

# **Tribal Consultation VAWA 2005 & 2013, Section 903**

**September 30, 2020  
Webinar**



National Indigenous Women's Resource Center



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# Welcome!

## Today's Presenters

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**Debra O'Gara**

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AKNWRC

**Paula Julian**

Senior Policy Specialist  
NIWRC

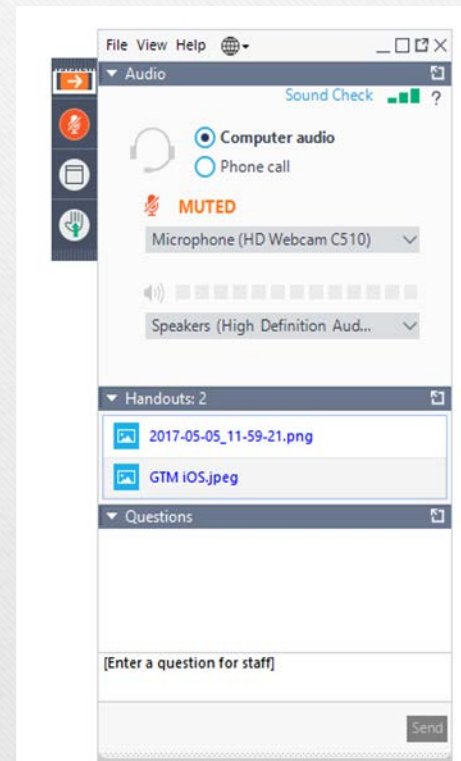


# GOTOWEBINAR Control Panel

Audio

Handouts

Questions



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

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October 27-30, 2020

<https://www.ovwconsultation.org>

# Why do DOJ VAWA 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 DOJ VAWA 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 DOJ VAWA 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 DOJ VAWA 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 DOJ VAWA 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 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

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- *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

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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 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

# 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



# 2020 Issues of Concern National

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- 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

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- 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

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Other events or announcements

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# Additional Resources

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- 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](http://ovwconsultation.org)
- “Safety for Native Women: VAWA and American Indian Tribes” resource book @ NIWRC or Amazon.com

# Thank You!

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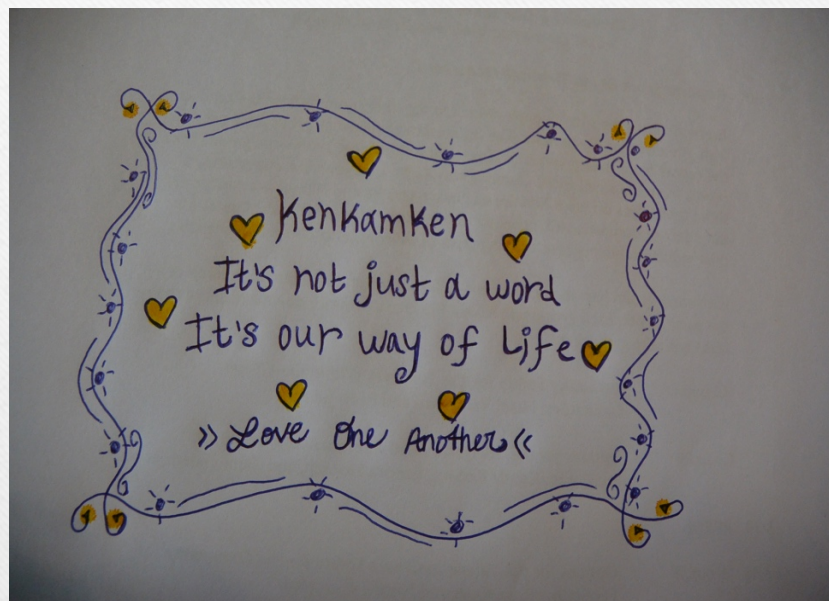
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# Feel Free To Contact Us!

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