



# 25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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## **25th Navajo Nation Council unanimously approves legislation to enact the “Navajo Nation Victim’s Rights Act of 2023”**



**PHOTO:** Members of the 25th Navajo Nation Council stand with legislation sponsor Delegate Crotty, showing their unanimous support of Legislation No. 0053-23.

**WINDOW ROCK, Ariz.** – During a special session held on Aug. 25, the 25th Navajo Nation Council unanimously approved Legislation No. 0053-23, which will amend Title 17 of the Navajo Nation Code to enact the Navajo Nation Victim’s Rights Act of 2023 to increase awareness to victims of sexual assault and rape, domestic violence, and other violent assaults, regarding their rights and the protections and support that are available to them and their families as they await justice.

The historic bill, sponsored by Council Delegate Amber Kanazbah Crotty (Beclabito, Cove, Gadi’i’áhi/To’Koi, Red Valley, Tooh Haltsooi, Toadlena/Two Grey Hills, Tsé ałnáoz’t’í’í), marks the culmination of years of work among victims’ advocates, victims of crimes, law enforcement officers, the Law and Order Committee, the Naabik’iyati’ Committee Sexual Assault and Prevention Work Group, Navajo Nation Department of Justice and Chief Prosecutor, Coalition to Stop Violence Against Native Women, Restoring Ancestral Winds, Southwest Indigenous Women’s Coalition, Department of Social Services’ Family Harmony Program, Victim Services of Northern Arizona, and the Utah Navajo Health System’s victim advocates.

“This is a strong starting point to show the victims and their loved ones that we hear their voices, that we understand their concerns, and that we care as lawmakers and members of the communities in which these crimes are committed. We stand with the victims, families, and advocates who have fought for these amendments to our laws for far too long. As leaders, we have to continue to do more to provide support for our people and to ensure that resources are available to enact and enforce these provisions,” said Delegate Crotty.

If the legislation is signed into law by the Navajo Nation President, the new language will clearly define the meaning of a “victim” and “advocate.” The amended language will also clarify what “without consent” means in relation to sexual assault and rape crimes, which has created barriers for many victims and families.

In addition, the new language also spells out the rights of victims of sexual assault and rape, domestic violence, and other violent assaults including:

- To be protected from an accused perpetrator by requiring a separate waiting area or other safeguards to minimize the victim’s contact with a defendant, defendant’s relatives, and defense witness(es) during court proceedings.
- To participate in the criminal justice system by being present and heard, which includes proceedings involving release, plea, sentencing, or any parole proceeding.
- To confer with the prosecution after the crime against the victim(s) has been charged, before the trial or before any disposition of the case and to be informed of the disposition.
- To be provided information about the sentencing and imprisonment of the accused perpetrator, and to read pre-sentence reports relating to the crime against the victims at the time such reports are available to the defendant(s).
- To provide a victim impact statement to the court, which the court is required to consider in making sentencing determinations and restoring k’é.
- To be notified of a perpetrator’s or the accused’s release not less than 24 hours prior to such release.
- To be timely notified of court proceedings.
- To be notified within less than 48 hours of the crime being reported of their rights and be provided information relating to how the case will move forward and the services that are available to the victim.
- To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim’s loss or injury, and have restitution orders enforced.
- To be free of intimidation, harassment, abuse, and uninitiated contact from the accused or individuals in close relation to the accused.
- To request and utilize the services of an interpreter or translator if needed.
- To the presumption of the imposition of pre-trial release conditions in favor of protecting a victim, including but not limited to, a stay-away order.

“I extend my appreciation to Delegate Crotty and all of the members of the Navajo Nation Council, as well as our Nation’s attorneys, police officers, advocates, and most importantly the victims and their families for helping to develop this important legislation. This is a critical step in the fight to provide more support and resources for our Navajo people, who are victimized and awaiting justice and healing,” said 25th Navajo Nation Council Speaker Crystalyne Curley.

The legislation tasks the Navajo Nation Office of the Prosecutor, the Department of Corrections, and the Police Department to implement protocols and policies to implement the new requirements.

The 25th Navajo Nation Council approved the legislation with a vote of 16-0. Once the resolution is delivered to the Office of the President and Vice President, Navajo Nation President Buu Nygren will have 10 days to consider the resolution.

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