

Protecting the Hearts of Our Women

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It has been said that “A nation is not conquered until the hearts of its women are on the ground. Then it is finished, no matter how brave its warriors or how strong its weapons.” On March 7, 2013, President Barack Obama signed into



law an important Act that helps tribes protect the hearts of its women; a law that grants tribes authority over non-Indian domestic violence perpetrators — it is the Violence Against Women Reauthorization Act of 2013 (VAWA).

For the first time, tribal nations will be able to arrest and prosecute non-natives involved in intimate relationships with native women, and who assault these victims on tribal lands. But, as I have learned, it is not nearly as simple as it would seem. There is concern that tribal courts will not administer justice impartially, and that a non-Indian defendants will not be given the same level of protections that would be received in state and federal courts. I was also not surprised to learn that there is HUGE opposition to tribes having this authority, and that tribes will see their actions challenged by organized groups who believe that the entire Act is “unconstitutional.”

All tribes will be able to implement this law in 2014. However, there is an opportunity for tribes to take part in a pilot project that puts tribes on a fast track, and “readies” tribal courts to ensure that there is the greatest chance for success in the challenges that will come, and that

non-Indian abusers are held accountable. The program is called Intertribal Technical-Assistance Working Group on Special Domestic Violence Criminal Jurisdiction. Our tribe is participating in this pilot, and on Aug. 20 and 21, our tribe’s prosecuting attorney and I attended the first meeting of this group... it was phenomenal! I was so proud of our tribe, and how close we already are to being prepared.

More than 36 tribes are participating in the project. We shared challenges, solutions and strategies to ensure everyone’s success in implementing this law. I am grateful that our board of directors asked me to represent our tribe there. I am dedicated to protecting our people, and our way of life. I am a strong advocate for ensuring that our tribe’s sovereignty is not diminished, and will work hard to help us do what needs to be done to empower our courts with the proper laws, codes and authority. This historic first meeting of the pilot group was incredibly powerful and intense.

While there, I met a woman, Juana Majel, who was particularly knowledgeable and a primary speaker to the group. She is the traditional councilwoman of the Pauma Band of Mission Indians. I later learned that she was vital in the struggle to get this law passed! The following are her words:

“Today the drum of justice beats loud in Indian country in celebration of the reauthorization of VAWA, and we stand in unity with all of our partners and leaders who were unrelenting in support of protections for all women, including native women. For an unimaginable length of time, those who have terrorized our women in our most sacred places, in relationships, in our homes, and on our land, have gone unprosecuted. Now that time has come to an end, and justice and security will flourish...”

Right on Juana, right on!