

Domestic Violence in Native American Communities

Resource Materials for Workshop
Addressing Domestic Violence in Native American Communities

Wagner, Dennis “Whiteriver serial rapist investigation failed, files show” *The Arizona Republic* September 12, 2010.

<http://www.azcentral.com/news/articles/2010/09/12/20100912whiteriver-arizona-apache-reservation-serial-rapist.html>

This article concerns the failed investigation of a serial rapist on the White River Indian Reservation in Arizona. It reveals how underfunding, lack of resources, and wrangling between Bureau of Indian Affairs police and the F.B.I. led to a failure to properly investigate and bring to justice serial rapist posing as a police officer who assaulted at least 17 young women on the Wind River Indian Reservation.

Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA; Amnesty International; 2007

<http://www.amnesty.org/en/library/asset/AMR51/035/2007/en/cbd28fa9-d3ad-11dd-a329-2f46302a8cc6/amr510352007en.pdf>

This research report, published by Amnesty International, describes research conducted in 2005 and 2006 in consultation with Native American and Alaska Native organizations and others. Drawing from this original research as well as existing crime statistic data, the report documents the extent to which Native American women are at risk of some form of sexual violence and explores some of the reasons for this increased risk including chronic under-resourcing of justice systems in Indian country, confusion over jurisdiction and the erosion of tribal jurisdiction.

Elder Abuse in Tribal Communities; Hallie Bongar White, Southwest Center for Law and Policy & Office on Violence Against Women, U.S. Department of Justice; 2004

<http://vaw.umn.edu/documents/elderabusetribal/elderabusetribal.pdf>

This fact sheet describes problems of elder abuse in Native communities and how to address them.

The Facts About Violence Against Women in Indian Country; United States Department of Justice, Office on Violence Against Women; May 2008

<http://www.ovw.usdoj.gov/docs/vaw-indian-country.pdf>

This fact sheet, published by the Office of Violence Against Women and the United States Department of Justice, summarizes statistics and information concerning violence against women in Indian Country.

Criminal Prosecution of Battered Native Women for Failure to Protect; Southwest Center for Law and Policy & Office on Violence Against Women, U.S. Department of Justice; 2005
<http://vaw.umn.edu/documents/failuretoprotectnative/failuretoprotectnative.pdf>

This article examines the trend in charging Native American victims of domestic violence with child abuse, child neglect, or child endangerment solely because of the violent, criminal actions of their abusive partners and the impact of such policies on the reporting of abuse by these women.

Final Report: Focus Group on Public Law 280 and the Sexual Assault of Native Women, Tribal Law and Policy Institute, December 31, 2007
<http://vaw.umn.edu/documents/finalreport/finalreport.pdf>

This report presents the results of research and two day focus group conference on effects of Public Law 280 on effective response to problems of sexual assault against Native Women.

Final Report: Law Enforcement and Criminal Justice Under Public Law 280; Carole Goldberg, J.D. and Duane Champagne, J.D., Principal Investigators; and Heather Valdez Singleton, Project Director; November 1, 2007
<http://www.ncjrs.gov/pdffiles1/nij/grants/222585.pdf>

This report examines the extent to which the jurisdictional scheme created by Public Law 280 has impacted law enforcement and access to criminal justice for Native Americans living in Indian Country under Public Law 280 jurisdiction.

Intersection of Domestic Violence and Child Victimization in Indian Country; Southwest Center for Law and Policy & Office on Violence Against Women, U.S. Department of Justice; 2005
<http://vaw.umn.edu/documents/intersectiondvindian/intersectiondvindian.pdf>

This article discusses the place, role and value of children in traditional Native American societies, the impact of colonization and current issues of child victimization in Indian Country.

Law Enforcement Authority in Indian Country; University of New Mexico School of Law, Tribal Law Journal, Melissa Tatum; 2003/2004

This article discusses issues, challenges, and possible solutions to achieving enforcement of protective orders in Indian country.

Public Law 280 and Law Enforcement in Indian Country—Research Priorities; U.S. Department of Justice, Office of Justice Programs, National Institute of Justice; December 2005

This research report describes the effect of Public Law 280 on access to justice and effective law enforcement in Indian Country.

Stalking in Indian Country; Hallie Bongar White, Southwest Center for Law and Policy & Office on Violence Against Women, U.S. Department of Justice; 2004

<http://vaw.umn.edu/documents/stalkingindiancountry/stalkingindiancountry.pdf>

This article discusses describes the problems in dealing with stalking specifically within Indian Country due to jurisdictional and other law enforcement issues.

Violence Against American Indian and Alaska Native Women and the Criminal Justice Response: What is Known; Ronet Bachman, Heather Zaykowski, Rachel Kallmyer, Margarita Poteyeva, and Christina Lanier; August 2008

<http://www.ncjrs.gov/pdffiles1/nij/grants/223691.pdf>

This report was to provide an overview of the epidemiology of violence against American Indian and Alaska Native women as well as an accounting of the criminal justice responses to this violence

Jimenez, V., & Song, S. (1998). Concurrent Tribal and State Jurisdiction Under Public Law 280. *The American University Law Review*, 47, 1627-1707

Scholarly discussion of the jurisdictional issues arising under Public Law 280.

Native American Communities Justice Project: Beginning the Dialogue: Domestic Violence, Sexual Assault, Stalking, & Teen-Dating Violence , California Administrative Office of the Courts; May 2009 (links to reports below)

[Policy Paper](#)

This policy paper provides a California lens on what we know to be a national public safety crisis in tribal communities and helps to ensure that tribal voices inform the direction state courts take to address that crisis. The policy report reviews the history and prevalence of family violence in Native American communities, describes the project goals, summarizes the research findings, and identifies the next steps taken by the AOC in response.

[Research Report](#)

The research findings inform the policy direction of the California state courts, and represents the experiences and wisdom of over 500 Native Americans concerned about family violence in their communities and constitute the most comprehensive look at this issue in California to date. The research report compiles the information shared during tribal community meetings into separate themes and lists problems and solutions identified by meeting participants under each theme.

Useful Links

Mending the Sacred Hoop

<http://www.msh-ta.org>

National Indian Justice Center

<http://www.nijc.org/index.html>

Southwest Center for Law and Policy

<http://www.swclap.org>

Tribal Law and Policy Institute: Domestic Violence Resources

<http://www.tribal-institute.org/lists/domestic.htm>

Violence Against Women Online Resources – Tribal Response

<http://www.vaw.umn.edu/categories/1,12>