# HIGH RATES OF RAPE AND THE BARRIERS TO JUSTICE FOR NATIVE WOMEN



J is a Cherokee woman living in Tahlequah, Oklahoma. Her sexual assault forensic examination was destroyed. Because of the lack of evidence available, the District Attorney advised her to drop the complaint after the preliminary hearing. Native women like J face numerous forms of injustice during the prosecution and treatment of their sexual assults, these are some of the barriers they can encounter.

## **LEGACY OF VIOLENCE**

Seuxal violence was used as a tool of conquest against Native communities, and these dehumanizing stereotypes placed upon Native American and Alaska Native women still persist -and affect them in present-day. These socialized stigmas can result in high levels of impunity for attackers.

# LIMITED TRIBAL JURISDICTION

86% of assaults on Native women are committed by a non-Native man. Because of the continuous erosion of tribal authority, tribes have little to no ability to arrest and prosecute non-Native perpetrators.

## **ACCESS TO EVIDENCE**

Because there is not a rape kit in her nearest Indian Health Service (IHS) facility, a victim may be told to drive to another facility that is up to 2 hours away. Due to a number of factors such as access to immediate transportation, childcare responsibilies, or the discomfort caused from sitting in the physical reality of her rape, the victim may be discouraged from completing a rape kit, and there is no evidence collected of her sexual assult.

#### **INADEQUATE POLICING**

Due to a lack of Native police resourcing and inadequate training, the police response on an attack can be easily delayed, and the responding officer may not be sufficiently trained on responding to rape / sexual assult cases of Native women. The woman may sufferer victim blaming at the hands of the officer, and is often not fully educated on her next steps as a survivor.

### LACK OF PROSECUTION

The US Attorney's office may decide not to prosecute a victim's case. Because the US Attorney's office does not compile statistics on reasons for not prosecuting declined cases, the reason that a case was never prosecuted remains unclear.

TRIBES HAVE

1 IN 3



**BETWEEN** 

55%-75%

Native women will be raped during their lifetime.



of the law enforcement resources available to comparable non-Native rural communities.

150 MILES

The distance a survivor might travel to reach a facility where a rape kit can be performed.



THESE BARRIERS PERPETUATE **HIGH RATES OF RAPE AGAINST NATIVE WOMEN** 

If these barriers are not addressed, these rapes will keep happening with total impunity. To take action, visit

www.amnestyusa.org



