

**SENATE COMMITTEE ON INDIAN AFFAIRS
CHAIRMAN JOHN HOEVEN**

**TRIBAL LAW AND ORDER ACT
REAUTHORIZATION**

**20th Annual DC Indian Law Conference
November 2, 2018**

TRIBAL LAW AND ORDER ACT II

S. 1953, Tribal Law and Order Act Reauthorization and Amendments Act of 2016

○ PURPOSES:

- Additional tools to reduce crime, jail overcrowding, recidivism, and juvenile delinquency**
- Clarify federal, state, tribal responsibilities for crime in Indian Country**
- Extend certain authorizations**

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TRIBAL LAW AND ORDER ACT OF 2010

- Public safety crisis
- Comprehensive approach to improve effectiveness of criminal justice
- Increase capacity of tribal governments and law enforcement agencies in coordination for and managing public safety
- Goals: Reduce violent crime, combat sexual and domestic violence, reduce drug trafficking and rates of drug and alcohol addiction, standardize interagency info sharing, encourage hiring and training of law enforcement officers.

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TLOA Results

- ① Crime Levels
- ① Report Findings
- ① Commission Findings

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JUVENILE JUSTICE

- Overrepresentation
- Harsher sentences
- No special Federal juvenile division (judges, probation, detention, diversion, or rehabilitation facilities)
- No required notice to tribal government

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PRINCIPLES

- Build on TLOA efforts
- Prevention
- Reduce recidivism
- Address OIG report

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KEY PROVISIONS

- Clarify authorities for BIA and tribal law enforcement §§101-104
- Department of Justice oversight and coordination §105
- “477” Planning for public safety and substance abuse, mental health §106
- Data collection improvements §107

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KEY PROVISIONS

- Detention alternatives (Bureau of Prisons, juvenile facilities) §108, 110
- Trespass crime §113
- Reports on trafficking §118
- Reauthorize various programs

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JUSTICE FOR NATIVE YOUTH

- ◎ 2008 Tribal Recommendations for JJDPA reauthorization
- ◎ TLOA and JJDPA bills
- ◎ Amendments to Indian Law Enforcement Reform Act

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JUSTICE FOR NATIVE YOUTH

DOI, HHS, AG, OJJDP Administrator
coordination

- Assist in technical assistance, research, training, etc.
- Conduct consultation

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JUSTICE FOR NATIVE YOUTH

DOI, HHS, AG, OJJDP Administrator
coordination

- ◉ Develop a means for data collection
- ◉ Develop a process for tribal notice
- ◉ Facilitate incorporation of tribal cultural practices to reduce delinquency

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JUSTICE FOR NATIVEA YOUTH

DOI, HHS, AG, OJJDP Administrator
coordination

- ◉ Develop partnerships with the BIA schools
- ◉ Conduct research and evaluation
- ◉ Implementation and report to Congress

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Outlook

- ◎ S.1953 – Reported by the Committee
- ◎ File Committee Report and hotline manager's amendment
- ◎ 116th Congress

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SURVIVE - S.1870/HR.4608

Securing Urgent Resources Vital to Indian Victim Empowerment

- Permanent set-aside for tribes from VOCA fund
- More flexible uses

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