



2024

STRENGTHENING SOVEREIGN RESPONSES TO SEX TRAFFICKING IN INDIAN COUNTRY AND ALASKA CONFERENCE

APRIL 9 - 11, 2024

7 *Years*
Support & Advocacy
Keeping Our Relatives Safe



STRONGHEARTS
Native Helpline

“Finding Justice And Healing For Our Relatives”



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Lori Jump is the Chief Executive Officer for StrongHearts Native Helpline.

She is a citizen of the Sault Ste. Marie Tribe of Chippewa Indians where she was employed for 26 years and helped to shape her Tribe's judicial system including: victims advocacy and tribal court programs as well as opened a Native women's shelter in her hometown of Sault Ste. Marie MI. She served 15 years as an Appellate Tribal Court Judge for her Tribe.

Lori is the founder, former executive director and current board member of Uniting Three Fires Against Violence - a statewide domestic and sexual violence tribal coalition in Michigan. She served on the Federal Task Force researching Violence Against American Indians and Alaska Native Women.

As CEO of StrongHearts Native Helpline, Lori led a team of administrative staff to develop a Native-centered, empowerment based and trauma informed training curriculum that is steeped in Native American culture. Under her leadership, StrongHearts Native Helpline became the first national domestic and sexual violence helpline for American Indians and Alaska Natives.

Your Presenter



Lori Jump
Chief Executive Officer
StrongHearts Native Helpline

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 (Waḥpékhute) peoples.



“Those that fail to learn from
history are doomed to repeat it.”

~ Winston Churchill



Safe.
Confidential.
Free.
Anonymous.

1-844-7NATIVE
StrongHeartsHelpline.org

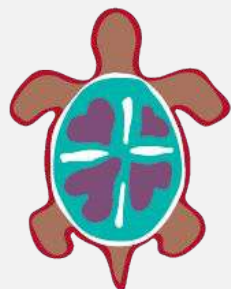
Our Mission: We exist to restore power to Native Americans impacted by domestic and sexual violence by weaving together a braid of safety, sovereignty and support.



StrongHearts Native Helpline is a culturally-appropriate helpline dedicated to serving American Indian and Alaska Native survivors, concerned family members and friends affected by domestic and sexual violence. StrongHearts advocates are available 24/7 and offer: peer-to-peer support, information and education, crisis intervention, assistance with safety planning and referrals to Native-centered domestic and sexual violence service providers.

StrongHearts Native Helpline

Established in March 6, 2017



STRONGHEARTS
Native Helpline

Trust. Speak. Heal.

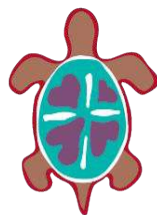
Call | Text
1-844-7NATIVE

Chat online at
strongheartshelpline.org

**Empowerment
Based**

**Native
Centered**

**Trauma
Informed**



STRONGHEARTS
Native Helpline

Native Centered

- ❖ **Affiliated with Tribe**
- ❖ **Eligibility of Services**
 - **Enrolled vs. non-enrolled**
- ❖ **Cultural Practices**
- ❖ **Native Languages Offered**
- ❖ **Medical Services**



- ❖ **Not having to justify what they want and need to feel safe**
- ❖ **Trusting the victim knows what's best for them**
- ❖ **Being supported in their decisions**
- ❖ **Accessing resources to services in their area**

Empowerment Based



Trauma Informed

- ❖ **Understanding the impact of colonization and historical trauma**
- ❖ **Being validated that what they experienced is not their fault**
- ❖ **Being able to walk their healing journey without judgment, barriers or fear.**





Who We Serve:

Native American and
Alaska Natives
affected by domestic
and sexual violence

ALL persons that
contact StrongHearts

OUR ADVOCACY

Advocates are trained with a strong understanding of:

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



StrongHearts Native Helpline Training

All staff go through a rigorous training program steeped in Native American culture and tradition.

In order to understand our culture, we must understand our history.





Culture Makes a Profound Difference

Before StrongHearts had the capacity to operate 24/7, contacts who called in during off-hours had the option to "press 1" to be transferred to the national hotline. Very few of them chose that option.

We recognize:

- Victim- survivor or concerned friends are looking for services outside of the mainstream but inside of their own culture.
- Culture makes a profound difference in building trust, safety, and belonging.



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

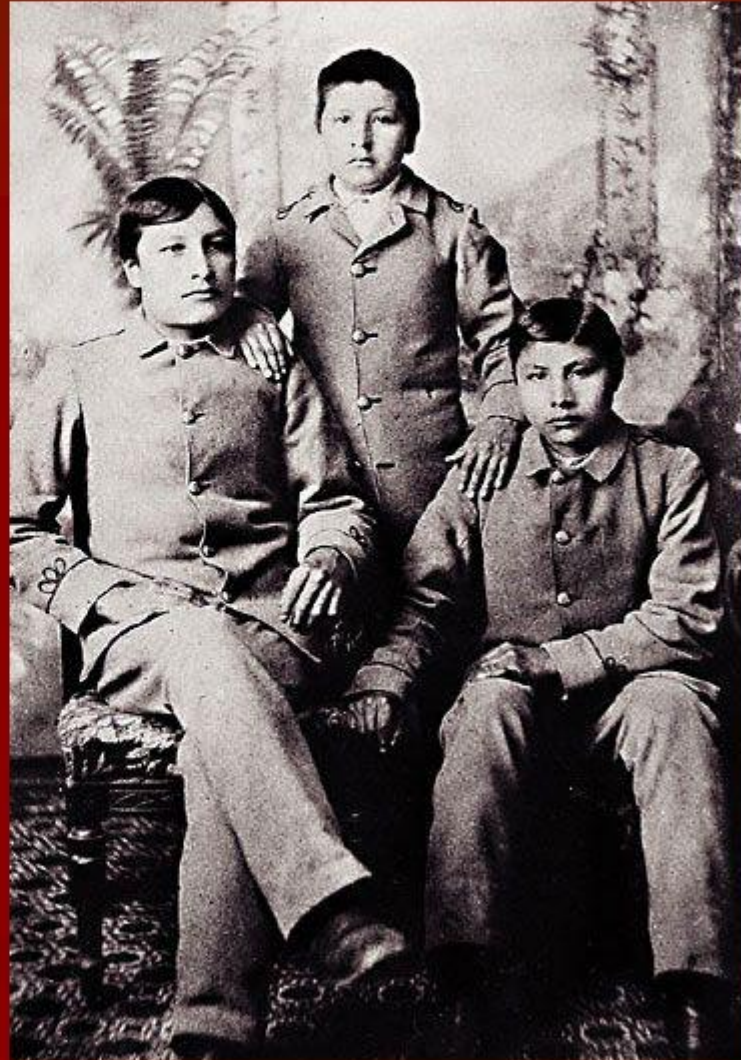
Forced
Removal
from our
lands
Boarding
Schools

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

Removal of
Children Forced
Sterilization



“Kill the Indian, Save the Man”



Indian Boarding Schools

STRIPPED OF:

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

Everything they knew



What Is Historical Trauma?

TRAUMA travels through FAMILY LINES until someone is ready to HEAL it.

When YOU do the WORK our ancestors celebrate your HEALING.



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.

Depression, PTSD and suicide are linked to historical trauma that for Native people is rooted in colonization.

Centuries of horrific abuse and unimaginable loss emerges in the form of internalized oppression, the normalization of rape culture, loss of hope, fear and insecurity, etc.



Invisibility of Native Americans



“Something Else”

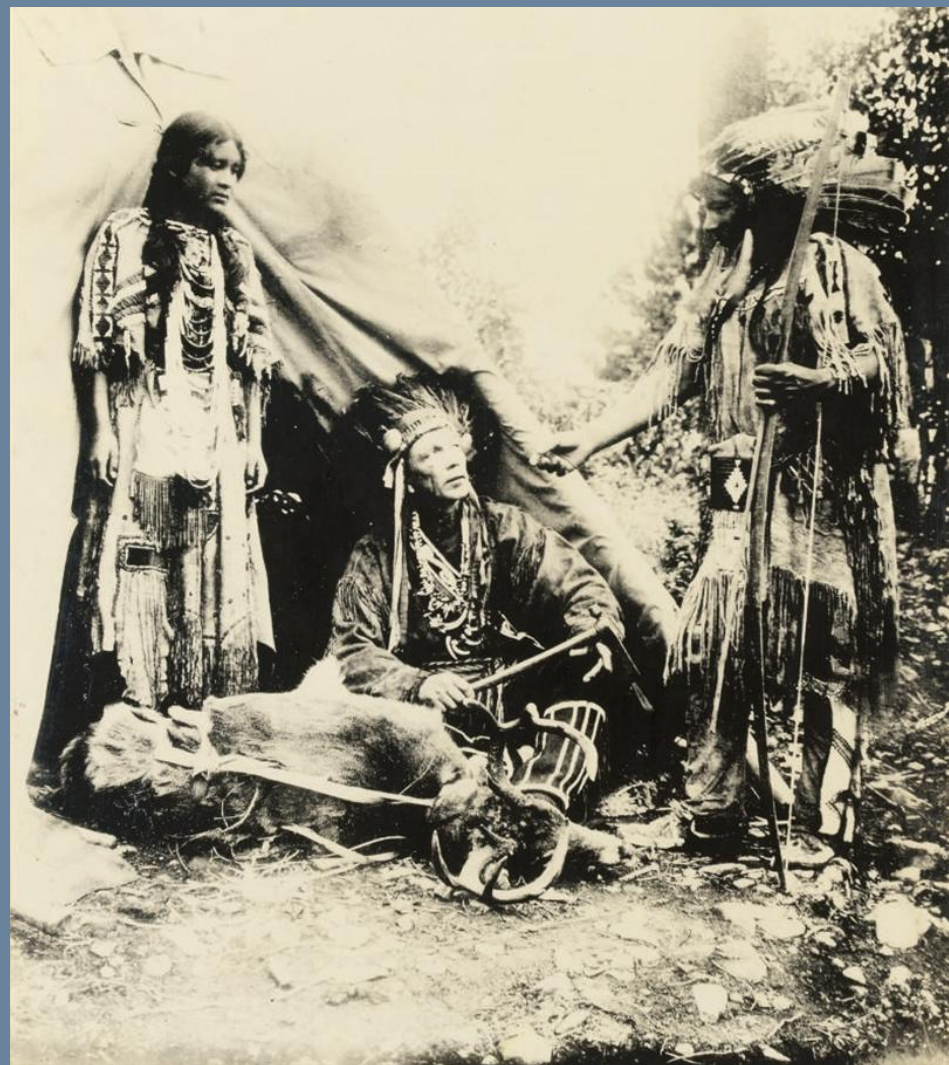
72%

Reclaiming Native Truth, 2018-2019
<https://rnt.firstnations.org/>

The vast majority of Americans rarely encounter or receive information about Native Americans.

- ❖ **Invisibility**
- ❖ **Myths**
- ❖ **Stereotypes**

REMEMBER



574

ALASKA &
LOWER 48

MYTHS

RESERVATIONS



Invisibility of
Native Americans

87%

States that do not
cover Native
American history
after 1900

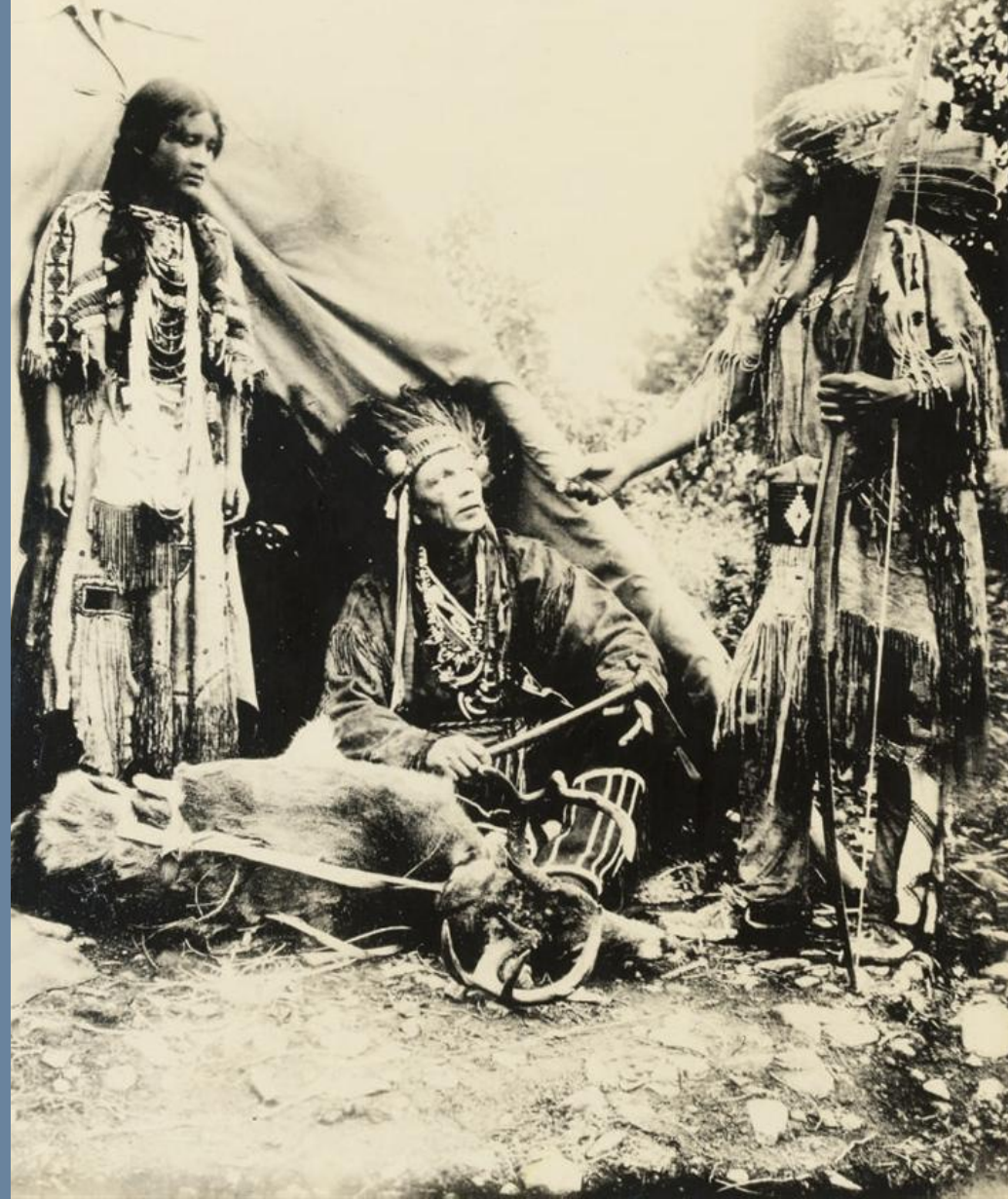
27

States that do not
mention Native
Americans in state
standards



Outdated Misconceptions
of Native Americans

Results of 2011-2012 Study





MMIR



STRONGHEARTS
Native Helpline

StrongHearts Native Helpline

Call | Text **1-844-7NATIVE**
Chat **@strongheartshelpline.org**

Safe | Anonymous | Confidential | 24/7

Honoring Our Missing And Murdered
Indigenous Relatives

The MMIR crisis is linked to domestic and sexual violence.
(1 minute 30 second video released May 2023)



Staggering Statistics On Violence Against Native Women



More than 4 in 5 American Indian and Alaska Native (AI/AN) women (84.3 percent) have experienced violence in their lifetime.



More than half of AI/AN women (56.1 percent) have experienced sexual violence in their lifetime.



More than half of AI/AN women (55.5 percent) have experienced physical violence by intimate partners in their lifetime.



Almost half of AI/AN women (48.8 percent) have been stalked in their lifetime.

1.7x

AI/AN women are **1.7 times more likely** than White women to have experienced violence in the past year.

10x

Native women also face **murder rates** more than 10 times the national average in some counties (Bachman, Zaykowski, Kallymer, Poteyeva, & Lanier, 2008).





The Link Between Our History And Intimate Partner Violence

- Collective experience
- Effect of colonization and federal policies
- Direct link between our experience of IPV and sexual assault and our relationship with the past
- Results in many negative realities/ tangible issues and epidemics in Indian Country



Objectification: Sexualization of Native Women, Native Mascots and Cultural Appropriation

- Access to justice issues: full faith and credit/protective order enforcement
- Ineffective law enforcement responses
- Lack of resources
- Invisibility
- Extreme poverty
- Mental health issues
- Substance abuse/alcoholism



Police Response to Missing and Murdered Indigenous Relatives

For all of our funding increases or more often decreases; and for all of our studies, our testimonies and our sacrifice . . . the media ignores our MMIR while creating a frenzy for a missing white women.

More often than not, the families of MMIR must find them without assistance from local, state, and federal law enforcement agencies. What's worse, Tribal law enforcement agencies are lacking in resources and court jurisdiction.

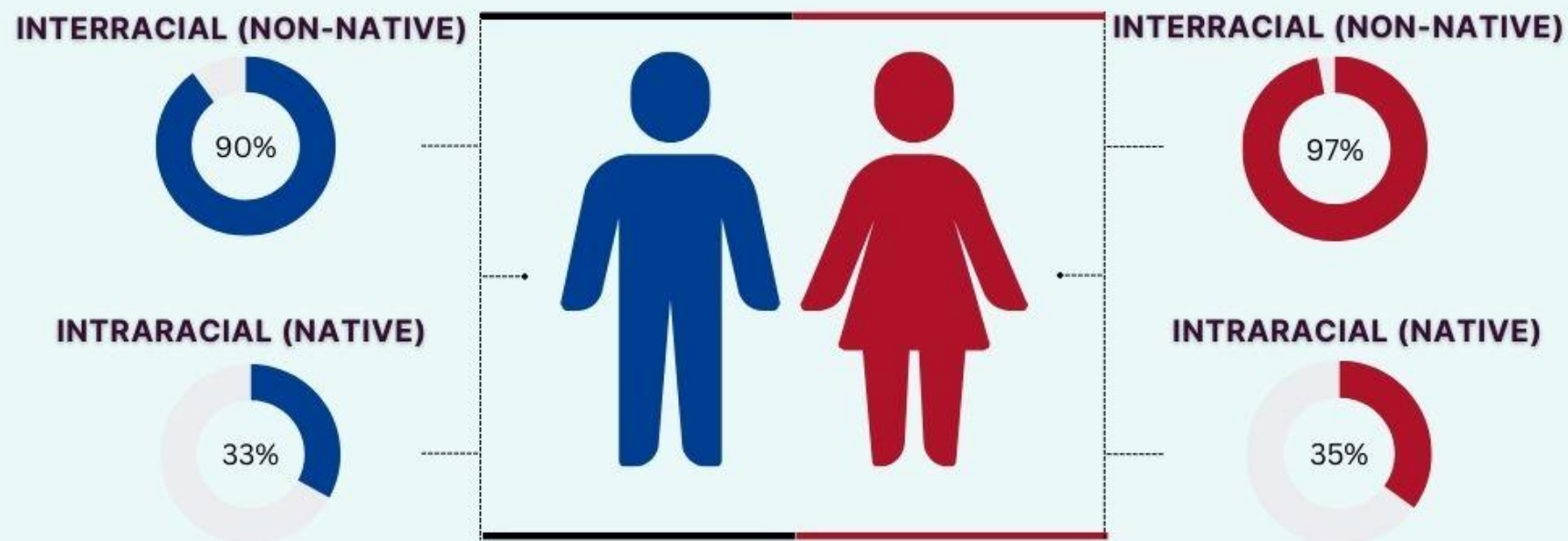
“At best we are invisible, at worst, we are disposable.” ~Lt. Governor Peggy Flanagan, NIAC Minneapolis, MN

When the media does cover MMIR, they paint a picture about our women and children being drunks and addicts and running away from home - a stark contrast to the angelic imagery of a missing white woman.

According to the National Institute of Justice: Native women and men disproportionately suffer violence at the hands of non-Natives.

Interracial and Intra-racial Violence Against Native American Women and Men

Percentage of Native victims experiencing violence by an interracial | intraracial perpetrator



90-97% Intra-racial (Non-Native)

33-35% Interracial (Native)

Note: Samples are restricted to American Indian and Alaska Native victims of stalking, sexual violence, psychological aggression, and physical violence by intimate partners. Some victims experienced violence by both interracial and intra-racial perpetrators.



Of Native women who are murdered, 3 in 4 are killed by their partners, family members or acquaintances.

There is a crack in the landscape of justice

The fact that Native women are being murdered at a rate ten times higher than other ethnicities and a majority of these murders and violent acts are committed by non-Native people on Native owned land makes the injustice that much more frustrating. These higher rates of violence against Native American women are in no small part due to federal law limiting tribal court's jurisdiction to criminally prosecute non-Native people who commit crimes on tribal lands.

Tribal Law and Justice

Tribal sovereignty is at the core of advocacy and it is important to recognize Native Americans as citizens of distinct sovereign nations.





As sovereigns, tribes may:

- Enact codes and statutes
- Have separate constitutions
- Define domestic violence
- Issue protective orders
- Enforce protective orders (if jurisdiction)
- Define their membership
- Govern

However, there are limitations...



JURISDICTION

If Jurisdiction has NOT been conferred on state

| If the VICTIM is | If the Perpetrator is | If the Crime was.... | Then Jurisdiction goes to... |
|------------------|-----------------------|---|--|
| Non-Indian | Non-Indian | Not Applicable | State has jurisdiction. |
| Indian | Non-Indian | One found in the General Crimes Act (18 U.S.C. 1152) | Federal government has jurisdiction. |
| Non-Indian | Indian | Listed in Major Crimes Act (18 USC 1153) | Federal government has jurisdiction, state does not. Tribe likely also has jurisdiction. |
| Non-Indian | Indian | Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S. | State Law is assimilated. |
| Non-Indian | Indian | Not listed in Major Crimes Act | Federal government and tribe have jurisdiction. |
| Non-Indian | Indian | Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S. | State law is assimilated under 18 USC 13. |
| Indian | Indian | Listed in Major Crimes Act | Federal government has jurisdiction, state does not. Tribe likely also has jurisdiction. |
| Indian | Indian | Not defined/punished by federal law applicable in the special maritime and territorial jurisdiction of U.S. | State law is assimilated. |
| Indian | Indian | Not listed in Major Crimes Act | Tribal jurisdiction is exclusive. |

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

| If the VICTIM is | If the Perpetrator is | If the Crime was.... | Then Jurisdiction goes to... |
|------------------|-----------------------|------------------------------|--|
| Non-Indian | Non-Indian | Not Applicable | State |
| Indian | Non-Indian | Committed in Mandatory state | State has jurisdiction. |
| Indian | Non-Indian | Committed in Option state | State and federal government have jurisdiction. No tribal jurisdiction. |
| Non-Indian | Indian | Committed in Mandatory state | State has jurisdiction exclusive of federal government, but not necessarily the tribe. |
| Non-Indian | Indian | Committed in Option state | State has concurrent jurisdiction with the federal courts. |
| Indian | Indian | Committed in Mandatory State | State has jurisdiction exclusive of federal government, but not necessarily the tribe. |
| Indian | Indian | Committed in Option State | 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. |

| If the VICTIM is | If the Perpetrator is | If the Crime was.... | Then Jurisdiction goes to... |
|------------------|-----------------------|----------------------|--|
| Non-Indian | Non-Indian | Not Applicable | State has jurisdiction. |
| Indian | Non-Indian | Not Applicable | Unless otherwise expressly provided, (for example in DV), there is concurrent jurisdiction with federal and state courts. Tribe has no jurisdiction. |
| Non-Indian | Indian | Not Applicable | Unless otherwise expressly provided, state has concurrent jurisdiction with federal and tribal courts. |
| Indian | Indian | Not Applicable | State has concurrent jurisdiction with tribal courts for all offenses, and concurrent jurisdiction for those listed in 18 USC 1153. |

Special Criminal Domestic Violence Jurisdiction

| If the VICTIM is | If the Perpetrator is | If the Crime was.... | Then Jurisdiction goes to... |
|------------------|-----------------------|--|---------------------------------|
| Indian | Non-Indian | As defined in VAWA 2013: Dating violence, domestic violence, and criminal violations of protective orders | Tribe |
| Indian | Non-Indian | 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 | Start at beginning of document. |
| Indian | Indian | Not Applicable | Start at beginning of document |



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 licensed 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.

Source:

<https://www.justice.gov/usam/criminal-resource-manual-689-jurisdictional-summary>





Treaty Law and Supreme Court Precedent

- VAWA (2022)
- Tribal Law and Order Act (2010)
- VAWA (1994, 2005, 2013)

Oliphant v. Suquamish (1978) SCOTUS eliminated Tribes of their inherent jurisdiction to prosecute non-Natives for crimes committed on tribal lands.

- ICWA (1978)
- ICRA (1968)
- Public Law 280 (1953)
- Major Crimes Act (1885)
- US Constitution (1789)



Statistics

- **97% of AI/AN women and 90% of AI/AN men experience this violence at the hands of interracial partners.**
- 83% have experienced violence in their lifetime
- 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.

The federal government declines to prosecute 75% of sexual assault cases in Indian Country.

A Path Toward Justice



When Justice Is Denied

In 1994, law enforcement came and took photos of her injuries, Lisa couldn't put a name or face to her rapist. She experienced a memory block of the trauma and didn't recognize him.

Rosebud Tribal investigators explained that even though there was a DNA match from the rape kit, **federal prosecutors declined to prosecute because “the perpetrator did not use a weapon.”**

More than a decade later she attended the signing of the Tribal Law and Order Act (July 2010)

Read Lisa's
Story Here



The 2010 Tribal Law and Order Act (TLOA) decreased violence against Native American and Alaska Natives by:

- Providing standardized sexual assault policies and protocols at IHS facilities.
- Expanding training of tribal enforcement officers to ensure victims of domestic and sexual violence are met by authorities who would understand their cases.
- Mandating reporting when federal prosecutors declined to prosecute.

Tribal Law And Order Act July 2010




“They had to give reasons for not prosecuting cases - something they never had to do before. Accountability for your actions is important - even for federal prosecutors.”

~ Lori Jump, CEO StrongHearts Native Helpline

SCOTUS upheld the Indian Child Welfare Act of 1978

"Native American Tribes have come to this Court seeking justice only to leave with bowed heads and empty hands. But that is not because this Court has no justice to offer them. Our Constitution reserves for the Tribes a place—an enduring place—in the structure of American life. It promises them sovereignty for as long as they wish to keep it."

~ Justice Neil Gorsuch (June 15, 2023)



ICWA was enacted to protect Native children from being removed from their families exemplifying the importance of raising Native children rooted in their culture.

What You Can 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 villages
- ❖ Recognize the implication of "leaving" and the trauma that accompanies the thought



StrongHearts Native Helpline is culturally appropriate for Native Americans and Alaska Natives impacted by domestic and sexual violence.

Advocate training is steeped in Native American culture and tradition.

Advocates provide support and advocacy as well as information and education, crisis intervention, personalized safety planning, referrals to Native-centered service providers, assistance finding health options and crisis centers trained in sexual assault, general information about jurisdiction and legal referrals.

Spread Awareness

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

StrongHearts advocates are available 24/7 for:

- ❖ all victim-survivors and helpers
- ❖ those who are questioning their own behavior.
- ❖ service providers and professionals in the field of domestic and sexual violence.



Follow StrongHearts on
Social Media Platforms
@strongheartsdv on:

Facebook | X | Instagram



**I am releasing
Shame.**



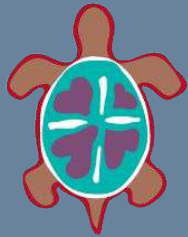
STRONGHEARTS
Native Helpline

Abuse is not okay and is never your fault.

If you are experiencing domestic or sexual violence,
call/text **1-844-7NATIVE** or chat with an advocate at
strongheartshelpline.org 24/7

Serving all individuals who reach out for their services regardless of race, ethnicity, gender, gender identity, age, religion, national origin, sexual orientation, disability, or any other factor protected by local, state, or federal law:

StrongHearts advocates are available 24/7 to provide support and advocacy, make referrals to Native centered service providers and connect our relatives to regionally available resources.



STRONGHEARTS
Native Helpline

Q&A

Call | Text 1-844-7NATIVE | Chat at strongheartshelpline.org

The National Human Trafficking Hotline can be reached at 1-888-373-7888, hearing impaired dial 711, text 233733 SMS text lines and live online chat available 24 hours a day, 7 days a week, 365 days a year.