

Acting Associate Attorney General Tony West Speaks at the National Indian Nations Conference
Agua Caliente, Calif. ~ Friday, December 7, 2012

Thank you, Andre, for that kind introduction and for all you do for the Central District of California. It's great to be back home in California and to join all of you at this beautiful facility.

I want to thank Chairman Grubbe, the Agua Caliente Tribal Council, and the entire Agua Caliente Band for hosting this conference and for their wonderful hospitality. My thanks, as well, to the more than 100 sovereign tribal governments in the Pacific region for their warm welcome. Finally, I'd like to recognize our own Office for Victims of Crime and their partners for the excellent work they put into organizing this event.

It's a great privilege to be here and to thank all of you, on behalf of the United States Department of Justice, for your dedication to crime victims in your own communities and in tribal communities across the country. You have come together in a spirit of compassion and hope, to help those who have been hurt and to lift up those who have lost so much. We are grateful that you do this work, and I am proud that the Department of Justice is supporting you.

I am proud, too, that over the last four years we have developed strong and vital partnerships with tribal nations. Earlier this week I participated in the White House Tribal Nations Conference where I moderated a discussion about strengthening our government-to-government relationship. And while I heard the many areas where improvement is needed, I also heard that we've come a long way in a short time.

Under the leadership of Attorney General Eric Holder, we at the Justice Department have worked hard to strengthen tribal sovereignty and improve tribal safety. We have established the Office of Tribal Justice as a permanent component within the Justice Department. We've created the Tribal Nations Leadership Council to facilitate consultation and advise the Attorney General on issues critical to tribal governments. Under the leadership of Leslie Hagen, who spoke with you last night and is here with us today, we've launched a National Indian Country Training Initiative, which has trained more than 2,000 criminal-justice professionals. And we've assigned additional federal personnel to investigate and prosecute cases on Indian lands, including a dozen FBI Indian country Victim Specialists.

So we've made some excellent progress. But as one of the tribal leaders said in our session yesterday: While we celebrate the past, we must also look toward the future. Our work in Indian country is far from over, and if we're to build on that progress and tackle the uniquely difficult challenges that tribal communities still face, we cannot rest.

We cannot rest as long as crime rates in many tribal communities remain far above the national average. We cannot rest as long as tribal members suffer disproportionately from violence, property offenses, and other criminal acts. And we absolutely cannot rest as long as Native women continue to encounter alarming rates of violence -- something that is simply unacceptable.

Now, no segment of the Native population is immune from victimization. But as you heard so eloquently from Vice Chair Deborah Parker yesterday, Native women face rates of domestic and sexual violence that are now among the highest in this country. And while there is a need for more and better data, what we do know is startling to even the most seasoned prosecutors of sexual violence.

We know that nearly half of all Native women have experienced rape, physical violence, or stalking by an intimate partner, according to a recent nationwide survey by the Centers for Disease Control and Prevention.

We know from other studies that one in three Indian women will, at some point in her life, experience the violence of rape.

We know that in some counties comprised primarily of tribal lands, Native American women are murdered at a rate more than ten times the national average.

And we know something else: We know that we can stop this cycle of violence. We know from our domestic-violence work across the United States, in Indian country and elsewhere, that early intervention that interrupts or deters a pattern of escalating domestic violence can avoid deadly violence in the future. And that can help save a woman's life.

That's why ensuring tribal communities have access to the right resources is so important. Through our Consolidated Tribal Assistance Solicitation, or "CTAS," we've revamped and streamlined the process for tribes to tap much-needed federal funding, awarding more than 300 grants totaling almost \$350 million over the last three years in several critical areas, including the fight to curb violence against women.

In addition, our Office for Victims of Crime – in partnership with our National Institute of Justice – is working to support victims through the National Sexual Assault Forensic Exam Telemedicine Center, which will provide expert medical consultation to sexual assault forensic examiners in Indian country and other underserved areas.

We're also supporting Sexual Assault Nurse Examiner and Sexual Assault Response Team programs, or "SANE-SART," in Indian country, where we're working to identify sustainable evidence-based and culturally sensitive practices that address Native victims of sexual violence.

And, in conjunction with this conference, we convened the first meeting of a national committee that will advise the Attorney General on ways OVC and its partners can expand engagement with stakeholders to end sexual violence in American Indian and Alaska Native communities. The committee is an impressive cross-section of experienced tribal and federal representatives who will bring the most innovative – and most workable – ideas to the table to ensure that victims of sexual violence receive the services they need and are treated with dignity and respect.

Another key to protecting Native women from violence is to ensure that our justice system responds when they are called upon to help. Sadly, in too many tribal communities, such a response is neither swift nor certain. For one thing, as you know all too well, resources in Indian country are spread thinly and help is not always easy to find or quick to arrive. But part of the problem, quite frankly, is that the law doesn't provide tribes the support they need to fully protect their members.

That's because there's a jurisdictional gap that, among other things, takes enforcement authority away from tribes when crimes are committed by non-Indians. This undermines law enforcement and it undermines safety, especially when you consider that more than three-quarters of all people residing in Indian areas in the United States do not identify as American Indian. Today, an Indian tribe cannot prosecute a non-Indian for domestic violence, even if he lives on the reservation and is married to a tribal member -- and we know that roughly half of all married Indian women have non-Indian husbands.

So the consequences of this are as tragic as they are expected. An abuser who's not likely to be prosecuted will continue to abuse. A victim who doesn't expect help from the system will stop calling the police. And for all the care and counseling that many of you, as victim service professionals, provide, there's a real limit to what you can do to guarantee a victim's safety once she returns home.

Now at the Department of Justice, we've been working hard to find solutions to this problem. In partnership with the Bureau of Indian Affairs and the Indian Health Service, we've consulted with tribal leaders on this issue, and what we've heard, loudly and clearly, is that a tribe's ability to protect an Indian woman from violence, regardless of the race of the assailant, is fundamental to its sovereignty and essential to its safety.

Well, we agree. That's why, under Attorney General Holder's direction, the Justice Department has proposed addressing these gaps by changing the law to better protect Native women. Among these are changes that recognize tribes' criminal jurisdiction over both Indians and non-Indians who assault Indian spouses, intimate partners, or dating partners, or who violate protection orders, in Indian country. The changes would also clarify

tribal jurisdiction to issue and enforce protective orders against Indians and non-Indians, and they would strengthen federal enforcement of domestic-violence laws in Indian country.

These provisions are part of the effort to reauthorize the Violence Against Women Act, and we're pushing Congress to restore a tribe's power to bring to justice anyone -- Indian or non-Indian -- who hurts an Indian woman.

So I want you to know that you're not alone in this effort. We will continue to do everything we can to support tribes as you work to keep victims safe and hold perpetrators accountable.

In closing, let me say that over the last four years, I have logged many miles in Indian country, first as Assistant Attorney General for the Civil Division and now as Acting Associate Attorney General. This is my fifth trip to Indian country, and on every journey, I learn from the tribal leaders and members with whom I meet.

In those encounters, I hear of the challenges many tribes face -- not only crime and violence but the challenges faced by Cold War Warriors, laborers who toiled in uranium mines during the height of the United States' nuclear weapons program and whose resulting long-term illnesses or premature deaths have left their families seeking justice; the challenges posed by the paucity of resources available to support and develop our tribal youth; the challenges faced by tribes that were terminated and restored in regaining their aboriginal lands, or the unique plight of Alaska Native tribes born of their unique history.

I hear all of that, and more. But I also hear something else. I hear a sense of optimism and hope -- a belief that the wisdom of our shared past can open the door to a better, shared future.

I've witnessed the extraordinary power that tribes find in their traditions and I've seen the amazing results that can be achieved when tribes build on those traditions and claim ownership over their futures.

And so long as we in the federal government do our part to fulfill our trust responsibility, I truly believe we can seize that future and shape its success -- together.

Thank you very much for your time, and thank you again for all you do to support and serve crime victims.