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2023 Indian Country Investigations & Prosecutions



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Cover Photograph: Dawn Light and Native Yucca Plants at Organ Mountains-Desert Peaks National Monument in New Mexico

“We are committed to working with our partners to ensure that all members of Tribal communities feel safe.”

*—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) 2023, as required by Section 212 of the Tribal Law and Order Act (TLOA).¹ Since TLOA's inception, the Department has worked to prioritize public safety for American Indians and Alaska Natives (AI/AN) by engaging and collaborating 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 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. Most 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.

Consistent with TLOA's Section 212 reporting requirements for CY 2023, 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).

This report also provides known statistics regarding missing or murdered AI/AN, as required under Section 6 of Savanna's Act.² Since Congress passed Savanna's Act, the Department has focused on addressing the issue of missing or murdered indigenous persons (MMIP) by engaging with Tribal leaders and advocates, in addition to federal, Tribal, state, and local law enforcement agencies, to develop policies and procedures aimed at responding to MMIP causes and occurrences, while also combating MMIP-related offenses.

As required by Section 6 of Savanna's Act, this report provides known statistics on missing or murdered Indians in the United States, available to the Department, including:

¹ 25 U.S.C. § 2809.

² 25 U.S.C. § 5705.

- Victim information;
- Tribal enrollment information or affiliation, if available;
- The current number of open cases per state;
- The total number of closed cases per state each calendar year, from the most recent 10 calendar years; and
- Other relevant information the Attorney General determines is appropriate.

As discussed in this 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 prioritize public safety and address MMIP issues in Indian country.

The following CY 2023 statistics provide a high-level summary of the Department's law enforcement and prosecution efforts in Indian country:

- The FBI closed 2,681 investigations in CY 2023. For comparison, FBI closed 3,711 investigations in CY 2022 and 2,577 investigations in CY 2021.
- Approximately 65 percent of Indian country criminal investigations opened by the FBI were closed due to adjudication or administrative closure.
- The FBI administratively closed approximately 30 percent (792 out of 2,681) of Indian country investigations (without referral for prosecution).
 - In approximately 51 percent of administratively closed investigations (403 out of 792), the FBI determined there was no evidence of a federal crime or insufficient evidence to substantiate criminal activity.
 - Approximately 22 percent of investigations administratively closed (176 out of 792) were death investigations.
 - Approximately 73 percent of these death investigations (128 out of 176) were administratively closed because the death was caused by means other than homicide (i.e., accidents, suicides, or natural causes).
- USAOs resolved 3,753 Indian country matters in CY 2023.

- Approximately 47 percent of the total number of Indian country matters resolved (1,780 of 3,753) were the result of federal prosecution.³
- The USAO declination rate increased to approximately 26 percent in CY 2023 (982 out of 3,753 Indian country matters resolved were declined). In CY 2022, 24 percent of matters resolved were declined (1,466 of 5,989); in CY 2021, 18 percent of matters resolved were declined (1,212 of 6,849); in CY 2020, 22 percent of matters resolved were declined (639 of 2,878); and in CY 2019, 32 percent of matters resolved were declined (780 of 2,426).
- The most common reason for declination by USAOs in CY 2023 (78 percent) was insufficient evidence. This reason was the basis for 63 percent of declinations in CY 2022. In CY 2021, 56 percent of declinations cited insufficient evidence; 83 percent of declinations cited insufficient evidence in CY 2020; and 79 percent of declinations cited insufficient evidence in CY 2019.
- USAOs referred 26 percent of Indian country matters resolved (991 out of 3,753) 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 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, alone, are not an effective way to measure justice or success. Thus, the Department focuses on improved collaboration with Tribal partners to reduce crime in Indian country, as justice is best served when provided at the local and Tribal level with federal engagement alongside individual Tribal Nations. The Department believes that prioritizing efforts to build capacity in Tribal courts and supporting prevention efforts that reduce risk factors for victims and potential offenders, will lead to increased public safety in Tribal communities. Improved public safety, increases in Tribal law enforcement, 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 served 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.”⁴ USAOs are to submit to EOUSA’s Native American Issues Coordinator

³ For the purposes of this report, federal prosecution means suspects terminated in magistrate court (excluding declinations) and defendants filed in district court.

⁴ 25 U.S.C. § 2809(a)(2).

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.”⁵ The FBI’s and USAOs’ reporting obligations require the identification of:

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 distinct 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 for prosecution 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.⁶ 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 a Tribe for the same 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 granted states criminal jurisdiction and made Sections 1152 and

⁵ 25 U.S.C. § 2809(a)(4).

⁶ Since June 29, 2022, when the Supreme Court issued its opinion in *Oklahoma v. Castro-Huerta*, states have 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.

1153 inapplicable or has authorized states to exercise criminal jurisdiction concurrent with the federal government, pursuant to Public Law (P.L.) 280 or other federal laws.⁷

The FBI and USAOs are two of many law enforcement agencies with responsibility for investigating and prosecuting crimes that occur in Indian country.⁸ 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. The importance of the relationship between the FBI and BIA-OJS was emphasized in 2022, when the FBI and DOI entered into an updated Memorandum of Understanding (MOU) that delineated the responsibilities between the FBI and BIA-OJS.⁹ 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, Tribal, state, and local 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 investigations 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 federal agencies and 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 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

⁷ Federal jurisdiction was ceded under P.L. 83-280, 18 U.S.C. § 1162, which granted jurisdiction over Indian country crimes to six states (with exceptions) 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. In addition, criminal jurisdiction over some reservations subject to P.L. 83-280 has been retroceded or reassumed back to federal authorities.

⁸ 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.

⁹ November 2022 Memorandum of Understanding between FBI and BIA, at https://www.bia.gov/sites/default/files/dup/inline-files/mou_between_the_bia_and_fbi_asia_11.28.22_rw_508_final.pdf.

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, 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 200 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, with the exception of crimes of general applicability (e.g., drug offenses, Indian gaming, and violence against women). In 2023, there were approximately 180 Special Agents and 40 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.¹⁰

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¹⁰ Not all FBI Divisions had CY 2023 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
Atlanta	AT	GA
Boston	BS	MA, ME, RI
Buffalo	BF	NY
Charlotte	CE	NC
Columbia	CO	SC
Denver	DN	WY, CO
Detroit	DE	MI
El Paso	EP	TX
Indianapolis	IP	IN
Jackson	JN	MS
Jacksonville	JK	FL
Kansas City	KC	KS, MO
Las Vegas	LV	NV
Miami	MM	FL
Milwaukee	MW	WI
Minneapolis	MP	MN, ND, SD
Mobile	MO	AL
New Haven	NH	CT
New York	NYC	NY
Oklahoma City	OC	OK
Omaha	OM	NE, IA
Portland	PD	OR
Phoenix	PX	AZ
San Antonio	SA	TX
Seattle	SE	WA
San Francisco	SF	CA
Salt Lake City	SU	ID, MT, UT
Tampa	TP	FL

All FBI investigations are required to 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 allegations of federal law violations in Indian country include both “assessments” and “predicated investigations.”¹¹ 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 the purposes of TLOA reporting.

¹¹ FBI Domestic Investigations and Operations Guide (DIOG), 2018 version.

FBI Indian Country Assessments

The two most prevalent examples of Indian country assessments resulting in an FBI investigation but not a predicated (full) 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 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 the commitment of the FBI to provide 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 all reasonable investigation into the alleged crime has been completed by the FBI.

A. FBI TLOA Investigation Data Collection

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

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.¹² 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; 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 ¹³
Victim is unable to identify subject
Unsupported allegation
Victim or witness is unable or unwilling to assist
Interagency cooperation ¹⁴
Cannot be addressed with current resources ¹⁵
Duplicate case or case reopened
Subject died
Lack of evidence
Other

¹² The FBI does not have direct access to Tribal enrollment information.

¹³ The FBI exhausted all logical investigation and was unable to present enough facts for a prosecutive opinion.

¹⁴ The FBI may open an investigation solely for the purpose of assisting another agency (such as opening an investigation solely to give a subject a polygraph examination). Because the FBI is not the primary investigating agency, these investigations are administratively closed.

¹⁵ This category is primarily used due to reflect 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 amount 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 the FBI. 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).¹⁶
- Non-referral is not necessarily a permanent status. It is possible a closed case can be re-opened and referred for prosecution if new information is received.

B. FBI TLOA Reporting Information

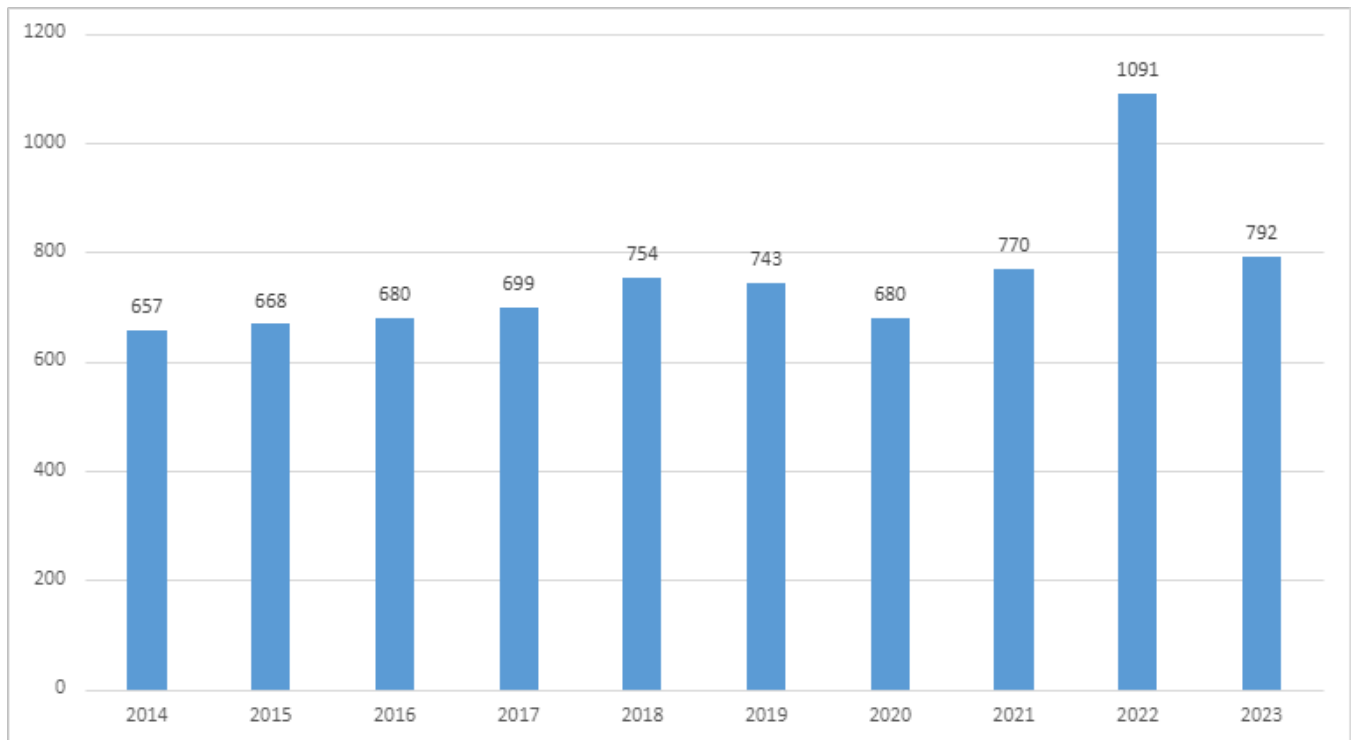
As noted in Table 3, the FBI closed 2,681 Indian country investigations during CY 2023. For reporting purposes, each closed case was manually reviewed. For CY 2023, 792 investigations or approximately 30 percent were closed administratively, and 36 percent were declined¹⁷ by USAOs. Approximately 34 percent were adjudicated. As reflected in Figure 1, the number of cases administratively closed in CY 2023 is consistent with the number of administratively closed cases from previous years.

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¹⁶ As mentioned above, the FBI has a Memorandum of Understanding (MOU) with BIA and local agreements with other agencies based on available resources. For example, in some areas but not others, the FBI may work only child sexual abuse cases for victims under age twelve, while BIA would be responsible for all other sexual abuse and sexual assault investigations, including adult rape.

¹⁷ For the purposes of this report, the FBI considers cases not accepted for federal prosecution as a declination. USAOs track declinations and referrals for prosecution to other jurisdictions separately.

Figure 1: FBI Administratively Closed Investigations, CY 2014-2023



In most FBI divisions, the total number of cases referred for prosecution exceeded the number of cases administratively closed. Four Indian country divisions – Oklahoma City (OC), Minneapolis (MP), Phoenix (PX), and Salt Lake City (SU) accounted for approximately 79 percent of all FBI Indian Country investigation closures during CY 2023. Table 3 lists by the total number of closed investigations by FBI division for CY 2023.

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Table 3: Number of Indian Country Criminal Investigations Closed, by FBI Division, CY 2023

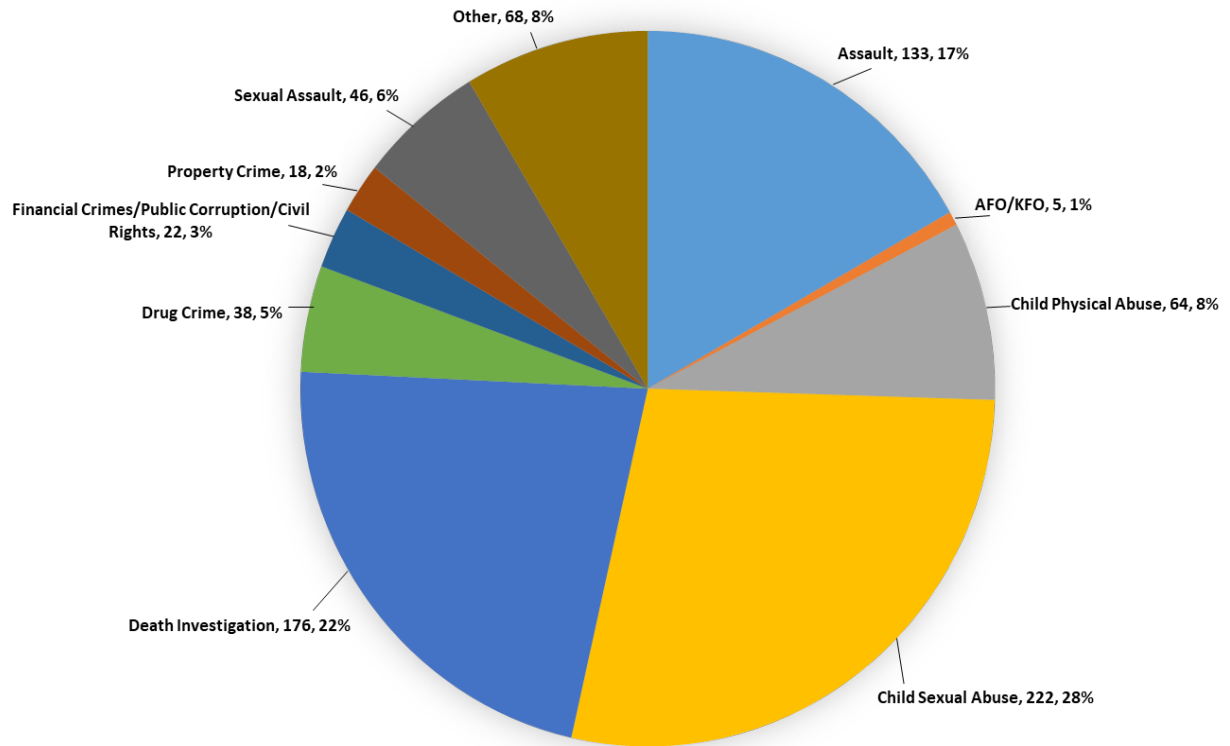
Division	Number of Cases Administratively Closed or Not Referred for Prosecution	Total Cases Closed
AN	1	1
AQ	62	122
AT	1	1
BS	1	1
CE	7	9
DE	35	47
DN	61	102
EP	1	2
IP	2	3
JK	1	1
JN	14	14
KC	1	2
LV	21	29
MM	8	9
MO	1	1
MP	363	501
MW	12	19
NH	1	1
NY	1	1
OC	529	853
OM	22	33
PD	26	43
PX	265	445
SA	0	1
SE	83	117
SF	3	4
SU	232	317
TP	1	2
Total	1,755	2,681

In 2023, the majority of administrative closures involved the categories of child sexual abuse (28 percent), death investigations (22 percent), and physical assaults (17 percent). 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 128 (or 73 percent) 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 below provides information on the types of Indian country criminal investigations administratively closed in CY 2023 by FBI division. Figure 2, that follows, illustrates the number and percent of Indian country criminal investigations in CY 2023 that were administratively closed by investigation type.

**Table 4: Types of Indian Country Criminal Investigations Administratively Closed,
by FBI Division, CY 2023**

Division	Assault	AFO/KFO	Child Physical Abuse	Child Sexual Abuse	Death Investigation	Drug Crime	Financial Crimes/ Public Corruption/Civil Rights	Property Crime	Sexual Assault	Other	Total
AN							1				1
AQ	2		3	8	10				2		25
BS				1							1
CE				3	1					1	5
DE				1		1	1			1	4
DN	6		3	7	5	4	2		3	1	31
EP				1							1
IP										1	1
JK	1										1
JN				2	1				1	1	5
KC									1		1
LV	3	1		2	1		1			1	9
MM	1						4	2		1	8
MO										1	1
MP	8		7	66	83	8	4	1	4	7	188
MW				1	1						2
NY	1										1
OC	26		45	54	10	1	2	6	3	11	158
OM	3			1	3				1		8
PD				5	3	2	2				12
PX	40	2	4	12	19	7		4	6	33	127
SE	11			14	4		1	1	6	1	38
SF					1		2				3
SU	31	2	2	44	34	15	1	4	19	8	160
TP							1				1
Total	133	5	64	222	176	38	22	18	46	68	792

Figure 2: Number and Percent of Indian Country Criminal Investigations Administratively Closed by Investigation Type, CY 2023



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For CY 2023, 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 2023.

Table 5: Status of Victim and Subject for Administratively Closed Cases, by FBI Division, CY 2023

Division	American Indian Victim	Non American Indian Victim	American Indian Subject	Non American Indian Subject	Unknown Victim/Subject [1]
AN			1		
AQ	20	2	16	1	5
BS	1		1		
CE	4		4	1	1
DE	3		1	1	1
DN	23	1	14	3	11
EP				1	1
IP				1	
JK		1			1
JN	3		3	1	2
KC	1		1		
LV	4	4	2	2	3
MM	6	1		3	3
MO		1			
MP	156	2	68	3	30
MW	1				2
NY					2
OC	98	10	87	13	90
OM	8		4		4
PD	8		5	3	2
PX	78	12	76	3	45
SE	31	1	24	3	15
SF			1	1	2
SU	138	2	106	8	20
TP	1			1	
Total	584	37	414	49	240

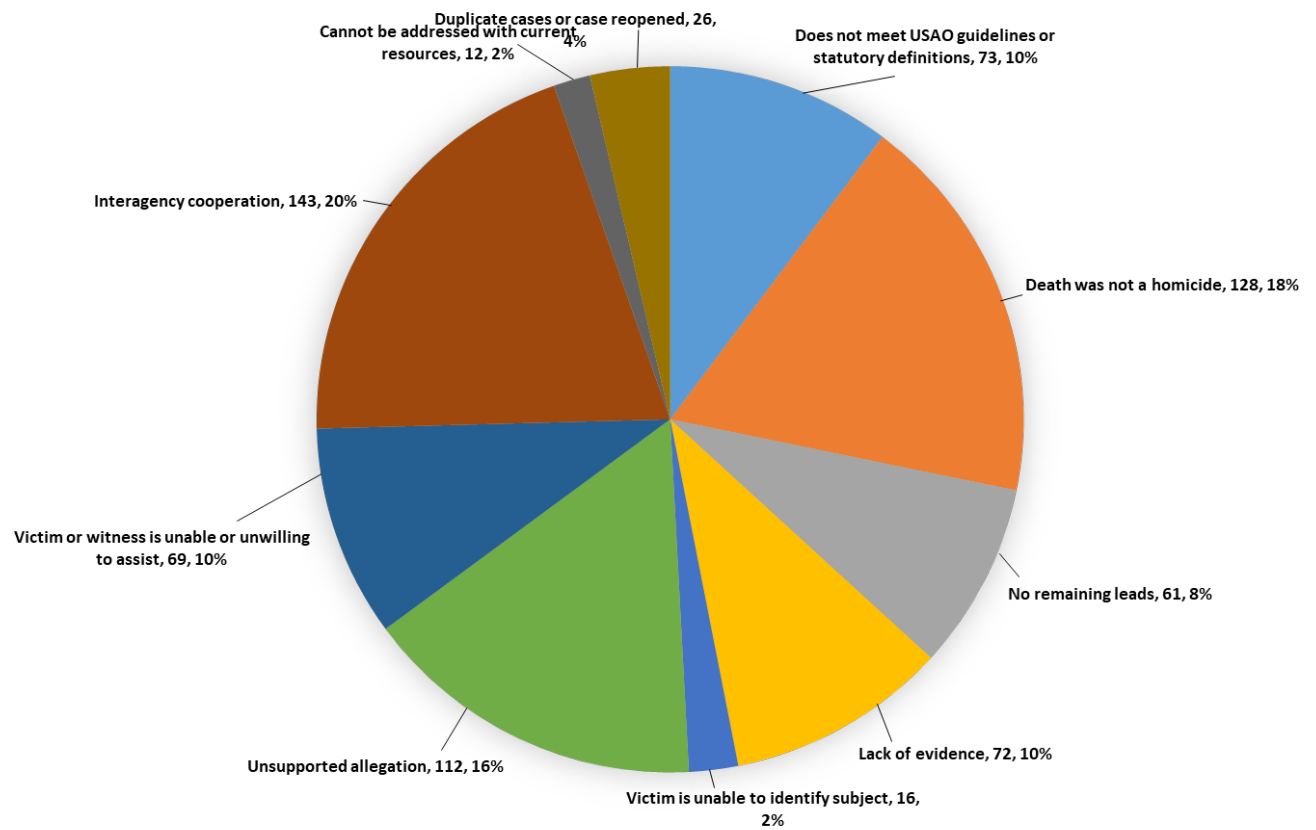
[1] These numbers represent a count of all victims and subjects, not a count of investigations. Some investigations may have multiple victims and/or subjects, while others may have not identified subjects (e.g., death investigations determined to be suicides). Investigations in which victim or subject status was not applicable (e.g., drug investigations) will not contribute to totals.

For CY 2023, in 403, or 51 percent, 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 128, or approximately 73 percent, of administratively closed death investigations, the investigation revealed the death was not a result of a homicide. In 143, or 18 percent, of investigations administratively closed, Tribal, state, or local law enforcement were the lead investigative agency. 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. Table 6 provides the investigative closure reasons for administratively closed cases by FBI Division in CY 2023. Figure 3 illustrates the number and percent of administratively closed cases by investigative closure reason in CY 2023.

Table 6: Investigative Closure Reasons for Administratively Closed Cases, by FBI Division, CY 2023

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
AN												1	1
AQ	1	2		3		3	1	11	1		3		25
BS				1									1
CE	1		1	1							1	1	5
DE			1	2								1	4
DN	2	5		6		5	5	1	1	1		5	31
EP				1									1
IP												1	1
JK						1							1
JN			3	1								1	5
KC								1					1
LV		1	6	1				1					9
MM		1		4				2				1	8
MO												1	1
MP	11	72	9	15	4	25	14	22	1	4	3	8	188
MW			1					1					2
NY												1	1
OC	18		16	5		45	3	46		14	1	10	158
OM		2	1		1			1		1		2	8
PD	1	2		2		3		1			1	2	12
PX	8	14	14	6	7	8	17	36	7	1	2	7	127
SE	2			6	2	2	9	3	1		3	11	39
SF			1									1	2
SU	29	29	8	17	2	20	20	17	1	5	7	5	160
TP				1									1
Total	73	128	61	72	16	112	69	143	12	26	21	59	792

Figure 3: Number and Percent of Administratively Closed Cases by Investigative Closure Reason, CY 2023



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Table 7 provides additional information on certain of violent crime investigations for CY 2023 administratively closed by the four Indian country FBI divisions with the largest Indian country caseloads.¹⁸ It lists the number of administratively closed investigations where the subject and victim status were identified. Information is omitted from this table if the subject or victim does not fit into one of the categories below or, if the subject was not identified, or the subject was a business.

Table 7: Violent Crimes Administratively Closed, Victim and Subject Status, by FBI Division, CY 2023

	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
MP	2	0	0		37	1	0
OC	10	4	0		17	2	0
PX	24	0	2		7	0	0
SU	23	2	1		32	2	1
Total	59	6	3		93	5	1

	Death Investigation ¹⁹				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
MP	4	1	0		2	0	0
OC	1	1	1		0	0	1
PX	3	0	0		4	0	0
SU	5	2	0		15	0	0
Total	13	4	1		21	0	1

¹⁸ Due to low frequencies, only investigations from these four Divisions (responsible for 79 percent of all cases) concerning the top four violent crimes are represented. As previously noted, this data does not include alleged crimes within these categories that were investigated solely by BIA or other federal law enforcement agencies.

¹⁹ 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.

IV. Executive Office for United States Attorneys TLOA Report

The United States is committed to upholding its trust responsibility to federally recognized Tribes, as evidenced by the Department's prioritization of public safety in Indian country. Indian country prosecutions, particularly violent crime prosecutions, are of great importance for the 52 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 USAOs 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. 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, including declination information between federal and Tribal partners; law enforcement coordination in investigations; victim advocacy; addressing unsolved cases, including missing or murdered persons; training and outreach; combating violence against women; addressing drug trafficking and substance use disorder in Tribal communities; 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 play a critical and multi-faceted role in the USAOs' efforts in Indian country. In addition to prosecuting cases, they often coordinate with federal and Tribal law enforcement officials 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 like that of a local assistant district attorney and are accessible to Tribal communities 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)²⁰ by addressing the need for skilled, committed prosecutors working on the ground in Indian country. Tribal Liaisons work with Tribes in organizing multi-disciplinary teams (MDTs), comprised of federal, state, and Tribal subject matter experts, that primarily address child abuse, domestic assault cases. In addition, Tribal

²⁰ 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 over non-Indian perpetrators of specifically delineated crimes. *See* 25 U.S.C. § 1304.

Liaisons perform outreach in Tribal communities to educate Tribal members on various issues involving substance abuse and violent offenses in an effort to reduce crime. They also 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 develop inter-agency law enforcement taskforces. They 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 often assist with prosecution efforts in Indian country to ensure the Department honors its trust responsibility to Tribes. Table 8 below contains a list of the 52 USAOs with Indian country responsibilities.

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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 Nebraska	NE
Southern District of Alabama	ALS	District of Nevada	NV
District of Alaska	AK	District of New Mexico	NM
District of Arizona	AZ	Eastern District of New York	NYE
Central District of California	CAC	Northern District of New York	NYN
Eastern District of California	CAE	Western District of New York	NYW
Northern District of California	CAN	Western District of North Carolina	NCW
Southern District of California	CAS	District of North Dakota	ND
District of Colorado	CO	Eastern District of Oklahoma	OKE
District of Connecticut	CT	Northern District of Oklahoma	OKN
Middle District of Florida	FLM	Western District of Oklahoma	OKW
Southern District of Florida	FLS	District of Oregon	OR
District of Idaho	ID	District of Rhode Island	RI
Northern District of Illinois	ILN	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

Communication, collaboration and coordination between federal and Tribal partners are paramount to enhancing public safety in Indian country. One program that has been helpful in cultivating these relationships and communication is the Tribal Special Assistant United States Attorney (SAUSA) Initiative supported by grants from the Department's Office on Violence Against Women. The goal of the initiative 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 Decisions: 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.

In Indian country, in general, such decisions occur after communication and coordination with federal and Tribal law enforcement partners.

Referrals to a USAO: A referral occurs when a law enforcement agency seeks the 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 USAO determines it would be more appropriate for the other jurisdiction to prosecute the offense, and in the context of this report, it 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. For the purpose of this report, 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:²¹

Child Abuse Referral: The biological father of a child reported to police that his six-year-old child was injured during a visit with the child’s biological mother, who was divorced and living separately from the father. The child had a black eye after a visit with the mother. Law enforcement interviewed the biological mother, who reported that the six-year-old was hit by a baseball during a game in her backyard with the neighborhood kids. The child substantiated the mother’s description of the events. The case was immediately declined because insufficient evidence existed to prove that the biological mother intentionally harmed the child.

Assault Referral: A woman reported to police that she was punched by her friend at a recent party, which resulted in the woman sustaining a black eye and fractured nose. Investigators interviewed those that attended the party and discovered that the woman was intoxicated and tripped over a firepit and fell hitting her face on a large rock during the party. The party goers, including the woman’s friend, tended to her wounds and drove her to the hospital. Additionally, the incident was caught on a phone camera owned by one of the witnesses, which corroborated the events as stated by the party goers. 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:²²

Assault with a Dangerous Weapon Referral: An individual was driving down the road when his car was hit by a bullet. There was only one house in the area, and it appeared to the driver of the vehicle that a person went into the house carrying a possible rifle after the shot. A case was opened by the USAO. After further investigation, it was determined that the individual at the home had a rifle, but it was not the same caliber of the shot that hit the car. It was later determined that the bullet that hit the car was from an errant shot taken lawfully by a hunter. The case was declined because the prosecutor determined that there was no evidence to substantiate a federal crime.

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.

²¹ These examples represent actual matters.

²² 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."²³ However, Section 212(c) also provides that reports and information obtained during a criminal investigation may be shared with the Tribe.²⁴ 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.

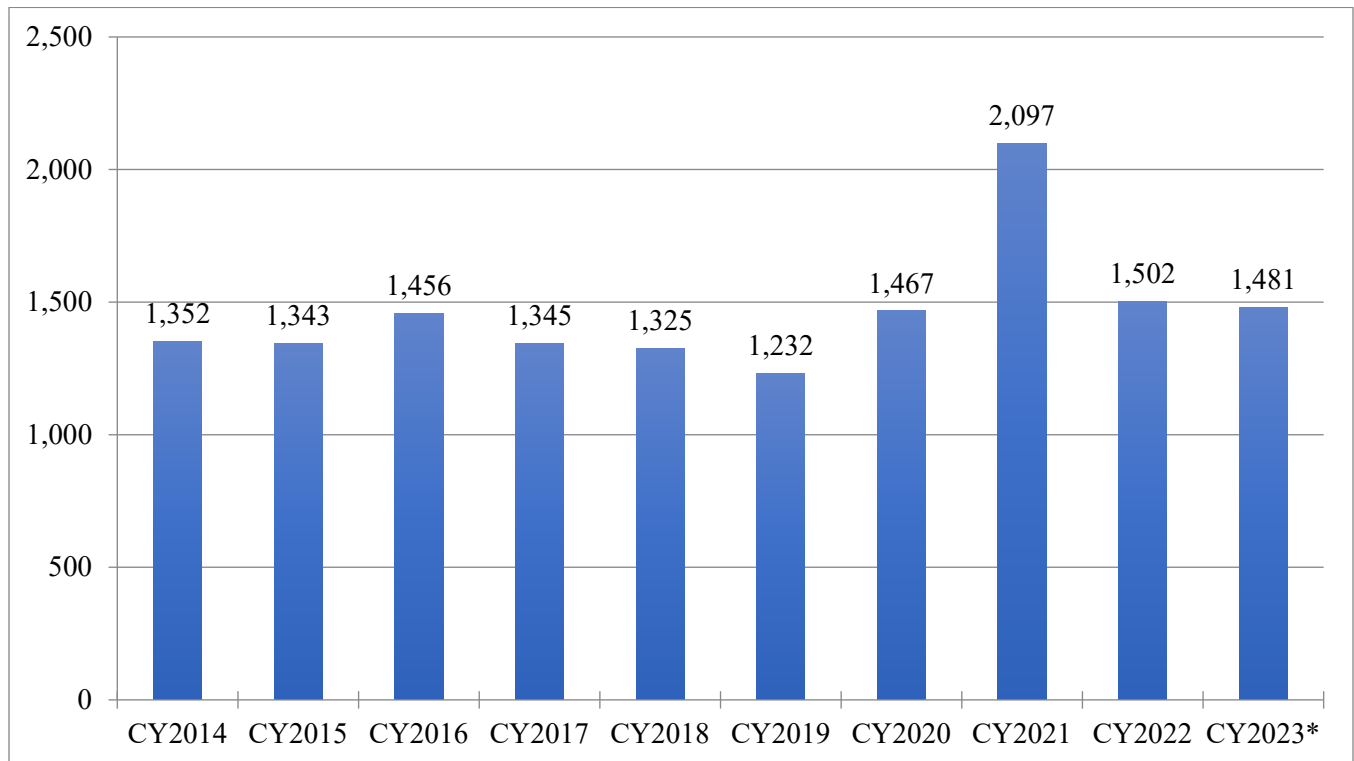
Two program categories within the USAOs' case management system are relevant to Indian country cases for the purposes of this report: (1) "Violent Crime in Indian Country," which is used to identify violent offenses that occur in Indian country, such as assaults, homicides, and sexual abuse cases; and (2) "Indian Offenses," which is used to identify nonviolent offenses occurring in Indian country, such as theft, fraud, and nonviolent drug offenses.

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²³ See 25 U.S.C. § 2809(c)(1).

²⁴ See 25 U.S.C. § 2809(a)(1).

Figure 4: Defendants Filed in District Court - Indian Country Program Categories, CY 2014-CY 2023



*October through December 2023 is part of Fiscal Year 2024. Fiscal Year 2024 data is subject to change through September 30, 2024.

As discussed above, Tribal Liaisons and other AUSAs play a critical role in prosecuting violent crimes, including sexual assault and domestic violence. In CY 2023, federal prosecutors filed cases against 123 defendants (a decrease of 10 percent from CY 2022 (137 defendants)) under VAWA 2013's enhanced federal assault statutes²⁵ and obtained 106 convictions (an increase of 9 percent from CY 2022 (97)). Prosecutors also filed Indian country cases against 24 defendants using the domestic assault by habitual offender statute, 18 U.S.C. § 117, and separately, obtained 9 convictions under this statute.

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

Assault Resulting in Serious Bodily Injury and Assault Resulting in Substantial Bodily Injury of an Intimate Partner: Ryan Niles Ameelyenah, an enrolled member of the Colorado River Indian Tribes, assaulted an intimate partner, causing her to sustain serious and substantial bodily injury. In August 2023, a jury convicted Ameelyenah of Assault Resulting in Serious Bodily Injury (count one) and Assault Resulting in Substantial Bodily Injury of an Intimate Partner (count two) by a jury in August 2023. In December 2023, he was sentenced to 120 months in prison on count one and 60 months in prison on count two, to run concurrently, followed by three years of supervised release.

²⁵ 18 USC § 113(a)(4), (7), and (8).

Assault Resulting in Serious Bodily Injury: Following an August 2023 trial where he was found guilty of assaulting his girlfriend, Maron Brent Graybael, Jr., was sentenced to 40 months in federal prison and three years of supervised release in November 2023. According to court documents, in May 2023, Graybael Jr. became angry at his girlfriend, grabbed her by her hair, and punched her more than ten times with a closed fist in her abdomen. After the woman fell to the ground, Graybael Jr. kicked her, grabbed her by her hair again, and slammed her head into the ground multiple times. He then left the woman, seriously injured, lying in her driveway on the Warm Springs Indian Reservation, and walked away. After several minutes, the woman called 911 to report her own assault and injuries. Police responded and she was transported to a local hospital.

The Department works closely with federal and Tribal law enforcement, particularly in the context of addressing violence against women in Indian country. 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. Thus, in many instances, Tribes and the federal government may have concurrent jurisdiction over these crimes. In her memorandum regarding Public Safety in Indian Country from July 2022, Deputy Attorney General Lisa Monaco reiterated that violence against women, youth, and children in Tribal communities is a Department priority. Noting that "in many cases, Tribes exercise criminal jurisdiction over certain offenses committed by non-Indians pursuant to VAWA, as well as enhanced sentencing authority pursuant to the Tribal Law and Order Act (TLOA)," she directed AUSAs to "work closely with Tribal partners to support the exercise of this authority, including through the Special Tribal Criminal Jurisdiction recognized in the 2022 reauthorization of VAWA."

Specifically, the reauthorization of VAWA in 2022 amended 25 U.S.C. § 1304 to give Tribal prosecutors the ability to prosecute multiple crimes delineated in the statute, including domestic violence, dating violence, and violations of protection orders that occur on Tribal land, regardless of whether the offender is Indian or non-Indian, provided that those Tribes afford certain rights to defendants in Tribal cases, as required by VAWA 2013/2022. Further, TLOA amended the Indian Civil Rights Act to permit Tribes to exercise enhanced sentencing authority if certain prerequisites are satisfied,²⁶ permitting Tribes to impose a sentence of no more than three years of imprisonment and a \$15,000 fine for any single offense; however, 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."²⁷ If a Tribe does not comply with TLOA's prerequisites for enhanced sentencing, a Tribe may not impose any penalty or punishment for a single offense that falls within special Tribal criminal jurisdiction greater than imprisonment for a term of one year and a \$5,000 fine. The Department, along with BIA, continues to assist Tribes with implementation of TLOA's 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

²⁶ 25 U.S.C. § 1302.

²⁷ 25 U.S.C. § 1302(a)(7)(D).

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 sentence information.

"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 the USAO agrees to accept a matter and, following further investigation or consultation with the assigned AUSA, it 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. Indeed, many districts hold meetings to review Indian country cases with Tribal and federal 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, anticipated this collaboration and coordination, and 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."²⁸ As noted above, TLOA's passage, with its enhanced sentencing authority for qualifying Tribal courts, allows more cases to be referred to Tribal courts for prosecution. These referrals are typically made 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.

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

²⁸ See <http://www.justice.gov/dag/dag-memo-indian-country.html>.

handle.²⁹ As noted above, two program category codes are particularly relevant to Indian country cases.³⁰ 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 relevant to the case.

Limitations of 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 law enforcement referrals; this information suggests the referrals appear in the prior year's data. Further, certain data points, such as dispositions, 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 for the period of January 1 through December 31, 2023 (CY 2023).

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²⁹ 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.

³⁰ “Violent Crime in Indian Country” identifies violent offenses that occur in Indian country, such as assaults, homicides, and sexual abuse cases. “Indian Offenses” identifies nonviolent offenses occurring in Indian country, such as fraud and nonviolent drug offenses.

Table 9: Number of Suspects in Indian Country Referred to a Different Jurisdiction by Types of Crime, CY 2023

District	Assault	Homicide	Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure Offender	Drug, Alcohol and Other Offenses	Financial Crimes/Public Corruption/Fraud	Jurisdictional, Procedural, Penalty or State Statute	Total
ALASKA	0	0	1	9	1	1	12
ARIZONA	12	3	1	4	0	0	20
COLORADO	1	0	0	0	0	0	1
IOWA NORTHERN	0	0	1	0	0	0	1
IDAHO	0	0	0	1	0	0	1
MICHIGAN EASTERN	3	0	2	0	0	0	5
MICHIGAN WESTERN	1	0	0	0	0	2	3
MINNESOTA	0	0	3	1	0	0	4
MONTANA	4	0	3	2	10	0	19
NORTH DAKOTA	1	2	8	0	0	0	11
NEBRASKA	0	0	1	0	1	0	2
NEW MEXICO	2	0	1	0	1	0	4
NEVADA	1	1	0	0	0	0	2
OKLAHOMA EASTERN	253	18	81	121	83	77	633
OKLAHOMA NORTHERN	95	14	58	32	26	30	255
OKLAHOMA WESTERN	2	0	0	2	0	3	7
SOUTH DAKOTA	2	0	0	0	0	2	4
TEXAS NORTHERN	0	0	0	0	0	1	1
WASHINGTON WESTERN	0	0	2	0	0	0	2
WISCONSIN EASTERN	3	0	0	0	1	0	4
TOTAL	380	38	162	172	123	116	991

Table 10: Indian Status of Suspects and Victims in Matters Referred to a Different Jurisdiction, CY 2023*

	Suspects Referred, Indian	Suspects Referred, Non Indian	Victims in these Matters, Indian	Victims in these Matters, Non Indian
Financial Crimes/Public Corruption/Fraud	91	32	7	17
Drug, Alcohol, and Other Offenses	136	35	15	12
Assault	297	81	69	99
Homicide	16	21	15	10
Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	89	71	64	29
Jurisdictional, Procedural, Penalty, or State Statute	88	26	4	33

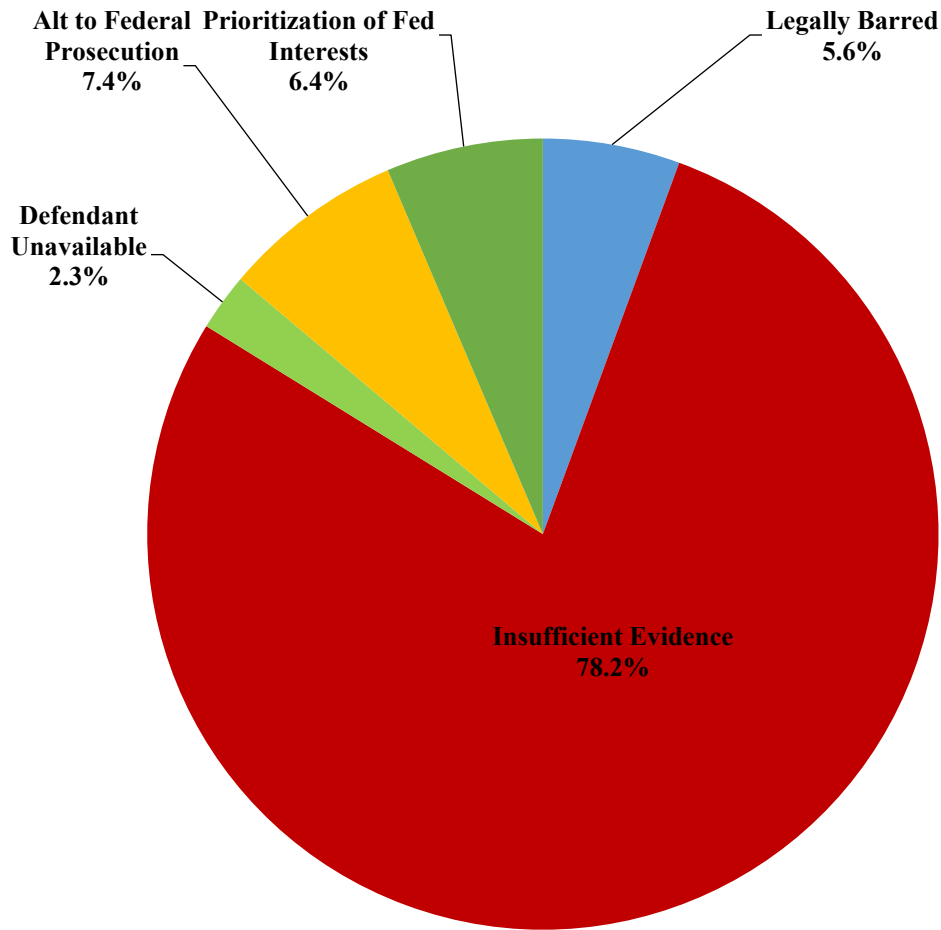
*There were 19 suspects/victims where the matter was not referred to a different jurisdiction because the co-suspect was still under investigation or had charges filed against them in court.

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Table 11: Number of Suspects in Indian Country Declinations, CY 2023

District	Legally Barred	Insufficient Evidence	Defendant Unavailable	Alternative to Federal Prosecution	Prioritization of Federal Interests	Total
ALASKA	0	31	1	3	2	37
ARIZONA	3	157	2	1	6	169
CALIFORNIA NORTHERN	0	4	0	0	0	4
COLORADO	0	10	0	4	1	15
FLORIDA MIDDLE	0	0	0	0	1	1
IOWA NORTHERN	0	0	0	1	1	2
IDAHO	0	11	0	4	0	15
INDIANA NORTHERN	0	2	0	0	0	2
MAINE	0	1	0	0	0	1
MICHIGAN EASTERN	0	16	1	0	0	17
MICHIGAN WESTERN	0	27	0	0	0	27
MINNESOTA	3	32	0	4	3	42
MISSISSIPPI NORTHERN	0	2	0	0	0	2
MISSISSIPPI SOUTHERN	0	1	0	0	0	1
MONTANA	2	47	1	1	3	54
NORTH DAKOTA	3	28	1	0	4	36
NEBRASKA	0	24	0	4	0	28
NEW MEXICO	4	60	5	0	1	70
NEVADA	0	14	0	1	0	15
OKLAHOMA EASTERN	22	73	5	0	15	115
OKLAHOMA NORTHERN	17	114	4	26	18	179
OKLAHOMA WESTERN	1	9	2	15	3	30
OREGON	0	6	0	1	0	7
SOUTH DAKOTA	0	56	0	6	0	62
TEXAS NORTHERN	0	2	0	0	0	2
UTAH	0	2	0	0	0	2
WASHINGTON EASTERN	0	8	0	0	5	13
WASHINGTON WESTERN	0	19	1	1	0	21
WISCONSIN EASTERN	0	5	0	1	0	6
WYOMING	0	7	0	0	0	7
TOTAL	55	768	23	73	63	982

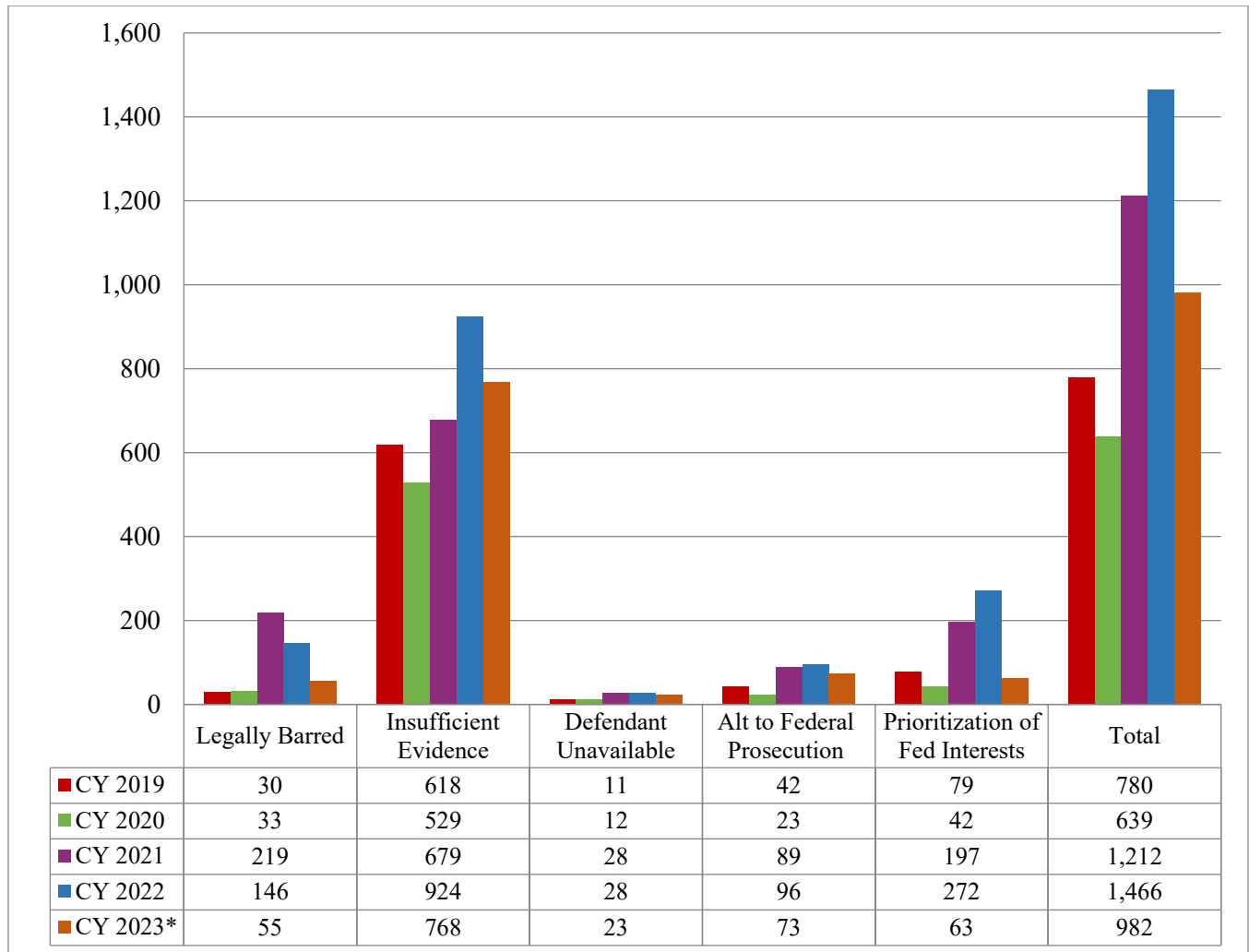
Figure 5: Declinations by Reason in Indian Country Crimes, CY 2023



As demonstrated in Figure 5 above, most declined cases for CY 2023 were declined due to insufficient evidence. This category may include, but is not limited to, lack of evidence of criminal intent; limited admissible evidence; lack of witness cooperation, reliability, or availability; lack of forensic evidence; and/or lack of appropriate law enforcement resources to sustain a charge. Figure 6 below compares declination categories for CY 2019 through CY 2023 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.³¹ However, if additional evidence is presented later, the matter may be reopened (subject to statutes of limitation) and prosecuted.

³¹ See Justice Manual § 9-27.200 cmt. (setting forth “the longstanding threshold requirement from the Principles of Federal Prosecution that a prosecutor may commence or recommend federal prosecution only if he/she believes that the person will more likely than not be found guilty beyond a reasonable doubt by an unbiased trier of fact and that the conviction will be upheld on appeal”).

Figure 6: Declination Reasons in Indian Country Crimes, CY 2019 – 2023



*October through December 2023 is part of Fiscal Year 2024. Fiscal Year 2024 data is subject to change through September 30, 2024.

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 2023 Indian country matters declined (as designated by the appropriate Indian country 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.³²

³² Appendix B provides a complete list of all lead investigative charges used in CY 2023, as assigned to one of the six categories created for purposes of this report.

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.

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Table 12: Number of Suspects in Indian Country Declinations by Type of Crimes, CY 2023

Districts	Assault	Homicide	Sexual Assault (Child and Adult), Sexual Exploitation and Failure to Register as a Sex Offender	Drug, Alcohol and Other Offenses	Financial Crimes/Public Corruption/Fraud	Jurisdictional, Procedural, Penalty or State Statute	Total
ALASKA	0	0	2	21	10	4	37
ARIZONA	51	38	58	14	2	6	169
CALIFORNIA NORTHERN	0	0	0	0	4	0	4
COLORADO	9	1	2	2	0	1	15
FLORIDA MIDDLE	0	0	0	0	0	1	1
IOWA NORTHERN	0	0	0	0	2	0	2
IDAHO	4	0	8	1	0	2	15
INDIANA NORTHERN	1	0	0	1	0	0	2
MAINE	0	0	0	1	0	0	1
MICHIGAN EASTERN	4	1	6	1	5	0	17
MICHIGAN WESTERN	10	0	9	4	1	3	27
MINNESOTA	9	4	10	12	1	6	42
MISSISSIPPI NORTHERN	0	0	0	1	0	1	2
MISSISSIPPI SOUTHERN	0	0	1	0	0	0	1
MONTANA	9	3	17	20	0	5	54
NORTH DAKOTA	10	1	15	8	1	1	36
NEBRASKA	17	0	1	1	3	6	28
NEW MEXICO	21	9	28	6	2	4	70
NEVADA	6	2	4	3	0	0	15
OKLAHOMA EASTERN	42	16	23	15	15	4	115
OKLAHOMA NORTHERN	47	9	54	47	14	8	179
OKLAHOMA WESTERN	6	0	4	8	1	11	30
OREGON	1	0	3	0	3	0	7
SOUTH DAKOTA	17	8	26	4	4	3	62
TEXAS NORTHERN	1	0	1	0	0	0	2
UTAH	0	2	0	0	0	0	2
WASHINGTON EASTERN	6	3	2	1	0	1	13
WASHINGTON WESTERN	4	1	6	0	7	3	21
WISCONSIN EASTERN	1	1	2	2	0	0	6
WYOMING	0	5	2	0	0	0	7
TOTAL	276	104	284	173	75	70	982

Figure 7: Indian Country Declinations by Crime Type, CY 2023

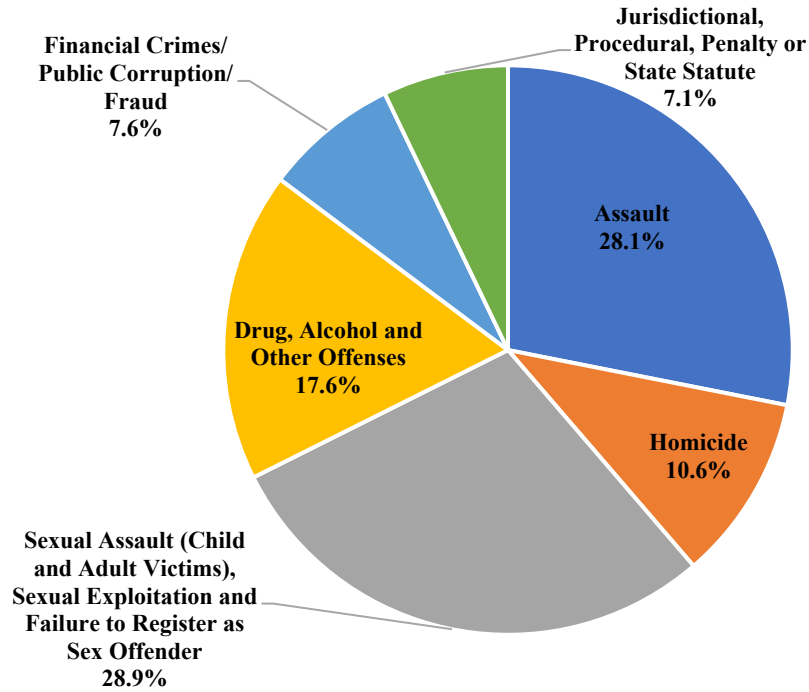


Table 13: Indian Country Suspects Declined by Type of Crime and Declination Reason, CY 2023

	Legally Barred	Insufficient Evidence	Defendant Unavailable	Alternative to Federal Prosecution	Prioritization of Federal Interests	Total
Assault	10	211	8	24	23	276
Drug, Alcohol, and Other Offenses	12	135	2	12	12	173
Financial Crimes/Public Corruption/Fraud	10	41	3	10	11	75
Homicide	5	94	1	1	3	104
Sexual Assault (Child and Adult Victims)	6	247	8	15	8	284
Jurisdictional, Penalty, or State Statute	12	40	1	11	6	70
Total	55	768	23	73	63	982

In 2023, the majority (68 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 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 248 Indian country matters resolved in CY 2023. This number includes 62 declinations and 4 referrals previously reported in Tables 9, 11 and 12. It also includes an additional 182 Indian country matters that the USAO resolved in CY 2023 by federal prosecution.

Similarly, for all districts combined, 3,753 Indian country matters were resolved in CY 2023. This number includes the 982 declinations reported in Tables 11 and 12. It also includes 1,780 matters in Indian country that were resolved in CY 2022 by federal prosecution, and the 991 Indian country matters referred to another jurisdiction for prosecution reported on Table 9.

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Table 14: Total Indian Country (IC) Matters Resolved by USAO, CY 2023

District	IC Matters Resolved	IC Declinations	IC Matters Referred to Different Jurisdiction	IC Matters Resolved Other than by Federal Declination or Referral
ALASKA	109	37	12	60
ALABAMA MIDDLE	1	0	0	1
ARIZONA	626	169	20	437
CALIFORNIA NORTHERN	4	4	0	0
COLORADO	30	15	1	14
DISTRICT OF COLUMBIA	1	0	0	1
FLORIDA MIDDLE	1	1	0	0
FLORIDA SOUTHERN	1	0	0	1
IOWA NORTHERN	7	2	1	4
IDAHO	30	15	1	14
INDIANA NORTHERN	2	2	0	0
KANSAS	1	0	0	1
MAINE	1	1	0	0
MICHIGAN EASTERN	29	17	5	7
MICHIGAN WESTERN	48	27	3	18
MINNESOTA	91	42	4	45
MISSISSIPPI NORTHERN	2	2	0	0
MISSISSIPPI SOUTHERN	14	1	0	13
MONTANA	193	54	19	120
NORTH CAROLINA WESTERN	9	0	0	9
NORTH DAKOTA	174	36	11	127
NEBRASKA	47	28	2	17
NEW JERSEY	2	0	0	2
NEW MEXICO	169	70	4	95
NEVADA	19	15	2	2
OKLAHOMA EASTERN	868	115	633	120
OKLAHOMA NORTHERN	715	179	255	281
OKLAHOMA WESTERN	104	30	7	67
OREGON	26	7	0	19
SOUTH DAKOTA	248	62	4	182
TEXAS NORTHERN	3	2	1	0
TEXAS SOUTHERN	19	0	0	19
TEXAS WESTERN	1	0	0	1
UTAH	23	2	0	21
WASHINGTON EASTERN	57	13	0	44
WASHINGTON WESTERN	30	21	2	7
WISCONSIN EASTERN	17	6	4	7
WISCONSIN WESTERN	2	0	0	2
WYOMING	29	7	0	22
ALL DISTRICTS	3,753	982	991	1,780

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.

Table 15: Indian Status of Suspects and Victims in Declined Indian Country Matters, CY 2023*

	Suspects Declined, Indian	Suspects Declined, Non Indian	Victims in these Matters, Indian	Victims in these Matters, Non Indian
Financial Crimes/Public Corruption/Fraud	21	54	18	12
Drug, Alcohol, and Other Offenses	91	78	38	26
Assault	189	76	162	88
Homicide	58	43	57	25
Sexual Assault (Child and Adult Victims), Sexual Exploitation and Failure to Register as Sex Offender	204	76	185	51
Jurisdictional, Procedural, Penalty, or State Statute	36	31	25	11

*There were 25 suspects and 23 victims where the matter was not declined because a co-suspect was 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 2023. Below are examples of convictions that had a significant impact on their communities.

U.S. v. Everett Paquin (District of New Mexico): On January 6, 2023, Everett Paquin was sentenced to four years and nine months in prison followed by three years of supervised release for assault and firearms convictions. According to court records, Paquin assaulted his then-girlfriend, identified as Jane Doe, at his home on the Pueblo of Isleta. Paquin admitted to pushing, slapping, punching, and kicking the victim, as well threatening and injuring her with a utility knife. During the assault, Paquin would not allow the victim to leave and repeatedly threatened her and her family with harm and death. Jane Doe is also an enrolled member of the Pueblo of Isleta. At the time of the assault, Paquin possessed a loaded shotgun in his home. As a convicted felon, Paquin could not legally possess a firearm or ammunition.

U.S. v. Saunders Jackson (District of North Dakota): In October 2022, Saunders Jamel Jackson, of Fort Totten, ND, was convicted of Aggravated Sexual Abuse of a Child and two counts of Sexual Abuse of a Minor. According to court records, Jackson sexually abused a 14-year-old victim in 2020. As the investigation progressed, it was discovered that Jackson sexually abused two additional child victims, one 15 years of age at the time of the abuse and the other between

the ages of 9 and 12 at the time of the abuse. Not only did Jackson sexually abuse the children, but he also provided and sometimes injected them with methamphetamine. In January 2023, Jackson was sentenced to a total of 27 years in prison followed by 25 years of supervised release.

U.S. v. Wade Platero (District of New Mexico): On December 8, 2023, Wade Platero was sentenced to 20 years in prison for the sexual abuse of a minor followed by 15 years of supervised release. According to court records, officers from the Navajo Police Department responded to a domestic violence call at a residence in Cove, Arizona. Subsequently, one of the parties accused Platero of sexually assaulting a 12-year-old girl, Jane Doe, that was in his care. During a subsequent interview, Jane Doe disclosed to forensic interviewers that Platero had begun assaulting her when she was nine years old, and the incidents had continued until the day of the domestic violence incident. Jane Doe also stated that she was scared for her younger sister's safety. When questioned by police, Platero attempted to justify his actions by saying that Jane Doe had made advances to him in the past. At the time, Platero was more than twice the 12-year-old's age and in his mid-20s.

U.S. v. Jevon McLeod, et al. (District of South Dakota): Jevon McLeod ran a fentanyl pill distribution ring in the Sisseton, SD area from approximately 2021 - 2022. During that time, he obtained pills from outside the state and distributed them to customers and other dealers. McLeod and his co-conspirators were responsible for distributing approximately 29,000 pills throughout the state. McLeod pleaded guilty to Conspiracy to Distribute Fentanyl, and in March 2023, he was sentenced to 40 years in federal prison, followed by four years of supervised release. McLeod's co-defendants were sentenced between March and October of 2023. Specifically, Daren Lee Basche was sentenced to nine years and seven months in federal prison, followed by four years of supervised release; Tiarah Grace Bissonette was sentenced to four years and nine months in federal prison, followed by four years of supervised release; and Trey Byron Petrich was sentenced to 12 years and seven months in federal prison, followed by four years of supervised release.

U.S. v. Anthony Red Elk (District of South Dakota): Law enforcement received a report that Anthony Red Elk had sexually molested a male relative in 2020. The investigation revealed that Red Elk sexually assaulted another female relative over the course of more than a decade. Red Elk sexually assaulted the victim when she was ten years old, while she babysat Red Elk's child in his home. Red Elk then sexually abused the same female in 2018 and again in 2019 at Wamblee, SD, after she had reached the age of 18. Red Elk threatened the victim not to tell anyone and taunted her, saying no one would believe her if she did come forward. Red Elk previously worked at the Crazy Horse School in Wamblee as a basketball coach, bus driver, and custodian. He also worked in a juvenile detention facility. In January 2019, he was fired from the Crazy Horse School for sending sexually explicit Facebook messages to a student. In July 2023, Red Elk was convicted by a jury of all charges concerning the female victim. In December 2023, Red Elk was sentenced to three life terms in federal prison.

U.S. v. Joseph Turrey (Western District of Washington): On August 21, 2023, Joseph Turrey, a member of the Lower Elwha S'Klallam Tribe, was sentenced to 34 years in prison for nine federal crimes related to the sexual abuse of minors. Turrey was convicted of the offenses following a seven-day jury trial in March 2023. According to court records, in 2021, three

victims disclosed abuse by Turrey that occurred between 2008 and 2016 on Tribal land. Two of the victims were as young as six and seven years old when the sexual abuse began. Turrey had served the Lower Elwha S’Klallam Tribe as a police officer and was a former member of the Tribal Council.

V. Savanna’s Act Reporting

On October 10, 2020, the President signed Savanna’s Act (Act) into law. The purposes of the Act are:

- (1) to clarify the responsibilities of Federal, State, Tribal, and local law enforcement agencies with respect to responding to cases of missing or murdered Indians;
- (2) to increase coordination and communication among Federal, State, Tribal, and local law enforcement agencies, including medical examiner and coroner offices;
- (3) to empower Tribal governments with the resources and information necessary to effectively respond to cases of missing or murdered Indians; and
- (4) to increase the collection of data related to missing or murdered Indian men, women, and children, regardless of where they reside, and the sharing of information among Federal, State, and Tribal officials responsible for responding to and investigating cases of missing or murdered Indians.³³

Section 6(a) of the Act requires the Attorney General to incorporate in the Department’s annual Indian Country Investigations and Prosecutions report to Congress information that—

- (1) includes known statistics on missing Indians in the United States, available to the Department of Justice, including—
 - (A) age
 - (B) gender;
 - (C) Tribal enrollment information or affiliation, if available;
 - (D) the current number of open cases per State;
 - (E) the total number of closed cases per State each calendar year, from the most recent 10 calendar years; and
 - (F) other relevant information the Attorney General determines is appropriate.
- (2) includes known statistics on murdered Indians in the United States, available to the Department of Justice, including—
 - (A) age;
 - (B) gender;
 - (C) Tribal enrollment information or affiliation, if available;
 - (D) the current number of open cases per State, if available;

³³ 25 U.S.C. §5701.

- (E) the total number of closed cases per State each calendar year, from the most recent 10 calendar years;
- (F) other relevant information the Attorney General determines is appropriate.³⁴

A. Missing Persons Data

During the 2023 calendar year, 563,389 missing person records were entered into the National Crime Information Center (NCIC). Of that total, 10,650 of those entries³⁵ were for missing American Indian/Alaska Native (AI/AN)³⁶ persons. These statistics are similar to those reported in CY 2022, which reported 546,568 missing persons records entered into NCIC, and 10,123 entries for missing AI/AN persons.

For CY 2023, according to the NCIC, the total missing AI/AN person records³⁷ that were closed³⁸ was 10,626. These closed records do not strictly represent AI/AN missing person entries made during CY 2023, but at any point in time, because a missing person record will remain active in the NCIC until a law enforcement agency locates the subject, the individual returns home, or the record must be removed by the entering agency due to a determination that the record is invalid.

In support of Savanna's Act (Sec 6 (a)(1)(A, B, D, and E), the charts below represent known statistics on missing AI/AN in the United States based on age and gender³⁹ and show the current number of active missing person records per state maintained in the NCIC as of December 31, 2023. Due to minimal reporting, Tribal affiliation (Sec 6 (a)(1)(C)) is unavailable.

Data Limitations

The FBI manages the NCIC system, which houses criminal justice information available to law enforcement and criminal justice agencies nationwide. The goal of the NCIC system is to assist law enforcement in apprehending fugitives, locating missing persons, and identifying stolen property. Its purpose also includes providing information on gangs, domestic and international terrorists, and individuals who pose a physical threat to law enforcement and criminal justice personnel. In most cases, the data is voluntarily reported to NCIC by local, state, Tribal, territorial, and federal law enforcement. The information found in this section pertains only to missing persons reported into NCIC; however, it may not include information on all missing persons nationwide. Law enforcement agencies are required

³⁴ 25 U.S.C. § 5705.

³⁵ **Entries** are incidents of a person going missing, not the number of people who went missing. If a person goes missing more than once in a year, they could be entered into NCIC multiple times.

³⁶ As defined by the U.S. Office of Management and Budget (OMB), a person having origins in any of the original peoples of North, Central, and South America who maintains Tribal affiliation or community attachment.

³⁷ **Records** are created from NCIC entries, one record per individual.

³⁸ A record is **closed** when an individual is found or returns home, or law enforcement determines the record was invalid. The end-of-year active record count is the total number of AI/AN missing persons in the NCIC Missing Person File at the end of a year, regardless of when the information was entered.

³⁹ While Savanna's Act requires reporting on gender data, NCIC only maintains biographic data related to gender in the form of "sex", defined in NCIC as female, male, or unknown.

to enter incidents of missing persons under age 21 to the NCIC Missing Person file, but there is not a similar requirement for adults who go missing; therefore, data on missing adults may not be fully captured.

As required by the Crime Control Act of 1990, the FBI publishes an annual report related to Missing Person and Unidentified Person statistics. That report is publicly available on the FBI's public facing website at <https://www.fbi.gov/file-repository/2022-ncic-missing-person-and-unidentified-person-statistics.pdf/view>.

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Table 16: Active Missing AI/AN Females by Age and State Through December 31, 2023

Female						
State	0-12	13-17	17-20	21-Over	Unknown	Total
AK	2	6	1	53		62
AL		1	2	1		4
AR				1		1
AZ	1	32	5	43		81
CA	2	14	3	53		72
CO	1	3		2		6
CT				1		1
FL		1		3		4
GA				1		1
HI				1		1
IA		2		2		4
IL		3	1			4
IN				1		1
KS		1				1
MA				1		1
MD		1				1
ME				1		1
MI		4		1		5
MN	1	13		16		30
MS				2		2
MT	1	9	2	10		22
NB		6	2	5		13
NC	1	3	2	14		20
ND		9	2	4		15
NJ				2		2
NM	1	15	4	33		53
NV		1	2	1		4
NY		2	2	4		8
OK	1	22	2	15		40
OR		9	1	4		14
PA			3	1		4
RI		1				1
SC		1		2		3
SD	2	30	5	12		49
TN			1	1		2
TX		1		6		7
UT		3	3	22	1	29
VT		1	1			2
WA	1	27	5	40		73
WI		6		2		8
WY		4				4
National Total	14	231	49	361	1	656

Table 17: Active Missing AI/AN Males by Age and State Through December 31, 2023

Male						
State	0-12	13-17	17-20	21-Over	Unknown	Total
AK		6	3	265		274
AL		1	1			2
AR			1	2		3
AZ	2	34	12	77		125
CA	4	8	2	69		83
CO		1	1	4		6
DE				1		1
FL		3		4		7
GA		1		2		3
HI		1		1		2
IA		3				3
ID				3		3
IL				2		2
IN		1	1			2
KS				2		2
MA				1		1
MD		1		2		3
ME				1		1
MI				3		3
MN		7	1	15		23
MS		1		2		3
MT	1	9	1	17		28
NB		6	1	3		10
NC		3	1	14		18
ND		9	1	5	2	17
NJ				2		2
NM		2	4	55		61
NV		2		3		5
NY		2		6		8
OK	2	25	8	24		59
OR	1	8	2	11		22
PA			2			2
PR				1		1
SD	2	21	1	14		38
TN			1			1
TX		3	2	8		13
UT	1	2	1	57		61
VA				2		2
WA		13	2	46		61
WI		5		5		10
WY		5		3		8
National Total	13	183	49	732	2	979

At any given time, up to 90,000 persons may be reported as actively missing in the United States, with as many as 660,000⁴⁰ NCIC entries annually. While many of these individuals are ultimately found alive and well, some become long-term missing persons.

In support of Savanna's Act (Sec 6 (a)(1)(E)), the following tables show the total number of closed missing AI/AN person records per state/territory for each calendar year, from the most recent 10 calendar years (2014-2023).

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⁴⁰ According to the Department's NamUs analysis, between 2007 and 2020, an average of 664,776 missing persons records annually were entered into the NCIC. See <https://www.fbi.gov/services/cjis/ncic>.

Table 18: 2014 through 2023 Missing AI/AN Person Closed Entries by State and Territory

State or Territory	CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023
ALABAMA	5	6	4	7	2	2	7	6	7	8
ALASKA	661	633	638	663	603	712	602	643	570	655
ARIZONA	1,111	1,098	1,138	1,257	1,178	1,441	1,303	1,278	1,297	1,281
ARKANSAS	16	17	3	11	13	12	13	21	11	19
CALIFORNIA	748	671	715	716	705	731	572	507	650	737
COLORADO	128	104	106	113	96	122	96	78	125	148
CONNECTICUT	10	15	9	13	24	24	9	11	9	9
DELEWARE	0	2	0	0	0	0	0	1	0	0
D.C. WASHINGTON	0	4	0	1	1	2	2	0	3	0
FLORIDA	41	76	50	57	69	60	75	68	138	52
GEORGIA	22	10	15	19	14	17	17	20	17	6
HAWAII	32	8	11	12	6	5	5	9	14	2
IDAHO	94	102	78	74	82	94	80	102	89	80
ILLINOIS	48	94	46	44	40	43	29	25	23	46
INDIANA	13	6	10	13	6	9	10	17	17	22
IOWA	59	70	72	89	81	85	80	110	94	64
KANSAS	44	57	67	61	46	56	45	46	52	45
KENTUCKY	14	10	12	16	11	6	12	7	10	10
LOUISIANA	9	8	14	7	9	12	19	4	6	5
MAINE	14	9	26	20	12	19	20	17	13	11
MARYLAND	12	11	11	11	14	12	10	13	15	20
MASSACHUSETTS	16	14	9	24	11	16	14	10	11	10
MICHIGAN	69	92	68	77	53	76	64	68	87	62
MINNESOTA	908	979	1,032	985	900	1,019	844	704	724	777
MISSISSIPPI	2	0	2	2	4	6	7	9	6	4
MISSOURI	17	9	14	15	17	24	21	21	21	22
MONTANA	351	434	439	459	503	639	602	656	628	688
NEBRASKA	158	192	248	259	263	297	242	272	230	312
NEVADA	104	99	103	118	132	94	94	97	102	107
NEW HAMPSHIRE	1	0	0	1	2	0	0	2	0	1
NEW JERSEY	60	47	51	47	60	56	64	54	41	32
NEW MEXICO	380	399	453	517	451	528	473	486	515	674
NEW YORK	145	184	149	134	117	139	106	98	132	116
NORTH CAROLINA	206	210	258	227	188	204	199	178	210	169
NORTH DAKOTA	153	180	229	281	228	273	343	382	484	466
OHIO	21	20	11	12	23	12	18	22	12	25
OKLAHOMA	554	608	545	567	531	554	597	685	710	824
OREGON	229	215	253	231	216	214	187	110	148	173
PENNSYLVANIA	30	21	17	27	30	19	19	19	13	17
RHODE ISLAND	13	40	67	44	36	36	20	10	24	14

State or Territory	CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023
SOUTH CAROLINA	9	17	19	19	17	16	29	21	23	25
SOUTH DAKOTA	690	777	902	879	903	970	1037	1,094	1,135	1,150
TENNESSEE	17	12	18	14	21	18	14	15	16	15
TEXAS	77	71	70	75	75	87	92	120	107	125
UTAH	182	150	185	219	250	201	178	273	346	348
VERMONT	0	0	0	3	1	0	0	0	0	3
VIRGINIA	8	8	5	7	18	4	2	14	7	8
WASHINGTON	1,161	1,096	1,174	1,099	878	1,003	785	679	701	821
WEST VIRGINIA	1	0	1	1	3	1	0	1	3	2
WISCONSIN	292	334	426	362	327	262	248	257	286	236
WYOMING	126	120	117	133	113	145	215	177	200	179
GUAM	0	0	0	0	0	0	0	0	0	1
PUERTO RICO	1	1	0	1	0	2	1	1	2	0
VIRGIN ISLANDS	0	0	0	0	0	0	0	0	0	0
NATIONAL TOTALS	9,062	9,340	9,890	10,043	9,383	10,379	9,521	9,518	10,084	10,626

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B. Murder and Manslaughter Data

As required by Savanna's Act, Section 6(a)(2)(C), (D) & (E), the tables below represent known statistics on federal violations of murder or manslaughter committed against a Native Americans in the United States.⁴¹ As reflected in Table 19, in CYs 2014 through 2023, according to EOUSA's CaseView system, there were 948 Native American victims in federal cases filed of murder or manslaughter in the United States. Table 21 illustrates that during that same time frame, there were 618 victims in cases closed.⁴² As set forth in Table 20, as of December 31, 2023, there were 163 murder or manslaughter victims in cases pending resolution.

Data Limitations

For the time frame reviewed in this report, participation and reporting rates by law enforcement entities into the Uniform Crime Reporting (UCR) systems, specifically Summary Reporting System (SRS) and National Incident-Based Reporting System (NIBRS), was insufficient to gather and report homicide data as mandated by Section 6 of Savanna's Act. The transition to the NIBRS-only data collection platform and associated impacts to the FBI UCR Program occurred throughout CY 2021, 2022, and continued in 2023. As such, the Department will reassess NIBRS participation for the next reporting year as more agencies make the transition and begin reporting information associated with homicides.

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⁴¹ While Savanna's Act requires reporting on age and gender data if available, the CaseView system does not currently require that this information be entered.

⁴² A case is closed when a disposition has been entered for all defendants.

Table 19: Indian Victims of Murder/Manslaughter in Federal Cases Files by State and Tribal Affiliation, CY 2014 – 2023

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
ARIZONA		18	21	20	38	35	30	11	32	20	26	251
	<i>AZNN Navajo Nation of Arizona</i>	7	14	13	24	21	18	9	15	8	14	143
	<i>AZGR Gila River Pima-Maricopa Indian Community</i>	4	3	2	6	3	2	1	4	6	4	35
	<i>AZSC San Carlos Apache Tribe</i>	2	0	2	5	4	2	0	3	3	1	22
	<i>AZWM White Mountain Apache Tribe</i>	1	2	1	0	3	1	0	0	0	1	9
	<i>AZTO Tohono Oodham Nation</i>	3	1	1	0	1	3	0	1	1	2	13
	<i>AZHT Hopi Tribe</i>	0	0	0	0	2	0	1	1	0	4	8
	<i>AZCR Colorado River Indian Tribes</i>	1	0	1	1	1	0	0	3	0	0	7
	<i>AZSR Salt River Pima-Maricopa Indian Community</i>	0	1	0	0	0	1	0	3	0	0	5
	<i>AZPY Pascua Yaqui Tribe</i>	0	0	0	0	0	1	0	1	1	0	3
	<i>AZHI Hualapai Indian Tribe</i>	0	0	0	1	0	0	0	0	0	0	1
	<i>AZYA Yavapai-Apache Nation</i>	0	0	0	1	0	0	0	0	0	0	1
	<i>AZCT Cocopah Tribe</i>	0	0	0	0	0	1	0	0	0	0	1
	<i>AZFD Fort McDowell Apache Indian Community</i>	0	0	0	0	0	1	0	0	0	0	1
	<i>AZAC Ak Chin Indian Community of Papago Indians of the Maricopa</i>	0	0	0	0	0	0	0	0	1	0	1
	<i>AZVT Havasupai Tribe</i>	0	0	0	0	0	0	0	1	0	0	1
COLORADO		0	0	0	0	0	0	0	0	0	1	1
	<i>COUM Ute Mountain Tribe</i>	0	0	0	0	0	0	0	0	0	1	1

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
IDAHO		1	2	3	1	1	1	1	0	2	1	13
	<i>IDSB Shoshone-Bannock Tribes</i>	0	2	3	1	1	1	0	0	2	0	10
	<i>IDNP Nez Perce Tribe</i>	1	0	0	0	0	0	1	0	0	1	3
KANSAS		0	0	0	0	0	0	0	0	1	0	1
	<i>KSKT Kickapoo Tribe</i>	0	0	0	0	0	0	0	0	1	0	1
MICHIGAN		0	0	0	0	0	1	0	0	4	0	6
	MICHIGAN EASTERN	0	0	0	0	0	0	0	0	4	0	4
	<i>MISC Saginaw Chippewa Indian Tribe</i>	0	0	0	0	0	0	0	0	3	0	3
	<i>MILT Little Traverse Bay Bands of Odawa Indians</i>	0	0	0	0	0	0	0	0	1	0	1
	MICHIGAN-WESTERN	0	0	0	0	0	1	1	0	0	0	2
	<i>MIKB Keweenaw Bay Indian Community</i>	0	0	0	0	0	1	1	0	0	0	2
MINNESOTA		0	0	2	2	2	2	0	2	3	0	13
	<i>MNRL Red Lake Band of Chippewa Indians</i>	0	0	1	1	2	2	0	2	3	0	11
	<i>MNCT Minnesota Chippewa Tribe</i>	0	0	1	1	0	0	0	0	0	0	2
MISSISSIPPI		0	0	0	4	2	2	0	1	0	1	10
	MISSISSIPPI-SOUTHERN	0	0	0	4	2	2	0	1	0	1	10
	<i>MSBC Mississippi Band of Choctaw Indians</i>	0	0	0	4	2	2	0	1	0	1	10
MONTANA		6	5	15	10	8	6	10	3	8	8	79
	<i>MTAS Assiniboine and Sioux Tribes</i>	4	1	7	0	3	0	2	0	4	0	21
	<i>MTNC Northern Cheyenne Tribe</i>	2	0	3	5	2	0	2	1	1	4	20

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
	<i>MTCT Crow Tribe</i>	0	4	1	2	1	5	1	0	1	1	16
	<i>MTBT Blackfeet Tribe</i>	0	0	1	3	1	1	3	1	2	3	15
	<i>MTCI Chippewa-Cree Indians</i>	0	0	3	0	1	0	0	0	0	0	4
	<i>MTFB Fort Belknap Indian Community</i>	0	0	0	0	0	0	2	1	0	0	3
NEBRASKA		1	0	0	1	0	0	1	0	0	1	4
	<i>NEWT Winnebago Tribe</i>	0	0	0	1	0	0	0	0	0	1	2
	<i>NEOT Omaha Tribe</i>	1	0	0	0	0	0	0	0	0	0	1
	<i>NESS Santee Sioux Tribe</i>	0	0	0	0	0	0	1	0	0	0	1
NEVADA		0	0	2	1	2	1	4	1	0	1	12
	<i>NVPL Pyramid Lake Paiute Tribe</i>	0	0	0	0	0	0	4	0	0	0	4
	<i>NVFM Fort McDermitt Paiute and Shoshone Tribes</i>	0	0	1	0	2	0	0	0	0	0	3
	<i>NVDV Duck Valley Sho-Pai Tribe</i>	0	0	0	1	0	0	0	1	0	0	2
	<i>NVWT Washoe Tribe</i>	0	0	0	0	0	1	0	0	0	0	1
	<i>NVLP Lovelock Paiute Tribe</i>	0	0	1	0	0	0	0	0	0	0	1
	<i>NVFP Fallon Paiute Tribe</i>	0	0	0	0	0	0	0	0	0	1	1
NEW MEXICO		14	17	11	6	17	40	11	21	15	18	170
	<i>NMNN Navajo Nation</i>	11	15	9	5	12	24	7	9	12	15	119
	<i>NMZT Zuni Tribe</i>	1	0	1	1	2	10	2	1	1	1	20
	<i>NMPJ Pueblo of Jemez</i>	0	0	1	0	0	0	0	9	0	0	10
	<i>NMPL Pueblo of Laguna</i>	1	0	0	0	0	3	0	0	0	0	4

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
	<i>NMJA Jicarilla Apache Tribe</i>	0	0	0	0	0	0	0	0	1	1	2
	<i>NMPA Pueblo of Acoma</i>	0	1	0	0	1	0	2	0	0	0	4
	<i>NMMA Mescalero Apache Tribe</i>	0	1	0	0	1	0	0	1	0	0	3
	<i>NMPC Pueblo of Santa Clara</i>	0	0	0	0	1	1	0	0	0	1	3
	<i>AZNN Navajo Nation</i>	0	0	0	0	0	2	0	0	0	0	2
	<i>NMPT Pueblo of Taos</i>	1	0	0	0	0	0	0	1	0	0	2
	<i>NCEB Eastern Band of Cherokee Indians</i>	0	0	0	0	0	0	0	0	1	0	1
NORTH CAROLINA		0	0	0	0	1	0	0	1	0	0	2
	NORTH CAROLINA WESTERN	0	0	0	0	1	0	0	1	0	0	2
	<i>NCEB Eastern Band of Cherokee Indians</i>	0	0	0	0	1	0	0	1	0	0	2
NORTH DAKOTA		2	2	4	2	3	6	8	6	7	10	50
	<i>NDSR Standing Rock Sioux Tribe</i>	0	1	1	1	2	3	0	0	0	7	15
	<i>NDSL Spirit Lake Sioux Tribe of Fort Totten</i>	0	0	1	0	0	0	4	3	3	3	14
	<i>NDTA Three Affiliated Tribes</i>	0	1	1	0	1	2	4	3	1	0	13
	<i>NDTM Turtle Mountain Band of Chippewa Indians</i>	0	0	1	1	0	1	0	0	3	0	6
	<i>SDSR Standing Rock Sioux Tribe</i>	2	0	0	0	0	0	0	0	0	0	2
OKLAHOMA		0	0	0	0	3	1	20	80	23	22	149
	OKLAHOMA-EASTERN	0	0	0	0	1	0	11	53	12	15	92
	<i>OKCK Cherokee Nation</i>	0	0	0	0	1	0	1	20	8	3	33
	<i>OKCO Choctaw Nation of Oklahoma</i>	0	0	0	0	0	0	0	19	4	7	30

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
	<i>OKMN Muscogee Nation</i>	0	0	0	0	0	0	8	4	0	1	13
	<i>OKCN Chickasaw Nation</i>	0	0	0	0	0	0	0	8	0	1	9
	<i>OKSM Seminole Nation</i>	0	0	0	0	0	0	0	2	0	2	4
	<i>OKKI Kiowa Indian Tribe</i>	0	0	0	0	0	0	2	0	0	0	2
	<i>OKAS Absentee-Shawnee Tribe of Indians</i>	0	0	0	0	0	0	0	0	0	1	1
	OKLAHOMA-NORTHERN	0	0	0	0	0	0	8	24	5	6	43
	<i>OKCK Cherokee Nation</i>	0	0	0	0	0	0	5	12	3	2	22
	<i>OKMN Muscogee Nation</i>	0	0	0	0	0	0	2	7	1	0	10
	<i>OKCO Choctaw Nation of Oklahoma</i>	0	0	0	0	0	0	0	2	0	2	4
	<i>OKON Osage Nation</i>	0	0	0	0	0	0	1	0	0	1	2
	<i>OKUK United Keetoowah Band of Cherokee Indians</i>	0	0	0	0	0	0	0	2	0	0	2
	<i>OKCN Chickasaw Nation</i>	0	0	0	0	0	0	0	1	0	0	1
	<i>SDOS Oglala Sioux Tribe</i>	0	0	0	0	0	0	0	0	1	0	1
	<i>OKDI Delaware Tribe of Indians</i>	0	0	0	0	0	0	0	0	0	1	1
	OKLAHOMA-WESTERN	0	0	0	0	2	1	1	3	6	1	14
	<i>OKCA Cheyenne-Arapaho Tribes</i>	0	0	0	0	1	1	0	0	2	0	4
	<i>OKCO Choctaw Nation of Oklahoma</i>	0	0	0	0	0	0	0	0	3	0	3
	<i>OKKT Kickapoo Tribe</i>	0	0	0	0	0	0	1	1	0	0	2
	<i>OKCM Comanche Indian Tribe</i>	0	0	0	0	0	0	0	0	1	1	2
	<i>OKCN Chickasaw Nation</i>	0	0	0	0	0	0	0	2	0	0	2

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
	<i>OKTT Tonkawa Tribe of Indians</i>	0	0	0	0	1	0	0	0	0	0	1
OREGON		0	0	1	0	2	0	0	4	1	0	8
	<i>ORWS Confederated Tribes of the Warm Springs Reservation</i>	0	0	0	0	2	0	0	2	1	0	5
	<i>ORUM Confederated Tribes of the Umatilla Reservation</i>	0	0	1	0	0	0	0	1	0	0	2
	<i>IDNP Nez Perce Tribe</i>	0	0	0	0	0	0	0	1	0	0	1
SOUTH DAKOTA		5	11	13	5	8	4	14	10	23	36	129
	<i>SDOS Oglala Sioux Tribe</i>	1	4	11	3	7	2	10	6	14	27	85
	<i>SDRS Rosebud Sioux Tribe</i>	2	5	2	0	1	1	3	4	7	2	27
	<i>SDCR Cheyenne River Sioux Tribe</i>	0	2	0	1	0	0	0	0	2	3	8
	<i>SDSW Sisseton-Wahpeton Sioux Tribe</i>	2	0	0	0	0	0	0	0	0	0	2
	<i>SDSR Standing Rock Sioux Tribe</i>	0	0	0	1	0	0	0	0	0	1	2
	<i>SDCC Crow Creek Sioux Tribe</i>	0	0	0	0	0	1	0	0	0	0	1
	<i>SDYS Yankton Sioux Tribe</i>	0	0	0	0	0	0	1	0	0	0	1
	<i>NYON Oneida Nation</i>	0	0	0	0	0	0	0	0	0	1	1
	<i>NDSR Standing Rock Sioux Tribe</i>	0	0	0	0	0	0	0	0	0	1	1
	<i>SDLB Lower Brule Sioux Tribe</i>	0	0	0	0	0	0	0	0	0	1	1
UTAH		1	1	1	0	4	0	0	2	1	0	10
	<i>UTNN Navajo Nation</i>	0	1	0	0	3	0	0	0	1	0	5
	<i>UTUI Ute Indian Tribe of the Uintah and Ouray Reservation</i>	1	0	0	0	1	0	0	2	0	0	4

State, District & Tribal Affiliation		CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	TOTAL
	<i>AZNN Navajo Nation</i>	0	0	1	0	0	0	0	0	0	0	1
WASHINGTON		0	0	2	4	2	7	4	0	3	0	22
	WASHINGTON-EASTERN	0	0	2	4	2	7	4	0	2	0	21
	<i>WAYN Confederated Tribes and Bands of the Yakama Indian Nation</i>	0	0	2	4	2	7	4	0	2	0	21
	WASHINGTON-WESTERN	0	0	0	0	0	0	0	0	1	0	1
	<i>WATT Tulalip Tribes</i>	0	0	0	0	0	0	0	0	1	0	1
WISCONSIN		0	0	0	0	2	1	0	0	3	0	6
	WISCONSIN-EASTERN	0	0	0	0	2	1	0	0	3	0	6
	<i>WIMI Menominee Indian Tribe</i>	0	0	0	0	2	1	0	0	3	0	6
WYOMING		2	0	1	5	1	0	0	2	1	1	13
	<i>WYAT Arapaho Tribe of the Wind River Reservation</i>	1	0	1	5	1	0	0	1	1	1	11
	<i>WYWR Shoshone Tribe of the Wind River Reservation</i>	1	0	0	0	0	0	0	0	0	0	1
	<i>SDOS Oglala Sioux Tribe</i>	0	0	0	0	0	0	0	1	0	0	1
NATIONAL TOTALS		50	59	75	79	93	102	84	165	115	126	948

*October through December 2023 is part of Fiscal Year 2024. Fiscal Year 2024 data is subject to change through September 30, 2024.

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Table 20: Indian Victims of Murder/Manslaughter in Cases Pending by State, as of December 31, 2023

State & District	Cases Pending
ARIZONA	33
COLORADO	1
IDAHO	4
KANSAS	1
MICHIGAN	1
MICHIGAN EASTERN	1
MINNESOTA	1
MISSISSIPPI	1
MISSISSIPPI SOUTHERN	1
MONTANA	5
NORTH DAKOTA	9
NEBRASKA	1
NEW MEXICO	27
NEVADA	1
OKLAHOMA	39
OKLAHOMA EASTERN	24
OKLAHOMA NORTHERN	12
OKLAHOMA WESTERN	3
OREGON	2
SOUTH DAKOTA	29
UTAH	1
WASHINGTON	5
WASHINGTON EASTERN	4
WASHINGTON WESTERN	1
WYOMING	2
NATIONAL TOTAL	163

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Table 21: Indian Victims of Murder/Manslaughter in Cases Closed by State, CY 2014-2023*

State & District	CY 2014	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023*	Total
ARIZONA	23	20	21	14	18	27	15	12	22	26	198
IDAHO	0	1	0	3	0	1	0	0	2	0	7
MICHIGAN	1	0	0	0	0	0	0	1	3	0	5
MICHIGAN EASTERN	1	0	0	0	0	0	0	0	2	0	3
MICHIGAN WESTERN	0	0	0	0	0	0	0	1	1	0	2
MINNESOTA	0	0	0	1	3	2	0	0	2	2	10
MISSISSIPPI	0	0	0	0	1	2	0	2	1	2	8
MISSISSIPPI SOUTHERN	0	0	0	0	1	2	0	2	1	2	8
MONTANA	5	3	2	13	7	11	2	8	2	9	62
NORTH CAROLINA	0	0	0	0	0	0	0	0	2	0	2
NORTH CAROLINA WESTERN	0	0	0	0	0	0	0	0	2	0	2
NORTH DAKOTA	4	2	1	2	4	2	1	2	6	5	29
NEBRASKA	0	0	1	0	1	0	0	0	1	0	3
NEW MEXICO	11	13	11	5	9	11	5	15	8	19	107
NEVADA	1	0	0	1	2	0	0	1	2	1	8
OKLAHOMA	0	0	0	0	0	1	1	12	31	32	77
OKLAHOMA EASTERN	0	0	0	0	0	0	0	3	20	22	45
OKLAHOMA NORTHERN	0	0	0	0	0	0	0	8	8	9	25
OKLAHOMA WESTERN	0	0	0	0	0	1	1	1	3	1	7
OREGON	1	0	0	0	0	2	0	0	1	2	6
SOUTH DAKOTA	10	9	5	2	5	5	4	5	9	14	68
UTAH	0	0	0	0	2	1	2	1	0	2	8
WASHINGTON	0	0	0	0	4	1	1	0	2	0	8
WASHINGTON EASTERN	0	0	0	0	4	1	1	0	2	0	8
WISCONSIN	0	0	0	0	1	0	1	0	1	0	3
WISCONSIN EASTERN	0	0	0	0	1	0	1	0	1	0	3
WYOMING	2	3	0	1	0	2	0	1	0	0	9
NATIONAL TOTALS	58	51	41	42	57	68	32	60	95	114	618

*October through December 2023 is part of Fiscal Year 2024. Fiscal Year 2024 data is subject to change through September 30, 2024.

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VI. Department of Justice Commitment to Indian Country

The Department is committed to combatting violent crime and the issue of MMIP in all Tribal communities. To that end, the Department continues to focus on developing and growing relationships with Tribal partners to enhance public safety in Indian country, as enhanced communication, coordination, and collaboration between the Department and Tribal partners is critical to improving public safety overall. In addition to consulting with Tribal leaders and other stakeholders to revise and update USAO operational plans and regionally appropriate Savanna's Act guidelines on an annual basis, the Department engages in frequent outreach initiatives to Tribal leaders and their communities to better understand the needs of Tribes and to collaborate in the development of joint strategies on how best to increase the public safety in their communities. Further, United States Attorneys and Tribal Liaisons hold meetings with Tribes within their districts to address emerging public safety issues unique to individual Tribes and to develop localized strategies to combat the issues. These Tribal engagements are critical in helping the Department set priorities and develop needed strategies in upholding its trust responsibilities with Tribes.

"Federal law enforcement agencies will continue to work diligently with our Tribal partners in support of public safety in Indian Country."

—Lisa Monaco

United States Deputy Attorney General

The Department's MMIP Regional Outreach Program, announced in June 2023, provides another opportunity to foster collaboration between the Department and Tribes. The Program places five attorneys and five coordinators in five designated regions across the United States to aid in the prevention of, and response to MMIP. As Deputy Attorney General Lisa Monaco noted, "MMIP prosecutors and coordinators will work with partners across jurisdictions and alongside the Tribal communities who have been most devastated by this epidemic." Although only a few of these positions had been filled by the end of CY 2023, the Program has already resulted in increased communication with Tribal communities on MMIP issues and better law enforcement coordination on investigations.

The Department is committed to working in partnership with Tribes to improve public safety in Tribal communities. As Attorney General Merrick Garland stated when the Department announced the creation of the MMIP Regional Outreach Program, "The Justice Department will continue to accelerate our efforts, in partnership with Tribes, to keep their communities safe and pursue justice for American Indian and Alaska Native families." The Department realizes that the strengthening of government-to-government partnerships is critical to curb the disproportionate rate of violence experienced by AI/AN citizens. These efforts will serve as the foundation for the Department's future work to ensure safe communities in Indian country.

Appendix A: Glossary of Terms

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.), 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.

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.

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 it was opened as a criminal matter in CaseView. If at least one defendant is charged, it 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 cases filed counts.

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

Appendix B: Lead Investigative Charges Entered into CaseView on Indian Country Declinations or Referrals in CY 2023

Assault	
06S:6-2-503	Child abuse
12.1S:12.1-17-04(1)	Threatens to commit any crime of violence/act dangerous to human life
13AS:13A-6-132a	Person commits domestic violence/crime of assault in the third degree
13S:13-3623	Child or vulnerable adult abuse
14T:00292	Assault and battery defined
14T:00504	Child neglect
14T:00505	Child abuse
18 USC 81	Arson within special maritime and territorial jurisdiction
18 USC 111	Assaulting, resisting, impeding certain officers
18 USC 111a	Assaulting, resisting, or impeding certain officers or employees
18 USC 111a1	Forcibly assault/resist/impede/intimidate person engaged official duty
18 USC 112	Protection of foreign officials, etc
18 USC 113a1	Assault with intent to commit murder
18 USC 113a2	Assault with intent to commit any felony, except murder
18 USC 113a3	Assault with dangerous weapon with intent to bodily harm
18 USC 113a4	Assault by striking, beating, or wounding
18 USC 113a5	Simple Assault
18 USC 113a6	Assault resulting in serious bodily injury
18 USC 113a7	Assault - substantial bodily injury to a spouse, partner, or minor
18 USC 113a8	Assault of a spouse/partner by strangling/suffocating or attempting
18 USC 117	Domestic assault by habitual offender
18 USC 844i	Using fire/explosive to damage/destroy property with injury to persons
18 USC 1992a7	Commits act intent to cause death/serious bodily injury to any person
18 USC 2111	Robbery/burglary - Special jurisdiction
18 USC 2119	Carjacking
18 USC 2261a1	Interstate domestic violence: Crossing a state line
18 USC 2261a2	Interstate domestic violence: Causing the crossing of a state line
18 USC 2261A	Stalking
21S:843.5A	Child Abuse
21S:843.5B	Child Abuse
21S:843.5C	Child Neglect
22D:00404.01	Aggravated Assault
22D:00405	Assault On Member of Police Force Or Fire Dept.
22D:00407	Threats To Do Bodily Harm
Drug, Alcohol, and Other Offenses	
13AS:13A-11-10a	Public Intoxication
13AS:13A-11-14	Cruelty to animals
14T:00706	Harassment by telephone, telegraph, or written communication
14T:00707	Intimidation

14T:01052	Kidnapping for ransom, extortion, robbery, or rape
15 USC 1281	Destruction of property
16 USC 3372	Illegally Taken Fish & Wildlife - prohibited acts
18 USC 36	Drive by Shooting
18 USC 242	Deprivation of rights under color of law
18 USC 247d3	Attempted or threatened use of a dangerous weapon, explosives, or fire
18 USC 751	Escape - Prisoners in custody
18 USC 792	Harboring or concealing persons
18 USC 844d	Whoever transport/receive explosive intent kill/injure/damage/destroy
18 USC 844m	Conspiracy to Commit Arson
18 USC 875	Interstate Communications
18 USC 922a1A	Unlawfully engaging in the business of firearms
18 USC 922g1	Unlawful shipment, transfer, receipt, or possession by a felon
18 USC 922g3	Unlawful shipment, transfer, receipt, or possession by a drug addict
18 USC 922g5A	Unlawful possession by an Alien unlawfully in the United States
18 USC 922g8	Unlawful possession by a person subject to a court order
18 USC 922g9	Unlawful possession by person convicted/misdemeanor domestic violence
18 USC 922j	Receipt or possession of a stolen firearm and ammunition
18 USC 922k	Unlawful receipt/possession of firearm with obliterated serial number
18 USC 922x1A	Unlawful sale or delivery to a juvenile of a handgun
18 USC 922x2A	Unlawful possession by a juvenile of a handgun
18 USC 924c1A	Use or carry a dangerous weapon in drug crime or crime of violence
18 USC 924c1Aii	Brandishing a firearm during commission of a federal crime of violence
18 USC 924c1Aiii	Discharge a firearm during commission of a federal crime of violence
18 USC 1170	Illegal trafficking Native American human remains
18 USC 1201	Kidnapping
18 USC 1201a1	Kidnapping with use of interstate or foreign travel/commerce
18 USC 1503	Influencing or injuring officer or juror generally
18 USC 1511	Obstruction of State or local law enforcement
18 USC 1512	Tampering with a witness, victim, or an informant
18 USC 1791	Providing or possessing contraband in prison
18 USC 1791a2	Possess, make, or obtain contraband as an inmate, or attempt to
18 USC 1951	Hobbs Act
18 USC 1958	Interstate commerce facilities - murder for hire
18 USC 2112	Robbery - Personal property of United States
18 USC 2114	Mail, money, or other property of United States
18 USC 2115	Robbery - Post office
18 USC 2118b	Attempt/enter property of person register with DEA w/ intent to steal
18 USC 2232a	Destruction or removal of property to prevent seizure
18 USC 3295	Arson Offenses
18 USC 875d	Extortion and threats
18.2S:18.2-266	Driving motor vehicle, engine while intoxicated
18S:2903.22	Threats by Phone
20S:20-140b	Reckless Driving, Endangering Persons or Property
20T:00493	DUI; violations; penalties
21 USC 841	Drug Abuse Prevention & Control-Prohibited acts A

21 USC 841a1	Manufacture, distribute, dispense, possess a controlled substance
21 USC 841a1b1Bviii	Possession w/intent to distribute 5 grams or more of methamphetamine
21 USC 841b1Ai	Possession with intent to distribute Heroin
21 USC 841b1C	Possession w/Intent to Distribute
21 USC 841c	Offenses involving listed chemicals
21 USC 843	Drug Abuse Prevention & Control - Prohibited acts C
21 USC 844	Penalty for simple possession
21 USC 846	Attempt and conspiracy
21 USC 856a2	Own place for manufacture, distribute, use any controlled substances
21 USC 863	Drug paraphernalia
22D:01001	Cruelty To Animals
22D:02001	Kidnapping
25 USC 3001	Native Graves Protection and Repatriation Act
26 USC 5861	Tax on Making Firearms - Prohibited acts
32S:32-5A-190a	Reckless driving
36R:1002.31a3	Vandalism
36R:1002.35c	Dangerous intoxication in Presidio Trust
41S:41-6a-502(1)	Driving under the Influence of Alcohol
43S:484C.110	Driving under influence alcohol/prohibited substance
47 USC 223a1E	Repeating Harassing communication ensues solely to harass any person
47S:47-11-902	Driving Under the Influence
750S:750.377a1d	Malicious Destruction of Personal Property
813S:813.010	Driving Under the Influence of Intoxicants

Financial Crimes/Public Corruption/Fraud

07 USC 6ba2A	To cheat or defraud or attempt to cheat or defraud the other person
13AS:13A-8-11a1	Unauthorized use of vehicle - Knowing does not have consent of owner
13AS:13A-8-192	Identity theft
13S:13-1802A1	Theft
14T:00834	Obtaining money by false pretense
14T:01083	Grand larceny
14T:01084	Petite larceny
18 USC 287	False, fictitious or fraudulent claims
18 USC 371	Conspiracy to commit offense or to defraud US
18 USC 471	Counterfeiting and Forgery - Obligations or securities of US
18 USC 641	Theft, embezzlement, receipt of stolen government property
18 USC 661	Embezzlement or theft in special/maritime jurisdictions
18 USC 662	Receiving stolen property in special jurisdictions
18 USC 666	Theft or bribery in programs receiving Fed funds
18 USC 922u	Theft from a licensee inventory
18 USC 1001	Fraud/false statements or entries generally
18 USC 1004	Fraud - Certification of checks
18 USC 1028a	Fraud and related activity in connection with identification documents
18 USC 1030	Fraud and related activity - computers
18 USC 1030b	Conspire or attempt to commit computer fraud

18 USC 1159	Misrepresentation of Indian produced goods/product
18 USC 1163	Embezzlement and theft from Indian Tribal organization
18 USC 1167	Theft from gaming establishments on Indian lands
18 USC 1167b	Takes/carry away intent to steal money/property value excess \$1,000
18 USC 1168	Insider Theft of gaming establishments Indian land
18 USC 1341	Mail Fraud - Frauds and swindles
18 USC 1343	Fraud by wire, radio, or television
18 USC 1344	Bank Fraud
18 USC 1347	Health Care Fraud
18 USC 1350	Failure of Corporate Officers to Certify Financial Reports
18 USC 1711	Misappropriation of postal funds
18 USC 1956	Laundering of monetary instruments
18 USC 2313	Sale or receipt of stolen vehicles
18 USC 2314	Transportation of stolen goods, securities, moneys, etc.
18 USC 1028Ac2	Aggravated identity theft/false personation of citizenship
18S:2913.11	Passing bad checks
21S:01713	Knowingly Concealing Stolen Property (KCSP)
26 USC 7201	Attempt to evade or defeat tax
30S:30-16-1	Larceny
30S:30-16-10A	Forgery - falsely altering any signature with intent to injure/defraud
CPC487S:487(d)(1)	Grand Theft Automobile

Homicide

18 USC 924j	Violates Section 924(c) and causes the death of a person
18 USC 1111	Murder
18 USC 1112	Manslaughter
18 USC 1112a	Manslaughter – Voluntary/Involuntary
18 USC 1113	Attempt to commit murder or manslaughter

Jurisdictional, Procedural, Penalty, or State Statute

08 USC 1324a1AvI	Bringing in and harboring certain aliens/conspiracy
08 USC 1326	Reentry of deported alien
08D:00902	Illegal Dumping
12.1S:12.1-22-02	Burglary
12S:12.1-31-01	Disorderly conduct
13AS:13A-10-52	Fleeing or attempting to elude law enforcement officer
13S:13-1507	Burglary in the second degree
13S:13-2911	Interference with or disruption of an educational institution
14S:14-09-22	Abuse or neglect of child
14T:00298	Aggravated assault and battery
14T:00299	Simple assault and battery
14T:00992	No such section exists
14T:01741	Trespass
16 USC 470	Archeological Resource Protection

18 USC 3	Accessory after the fact
18 USC 4	Misprision of Felony
18 USC 13a	Violation of laws of states adopted in special jurisdiction
18 USC 228a1-1st Offense	1st Offense - Failure to pay child support greater than \$5,000
18 USC 228a3	Failure to pay child support over 2 years or greater than \$10,000
18 USC 248	Freedom of Access to Clinic Entrance
18 USC 924c1Ai	Use/carry/possess firearm during commission federal crime of violence
18 USC 1028a7	Transfer/Possess/Use w/o lawful auth. another's ID re crime
18 USC 1153	Offenses committed within Indian country
18 USC 1169	Indians - Reporting of child abuse
18 USC 1503a	Corruptly Obstructing the Administration of Justice
18 USC 2276	Shipping - Breaking and entering vessel
18 USC 3146a1	Failure to appear before court as required by conditions of release
18S:02706a3	Terroristic threats - Cause serious public inconvenience or terror
18S:2610.1	Abuse of or cruelty to minor as felony - Defense to charge
18S:4510.11A	Operated vehicle while under suspension
21S:01431	Burglary 1
21S:01435	Burglary 2
21S:01835A	Trespass on posted property after being forbidden/without permission
21S:21-904	Eluding or escaping police officers prohibited
26 USC 5841	Registration of firearms
30S:30-15-1	Criminal damage to property
30S:30-16D-1-A	Unlawful taking of a vehicle or motor vehicle.
30S:30-6-1D1	Knowingly permit child placed situation endanger child life/health
36R:1002.32a20	Failure to obey order
36R:2.31a1	Trespassing, entering or remaining in/upon property or real property
41S:41-6a-401(4)	Failure to Report an Accident
42 USC 6928d2A	Knowingly treats/stores/disposes hazardous waste without permit
42 USC 7413c2C	Clean Air Act - Tampering with a Monitoring Device and Method
45S:45-5-628	Criminal Child Endangerment
45S:45-7-302(1)	Person commits the offense of obstructing peace officer/public servant
46.2S:46.2-300	Driving without license prohibited
48D:00503	Unknown Definition
609S:609.582(1)	Burglary in the first degree
61S:61-8-316	Fleeing or Eluding Peace Officer
811S:811.540	Fleeing/eluding police officer
CPC538:538d(a)	Impersonating a Peace Officer

Sexual Assault

10 USC 920a1	Person causes another person any age to engage in sexual act by force
13AS:13A-6-68	Indecent exposure
16S:16-6-8a4	Public indecency - Lewd caress/indecent fondling body of another person
18 USC 1470	Transfer of obscene materials to minors
18 USC 1591	Sex trafficking of children or by force, fraud, or coercion
18 USC 2241	Aggravated sexual abuse

18 USC 2241a	Aggravated sexual abuse by force or threat
18 USC 2241c	Aggravated sexual abuse with children
18 USC 2242	Sexual abuse
18 USC 2242(2)	Engages in a sexual act with another person
18 USC 2243	Sexual abuse of a minor or ward
18 USC 2243a	Sexual abuse of a minor
18 USC 2243a1	Sexual abuse of a minor that has attained age 12 but not age 16
18 USC 2243a2	Sexual act with minor at least 4 years younger than person so engaging
18 USC 2244	Abusive sexual contact
18 USC 2244a1	Abusive Sexual Contact - Aggravated sexual abuse
18 USC 2244a3	Abusive Sexual Contact - Sexual abuse of a minor
18 USC 2244a5	Abusive Sexual Contact - Aggravated sexual abuse with children
18 USC 2250	Fail to register as sex offender after traveling interstate commerce
18 USC 2250a	Failure to register under Sex Offender Registration & Notification Act
18 USC 2250a1	Require to register under Sex Offender Registration & Notification Act
18 USC 2250c	Sex Offender/Crime Against Children Failure to Register - Violent Crime
18 USC 2251	Sexual exploitation of children
18 USC 2251a	Sexual exploitation of children for purpose producing visual depiction
18 USC 2252	Material involving sexual exploitation of minors
18 USC 2252a2	Receive, distribute visual depiction involving sexual exploit of minor
18 USC 2252a4	Sexual exploitations of minors
18 USC 2422	Transport for sex - Coercion and enticement
18 USC 2422b	Use interstate/foreign commerce US persuade minor in sexual activity
18 USC 2252A	Activity relating material constituting/containing child pornography
18 USC 2252Aa5A	Possess/Access material with child pornography on Federal/Indian land
18.2S:18.2-387	Indecent Exposure
21S:843.5E	Parent/person willfully or maliciously engage in child sexual abuse
22D:03531c1c	Record person engaging in sexual activity w/o consent (DC Code)
22D:03801	Indecent Acts With Children
22D:04801	Rape
45S:5-507	Incest
47 USC 223a1A	Obscene Telephone Calls/Communication which is child pornography