



2012 Mid-Year Convention Lincoln City, Oregon

RESOLUTION #12 - 30

“PROTECT ALL WOMEN DO NOT EXCLUDE NATIVE WOMEN FROM THE VIOLENCE AGAINST WOMEN ACT”

PREAMBLE

We the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, Native women are raped and assaulted at 2.5 times the national average, and studies show that the majority of the perpetrators are non-Indian. The US Department of Justice found, non-Indians commit 88% of heinous crimes against Indian women; and

WHEREAS, 3 out of 5 American Indian and Alaskan Native women will be raped in their lifetime and/or assaulted with no legal remedies in place to protect them; and

WHEREAS, Federal gaps in jurisdiction have caused a crisis of domestic and sexual violence within Tribal jurisdictions; and

WHEREAS, Tribal leaders, police officers, and prosecutors have testified that violence that goes unaddressed—with beating after beating, each more severe than the last—all too often leads to severe physical injury or death; and

WHEREAS, The U.S. Department of Justice (DOJ) has found the current federal system of justice is, “inadequate to stop the pattern of escalating violence against Native women.” The Tribal Justice Systems are the most appropriate legal entity to address incidences of domestic violence within the Tribal Nations and the most vulnerable Tribal citizens; and

WHEREAS, H.R. 4970 fails to provide for concurrent special domestic violence criminal jurisdiction by tribal authorities over non-Indians, and omits clarification of tribal courts' full civil jurisdiction regarding certain protection orders over non-Indians; and

WHEREAS, Title IX of S. 1925 and the SAVE Native Women Act, the bi-partisan Tribal Provisions of VAWA, are fully constitutional and offer safe guards provided by the U.S. Courts; and

WHEREAS, no sexual assault or domestic violence victim should be beaten, hurt, or killed because they could not access needed support, assistance, and protection due to jurisdiction; and

WHEREAS, the legislation also grants defendants the right to counsel if they can't afford an attorney and impartial jury that includes non-Indians and a right to appeal. Non-Indian defendants would have the same rights in tribal courts as they have in state courts, according to the Justice Department; now

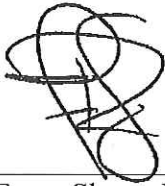
THEREFORE BE IT RESOLVED, that ATNI strongly opposed to H.R. 4970 Section 1006 of the bill, the House version of the Violence Against Women Act because it excludes key tribal provisions; and

BE IT FURTHER RESOLVED, that ATNI strongly supports the bi-partisan U.S. Senate, Violence Against Women Act, S. 1925. These provisions are essential to the

safety of Native women, and ATNI cannot support any VAWA bill that excludes these key Tribal Provisions.

CERTIFICATION

The foregoing resolution was adopted at the 2012 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at Chinook Winds Casino Resort, Lincoln City, Oregon on May 21 – 24, 2012 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary