

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL - Second Year, 2016

AN ACTION

RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES,
AND NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING THE NATIONAL INSTITUTE
OF JUSTICE VIOLENCE AGAINST WOMEN NATIONAL BASELINE STUDY

WHEREAS:

- A. The Navajo Nation established the Law and Order Committee as a Navajo Nation Council standing committee. 2 N.N.C. § 600 (A) (2012) *see also* CJA-03-13.
- B. The Navajo Nation empowered the Law and Order Committee to oversee the Division of Public Safety. *Id.* at § 601(C) (1).
- C. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee. 2 N.N.C. § 400 (A) (2012) *see also* CJA-03-13.
- D. The Health, Education and Human Services Committee is authorized to promulgate rules and regulations consistent with and necessary to implement the Navajo Nation Human Research Code. 13 N.N.C. § 3254.
- E. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee. 2 N.N.C. § 700(A) (2012) *see also* CJA-03-13.
- F. The Navajo Nation empowered the Naabik'íyáti' Committee to review and continually monitor federal programs and activities and to assist development of such programs designed to serve the Navajo People and the Navajo Nation. *Id.* at § 701(A) (7).
- G. The Navajo Nation has a government-to-government relationship with the United States of America. Treaty of 1850, Sept. 24, 1850, 9 Stat. 974 and Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- H. The United States Congress found the following:

1. That 1 out of every 3 Indian women are raped in their lifetimes. Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, § 901(1) (2005).
 2. Indian women experience 7 sexual assaults per 1,000, more than any other race. *Id.* at (2).
 3. Indian women experience the violent crime of battery at a rate of 23.2 per 1,000, compared to 8 per 1,000 among Caucasian women. *Id.* at (3)
 4. During 1979 through 1992, homicide was the third leading cause of death of Indian females aged 15 to 34, and seventy-five (75%) percent were killed by family members or acquaintances. *Id.* at (4).
 5. Indian tribes require additionally criminal justice and victim services resources to respond to violent assaults against women. *Id.* at (5).
 6. 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. *Id.* at (6).
- I. On June 30, 2015, The Navajo Nation Council authorized and accepted the Office of Violence Against Women grant to the Navajo Nation Judicial Branch for the purpose of developing a family advocacy center to handle domestic violence and sexual assault cases. CJN-26-15, 23rd Navajo Nation Council (June 30, 2015).
- J. In submitting the Office of Violence Against Women grant, the Navajo Nation agreed to comply with the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. No. 109-162) and the Violence Against Women Reauthorization Act of 2013 (Pub. L. No. 113-4). *Id.* at Exhibit B, Award Continuation Sheet ¶ 16.
- K. Part of the two reauthorizations of the Violence Against Women Act, requires the National Institute of Justice to conduct a Violence Against Women National Baseline Study. Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, § 904(a) (2005) and the Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, § 907 (2013).
- L. The purpose of the National Baseline Study is to estimate an accurate national rate of violence against Indian women. The prevalence data will not be available for individual Tribes, rather data obtained from the National Baseline

Study will be used collectively to estimate a national rate.

- M. The National Baseline Study aligns with the Navajo Nation's position to stop the violence against Navajo women.
- N. While the Navajo Nation Council supports the National Institute of Justice's National Baseline Study on Violence Against Indian Women, the Navajo Nation Human Research Review Board is the proper approval process. 13 N.N.C. § 3256.
- O. The Navajo Nation Human Research Review Board's purpose is to review all proposals for human research which will occur within the territorial jurisdiction of the Navajo Nation.
Id.

NOW THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation Council conditionally supports the National Institute of Justice Violence Against Indian Women National Baseline Study in accordance with the 2005 and 2013 Reauthorizations of the Violence Against Women Act.
- B. The Navajo Nation Council acknowledges the appropriate approval process for the National Baseline Study lies with the Navajo Nation Human Research Review Board in accordance with 13 N.N.C. §§ 3251-3271; And any final product from the research shall be reviewed for accuracy by the Review Board and HEHSC.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 12 in favor, 0 oppose, this 12th day of May, 2016.



LoRenzo Bates, Chairperson
Naabik'íyáti' Committee

Motion: Honorable Seth Damon
Second: Honorable Alton Joe Shepherd

NAVAJO NATION

RCS# 380

Naa'bik'iyati Committee

5/12/2016

02:56:33 PM

Amd# to Amd#

Legis. No. 0111-16 (as amended)

PASSED

MOT Damon

Supporting the National

SEC Shepherd

Institute of Justice Violence

Against Women Nat.Baseline study

Yea : 12

Nay : 0

Not Voting : 12

Yea : 12

Begay, NM

Chee

Daniels

Slim

BeGaye, N

Crotty

Jack

Tsosie

Bennett

Damon

Shepherd

Witherspoon

Nay : 0

Not Voting : 12

Bates

Filfred

Pete

Tso

Begay, K

Hale

Phelps

Vacant

Brown

Perry

Smith

Yazzie