

# Tribal governments can begin taking criminal action against non-Indians

WASHINGTON – Starting on March 7, Tribal governments could elect to begin exercising jurisdiction over non-Indians who commit crimes of domestic violence, dating violence or violate a protection order against a Native victim on Tribal lands.

“This is a major step forward to protect the safety of Native people and we thank all members of Congress for passing the Violence Against Women Act of 2013 and recognizing Tribal authority,” said Brian Cladoosby, president of the National Congress of American Indians (NCAI) and chairman of the Swinomish Tribe.

So far three Tribes – the Confederated Tribes of the Umatilla Indian Reservation, the Pascua Yaqui Tribe and the Tulalip Tribes – have been able to exercise jurisdiction over non-Indians under a pilot

project that began on Feb. 6, 2014. To date, the Tribes have charged a total of 26 special domestic violence criminal jurisdiction cases.

“I want to encourage all Tribal governments to get this law on their books,” said Juana Majel, chair of the NCAI Task Force on Violence Against Women. “The main goal is deterrence of domestic violence. On most reservations, there are a handful of bad actors who have figured out how to slip between jurisdictional boundaries. They need to get the message. If they continue to assault our women, we will prosecute and put them in jail.”

Violence against Native women has reached epidemic proportions. The root cause is a justice system that forced Tribal governments to rely on distant federal – and in some cases, state – officials to

investigate and prosecute misdemeanor crimes of domestic violence committed by non-Indians against Native women. Outside law enforcement, however, has proven ineffective in addressing misdemeanor-level reservation-based domestic violence.

The Justice Department has found that when non-Indian cases of domestic violence go uninvestigated and unpunished, offenders’ violence escalates. The 2013 VAWA Reauthorization authorizes Tribal governments to investigate and prosecute all crimes of domestic and dating violence regardless of the race of the offender.

Tribes choosing to exercise special domestic violence criminal jurisdiction must provide the same rights guaranteed under the Constitution as in state court. This includes the appointment of attorneys for indigent defendants and a jury drawn from the entire reservation community.

“Many Tribal courts are already providing these protections to defendants and it isn’t a big step to provide indigent counsel to all. Just like county courts, Tribal courts can contract for public defenders on a case-by-case basis,” said Cladoosby.

For an overview on Tribal VAWA and more information, please visit [ncai.org/tribal-vawa](http://ncai.org/tribal-vawa). The Tribal Law & Policy Institute has developed a legal code resource for implementation at [TLPI.org](http://TLPI.org).

## Key Statistics

- 61 percent of American Indian and Alaska Native women (or 3 out of 5) have been assaulted in their lifetimes
- 34 percent of American Indian and Alaska Native women will be raped in their lifetimes
- 39 percent of American Indian and Alaska Native women will be subjected to violence by an intimate partner in their lifetimes
- 59 percent of assaults against Native women occur at or near a private residence
- 59 percent of American Indian women in 2010 were married to non-Native men
- 46 percent of people living on reservations in 2010 were non-Natives (single race)
- U.S. Attorneys declined to prosecute nearly 52 percent of violent crimes that occur in Indian Country and 67 percent of cases declined were sexual abuse-related cases
- On some reservations, Native women are murdered at more than 10 times the national average

## TWP accepting applications for its green business start-up award

Trees, Water & People’s (TWP) Tribal Renewable Energy Program is excited to offer the Green Business in Indian Country Start-Up Award for a second year.

The award, valued at \$10,000 to \$20,000, includes cash and technical assistance to help jumpstart new business endeavors in Indian Country.

Applicants must provide a business plan, an operating budget and a start-up budget. Application materials and details on the award can be found at [solarwarriors.org/workshops/images/2015-start-up-business-award.pdf](http://solarwarriors.org/workshops/images/2015-start-up-business-award.pdf).

Completed applications are due by 5 p.m. (MDT) on Sept. 1. The deadline to request an entrepreneur mentor is June 15. Mentors can help develop applications to make the best presentation of ideas.

TWP will host a five-day Green Business Development in Indian Country

workshop on May 31-June 5 at the Red Cloud Renewable Energy Center in Pine Ridge, S.D. Scholarships and a limited number of travel stipends are available for this workshop through the generous support of the Putnam Foundation.

For details and to register for this workshop, visit [solarwarriors.org/workshops/green-business-development.html](http://solarwarriors.org/workshops/green-business-development.html). This workshop is not required to apply for the Start-Up Award.

“Some of the most important work we do is helping Native individuals create jobs and provide green alternatives to industries from outside the community that are less sustainable for health and environment,” said Jamie Folsom, TWP’s national director. “This award gives us the opportunity to promote local economies and benefits to the environment.”

To learn more, visit [treeswaterpeople.org](http://treeswaterpeople.org) and [solarwarriors.org](http://solarwarriors.org).

## Passages Policy

Submissions to Passages are limited to two 25-word items per person, plus one photo if desired. All birthday, anniversary and holiday wishes will appear in the Passages section.

Siletz News reserves the right to edit any submission for clarity and length. Not all submissions are guaranteed publication upon submission. Please type or write legibly and submit via e-mail when possible.

## Siletz News Letters Policy

Siletz News, a publication of the Confederated Tribes of Siletz Indians, is published once a month. Our editorial policy encourages input from readers about stories printed in Siletz News and other tribal issues.

All letters must include the author’s signature, address, and phone number in order to be considered for publication. Siletz News reserves the right to edit any letter for clarity and length, and to refuse publication of any letter or any part of a letter that may contain profane language, libelous statements, personal attacks, or unsubstantiated statements.

Not all letters are guaranteed publication upon submission. Published letters do not necessarily reflect the opinions of Siletz News, Tribal employees, or Tribal Council.

Please type or write legibly. Letters longer than 450 words may be edited for length as approved by Tribal Council Resolution #96-142.

Please note: The general manager of the Siletz Tribe is the editor-in-chief of Siletz News.

Editor-in-Chief: Brenda Bremner  
Editor: Diane Rodriguez

## The Past Is Present

### BASKETS OF THE SILETZ TRIBE



A Benefit for the  
Siletz Tribal  
Cultural Center

Saturday, June 20th  
at  
Chinook Winds  
Casino  
1pm – 5pm

\*Silent Auction\*  
1pm to 4pm

Keynote Speaker:

**Edmond Ben** – Is a Siletz Tribal Elder, sharing his first-hand knowledge of the Siletz Tribes’ history and culture.

Siletz Featured Weavers:

**Lori Brown, Nora Williams-Wood, and Mitzi Brown**

It is a pleasure to present three Siletz Tribal members who are accomplished artists, carrying our traditions into the present. They will be using traditional basketry materials to demonstrate Siletz basket weaving.

\* Siletz Basket Display \* Siletz Tribal Craft Vendors \* Silent Auction \*

Confederated Tribes of  
Siletz Indians



Siletz Tribal Arts and Heritage Society 501 c (3)  
For more information please visit:

[huu-cha.org](http://huu-cha.org)

Contact: [Kathy@stahs.org](mailto:Kathy@stahs.org)