



24th Navajo Nation Council

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Navajo Nation Council delegates continue to fight on behalf of missing and murdered indigenous women

SALT LAKE CITY, Utah – Navajo Nation Council Delegate Nathaniel Brown delivered an address advocating on behalf of missing and murdered Native American women, girls, and LGBT+ people at the Utah Capitol rotunda during Utah American Indian Caucus Day.

The event, planned by the organization Restoring Ancestral Winds, was organized to support HCR 6, which designates May 5th as “Missing and Murdered Indigenous Women, Girls, and LGBT+ Awareness Day.”

HCR 6 notes that “indigenous women face murder rates that are more than 10 times the national average,” and “Utah is ranked 8th and Salt Lake City is ranked 9th nationwide for cases of missing and murdered Native American women, girls, and LGBT+.”

Navajo Nation Council Speaker Seth Damon submitted a letter of support for the bill, which passed unanimously out of the House Law Enforcement and Criminal Justice Committee on February 5th.

Delegate Brown detailed the importance of the resolution as a building block for further action.

“I am glad Utah has taken the first step in recognizing the severity and scope of this issue affecting our Native American women, girls, and LGBT+ people on and off tribal lands. Next, Utah needs to create a task force to address this issue, starting with an analysis of the laws that hinder the investigation and prosecution of perpetrators of violence against these communities.”

In a meeting with Utah Attorney General Sean Reyes, Delegate Brown requested that the attorney general’s office research the decision in the US Supreme Court case *Oliphant v. Suquamish Indian Tribe* and how it impacts the jurisdictional complications in protecting Native American women.

The 1978 decision held that Indian tribal courts do not have inherent criminal jurisdiction to try and to punish non-Indians, and tribal courts may not assume such jurisdiction unless specifically authorized to do so by Congress. The 2013 Violence Against Women Act (VAWA), in addition to clarifying tribes’ authority to issue and enforce civil protection orders against Indians and non-Indians, granted Indian tribes limited criminal jurisdiction over non-Indians for crimes of domestic violence, dating violence, and criminal violations of protection orders, as defined in the act.

Attorney General Reyes responded to Delegate Brown’s request by stating that he would “put some of my best minds on it.”

“We value our relationship...and what I would like to do with my team is look at where we can layer in and provide support.”

Governor Gary Herbert also attended and spoke at the event in the rotunda and later met with Navajo Nation leadership. At the leadership meeting, Delegate Brown asked that the governor research Arizona HB 2570 and look into modeling similar legislation in Utah.

Governor Hebert reflected on the jurisdictional issues concerning violence against Native American women.

“I learned today about assault on Native American women and I can tell you that it’s hard for me to comprehend. The numbers are just stunning. It’s a big deal. I can tell you that I don’t care if somebody’s committing those kinds of heinous crimes against our women – they ought to be held accountable, prosecuted, and locked up. I don’t care whether we do it or you do it. Nobody should be getting out of that without being held accountable at all. I don’t care who they are.”

HB 2570, introduced by Rep. Jennifer Jermaine (D-Chandler), calls for the creation of a study committee on missing and murdered indigenous women and girls. The committee would comprise of manifold levels of state, tribal, and local government and law enforcement agencies, in addition to public organizations that work with Native American women and girls.

According to the text of the bill, the committee would be charged with establishing methods, identifying data, and proposing administrative or legislative actions to “reduce and end violence against indigenous women and girls in this state.”

The Arizona bill is similar to a New Mexico bill introduced on January 17th, HB 278, that seeks “to improve the reporting of and the investigation of missing and murdered indigenous women” via the creation of task force. The bill appropriates \$100,000 for the task force to complete its mission.

Council Delegates Amber Kanazbah Crotty and Nathaniel Brown routinely monitor and advocate on behalf of murdered and missing Native American women, girls, and LGBT+ issues.

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