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*Emmonak Tribal Council*

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**Violence Against Women Act Annual 2013 Consultation  
Written Testimony  
Submitted by**

**Lenora Hootch  
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Village of Emmonak, Alaska**

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Washington, DC

The Village of Emmonak is grateful for the opportunity to provide written testimony on the systematic barriers that continue to plague Alaska Native Women living, working and raising their children in the villages of Alaska. The safety of our Alaska Native Women is of utmost importance and I regret that I could not attend the Tribal Consultation on November 14, 2013, in Washington, D.C. My travel was constrained by budget limits and inadequate Tribal Consultation notice. In lieu of an in-person statement, please accept this written testimony and recommendations on behalf of the Village of Emmonak.

**The Alaska Native Village of Emmonak Efforts to Increase the Safety of Yup'ik Women**

My name is Nugange, my English name is Lenora "Lynn" Hootch, and I am Yup'ik Eskimo from the Village of Emmonak. I have lived in my Native village my entire life and am a mother of five children and six grandchildren. I have been actively involved in my community and tribal government, where I currently serve on the Emmonak Tribal Council. I am also an active member of the local church's Parish Council and have previously served as a City Council Member, Village Vice Mayor and Advisory School Board Member.

Over the last 35 years, I have dedicated my life to working within Emmonak, surrounding villages, the state and allies in the lower 48 to uphold Yup'ik values, customs and traditions in advocating for an end to violence against Alaska Native Women. I am a founder and former Director of the Emmonak Women's Shelter, the only Native village based shelter in Alaska operating since 1979. Concerned village members and volunteers like myself established the shelter - the second oldest known Native Woman's shelter in the United States - because we saw a critical need to provide safety for women and their children victimized by domestic violence, sexual assault and other forms of abuse. We opened the shelter to provide emergency shelter and assistance to victims and have helped women from all over the state for over 30 years more often than not on a volunteer basis and without funding.

The Village of Emmonak is a Yup'ik Eskimo Village with a population of approximately 1200 enrolled tribal members. Emmonak is located in southwestern Alaska, approximately 200 air miles northwest of Bethel, Alaska and 490 air miles northwest of Anchorage, Alaska. There

are no road systems in the entire region – the river is our highway. Our primary mode of transportation includes boats during the summer months and snow machines during the winter months. Winter trails connect villages by snow machine unless extreme winter weather makes travelling impossible. Depending upon the weather, entry into and out of the villages may be severely restricted for days or even weeks.

In addition to serving Emmonak (which is located in the Wade Hampton region), the shelter provides services to thirteen federally recognized Yup'ik tribes/villages: Alakanuk, Chevak, Emmonak, Hooper Bay, Kotlik, Marshall, Mountain Village, Nunam Iqua, Pilot Station, Pitkas Point, Russian Mission, St. Mary's, and Scammon Bay. The Wade Hampton region has approximately 7,800 residents and most residents are Yup'ik Eskimos. The villages are geographically isolated from each other and accessible only by air or water, weather permitting.

I realize I have spent much of my life focusing on violence-related issues. Like so many other women now involved in this movement and our mothers before us, we really have no choice. Domestic violence, rape, suicide and now sex trafficking is threatening the future of our people and villages. Our people are living daily in peril.

### **VAWA Tribal Consultation Mandate**

Title IX, Section 903 of VAWA 2005 recognizes the importance of government-to-government consultation. As a sovereign entity, Emmonak is responsible for the safety and protection of its members and residents. Emmonak continues to experience escalated rates of violence and recognizes that successful accountability and prevention measures and protections must be executed through government consultation that upholds Emmonak's traditional governance and culture. Unfortunately, while VAWA has created many changes, most still have not reached our Alaska Native villages here in the Wade Hampton region or across the State of Alaska. Since this is the case, Emmonak will focus our testimony on the greatest challenges and barriers impacting the safety of Alaska Native Women in our Yup'ik Villages including:

- VAWA consultation process,
- lack of resources,
- lack of meaningful access to OVW and Administrative Staff,
- inadequate state law enforcement response issues,
- the lack of immediate response to sexual assault, and
- Section 910, the Special Rule for the State of Alaska.

We will also provide our responses to the 2013 annual consultation framing papers that are relevant to our Village and region.

### **Annual Consultation**

Tribal leaders, especially those of us traveling from remote areas of Alaska, require adequate time to schedule our attendance at the annual consultation. Additionally, adequate time is needed to meet with our various village departments and prepare statements of concerns and recommendations. Without adequate time to schedule and prepare to attend the annual

consultation it is extremely difficult for anyone to attend. While we appreciate that the Department of Justice also has scheduling conflicts we must again ask for adequate notice and time to attend. VAWA 2013 now requires USDOJ to provide 120 days notice to Indian tribes of the date, time and location of consultation. We ask that the OJVW and USDOJ in scheduling the 2014 VAWA consultation give priority to scheduling the dates now so that all the government contract requirements can be met.

**Recommendations:**

1. Comply with VAWA 2013 requirement of 120 days notice to Indian tribes of the consultation date, time, and location of consultation.
2. Plan the annual consultation one year in advance in coordination and consultation with Alaska Native Tribes to ensure meaningful tribal leadership participation and to avoid conflicts with subsistence gathering seasons.
3. Extend the consultation time by one additional day (after consulting and coordinating with Alaska Tribes) if the time allocated to tribal leaders to express their statements, concerns and questions is insufficient.
4. Require the USDOJ to develop an action plan that addresses concerns and recommendations of tribal leaders and further make it available to Alaska Tribes within 90 days of the consultation.
5. Conduct and fund separate, annual coordinated consultations in the State of Alaska with Alaska Native Tribes (ensuring tribal leadership representation from each region) and federal agencies tasked with the responsibility of responding to violence against women, including but not limited to the U.S. Department of Justice, the Bureau of Indian Affairs, the Indian Health Service, the Department of Health and Human Services and the Office of Justice Programs.

**Adequate and Equitable Funding:  
Support for Changing the Tribal Government Program  
from a Competitive to an Annual Formula Based Program**

Since my journey began working and helping women in rural, remote Alaska villages, I have seen and listened to countless stories filled with so much pain and have heard the crying voices of our Native women, our sisters, our aunts, grandmothers and children, often with nowhere to go for safety. In reality, there is no safe place in the villages to go, except to local churches (if doors are left open), inside willow trees, in steam baths and/or fish smoke houses (caches). There are no readily available resources and many women and children have no reliable police protection. We cannot simply get into a car and drive away - we run, many times with five children with us as we hide under our homes in the dark, cold, winter months. Sometimes, if we're lucky, we might see a porch door open and we run inside the house, not knowing whom the house belongs to or whether someone is home...this we do to keep ourselves alive.

Given the dangerously high rate of domestic and sexual violence committed against Alaska Native Women, an equitable set aside of Federal and state resources is required for Alaska Native tribes to develop, implement and sustain local, culturally relevant solutions to effectively, immediately and comprehensively address the health, safety and welfare of village residents.

Historically, the federal government and the State of Alaska have not allocated resources to Alaska Native tribes, including the Village of Emmonak. In fact, both governments have supported laws, policies, and practices that have limited Alaska Tribal government's authority to protect and ensure the health and well being of our members and citizens, thus creating an extremely dangerous environment for Alaska Native Women who are continually targeted for violence, specifically domestic violence, sexual assault, stalking, dating violence and sex trafficking.

For all of the above reasons we support and strongly recommend that the OVW Tribal Government Grant Program be changed to a non-competitive annual formula based program. Funding to Indian tribes should not be on a competitive basis because it is the responsibility of the federal government to assist all Indian tribes, not just some Indian tribes. Emmonak and other Yup'ik villages in this region have received few or for most, have never received a grant under the Tribal Government program. The change from an annual to a formula program will:

- Allow Alaska Native villages to finally receive a grant under this program to effectively address the extremely high rates of violence committed against Alaska Native women;
- End the unfair grant process that is based on the English language and ignores the reality that 95% of our village population is Yup'ik speaking;
- End the unfair grant award process that applies a western approach in the grant application and administration process rather than allowing us to use the funds based on our Yup'ik beliefs and culture to increase the safety of Native women;
- End the peer review process that is not based in an understanding or relationship to Yup'ik villages or possible any one of the Alaska Native populations.

There are many reasons to support the formula based program but most importantly Alaska Native villages need resources immediately to save lives and assist women now. A competitive process that awards grants based on an application that has little or nothing to do with Alaska Native women or villages must end. For villages in our region that have never received a grant or will never have a grant writer, an award of \$100,000 on an annual basis will make a tremendous difference in the lives of Alaska Native women.

**Recommendation:**

1. Allocate separate annual, non-competitive funding to Alaska Native Tribes for life-saving services, including but not limited to, law enforcement, advocacy, community outreach & education efforts, shelter and direct victim services, village initiatives, sexual assault forensic examinations in rural villages, and Native designed/operated batterer re-education services.
2. Recognize and respect the traditional culture and values and allow the Village of Emmonak and other Alaska Tribal recipients of funding to expend funds on food and beverages at OVW funded meetings and conferences as previously allowed.
3. Through the U.S. Department of Health and Human Services Administration on Children, Youth and Families, Family Violence Prevention and Services Act Office, work closely with the Yup'ik Women's Coalition and other long time Native women advocates to support the creation and provide continued funding and support for an

Alaska Native Resource Center to Increase the Safety of Native Women, as identified in the Reauthorization of 2010.

4. Ensure that the appropriate training and technical assistance being administered have expertise in working with Alaska Native Tribes and villages and includes the complexities of Alaska Native issues and jurisdiction in the training and TA curriculum.
5. Establish a permanent tribal set-aside within the Victims of Crime Act (VOCA) to help tribes, including Alaska Native tribes, develop and maintain services for Native Women victimized by domestic and sexual violence. Currently, there is no dedicated tribal funding stream under VOCA, which is unacceptable and requires immediate attention given the epidemic rates of violence occurring against Alaska Native Women. An "above the cap" amount for tribes would go far in reducing the current disparity in the allocation of VOCA funds.

### **Adequate Law Enforcement Response**

For too long, there has been an absence of an adequate law enforcement presence and response including the lack of a comprehensive systemic infrastructure to address safety, accountability, prevention, and healing/recovery issues stemming from domestic/sexual violence incidences in Alaska's villages. In addition, the State of Alaska has failed in its responsibility to provide adequate law enforcement and judicial services to Alaska Natives in rural Alaska, including the Village of Emmonak. These facts have created the dangerous reality that frequently the only people standing between women in need of protection from batterers or rapists is the local community. Consequently, the life of a woman depends largely on the local community's ability to provide immediate protection and assistance. The development of this local resource for a serious local problem is the only assurance that women, and often times their children, in rural Alaska are provided the basic human right to safety. Villages without law enforcement must rely on the Alaska State Troopers, which pose numerous challenges and barriers to an adequate and timely law enforcement response.

#### **Recommendations:**

1. Recognize that Alaska Native villages are able to design and carry out local, culturally relevant solutions to address the lack of law enforcement in villages.
2. Provide training and funding for Village Police Officers and Village Public Safety Officers who serve as the immediate responders to crimes occurring within Alaska Native Villages.
3. Work closely with Alaska Natives and Villages to address habitual/serial offenders of domestic and sexual violence who continue to walk free among the villages.

### **Meaningful Access to OVW Program and Administrative Staff**

The remote location of the Village of Emmonak and other off-road remote villages often hinders consistent Internet and/or phone services, which results in considerable communication issues with the OVW Office and administrative support staff. Additionally, the four (4) hour time difference between Washington, DC and Alaska restricts the time the OVW Office is available to Alaska Native grantees. As a result, OVW is available only 50% of the day or week placing Alaska grantees at a disparity from other grantees in the lower 48. These issues impact fundamental daily operations including FAQ's, grant application submissions,

critical deadlines or related issues, especially during inclement weather. Lastly, at previous consultations, the importance of full staffing of the tribal unit has been raised with little or no changes to date. The lack of adequate staffing of the tribal unit jeopardizes the successful implementation of OVW projects by all tribal grantees. Given the unique and complex issues involving Emmonak and other villages, the unit must be supported in a meaningful way with an adequate fully-trained staffing level.

#### **Outstanding Recommendations:**

1. Establish a regional office in Alaska staffed by personnel with demonstrated expertise on issues unique to Alaska Native Villages to effectively address the high rates of violence that is being perpetrated against Alaska Native women.
2. Require OVW staff to receive basic training on VAWA, federal Indian law, current Presidential orders with regard to Indian tribes, and application of VAWA federal crimes and grant programs to Indian tribes and Alaska Native Villages.
3. Establish and adequately fund a mandatory threshold for the day-to-day staffing level of the tribal unit.
4. Develop a policy granting extensions of time for submission of grant funding applications when unforeseen and inclement weather significantly impacts Internet, facsimile (fax), and telephone services.

#### **Increased Efforts to Address Sexual Assault of Alaska Native Women Support for a Tribal Sexual Assault Services Program (Tribal SASP)**

Alaska has the highest sexual assault rate in the country and the rate of violence against Alaska Native women is more than double that of any other population of women. In this context, we highlight the stark absence of sexual assault services, including funding specific to Alaska Native women. Given the high rate and severity of sexual violence against Alaska Native women, including in Emmonak, it is critically important that OVW launch a long-term plan (in consultation with Alaska Native Villages) to address the current crisis. While sexual assault occurs in all communities, the stark reality is that the overwhelming crisis facing Alaska Native women should not and cannot continue to be ignored.

With little to no resources being administered in Alaska's villages for epidemic rates of sexual violence, we strongly recommend that the FY 2014 Tribal Sexual Assault Services Program Solicitation Proposal remain a separate tribal solicitation, *not* to be combined with the Sexual Assault Services Culturally Specific Program (SAS CSP). Indian Tribes as sovereign nations must not be confused with culturally specific groups or programs. The federal government has a responsibility to assist Indian Tribes in addressing barriers to safety for Native women and one outstanding barrier that remains is a lack of resources for sexual assault services in Alaska Native Villages.

#### **Outstanding Recommendations**

1. Develop specific programming and technical assistance including village Sexual Assault Response Teams (SART) to assist Alaska Native Villages and service providers in responding to sexual assault.
2. Convene and launch a long-term initiative to increase awareness of and address the high rates of sexual assault against Alaska Native women within Alaska.

3. Allocate funding and culturally appropriate resources for Alaska Native women.
4. Amend the IHS policy to provide sexual assault training for health aides in Alaska Native Villages. Currently, the only medical center providing sexual assault forensic exams is the Alaska Native Medical Center located in Anchorage, Alaska, which is located hundreds of miles away from remote villages.
5. Provide adequate funding for Village Police Officers and Village Public Safety Officers to receive appropriate training regarding sexual assault including interviewing the victim, obtaining and securing evidence, documenting injuries, and other important procedures.

### **Outstanding Concerns and Recommendations Regarding Increased Access to Services by Addressing Language Accessibility**

Alaska Natives, including the Village of Emmonak, typically speak our Native languages and understand our culture, which we will continue to do so. Unfortunately, in many instances, State employees and urban service providers do not have Alaska Native language interpreters on staff. The ability to effectively communicate about an assault to an intake worker or service provider is essential to a woman following a domestic or sexual assault. The absence of interpreters or advocates versed in the respective Alaska Native languages and culture negatively impacts the immediate response to the reported violence or need for protection and/or support services.

#### **Recommendation:**

1. Require grantees in Alaska that receive VAWA funding to hire or have available staff who are Alaska Native and speak the language and understand the culture of the population of Alaska Native women to be served.
2. Consult with Alaska Native grantees about revising the application process to ensure fairness towards Alaska Native speaking applications in the grant application / award process. Take into consideration in the grant application process for Alaska Native grantees that often their primary language is Native based.

### **Section 910. Special Rule for the State of Alaska**

When President Obama reauthorized the Violence Against Women Act of 2013, I was struck with many emotions; I was happy, sad and confused. I was happy and celebrated with our Native sisters in the lower 48 for the justice they were able to achieve via the tribal provisions affirming the inherent sovereignty of tribes over Non-Indians involving certain acts of domestic violence. However, sadness and confusion came over me regarding the "Special Rule for the State of Alaska." I could not and still cannot fathom why Alaska Native women are not afforded the same human and legal rights as women are in the lower 48.

As a result of the rule, the Village of Emmonak and the majority of Alaska Tribes (with the exception of the Metlakatla Indian Community) are not able to provide adequate protections for our women within our villages. Furthermore, the special rule not only ignores but also exacerbates an already existing crisis occurring throughout the state of Alaska and within Alaska Native Villages. Section 910 serves as yet another example of the incredible obstacles/barriers that Alaska Native Villages continue to face concerning the safety for

Alaska Native women. Alaska Native women are no less deserving of justice and protection therefore, it is for these reasons and many more that we strongly recommend the repeal of Section 910.

### Closing Summary

In closing, I would like to share some final thoughts and stories with you from survivors in the area. These are but a few of the countless tragic stories that I am aware of, however many stories have been buried with victims because their stories remain untold. Tragic events include:

- weeping children found near their mothers as a result of extremely violent and sometimes fatal attacks of domestic violence;
- women repeatedly raped by numerous men at one time;
- elderly mothers suffering at the hands of domestic violence from their husbands;
- extreme cases of violence occurring within the youth population at the Villages; and
- mothers hiding along with her children near the river and trees for safety, often during the cold, winter months.

When these victims first tried sharing their stories, only their mouths moved. I could not hear their words; I only saw tears streaming from their eyes.

Thank you for taking the time to listen to our concerns, the voices and cries of our people and for considering our recommendations. The Village of Emmonak looks forward to working with our allies on a national and international level to strengthen tribal sovereignty and increase the safety of Native Women in Emmonak and across the state of Alaska. In addition, we support building alliances to enhance and promote the voice of Alaska Native survivors, advocates and tribal leaders at the Village, State and Federal levels. By working together we stand stronger in our advocacy efforts for equal access to justice, local village based solutions to local village problems, and access to services and advocacy designed by and for Native women.

Quayana Cak'naq,



Lenora "Lynn" Hootch  
Member, Emmonak Tribal Council