



Enforcement Issues for Survivors in Eastern WA

For those seeking recognition of DVPOs and other Civil orders



Who am I?

Quinspeetcha

A descendant of the last chief of the Wenatchi band.

Granddaughter of the late William and Mabel Dick. Also,
the late Helen and Chester Poulson Sr.

My father is Chester Poulson Jr (deceased).

My mother is Laura Marlene Poulson.



Introduction

Colville Confederated Tribe

Born in Omak. Grew up on the Colville
Reservation.

Bachelor's - University of Washington

JD - Seattle University School of Law

I work at Northwest Justice Project in the
Native American Unit





Tribes of Eastern and Central Washington

Yakama Nation

Confederated Tribes of the Yakama Nation. The tribe is comprised of 14 tribes and bands. The Yakama reservation sits on 1.2 Million Acres.

There are nearly 10,851 members

Spokane

Spokane Tribe of Indians. The Spokane Indian Reservation is 159,000 acres.

The Tribe has approximately 2,900 enrolled members.



Colville

Colville Confederated Tribe. Comprised of 12 bands. The Colville reservation sits on 1.4 Million acres .

There are approximately 9,365 enrolled members

Kalispel


Kalispel Tribe of Indians. The tribe has a land base of approximately 4597 acres.

There are approximately 470 members.





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**“We will be known forever by
the tracks that we leave.”**

- Dakota Tribe



Policies

"Humankind has not woven the web of life. We are but one thread within it. Whatever we do to the web, we do to ourselves. All things are bound together. All things connect."

- *Chief Seattle, Duwamish*





Federal Policies



Victim of Crimes Act (VOCA) enacted 1984

Helped establish the largest source of Federal funding for DV and Sexual Assault, the Crime Victims Fund (CVF)



Family Violence Protection Act enacted 1984

The only federal funding that provides support for shelter and services for tribes. This act later became part of VAWA.



Violence Against Women Act (VAWA) 2013

VAWA was established in 1994 and it did not include tribes. The 2013 reauthorization of VAWA included Title IX Safety for Indian Women.



Missing and Murdered Indigenous Women (MMIW) 2015

A grassroots movement that started in Canada. Comprised of many allies and families who are calling attention to the violence against Indigenous women and the missing and murdered women.



National Congress of American Indians (NCAI) 2016 Resolution PHX-16-077

It addresses the crisis of MMIW and helps support the review, revision, and creation of law enforcement and justice protocols. It also increases victim services, coordinates efforts, and consults with Indian Tribes.



Presidential Task Force 2019, Operation Lady Justice Executive Order 13898

This created a task force to address MMIW





Federal Policies



Not Invisible Act 2019

Identify and combat violent crimes against AI/AN through the creation of an advisory committee.



Savanna's Act 2020

Savanna's Act aims to improve data collection, access, and DOJ policies and protocols related to MMIW



Bureau of Indian Affairs Office of Justice Services Missing and Murdered Unit 2021

Implemented by Secretary Deb Haaland. It investigates unsolved missing and murdered cases that occur in Indian Country.



President Biden issued Executive Order 14035-2021

Designed to improve public safety and criminal justice for Native Americans. Meant to address the crisis of violence and MMIW in Indian Country.



Reauthorization of the Violence Against Women Act 2022

Strengthen VAWA by reauthorizing grant programs until 2027.



Challenges



Jurisdiction

The complexity of jurisdiction is a significant barrier. Certain offenses may be prosecuted by Tribal, Federal, or State law. This can lead to difficulties between jurisdictions as to who is the proper authority.

Sovereignty

Another major issue is the severe restraints placed on Tribes and their ability to have effective solutions to DV in Indian Country.

DV in Indian Country

“Domestic Abuse is not something that simply takes place behind closed doors and that others can ignore; it is something that affects us all. It affects our economy, it affects our society, and it affects our young people as they are growing up.”

~Theresa May



Determinants of DV

Historical...not so
historical trauma.



Ongoing Abuse and
Violence toward Native
American populations.

Shameful History and Mistrust

Historical Trauma

Intergenerational Trauma

Gender Violence

Discrimination

Marginalization

Oppression

Political Violence

DV in Indian Country



Over
84%

2016 Study by National Institute of Justice

More than 84% of American Indian and Alaska Native women have experienced violence in their lifetime.

2nd
highest

2018 Research Publication by the Urban Indian Health Institute

Washington has the second-highest number of missing and murdered Indigenous women and girls cases.



"May the stars carry your sadness
away, May the flowers fill your heart
with beauty, May hope forever wipe
away your tears, And, above all,
may silence make you strong."
- *Chief Dan George, Tsleil-Waututh
Nation*



Examples



Woman with a SAPO who was told she was harassing her attacker by reporting his violations.

Some members were being told to get state protection orders because a tribal one would not be enforced off the reservation.

Police officers questioned the authenticity of an order because it did not look like a state order.

State clerk who did not want to let Tribal court submit a Protection order because it could be modified, and they wouldn't know because it was not from a state court.

The State Clerk did not want to give the tribe access to submitting DVPOs because the tribe would just "mess it up."

Dispatch hears "tribal member" and automatically transfers without getting the whole story.

Sheriff holds too much power over cross-deputized Tribal Police.



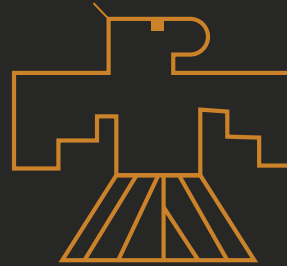


Good Stories



Kalispel

Has and agreement with DCYF to be able to submit enforceable child support orders



Bree Blackhorse

Eastern WA has a Native Federal Attorney dedicated to working on Missing and Murdered Indigenous People



Court Clerks

Court Clerk in Okanogan County who goes above and beyond. She and her coworkers have said, "We just want to help as many people as we can." Community, communication, and understanding are at the heart of that team.



Where Can We Go From Here

We don't inherit the earth from our ancestors; we
borrow it from our children.

~Native American Proverb





Strengthen Tribal Sovereignty

Legislation should recognize the inherent authority of Tribes to prosecute all persons. Regardless of their race, color, or citizenship.

Training and Education

Support policy that requires state and county PD and court officials to be trained and educated in Tribal Codes, policies, and other culturally appropriate matters in WA State.

Promote Collaboration and Partnerships

Collaboration should occur not only between state, federal, and tribal officials but also between these communities within the state.

Ensure Adequate Funding for Tribal Programs

Legislation meant to address DV issues should be backed by adequate and sustainable funding to meet the needs of all Tribes

Darkness cannot
drive out darkness:
only light can do
that. Hate cannot
drive out hate: only
love can do that.

~ Dr. Martin Luther King





THANK YOU!