

Covering the

VIOLENCE AGAINST WOMEN ACT (VAWA)

in Indian Country

Ill informed newsrooms often rely on stereotypes of tribal communities, which can result in the exploitation of victims, instead of contextualizing history to produce ethical coverage of Indigenous people. News reports should consider the safety of victims, minors, families and tribal communities when reporting on the Violence Against Women Act (VAWA) in Indian Country. Journalists must not only analyze the statistics but also explore the personal and historical narrative within their VAWA coverage.

- More than 84 percent of American Indian and Alaska Native women have experienced violence in their lifetime, including the following by a partner: sexual violence, physical violence, stalking and psychological aggression.
- More than 4 out of 5 (82 percent) American Indian and Alaska Native men have experienced violence in their lifetime.
- Two-thirds of sexual assaults against Indigenous women are committed by white and other non-Native perpetrators.
- U.S. attorneys declined to prosecute 67 percent of sexual violence cases occurring on tribal lands.
- The high rates of Murdered and Missing Indigenous Women (MMIW) across the U.S. and Canada are connected to higher crime rates against Indigenous women in general.

WHAT IS VAWA?

First enacted in 1994, the Violence Against Women Act (VAWA) is a federal law that provides resources for community-based responses to domestic violence, dating violence, stalking and sexual assault. It was reauthorized in 2000, 2005 and 2013.

Prior to the 2013 version, the U.S. Supreme Court ruled that federally recognized tribes have no authority to criminally prosecute non-Native offenders, even for crimes committed within tribes' jurisdictional boundaries or on reservations.

In *Oliphant v. Suquamish Indian Tribe* (1978), the Supreme Court ruled that tribes did not have criminal jurisdiction over non-Indian perpetrators. This decision essentially provided immunity to non-Indian offenders.

The most recent reauthorization includes provisions that allow tribes limited authority to prosecute non-Native perpetrators who commit sexual or domestic violence against a tribal citizen or violate a protective order on tribal land.

WHAT IS AND ISN'T COVERED BY VAWA TRIBAL PROVISIONS?

- Dating violence and the disregard of protective orders are covered in the 2013 version.
- Sexual assault and related crimes, or those often committed in conjunction with domestic violence (i.e. child abuse, neglect and drug possession), are not covered in the 2013 version.

REPORTING ON VAWA

Reporting on policy updates or tribal actions related to VAWA and domestic violence against Indigenous women should adhere to ethical standards upheld by both the Society of Professional Journalists (SPJ) and the Native American Journalists Association (NAJA).

Reporters must acknowledge that data on violence against Indigenous women is not comprehensive and may be impacted by jurisdiction and access issues. Journalists should report beyond what officials are willing to share and pose the question of whether or not tribal or government entities impact data gathering or accuracy. Journalists may consider collaboration with experts and partners working in Indian Country on information gathering or constructing an independent database.

- National Indigenous Women's Resource Center
- Alaska Native Women's Resource Center
- StrongHearts Native Helplines
- U.S. Department of Justice
- Indian Law Resource Center
- Tribal Law and Policy Institute
- Murdered and Missing Indigenous Women (MMIW) Database

How news content is packaged, produced and promoted matters. Headlines, video, tweets, hashtags, sources and photographs all compose the story narrative. Visual imagery and graphics should avoid reinforcing stereotypes. Reporters should select sources that represent the community they are covering.

COVERAGE CHECKLIST

- How does the organization determine official sources?
- How does the organization determine placement of sources within news coverage?
- Are reporters giving power to officials over the communities affected?
- Has the reporter thoroughly investigated the story?
- Are you researching the correct version of the bill for your coverage?
- Do headlines and social posts ensure coverage isn't faulting the victims or hindering pending investigations?
- Has the journalist weighed the importance and impact of informed consent to victims and their families?
- Has the editorial staff considered potential safety risks of including audio or video?
- Is the outlet reporting beyond the initial conflict or crisis and exploring community impact?

ABOUT NAJA

The Native American Journalists Association empowers more than 500 members representing tribal, nonprofit, freelance and mainstream media professionals in promoting accurate coverage of Indian Country, supporting newsroom diversity and defending challenges to free press, speech and expression. For more information about NAJA, visit www.naja.com.

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Native American Journalists Association