Panel Discusses Violence Against Native American Women

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By GRACE HURLEY

A panel of three experts in Native American women’s studies discussed preventing domestic violence against Native American women in light of the reauthorization of the Violence Against Women Act at the Cornell Law School Wednesday.

Amanda Sampson Lomayesva speaks at the panel discussion “Violence Against Native Women” in Myron Taylor Hall Wednesday. (Jiali Wang / Sun Staff Photographer)

The panelists — who are affiliated with a Native American tribe and whose professional work involves domestic violence against
Native American Women — examined the criticism, support and implications of the act.

Prof. Sarah Deer, law, William Mitchell College, and associate justice of the Prairie Island Indian Community Court of Appeals said the act was originally introduced in 1994 to help prevent violent crimes against women.

The controversy surrounding the act rose as a result of it enabling tribal courts to have jurisdiction over criminal cases brought by tribal women against non-tribal men, according to Deer.

Prof. Lisa Hall, American Indian studies — who moderated the panel — said Native American women in the United States experience a very high rate of sexual assault.

Hall said some senators who offered objections to certain provisions of the act sought to exclude the LGBT community, Native Americans living on reservations and undocumented workers from the protections of the act.

Deer said opponents of the tribal jurisdiction provision of the act argued that it "institutionalized and endorses the United States as a protector of women" and "encourages tribal governments to replicate state and federal court systems."

Despite objections, the reauthorization of the tribal jurisdiction provision was approved, according to Deer.

“There were some who suggested that we give up but the native women refused to compromise,” she said. “We risked losing all the funding that VAWA provides to reservations, so it was a victory that we were able to get this bill passed.”

Amanda Lomayesva, attorney general for the Pascua Yaqui Tribe, said she hopes she will see positive changes in her own tribe as a result of passing the bill.

“I think it’s a good thing; ultimately; in the past, our police department would go out and when they ascertained the perpetrator was a non-Indian, there was nothing they could do — they would drive him to the edge of reservation and just drop him off knowing that he would walk back,” she said.

According to Sampson, the Pascua Yaqui Tribe has been participating in a pilot program for the act in order to determine how the act would need to be implemented. Three tribes — including the Pascua Yaqui — were approved to practice tribal jurisdiction over non-natives beginning Feb. 6., she said.

Sampson said that there have already been three incidents in her tribe in which police were called to a domestic violence scene since the start of the pilot program,

Deer said she hopes there are future reforms within tribes to prevent violence against tribal women.

“I think that federal legal reform is part of the solution but, more importantly is tribal reform. Looking at reforming tribal law could mean more to tribal women in the long run,” she said.

Deer added that there is much room for improvement due to the lack of legislation regarding native men.

“A lot of people have suggested that we sort of let native men off the hook because we were so focused on the interracial acts of nonnative men,” she said. “So there’s a lot of work left to do.”
## Forecast

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