



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-10-115

TITLE: Immediate and Full Access of Indian Tribes to the National Crime Information Center Central Database and Increased Tribal Law Enforcement Training on Data Collection

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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, all Native cultures have a belief that respects and honors Native women as life givers, culture bearers, and care givers of nations; and

WHEREAS, the interaction between Indigenous and non-Indigenous cultures has caused a significant breakdown of this value of respect and honoring American Indian and Alaska Native women, resulting in a high rate of domestic violence and sexual assault directed toward American Indian and Alaska Native women; and

WHEREAS, it is necessary for NCAI as the leadership of tribal governments to be proactive in the defense of American Indian and Alaska Native women to curtail and prevent violence against American Indian and Alaska Native women; and

WHEREAS, the United States Congress reauthorized the Violence Against Women Act in 2005, to include a provision that requires the Attorney General to permit Indian law enforcement agencies, in cases of domestic violence, dating violence, sexual assault, and stalking, to enter information into, and obtain information from, National Crime Information Center databases (Title IX. Safety for Indian Women, §905(a)); and

WHEREAS, the United States Congress enacted and President Obama signed into law on July 29, 2010 the Tribal Law and Order Act that strengthens and clarifies this mandate; and

WHEREAS, these amendments to the Federal code were intended to correct the barrier of Indian tribes accessing critical lifesaving criminal justice information required to manage crime and protect Indian women; and

WHEREAS, the ability for Indian tribes to access and enter information contained in the National Crime Information Center registries would enable tribes to protect their communities from transient habitual perpetrators that prey on Indian women; and

WHEREAS, for decades Indian tribes have been denied access to life-saving information contained in the national sex offender and order of protection registries; and

WHEREAS, the Federal amendments to permit Indian law enforcement agencies access to enter and obtain information from the Federal crime data systems was a tremendous step forward in creating safety for Indian women; and

WHEREAS, an Indian woman's life may depend on her order of protection being granted full faith and credit by another jurisdiction and that currently, many tribal orders of protection and information regarding convicted sex offenders are not listed on the national registries; and

WHEREAS, tribal law enforcement still cannot access the national federal system without permission of the state in which the tribe is located and many state governments refuse Indian tribes access through their state system; and

WHEREAS, tribal law enforcement officers cannot access criminal information on suspects placing the lives of officers and women at risk.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby call on and urges the Department of Justice to implement the Tribal Law and Order Act and Violence Against Women amendments granting tribal law enforcement access to the National Crime Information Center databases; and

BE IT FURTHER RESOLVED, that the NCAI does hereby call on and urges the Department of Justice to provide training and technical assistance to Indian tribes on the tribal process and procedures to implement these provisions of entering information into and obtaining information from the national data bases; and

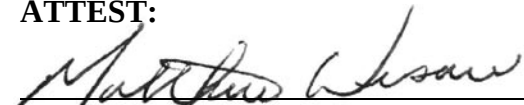
BE IT FURTHER RESOLVED, that the NCAI does hereby call on and urges the Department of Justice and Bureau of Indian Affairs to provide additional funding for tribal officer training on data collection for the successful implementation of these amendments; and

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 2010 Annual Convention of the National Congress of American Indians, held at the Albuquerque Convention Center in Albuquerque, NM on November 14-19, 2010, with a quorum present.



President**ATTEST:**

Recording Secretary