



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-12-037

TITLE: Request of Congress to Provide Adequate Resources for All Aspects of Law Enforcement Process Including Support for Renewed MOU with Tribal Colleges

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, law enforcement on the tribal Nations within the United States is a vital prerequisite for developing and sustaining healthy tribal economies and making the homelands of the tribal nations a place for tribal citizens to want to live and raise their families; and

WHEREAS, the United States has a fundamental trust responsibility, stated in numerous treaties between the tribal nations and the U.S., to provide adequate law enforcement resources for the tribal nations and their citizens; and

WHEREAS, the needs of any justice system, in order to function well, include, but are not limited to, law enforcement personnel; tribal courts and tribal appellate courts and appropriate personnel, including tribal prosecutors, public defenders, probation officers, judges, victim's rights advocates and court administrative personnel; support for development of appropriate tribal codes and federal laws applicable to the justice system; jails, juvenile detention centers, and the personnel needed for such facilities; among other things; and

WHEREAS, when inadequate funding is provided for any one of the above components of the tribal justice system, the entire system become inefficient, or, even worse, is not respected by the people that the justice system is supposed to serve, and basic respect for the tribal justice system is eroded and confidence that justice can be provided in such a system is lost; and

WHEREAS, the Congress of the United States is charged with the basic responsibility for providing the resources needed for tribal justice systems, and tribal nations have the responsibility for administering this system in conjunction with the U.S. Department of Justice; and

WHEREAS, Congress has often failed to provide adequate resources, leading to a rate of criminal activity on Indian reservations that has generally not declined over the past 15 years, even though crime rates have fallen in many other areas of the United States where adequate law enforcement resources have been provided, leading many tribal citizens to feel as if they are second class U.S. citizens; and

WHEREAS, examples of these problems exist throughout Indian Country; for example: on the Standing Rock Sioux Tribe, comprising more than 2,000 square miles over two states, special attention on law enforcement was given for approximately one year with the placement of the reservation of nearly double the normal number of law enforcement officers, which caused a corresponding reduction in the crime rate; but when the extra law enforcement officers were withdrawn, and evening and morning shifts were reduced to as few as two officers or less, the crime rate again increased; and

WHEREAS, tribal colleges and United Tribes Technical College, have continued to offer resources to allow further training of law enforcement officers within the Bureau of Indian Affairs and have in place a Memorandum of Understanding that is in need of renewal to provide such training that can provide some of the needs for additional law enforcement officers throughout the United States.

NOW THEREFORE BE IT RESOLVED, that the NCAI urges Congress to provide adequate resources for law enforcement and tribal justice systems on every tribal nation within the United States, with special emphasis being placed on those tribal nations experiencing the highest crime rates; and

BE IT FURTHER RESOLVED, that the NCAI requests the Department of Interior to renew and expand its Memorandum of Understanding with the American Indian Higher Education Consortium and United Tribes Technical College to assist in providing the training needed for additional law enforcement officers to be placed throughout Indian Country; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2012 Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center from October 21-26, 2012 in Sacramento, California, with a quorum present.



President

ATTEST:



Recording Secretary