



Waboosh- Rabbit by artist Christine Stark

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## National Workgroup on Safe Housing for American Indian and Alaska Native Survivors of Gender-Based Violence: Lessons Learned

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## Introduction

The National Indigenous Women’s Resource Center, the Alaska Native Women’s Resource Center and the National Resource Center on Domestic Violence convened a meeting in Phoenix, Arizona on June 4-5, 2019 to establish a National Workgroup on Safe Housing for American Indian and Alaska Native (AI/AN) Survivors of Gender-Based Violence. The goal of this Workgroup was to bring together experts from Indian country who work in the fields of gender-based violence and housing to develop policy and create concrete recommendations for technical assistance, resources and other supports for the sole purpose of increasing the availability of safe, affordable, accessible and sustainable housing for AI/AN survivors of gender-based violence.

*“ All that we are is story. From the moment we are born to the time we continue on our spirit journey, we are involved in the creation of the story of our time here. It is what we arrive with. It is all we leave behind. We are not the things we accumulate. We are not the things we deem important. We are story. All of us. What comes to matter then is the creation of the best possible story we can while we’re here; you, me, us, together. When we can do that and we take the time to share those stories with each other, we get bigger inside, we see each other, we recognize our kinship – we change the world, one story at a time... ”*

- Richard Wagamese

At the core of this convening were essential questions about how we can be good relatives to one another, to our non-human kinship and to the Land. Because if housing stability is going to be fully realized, we have to ask and answer important questions about what it means to have a duty to one another, about what it means to do good work and to be good people. If we start from the framework that we all deserve safety, that we all deserve a place to belong, that we all deserve community, we can start to move forward. If we can believe that housing and shelter are basic human rights, just as they are basic human needs, we can start to see the outlines of what it is that we have to change about our existing framework and about how we have set about doing this work in the past. What the convening showed us, if anything, is that we truly need time to get our arms around these issues, because the actualization of housing stability will require a major shift in how we have approached this issue historically.

The following individuals were active participants in the Workgroup convening on June 4-5, 2019 in Phoenix, Arizona.

<u>Participant</u>	<u>Organization</u>
Billhardt, Kris .....	<a href="#">National Alliance For Safe Housing</a>
Fairbanks, Donna .....	National Native Housing Training Consultant
Hill, Brenda .....	<a href="#">National Indigenous Women’s Resource Center</a>
Hudon, Eileen .....	Independent Consultant
Jerue, Tami .....	<a href="#">Anvik Tribal Council, Alaska Native Women’s Resource Center</a>
Lamb, Sheila .....	Life House
Laporte, Caroline .....	Independent Consultant
Means, Tatewin .....	<a href="#">Thunder Valley Community Development Corporation</a>
Menard, Anne .....	<a href="#">National Resource Center On Domestic Violence</a>
Notario, Heidi .....	<a href="#">National Resource Center On Domestic Violence</a>
Packard, Gwendolyn.....	<a href="#">National Indigenous Women’s Resource Center</a>
Retka, Linda .....	<a href="#">National American Indian Housing Council</a>
Sanchez, Liana .....	Avanyu, Llc
Stark, Christine .....	Independent Consultant
Yazzie Devine, Diana...	<a href="#">Native American Connections</a>

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## I. Historical Relevance

The need for safe, affordable and sustainable housing is a grave concern for AI/AN gender-based violence survivors, the advocates and services who seek to help them, and for their communities who value them. This is especially true considering that domestic violence and sexual assault are the leading causes of homelessness in most communities within the United States.<sup>1</sup> The shelter and housing “crisis” in Indian country and for AI/AN people is nothing new. Housing issues have been present ever since the moment that Indigenous ways of life and tribal communities were destroyed by colonization. A quick study on the eras of federal Indian law and policy make it clear that inhumane practices towards AI/AN peoples and Indian Tribes have historically been the norm and housing is not an exception.

The basic lack of housing for AI/AN peoples is factually the result of massive land theft, systemic removal and other intentional acts across the timeline of the United States’ history. The treatment of AI/AN people, of Indian Tribes with regards to land became statutorily enshrined around 1830, when Congress passed the Indian Removal Act under Andrew Jackson.<sup>2</sup> Between 1832 and 1843, most Eastern Tribes were removed to the West or were forced to live on smaller reservations East.<sup>3</sup>

*“The utmost good faith shall always be observed towards Indians; their land and their property shall never be taken from them without their consent.”*

- *The Northwest Ordinance, 1787*

Between 1887 and 1934, the federal policy towards Indian people was shaped by two efforts: 1) take Indian Lands for settlement by whites and 2) take Indians, specifically children, and assimilate them into white society.<sup>4</sup> As a result, the General Allotment Act (commonly referred to as the Dawes Act) was passed. The overall goal of the Dawes Act was “to extinguish tribal sovereignty, erase reservation boundaries, and force the assimilation of

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<sup>1</sup> Safe Housing Partnerships, The Intersection of Domestic Violence and Homelessness (July 21, 2019), available at [https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic\\_1.pdf](https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic_1.pdf)

<sup>2,3,4</sup> Pevar, S.L. (2012). The Rights of Indians and Tribes. Oxford, NY: Oxford University Press.

Indians into society at large.”<sup>5</sup> In accordance with the Act, the President was authorized to divide “communally held tribal Lands into separate parcels (‘allotments’).”<sup>6</sup> Tribal members were assigned an allotment and a trust was supposed to ensue after a set period of time.<sup>7</sup> The remaining tribal Land was sold to non-Indian farmers.<sup>8</sup> The idea was to satisfy the goals of non-Indian settlers while making Indians white (and thereby eliminating Indian poverty), simply by having them live in close proximity to one another.<sup>9</sup> The act was successful at taking tribal communal Land and transferring it to white colonizers for individual consumption, but it was not at all successful in eliminating Indian Impoverishment, which occurred as a direct result of the policy and treatment of AI/AN people since the first contact between Indians and non-Indians occurred.<sup>10</sup> First, Indians had no desire to become white because they were already Indians. Second, the allotments they received, upon which they were to farm and ranch, were not suitable for agriculture. Due to impoverishment, many Indians were forced to sell their allotments to white colonizers or they lost the land to foreclosures. **Of the nearly 150 million acres of land that Tribes owned in 1887, by the time the Dawes Act was repealed in 1934, less than 50 million acres remained.**<sup>11</sup> My own ancestors lost an 80 acre allotment of land in the Upper Peninsula of Michigan on the East side of Monocle Lake. It is now part of the Hiawatha National Forest.



Thus, the housing crisis in Indian country has to be viewed first as a historical injustice, one that has been utilized as a tool in the ongoing genocide of Indigenous populations. The same is true for the high incidence of gender-based violence in AI/AN populations. The housing crisis and the high rates of violence, lack of adequate resources and criminal justice response to that violence in Indian country and in communities where AI/AN

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<sup>5</sup> County of Yakima v. Confederated Tribes and Bands of Yakima Indian Nation, 502 U.S. 251, 254 (1992).

<sup>6, 7, 8, 9, 10, 11</sup> Pevar, S.L. (2012). The Rights of Indians and Tribes. Oxford, NY: Oxford University Press.

people reside outside of Indian country, cannot be viewed as randomized or even consequential occurrences, but rather as manifestations of a larger goal: the eradication of Indigenous people from their Lands.

The ongoing and historical crisis of Missing and Murdered Indigenous women and girls (MMIW) in the United States is reflective of this crisis.<sup>12</sup> The fact is, MMIW is about more than the law enforcement response or lack of response to violence in Indian country (though those pieces are certainly detrimental). The crux of MMIW is the length of time in which American Indians and Alaska Natives have been continuously devalued, fetishized, dehumanized and discarded, and about how genocide and colonization have informed and served as underpinnings in federal policy. It's about how genocide and colonization were based on the violent thought that Land and bodies could be owned and consumed, and how that mindset has been allowed to fester and grow and cement itself in the general public's attitudes towards Indian people and Indian Tribes for centuries.

MMIW is also a symptom of the culmination of the failures on the part of the federal government to fulfill its trust responsibilities, including the obligation to assist Indian Tribes in safeguarding the lives of Indian women, and its role in historically degrading tribal sovereignty.

There is not enough prioritization around infrastructure or resources

*“When your innocence is stripped from you, when your people are denigrated, when the family you came from is denounced and your tribal ways and rituals are pronounced backward, primitive, savage, you come to see yourself as less than human. That is hell on earth, that sense of unworthiness. That's what they inflicted on us.”*

*- Richard Wagamese, Indian Horse*

for public safety and victim services in Indian country and there are gaps in how the totality of law enforcement operates in tribal and urban communities. Smaller tribal governments have overburdened police departments, little resources, a lot of land to cover and many people to protect and care for. Continued housing instability, or a total lack of shelter and housing options for survivors, exacerbate these issues.

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<sup>12</sup> See <https://www.sovereign-bodies.org/> for additional information on Missing and Murdered Indigenous Women and Girls.

## II. Intersection of Housing and Gender-Based Violence for American Indian and Alaska Native Survivors

The need for safe, affordable, accessible and stable housing is one of the most pressing concerns for American Indian and Alaska Native survivors of gender-based violence. Domestic and sexual violence are leading causes of homelessness for women and children generally.<sup>13</sup> Housing is a basic human right, yet AI/AN survivors of gender-based violence frequently report access, habitability or sustainability issues, leading to layers of vulnerability and increased risk of new or continued victimization. These issues are felt almost universally by the AI/AN population across the housing spectrum.

Just as there are urgent issues for AI/AN survivors of gender-based violence who attempt to access shelters or emergency and transitional housing, the same issues are present with regards to the availability of housing assistance and affordable, habitable, sustainable and stable housing.

Please note that for the purposes of this report, the term AI/AN people includes AI/AN people in Indian country and off reservation. AI/AN people reside in all communities, tribal and non-tribal, urban and rural, and the policy recommendations included at the end of this report would need to be differentiated based on the needs of AI/AN peoples and based on the resources that can be found within our communities. Consultation would also be needed in order to vet these recommendations through tribal leadership, **who are in the best possible position to know and elevate the needs of their Nations.**



<sup>13</sup> Safe Housing Partnerships, The Intersection of Domestic Violence and Homelessness (July 21, 2019), available at [https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic\\_1.pdf](https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic_1.pdf)

The National Institute of Justice (NIJ) through the United States Department of Justice (USDOJ), released a study in May, 2016, which found that American Indian and Alaska Native women experience severe rates of violence in their lifetimes, including:



Of the women who experienced sexual violence, **96% of them were victimized by at least one non-Indian perpetrator.** This cannot be ignored, though it is certainly true that intraracial violence occurs in tribal communities as well. A Center for Disease Control and Prevention (CDC) report issued in 2017 found that non-Hispanic black and American Indian and Alaska Native women experienced the highest rates of homicide (4.4 and 4.3 per 100,000 population, respectively).<sup>15</sup> The CDC report further concluded that there was a strong link between homicide and intimate partner violence, finding that **55.4% of the cases involving American Indians and Alaska Natives were at the hands of an intimate partner.**<sup>16</sup> **38% of these women were killed with a firearm.**<sup>17</sup>

<sup>14</sup> Rosay, A.B. (2016). Violence Against American Indian and Alaska Native Women and Men. NIJ Journal 277:38-45.

<http://nij.gov/journals/277/Pages/violence-against-american-indians-alaska-natives.aspx>.

<sup>15, 16, 17</sup> Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014. MMWR Morb Mortal Wkly Rep 2017;66:741–746. DOI:

<http://dx.doi.org/10.15585/mmwr.mm6628a1External>





# At a Glance: Domestic Violence and Safe Housing for AI/AN Survivors



**<60**

Though there are 574 Federally Recognized Tribes in the U.S., there are less than 60 tribally-created or Native-centered domestic violence shelters.

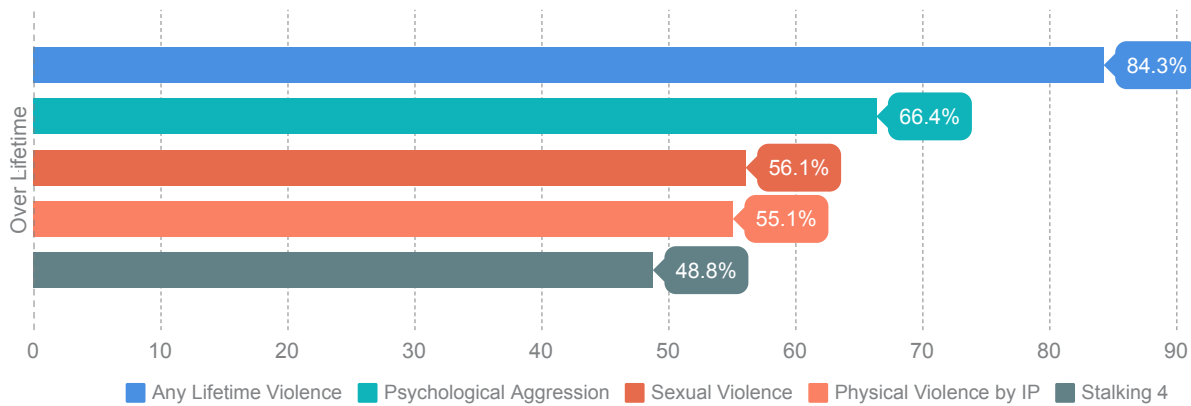
**32%**

The poverty rate for AI/ANs living in tribal areas. The poverty rate for AI/ANs living in metro areas is 22%, and it is 28% in surrounding counties.

**80%**

The rate of unemployment on some reservations. The current unemployment rate of AI/AN is equal to the rate of unemployment during the Great Depression.

Rates of Victimization for AI/AN Women



## Generally in the United States...



50% of the homeless population identify domestic violence as the primary cause

Between 22% and 57% of homeless women report that domestic violence was the immediate cause of the homelessness

92% of homeless women have experienced severe physical or sexual abuse at some point in their lives

63% of homeless women have been victims of domestic violence

38% of domestic violence victims will become homeless at some point in their lives.

1. StrongHearts Native Helpline, Resources One-Pager (January 2020).  
 2. Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native and Native Hawaiian Housing Needs, The Department of Housing and Urban Development (2017): <https://www.huduser.gov/portal/sites/default/files/pdf/HousingNeedsAmerIndians-ExecSumm.pdf>.  
 3. U.S. Commission on Civil Rights. (2018). *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*. Retrieved from: <https://www.usccr.gov/pubs/2018/12-20-Broken-Promises.pdf>  
 4. Rosay, A. B. (2016). Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey. Washington, DC: US Department of Justice.  
 5. The Intersection of Domestic Violence and Homelessness (2017), Safe Housing Partnerships, [https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic\\_1.pdf](https://safehousingpartnerships.org/sites/default/files/2017-05/SHP-Homelessness%20and%20DV%20Infographic_1.pdf)

The link between homelessness and sex trafficking victimization is equally strong and was discussed at the convening extensively. The report *Garden of Truth: The Prostitution and Trafficking of Native Women*, found that **of the 105 women who were prostituted and sex trafficked, 98% of them were either currently experiencing or had experienced homelessness.**<sup>18</sup>

These numbers represent the lived experiences of AI/AN women. They are not simply statistics or talking points. They are real individuals, with real experiences of violence in their lives. It is essential to center their stories, which are lacking in this report. While working group participants brought their many experiences to the table during the convening, hearing valuable anecdotal information from survivors was not the focus of the convening itself. The focus of the convening was to look at systemic issues from a practice and policy lens.

### III. The Convening

The intention of this convening was to bring together advocates from diverse fields, backgrounds, regions and experiences in order to begin thinking about what responsive training and technical assistance could look like at the intersection of housing instability and gender-based violence in Indian country and for off-reservation Indians. The following is a brief discussion regarding the critical conversations that occurred during this meeting. As expected, it was invaluable to bring gender-based violence advocates and housing advocates who both singularly focus their work on assisting AI/AN peoples together to learn from one another in a space that was open, honest and educational.

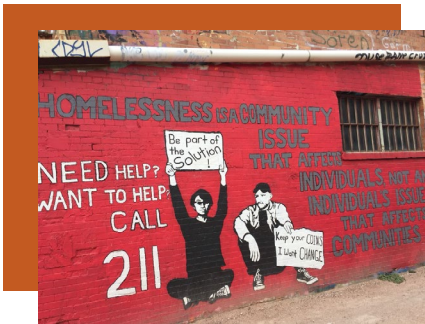


During the convening, the following became clear:

- Domestic violence/sexual assault/stalking/sex trafficking advocates could make exceptional gains in their advocacy efforts with increased interaction and collaboration with public housing advocates/advocates who address housing instability and homelessness;

<sup>18</sup> Farley, M., et al. (2011). *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota*. [www.miwsac.org](http://www.miwsac.org)

- It is essential that public housing authorities/advocates who address homelessness receive training on serving their clients who are experiencing gender-based violence;
- Tribal governments need adequate training on gender-based violence and on the barriers that survivors in their communities face. They need a foundational understanding of how housing intersects with the experience of violence in their communities;
- The gender-based violence field needs education on the development of community projects/housing projects and on how to access and utilize different funding sources, housing projects and models;
- There are a variety of successful housing models that could be utilized to meet survivor needs like permanent supportive housing;
- Participants were in agreement that the multiple silos in place across their respective fields create barriers to effective services;
- Youth-led movements are inherently valuable and create overwhelmingly positive outcomes in Native communities;



- There are certain quick policy fixes, which might improve housing options in the immediate future (for example, allocating Domestic Violence Bonus Funds to supplement Indian Block Grants), but which might not address overall policy goals for the gender-based violence field in Indian country (like the full realization of inherent tribal authority over tribal Lands);

- There are longer term policy goals, which might improve housing options in a sustainable way, and which also might be a disruption to colonial constructs around housing, such as ownership of Land (for example, full recognition of treaty rights or return of Land to Indigenous populations);<sup>19</sup>
- Any solutions must address the whole of the individual survivor, as well as the needs of the community; and
- Traditional ways of living are paramount to actual safety and prevention work.

## A. Ongoing Questions of the Workgroup

<sup>19</sup> It should be noted that not all Tribes are treaty Tribes.

Because the working group was able to begin delving into the many layered issues of housing access, instability and inequality for survivors in AI/AN communities, the convening produced additional questions that need to be explored further. These questions were not resolved by the working group because they are inherently difficult to answer. They also ask us to examine our underlying premises for the ways in which we have traditionally approached this work with our funders. We have to accept that these are the issues that are at hand for all of us, not just for AI/AN advocates and survivors. An illustrative, not exhaustive, list of these questions is provided below:

1. How do you address the tension between the western concept of homeownership and economic stability and the Indigenous understanding and teachings around Land, Earth and our responsibility to her?
2. Why do we displace survivors from their homes and their communities? Why do we displace their sense of belonging and deprioritize their normalcy and stability?
3. How can one instill commitment to safety and security for survivors across the various public housing options found in Indian country/off reservation settings where AI/AN peoples live?
4. How can we incorporate restorative/transformational justice concepts into housing for survivors and still maintain safety and confidentiality?
5. How do we create healthy and safe communities that thrive?
6. When addressing individuals who cause harm, who are often survivors of trauma themselves, how do we maintain that every individual has value and create access to healing while still maintaining accountability?
7. How does permanent supportive housing become a safe and available option for survivors of gender-based violence?



Other questions arose that can be answered with additional time and

funding allocated to continue the work of the group:

8. How do we help advocates have a better understanding of housing as a highly regulated industry?
9. How can we support housing advocates who can navigate the systems in place?

## **B. Core Conversations of the Workgroup**

The workgroup's core conversations centered on the following: The Housing Spectrum, Survivors' Needs, the Trust Responsibility of the Federal Government, Historical Trauma, The Violence Against Women Act, Tribal Housing Codes, The Picture of Poverty and Homelessness in AI/AN Communities, The Need for Culturally Created Resources, The Role of Tribal Government, Alaska Specific Needs, and Creative Ways to Leverage Funding. Only a few of these conversations are outlined in this report and therefore should be viewed only as a sampling.

### **1. Survivors' Needs**

Over the course of the convening, the needs of survivors were repeatedly discussed as stakeholders carefully thought through individual challenges, barriers and concerns that survivors face in their communities. The following list is illustrative and *limited only to the group's experiences*.

Survivors' needs as discussed at the convening:

- Time
- Visibility of AI/AN needs as survivors
- Spaces that promote healing
- Increased housing advocacy
- Supportive and informed tribal leadership
- Appropriate framing of issues
- Culture
- Ceremony
- Meaningful access to their tribal community
- Connection
- Access to places and spaces where basic needs are met. For example, access to a grocery store, childcare, education, basic healthcare services, etc. (on site, like in a planned community)
- To be able to access resources "where they are," regardless of tribal affiliation such as Native therapists, tribally created or Native centered wrap-around service (for example, substance abuse

- services and support that are culturally rooted)
- Spaces that honor and support children, and that provide access to resources necessary for children to thrive and heal
- Spaces that allow pets
- Pre and post-natal care
- Systems in place to be on the same page around survivor centered support and services, this includes any response from the criminal justice system
- Culturally rooted and intentionally crafted support services/ trauma informed wrap-around services
- Legal assistance
- An acknowledgement that violence is occurring in their community
- Accountability (not necessarily a criminal justice response)
- Affordable housing to meet long term needs
- Flexible funding for deposits, utilities and other needs
- Transportation (or funds to get to shelter/work)
- Confidentiality
- Autonomy
- Respect
- Security/Safety
- Services that address the whole of the survivor, not just the experience of violence

The stakeholders at the convening amplified the need for regional listening sessions in order to meet with survivors in their communities to further discuss their needs. This is essential because Indian country is not pan-Indigenous; experiences, needs, culture, and support vary widely.

## **2. The Trust Responsibility of the Federal Government**

An underlying conversation to this work, both in housing and in gender-based violence, is one around the notion of duty. We have to think through larger questions such as:

- What do we, as society, owe to survivors?
- What do we owe to Tribes?
- What do we owe to AI/AN peoples?
- Who is we?
- Is the duty reciprocal? Is it always reciprocal?

Of course, AI/AN peoples believe in a deep relation to one another, to Earth, to our non-human kinship and to our ancestors. In this way, we have a duty to care for those around us as relatives. But for the purposes of this report, it is important to understand what duty is owed to AI/AN people and Indian Tribes, and to whom that duty belongs.

The answer to the latter two questions is settled by long standing United States Supreme Court precedent. The federal government owes a trust responsibility to AI/AN peoples and to Indian Tribes. In fact, one such case states the federal government is obliged under the doctrine of trust responsibility to tribal Nations -- where it, "has changed itself with moral obligations of the highest responsibility and trust,...to the fulfillment of which the national honor has been committed."<sup>20</sup>



This trust relationship originates from the near 400 treaties that the United States government signed with tribal Nations.<sup>21</sup> This relationship is defined in one way as a clear duty "to protect the [N]ative land base and the ability of Tribes to continue their way of life."<sup>22</sup>

The duty established by the trust-responsibility also explicitly covers the response to gender-based violence in tribal communities. VAWA's section 901 includes findings that affirm this in stating, "Congress finds that...the unique legal relationship of the United States to Indian Tribes creates a federal trust responsibility to assist tribal governments in safeguarding the lives of Indian women."<sup>23</sup>

The same reiteration of the trust responsibility appears in the text of the Native American Housing and Self Determination Act (NAHSDA). As a part of its trust responsibilities, the federal government is obligated to provide the necessary resources towards improving housing for American Indians and Alaska Natives.<sup>24</sup>

<sup>20</sup> United States v. Jicarilla Apache Tribe, 131 S. Ct. at 2324, citing Seminole Nation v. United States, 316, U.S. 286, 296-97 (1942) and Heckman v. United States, 224 U.S. 413, 437 (1912)

<sup>21</sup> Cherokee Nation v. Georgia, 30 U.S. 1 (1831), Worcester v. Georgia, 31 U.S. 515 (1832).

<sup>22</sup> M.C. Woods, "Indian Land and the Promise of Native Sovereignty: The Trust Doctrine Revisited," Utah L. Rev. 1471, 1496-97 (1994).

<sup>23</sup> 2005 VAWA § 901 Findings

<sup>24</sup> U.S. Commission on Civil Rights (2018). Broken Promises: Continuing Federal Funding Shortfall for Native Americans. <https://www.usccr.gov/pubs/2018/12-20-Broken-Promises.pdf>

### 3. Historical Trauma

Historical trauma was a part of each conversation during the convening. AI/AN peoples experience historical and intergenerational trauma in addition to the trauma experienced as a result of individual incidents of interpersonal violence. Historical trauma is cumulative emotional, spiritual and psychological wounding over the lifespan and across generations, emanating from massive group trauma.<sup>25</sup> AI/AN peoples are not the only group of people to experience this trauma, however the experience of mass genocide for Indigenous people is ongoing and is not point in time.

Examples of massive group trauma with respect to AI/AN peoples includes, but is not limited to: Indian Boarding Schools, mass removal of children by state child welfare workers, colonization, genocide, forced sterilization of American Indian women by the Indian Health Service, forced removal of American Indians from their Lands, biological warfare, ecological warfare (i.e., the introduction of invasive species), desecration of ancestral remains, attacks on food sovereignty, environmental warfare, physical warfare and continued occupation of Indigenous Lands. The most pervasive example of historical trauma for AI/AN peoples in general is the boarding school era. During the era of Relocation, the federal government focused on “civilizing” Native youth in particular. Indian Boarding schools were part of a federal program which sought to assimilate AI/AN children into dominant white Anglo-Christian society by stripping them of their identity as Indian peoples, by isolating them, by physically abusing them, by sexually abusing them and often times by killing them. **By 1887, the federal government had established over 200 Indian Boarding schools.**<sup>26</sup> Many of these children were forcibly removed from their homes.

““ All of those awful Sister School doings cut her mind. I think she believed that she would break into 1 million pieces if she recalled the traumatic events that held her hostage, forever burned into her amygdala.””

– Mary Annette Pember for *The Atlantic*, writing of her late mother’s boarding school experience

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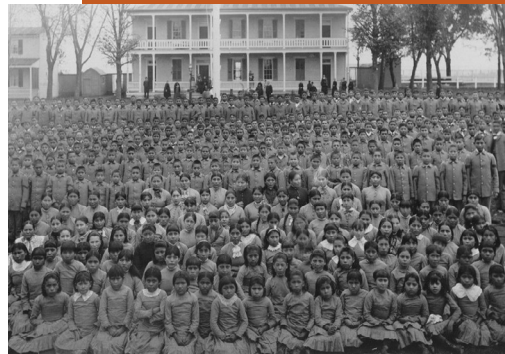
<sup>25</sup> Brave Heart, M. (2003). The Historical Trauma Response Among Natives and its Relationship with Substance Abuse: A Lakota Illustration. *J Psychoactive Drugs*. 35(1): 7-13. doi: 10.1080/02791072.2003.10399988.

<sup>26</sup> Pevar, S.L. (2012). *The Rights of Indians and Tribes*. Oxford, NY: Oxford University Press.



In an effort to “civilize” Native children, those in the employ of Indian Boarding schools refused to allow the children to speak their languages, refused them access to their siblings, cut their hair, gave them Christian names, and did not allow them to practice their traditions, customs or beliefs. They were forced into unpaid labor, required to partake in Anglo-Christian norms and often punished via severe isolationist tactics.

In as much as Tribal Nations’ sovereign powers come from their people, Indian Boarding schools, as an extreme form of state sanctioned violence, are another key example of how tribal sovereignty has been historically eroded within the United States. **By 1926, nearly 83% of Indian school-age children were attending Indian Boarding schools.**<sup>27</sup> This



policy lasted up until 1978, when it was replaced by state sanctioned removal of Indian children into state dependency systems.<sup>28</sup> **By 1978, 25-35% of ALL AI/AN children had been removed from their homes by state child welfare and private adoption agencies, and over 85% of them had been placed in non-Indian placements,** even when fit relatives were available and willing.<sup>29</sup>

Historical trauma was a part of every conversation during the convening because it lives within and is detrimental to the lives of AI/AN people today. Additionally, because this trauma informs AI/AN survivors’ understanding of safety it had to be and must continue to be addressed when creating housing solutions for Native survivors. Without safety any housing option is insufficient.

#### 4. VAWA

The Violence Against Women Act was passed by Congress in a bipartisan manner in 1994. It has been reauthorized three times. Each time it has been reauthorized, it has included substantive

<sup>27</sup> <https://boardingschoolhealing.org/education/us-indian-boarding-school-history/>

<sup>28</sup> Pember, M.A. (2019) Death by Civilization. The Atlantic. <https://www.theatlantic.com/education/archive/2019/03/traumatic-legacy-indian-boarding-schools/584293/>

<sup>29</sup> NICWA (2018). Setting the Record Straight: the Indian Child Welfare Act Fact Sheet. Retrieved from: <https://www.nicwa.org/wp-content/uploads/2018/10/Setting-the-Record-Straight-2018.pdf>

improvements for AI/AN survivors of violence. The most recent amendments to the Act were made in 2013.

VAWA 2013, in many ways, was a major step forward for survivors in marginalized communities. Immigrants, LGBTQ and Indian Tribes all advocated and witnessed hard-won historic improvements in strengthening protections for survivors of VAWA-related crimes. Moreover, housing, as a separate intersection and issue area, also saw improvements in increased housing-related protections for survivors of abuse.

Some of these housing related protections include:

- Expanding protections to include survivors of sexual assault;
- Removing the requirement that household member be defined as related by blood or marriage to the survivor;
- Revising the definition of domestic violence to include crimes committed by an intimate partner of the survivor or by a person who has cohabitated with the survivor as an intimate partner;
- Prohibiting any person from being denied assistance, tenancy or occupancy rights solely on the basis of criminal activity (if that activity is directly related to domestic violence, dating violence, sexual assault or stalking engaged in by a household member, guest, or any person under the tenant's control, if the tenant or affiliated individual of the tenant is the victim);
- Allowing lease bifurcation (including a protection for tenants who remain in the housing as a result of the bifurcation);
- Revising the certification process under VAWA 2005 (now permits public housing authorities, owners and managers to request that a survivor certify via a form approved by the appropriate federal agency);
- Mandating each federal agency to adopt a model emergency transfer plan; and
- Requiring public housing authorities, managers and owners to keep survivor information related to their certification as a victim confidential.<sup>30</sup>

It is critical to know that the Indian Housing Block Grant (IHBG) under the National American Housing Assistance and Self-Determination Act

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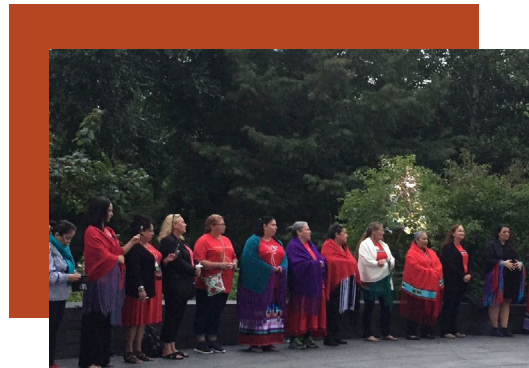
<sup>30</sup> The National Housing Law Project (2014). *VAWA 2013 Continues Vital Housing Protections for Survivors and Provides New Safeguards*. Retrieved from <http://nhlp.org/files/VAWA-2013-Bulletin-Article-Jan-2014-updated.pdf>

of 1996 (NAHASDA) has been expressly excluded from the expanded housing protections. This means that most tribal housing authorities, as compared to other public housing authorities, do not have to comply with the housing provisions as expanded under VAWA 2013 and accordingly represents a serious gap in survivor protections. However, should the VAWA 2013 protections be expanded in 2018 to include Indian Housing Block Grants, and engagement with Tribes in a government to government relationship be sidestepped, tribal sovereignty would be further degraded.

**Thus, it is important to understand that while VAWA 2013 housing protections are critically important for survivor safety, the NAHASDA is equally important for tribal sovereignty interests.**

The NAHASDA reorganized the system of housing assistance provided to AI/ANs through HUD by eliminating several separate programs of assistance and replacing them with a block grant program. There are two programs authorized for Indian Tribes under this Act: the Indian Housing Block Grant and the Title VI Loan Guarantee, which provides financial guarantees to Tribes for private market loans in order to develop affordable housing. In 2000, NAHASDA was amended to add Title VII, Housing Assistance for Native Hawaiians.

The Act states that in establishing the negotiated rulemaking committee, the Secretary shall—adapt the procedures for negotiated rulemaking in general to the unique government-to-government relationship between the Indian Tribes and the United States, and shall ensure that membership of the committee include only representatives of the federal government and of geographically diverse, small, medium and large Indian Tribes. Thus, any changes to NAHASDA and the two programs it established must go through this mandated process. This would include any applicability of other federal statutes, like VAWA 2013’s expanded housing protections.



## 5. Tribal Housing Codes

As victim advocates and those that work in the field, we have to find ways to address survivor needs while advocating for policy reform that respects tribal sovereignty. This can sometimes be challenging because sovereignty and the victim advocacy framework occasionally appear to be in conflict. However, knowing that through strengthening tribal sovereignty we can best address the needs of survivors in our communities, the task should be to work through an adjusted framework: **one that contemplates future survivors.**

Regardless, it is clear that tribal survivors in public housing run by tribal authorities funded by IHBGs may experience a gap in protections that non-Native survivors utilizing public housing assistance do not. The question of how to address this issue was discussed during the convening.

One option is to amend VAWA 2013 to include public housing assistance that is funded by IHBGs as covered entities. This is not an acceptable reform. As stated above, this strategy would undermine tribal sovereignty and ignore long-standing statutory and regulatory policies recognizing the federal-tribal relationship while further sidestepping the negotiated rulemaking procedure that is mandated by NAHASDA.

A second, and more viable option, which further supports tribal sovereignty, is for tribal governments who receive IHBGs to include survivor protections within their respective tribal housing codes. This method would not only be respectful of tribal sovereignty but would also be an **exercise of tribal sovereignty.** Some tribal housing codes do not include protections for survivors of domestic violence, dating violence, sexual assault and stalking, and some are simply outdated.

## 6. The Need for Culturally Created Resources

The group repeatedly discussed the need for services to be intentionally created and rooted fully in traditional culture. Stakeholders were incredibly uniform in terms of how healing was best actualized from a place where an individual survivor had access, could practice and was surrounded by their culture.

AI/AN survivors of gender-based violence benefit greatly from peer-to-peer resources; meaning that when a survivor is able to connect with

a Native advocate, the outcomes are better. The reasons for this are varied, but generally when a Native survivor reaches out to another AI/AN, the trust barrier is easier to overcome. Because AI/AN people have shared experiences of historical trauma, intergenerational trauma, the loss of language, the loss of land, similar experiences with violence and similar root causes of violence (colonization and genocide), the need to explain a lot of the context around an experience of violence lessens. If an AI/AN survivor reaches out to an AI/AN advocate for help securing a protection order, for example, the AI/AN is at least more likely to be aware of the unique jurisdictional issues that are present in Indian country. Similarly, if an AI/AN survivor is able to connect with an AI/AN therapist, the survivor is less likely to have to justify why intergenerational trauma is significantly impacting them. Furthermore, tribally run or AI/AN focused resources are better able to address the needs of AI/AN survivors by being able to offer various services, including traditional healing services, language immersion and ceremony.

## 7. Alaska Specific Issues

Tami Jerue, Executive Director of the Alaska Native Women's Resource Center, provided a session for the convening that focused specifically on the issues that AN survivors face in Alaska. The main takeaway, as always, is that Alaska boasts its own set of incredibly complex and unique challenges. In other words, what may work in the lower 48, will at best, need significant modification to be useful in Alaska.



**Alaska hosts 40% of the Tribes in the United States** (229 Federally Recognized Tribes). Tribal villages are some of the most isolated communities within the country, and they experience extremely high rates of violence. As is the case with most tribal communities, there are disparate gaps in services as well as an inadequate justice response that fuels that endemic problems that arise in Alaska. Specifically, there is an inadequate law enforcement response, limited or completely non-existent advocacy services, zero shelter services in a majority of the villages, it is prohibitively expensive to build, and there is the constant companion of an unforgiving terrain to complicate the issues further. As of January 2018, **Alaska had an estimated 2,016 individuals experiencing homelessness on any given day**, as reported by Continuums of Care

to the U.S. Department of Housing and Urban Development (HUD).<sup>31</sup> In the United States, **about 3% of houses are overcrowded using the Department of Housing and Urban Development's definition, but in parts of Alaska, rates can be as high as 50%.**<sup>32</sup>

Short term shelter services are available in hub communities, but they are often full and simply accessing them can take days. Transitional housing and long-term supportive housing are only available on a limited basis in urban or hub communities, and the prejudice that is experienced by AN individuals seeking services often acts as a complete bar to accessing those services. In rural Alaska, the housing shortage is severe and many families are doubled up, leading to additional problems for AN survivors of gender-based violence. Many tribal communities state that overall housing shortages in villages have created a crisis in various ways, such as outmigration from villages to urban hub communities (which compounds an already over-burdened system). Even still, many of the urban or hub communities do not have adequate housing to meet the demand, and this is particularly true of lower income brackets, housing to address homelessness, for individuals who are seeking treatment and for those who have complex victimizations.



One thing that makes Alaska particularly, and quite obviously, challenging is that the weather and terrain make it so that shelter is literally necessary to survive, even in the shortest windows of time. The temperatures can reach -50 degrees Fahrenheit in the winter months.

<sup>31</sup> United States Interagency Council on Homelessness, Alaska Homelessness Statistics (2018) <https://www.usich.gov/homelessness-statistics/ak/>

<sup>32</sup> Ben Kesslen (2019), Homeless services in Alaska face uncertain future as state cuts back, <https://www.nbcnews.com/news/us-news/death-sentence-homeless-services-alaska-face-uncertain-future-state-cuts-n1057021>.

## 8. Creative Ways to Leverage Funding

The individuals attending the convening who had more experience with the Indian Housing Block Grants and with other forms of public funds for housing provided excellent information regarding the ways in which funding can be utilized long-term. Given that one of the group's main

identified themes was sustainability, this area must be explored more fully. Public housing funds are highly regulated and complicated. Most of the gender-based violence space works primarily with FVPSA and OVW funds, meaning HUD money is not normally utilized for survivor based housing in Indian country (except in certain instances, for example, using a mix of public housing assistance and Indian Housing Block Grants and thus ensuring that the VAWA expanded protections still apply, or a survivor is able to maintain public housing assistance based on income or other qualifying factors). The Native American Indian Housing Council provided critical examples, like the one above of the ways in which Tribes and housing advocates are able to vary and layer their funding. It was incredibly useful to the gender-based violence advocates to see the ways in which Tribes diversified their funding sources to create beautiful healing spaces for their members. Native American Connections provided examples of how they have utilized low income housing tax credits. Thunder Valley CDC detailed their use of Promise Zones.

At the convening, participants learned or were already aware that individual states were now able to use VOCA funds for direct assistance for survivors housing needs. However, construction in Indian country remains an unallowable cost. Currently, VOCA funds in Indian

### Fond du Lac Supportive Housing Budget



Capital Financing Sources:	
Minnesota Housing – Housing Trust Fund	\$1,400,000
Minnesota Housing – Tribal Indian Housing Program	\$807,306
Fond du Lac Band – NAHASDA	\$700,000
Federal Home Loan Bank of Des Moines – Affordable Housing Program	\$440,000
Fond du Lac Band – Roads Funds	\$415,457
HUD - Rural Housing and Economic Development	\$300,000
Minnesota Housing – Ending Long-Term Homelessness Investment Fund	\$204,239
Greater Minnesota Housing Fund	\$204,000
Fond du Lac Band Land Donation	\$112,000
Corporation for Supportive Housing – Predevelopment Loan	\$50,000
Minnesota Green Communities	\$15,000
Fond du Lac Band – Furnishings Donation	\$10,000
Enterprise	\$10,000
HUD – Supportive Housing Program (partnering with AICHO)	\$4,368
<b>Total</b>	<b>\$4,672,370</b>
<b>Operating Budget (Annual):</b>	<b>\$407,568</b>
<b>Supportive Services Budget (Annual):</b>	<b>\$395,844</b>

Reflection on Collaborations, June 4, 2019

country can be used to rehabilitate existing structures or to purchase temporary shelters such as existing trailers, as discussed earlier in this report.

Additionally, the group learned of models that are working in certain communities, which do not necessarily have a DV centered focus, but provide modifiable examples of success. Some examples of these housing projects are represented here:

Organization	Description
Gimaajii-Mino-Bimaadizimin, Duluth, MN	<ul style="list-style-type: none"> <li>- 29 housing units</li> <li>- Offices for tribal partners (services)</li> <li>- Includes an art gallery</li> <li>- Tribal leaders were instrumental</li> <li>- NAIHC assisted and negotiated with the city</li> <li>- AICHO develops and manages permanent supportive housing</li> </ul>
Conifer Estates, Bemidji, MN	<ul style="list-style-type: none"> <li>- 20 housing units</li> <li>- Utilized all of the funding available to Tribes (HUD funding)</li> <li>- Utilized tax credits</li> <li>- 4.5 million dollar project</li> </ul>
White Earth Band of Ojibwe Dream Catcher, MN	<ul style="list-style-type: none"> <li>- 20 units, 3 bedrooms each</li> <li>- First permanent supportive housing in the Country on a reservation</li> <li>- Human Services Division of the Tribe took the lead</li> <li>- Responded to substance abuse issues that pregnant women were facing</li> <li>- Dream Catchers, PSH, and transitional housing</li> <li>- Voluntary Services Model</li> </ul>
Fon du Lac Supportive Housing, WI	<ul style="list-style-type: none"> <li>- 24 units of permanent housing</li> <li>- Layered funding</li> </ul>
Sail River Heights “Makah Self Determination at Work”	<ul style="list-style-type: none"> <li>- 21 units of permanent supportive housing</li> <li>- Surrounded by affordable housing units</li> <li>- Utilized enterprise grants</li> </ul>



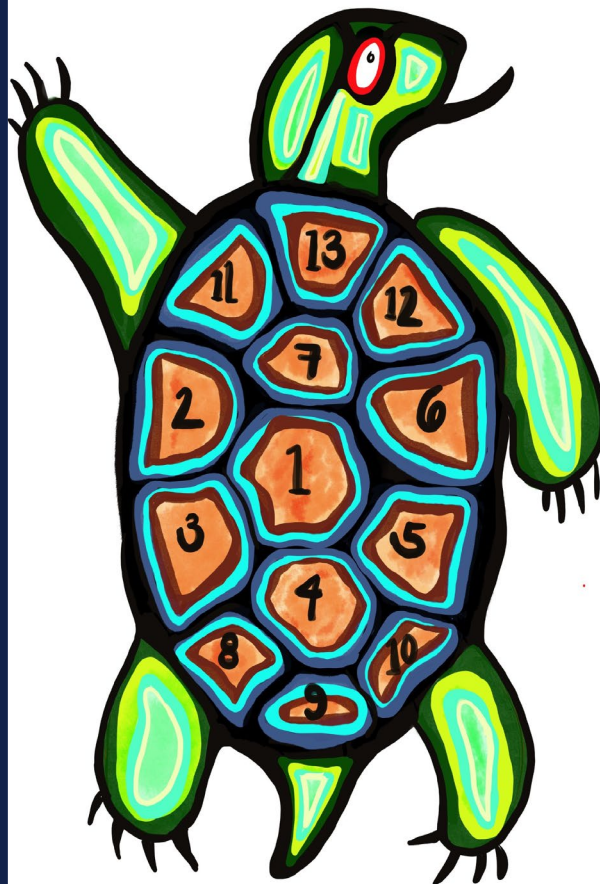
Organization	Description
Pathways Home	<ul style="list-style-type: none"> <li>- TOT for certified home buyer instructors</li> </ul>
Lummi Housing Authority	<ul style="list-style-type: none"> <li>- Has prioritized housing coupled with services</li> <li>- Benefits people working on their recovery, survivors and perpetrators who agree to engage in services</li> </ul>
Native American Connections	<ul style="list-style-type: none"> <li>- Organization that has developed numerous housing projects serving the AI/AN population in Arizona</li> <li>- Utilizes low income housing tax credits</li> <li>- Adds sweat lodges to projects</li> <li>- Uses a restorative justice model</li> <li>- Many former participants become employees and the program works to get them legal clearance to do that</li> <li>- Some shelters have a small business development component, such as making affordable space for artists</li> </ul>
Thunder Valley Community Development Corporation	<ul style="list-style-type: none"> <li>- HUD Sustainability Project</li> <li>- Prior to developing, embarked on a massive envisioning project</li> <li>- 12 priority areas were developed</li> <li>- Intentional vision statement</li> <li>- Ecosystem of Opportunity</li> <li>- 34 acres on the Pine Ridge Reservation (Central Area)</li> <li>- 9 districts</li> <li>- Have childcare, school, parenting classing (centered on language, culture, and spirituality)</li> <li>- Core of the project is culture</li> <li>- Includes comprehensive youth programs</li> <li>- Sovereignty focus helps connect with food and other aspects of culture</li> <li>- Incorporates social enterprise programs</li> <li>- Community collaboration that is constant</li> <li>- High sustainability goals for houses</li> <li>- Layered funding</li> <li>- Apartments designed to meet the needs of families</li> <li>- Talking circles, mental healthcare</li> <li>- Utilized Promise Zones</li> </ul>

What the housing advocates provided in terms of information surrounding their projects was highly impressive. However, they were not focused primarily on *centering* the voices of gender-based violence survivors. It is certainly clear that the critical work they do is trauma informed, but it is also true that they are not explicitly doing work around gender-based violence. Similarly, it was clear that the gender-based violence advocates were not utilizing funding as creatively or as beneficially as the housing advocates were. The meeting was essential because it merged both worlds and produced a robust conversation around gaps in both spaces.

### C. Themes that Emerged During the Convening

During the critical conversations that were held at this initial gathering of the workgroup, a few consistent themes emerged which are discussed briefly here and throughout this report. Most of these themes are heavily interwoven and dependent upon each other, so their separation here is in no way meant to indicate that the concepts are not entirely related. The themes represented here are calls to action and are represented in a positive light.

- Themes**
1. SOVEREIGNTY AND SELF-DETERMINATION
  2. SAFETY
  3. CULTURE AND TRADITION
  4. ANCESTRAL CONNECTION
  5. SPIRIT
  6. HEALING
  7. RELATION TO LAND
  8. SIGNIFICANCE OF PLACE
  9. GENERATIONAL IMPACTS AND YOUTH LED MOVEMENTS
  10. SUSTAINABILITY
  11. AUTONOMY
  12. PREVENTION
  13. HOUSING IS A HUMAN RIGHT



## 1. Sovereignty and Self-Determination

Within the United States, three sovereigns exist: the states, the Tribes and the federal government itself. Tribes are sovereign political entities, predating the United States of America. The Commerce Clause of the United States Constitution codifies tribal sovereignty in Article One Section 8. In fact, the founders engaged with Tribes as sovereigns to establish the validity of the United States as a separate sovereign itself. The United States did this by treaty making with Tribes. Tribal sovereignty is the inherent authority of tribal Nations to govern themselves; it is their inherent right of self-rule. This authority is both pre-constitutional and extra-constitutional, meaning that while the United States' own constitution does memorialize tribal sovereignty, it does not create it. As is well settled, the source of an Indian Tribe's power is a Tribe's people.

It should not be unexpected that respect for tribal sovereignty and the strengthening of tribal sovereignty remained a constant during the course of the workgroup's conversations. Any policy goals to come from this convening or any future conversations should include a process for mandating or ensuring consultation on these issues, as is key to both the Violence Against Women Act and NAHASDA. Tribes must be able to govern their people, and this authority certainly covers safe housing for survivors and options within their tribal Nations. Tribes must also be provided the opportunity to leverage and manage their resources in ways that are most effective. All western systems, not just housing, have systematically and intentionally failed AI/AN people and therefore it is difficult to imagine using the systems themselves as means to meaningfully address safety for AI/AN people in any regard. This is illustrated by simply looking at the congressional work that advocates sometimes engage in for educational advocacy purposes. For example, the 2013 provisions in VAWA were seen as monumental in terms of gaining ground for the restoration of tribal authority on tribal Lands, and rightfully so. But the "system" found a way to compensate by not fully funding, to the statutory levels, the implementing Tribes in their exercise of Special Domestic Violence Criminal Jurisdiction. Additionally, Tribes had to, as a concession, mirror their domestic violence courts off of a traditional western model. Though tribal justice systems have been in existence since long before the United States was the United States, the distrust of them leads to additional assimilation through modern subversive policy.

## 2. Safety

Safety was a central theme during the convening, which is to be expected due to the topic focus. But importantly, the gender-based field in general, as well as funders, should note that safety looks different depending on survivor needs and the uniqueness of each community. For example, safety will look different in Alaska, where villages are incredibly remote, versus in an off reservation community/ metropolitan adjacent community. Survivors' needs are heavily varied and unique to where they are and the type(s) of violence they have experienced. Regardless, the safety outcomes for AI/AN survivors will only be improved when tribal inherent authority to govern tribal Lands is restored, or in other words, when there can be a fully actualized and fully funded local response. For example, when a tribal government, like any other government, is able to exercise a criminal jurisdiction over non-Indians who commit crimes on their Lands. Another example would be tribal victim advocates, or tribal access to federal criminal databases, such as the National Crime Information Center. Additionally, Tribes should be able to have tribally run sexual assault response teams. Most of these responses require funding, and it is important to note that Tribes, unlike their governmental counterparts, do not have taxing authority.

## 3. Culture and Tradition

Culture and tradition are not universal across all Indian Tribes and for all AI/AN people. **There are 574 Federally Recognized Tribes and 60 state recognized Tribes** (that's almost three times as many countries as there are in the world).

Many AI/AN communities were historically matriarchal.<sup>33</sup> The Tribes have their own languages, their own clan systems, their own laws, their own stories, their own traditional medicines, their own songs, their own ways of prayer, their own coming of age ceremonies and so on. The diversity of culture and tradition amongst the Tribes should be obvious, **but it bears repeating that AI/AN peoples are not pan-Indigenous and that pan-Indigenous approaches to the work and healing will fail.**

Housing that incorporates culture and tradition is critical in order to address the unique needs of AI/AN survivors of gender-based violence.

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<sup>33</sup> That is not to say that ALL AI/AN communities have historically been matriarchal.

## THUNDER VALLEY CDC ECOSYSTEM OF OPPORTUNITY



Examples of this were provided at the convening. For example, Thunder Valley Community Development’s vision is, “Thunder Valley CDC envisions a liberated Lakota Nation through Lakota Language, Culture and Spirituality.” Thunder Valley CDC has created what it refers to as “an Ecosystem of Opportunity” which centered Language, Culture and Spirituality in their work. One of the most important things to know about Thunder Valley CDC is that their work began as a youth led movement within their community. Tatewin Means, the Executive Director at Thunder Valley CDC shared the Ecosystems of Opportunity (featured above) during the convening, which illustrated the mindfulness exercised in centering language, culture and spirituality into their development project.<sup>34</sup>

Native American Connections provided the stakeholders with examples of facility after facility that incorporated culture and tradition into their

<sup>34</sup> Thunder Valley Community Development provided us with permission to utilize this slide for illustrative purposes. Again, this is not a boilerplate for any community. This concept is based on what Lakota people needed as Lakota people.

spaces. One such example was the provision of sweat lodges at an Indian Rehab, another was incorporating weaving and shawl making into programs.

#### 4. Ancestral Connection

AI/AN peoples have a strong connection with their ancestors. Our ancestral connections are a major source of our resiliency. This connection is not simply an identification of our ancestors or the discovery of some surface level similarity we have with them. This connection is one born of actual communication, of



Native American Connections

respect, of honor. Ancestral knowledge is born of these connections, and that ancestral knowledge makes up a large part of culture, of our traditional practices and customs, and of our identity as Indigenous people and as members of Tribes. Our ancestors' stories, songs, and dances are passed down to us. Our traditional medicines are part of their teachings. Our roles as members of certain clans are rooted in ancestral connection. Our ancestral ways of living and being are healing for us, just as they are healing for the Land and for our non-human kinship. In this way, ancestral connection emerges (as it always does) as an important consideration in housing. It seems attenuated, but incorporating our stories, our medicines and our languages into our services is a way to honor our connections and a way to heal individually.

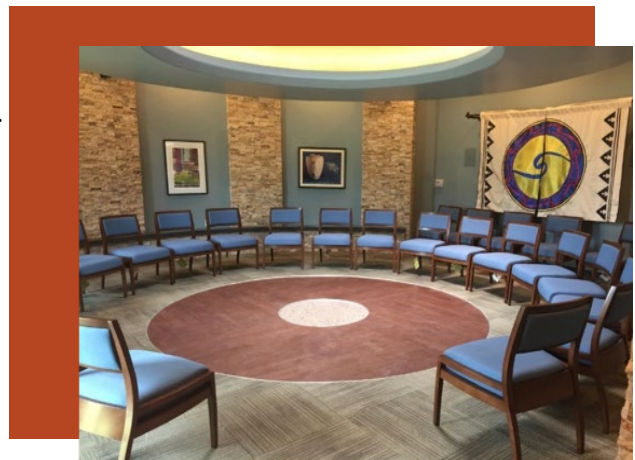
#### 5. Spirit

All of the participants discussed the importance of spirit in terms of developing viable housing/shelter solutions that are rooted in intentionality and prayer. Practical examples of this were provided via various participants, including the use of sweat lodges, time with elders, language immersion and access to traditional foods and medicines in housing options created by Native American Connections, NAIHC and Thunder Valley Community Development Corporation. Thunder Valley Community Development Corporation provided narrative information around how spirituality was fundamental (necessary and contingent)

early on in their process. Even still, what Thunder Valley CDC created is hugely relational, and while a process can be replicated (in terms of funders holding space for grantees to be able to incorporate spirituality from the initial planning phase of a project on onward), the specific way in which Thunder Valley Community Development Corporation accomplished what they did cannot be a boilerplate for future projects. Their development was intensely personal and was the result of ceremony and prayer, meaning that the project started from a youth-based group of individuals and young families who were committed to addressing the issues that their community faced. It was their involvement in ceremony that inspired them to do more for their people.<sup>35</sup> Tatewin Means, the Executive Director of the Thunder Valley CDC, shared with the working group that Thunder Valley CDC began as a youth movement centered on reconnecting and reclaiming cultural identity as Lakota people. The overall structure of the organization's process can be extrapolated, but it is specific to Lakota Culture, which was the core of their work. It is incredibly important to understand that AI/AN peoples have their own practices, their own stories and their own traditions which inform their work, and they should be given the opportunity to go through that process with funding that is flexible. An additional key aspect of Thunder Valley CDC's process is their constant involvement of the community in the development of their project.<sup>36</sup>

## 6. Healing

Healing as a theme emerged multiple times during the convening. Participants spoke primarily of the historical trauma that AI/AN communities generally share, as well as of the individual trauma that survivors experienced with each instance of abuse. Participants were also careful to remind one another that these experiences of trauma, both historical (which is ongoing) and individual trauma (which includes historical trauma, as well as trauma from individual events experienced in one's life, such as abuse), are tethered and cannot be separated. Healing approaches in Indian



Healing Circle, Native American Connections Facility

<sup>35, 36</sup> Thunder Valley Community Development Center (2019). Our Story. Retrieved from: <https://thundervalley.org/learn-more/our-story>

country must adequately acknowledge and address historical trauma as a part of the lived experience of AI/AN peoples.

Participants were quick to point out that despite all that has happened to AI/AN peoples, we have survived. We have historical trauma, but we also have historical joy, resilience and love. Just as that trauma is woven into AI/AN people, so is strength. However, services that provide healing for AI/AN must be culturally rooted. Participants shared anecdotal information about the ways in which AI/AN survivors are often treated in mainstream services and while those services are certainly valuable to many survivors, for AI/AN survivors they can be detrimental. AI/AN survivors will often experience bias, prejudice, racism or even hatred when they reach out for assistance. This hinders their ability to access services in any meaningful way.

Participants provided examples of healing spaces that have been created in their communities. For example, Native American Connections (NAC) gave an overview of the Phoenix Indian School Visitor Center. NAC helped restore this historic building, which was previously a Boarding school. Through a charrette process, the community determined the use of the space would be best suited as a gallery dedicated to the history of the Boarding school, a conference area, a commercial kitchen and a space to teach nutrition courses that featured Indigenous foods to promote health and wellness in the Native American Community.<sup>37</sup>

## 7. Relation to Land

The relation of AI/AN people to the Land and the relation of AI/AN people to each other was a theme that was constant throughout the Workgroup. In fact, this was intertwined with most of the other themes that emerged. The concern for the Land from an environmental perspective was a key value for this group, which indicates that housing solutions for survivors should encompass a model that is heavily



Community Gardening  
Native American Connections Facility

<sup>37</sup> Native Connections (2019). Phoenix Indian School Visitor Center. <https://www.nativeconnections.org/community-development/phoenix-indian-school-visitor-center>



tethered to traditional ways of care for Earth. For example, some of the conversations at the convening turned to renewable energy, sustainable resources and ways to ensure that future developments do not result in additional harm to the Land. Specifically, some participants were interested in how to incorporate traditional building materials into developments.

But more than that, the actual relationship that AI/AN people have to the Land, as a living thing, has to be centered in this work. The Land is what provides our medicines, it is what our languages are born of, it sustains us, and without it, the risk of further losing our culture is heightened. The author, Robin Wall Kimmerer, wrote it best in her book *Braiding Sweetgrass*, when she stated,

*“ [c]hildren, language, lands: almost everything was stripped away, stolen[...]. In the face of such loss, one thing our people could not surrender was the meaning of land. In the settler mind, land was property, real estate, capital, or natural resources. But to our people, it was everything: identity, connection to our ancestors, the home of our nonhuman kinfolk, our pharmacy, our library, the source of all that sustained us. Our lands were where our responsibility to the world was enacted, sacred ground. It belonged to itself; it was a gift, not a commodity, so it could never be bought or sold.”<sup>38</sup>*

This directly speaks to one of the questions that remained within the workgroup. In the gender-based violence and anti-poverty fields, there is much discussion about how land ownership, and the disruption of land ownership/theft of land, particularly for marginalized populations, resulted in generational poverty. This work centers land ownership in a profound way as a means to create generational wealth. But, for AI/AN people, the space between land ownership as a means to build generational wealth and the colonial construct of land ownership creates a tension that has to be more fully discussed. Furthermore, as was mentioned during the convening, it is important to define wealth. For AI/AN people, generational wealth may not be the same, or may only mirror in small ways, the concept as it has come to be known to the Western world. Under colonial constructs, land is transactional, whereas for Indigenous people it is relational. The concept “we are related” is not limited to human kinship but includes rather the kinship we have with other living things, like water. In the book *Braiding Sweetgrass*, the author explains how our Native languages are

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<sup>38</sup> Kimmerer, R.W. (2013) *Braiding Sweetgrass*. Minneapolis, Minnesota: Milkweed.

reflective of this connection. She writes for example of the word for bay in Potawatomie, which is “wiikwegamaa,” literally translates to “to be a bay.” She highlights the importance of the word as a verb rather than a noun. She says,

*“‘to be a bay’ holds the wonder that, for this moment, the living water has decided to shelter itself between these shores, conversing with cedar roots and a flock of baby mergansers. Because it could become otherwise—become a stream or an ocean or a waterfall.”<sup>39</sup>*

## 8. Significance of Place

The significance of place came up quite frequently because there is an incredible need to be able to access and care for ancestral Lands. As briefly explained in section 3, Relation to Land, language is heavily tied to place for American Indians and Alaska Natives, and language is central to culture and being. It is not coincidental that with the loss of Land, also came the profound loss of native languages.

For a gender-based violence survivor left without adequate housing on tribal Lands, survivors and their children are often forced to leave their ancestral home, which can be a place of significant cultural meaning and identity for the individual. This has a historical lens, which must be considered as well. If you systemically remove affordable housing for AI/AN survivors on ancestral Lands, you effectively remove them.

## 9. Generational Impacts and the Importance of Youth Led Movements

Participants spent a fair amount of time discussing the next generations and the importance of youth led movements. Some of this conversation centered on blood-quantum<sup>40</sup> as a governmental tool, and other parts of the conversation centered on belonging and on care for those in our communities regardless of their enrollment status.<sup>41</sup> This conversation is much more nuanced and is not the focus of this report. However, the thought that the solution which helps to address the

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<sup>39</sup> Kimmerer, R.W. (2013) Braiding Sweetgrass. Minneapolis, Minnesota: Milkweed.

<sup>40</sup> Blood-quantum refers to the amount of Indian blood that an individual has.

Blood-quantum is a federal policy that originated as a way to limit tribal membership. It was an effort by the federal government as a means of reducing the federal government’s obligations to American Indians. See Fletcher, M.L.M. (2016). Federal Indian Law (Hornbook). St. Paul, Minnesota: West Academic Publishing.

<sup>41</sup> Enrollment status simply refers to whether an AI/AN is a member of a Federally Recognized Tribe.

ongoing crisis in Indian country, be one that is accessible and healing to future generations was just as important during the conversation as were immediate needs of survivors. The concept of the “Seven Generations” is central to many tribal communities, and it simply means that we do things for the benefit of the next generations.

*“The Peacemaker taught us about the Seven Generations. He said, when you sit in council for the welfare of the people, you must not think of yourself or of your family, not even of your generation. He said, make your decisions on behalf of the seven generations coming, so that they may enjoy what you have today.”<sup>42</sup>*

- Oren Lyons (Seneca)  
Faithkeeper, Onondaga Nation



Thunder Valley Community Development Project



Gimaajii-Mino-Bimaadizimin

The experiences of children who witness gender-based violence or who experience violence themselves are to be centered in this work. Native American Connections has created incredibly family friendly housing options, including options that have kid friendly spaces.

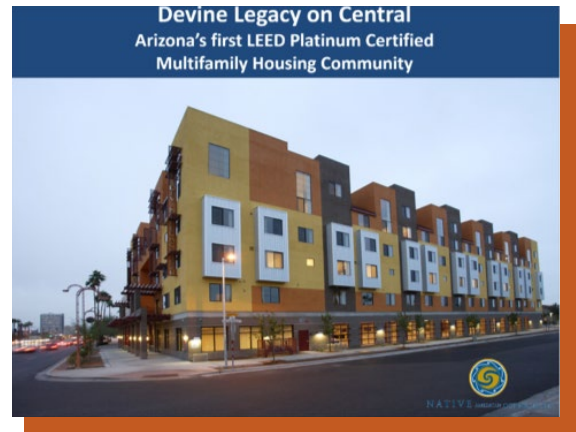
The importance of movements that originate from youth and that are led by youth were discussed extensively. Thunder Valley CDC provided the workgroup with a concrete example of how youth movements create overwhelmingly positive outcomes for their communities. Thunder Valley CDC came to be because of the youth movement that started it. That Thunder Valley CDC was created by a youth led movement is the core of their work. Their mission statement reflects this—“Empowering Lakota youth and families to improve the health, culture, and environment of our communities, through the healing and strengthening of cultural identity.”<sup>43</sup>

<sup>42</sup> <https://www.pbs.org/warrior/content/timeline/opendoor/roleOfChief.html>

<sup>43</sup> Thunder Valley Community Development. (2019). Our Vision and Mission. Retrieved from <https://thundervalley.org/support/mission>

## 10. Sustainability

When they exist, most of the housing “options” for survivors in Indian country are short term and not consistent. Either space is severely limited, access is too remote, shelters shutter their doors due to funding issues, or survivors can only stay in shelter or transitional housing for set periods of time. Because housing is such a vulnerability when it comes to repeat victimization, housing solutions must be sustainable for the survivor. However, the group also made it clear that any housing solutions must also be sustainable in terms of ensuring our duty to care for the land is met. Some advocates envisioned utilizing traditional means of construction and others highlighted projects that met LEED certification requirements.



Native American Connections

In terms of transitional housing, especially in areas where there is a high unemployment rate, it will take time for a survivor to be an active participant in sustaining their housing. Native American Connections provided examples of their facilities in which their clients became full time employees and where certain programs they created were built around the survivor moving into homeownership of their unit.

## 11. Autonomy

Much like sovereignty, autonomy is the ability of any individual survivor to make their own decisions around safety. Respect for survivor autonomy is old school advocacy and trauma informed. It is simply the implementation of a survivor driven approach, which is generally centered within the gender-based violence field. Survivors are the experts of their own experiences, of their own lives and it is the duty of those around them, and certainly those who work in the gender-based violence field, to acknowledge this and to create safety plans or wrap around services based upon what that survivor is telling them would be supportive. Too often AI/AN women find themselves at mainstream shelters who, in their prejudice, restrict AI/AN survivors in their personal liberties, their human dignity and rights, and/or who feel that AI/AN survivors cannot possibly be better positioned than the mainstream field to define their needs and to determine meaningful services. Autonomy is about the survivor having that power back.

## **12. Prevention**

There is very little funding or focus on prevention because we are often reactive and funding most often addresses the immediate need/crisis need. We do not have time or funding to focus on prevention.

Prevention was a key theme that emerged during the Workgroup conversations largely because most of the framework for addressing gender-based violence was presented in such a way as to uplift policy that focused on the whole person and the whole of community, rather than singularly on a person's needs around gender-based violence and safety in the immediacy. Because housing/homelessness and domestic violence are so intertwined, when a survivor has access to safe, consistent and stable housing/shelter, they are less likely to be victimized again by violence. Addressing the vulnerability of inconsistent, unavailable or inadequate housing/shelter also means helping to prevent future violence. Improvements in housing would also likely have a generational impact, which was another theme that emerged from the workgroup.

## **13. Housing as a Human Right**

In the introduction to this report, we discussed the need to grapple with a few questions about what we believe others have a right to. The human rights framework emerged during the convening because it protects civil, political, economic, social and cultural rights. In other words, it is the framework that is best equipped to address housing instability for AI/AN survivors because it is a framework that does not compartmentalize individual components of our lives. It is responsive because the full realization of one of the rights under the human rights framework rests on the full realization of every other right. The human rights framework accounts for dignity, for equality and non-discrimination, for due diligence and accountability, and for prevention versus remediation. It also places primary focus on root causes and on accounting for historical injustices. As is relevant for AI/AN peoples and Indian Tribes, the human rights approach accounts for the rights of Indigenous peoples, specifically for sovereignty, self-determination, culture, the care of Land and of the environment, and on consent. Even further, the framework looks at systemic issues and reframes them as state violence. A human rights approach focuses on the government's responsibility to act proactively in order to prevent and protect against gender-based violence by both private and governmental actors.

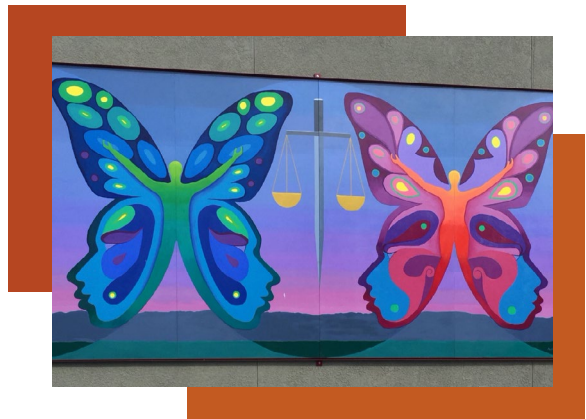
Finally, human rights specifically acknowledge that all people have the right to be free from violence; namely, that we have the right to safety. Though the United States' participation in human rights forums remains unclear, the framework is still applicable. At its core, the framework is simply one that promotes prevention. It is also a framework that is in line with the current federal policy of self-determination and promotion of tribal sovereignty with regards to Indian Tribes.

#### IV. The Policy Recommendations of the Workgroup

The following are policy recommendations that emerged from the Workgroup as well as from a listening session and a critical conversation with tribal gender-based violence advocates [held at the 2019 Family Violence Prevention and Services Act (FVPSA) Tribal grantee meeting in Seattle, WA]. These recommendations were the culmination of the conversations that have occurred over the past year, but they are not meant to be exhaustive.

##### Recommendations:

1. Create a Tribal Housing Consortium; a group for culturally relevant TA and technical assistance providers, similar to the federal interagency Domestic Violence and Housing Technical Assistance Consortium (DVHTAC) that already exists in the mainstream gender-based violence field in order to build responsive technical assistance in a comprehensive manner;
2. Fund listening sessions with survivors, where survivors are compensated for their time, so that the Workgroup can competently assist survivors in crafting policy that would ensure AI/AN peoples who are two-spirit, who have disabilities, who are non-English language speakers and other additional marginalized identities can be represented more fully in working group reports; or alternatively who are funded to develop the work themselves with support from a funded Tribal Housing Consortium;
3. Fund a Youth Component to the Tribal Housing Consortium that is youth-led and youth-developed;



4. Change the definition of chronic homelessness to make permanent supportive housing more available to survivors of gender-based violence;
5. If necessary or beneficial, work with the National American Indian Housing Council (NAIHC) to draft a resolution in support of advocating for changes to tribal housing codes where needed, which either more closely mirror the Violence Against Women Act of 2013, or that address the unique needs of survivors in their community;
6. Support training and technical assistance for the gender-based violence field in AI/AN communities (including urban communities) to better understand how to leverage housing funds that are available and to better understand development of housing projects or other models, such as permanent supportive housing;
7. Support and fund training and technical assistance efforts to educate service providers, tribal governments, tribal HUD authorities and other stakeholders on domestic violence and other forms of gender-based violence;
8. Support the development of a toolkit that focuses solely on funding and how it can be layered to meet the needs for survivors;
9. Support DV Bonus Funding for housing survivors in tribal communities, similar to the one here: <https://www.hudexchange.info/news/fy-2018-coc-competition-focus-serving-survivors-of-domestic-violence/>;
10. Support the development of a toolkit for Tribal Public Housing Agencies regarding the operation and management of permanent supportive housing for tribes;
11. Support the ongoing meetings of this Workgroup, expanded to include others, so that the group can narrow in on one or more of these policy recommendations and develop the recommendation(s);
12. Fully fund Indian Housing Block Grants **at least** to the levels recommended in ONAP's 2017 report;
13. Increase Tribal FVPSA funding and statutorily include funding for AKNWRC, the StrongHearts Native Helpline and for tribal coalitions who provide lifesaving services to gender-based violence survivors in tribal communities. These statutorily created organizations either do not have their own funding allocation or are completely shut out (in the instance of tribal coalitions) from accessing lifesaving FVPSA dollars;

14. Establish a permanent tribal set aside out of the Crime Victim's Fund (CVF) that is equal or greater to 5% of the cap established by Congress in each year;
15. Advocate for full consultation with Indian Tribes on the allocation of Victims of Crime Act (VOCA) dollars and on the application process and the oversight of those monies;
16. Fund the working group to research the ways that states and territories creatively use and layer VOCA funding to support housing stability for gender-based violence survivors;
17. Fully staff a Tribal VOCA office; and
18. Get clarification regarding whether the restriction of Tribal VOCA dollars to disallow building new construction is one of agency discretion or if there is a statutory prohibition against new construction.

## V. Conclusion

As illustrated in this report, understanding the nexus between housing instability and gender-based violence in Indian country is complex and will require multilayered responses. This may include preventative work, intervention, culturally sound research, policy advocacy and continued open discussion between various stakeholders in different fields. The importance of cross collaboration and training between gender-based violence and housing organizations cannot be understated. It will be critical to provide ongoing support to the Tribal Housing Workgroup to include Hawaii, and other geographic areas, to better understand the issues and craft effective responses. Continued building of evidence through the support of more research projects that will focus on trafficking and prostitution of Native women across the lifespan and other topics will add invaluable information to the fields that work at these intersections.

Lastly, it will be beneficial to establish a Tribal Safe Housing Consortium to address the nexus between gender-based violence and housing instability in Indian country from a technical assistance, research, policy and practice lens.



## VI. Resources

### Further Reading:

NIWRC VAWA Fact Sheet

<https://www.niwrc.org/sites/default/files/documents/Resources/VAWA%20Factsheet.pdf>

NIWRC FVPSA Fact Sheet

<http://www.niwrc.org/sites/default/files/documents/Resources/FVPSA%20Factsheet.pdf>

NIWRC VOCA Fact Sheet

<http://www.niwrc.org/sites/default/files/documents/Resources/VOCA%20Factsheet.pdf>

MIWSAC, The Garden Of Truth: The Prostitution and Trafficking of Native Women in Minnesota [http://www.prostitutionresearch.com/pdfs/Garden\\_of\\_Truth\\_Final\\_Project\\_WEB.pdf](http://www.prostitutionresearch.com/pdfs/Garden_of_Truth_Final_Project_WEB.pdf)

### Organizations:

The National Indigenous Women's Resource Center  
[www.niwrc.org](http://www.niwrc.org)

The Alaska Native Women's Resource Center  
[www.aknwrc.org](http://www.aknwrc.org)

The National Resource Center on Domestic Violence  
[www.nrcdv.org](http://www.nrcdv.org)

The National American Indian Housing Council  
[www.naihc.org](http://www.naihc.org)

Native American Connections  
[www.nativeconnections.org](http://www.nativeconnections.org)

Thunder Valley Community Development Corporation  
[www.thundervalley.org](http://www.thundervalley.org)

NCAI, Violence Against American Indian and Alaska Native Women

[http://www.ncai.org/policy-research-center/research-data/prc-publications/VAWA\\_Data\\_Brief\\_FINAL\\_2\\_1\\_2018.pdf](http://www.ncai.org/policy-research-center/research-data/prc-publications/VAWA_Data_Brief_FINAL_2_1_2018.pdf)

The Department of Housing and Urban Development, Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native and Native Hawaiian Housing Needs

<https://www.huduser.gov/portal/sites/default/files/pdf/HousingNeedsAmerIndians-ExecSumm.pdf>

The National Alliance for Safe Housing  
[www.safehousingpartnerships.org](http://www.safehousingpartnerships.org)

The National Congress of American Indians  
[www.ncai.org](http://www.ncai.org)

The Alliance of Tribal Coalitions to End Violence  
[www.atcev.org](http://www.atcev.org)

The Sovereign Bodies Institute  
[www.sovereign-bodies.org](http://www.sovereign-bodies.org)

American Indians Against Abuse Inc.  
[www.wiaiaa.com](http://www.wiaiaa.com)

The Coalition to Stop Violence Against Native Women  
[www.csvanw.org](http://www.csvanw.org)

First Nation's Women's Alliance  
[www.nativewoman.org](http://www.nativewoman.org)

Healing Hearts Native Coalition  
[www.hnhcoalition.org](http://www.hnhcoalition.org)

Hope-Tewa Women's Coalition to End Abuse  
[www.facebook.com/hopitewawomenscoalition/](http://www.facebook.com/hopitewawomenscoalition/)

Mending the Sacred Hoop  
[www.mshoop.org](http://www.mshoop.org)

Minnesota Indian Women's Sexual Assault Coalition  
[www.miwsac.org](http://www.miwsac.org)

Montana Native Women's Coalition  
[www.montanawc.org](http://www.montanawc.org)

Native Alliance Against Violence  
[www.OklahomaNAAV.org](http://www.OklahomaNAAV.org)

Native Women's Society of The Great Plains  
[www.nativewomenssociety.org](http://www.nativewomenssociety.org)

Restoring Ancestral Winds Coalition  
[www.restoringancestralwinds.org](http://www.restoringancestralwinds.org)

**Hotlines:**

The StrongHearts Native Helpline  
[www.strongheartshelpline.org](http://www.strongheartshelpline.org)  
1-844-7NATIVE

Seven Dancers Coalition  
[www.sevendancerscoalition.com](http://www.sevendancerscoalition.com)

Southwest Indigenous Women's Coalition  
[www.swiwc.org](http://www.swiwc.org)

StrongHearted Native Women's Coalition  
[www.strongheartednativewomen.org](http://www.strongheartednativewomen.org)

Uniting Three Fires Against Violence  
[www.unitingthreefiresagainstviolence.org](http://www.unitingthreefiresagainstviolence.org)

Wabanaki Women's Coalition,  
[www.wabanakiwomenscoalition.org](http://www.wabanakiwomenscoalition.org)

The Washington State Native American Coalition Against Domestic Violence  
[www.womenspirit.net](http://www.womenspirit.net)

Yupik Women's Coalition  
[www.yupikwomen.org](http://www.yupikwomen.org)

The National Domestic Violence Hotline  
[www.thehotline.org](http://www.thehotline.org)  
1800-799-7233

**Agencies:**

HUD- Office of Native American Programs  
[www.hud.gov/program\\_offices/public\\_indian\\_housing/ih](http://www.hud.gov/program_offices/public_indian_housing/ih)

Family Violence and Prevention Services  
[www.acf.hhs.gov/fysb/programs/family-violence-prevention-services](http://www.acf.hhs.gov/fysb/programs/family-violence-prevention-services)

Office of Violence against Women  
[www.justice.gov/ovw/tribal-communities](http://www.justice.gov/ovw/tribal-communities)

Office for Victims of Crime  
[www.ovc.gov](http://www.ovc.gov)

