



Resolution of the NATIONAL NATIVE AMERICAN BAR ASSOCIATION

RESOLUTION # 2015-2

TITLE: To Support Implementation of the Task Force on American Indian and Alaska Native Children Exposed to Violence Report

WHEREAS, the National Native American Bar Association (“NNABA”) works to promote issues important to the Native American community and to improve professional opportunities for Native American lawyers, we do hereby establish and submit the following resolution; and

WHEREAS, NNABA was founded in 1973 and serves as the national association for Native American attorneys, judges, law professors and law students, and NNABA strives to be a leader on social, cultural, political and legal issues affecting American Indians, Alaska Natives, and Native Hawaiians; and

WHEREAS, NNABA has long supported the governmental sovereignty of all independent Native tribal governments in the United States, including their ability to ensure the safety and protection of their Native youth; and

WHEREAS, American Indian and Alaska Native children currently suffer exposure to violence at rates higher than any other race in the United States, including experiencing posttraumatic stress disorder at the same rate as veterans returning from Iraq and Afghanistan; and

WHEREAS, domestic violence, physical abuse, sexual abuse, and neglect of American Indian/Alaska Native children is more common than in the general population; and

WHEREAS, American Indian/Alaska Native youth commit suicide at more than three times the national average, with suicide being the second leading cause of death among American Indian/Alaska Native youth ages ten to twenty-four; and

WHEREAS, current legal and financial barriers prevent tribes from healing and protecting their children, and instead re-traumatize children; and



WHEREAS, tribal justice systems and tribal child welfare systems suffer from inconsistent and unequal federal funding compared to their state counterparts, including the perpetual failure for Congress to fund the Indian Tribal Justice Act of 1993; and

WHEREAS, Native youth are disproportionately incarcerated in the federal system to the extent that between 1999 and 2008, 43-60 percent of juveniles held in federal custody were American Indians; and

WHEREAS, Attorney General Eric Holder established an Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, which in November 2014, subsequent to four hearings and multiple listening sessions, issued a report: *Ending Violence so Children Can Thrive*; and

WHEREAS, that report included fifty-nine recommendations, which while touching upon various topics including jurisdiction, Alaska Natives, ICWA compliance, intergovernmental cooperation, training on trauma and cultural appropriateness, and juvenile justice, form a collection of necessary actions required to properly enable Native nations to properly treat and heal their Native youth; and

WHEREAS, specific among those recommendations is the recommendation that Congress should restore the inherent authority of tribes to assert full criminal jurisdiction over all persons who commit crimes against Native children in Indian country; and

WHEREAS, specific among those recommendations are the recommendations that Congress and the executive branch should direct sufficient funds to bring tribal funding for criminal and civil justice systems and child protection services into parity with the rest of the country, and that competitive grant-based funding should be replaced recurring base funding; and

NOW THEREFORE BE IT RESOLVED, that the National Native American Bar Association calls upon the President and Congress of the United States, as well as tribal, state, and local governments to promptly implement all fifty-nine of the Task Force on American Indian/Alaska Native Children Exposed to Violence Report recommendations.



NATIONAL
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BAR ASSOCIATION

CERTIFICATION

The foregoing resolution was adopted by the Board of the National Native American Bar Association, on January 11, 2015, with a quorum present.

Mary Smith

Mary L. Smith, President