Winter trails connect villages by snow machine unless extreme winter weather makes travelling impossible. Depending upon the weather, villages may be inaccessible for days or even weeks.

In addition to serving Emmonak, the shelter provides services to 13 federally recognized Yup'ik tribes/ villages in our region of the state: Alakanuk, Chevak, Emmonak, Hooper Bay, Kotlik, Marshall, Mtn. Village, Nunam Iqua, Pilot Station, Pitkas Point, Russian Mission, St. Mary's, and Scammon Bay, respectively. The region has approximately 7,977 residents per Census 2013 estimate, most of whom are Yup'ik Eskimos. The villages are geographically isolated from each other and accessible by air or water, weather permitting.



Since beginning my journey working and helping women in rural remote villages in Alaska, I have seen and heard countless stories with so much pain and have heard the crying voices of our Native women: our sisters, aunties, grandmothers, and children with nowhere to go for safety. In reality, in the villages there is nowhere to go except to local churches (if doors are left open), inside willows, in steam baths, and/or fish smoke houses (caches). There are no resources available and many have no reliable police protection. Law enforcement is not available in many of our Yup'ik villages. We cannot just get into a car and drive away; we run, many times with five children behind us as we hide under our homes in the dark, cold winter months. Sometimes if we're lucky, we see a porch door open and run inside the house,

not knowing whom the house belongs to or whether someone is home...this is to keep ourselves alive.

For too long, there has existed inadequate law enforcement and no infrastructure to address domestic and sexual violence in many of our rural Native villages. In addition, the State of Alaska has failed in its responsibilities by not providing adequate law enforcement and judicial services to Alaska Natives in rural Alaska, including the Village of Emmonak. These facts create the dangerous reality that frequently the only people standing between a woman in need of protection from the batterer or rapist is the local community. Consequently, the life of a woman depends largely on the local community's ability to provide immediate protection and assistance.

Alaska has the highest rate of sexual assault in the country, and the rate of violence against Alaska Native women is more than double that of any other population of women. Given the rate and severity of sexual violence against Alaska Native women, including in Emmonak, it is essential that we have immediate action to support local village-based responses to these crimes. While sexual assault occurs in all communities, the stark reality is that the crisis facing Alaska Native women should and cannot continue to be ignored.

I would like to share some final thoughts and stories with you from survivors in the Yup'ik region area. These are but a few of the countless tragic stories that did not receive justice. These untold stories are those of women who were silenced during their difficult lives and of women who lost their lives because no protection was offered. When these victims first tried sharing their stories, only their mouths moved. I could not hear their words but only saw tears streaming from their eyes.

Our shelter has assisted such tragedies as:

- children found weeping near their mothers suffering from serious, life-threatening or in some cases, deadly injuries from domestic violence;
- women repeatedly raped by numerous men at one time;
- elderly mothers suffering violence at the hands of their husbands; and
- mothers with their children hiding along the river and under trees for safety, often during the cold, winter months.

Thank you for taking the time to listen to our concerns, the voices and cries of our people. The Village of Emmonak looks forward to working with our allies on a state, national and international level to strengthen tribal sovereignty and increase

the safety of Native women in Emmonak and across the State of Alaska. In addition, we support building alliances to enhance and promote the voice of Alaska Native survivors, advocates, and tribal leaders at the village, state, and federal levels. By working together we stand stronger in our advocacy efforts for equal access to justice, local village-based solutions to local village problems, and access to services and advocacy designed by and for Native women. I have spent much of my life focusing on this issue. Like so many other women now involved in this movement and our mothers before us, we really have no choice. Domestic violence, rape, suicide, and now sex trafficking are threatening the future of our villages. Our people are living in peril.

NATIVE *Love* IS  
RESPECT

"In all Native communities, women should be appreciated, honored and loved. We should respect what they have to contribute to our society as a whole."

Justin Secakuku  
Hopi

SEE JUSTIN'S STORY AT  
[WWW.INDIANLAW.ORG](http://WWW.INDIANLAW.ORG) AND [WWW.NIWRG.ORG](http://WWW.NIWRG.ORG).

INDIAN LAW  
RESOURCE CENTER  
NIWRG

## Tamra “Tami” Truett Jerue



*Tamra (center) is pictured here with her four children.*

My name is Tamra Truett Jerue. I am Athabascan from Interior Alaska. I live in the Village of Anvik, a small Deg Hit’an Athabascan community. Anvik has been my home for 22 years. My husband, Carl Jerue, has served as the Village Chief for over 23 years. We have four children, four grandchildren, and have helped raise many nephews and nieces. I work for the Anvik Tribe as the Social Services Director, and like so many others, we do all that we can round the clock to take care of our families and communities. I have dedicated my life in rural Alaska for over 30 years working on violence against women, tribal child protection, and substance abuse.

Anvik is a geographically remote tribe with 275 citizens, to whom we have the responsibility of protecting and serving. We have an active tribal

court. We are not on the state’s road system and travel in and out of the village by air, boat, or snow machine depending on the season, weather, and cost of transportation. Our village receives little from the state. The government that operates in Anvik is our Village Council. The real question we answer every day is how do we govern and provide for our people and create a safe and healthy community despite the state.

When a woman in our village is beaten or raped, we respond to meet her needs. As a community member, the Village Chief’s wife, and a tribal employee, I am commonly called out 24 hours, 7 days a week to respond to a domestic violence call or “disturbance” that too often involves guns. Fortunately, I have resolved situations so that no one has been seriously harmed.

## LACK OF LAW ENFORCEMENT

What I'm about to share with you is not easy and brings up so much uneasiness, anger, shame, and frustration. This is what we face in our villages across the state, and it hasn't always been this way. We are working together in our villages, with each other across the state, and with our allies in the lower forty-eight to identify and remove the roadblocks to our safety. I ask you to join us and help to bring resolution and an end to violence against Alaska Native women. This is preventable and we can change what happens from here on forward.

For many years, Anvik had no local law enforcement, but in the last two years, because of a federal grant, we have been fortunate to have a Tribal Police Officer. We were also able to fill a long-vacant Village Public Safety Officer position, which is funded through the state. Many other Alaska Native villages and its citizens are not as privileged. Prior to having our officers, I experienced too many instances of a lack of response by the state troopers because of bad weather preventing travel in/out of the village. At other times, the troopers deemed the incident not

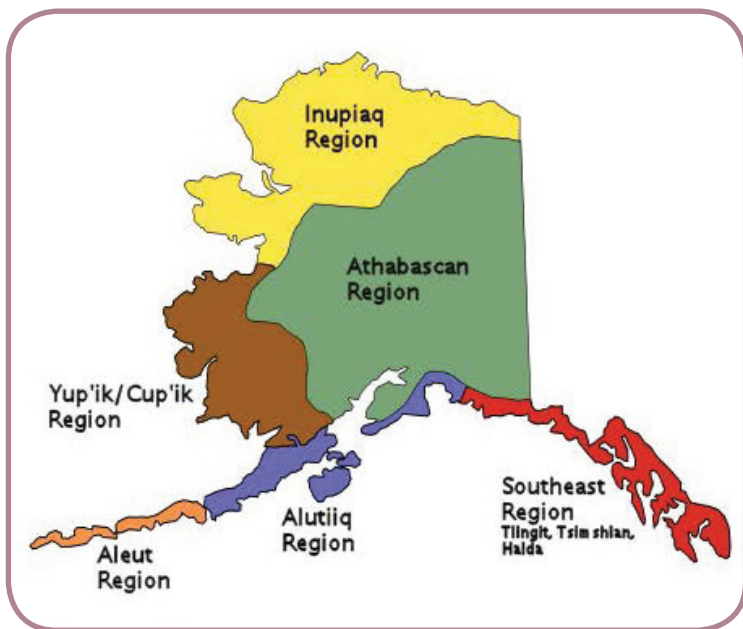
to be an immediate danger. And other times, there was just no trooper available to respond to our need, no matter how serious.

911 is also not available in Alaska's villages. We often have to call several trooper posts only to get voice mail or answering machines. If you have 911 or law enforcement in your community, stop and close your eyes and picture what would happen if you did not have law enforcement in your community. How would you respond, especially where violence has been or the serious threat of violence will be committed? How would you respond if your mother had just been beaten by your father, as you and your brothers and sisters were forced to watch and listen? How would you respond if you just found your cousin or good friend naked, violated, and unconscious?

Watching the violence and such a poor response from the state is very frustrating. It creates resentment within the village against the state and in turn a lack of trust and also at times a lack of cooperation with law enforcement. In the end, we know that while the state has the authority to respond, in reality it most often does not and cannot since it is not present in our village. State troopers are not real when a woman is being beaten or raped. While Anvik has a grant for law enforcement now, it might not in the future. The right to safety should not be a privilege for only those fortunate enough to have a grant writer to secure competitive, discretionary funds. The federal government has a trust responsibility to Alaska Native villages that it must and can uphold now. The lives of our mothers, sisters, daughters, and community are at risk. Human lives are at risk. These human lives are Alaska Native women, and yes, we deserve the same right to live in a safe community in our villages.

## LOCAL CONTROL AND SAFETY

Currently, when a crime occurs in which a woman is being beaten, the village responds to that cry for help, because she is our community member.



*This map represents the Alaska Native linguistic regions.*

As her relative and community member, we must stand with her. It is our responsibility, but this is a dangerous situation for the woman and for those protecting her and stopping the violence. Our village is the local government and it acts to protect our members. Recognizing this reality in all of our villages and restoring the legal authority of villages to respond to crimes and make decisions regarding the safety, health, and well-being of residents is an essential next step in addressing the issues of domestic violence, sexual assault, suicide, and substance abuse/alcohol-related deaths.

Villages need to exercise local control to respond to the violence. Alaska Native villages have not had adequate support to develop and sustain local responses to violence against women, especially supporting critical life-saving victim services. Formula funding to support the long-term development of local village-based justice responses is also important, as much as the policy reforms at the federal and state levels supporting local responses. Funding under the Violence Against Women Act and Family Violence Prevention and Services Act that has been available in the lower forty-eight has reached very few villages. Villages need the resources and support from federal and state governments. Village-based responses to domestic violence and sexual assault should include, but not be limited to, the following: law enforcement, village courts, updated tribal laws on violence against women, safe shelters and housing, and sexual assault forensic and medical examinations.

The greatest legal barriers to the safety of Native women have been created by federal laws and policies that stripped the authority of our village to respond to domestic and sexual violence. We were then denied the resources to create a village-based justice system to keep our village safe. Local control is the alternative to a broken system that has not worked.

### **THE ALASKA TASK FORCE TO INCREASE THE SAFETY OF NATIVE WOMEN**

At the Annual Convention of the Alaska Federation of Natives (AFN) in October 2013, our tribe along with other Alaska Native tribal governments submitted a resolution entitled Protect Alaska Native Women. The unanimously adopted resolution presents a framework for addressing the epidemic of violence against Alaska Native women. We look forward to leading the work as longtime advocates with our allies, including tribal coalitions, AFN, NCAI, and NIWRC, supporting us over the long term. By working together across the state, nationally and internationally, we will strengthen an alliance of advocates and leaders dedicated to identifying and implementing legal and policy reforms to increase the safety of Native women, and we will end violence against Native women.

We have survived for thousands of years and will continue to survive. For the sake of our women and children, I ask for the federal and state governments to do what's right. Do not turn your back to the glaring violence that is happening in our villages.



*From left to right is Nettie Warbelow, Priscilla Kameroff, Christine Teganlakla and Joann Horn.*



## Nettie Warbelow



*Nettie is pictured sixth from the left in the dark colored shirt.*

My name is Nettie Warbelow and I'm Athabascan from the beautiful Alaska Village of Tetlin. Thank you for allowing me to share the current reality of life in the Village, especially the reality of our sisters who face extremely high rates of domestic and sexual violence. The challenges and barriers are many as we continue to struggle with limited or no resources, limited law enforcement, and systems that are not working for us as Athabascan people.

Tetlin Village is a traditional village, originated by the Athabascan people traveling seasonally between fishing and hunting camps. The Village is located on the Tetlin River, approximately 20 miles away from Tok Junction between the Tanana River and Tetlin Lake, and has a population of about 370 members. Tetlin is the only village in the Tok area, which does not only rely on a haul road system; access is by boat, snow machine, or airplane depending on climatic conditions.

The complexity of its social problems goes beyond the isolation of the Village. Physical conditions are impacted by extreme weather conditions; the lack of basic necessities of shelter, food, and fuel; the absence of transportation with which to

obtain services; and the lack of a dedicated first responder within the Village for domestic violence and sexual assault. Responders to these crimes end up being any tribal employee whether or not it's in their job description. Although Tetlin Village has a Family Violence Prevention and Services Act Grant, the amount received has been cut for the last two years and does not provide adequate services for the people. Incidents of death due to domestic violence remain underreported because of the co-occurrence of alcohol and drug abuse; and generational learned behavior is inaccurately listed as the primary cause of domestic violence, suicide, and homicide.

Tetlin also has a Tribal Family Youth Specialist (TFYS) for Child Welfare who experiences a very demanding caseload and is overwhelmed with numerous court proceedings, child placement, and domestic violence and sexual assault cases. The closest shelter is located in Fairbanks, Alaska, which is approximately 226 miles from Tetlin, so access by women from the Village is often not possible due to the high cost of airfare. The Village of Tetlin does provide safe homes for short periods of time.

Regarding law enforcement, Tok Junction is the closest hub that houses an Alaska State Trooper's office, and it takes up to six hours for the troopers to respond to a crime within Tetlin. The Tok Clinic does not provide sexual assault forensic examinations; therefore, the victim has to travel by ambulance or airplane to Fairbanks, Alaska, (the closest hub to Tetlin) for a forensic exam. Most of our victims do not seek help due to confidentiality concerns and the humiliation of going through long processes in the legal system. In addition, due to limited budget constraints, Tetlin does not offer an after-care program for women and children who have been victimized. Continued education is critical and necessary to provide prevention, awareness, and the feeling of safety to Tetlin and its members.

The TFYS Domestic Violence/Sexual Assault Advocate can only do so much. With the limited funding as it currently stands, unfortunately, direct services often do not reach victims who are in most need of services. There is no funding from the State of Alaska or no collaboration/communication from the State of Alaska with Alaska tribes regarding domestic violence and sexual assault occurring within the different villages and regions to provide services. Tetlin Village currently does not and has not received any sort of funding from the State of Alaska or OVW to support domestic violence and/or sexual assault services within Tetlin.

Tetlin Village has a fully functioning tribal court, which focuses on problem solving and strategic planning within the community to prevent crime and violence. The tribal court has made every effort to work with the Alaska State Troopers and state court systems. Today, this system between the tribes and the State of Alaska is not working to track offenders/perpetrators to protect our victims. We have invited the state courts to work with us relating to the tracking system, but this has not been established as a priority by the State of Alaska as a collaborative effort despite our repeated efforts to reach out to the state.

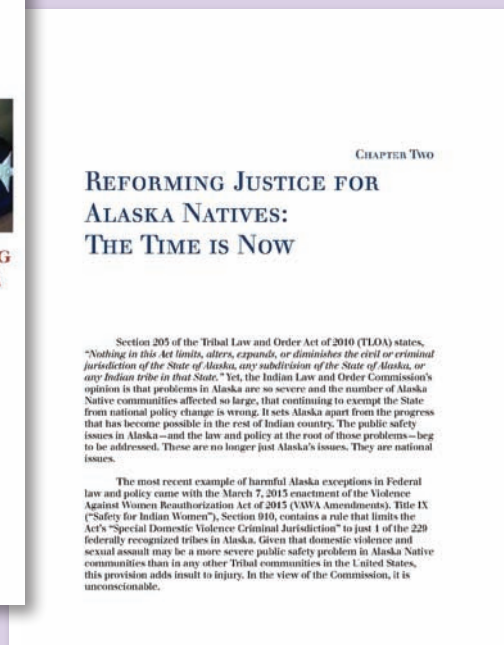
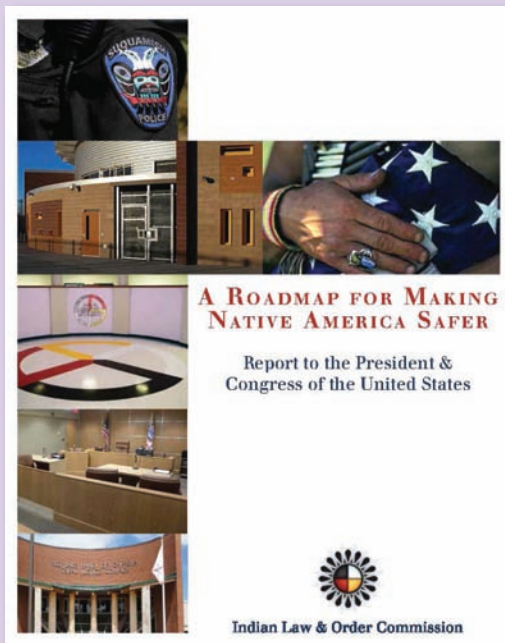
Furthermore, Tetlin Village has a written code of tribal ordinances and is a product of many minds and many hours of work. Through the knowledge

gained from listening to our grandparents and elders, these individuals were able to construct this code, which reflects the traditional values of the Tetlin people. Moreover, as a result of our combined and thoughtful efforts to address issues within Tetlin, our tribal court is a competent and strong court system, which is better structured than distant state courts to handle local prosecutions. The Tetlin Tribal Court currently handles domestic violence and sexual assault cases. As such, the tribal court hears cases and can provide an order of protection, dissolve or modify an order of protection, and oversee protection order violations. Our tribal court orders are stamped with a Tetlin Tribal Court Stamp.

Finally, the proposed Alaska Safe Families and Villages Act of 2013 does not fully address the changes needed to truly address violence against Alaska Native women, and we would appreciate support to assist with strengthening any legislation to effectively increase safety in Alaska Native villages. Section 6 of the Act appropriately calls for the repeal of Section 910, Special Rule for the State of Alaska of VAWA 2013, and the Village of Tetlin strongly supports the repeal of Section 910; however, the remaining sections of the proposed Act are not supportive of villages to provide local safety and justice for their communities.

All Alaska Native villages should benefit from meaningful legislation that gets to the heart of providing greater protections for victims of domestic and sexual violence; however, the proposed Act does not go far enough to support Tribes at the local, village level. As written, the proposed Act focuses on Alaska villages implementing state law by "encouraging the State of Alaska to enter into intergovernmental agreements with Indian tribes in the state relating to the enforcement of certain state laws by Indian tribes." Previous versions purported to "enhance existing tribal authority over domestic violence and child abuse and neglect." The Village of Tetlin would urge that tribal authority be enhanced in all Alaska Native villages, so that Alaska tribes can adequately address the extremely high rates of domestic and sexual violence occurring within Alaska's villages.

# The Tribal Law and Order Act



## THE TRIBAL LAW AND ORDER ACT

Prior to “contact,” Indian tribes retained all inherent sovereign powers and negotiated from positions of strength. Tribal communities knew how to collectively govern themselves in a way that was respectful of all involved. Women were treated as sacred, but if they experienced violence from another, justice was swift and upheld by the entire community or village. However, as time progressed, the United States systematically began to interfere, dictate terms, and ultimately erode the authority of Indian tribes.

On July 29, 2010, President Obama signed into law the Tribal Law and Order Act (TLOA) that lends support in strengthening tribal governments and removing

roadblocks to the safety of Native women. Both the Tribal Law and Order Act (TLOA) of 2010 and the Violence Against Women Act (VAWA) of 2013 provide protections for Native women by supporting and recognizing the inherent sovereignty of Indian tribes. TLOA helps to address crime in tribal communities and places a strong emphasis on decreasing violence against American Indian and Alaska Native women.

Among other important provisions<sup>1</sup>, the TLOA increased federal accountability and tribal authority, and called for the establishment of a Tribal Law and Order Commission (ILOC or Commission) to make recommendations for improving public safety among tribal communities and villages in response to epidemic crime

rates, including domestic and sexual violence against Native women. These recommendations were delivered to the President and Congress in a report entitled *A Roadmap for Making Native America Safer* released November 2013.<sup>2</sup>

### According to page 7 of the ILOC report, TLOA has three basic purposes:

First, the Act was intended to make Federal departments and agencies more accountable for serving Native people and lands. Second, TLOA was designed to provide greater freedom for Indian tribes and nations to design and run their own justice systems. This includes Tribal court systems generally, along with those communities that are subject to full or partial

State criminal jurisdiction under P.L. 83-280. Third, the Act sought to enhance cooperation among Tribal, Federal, and State officials in key areas such as law enforcement training, interoperability, and access to criminal justice information.

## A ROADMAP FOR MAKING NATIVE AMERICA SAFER

### A REPORT TO THE PRESIDENT AND CONGRESS OF THE UNITED STATES

#### INDIAN LAW AND ORDER COMMISSION

In November 2013, the Indian Law and Order Commission released its findings and recommendations in a report, *A Roadmap for Making Native America Safer*. The report, released by a nine-member volunteer commission, and which took over two years to compile, presented 40 bold and unanimous recommendations that provide life-changing possibilities for Indian tribes to pursue in order to ensure public safety within their respective communities.

## LOCAL CONTROL AND ACCOUNTABILITY FOR INDIAN TRIBES

The prevailing theme underscored throughout the entire ILOC report “is to provide greater local control and accountability” to Indian tribes concerning the public safety and welfare of their communities and villages. The Commission further asserts that “more lives and property can and will be saved once tribes have greater freedom

to build and maintain their own criminal justice systems.” In order for Indian tribes and villages to ensure the health, safety, and well-being of its members, including the safety of Alaska Native women and children, the authority of Indian tribes must be enhanced and restored. The existing reality is that the State of Alaska’s current centralized law enforcement and justice systems do not work for the remote villages of Alaska. As the Commission noted, problems with safety in tribal communities are severe, but they are “systematically the worst in Alaska.”

## RECOMMENDATIONS FOR JUSTICE FOR ALASKA NATIVES

With respect to Alaska, the Commission’s findings served as a call for critical and urgent action to improve public safety—once again reemphasizing support for local control. The unanimous view of the Commission found that the “problems in Alaska are so severe and so large, that continuing to exempt the state from national policy change is wrong [and that] the public safety issues in Alaska [including ] law and policy . . . beg to be addressed.” In Chapter 2, *Reforming Justice for Alaska Natives: The Time Is Now*, the Commission made five (5) urgent recommendations, including the following:

### **2.1: Congress should overturn the U.S. Supreme Court’s decision in *Alaska v. Native Village of Venetie Tribal***

### ***Government by amending ANCSA to provide that former reservation lands acquired in fee by Alaska Native villages and other lands transferred in fee to Native villages pursuant to ANCSA are Indian country.***

Currently, the exclusion of Alaska Native villages from the definition of “Indian country” separates villages from other federally recognized tribes and puts them at a severe disadvantage regarding public safety, among other concerns. In order to increase the safety of Alaska Native women, local control and authority of Alaska Native tribes/villages must be restored and strengthened.

- The current definition prevents villages from using VAWA to protect women.
- The current definition prevents villages from accessing law enforcement resources needed to respond **locally** to domestic violence, sexual assault, and other crimes against women.

### **2.4: Congress should repeal Section 910 of Title IX of the Violence Against Women Reauthorization Act of 2013 (VAWA Amendments), and thereby permit Alaska Native communities and their courts to address domestic violence and sexual assault committed by tribal members and non-Natives, consistent with the lower 48.**

Alaska Native women are disproportionately victimized at the highest rates across the country.

Regardless  
of the hurt,  
regardless of what  
I went through,  
I am a survivor.  
The cycle of  
abuse stops **now**.  
That is my mission.

SHEILA HAR JO  
FIRST LADY,  
COUNCILWOMAN,  
AND SURVIVOR,  
THE SEMINOLE NATION OF OKLAHOMA



SEE SHEILA'S STORY OF SURVIVAL AT  
[WWW.INDIANLAW.ORG](http://WWW.INDIANLAW.ORG) AND [WWW.NIWRG.ORG](http://WWW.NIWRG.ORG).



Community, Annette Island Reserve.

Fundamentally, VAWA 2013 denies Alaska Native women equal protection when a Native woman is married to a non-Native person and an incident of violence occurs. To increase the safety of Alaska Native women, VAWA must reach and extend the same life-saving protections to the remote, off-road villages in Alaska, especially with the unconscionable rates of violence being committed against Alaska Native women.

***2.5: Congress should affirm the inherent criminal jurisdiction of Alaska Native tribal governments over their members within the external boundaries of their villages.***

By recognizing the inherent authority of Alaska Native tribal governments, Alaska tribes will be able to exercise greater local control within their jurisdiction to properly adjudicate criminal matters and hold perpetrators accountable. Understanding and responding to violence against Alaska Native women requires an adherence to the government-to-government relationship between Indian nations and the United States, including the United States' obligation in fulfilling its trust responsibility. To ensure the safety of Alaska Native women, Alaska Native tribes will require a restoration of legal authority over perpetrators as well as additional resources to strengthen governmental responses to such crimes, including crimes of domestic and sexual violence.

For more information about the Tribal Law and Order Act, please go to <http://tloa.ncai.org/index.cfm>

According to the ILOC report, Alaska Native women “are over-represented in the domestic violence victim population by 250 percent; they comprise 19 percent of the population, but 47 percent of reported rape victims.” Furthermore, Alaska Native women “have reported rates of domestic violence up to 10 times higher than in the United States [and] the rate of sexual violence victimization among Alaska Native women was at least seven times the non-Native rate.”

VAWA 2013 included a special provision, VAWA Sec. 910: Special Rule for the State of Alaska, which provided that VAWA 2013 does not grant expanded jurisdiction to Alaska Native tribes, with the exception of the Metlakatla Indian

<sup>1</sup>Jacqueline Agtuca, Editor, *Tribal Law & Order Act 2010: Overview and Implementation*, Restoration Vol. XV, Sacred Circle/Cangleska, Inc., Feb. 2011, pages 22-26.

<sup>2</sup>Report can be downloaded from <http://www.aisc.ucla.edu/iloc/report/>

## STATISTICS ON VIOLENCE AGAINST ALASKA NATIVE WOMEN\*

According to the Indian Law and Order Commission report, Alaska Natives are disproportionately affected by crime. These effects are felt most strongly in Native communities:

- Based on their proportion of the overall state population, Alaska Native women are over-represented in the domestic violence victim population by 250 percent; they comprise 19 percent of the population, but 47 percent of reported rape victims.
- On average, in 2003–2004, an Alaska Native female became a victim of reported sexual assault or of child sexual abuse every 29.8 hours, as compared to once every 46.6 hours for non-Native females. Victimization rates, which take account of underlying population proportions, are even more dissimilar: the rate of sexual violence victimization among Alaska Native women was at least seven times the non-Native rate.
- In tribal villages and Native communities (excluding the urban Native population), problems are even more severe. Women have reported

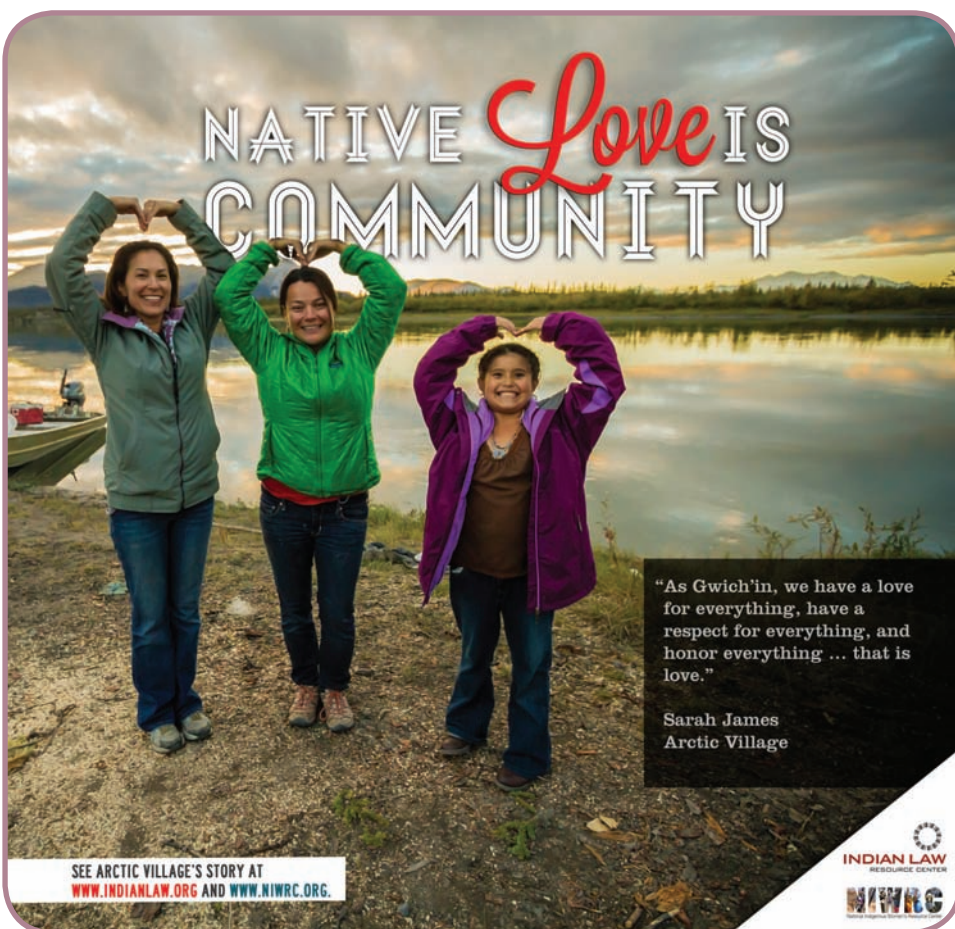
rates of domestic violence up to 10 times higher than in the rest of the United States, and physical assault victimization rates up to 12 times higher.

- Between 2004–2007, Alaska Natives were 2.5 times more likely to die by homicide than Alaskans who reported “White” as their race, and 2.9 times more likely to die by homicide than all Whites in the United States.

\* These statistics are excerpted from A Roadmap for Making Native America Safer, a report by the Indian Law and Order Commission (2013).

## SOURCES:

- Justice Research Center, University of Alaska Anchorage: <http://justice.uaa.alaska.edu/research/index.html>
- Alaska Bureau of Vital Statistics:
  - » 2003 Annual Report ([http://dhss.alaska.gov/dph/VitalStats/Documents/PDFs/2003/annual\\_report/Web\\_Book2003.pdf](http://dhss.alaska.gov/dph/VitalStats/Documents/PDFs/2003/annual_report/Web_Book2003.pdf))
  - » 2004 Annual Report ([http://dhss.alaska.gov/dph/VitalStats/Documents/PDFs/2004/annual\\_report/2004web\\_book.pdf](http://dhss.alaska.gov/dph/VitalStats/Documents/PDFs/2004/annual_report/2004web_book.pdf))
- *Intimate Partner Violence Against Athabaskan Women Residing in Interior Alaska: Results of a Victimization Survey*, by Randy H. Magen & Darryl S. Wood (<http://justice.uaa.alaska.edu/research/2000/0026.aknativewomen/0026.02.ahtna.pdf>)
- *Alaska Native Health Status Report*, by Kyla Hagan & Ellen Provost, Alaska Native Epidemiology Center and Alaska Native Tribal Health Consortium (<http://www.anthc.org/chs/epicenter/upload/ANHSR.pdf>)



# A Movement for Safety: Art & Culture

by Mary Kathryn Nagle

# SLIVER OF A FULL MOON

A play by Mary Kathryn Nagle

The role of art and culture is essential to building the national movement for safety of Native women, as we have witnessed the tremendous impact of grassroots theater through the national readings of *Sliver of a Full Moon*.

## A PLAYWRIGHT'S VIEW

As Native people, we tell stories. Our stories teach us who we are. They feed us. They heal us. And they inspire us. For many of our tribal communities, life's most important lessons are taught in the stories we pass from generation to generation. As Native people, we have been telling stories for thousands of years.

It's time to take these stories out into the world. Although it's important to share our stories within our own communities, we can no longer afford to keep our stories to ourselves.

## CHANGE HAPPENS WHEN WE STAND UP AND TELL OUR STORIES AND CALL FOR ACTION BY ALL WHO HEAR AND LISTEN.

In February 2013, tribal leaders from several different American Indian nations lobbied in Washington, DC, for the reauthorization of the Violence Against Women Act (VAWA). More specifically, they asked Congress to pass a bill that would recognize the inherent sovereignty of American Indian tribes to prosecute non-Natives who come onto tribal lands and commit acts of domestic abuse against Native women.

In 1978, the U.S. Supreme Court declared that Indian tribes no longer had jurisdiction to prosecute non-Indians who commit crimes on reservations. Native women were hit the hardest by the *Oliphant v. Suquamish* decision, since they are more likely than any other race to become victims of violent crimes such as sexual assault and domestic violence—and yet 88% of the

perpetrators of these crimes against Native women are non-Native. The Supreme Court effectively stripped tribal governments of their ability to prosecute non-Natives and protect Native women in their own homes.

In February 2013, I traveled to Washington, DC, not to lobby or help with the effort of VAWA, but rather, to socialize with some friends. In the middle of a dinner, I found myself facing some important questions:

*How can we share the stories of our Native women survivors?*

*Can you interview them?*

*Can you write a play?*

My answer was YES. I was honored to take on this task. And during this dinner, our plan became clear. We would interview a group of survivors and transform their stories into a series of monologues that would become a play. We would then take the play directly to Congress and perform the

monologues for the entire government to hear. How could Congress deny tribal governments the right to protect Native women after hearing their stories?

But the thing about this form of art is that, as a playwright, you have no control. You start out taking interviews with one thought in mind, and six weeks later you realize you're involved in a project that is larger than life and taking you in a completely opposite direction.

Two days before I was scheduled to take my first interview, I received a text message from a friend: "VAWA passed!!!!"

*What?! No one thought that would happen!*

The whole purpose behind taking these interviews and writing this play was to help the effort in getting VAWA passed—because everyone agreed the House would vote against it! Now that VAWA has passed with the tribal jurisdiction provision in it, what was the point of writing this play?





After much discussion, we decided to go forward with the interviews. As I listened to the stories of our women survivors, as I listened to their words, I realized this play was not what I thought it was.

The women I was interviewing were not only survivors. These women were warriors. They didn't just survive the violence that was inflicted upon them—they took their experiences, their stories of survival, and organized at the grassroots level to change the law at the national level.

The women—our sisters—have been involved in change at the tribal level, within their states, at the national and international levels. For decades they have defended tribal women and children often standing alone. As a result of 35 years of organizing, their movement was at the point of an historic victory not only for the safety of women but for Indian nations. The movement restored a portion of our tribes' pre-1978 sovereignty to protect women in our own homes, a victory some said would never happen.

Suddenly I realized that the play I was writing wasn't about the violence that had happened to our women. No—this play was about our collective success in changing the law so that what happened to them would never happen to our daughters or our grandchildren.

But the reauthorization of VAWA in 2013 is not the end. As we all know, the reauthorization that included the tribal jurisdiction provision doesn't cover rape, sexual assault, or murder. Nor does it properly restore sovereignty in the tribes in Alaska to protect our Alaska Native sisters.

This past June I was fortunate to be able to travel to Alaska to visit directly with several women who have dedicated their lives to restoring the sovereign right of their tribes and villages to protect their own women. I travelled to Emmonak, Alaska, and encountered first hand the consequences of their exclusion from VAWA 2013. Despite experiencing some of the highest rates of domestic violence and sexual assault in the United States, Native women in Alaska remain the *only group* explicitly excluded from the protections that VAWA 2013 affords. I was blown away by

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*“...Native women in Alaska remain the only group explicitly excluded from the protections that VAWA 2013 affords. I was blown away by their strength, resilience, and determination to continue to work for change, despite this inexplicable adversity.”*

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their strength, resilience, and determination to continue to work for change, despite this inexplicable adversity. And I returned to the lower 48 determined to incorporate their stories into *Sliver of a Full Moon*. I truly believe that once the rest of the United States hears their stories, society at large will not stand for such inhumanity to continue, and the United States Congress and our country's leadership will have no choice but to correct this injustice.

Now it's time to share our stories with the international community to continue to call for timely and life-saving changes in laws, policies and social norms. On September 22, during the United Nations World Conference on Indigenous Peoples, we presented *Sliver of a Full Moon*. Once again, the women warriors I interviewed took the stage to play themselves for a world audience. I am honored to have worked with some incredible women: Lisa Brunner (White Earth Ojibwe), Diane Millich (Southern Ute), Billie Jo Rich (Eastern Band Cherokee). For the first time, *Sliver of a Full Moon* will feature the stories and words of Alaska Native women leaders and advocates, including, but not limited to Lenora “Lynn” Hootch (Yup'ik), Joann Horn (Yup'ik), Tamra “Tami” Truett Jerue (Athabascan), and Nettie Warbelow (Athabascan).

The telling of our stories has ensured our survival since 1492. We no longer need to share our stories to survive. Now we share our stories to restore.

To learn more about *Sliver of a Full Moon*, please visit our website: [www.sliverofafullmoon.org](http://www.sliverofafullmoon.org)

# The Alaska Native Women's Resource Center Project Launch



Resource Center Committee Members with NIWRC project staff and OVW Tribal Deputy Director Lorraine Edmo at Curriculum Development Meeting, June 2014, Anchorage, Alaska.

## INTRO

As a result of years of advocacy by Alaska Native advocates and tribes for the need for technical assistance and training that was designed by and for Alaska Natives addressing violence against women, the Office on Violence Against Women recently funded a partnership between a committee of Alaska Native women's advocates and NIWRC. While many valuable lessons have been learned by Alaska Native tribes from work to end violence against women outside of Alaska, the challenges, history, and resources available to Alaska Native tribes make Alaska Native specific technical assistance and training the best investment in long term change. We are excited to support the work of longtime Alaska Native women's advocates and tribal leaders to end violence against Alaska Native women through this Alaska Native specific technical assistance project.

## RESOURCE CENTER GOALS

The 2-year project will support the initial development of: 1) an Alaska Native Women's Resource Center and 2) an Alaska Native specific curriculum addressing violence against Native women, and 3) conduct Alaska Native specific technical assistance and training in up to four villages across the state. The Resource Center can begin to serve as an information clearinghouse and technical assistance and training center for tribes in Alaska on these crimes. Technical assistance will include the development of region-specific plans focused on tribal members identifying legal and policy reforms necessary to increase Native women's safety and local village-based responses to violence against women crimes. The Resource Center will also include the development of an online Center to serve as the Center's virtual office, as well as an online center for the curriculum and additional resources.

For more information, please contact NIWRC Program Specialist Paula Julian at [pjulian@niwrc.org](mailto:pjulian@niwrc.org).

## ALASKA NATIVE WOMEN'S RESOURCE CENTER DEVELOPMENT COMMITTEE MEMBERS:

### WESTERN REGION

- Yup'ik – Emmonak Women's Shelter in the Village of Emmonak– Joann Horn (Native speaker)
- Yup'ik Women's Coalition – Lynn Hootch (Native speaker)
- Yup'ik Women's Coalition – Priscilla Kameroff (Native speaker)
- Yup'ik Women's Coalition – Christine Teganlakla (Native speaker)

### INTERIOR REGION

- Athabaskan – Village of Tetlin – Nettie Warbelow (Native speaker)
- Athabaskan – Village of Anvik – Tamra "Tami" Truett Jerue (Native speaker)

### SOUTHEAST REGION

- Tlingit –Hoonah Indian Association – Candy Keown

### NORTHERN REGION

- Inupiaq – Village of Kaktovik – Clarice Akootchook (Native speaker)
- Inupiaq – Shirley Moses (Native speaker)
- Inupiaq – Tia Holley

# Safety for Native Women: VAWA and American Indian Tribes

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

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

Paperback \$15.99

Digital \$12.99

To place orders please use this form:

<http://www.niwrc.org/vawa-book-pre-order>



## The Restoration of Sovereignty & Safety Magazine

During the re-authorization process of the Violence Against Women Act in 2000, 2005 and 2013, national organizations came together to take a stand for the safety of Native women. Sacred Circle National Resource Center to End Violence Against Native Women, the National Congress of American Indians (NCAI), Clan Star, Inc., the National Task Force to End Sexual and Domestic Violence, and since 2011, the National Indigenous Women's Resource Center (NIWRC). It was recognized that to fully participate in the national movement to create the changes needed to increase safety for Native women broad communication was essential. *The Restoration of Sovereignty & Safety* magazine emerged to fulfill this task and capture the grassroots advocacy, movement organizing, and social changes critical to restoring sovereignty and increasing women's safety.

*The Restoration of Sovereignty & Safety* magazine is a publication dedicated to informing tribal leadership and communities of emerging issues impacting the safety of American Indian and Alaska Native women. The name of the magazine, *Restoration of Sovereignty & Safety*, reflects the grassroots strategy of movement organizers that by strengthening the sovereignty of Indian Nations to hold perpetrators accountable, then the safety of Native women will be restored. The magazine is a joint project of the NCAI Task Force and NIWRC. It is produced and made available during national NCAI conventions and annual VAWA consultations. The magazine is available at: <http://www.niwrc.org/resources/restoration-magazine/current-issue>

# SYNERGY

**RCDV:CPC** The Newsletter of the Resource Center on Domestic Violence:  
Child Protection & Custody

A Project of the National Council of Juvenile and Family Court Judges

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