The challenges for Native women are addressed in the VAWA reauthorization legislation and involve 3 primary issues that I will be addressing which include: extreme levels of violence, the need for tribal intervention and prosecution of cases on a local level and the unequal position Native women are placed in the criminal justice system today.

1. One of our most fundamental rights in the United States is the right to be free from violence. And when violence does occur to women no matter who they are or where they live all women should have equal access to justice and the rights afforded by the criminal justice system. Violence against women as illustrated by Diane Millich’s case is an escalating crime particularly when there is no effective intervention (Hart & Lowether, 2008).

2. In 2010 59% of Native women like Diane Millich were in relationships with non-Native men (U.S. Census Bureau, 2010). Today 46% of the people living on reservations are non-Natives (U.S. Census Bureau, 2010).

3. National crime victim and localized studies confirm that American Indian and Alaska Native women have the highest rates of violence of any ethnic group of women in the United States. And while this population of women is largely understudied the data from national and more local studies continue to demonstrate the vulnerability of Native women and the prevalence of violence against them.

4. The United States has a federal trust responsibility to assist tribal governments in protecting Native women. The U.S. Government Accountability Office reveals in 2005 and 2007 that U.S. Attorneys decline to prosecute 52% of violent crimes that occurred in Indian country and 67% of cases that were declined were sexual abuse related cases (U.S. Department of Justice Declinations of Indian country Criminal Matters, 2010).

5. Violence against women includes crimes which necessitate immediate and local response. Native women survivors of violence are often expected to travel outside their communities to work with or access federal and state investigators, prosecutors and federal and state courts.

6. The local tribal community has a significant impact on how Native women are empowered, protected or oppressed in their homeland areas. Isolation and lack of access to local resources including local investigations can seal the fate of Native women when intimate partner violence occurs. Native peoples in general and Native women in particular have a long history of distrust of federal and state agencies (Bubar & Thurman, 2004) programs and policies making it difficult for survivors to access culturally relevant services particularly for poor or low income women who may face discrimination from providers and outside professionals (Bauer et al., 2000; Donnelly et al., 1999; Gillum, 2008). Local solutions and control offer a more long term and sustainable solution to addressing violence.
7. Current data indicates that non-Native men represent the most significant risk of violence against Indigenous women. 67% of Native women describe the offender of rape or sexual assault as non-Native (Bachman et al., 2008; Perry, 2004). And 63% of Native women who are victims of physical assault (violent victimizations 1992-2005) describe the offender as non-Native (Perry, 2004; Bachman et al., 2008).

8. National averages reporting out on homicide victimization tends to obscure the shockingly high numbers of homicides occurring to Native women in some counties. The counties with extremely high rates of homicides of Native women include tribal communities in which the rate of homicide of Native women is 10 times the national average (Bachman, et al., 2008).

9. The National Crime Victimization Survey (NCVS) shows Native women have the highest incidence of Intimate Partner Violence compared to other women and Native women reported being stalked at greater rates than other women (Bachman et al., 2008).

10. The National Violence Against women Survey (NVAWS) shows Native women are significantly more likely to experience a rape in their lives when compared to other women. According to the Bureau of Justice Statistics (Perry, 2004) Native women are almost 3 times as likely to experience rape or sexual assault compared to other women.

11. The reauthorization of VAWA provides tribes with a limited ability to exercise a very narrow jurisdiction over non-Native perpetrators who have significant connections to the tribal community. “This limited jurisdiction covers a very specific defined set of crimes: domestic violence, dating violence and violations of enforceable protection orders. The measure of jurisdiction is narrowly tailored to offenders that either live or work on an reservation and who have an existing relationship with a Native women (NCAI, 2013 p.3).”

12. We know community at the local level must have a central role in intervention and prevention of violence against women if we are to make a difference in what is occurring to women in our communities (Whitaker, Morrison, Lindquist, Hawkins, O’Neil, Nesius, 2007).

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