



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution PSP-09-090c

TITLE: Support of the 2011 Reauthorization of the Violence Against Women Act

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WHEREAS, we, the members of the National Congress of American 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 the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, American Indian and Alaska Native peoples have a belief that honors the multifaceted role of women within tribal societies and have historically protected the right of women to live free of violence or the threat of violence; and

WHEREAS, as a result of colonization, decades long federal law and policy the honored status, respect and safety of Native women is diminished; and

WHEREAS, American Indian and Alaska Native Women are battered raped and stalked at far greater rates than any other population of women in the United States; and

WHEREAS, it is estimated by the Department of Justice that more than 1 of 3 American Indian and Alaska Native women will be raped in their lifetime, that more than 6 of 10 will be physically assaulted, and that Indian women are stalked at more than twice the rate of any other population of women; and

WHEREAS, the United States has felony jurisdiction over crimes by or against Indians, including homicide, rape and aggravated assault; however, perpetrators of such violent crimes against Native women are rarely, if at all, prosecuted; and

WHEREAS, the response of the United States to this violence is inadequate as demonstrated statistically in that 76% adult sexual assault crimes referred to Federal prosecutors are decline; and

WHEREAS, the unique legal relationship of the United States to Indian tribes creates a federal trust responsibility to assist tribal governments in safeguarding the lives of Indian women; and

WHEREAS, Indian tribes require essential resources to respond to violence perpetrated against American Indian and Alaska Native women; and

WHEREAS, non-governmental service providers such as shelter programs and rape crisis centers require essential resources to provide services to women seeking assistance within tribal communities to live free of violence and the threat of violence; and

WHEREAS, the future of American Indian and Alaska Native Nations rest in the capacity to preserve the safety, integrity, and well being of its members, including the right of women to live in a world free of violence; and

WHEREAS, it is necessary for the NCAI as the leadership of the tribal governments to be proactive in the defense of American Indian and Alaska Native women to curtail and prevent violence against Native women.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby resolve to support the 2011 reauthorization of and amendments to the Violence Against Women Act to strengthen the authority of and increase resources to Indian tribes to enhance the safety of Native women and hold perpetrators accountable for their violence including:

1. Increasing the sentencing authority of Indian tribes in cases of domestic violence and sexual assault up to three years for any single offense and \$15,000 fine; and
2. Restoring the criminal authority of Indian tribes to prosecute all persons committing crimes of domestic violence and sexual assault within tribal jurisdiction; and

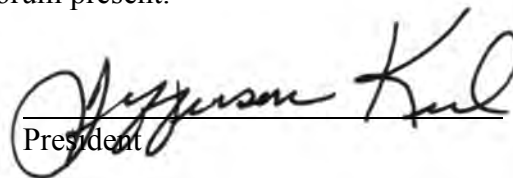
BE IT FURTHER RESOLVED, that the NCAI does hereby support amendments to the Violence Against Women Act to create a grant program to support non-profit, non-governmental organizations providing tribally based services to women seeking safety from physical and/or sexual violence or the threat of such violence including services such as shelter and related services, legal services, batterers and sex offenders treatment, rape crisis services and related services, and construction of shelters, transitional housing and rural programs; and

BE IT FURTHER RESOLVED, that the NCAI does hereby resolve to support amendments to the Violence Against Women Act to enhance the response of the tribal, state and federal response to sexual assault of Native women by development of a comprehensive response including, criminal, civil, medical, and advocacy services; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the NCAI until it is withdrawn or modified by subsequent resolution, or until the reauthorization.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.


President

ATTEST:


Recording Secretary