

# Domestic Violence and Sexual Assault in Indian Country

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A stylized silhouette of a mountain range in shades of teal, located at the bottom right of the slide.

# Tribes

- ◆ 550 Tribes/230 in Alaska
- ◆ 250 languages
- ◆ 4.1 million Natives (2000 US census)  
or 1.5% of the US population
- ◆ Highest rates of domestic violence  
and sexual assault

# Domestic Violence

- ◆ Women's use of violence
- ◆ Battering: coercive power and control
- ◆ Femicides in Minnesota

# Sexual Assault

- ◆ According to the US Department of Justice:
- ◆ Native women are 2.5 times more likely to be raped than any other race
- ◆ OR 1 out of 3 Native women will be raped compared to 1 out of five for Caucasian

# Minnesota

- ◆ 11 tribes in Minnesota and two are totally sovereign nations-Bois Forte and Redlake
- ◆ 9 tribes are PL-280 states
- ◆ Five reservations have sexual assault programs and 1 metro program

# Sovereignty

- ◆ Sovereignty for tribal governments is to be able to exercise their political and legal sovereignty by making and enforcing their own laws.

# PL-280

- ◆ PL-280 (1955) transferred federal crime jurisdiction over all offenses to state government
- ◆ PL-280 still maintain civil jurisdiction (orders for protection)
- ◆ Tribal law only has jurisdiction over Tribal members

# Indian Civil Rights Act (1968)

- ◆ Tribes have limits on the criminal penalties they can impose for a fine of \$5,000 or 1 year in prison/jail



# Jurisdiction

- ◆ Tribal law only has jurisdiction over Tribal members
- ◆ Oliphant vs. Suquamish (1978)
- ◆ Perpetrators can fall through the cracks and women and children are unsafe

# Perpetrators

- ◆ According to the Department of Justice, in at least 86% of reported cases of rape or sexual assault for Native women, the perpetrators were non-Native men.

# Distrust

- ◆ Native women cannot access the legal system because of lack of evidence or distrust due to lack of resources or inaction on behalf of medical, criminal, law enforcement, or fear of further revictimization within the maze of systems

# Indian Child Welfare Act

- ◆ Need for separate law

# Safety and Risk Factors

- ◆ Considerations

# Considerations for working with Native families

- ◆ Identify if they are Native families
- ◆ Resources that are culturally appropriate
- ◆ Safety for Indian women and children as the priority

# What does safety mean?

- ◆ Safety planning
- ◆ Criminal justice
- ◆ Civil justice
- ◆ Housing
- ◆ MFIP
- ◆ Food stamps
- ◆ Children are safe with non-offending parent