

# UN agent investigates epidemic of violence against Indian women in US

From the National Congress of American Indians

CHEROKEE, N.C. – At 64 years old, Matilda Black Bear, better known as Tillie, refers to herself as a “classic case” in regards to her story of domestic violence.

She was 26 years old when she entered into a relationship that turned violent. She knew after the first week that she had to get out, but it took her three years to leave.

“In the ‘70s, there were no services for victims, let alone any laws to hold perpetrators accountable,” recalled Black Bear. “I went to the police and to the judges and they didn’t know what to do with me.”

According to U.S. Department of Justice statistics, not much has changed in nearly 40 years. Black Bear’s story is shared by thousands of Native women in the United States. One out of three Native women will be raped in her lifetime and three out of four will be physically assaulted.

These staggering statistics were presented, along with a plea for help, to the United Nations special rapporteur on violence against women, Rashida Manjoo. She visited the Eastern Band of Cherokee Indians here on Jan. 28-29.

Manjoo’s purpose was to meet with Tribal leaders, advocacy organizations and Indian women survivors to learn more about the high rates of violence against Indian women and what the U.S. can do to safeguard the human rights of Indian women.

“Young women on the reservation live their lives in anticipation of being

raped,” said Juana Majel Dixon, first vice president of the National Congress of American Indians and member of the Pauma-Yuima Band of Luiseno Indians. “They talk about ‘how I will survive my rape’ as opposed to not even thinking about it. We shouldn’t have to live our lives that way.”

Dixon says she discovered there was not a single woman in her generation from her area who had not been raped.

Unlike all other local communities, Indian nations and Alaska Native villages are legally prohibited from prosecuting non-Indians and the Indian Civil Rights Act limits the sentencing authority of Tribal courts over Indian offenders committing acts of sexual and domestic violence on Tribal lands.

Presenters from Clan Star Inc. highlighted for Manjoo several specific areas that need improvement in order for sovereign Tribal nations to increase the safety of women.

The recommendations included restoring Tribal criminal jurisdiction over non-Indians, increasing the sentencing authority of Indian Tribes, increasing federal support to Indian Tribes to enhance their response to violence against women and creating a new funding stream that specifically provides services to Native survivors of domestic and sexual violence.

Advocates hope Manjoo also will hold the U.S. accountable under international human rights law, which has a higher standard for protecting women.

“What we need in Indian country is a transformation,” said Kirsten Matoy Carlson, director of the Safe Women, Strong Nations program at the Indian Law Resource Center. “International human rights law tells us that we can do better. We can better provide access to justice for Native women.”

As U.N. special rapporteur on violence against women, Manjoo is required to gather information on and formulate recommendations for the prevention and remedy of violations of human rights.

“The right to be safe and live free from violence is a human right that many in this country take for granted – but not Native women, who are beaten and raped at rates higher than any other population of women in the United States,” said Terri Henry, councilwoman for the Eastern Band of Cherokee Indians and co-chair of the NCAI Task Force on Violence Against Women.

“This is a human rights crisis that Indian Country has been aware of for some time. We are glad that the rest of the world is finally beginning to take notice,” added Henry.

The Eastern Band of Cherokee Indians (EBCI) is one of 565 federally recognized, sovereign Indian and Alaska Native nations in the U.S. The EBCI’s land base, known as the Qualla Boundary, includes 56,000 acres of land in five western North Carolina counties. It’s a rural, remote area that includes six traditional Cherokee townships.

The EBCI is responsible for the safety and protection of women within Qualla Boundary. EBCI Tribal emergency medical personnel, law enforcement services, prosecutors, courts and services are charged with handling domestic violence and sexual assault cases.

The EBCI is directly responsible for holding Indian perpetrators of such crimes accountable. Despite these responsibilities for responding to violent crimes against women, the EBCI and all other Indian Tribes have no criminal authority over non-Indians and cannot prosecute non-Indians for committing crimes against Tribal citizens on Tribal lands.

Nationally, non-Indians commit 88 percent of all violent crimes against Indian women.

Manjoo visited the EBCI Tribal courts, the police department and the Cherokee hospital that provides services to women.

Findings from her trip will be reported to the U.N.’s Council on Human Rights along with recommendations to the U.S. on how to better protect women’s human rights and stop the violence.

“We hope Ms. Manjoo will give breath to these words and share our struggle with the world,” said Dixon.

Manjoo’s visit was hosted by the EBCI in partnership with NCAI, Clan Star Inc., Indian Law Resource Center and the Sacred Circle National Resource Center to End Violence Against Native Women.

## Volunteer for Prevention Program

If you are interested in volunteering with the Prevention Program, here are some specific guidelines:

- Apply to be a Tribal Prevention volunteer at Human Resources. This will include agreeing to a criminal background check and a drug screen.
- Attend an orientation with Prevention staff to learn about ethics and program policies and procedures. A volunteer training program will be developed.
- For those with previous problems of alcohol/drugs, at least one year of living a clean and sober lifestyle is required.
- Participate in making a prevention video/DVD.
- All people to be filmed must sign an agreement to be filmed.
- The Tribal general manager and Tribal Council must approve of the final cut before it’s released for public viewing.

Any question regarding this process, please contact Jenifer Metcalf, Prevention coordinator, at jenifer@ctsi.nsn.us or 800-600-5599 or 541-444-9618.

## Apply for elk tag drawing to hunt on Tribe’s LOP lands

The Tribal Natural Resources Department once again will offer a limited number of landowner preference (LOP) elk tags to Tribal members for this fall’s hunting season. As a landowner, the Tribe is eligible to participate in the State’s LOP program. Based on the number of acres the Tribe owns, we can get six additional antlerless elk tags from the State. These LOP tags are not related to the Tribe’s Consent Decree tags we receive each year. They are based solely on the Tribe being a landowner.

There are a number of important differences between the LOP tags and the Tribe’s regular tags. These are summarized in the table below.

	Tribal Tags	LOP Tags
<b>State License Required?</b>	No	Yes
<b>Area to be Hunted</b>	Anywhere within the specific tag’s hunt boundaries	Only on Tribal land within the unit selected during that unit’s antlerless elk season. Units available include Thompson Creek, SW Aelsea, SW Aelsea Private Lands and West Siuslaw
<b>Eligible for other State elk tags?</b>	Yes	No*
<b>Give tag to another Tribal member to hunt for you?</b>	Yes	No
<b>Application and Selection Process</b>	Apply to Tribe for Tribal drawing	Apply to Tribe for LOP drawing; if selected apply to State for tag (list LOP as first choice on State application)
<b>Obtain Tag From</b>	Tribe	State

\* **Note: If you are drawn for an LOP tag, you still are eligible to apply for and be drawn for a Tribal tag.**

Please note that a major difference between the LOP tags and the Tribe’s regular tags is only the person drawn for the tag can hunt that tag. **The tag cannot be given to someone else to hunt for you.** Therefore, only those folks serious about hunting this hunt themselves are eligible to apply.

The drawing for the six LOP elk tags will be held at the Natural Resources Committee meeting on **April 4 at 4:45 p.m. in the Natural Resources Department Map Room.**

Applications are available on the Tribal website and at the Tribal Natural Resources office in Siletz after March 1. Completed applications are due in the Natural Resources office by **4:30 p.m. on March 25, 2011.**

For more information regarding these tags and the differences between the Tribe’s regular tags and the LOP tags, contact Natural Resources Manager Mike Kennedy at 541-444-8232 or 800-922-1399, ext. 1232.