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## VIOLENCE AGAINST WOMEN ACT NO VICTORY FOR ALASKA'S TRIBES

While tribes across the country are celebrating the passage of the Violence Against Women Act (VAWA) today, many of Alaska's tribes are angry that they have been excluded from the benefits of the Act. Section 910, called the "Special Rule for the State of Alaska" specifically states that sections 904 and 905, the domestic violence jurisdiction and civil protection order provisions respectively, shall not apply in Alaska. Since Alaska is home to 229 tribes in the United States, these new tribal provisions now exclude over 40% of all the tribes in the United States.

Almost 100 tribes in Alaska had opposed this exclusion. The Association of Village Council Presidents (AVCP), representing 56 tribes, and the Aleut Community of St. Paul Island (ACSPI) had both issued very clear and direct press releases opposing the Alaska exclusion. The Tanana Chiefs Conference (TCC), representing 37 tribes, also opposed the Alaska exclusion. Taken together, this represents one sixth of the tribes in the United States that demanded the Alaska exclusion be removed. Senator Lisa Murkowski, who authored the Alaska exclusion apparently at the urging of the Alaska Attorney General's office, rebuffed all requests to remove the exclusion.

"We are tired of the separate but equal treatment that Alaska tribes receive from courts and Congress," said NARF Staff Attorney Natalie Landreth. "They are tribes just like tribes in the Lower 48 and they are entitled to be treated like all other tribes. These exclusions, which have found their way into numerous bills over the years, say to Alaska's tribes that they are different and lesser than other tribes. In the case of VAWA, it means that Alaska Native women are less deserving of protection, less important. I find that unconscionable." The statistics from the AVCP region alone are staggering:

- \* Statistically, at least 51 out of every 100 Native women are the victims of sexual assault.
- \* It can be cost-prohibitive for a victim of domestic violence to leave the community – airfare can cost up to \$800 round trip, depending upon the village.
- \* It can take law enforcement up to 24 hours to respond to emergency calls, depending upon weather.
- \* The closest state court is in Bethel, accessible only by air, boat or snow machine.

"I am also not persuaded by the response that this has something to do with the *Venetie* case and land status," continued Landreth. "It doesn't. Jurisdiction depends upon several factors like the people and interest involved. Land status is not determinative, especially for civil jurisdiction."