



# **Tribal Consultation VAWA 2013, Section 903**

**August 2, 2019**



National Indigenous Women's Resource Center

# Welcome!

## Today's Presenters

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**Tami Truett Jerue**

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14<sup>th</sup> Annual  
Government-to-Government  
Violence Against Women  
Tribal Consultation

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August 21-22, 2019

Four Winds Resort of Pokagon Band of Potawatomi Indians  
New Buffalo, Michigan





# What is Tribal Consultation?

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

# Purpose of Tribal Consultation

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- Section 903, VAWA 2005 *and* 2013 directs the Attorney General to solicit recommendations from Indian tribes on the following:
  - **administering tribal funds and programs;**
  - **enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, stalking, *and sex trafficking*; and**
  - **strengthening the federal response to such violent crimes.**



# Annual Tribal Consultation Report

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- Section 903, VAWA 2013 mandates the Attorney General to submit a report to Congress on the annual consultation that –
  - **contains recommendations made by Indian tribes during the year covered by the report;**
  - **describes actions taken during the reporting year to respond to recommendations made during the year or a previous year; and**
  - **describes how the Attorney General will coordinate and collaborate with Indian tribes, Secretary of HHS, and Secretary of the Interior to address recommendations made.**

# Notice of Annual Tribal Consultation

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





# Significance of Tribal Consultation

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- Provides critical opportunity for government-to-government dialogue and for Indian tribes to identify barriers and implement solutions that will enhance their capacity as governments to protect their citizens.
- Feedback opportunity on what works/doesn't work in how funds and programs are administered.
- Raise awareness on current, outstanding and/or emerging issues.
- Help to design a legal framework for change and removal of barriers, inequity, etc.

# Platforms for Change

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





# Preparing for Tribal Consultation

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- Review VAWA 2013 in context of tribe/region
- Identify tribal or region-specific platform issues
  - E.g., HR 1585, Section 903 to create a pilot project in Alaska to exercise SDVCJ
  - Parity in funding for Tribes under FVPSA, VOCA
- Develop consultation statement on specific platform issues

# Review VAWA 2013 in Context of Specific Tribe/Region

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



# 2019 Issues of Concern

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- Tribal Jurisdiction Over Non-Indian Offenders
  - Increased authority/SDVCJ jurisdiction and include provisions for Tribes in states with restrictive land settlements
- Disbursement of Crime Victim Funding/Support for Permanent Fix
- Increased protections from sexual assault and services for women surviving rape
- Improve Public Safety Funding Mechanisms
- Impact of extractive industries on Safety of Native Women
- Outstanding Unaddressed Issues/Missing and Murdered Native Women
- Increase Federal Penalties for Tribal Protection Order Violations and Exclusion Orders



# Priority Concerns Discussion







# OVC Consultation

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August 20, 2019

# Agenda

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7:30 a.m. – 9:00 a.m. – Pre-registration Check-in  
and Onsite Registration

9:00 a.m. – 12:00 p.m. – OVC Tribal  
Consultation ([View Agenda](#))

12:00 p.m. – 1:30 p.m. – Lunch (on your own)

1:30 p.m. – 4:30 p.m. – OVC Tribal Consultation



# Office for Victims of Crime

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Vision 21 Transforming Victim Services Final Report -  
[https://ovc.ncjrs.gov/vision21/pdfs/Vision21\\_Report.pdf](https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf)

# Additional Resources

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- NCAI 2019 Priority Issues
- VAWA 2013, Title IX-Safety for Indian Women
- Tribal Consultation Testimonies from Previous Years
- NIWRC Restoration Magazines
- [ovwconsultation.org](http://ovwconsultation.org)
- “Safety for Native Women: VAWA and American Indian Tribes” resource book @NIWRC or Amazon.com



# Thank You!

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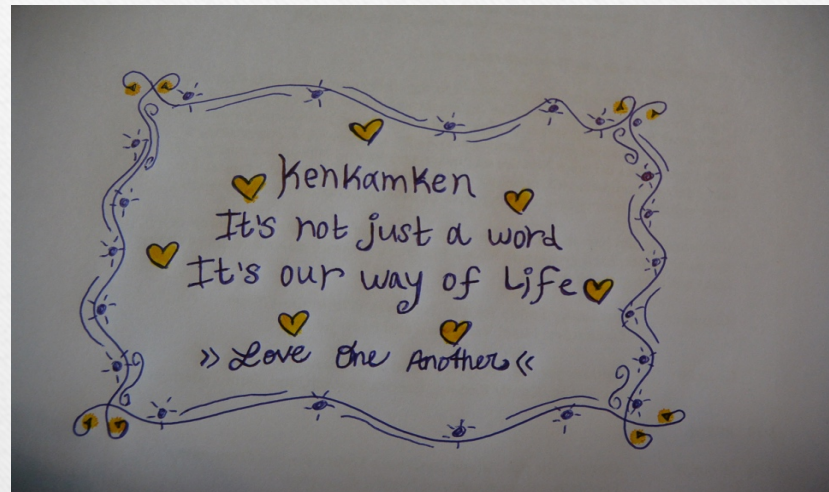
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# Quyana Tsena-’ii Gunalchéesh Dogindihn Háw’aa DOIKshin Anna-basse Masi-cho

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# Feel Free To Contact Us!

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