



NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

Established in 1969 to Strengthen and Enhance Tribal Justice Systems

*An IRS 501(c)(3) Corporation
Federal ID # 84-0611428*

RESOLUTION NO. 2015-01

EXECUTIVE COMMITTEE:

RICHARD BLAKE
Hoopa Valley
President

KEVIN BRISCOE
Mississippi Choctaw
First Vice-President

LAWRENCE LUJAN
Ysleta del Sur Pueblo
Second Vice-President

WINONA TANNER
Salish & Kootenai
Treasurer

SUSAN WELLS
Native Village of Eklutna
Secretary

LEONA COLGROVE
Quinault
At-Large Member

CHERYL FAIRBANKS
Intertribal Ct. Appeals, NV
At-Large Member

DIRECTORS:

GREG BIGLER
Muscogee Creek

JESSICA R. BEAR
Meskwaki

BRENDA CLAYMORE
Cheyenne River Sioux

CARRIE GARROW
St. Regis Mohawk

LAYATALATI HILL
Oneida

WILLIAM JOHNSON
Pueblo of Isleta

LAUREN KING
Northwest Intertribal
Ct. System

TERRY MASON MOORE
Pawnee Nation

ALEXANDRIA TROXELL
Sun'aq Tribe of Kodiak

EUGENE WHITE FISH
Forest County Potawatomi

TITLE: RESOLUTION TO SUPPORT THE RECOMMENDATIONS OF THE INDIAN LAW AND ORDER COMMISSION

WHEREAS, the National American Indian Court Judges Association (“Association”) was incorporated in the State of Delaware on March 31, 1969; and

WHEREAS, the objectives and purposes of the Association include: (a) to foster the continuing development, enrichment, and funding of tribal justice systems as a visible exercise of tribal sovereignty and self-government, (b) to provide continuing education for tribal judges and justice system staff members in order to promote and enhance the operation of the tribal judiciary, (c) to further the public knowledge and understanding of tribal justice systems; and

WHEREAS, the Board of Directors are delegated with responsibility to carry out the objectives and purposes of the Association; and

WHEREAS, pursuant to the Tribal Law and Order Act of 2010, Public Law 111-211, Sec. 235, the Indian Law and Order Commission (ILOC), an independent, bi-partisan, national advisory commission submitted their November 2013 report to the President and Congress of the United States, entitled, “A Roadmap for Making Native America Safer”;

WHEREAS, the ILOC Report assessed justice in Indian country and made forty recommendations on necessary modifications and improvements to justice systems at the tribal, federal, and state levels that concerned jurisdiction, Alaska natives, strengthening tribal justice systems, intergovernmental cooperation, detention and alternatives, and juvenile justice;

WHEREAS, due to an exceedingly complicated web of jurisdictional rules and sentencing limitations, tribes lack meaningful decision making about their own criminal justice, resulting in disproportionate rates of violence;

WHEREAS, the ILOC report advocates for tribal justice systems to have the ability to fully express their sovereignty by opting out of the current jurisdictional maze, and exercise criminal jurisdiction over all persons without any sentencing limitations, including juveniles;

WHEREAS, ILOC recommendation 1.1 would provide all individuals charged with crimes under this enhanced tribal jurisdiction provided with civil rights protections equivalent to those guaranteed by the U.S. Constitution, the Association believes that it would be more respectful of tribal sovereignty for the tribal jurisdictional authority to require compliance with the Indian Civil Rights Act;

WHEREAS, the ILOC report advocates for the unique needs of Alaska Natives, including the need for legislative action to treat Alaska Native lands as Indian country;

WHEREAS, the ILOC report calls for increased, direct funding for tribal justice systems, including through the appropriation of adequate funding, the closure of all grant-based and competitive federal tribal justice system funding in exchange for permanent, recurring base-funding, and parity in funding for reentry, second-change, alternatives to incarceration, and detention facilities;

WHEREAS, the ILOC report calls for improved federal responses to crime in Indian country, including the support for Special Assistant U.S. Attorneys and federal public defenders, the encouragement for federal officials to testify in tribal court, the encouragement of holding judicial proceedings in and near Indian country;

WHEREAS, the ILOC report calls for federal incentives for state and tribal law enforcement collaboration;

WHEREAS, the ILOC report recommends that the federal and state authorities should notify tribes when a tribal citizen is arrested, through all steps of a criminal process, of a conviction, and when a tribal citizen reenters from jail or prison;

WHEREAS, the ILOC report recommends that federal, state and tribal juvenile justice systems provide tribal youth with trauma-informed screening and care within a reasonable distance from the youth's home;

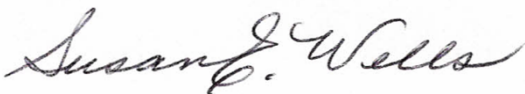
NOW THERE BE IT RESOLVED THAT the Association respectfully urges the Administration, Congress, state governments, and tribal governments to promptly implement the ILOC report recommendations with the exception that ILOC recommendation 1.1 require compliance with the Indian Civil Rights Act.

CERTIFICATION

The foregoing Resolution was considered and adopted by the Board of Directors of the National American Indian Court Judges Association on the 24 of October 2015 at 12:00 pm, and the vote was seventeen (17) in favor, zero (0) opposed, and zero (0) abstaining.



PRESIDENT
NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION



SECRETARY
NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION