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USA: Sexual violence against Native American and Alaska Native women

Briefing on Oklahoma, North and South Dakota and Alaska

Amnesty International's report *Maze of Injustice: The failure to protect Indigenous women from sexual violence in the US*, focuses primarily on three regions that pose distinct jurisdictional challenges: Oklahoma, Alaska and Standing Rock Sioux Reservation (North/South Dakota). The report finds that regardless of the location or legal framework, the outcome is the same: many Native women who have experienced sexual violence are denied justice.

Oklahoma

As tribal lands in Oklahoma are non-contiguous and intersected by state land, it can take weeks and even months to establish whether tribal, state and/or federal authorities have jurisdiction over a particular crime.

- AI learned of two Native American women who reportedly were gang-raped by three non-Native men in Oklahoma; however, because the women were forced to wear blindfolds, support workers were concerned that the women would be unable to say whether the rapes took place on federal, state or tribal land and that, because of jurisdictional complexities in Oklahoma, the women may never see justice served.
- According to one service provider: "When an emergency call comes in, [the] sheriff will say, 'but this is Indian land.' Tribal police will show up and say the reverse. Then they just bicker and don't do the job...which means no rape kit, etc."

Standing Rock Sioux Reservation

- The Reservation covers 2.3 million acres in North and South Dakota and is patrolled by Standing Rock Police Department (SRPD). As of February 2006, the under-resourced department consisted of six or seven patrol officers and two investigators.
- There have been times when only one officer was on duty for the entire Reservation. Women often have to wait hours or even days before receiving a response from SRPD, if they receive one at all. Many survivors reported that they had experienced sexual violence several times in their lives at the hands of different perpetrators.
- Some survivors have to travel more than an hour to get to the IHS hospital in Fort Yates, where they may discover that no one on staff can conduct a sexual assault forensic exam. Staff may send

women to a medical facility in Bismarck, 80 miles away – those that make this journey may then face lengthy delays and leave without an exam. If a woman has to go to a non-IHS facility, she may initially be charged for the service. These factors can be a serious barrier to reporting the crime and undergoing a forensic examination.

Alaska

Due to a complex set of laws, state, rather than federal, agencies provide law enforcement. The state has sought to restrict tribes from exercising criminal jurisdiction while at the same time failing to provide adequate law enforcement.

- Alaska ranks number one for rapes in the United States, according to FBI statistics. Alaska Native women also experience high levels of sexual violence in both rural and urban areas. According to one study, between 2000 and 2003, Alaska Native people in Anchorage were 9.7 times more likely to experience sexual assault than others living in the city. Meanwhile, at least one-third of Alaska Native villages that are not accessible by road have no law enforcement presence at all. Alaska Native women may have to pay for an expensive trip to reach a hospital or clinic for a sexual assault forensic examination.

- In one case, an Alaska Native man became violent, beating his wife with a shotgun and barricading himself in a house with four children. As the village had no law enforcement, residents called the State Troopers, located 150 miles away, to report the violence. Troopers had to charter a plane to get to the village; in the four-plus hours it took them to reach the village, the man had raped a 13-year-old Alaska Native girl on a bed with an infant crying beside her and her five-year-old brother and seven-year-old cousin watching. In many cases, response to Alaska village crimes can take days.

From 24 April, the report *Maze of Injustice: The failure to protect Indigenous women from sexual violence in the US*, will be available at: <http://web.amnesty.org/library/Index/ENGAMR510352007>

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