

May 13, 2019

Testimony in Support of LD766: An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority to Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013

Respectfully Submitted by Maulian Dana, Penobscot Nation Tribal Ambassador

Senator Carpenter, Representative Baily and Honorable Members of the Committee on Judiciary. I am here today to offer support for this bill on behalf of the Penobscot Nation. I wish to thank Representative Talbot-Ross and the cosponsors for bringing forth this important measure that will have a direct and substantial impact on the Indigenous populations of Maine. You will no doubt hear a lot of testimony today with detailed and passionate pleas for this bill to succeed so I will be brief in my remarks and keep my testimony to the fact that there is a huge need for this and our women have suffered due to not having access to the federal legislation that in theory we should be entitled to.

Because of interpretations of the Federal Maine Indian Land Claims Settlement and State Implementing Acts of 1980 the Tribal Nations of Maine have been excluded from the provisions of the federal Violence Against Women Act.

The Wabanaki Nations of Maine are all federally recognized tribes and in theory should be able to operate under federal legislation as sovereigns however it is no secret that as history of Maine tribal state relations has unfolded the Settlement Act has acted as a catch all for interpreting how the tribes are able to access federal legislation and more often than not has been a barrier that leaves both parties confused and with mixed outcomes, often setbacks for the Tribal Nations. It is unfortunate that in the past VAWA has fallen into this category. I do believe now that through the efforts of many and by mitigating misunderstandings and clearly communicating just how dire the situations in our communities are we have reached a bridge together over gaps that have previously seemed expansive and impossible. I look forward to walking across that bridge and seeing life improve for my Wabanaki sisters on the other side. You will hear from experts today that do the hard work in these communities with victims and they will shine a light on how the jurisdictional issues lead to re-victimization and perpetuating trauma in the search for justice and healing.

We have hopes that this change can happen at the federal level, however, having this law on the Maine books is extremely significant as well. We are seeing Maine take the lead in other areas of respect and honor for the Wabanaki citizens that call Maine home in our sovereign nations. This bill would have tangible and qualitative benefits and outcomes for some of the most vulnerable of the State's population. As an Indigenous woman. As a mother of two Indigenous daughters. As a daughter. As a sister. As someone who has survived abuse. I urge you to vote ought to pass. Thank you very much. I am happy to answer any questions.