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**INDIAN LAW AND ORDER COMMISSION RELEASES ROADMAP WITH
RECOMMENDATIONS TO MAKE INDIAN COUNTRY SAFER**

Washington, DC: To address the public safety crisis in Indian country, the Indian Law and Order Commission released its report, "A Roadmap for Making Native America Safer," detailing recommendations for law enforcement in Indian Country.

The Tribal Law and Order Act (TLOA) of 2010 created the bipartisan Commission to develop a report with recommendations to strengthen tribal justice and to improve public safety for people living and working on and near American Indian and Alaska Native communities. The TLOA requires the Commission to submit its findings and recommendations to the Congress and the President.

"American Indian and Alaska Native communities and lands are frequently less safe, and in some instances dramatically more dangerous, than most other places in our country," stated Commission Chairman Troy Eid, who served as a U.S. Attorney for the District of Colorado from 2006-2009. "The report is called a 'roadmap' because the Commission has a particular destination in mind – to eliminate the public safety gap that threatens so much of Native America."

After visiting Indian tribes and nations across the United States, including Alaska, and hearing from numerous tribal, state and federal leaders, non-profit organizations, and other key stakeholders, the Commission recommends a new federal policy that focuses on jurisdictional changes with the goal to release tribes from undue federal control, promote local control, recognize the inherent authorities of tribes, and support effective tribal justice systems.

Under the United States' federal system, states and localities have primary responsibility for criminal justice. This framework contrasts with Indian country, where U.S. law requires federal or state control of the vast majority of criminal

justice services and programs over local tribal governments. The Commission recommends that tribes, at their sole discretion, be able to “opt out” of this existing scheme, allowing tribes to prosecute and punish offenders, consistent with the rights and guarantees afforded to all U.S. citizens by the U.S. Constitution.

“The current justice system that operates in Indian Country today was imposed on Indian nations, without their consent, in the late 1800s, and is largely unchanged from that time,” said Eid. “The system is not only confusing and complex – it fails to protect Native American and Alaska Native people. It is time for a change.”

In addition to examining jurisdictional reforms for tribes located in the lower 48 states, the report includes recommendations to reform justice for Alaska Natives. In Alaska, state government asserts exclusive criminal jurisdiction over all lands once controlled by tribes.

“Problems with safety in tribal communities are severe across the United States, but they are worst in Alaska. Most Alaska Native communities lack regular access to police, courts and related services,” stated Eid. “While there are many dedicated state officials in Alaska who serve Native communities, the status quo in Alaska tends to marginalize, and frequently ignores, the potential of tribally based systems.”

The Roadmap also calls for more tribal involvement in cases involving Native juvenile offenders who are subject to federal or state jurisdiction. Available data reveal that Native youth are overrepresented in both federal and state juvenile justice systems and receive harsher sentences.

“Indian country juvenile justice exposes the worst consequences of our broken Indian country justice system. The same complexities and inadequacies of Indian country adult criminal justice impair juvenile justice as well,” explained Eid. He added, “Tribes need to be empowered to exercise their inherent jurisdiction over juvenile matters.”

The Roadmap also contains recommendations to improve intergovernmental cooperation and examines detention and alternatives to detention.

The Roadmap is available on-line at <http://www.aisc.ucla.edu/iloc/report/index.html>.

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