

Domestic Violence in Tribal Jurisdiction

Indigenous Peacemaking

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INTRODUCTION

As a child, I did not fully understand what domestic violence was or how deeply it affected my Native community until I reached high school. After my family moved out of our home on the allotment, my cousin moved in with her boyfriend and daughter. Suddenly, I was no longer allowed to visit the house I had grown up in alone. At the time, I did not understand why, but things became clearer when my cousin stopped responding to our messages and no longer allowed us to see her daughter. She became increasingly distant and eventually quit her job.

Over the next few years, she gave birth to two more daughters. One night, she was found severely beaten on the side of the road and taken to urgent care. By then, she was struggling with opioid addiction and still living with her abusive partner. When officials entered the home, they found it in a horrifying state. There was blood on the walls and clumps of hair on the floor, a devastating portrait of the violence she had endured. She was hospitalized for an extended period, during which time my family stepped in to care for her children.

When she recovered from her injuries and addiction, she regained the legal right to take back custody of her daughters. Instead, she chose to give custody to her abuser. Even though he had served time in jail, he was still allowed to care for them. I struggled to understand how this was possible, especially with the Indian Child Welfare Act (ICWA) in place. I later learned that while ICWA is meant to protect Native children within the child welfare system, it does not protect them from their parents. As long as he brought the children to cultural events and maintained a basic connection to their heritage, he was allowed to retain custody.

While this situation may seem extreme, it is not uncommon in many Native communities, including my own. The legacy of colonization, systemic neglect, and ongoing economic hardship has made Indigenous women particularly vulnerable to domestic violence. In some tribal communities that distribute per capita payments, this vulnerability is sometimes exploited by abusive partners who seek financial control, often fueling cycles of substance

abuse and dependency. These patterns are not cultural. They are the result of historical trauma and structural inequality.

Although tribes possess inherent sovereignty, not all have their court systems. Even when such systems exist, legal limitations often prevent them from prosecuting non-Native perpetrators, particularly in cases involving domestic and sexual violence. This stems in part from outdated federal laws and Supreme Court decisions that have historically undermined tribal authority. As a result, many tribal courts are restricted in their ability to fully protect their members, especially women and children, from non-Native offenders who commit crimes on tribal land. These legal gaps have created environments where perpetrators can act with impunity, knowing that jurisdictional confusion may delay or even prevent consequences. The lack of clear authority not only denies justice to victims but also erodes trust in the legal system and perpetuates cycles of violence within Native communities.

To effectively protect women and children in domestic violence cases through restorative practices, tribal legal systems must establish and maintain clear jurisdictional authority. Tribal courts need the power not only to address violence within their communities but also to hold non-Native perpetrators accountable. This includes implementing enforceable safety measures, developing reliable and culturally accessible reporting systems, and ensuring that legal processes uphold the rights of survivors while delivering meaningful justice, regardless of the tribe's size or resources.

HISTORICAL BACKGROUND OF DOMESTIC VIOLENCE

American Indian and Alaska Native women experience the highest rates of domestic violence in the United States. Nearly half have endured contact sexual violence, physical violence, or stalking by an intimate partner at some point in their lives.¹ You might be wondering,

¹ National Congress of American Indians, *Key Statistics / NCAI*, NCAI.ORG (2021), <https://www.ncai.org/section/vawa/overview/key-statistics>.

what exactly is domestic violence? Domestic violence is a pattern of behavior rooted in power and control. It occurs when one partner uses physical violence along with other forms of abuse, such as emotional, verbal, and financial abuse, to dominate and isolate the other person.²

The normalization of violence in Native communities is deeply tied to the lasting impacts of colonialism. Colonial systems disrupted traditional ways of life and introduced a legacy of violence that has continued through generations. During European colonization, violence against Indigenous women was not accidental. It was a deliberate tactic used in the broader strategy of conquest and cultural genocide. Women were targeted because of their vital role in sustaining their communities through childbearing and caregiving.³

Violence against Native women is not traditional. In our cultures, Native men, women, and children were each responsible for their actions. The heart of our nations lies in the feminine. Our connection to Mother Earth teaches us that all things are distinct, yet interconnected. Restoring this balance and returning to traditional values is essential to ending the violence and healing our communities.⁴

TRIBAL JURISDICTION

Jurisdiction refers to the legal authority of a court to hear and decide cases, as well as the geographic area or subject matter over which that authority may be exercised.⁵ In the context of tribal jurisdiction, this means that tribal courts have civil jurisdiction over both Native and non-Native individuals who reside on or conduct business within federal Indian

² T Buddy, *How Domestic Violence Varies by Ethnicity*, VERYWELL MIND (2021), <https://www.verywellmind.com/domestic-violence-varies-by-ethnicity-62648>.

³ Robin Whyatt, *The Colonial Roots of Violence Against Native American Women*, COLUMBIA UNIVERSITY'S MAILMAN SCHOOL OF PUBLIC HEALTH (2023), <https://www.publichealth.columbia.edu/news/colonial-roots-violence-against-native-american-women>.

⁴ KAREN ARTICHOKER, MARLIN MOUSSEAU & BRENDA NAVAJO, *HANDBOOK*, <https://www.niwrc.org/sites/default/files/files/f.%20Violence%20Against%20Native%20Women%20is%20Not%20Traditional%20NIWRC%20Handbook.pdf>.

⁵ Cornell Law School, *Jurisdiction*, LII / LEGAL INFORMATION INSTITUTE (2017), <https://www.law.cornell.edu/wex/jurisdiction>.

reservations. Additionally, tribal courts have criminal jurisdiction over violations of tribal law committed by tribal members living on or doing business within the reservation.

This jurisdiction is essential for effectively addressing domestic violence within Indigenous communities. Empowered under 25 C.F.R. Part 115, tribal courts handle various legal matters such as guardianships, child support, adoptions, marriages, and divorces, all closely connected to family violence issues.⁶ The Indian Tribal Justice Act of 1993 (Pub. L. No. 103-176) formally recognizes tribal courts as key components of the justice system in Indian Country, enhancing tribes' capacity to adjudicate cases locally rather than relying on state or federal systems that have historically underserved Native survivors of domestic violence.⁷

Nonetheless, many tribes lack fully established tribal justice systems. In these instances, the Court of Indian Offenses (Title 25 C.F.R. Part 11) may step in to provide judicial services.⁸ Studies indicate that communities without tribal courts or with limited jurisdictional authority often face higher rates of domestic violence, in part due to gaps in legal protections and enforcement. According to the National Congress of American Indians, violence against Native American and Alaska Native women and girls remains alarmingly high, especially in regions and tribal reservations where tribal courts are less empowered or accessible.⁹

Therefore, expanding and strengthening tribal jurisdiction over domestic violence cases is critical. It enables tribes to implement culturally relevant responses, assert their sovereignty in protecting their people, and address the shortcomings left by state and federal systems. By reclaiming jurisdiction, tribes can better safeguard survivors, hold offenders accountable, and

⁶ What is the jurisdiction of tribal courts? | Indian Affairs, WWW.BIA.GOV, <https://www.bia.gov/faqs/what-jurisdiction-tribal-courts>.

⁷ IBID

⁸ U.S. Department of the Interior, *Tribal Court Systems* | Indian Affairs, WWW.BIA.GOV, <https://www.bia.gov/CFRCourts/tribal-justice-support-directorate>.

⁹ Tassy Parker et al., *Domestic violence in American Indian and Alaska Native populations: a new framework for policy change and addressing the structural determinants of health*, 40 THE LANCET REGIONAL HEALTH - AMERICAS 100933 (2024), <https://www.sciencedirect.com/science/article/pii/S2667193X24002606>.

begin healing the deep, intergenerational wounds caused by domestic violence within their communities.

RESTORATIVE PRACTICES

In recent years, many tribes have sought to expand and strengthen their jurisdiction to respond more effectively to domestic violence cases. This is an area in which state and federal systems have often failed Native communities.¹⁰ The 2013 reauthorization of the Violence Against Women Act (VAWA) restored limited tribal jurisdiction over certain domestic violence offenses, providing an avenue for tribes to exercise sovereignty in addressing these crimes.¹¹ Within this evolving legal framework, some tribal courts have incorporated peacemaking or restorative justice elements into their responses to domestic violence, with a strong emphasis on victim safety and offender accountability.¹²

When thoughtfully adapted, restorative justice can help address the underlying trauma and community disruption caused by domestic violence. It offers an alternative to purely punitive models that often fail to promote long-term healing.¹³ However, scholars and practitioners emphasize that these processes must be survivor-centered and culturally grounded, and should never be used to minimize the seriousness of such offenses. By asserting tribal jurisdiction and integrating traditional justice practices, many Native communities are

¹⁰ RONE BACHMAN ET AL., VIOLENCE AGAINST AMERICAN INDIAN AND ALASKA NATIVE WOMEN AND THE CRIMINAL JUSTICE RESPONSE: WHAT IS KNOWN (2008).

¹¹ U.S. Department of Justice, *2013 and 2022 Reauthorizations of the Violence Against Women Act (VAWA)*, WWW.JUSTICE.GOV (2014), <https://www.justice.gov/tribal/2013-and-2022-reauthorizations-violence-against-women-act-vawa>.

¹² Restorative Justice as Regenerative Tribal Jurisdiction, CALIFORNIA LAW REVIEW, <https://www.californialawreview.org/print/regenerative-tribal-jurisdiction>.

¹³ Ana M. Nascimento, Joana Andrade & Andreia de Castro Rodrigues, *The psychological impact of restorative justice practices on victims of crimes—a systematic review*, 24 TRAUMA, VIOLENCE, & ABUSE (2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10240635/>.

reclaiming authority over domestic violence cases and providing responses that are both legally effective and culturally meaningful.¹⁴

When implemented with care, restorative justice practices can play a complementary role in addressing domestic violence cases within tribal justice systems. These practices provide survivors with opportunities to voice their experiences and needs while holding offenders accountable in ways that promote genuine behavioral change and community reintegration.¹⁵

Restorative justice practices typically involve facilitated dialogue between the victim and offender, with the support of family members, community representatives, and trained facilitators or Elders.¹⁶ One common model is the peacemaking circle, a structured gathering in which all participants sit in a circle to encourage openness and equality. The process begins with preparation, ensuring that the survivor is fully informed, participates voluntarily, and has ongoing support and safety planning in place. During the circle, the offender is asked to acknowledge the harm they caused, listen to the survivor's account, and engage in developing a plan for accountability and repair. This plan may include concrete actions such as counseling, restitution, public apology, cultural teachings, or other steps agreed upon by the circle.¹⁷

Importantly, restorative processes also seek to address the broader social and intergenerational harms that often accompany domestic violence. They aim to foster community healing and strengthen relationships, rather than isolating the offender from the

¹⁴ Park University, *The role of restorative justice in modern criminal justice administration*, PARK UNIVERSITY (2024), <https://www.park.edu/blog/the-role-of-restorative-justice-in-modern-criminal-justice-administration/>.

¹⁵ Ana M. Nascimento, Joana Andrade & Andreia de Castro Rodrigues, *The psychological impact of restorative justice practices on victims of crimes—a systematic review*, 24 TRAUMA, VIOLENCE, & ABUSE (2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10240635/>.

¹⁶ Sarah Lee, *Restorative Community Justice Practices*, NUMBERANALYTICS.COM (2025), <https://www.numberanalytics.com/blog/restorative-community-justice-practices> (last visited Jun 10, 2025).

¹⁷ PEACEMAKING CIRCLES EVALUATING A NATIVE AMERICAN RESTORATIVE JUSTICE PRACTICE IN A STATE CRIMINAL COURT SETTING IN BROOKLYN, <https://www.innovatingjustice.org/wp-content/uploads/2015/01/Peacemaking-Circles-Final.pdf>.

community.¹⁸ The process is not about forcing forgiveness or reconciliation. It is designed to empower survivors to express their needs, help offenders understand the full impact of their actions, and involve the community in supporting both accountability and healing.¹⁹

However, such processes must be carefully designed to avoid pressuring survivors or exposing them to further harm, particularly when ongoing risk remains. For this reason, many tribal programs implement restorative practices alongside formal prosecution, protective measures, and robust victim services. When used appropriately, restorative justice can offer a culturally grounded path to healing, accountability, and the prevention of future violence.²⁰

ORGANIZATIONS

In response to ongoing domestic violence in Indigenous communities, several key organizations provide outreach, resources, and safe spaces for Native women. These groups address both immediate safety needs and long-term healing while supporting tribal sovereignty and culturally grounded justice practices. Which are essential components for effective restorative justice. Among the most impactful are the StrongHearts Native Helpline, the National Indigenous Women's Resource Center (NIWRC), the Alaska Native Women's Resource Center (AKNWRC), the National Congress of American Indians (NCAI), and the Alliance of Tribal Coalitions to End Violence (ATCEV).

The StrongHearts Native Helpline is a 24/7 confidential service offering culturally informed crisis intervention, legal advocacy referrals, and support locating health services. Staffed by Native advocates, StrongHearts provides assistance rooted in Indigenous values and understands the legal and historical challenges faced by survivors. By emphasizing culturally

¹⁸ The power and potential of restorative justice to address and prevent domestic violence, BLUE SHIELD OF CALIFORNIA FOUNDATION (2019), <https://blueshieldcafoundation.org/blog/power-and-potential-restorative-justice-to-address-and-prevent-domestic-violence> (last visited Jun 10, 2025).

¹⁹ Paul McCold, *Restorative Justice: The Role of the Community*, WWW.IIRP.EDU (1995), <https://www.iirp.edu/news/restorative-justice-the-role-of-the-community>.

²⁰ Park University, *The role of restorative justice in modern criminal justice administration*, PARK UNIVERSITY (2024), <https://www.park.edu/blog/the-role-of-restorative-justice-in-modern-criminal-justice-administration/>.

relevant support, StrongHearts strengthens tribal efforts to protect women and children, reinforcing the need for tribal legal systems to assert jurisdiction to deliver justice grounded in community values.²¹

The NIWRC leads national efforts to end violence against Native women through policy advocacy, training, and public education. It provides resources to tribal advocates and promotes tribal sovereignty as essential to protecting Native women. The NIWRC's support of the Missing and Murdered Indigenous Women (MMIW) movement highlights the systemic failures when tribal jurisdiction is unclear or absent, underscoring why tribal legal authority is fundamental for restoring safety through restorative practices.²²

Similarly, the AKNWRC addresses the unique geographic and jurisdictional challenges faced by Alaska Native women. Through training and policy advocacy, it emphasizes Indigenous healing and community driven response models that require tribes to maintain clear jurisdictional control to implement effective restorative justice.²³

The NCAI advances tribal legal authority through national advocacy. Its Task Force on Violence Against Women focuses on strengthening tribal jurisdiction and securing resources for tribal justice systems, directly aligning with the thesis that clear legal authority is essential for protecting women and children through culturally appropriate justice.²⁴

Finally, the ATCEV fosters collaboration among tribal coalitions, supporting survivor-centered and culturally relevant approaches. Their advocacy for tribal voices in federal policy reinforces that only through recognized and maintained tribal jurisdiction can restorative justice practices be meaningfully applied to domestic violence cases in Indigenous communities.²⁵

²¹ StrongHearts Native Helpline, *DOMESTIC AND SEXUAL VIOLENCE IS NEVER OKAY*, STRONGHEARTS NATIVE HELPLINE, <https://strongheartshelpline.org>.

²² Who We Are | NIWRC, WWW.NIWRC.ORG, <https://www.niwrc.org/about>.

²³ About Us | Alaska Native Women's Resource Center, <https://www.aknwrc.org/about-us/>.

²⁴ VAW Resource Center | NCAI, NCAI.ORG (2024), <https://www.ncai.org/section/vawa>.

²⁵ Our Vision - ATCEV, ATCEV (2024), <https://www.atcev.org/about-us/> (last visited Jun 10, 2025).

Together, these organizations not only provide critical survivor support but also actively drive systemic change, emphasizing that restoring and maintaining tribal jurisdiction is indispensable for integrating restorative justice practices that protect women and children and promote community healing.

ACTS OF GOVERNMENT

The Violence Against Women Act (VAWA) is a pivotal federal law providing protections and resources to survivors of domestic violence, sexual assault, and stalking.²⁶ One of its key provisions safeguards housing for survivors in federally subsidized units, helping maintain stability essential for recovery. However, effective enforcement of these protections often depends on clear jurisdictional authority within tribal legal systems to address domestic violence on Indigenous lands.

Originally enacted in 1994, VAWA was the first comprehensive federal legislation aimed at ending violence against women.²⁷ It strengthened criminal justice responses, including harsher penalties and legal protections for survivors, setting a foundation for recognizing survivors' rights. Yet, the success of VAWA in tribal contexts is tied closely to tribal courts' ability to exercise jurisdiction, without which survivors often remain unprotected or underserved.

Many states have followed VAWA's example by adopting workplace protections and employment rights for survivors. Yet, Indigenous women frequently face gaps in these protections due to complex jurisdictional issues on tribal lands. Thus, tribal legal systems must maintain clear and recognized jurisdiction to ensure that federal and state protections can be effectively implemented alongside culturally relevant restorative justice practices.²⁸

²⁶ U.S. Department of Housing and Urban Development, Violence Against Women Act (VAWA), HUD.GOV / U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (2023), <https://www.hud.gov/vawa#VAWA-Cases>.

²⁷ Legal Momentum, *History of VAWA*, LEGALMOMENTUM.ORG (2015), <https://www.legalmomentum.org/history-vawa>.

²⁸ FACTSHEET: THE VIOLENCE AGAINST WOMEN ACT, https://obamawhitehouse.archives.gov/sites/default/files/docs/vawa_factsheet.pdf.

Beyond VAWA, two important laws enacted in 2020, Savanna's Act and the Not Invisible Act, specifically target the crisis of missing and murdered Indigenous women.²⁹ These laws improve data collection and intergovernmental coordination, highlighting the need for collaboration among tribal, federal, and state authorities. However, their success depends on the acknowledgment of tribal sovereignty and jurisdiction to enable tribes to take an active role in justice processes. Clear jurisdictional authority is crucial for tribes to lead restorative and healing-centered responses to this crisis, protecting women and children in ways aligned with Indigenous values.³⁰

MOVEMENTS

The Missing and Murdered Indigenous Women (MMIW) movement shines a critical light on the high rates of violence experienced by Native women and the systemic failures that make justice difficult to achieve. For decades, Indigenous communities have faced alarming rates of assault, abduction, and murder, while distrust of law enforcement, fear of retaliation, and cultural barriers contribute to underreporting and inadequate responses.³¹

Data collection remains a major challenge. Inconsistent tracking across federal and state systems reflects a larger problem of fragmented jurisdiction. This fragmentation prevents coordinated responses and makes it harder for tribal legal systems to offer the kinds of protections and restorative justice practices needed to keep women and children safe.³²

Public symbols such as the red handprint across the mouth and projects like the REDress Project help raise awareness and honor missing and murdered Indigenous women. These powerful images remind the public that many Native women have been silenced, and that

²⁹ Indian Law Resource Center, *Savanna's Act and the Not Invisible Act Signed into Law* | Indian Law Resource Center, INDIANLAW.ORG (2020), <https://indianlaw.org/news/savannas-act-and-not-invisible-act-signed-law>.

³⁰ What is the Not Invisible Act Commission? | Indian Affairs, WWW.BIA.GOV, <https://www.bia.gov/service/not-invisible-act-commission/what-not-invisible-act-commission>.

³¹ Native Hope, *Missing and Murdered Indigenous Women (MMIW) - Native Hope*, NATIVE HOPE (2024), <https://www.nativehope.org/missing-and-murdered-indigenous-women-mmiw/>.

³² IBID

justice has been denied for too long. The movement calls for justice systems that do more than punish. It demands approaches that prioritize healing, accountability, and community restoration, rooted in Indigenous values.³³

To respond effectively to the crisis, tribal legal systems must have clear jurisdictional authority. Without it, they cannot lead restorative practices that center survivor safety and promote long-term healing. The MMIW movement underscores the importance of giving tribes the legal power to protect their own people and to implement justice processes grounded in cultural traditions. Restorative justice offers a path forward, but only when tribal governments are fully empowered to carry it out.

SUPREME COURT CASES

Several United States Supreme Court cases have profoundly affected the ability of tribal nations to exercise jurisdiction over crimes committed on Native lands, including domestic violence. These decisions have often undermined tribal sovereignty and created legal gaps that leave Native women and children vulnerable to violence without sufficient protection or justice. Understanding these cases is essential for recognizing why restoring tribal jurisdiction and embedding restorative practices in tribal justice systems are necessary for addressing domestic violence in Indigenous communities.

The decision in *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978), remains one of the most consequential cases concerning tribal criminal jurisdiction.³⁴ The Court ruled that tribal courts do not have jurisdiction to prosecute non-Indian defendants for crimes committed on reservations. This case involved Mark David Oliphant, a non-Indian who assaulted a tribal police officer on the Port Madison Reservation. The Court held that tribes, as "domestic

³³ Jaime Black, *The REDress Project – Jaime Black*, THE REDRESS PROJECT (2020), <https://www.jaimeblackartist.com/exhibitions/>.

³⁴ *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978).

dependent nations," had implicitly relinquished the power to prosecute non-Indians unless Congress explicitly restored that authority.³⁵ This ruling severely restricted tribal governments' ability to protect their citizens from non-Indian offenders. In the context of domestic violence, where many perpetrators are non-Indian men targeting Native women, this decision left countless victims without meaningful legal recourse within their communities.

In *McGirt v. Oklahoma*, 591 U.S. ____ (2020), the Court ruled that the Muscogee Creek Nation's reservation still legally existed and that Oklahoma lacked jurisdiction to prosecute crimes committed by Indians on tribal land.³⁶ The Court affirmed that such crimes fall under tribal or federal jurisdiction. This ruling strengthened tribal sovereignty and recognized the continued validity of tribal treaties. For domestic violence cases, the decision provided an important reaffirmation that tribal courts and federally coordinated systems should address such crimes, allowing for responses that incorporate restorative justice and culturally grounded practices.

However, *Oklahoma v. Castro-Huerta*, 597 U.S. ____ (2022), introduced new challenges. In this case, the Court held that states may exercise concurrent jurisdiction to prosecute non-Indian offenders who commit crimes against Indians on tribal land.³⁷ This ruling undermined the clarity established in *McGirt* and weakened the principle of exclusive tribal and federal jurisdiction. The decision has the potential to create further confusion regarding legal authority, particularly in domestic violence cases involving non-Native perpetrators. This uncertainty

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³⁶ *McGirt v. Oklahoma*, 591 U.S. ____, 140 S. Ct. 2452 (2020).

³⁷ *Oklahoma v. Castro-Huerta*, 597 U.S. ____, 142 S. Ct. 2486 (2022).

complicates the efforts of tribal justice systems to implement restorative justice and peacemaking practices that center survivor safety and cultural integrity.³⁸

These Supreme Court cases show how complicated and often confusing the legal framework around tribal jurisdiction can be. The ruling in *Oliphant* greatly limited tribal authority, while *McGirt* helped restore recognition of tribal sovereignty. But *Castro-Huerta* has since complicated that progress by allowing state governments to take on cases that tribes and federal courts once handled. For Native communities trying to reclaim their justice systems and use restorative practices to address domestic violence, having clear and strong jurisdiction is critical. Without it, true healing, accountability, and culturally meaningful justice are much harder to achieve.

CONCLUSION

To protect women and children from domestic violence, tribal legal systems must have clear and strong jurisdictional authority that supports restorative justice practices. Restorative approaches need to center survivor safety and choice by including integrated safety planning, survivor advocacy, culturally based counseling, ceremonial healing, elder involvement, and cultural mentorship. Community healing circles and peacemaking circles offer culturally grounded spaces where survivors can heal and be heard.

Child safety is a priority, and when needed, child welfare services should be involved along with separate support for children. Using the Violence Against Women Act (VAWA) special jurisdiction helps tribes strengthen their authority to respond to domestic violence.

³⁸ lauren, *Oklahoma v. Castro-Huerta: Bad facts make bad law*, NATIVE GOVERNANCE CENTER (2022), <https://nativegov.org/news/castro-huerta/>.

Tribal codes should be strengthened, and peacemaking fully integrated into the justice system to support healing and expand tribal jurisdiction. Developing tribal Healing to Wellness Courts and entering intergovernmental agreements or memoranda of understanding with state and federal governments also helps tribes assert their legal power.

Expanding tribal jurisdiction through peacemaking allows tribes to take back control over cases involving both Native and non-Native offenders on tribal land. This is important because it lets the community hold perpetrators accountable through making amends, participating in dialogue and healing, and monitoring reintegration. These restorative processes encourage real accountability and community healing.

Without clear tribal jurisdiction, restorative practices are much harder to carry out or enforce. Restoring and expanding tribal legal authority through culturally rooted peacemaking ensures that tribal justice systems can protect survivors, keep children safe, hold offenders responsible, and support true healing based on Indigenous values and sovereignty.

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