

The Indian Law and Order Commission released its final report and recommendations—A Roadmap For Making Native America Safer—as required by the Tribal Law and Order Act of 2010, Public Law 111-211 (TLOA). As described by the Commission, the recommendations are intended to make Native American and Alaska Native nations safer and more just for all U.S. citizens and to reduce the unacceptably high rates of violent crime that have plagued Indian country for decades. This report reflects one of the most comprehensive assessments ever undertaken of criminal justice systems servicing Native American and Alaska Native communities.

The Report can be found at www.indianlawandordercommission.com/report/

Posted on November 15, 2013 by Matthew L.M. Fletcher

1. Establish permanent and recurring federal funding system for Indian country criminal justice activities

2. Congressional overturning of Venetie on Alaska Indian country

3. Allow tribes to opt-out of ICRA sentencing limitations

4. Fund criminal jurisdiction activities of tribes in PL280 states

5. Establish U.S. Court of Indian Appeals

6. Affirm inherent criminal jurisdiction of Alaska Native tribal governments

7. Allow Alaska Native communities to participate in VAWA tribal jurisdiction

8. Encourage public safety cooperative agreements between states and tribes

9. Equal federal funding for tribal jails

10. Amend ICWA to require tribal notice in juvenile delinquency cases

11. Fix Indian country data deficits

12. Establish single Indian country component in Dept. of Justice

13. Enhance authority of tribal judges to subpoena federal law enforcement officers

14. Alter “Indian country” definition to include Alaska Native allotments and townsites

15. Amend ANSCA to allow transfer of lands to tribal governments

17. Equal federal funding to tribal juvenile justice programs

18. Equal federal funding and assistance for tribal reentry and alternatives to incarceration programs

19. Require federal and state law enforcement to notify tribes when arresting tribal citizens in Indian country

20. Allow tribes to opt-out of federal criminal jurisdiction

21. Require tribal consent to federal prosecution of tribal member juveniles

22. Establish preference for community based solutions to juvenile justice problems

23. Enhance authority of special Indian country AUSAs

24. Encourage federal judges to increasing Indian country presence

25. Require state and federal juvenile justice systems to maintain proper records and allow tracking of tribal youth

26. Condition Byrnes and COPS grants on state and local cooperation with tribes

27. Authorize tribal opt-out of federal Indian country juvenile jurisdiction

28. Amend Major Crimes Act, General Crimes Act, and PL280 to require tribal participation in federal and state prosecutions of tribal citizens

29. Enhance intergovernmental cooperation for native youth

30. Allow tribal participation in federal or state prosecutions of tribal citizens

31. Require federal, state, and tribal notice on offender reentry

32. Commission a study on creating a special federal magistrate program