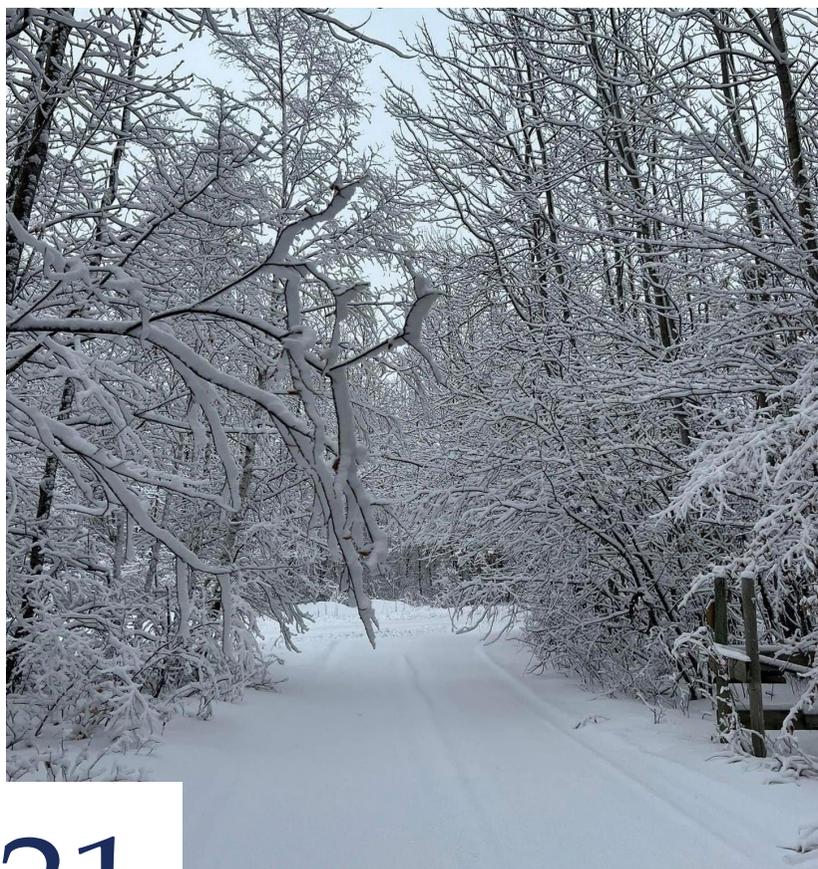
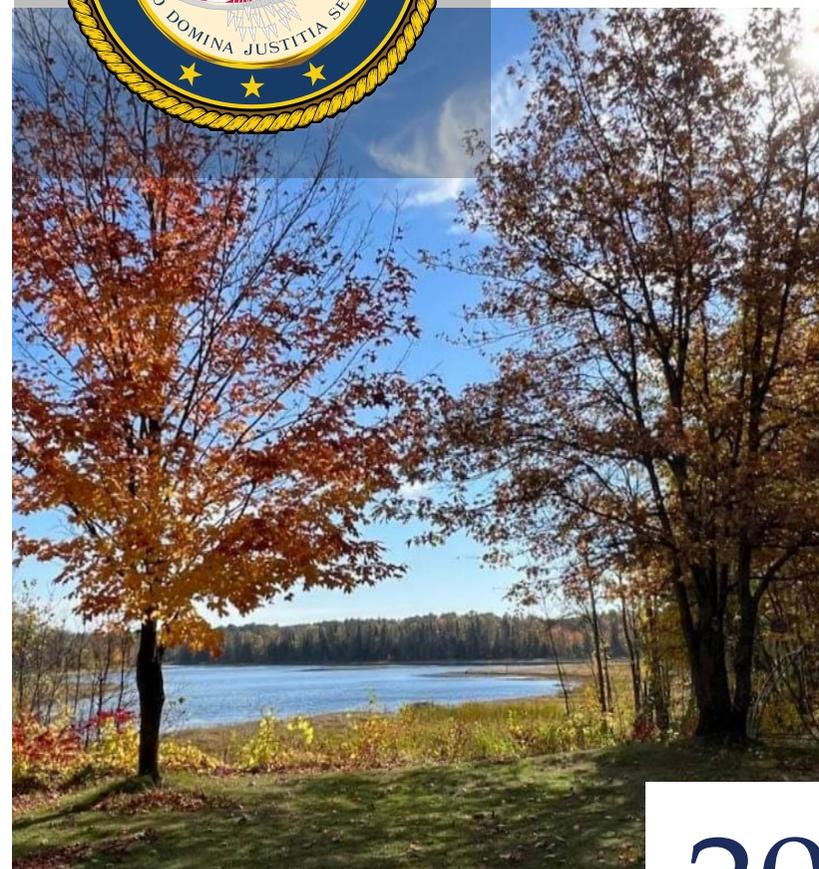




U.S. Department of Justice

Indian Country Investigations and Prosecutions



2021

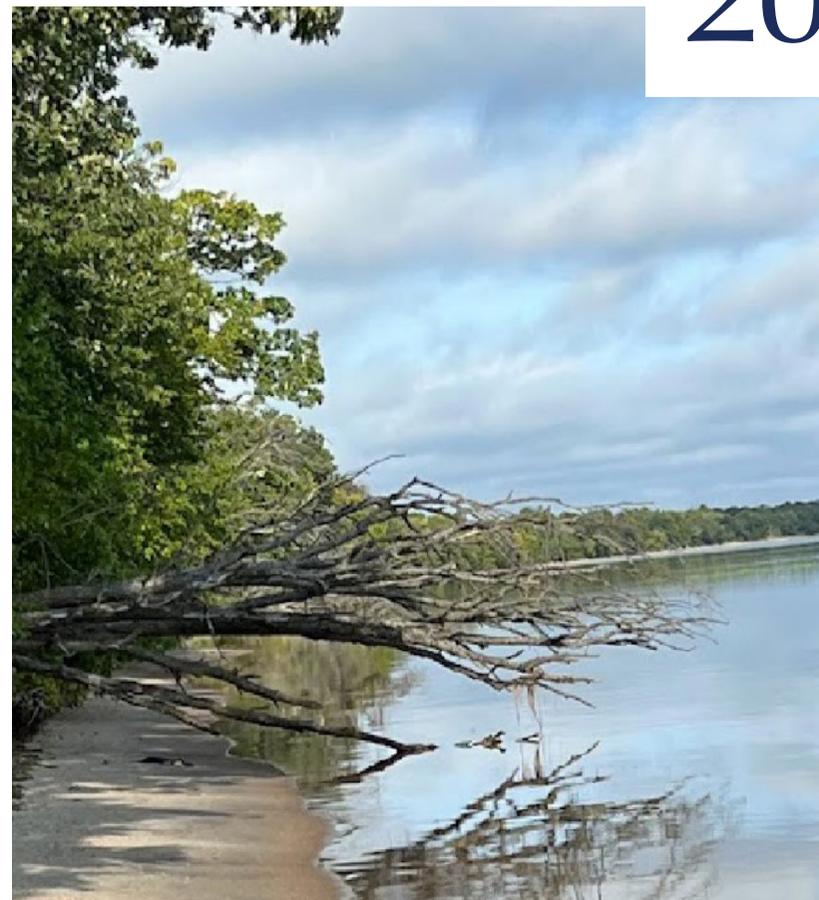


TABLE OF CONTENTS

Executive Summary3

I. Tribal Law and Order Act of 2010 Background5

II. Federal Criminal Responsibilities in Indian Country5

III. Federal Bureau of Investigation TLOA Report.....7

A. FBI TLOA Investigation Data Collection9

B. FBI TLOA Reporting Information.....11

IV. Executive Office for United States Attorneys TLOA Report18

A. Data Collection Within the United States Attorneys’ Offices25

B. EOUSA CaseView Information.....27

C. Examples of Successful Indian Country Prosecutions37

V. Department of Justice Commitment to Indian Country39

Appendix A: Glossary of Terms.....41

Appendix B: CaseView Lead Investigative Charges for Indian Country Declinations in Calendar Year 202142

Cover Photographs

“The Seasons” on Red Lake Indian Reservation, MN

“The Justice Department is committed to partnering with Tribal communities, governments, courts, and law enforcement agencies to help reduce crime and support victims.”

—Merrick B. Garland,
United States Attorney General

Executive Summary

The Department of Justice (Department) presents to Congress this report on Indian country investigations and prosecutions during calendar year (CY) 2021, as required by Section 212 of the Tribal Law and Order Act (TLOA). Since TLOA's inception more than a decade ago, the Department has worked to improve public safety for American Indians and Alaska Natives by consistently engaging with and working collaboratively with Tribal leaders and federal, Tribal, state, and local law enforcement agencies to develop reforms and practices aimed at reducing violence in Indian country and at strengthening the capacity of Tribal law enforcement and justice systems to protect their communities and pursue justice.

Section 212 of TLOA requires that the Attorney General submit an annual report to Congress detailing investigative efforts by the Federal Bureau of Investigation (FBI) and dispositions of matters received by United States Attorneys' offices (USAOs) with Indian country responsibility. The data presented in this report covers only those offenses reported to the FBI and federal prosecutors. The majority of criminal offenses committed, investigated, and prosecuted in Tribal communities are adjudicated in Tribal justice systems. Not only do Tribal law enforcement and Tribal justice systems hold criminals accountable and protect victims, but Tribal systems also provide youth crime prevention and intervention programs, confront precursors to crime, such as alcohol and substance abuse, and address criminal justice issues through culturally appropriate programs and healing centers. These efforts are often in partnership with federal agencies or accomplished with support from federal programs and federal funding.

To satisfy TLOA's Section 212 reporting requirements for CY 2021, the FBI and the Executive Office for United States Attorneys (EOUSA) have compiled four types of case-specific declination information:

- The type of crime(s) alleged;
- The status of the accused as Indian or non-Indian;
- The status of the victim(s) as Indian or non-Indian; and
- The reason for deciding against referring the investigation for prosecution (FBI) or the reason for deciding to decline, refer, or terminate the prosecution (USAOs).

As discussed in the report, data limitations make it difficult to draw broad conclusions. However, the data provides a useful snapshot of the Department's current law enforcement and prosecution work in Indian country. The Department hopes that this report will provide helpful context as Congress and the Department continue to work together with Tribes to improve public safety in Indian country.

Despite data limitations, the below facts for CY 2021 are clear:

- The FBI had a 25 percent increase in investigations closed (2,577 total in CY 2021 compared to 1,931 in CY 2020).

- Approximately 59 percent of Indian country criminal investigations opened by the FBI (1,517 out of 2,577) were closed due to adjudication or administrative closure.
- The FBI closed approximately 30 percent (770 out of 2,577) of Indian country investigations administratively (without referral for prosecution).
 - For CY 2021, in 53 percent of investigations administratively closed (411 out of 770), it was determined there was no evidence of a federal crime, or insufficient evidence to substantiate criminal activity
 - Approximately 22 percent of investigations administratively closed (170 out of 770) were death investigations.
 - Approximately 74 percent of the death investigations (126 out of 170) were administratively closed because the death was caused by means other than homicide (i.e., accidents, suicides, or natural causes).
- In CY 2021, USAOs resolved 6,849 Indian country matters.
- In CY 2021, approximately 31 percent of the total number of Indian country matters resolved (2,097 of 6,849) were suspects terminated in magistrate court, district court or defendants filed in district court.
- The USAO declination rate dropped to approximately 18 percent in CY 2021 (1,212 out of 6,849 Indian country matters resolved were declined).¹ In CY 2020, 22 percent of matters resolved were declined (639 of 2,878); in CY 2019, 32 percent of matters resolved were declined (780 of 2,426); in CY 2018, 33 percent of matters resolved were declined (820 of 2,523); in CY 2017, 32 percent of matters resolved were declined (773 of 2,390); and in CY 2016, 28 percent of matters resolved were declined (755 of 2,666).²
- The most common reason for declination (56 percent) by USAOs in CY 2021 was insufficient evidence. In CY 2020, this reason served as the basis for 82.8 percent of declinations; in CY 2019, it was 79.2 percent; in CY 2018, it was 78.3 percent; in CY 2017, it was 81.8 percent; and in CY 2016, it was 81.3 percent.
- USAOs referred 49 percent of Indian country matters resolved (3,324 out of 6,849) to another jurisdiction (i.e., Tribe or state) for prosecution.

The 2009 Senate report accompanying TLOA acknowledged that “[d]eclination statistics alone do not show the Department’s commitment to combating reservation crime. In fact, they likely reflect

¹ Since July 2020, when the Supreme Court decided *McGirt v. Oklahoma (MvO)*, which recognized that the land belonging to the Muscogee (Creek) Nation in Oklahoma was not disestablished and thus Indian country, and the State of Oklahoma recognized the same for the Cherokee, Seminole, Choctaw, Quapaw, and Chickasaw Nations in Oklahoma, the USAOs in Oklahoma have experienced a dramatic increase in case referrals and prosecutions based on federal criminal jurisdiction.

² In CY 2019, USAOs began tracking cases that were referred to another jurisdiction (i.e., Tribe or state) for prosecution (prior to CY 2019, these cases were tagged as declinations). Since the CY 2020 Report, to facilitate year-to-year comparisons, USAO data from CY 2018 and prior was adjusted to reflect that cases referred to another jurisdiction for prosecution are no longer considered declinations. This adjustment is not reflected in reports prior to the CY 2020 Report; thus the declination data in this report is not comparable to data in reports prior to CY 2020.

difficulties caused by the justice system in place” including the “lack of police on the ground in Indian country” and “shortfalls for training, forensics equipment, [and] personnel.” The Department agrees that declination rates are not an effective way to measure justice or success. The Department believes that prioritizing initiatives in Indian country, including efforts to build capacity in Tribal courts and supporting prevention efforts that reduce risk factors for victims and potential offenders, will lead to enhanced public safety and a better quality of life for Native Americans. Improved public safety, enhanced reentry opportunities for inmates returning to their Tribal communities, and robust Tribal courts are far better measures of success. The Department has made great strides in these areas and remains committed to seeing that justice is done throughout Indian country.

I. Tribal Law and Order Act of 2010 Background

TLOA is intended to establish accountability measures for federal agencies responsible for investigating and prosecuting crime occurring in Indian country. To that end, TLOA Section 212 requires the Attorney General to submit annual reports to Congress detailing investigative efforts and prosecutorial disposition reports.

The FBI is required to report “by Field Division, information regarding decisions not to refer to an appropriate prosecuting authority cases in which investigations had been opened into an alleged crime in Indian country.” USAOs are to submit to EOUSA’s Native American Issues Coordinator information by federal judicial district regarding “all declinations of alleged violations of federal criminal law that occurred in Indian country that were referred for prosecution by law enforcement agencies.” The FBI’s and USAOs’ reporting obligations require us to identify:

1. The type of crime(s) alleged;
2. The status of the accused as Indian or non-Indian;
3. The status of the victim(s) as Indian or non-Indian; and
4. The reason for deciding against referring the investigation for prosecution (FBI) or the reason for deciding to decline or terminate the prosecution (USAOs).

The information the FBI must report under TLOA is substantively different from the information reported by USAOs. The FBI is responsible for *investigating* allegations of federal crimes in Indian country, while USAOs are responsible for reviewing such crimes referred by all federal and Tribal investigative agencies for *prosecution*. The FBI’s data contains criminal matters not referred to USAOs, and EOUSA’s data accounts for cases referred by various investigative agencies, including the FBI. Therefore, direct comparisons between the data from FBI and EOUSA should not be made.

II. Federal Criminal Responsibilities in Indian Country

The United States Constitution, treaties, federal statutes, executive orders, and court decisions establish and define the unique legal and political relationship that exists between the United States and Indian Tribes. The two main federal statutes governing federal criminal jurisdiction in Indian country are the General Crimes Act, 18 U.S.C. § 1152, and the Major Crimes Act, 18 U.S.C. § 1153. Section 1153 gives the federal government jurisdiction to prosecute certain enumerated offenses, such as murder, manslaughter, sexual abuse, aggravated assault, and child sexual abuse, when committed by Indians in Indian country. Section 1152 gives the federal government jurisdiction to prosecute most

crimes committed by non-Indians against Indian victims in Indian country.³ Section 1152 also grants the federal government jurisdiction to prosecute crimes by Indians against non-Indian victims, although that jurisdiction is shared with Tribes, and provides that the federal government may not prosecute an Indian who has been punished by the Tribe for that offense.

The federal government also has jurisdiction to prosecute federal crimes of general applicability, such as drug and certain financial crimes, when they occur in Indian country. On a limited number of reservations, the federal government has ceded federal criminal responsibilities under Sections 1152 and 1153 to the states pursuant to Public Law (P.L.) 280 or other federal laws.⁴

The FBI and USAOs are two of many law enforcement agencies with responsibility for investigating and prosecuting crimes that occur in Indian country.⁵ In addition to the FBI, the Department of the Interior's (DOI) Bureau of Indian Affairs, Office of Justice Services (BIA-OJS) plays a significant role in enforcing federal law, including investigating violations of 18 U.S.C. §§ 1152 and 1153. Prior to issuance of this report in 2022, an updated Memorandum of Understanding (MOU) between DOI and the Department was signed that delineated the responsibilities between the FBI and BIA-OJS.⁶ This MOU provided that, in consultation with each United States Attorney "whose criminal jurisdiction includes Indian country, the FBI and BIA-OJS shall develop written guidelines outlining the investigative roles and responsibilities of BIA-OJS, the FBI, and the Tribal criminal investigators, if applicable." In short, the efficient administration of criminal justice in Indian country requires participation by numerous federal and Tribal law enforcement agencies. Determining which law enforcement agency, federal or Tribal, has primary responsibility for investigating a particular crime may depend on the nature of the crime and any applicable local guidelines.

Indian country case statistics are drawn from three different jurisdictions: federal, state, and Tribal. The FBI's Uniform Crime Report (UCR) contains offense data from all three sources, but data submission is generally voluntary (except for federal agencies). Therefore, the UCR only contains crime data from non-federal agencies that choose to submit their data to law enforcement. Likewise, the UCR does not have the ability to collect specific information on declinations and administrative closings, which is required by TLOA Section 212. Additionally, matters and cases from P.L. 280 jurisdictions do not generally appear in federal Indian country crime statistics because, in most instances, the state prosecutes these cases. As such, the FBI and EOUSA numbers presented in this report only include

³ Since June 29, 2022, when the Supreme Court issued its opinion in *Oklahoma v. Castro-Huerta*, states have concurrent criminal jurisdiction to prosecute crimes committed by non-Indians against Indian victims in Indian country. See *Oklahoma v. Castro-Huerta*, 142 S. Ct. 2486 (2022). However, this decision did not alter federal jurisdiction in Indian country. Thus, concurrent federal and state criminal jurisdiction exists to prosecute crimes committed by non-Indians against Indian victims in Indian country. Further, Tribes have concurrent jurisdiction to prosecute non-Indians who commit crimes against Indian victims in Indian country as set forth in 25 U.S.C. § 1304, which recognizes the inherent power of a participating Tribe to exercise special Tribal criminal jurisdiction.

⁴ Federal jurisdiction was ceded under P.L. 83-280, 18 U.S.C. § 1162, which granted jurisdiction over Indian country crimes to six states and divested the federal government of jurisdiction to prosecute under the Major and General Crimes Acts in those areas, while giving other states the option to assume that jurisdiction. Congress has also passed a variety of Tribe-specific statutes providing for a similar framework of state jurisdiction over crimes in those locations. Nonetheless, the federal government always retains jurisdiction to prosecute generally applicable offenses in P.L. 83-280 areas.

⁵ FBI jurisdiction for the investigation of federal violations in Indian country is statutorily derived from 28 U.S.C. § 533, pursuant to which the FBI was given investigative authority by the Attorney General. Among others, federal agencies with criminal jurisdiction in Indian country include the Bureau of Indian Affairs, United States Marshals Service, National Park Service, DEA, ATF, Bureau of Land Management, DHS, United States Postal Service, and the United States Secret Service.

⁶ [Memorandum of Understanding between FBI and BIA.](#)

cases subject to federal jurisdiction and reported to the FBI, or cases referred to USAOs by federal, state, Tribal, or local agencies. Accordingly, this report represents only a portion of the total Indian country criminal offenses. A more comprehensive view of crime rates in Indian country would require all reported criminal offenses reported to and/or filed within federal, state, and Tribal jurisdictions to be collectively gathered and analyzed. Currently, however, no system or database exists for maintaining this data across sovereigns.

III. Federal Bureau of Investigation TLOA Report

The FBI has investigative responsibility for federal crimes committed on approximately 188 Indian Reservations. This responsibility is shared concurrently with BIA-OJS and other federal agencies with a law enforcement mission in Indian country. This number generally excludes tribes in P.L. 280 states, although the FBI and other federal law enforcement agencies still investigate crimes of general applicability for Tribes within these states (e.g., drug offenses and interstate violence against women). Currently, there are approximately 153 Special Agents and 43 Victim Specialists working in support of Indian country investigative matters. Table 1 lists FBI Field Divisions with federally recognized tribes within their area of responsibility.⁷

(Space Left Intentionally Blank)

⁷ Not all FBI Divisions had CY 2021 Indian country investigations to report under TLOA. Additionally, some FBI Divisions overlap multiple states.

Table 1: FBI Divisions

FBI Division Name	FBI Abbreviation	State(s)
Albany	AL	NY
Albuquerque	AQ	NM
Anchorage	AN	AK
Boston	BS	MA, ME, RI
Buffalo	BF	NY
Charlotte	CE	NC
Columbia	CO	SC
Dallas	DL	TX
Denver	DN	WY, CO
Detroit	DE	MI
El Paso	EP	TX
Indianapolis	IP	IN
Jackson	JN	MS
Kansas City	KC	KS, MO
Las Vegas	LV	NV
Los Angeles	LA	CA
Memphis	ME	TN
Miami	MM	FL
Milwaukee	MW	WI
Minneapolis	MP	MN, ND, SD
Mobile	MO	AL
New Haven	NH	CT
New Orleans	NO	LA
New York	NYC	NY
Oklahoma City	OC	OK
Omaha	OM	NE, IA
Portland	PD	OR
Phoenix	PX	AZ
Richmond	RH	VA
San Antonio	SA	TX
Sacramento	SC	CA
Seattle	SE	WA
San Diego	SD	CA
San Francisco	SF	CA
Salt Lake City	SU	ID, MT, UT
Tampa	TP	FL

All FBI investigations must follow the Attorney General’s Guidelines for Domestic FBI Operations (AGG-Dom) and the FBI Domestic Investigations and Operations Guide (DIOG). These documents standardize policy to ensure all FBI investigative activities are conducted in compliance with relevant laws, policies, and regulations designed to protect civil liberties and privacy. Under DIOG, FBI

investigations regarding alleged federal law violations in Indian country include both “assessments” and “predicated investigations.”⁸ Therefore, whenever the FBI engages in any substantive investigative activity (e.g., interviewing a complainant or potential victim of a vague or non-specific allegation), it is considered an “investigation” for purposes of TLOA reporting.

FBI Indian Country Assessments

The two most prevalent examples of Indian country assessments that result in an FBI investigation but not a predicated investigation or referral for prosecution are as follows:

Example A: A non-specific allegation of child sexual abuse is referred to the FBI. The FBI presents the child for a forensic interview and medical examination. The child discloses no allegation of child sexual abuse, and the medical exam and other preliminary investigation reveal no corroborative evidence of sexual abuse. The matter is documented to an FBI Indian country child sexual abuse assessment file and the investigation is administratively closed. (NOTE: Documenting the incident permits the FBI to reopen the matter as a Predicated Investigation at a later date, should the victim later wish to make a report.)

Example B: The FBI is called to a hospital that reports treating an assault victim from a nearby reservation. During the course of this assessment, the assault victim, who may have serious bodily injury, chooses not to make a report and does not identify the assailant or describe the details of the assault. The FBI documents the matter to an FBI Indian country assault assessment file and administratively closes the investigation.

By including assessments in TLOA investigation data, the FBI seeks to provide further information regarding the breadth and scope of alleged crimes in Indian country. The classification of assessments involving any substantive investigative activity as “investigations” reflects FBI’s commitment to providing accurate and complete reporting under TLOA. Additionally, ongoing FBI investigations do not preclude Tribal law enforcement from continuing an investigation and making a referral to Tribal court.

FBI Predicated (Full) Investigations

Predicated “full” investigations in Indian country are submitted to the federal, state, or Tribal prosecuting authority, or are administratively closed after the FBI has completed all reasonable investigation into the alleged crime.

FBI TLOA Investigation Data Collection

The following information provides a description of the FBI data used to generate the tables in this report.

⁸ FBI Domestic Investigations and Operations Guide (DIOG), 2022 version.

Measurement of FBI TLOA Requirements

1. **Types of crimes alleged** are classified by the most serious offense and are determined at case initiation. To protect information regarding sensitive investigations, the following criminal programs are combined: Financial Crime, Public Corruption, and Civil Rights. Domestic violence investigations are included under the “Assault” category. The “Property Crime” category includes burglary, robbery, larceny, theft, arson, and motor vehicle theft. The “Death Investigation” category includes homicides, vehicular homicides, and other investigations of suspicious or unattended deaths. The “Other” category includes offenses such as weapon possession by felons, counterfeit or trafficking of cultural items, and any other investigations not applicable to the other nine categories.
2. **The status of the victim and subject** as American Indian or non-American Indian is generally based on self-reported information provided to the FBI or records obtained from tribal authorities.⁹ In the following circumstances, the victim or subject status is categorized as not applicable: the victim or subject is a business; the case was opened with an unknown/unidentified subject and/or victim; the victim or subject information was not documented in the case file (e.g., drug investigations, public corruption matters); or duplicate cases or administrative errors.
3. **Reasons for non-referral to prosecuting authorities** are determined after reviewing all individual case circumstances. Table 2 provides a list of non-referral categories.

Table 2: Reasons for FBI Non-Referral for Prosecution in Indian Country

Non Referral Category
Death was not a homicide
Does not meet USAO guidelines or statutory definitions
No remaining leads ¹⁰
Victim is unable to identify subject
Unsupported allegation
Victim or witness is unable or unwilling to assist
Interagency cooperation ¹¹
Cannot be addressed with current resources ¹²
Duplicate or case reopened
Subject died

⁹ The FBI does not have direct access to Tribal enrollment information.

¹⁰ The FBI exhausted all logical investigation, and was unable to present enough facts for a prosecutive opinion.

¹¹ The FBI may open an investigation solely for the purpose of assisting another agency (e.g., opening an investigation solely to give a polygraph examination). Because the FBI is not the primary investigating agency, these investigations are administratively closed.

¹² Primarily due to the prioritization of violent crimes against persons.

Data Limitations

The FBI's case management system does not automatically collect TLOA-mandated data. Therefore, all closed case files are manually reviewed on a quarterly basis. Due to this manual process, a small percentage of error may be present in the data. FBI computer systems were designed for case management purposes, not to serve as statistical databases. The following limitations should be considered when reviewing reported data:

- The FBI is only able to track allegations reported to it. Allegations investigated by BIA or Tribal law enforcement are not fully represented in the FBI's data.
- Calculating crime rates using this data is inappropriate due to the wide variation between divisions regarding local guidelines, agreements and the presence of other agencies (e.g., BIA).¹³
- Non-referral is not necessarily a permanent status. It is possible for a closed case to be re-opened and referred for prosecution if new information is received.

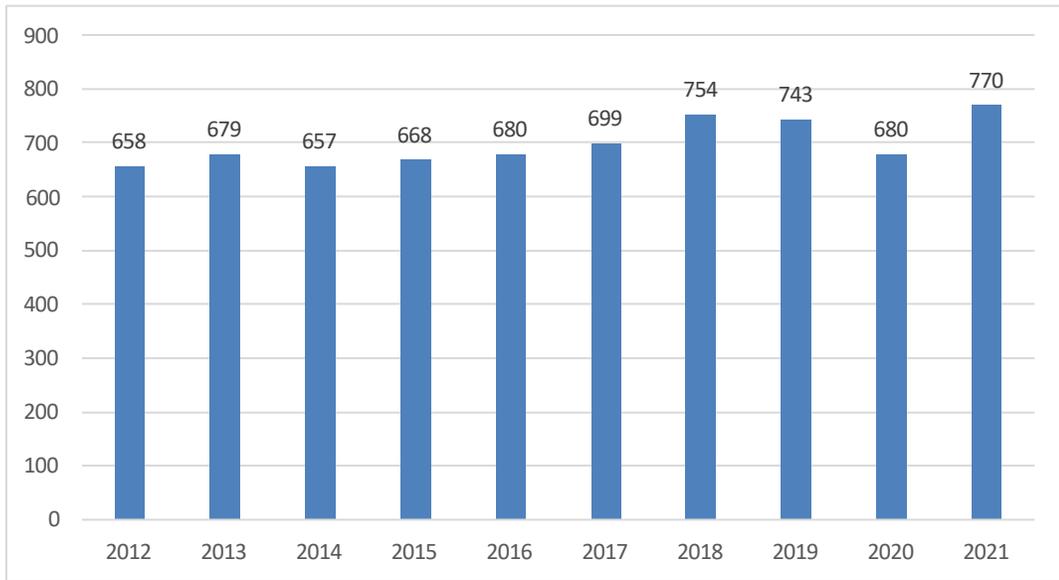
FBI TLOA Reporting Information

The FBI closed 2,577 Indian country investigations during CY 2021. For reporting purposes, each closed case was manually reviewed. For CY 2021, 770 investigations, or approximately 30%, were closed administratively, and 41% of investigations were not referred for prosecution. Approximately 29% of investigations were adjudicated. These statistics are consistent with statistics from previous years.

(Space Left Intentionally Blank)

¹³ The FBI has a Memorandum of Understanding (MOU) with the Bureau of Indian Affairs (BIA) and local agreements based on available resources with other agencies. For example, in some areas, FBI may work only child sexual abuse cases for victims under age 12 while BIA would be responsible for all other sexual abuse and sexual assault investigations, including adult rape.

FBI Administratively Closed Investigations CY 2012-2021



(Space Left Intentionally Blank)

In most FBI divisions, the total number of cases referred for prosecution exceeded the number of cases administratively closed. Four Indian country divisions – Phoenix (PX), Minneapolis (MP), Oklahoma City (OC), and Albuquerque (AQ) – accounted for approximately 75% of all FBI Indian country investigation closures during CY 2021. Table 3 lists by FBI division the total number of closed investigations for CY 2021.

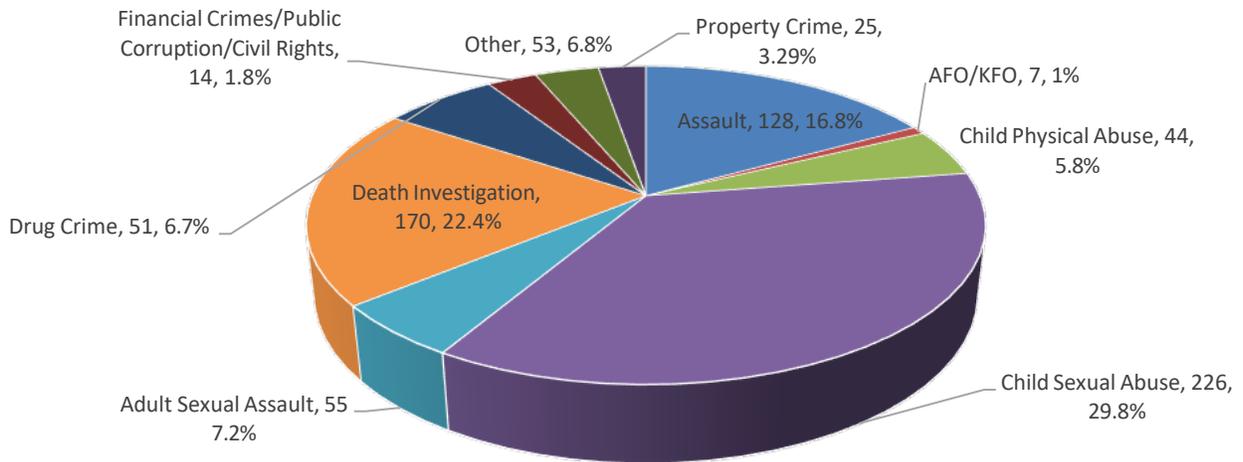
Table 3: Number of Indian Country Criminal Investigations Closed by FBI Division for CY 2021

Division	Division Name	Administratively Closed/Not Referred for Prosecution	Total Cases Closed
AQ	Albuquerque	22	178
CE	Charlotte	1	3
DE	Detroit	4	59
DN	Denver	23	80
EP	El Paso	2	2
JN	Jackson	3	6
KC	Kansas City	0	1
LV	Las Vegas	14	31
MM	Miami	2	8
MP	Minneapolis	159	450
MW	Milwaukee	3	16
NY	New York	1	1
OC	Oklahoma	137	776
OM	Omaha	10	47
PD	Portland	8	42
PX	Phoenix	227	526
SE	Seattle	35	75
SU	Salt Lake City	119	276
Total		770	2577

As shown in table 4, the majority of 2021 administrative closures involved the categories of child sexual assaults (30%), physical assaults (17%), and death investigations (22%). These statistics are consistent with statistics from previous years. While the relatively high administrative closure rate for child sexual assaults and physical assaults is significant, it is not entirely unexpected given the challenges inherent in investigating these types of crimes – challenges which are not unique to the FBI. In 126, or 74%, of administratively closed death investigations, the investigation revealed the death was not a result of a homicide; rather, it was determined the victim died of natural causes, accident, or suicide.

Table 4: Types of Indian Country Criminal Investigations Administratively Closed by FBI Division for CY 2021

Division	Assault	AFO/ KFO[1]	Child Physical Abuse	Child Sexual Abuse	Death Investigations	Drug Crime	Financial Crimes/ Public Corruption/ Civil Rights	Property Crime	Sexual Assault	Other	Total
AQ	4		3	3	9		1		1	1	22
CE				1							1
DE	1			1						2	4
DN	4		2	11	1	2			3		23
EP		1						1			2
JN				1	1					1	3
LV	3	1		3	4	1	1		1		14
MM						1				1	2
MP	7		3	52	64	8	6	3	8	8	159
MW	1					1				1	3
NY	1										1
OC	28		17	37	11	17	1	13	3	10	137
OM	4		1	2		1				2	10
PD				3	4	1					8
PX	59	4	10	69	37	7	3	3	14	21	227
SE	7		1	8	5	2		1	7	4	35
SU	9	1	7	35	34	7	2	4	18	2	119
Total	128	7	44	226	170	51	14	25	55	53	770



For CY 2021, the majority of victims and subjects in cases administratively closed by the FBI were Native American. Table 5 lists the status of victims and subjects in FBI Indian country investigations administratively closed for CY 2021¹⁴.

Table 5: Status of Victim and Subject for Administratively Closed Cases by FBI Division for CY 2021

Division	American Indian Victim	Non American Indian Victim	American Indian Subject	Non American Indian Subject	Unknown Victim/Subject [1]
AQ	22		10	1	9
CE	1			1	
DE	2			2	1
DN	21	2	20	3	4
EP					3
JN	1	1	2		
LV	11	2	7	2	
MM				3	
MP	144	1	61	5	38
MW			3		1
NY		1			
OC	55	15	55	28	138
OM	7	1	9		
PD	3	1	6	1	14
PX	205	9	156	3	18
SE	26	2	17	9	8
SU	110	5	68	4	28
Total	608	40	414	62	290

As shown in table 6, in CY 2021, 411 (or 53%) of investigations administratively closed, it was determined there was no evidence of a federal crime, or insufficient evidence to substantiate criminal activity. As previously mentioned, in 126, or approximately 74%, of administratively closed death investigations, the investigation revealed the death was not a result of a homicide. In 92, or 12% of administratively closed matters, Tribal, state, or local law enforcement were the lead investigative agency. In such matters, the FBI may open an investigation solely for the purpose of assisting another agency; because the FBI is not the primary investigating agency, these investigations are administratively closed.

¹⁴ These numbers represent a count of all victims and subjects, not a count of investigations. Some investigations have multiple victims and/or subjects, while others have no identified subjects (e.g., death investigations determined to be suicides). Investigations in which victim or subject status was not applicable (e.g., drug investigations) do not contribute to totals.

Table 6: Investigative Closure Reasons for Administratively Closed Cases by FBI Division for CY 2021

Division	Does not meet USAO guidelines or statutory definitions	Death was not a homicide	No remaining leads	Lack of Evidence	Victim is unable to identify subject	Unsupported Allegation	Victim or Witness is unable or unwilling to assist	Interagency Cooperation	Cannot be addressed with current resources	Duplicate case or case reopened	Subject Died	Other	Total
AQ	1	7	1	3	1		6	2			1		22
CE											1		1
DE	1		1	1						1			4
DN	5		2			1	9	3	1	1	1		23
EP												2	2
JN				2							1		3
LV	1	4	1	2			2	2			1	1	14
MM							1					1	2
MP	19	57	9	11	1	22	21	13	2	2	2		159
MW												3	3
NY			1										1
OC	22	2	1	18		19	4	41		24	3	3	137
OM				4				1		2		3	10
PD	1	2	1				1	2	1				8
PX	53	23	22	5	16	39	40	16	1	2	2	8	227
SE	9	3	4	3		4	5	4	2		1		35
SU	14	28	6	11	2	26	16	8	1	3	3	1	119
Total	126	126	49	60	20	111	105	92	8	35	16	22	770

(Space Left Intentionally Blank)

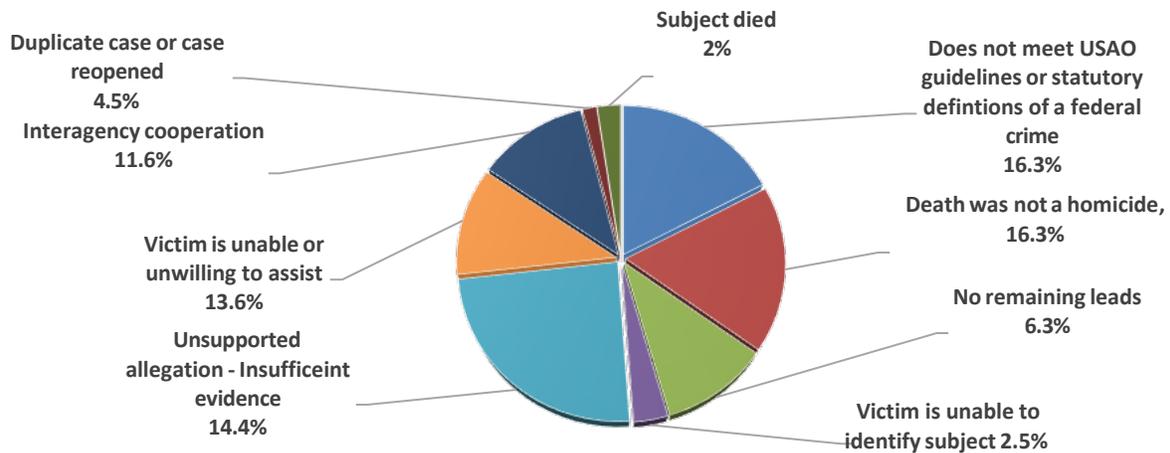


Table 7 provides additional information for certain violent crime investigations for CY 2021 that were administratively closed by the four Indian country FBI divisions with the largest Indian country caseload.¹⁵ The table depicts the number of administratively closed investigations where the subject and victim status was identified. Information is omitted from this table if the subject or victim did not fit into one of the categories below or if the subject was not identified or was a business.

Table 7: Victim and Subject Status for Violent Crimes Administratively Closed by FBI Division for CY 2021

	Assault			Child Sexual Abuse		
	Indian Victim, Indian Subject	Indian Victim, Non-Indian Subject	Non-Indian Victim, Indian Subject	Indian Victim, Indian Subject	Indian Victim, Non-Indian Subject	Non-Indian Victim, Indian Subject
AQ	4	0	0	1	0	0
MP	3	2	0	33	0	0
PX	37	0	2	47	0	1
OC	5	4	3	8	4	2
Total	49	6	5	89	4	3

¹⁵ Investigations from four divisions (responsible for 75% of all cases) for the top four violent crimes are represented. This data does not include alleged crimes within these categories that were investigated solely by BIA or other federal law enforcement agencies.

	Death Investigation ¹⁶			Sexual Assault		
	Indian Victim, Indian Subject	Indian Victim, Non-Indian Subject	Non-Indian Victim, Indian Subject	Indian Victim, Indian Subject	Indian Victim, Non-Indian Subject	Non-Indian Victim, Indian Subject
AQ	0	1	0	0	0	0
MP	2	0	0	5	0	0
PX	4	0	0	8	0	0
OC	1	1	0	0	1	0
Total	7	2	0	13	1	0

IV. Executive Office for United States Attorneys TLOA Report

Public safety in Indian country is a major focus of the Department, and the Department recognizes its trust responsibility to federally recognized Tribes across the United States and strives to work with Tribes to uphold and enhance public safety in Tribal communities. Indian country prosecutions, particularly violent crime prosecutions, are a priority for the 51 federal judicial districts with federally recognized Tribes. On July 13, 2022, Deputy Attorney General Lisa Monaco issued a memorandum to all United States Attorneys stating, “It is a priority of the Department of Justice to address the disproportionately high rates of violence experienced by American Indians and Alaska Natives (AI/AN), and relatedly, the high rates of indigenous persons reported missing.”

Deputy Attorney General Monaco’s July 2022 memorandum underscored the long-standing Department mandates for those districts with Indian country responsibilities. Specifically, every USAO with Indian country in its district is required to engage and consult annually, in coordination with its law enforcement partners, with the federally recognized Tribes in that district. All USAOs with Indian country responsibilities have implemented, and continue to revise and refine, district operational plans. Within eight months of assuming office, every newly confirmed United States Attorney in these districts must conduct a consultation with the Tribes in their district and develop or update the district’s operational plan. The subject matter of each district’s plan depends on the jurisdictional status of the federally recognized Tribes in that district, as well as the unique characteristics and challenges confronting those Tribal nations. Operational plans include certain core elements regarding communication, to include declination information, between federal and Tribal partners; law enforcement coordination in investigations; victim advocacy; addressing unsolved cases including missing or murdered persons; training; outreach; combating violence against women; and accountability.

All USAOs with Indian country responsibilities must appoint at least one Assistant United States Attorney (AUSA) as a Tribal Liaison to serve as the primary point of contact with Tribes in the district. The Tribal Liaison program was established in 1995 and codified with TLOA’s passage. Tribal Liaisons

¹⁶ Most administratively closed death investigations do not have a victim/subject dynamic because it is determined the victim died as a result of natural causes, an accident or suicide.

play a critical and multi-faceted role in the USAOs' efforts in Indian country. In addition to prosecuting cases, they often coordinate with and train federal and Tribal law enforcement who investigate federal violations in Indian country and coordinate with Tribal prosecutors to ensure prosecution of criminal violations.

Tribal Liaisons often function in a role similar to that of a local assistant district attorney in a non-Indian country jurisdiction and are accessible to the community in ways that are unique from other AUSAs. The nature and circumstances of the Tribes in their districts often influence Tribal Liaison duties. Tribal Liaisons typically have relationships and frequent contact with Tribal governments, including government leaders, law enforcement, courts, prosecutors, and social service agency staff.

Tribal Liaisons continue to play a critical role in USAO implementation of TLOA and the Violence Against Women Reauthorization Acts of 2013 and 2022 (VAWA 2013/2022)¹⁷ by addressing the need for skilled, committed prosecutors working on the ground in Indian country. In particular, Tribal Liaisons work with Tribes in organizing multi-disciplinary teams (MDTs) that primarily address child abuse cases, and Sexual Assault Response Teams (SARTs) that coordinate community response to sexual violence. Both MDTs and SARTs consist of federal, state, and Tribal subject matter experts. Tribal Liaisons also perform outreach in Tribal communities to educate Tribal members on various issues involving substance abuse and violent offenses in an effort to reduce crime and train Tribal law enforcement on legal issues, such as search and seizure. Further, Tribal Liaisons help foster and cultivate relationships among federal, state, and Tribal law enforcement officials by convening meetings to discuss jurisdictional issues and developing inter-agency law enforcement taskforces. Tribal Liaisons also facilitate coordination and collaboration among federal, state, and Tribal law enforcement agencies and prosecutors to discuss the merits of Indian country prosecutions and help determine appropriate venues.

Although Tribal Liaisons may be the most experienced federal prosecutors of crime in Indian country, other AUSAs must often handle these cases due to their large numbers. Table 8 below contains a list of the 51 USAOs with Indian country responsibility.

(Space Left Intentionally Blank)

¹⁷ VAWA 2013 recognized the authority of participating Tribes to exercise special domestic violence criminal jurisdiction over non-Indian perpetrators of domestic violence crimes. The 2022 VAWA reauthorization expanded the ability of Tribes to exercise special Tribal criminal jurisdiction (STCJ) over non-Indian perpetrators of specifically delineated crimes. *See* 25 U.S.C. § 1304.

**Table 8: United States Attorneys' Offices with Indian Country
or Federally Recognized Tribes**

District Name	District Abbreviation	District Name	District Abbreviation
Middle District of Alabama	ALM	District of Nevada	NV
Southern District of Alabama	ALS	District of New Mexico	NM
District of Alaska	AK	Eastern District of New York	NYE
District of Arizona	AZ	Northern District of New York	NYN
Central District of California	CAC	Western District of New York	NYW
Eastern District of California	CAE	Western District of North Carolina	NCW
Northern District of California	CAN	District of North Dakota	ND
Southern District of California	CAS	Eastern District of Oklahoma	OKE
District of Colorado	CO	Northern District of Oklahoma	OKN
District of Connecticut	CT	Western District of Oklahoma	OKW
Middle District of Florida	FLM	District of Oregon	OR
Southern District of Florida	FLS	District of Rhode Island	RI
District of Idaho	ID	District of South Carolina	SC
Northern District of Indiana	INN	District of South Dakota	SD
Northern District of Iowa	IAN	Western District of Tennessee	TNW
District of Kansas	KS	Eastern District of Texas	TXE
Western District of Louisiana	LAW	Western District of Texas	TXW
District of Maine	ME	District of Utah	UT
District of Massachusetts	MA	Eastern District of Virginia	VAE
Eastern District of Michigan	MIE	Western District of Virginia	VAW
Western District of Michigan	MIW	Eastern District of Washington	WAE
District of Minnesota	MN	Western District of Washington	WAW
Northern District of Mississippi	MSN	Eastern District of Wisconsin	WIE
Southern District of Mississippi	MSS	Western District of Wisconsin	WIW
District of Montana	MT	District of Wyoming	WY
District of Nebraska	NE		

Collaboration and coordination between federal and Tribal partners is paramount to enhancing public safety in Indian country. One initiative that has been helpful in cultivating these relationships and communication is the Tribal Special Assistant United States Attorney (SAUSA) Program. The goal of the program is twofold: (1) to train Tribal prosecutors in federal law, procedure, and investigative techniques; and (2) to increase the likelihood that every viable criminal offense, especially those involving violence against women, is prosecuted in federal court, Tribal court, or both. Tribal SAUSAs are Tribal prosecutors who are cross-deputized and may prosecute crimes in both Tribal court and federal court. Tribal SAUSAs can also help accelerate implementation of enhanced sentencing and criminal jurisdiction pursuant to TLOA and VAWA 2013/2022 by fostering communication and cultural awareness and helping identify the appropriate forum for criminal prosecutions.

Overview of How a Matter or Case is Handled in a USAO

Prosecutorial Discretion/Guidelines and Ethical Obligations: While federal prosecutors have discretion in charging cases, declining cases, or referring matters to another jurisdiction, prosecutors operate within the confines of the law, Department policy, and the evidence gathered in the cases. The Department’s Justice Manual (JM) provides guidance on considerations for charging, declining, or referring a case to another jurisdiction. JM § 9-27.220 provides:

The attorney for the government should commence or recommend federal prosecution if he/she believes that the person’s conduct constitutes a federal offense, and that the admissible evidence will probably be sufficient to obtain and sustain a conviction, unless (1) the prosecution would serve no substantial federal interest; (2) the person is subject to effective prosecution in another jurisdiction; or (3) there exists an adequate non-criminal alternative to prosecution.

Referrals to a USAO: A referral occurs when a law enforcement agency seeks involvement or advice of a USAO in a particular matter or presents a case to the USAO for prosecution. The referral process, specifically how and when a law enforcement agency decides to refer a matter to a USAO, depends on many factors, including case type, investigative stage, and the relationship between the USAO and the agency.

Cases Referred to Another Jurisdiction: USAOs may refer prosecutable cases to another jurisdiction. Such referrals typically occur when the Department determines it would be more appropriate for the other jurisdiction to prosecute the offense, and in the context of this report, is most often involves a recognition of Tribal sovereignty.

Declinations: A declination is a USAO’s decision not to pursue criminal prosecution of a law enforcement agency referral. A referral does not necessarily equate to a viable prosecution. As discussed later in this report, the vast majority of declinations involve cases in which there is insufficient evidence to prosecute. Further, cases that are initially declined may be reopened and prosecuted if additional evidence is later presented. Declinations do not include prosecution referrals to another jurisdiction. There are two types of declinations – “immediate” and “later.”

- **Immediate Declination:** This type of declination occurs when a USAO does not open a file on or pursue prosecution of the referral. Examples of immediate declinations include the following:¹⁸

Child Abuse Referral: A foster mother reported that a three-year-old child was injured during a visit with their biological mother. The child had a small bruise on their head. Law enforcement interviewed the biological mother, who reported that the 3-year-old child ran into the television stand during the visitation. The case was immediately declined because insufficient evidence existed to prove that the biological mother intentionally harmed the young child.

Assault Referral: A woman called to report that someone had shot several rounds at her home located on a reservation. The woman reported that she observed a white car drive by during the shooting, and observed a firearm in the passenger's hand. The woman provided the name of someone who owned a white car. Law enforcement conducted an investigation and located the suspect, who provided an alibi during the time of the shooting. Further, the suspect no longer had a white car. The case was immediately declined because the investigation yielded no evidence to prove beyond a reasonable doubt that the suspect perpetrated the crime.

- **Later Declination:** This type of declination occurs when a USAO opens a file on the referral, performs a significant amount of work on the matter, but ultimately does not pursue prosecution. For example:¹⁹

Murder Referral: Several male individuals were at a residence located in Indian country. Throughout the evening, the individuals, including the homeowner, were drinking alcohol and using drugs. At one point, the homeowner found two males in his bedroom rummaging through his things. The homeowner confronted the two males, and the males began to physically attack the homeowner. The other male individuals ran out of the home. As the homeowner was being severely beaten, the homeowner grabbed a machete and began swinging wildly. One of the males was stabbed and killed, and the other male was stabbed and seriously injured. A complete investigation was conducted, which included interviews of potential witnesses and suspects, searches of electronic devices, and a grand jury investigation. The case was declined because the prosecutor lacked sufficient evidence to prove beyond a reasonable doubt that the homeowner's actions were not self-defense.

Communications with Tribes Regarding Declinations: The Department recognizes the importance of communication between the Department and Tribes, particularly regarding case coordination with law enforcement. The Department is committed to improving these communications, and this commitment is exhibited by the regular training conducted on this subject.

¹⁸ These examples represent actual matters.

¹⁹ This example represents an actual matter.

As indicated above, each USAO with Indian country in its district has at least one Tribal Liaison. Declination information is communicated to Tribal law enforcement and prosecutors through the Tribal Liaison or other USAO-designated communication procedures. Section 212(a)(3) of TLOA provides:

[I]f a United States Attorney declines to prosecute, or acts to terminate prosecution of, an alleged violation of federal criminal law in Indian country, the United States Attorney shall coordinate with the appropriate tribal justice officials regarding the status of the investigation and the use of evidence relevant to the case in a tribal court with authority over the crime alleged.

TLOA's Section 212(c) provides that "[n]othing in this section requires any Federal agency or official to transfer or disclose any confidential, privileged, or statutorily protected communication, information, or source to an official of any Indian tribe."²⁰ However, Section 212(c) also provides that reports and information obtained during a criminal investigation may be shared with the Tribe.²¹ The Department encourages the sharing of appropriate information to enable Tribal prosecutors to pursue criminal matters. Moreover, USAO operational plans frequently address procedures for communicating declinations to Tribal justice officials and for evidence sharing.

The Department takes seriously its responsibility to determine whether to charge or decline a case. Federal prosecutors consider applicable law, ethical considerations, and the evidence and circumstances of each case when deciding whether to charge or decline a case. As represented in Figure 4 below, federal prosecutors work diligently in conjunction with Tribal officials to pursue justice in Indian country and improve the lives of all who live there.

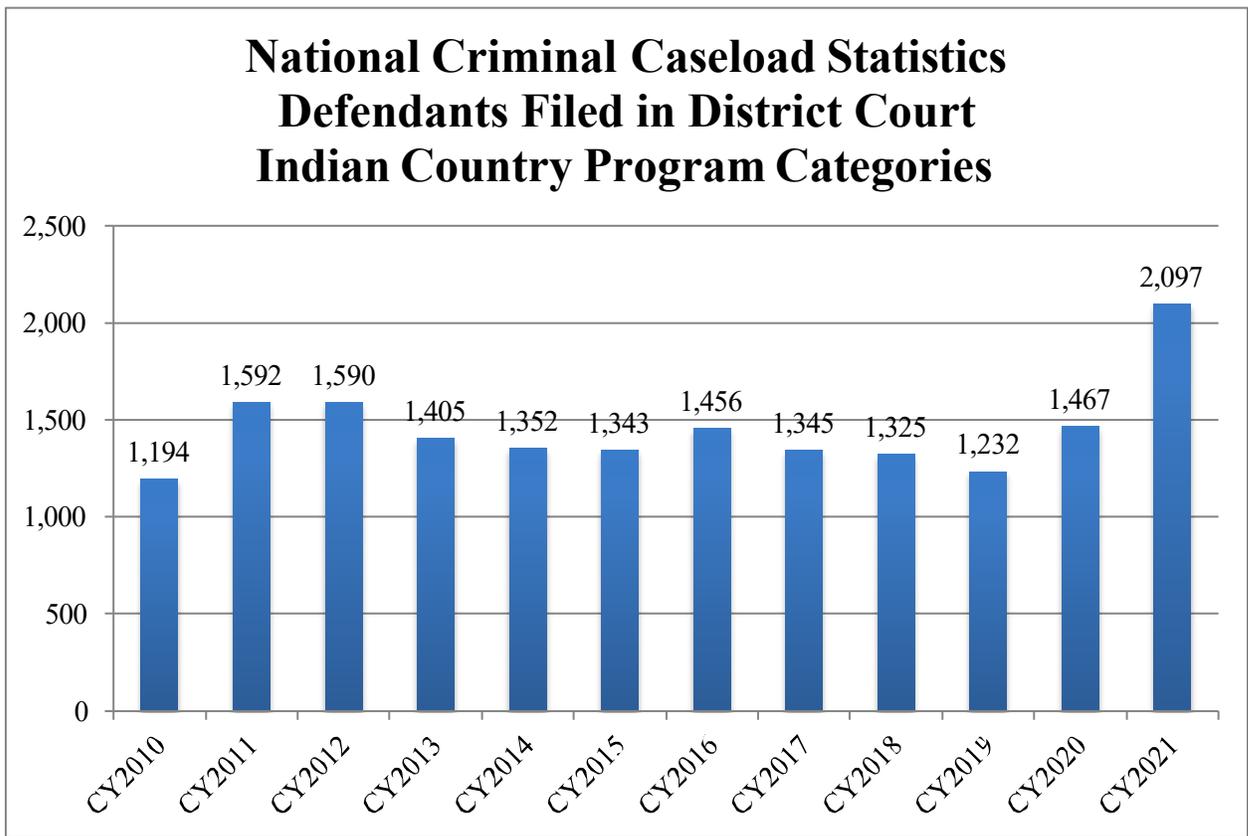
Two program categories within the USAOs' case management system are relevant to Indian country cases for the purposes of this report: "Violent Crime in Indian Country" is used to identify violent offenses that occur in Indian country, such as assaults, homicides, and sexual abuse cases; and "Indian Offenses" is used to identify nonviolent offenses occurring in Indian country, such as theft, fraud, and nonviolent drug offenses.

(Space Left Intentionally Blank)

²⁰ See 25 U.S.C. § 2809(c)(1).

²¹ See 25 U.S.C. § 2809(a)(1).

Figure 4: Defendants Filed in Indian Country, CY 2010-CY 2021



In CY 2021, federal prosecutors filed cases against 162 defendants (an increase of 38 percent from CY 2020 (117 defendants)) under VAWA 2013’s enhanced federal assault statutes and obtained 132 convictions (an increase of 29 percent from CY 2020 (102)). Prosecutors also filed Indian country cases against 26 defendants using the domestic assault by a habitual offender statute, 18 U.S.C. § 117, and separately, obtained 15 convictions under this statute.

Below are examples of successfully prosecuted violent crime cases during the reporting period:

Sexual Abuse of a Minor and Production of Child Pornography: The defendant, an enrolled member of the Coeur d’Alene Indian Tribe, sexually abused three female minor victims over nearly two years. Further, the defendant recorded sexually explicit conduct with one of his victims and distributed some of the produced images. The defendant admitted in court that he had abused the three victims on multiple occasions and recorded the abuse of one of his victims. In January 2021, the defendant pleaded guilty to production of child pornography, and in February 2021, the defendant pleaded guilty to sexual abuse of a minor. In May 2021, the defendant was sentenced to 23 years in prison. The defendant was also sentenced to a lifetime of supervised release and was required to register as a sex offender upon his release from prison.

Domestic Violence: The defendant pleaded guilty to assault resulting in substantial bodily injury to a dating partner. According to information disclosed in court, the defendant was driving with his girlfriend, an enrolled member of the Confederated Tribes of the Colville Reservation, when the vehicle ran out of gas. The defendant became angry with his girlfriend and began hitting her in the face with his fists and dragged her across the roadway. The victim was able to escape and flag down Tribal law enforcement. The defendant was sentenced to 21 months of imprisonment and three years of supervised release.

Assault Resulting in Serious Bodily Injury and Domestic Assault by a Habitual Offender: The defendant, an enrolled member of the Jicarilla Apache Nation, was sentenced to nine years and seven months in prison followed by three years of supervised release after being found guilty of Assault Resulting in Serious Bodily Injury and Domestic Assault by a Habitual Offender in Indian Country. According to court proceedings, the defendant physically abused the victim, whom he was dating at the time, at the victim's home on the reservation. As a result of the assault, the victim suffered nine broken ribs and a collapsed lung. The defendant had previously assaulted the victim and had two prior convictions for domestic violence.

In addition to federal prosecution, a key provision of VAWA 2013/2022 recognizes Tribes' inherent power to exercise special domestic violence or Tribal criminal jurisdiction over certain defendants, regardless of their Indian or non-Indian status. After the reauthorization of VAWA in 2022, Section 1304 of Title 25 of the United States Code allows Tribal prosecutors to prosecute multiple crimes specially delineated in the statute, to include domestic violence, dating violence, and violations of protection orders that occur on Tribal land, regardless of whether the offender is Indian or non-Indian. VAWA 2013/2022 require implementing Tribes to provide certain rights to defendants in Tribal cases. Additionally, TLOA amended the Indian Civil Rights Act to permit Tribes, if TLOA's prerequisites are satisfied, to exercise enhanced sentencing authority. This permits Tribes to impose a sentence of no more than three years of imprisonment and a \$15,000 fine for any single offense, but TLOA specifies that a Tribe may not "impose on a person in a criminal proceeding a total penalty or punishment greater than imprisonment for a term of nine (9) years." Unless a Tribe complies with prerequisites for TLOA's enhanced sentencing, a Tribe may not impose any penalty or punishment greater than imprisonment for a term of one year and a \$5,000 fine for a conviction of a single offense that falls within special Tribal criminal jurisdiction. The Department, along with the BIA, continues to assist Tribes with implementation of TLOAs enhanced sentencing prerequisites.

A. Data Collection Within the United States Attorneys' Offices

EOUSA regularly provides case data to Congress, Department leadership, the Office of Management and Budget, other federal agencies, and the public to demonstrate the ongoing efforts of the USAOs in prosecuting wrongdoers, protecting the public, and defending the interests of the United States. Leadership at every level of the government relies, in part, on these numbers to measure USAO success in carrying out national, local, and Tribal law enforcement priorities, using taxpayer money effectively, and achieving the Department's goals. EOUSA relies on case management data to track the prodigious work of the USAOs and to make important resource allocation decisions. In addition, USAO supervisors use case management reports to manage their offices and determine staffing needs. Although data can never fully represent the time, effort, and skill required to prosecute and defend cases, it provides one objective means to measure workload.

CaseView

EOUSA's portion of this report was prepared using data from EOUSA's case management system, CaseView. EOUSA and the 94 USAOs use CaseView to compile, maintain, and track case information relating to defendants, criminal charges, and court events.

"Matters" are referrals from law enforcement opened in CaseView where no charges have been filed. Most cases begin as matters in CaseView, pending further law enforcement investigation, after which either charges are filed or the matter is declined. "Declinations," as discussed above, are matters in which a USAO declines to pursue criminal charges. An immediate declination occurs when a referral to a USAO does not warrant federal prosecution based on the facts and circumstances presented, further investigation is not warranted, a matter is not opened, and the referral is declined immediately. A later declination occurs when a matter is opened in CaseView and, following further investigation or consultation with the assigned AUSA, is closed without filing charges. Immediate and later declinations are entered into CaseView.

As outlined above, "Cases Referred to Another Jurisdiction" for prosecution are matters in which a USAO declines criminal prosecution and refers the matter to another jurisdiction. These referrals arise through coordination and communication between Tribes and USAOs. Many districts hold meetings to review Indian country cases with law enforcement personnel. During these meetings, the decision about which jurisdiction — federal or Tribal — will prosecute a particular case is considered and discussed by the federal and Tribal prosecutors, with input from investigative law enforcement agencies.

The Indian Law Enforcement Reform Act, 25 U.S.C. § 2809(a)(3), which amended TLOA, contemplated this collaboration and coordination. It also affirmed the Department's January 2010 statement that "Tribal governments have the ability to create and institute successful programs when provided with the resources to develop solutions that work best for their communities."²² As noted above, TLOA's passage, with its enhanced sentencing authority for qualifying Tribal courts, means that more cases will be referred to Tribal courts for prosecution. These referrals are typically done at the request of or with the consent of the Tribe's law enforcement authorities. Referral of a criminal matter for prosecution in Tribal court is, in fact, an acknowledgement of Tribal self-governance. Prior to 2019, when federal prosecutors declined prosecution in favor of Tribal prosecution, the cases were coded in CaseView as "Declination – Referred to a Different Jurisdiction." Since 2019, however, CaseView distinguishes between declination and referrals.

Indian country case data is identified in CaseView through the use of program category codes. Program category codes are critical to identifying and characterizing the types of matters the USAOs handle.²³ As noted above, two program category codes are particularly relevant to Indian country

²² See <http://www.justice.gov/dag/dag-memo-indian-country.html>.

²³ CaseView has nearly 100 program category codes and can capture more than one program area in a single case using multiple program category codes. For example, a case involving drug trafficking, money laundering, and immigration offenses, should be coded using all three program category codes.

cases.²⁴ EOUSA has advised USAOs that all cases arising in Indian country must include one of the Indian country program category codes, in addition to any other program category code assigned to the case.

Limitations of the CaseView Data

The statistics presented in this report are subject to a number of limitations related to the CaseView system. When a matter or case is opened in CaseView, the program category codes are selected by USAO personnel based on their assessment of the case. Each USAO determines who enters the data, how and when data is entered, and how cases are designated. When using CaseView, USAO personnel follow EOUSA guidance related to CaseView docketing and coding policies. CaseView does not have a mechanism to check entries for accuracy and internal consistency. Therefore, if a case has been incorrectly coded, CaseView will not reject the entry or force a correction. An incorrect entry will remain in CaseView until it is detected and manually corrected.

CaseView data for a particular fiscal year represents the phase a matter or case was in at the end of that fiscal year, or any notable events that occurred during that fiscal year, such as a filing or a disposition. For example, a USAO may show two declinations in one year, but not any referrals; this information suggests the referrals appear in the prior year's data. Further, certain data points, such as declinations, correlate to defendants rather than the case as a whole.

B. EOUSA CaseView Information

Tables 9 through 11 below display data related to referrals to another jurisdiction and declinations. The data is for January 1 through December 31, 2021 (CY 2021).

(Space Left Intentionally Blank)

²⁴ “Violent Crime in Indian Country” identifies violent offenses that occur in Indian country, such as assaults, homicides, and sexual abuse cases; and “Indian Offenses” identifies nonviolent offenses occurring in Indian country, such as fraud and nonviolent drug offenses.

Table 9: Indian Country Suspects Referred to a Different Jurisdiction by Type of Crime for CY 2021

District	Assault	Homicide	Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	Drug, Alcohol and Other Offenses	Financial Crimes/ Public Corruption/ Fraud	Jurisdictional, Procedural, Penalty or State Statute	Total
ALASKA	0	0	0	3	1	0	4
ARIZONA	23	0	6	2	0	0	31
CALIFORNIA EASTERN	0	0	0	0	0	0	0
COLORADO	1	0	0	0	0	0	1
FLORIDA SOUTHERN	0	0	0	0	0	0	0
IOWA NORTHERN	1	0	0	0	0	0	1
IDAHO	0	0	0	0	0	0	0
KANSAS	0	0	0	0	0	0	0
MAINE	0	0	0	0	0	0	0
MICHIGAN EASTERN	5	0	1	1	0	0	7
MICHIGAN WESTERN	0	0	0	0	0	0	0
MINNESOTA	1	0	0	1	0	0	2
MISSISSIPPI SOUTHERN	0	0	0	0	0	0	0
MONTANA	4	1	1	3	0	0	9
NORTH CAROLINA WESTERN	0	0	0	0	0	0	0
NORTH DAKOTA	3	0	5	0	0	0	8
NEBRASKA	1	0	0	0	0	1	2
NEW MEXICO	5	0	1	0	0	0	6
NEVADA	0	0	0	0	0	0	0
NEW YORK NORTHERN	0	0	0	0	0	0	0
NEW YORK SOUTHERN	0	0	0	0	0	0	0
OKLAHOMA EASTERN	205	22	74	199	50	1,075	1,625
OKLAHOMA NORTHERN	421	18	85	490	259	313	1,586
OKLAHOMA WESTERN	4	2	7	5	5	8	31
OREGON	0	0	0	0	0	0	0
SOUTH DAKOTA	1	1	0	0	0	0	2
TEXAS NORTHERN	0	0	1	0	0	0	1
TEXAS WESTERN	0	0	0	0	0	0	0
UTAH	0	0	0	0	0	0	0
WASHINGTON EASTERN	0	0	1	0	0	0	1
WASHINGTON WESTERN	2	1	1	1	1	0	6
WISCONSIN WESTERN	0	0	0	0	0	0	0
WYOMING	1	0	0	0	0	0	1
TOTAL	678	45	183	705	316	1,397	3,324

Table 10: Indian Status of Suspects and Victims in Matters Referred to a Different Jurisdiction for CY 2021*

	Suspects Referred, Indian	Suspects Referred, Non-Indian	Victims in these Matters, Indian	Victims in these Matters, Non-Indian
Financial Crimes/Public Corruption/Fraud	266	52	2	5
Drug, Alcohol, and Other Offenses	592	114	9	23
Assault	481	197	57	63
Homicide	31	14	4	13
Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	127	56	29	21
Jurisdictional, Procedural, Penalty, or State Statute	1,078	319	3	19

* There were 15 instances where other suspects/victims in the same matter were not referred to a different jurisdiction because they were still under investigation or had charges filed against them in court.

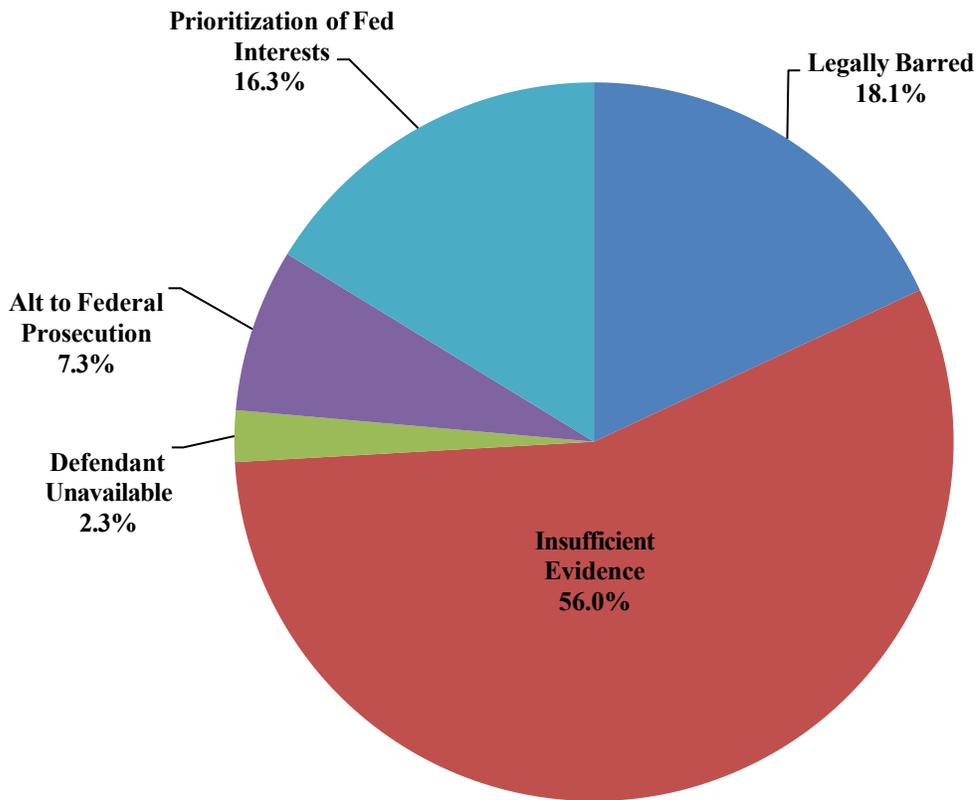
(Space Left Intentionally Blank)

Table 11: Number of Suspects in Indian Country Declinations for CY 2021

District	Legally Barred	Insufficient Evidence	Defendant Unavailable	Alt to Federal Prosecution	Prioritization of Fed Interests	Total
ALASKA	1	7	0	0	4	12
ARIZONA	3	211	10	5	15	244
CALIFORNIA EASTERN	0	1	0	0	0	1
COLORADO	0	9	1	0	1	11
FLORIDA SOUTHERN	0	1	0	0	0	1
IOWA NORTHERN	1	2	0	0	0	3
IDAHO	0	16	1	5	0	22
KANSAS	0	0	0	0	2	2
MAINE	0	1	0	0	0	1
MICHIGAN EASTERN	4	24	0	0	7	35
MICHIGAN WESTERN	0	16	0	2	0	18
MINNESOTA	0	1	0	2	0	3
MISSISSIPPI SOUTHERN	0	2	0	0	0	2
MONTANA	3	43	0	1	0	47
NORTH CAROLINA WESTERN	0	2	0	0	0	2
NORTH DAKOTA	4	33	1	4	7	49
NEBRASKA	0	18	0	4	0	22
NEW MEXICO	1	55	2	1	2	61
NEVADA	0	19	1	1	5	26
NEW YORK NORTHERN	0	2	0	0	1	3
NEW YORK SOUTHERN	0	1	0	0	0	1
OKLAHOMA EASTERN	142	41	2	1	88	274
OKLAHOMA NORTHERN	46	77	5	36	35	199
OKLAHOMA WESTERN	14	21	0	23	11	69
OREGON	0	7	0	0	0	7
SOUTH DAKOTA	0	42	3	4	5	54
TEXAS NORTHERN	0	0	0	0	1	1
TEXAS WESTERN	0	1	0	0	0	1
UTAH	0	1	0	0	1	2
WASHINGTON EASTERN	0	8	1	0	4	13
WASHINGTON WESTERN	0	5	0	0	4	9
WISCONSIN WESTERN	0	0	0	0	2	2
WYOMING	0	12	1	0	2	15
TOTAL	219	679	28	89	197	1,212

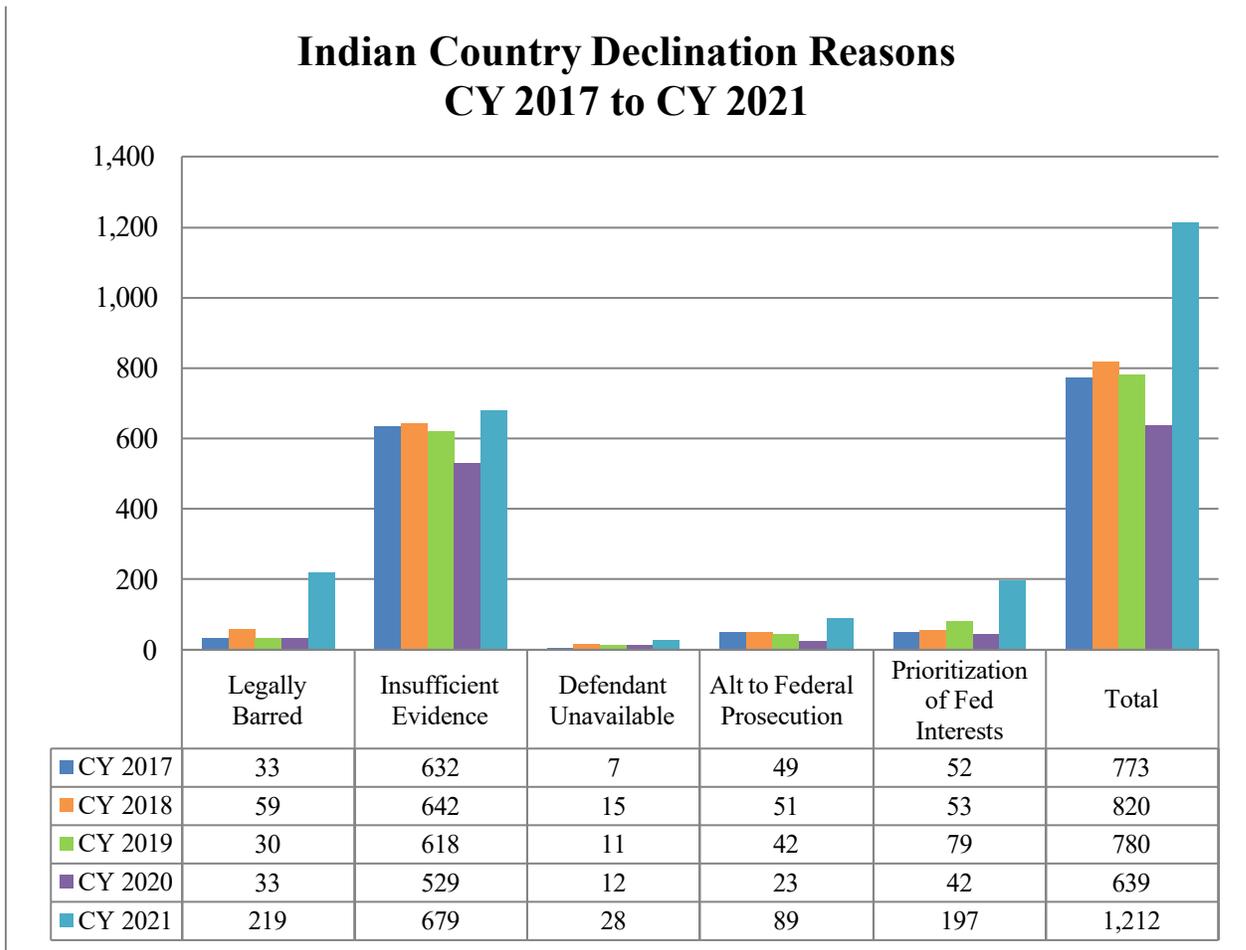
As demonstrated in Figure 5 below, most declined cases for CY 2021 were declined due to insufficient evidence. The insufficient evidence category includes lack of evidence of criminal intent, weak or insufficient evidence, or witness issues. Figure 6 compares declination categories for CY 2017 through CY 2021 for Indian country cases. In matters where there is insufficient evidence, the government cannot sustain its burden of proof beyond a reasonable doubt and the prosecutor must decline these matters. However, if additional evidence is presented later, the matter may be reopened (subject to statutes of limitation) and prosecuted.

Figure 5: Declinations by Reason in Indian Country Crimes for CY 2021



(Space Left Intentionally Blank)

Figure 6: Declination Reasons in Indian Country Crimes



Methodology Applied for Generating Crime Data Type

The CaseView User Manual states that the lead investigative charge should be the substantive statute that is the primary basis for the referral. Given the number of federal criminal code sections and the ability to assimilate state law for certain crimes occurring in Indian country (under the Assimilative Crimes Act, 18 U.S.C. § 13), this report assigns the lead investigative charge to broad categories based on case commonality. All lead investigative statutes appearing in CY 2021 Indian country matters declined (as designated by the appropriate program codes in CaseView) were reviewed and grouped into six categories: (1) assault; (2) murder; (3) sexual assault (including child and adult victims); (4) drug, alcohol, and other offenses; (5) financial crimes, public corruption, and fraud; and (6) jurisdictional, penalty, or state statutes.²⁵

Table 12 reports aggregate declinations by crime type and federal judicial district, while Figure 7 provides a percentage breakdown of aggregate declinations by crime type. Table 13 categorizes the aggregate declinations and the reasons those matters were declined.

²⁵ Appendix B provides a complete list of all lead investigative charges used in CY 2021, as assigned to one of the six categories created for purposes of this report.

Table 12: Indian Country Suspects Declined by Type of Crime for CY 2021²⁶

District	Assault	Homicide	Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	Drug, Alcohol and Other Offenses	Financial Crimes/ Public Corruption/ Fraud	Jurisdictional, Procedural, Penalty or State Statute	Total
ALASKA	0	0	2	6	4	0	12
ARIZONA	100	35	69	32	5	3	244
CALIFORNIA EASTERN	0	0	0	1	0	0	1
COLORADO	5	1	3	1	0	1	11
FLORIDA SOUTHERN	0	0	0	1	0	0	1
IOWA NORTHERN	0	1	1	0	0	1	3
IDAHO	8	3	5	5	1	0	22
KANSAS	1	0	0	0	1	0	2
MAINE	0	0	0	1	0	0	1
MICHIGAN EASTERN	30	0	2	3	0	0	35
MICHIGAN WESTERN	13	0	2	0	3	0	18
MINNESOTA	1	1	0	1	0	0	3
MISSISSIPPI SOUTHERN	0	0	0	0	2	0	2
MONTANA	14	5	18	7	1	2	47
NORTH CAROLINA WESTERN	0	0	2	0	0	0	2
NORTH DAKOTA	19	3	18	4	3	2	49
NEBRASKA	3	1	2	6	4	6	22
NEW MEXICO	16	12	16	11	6	0	61
NEVADA	6	1	6	12	1	0	26
NEW YORK NORTHERN	0	0	0	0	2	1	3
NEW YORK SOUTHERN	0	0	0	1	0	0	1
OKLAHOMA EASTERN	40	8	29	31	9	157	274
OKLAHOMA NORTHERN	45	10	43	43	18	40	199
OKLAHOMA WESTERN	14	6	5	28	2	14	69
OREGON	1	1	2	3	0	0	7
SOUTH DAKOTA	8	4	15	7	14	6	54
TEXAS NORTHERN	1	0	0	0	0	0	1
TEXAS WESTERN	0	0	1	0	0	0	1
UTAH	1	0	0	0	1	0	2
WASHINGTON EASTERN	2	3	2	5	0	1	13
WASHINGTON WESTERN	0	0	2	2	4	1	9
WISCONSIN WESTERN	0	0	0	0	2	0	2
WYOMING	4	1	7	0	0	3	15
TOTAL	332	96	252	211	83	238	1,212

²⁶ This table excludes districts that did not report any declinations for CY 2021.

Figure 7: Indian Country Declinations by Crime Type for CY 2021

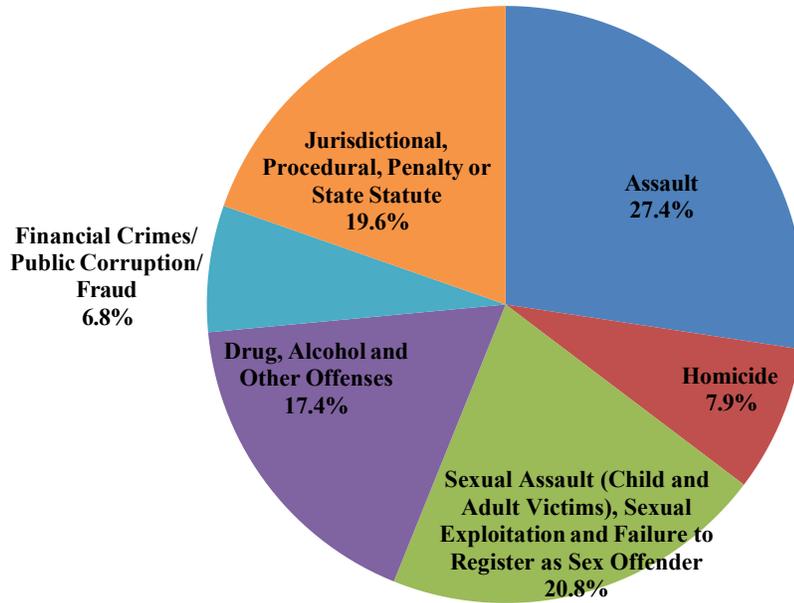


Table 13: Indian Country Suspects Declined by Crime Type and Declination Reason for CY 2021

	Legally Barred	Insufficient Evidence	Defendant Unavailable	Alt. to Federal Prosecution	Prioritization of Fed. Interests	Total
Assault	43	215	7	29	38	332
Homicide	13	66	7	5	5	96
Sexual Assault (Child and Adult victims)	13	203	5	9	22	252
Drug, Alcohol, and Other Offenses	41	107	6	25	32	211
Financial Crimes/Public Corruption/Fraud	9	44	1	7	22	83
Jurisdictional, Penalty, or State Statute	100	44	2	14	78	238
Total	219	679	28	89	197	1,212

In 2021, the majority (56 percent) of declinations involved physical and sexual assaults, homicide, sexual exploitation, or failure to register as a sex offender. These statistics are consistent with statistics from previous years. While the number of declinations for these offense types may appear high, there are inherent challenges in prosecuting these crimes — challenges that are not unique to the federal system. Cooperation among federal and Tribal law enforcement and victim advocates is key to successfully prosecuting a sexual assault perpetrator in Indian country. Currently, every USAO with Indian country has developed guidelines for handling sexual violence cases designed to improve the federal response to sexual abuse in Tribal communities.

Declinations alone do not provide an accurate accounting of USAO handling of Indian country criminal cases. To provide context to the declination numbers, Table 14 lists the “total Indian country matters resolved” for each federal judicial district — that is, the total number of Indian country suspects in immediate declinations, suspects in matters terminated (which includes all later declinations), and defendants filed.

For example, in the District of South Dakota there were 202 Indian country matters resolved in CY 2021. This number includes 54 declinations and 2 referrals previously reported in Tables 9, 11 and 12. It also includes an additional 146 Indian country cases that the USAO resolved in CY 2021 by means other than a federal declination or referral.

Similarly, for all districts combined, 6,849 Indian country matters were resolved in CY 2021. This number includes 1,212 declinations reported in Tables 11 and 12. It also includes 2,313 matters in Indian country that were resolved in CY 2021 by means other than a federal declination or referral and 3,324 Indian country matters referred to another jurisdiction for prosecution.

Table 14: Total Indian Country Matters Resolved by USAO for CY 2021

District	Indian Country Matters Resolved	Indian Country Declinations	Indian Country Matters Referred to Different Jurisdiction	Indian Country Matters Resolved Other than by Federal Declination or Referral
ALASKA	41	12	4	25
ARIZONA	904	244	31	629
CALIFORNIA EASTERN	1	1	0	0
COLORADO	27	11	1	15
FLORIDA MIDDLE	2	0	0	2
FLORIDA SOUTHERN	2	1	0	1
IOWA NORTHERN	7	3	1	3
IDAHO	44	22	0	22
INDIANA NORTHERN	1	0	0	1
KANSAS	7	2	0	5
LOUISIANA WESTERN	1	0	0	1
MAINE	1	1	0	0
MICHIGAN EASTERN	61	35	7	19
MICHIGAN WESTERN	41	18	0	23
MINNESOTA	35	3	2	30

MISSISSIPPI SOUTHERN	22	2	0	20
MONTANA	118	47	9	62
NORTH CAROLINA WESTERN	8	2	0	6
NORTH DAKOTA	190	49	8	133
NEBRASKA	42	22	2	18
NEW MEXICO	138	61	6	71
NEVADA	31	26	0	5
NEW YORK NORTHERN	6	3	0	3
NEW YORK SOUTHERN	1	1	0	0
OKLAHOMA EASTERN	2,279	274	1,625	380
OKLAHOMA NORTHERN	2,244	199	1,586	459
OKLAHOMA WESTERN	222	69	31	122
OREGON	37	7	0	30
SOUTH DAKOTA	202	54	2	146
TEXAS NORTHERN	3	1	1	1
TEXAS SOUTHERN	6	0	0	6
TEXAS WESTERN	2	1	0	1
UTAH	15	2	0	13
WASHINGTON EASTERN	36	13	1	22
WASHINGTON WESTERN	23	9	6	8
WISCONSIN EASTERN	17	0	0	17
WISCONSIN WESTERN	2	2	0	0
WYOMING	30	15	1	14
ALL DISTRICTS	6,849	1,212	3,324	2,313

Defendant and Victim Indian/Non-Indian Status

TLOA requires that USAOs record the Indian/non-Indian status of defendants and victims. For cases coded with one of the two Indian country program category codes, CaseView requires users to designate the Indian status of both the victim and the defendant.

(Space Left Intentionally Blank)

Table 15: Indian Status of Suspects and Victims in Declined Indian Country Matters for CY 2021*

	Suspects Declined, Indian	Suspects Declined, Non-Indian	Victims in these Matters, Indian	Victims in these Matters, Non-Indian
Financial Crimes/Public Corruption/Fraud	27	57	25	7
Drug, Alcohol, and Other Offenses	108	105	28	24
Assault	178	155	144	70
Homicide	63	35	59	18
Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	165	87	174	37
Jurisdictional, Procedural, Penalty, or State Statute	122	117	21	10

*There were 29 instances where other suspects/victims in the same matter were not declined because they were still under investigation or had charges filed against them in court.

C. Examples of Successful Indian Country Prosecutions

Indian country prosecutors secured numerous convictions in CY 2021. Below are examples of convictions that had a significant impact on their communities.

U.S. v. Kemp (Northern District of Oklahoma): In June 2021, Bradon Kemp was found guilty of voluntary manslaughter after killing a citizen of the Cherokee Nation within the Muscogee Nation Reservation. On August 4, 2020, Kemp approached the victim in the exterior hallway of the apartment complex where they both resided. Kemp stabbed the victim 12 times, causing the victim’s death. Kemp was sentenced to 87 months of imprisonment, followed by a 3-year term of supervised release.

U.S. v. Johnson (Eastern District of Oklahoma): In November 2021, Aaron Johnson, an enrolled member of a federally-recognized Tribe, was found guilty of multiple counts related to a series of criminal offenses—

- On January 11, 2018, Johnson and two other co-conspirators forcibly entered an occupied residence where they tied up, blindfolded, and robbed a 13-year-old boy at gun point.
- On December 18, 2018, Johnson and a co-conspirator forcibly entered an occupied residence, where they assaulted an 82-year-old man with a rifle and robbed him at gun point.
- On February 27, 2019, Johnson burglarized a fire station and stole two emergency vehicles.
- On March 14, 2019, Johnson burglarized another fire station and stole an emergency vehicle.

All of Johnson's crimes took place within the boundaries of the Muscogee (Creek) and Cherokee Nation Reservations. Johnson is awaiting sentencing that has been continued at the defendant's request until later in 2023.

U.S. v. Jojola (District of New Mexico): Jonathan Jojola, an enrolled member of the Isleta Pueblo, was charged in September 2021 with assault of an intimate partner by strangling or suffocating and aggravated sexual abuse. According to court records, in March 2021, Jojola engaged in a sexual act with the victim by the use of force. The following day, Jojola attempted to strangle and suffocate the same victim. Both incidents occurred on the Isleta Pueblo. In May 2022, Jojola pleaded guilty to assault of an intimate partner by strangling or suffocating and was sentenced to 24 months of imprisonment followed by 3 years of supervised release.

U.S. v. Stimac (District of Minnesota): In June 2021, Brett Stimac was sentenced to 15 months in prison followed by 1 year of supervised release for wildlife trafficking and trespassing on Indian land after removing the head of a 700-pound black bear on the Red Lake Indian Reservation. According to court documents, Stimac, who was not an enrolled member of the Red Lake Band of Chippewa Indians, willfully, knowingly, and without authorization or permission, entered the Red Lake Indian Reservation to hunt a bear. Using a compound bow, Stimac shot and killed a large American black bear near the Reservation's garbage dump. Stimac left the bear and returned the following day to pose with the bear's carcass and remove the bear's head for a trophy. Stimac's crime was discovered after posting photographs on social media.

U.S. v. Prior (District of Nevada): In August 2021, Stoney Prior, a Fort McDermitt Shoshone Paiute Tribal member, was convicted of two counts of second degree murder for shooting and killing two women on the Fort McDermitt Indian Reservation in January 2018. According to court documents, Prior shot the victims because they accused him of being a rapist. Prior confessed to multiple friends that he killed the two victims. Prior was sentenced in January 2022 to two consecutive life terms of imprisonment.

U.S. v. Goings (District of Montana): In April 2021, Austin Goings was sentenced to 21 months in prison and 5 years of supervised release after pleading guilty to sexual abuse of a minor. According to court documents, Goings forced a teenage victim to have sexual intercourse with him in an abandoned trailer house on the Blackfeet Indian Reservation. Prior to the sexual assault, Goings and his victim had been driving around drinking alcohol. Goings admitted to having sexual intercourse with the victim but denied using force.

U.S. v. Duran (District of New Mexico): In September 2021, Patrick Duran was sentenced to five years of imprisonment followed by three years of supervised release for assaulting a minor child. According to court documents, Duran assaulted an Indian child on the Jicarilla Apache Indian Reservation in September 2014. During the assault, the child sustained internal head injuries, which caused seizures and required hospitalization. Duran pleaded guilty to assaulting the child prior to sentencing.

U.S. v. Valdez (Western District of Oklahoma): Desma Valdez, an enrolled member of the Kickapoo Tribe of Oklahoma, was sentenced to 262 months of imprisonment and 5 years of supervised release in August 2021 after having pleaded guilty to two counts of second-degree murder. According to the investigation, Valdez deliberately set fire to a trailer home on Tribal

land of the Kickapoo Tribe of Oklahoma in which her sister and her sister's boyfriend slept. Both victims died in the fire.

V. Department of Justice Commitment to Indian Country

The Department is working tirelessly with Tribes and Tribal partners to tackle the disproportionate rates of violence in Tribal communities and the crisis of missing or murdered Indigenous People. In the July 13, 2022 memorandum to United States Attorneys and other federal law enforcement components, Deputy Attorney General Lisa Monaco reinforced the Department's commitment to addressing the high rates of violence experienced by American Indians and Alaska Natives by requiring all USAOs with Indian country responsibilities to consult with Tribal leaders and law enforcement. After consultation, the memorandum requires each USAO to develop revised operational plans to address emerging public safety issues unique to each Tribe and district.

The Department recognizes that establishing and maintaining strong lines of communication is critical to addressing public safety issues in Tribal communities as Tribes know best how to make their communities safer. Thus, Tribal engagement remains a cornerstone of the Department's work in Indian country. Throughout 2021 and 2022, the Department engaged extensively with Tribal leaders and law enforcement across the country, including through the 2021 and 2022 White House Tribal Nations Summits, the White House Council on Native American Affairs, the Department's Tribal Nations Leadership Council, and multiple Department listening sessions that addressed violent crime, domestic violence, and missing or murdered issues in Indian country. Further, United States Attorneys and Tribal Liaisons held consultations with Tribes within their districts to address emerging public safety issues unique to individual Tribes and to develop strategies to combat the issues. The message from Tribes was clear: Tribes seek better coordination across the federal government and with Tribal, state, and local partners to respond to crime in Indian country, as well as joint training opportunities to improve those cross-jurisdictional relationships. This communication and collaboration helped frame the Department's work during the year, and will continue to do so in years to come.

The Department focused on better intra-governmental coordination to ensure better service to Indian country. As noted above in Section II, in 2022, the FBI and BIA-OJS finalized a new MOU to clarify investigative roles, define best practices, and recommend training for personnel working in Indian country. After consultation with federal, Tribal, state, and local partners, USAOs created Savanna's Act guidelines to address best practices in missing or murdered indigenous person cases and revised operational plans to better address district-specific public safety issues. Additionally, the Department announced the first Native American Outreach Services Liaison, who will work at a national level to ensure victims of crimes have a voice during every step of the criminal justice process where the federal government has jurisdiction.

The Department has also focused on better inter-governmental coordination with and support for Tribal partners. The Department continued to assist Tribes in the development and implementation of Tribal Community Response Plans, which are voluntary protocols to address missing or murdered indigenous person cases. The Department also expanded the Tribal Access Program (TAP) for national crime information, which provides Tribes the ability to access and exchange data with national crime information databases. Finally, the Department built upon efforts to empower Tribes to exercise expanded jurisdiction recognized by VAWA 2013/2022, including through grant-making programs that support Tribal courts and victims of violent and domestic-related crimes.

While the Department has made significant strides in communicating and collaborating with Tribal partners, the Department acknowledges that more work must be done to curb the disproportionate rate of violence in Tribal communities. The Department is fully committed to its Indian country responsibilities, and looks forward to continuing to coordinate, communicate, and collaborate with with American Indian and Alaska Native leadership, as well as Congress, to help Tribes provide safe communities for all citizens.

“The Department of Justice is committed to promoting public safety in Indian country, and respecting Tribal sovereignty. . . Federal enforcement agencies will continue to work with Tribal partners in support of public safety.”

—*Lisa Monaco,*
Unites States Deputy Attorney
General

Appendix A: Glossary of Terms

Cases Filed: All proceedings for which an indictment or information has been filed in district court during the fiscal year, regardless of the fiscal year in which the proceeding was opened as a criminal matter in CaseView. If at least one defendant is charged, the proceeding is counted as a case, even if one or more additional suspects may remain in matter status. Filings before a magistrate judge and appellate court are not included in these counts.

Defendants in Cases Filed: The number of defendants associated with each filed case.

Suspect: An individual identified as potential wrongdoer in an open matter.

Suspects in Matters Received: The number of suspects associated with each matter received.

Suspects in Matters Terminated: The number of suspects whose matters were terminated.

Matters Received: Referrals from law enforcement that are opened in CaseView on which AUSAs spend one hour or more of time. Matters received includes criminal referrals from investigative agencies and matters handled as misdemeanor cases filed before a magistrate judge. Matters received does not include criminal miscellaneous matters (requests for arrest warrants, search warrants, etc.), petty offenses or infractions, or matters that are immediately declined.

Matters Terminated: All proceedings terminated (closed) during the reporting where no charges were filed. Matters terminated includes later declinations, no true bills, and criminal matters that are handled as misdemeanor cases filed before a magistrate judge. A matter is not considered terminated until proceedings related to all suspects associated with the matter are terminated.

Appendix B: CaseView Lead Investigative Charges for Indian Country Declinations in CY 2021

Assault

18 USC 1716j2	Knowingly deposits for mailing/delivery with intent to kill/injure
18 USC 1959a6	Attempt/conspire commit crime involve maiming/assault dangerous weapon
18 USC 2261A2B	Cyber Stalking - attempts to cause emotional distress to a person
06S:6-2-502aii	Intentionally/knowingly causes bodily injury with deadly weapon
06S:6-2-504b	Knowingly points firearm at/in direction of person-reckless endanger
14T:00621	Brandishing, exhibiting, or using deadly weapons
21S:21-5413b2B	Cause bodily harm/disfigurement/death another person w/ deadly weapon
37S:709-906	Abuse of family or household members; penalty
508S:508.100	Criminal abuse in the first degree

Homicide

18 USC 1112a	Manslaughter – Voluntary/Involuntary
22D:02101	Murder In The First Degree

Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender

18 USC 2256	Sexual exploitation/other abuse of children
18 USC 2252Aa5A	Knowingly possess material that contain an image of child pornography
16S:16-6-8a3	A lewd appearance in state of partial/complete nudity
21S:21.08	Indecent exposure
37S:707-730	Sexual assault in the first degree

Drug, Alcohol, and Other Offenses

18 USC 341	Common carrier ops under influence alcohol/drugs
18 USC 342	Operation of common carrier under the influence
18 USC 373	Solicitation to commit a crime of violence
18 USC 842h	Unlawful to receive/ship/conceal/barter any stolen explosive material
18 USC 922i	Transportation or shipment of a stolen firearm or ammunition
18 USC 924c1A	Use or carry a dangerous weapon in drug crime or crime of violence
18 USC 924c1C	Use/carry of firearm during crime of violence/drug trafficking offense
18 USC 930e	Possession of a firearm in a federal court facility
18 USC 1203	Kidnapping - Hostage taking
18 USC 1752a1	Knowingly enters/remains in restricted building/grounds w/o authority
18 USC 1791	Providing or possessing contraband in prison
18 USC 2115	Robbery - Post office
18 USC 2311	Stolen property - Definitions
18 USC 2315	Sale or receipt of stolen goods, etc.

21 USC	
841a1b1Bviii	Possession w/intent to distribute 5 grams or more of methamphetamine
21 USC 841b1Ai	Possession with intent to distribute Heroin
21 :00843	Drug Abuse Prevention & Control-Prohibited acts C
21 :00863	Drug paraphernalia
13AS:13A-11-14	Cruelty to animals
13S:13-1903	Aggravated robbery
13S:13-2910	Cruelty to animals; interference with working or service animal
13S:13-3613A	Contributing to the Delinquency of a Child
14T:00625	Reckless Endangerment
14T:00661	Escape from jail or custody of officer
14T:01861	Robbery defined
14T:01862	Robbery in the first degree
14T:02253a	Possession of a Firearm
16S:16-13-32.2a	Unlawful object introduce in human body marijuana/controlled substance
17S:291E-61a2	Operating vehicle under the influence of any drug that impairs
18S:4511.194B	Physical Control by field sobriety standards/admissibility into Court
18S:641	Drug Possession
22D:00303	Malicious Burning, Destruction, Injury Of Property
22D:02801	Robbery
23T:00479	Discharging or aiming firearms
28S:28-1381	Driving or actual physical control while under the influence
30S:30-3-8B	Willfully discharging a firearm at or from a motor vehicle
36R:00423a1	Incapable of operating motor vehicle under influence of alcohol, drugs
36R:2.35a2ii	Possession of alcohol by a minor
62.1S:62.1-02-10	Carrying loaded firearm in vehicle

Financial Crimes/Public Corruption/Fraud

07 USC 6ba2B	Willfully make/cause to be made to the other person any false report
07 USC 6ca5C	Knowingly and with the intent to defraud attempt to execute a scheme
07 USC 8313a1A	Knowingly forge/counterfeit/deface/destroy any certificate or permit
15 USC 77q	Fraudulent interstate transactions
15 USC 1644	Fraudulent use of credit cards; penalties
18 USC 153	Embezzlement by trustee or officer
18 USC 203	Compensation to Members of Congress, etc.
18 USC 470	Counterfeit acts committed outside U.S.
18 USC 480	Possessing counterfeit foreign obligations or secu
18 USC 483	Uttering counterfeit foreign bank notes
18 USC 510b	Treasury check/bond/security of US is stolen/bears forged endorsement
18 USC 644	Banker receiving unauthorized deposit of public mo
18 USC 656	Theft/embezzlement/misapplication by bank off, emp
18 USC 875d	Intent to extort from person/firm/association/corporation money/value
18 USC 1004	Fraud - Certification of checks
18 USC 1029a5	Access device fraud/one or more transactions to another/\$1000 or more
18 USC 1158	Counterfeiting Indian Arts and Crafts
18 USC 1506	Theft/alteration of record or process; false bail

18 USC 1693	Carriage of mail generally
18 USC 1701	Obstruction of mails generally
18 USC 1705	Destruction of letter boxes or mail
18 USC 1708	Theft or receipt of stolen mail matter generally
18 USC 1923	Fraudulent receipt of payments of missing persons
18 USC 2113c	Receives/disposes, property/money, taken from financial institution
18 USC 1028A	Aggravated Identity Theft
42 USC 1485	Housing for elderly and others of low income
42 USC 1760	School Lunch Program - Miscellaneous provisions
42 USC 1760g	Obtain by fraud funds/assets/property under Child Nutrition Act 1966
14T:00701	Extortion defined; penalty
14T:00791	Forgery
14T:00835	Drawing and delivering worthless checks
14T:01093	Embezzlement by clerks,agents,employees, etc.
14T:03004	Fraudulent use of credit card
18S:2913.04	Unauthorized use of property/computer/telecommunication property
18S:2913.11	Passing bad checks
22D:03223	Credit Card Fraud
22D:03241	Forgery
36R:1002.30a4	Concealing un-purchased merchandise on or about the person
LS:516.070	Criminal possession of forged instrument in the third degree

Jurisdictional, Procedural, Penalty, or State Statute

02 USC 192	Congress refusal of witness to testify/produce pap
08 USC 1324a1AvI	Bringing in and harboring certain aliens/conspiracy
10 USC 892	Failure to obey order or regulation
18 USC 2	Aiding and abetting
18 USC 118	Interference with certain protective functions
18 USC 228a1	2nd Offense Failure to pay child support greater than \$5,000
18 USC 228a3	Failure to pay child support greater \$10,000
18 USC 1503a	Corruptly Obstructing the Administration of Justice
18 USC 3146a1	Failure to appear before court as required by conditions of release
18 USC 3148	Sanctions for violation of a release
18 USC 3238	Offenses not committed in any district
21 USC 645	Fed provisions applicable To State or Terr
21 USC 1037	Prohibited acts
40 USC 5104	Unlawful activities
04S:14601.2	Driving when privilege suspended/revoked for driving under influence
05T:04001	Complaint as to threatened crime
12.1S:12.1-11-03	False information/report to law enforcement officer/security officials
14T:00445	Unlawful entry
14T:01622	Prohibiting prostitution
17S:286-116	License, insurance identification card, possession, exhibition
17S:286-132	Driving while license suspended or revoked
17S:291-2	Reckless driving of vehicle or riding of animals
17S:291C-105	Excessive speeding

17S:291c-137	Use of Mobile Electronic Device while Driving
18S:4511.21A	Speeding
21S:01431	Burglary 1
22D:00722	Obstructing justice
22D:01805a	Conspiracy to Commit Crime
24S:431:10G-108	Unlawful use of motor vehicle insurance identification card
32S:32-10-1	Leaving the Scene of an Accident
32S:32-7A-4	Liability insurance required
36R:2.31a1	Trespassing, entering or remaining in/upon property or real property
36R:327.14b	Cutting/gathering of trees/part of trees /removal wood is prohibited
37S:710-1026	Resisting arrest
625S:5/6-303a	Any person who drives a motor vehicle with a revoked/suspended license
LS:512.030	Criminal mischief in the second degree