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Congressional Briefing on the Impact of VAWA 2013 in Indian Country

Washington, D.C. — The 2013 Violence Against Women Act affirmed tribes' ability to exercise special domestic violence criminal jurisdiction (SDVCJ) over non-Indian defendants within Indian country for domestic or dating violence against Native women, and violations of protection orders. A congressional briefing, *Violence Against Women and Implementation of VAWA 2013 Special Domestic Violence Criminal Jurisdiction*, scheduled on Tuesday, February 23, 2016, from 2–3 p.m., in the Cannon Building Room 121, will give updates on tribal implementation of this life-saving legislation.

“It is now clear that the law should be expanded to protect additional victims and tribes across the Nation should be provided with the proper resources to implement the law,” said Peter Yucupicio, Pascua Yaqui Chairman. “Imagine if all tribes, including Alaskan Native communities had implemented VAWA 2013, thousands of additional victims would have been protected.”

The event is cosponsored by the National Indigenous Women’s Resource Center (NIWRC), the Indian Law Resource Center (ILRC), and the National Congress of American Indians (NCAI). The honorary congressional co-hosts are U.S. Representatives Louise M. Slaughter, Betty McCollum, Gwen Moore, and Xavier Becerra.

As of January 1, 2016, eight tribes have implemented special domestic violence criminal jurisdiction over non-Indians under VAWA 2013. Together, the tribes have made 44 SDVCJ arrests, resulting in 18 guilty pleas, 5 referrals for federal prosecution, 1 acquittal by jury, 12 dismissals, with 6 cases pending.

The Pascua Yaqui Tribe began exercising SDVCJ on February 20, 2014, as part of the DOJ Pilot Project. As of September 1, 2015, the tribe has made 21 SDVCJ arrests involving 16 separate offenders, resulting in 6 guilty pleas, 4 referrals for federal prosecution, 1 acquittal by jury, and 10 dismissals. Pascua Yaqui reports that since it began implementing SDVCJ, cases involving non-Indians make up 25% of the tribe’s domestic violence caseload.

“VAWA jurisdiction is still limited to certain crimes, does not protect victims of stranger rape, and does not protect children or other family members,” said Yucupicio.

The Tulalip Tribes began exercising SDVCJ on February 20, 2014, as part of the DOJ Pilot Project. As of February 1, 2016, it had 11 SDVCJ arrests involving 9 defendants, resulting in 6 guilty pleas, 1 federal guilty plea, 2 dismissals, and 2 cases pending. The defendants have had a combined number of 109 contacts with Tulalip Tribal Law Enforcement since 2008.

“There is much work to be done to successfully implement this law. We have stretched our tribal resources and have engaged in advocacy for better access to national criminal databases and for children to be included under the umbrella of SCDVJ,” said Melvin Sheldon, Jr., Chairman Tulalip Tribes. “Every life is important and every victim’s voice should be heard.”

“The NIWRC’s mission is to end violence against Native women,” states NIWRC Board President, Cherrah Giles. “We know this violence won’t end if non-Indians who are beating and abusing our women are never held accountable. Our tribal governments under VAWA 2013 have the authority to do so, and through the experience of the tribes implementing special jurisdiction over non-Indians we are seeing how this jurisdiction is saving lives.”

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Partner Organizations

About the National Indigenous Women’s Resource Center

The National Indigenous Women's Resource Center, Inc. is a non-profit organization that provides technical assistance and training, policy development and system management, materials, and resource information on violence against Native women and the development of tribal strategies and responses to end the violence. (www.niwrc.org)

About the Indian Law Resource Center

Founded in 1978, the Indian Law Resource Center is a non-profit organization established and directed by American Indians and dedicated to protecting the rights of Indian and Alaska Native nations and other indigenous peoples throughout the Americas. The Center’s Safe Women, Strong Nations project works to end the epidemic levels of violence against American Indian and Alaska Native women and children and to strengthen Indian nations. (www.indianlaw.org)

About the National Congress of American Indians

The National Congress of American Indians (NCAI) is the oldest and largest national organization of American Indian and Alaska Native tribal governments. As the collective voice of tribal governments in the United States, NCAI is dedicated to ending the epidemic of violence against American Indian and Alaska Native women. In 2003, NCAI created the NCAI Task Force on Violence Against Women to address and coordinate an organized response to national policy issues regarding violence against Indian women. The NCAI Task Force represents a national alliance of Indian nations and tribal organizations dedicated to the mission of enhancing the safety of American Indian and Alaska Native women. For more information, visit www.ncai.org.

