

# "Violence against American Indian and Alaska Native Women and Men" by André B. Rosay. *NIJ Journal* 277: 38–45 (Sep 2016). NCJ 249822.



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# VIOLENCE AGAINST AMERICAN INDIAN AND ALASKA NATIVE WOMEN AND MEN

BY **ANDRÉ B. ROSAY**

An NIJ-funded study shows that American Indian and Alaska Native women and men suffer violence at alarmingly high rates.

**M**ore than four in five American Indian and Alaska Native women and men have experienced violence in their lifetime, and more than one in three experienced violence in the past year, according to a new report from an NIJ-funded study.

The study, part of NIJ's research program on violence against American Indian and Alaska Native women (see sidebar, "Examining Violence Against American Indian and Alaska Native Women"), looked at how prevalent psychological aggression and physical violence by intimate partners, stalking, and sexual violence were among American Indian and Alaska Native women and men. It also examined the perpetrators' race and the impact of the violence.

The study used a nationally representative sample from the National Intimate Partner and Sexual Violence Survey (NISVS),<sup>1</sup> with a total of 2,473 adult women and 1,505 adult men who identified themselves as American Indian or Alaska Native, either alone or in combination with another racial group. Most women (83 percent) and most men (79 percent) were affiliated or enrolled with a tribe or village. More than half of women and men (54 percent for each group) had lived within reservation boundaries or in an Alaska Native village in the past year.

The results, which show high rates of violence against both women and men, provide the most thorough assessment on the extent of violence against American Indian and Alaska Native women and men to date. These results complement those from the National Crime Victimization Survey (see sidebar, "Differences Between Two National Surveys"). Prior to this project, there were few estimates available, and often these estimates were based on local samples.<sup>2</sup> The few national estimates available used very small samples, which did not always accurately represent the American Indian and Alaska Native population in the United States.<sup>3</sup>

## Violence Against Women

Results show that more than four in five American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime (see Table 1). This includes 56.1 percent who have experienced sexual violence, 55.5 percent who have experienced physical violence by an intimate partner, 48.8 percent who have experienced stalking, and 66.4 percent who have experienced psychological aggression by an intimate partner. Overall, more than 1.5 million American Indian and Alaska Native women have experienced violence in their lifetime.

The study also found that more than one in three American Indian and Alaska Native women (39.8 percent) have experienced violence in the past year. This includes 14.4 percent who have experienced sexual violence, 8.6 percent who have experienced physical violence by an intimate partner, 11.6 percent who have experienced stalking, and 25.5 percent who have experienced psychological aggression by an intimate partner. Overall, more than 730,000 American Indian and Alaska Native women have experienced violence in the past year.

American Indian and Alaska Native women are 1.2 times as likely as non-Hispanic white-only<sup>4</sup> women to have experienced violence in their lifetime and 1.7 times as likely to have experienced violence in the past year. They are also significantly more likely to have experienced stalking and physical violence by an intimate partner in their lifetime, as well as

psychological aggression by an intimate partner both in their lifetime and in the past year.

### Violence Against Men

American Indian and Alaska Native men also have high victimization rates. More than four in five American Indian and Alaska Native men (81.6 percent) have experienced violence in their lifetime (see Table 2). This includes 27.5 percent who have experienced sexual violence, 43.2 percent who have experienced physical violence by an intimate partner, 18.6 percent who have experienced stalking, and 73 percent who have experienced psychological aggression by an intimate partner. Overall, more than 1.4 million American Indian and Alaska Native men have experienced violence in their lifetime.

**Table 1. Violence Against Women**

Type of Violence	American Indian or Alaska Native, %	Non-Hispanic White Only,* %	Relative Risk
Any Lifetime Violence	84.3	71.0	1.2
Sexual Violence	56.1	49.7	NS
Physical Violence by Intimate Partner	55.5	34.5	1.6
Stalking	48.8	26.8	1.8
Psychological Aggression by Intimate Partner	66.4	52.0	1.3
Any Past-Year Violence	39.8	23.3	1.7
Sexual Violence	14.4	5.4	NS
Physical Violence by Intimate Partner	8.6	4.1	NS
Stalking	11.6	7.0	NS
Psychological Aggression by Intimate Partner	25.5	16.1	1.6

NS = Percentages across racial and ethnic groups are not significantly different ( $p > .05$ ).

\* Non-Hispanic white only represents people who identified themselves as both non-Hispanic and white, with no other race.

More than one in three American Indian and Alaska Native men (34.6 percent) have experienced violence in the past year. This includes 9.9 percent who have experienced sexual violence, 5.6 percent who have experienced physical violence by an intimate partner, 3.8 percent who have experienced stalking, and 27.3 percent who have experienced psychological aggression by an intimate partner. Overall, more than 595,000 American Indian and Alaska Native men have experienced violence in the past year.

American Indian and Alaska Native men are 1.3 times as likely as non-Hispanic white-only men to have experienced violence in their lifetime. In particular, American Indian and Alaska Native men are 1.4 times as likely to have experienced physical violence by an intimate partner and 1.4 times as likely to have experienced psychological aggression by an intimate partner in their lifetime. The other estimates are not significantly different across racial and ethnic groups.

### Who Are the Perpetrators?

The federal government has a “trust responsibility to assist tribal governments in safeguarding the lives of Indian women.”<sup>5</sup> Yet in *Oliphant v. Suquamish Indian Tribe* (1978), the U.S. Supreme Court ruled that tribes did not have criminal jurisdiction over non-Indian perpetrators. This meant that federally recognized tribes had no authority to criminally prosecute non-Indian offenders, even for crimes committed in Indian Country. This essentially provided immunity to non-Indian offenders and compromised the safety of American Indian and Alaska Native women and men. The Violence Against Women Reauthorization Act of 2013<sup>6</sup> partially corrected this problem by providing federally recognized tribes with special domestic violence criminal jurisdiction, which allows tribes that meet certain conditions to prosecute certain cases involving non-Indian offenders.

**Table 2. Violence Against Men**

Type of Violence	American Indian or Alaska Native, %	Non-Hispanic White Only,* %	Relative Risk
Any Lifetime Violence	81.6	64.0	1.3
Sexual Violence	27.5	20.9	NS
Physical Violence by Intimate Partner	43.2	30.5	1.4
Stalking	18.6	13.4	NS
Psychological Aggression by Intimate Partner	73.0	52.7	1.4
Any Past-Year Violence	34.6	25.7	NS
Sexual Violence	9.9	3.8	NS
Physical Violence by Intimate Partner	5.6	4.5	NS
Stalking	3.8	3.7	NS
Psychological Aggression by Intimate Partner	27.3	19.3	NS

NS = Percentages across racial and ethnic groups are not significantly different ( $p > .05$ ).

\* Non-Hispanic white only represents people who identified themselves as both non-Hispanic and white, with no other race.

Figure 1 shows the percentages of American Indian and Alaska Native victims who have experienced violence by a perpetrator who was not American Indian or Alaska Native (interracial) and by an American Indian or Alaska Native perpetrator (intra-racial). The majority of American Indian and Alaska Native victims have experienced violence at the hands of at least one interracial perpetrator in their lifetime — 97 percent of female victims and 90 percent of male victims. Fewer American Indian and Alaska Native victims have experienced intra-racial violence in their lifetime — 35 percent of female victims and 33 percent of male victims. The study found similar results for all types of lifetime and past-year experiences.

The American Indian and Alaska Native population is relatively small, so these results are not surprising. Nonetheless, they provide continuing support for federally recognized tribes' sovereign right to prosecute non-Indian offenders.<sup>7</sup>

### How Does the Violence Affect Victims?

The study also briefly examined how physical violence by intimate partners, stalking, and sexual violence affects American Indian and Alaska Native victims. Among the victims:

- 66.5 percent of women and 26.0 percent of men expressed concern for their safety.

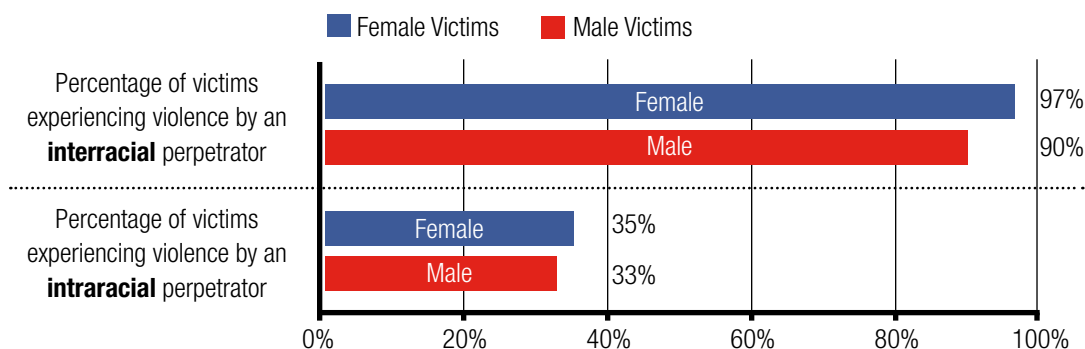
- 41.3 percent of women and 20.3 percent of men were physically injured.
- 49.0 percent of women and 19.9 percent of men needed services.
- 40.5 percent of women and 9.7 percent of men missed days of work or school.

American Indian and Alaska Native female victims were 1.5 times as likely as non-Hispanic white-only female victims to be physically injured, 1.8 times as likely to need services, and 1.9 times as likely to have missed days of work or school. Other differences across racial and ethnic groups were not statistically significant.

Victims identified a variety of needed services. American Indian and Alaska Native female victims most commonly needed medical care (38 percent of victims) and were 2.3 times as likely as non-Hispanic white-only victims to need this type of care. They also needed legal services (16 percent), housing services (11 percent), and advocacy services (9 percent). Medical care and legal services were the most commonly reported needs for male victims as well.

Unfortunately, not all victims were able to access services. More than one in three American Indian and Alaska Native female victims (38 percent) and more than one in six American Indian and Alaska Native male victims (17 percent) were unable to get the

**Figure 1: Estimates of Lifetime Interracial and Intra-racial Violence**



Notes: Samples are restricted to American Indian and Alaska Native victims of stalking, sexual violence, and psychological aggression and physical violence by intimate partners. Some victims experienced violence by both interracial and intra-racial perpetrators.

## Differences Between Two National Surveys

Our understanding of victimization of American Indians and Alaska Natives comes primarily from two sources: the National Intimate Partner and Sexual Violence Survey (discussed in the main article) and the National Crime Victimization Survey. There are key differences between these two national surveys, which can lead to very different estimates.

	<b>National Intimate Partner and Sexual Violence Survey</b>	<b>National Crime Victimization Survey</b>
<b>Goals</b>	Uses a public health approach to (1) measure the prevalence and characteristics of violence, (2) determine who is most likely to experience violence, (3) assess the patterns and impacts of violence experienced by specific perpetrators, and (4) identify the health consequences of violence.	Uses a criminal justice approach to (1) develop detailed information about the victims and consequences of crime, (2) estimate the number and types of nonfatal crimes not reported to the police, (3) provide uniform measures of selected types of crimes, and (4) permit comparisons over time and types of areas.
<b>Samples</b>	Adult women and men residing in the United States. The 2010 data collection included three samples: a general population sample, an oversample of American Indians and Alaska Natives, and a sample of active-duty military and female spouses of active-duty military.	Every household member 12 years of age or older, from nationally representative samples of U.S. households. Follow-up surveys occur every six months over the course of three years (for a total of seven interviews).
<b>Methods</b>	Interviews conducted by phone, using randomly selected landline telephone numbers and cell phone numbers.	Most initial interviews conducted in person, with follow-up interviews conducted by telephone or in person.
<b>Estimates</b>	National- and state-level estimates for the prevalence of lifetime and past-year victimizations (the number of victims).	National estimates for the prevalence and incidence of past-year victimizations (the number of victims and the number of victimizations).
<b>Types of Victimization</b>	Psychological aggression by intimate partners, coercive control by intimate partners, physical violence by intimate partners, stalking and sexual violence.	Broad range of nonfatal personal and property crimes, including rape and sexual attack, robbery, aggravated and simple assault, purse snatching/pocket picking, burglary, theft, motor vehicle theft, and vandalism.
<b>Measures</b>	Behaviorally specific questions about what other people have done (e.g., “How many people have ever used force or threats of physical harm to make you have vaginal sex?”).	Incident-specific questions about experiencing certain crimes (e.g., “Has anyone attacked or threatened you with rape, attempted rape or other type of sexual attack?”).

services that they needed. American Indian and Alaska Native women were 2.5 times as likely as non-Hispanic white-only women to lack access to needed services.

### Addressing the Problem

These results should raise awareness and understanding of violence against American Indian and Alaska Native victims. They also highlight the continued need for services for American Indian and Alaska Native victims of crime.<sup>8</sup>

As former U.S. Attorney General Eric H. Holder, Jr., declared, the Department of Justice has both “a legal

duty and a moral obligation to address violent crime in Indian Country and to assist tribes in their efforts to provide for safe tribal communities.”<sup>9</sup> To help address the problem, NIJ has implemented the Violence Against Indian Women National Baseline Study (also called the Tribal Study of Public Safety and Public Health Issues Facing American Indian and Alaska Native Women), a capstone project within its research program on violence against American Indian and Alaska Native women. The information collected from the study will provide a rich and comprehensive picture of American Indian and Alaska Native women’s experiences with violence and victimization, health and wellness, community crime, service needs, and help-seeking behaviors and outcomes, as well as their opinions on public safety.

## Examining Violence Against American Indian and Alaska Native Women

The reauthorization of the Violence Against Women Act of 2005, Title IX, Section 904(a)(1)(2),<sup>1</sup> authorized NIJ, in consultation with the U.S. Department of Justice’s Office on Violence Against Women, to conduct research on violence against American Indian and Alaska Native women in Indian Country. The needed research was broad in scope, so NIJ developed a research program that included multiple projects over an extended period.

The purpose of NIJ’s program is to:

- Examine violence against American Indian and Alaska Native women, including intimate partner violence, dating violence, sexual assault, sex trafficking,<sup>2</sup> stalking, and murder.
- Identify the factors that put American Indian and Alaska Native women at risk for victimization.
- Evaluate the effectiveness of federal, state, tribal and local responses to violence against American Indian and Alaska Native women.
- Propose recommendations to improve the effectiveness of these responses.

NIJ’s program of research entails primary data collections (such as the data collection discussed in the main article), secondary data analyses, and evaluations. To learn more, visit [NIJ.gov](http://NIJ.gov), keyword: VAIW.

### Notes

1. Title IX, Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005, Public Law No. 109-162 (codified at 42 U.S.C. § 3796gg-10 note), as amended by Section 907 of the Violence Against Women Reauthorization Act, Public Law No. 113-4.
2. The Violence Against Women Reauthorization Act of 2013 added “sex trafficking.”



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## About the Author

**André B. Rosay** was an NIJ visiting executive research fellow from May 2012 to April 2016. He is the director of the Justice Center at the University of Alaska Anchorage.

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## For More Information

Read the full report at NIJ.gov, keyword: 249736.

Learn more about NIJ's program of research on violence against American Indian and Alaska Native women at NIJ.gov, keyword: VAIW.

Read a related NIJ report, "Violence Against American Indian and Alaska Native Women and the Criminal Justice Response: What Is Known," at NIJ.gov, keyword: 223691.

Access the NISVS data at <http://www.icpsr.umich.edu/icpsrweb/NACJD/index.jsp>.

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- "National Institute of Justice Fellowship: Violence Against Indian Women Research Program," grant number 2012-PJ-BX-K001.
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## Notes

1. Launched in 2010 by the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention (CDC), the NISVS provides data on psychological aggression and physical violence by intimate partners, stalking, and sexual violence among a general population sample of adult women and men. NIJ provided additional funding that allowed CDC to collect data from an oversample of American Indian and Alaska Native adults. We based our analysis on these two samples — the general population sample and the American Indian and Alaska Native oversample.

The NISVS has important limitations: The survey includes only certain types of victimization, was administered only by phone, and was not conducted in any indigenous languages.

As with other victimization surveys, recall errors and the continuing stigma associated with disclosing victimization may affect estimates. Some estimates have large margins of error. Despite these limitations, the survey has important strengths: It uses behaviorally specific questions and was administered to a large, nationally representative sample.

2. For example, see Magen, Randy H., and Darryl S. Wood, "Intimate Partner Violence Against AHTNA (Alaska Native) Women in the Copper River Basin," Final report to the National Institute of Justice, grant number 2000-WT-VX-0013, July 2006, NCJ 215350, available at <https://www.ncjrs.gov/pdffiles1/nij/grants/215350.pdf>.
  3. Crossland, Christine, Jane Palmer, and Alison Brooks, "NIJ's Program of Research on Violence Against American Indian and Alaska Native Women," *Violence Against Women* 19 (2013): 771-790. <http://vaw.sagepub.com/content/19/6/771>.
  4. Non-Hispanic white represents only people who identified themselves as both non-Hispanic and white, with no other race.
  5. See the Violence Against Women and Department of Justice Reauthorization Act of 2005 at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109\\_cong\\_bills&docid=f:h3402enr.txt.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_bills&docid=f:h3402enr.txt.pdf).
  6. See the Violence Against Women Reauthorization Act of 2013 at <https://www.govtrack.us/congress/bills/113/s47/text>.
  7. Indian Law & Order Commission, *A Roadmap for Making Native America Safer: Report to the President & Congress of the United States*, November 2013, available at [http://www.aisc.ucla.edu/iloc/report/files/A\\_Roadmap\\_For\\_Making\\_Native\\_America\\_Safer-Full.pdf](http://www.aisc.ucla.edu/iloc/report/files/A_Roadmap_For_Making_Native_America_Safer-Full.pdf).
  8. For example, see Office for Victims of Crime, "Vision 21: Transforming Victim Services—Final Report," May 2013, NCJ 239957, available at [http://ovc.ncjrs.gov/vision21/pdfs/Vision21\\_Report.pdf](http://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf).
  9. Holder, Eric H., Jr., Statement to the Senate, Committee on the Judiciary. *Oversight of the Department of Justice*, November 18, 2009, available at <https://www.justice.gov/sites/default/files/testimonies/witnesses/attachments/2009/11/18//2009-11-18-ag-holder-oversight-doj-sjc.pdf>.
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