



CENTRAL COUNCIL  
*Tlingit and Haida Indian Tribes of Alaska*  
Edward K. Thomas Building  
9097 Glacier Highway • Juneau, Alaska 99801

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CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA  
Eighty-First Annual Tribal Assembly  
April 20-22, 2016  
Juneau, Alaska

Resolution TA/ 16-04

Title: Recommendation of Constitutional Amendments to Maximize Civil and Criminal Jurisdiction

By: Seattle Tlingit and Haida Community Council

WHEREAS, the Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe with more than 30,000 tribal citizens; and

WHEREAS, the United States government has enacted legislation that recognizes the inherent authority of tribes to exercise their sovereign power to investigate, prosecute, convict, and sentence both Indians and non-Indians who assault Indian spouses, dating partners or violate a protection order in Indian country. VAWA 2013 also clarifies tribes' sovereign power to issue and enforce civil protection orders against Indians and non-Indians. In December 2014, provisions restricting all Alaska Tribes from exercising this jurisdiction were removed and now all tribes in the State of Alaska, like tribes in the lower-48 states, are authorized to exercise special domestic violence criminal jurisdiction, which would allow tribes to prosecute non-Indian batterers under certain conditions; and

WHEREAS, The Tribal Law & Order Act helps to address crime in tribal communities and places a strong emphasis on decreasing violence against American Indian and Alaska Native women. The Act encourages the hiring of more law enforcement officers for Indian lands and provides additional tools to address critical public safety needs. Specifically, the law enhances tribes' authority to prosecute and punish criminals; expands efforts to recruit, train and keep Bureau of Indian Affairs (BIA) and Tribal police officers; and provides BIA and Tribal police officers with greater access to criminal information sharing databases and expands the ability of a tribe to sentence offenders up to 3 years and a \$15,000 fine for more serious crimes with certain protections of the Indian Civil Rights Act; and

WHEREAS, the Constitution of the Central Council of the Tlingit and Haida Indian Tribes of Alaska as it currently exists does not provide for an expansive exercise of tribal jurisdiction and should be amended to maximize the Tribes' ability to exercise its full extent of sovereignty consistent with applicable laws.

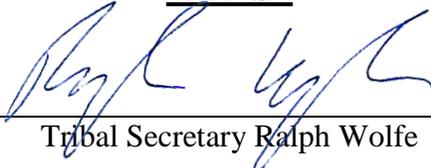
NOW THEREFORE BE IT RESOLVED that the Eighty-First Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska delegation convened in Juneau, Alaska on April 20-22, 2016, hereby directs the Judiciary Committee to review and prepare proposed amendments to the Constitution of the Central Council of the Tlingit and Haida Indian Tribes of Alaska, consistent with applicable tribal and federal laws to maximize jurisdiction, to be presented at the 2017 annual Tribal Assembly.

ADOPTED this 22<sup>nd</sup> day of April 2016, by the Eighty-First Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska.

**CERTIFY**

  
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President Richard J. Peterson

**ATTEST**

  
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Tribal Secretary Ralph Wolfe