

AMERICAN INDIAN WOMEN & VIOLENCE

American Indian women--particularly those who live on reservations or tribal land--face unique challenges underscored by racial, ethnic, and economic disparities. Tribes face substantial jurisdictional roadblocks when seeking out help for their communities. As a rule, tribes must engage in a piecemeal relationship with the federal government. Simply put, each tribe is like it's own country that must negotiate with the federal government for access to resources. However, these resources are scarce--leaving a small chance that money will be allocated to issues of violence--and do not adequately address the unique cultural nuances of each tribe. Because of this, the needs of American Indian and Native women often fall through the cracks. A 2016 study found that 38% of American Indian women were unable to receive services when they sought out help or guidance.

Native American women are the lowest paid racial demographic in the country, and they hold the highest frequency of sexual and domestic violence. Unfortunately, data to combat these issues is virtually non-existent as no federal agency collects this information. The few pieces of data available are disturbing: a study done by the Department of Justice found that Native American women were 2.5 times as likely to be sexually assaulted or raped. One in three American Indian Women are sexually assaulted in her lifetime.

Sexual & Domestic Violence: Tribal Jurisdiction

American Indian and Native Women face violence at an alarmingly high rate. Physical, sexual, and emotional abuse is extremely prevalent. According to the Native Indigenous Women's Resource Center, 84.3% of American Indian women have experienced violence in their lifetimes. This includes 56% who have experienced sexual violence and 55.5% who have experienced intimate partner violence.

Addressing violence against Native American women is often complicated by the division of authority among tribal, federal, and state governments. Tribal courts do not have criminal jurisdiction over non-Indians and therefore cannot prosecute non-Indians who commit acts of domestic violence on reservations. This complicates attempts to address sexual and domestic violence against American Indian women as reports show that in 25% of family violence cases the perpetrator is non-Indian and that 90% of American Indian and Native Women have experienced violence at the hands of non-tribe members.

END THE
CRIMINALIZATION
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Resources and Outside Law Enforcement

In addition to the complex issue of jurisdiction, there are a lack of resources available to handle issues of domestic and sexual violence on reservations and Native lands. According to Department of Health & Human Services, approximately 26% of U.S. Indians live at or below the poverty line and federally allocated money is limited. Therefore, funding for domestic violence programs and programs dealing with sexual assault are scarce. There is also a lack of training or education around domestic violence and sexual assault issues that provide physical and emotional support services for survivors.

While the allocation/lack of resources is a major issue, there is also the historically complex relationship between tribes and U.S. systems of authority. The abuses and decimation of Native American communities throughout America's history still has lasting effects on tribal communities today. The cultural distrust of law enforcement and local authorities often culminates in many women failing to or refusing to report acts of violence. This is further exacerbated by local authorities and officials who are seemingly indifferent to the issues on reservations and fail to provide adequate help.

Violence Against Women Act



One of the few pieces of legislation that has worked to help mitigate the issues concerning violence and sexual assault against American Indian women is the Violence Against Women Act (VAWA). Since its initial introduction in 1994, VAWA has made a concerted effort to incorporate the pervasive issue of violence against American Indian women in tribal communities into its rhetoric and place special attention on the unique abuses suffered by Native women. This effort was furthered by the inclusion of the Safety for Indian Women Title in 2005. The title granted tribes greater sovereignty to deal with issues of domestic and sexual violence, and ensured that perpetrators of these crime were held accountable for their actions. Finally in 2013, VAWA was reauthorized, giving Native American tribes the power to prosecute non-tribal members for domestic violence. Unfortunately, this did not extend to sexual assault, rape, or child abuse.

Resources on AI/NA Women

Sexual violence against American Indian women is a vast and complex topic. There are a number of experts working within these communities, to provide resources for women and collect data to understand some of the trends that we now see emerging. Here are a few:

National Indigenous Women's Resource Center

The National Indigenous Women's Resource Center (NIWRC) is a Native nonprofit organization that was created to address domestic violence and safety for American Indian women. The NIWRC looks to enhance the capacity of American Indian and Alaska Native (Native) tribes, Native Hawaiians, and Tribal and Native Hawaiian organizations to respond to domestic violence.

Strong Hearts Native Helpline

Affiliated with the NIWRC, Strong Hearts Native Helpline is a confidential service for American Indian and Native Americans who have are survivors of domestic and dating violence. The hotline is run by advocates who have a strong understanding of Indigenous communities, and the legality around tribal sovereignty and jurisdiction.

Native Hope

Native Hope is a youth-run non-profit that dismantles barriers for Native Americans addressing systemic issues of inequality and uplifting the voices and work of Native Americans throughout the country.

Native American Rights Fund (NARF)

NARF has provided legal assistance to Indian tribes, organizations, and individuals nationwide who might otherwise have gone without adequate representation. NARF has successfully asserted and defended the most important rights of Indians and tribes in hundreds of major cases, and has achieved significant results in such critical areas as tribal sovereignty, treaty rights, natural resource protection, and Indian education.

Indian Law Resource Center

The Indian Law Resource center provides legal assistance to indigenous peoples, seeking to overcome the problems that threaten Native peoples by establishing national and international legal standards that preserve their human rights and dignity.