Tribal Consultation
VAWA 2005 & 2013, Section 903
September 30, 2020
Webinar

National Indigenous Women’s Resource Center

AJNWRC

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Welcome!
Today’s Presenters

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GOTOWEBINAR Control Panel

Audio

Handouts

Questions
15th Annual Government-to-Government Violence Against Women Tribal Consultation

October 27-30, 2020

https://www.ovwconsultation.org
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 DOJ VAWA Tribal Consultation

- 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 DOJ VAWA Tribal Consultation Report

• 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 DOJ VAWA Annual Tribal Consultation

- 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 DOJ VAWA Tribal Consultation

- 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 Department of Justice, Department of Health and Human Services and Department of Interior funds and programs are administered as related to violence against women.
- Raise awareness on current, outstanding and/or emerging issues.
- Help to design a legal framework for change and removal of barriers, inequity, etc.
- Help ensure coordination and collaboration with Indian tribes, HHS and the Secretary of the Interior to address intersecting issues.
Platforms for Change

- *National* platform unites movement on a national level
- *Regional* platform unites movement on a regional or tribal-specific level
Preparing for DOJ VAWA Tribal Consultation

- 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 Special Domestic Violence Criminal Jurisdiction
  - Parity in funding for Tribes under FVPSA, VOCA
- Develop consultation statement on specific platform issues
- Review FVPSA to understand how HHS addresses violence against AI/AN
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
2020 Issues of Concern
National

- Tribal Jurisdiction over non-Indian offenders
  - Increased authority/SDVCJ jurisdiction
- 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 Indigenous women
- Increase federal penalties for tribal protection order violations and exclusion orders
2020 Issues of Concern
Alaska

• Investigation and data collection for missing and murdered Alaska Native women
• Increasing law enforcement response in rural villages for DV, SA and homicide
• Development of local community response to increase safety for women and children and accountability for those who commit DV
• Increase funding and resources for safe housing, advocacy, victim services and Indigenous justice systems
• Organize and inform about the impact and signs for trafficking of Alaska Natives throughout the state
Priority Concerns Discussion
Other events or announcements
Additional Resources

- National Congress of American Indian 2020 Priority Issues
- VAWA 2013, Title IX-Safety for Indian women
- Family Violence Prevention & Services Act
- Tribal consultation testimonies from previous years
- NIWRC Restoration Magazines
- ovwconsultation.org
- “Safety for Native Women: VAWA and American Indian Tribes” resource book @ NIWRC or Amazon.com
Thank You!

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