

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STANDING ROCK SIOUX TRIBE
Plaintiff,

CHEYENNE RIVER SIOUX TRIBE,
Intervenor-Plaintiff,

v.

U.S. ARMY CORPS OF ENGINEERS,
Defendant-Cross-Defendant,

DAKOTA ACCESS LLC,
Intervenor-Defendant-
Cross-Claimant.

Case No. 1:16-cv-01534-JEB

**NATIONAL INDIGENOUS WOMEN'S RESOURCE CENTER AND ADDITIONAL
AMICI'S BRIEF AS AMICI CURIAE IN SUPPORT OF PLAINTIFF STANDING ROCK
SIOUX TRIBE'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

SARAH DEER
Mitchell Hamline School of Law
875 Summit Ave.
St. Paul MN 55105
(651) 290-6309
sarah.deer@mitchellhamline.edu

MARY KATHRYN NAGLE
(D.C. Bar No. 1033507)
Counsel of Record
PIPESTEM LAW P.C.
1333 New Hampshire Ave., N.W.
Washington, D.C. 20036
(202) 407-0591
mknagle@pipestemlaw.com

WILSON K. PIPESTEM
(D.C. BAR NO. 456312)
ABI FAIN
JOE KEENE
320 S Boston Ave
Suite 1705
Tulsa, OK 74103
Attorneys for Amici Curiae

TABLE OF CONTENTS

CORPORATE DISCLOSURE STATEMENT ii

TABLE OF AUTHORITIES iii

INTEREST OF THE *AMICI CURIAE* 1

SUMMARY OF THE ARGUMENT 3

ARGUMENT 8

I. The Army Corps Acted Arbitrarily, Capriciously, and Contrary to Law
in Granting the Easement Because the Corps Has Yet to Undertake the
Required “Public Interest” Analysis 8

 a. The Army Corps Failed to Properly Consider the “Public Interest” Before
Terminating the EIS Process..... 8

 b. Increasing Oil Extraction in Bakken Region Near Tribal
Lands Increases Violence Against Native Women..... 10

 i. The Bakken Oil Boom Has Dramatically Increased Violent Crimes
Committed Against Native Women and Children at Fort Berthold 13

 ii. The Bakken Oil Boom Has Increased Rates of Violence Against Native
Women and Children in the Fort Peck Assiniboine and Sioux Tribe and
State of Montana 18

 iii. Jurisdictional Complications Make Increased non-Indian Perpetuated
Violence Against Native Women all the More Dangerous 20

 c. Increasing Violence Against Native Women is Not in
the “Public Interest” 21

II. The Army Corps’ Decision to Grant the Easement without Adequately
Considering the Public Interest Violates the United States’ Duties as Trustee 23

CONCLUSION..... 25

CERTIFICATE OF SERVICE 27

APPENDIX A: List and Description of Tribal Nations *Amici Curiae* 1a

APPENDIX B: List and Description of Additional Organizational *Amici Curiae*..... 1a

CORPORATE DISCLOSURE STATEMENT

Pursuant to and LCvR 7(o) and FRAP 29(c)(1), *Amicus Curiae* National Indigenous Women's Resource Center ("NIWRC") makes the following disclosure:

- 1) For non-governmental corporate parties please list all parent corporations: None.
- 2) For non-governmental corporate parties please list all publicly held companies that hold 10% or more of the party's stock: None.
- 3) If there is a publicly held corporation which is not a party to the proceeding before this Court but which has as a financial interest in the outcome of the proceeding, please identify all such parties and specify the nature of the financial interest or interests: Counsel for NIWRC is aware of no such corporation.

Dated: February 21, 2017

/s/Mary Kathryn Nagle
Mary Kathryn Nagle (D.C. Bar No. 1033507)
Pipestem Law Firm, P.C.
1333 New Hampshire Ave, N.W.
Washington, D.C. 20036
(202) 407-0591
mknagle@pipestemlaw.com
Counsel for Amici Curiae

TABLE OF AUTHORITIES

Cases

Airport Communities Coal. v. Graves,
 280 F.Supp.2d 1207 (W.D. Wash. 2003)..... 9

All. to Protect Nantucket Sound, Inc. v. U.S. Dep’t of the Army,
 398 F.3d 105 (1st Cir. 2005)..... 9

Ark Initiative v. Tidwell,
 816 F.3d 119 (D.C. Cir. 2016)..... 6

FCC v. Fox Television Stations, Inc.,
 556 U.S. 502 (2009)..... 6

Hoosier Env’tl. Council v. U.S. Army Corps of Eng’rs,
 722 F.3d 1053 (7th Cir. 2013) 9

Mississippi Band of Choctaw Indians v. Holyfield,
 490 U.S. 30 (1989)..... 23

Motor Vehicle Mfrs’. Ass’n v. State Farm Mut. Auto. Ins. Co.,
 463 U.S. 29 (1983)..... 6

Nw. Sea Farms, Inc. v. U.S. Army Corps of Eng’rs,
 931 F. Supp. 1515 (W.D. Wash. 1996)..... 5, 24

Oliphant v. Suquamish Indian Tribe,
 435 U.S. 191 (1978)..... 20

Seminole Nation v. United States,
 316 U.S. 286 (1942)..... 24

United States v. Alaska,
 503 U.S. 569 (1992)..... 9

Federal Statutes

33 U.S.C. § 408..... 4, 5, 8

42 U.S.C. § 16927 (2006)..... 16

42 U.S.C. § 4321 *et seq.*..... 7

5 U.S.C. § 701 *et seq.*..... 7

Violence Against Women and Dep’t of Justice Reauthorization Act of 2005,
 Pub. L. No. 109–162, § 901(6), 119 Stat. 3078 23

Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, tit. IX,
 127 Stat. 54, 118–26 23

Federal Rules and Regulations

33 C.F.R. § 320.4(a)..... 7

33 C.F.R. § 320.4(a)(1)..... 1, 4, 9

82 Fed. Reg. 5543 (Jan. 18, 2017) 1

Legislative Authorities

151 Cong. Rec. S4873 (daily ed. May 10, 2005) (statement of Sen. McCain) 7

155 Cong. Rec. S4333 (daily ed. Apr. 2, 2009)..... 24

*Addressing the Need for Victim Services in Indian Country, Hearing Before the S. Comm. on
 Indian Aff., 114th Cong. (2015)..... 19*

*Examining the Prevalence of and Solutions to Stopping Violence Against Indian Women,
 Hearing Before the S. Comm. On Indian Aff., 110th Cong. (2007)..... 21, 23*

*Hearing on “Combating Human Trafficking: Federal, State, and Local Perspectives” Before the
 S. Comm. on Homeland Sec. and Gov’t Aff., 113th Cong. (2013)..... 19*

*Hearing on the Tribal Youth and Community Protection Act, S. 2785 and the
 Tribal Law and Order Act Reauthorization, S. 2920 Before the S. Comm. on Indian Aff.,
 114th Cong. (2016) 18*

EO 13175, Consultation & Coordination with Indian Tribal Gov’ts, (Nov. 6, 2000)..... 24

Other Authorities

“Human Trafficking,” Senator Heidi Heitkamp,
<http://www.heitkamp.senate.gov/public/index.cfm/human-trafficking> 12

“Statistics,” N.D. Indian Aff. Comm’n, <http://indianaffairs.nd.gov/statistics/> 14

Amnesty Int’l, *Maze of Injustice: The failure to protect Indigenous women from sexual violence
 in the USA* (2007)..... 23

Amy Dalrymple, *Federal, tribal officers check offenders at Fort Berthold*, The Bismark Tribune
 (April 19, 2015) 16, 17

Andrew Sheeler, *Durr gets 21 months for human trafficking*, Bismarck Tribune (Mar. 18, 2015), 11

Christine Graef, *Bakken Region Tribes Fight Back Against Human Trafficking*, MintPress News (Nov. 21, 2014)..... 19

Damon Buckley, *Firsthand Account of Man Camp in North Dakota From Local Tribal Cop*, Lakota Country Times (May 22, 2015) 16

Dep’t of Def. Instruction 4710.02 (Sept. 14, 2006)..... 24

Dep’t of Justice, *Montana Groups Receive Federal Grant to Fight Domestic and Sexual Violence in the Bakken* (Aug. 27, 2014) 22

Dep’t of Justice, *Remarks by Associate Attorney General Tony West at the Four Corners Conference* (Aug. 26, 2014)..... 20

Fort Peck Tribes (Assiniboine & Sioux) Sex Offender Registry, <https://fortpecktribes.nsopw.gov/SearchOffender.aspx>..... 19

Grant Application from TAT Victim Services to Office of Violence Against Women, Dep’t of Justice (FY 2014)..... 14

Grant Application from TAT Victim Services to Office of Violence Against Women, Dep’t of Justice (FY 2015)..... 14

Health Promotion and Disease Prevention Wellness Program: Harvard University Initiatives, http://www.fortpecktribes.org/hpdp/harvard_university_initiatives.html. 19

Jens Manuel Krogstad, *How North Dakota’s ‘man rush’ compares with past population booms*, PewResearchCenter (July 16, 2014)..... 10, 17

Mont. Bd. of Crime Control, *Crime in Montana: 2013-2014 Rep.* (2015), <http://mbcc.mt.gov/Portals/130/Data/CIM/CIM2013-14.pdf>..... 17, 18

N.D. Att’y Gen., Bureau of Criminal Investigation, *Crime in North Dakota, 2015* (2016), <https://www.ag.nd.gov/reports/bcireports/crimehomicide/Crime15.pdf> 12

Office of Sen. Heidi Heitkamp, *Heitkamp Announces Federal Funding to Combat Human Trafficking*, Press Release (Sept. 24, 2015) <http://www.heitkamp.senate.gov/public/index.cfm/press-releases?ID=BBC14F2B-F93E-47B2-B0F6-90E352B4A3F9> 12

Rick Ruddell et al., *Drilling Down: An Examination of the Boom-Crime Relationship in Resource-Based Boom Counties*, W. Crim. Rev. 15(1):3-17..... 13

Sari Horwitz, *The Dark Side of the Boom*, The Wash. Post (Sept. 28, 2014)..... 11

Sec’y of Def. Policy on “Dep’t of Def. Am. Indian & Alaska Native Policy” (Oct. 20, 1998)... 24

Sen. Heidi Heitkamp (D-ND), *Jurisdictional No-Man’s Land: Explaining to FBI Director Comey Why Our Tribes Need a Cop on the Beat*, Medium (June 6, 2016), <https://medium.com/@SenatorHeitkamp/jurisdictional-no-mans-land-explaining-to-fbi-director-comey-why-our-tribes-need-a-cop-on-the-e960be5578f1#.flykz2vyk>..... 20

Suzette Brewer, *Tester Begins Hearings on Sex Trafficking in Indian Country*, Indian Country Today (Sept. 3, 2014), <http://indiancountrytodaymedianetwork.com/2014/09/03/tester-begins-hearings-sex-trafficking-indian-country-156723?page=0%2C0> 12, 20

Telephone interview with Cedar Wilkie Gillette, Former Victim Advocate, Fort Berthold Coalition Against Violence..... 15

Tim Purdon Steps Down as U.S. Attorney for North Dakota, Valley News Live (Feb. 10, 2015), <http://www.valleynewslive.com/home/headlines/US-States-Attorney-for-North-Dakota-Tim-Purdon-Steps-Down-291399551.html> 11

Tristan Ahtone, *A broken system: Why law and order is faltering on the rez*, Al Jazeera America (Dec. 19, 2019) 17, 20

U.S. Dep’t of Justice Office on Violence Against Women, 2013 Tribal Consultation Rep. (2013)..... 10

U.S. Dep’t of Justice Office on Violence Against Women, 2014 Tribal Consultation Rep. (2014)..... 11

U.S. Dep’t of Justice, *U.S. Attorney Timothy Q. Purdon to Step Down*, Press Release (Feb. 10, 2015)..... 11

U.S. Energy Inf. Adm., *Drilling Productivity Report, Petrol. & Other Liquids*..... 6

U.S. Gov’t Accountability Office, GAO-11-167R, *U.S. Dep’t of Justice Declinations of Indian Country Criminal Matters* (Dec. 13, 2010)..... 20

INTEREST OF THE *AMICI CURIAE*

The Army Corps of Engineers’ (“Army Corps” or “Corps”) abrupt termination of the Environmental Impact Statement (“EIS”) process, coupled with the simultaneous granting of the easement requested by Dakota Access, LLC (“Dakota Access” or “Dakota Access Pipeline”), compels the *Amici* identified herein to offer their views on how the Army Corps’ cursory decision to grant the easement without adequately considering the public interest implications of the proposed pipeline violates federal law, including the Corps’ own regulations.

The leading signatory, the National Indigenous Women’s Resource Center, Inc. (“NIWRC”), submitted comments on the EIS on January 26, 2017, eight days after the Corps initiated the EIS comment period on January 18, 2017 (*see* Notice of Intent to Prepare an EIS in Connection With Dakota Access, LLC’s Request for an Easement To Cross Lake Oahe, N.D., 82 Fed. Reg. 5543 (Jan. 18, 2017)), and thirteen days before the Corps terminated the EIS process on February 8, 2017. *See* NIWRC, Comment Letter on the Notice of Intent to Prepare an EIS in Connection with Dakota Access, LLC’s Request for an Easement to Cross Lake Oahe, N.D., attached herein as Exhibit A (“Ex. A” or “NIWRC Comments”). The NIWRC Comments provided the Army Corps with the NIWRC’s views on:

the unconsidered risks that would result from the Army Corps granting the easement without adequately considering the public interest implications of the proposed pipeline. Specifically, the Army Corps must consider the increased levels of violence Native women and children in the Bakken region will face if the pipeline is permitted to cross the Missouri River at Lake Oahe and commence operations.

Ex. A at 2. The NIWRC Comments provided the Army Corps with substantial evidence—from tribal, federal, and state officials—documenting the clear link between an earlier increase in extractive industries in the Bakken region of North Dakota—where the proposed Dakota Access

pipeline plans to originate—and a corresponding increase in violence against Native women and children in North Dakota. *See* Ex. A at 6-15.

The Corps’ own regulations require it to consider the “safety” and “welfare of the people” of the impacted community when making these determinations, which the Corps ignored altogether. *See* 33 C.F.R. § 320.4(a)(1). The NIWRC Comments totaled twenty-one pages in all and, ultimately, asserted that “[a] federally-permitted project that threatens to increase these levels of violence undeniably undermines the ‘public interest’ and fails the United States’ trust responsibility to Tribal Nations, as well as their woman and children, and therefore commands—at a minimum—the Army Corps’ serious consideration.” *Id.*

The NIWRC is a Native nonprofit organization whose mission is to ensure the safety of Native women by protecting and preserving the inherent sovereign authority of American Indian and Alaska Native Tribes to respond to domestic violence and sexual assault. NIWRC’s Board of Directors consists of Native women leaders from Tribes across the United States; collectively, these women have extensive experience in governmental, programmatic, and educational work to end domestic violence against Native women and their children.

NIWRC is joined by thirteen Indian Nations that have invested significant resources, time, and effort to ensure that their prosecutions of domestic violence crimes serve to increase the safety of their tribal communities, while simultaneously working to ensure that the rights of the domestic violence defendants in tribal criminal proceedings are respected and enforced.¹ These Tribal Nations *Amici* possess a unique perspective regarding the connections between protecting tribal lands, tribal sovereignty, and safety for Native women and children. They also

¹ The thirteen Tribal Nations *Amici* are identified and listed in Appendix A to this brief.

constitute the beneficiaries of the United States' trust relationship with Tribal Nations, and as such, join the other NIWRC *Amici* to voice their concerns over a federal permitting process that failed to consider the public interest impacts of the pipeline on Tribal Nation citizens.

Additionally, the NIWRC is joined by 105 non-profit organizations committed to ending domestic violence and sexual assault against Native, and non-Native, women and men, as well as LGTQ.² In total, the NIWRC is joined by 118 Tribal Nations and organizational *amici* (together, with the NIWRC, the "NIWRC *Amici*").

The NIWRC *Amici*'s collective experience render them uniquely positioned to offer their perspective on the dangers imposed by the Corps' failure to consider the public interest implications of permitting extractive industries that, without adequate consideration and consultation, will more than likely lead to increased violence against Native women and children.

SUMMARY OF THE ARGUMENT

We all know life cannot exist without the presence of water. Life also cannot exist without our life givers, our women. Both have to be protected for the future of all people.

Carmen O'Leary (Cheyenne River Sioux Tribe), NIWRC Board of Directors and Executive Director of the Native Women's Society of the Great Plains

The Army Corps' February 8, 2017 decision to truncate the EIS process and grant Dakota Access its requested easement, with no consideration of the increased levels of violence and sexual assault Native women and children will likely face, violates federal law, threatens the public interest, and undermines the United States' role as trustee to Tribal Nations and their citizens.

² The 105 additional organizational *Amici* are identified and listed in Appendix B to this brief.

The Corps' February 8 decision to terminate the EIS came after the new President, on January 24, 2017, signed a memorandum directing the Secretary of the Army to "instruct" the Assistant Secretary "to take all actions necessary and appropriate to . . . review and approve in an expedited manner, to the extent permitted by law and as warranted, and with such conditions as are necessary or appropriate" all requests for approvals to construct and operate the pipeline. Presidential Mem. Regarding Construction of the Dakota Access Pipeline (Jan. 24, 2017), ECF No. 89-1. Following this direction, on February 7, 2017, the Corps sent notification to Congress of its intent to grant the DAPL easement. Army Corps' Notice to Congress ("Feb. 7 Notice"), ECF No. 95-1. The Corps also released a February 7 decision memorandum that documented the steps taken to follow the President's direction, Mem. for Record ("Feb. 7 Memo"), ECF 95-2, which referenced a February 3, 2017 "Technical and Legal Review" of the project. USACE Tech. and Legal Rev. ("Feb. 3 Memo"), ECF No. 114-1.

In the Army Corps' February 3 Memo—wherein the Army Corps provides its justification for granting the requested easement on February 8 and abandoning the EIS process it had commenced sixteen days before—the Army Corps notes that it is "Corps policy is to grant an easement when it is in the public interest." Feb. 3 Memo, ECF No. 114-1 at 91. That is, the Army Corps announced that its February 8 decision to grant Dakota Access its requested easement was based, in part, on "the Corps finding that granting an easement for the pipeline to cross Lake Oahe is in the public interest." Feb. 3 Memo, ECF No. 114-1 at 91.

The easement for the Dakota Access pipeline, however, threatens to seriously harm the "public interest," as defined by both federal law and the Corps' own regulations. As the Army Corps repeatedly acknowledges in its Feb. 3 Memo, federal law predicates the Army Corps' decision to grant Dakota Access its requested easement on the Secretary's conclusion that such

an easement “*will not be injurious to the public interest. . . .*” ECF No. 114-1 at 3 (quoting Section 14 of the Rivers and Harbors Act of 1899 (“RHA”), as amended and codified in 33 U.S.C. § 408) (ellipses not in original) (emphasis added). Thus, according to the Corps’ own regulations, prior to granting the easement the Corps has now granted, the Corps must have undertaken “an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest” to determine whether the pipeline is consistent with “the public interest” under § 408 of the RHA. 33 C.F.R. § 320.4(a)(1). This evaluation must include consideration of “[a]ll factors which may be relevant to the proposal . . . including . . . *safety*, . . . and, in general, the needs and *welfare of the people.*” *Id.* (emphasis added).

The record is clear, however, that the Corps did not consider the pipeline’s potential impacts on the “safety” and “welfare of the people” of North Dakota—in particular, the safety and welfare of Native women and children to whom the Army Corps owes a trust responsibility and who are likely to suffer increased rates of violence, sexual assault, and abuse if and when this pipeline is permitted to completion. Neither of the Corps’ February memoranda—the memoranda that have been used to justify its February 8 decision to abruptly halt the EIS process—mention, address, or articulate any consideration of the “safety” of the Native women and children whose general “welfare” will more than likely be compromised by the Corps’ decision to grant Dakota Access its requested easement.

The Army Corps’ failure to fully, and sufficiently, consider the “public interest” factors listed in its own regulations renders the agency’s cursory decision on February 8 to vacate the EIS process arbitrary, capricious, and contrary to law. In this regard, the NIWRC *Amici* write to support Standing Rock Sioux Tribe’s (“SRST”) motion for partial summary judgment (ECF No.

117) on the basis that the Corps' abrupt termination of the ongoing EIS process "runs afoul of the reasoned decision-making required by the APA under both *Fox Television* and *Motor Vehicles*." Pl.'s Mem. in Supp. of Its Mot. for Partial Summ. J. 35-36, ECF No. 117-1 (citing *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502 (2009); *Motor Vehicle Mfrs'. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29 (1983)). More specifically, the NIWRC *Amici* fully adopt and incorporate SRST's assertion that the written memoranda provided by the agency do not justify, under federal law and controlling precedent, the agency's rapid departure from its prior determination that a full EIS was necessary in order to determine whether Dakota Access should be granted its requested easement. See *Fox Television*, 556 U.S. 502, 537 (Kennedy, J, concurring)("[a]n agency cannot simply disregard contrary or inconvenient factual determinations that it made in the past . . ."); *Ark Initiative v. Tidwell*, 816 F.3d 119, 127 (D.C. Cir. 2016) ("Where an agency changes a policy or practice, it 'is obligated to supply a reasoned analysis for the change.'") (citation omitted). And consequently, as SRST asserts in its motion, the Army Corps' February 8, 2017 "easement decision, as well as the Corps' July regulatory actions and accompanying NEPA analysis, are arbitrary, capricious, and contrary to law." Pl.'s Mem. in Supp. of Its Mot. for Partial Summ. J. 2, ECF No. 117-1.

The NIWRC *Amici* write separately to more fully articulate the manner in which the Army Corps' failure to adequately consider the "public interest," as required by both federal law and the agency's own regulations, will likely endanger the lives of Native women and children. As the NIWRC explained in the Comments it filed with the Army Corps, oil extraction and production in the Bakken region—a region that comprises eastern Montana and western North Dakota, as well as two Tribal Nations—has increased dramatically from 2005 to the present. Today, North Dakota produces more oil for export than any other State. The region is also home

to some of the highest rates of sexual assault, sex trafficking, and domestic violence in the United States. With the majority of oil extraction taking place on or near tribal lands, the recent spike in violence in the Bakken has fallen disproportionately on Native women and children. Throughout the United States, Native women suffer the highest rates of violence in the country.³

Dakota Access's stated goal is to increase capacity for the transportation of up to 570,000 barrels per day ("bpd") of oil from the Bakken to Illinois.⁴ In its motion for summary judgment before this Court, Dakota Access asserted its proposed pipeline has "an expected day-one volume of 450,000 barrels per day." Def.-Cross-Cl.'s Mot. for Summ. J. 4-5, ECF No. 66-1 (citing AR 71229-30). As of September 2016, the U.S. Energy Information Administration estimates that the Bakken Region is producing 942,000 bpd.⁵ Thus, if federally permitted and put into operation at capacity, the Dakota Access pipeline could increase oil extraction in the Bakken by as much as 60%. An increase in oil extraction near tribal communities, without consent of Tribal Governments or consideration of the health and safety of tribal communities, creates a significant risk of increased violence in the Bakken—and in particular, against Native women and children.

As Congress has repeatedly recognized, the United States owes a trust duty and obligation to Tribal Nations to ensure the safety of their women and children. The granting of the easement, therefore, should be reversed and the Army Corps should be required to complete the EIS process it already began, in a manner that complies with the Administrative Procedures Act ("APA"), 5 U.S.C. § 701 *et seq.*, the National Environmental Policy Act ("NEPA"), 42 U.S.C. §

³ 151 Cong. Rec. S4873 (daily ed. May 10, 2005) (statement of Sen. McCain).

⁴ Final Environmental Assessment 9 (July 25, 2016) (hereinafter "Final EA").

⁵ U.S. Energy Inf. Adm., *Drilling Productivity Report*, Petrol. & Other Liquids (Oct. 16, 6:26PM), <http://www.eia.gov/petroleum/drilling/#tabs-summary-2>.

4321 *et seq.*, and the agency’s own regulations, 33 C.F.R. § 320.4(a). Under both federal law and the Corps’ own regulations, the Corps cannot lawfully grant Dakota Access its requested easement until the agency fully considers the public interest implications of a pipeline that will likely increase violence against Native women and children.

ARGUMENT

I. The Army Corps Acted Arbitrarily, Capriciously, and Contrary to Law in Granting the Easement Because the Corps Has Yet to Undertake the Required “Public Interest” Analysis

a. The Army Corps Failed to Properly Consider the “Public Interest” Before Terminating the EIS Process

As the Army Corps repeatedly acknowledges in its Feb. 3 Memo, “[b]ecause the pipeline would cross Corps-managed property, section 408 required the Corps to ‘grant permission for the alteration or permanent occupation or use of [the project] when in the judgment of the Secretary such occupation or use *will not be injurious to the public interest . . .*’” ECF No. 114-1, at 20 (quoting 33 U.S.C. § 408) (emphasis added). In its February 3 Memo, the Corps states that its “public interest” determination was made on July 25, 2016, stating that “[u]nder section 408 and supported by the Final EA, the Corps made the required findings that the pipeline crossing at Lake Oahe is not ‘injurious to the public interest’ and will not ‘impair the usefulness of such work.’” ECF No. 114-1, at 34. Nothing in the Final EA published on July 25, 2016, or in any of the Corps’ February memoranda, however, indicate that the Army Corps considered the “welfare” of the Native women and children whose safety will likely be compromised by a fully permitted Dakota Access pipeline.

To be sure, the Corps’ own regulations stipulate that the Corps must consider the “safety” and “welfare of the people” in communities, and Tribal Nations, impacted by the potentially permitted pipeline, as the regulations state that:

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the **public interest**. . . . The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. . . . All factors which may be relevant to the proposal **must be considered** including . . . **safety**, food and fiber production, mineral needs, considerations of property ownership and, in general, **the needs and welfare of the people**.

33 C.F.R. § 320.4(a)(1) (emphasis added). Under the Corps' own regulations, therefore, a valid public interest review must include consideration of the "safety" and "welfare of the people," which, in this instance, requires consideration of the pipeline's impacts on violence against Native women and children.⁶

Nothing in the record, however, demonstrates that the Corps ever undertook any consideration of how a fully permitted Dakota Access pipeline would impact the safety and/or welfare of Native women and children. The Corps' failure to consider the safety and welfare implications of the Dakota Access pipeline, therefore, renders the February 8, 2017 grant of an easement based on the Corps' July 25, 2016 public interest determination arbitrary, capricious, and contrary to law.

⁶ Courts reviewing the applicability of 33 C.F.R. § 320.4(a)(1) have affirmed that the agency is required to consider all of the enumerated public interest factors prior to issuing a permit. *See, e.g., Hoosier Env'tl. Council v. U.S. Army Corps of Eng'rs*, 722 F.3d 1053, 1063 (7th Cir. 2013) (noting that "the Supreme Court has held that . . . the regulation is to be interpreted literally and so requires the Corps to evaluate all the factors listed in it.") (citing *United States v. Alaska*, 503 U.S. 569, 573 (1992)); *see also Alaska*, 503 U.S. at 583 (rejecting a challenge that § 320.4(a)(1) is "invalid because [it] authorize[s] the Secretary [of the Army] to consider a wider range of factors than just the effects of a project . . ."); *All. to Protect Nantucket Sound, Inc. v. U.S. Dep't of the Army*, 398 F.3d 105, 113 (1st Cir. 2005) (concluding that a proper public interest review must analyze the entire enumerated list in § 320.4(a)(1)); *Airport Communities Coal. v. Graves*, 280 F.Supp.2d 1207, 1210, 1229 (W.D. Wash. 2003) (affirming agency's consideration of all public interest factors, "includ[ing] such intangibles as air travel safety . . .").

b. Increasing Oil Extraction in Bakken Region Near Tribal Lands Increases Violence Against Native Women

The Army Corps' cursory conclusion that the easement is consistent with the "public interest" is contradicted by the rapid increase in violence Native women and children in Bakken have faced as a result of the recent oil boom. This increase in violence has been well documented by state, tribal, and federal officials. In 2013, the Department of Justice's ("DOJ") Office of Violence Against Women ("OVW") explained the relationship between a rapid increase in oil production in the Bakken and a contemporaneous rise in crimes and violence against women and children, stating:

Because of recent oil development, the [Bakken] region faces a massive influx of itinerant workers[,] and [consequently,] local law enforcement and victim advocates report a sharp increase in sexual assaults, domestic violence, sexual trafficking, drug use, theft, and other crimes, coupled with difficulty in providing law enforcement and emergency services in the many remote and sometimes unmapped "man camps" of workers.⁷

Indeed, since 2009 alone, nearly 100,000 workers have entered the Bakken region to work the oil fields.⁸ To house the sudden and drastic increase in population, corporations create "man camps"—where male workers often work 12-hour days, are socially isolated for weeks or months at a time, and live in trailer parks that extend for miles. Most of the workers are not violent men, but numerous "man camps" in the Bakken have become centers for drugs, violence, and sex trafficking of Native women and girls. As the DOJ OVW noted in 2014, the "[r]apid

⁷ U.S. Dep't of Justice Office on Violence Against Women, 2013 Tribal Consultation Rep. 3 n.2 (2013).

⁸ See Jens Manuel Krogstad, *How North Dakota's 'man rush' compares with past population booms*, PewResearchCenter (July 16, 2014), <http://www.pewresearch.org/fact-tank/2014/07/16/how-north-dakotas-man-rush-compares-with-past-population-booms/> (estimating that from 2009 to 2014 the population had grown by 100,000 workers in connection with oil extraction in the Bakken shale).

development for oil production in the Bakken region has brought a massive influx of itinerant workers and a sharp increase in crime and law enforcement issues, including sex and human trafficking.”⁹

Other federal officials have publicly acknowledged the relationship between the dramatic increase in oil extraction and contemporaneous increase in violence against women in the Bakken. A former U.S. Attorney for the District of North Dakota described the increase in crime following the oil boom as: “[m]ore money and more people equals more crime.”¹⁰

In fact, combatting the rise in human trafficking in the Bakken became one of U.S. Attorney Tim Purdon’s top priorities during his tenure and one of his “proudest achievements.”¹¹ In late 2013, his office worked with state and federal law enforcement partners to implement Operation Vigilant Guardian, a series of sting operations in Williston and Dickinson, North Dakota, that resulted in multiple arrests for sex trafficking.¹² In 2015, the DOJ noted that the Bakken oil boom had “revealed a previously unknown level of demand for underage commercial sex in western North Dakota.”¹³

⁹ U.S. Dep’t of Justice Office on Violence Against Women, 2014 Tribal Consultation Rep. 3 (2014).

¹⁰ Sari Horwitz, *The Dark Side of the Boom*, The Wash. Post (Sept. 28, 2014), <http://www.washingtonpost.com/sf/national/2014/09/28/dark-side-of-the-boom/>.

¹¹ See U.S. Dep’t of Justice, *U.S. Attorney Timothy Q. Purdon to Step Down*, Press Release (Feb. 10, 2015), <https://www.justice.gov/usao-nd/pr/u-s-attorney-timothy-q-purdon-step-down> (hereinafter “DOJ Press Release”).

¹² *Tim Purdon Steps Down as U.S. Attorney for North Dakota*, Valley News Live (Feb. 10, 2015), <http://www.valleynewslive.com/home/headlines/US-States-Attorney-for-North-Dakota-Tim-Purdon-Steps-Down-291399551.html>.

¹³ *Supra*, note 11; see also Andrew Sheeler, *Durr gets 21 months for human trafficking*, Bismarck Tribune (Mar. 18, 2015), http://bismarcktribune.com/news/local/crime-and-courts/durr-gets-months-for-human-trafficking/article_d94c782e-b3fb-590d-b5f5-395f7f7683aa.html (Wisconsin man convicted and sentenced to prison for human trafficking in North Dakota).

The rise in sex trafficking has captured the attention of federal legislators as well. Senator Heidi Heitkamp (D-ND) calls sex trafficking “an unfortunately growing problem in North Dakota, particularly in the oil patch and in Indian Country.”¹⁴ Indeed, this “growing problem” prompted Senator Heitkamp in 2015 to request the Federal Government to provide the State of North Dakota with “federal funding [to] be used to identify victims of human trafficking” and to address a “threat” that, according to Senator Heitkamp, “continues to grow in North Dakota.”¹⁵ In 2014, Senator Jon Tester (D-MT) noted “Montana and North Dakota have been especially hard-hit by increases in crime . . . due to the explosive influx of people and resources following the oil and gas boom in the Bakken.”¹⁶

Statistics from state governments corroborate federal accounts of rising crime in North Dakota, specifically in the oil-producing regions that are located on or near tribal lands. According to the North Dakota Attorney General’s office, the number of crimes against persons—including murder, rape and assault—has risen every year during the Bakken oil boom—with 7,695 in 2010, to 9,469 in 2015.¹⁷ A recent study of oil boom counties in Montana

¹⁴ “Human Trafficking,” Sen. Heidi Heitkamp (last visited Oct. 3, 2016), <http://www.heitkamp.senate.gov/public/index.cfm/human-trafficking>.

¹⁵ Office of Sen. Heidi Heitkamp, *Heitkamp Announces Federal Funding to Combat Human Trafficking*, Press Release (Sept. 24, 2015) (hereinafter “Heitkamp Press Release”), <http://www.heitkamp.senate.gov/public/index.cfm/press-releases?ID=BBC14F2B-F93E-47B2-B0F6-90E352B4A3F9>

¹⁶ Suzette Brewer, *Tester Begins Hearings on Sex Trafficking in Indian Country*, Indian Country Today (Sept. 3, 2014), <http://indiancountrytodaymedianetwork.com/2014/09/03/tester-begins-hearings-sex-trafficking-indian-country-156723?page=0%2C0>.

¹⁷ See N.D. Att’y Gen., Bureau of Criminal Investigation, *Crime in North Dakota, 2015*, at 16 (2016), <https://www.ag.nd.gov/reports/bcireports/crimehomicide/Crime15.pdf> (Data does not include crimes that take place on Tribal Law Enforcement Reservations, except for homicides that tribal authorities report to the state).

and North Dakota also found a surge in violence.¹⁸ The researchers discovered that violent crime in these counties increased by 18.5% between 2006 and 2012, while the rates decreased by 25.6% in counties with no fossil fuel extraction.¹⁹

Because the majority of Bakken oil extraction currently takes place on or near tribal lands, increasing oil extraction in the Bakken—without adequate consideration of the public interest or consent from Tribal Nations—will more than likely increase the extreme levels of violence that Native women and children already face—an outcome that more than warrants the reversal of the February 8 easement and a re-instatement of the EIS process to allow for the Army Corps’ careful consideration of the public interest factors federal law commands.

i. The Bakken Oil Boom Has Dramatically Increased Violent Crimes Committed Against Native Women and Children at Fort Berthold

Human trafficking is not only happening in foreign countries or dark alleys – it’s happening right in our backyards.

Senator Heidi Heitkamp (D-ND)

Data collected by the Mandan, Hidatsa and Arikara Nation of the Fort Berthold Reservation (“Three Affiliated,” “MHA Nation,” or “Fort Berthold”) through their Three Affiliated Tribes (“TAT”) Victim Services program demonstrates that the rapid increase of oil extraction within MHA Nation has coincided with a rapid increase in violence against tribal citizens. MHA Nation is located in northwest North Dakota, in the heart of the Bakken. The numbers of sexual assault and domestic violence victims recorded by MHA Nation’s TAT Victim Services are shown in Figure 1, revealing the violence peaked in 2012, during the apex of the Bakken oil boom.

¹⁸ See Rick Ruddell et al., *Drilling Down: An Examination of the Boom-Crime Relationship in Resource-Based Boom Counties*, W. Crim. Rev. 15(1):3-17.

¹⁹ *Id.* at 7.

Year	Number of Sexual Assault Victims	Number of Domestic Violence Victims
2010	1	88
2011	10	160
2012	25	237
2013	31	171

Figure 1: Number of sexual assault and domestic violence victims seen by TAT Victim Services from 2010-2013. Source: Grant Application from TAT Victim Services to Office of Violence Against Women, Dep't of Justice (FY 2015) (on file with Pipestem Law, LLC) at 5.²⁰

Since the beginning of the Bakken oil boom, TAT Victim Services has documented a dramatic increase in elder abuse and human trafficking.²¹ According to the agency, human trafficking is a relatively new but increasingly common occurrence among the population that the agency serves.²² As TAT Victim Services noted in a grant application to the DOJ OVW, the proliferation of man camps nearby is directly tied to the increase in violent sexual crimes committed against tribal citizens. For instance, one single camp near tribal lands reportedly houses thirteen registered sex offenders.²³

Additional on the ground studies and reports corroborate MHA Nation's data. A study conducted by the University of North Dakota notes that tribal domestic violence "service providers report witnessing a dramatic increase in domestic violence" since the inception of the

²⁰ These figures should be considered in the context of Fort Berthold's relatively small population and the chronic underreporting of sexual assault and domestic violence. *See* "Statistics," N.D. Indian Aff. Comm'n (last visited 9:41pm, Oct. 18), <http://indianaffairs.nd.gov/statistics/>.

²¹ Grant Application from TAT Victim Services to Office of Violence Against Women, Dep't of Justice 5 (FY 2015) (on file with Pipestem Law, LLC) (hereinafter "FY15 Grant").

²² *See* Grant Application from TAT Victim Services to Office of Violence Against Women, Dep't of Justice 1,3 (FY 2014) (on file with Pipestem Law, LLC) (hereinafter "FY14 Grant").

²³ FY15 Grant at 6.

oil boom.²⁴ Study participants discussed the unique challenges of combatting domestic violence in a community that experiences rapid oil development, such as the remote location of the drilling sites, as well as the rising housing prices that render a woman's ability to leave a violent home nearly impossible.²⁵

MHA Nation citizen, Cedar Wilkie Gillette, worked as a victim advocate at the Fort Berthold Coalition Against Violence (the predecessor to TAT Victim Services) during the peak of the Bakken oil boom, from May 2012 until October 2013. She would often serve fifteen victims at a time, as MHA Nation was not sufficiently staffed to combat the rapid increase in violence among such a small population. She further recalled that state, federal, and tribal law enforcement were likewise understaffed and unequipped to deal with the swift increase in violence, and as a result, the burden fell to Gillette and her colleagues at MHA Nation to simply provide victim services.²⁶

According to Gillette, many non-Indian perpetrators acted with impunity because they knew tribal authorities were without jurisdiction to hold them accountable. Gillette explained:

It became a real barrier. If they lived in a man camp, we couldn't serve them with a TRO [temporary restraining order] because they didn't have an address. And they could always bring up that the tribe had no jurisdiction over them.²⁷

Some of Gillette's clients were women fleeing man camps where they had been held against their will. Many, out of fear of retaliation or a sense of hopelessness, chose to simply be

²⁴ Thomasine Heitkamp et al., *The Impact of the Growing Oil Industry on Domestic Violence, Dating Violence, Sexual Assault, and Stalking in North Dakota and Montana: Findings from the Mandan, Hidatsa, and Arikara Nation – The Three Affiliated Tribes of the Fort Berthold Indian Reservation*, 5 (Oct. 3, 2016).

²⁵ *Id.* at 11.

²⁶ Telephone interview with Cedar Wilkie Gillette, Former Victim Advocate, Fort Berthold Coalition Against Violence (Oct. 11, 2016).

²⁷ *Id.*

relocated rather than pursue legal options. Given the emotional challenges of her work, Gillette explained, “I said I would quit when one of my clients was murdered. Some cases were very close.”²⁸

Residents also spoke about the increase in organized crime, including sex trafficking.²⁹ Former Rosebud Sioux Tribe Police Chief, Grace Her Many Horses, took a temporary job with the MHA Nation during the Bakken oil boom—where she quickly learned that the targets for sex trafficking crimes in the Bakken are often Native children. In an interview, Chief Her Many Horses recalled specific instances when Native children were targeted, stating:

One of the things we ran into while working up there was a 15 year old boy had gone missing. He was found in one of the Man Camps with one of the oil workers. They were passing him around from trailer to trailer. . . [Another time w]e found a crying, naked, four year old girl running down one of the roads right outside of the Man Camp. She had been sexually assaulted. . .³⁰

Another complication created by the Bakken oil boom is the influx of non-Indian convicted sex offenders working or living on tribal land—many of whom do not register with the Tribe despite being required do to so by federal law.³¹ As Deputy U.S. Marshall Dan Orr explained, “the increase in transient workers to the area” has resulted in an “increase in non-tribal members who are registered sex offenders” living on tribal lands.³²

²⁸ *Id.*

²⁹ Heitkamp, *supra* note 24 at 11.

³⁰ Damon Buckley, *Firsthand Account of Man Camp in North Dakota From Local Tribal Cop*, Lakota Country Times (May 22, 2015), http://m.lakotacountrytimes.com/news/2014-05-22/Front_Page/Firsthand_Account_Of_Man_Camp_In_North_Dakota_From.html.

³¹ Sex Offender Registration and Notification Act, 42 U.S.C. § 16927 (2006).

³² Amy Dalrymple, *Federal, tribal officers check offenders at Fort Berthold*, The Bismark Tribune (April 19, 2015), http://bismarcktribune.com/news/state-and-regional/federal-tribal-officers-check-on-sex-offenders-at-fort-berthold/article_6d23ab8e-2ea8-55af-b63f-e662dfae9eff.html.

The refusal of many non-Indian convicted sex offenders to register with MHA Nation has undermined MHA Nation's ability to protect its citizens, and in particular, its women.³³ In 2015, a joint law enforcement operation conducted by the U.S. Marshals Service and MHA Nation's police found that in the wake of the Bakken oil boom, almost 20% of convicted sex offenders living on the Fort Berthold Reservation had failed to register in violation of federal and tribal law, compared to a non-compliance rate of only 4 to 5% for the rest of North Dakota.³⁴

There can be no question: the rapid increase in oil production in the Bakken has brought with it a crisis of violence inflicted primarily on the Native women and children already living there.

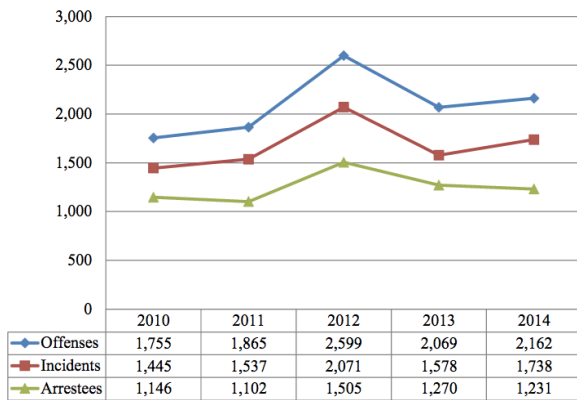
³³ See Krogstad; see also Tristan Ahtone, *A broken system: Why law and order is faltering on the rez*, Al Jazeera American (Dec. 19, 2019), <http://america.aljazeera.com/articles/2013/12/19/commission-federalgovtisreasonforlittlejusticeinindiancountry.html>, (discussing the invasion of sexual predators and human traffickers into Indian Country as a result of the void in jurisdiction over non-Indians on Tribal lands).

³⁴ Dalrymple, *supra* note 31.

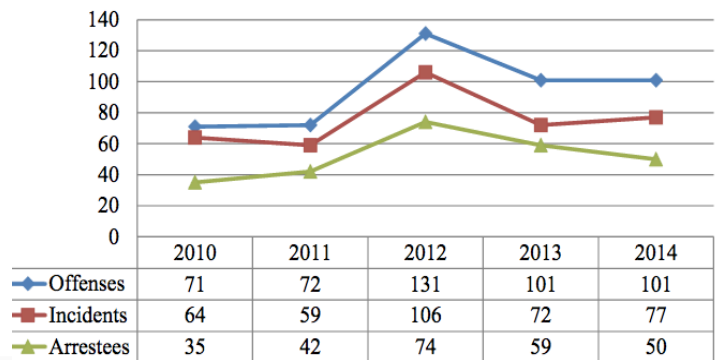
ii. The Bakken Oil Boom Has Increased Rates of Violence Against Native Women and Children in the Fort Peck Assiniboine and Sioux Tribe and State of Montana

The Fort Peck Assiniboine Sioux Tribe (“Fort Peck”), as well as the State of Montana, have not escaped the increase in violence accompanying the Bakken oil boom. In response to these and other reports, the Montana Board of Crime Control issued a special report, *Bakken Oil Field Crime Analysis*.³⁵

**Primary Bakken
Total Number of Offenses, Incidents,
and Arrestees
2010-2014**



**Primary Bakken
Domestic Violence Related
Offenses, Incidents, and Arrestees
2010 - 2014**



The above data was gathered from two regions within Montana—the Primary Bakken Region³⁶ and the Greater Bakken Region³⁷--demonstrating that both general offenses and domestic violence peaked in 2012, at the height of the Bakken oil boom.³⁸ Tribal leaders have confirmed this increase in violence. Fort Peck Councilman Dana Buckles noted that from October 2013 to

³⁵ Mont. Bd. of Crime Control, *Crime in Montana: 2013-2014 Rep.* 84-96 (2015), <http://mbcc.mt.gov/Portals/130/Data/CIM/CIM2013-14.pdf> (Data does not include information from tribal law enforcement agencies, however it is representative of larger crime trends in the region).

³⁶ *Id.* at 84 (Primary Bakken Region includes Daniels, Richland, Roosevelt, and Sheridan counties).

³⁷ *Id.* (Greater Bakken Region includes Custer, Dawson, Fallon, Garfield, McCone, Prairie, Valley, and Wibaux counties).

³⁸ *Id.* at 85.

September 2014, the Roosevelt County (Fort Peck) 911 Call Center received an alarmingly increased number of 911 calls, totaling 718 domestic violence reports.³⁹ As a program specialist for the National Indigenous Women's Resource Center testified before the United States Congress in 2013:

In Montana, the Bakken Oil Boom has impacted the largest reservation, Fort Peck, and residing counties have experienced both a population and crime explosion There have been documented increases in drug use and human trafficking, theft, alcohol related incidents and assaults within the last year. Law enforcement response, tribal [domestic violence and sexual assault] services, and medical response to these crimes have tripled in the last year.⁴⁰

Furthermore, since the inception of the Bakken oil boom, sex offender registrations on the Fort Peck Indian Reservation have quadrupled.⁴¹ The most recent count of the Fort Peck Sex Offender Registry places the number of registered sex offenders at 69.⁴² By June 2015, the number had climbed to 89, with an additional 392 registered sex offenders known to be living between eastern Montana and western North Dakota, in the Bakken.⁴³ When considered in the context of Fort Peck's limited population (10,231 residents), the recent increase to 89 registered

³⁹ *Hearing on the Tribal Youth and Community Protection Act, S. 2785 and the Tribal Law and Order Act Reauthorization, S. 2920 Before the S. Comm. on Indian Affairs*, 114th Cong. (2016) (statement of Dana Buckles, Councilman Assiniboine and Sioux Tribes of the Fort Peck Reservation).

⁴⁰ *Hearing on "Combating Human Trafficking: Federal, State, and Local Perspectives" Before the S. Comm. on Homeland Sec. and Gov't Affairs*, 113th Cong. (2013) (statement of Lisa Brunner, Program Specialist, Nat'l Indigenous Women's Res. Ctr.).

⁴¹ Christine Graef, *Bakken Region Tribes Fight Back Against Human Trafficking*, MintPress News (Nov. 21, 2014), <http://www.mintpressnews.com/bakken-region-tribes-fight-back-human-trafficking/199156/> (quoting Tina Bets His Medicine, an administrative assistant and victims' advocate for the sheriff's office in Roosevelt County, where the Fort Peck Indian Reservation is located).

⁴² Fort Peck Tribes (Assiniboine & Sioux) Sex Offender Registry, <https://fortpecktribes.nsopw.gov/SearchOffender.aspx> (last visited Oct. 24, 2016).

⁴³ *Addressing the Need for Victim Services in Indian Country, Hearing Before the S. Comm. on Indian Affairs*, 114th Cong. 10-11 (2015) (statement of Hon. A.T. "Rusty" Stafne, Chairman, Fort Peck Assiniboine and Sioux Tribes).

sex offenders is alarming.⁴⁴

iii. Jurisdictional Complications Make Increased non-Indian Perpetrated Violence Against Native Women all the More Dangerous

Because major crimes on tribal lands fall under the jurisdiction of federal law enforcement—criminals believe that there is a good chance their crimes will go uninvestigated and unprosecuted—and they’re right. In Indian Country, such jurisdictional issues leave no cop on the beat to stop them. . . . Criminals seeking refuge on [] tribal land ha[ve] been ravaging Native communities.

Senator Heidi Heitkamp (D-ND)⁴⁵

In 1978, the United States Supreme Court declared that Tribal Nations could no longer exercise criminal jurisdiction over non-Indians who commit crimes on tribal lands. *See Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978). In the wake of *Oliphant*, Tribal Nations have been unable to protect their women and children from the rapid increase of non-Indian perpetrated violent crimes on tribal lands in the Bakken.⁴⁶ As Senator Tester acknowledged during a 2014 listening session on the growing threat of sex trafficking in the Bakken, it is “[b]ecause of the patchwork of tribal, state, and federal jurisdiction [that] tribes also often lack the ability to prosecute and appropriately punish offenders in tribal courts.”⁴⁷ With regards to the majority of violent crimes now committed against Native women and children in the Bakken,

⁴⁴ Health Promotion and Disease Prevention Wellness Program: Harvard University Initiatives, http://www.fortpecktribes.org/hpdp/harvard_university_initiatives.html.

⁴⁵ Sen. Heidi Heitkamp (D-ND), *Jurisdictional No-Man’s Land: Explaining to FBI Director Comey Why Our Tribes Need a Cop on the Beat*, Medium (June 6, 2016), <https://medium.com/@SenatorHeitkamp/jurisdictional-no-mans-land-explaining-to-fbi-director-comey-why-our-tribes-need-a-cop-on-the-e960be5578f1#.flykz2vyk> (last visited Oct. 26, 2016).

⁴⁶ Dep’t of Justice, *Remarks by Associate Attorney General Tony West at the Four Corners Conference* (Aug. 26, 2014), <https://www.justice.gov/opa/speech/remarks-associate-attorney-general-tony-west-four-corners-conference> (citing “meteoric population boom” in the Bakken as reason for increase rates of violence against Native women.).

⁴⁷Brewer, *supra* note 16.

their Tribal Nations simply do not have jurisdiction to protect them.⁴⁸

This leaves only the federal government with jurisdiction. However, the federal government declines to prosecute the majority of non-Indian assaults committed against Native women,⁴⁹ and consequently, the federal government’s “failure to prosecute sex crimes against American Indian women [has become] an invitation to prey with impunity.”⁵⁰ The lack of tribal criminal jurisdiction over the majority of non-Indian violent offenders in the Bakken underscores the necessity for the re-instatement of the EIS process to allow for the Corps’ consideration of the public interest implications of the proposed Dakota Access pipeline on tribal communities, and in particular, Native women and children.

c. Increasing Violence Against Native Women is Not in the “Public Interest”

Repeatedly, tribal, federal, and state officials have voiced concerns regarding the rising levels of violence accompanying the increased levels of oil extraction in the Bakken region. If fully permitted, Dakota Access could increase the capacity of crude oil production and transportation in the Bakken by nearly 60%. Such a sudden, dramatic increase in extraction would more than likely precipitate the same chain of events that made the previous oil boom in the Bakken so dangerous—an influx of itinerant workers, the sudden creation of man camps, and

⁴⁸ See Ahtone, *supra* note 33 (following the Supreme Court’s decision in *Oliphant*, Indian Country has become a “safe haven” for predators) (quoting Troy Eid, Chairman of the Indian Law and Order Commission).

⁴⁹ See U.S. Gov’t Accountability Office, GAO-11-167R, U.S. Dep’t of Justice Declinations of Indian Country Criminal Matters 3 (Dec. 13, 2010) (noting that from 2005 to 2009, United States Attorneys declined to prosecute 67% of non-Indian perpetrated sexual assaults against American Indians).

⁵⁰ *Examining the Prevalence of and Solutions to Stopping Violence Against Indian Women, Hearing Before the S. Comm. On Indian Affairs*, 110th Cong. 16 (2007) (quoting David Lisak, Assoc. Professor of Psychol., Univ. of Mass., *Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*, Amnesty Int’l).

the consequential rise in rape, assault, and sex trafficking. For Native women and children—and the Tribal Nations who seek to protect them—granting Dakota Access its requested easement to cross the Missouri River at Lake Oahe does not serve the overriding public interest.

Dakota Access asserts it has expended billions of dollars to develop this pipeline. The corporation’s monetary investments, however, do not outweigh the public interest in protecting the safety, health, and welfare of Native women who have lived in the Bakken long before it became the epicenter of oil extraction and transportation. Because the Corps failed to analyze these consequences, its decision to truncate the ongoing EIS process and issue the easement on February 8, 2017, was arbitrary, capricious and contrary to law.

Moreover, other federal agencies—aside from the Army Corps—have recently identified the increased levels of the violence in the Bakken as serious enough to warrant federal intervention. In recognition of the relationship between increased oil extraction and an increase in violence against Native women in the Bakken, the U.S. DOJ recently announced federal grants to “increase local and tribal capacity to prosecute crimes of violence against women and provide services to victims of sexual assault, domestic violence and stalking in the Bakken Region of North Dakota and Montana.”⁵¹ Thus, although the Corps has yet to undertake a public interest consideration sufficient to identify the pipeline’s safety and welfare consequences for Native women and children, another federal agency is working to secure millions of taxpayer dollars to study what has been identified as a serious public health and safety crisis.

⁵¹ Dep’t of Justice, *Montana Groups Receive Federal Grant to Fight Domestic and Sexual Violence in the Bakken* (Aug. 27, 2014), <https://www.justice.gov/usao-mt/pr/montana-groups-receive-federal-grant-fight-domestic-and-sexual-violence-bakken>.

This irony underscores the absurdity, and arbitrary nature, of the Army Corps' assertion that its February 8, 2017 decision to terminate the EIS process and fully authorize the Dakota Access pipeline is consistent with the "public interest."

II. The Army Corps' Decision to Grant the Easement without Adequately Considering the Public Interest Violates the United States' Duties as Trustee

[S]overeignty and safety are hand and glove. The sovereignty of Indian Tribes is connected to the safety of Native women.

Terri Henry, Eastern Band of Cherokee Indians Secretary of State

The United States Congress has repeatedly recognized the connection between tribal sovereignty and safety for Native women as the foundation for the federal government's "trust responsibility to assist tribal governments in safeguarding the lives of Indian women." Violence Against Women and Dep't of Justice Reauthorization Act of 2005 ("VAWA 2005"), Pub. L. No. 109-162, § 901(6), 119 Stat. 3078. Congress further affirmed the federal government's trust responsibility to ensure Tribal Nations are able to protect Native women when Congress reauthorized VAWA in 2013. VAWA 2013 legislatively fixed a piece of *Oliphant*, restoring the inherent criminal jurisdiction of Tribal Nations over non-Indians who commit acts of dating and domestic violence against Native women. *See* Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, tit. IX, 127 Stat. 54, 118-26.

As members of Congress have noted, the VAWA 2013 tribal amendment was born out of an understanding that laws prohibiting Tribal Nations from protecting their women from domestic violence and sexual assault "directly conflict with the policy of Indian self-determination and they strike at the very heart of tribal sovereignty."⁵² That is, because Native

⁵² *Examining the Prevalence of and Solutions to Stopping Violence Against Indian Women, Hearing Before the S. Comm. On Indian Aff.*, 110th Cong. 2 (2007) (statement of Sen. Byron Dorgan, Chairman, S. Comm. On Indian Aff.)

women are “citizens of particular Tribal Nations, the welfare and safety of American Indian and Alaska Native women are directly linked to the authority and capacity of their nations to address such violence.”⁵³ When Native women and children are threatened with increased violence, the ability of their Nations to self-govern is compromised.

The Army Corps, as a federal department of the United States, shares the same duty as the DOJ, and other federal agencies, in regard to its role as trustee and therefore must weigh the safety of Native women and children as part of its public interest calculation. *See, e.g., Nw. Sea Farms, Inc. v. U.S. Army Corps of Eng’rs*, 931 F. Supp. 1515, 1519-20 (W.D. Wash. 1996). Moreover, the federal government has directed the Corps to exercise its trust responsibility to protect Tribal Nations by engaging in government-to-government consultation on any action under its authority that could impair the rights of Tribal Nations. *See* Dep’t of Def. Instruction 4710.02 (Sept. 14, 2006); *see also* Sec’y of Def. Policy on “Dep’t of Def. Am. Indian & Alaska Native Policy” (Oct. 20, 1998); EO 13175, Consultation & Coordination with Indian Tribal Gov’ts, (Nov. 6, 2000).

Failing to consider the impacts of a federally permitted project on the safety of Native women and children offends what the United States has recognized as the “[g]overnment[’s] . . . legal obligation to provide for the public safety of tribal communities.” 155 Cong. Rec. S4333 (daily ed. Apr. 2, 2009) (statement of Sen. Byron Dorgan); *see also Seminole Nation v. United States*, 316 U.S. 286, 296-97 (1942) (concluding that as a result of the numerous treaties signed

⁵³ *See* Amnesty Int’l, *Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA* 1 (2007), <http://www.amnestyusa.org/pdfs/mazeofinjustice.pdf>. Safety for Native children is similarly linked to the preservation of tribal self-determination and sovereignty. In *Mississippi Band of Choctaw Indians v. Holyfield*, the Supreme Court affirmed that Indian children are “vital to the continued existence and integrity of Indian tribes” 490 U.S. 30, 49 (1989) (quotations omitted).

with Indian Nations, the Federal Government “charged itself with moral obligations of the highest responsibility and trust.”).

A federal decision that fails to consider the consequential increase in violence against Native women and children fails to carry out the agency’s trust duties and responsibilities and, as a result, significantly undermines the public interest.

CONCLUSION

The termination of an ongoing EIS process, without consideration of the increased levels of violence Native women and children are likely to face, violates the public interest, threatens tribal sovereignty, and undermines the integrity of the United States’ trust relationship with Tribal Nations. This Court should grant SRST’s motion for partial summary judgment and reverse the Army Corps’ February 8, 2017 decision to grant the easement and abandon the previously initiated EIS process.

Respectfully Submitted,

/s/ Mary Kathryn Nagle
Mary Kathryn Nagle (D.C. Bar No. 1033507)
Pipestem Law, P.C.
1333 New Hampshire Ave., N.W.
Washington, D.C. 20036
(202) 407-0591
mknagle@pipestemlaw.com

Wilson K. Pipestem (D.C. Bar No. 456312)
Abi Fain
Joe Keene
320 S. Boston Ave
Suite 1705
Tulsa, OK 74103
wkpipestem@pipestemlaw.com
afain@pipestemlaw.com
jkeene@pipestemlaw.com

Sarah Deer
Mitchell Hamline School of Law
875 Summit Ave.
St. Paul MN 55105
(651) 290-6309
sarah.deer@mitchellhamline.edu
Counsel for Amici Curiae

CERTIFICATE OF SERVICE

On this 21st day of February, 2017, I hereby certify that I electronically filed the foregoing document entitled *National Indigenous Women's Resource Center and Additional Amici's Brief as Amici Curiae in Support of Plaintiff Standing Rock Sioux Tribe's Motion for Partial Summary Judgment* via the Court's CM/ECF system, which will send notification of this filing to the attorneys of record and all registered participants.

/s/Mary Kathryn Nagle
Mary Kathryn Nagle
Counsel for Amici Curiae

Dated: February 21, 2017.

APPENDIX A: LIST AND DESCRIPTION OF TRIBAL NATION *AMICI CURIAE*

The following Tribal Nations respectfully submit this brief as *Amici Curiae* in support of the Standing Rock Sioux Tribe’s motion for partial summary judgment (ECF No. 117).

The **Caddo Nation of Oklahoma** (“Nation”) is a federally recognized Tribe located in Binger, Oklahoma. Originally from the southeast—what is now present-day Louisiana, Arkansas, Texas and Oklahoma—the Nation has an established history of intensive consultations to protect the cultural artifacts and remains of their Caddo ancestors. Importantly, just as the Caddo Nation strives to protect Caddo culture and artifacts, it also strives to ensure its members live in a safe and secure environment. In addition to protecting its history, the Nation works to mitigate any potential danger to tribal members by investing its resources in law enforcement efforts that include detaining offenders who pose a threat to tribal members, educating tribal members in security awareness and operating the Caddo Nation of Oklahoma Sex Offender Registry.

The **Confederated Tribes of the Umatilla Indian Reservation** (“CTUIR”) is a union of three tribes— Cayuse, Umatilla, and Walla Walla—and has 3,070 tribal members. The Umatilla Indian Reservation is about 172,000 acres located in Oregon. The CTUIR was the first jurisdiction in the nation, along with the State of Ohio, to implement the Adam Walsh Act in 2009. In March of 2011, the CTUIR implemented felony sentencing under the Tribal Law and Order Act of 2010 and has since prosecuted numerous felony cases. In July of 2013, the CTUIR implemented all necessary provisions of VAWA § 904’s special domestic violence criminal jurisdiction (“SDVCJ”), and was approved for early exercise of that authority in February of 2014. Since implementing § 904 of VAWA, the CTUIR has prosecuted Special Domestic Violence Criminal Jurisdiction (“SDVCJ”) cases for acts of domestic violence committed on the Umatilla Indian Reservation by non-Indians against Indian women.

The **Coyote Valley Band of Pomo Indians** is a federally recognized Tribe located in the heart of Mendocino County, Redwood Valley, California, USA. Its reservation is approximately 82.36 acres of trust land. Our Tribe is comprised of 366 members of which 171 of the adult voting members make up the General Council. Elected from the General Council is a Tribal Chief and a seven-member Tribal Council charged with the responsibility of maintaining governmental relationships, managing tribal affairs, and promoting the economic well-being of the Tribe.

The **Kashia Band of Pomo Indians of the Stewart’s Point Rancheria**, located in Sonoma County, California, has approximately 1000 tribal members, some of whom have children and other relatives that are members of Tribes located near the Bakken oil fields. The health, safety and well-being of all Kashia tribal members, and in particular elders, women and children, is a high priority issue for Kashia. We assume this responsibility for all of our tribal members, regardless of the location they live in.

The **Mashantucket Pequot Tribal Nation** (“MPTN”), a federally-recognized Tribe, are a native Algonquin people who endured centuries of conflict, survival, and continuity on and around North America’s oldest Indian reservation (Est. 1666) located in southeastern

Connecticut. The MPTN and other Tribes in the Northeast have experienced the destruction of historic properties. The MPTN has a significant interest in ensuring that tribal governments are consulted early on, during the pre-licensing phase of the permit process, to adequately identify historic properties and assess the potential impact of undertakings. The MPTN is especially interested in ensuring that applicable laws and regulations are not negated during the environmental review process.

The **Nottawaseppi Huron Band of the Potawatomi** (“NHBP” or the “Tribe”) is a federally-recognized American Indian Tribe with 1,454 enrolled Tribal Citizens. The Tribe’s Health Center serves Tribal Citizens, non-NHBP Citizen Indians/descendants of other federally-recognized Indian Tribes, and employees who are not Tribal Citizens and their dependents. NHBP exercises jurisdiction over Reservation lands upon which the tribal government facilities, residential housing, parks/recreation facilities, and various economic enterprises are found, all within the borders of what is now called the State of Michigan. The NHBP Constitution and all Codes are posted on the Tribe’s website. The NHBP Tribal Court, established by the Tribe’s Constitution, consists of a Trial Court that includes a Juvenile Division and Domestic Violence Court, as well as a Supreme Court that hears all appeals. The Tribal Court posts all Court Rules to the Tribal Court website, records all proceedings, and has a process for issuing transcripts. NHBP has been actively engaged in the Intertribal Technical-Assistance Working Group on SPDVCJ since its inception and began exercising VAWA § 904’s SDVCJ pursuant to the enactment of its Domestic Violence Code on June 1, 2016 with an adoption date of March 17, 2016.

The **Otoe-Missouria Tribe of Indians** (“Tribe”) is a federally-recognized Tribe located in Red Rock, Oklahoma, with approximately 3,200 enrolled tribal members. The Tribe possesses more than 3,000 acres in tribal trust land and exercises jurisdiction over more than 18,000 acres of trust lands held by individual tribal members. The Tribe’s paramount interest is ensuring the health, safety and welfare of its members. In furtherance of this, the Tribe has committed significant resources to monitoring the presence of individuals who might threaten the health, safety and welfare of its members by implementing the Sex Offender and Registration Notification Act, and working to prevent jurisdictional gaps between federal, tribal and state law enforcement that could result in harm to tribal members.

The **Port Gamble S’Klallam Tribe** is a signatory to the Point No Point Treaty of 1855 and its reservation is located on the northern tip of the Kitsap Peninsula in Washington State. The Tribe is one of 29 federally recognized Indian Tribes in Washington State. The Tribe is comprised of approximately 1,300 enrolled members, about half the tribal members reside on the reservation, along with other Native Americans and non-Indians. The primary mission of the Tribe is to improve the quality of life for all tribal members. The Tribe accomplishes this through decision-making that considers future generations. The Tribe is organized under the Indian Reorganization Act of 1934 and its Constitution and Codes are posted on the Tribe’s website. The Tribe has been actively engaged in the Intertribal Technical-Assistance Working Group on SDVCJ and is revising its law to implement VAWA 904.

The **Saginaw Chippewa Indian Tribe of Michigan** is comprised of three bands of Ojibway (Saginaw, Black River, Swan Creek), who lived primarily in the Eastern region of what

is now Michigan. Its ancestors lived in this area for hundreds of years prior to the appearance of European settlers. The Tribe signed treaties with the United States in 1855 and 1864, establishing the Isabella Indian Reservation. The Tribe has established Nami Migizi Nangwiihgan for the purpose of assisting those affected by domestic violence, sexual assault, and stalking in finding another path without abuse. The Tribe is dedicated to providing resources, safety and advocacy to ensure the physical, mental, spiritual and emotional well-being of families victimized by violence.

The **Saint Regis Mohawk Tribe** is a federally recognized Tribe located in northern NY State. The Saint Regis Mohawk Tribal Council is responsible for the health, welfare, education and safety of our Tribal and community members. The Tribe's reservation territory is bisected by the US/Canadian border and is therefore vulnerable to human sex trafficking and exploitation. Programs such as our 3 Sisters DV shelter and other preventive programs have been established by us in order to protect our women and families from further violence and exploitation. We appreciate the earnest attempts of NIWRC to raise awareness of the atrocities that are regrettably not a thing of the past as they should be; but continue to be a part of our reality today.

The **Tulalip Tribes** ("Tulalip") are the successors in interest to the Snohomish, Snoqualmie, Skykomish and other allied tribes and bands signatory to the 1855 Treaty of Point Elliott. Tulalip's population is about 4,000 and growing, with 4,700 members residing on the 22,000 acre Tulalip Indian Reservation located north of Everett and the Snohomish River and west of Marysville, Washington. On February 20, 2014, the Tulalip Tribes implemented VAWA § 904's SDVCJ, as a Pilot Project Tribe. Since then, Tulalip has prosecuted SDVCJ for acts of domestic violence committed on Tulalip's lands.

The **Wampanoag Tribe of Gay Head** (Aquinnah) is a federally-recognized Indian Tribe whose ancestors have lived for at least 10,000 years at Aquinnah and throughout the island of Noepe (Martha's Vineyard), pursuing a traditional economy based on fishing and agriculture. The Tribe has identified the importance of providing basic needs to the tribal members as an integral part of the physical, spiritual, and cultural well-being of the Gay Head Wampanoag Community. The Tribe's Human Services Department's purpose is to promote and protect the stability and security of the children and families of the Tribe, providing advocacy, information, and referral services through a client driven service provider approach which fosters independence by empowering tribal members to identify their own capabilities and strengths.

The **Quinault Indian Nation** ("Quinault") is a political successor in interest to several Indian Tribes and bands signatory to the 1856 Treaty of Olympia, including the Quinault, Queets, Quileute, Hoh, Chinook, Chehalis and Cowlitz. Quinault's population is 3,046 and growing. The Quinault Indian Reservation is over 208,000 acres and is located on the coast of Washington State. Quinault was a participant in the VAWA § 904 SDVCJ Pilot Project, and is close to implementing both VAWA and the Tribal Law and Order Act of 2010.

APPENDIX B: LIST AND DESCRIPTION OF ORGANIZATIONAL *AMICI CURIAE*

The following organizations respectfully submit this brief as *Amici Curiae* in support of the Standing Rock Sioux Tribe's motion for partial summary judgment (ECF No. 117).

ADABI is a Navajo Nation not-for-profit organization incorporated in 1987 (<http://www.adabi.org/>). ADABI is a 24-hour crisis program serving victims of domestic violence and sexual assault rape victims on the Navajo reservation. ADABI's mission is to collaborate with communities within the Chinle Agency and surrounding areas. ADABI offers direct victim services and promotes prevention of domestic violence and sexual assault while fostering safety and healing.

The Advocates is an Idaho not-for-profit organization incorporated in 1992 (www.theadvocatesorg.org). The Advocates' mission is to teach people of all ages how to build and maintain healthy relationships. We accomplish this through education, shelter and support services. We envision a compassionate community free from emotional and physical abuse.

Airline Ambassadors International ("AAI") is a Washington, D.C. not-for-profit organization incorporated in 2003 (<http://airlineamb.org>). AAI has worked directly with the United Nations in supporting their UN Millennium Goals. AAI was the first not-for-profit to sign onto the ECPAT Code of Conduct to ensure the work in Disaster Relief and Sustainable Development around the world carries a safe structure for survivors of disasters. Since the Haiti Earthquake in 2011, AAI has committed to train Airline Personnel in the signs of Human Trafficking on Commercial Airlines around the U.S. and Internationally. AAI has held and testified in the first Congressional Hearing to brief the Airline Corporations, on the incidents and dangers in Human Trafficking on Commercial Airlines. AAI has held over 21 Human Trafficking Awareness Trainings in the United States and abroad. AAI has attended two Interpol conferences in Europe and continues to support many non-profits dedicated to educate and support victims and survivors of Human Trafficking.

The **Alipato Project** is a California not-for-profit organization incorporated in 2012 (<http://alipato.project.org>). The Alipato Project is the first non-profit organization in California to provide legal representation to resisters of domestic violence suing their batterers in civil court for damages.

The **Alliance of Tribal Coalitions to End Violence** is a Washington not-for-profit organization incorporated in 2014 (<http://www.atcev.org>). The Alliance constitutes a national network of Tribal Coalitions that provide technical assistance and consultation to Tribes across the United States and Alaska.

American Indians Against Abuse ("AIAA") is a Wisconsin not-for-profit incorporated in 1991. AIAA is a statewide sexual assault and domestic violence tribal coalition serving Wisconsin's eleven Tribes and member programs by providing education, support, and technical assistance to enhance and strengthen the response to victims of domestic violence, sexual assault, dating violence, and stalking. AIAA's trainings, community awareness, and collaborative events are designed to be reflective of and have relevance to our local, regional,

and nationwide indigenous people and culture.

The **Arizona Coalition to End Sexual and Domestic Violence** is an Arizona not-for-profit organization incorporated in 1980 (www.acesdv.org). The Arizona Coalition Against Domestic Violence was formed in 1980 so that concerned citizens and professionals could unite in a statewide organization to end domestic violence. In 2013, the Coalition became the designated dual coalition to address both sexual and domestic violence thus becoming the Arizona Coalition to End Sexual and Domestic Violence. The Coalition's mission is to lead, advocate, educate, collaborate, to prevent and end sexual and domestic violence in Arizona. The Coalition's purpose is to increase public awareness about the issues of domestic and sexual violence, enhance the safety of and services for sexual and domestic violence victims and survivors, and end sexual and domestic violence in Arizona communities.

The **Asian Pacific Institute on Gender-Based Violence** is a California not-for-profit incorporated in 2013 (www.api-gbv.org). The Asian Pacific Institute on Gender-Based Violence ("Asian Pacific Institute" and formerly, "Asian & Pacific Islander Institute on Domestic Violence") is a national resource center on domestic violence, sexual violence, trafficking, and other forms of gender-based violence in Asian and Pacific Islander communities. The Asian Pacific Institute analyzes critical issues; promotes culturally relevant intervention and prevention; provides consultation, technical assistance and training; conducts and disseminates research; and informs public policy. The Asian Pacific Institute's vision of gender democracy drives its mission to strengthen advocacy, change systems, and prevent gender violence through community transformation.

The **Avellaka Program** is a La Jolla Band of Luiseno Indians not-for-profit organization incorporated in 2009. The Avellaka Program is dedicated to educating and organizing for social change, upholding the Tribe's authority as a sovereign Indian Nation to protect its women citizens and create the laws, policies, protocols, and advocacy services addressing violence against Native women on the La Jolla Reservation.

Battered Women's Justice Project ("BWJP") is a Minnesota not-for-profit organization incorporated in 2015 (<http://www.bwjp.org>). The BWJP is a national technical assistance center that provides training and resources for advocates, battered women, legal system personnel, policymakers, and others engaged in the justice system response to intimate partner violence ("IPV"). The BWJP promotes systemic change within the civil and criminal justice systems to ensure an effective and just response to victims and perpetrators of IPV, and the children exposed to this violence. The BWJP is an affiliated member of the Domestic Violence Resource Network, a group of national resource centers funded by the Department of Health and Human Services and other support since 1993. The BWJP also serves as a designated technical assistance provider for the Office on Violence Against Women of the U.S. Department of Justice. In an effort to promote more safe and just results for women and their children, the BWJP works at state, national and international levels to engage court systems in methods of accurately assessing the effects of IPV on women and children and to fashion safe outcomes that hold batterers accountable.

California Partnership to End Domestic Violence is a California organization

incorporated in 1993 (<http://www.cpedv.org>). The California Partnership to End Domestic Violence (“the Partnership”) is California’s recognized domestic violence coalition, representing over 1,000 advocates, organizations and allied groups. The Partnership promotes the collective voice of a diverse coalition of organizations and individuals, working to eliminate all forms of domestic violence. As an advocate for social change, the Partnership advances the mission by shaping public policy, increasing community awareness, and strengthening members’ capacity to work toward the common goal of advancing the safety and healing of victims, survivors and their families.

The **California Women’s Law Center** is a California not-for-profit organization incorporated in 1989 (<http://cwlc.org>). The California Women’s Law Center breaks down barriers and advances the potential of women and girls through transformative litigation, policy advocacy, and education.

CAWS North Dakota is a North Dakota not-for-profit incorporated in 1978 (www.cawsnorthdakota.org). CAWS North Dakota is the statewide sexual and domestic violence coalition. CAWS North Dakota supports and presents a unified voice for the 20 crisis intervention centers across North Dakota. CAWS North Dakota’s mission is to provide leadership and support in the identification, intervention and prevention of sexual and domestic violence.

The **Center for Hope and Healing, Inc.** (“CHH”) is a Massachusetts not-for-profit organization incorporated in 1976 (www.chhinc.org). CHH was founded in 1976 by a group of physicians, social workers and students who came together out of concern for the numbers of rapes in Lowell and who then committed themselves to eradicating sexual violence in Lowell and the surrounding communities. In 1985, CHH (formerly Rape Crisis Services of Greater Lowell) was incorporated as an independent 501c3 nonprofit organization. In 2012, we changed our name to The Center for Hope and Healing, Inc. to reflect our positive vision and relationships with the broader Merrimack Valley area. We envision a world free of sexual violence. We believe that it is possible for people to live in communities that are safe, with healthy empowering relationships of respect and equality. We envision that our organization and its relationships, advocacy, community engagement, education and prevention—and all we do—results in individual and community transformation. We work to support Survivors, engaging Individuals and build Community to eliminate sexual violence. The Center for Hope and Healing, Inc. is a non-profit organization whose mission is to end sexual violence in Lowell and the greater Merrimack Valley communities of Acton, Billerica, Boxborough, Carlisle, Chelmsford, Dracut, Dunstable, Groton, Littleton, Tewksbury, Tyngsboro, Westford, and Wilmington.

Chief Seattle Club is a not-for-profit Washington organization incorporated in 1970 (www.chiefseattleclub.org). We are a day shelter and community center, serving American Indian and Alaska Native members every day. We served 210 different Tribes in 2016. Our top Tribes served are Tlingit & Haida Indians of Alaska, Blackfeet, Yakama Nation, Navajo Nation, Oglala Sioux Tribe, Colville, Lummi, Sealaska, Northern Cheyenne, Cowichan, Eskimo, Cheyenne River, Turtle Mountain Chippewa, Rosebud Sioux, and Aleut Corp. Our mission is to provide a safe and sacred space to nurture, affirm, and renew the spirit of urban Native people.

We believe in the power of our ancestral ways, and preserving those ancestral ways means fostering a sense of community among those without one to call their own. Anyone with American Indian or Alaska Native heritage, regardless of Tribe, is invited to participate in our programs and make use of our resources.

The **Christensen Family Foundation** is an Idaho not-for-profit foundation incorporated in 1992 (www.christensenglobal.com). The Christensen Family Foundation was founded by Doug and Ann Christensen of Sun Valley, Idaho and previously Kentfield, California. It is now managed by Ann and her daughters, Aimee and Eloise Christensen. The Foundation supports organizations dedicated to the environment, human rights and social justice, with global impact as well as regional focus on Idaho and the Pacific Northwest and their iconic species including salmon and wolves. Its historic recipients of grants have included Advocates for the West on whose board Aimee serves, Save Our Wild Salmon, Idaho Conservation League on whose board Doug served, and the Greater Yellowstone Coalition on whose board Ann served. The Foundation is a member of Divest-Invest and has divested from fossil fuels.

The **Coalition to Stop Violence Against Native Women** (“CSVANW”) is a New Mexico not-for-profit organization incorporated in 1996 (www.csvanw.org). CSVANW is a tribal coalition resource center for a diverse member network of rural and urban tribal domestic violence and sexual assault programs, shelters, organizations and agencies that are committed to ending violence against Native women and children in the State of New Mexico in addition to southwest Texas and the Four Corners region. CSVANW’s network includes tribal community response partners (tribal leadership, law enforcement, emergency response teams, tribal courts, offender programs, etc.), as well as survivors, tribal youth and key community stakeholders. CSVANW’s mission is to stop violence against Native women and children by advocating for social change in tribal communities. CSVANW takes ownership and responsibility for the future of Native women and children by providing support, education and advocacy using our strengths, power and unity to create violence-free communities.

The **Colorado Coalition Against Sexual Assault** (“CCASA”) is a Colorado not-for-profit organization incorporated in 1984 (www.ccasa.org). CCASA is a membership organization with the mission of promoting safety, justice, and healing for survivors while working toward the elimination of sexual violence. Today, our membership includes over 100 sexual assault survivors, victim advocates, rape crisis centers, dual domestic violence and sexual assault programs, college and university campuses, law enforcement agencies, offender treatment programs, public health agencies, medical professionals, prosecutors, public officials, as well as other organizations and concerned individuals throughout Colorado. As a statewide coalition, CCASA supports our members, partners, and the broader community through training, technical assistance, information and referrals, educational materials, statewide systems change, and public policy education and advocacy. CCASA recognizes that sexual assault and oppression are intricately linked and is committed to grappling with the complexities of societal power and privilege in order to create inclusive policy and practices.

The **Colorado Coalition Against Domestic Violence** (“CCADV”) is a Colorado not-for-profit organization incorporated in 1977 (www.ccadv.org). As the federally recognized domestic violence coalition of the State of Colorado, CCADV works with a diverse network of rural and

urban Colorado domestic violence victim service programs to encourage appropriate and comprehensive responses to family violence, domestic violence, and dating violence against adults or youth within Colorado. Now in its 39th year, CCADV provides a strong statewide voice to improve the safety and options for victims of domestic abuse by engaging in strong systems advocacy, public policy development, public awareness and education, and capacity building for Colorado domestic violence programs and allied programs and individuals. CCADV respects the interconnection between all forms of oppression and violence, especially violence against women. Our values support the dignity and worth of all people and we recognize that self-determination is the antidote for power and control inflicted by one person over another.

The **Connecticut Alliance to End Sexual Violence** (the “Alliance”) is a Connecticut not-for-profit organization incorporated in 1982 (www.EndSexualViolenceCT.org). The Alliance is a statewide alliance of nine community based sexual assault crisis programs. We work to end sexual violence and ensure high quality, comprehensive and culturally competent sexual assault victim services. Our focus is on three key areas: victim assistance, community education, and public policy advocacy.

Crisis Intervention Services is an Iowa not-for-profit organization incorporated in 1996 (www.stopdvsa.org). The mission of Crisis Intervention Services is to provide prevention and life skills education, intervention, shelter, and outreach services to empower persons, families and the community to end all forms of domestic violence and sexual abuse.

End Domestic Abuse Wisconsin is a Wisconsin not-for-profit organization incorporated in 1979 (www.endabusewi.org). End Domestic Abuse Wisconsin is Wisconsin’s coalition of domestic violence victim service providers and the voice for survivors in the state.

Enlace Comunitario is a New Mexico not-for-profit organization incorporated in 2000 (www.Enlacenm.org). Enlace Comunitario’s mission is to eliminate domestic violence and promote healthy families in the Latino immigrant community in central New Mexico through intervention and prevention services and activities.

Faith Action Network (“FAN”) is a Washington not-for-profit organization (www.fanwa.org) formed in 2011 at the union of the Washington Association of Churches (“WAC”), a historical ecumenical agency, and the Lutheran Public Policy Office (“LPPO”), the highly effective advocacy arm of the State’s largest Protestant denomination. FAN now builds a more powerful force for change. The merger opened the door for other faith communities to partner in this interfaith movement for the common good. FAN is a statewide interfaith advocacy 501(c)(3) non-profit organization through which thousands of people and more than 100 faith communities across Washington State partner for the common good. Together, we are a powerful voice of the faithful building a more just, peaceful, and sustainable world.

The **First Nations Women’s Alliance** is a North Dakota not-for-profit organization incorporated in 2008 (<http://www.nativewoman.org/>). It is the mission of the First Nations Women’s Alliance to strengthen Tribal communities by creating a forum for leaders to come together to address the issues of domestic violence and sexual assault. The Alliance is committed to ending all forms of violence by providing culturally relevant services and

resources and facilitating the provision of those services by others in our communities.

The **Florida Council Against Sexual Violence** (“FCASV”) is a Florida not-for-profit organization incorporated in 1986 (www.fcasv.org). FCASV is a statewide nonprofit organization committed to victims and survivors of sexual violence and the sexual assault crisis programs who serve them. FCASV serves as a resource to the state on sexual violence issues. Each year we host a statewide conference and many trainings, bringing state-of-the-art information from around the nation to Florida. We provide technical assistance to agencies seeking to improve their services for rape victims, and we provide up-to-date information to the public. By using our toll-free information line, callers can access information from our resource library or from our network of national resources. FCASV provides information, assistance and leadership on all aspects of sexual violence, including rape, child abuse, stalking and sexual harassment.

FORCE: Upsetting Rape Culture is a Maryland not-for-profit organization incorporated in 2012 (www.upsettingrapeculture.com). FORCE: Upsetting Rape Culture is a creative activist collaboration to upset the culture of rape and promote a culture of consent. The organization believes that a more difficult and honest conversation needs to happen in America to face the realities of sexual violence, and the organization envisions a world where sex is empowering and pleasurable rather than coercive and violent. To promote this needed conversation, FORCE creates art actions to generate media attention and get millions of people talking.

Futures Without Violence (“FUTURES”) is a California not-for-profit organization incorporated in 1984 (www.futureswithoutviolence.org). For more than thirty years, FUTURES has worked to prevent and end violence against women and children around the world. FUTURES mobilizes concerned individuals, children’s groups, the justice system, allied professionals, women’s rights, civil rights, and other social justice organizations to join the campaign to end violence through public education/prevention campaigns, public policy reform, model training, advocacy programs, and organizing.

Healing Hearts is a Northern Cheyenne (Montana) not-for-profit organization incorporated in 2000 (www.northerncheyennenation.com). Healing Hearts is a domestic violence program that provides: support and advocacy services to victims of domestic violence and sexual assault; 24/7 on-call crisis services; transportation to shelter/safe homes; referrals to other local programs (recovery; behavioral health, etc.); and domestic violence/sexual assault education and awareness. We provide services on the Northern Cheyenne Reservation to victims and their families. Healing Hearts serves five Districts including: Busby, Ashland, Birney, Lame Deer and Muddy. Our purpose is to help victims of domestic violence and sexual assault by providing support/advocacy and ensuring their safety and overall well-being through crisis intervention and shelter/safe home housing.

The **Hopi-Tewa Women’s Coalition to End Abuse** is an Arizona not-for-profit organization incorporated in 2009. The Coalition is a tribal domestic violence and sexual assault coalition located on the Hopi Reservation in northeast Arizona. The coalition provides training, technical assistance, policy development, advocacy support and education to the Tribal

Government, program partners and community. The Coalition's mission is to advocate for a coordinated and effective response system that creates a safety net towards building healthy communities, while embracing the strength of Hopi cultural values and traditions.

The **Idaho Coalition Against Sexual & Domestic Violence** is an Idaho not-for-profit organization incorporated in 1982 (www.engagingvoices.org). The Idaho Coalition works to end our culture of domination, extraction and violence against girls and women and people who are gender nonconforming and the earth. We believe gender violence is connected to and fueled by multiple systemic oppressions, and that we need to end all forms of domination, extraction and violence.

The **Illinois Coalition Against Domestic Violence** ("ICADV") is an Illinois not-for-profit organization incorporated in 1978 (www.ilcadv.org). ICADV is a membership organization comprised of over 50 local non-profits whose primary mission is to provide services to victims of domestic violence and their dependents. ICADV's mission is to build networks of support for and with survivors, and advance statewide policies and practices that transform societal attitudes and institutions to eliminate and prevent domestic abuse.

The **Illinois Coalition Against Sexual Assault** ("ICASA") is an Illinois not-for-profit organization incorporated in Illinois in 1977 (www.icasa.org). ICASA unites the services and resources of rape crisis centers statewide. ICASA alleviates the suffering of sexual assault survivors and builds safe, just communities through victim-centered counseling and advocacy for public policy that promotes prevention, supports victims and advances justice. ICASA promotes activism and prevention education to change cultural norms, end oppression and promote equality.

The **Indiana Coalition Against Domestic Violence** ("ICADV") is an Indiana not-for-profit organization incorporated in 1980 (www.Icadvinc.org). ICADV is committed to ending violence against women through addressing the root causes of violence. Until the violence ends, ICADV will work to improve protective conditions that create a violence-free community.

The **Indian Law Resource Center** is a Washington, D.C. and Montana not-for-profit organization incorporated in 1978 (www.indianlaw.org). The Indian Law Resource Center is a non-profit legal and advocacy organization that provides assistance to Indian and Alaska Native Nations and other indigenous peoples throughout the Americas who are working to protect their lands, resources, environment, cultural heritage, and human rights. The Center's principal goal is the preservation and well-being of Indian and other Native Nations and Tribes. The Center's Safe Women, Strong Nations project works to end the epidemic levels of violence against Indian and Alaska Native women and children and its devastating impacts on Native communities by raising awareness of this issue nationally and internationally, by strengthening the capacity of Indian and Alaska Native Nations and Native women to prevent violence and restore safety to Native women, and by assisting national Native women's organizations and Indian and Alaska Native Nations to restore tribal criminal authority and preserve civil jurisdiction.

The **Iowa Coalition Against Domestic Violence** ("ICADV") is an Iowa not-for-profit organization incorporated in Iowa in 1985 (www.icadv.org). ICADV provides educational and

technical assistance to the domestic violence programs across Iowa, and also acts on a statewide and national level to promote public policy and legislative issues on behalf of battered women and their children. ICADV's purpose is to eliminate personal and institutional violence against women through support to programs providing safety and services to battered women and their children. ICADV recognizes that unequal power contributes to violence against women, and ICADV recognizes that empowering women requires recognizing and ensuring equity for all aspects of identity – race, sex, gender, religion, sexuality, and more. Therefore, ICADV advocates social change, legal and judicial reform, and the end to all oppression.

The **Iowa Coalition Against Sexual Assault** is an Iowa not-for-profit organization incorporated in 1982 (www.iowacasa.org). Our organization works to support survivors of sexual violence, to prevent sexual violence, and to work alongside communities at risk from all forms of violence, including violence to their lands.

The **Indigenous Law and Policy Center at the Michigan State University College of Law** (<https://www.law.msu.edu/indigenous/center-clinic.html>) is committed to the education of Native law students and the training of lawyers prepared to work on behalf of tribes around the country, whether for tribal governments, private law firms, or non-profit organizations. The Center has two goals: to train law students to work with Indian Country and to provide services to institutional clients, such as Indian Tribes, Tribal Courts, and other tribal organizations, on a wide variety of legal and policy questions.

Jane Doe Inc. (“JDI”) is a Massachusetts not-for-profit organization incorporated in 1988 (www.janedoe.org). JDI, the Massachusetts Coalition Against Sexual Assault and Domestic Violence, is a statewide organization of 56 member programs that provide direct services to victims and survivors of sexual and domestic violence. Guided by the voices of survivors, JDI brings together organizations and people committed to ending domestic violence and sexual assault, creating social change by addressing the root causes of this violence, and promoting justice, safety and healing for survivors. JDI advocates for responsible public policy, promotes collaboration, raises public awareness, and supports its member organizations to provide comprehensive prevention and intervention services.

The **Louisiana Foundation Against Sexual Assault** (LaFASA) is a Louisiana not-for-profit organization incorporated in 1982 (www.Lafasa.org). LaFASA is the Louisiana state sexual assault coalition. Its mission is to work toward the elimination of sexual violence, through program support, education, and social change.

The **Maine Coalition Against Sexual Assault** is a Maine not-for-profit organization incorporated in 1991. The Maine Coalition Against Sexual Assault (“MECASA”) is organized to end sexual violence in Maine and to support high quality sexual violence prevention and response within Maine communities. For over 35 years, MECASA has represented and served Maine's sexual assault service providers. MECASA works toward ending sexual violence through the following efforts: initiating and advocating for victim-centered public policy; providing expert training, technical assistance, and resources for providers and partners; funding sexual assault service providers; and informing conversations about sexual violence. MECASA's work spans a range of programming and partnerships to bring the voices of Maine's

sexual assault support centers and the victims/survivors they serve to statewide and national sexual violence prevention and response efforts.

The **Maine Coalition to End Domestic Violence** (“MCEDV”) is a Maine not-for-profit organization incorporated in 1977 (www.mcedv.org). MCEDV mobilizes collaborative community action with and on behalf of a statewide network of Domestic Violence Resource Centers to ensure that all people affected by domestic abuse and violence in Maine are restored to safety and that perpetrators are held accountable. MCEDV focuses its resources on collaborative partnerships that promote public policy, education, and systems advocacy to create and encourage a social, political, and economic environment that fosters communities where the diversity, dignity, and contributions of all are respected and celebrated, and domestic abuse and violence no longer exist.

The **Minnesota Indian Women’s Resource Center** (“MIWRC”) is a Minnesota not-for-profit organization incorporated in 1984 (www.miwrc.org). MIWRC works with Native American women and their families to deliver a comprehensive array of services and maintain an extensive referral network to fully meet the needs of the women and families. MIWRC’s mission is to empower families to exercise their cultural values and integrity, and to achieve sustainable life ways, while advocating for justice and equity.

The **Minnesota Indian Women’s Sexual Assault Coalition** is a Minnesota not-for-profit organization incorporated in 2004 (www.miwsac.org). The Coalition is a statewide tribal coalition and a national tribal technical assistance provider. The Coalition works with 11 Tribes in Minnesota and more than 25 Tribes nationwide. The Coalition works to address sexual violence and sex-trafficking of Native women, and the Coalition’s vision is to create safety and justice through the teachings of our grandmothers.

The **Mississippi Coalition Against Domestic Violence** (“MCADV”) is a Mississippi not-for-profit organization incorporated in 1981 (www.mcadv.org). MCADV is a statewide nonprofit organization. The mission is to bring about social change through advocacy, technical assistance and public awareness in an effort to end domestic violence in our state. We provide support for member domestic violence shelter programs through training, technical assistance and capacity building. We advocate for public policy that supports victims, and we seek to change societal attitudes and beliefs through awareness and prevention activities in communities throughout Mississippi.

Monsoon United Asian Women of Iowa is an Iowa not-for-profit organization incorporated in 2007 (www.muawi.org). Monsoon United Asian Women of Iowa is a community-based organization with a mission to end gender-based violence in the Asian & Pacific Islander communities by providing services to victims/survivors, their families, and communities and by community organizing.

The **Montana Coalition Against Domestic and Sexual Violence** (“MCADSV”) is a Montana not-for-profit organization incorporated in 1986 (www.mcadsv.com). MCADSV is a statewide coalition of individuals and organizations working together to end domestic and sexual violence through advocacy, public education, public policy, and program development. We

advance our mission to: Inspire. Engage. Mobilize! We envision a Montana that honors individual dignity and celebrates diversity, equality, and peace.

The **Morning Star Institute** is a North Carolina not-for-profit organization incorporated in 1984. The Morning Star Institute is a national, non-profit Native rights organization, devoted to the protection of Mother Earth and all her children. Morning Star is a leader in the development of the Native Peoples' cultural rights agenda, from the protection and repatriation of sacred places, ancestors, sacred objects, cultural patrimony, ceremonies and ceremonial grounds, to the promotion of human rights, including highlighting positive imagery and the esteemed position of Native women and children in Native cultural history, symbology and languages. Morning Star promotes the need for federal entities to protect tribal rights through treaties, existing law and the United Nations Declaration on the Rights of Indigenous Peoples. Morning Star has worked with many Native Peoples to regain, co-manage or jointly steward Native sacred places, including lands and waters and their cultural and historical aspects, or otherwise protect sacred places from invasive or unwanted development, damage or any desecration. Since 2003, Morning Star also has sponsored and organized the annual and ongoing National Days of Prayer to Protect Sacred Places.

The **National Alliance to End Sexual Violence** ("NAESV") is a Washington D.C. not-for-profit organization incorporated in 2011 (www.endsexualviolence.org). The NAESV is the voice in Washington for the 56 state and territorial sexual assault coalitions and 1300 rape crisis centers working to end sexual violence and support survivors. The local rape crisis centers in our network see every day the widespread and devastating impacts of sexual assault upon survivors and provide the frontline response in their communities advocating for victims, spreading awareness and prevention messages, and coordinating with criminal justice and other professionals who respond to these crimes.

The **National Coalition Against Domestic Violence** ("NCADV") is a Colorado not-for-profit organization incorporated in 1978 (www.ncadv.org). The vision of NCADV is to create a culture where domestic violence is not tolerated; and where society empowers victims and survivors, and holds abusers accountable. NCADV's mission is to be the voice of victims and survivors. NCADV is the catalyst for changing society to have zero tolerance for domestic violence. NCADV does this by effecting public policy, increasing understanding of the impact of domestic violence, and providing programs and education that drive that change.

The **National Coalition of Anti Violence Programs, project of the New York City Anti-Violence Project** ("NCAVP"), is a New York not-for-profit organization incorporated in 1983 (www.AVP.org). The NCAVP works to prevent, respond to, and end all forms of violence against and within lesbian, gay, bisexual, transgender, queer and HIV-affected communities. The NCAVP is a national coalition of local member programs, affiliate organizations and individuals who create systemic and social change. We strive to increase power, safety and resources through data analysis, policy advocacy, education and technical assistance.

National Council of Jewish Women is a New York not-for-profit organization incorporated in the early 1900s (WWW.NCJW.ORG). The National Council of Jewish Women ("NCJW") is a grassroots organization of volunteers and advocates who turn progressive ideals

into action. Inspired by Jewish values, NCJW strives for social justice by improving the quality of life for women, children, and families and by safeguarding individual rights and freedoms. NCJW creates social change through legislative advocacy, and has long worked to end domestic violence and sexual assault, working on the original Violence Against Women Act with then Senator Biden. And, since the turn of the century, NCJW has worked to combat trafficking - operating safe houses at Ellis Island and at other European ports. Today, NCJW prioritizes its anti-trafficking work, focusing on sex trafficking of women and children in the United States.

The **National Domestic Violence Hotline** is a Texas not-for-profit organization incorporated in 1996 (www.thehotline.org). Every day, 24/7/365, the National Domestic Violence Hotline provides confidential, compassionate, and practical help to the more than 400,000 people who contact the Hotline for help with domestic and dating violence issues every year via phone, chat and text. With a database of more than 5,000 providers and resources in the United States, Puerto Rico, the U.S. Virgin Islands, and Guam, the Hotline and its youth component (www.Loveisrespect.org), provide confidential conversations and crucial information to help guide survivors to appropriate programs and safety. Since 1996, more than 3.7 million people have received help from The Hotline.

The **National Network to End Domestic Violence** (“NNEDV”) is a Washington, D.C. not-for-profit organization incorporated in 1995 (www.nnedv.org). NNEDV is the leading voice for domestic violence victims and their advocates. As a membership and advocacy organization of state domestic violence coalitions, allied organizations and supportive individuals, NNEDV works closely with its members to understand the ongoing and emerging needs of domestic violence victims and advocacy programs. NNEDV ensures those needs are heard and understood by policymakers at the national level, and offers a range of programs and initiatives to address the complex causes and far-reaching consequences of domestic violence.

The **National Organization of Asian Pacific Islander Ending Sexual Violence** (“NAPIESV”) is an Iowa not-for-profit organization incorporated in 2007 (www.napiessv.org). NAPIESV is a national organization providing training and technical organizations nationally and in the US territories in the Pacific to improve services to sexual violence victims/survivors from the Asian & Pacific Islander communities.

The **National Resource Center on Domestic Violence** is a Pennsylvania not-for-profit organization incorporated in 1993 (www.nrcdv.org). The mission of the National Resource Center on Domestic Violence (“NRCDV”) is to strengthen and transform efforts to end domestic violence. Since 1993, the NRCDV has provided comprehensive and individualized technical assistance, training and resource development related to domestic violence intervention and prevention, community education and organizing, and public policy and systems advocacy. The NRCDV strives to be a trusted national leader and sustainable organization, renowned for innovation, multi-disciplinary approaches, and a commitment to ensuring that policy, practice, and research is grounded in and guided by the voices and experiences of domestic violence survivors and advocates.

The **National Urban Indian Family Coalition** (“NUIFC”), founded in 2003 is a national not-for-profit organization incorporated in 2012 (www.nuifc.org). The goals of the NUIFC are

to build a movement that promotes advocacy and mobilizes systems to integrate Urban Indian issues in policy discussions and implementation, build positive and mutually supportive relationships and create, through dialogue, a shared understanding of the barriers issues and unique opportunities facing urban Indian families. We endeavor to collectively develop and share strategies to address the issues facing AI/AN families in cities and increase awareness and share sustainable service and best practice models for Native American children and families. With 24 member centers in 20 cities, the cities represented by the NUIFC represent over a million American Indians and Alaska Natives. Our mission: The NUIFC elevates a national voice and sustains Indigenous values and culture through a strong network of urban Indian organizations.

The **Native Alliance Against Violence** is an Oklahoma not-for-profit organization incorporated in 2009 (www.oklahomanaav.org). The Native Alliance Against Violence is Oklahoma's only tribal domestic and sexual violence coalition. Through the Spirit of respect and cooperation, the Native Alliance Against Violence strives to unify tribal service programs throughout Oklahoma by providing culturally appropriate technical assistance, training and support to eliminate domestic violence, sexual violence, dating violence, stalking and sex trafficking to restore balance and safety for Native communities.

The **Native Women's Society of the Great Plains** is a South Dakota not-for-profit organization incorporated in 2008 (www.nativewomenssociety.org). The Coalition's mission is to promote the safety of Native women. The Coalition is comprised of organizations that provide shelter and services to Native women experiencing violence in their homelands.

The **NC Coalition Against Sexual Assault** ("NCCASA") is a North Carolina not-for-profit organization incorporated in 1988 (www.nccasa.org). NCCASA is a statewide alliance working to end sexual assault through education, advocacy, and legislation.

The **Nebraska Coalition to End Sexual and Domestic Violence** is a Nebraska not-for-profit organization incorporated in 1977 (www.nebraskacoalition.org). The Nebraska Coalition to End Sexual and Domestic Violence is a statewide advocacy organization committed to the prevention and elimination of sexual and domestic violence. We work to enhance safety and justice for victims of domestic violence and sexual assault by supporting and building upon the services provided by our network of local programs.

The **Nevada Network Against Domestic Violence** is a Nevada not-for-profit organization incorporated in 1980 (www.nnadv.org). NNADV provides statewide advocacy, education and support of the front-line organizations that help those impacted by domestic violence. Our mission is to be a statewide voice advocating for the prevention and elimination of domestic violence through partnering with communities. We envision a Nevada in which domestic and sexual violence are eradicated and healthy relationships thrive.

New Hope Inc. is a Massachusetts not-for-profit organization incorporated in 1979 (www.new-hope.org). New Hope seeks to build an anti-violence movement to end sexual and domestic violence. We recognize that interpersonal violence is related to issues of inequality and oppression and we seek to work at the intersection of these issues. With a recent strategic plan,

we commit ourselves to a social justice framework, including a way of seeing, naming, understanding, and acting aimed at addressing inequality and oppression across society.

The **New Mexico Center on Law and Poverty** is a New Mexico not-for-profit organization incorporated in 1996 (www.nmpovertylaw.org). The New Mexico Center on Law and Poverty is dedicated to advancing economic and social justice through education, advocacy and litigation. We work with low-income New Mexicans to improve living conditions, increase opportunities, and protect the rights of people living in poverty. We work to assure that the policies, laws, and practices intended to address the problems of those living in poverty are well-designed and are implemented legally, fairly, and effectively.

New Mexico Coalition of Sexual Assault Programs, Inc. is a New Mexico not-for-profit organization incorporated in 1984 (nmcsap.org). The purpose of the New Mexico Coalition of Sexual Assault Programs, Inc., is to prevent and reduce sexual violence in every area of New Mexico (indigenous communities, NM/Mexico border areas, rural, frontier, urban) through training, policy, anti-oppression initiatives and funding; to establish evidenced based, trauma informed services to survivors and offenders of sexual violence throughout the state; and to increase the level of expertise among service providers of all disciplines regarding their response to sexual violence. We have worked for over thirty years with indigenous and other rural communities who have been adversely affected by extractive industries (coal, uranium, copper, etc.). These communities continue to be our first priority for our services and funds.

The **New York State Coalition Against Domestic Violence** is a New York not-for-profit organization incorporated in 1978 (www.nyscadv.org). The New York State Coalition Against Domestic Violence (NYSCADV) provides training, support, technical assistance and advocacy to local direct service domestic violence programs across New York State. We work to create and support the social change necessary to prevent and confront all forms of domestic violence. As a statewide membership organization, we achieve our mission through activism, training, prevention, technical assistance, legislative advocacy, and leadership development. We promote best practices and broad-based collaboration, integrating anti-oppression principles in all our work.

The **New Mexico Coalition Against Domestic Violence** is a New Mexico not-for-profit organization incorporated in 1981 (www.nmcadv.org). Our VISION: The New Mexico Coalition Against Domestic Violence aspires to a world free of violence and oppression. The MISSION of the New Mexico Coalition Against Domestic Violence is to lead a coordinated and effective response to domestic violence throughout the state. We will accomplish our mission through: expanding our capacity to deliver excellent services throughout New Mexico; developing and advocating policy and practice that considers the diverse needs of victims and survivors; strengthening our impact through forging valued partnerships; seeking and promoting innovative approaches to positive social change.

The **New York State Coalition Against Sexual Assault** is a New York not-for-profit organization incorporated in 1987 (<http://nyscasa.org/>). The mission of the New York State Coalition Against Sexual Assault is to end all forms of sexual violence and exploitation by: advocating for the effective response to all people affected by sexual assault; providing technical

support and assistance to rape crisis centers; working legislatively to improve public policy; and confronting societal denial of the impact of sexual violence through statewide outreach and education.

The **North Carolina Coalition Against Domestic Violence** (“NCCADV”) is a North Carolina not-for-profit organization incorporated in 1981 (www.nccadv.org). NCCADV is a statewide organization that works to create social change through the elimination of the institutional, cultural, and individual oppressions that contribute to domestic violence. NCCADV works to support all North Carolinians in building peaceful communities and families.

The **Northwest Network of Bisexual, Trans, Lesbian and Gay Survivors of Abuse** is a Washington not-for-profit organization incorporated in 1992 (<http://www.nwnetwork.org>). The Northwest Network’s mission is to increase the movement’s capacity to support the self-determination and safety of LGBTQ survivors of abuse through advocacy, education, organizing and participatory research. We work within a broad liberation movement dedicated to social, racial and economic justice, equality and respect for all peoples and the creation of loving, inclusive and accountable communities. As an organization founded by and for LGBTQ survivors, we’re deeply committed to building power for all survivors of abuse.

The **Ohio Domestic Violence Network** (“ODVN”) is an Ohio not-for-profit organization incorporated in 1988 (www.odvn.org). ODVN is a statewide coalition of local domestic violence programs and allied professionals that advances the principle that all people have the right to an oppression-and-violence-free life. ODVN fosters change in our economic, social and political systems and brings leadership, expertise and best practices to community programs. ODVN provides training and technical assistance to domestic violence advocates and allied professionals, creates collaborations for innovative solutions, promotes prevention initiatives, and advances positive public policy affecting survivors of domestic violence.

The **Oregon Coalition against Domestic and Sexual Violence** (“OCADSV”) is an Oregon not-for-profit organization incorporated in 1978 (<http://www.ocadsv.org/>). The OCADSV promotes equity and social change in order to end violence for all communities. We seek to transform society by engaging diverse voices, supporting the self-determination of survivors and providing leadership for advocacy efforts.

The **Pennsylvania Coalition Against Rape** is a Pennsylvania not-for-profit organization incorporated in 1975 (www.pcar.org). The Pennsylvania Coalition Against Rape (“PCAR”) works to eliminate all forms of sexual violence and to advocate for the rights and needs of victims of sexual assault. PCAR works with a network of 50 rape crisis centers to bring help, hope, and healing to the Commonwealth of Pennsylvania.

The **Penobscot Nation Domestic Violence & Sexual Assault Advocacy Center** is a Penobscot Nation not-for-profit organization incorporated in 2009 (<http://www.penobscotnation.org/>). It is the mission of the Penobscot Nation Domestic Violence & Sexual Assault Program to serve the needs of the victims/survivors of domestic and sexual violence who seek our services while working to end violence against Native women and their

children.

Restoring Ancestral Winds, Inc. (“RAW”) is a Utah not-for-profit organization incorporated in 2013 (www.restoringancestralwinds.org). The mission of RAW is to support healing in our indigenous communities. RAW will advocate for healthy relationships; educate our communities on issues surrounding stalking, domestic, sexual, dating and family violence; collaborate with Great Basin Region community members and stakeholders; and honor and strengthen traditional values with all our relations.

The **RI Coalition Against Domestic Violence** (the “Coalition”) is a Rhode Island not-for-profit organization incorporated in 1979 (www.ricadv.org). The Coalition is an organization dedicated to ending violence against women.

The **Sacred Hoop Coalition** is a Minnesota not-for-profit organization incorporated in 2007 (<http://mshoop.org/sacred-hoop-coalition/>). The Coalition is a statewide Tribal Domestic Violence Coalition serving all 11 tribal communities as well as urban programs in the state of Minnesota. The purpose of our Coalition is to build the capacity of survivors, advocates, Native women’s organizations and victim service providers to end violence against Native women. We believe that community organizing and dialogue at the local level increases the opportunity to develop strong, cooperative working relationships with one another in the work to end violence against women in our communities. The challenge for our communities is to reclaim traditional views of women, developing culturally-based responses to intimate partner violence that ensure the safety of Native women and hold those who batter accountable for their use of violence. In recognition of the connection between protecting our women and our water from violence and destruction, we have worked with several Tribes to protect land and water from pipeline companies that threaten the health and welfare of tribal communities.

The **SC Coalition Against Domestic Violence and Sexual Assault** is a South Carolina (“SCCADVASA”) not-for-profit organization incorporated in 1981 (www.sccadvasa.org). SCCADVASA’s mission is to work towards ending domestic and sexual violence in South Carolina and beyond through engaging individuals and communities in advocacy, collaboration and education. We advocate for the transformative social change that will result in a society free of violence, push for policy changes that support survivors and provide education and technical assistance to build the capacity of our members, allied organizations and communities to provide trauma-informed and survivor-centered services.

The **Seven Dancers Coalition** is a New York not-for-profit organization incorporated in 2009 (www.sevendancerscoalition.com). The Coalition is located in upstate New York, and thus the Coalition’s territory straddles the United States and Canadian border. The Coalition is established to bring awareness and prevention on SA, DA, Campus Safety, Teen Dating, Stalking and Sex Trafficking. The Coalition’s mission is to uplift families of indigenous communities by educating and restoring traditional values with the purpose of strengthening self-confidence and dignity. We strive for an environment of peace and tranquility in order to heal the damaged spirit.

The **Sexual Trauma & Abuse Care Center** is a Kansas not-for-profit organization

incorporated in 1972 (www.stacarecenter.org). The mission of The Sexual Trauma & Abuse Care Center (“Care Center”) is to promote a culture of consent while providing 24/7 support to anyone affected by sexual trauma and abuse in Douglas, Franklin, and Jefferson Counties. The Care Center envisions a community free of sexual trauma & abuse while supporting healing for survivors. Haskell Indian Nations University makes up part of the community in which the Care Center serves. Students and faculty have been faced with historical and current day trauma related to systematic and institutionalized racism and violence. At the Care Center we believe that everyone should be free of violence and deserve equal justice and treatment in all systems.

The **Southwest Indigenous Women’s Coalition** (“SWIWC”) is an Arizona not-for-profit organization incorporated in 2006 (www.swiwc.org). SWIWC is located in Mesa, Arizona, and works to end domestic and sexual violence against Native women. Through training, technical assistance, policy development, and outreach education, SWIWC helps to build the capacity of Tribes in Arizona to better address and respond to the violence occurring in their communities.

The **Strong Hearted Native Women’s Coalition, Inc.** is a California not-for-profit organization incorporated in 2006 (www.strongheartedwomen.org). Strong Hearted Native Women’s Coalition was founded in 2005 to bring awareness against Sexual Assault, Domestic Violence, Youth Violence, and Stalking in North County of the San Diego County. Native women from the Indian reservations of Rincon, Pauma, Mesa Grande, Santa Ysabel, La Jolla, San Pasqual, Los Coyotes, Pala, and Inaja/Cosmit make-up our coalition membership. Over the years, our coalition has expanded to include Tribes from all of Southern California as well as other Tribes throughout the State of California. The purpose of the Coalition is to enhance the capacity of survivors, advocates, Indian women’s organizations, and victim services providers to form non-profit, nongovernmental tribal domestic violence and sexual assault coalitions to advance the goal of ending violence against American Indian and Alaskan Native women. The overarching goal of the Strong Hearted Native Women’s Coalition program is to increase the amount of dedication to improving systemic and community responses to victims and to raise awareness, educate, and to provide technical assistance, training, and supportive services for victims of sexual assault, domestic violence, dating violence, stalking, and human/sex trafficking, including cultural and unique barriers facing Native American Women. By honoring our women ancestors, we advocate for women and their families and promote safety and a traditional non-violent lifestyle. The Coalition works towards empowering women with the tools for independence, courage, and a strong direction to make healthy life choices for herself, her children, and family.

Telos Training, Inc., is an Ohio not-for-profit organization incorporated in 2011 (www.telosinc.org). Telos Training, Inc.’s mission is centered on community passion. We support an often-overlooked community of grown women pursuing a holistically healthy “3-D” life that encompasses the spiritual, intellectual and physical components of the self. The benefits of that pursuit flow between women and extend to their spouses, partners, children, extended families, neighborhoods and communities. Telos Training, Inc. is passionate about supporting women’s reclamation efforts of the self, a self frequently ignored and patronized, often by the very people bemoaning patriarchy. The irony of much of the feminist movement and its fight against misogyny and patriarchy is that often the traditional, powerful work and insight of grown

women, especially grown women of color is disregarded, discarded and viewed with disdain by the very beneficiaries of all that power, all that work, and all that insight.

The **Texas Association Against Sexual Assault** (“TAASA”) is a Texas not-for-profit organization incorporated in 1982 (www.taasa.org). TAASA is a non-profit organization committed to ending sexual violence in Texas. Its membership includes approximately 80 rape crisis centers throughout the state of Texas. Focused on education, prevention, and advocacy on behalf of victims, TAASA strives to reduce sexual violence against all people. Since 1982, TAASA has worked to bring hope, healing, and justice to victims of sexual assault.

The **Ti Hirasa Domestic Violence and Sexual Assault Healing Center** is a Pawnee Nation not-for-profit organization incorporated in 2009 (www.pawneenation.org/page/home/divisions/division-of-health-community-services/ti-hirasa-domestic-violence-program). Ti Hirasa is a confidential support service to victims of domestic violence, dating violence, sexual assault, and stalking. The Center serves all of Pawnee County regardless of age, economic status, race, religion, or education background. The Center prioritizes Native American women and members of the Pawnee Nation. The Center’s mission is to provide prevention and awareness and increase victim safety and offender accountability.

The **Tribal Law and Policy Institute** is a California not-for-profit organization incorporated in 1996 (www.tlpi.org). The Tribal Law and Policy Institute is a Native American owned and operated non-profit, organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian Country and the health, well-being, and culture of Native peoples.

Uniting Three Fires Against Violence (“UTFAV”) is a Michigan not-for-profit organization incorporated in 2009 (www.unitingthreefiresagainstviolence.org). UTFAV is a statewide tribal coalition against domestic and sexual violence. UTFAV’s mission is “[t]o support Michigan Tribes in promoting the social change necessary to address the disproportionate rates of violence impacting our communities.” UTFAV envisions: (1) empowered Native American survivors with access to essential and culturally appropriate services throughout the State of Michigan; (2) tribal communities that have access to the resources necessary to provide the identified services; and (3) tribal, State and Federal responses that are guided by culturally appropriate and trauma informed practices.

The **Urban American Indian/Alaska Native Education Alliance** is a not-for-profit organization incorporated on July 31, 2011 (www.urbannativeeducation.org). The Alliance’s mission is to engage all generations to serve and empower Native youth through Education, Culture, and Tradition.

The **Vermont Network Against Domestic and Sexual Violence** is a Vermont not-for-profit organization incorporated in 1986 (www.vtnetwork.org). The Vermont Network Against Domestic and Sexual Violence (“Vermont Network”) is a feminist organization dedicated to eliminating domestic and sexual violence through advocacy, empowerment, and social change. The Vermont Network is a coalition of 14 domestic and sexual violence programs throughout Vermont with a statewide office located in Montpelier. The Vermont Network envisions a world

free of oppression where actions, beliefs and systems support all people to thrive. The Vermont Network's purpose is to work with others to create that world. To do this, the Vermont Network works to create conditions which are favorable for member program success. Member Program Success means survivors are supported and empowered in getting their needs met and communities are working toward eliminating domestic violence and sexual assault.

The **Virginia Sexual and Domestic Violence Action Alliance** is a Virginia not-for-profit organization incorporated in 1981 (www.vsdvalliance.org). Our agency brings people and organizations together around a shared vision of a world where relationships between people are respectful, healthy and safe. We operate a 24/7 hotline for individuals impacted by sexual violence, intimate partner violence, hate violence and trafficking. We work with agencies and communities that seek to improve their response to violence or strengthen their efforts to prevent violence. And we advocate for awareness and policies that bring us closer to our vision.

Visioning B.E.A.R Circle Intertribal Coalition is a Massachusetts not-for-profit organization incorporated in 2014 (www.visioningbear.org). The mission of the Visioning B.E.A.R Circle Intertribal Coalition is to prevent the incidence of sexual and domestic violence in the indigenous communities of the Northeast region of the United States. VBCIC also works to prevent violence against Mother Earth and sees a deep connection between women and the land.

The **Wabanaki Women's Coalition** ("WWC") is a Maine not-for-profit organization incorporated in 2013 (www.wabanakiwomenscoalition.org). The mission of the WWC is to increase the capacity of tribal communities to respond to domestic and sexual violence and influence tribal, national, and regional systems to increase awareness, safety, justice, and healing for all our relations. The WWC's vision is to guide the evolution of systems and policies that reflect the WWC's Wabanaki voice on behalf of survivors of domestic and sexual violence. The vision is also to create a technical resource center that affirms Wabanaki cultural values and tribal sovereignty, and empowers tribal service providers to serve, educate and influence their communities in an effective and uniform way. The WWC also seeks to be recognized as the informed resource for issues on Wabanaki survivors of domestic and sexual violence.

The **Washington Coalition of Sexual Assault Programs** ("WCSAP") is a Washington not-for-profit organization incorporated in 1980 (www.wcsap.org). WCSAP is a non-profit organization that strives to unite agencies engaged in the elimination of sexual violence. WCSAP provides information, training and expertise to program and individual members who support victims, family and friends, the general public, and all those whose lives have been affected by sexual assault.

The **Washington Indian Civil Rights Commission** is a Washington not-for-profit organization incorporated in 2008 (www.waindiancivilrights.org). The Commission's mission is to uphold our individual civil rights through education and advocacy to prevent and overcome injustices made against us.

The **Washington State Coalition Against Domestic Violence** ("WSCADV") is a Washington not-for-profit organization incorporated in 1990 (www.wscadv.org). WSCADV is

the leading voice to end domestic violence in Washington State. We improve how communities respond to domestic violence and work to create a social intolerance for abuse. Founded in 1990 by survivors and their allies, WSCADV is a non-profit 501(c)3 network of domestic violence programs. Our member programs work tirelessly across the state to help survivors towards safety and freedom. WSCADV mobilizes our member programs and allies to end domestic violence through advocacy and action for social change.

The Washington State Native American Coalition Against Domestic Violence & Sexual Assault is a Washington not-for-profit organization incorporated in 2005 (www.womenspirit.net). The Coalition envisions a Nation where Native women live safely and where all citizens embrace these core values as they strive towards a collective vision of safety. The Coalition believes in the empowerment of survivors, restoration of spiritual and traditional practices, human rights advocacy, restorative justice, and promoting healing from trauma.

Western Native Voice is a Montana not-for-profit organization incorporated in 2014 (www.westernnativevoice.org). Western Native Voice's mission is to inspire Native leadership so our communities may flourish. We work to foster positive social change in our communities through leadership development, education, engagement, and public policy advocacy. Our vision is to engage Native Americans in building political and personal power to address local community challenges. We support and encourage Native community members to step up and be a voice for their families and communities through the civic engagement process and public policies that affect their lives and well-being.

Western States Center is an Oregon not-for-profit organization incorporated in 1987 (www.westernstatescenter.org). Western States Center's mission is to connect and build the power of community organizations to challenge and transform individuals, organizations and systems to achieve racial, gender and economic justice. We envision our movement achieving a just society where we all flourish in sustainable, caring and connected communities.

Wica Agli is a South Dakota not-for-profit organization incorporated in 2013 (www.wicaagli.org). Wica Agli's purpose is to help men become healthy allies to women and children and to bring an end to domestic and sexual violence.

The Wilderness Society is a non-profit organization incorporated in Washington D.C. in 1935 (www.wilderness.org). The Wilderness Society's mission is to protect wilderness and inspire Americans to care for our wild places.

The **Wilma Mankiller Foundation** ("WMF") is an Oklahoma not-for-profit organization incorporated in 2010 (<http://mankillerfdn.org>). WMF works with indigenous communities to carry on Wilma Mankiller's legacy of social justice and community development in Indian Country and beyond. WMF is expressly concerned with the impact the proposed Pipeline route will have on women and children in the communities through which it is proposed to pass.

The **Wisconsin Coalition Against Sexual Assault** ("WCASA") is a non-profit organization incorporated in the State of Wisconsin in 1985 (www.wcasa.org). WCASA is a statewide member organization composed of sexual assault programs, sexual assault survivors

and individuals and agencies promoting the social change necessary to end sexual violence. WCASA currently has over 140 members. WCASA provides training and technical assistance to 51 sexual assault victim advocacy organizations throughout the State of Wisconsin and other agencies that work directly with victims of sexual assault.

Women of Color Network, Inc. is a Pennsylvania not-for-profit organization incorporated in 2009 (www.wocninc.org). The Women of Color Network, Inc. is a national grassroots organization amplifying the leadership and voices of women of color and tribal women seeking to end oppression and violence across all communities.

The **Wyoming Coalition Against Domestic Violence and Sexual Assault** (“WCADVSA”) is a Wyoming not-for-profit organization incorporated in 1987 (www.wyomingdvsa.org). WCADVSA is a statewide domestic violence/sexual assault (“DVSA”) coalition with 23 local DVSA program members that constitute the core membership. WCADVSA advocates for programs and the victims they serve. WCADVSA also provides assistance and support to the Wind River Indian Reservation.

The **Yupik Women’s Coalition** (“YWC”) is an Alaska not-for-profit organization incorporated in 2007 (www.yupikwomen.org). The YWC strives to promote safety of women through education and advocacy. The YWC is committed to organize community efforts to end violence against women and children with Yup’ik villages through strengthening the traditional Yup’ik beliefs and teachings that have guided the Yup’ik people for thousands of years. The YWC is dedicated to the safety of women and believes in all the rights of all people to live without fear, threat, violence and oppression.