StrongHearts Native Helpline
Safety, Sovereignty and Support

StrongHearts Native Helpline is a 24/7 confidential and anonymous domestic, dating and sexual violence helpline for Native Americans and Alaska Natives offering culturally-appropriate support and advocacy. Call or Text 1-844-7NATIVE | Chat Online @stronghearts helpline.org
Introduction

- Established a national helpline for Native Americans and Alaska Natives as CEO of StrongHearts Native Helpline.
- Tribal Appellate Court Judge for the Sault Ste. Marie Tribal Chippewa Court.
- Founding Executive Director and Board Member of Uniting Three Fires Against Violence.
- Service on Federal Task Force researching Violence Against American Indians and Alaska Native women.
- 30+ years Tribal Program Development in victim advocacy; tribal court and law enforcement, women’s shelter.

Lori Jump, CEO
StrongHearts Native Helpline

Call/Text 1-844-7NATIVE (762-8483) or Chat Online @strongheartshelpline.org  Follow @strongheartsdv on Facebook, Twitter and Instagram
YOU ARE ON ANCESTRAL LAND

LAND ACKNOWLEDGEMENT

StrongHearts Native Helpline’s headquarters are in the greater Minneapolis/St. Paul area on the ancestral lands of the Sioux Santee (Eastern Dakota) Wahpekute (Waȟpékhute) peoples.

Wherever you are, it’s important to recognize that the land you are on was once the ancestral lands of a tribal nation. We owe them a debt of gratitude for their stewardship of the land we use today.
Colonization

Historical Trauma and Impacts

The Importance of Tribal Sovereignty

Tribal, State and Federal Law

Jurisdictional Issues

Our Advocacy And Your Advocacy
In General…

574 Tribal Nations

Unique Legal Relationship with the United States
Sovereign Nations
Freedom from external control
Authority to govern

Vibrant societies rich in culture and traditions
Statistics

83% have experienced violence in their lifetime

56% of AI/AN women have experienced physical violence by intimate partners.

63% of AI/AN women report that they are tracked by their partner.

56% of women have experienced sexual violence, 28% of men have experienced sexual violence.

97% of AI/AN women and 90% of AI/AN men experience this violence at the hands of interracial partners.

The federal government declines to prosecute 75% of sexual assault cases in Indian Country.
Historical trauma is a collective trauma suffered by a group of people due to historical events that were destructive to the physical, mental, emotional, cultural and spiritual life way.

Historical trauma represents the cumulative emotional, psychological and spiritual wounding over the lifespan and across generations.

For Native Americans, historical trauma is rooted in colonization. Centuries of horrific abuse and unimaginable loss emerges in many forms including: internalized oppression, the normalization of rape culture, loss of hope, fear and insecurity, etc.

Today, the trauma of colonization has impacted nearly 100% of Indigenous Peoples both living on and off reservations.

Historical trauma is linked to depression, PTSD, type 2 diabetes and suicide.
Colonization

Pre-1800s  Extermination, Manipulation, Colonization

1830s  Removal Act - Remove Indians to west of the Mississippi River

1887  Dawes Allotment Act - plots of land given to head of household

1924  The Snyder Act - Indians become citizens of United States

1934  Wheeler Howard Indian Reorganization Act - Tribes can establish elected governments (IRA Constitution)

1953  Termination Policy - Termination of status as Nations

1968  Indian Civil Rights Act - imposed regulation on Tribes to ensure individual Indians similar rights

1970  Self Determination Policy - Extended more control to tribal Nations

1978  Indian Child Welfare Act (ICWA) - Preservation of Indian families by ensuring placement of Indian children in Indian homes

Moment of Contact

Forced Removal from our lands
Boarding Schools

Violence against women and children used specifically as a tool of genocide

Removal of Children
Forced Sterilization
They made us many promises, more than I can remember, but they only kept but one: they promised to take our land, and they took it.
INDIAN BOARDING SCHOOLS

“Kill the Indian, Save the Man”

STRIPPED OF:

- Name
- Hair
- Clothing
- Language
- Family
- Community
- Spirituality

Everything they knew
❖ Experience a heightened sense of hopelessness
❖ Have a compounded traumatic experience
❖ Be forced to deal with their abuse on a community level as well, resulting in additional conflict
❖ Be angry and frustrated
❖ Be under the influence of drugs or alcohol
❖ Experience multiple layers of trauma
❖ Have eroded self esteem
❖ Disempowered
❖ Lack trusting relationships
❖ Experience depression, fueled by historical trauma
❖ Have a reduced capacity to overcome/heal or lack the strategies to overcome current abuse
The federal government declines to prosecute 75% of sexual assault cases in Indian Country.

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63% of AI/AN women report that they are tracked by their partner.
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Barriers to Safety and Justice

- “We are related.”
- Cross-jurisdictional issues
- Geographic remoteness
- Lack of transportation, phone, internet
- Historical distrust of local authorities
- Resource disparity
### Jurisdiction

If Jurisdiction has NOT been conferred on state

<table>
<thead>
<tr>
<th>If the Victim is</th>
<th>If the Perpetrator is</th>
<th>If the Crime was...</th>
<th>Then Jurisdiction goes to...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>Not Applicable</td>
<td>State has jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Not Applicable</td>
<td>Federal government has jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Listed in Major Crime Act (18 U.S.C. 1153)</td>
<td>Federal government has jurisdiction, state does not. Tribe likely also has jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S.</td>
<td>State law is assimilated.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Not listed in Major Crimes Act</td>
<td>Federal government and tribe have jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S.</td>
<td>State law is assimilated under 18 U.S.C. 13.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Listed in Major Crimes Act</td>
<td>Federal government has jurisdiction, state does not. Tribe likely also has jurisdiction.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S.</td>
<td>State law is assimilated.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Not listed in Major Crimes Act</td>
<td>Tribal jurisdiction is exclusive.</td>
</tr>
</tbody>
</table>

If Jurisdiction has been conferred on state by PL 280, 18 USC 1162

<table>
<thead>
<tr>
<th>If the Victim is</th>
<th>If the Perpetrator is</th>
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<th>Then Jurisdiction goes to...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Indian</td>
<td>Non-Indian</td>
<td>Not Applicable</td>
<td>State has jurisdiction.</td>
</tr>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>Committed in Mandatory state</td>
<td>State has jurisdiction.</td>
</tr>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>Committed in Option state</td>
<td>State and federal government have jurisdiction. No tribal jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Committed in Mandatory state</td>
<td>State has jurisdiction exclusive of federal government, but not necessarily the tribe.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Committed in Option state</td>
<td>State has concurrent jurisdiction with the federal courts.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Committed in Mandatory state</td>
<td>State has jurisdiction exclusive of federal government, but not necessarily the tribe.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Committed in Option state</td>
<td>State has concurrent jurisdiction with tribal courts for all offenses, and concurrent jurisdiction with the federal courts for those listed in 18 U.S.C. 1153.</td>
</tr>
</tbody>
</table>

Where Jurisdiction has been conferred by another statute

<table>
<thead>
<tr>
<th>If the Victim is</th>
<th>If the Perpetrator is</th>
<th>If the Crime was...</th>
<th>Then Jurisdiction goes to...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Indian</td>
<td>Non-Indian</td>
<td>Not Applicable</td>
<td>Unless otherwise expressly provided, state has concurrent jurisdiction with federal and state courts. Tribe has no jurisdiction.</td>
</tr>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>Not Applicable</td>
<td>State has jurisdiction.</td>
</tr>
<tr>
<td>Non-Indian</td>
<td>Indian</td>
<td>Not Applicable</td>
<td>Unless otherwise expressly provided, state has concurrent jurisdiction with federal and tribal courts.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Not Applicable</td>
<td>State has concurrent jurisdiction with tribal courts for all offenses, and concurrent jurisdiction for those listed in 18 U.S.C. 1153.</td>
</tr>
</tbody>
</table>

Special Criminal Domestic Violence Jurisdiction

<table>
<thead>
<tr>
<th>If the Victim is</th>
<th>If the Perpetrator is</th>
<th>If the Crime was...</th>
<th>Then Jurisdiction goes to...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>As defined in VAWA 2013: Dating violence, domestic violence, and criminal violations of protective orders</td>
<td>Tribe</td>
</tr>
<tr>
<td>Indian</td>
<td>Non-Indian</td>
<td>Committed outside of Indian country, between two strangers (sexual assault), committed by a person who lacks sufficient ties to the tribe, constituted child/elder abuse that does NOT involve the violation of a protective order</td>
<td>Start at beginning of document.</td>
</tr>
<tr>
<td>Indian</td>
<td>Indian</td>
<td>Not Applicable</td>
<td>Start at beginning of document.</td>
</tr>
</tbody>
</table>

A Defendant's Rights Under the New Law

A tribe must:
1. Protect rights of defendants under Indian Civil Rights Act, which tracks the U.S. Constitution's Bill of Rights (ie Due Process).
2. Protect rights of defendants described in Tribal Law and Order Act of 2010, by providing effective assistance of counsel, free appointed license attorneys for those who cannot afford one, law trained tribal judges who are licensed to practice law, publicly available criminal laws and rules, and recorded criminal proceedings.
3. Include a fair cross-section of the community in jury representation and not systematically exclude non-indians.
4. Inform defendants ordered detained by tribal court of their right to file federal habeas corpus petitions.

STONGHEARTS
Native Helpline

Call or text
1-844-7NATIVE

Chat online
@strongheartshelpline.org
Conceptualization and Implementation

❖ American Indian and Alaska Native (AI/AN) women experience the highest rates of violence and murder in the United States and rarely reach out to the National Domestic Violence Hotline (The Hotline). In 2012, The Hotline and the National Indigenous Women’s Resource Center (NIWRC) conceptualized a helpline dedicated to Native people.

❖ Five years later, StrongHearts opened on March 6, 20917 with support from the Administration on Children, Youth and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services and Verizon.

❖ Since then, StrongHearts Native Helpline has become a lifeline to AI/AN impacted by domestic, dating and sexual violence by offering a free, anonymous and confidential national helpline 24 hours a day 7 days a week.
WHO WE SERVE

Offering culturally-appropriate support and resources to anyone affected by domestic violence or dating violence, specifically targeting AI/AN.

Our advocacy is culturally-appropriate for Native peoples, but we can and do help all contacts regardless of race, age, gender identity or sexual orientation.
OUR ADVOCACY

Advocates are trained with a strong understanding of:

❖ American Indian and Alaska Native cultures
❖ Tribal sovereignty
❖ Historical Trauma
❖ Jurisdiction issues
REFERRAL SERVICES

StrongHearts Referral Database
• 250 Native-centered direct services
• Offering culturally appropriate support and resources to anyone affected by domestic violence

Referral Services Across the U.S. include:
• Domestic violence programs
• Victim service departments
• DV shelters
• Rape crisis centers
• Behavioral health departments
• Medical facilities that offer emergency services and/or a SANE
Our Database

**Considers Whether Service Is:**
- Affiliated with any tribe
- Has any unique requirements to receive services
- Enrollment status
  - Or available to any Native American
- Offers cultural practices
- Provides Native language services
- Offers emergency medical services
Competent advocacy in an intersectional approach MUST always come through the historical trauma lens.

Without it:

- No trust
- No rapport
- No genuine connection
YOUR ADVOCACY

DO:

- Avoid over generalizations
- Use empowerment-based approach
- Use victim centered approach
- Speak from a trauma informed lens
- Recognize importance of historical trauma and cultural issues
- Focus on safety planning (especially with Native callers from remote areas)
- Understand the difference between civil and criminal remedies in Indian country and
- Recognize the implication of "leaving" and the trauma that accompanies the thought
StrongHearts Native Helpline Resources

Provide StrongHearts Native Helpline as an additional resource for your contacts.

Reach out to StrongHearts advocates as needed.

Follow us on Social Media Platforms Facebook, Twitter, and Instagram: @strongheartsdv

Source
André B. Rosay, "Violence Against American Indian and Alaska Native Women and Men," June 1, 2016, nij.ojp.gov:

Additional Resources
- National Indigenous Women’s Resource Center - NIWRC.org
- National Congress of American Indians - NCAI.org
- Tribal Court Clearing House - tribal-institute.org
- National Indian Country Clearinghouse on Sexual Assault - NICCSA.org
- Tribal Sex Trafficking Resources - Tribalcoalitions.org
- Alliance of Tribal Coalitions to End Violence - ATCEV.org
- Indian Country Media Network - indiancountrymedianetwork.com
- Turtle Talk - turtletalk.wordpress.com

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INTERACTIVE COMPONENT: 
END OF SESSION Q & A

STRONGHEARTS 
Native Helpline

1-844-7NATIVE | strongheartshelpline.org