

Identity

Lawmakers Are Finally Addressing the Epidemic of Violence Against Native Women

By Kimberly Lawson

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Savanna LaFontaine-Greywind was eight months pregnant when she was reported missing in August by her family. The 22-year-old Native woman, who grew up on an Indian reservation in North Dakota, was last seen going upstairs to help a neighbor in her apartment building with a sewing project. Less than a week later, her newborn baby girl was found in that apartment; LaFontaine-Greywind's body wouldn't be discovered (in a nearby river, wrapped in plastic) until a few days later.

The neighbor and her husband have since been charged with conspiracy to commit murder. But many have criticized law enforcement for initially taking too long to act. According to one local media outlet, police didn't execute a search warrant at the upstairs apartment where LaFontaine-Greywind was last seen until five days after her disappearance. "I felt like they just had no care," her mother told *The Forum*. "They told me they did their job."

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New Blood

LaFontaine-Greywind's case is just another example of the epidemic of indigenous women being murdered or going missing at outstanding rates.

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Indian and Alaska Native women, or 84 percent, have experienced violence. Overall, that translates to more than 1.5 million women who have experienced violence in their lifetime.

Last month, the United Tribes of North Dakota (UTND) issued a letter calling on state lawmakers to take action after LaFontaine-Greywind's death—not only for her family but for all the Native families who have lost women to violence, and whose disappearances or murders were left unsolved. In part, the letter read: “The murder of Savanna illustrates a much larger problem of epic proportions.”

On October 5, North Dakota Sen. Heidi Heitkamp introduced Savanna's Act to address this horrific epidemic. The bill aims to improve tribal access to federal crime information databases; pave the way for tribes to be able to get crime information on the state, regional, and local levels by requiring federal officials solicit recommendations from Tribes; create better protocols for responding to cases of missing and murdered Native Americans; and improve data collection and dissemination for this crisis.

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“We need law and order on Indian Country to be a top priority for the federal government,” Heitkamp said in an interview with the *Bismarck-Tribune*. “They have a unique obligation to perform those functions.”

Amy Casselman-Hontalas is the author of *Injustice in Indian Country: Jurisdiction, American Law, and Sexual Violence Against Native Women*. She tells Broadly that Savanna's act is “a step in the right direction,” and applauds the fact that it's bringing more visibility to what she calls “one of the biggest public health crises in America.”

She also commends Heitkamp for taking into consideration “what tribal leaders and what Native communities themselves actually articulate in terms of what works best for their communities,” especially in light of the “long history of the United States, when they try to ‘help’ native people, just deciding what they think is best for them and then passing their laws without their input.”

That said, Casselman-Hontalas argues that an increased federal oversight in Indian country hardly addresses the root issue for why these rates of violence against Native women are so high. “What I argue in my book, and I think what the consensus is among many people who study this issue from an indigenous perspective, is that before European contact, violence against Native women was basically unheard of. Now it’s 500 years later, it’s the number one threat to the lives of many women in Indian country. The difference is the presence of Euro-American colonialism.”

The problem, Casselman-Hontalas says, is the 1978 US Supreme Court case *Oliphant v. Suquamish* prohibits tribal communities from prosecuting most non-Native offenders. According to the National Institute of Justice, the majority of Native victims have experienced violence “at the hands of at least one interracial perpetrator in their lifetime — 97 percent of female victims and 90 percent of male victims.”

“If you still disallow a community from having a meaningful role in protecting itself from people who come in and hurt its members, if you still can’t allow folks to have that very basic tenet of local control that is afforded to literally every other non-Native community in this country, ultimately, you’re not going to be able to solve this,” Casselman-Hontalas says.

In the long run, she continues, the solution to this crisis needs to be reinvesting in Native sovereignty. Tribes need to be able to arrest the people who are coming into their communities and hurting their members, she says. “Every local community has that in America. I live in San Francisco. I don’t call the FBI if

somebody breaks into my house. I call local police, who are the most capable of handling it.”

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