

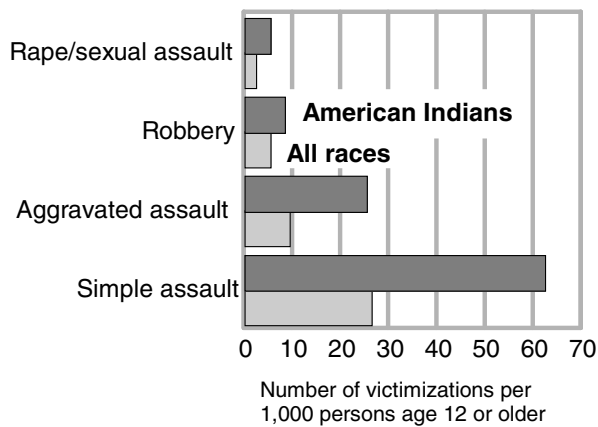


## Bureau of Justice Statistics

*A BJS Statistical Profile, 1992-2002*

# American Indians and Crime

**American Indians experienced violence at a rate (101 violent crimes per 1,000 American Indians) more than twice the rate for the Nation (41 per 1,000 persons), 1992-2001**



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Statistics



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*A BJS Statistical Profile, 1992-2002*

# American Indians and Crime

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*BJS Statistician*

**December 2004, NCJ 203097**

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Steven W. Perry, BJS Statistician, wrote the report under the supervision of Steven K. Smith. Patsy Klaus provided the statistical review. Todd Minton, Mark Motivans, Matthew Hickman, Matthew Durose, and Tracy Snell provided analytic assistance and comment. Also at BJS, Thomas Cohen and Devon Adams commented on drafts of the report. Tina Dorsey and Tom Hester produced and edited the report. Jayne Robinson prepared the report for final publication.	Census 2000 and race	1
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Valuable comments were contributed by Norena Henry, Director of the American Indian/Alaska Native Affairs in the Office of Justice Programs. Also, Claudette Bennett and Stella Ogunwole of the Census Bureau, U.S. Department of Commerce, reviewed Census 2000 data used in this report.		

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## Foreword

This report represents a compilation and new analysis of data on the incidents, prevalence, and consequences of violent crime among American Indians. The report uses data from a wide variety of sources, including statistical series maintained by the Bureau of Justice Statistics (BJS), the Federal Bureau of Investigation (FBI), the Bureau of Prisons (BOP), and the U.S. Census Bureau.

The findings reveal a disturbing picture of the victimization of American Indians and Alaska Natives. The rate of violent crime estimated from self reported victimizations for American Indians is well above that of other U.S. racial or ethnic groups and is more than twice the national average. This disparity in the rates of exposure to violence affecting American Indians occurs across age groups, housing locations, and by gender.

American Indians are more likely than people of other races to experience violence at the hands of someone of a different race, and the criminal victimizer is more likely to have consumed alcohol preceding the offense.

In three recent BJS-sponsored tribal level criminal victimization surveys, victims reported that alcohol use by the offender was a factor in more than 40% of the incidents of overall violence, and more specifically, domestic violence.

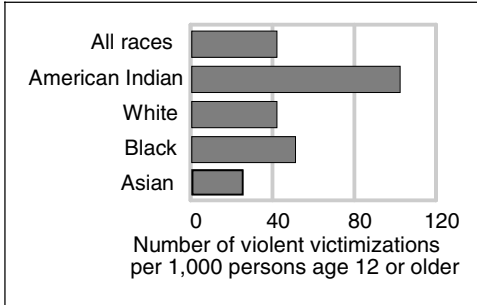
This study was prepared as a resource to respond to frequent inquiries and to update the previously published BJS analysis of the impact of crime on American Indians. The data should be of value to those concerned about how crime affects this segment of the U.S. population.

BJS has undertaken efforts to improve the National Crime Victimization Survey (NCVS) data collection on crime and its consequences for American Indians. In 1999 BJS enhanced the NCVS to report statistics on victimizations occurring on tribal lands.

Lawrence A. Greenfeld, Director,  
Bureau of Justice Statistics

## Highlights

### Violent victimizations\*



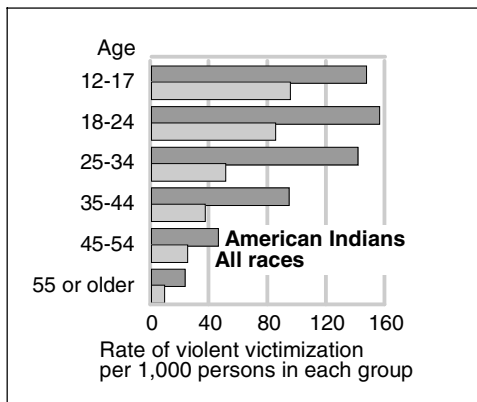
- American Indians experienced a per capita rate of violence twice that of the U.S. resident population.\*\*
- On average, American Indians experienced an estimated 1 violent crime for every 10 residents age 12 or older.

### Murder



- From 1976 to 2001 an estimated 3,738 American Indians were murdered.
- After 1995 the annual American Indian murder rate decreased about 45% from 6.6 to 3.6 murders per 100,000 residents in 2001.
- From 1976 to 1999, 7 in 10 American Indian juvenile murder victims were killed by another American Indian.

### Age\*

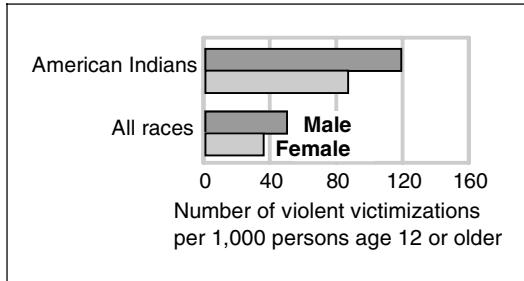


- The violent crime rate in every age group below age 35 was significantly higher for American Indians than for all persons.
- Among American Indians age 25 to 34, the rate of violent crime victimizations was more than 2½ times the rate for all persons the same age.

\*National Crime Victimization Survey annual average rates and percentages for 1992-2001 (does not include murder).

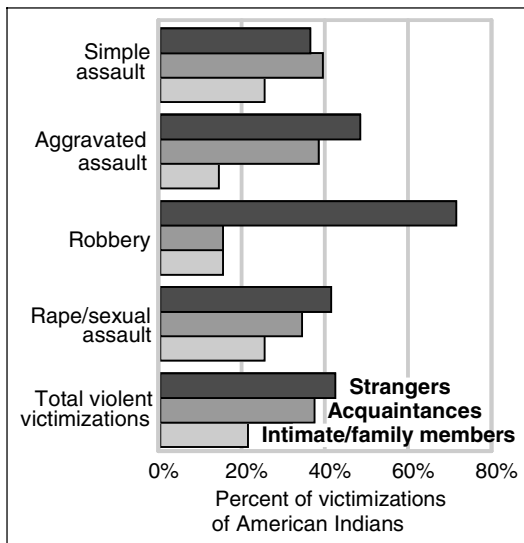
\*\*American Indians in this report include Alaska Natives and Aleuts. Asians include Native Hawaiians and Pacific Islanders.

## Gender\*



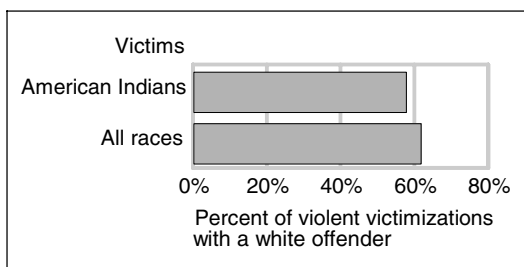
- Rates of violent victimization for both males and females were higher for American Indians than for all races.
- American Indian females were less likely to be victims compared to American Indian males.
- The rate of violent victimization among American Indian women was more than double that among all women.

## Victim-offender relationship\*



- Offenders who were strangers to the victims committed most of the robberies (71%) against American Indians.
- American Indians were more likely to be victims of assault and rape/sexual assault committed by a stranger or acquaintance rather than an intimate partner or family member.

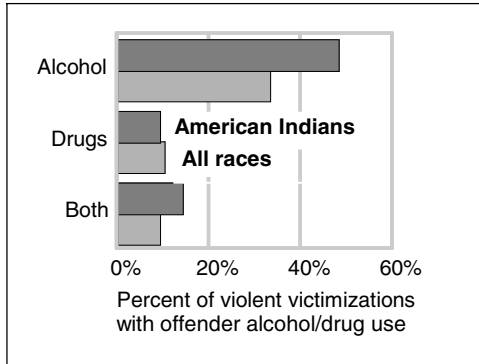
## Offender race\*



- Approximately 60% of American Indian victims of violence, about the same percentage as of all victims of violence, described the offender as white.

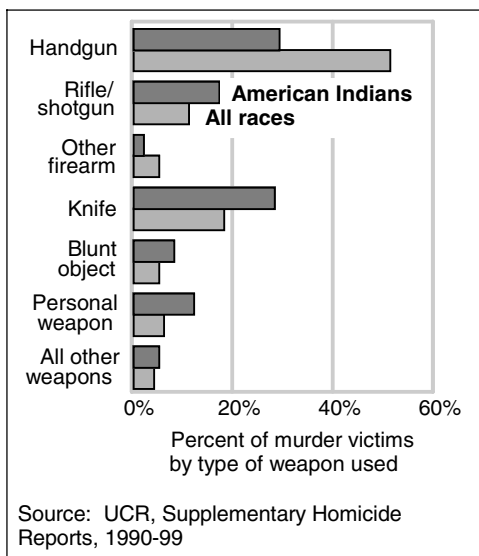
\*National Crime Victimization Survey annual average rates and percentages for 1992-2001.

### Alcohol use by offender\*



- American Indian victims of violence were more likely than all victims to report an offender who was under the influence of alcohol at the time of the crime.
- Overall about 62% of American Indian victims experienced violence by an offender using alcohol compared to 42% for the national average.

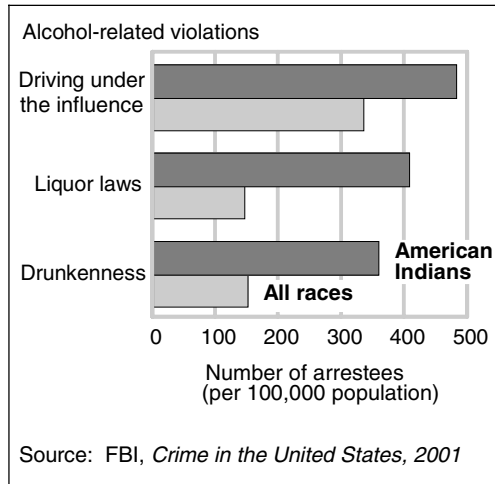
### Weapon use by offender



- Compared to all murder victims, American Indian victims of homicide were more likely to have been killed by a rifle/shotgun or a knife.
- American Indians faced an offender with a weapon in nearly a third of the violent crime incidents.\*

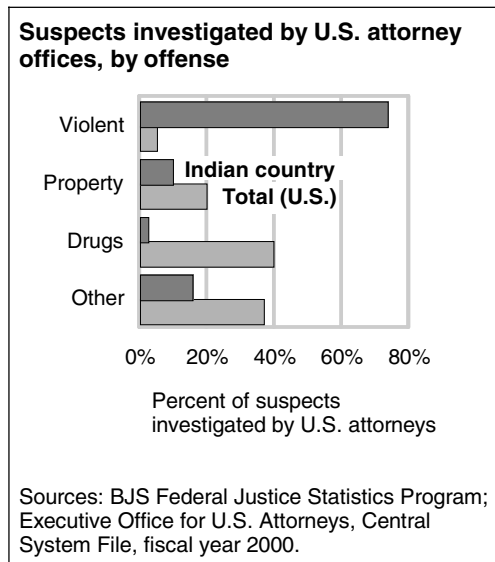
\*National Crime Victimization Survey annual average rates and percentages for 1992-2001.

## Alcohol related arrests



- The arrest rate among American Indians for alcohol violations — DUI, liquor law violations, and drunkenness — was higher than the rate among all races.
- American Indians were arrested for driving under the influence (DUI) at a rate of 479 per 100,000 residents, compared to 332 for all races.
- Liquor law violation arrest rates were about 143 per 100,000 for all races and 405 per 100,000 American Indians.

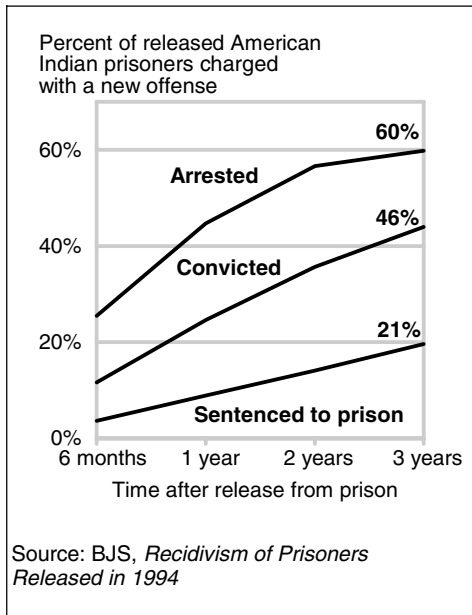
## Federal justice system



- The U.S. attorney's office is the principal prosecutor of criminal cases for violation of Federal laws in Indian country.
- About 1 in 4 suspects investigated by U.S. attorneys for violent crimes in fiscal year 2000 were from Indian country, though not all such suspects were American Indians.
- Nearly 75% of the investigations of Indian country suspects involved violent crimes.



## Recidivism among American Indians



- The recidivism rates of American Indians were similar to those for all offenders — whether for a new arrest, conviction, or sentence to prison.
- Within 3 years of their release from State prison in 1994, an estimated 3 in 5 American Indians were arrested for a new crime — a felony or a serious misdemeanor.
- 46% of American Indians released from prison in 1994 were convicted of a new crime within 3 years, with about 21% being sentenced to prison for the new offense.
- 36% of American Indians released from prison in 1994 were back in prison serving time for a technical violation of their parole or probation.
- Nearly 15% (11) of 75 American Indians released from prison in 1994 for a past homicide were arrested for another murder within 36 months.

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## Census 2000 and race

The Census 2000 implemented a new protocol for collecting race and ethnicity data. Respondents were given the option of selecting one or more race categories to indicate their racial identity.

The Census 2000 question on race included 15 separate response categories and three areas where respondents could write in a name of a racial group. The response categories and written answers can be combined to create the categories shown below:

- White
- Black or African American
- American Indian or Alaska Native
- Asian
- Native Hawaiian or Pacific Islander
- Some other race
- Two or more races.

The number of people reporting one race and the number of those who reported two or more races add to the total population (table 1).

### *Measuring criminal victimization among American Indians*

In April 2000 American Indians accounted for 4.1 million, or 1.5%, of the 281.4 million people in the United States. This includes people who selected American Indian or Alaska Native alone or in combination with at least one other race category. About 2.5 million American Indians, 0.9% of the total population, listed only one race, and 1.6 million, 0.6%, reported *American Indian* in combination with one or more other races.

*American Indian* and *Alaska Native* are terms describing a person whose origins are in any of the original peoples of North, Central, and South America and who maintains tribal affiliation or community attachment.<sup>1</sup> *American Indian* throughout this report refers to the American Indian and Alaska Native population.

In Census 2000 people who identified themselves as American Indians on the questionnaire were asked to report their enrolled or principal tribe. Respondents could report one or more tribal affiliations. Census information on tribal affiliation is based on self identification and therefore is not limited to federally or state-recognized tribes or actual tribal enrollment.

<sup>1</sup>Stella U. Ogunwole, 2002, *The American Indian and Alaska Native Population: 2000*, U.S. Census Bureau, Census 2000 Brief, C2KBR/01-15.

**Table 1. U.S. population 2000, by race**

Race	Population	Percent
Total population	281,421,906	100.0%
American Indian and Alaska Native	2,475,956	0.9
White	211,460,626	75.1
Black or African	34,658,190	12.3
Asian	10,242,998	3.6
Native Hawaiian or Pacific Islander	398,835	0.1
Some other race	15,359,073	5.5
Two or more races	6,826,228	2.4

Source: U.S. Census Bureau, Census 2000 Summary File 1 (SF 1) 100-Percent Data.

### American Indian tribal affiliation

American Indians in the United States belong to approximately 562 federally recognized tribes — as well as bands and clans — that have a distinct history, culture, and often a separate language.<sup>2</sup>

In 2000 about 79% of American Indians who reported a single race reported a specific tribe and 21% did not.<sup>3</sup> Among those who reported

<sup>2</sup>Information on the federally recognized tribes can be found in the *Federal Register*, Vol. 68, No. 234, December 5, 2003, entitled *Indian Entities Recognized and Eligible to Receive Service from the United States Bureau of Indian Affairs*, Department of the Interior, Bureau of Indian Affairs, issued by the Office of Management and Budget.

<sup>3</sup>U.S. Census Bureau, *Census 2000 Summary File 1*.

*American Indian* in combination with another race, 67% specified a tribal affiliation and 33% did not.

The 10 largest American Indian tribal groupings — based on respondents who reported American Indian or Alaska Native alone and their tribal affiliation — accounted for 47.5% of the 2.5 million respondents (table 2).<sup>4</sup>

Over 20% of the American Indian population identifying one race reported tribal affiliation with the Cherokee or Navajo tribes.

<sup>4</sup>Tribal grouping refers to the combining of individual American Indian tribes, such as Fort Sill Apache, Mescalero Apache, Payson Tonto Apache, and White Mountain Apache into the general Apache tribe, or the combining of individual Alaska Native tribes such as American Eskimo, Eskimo, and Greenland Eskimo into the general Eskimo tribe.

### Over 20% of the American Indian population report tribal affiliation with the Cherokee or Navajo tribes.

**Table 2. The 10 largest American Indian tribal groupings in the United States, 2000**

Tribal grouping	American Indian or Alaska Native alone (one tribal grouping reported)	Percent
Total	2,475,956	100%
Cherokee	281,069	11.4%
Navajo	269,202	10.9
Canadian and Latin American	108,802	4.4
Sioux	108,272	4.4
Chippewa	105,907	4.3
Choctaw	87,349	3.5
Pueblo	59,533	2.4
Apache	57,060	2.3
Lumbee	51,913	2.1
Iroquois	45,212	1.8
<b>All other tribal groupings</b>	753,406	24.0%
<b>More than one tribal group reported</b>	52,425	2.1%
<b>No tribal affiliation reported</b>	511,960	20.7%

Source: U.S. Census Bureau, *Indian and Alaska Native Tribes in the United States: 2000*, Census 2000 PHC-T-18; *Census 2000 Summary File 1, General Population Characteristics*. U.S. Census Bureau, *Demographic Trends in the 20th Century*, November 2002. See <<http://www.census.gov/prod/2002pubs/censr-4.pdf>>.

*American Indians and geographic distribution*

Most States with the highest percentage of American Indian residents had that distinction for all of the 20th century. Eight of the ten States with the highest percentage of American Indians in 1900 were also among the top 10 in 1950 and 1990.

Because of the changes to the data on race in Census 2000, the data are not comparable to data from the 1990 or earlier censuses.

In 2000 nearly 1.6 million people who reported their race as American Indian alone lived in 10 States (table 3). California had the largest number of American Indian residents, who made up about 1% (reporting one race) to

**Table 3. States with 1 of the 10 largest American Indian populations, Census 2000**

Area	American Indian (alone)	Percent of State total population
California	333,346	1.0%
Oklahoma	273,230	7.9
Arizona	255,879	5.0
New Mexico	173,483	9.5
Texas	118,362	0.6
North Carolina	99,551	1.2
Alaska	98,043	15.6
Washington	93,301	1.6
New York	82,461	0.4
Michigan	58,479	0.6
Total	1,586,135	

Source: Stella U. Ogunwole, 2002, *The American Indian and Alaska Native Population: 2000*, U.S. Census Bureau, Census 2000 Brief, C2KBR/01-15.

2% (two or more races) of the State's total population (table 3).

Alaska had the largest proportion of the State's total residents identified as American Indian with nearly 16% reporting one race and 19% reporting two or more.

The median age (28 years) of the American Indian population (alone) in 2000 was nearly 7 years younger than the median for U.S. residents and nearly 10 years younger than that for whites (table 4).

The Census 2000 population counts for the American Indian population (alone) are used for comparison through the remainder of this report. The use of the race (alone) count allows for the most reliable comparison with findings on American Indians and crime prior to the change in Census data collection on race. For example, the National Criminal Victimization Survey allows respondents to identify one race category for the data collection period, 1992 to 2001.

**Table 4. Median age of single-race U. S. residents, by race, Census 2000**

Race	Median age
Total population	35.3
American Indian	28.0
White	37.7
Black	30.2
Asian	32.7

Source: Census 2000 Summary File 1 (SF-1).

## National Crime Victimization Survey

The NCVS collects information on the Nation's experience with crime. These data provide demographic characteristics of the victims, including age, gender, race, ethnicity, marital status, income, and educational level, and the offenders' characteristics as reported by the victim.

As administered during 1992-2001, respondents in the NCVS selected a single race identifier: white, black, American Indian and Alaska Native, Asian and Pacific Islander, or other. (NCVS reports ethnicity — Hispanic or non-Hispanic — separately.) American Indians represented about 0.5% of those interviewed from 1992 to 2001.

The NCVS provides estimates for the violent crimes of rape, sexual assault, robbery, aggravated assault, and simple assault for persons age 12 or older. The characteristics of victimizations include time and place, weapon use, self protection, injury and medical

care, victim-offender relationship, and economic losses.

NCVS data for 1992 to 2001 were aggregated to provide enough cases to generate annual average crime victimization estimates for American Indians and Alaska Natives.<sup>5</sup>

Annually, during 1992 to 2001 American Indians experienced on average 116,000 violent crimes of the estimated total 9.1 million occurring among all racial groups (table 5). NCVS victimization data for 1992 to 2001 indicate that American Indians accounted for an average of about 1.3% of all violent victimizations annually.

The annual average violent crime rate among American Indians from 1992 to 2001 (101 per 1,000 person age 12 or older) was about 2½ times the national rate (41 per 1,000 persons).

<sup>5</sup>See *Methodology* on page 43 for a description of computation of annual averages.

**Table 5. Annual average violent victimization rates for persons age 12 or older, by race, 1992-2001**

Race	Annual average, 1992-2001		
	Population age 12 or older	Number of violent victimizations	Rate of violent victimization per 1,000 persons age 12 or older
All races	219,400,860	9,100,950	41
American Indian	1,144,600	116,050	101
White	184,342,110	7,484,760	41
Black	26,625,810	1,336,620	50
Asian	7,288,340	163,520	22

Note: NCVS estimates of the racial distribution of the resident population age 12 or older for the period 1992-2002 correspond to the estimates reported by the Census Bureau in *The American Indian and Alaska Native Population: 2000*. NCVS estimates show that American Indians represented 0.5% of those interviewed, while Census 2000 shows that American Indians account for 0.9% of the resident population, age 12 or older.

The annual average violent crime rate among American Indians was twice as high as that of blacks (50 per 1,000 persons), 2½ times higher than that for whites (41 per 1,000 persons), and 4½ times that for Asians (22 per 1,000 persons).

American Indians made up about 1.3% of all victims of violence, more than double their 0.5% represented in the NCVS sample (table 6). Blacks also have higher representation among victims of violence (14.7%) than their proportion of the population age 12 or older (12.1%). Whites and Asians have lower representation of violent victimizations relative to their proportions of the general population.

**Table 6. Survey population and victims of violence, by race, 1992-2001**

	Percent of NCVS sample and victims of violence, age 12 or older, 1992-2001	
	NCVS population estimates	Victims of violence
Total	100%	100%
American Indian	0.5	1.3
White	84.0	82.2
Black	12.1	14.7
Asian	3.3	1.8

Note: The average annual NCVS population estimate for 1992-2001 was 219 million, and the average annual number of violent victimizations was 9.1 million.

From 1992 to 2001 the annual average per capita rate of violent victimization translates into 1 violent crime for every 24 residents age 12 or older. Per capita rates vary by race. American Indians experienced approximately 1 violent crime for every 10 residents age 12 or older, compared to 1 violent victimization for every 20 blacks, 1 for every 25 whites, and 1 for every 45 Asian residents.

#### *Types of violent crime*

On average during 1992-2001, American Indians age 12 or older experienced annually an estimated 100,500 simple and aggravated assaults, 9,600 robberies, and 5,900 rapes or sexual assaults.

American Indians were twice as likely to experience a rape/sexual assault (5 per 1,000 persons age 12 or older) compared to all races (2 per 1,000) (table 7).

The annual average robbery rate for the Nation was 5 per 1,000 residents age 12 or older from 1992 to 2001. American Indians (8 per 1,000) experienced robberies at double the rate for whites (4 per 1,000) but at a more similar rate for blacks (10 per 1,000).

**Table 7. Annual average rates of rape/sexual assault, robbery, aggravated assault, and simple assault, by race of victim, 1992-2001**

	Number of victimizations per 1,000 persons age 12 or older in each racial group				
	All races	American Indian	White	Black	Asian
Violent victimizations	41	101	41	50	22
Rape/sexual assault	2	5	2	2	1
Robbery	5	8	4	10	5
Aggravated assault	9	25	8	13	5
Simple assault	26	61	27	26	12

The annual average aggravated and simple assault rates among American Indians were more than double the rates for the Nation. American Indians experienced aggravated assaults at a rate of 25 per 1,000 persons, compared to 9 per 1,000 for all races. For simple assaults American Indians (61 per 1,000) were victims twice as often as whites (27 per 1,000) and blacks (26 per 1,000) (figure 1).

The distribution of types of violent crimes experienced by American Indians was similar to that of the other racial groups across the Nation. The most common type of violent victimization among American Indians, as among all groups, was simple assault (61%) (table 8). According to NCVS estimates, among violent crimes reported by American Indians, 25% were aggravated assaults; 8%, robberies; and 5%, rapes/sexual assaults.

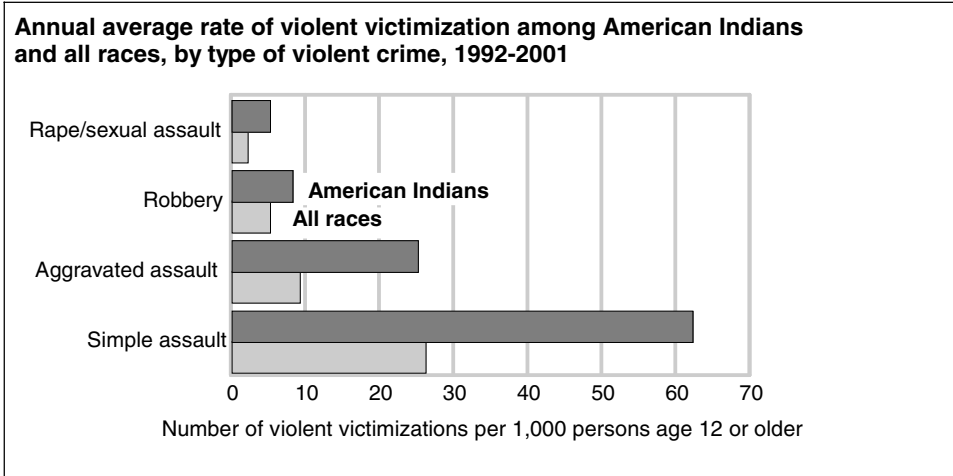


Figure 1

**Table 8. Violent crime, by type of crime and race of victim, 1992-2001**

Type of crime	Percent of violent victimizations				
	All races	American Indian	White	Black	Asian
Total	100%	100%	100%	100%	100%
Rape/sexual assault	4	5	4	4	5
Robbery	11	8	10	19	21
Aggravated assault	21	25	20	25	22
Simple assault	63	61	66	51	52
Annual average number of victimizations	9,100,950	116,050	7,484,760	1,336,620	163,520

Note: Total includes racial categories not presented.

*Gender, age, and location of residence of victims of violent crime*

During 1992-2001 the yearly average violent crime rates were 49 per 1,000 males age 12 or older and 35 per 1,000 females. The violent crime rate among American Indian males was 118 per 1,000, more than double the overall rate (table 9).

The rate of violent crime victimization among American Indian females (86 per 1,000) was 2½ times the rate for all females. The victimization rate among American Indian females was much higher than that found among black females (46 per 1,000 age 12 or older), about 2½ times higher than that among white females (34), and 5 times that of Asian (17) females.

In the four younger age groups, from 12 to 44, the violent crime rate was higher for American Indians than for all races. The violent crime victimization rate was highest (155 per 1,000 persons) for American Indians age 18 to 24, compared to the highest rate in the 12-to-17-age group for all races (94 per 1,000).

Among persons in the 55 or older category, the American Indian violent crime rate was 22 per 1,000 versus the overall rate of 8 per 1,000.

Just under half the violent crimes committed against American Indians occurred among those age 12 to 24, a pattern similar across racial groups (table 10).

**Table 9. Violent crime rates for persons age 12 or older, by race, age, gender, and location of residence, 1992-2001**

Victim characteristic	Annual average rates of violent victimization per 1,000 persons				
	All races	American Indian	White	Black	Asian
Total	41	101	41	50	22
<b>Gender</b>					
Male	49	118	48	55	28
Female	35	86	34	46	17
<b>Age</b>					
12 to 17	94	146	95	97	45
18 to 24	84	155	85	88	38
25 to 34	50	140	50	53	24
35 to 44	36	93	36	41	17
45 to 54	24	45	24	27	14
55 or older	8	22	7	9	5
<b>Location</b>					
Urban	53	130	53	60	22
Suburban	39	111	39	44	23
Rural	31	81	31	27	24



**Table 10. Percent of violent victimizations, by age, gender, and race of victim, 1992-2001**

Victim characteristics	Percent of violent victimizations				
	All races	American Indian	White	Black	Asian
Total	100%	100%	100%	100%	100%
<b>Gender</b>					
Male	57%	55%	58%	50%	62%
Female	43	45	42	50	38
<b>Age</b>					
12 to 17	24%	21%	23%	27%	23%
18 to 24	24	24	24	24	25
25 to 34	22	27	22	21	23
35 to 44	17	18	17	17	17
45 to 54	9	6	9	7	9
55 or older	5	4	5	3	3
Annual average number of violent victimizations	9,100,950	116,050	7,484,760	1,336,620	163,520

*Victim-offender relationship*

Among American Indian victims of violence, the offender was more likely to be a stranger than an intimate partner, family member, or acquaintance. Strangers committed 42% of the violent crimes against American Indians during 1992-2001 (table 11). An acquaintance committed about 1 in 3 of the violent victimizations against American Indians. About 1 in 5 violent victimizations among American Indians involved an offender who was an intimate or family member of the victim.

American Indian victims described the offender as a stranger in 71% of robberies, 48% of aggravated assaults, and 41% of rapes/sexual assaults. American Indian victims of simple assault (39%) more often reported the offender was an acquaintance.

*Race of offender*

White or black offenders committed 88% of all violent victimizations, 1992-2001 (table 12). Victims identified Asians or American Indians — classified as *other race* by NCVS — as the offender in 13% of the violent acts.

**Table 11. Violent victimization of American Indians, by victim-offender relationship and type of victimization, 1992-2001**

Violent crimes	Percent of violent victimizations against American Indians			
	Total	Intimate/ family members	Acquaintances	Strangers
Total violent victimizations	100%	21%	37%	42%
Rape/sexual assault	100	25	34	41
Robbery	100	15	15	71
Aggravated assault	100	14	38	48
Simple assault	100	25	39	36

When asked the race of their offender, American Indian victims of violent crime primarily said the offender was white (57%), followed by other race (34%) and black (9%).

Violent crime against white and black victims was primarily intraracial, committed by a person of the same race. Among the white victims of violence, 70% of the offenders were white, and among black victims, 80% were black.

American Indian victims were more likely to report the offender was from a different race, compared to blacks and white victims.

In 66% of the violent crimes in which the race of the offender was reported, American Indian victims indicated the offender was either white or black (table 13). Nearly 4 in 5 American Indian victims of rape/sexual assault described the offender as white. About 3 in 5 American Indian victims of robbery (57%), aggravated assault (58%), and simple assault (55%) described the offender as white.

The offender was described as black for about 1 in 10 incidents of rapes/sexual assaults (8%), aggravated assaults (10%), and simple assault (9%), and about 2 in 5 robberies (17%) against American Indian victims (figure 2).

**Table 12. Percent of violent victimizations, by race of victim and offender, 1992-2001**

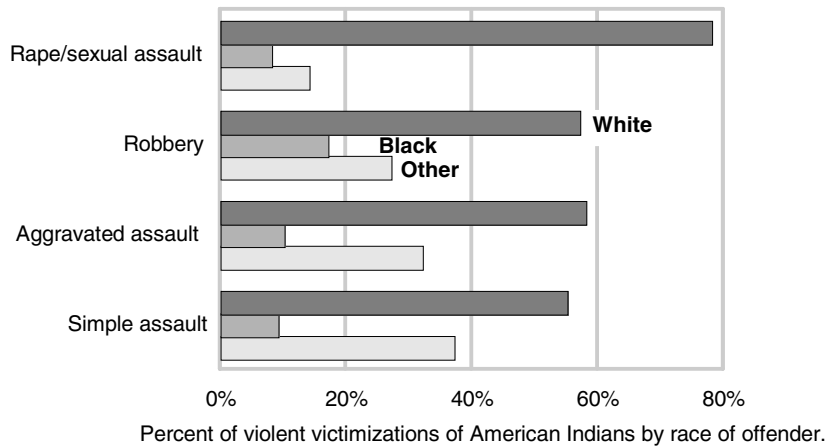
Race of victims	Race of violent offender			
	Total	White	Black	Other
All races	100%	61%	27%	13%
American Indians	100	57	9	34
White	100	70	18	13
Black	100	12	80	9
Asian	100	37	28	35

Note: Table excludes an estimated 597,953 victims of violence (3.4%) who could not describe the offender's race. "Other" includes American Indians and Asians.

**Table 13. Violent victimization of American Indians, by race of offender and type of victimization, 1992-2001**

Race of offender	Percent of American Indian victimizations				
	Violent victimizations	Rape/sexual assault	Robbery	Aggravated assault	Simple assault
Total	100%	100%	100%	100%	100%
White	57	78	57	58	55
Black	9	8	17	10	9
Other	34	14	27	32	37
Annual average number of victimizations	116,050	5,919	9,090	28,104	70,123

**Violent victimization of American Indians, by race of offender and type of victimization, 1992-2001**



Note: "Other" includes American Indians and Alaska Natives, as well as Asians.

Figure 2

**Table 14. Violent victimization, by the perceived drug or alcohol use of the offender and by race of victim, 1992-2001**

Race of victim of violence	Perceived drug or alcohol use by offender —				
	Total	Alcohol	Drugs	Both	Neither
All races	100%	33%	10%	9%	49%
American Indian	100	48	9	14	29
White	100	34	9	9	49
Black	100	26	11	9	55
Asian	100	27	8	6	60

Note: Table excludes those respondents who were unable to report whether they perceived the offender to have been using drugs or alcohol.

The less serious the offense, the higher was the percentage of American Indian victims describing the offender's race as other than black or white.

*Alcohol, drugs, and crime*

Alcohol (33%) or drug (10%) use, or use of both (9%), was a factor in 51% of the violent crimes against all races (table 14). Differences can be found by race in the victims' perceptions of alcohol and drug use by offenders. Among victims of violence

who were able to describe alcohol or drug use by offenders, American Indians (71%) were more likely than any other racial group to report an offender under the influence of alcohol and/or drugs.

Overall, American Indian victims reported alcohol use by 62% of the offenders, compared to 42% for all races. In violent crimes experienced by American Indians where use was known, the offender was under the influence of alcohol (48%), drugs (9%), or both (14%).

**Table 15. Violent victimization, by use of weapon and race of victim, 1992-2001**

Type of crime	Percent of violent victimizations				
	All races	American Indian	White	Black	Asian
No weapon used	73%	69%	75%	61%	66%
Weapon used	27	31	25	39	34
Firearm	11	11	9	19	16
Knife	7	6	7	10	9
Blunt object	5	7	4	5	5
Other weapons	5	7	5	5	5

*Weapon use and violent crime*

On average, American Indians faced an offender with a weapon in about a third of the violent crime incidents from 1992 to 2001 (table 15). In almost 70% of the violent crimes experienced by American Indians, the offender did not use a weapon.

About 11% of American Indian victims faced an offender with a firearm. Nearly 6% of the American Indian victims encountered a knife, and about 7% were victimized with a blunt object or other weapon.

*Victimizations in Indian country*

In 1999 the NCVS added a question to identify housing units on Indian reservations or Indian lands and to learn how many victimizations took place at those locations. The NCVS sample, however, cannot provide a representative estimate for all of Indian country.

From 2000 to 2002 an estimated 93,550 violent victimizations, 0.5% of all reported violence in the NCVS, occurred on Indian reservations or Indian lands. There was an annual average of 31,180 violent crimes on Indian reservations or land during the 3 years. Victims could be of any race.

Year	Estimated number of victimizations	Per-cent
Reservation total	93,550	100%
2000	33,012	35
2001	16,399	18
2002	44,139	47
Annual average victimizations reported	31,183	

**Uniform Crime Reporting Program, Supplementary Homicide Reports, 1976-2001**

Findings about homicide come from the Uniform Crime Reporting (UCR) Program, Supplementary Homicide Reports, of the Federal Bureau of Investigation (FBI).

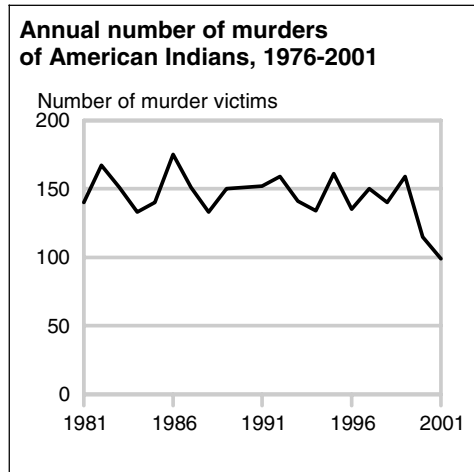


Figure 3

*Murder among American Indians*

On average from 1976 to 2001, each year about 144 American Indians were murdered (figure 3). American Indians represented 0.7% of all murder victims nationwide, similar to their 0.9% share of the population (table 16).

An estimated 3,738 American Indians were murdered from 1976 to 2001. Detail is available for about 3,208 American Indian murder victims or about 91% of the total from 1976 to 1999. The remaining analysis is based on those detailed cases. About 73% of all American Indian murder victims were males.

*Geography and American Indian murders*

During the 24-year period, 1976-1999, about 75% of all murders of American Indians occurred in 10 States in which 61% of the American Indian population resided in 2000.

**Table 16. Murders of American Indians, as a percent of all American Indians and of all murder victims, by State, 1976-99**

States with the largest number of American Indian murder victims	Number of murders of American Indians	Percent of —		American Indians as a percent of —	
		All murders of American Indians	Total American Indian population	All murder victims	Total resident population
U.S. total	3,208	100.0%	100.0%	0.7%	0.9%
California	425	13.2	13.5	0.6	1.0
Oklahoma	374	11.7	11.0	6.3	7.9
Alaska	313	9.8	4.0	28.1	15.6
North Carolina	297	9.3	4.0	2.1	1.2
Arizona	269	8.4	10.3	3.9	5.0
Washington	204	6.4	3.8	4.0	1.6
New Mexico	192	6.0	7.0	7.5	9.5
Minnesota	183	5.7	2.2	7.0	1.1
New York	88	2.7	3.3	0.2	0.4
Oregon	75	2.3	1.8	2.5	1.3
All other States	788	24.5	39.0	0.2	0.4

Sources: FBI, Uniform Crime Reporting Program, Supplementary Homicide Reports 1976-99; Census 2000 Summary File 1 (SF-1) for resident population data.

Nearly 25% (799) of all American Indian murders occurred in California and Oklahoma. Just over 13% of all American Indian murder victims were in California, which also accounted for 14% of the American Indian population nationwide. Oklahoma had 12% of all American Indian murder victims, a proportion similar to the State's percentage (11%) of the Nation's American Indian population.

In five States, Alaska (28%), North Carolina (2%), Washington (4%), Minnesota (7%), and Oregon (3%) the proportion of murder victims who were American Indian exceeded their proportion of each State's resident population (figure 4).

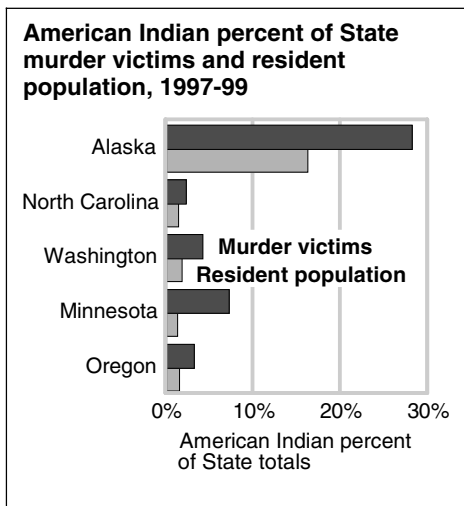


Figure 4

About 1 in 4 of the murder victims in Alaska from 1976 to 1999 were American Indians. Alaska accounted for about 10% of all murdered American Indians and had 4% of the Nation's American Indian population. American Indians in Alaska made up about 16% of the State's total resident population and 28% of the murder victims.

#### Rates of murder

The American Indian murder rate showed a 45% decline from about 6.6 victims per 100,000 in 1995 to 3.6 in 2001 (figure 5).

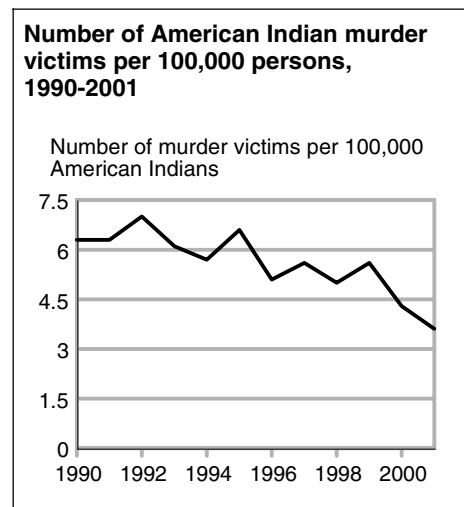


Figure 5

### Race of murderers

During 1976 to 1999 in most murder cases involving a white or black victim, the offender was the same race as the victim (table 17). For example, 86% of white murder victims and 94% of black murder victims were murdered by an offender of their respective race.

By comparison, American Indians (58%) and Asians (60%) were somewhat less likely to be murdered by an offender of their own race. In about 32% of the cases, American Indians were murdered by a white

offender; in 10%, by a black; and in 1%, by an Asian.

### Murder victim-offender relationship

Strangers accounted for 17% of American Indian murders (table 18). American Indian offenders committed about 1% of all murders from 1976 to 1999 when a prior relationship — family member or acquaintance — existed with the victim (table 19). American Indians, like other racial groups, were more likely (66%) to be victims of intraracial homicide when the murderer was a relative or acquaintance.

**Table 17. Murders, by race of offender and victim, 1976-99**

Race of offender	Percent of murder victims				
	All races	American Indian	White	Black	Asian
Total	100%	100%	100%	100%	100%
American Indian	1	<b>58</b>	1	0	0
White	52	32	<b>86</b>	6	22
Black	46	10	13	<b>94</b>	18
Asian	1	1	1	0	<b>60</b>
Victim and offender of different races		42%	14%	6%	40%
Number of victims	315,593	2,469	164,377	144,831	3,916

Note: Table excludes cases in which the race of the victim or offender is unknown.

Source: FBI, Uniform Crime Reporting Program, Supplementary Homicide Reports, 1976-99.

**Table 18. Murders, by victim-offender relationship and race, 1976-99**

Victim-offender relationship	Percent of murder victims				
	All races	American Indian	White	Black	Asian
Total	100%	100%	100%	100%	100%
Victim and offender had prior relationship	79	83	76	83	67
Victim and offender were strangers	21	17	24	17	34
Number of murder victims	299,195	2,405	158,423	134,331	4,036

Note: Table excludes victims with unknown relationship to offender and victims and offenders of unspecified races.

Source: FBI, Uniform Crime Reporting Program, Supplementary Homicide Reports, 1976-99.

**Table 19. Murders by a relative or acquaintance, by race of victim and offender, 1976-99**

Race of relative or acquaintance offender	Percent of murder victims				
	All races	American Indian	White	Black	Asian
All races	100.0%	100.0%	100.0%	100.0%	100.0%
American Indian	0.9	<b>66.0</b>	0.6	0.1	0.3
White	51.0	28.0	<b>92.0</b>	4.0	18.5
Black	47.0	6.0	7.0	<b>96.0</b>	6.7
Asian	1.0	0.5	0.4	0.1	<b>75.0</b>
Number of victims murdered by relative or acquaintance	230,441	2,088	112,920	112,865	2,568

Note: Table excludes victims with unknown relationship for offender and victims and offenders of unspecified races. Detail may not sum to total because of rounding.

Source: FBI, Uniform Crime Reporting Program, Supplementary Homicide Reports, 1976-99.

A third of American Indians murdered by an acquaintance or relative were killed by a member of a different race.

About half of the American Indians murdered by a stranger were killed by a white; a quarter by a black offender.

### Arrests of American Indians

In 2001 State and local law enforcement agencies made an estimated 433,764 arrests for violent crimes (murder/non negligent manslaughter, forcible rape, robbery, and aggravated assault) (table 20).

**Table 20. Violent crime arrests, by race, 1991-2001**

Year	Arrests for violent crimes					Number of arrests of American Indians per 100,000 persons
	Total	American Indian	White	Black	Asian	
1992	640,512	4,635	343,338	287,122	5,417	216
1993	647,448	4,888	340,237	296,066	6,257	224
1994	644,206	5,253	343,909	288,133	6,911	236
1995	618,657	5,238	336,132	270,122	7,165	232
1996	547,519	4,965	299,010	236,343	7,201	217
1997	500,621	4,691	284,523	205,823	5,584	202
1998	479,396	4,575	276,647	192,796	5,378	194
1999	419,473	4,042	248,120	162,264	5,047	169
2000	414,420	4,271	248,167	156,718	5,264	173
2001	433,764	4,345	260,983	163,192	5,244	159
10-year average	534,602	4,690	298,107	225,858	5,947	

Note: Violent crime includes murder, forcible rape, robbery, and aggravated assault. The arrest estimates include adjustments to account for law enforcement agencies that did not report.

Source: FBI, *Crime in the United States, 2001*, pg. 252, table 43.



American Indians accounted for about 1% of those arrests — an estimated 4,345 arrests (figure 6).

Between 1992 and 2001 the violent crime arrest rate of American Indians declined 26%. In 1992 the violent crime arrest rate was 216 arrests per 100,000 American Indians, and in 2001, 159 per 100,000. The total number of American Indian arrests for violent crimes increased 1.7% from 2000 to 2001.

Among arrestees of all ages, the violent crime arrest rate for American Indians (159 per 100,000) was similar to the rate for all races (152 per 100,000). Compared to all races, American Indians were less likely (16 to 27 arrests per 100,000) to be arrested for robbery but more likely (131 to 116) to be arrested for aggravated assault.

**Arrests of American Indians for violent crime by State and local law enforcement, 1992-2001**

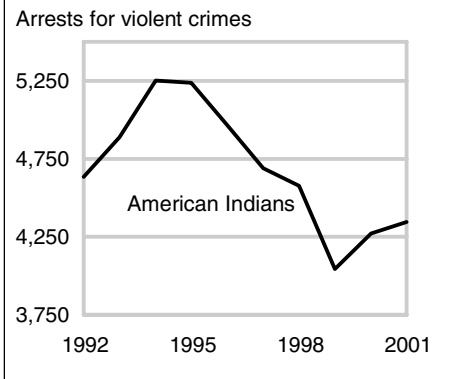


Figure 6

Slightly less than 14% of American Indians arrested for violent offenses in 2001 were under age 18, similar to 15% of all violent crime arrestees (not shown in a table). For violent crimes except murder, American Indians age 17 or under were less likely to be arrested than youth of all races.

**Table 21. Arrests, by violent crime and age, 2001**

Type of violent crime	Number of arrests per 100,000 population			
	All ages		Youth, age 17 or under	
	All races	American Indians	All races	American Indians
Total of violent crimes	152	159	203	140
Murder	3	4	3	7
Forcible rape	7	8	9	5
Robbery	27	16	55	22
Aggravated assault	116	131	136	106

Sources: FBI, *Crime in the United States, 2001*. Population estimates are from the U.S. Census Bureau, *Statistical Abstract of the United States, 2002*.

**Table 22. Arrests, by alcohol violations, race, and age, 2001**

Type of violations	Number of arrests per 100,000 population			
	All ages		Youth, age 17 or under	
	All races	American Indians	All races	American Indians
Total alcohol violations	623	1,240	362	681
Driving under the influence (DUI)	332	479	41	52
Liquor laws	143	405	279	571
Drunkenness	148	356	42	57

Source: FBI, *Crime in the United States, 2001*.

### *Alcohol related arrests*

In 2001 the arrest rate among American Indians for alcohol violations — driving under the influence (DUI), liquor law violations, and drunkenness — was double the national rate (table 22). About 1,240 American Indians per 100,000 of the population were arrested for alcohol violations, compared to 623 per 100,000 of all persons. American Indian youth age 17 or under likewise had an alcohol violation arrest rate (681) nearly double that of youth of all races (362).

### **Gangs in Indian country**

Youth gang activity in Indian communities is a relatively recent phenomena, according to data provided by the National Youth Gang Center.<sup>6</sup> The 2000 Survey of Youth Gangs (SYGIC) in Indian country collected information on the presence and effect of youth gang activity within Indian communities.

Overall, about half (52%) of the selected Indian communities completed the survey, with about 23% (40) indicating an active gang problem in their community (not shown in a table). The SYGIC also provides estimates of members, causes, gangs in school, gang migration, crime involvement, and influence on the community.

<sup>6</sup>Office of Juvenile Justice and Delinquency Prevention, *Youth Gangs in Indian Country*, March 2004 (NCJ 202714). The web location is <<http://www.ncjrs.org/pdffiles1/ojjdp/202714.pdf>>.

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## American Indians in the Federal justice system

United States attorneys prosecute violations of Federal laws in Indian country. Section 1153 of U.S. Title 18 grants jurisdiction to Federal courts over Indians who commit any of the crimes listed under the Major Crimes Act of 1885, regardless of whether the victim was an Indian or non-Indian.<sup>7</sup>

At the Federal level "Indian country" means all land within the limits of any Indian reservation under the jurisdiction of the United States Government, including all dependent communities and Indian allotments as described in 18 USC § 1151.

Data on suspects investigated and charged in U.S. district court come from the BJS Federal Justice Statistics Program (FJSP). The data do not identify the race of suspects but do identify whether the offense occurred in Indian country. The Executive Office for U.S. Attorneys constructed the original database using its Central System File, fiscal year 2000.

<sup>7</sup>18 U.S.C. § 1153. Some exemptions apply in PL 280 jurisdictions and where other unique statutes impact Indian country.

## Investigations

Criminal referrals or "matters" are submitted to the U.S. attorneys by Federal investigative agencies — Drug Enforcement Agency, FBI, and Bureau of Indian Affairs — and State and local investigative agencies. The U.S. attorney decides the appropriateness of bringing criminal charges and may initiate prosecution.

In fiscal year 2000 U.S. attorneys investigated an estimated 123,559 suspects in matters from across the United States for violation of Federal laws (table 23). Just under 2% (2,074) were for alleged offenses occurring in Indian country.

About 6,036 of all new suspects in 2000 were investigated for violent offenses.<sup>8</sup> The 1,525 suspects investigated for violent offenses in Indian country represented 25% of all Federal investigation for violent offenses in fiscal year 2000.

<sup>8</sup>Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 2000*, <<http://www.ojp.usdoj.gov/bjs/abstract/cfjs00.htm>>.

**Table 23. Suspects in matters investigated by U.S. Attorneys, by offense, 2000**

Type of offense	Percent of suspects investigated	
	Total	Indian country
All offenses	100%	100%
Violent	4.9	73.5
Property	23.0	12.5
Drugs	31.5	0.9
Other	40.6	9.5
Number of offenses	123,559	2,074

Source: BJS, Federal Justice Statistics Program (FJSP), Executive Office for U.S. Attorneys, Central System File, fiscal year 2000.

Violent crimes were the majority of offenses investigated by U.S. attorneys in Indian country in fiscal year 2000. Just under 75% of suspects investigated in Indian country involved a violent crime, compared to the national total of 5%.

The majority of suspects investigated from Indian country were in the judicial districts of South Dakota, Arizona, New Mexico, Montana, and North Dakota. About half of the total 2,074 investigations were in the judicial districts of South Dakota and Arizona (figure 7).

The number of Indian country suspects investigated by U.S. attorneys for violence declined 21% from 1,927 in 1997 to 1,525 in 2000.

*Charges filed*

At the conclusion of the investigation of a criminal matter, U.S. attorneys may decline prosecution, file criminal charges in a U.S. district court, or refer the matter to a U.S. magistrate or a State jurisdiction.

In 2000 about 25% of the Indian country suspects were investigated for property, drug, or other offenses.

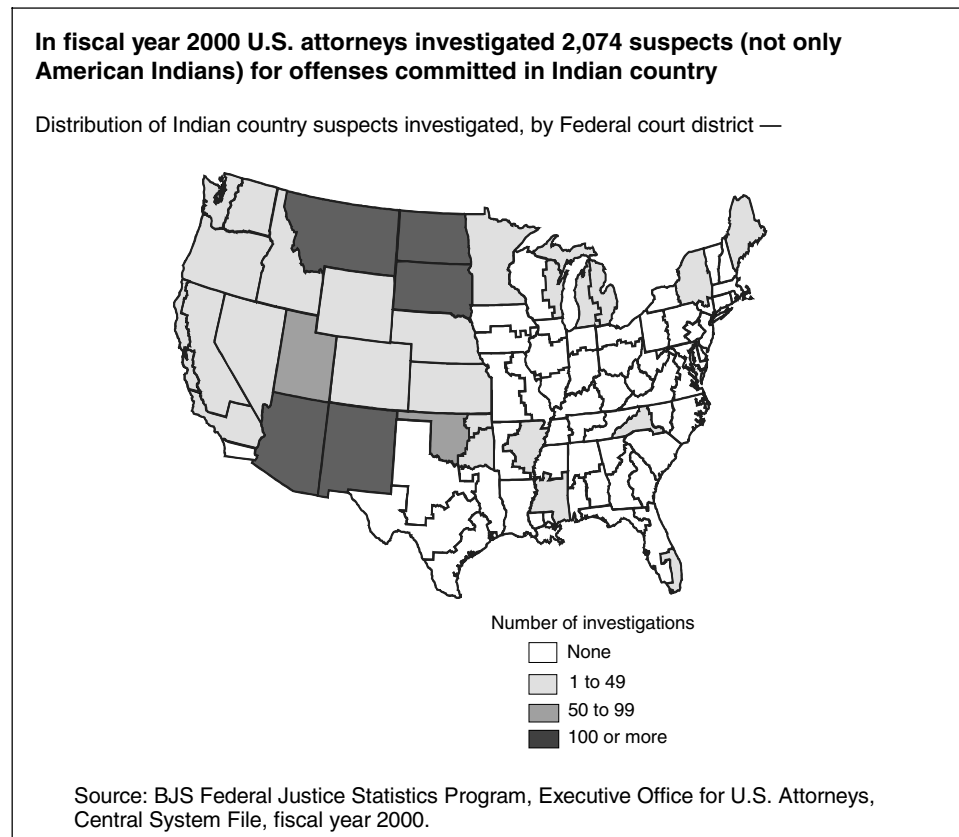


Figure 7

In fiscal year 2000, U.S. attorneys filed 77,990 criminal cases in all Federal district courts (table 24). About 1% (924) of all the cases filed involved cases in Indian country.

About 3,688 charges for violent offenses were filed in U.S. district court during fiscal year 2000. The 677 Indian country cases represented about 18% of all defendants charged with a violent crime.

Among Indian country offenses, violent crimes accounted for the majority of the offenses charged during fiscal year 2000. An estimated 73% of all charges filed in U.S. district courts for Indian country offenses were for violent crimes, compared to the national total of about 5% (figure 8).

Compared to the number of Federal district court filings for violent crimes (60,403) in fiscal year 1997, the fiscal year 2000 estimate (77,990) represented a 29% increase in 3 years. The number of charges filed against American Indians for violent crimes increased 27% from 1997 to 2000.

**Table 24. Criminal cases filed in U.S. district courts, by type of offense, 2000**

Type of offense	Percent of offenses charged	
	All cases	Indian country cases only
All offenses	100.0%	100.0%
Violent	4.7	73.3
Property	19.5	9.4
Drugs	39.3	2.1
Other	36.4	15.3
Number of offenses	77,990	924

Indian country suspects were more likely to be charged in U.S. district court for violent crimes relative to other offenses. About 27% of the Indian country suspects charged with offenses in U.S. district court in 2000 were for property, drug, or other offenses.

About 3 in 5 criminal cases (924) filed in U.S. district court in Indian country during fiscal year 2000 were in the judicial districts of Arizona (202), South Dakota (176), Montana (113), and New Mexico (107) (not shown in a table).

*American Indians entering Federal prisons*

Between fiscal years 1994 and 2001, on an annual average, about 751 American Indians entered Federal prison following convictions for violent offenses.

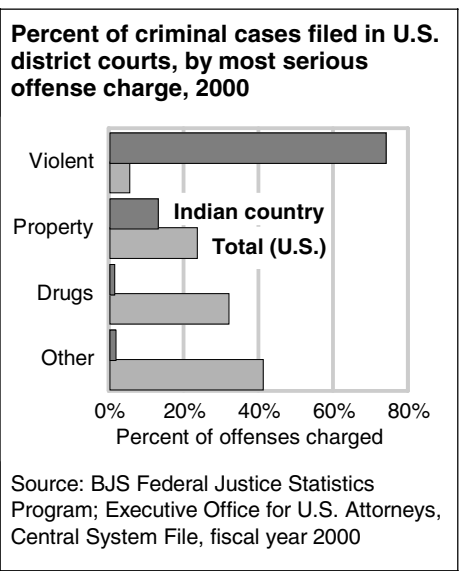


Figure 8

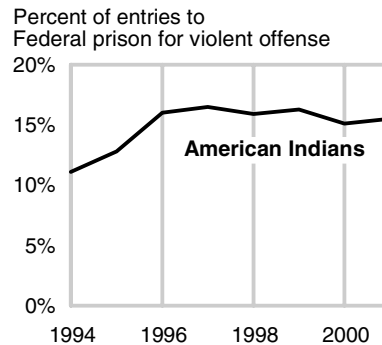
These data come from the BJS Federal Justice Statistics Program, using a database constructed by the Federal Bureau of Prisons (BOP).<sup>9</sup>

In 2001 BOP was responsible for the confinement of over 171,000 offenders. In fiscal year 2001 about 69,900 offenders entered Federal prison (table 25). An estimated 2.4% (1,662) of the offenders entering Federal prison were American Indians.

About 5,881 violent offenders entered Federal prison during fiscal year 2001. American Indians were 16% (913) of all offenders entering Federal prison for violent crimes (figure 9). The American Indian proportion of all

violent offenders entering Federal prison has remained stable since 1996 — about 15%.

**American Indians as percent of all violent offenders entering Federal prisons, 1994-2001**



Source: BJS Federal Justice Statistics Program; Bureau of Prisons Sentry File, fiscal year 1994-2001.

Figure 9

**Table 25. Offenders entering Federal prison, by race and offense type, 1994 and 2001**

Type of offense	Offenders entering Federal prison				
	All races	American Indian	White	Black	Asian
<b>Persons entering prison in 2001</b>					
All offenses	100.0%	100.0%	100.0%	100.0%	100.0%
Violent	8.4	<b>54.9</b>	4.4	13.3	5.1
Property	16.1	17.1	14.7	18.0	35.7
Drug	40.1	12.2	38.9	45.3	27.3
Other	35.4	15.8	42.0	23.5	31.9
Total number	69,900	1,662	45,398	21,919	921
<b>Persons entering prison in 1994</b>					
All offenses	100.0%	100.0%	100.0%	100.0%	100.0%
Violent	12.3	<b>59.7</b>	10.2	12.8	4.6
Property	25.8	16.8	28.1	22.6	32.2
Drug	50.4	13.0	55.6	45.8	29.6
Other	11.5	10.6	6.1	18.8	33.6
Total number	37,854	865	21,781	14,556	652

Note: Excludes prisoners for whom race was unknown.

Source: BJS, Federal Justice Statistics Program; Bureau of Prisons Sentry file, 1994 and 2001.

American Indians were more likely to be serving a sentence for a violent offense than Federal prisoners of other races. In fiscal year 2001, 55% of American Indians entering Federal prison were serving a sentence for a violent crime, compared to 4% of white offenders, 13% of black offenders, and 5% of Asian offenders.

**Recidivism among American Indian prisoners released in 1994**

BJS conducted a study of recidivism among persons released from prisons in 15 States, accounting for two-thirds of all released State prisoners in 1994.<sup>10</sup>

This study followed a sample drawn to represent 272,111 former inmates for 3 years after their release.

<sup>10</sup>BJS, *Recidivism of Prisoners Released in 1994*, June 2002 (NCJ 193427) . See <<http://www.ojp.usdoj.gov/bjs/abstract/rpr94.htm>>.

It measured their rates of arrest, conviction, sentencing to prison, and reincarceration (with or without a new sentence) (table 26).

An estimated 1,712 of the former inmates in this study were American Indians, about 1.0% of all the inmates in the study. The American Indian inmates were discharged from prisons in 12 of the 15 States in the study:

- Arizona
- California
- Florida
- Illinois
- Maryland
- Michigan
- Minnesota
- New Jersey
- New York
- North Carolina
- Ohio
- Oregon

The American Indians were in prison for a variety of offenses, virtually all felonies. Nearly 27% of the American Indians leaving prison in 1994 served time for violent offenses, 32% for property offenses, 18% for drugs, and 22% for public-order offenses.

**Table 26. Prisoners released from prison in 12 States in 1994, by race and offense**

Most serious offense for which released	Number of released offenders		Percent of released offenders	
	All races	American Indians	All races	American Indians
Total	272,111	1,712	100%	100%
Violent	61,225	458	22.5	26.7
Property	91,157	555	33.5	32.4
Drug	88,708	305	32.6	17.8
Public-order	26,395	383	9.7	22.4
Other	4,626	11	1.7	1.0

Note: Public-order offenses include DWI/DUI, weapons offenses, traffic offenses, probation violation, parole violation, obstruction of justice, habitual offender, and contributing to delinquency of a minor. "Other" includes offenses unknown. Total number of prisoners represent two-thirds of all released prisoners across the United States in 1994. No data on American Indians released in 1994 were available for Delaware, Texas, or Virginia.

Source: BJS, *Recidivism of Prisoners Released in 1994*. See <[www.ojp.usdoj.gov/bjs/abstract/rpr94.htm](http://www.ojp.usdoj.gov/bjs/abstract/rpr94.htm)>.

*American Indian recidivism rates at different lengths of time after release*

Within the first 6 months of their release, 26% of the 1,712 American Indian offenders were arrested for new crime — a felony or serious misdemeanor (table 27).

By the end of 36 months from their release, an estimated 60% of the 1,712 American Indians were arrested, 47% convicted, and 21% sentenced to prison for a new felony or serious misdemeanor.

Most new arrests and convictions occurred within the first year of release. About 45% were arrested again within 1 year, and 25% were convicted for a new crime.

**Arrest.** An estimated 60% of American Indians released from prison in 1994 were arrested for a new crime within 3 years (table 28). Fifty-three percent of the American Indians released for violent offenses were arrested for a new crime.

**Table 27. Recidivism of American Indian prisoners released in 1994 from prison in 12 States, by time after release**

Time after release	Percent of American Indians released from State prison in 1994		
	Arrested	Convicted	Sentenced to prison
6 months	25.5%	11.6%	3.6%
1 year	44.7	24.6	8.9
2 years	56.6	35.7	14.1
3 years	60.1	46.6	21.3
Total number of inmates	1,023	735	323

Note: Excludes inmates lacking information on a precise time of subsequent contact with the criminal justice system.

**Table 28. Prisoners released in 1994, by offense, race, arrest, and conviction**

Most serious offense for which released	Within 3 years of release, percent of prisoners			
	Arrested		Convicted	
	All races	American Indians	All races	American Indians
Total released prisoners	67.5%	59.6%	46.9%	46.3%
Violent	61.7	52.6	39.9	40.1
Property	73.8	82.4	53.4	76.8
Drug	66.7	46.6	47.0	29.9
Public-order	62.2	47.7	42.0	23.9
Total arrested/convicted	183,674	1,024	127,620	792

Note: Table excludes 2 prisoners whose conviction status was not available. New crimes included either a felony or serious misdemeanor.

Source: BJS, *Recidivism of Prisoners Released in 1994*. See <[www.ojp.usdoj.gov/bjs/abstract/rpr94.htm](http://www.ojp.usdoj.gov/bjs/abstract/rpr94.htm)>.



**Conviction.** A total of 47% of the American Indians released from prison in 1994 were convicted in State or Federal court for a new crime within 3 years. About 40% of American Indian violent offenders leaving prison were convicted for a new crime of any type.

**Sentenced to prison for new crime.** About 1 in 5 American Indians released from prison in 1994 were sentenced to a new prison term for the commission of a new felony or serious misdemeanor (table 29). An estimated 16% of American Indians released from prison in 1994 for a violent offense were sentenced to prison for a new crime within 3 years.

**Returned to prison with or without a new sentence.** More than half of American Indians released from prison in 1994 were back in prison because they received another sentence or because they violated a technical condition of their release — for example, failing a drug test, failing to meet their parole officer, or being rearrested for a new crime.

*Past violent crimes and recidivism*

Twenty-nine percent of the American Indian violent offenders released in 1994 were arrested for a new violent offense (not shown in table). Within 3 years of release, about 15% of the 75 American Indian violent offenders released for murder were arrested for another murder.

**Table 29. Prisoners released in 1994 and returned to prison by race**

Most serious offense for which released	Within 3 years of release, percent returned to prison			
	Sentenced for new crime		With or without new sentence	
	All races	American Indians	All races	American Indians
Total offenses	25.4%	21.3%	51.8%	57.1%
Violent	20.4	16.2	48.8	52.1
Property	30.5	39.3	56.4	76.0
Drug	25.2	12.7	49.2	37.5
Public-order	21.6	7.9	48.0	47.7
Total sentenced to prison	69,116	361	140,953	806

Note: Excludes 291 cases where the sentencing information for new crime was unknown. Sentences to State or Federal prison only. These data do not include local jails.

Source: BJS, *Recidivism of Prisoners Released in 1994*.  
See <[www.ojp.usdoj.gov/bjs/abstract/rpr94.htm](http://www.ojp.usdoj.gov/bjs/abstract/rpr94.htm)>.

**American Indians and capital punishment, 1973-2002**

Capital punishment data are collected annually as part of the National Prisoner Statistics program. Data collected on persons under sentence of death are obtained from the department of corrections in each jurisdiction authorizing capital punishment. Information on the status of death penalty inmates is reported as of the last day of the calendar year. Data include Federal inmates.

Over the period 1973-2002, 7,254 persons were sentenced to death in the United States; 60 were American Indians (table 30).

Between 1977 and 2002, a total of 820 persons were executed, including 8 American Indians (1% of those executed).

**Table 30. American Indians under sentence of death, 1973-2002**

	All races	American Indians
<b>Sentenced to death, 1973-2002</b>	7,254	60
Executed, 1977-2002	820	8
Percent	11.3%	13.3%
Removed from death row by means other than execution	2,877	25
Percent	39.7%	41.7%
Remaining under sentence of death, 2002	3,557	27
Percent	49.0%	45.0%

**Table 31. Capital punishment among American Indians, by State and status, 1973-2002**

States	Total sentenced to death, 1973-2002	Executed	Died from other causes	Sentence overturned or commuted	Under a sentence of death, 12/31/2002
U.S. total	60	8	1	24	27
Alabama	1			1	
Arizona	4	1		1	2
California	7			1	6
Delaware	1	1			
Florida	1	1			
Georgia	1				1
Idaho	1			1	
Maryland	1			1	
Montana	3			2	1
Nebraska	2			2	
New Mexico	1			1	
North Carolina	15			8	7
Ohio	2				2
Oklahoma	16	4	1	6	5
Oregon	1				1
Tennessee	1				1
Texas	1	1			
Utah	1				1
Percent of total sentenced to death	100%	13%	2%	40%	45%

Among the 7,254 persons sentenced to death, 3,557 were still under a death sentence at the end of 2002 — 49% of those entering death row over the period. For American Indians, 27 of the 60 (45%) sentenced to death between 1973 and 2002 still remained under a death sentence at the close of 2002.

About half of all death sentences imposed on American Indians from 1973 to 2002 were in North Carolina (15) and Oklahoma (16). As of December 31, 2002, North Carolina (7) had the largest number of American Indians under a sentence of death (table 31).

Forty-two percent of American Indians ever under a sentence of death, 1973-2002, were removed from deathrow by means other than execution.

About 40% (24) of the American Indians sentenced to death from 1973-2002 had their sentence overturned or commuted.

## Indian country criminal justice

Data on tribal law enforcement and jails in Indian country come from the Census of State and Local Law Enforcement Agencies and the Survey of Jails in Indian Country.

### *Tribal law enforcement*

In 2000 American Indian tribes operated 171 law enforcement agencies.<sup>11</sup> Tribally operated law enforcement agencies in Indian country employed a total of 2,303 full-time sworn officers:

- The five largest tribally operated law enforcement agencies vary in reservation land area, as well as in the number of full-time sworn personnel per 100 square miles (table 32).
- About 88% of the tribally operated law enforcement agencies participated

<sup>11</sup>BJS, *Tribal Law Enforcement, 2000*, January 2003 (NCJ 197936). See <<http://www.ojp.usdoj.gov/bjs/tle00.htm>>.

**Table 32. The 5 largest tribally operated law enforcement agencies, by number of full-time personnel and land area, 2000**

Agency name and headquarters location	Full-time sworn personnel	Reservation land area (square miles)	Full-time sworn personnel (per 100 square miles)
Navajo Nation Department of Law Enforcement (AZ)	321	22,174	1
Tohono O'odham Tribal Police Department (AZ)	76	4,453	2
Seminole Department of Law Enforcement (FL)	67	<1	...
Gila River Indian Community Law Enforcement (AZ)	58	584	10
Oglala Sioux Tribal Police Department (SD)	58	3,159	2

Note: Land area data are extracted from the Census 2000, which includes reservation land only. ...Not applicable.

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in crime prevention activities and executed arrest warrants (not shown in table).

- About 1 in 4 tribal police agencies operated one or more jails.

#### *Jails in Indian country*

American Indian tribes and the Bureau of Indian Affairs, U.S. Department of Interior, operate 70 jails in tribal areas. In 2002 these confinement facilities, detention centers, or other correctional facilities had a rated capacity to house about 2,177 adult and juvenile inmates (table 33).

On June 28, 2002, 2,080 American Indians were under correctional supervision in Indian country facilities.<sup>12</sup> About 2,006 (96%) of the American Indians under correctional supervision in Indian country were inmates, and 74 (4%) were under community supervision (which included probation and parole).

A total of 711 jail operation staff — correctional officers, guards, and other staff who spent more than 50% of their time supervising inmates — worked in the jails in Indian country on June 28, 2002. The average guard-to-inmate ratio for all tribes in Indian country is one jail staff member to three inmates. Five reporting jails had a guard-to-inmate ratio of 1 to 10 or higher.

The majority (86%) of the offenders were confined in Indian country jails for misdemeanors. About 20% (408) of the offenders were held for

nondomestic violent offenses. Approximately 11% or 226 of the offenders in Indian country jails were confined for a DWI or DUI (either drugs or alcohol).

#### *Juvenile jails in Indian country*

Among the 70 jails (confinement facilities, detention centers, or other correctional facilities) in tribal areas, 10 jails were designated as juvenile facilities (table 34). On June 28, 2002, the juvenile facilities were supervising 180 juveniles and 5 adults being held for the Federal Bureau of Prisons.

The 10 juvenile facilities had a rated capacity to hold 341 inmates. On June 28, 2002, the juvenile jails were operating at 54% of capacity. As in all other jails in Indian country, a majority (62%) of the offenders were held for misdemeanors. About 10% of the inmates in the juvenile jails were held for felonies and 29% for other offenses, which include status offenses, unknown charges, and court orders.

A total of 188 jail correctional officers and other staff who spent more than 50% of their time supervising inmates worked in the juvenile jails. The average officer to inmate ratio for all juvenile jails was one-to-one. Several tribes had more officers than inmates at midyear 2002.

<sup>12</sup>BJS, *Jails in Indian Country, 2002*, (NCJ 198997). See <<http://www.ojp.usdoj.gov/bjs/jic02.htm>>.

**Table 33. Tribal adult jail capacity and staff, by State and tribe, 2002**

State	Tribal affiliation	Number of inmates			
		Inmates in custody <sup>a</sup>	Rated capacity <sup>b</sup>	Jail operations staff <sup>c</sup>	Guard-inmate ratio <sup>d</sup>
Total		2,006	2,177	711	1 to 3
Alaska	Metlakatla Indian Community	0	10	5	
Arizona	Navajo Nation <sup>e</sup>	220	221	77	1 to 2
	Colorado River Indian Tribes	30	36	12	1 to 3
	Fort Mohave Indian Tribe	2	3	0	
	White Mountain Apache Tribe	60	46	14	1 to 4
	Hopi Tribe	85	96	8	1 to 11
	Tohono O'odham Nation	116	56	41	1 to 3
	Gila River Indian Community	219	252	94	1 to 2
	Salt River Pima-Maricopa Indian Community	51	56	35	1 to 1
	San Carlos Apache Tribe	72	48	/	
	Hualapai, Havasupai, Prescott Apache and Tonto Apache	50	45	5	1 to 10
	Supai Tribe	7	12	0	
	Pascua Yaqui Tribe	0	4	5	
Colorado	Southern Ute Tribe	40	48	20	1 to 2
	Ute Mountain Ute Tribe	16	54	15	1 to 1
Idaho	Shoshone-Bannock Tribe	17	25	8	1 to 2
Michigan	Lake Superior Band of Chippewa	6	4	2	1 to 3
Minnesota	Red Lake Chippewa Tribe	38	22	9	1 to 4
Mississippi	Mississippi Band of Choctaw Indians	28	40	15	1 to 2
Montana	Blackfoot Tribe	26	69	19	1 to 1
	Crow Tribe	14	14	9	1 to 2
	Gros Ventre and Assiniboine Tribe	5	8	4	1 to 1
	Assiniboine and Sioux Tribes	29	38	22	1 to 1
	Northern Cheyenne Tribe	29	19	4	1 to 7
	Chippewa-Cree Tribe	7	15	4	1 to 2
	Confederated Tribes of Salish and Kootenai	14	20	10	1 to 1
Nebraska	Omaha Tribal Police Department	29	32	8	1 to 4
Nevada	Shoshone-Paiute Tribes	13	27	6	1 to 2
New Mexico	Jicarilla Apache Tribe	29	46	12	1 to 2
	Laguna Pueblo	22	22	5	1 to 4
	Mescalero Apache Tribe	21	24	2	1 to 11
	Taos Pueblo	17	8	6	1 to 3
	Ramah Navajo	5	10	7	1 to 1
	Zuni Pueblo	20	34	12	1 to 2
	Navajo Nation <sup>e</sup>	61	53	16	1 to 4

**Table 33. (continued)**

State	Tribal affiliation	Number of inmates			
		Inmates in custody <sup>a</sup>	Rated capacity <sup>b</sup>	Jail operations staff <sup>c</sup>	Guard-inmate ratio <sup>d</sup>
North Dakota	Spirit Lake Sioux Tribe	26	34	6	1 to 4
	Standing Rock Sioux Tribe	56	50	5	1 to 11
	Turtle Mountain Chippewa Tribe	22	30	5	1 to 4
	Three Affiliated Tribes of Fort Berthold Reservation	22	8	6	1 to 4
Oklahoma	Ponca Tribe of Oklahoma	36	60	38	1 to 1
	Sac and Fox Nation	4	5	1	1 to 4
Oregon	Warm Springs Confederated Tribes	58	44	17	1 to 3
South Dakota	Cheyenne River Sioux Tribe	35	55	37	1 to 1
	Crow Creek Sioux Tribe	14	12	4	1 to 4
	Oglala Sioux Tribe	107	78	18	1 to 6
	Rosebud Sioux Tribe	34	68	6	1 to 6
	Sisseton-Wahpeton Sioux Tribe	22	22	3	1 to 7
Utah	Northern Ute Tribe	7	22	4	1 to 2
Washington	Chehalis Indian Tribe	5	8	5	1 to 1
	Makah Indian Tribe	8	13	1	1 to 8
	Puyallup Tribe	4	8	7	1 to 1
	Quinault Tribe	6	12	7	1 to 1
	Spokane Tribe	5	10	3	1 to 2
	Confederated Tribes of Yakama Nation	47	50	9	1 to 5
Wisconsin	Menominee Indian Tribe	52	45	14	1 to 4
Wyoming	Shoshone and Arapahoe Tribe	38	26	4	1 to 10

/Not reported.

<sup>a</sup>Adults and juveniles confined in jail facilities on June 28, 2002.

<sup>b</sup>Rated capacity is the maximum number of beds or inmates assigned by a rating official to a facility. Excludes temporary holding areas.

<sup>c</sup>Includes correctional officers, guards, and other staff who spend more than 50% of their time supervising inmates.

<sup>d</sup>Includes the number of jail operation staff to the relative number of inmates (inmates in custody divided by number jail operation staff) rounded to the whole number.

<sup>e</sup>Data for the Navajo Department of Corrections-Window Rock in Arizona and Shiprock in New Mexico are based on custody population on June 29, 2001. Jail operation staff data were not provided for Window Rock or Shiprock. Domestic violence and other violent offenses were not collected on June 29, 2001. Facility staffing was not collected on June 29, 2001.

Source: BJS, *Jails in Indian Country, 2002*. See <[www.ojp.usdoj.gov/bjs/abstract/jic02.htm](http://www.ojp.usdoj.gov/bjs/abstract/jic02.htm)>.

**Table 34. Tribal juvenile jail capacity, number in custody, offense seriousness, and staff, by State and tribe, 2002**

State	Number of juveniles		Number of juveniles in custody			Jail operations staff <sup>d</sup>
	Inmates in custody <sup>a</sup>	Rated capacity <sup>b</sup>	Seriousness of offense			
			Felony	Misdemeanor	Other <sup>c</sup>	
Total	185	341	18	114	53	188
<b>Arizona</b>						
Chinle Youth Corrections	13	27	0	13	0	24
Gila River Juvenile Detention and Rehabilitation Center	61	100	0	61	0	46
Tohono O'odham Judiciary Juvenile Detention Center	15	22	8	7	0	12
Western Navajo Juvenile Services	26	36	0	3	23	24
<b>Montana</b>						
Fort Peck Indian Youth Services Center	13	16	3	10	0	13
White Buffalo Youth Detention Center	6	24	0	0	6	10
<b>New Mexico</b>						
Navajo Department of Corrections-Tohatchi Juvenile Center	3	14	0	3	0	8
<b>Oklahoma</b>						
Sac & Fox Nation Juvenile Detention Facility	36	60	1	11	24	38
<b>South Dakota</b>						
Klyuska O'Tipi Reintegration Center <sup>e</sup>	9	32	6	3	0	3
Walter Miner Law Enforcement Center-Juvenile	3	10	0	3	0	10

<sup>a</sup>Juveniles confined in jail facilities on June 28, 2002.

<sup>b</sup>Rated capacity is the maximum number of beds or inmates assigned by a rating official to a facility. Excludes temporary holding areas.

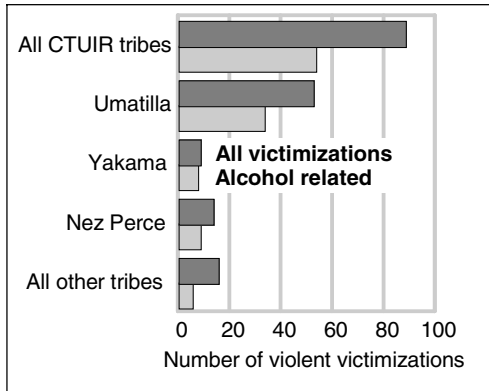
<sup>c</sup>Includes inmates being held for status offenses, unknown charges, court.

<sup>d</sup>Includes correctional officers, guards, and other staff who spend more than 50% of their time supervising inmates.

<sup>e</sup>Custody number includes 5 adults being held for the BOP.

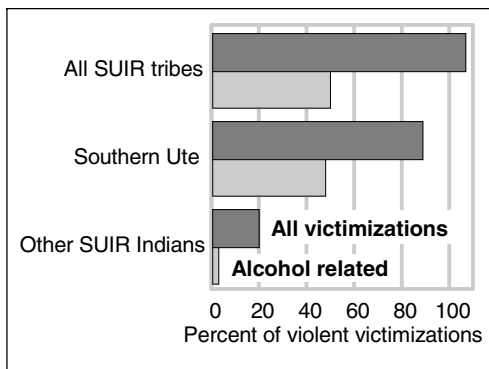
## Highlights: Tribal criminal victimization

### The Umatilla Indian Reservation



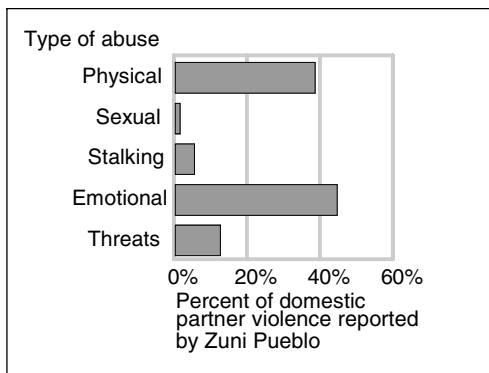
- About 90 respondents from the Umatilla Indian Reservation said they had experienced a violent crime over the prior 12 months.
- More than half of the victims of violence in the Umatilla tribal reservation reported alcohol use by their offender.

### The Southern Ute Indian Reservation



- About 58 SUIR respondents said they had experienced 106 violent crimes over a prior 12 months.
- 49 of the 106 SUIR victims of violence reported alcohol and/or drug use by the offender.

### The Zuni Pueblo Indian Reservation



- About 30% of the Zuni Pueblo Indian respondents indicated they had been victims of domestic partner violence in the previous 12 months.
- Among the victims of domestic violence, respondents were more likely to identify emotional or physical abuse than stalking or sexual abuse.



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## Summary report of three American Indian criminal victimization surveys

### *Introduction*

Because of size and design, nationally representative surveys such as the NCVS do not provide estimates of crime and victimization for individual American Indian tribes or Alaska Native villages.

To address this information gap, BJS awarded three grants to study the characteristics and circumstances of violent victimization in selected Indian country jurisdictions. These surveys were specifically designed to capture data about the role of alcohol in violent victimizations and the characteristics of domestic violence. The surveys covered three American Indian jurisdictions:

- Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
- Southern Ute Indian Tribe (SUIT)
- Zuni Pueblo Indian Tribe

The results of the individual criminal victimization surveys cannot provide generalizations about the entire American Indian reservation population or even other parts of Indian country, but they do provide a view of violent crime

as experienced by the respondents in the participating tribes. Although not based on a probability sample, each local tribal survey incorporated the methodological approach most conducive to the reservation under study and accessibility to tribal members.

The following provides a synopsis of each of the three studies. Detailed findings and complete datasets can be obtained by contacting the organization that conducted the studies (see page 41 for contact information).

### **Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Criminal Victimization Survey**

The National Indian Justice Center conducted a victimization survey among the Confederated Tribes on the Umatilla Indian Reservation (CTUIR) in northeastern Oregon. The CTUIR is a federally recognized tribe with an estimated reservation population of 2,400 tribal members.<sup>13</sup> The Umatilla Reservation spans a total of nearly 172,140 acres.<sup>14</sup>

Three primary tribal groups of American Indians compose the CTUIR: Cayuse, Umatilla, and Walla Walla tribes. Residents from other American Indian tribes and non-Indians also live on the CTUIR.

<sup>13</sup>CTUIR, See <[www.umatilla.nsn.us](http://www.umatilla.nsn.us)>

<sup>14</sup>Veronica Tiller, *Tiller's Guide to Indian Country* (1996).

**Methodology** The CTUIR survey collected information about incidence, prevalence, and characteristics of violent crimes as viewed by respondents.

Data were collected on the tribal affiliation of American Indians living on or near the reservation, the role of alcohol and drugs in victimizations, and reporting to police by victims.

The study design did not include probability sampling. Based on the purpose of the study and the amount of access to the tribal population, the most effective method of obtaining responses from across the tribe was an advertisement in the free and widely read tribal newspaper *Umatilla Journal*.

One hundred and three American Indians age 18 or older, living on or near the CTUIR, took part in the survey (table 35). The following analysis excludes non-Indian respondents. The CTUIR survey respondents represented about 9% of the total population of American Indians living on or near the CTUIR (table 36).

The majority (64%) of the survey respondents were members of the CTUIR — Cayuse, Umatilla, and Walla Walla tribes.

Three other groups of American Indian respondents were represented in the study. Yakama (12%), Nez Perce (10%), and other American Indians described as *all other tribes* (15%) live on or near the CTUIR. All other tribes included Blackfeet, Cherokee, Cocopah, Colville, Grand Ronde, Navajo, Ponca, Shoshone-Paiute Duck Valley, Spokane, Warm Springs, and Yorok.

The CTUIR study provides measures of *violent victimizations* (categorized as *nondomestic violent crimes* and *domestic violent crimes*), and *property crimes*. Property crimes are not analyzed in this report.

*Violent victimization* is a combined category of all violent crimes (nondomestic and domestic) occurring within the previous 12 months.

Survey respondents reported a total of 88 violent victimizations during the

**Table 35. CTUIR violent victimization respondents, by tribal affiliation, 2001**

Tribe	Respondents		Violent victimizations	
	Number	Percent	Number	Percent
Total	103	100%	88	100%
Umatilla	66	64	52	59
Yakama	12	12	8	9
Nez Perce	10	10	13	15
All other tribes	15	15	15	17

Note: A total of 88 violent victimizations (nondomestic violent and domestic violent crimes) were reported by 67 respondents. Umatilla includes Cayus, Umatilla, and Walla Walla tribes. All other tribes include Blackfeet, Cherokee, Cocopah, Colville, Grand Ronde, Navajo, Ponca, Shoshone-Paiute Duck Valley, Spokane, Warm Springs, and Yorok. Several victims reported multiple victimizations, and each reported violent act is counted as a separate offense.

**Table 36. Violent victimizations of CTUIR American Indians age 18 or older, by gender, age, residence, and tribal affiliation, 2001**

Total	Number of victimizations				All other tribes
	All CTUIR victimizations	Umatilla	Yakama	Nez Perce	
Total	88	52	8	13	15
<b>Gender</b>					
Males	30	15	1	9	5
Females	58	37	7	4	10
<b>Age</b>					
18 to 24	9	4	2	0	3
25 to 34	26	17	2	4	3
35 to 44	29	10	4	8	7
45 to 54	20	18	0	1	1
55 or older	4	3	0	0	1
<b>Residence</b>					
Government housing	29	19	4	2	4
Rural	34	21	1	8	4
Off reservation	22	11	3	3	5

Note: Residence counts excludes one victimization from "Umatilla" and two from "all other tribes" in which residence was unknown. Umatilla includes Cayus, Umatilla, and Walla Walla tribes. All other tribes include Blackfeet, Cherokee, Cocopah, Colville, Grand Ronde, Navajo, Ponca, Shoshone-Paiute Duck Valley, Spokane, Warm Springs, and Yorok. Figures exclude respondents who did not report age or residence and may not total number of victimizations.

previous 12 months. Almost two-thirds of all respondents indicated they had been victims of a violent crime. Twenty-one of the victims had experienced both domestic and nondomestic violence.

The Umatilla were victims in about 52 of the reported violent victimizations; the Yakama in 8, the Nez Perce in 13, and all other tribes in 15.

*Gender, age, and location of residence of victims of violent crime*

CTUIR American Indian males were victims of violent crimes in 34% of the victimizations reported by the participants. Umatilla Indian males reported more violent victimizations than males from other tribes. The Nez Perce living

on or near the CTUIR were the only tribe with more male than female participants and the only tribe in which males reported more violent victimizations than females. The majority (66%) of the reported 88 violent victimizations were committed against women.

Among age groups, the largest number of participants who reported victimizations were between ages 35 and 44 (29).

More survey participants age 18 or older who reported being victimized resided in the rural areas (34) of the CTUIR, followed by those in government sponsored housing (29) and those living off the reservation (22).

**Table 37. CTUIR violent victimizations, by offense type and tribal affiliation, 2001**

Type of victimization	Number of victimizations by tribal affiliation				All other tribes
	All CTUIR tribal	Umatilla	Yakama	Nez Perce	
Total violent offenses	88	52	8	13	15
Nondomestic violence	52	34	4	5	9
Domestic violence	36	18	4	8	6

Note: All other tribes include members of the Blackfeet, Cherokee, Cocopah, Colville, Grand Ronde, Navajo, Ponca, Shoshone-Paiute Duck Valley, Spokane, Warm Springs, and Yorok tribe. The number presented in table represents a count of all the specific offenses reported.

The majority (59%) of the 88 victimizations reported in the CTUIR study were nondomestic violent crimes (table 37).

Nondomestic violent crimes in this study referred to assaults, sexual assault, battery, and threats/intimidation by someone other than an adult family or household member. Domestic violence included the same offenses committed by an adult family or household member.<sup>15</sup>

Over half (34) of all nondomestic violent crimes were perpetrated against Umatilla tribe members,

<sup>15</sup>Definition comes from the *Statutes of the Confederated Tribes of the Umatilla Indian Reservation*, July 1999 Compilation, Volume 1, Criminal Code § 75A-Domestic Abuse.

compared to 18 against all other Indians living on or near the CTUIR. The same pattern held for domestic violence victimizations, with Umatilla participants reporting half the total.

#### *Alcohol related violent victimizations*

In about 3 in 5 of all violent victimizations, the victims indicated they knew or reasonably suspected the perpetrator was drinking alcohol. About 31 out of 52 nondomestic victimizations were committed by an offender drinking alcohol (not shown in table). Among all domestic violence victims, most (22 out of 36) said the perpetrator was drinking. About 62% of the participants reporting victimization by alcohol related violence said they lived with the offender.

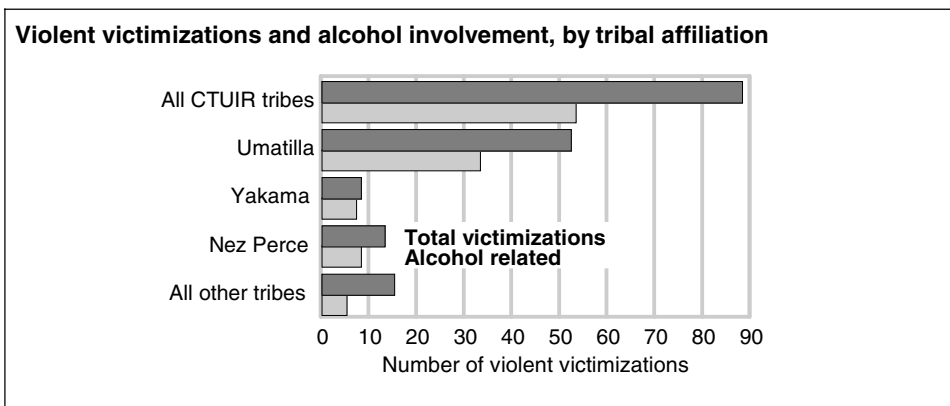


Figure 10

## Southern Ute Indian Tribe (SUIT) Community Safety Survey

The Southern Ute Indian Tribe (SUIT) is a federally recognized tribe with an estimated reservation population of 1,500 tribal members. The Southern Ute Indian (SUI) Reservation spans about 818,000 acres.<sup>16</sup>

The term *Southern Ute* in this report denotes respondents who identified themselves as being Southern Ute Indian, Ute Mountain Ute, or Northern Ute. The SUI Reservation has Indians from other tribes and non-Indians living on or near the reservation.

**Methodology** The SUIT criminal victimization study collected information on the prevalence and characteristics of crime and victimization occurring on the SUI Reservation. It also collected information on the tribal affiliation of the American Indians living on or near the reservation, perceptions about crime in general, the role of alcohol and drug use in victimizations, and victim's reports of crimes to police.

<sup>16</sup>Veronica Tiller, *Tiller's Guide to Indian Country* (1996) and <<http://www.southern-ute.nsn.us>>.

The survey design involved sampling all SUIT members who appeared on the tribal enrollment roster. Voluntary participation was encouraged from respondents across the SUI Reservation by an advertisement placed in the tribal newspaper *The Drum* and aired on the tribal radio station *KSUT*. A \$10 monetary incentive was also offered.

Three hundred and twelve Indians (269 Southern Ute and 43 non-Southern Ute Indians) age 18 or older, living on or near the SUI Reservation, took part in the data collection (table 38).

Data on non-Indians have been excluded from this summary. The SUIT respondents represent about 30% of the total target population age 18 or older living on or near the SUI Reservation.

The SUIT survey also provides measures of violent victimization, both domestic and nondomestic. However, the conceptual measures are not comparable to the CTUIR since each study used different question formats, sampling procedures, and methods of data collection. The victimizations reported have been coded to reflect

**Table 38. Southern Ute Indian Reservation violent victimizations, by tribal affiliation, 2001**

Tribe affiliation	Respondents		Violent victimizations domestic and nondomestic)	
	Number	Percent	Number	Percent
Total	312	100%	106	100%
Southern Ute*	269	86	88	83
Other Indian tribes	43	14	18	17

Note: A total of 106 victimizations (other violent and domestic violent crimes) were reported by 58 respondents. *Other Indian* denotes American Indians living on or near the Southern Ute Indian Reservation that participated in the criminal victimization survey which does not include Southern Ute, Ute Mountain Ute, or Northern Ute Indians.

\*Include Ute Mountain Ute and Northern Ute.

**Table 39. Southern Ute Indian Reservation violent victimizations against American Indians, by gender, age, and residence**

	Number of violent victimizations		
	All SUI Indians	Southern Ute	Other Indians
Total	106	88	18
<b>Gender</b>			
Males	32	24	8
Females	74	64	10
<b>Age</b>			
18 to 29	46	35	11
30 to 40	29	25	4
41 to 50	12	11	1
51 to 60	14	14	0
60 or older	3	1	2
<b>Residence</b>			
Southern Ute Indian Tribe Reservation	52	47	5
Other reservation	2	1	1
Rural	5	3	2
City or town	32	25	7

Note: Excludes 2 Southern Ute Indians who indicated age less than 18, and 15 respondents who did not indicate residence.

similar categories to allow for consistent presentation of the data.

Fewer than 1 in 5 of the respondents who participated in the SUI study indicated they were victims of any kind of violent crime within the past 12 months. SUI data show that between 2001 and 2002 about 58 American Indian respondents 18 or older living on or near the SUI Reservation reported being victimized in the last year.

*Violent victimization* in this study includes incidences of threats with a weapon, assaults, and sexual assaults by persons who may or may not reside with the victims. Of the total number of victims (58), 23 indicated they were victims of multiple violent offenses.

The victims reported a total of 106 violent victimizations as defined by the study occurring within the previous

12 months. The SUI study allowed the respondents to report multiple incidents of several types of crime.

The Southern Ute, who comprised most of the respondents, also accounted for most of the violent victimizations reported. Southern Ute Tribal members were victims in about 88 of the violent victimizations reported by participants; 18 violent victimizations were reported by American Indians from "other Indian tribes."

*Gender, age, and victims' location of residence*

SUI males reported less than a third of all the violent victimizations (table 39). A total of 32 victimizations were reported by males age 18 or older on the SUI Reservation.

SUIT females reported the majority of the violent victimizations within the previous 12 months. A total of 74 violent crimes were committed against women of the SUIT age 18 or older. Women were over-represented among the study respondents.

Among age groups, 46 violent crime victims were between ages 18 and 29. The Southern Ute (35) and American Indians from other tribes (11) both had the highest number of victimizations reported for persons ages 18-29, followed by those ages 30-40.

Almost half (52) of the SUIT participants age 18 or older who reported being victimized resided on the reservation.

*Types of violent crime on the SUI Reservation*

Seven in ten of the 106 victimizations reported in the SUIT study were nondomestic violent crimes (table 40).

These nondomestic violent crimes in the SUIT survey includes assaults, sexual assaults or rapes, battery, and threats with a weapon by someone other than an adult family or household member. Domestic violence includes the same offenses committed by an adult family or household member.

The SUIT participants reported 74 “nondomestic violent victimizations” and 32 of the victimizations described as domestic violence. The Indians of the SUI Reservation reported twice as many nondomestic violent crimes as domestic victimizations.

Over half (58) of all “nondomestic violent victimizations” reported were perpetrated against Southern Ute tribe members, compared to 16 for all other American Indians living on or near the reservation. A similar pattern held for domestic violence victimizations, with Southern Ute participants reporting the

**Table 40. Southern Ute Indian Reservation total of violent victimizations, by offense type and tribal affiliation**

Type of victimization	Number of violent victimizations		
	All SUI Reser- vation Indians	Southern Ute	Other Indians
Total separate offenses	106	88	18
Violent nondomestic	74	58	16
Domestic violence	32	30	2

**Violent victimizations involving drugs and alcohol related victimization, by tribal grouping**

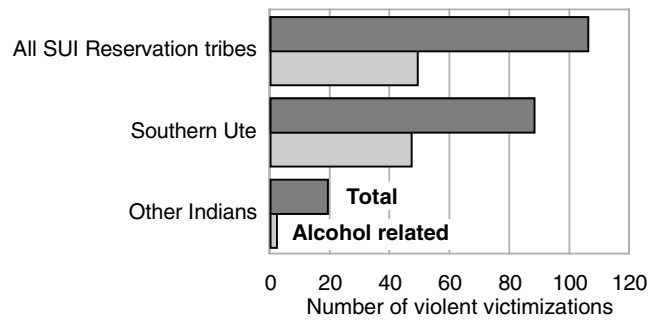


Figure 11

majority of the victimizations committed by a person living in the home with the victim.

*Alcohol related violent victimizations*

In 49 of the 106 violent victimizations reported, the victims indicated they knew or reasonably suspected that the perpetrator was on drugs or drinking alcohol at the time of the victimization (figure 11).



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## Zuni Pueblo Indian Reservation Criminal Victimization Survey

The American Indian Development Associates conducted a Criminal Victimization Survey (CVS) on the Zuni Pueblo Indian Reservation, located in northwest New Mexico. The Pueblo of Zuni is a federally recognized tribe with an estimated tribal enrollment of 9,800 and resident population of 11,000. The Zuni reservation covers approximately 407,247 acres.<sup>18</sup>

The Zuni CVS obtained information about incidents, prevalence, and characteristics of violent crimes as viewed from respondents who completed the survey. While this study may not be used to make generalizations for all of Indian country, it provides a view of violent crime as experienced by the participants.

About 691 American Indians age 13 or older, living on or near the Zuni Pueblo Indian Reservation took part in the survey. The Zuni CVS respondents represented about 10% of the total population of American Indians living on or near the reservation. About half of the surveys were self administered, and half were face-to-face interviews.

This study provides measures of violent victimization, both domestic and nondomestic, and property crimes. Violent victimization is a measure of the total number of violent crimes, including nondomestic violence and domestic violence occurring during a 12-month period and reported by American Indians living on or near the Zuni reservation.

<sup>18</sup>eronica Tiller, *Tiller's Guide to Indian Country* (1996).

About 173 (25%) respondents were victims in 518 incidents of assault on or near the Zuni reservation within the 12 months before the survey. An estimated 30% of the respondents indicated some type of domestic abuse within the past 12 months.

### *Gender, age, and location of violent crime*

Zuni Pueblo males were less likely than females to report being victims of an assault. The majority of the reported violent victimizations were committed against women. At all age levels, American Indian women of the Zuni Pueblo made up a large number of victims of assault than men of the same age. Among the age groups, most Zuni participants who reported being assaulted were between ages 18 and 59. Nine in ten assaults occurred on the reservation.

### *Alcohol related violent victimizations*

For the Zuni reservation victims of assault, alcohol and drug use by the offender was a factor in about 69% of the incidents.

Respondents age 18 or older were asked about incidents of domestic violence in the last 12 months. Women of the Zuni Pueblo Indian Reservation were slightly more likely than men to report domestic violence.

Of those responding to the question, about 30% indicated they were the victims of emotional, physical, and/or sexual abuse at the hands of someone they lived with. More victims of domestic abuse reported being emotionally or psychologically abused (44%) than

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physically abused (38%) by someone whom they lived with during the past 12 months.

Among the age groups, women respondents age 60 or older (29%) were nearly twice as likely to be victims of domestic violence as men (16%) of the same age. Alcohol or drug use by the offender was a factor for 3 in 5 of the incidents of domestic violence reported on the Zuni reservation.

Copies of the full reports on criminal victimization on the Confederated Tribes of the Umatilla, Southern Ute, or Zuni Pueblo Indian Reservations can be obtained by contacting the respective authors at —

1). The National Indian Justice Center  
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2). Department of Criminology,  
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3). American Indian Development  
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## Sources of data on American Indians and crime

One of the challenges facing all Federal statistical agencies is that representative statistical data about American Indians are difficult to acquire and use. This is true for a number of reasons with respect to crime data:

**Sampling** — Most Federal surveys utilize nationally representative samples of persons or households, thus limiting the capability to describe small population subgroups in detail. (American Indians comprise under 1% of the U.S. population.) In addition, sampling procedures, relying upon selection of respondents within clustered geographical sampling units, may by chance miss those areas where concentrations of residences of small subgroups (such as American Indians) may be located. Finally, frequent population movement between tribal and nontribal areas for both Indians and non-Indians makes it difficult to systematically describe those living in these areas.

The design of national surveys such as the NCVS does not permit calculating separate statistics for each American Indian tribe.

**Coverage of data** — Statistical coverage of incidents or cases in Indian country utilizing law enforcement, judicial, or corrections data is difficult to quantify because Federal, State, and local authorities may have overlapping jurisdiction on tribal lands. Data about some crimes are collected by the Bureau of Indian Affairs (BIA) in Indian country while other

crimes by or against American Indians are recorded by local sheriffs or police. Arrest data are profoundly limited by the lack of information on arrest coverage among tribal and BIA law enforcement agencies.

## Census 2000 and American Indians

For the 2000 Census, respondents were able to report one or more races they considered themselves and other household members to be. Because of these changes, Census 2000 data on race are not directly comparable with data from the 1990 Census or earlier. Caution should be used when interpreting changes in the racial composition and or the computation of statistics using these population estimates. Census data on race can be presented in three modes: “race alone, race in combination, and the race alone and in combination.” The violent crime rates presented in this report are based on the race alone population data, where applicable. See the Census web site for additional information <[www.census.gov](http://www.census.gov)>.

## National Crime Victimization Survey

The National Crime Victimization Survey (NCVS) is one of two statistical series maintained by the Department of Justice to learn about the extent to which crime is occurring. The NCVS, which gathers data on criminal victimization from a national sample of household respondents, provides annual estimates of crimes experienced by the public without regard to whether a law enforcement agency was called about the crime. Initiated in 1972, the NCVS was designed to complement what is known about

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crimes reported to local law enforcement agencies under the FBI's annual compilation known as the Uniform Crime Reports (UCR).

The NCVS gathers information about crime and its consequences from a nationally representative sample of U.S. residents age 12 or older about any crimes they may have experienced. For personal contact crimes the survey asks about the perpetrator. Asking the victim about his/her relationship to the offender is critical to determining whether the crime occurred between intimates.

In the latter half of the 1980's, BJS, with the Committee on Law and Justice of the American Statistical Association, sought to improve the NCVS components to enhance the measurement of crimes including rape, sexual assault, and intimate and family violence. The new questions and revised procedures were phased in from January 1992 through June 1993 in half the sampled households. Since July 1993 the redesigned methods have been used for the entire national sample.

One of the important contributions of the NCVS is that it permits multiple years of responses to the same questions to be analyzed, facilitating research on small subgroups of the population. For this study, 10 years of NCVS data (1992-2001) were combined, resulting in more than 1.8 million interviews, just over 13,000 of which were conducted among American Indians. This represents the largest national sample of American Indians assembled for purposes of

better understanding the incidence and effects of criminal victimization.

The estimate for the annual average number of observations estimate represents the total number of victimizations reported during the 10 year data collection (219.4 million) divided by 10. The *annual average rate* reports the number of victimizations per 1,000 persons for the entire 10 year period. The *annual average percent* figure represents the proportion of all victimizations recorded over the 10 years period with a specific characteristic. For additional information see the NCVS BJS website <[www.ojp.usdoj.gov/bjs/cvict.htm](http://www.ojp.usdoj.gov/bjs/cvict.htm)>.

### **Uniform Crime Reporting program**

The UCR program of the FBI provides another opportunity to examine the issue of crime and violence among American Indians through the incident-based Supplementary Homicide Report program and the summary compilation of national arrest data published in the Crime in the United States series. The summary based arrest component of the UCR provides data by race of arrests for both Part I crimes and the less serious Part II crimes.

American Indians are estimated to account for just under 1% of those arrested for Part I violent crimes. Part II arrest offenses show that American Indians comprise larger percentages of those arrested for DUI, vagrancy, liquor law violations, and public drunkenness. Exact UCR coverage of arrests by tribal or BIA law enforcement agencies is not known, and the extent to which they are included in the

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national estimates of arrests is not systematically described.

### **Federal Justice Statistics Program**

The Federal Justice Statistics Program (FJSP) provides annual data on workload, activities, and case outcomes in the Federal criminal justice system. Information is reported on all aspects of case processing in the Federal justice system including the number of persons investigated, prosecuted, convicted, incarcerated, sentenced to probation, released prior to trial, handled by magistrates, sentencing outcomes, and time served. Data for this series are obtained from the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, and the Federal Bureau of Prisons (BOP). Data are available by defendant race and ethnicity at each processing stage of the Federal criminal justice system. The FJSP was initiated in 1980. For additional information on the UCR see the FBI website at the URL below <[www.fbi.gov/ucr/ucr.htm#cius](http://www.fbi.gov/ucr/ucr.htm#cius)>.

The data describing offenders entering Federal prison come from the BJS Federal Justice Statistics Program, using a database constructed by the BOP. The database provides information on all sentenced offenders admitted to or released from Federal prison during a fiscal year and on offenders in prison at the end of each fiscal year. These data only include people in federally-operated facilities. BOP operates 103 institutions and 28 community corrections offices throughout the United States (BOP, *About the Federal Bureau of Prisons*, 2001).

### **Recidivism of Prisoners in 1994**

This study of recidivism tracked 272,111 former inmates for 3 years after their release in 1994. The 272,111 represents a weighted two-thirds of all prisoners released in the United States that year. The study uses four measures of recidivism: rearrest, reconviction, resentence to prison, and return to prison with or without a new sentence.

Three of the recidivism measures — rearrest, reconviction, resentence to prison — are based exclusively on official criminal records kept in State and FBI criminal history repositories. One recidivism measure — return to prison with or without a new prison sentence — is formed from a combination of records from criminal history repositories plus prison records kept by State departments of corrections. Persons selected for inclusion in the study had to meet all four of these criteria:

- A RAP sheet on the prisoner was found in the State criminal history repository.
- The released prisoner was alive through the 3-year follow-up period.
- The prisoner's sentence (or, as it is called in the database, the "total maximum sentence length") was greater than 1 year (missing sentences were treated as greater than 1 year).
- The prisoner's 1994 release was not recorded by the State department of corrections as any of the following release to custody/detainer/warrant, absent without leave, escape, transfer, administrative release, or release on appeal. See the BJS website

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<[www.ojp.usdoj.gov/bjs/abstract/rpr94.htm](http://www.ojp.usdoj.gov/bjs/abstract/rpr94.htm)>.

### **Law Enforcement Management and Administrative Statistics**

BJS maintains the Law Enforcement Management and Administrative Statistics (LEMAS) series as the principal national source of data on the operations of police and sheriff's departments nationwide. LEMAS compiles information every 3 to 4 years from all large law enforcement agencies (at least 100 sworn personnel) and a sample of all other departments.

To ensure an accurate sampling frame for its LEMAS survey, BJS periodically sponsors a census of State and local law enforcement agencies. The 2000 census included State and local agencies employing the equivalent of at least one full-time officer with general arrest powers. This report summarizes the findings of the census, which was co-sponsored by COPS. As in 1992 and 1996, the 2000 census collected data on the number of sworn and nonsworn personnel, including both full-time and part-time employees. Data were collected from agencies that employed at least one sworn officer or the part-time equivalent at the time of the census. The reference period for all data is the pay period that included June 30, 2000.

LEMAS data are obtained on the organization and administration of law enforcement agencies, agency responsibilities, operating expenditures, job functions, weapons policies, and demographic characteristics of sworn personnel. BJS obtains similar

information from campus law enforcement agencies and Federal law enforcement agencies. LEMAS data are available on the race and ethnicity of law enforcement personnel since 1987. See <[www.ojp.usdoj.gov/bjs/abstract/cs1lea00.htm](http://www.ojp.usdoj.gov/bjs/abstract/cs1lea00.htm)>.

### **Survey of Jails in Indian country**

The 2002 Survey of Jails in Indian Country (SJIC) includes all jails, confinement facilities, and other detention centers located in Indian country and operated by tribal authorities or the Bureau of Indian Affairs (BIA), U.S. Department of the Interior.

BJS conducts the Survey of Jails in Indian Country (SJIC) to describe all adult and juvenile jail facilities and detention centers in Indian country. For purposes of this report, Indian country includes reservations, pueblos, rancherias, and other appropriate areas (18 U.S.C. sec 1151). The reference date for the most recent survey is June 28, 2002. The SJIC was initiated in 1998 as a component of the Annual Survey of Jails (ASJ). The ASJ is conducted in each of the years between the Census of Jails. The 2002 ASJ consisted of a sample survey of 826 local jail jurisdictions, a survey of the Nation's 50 multi-jurisdictional facilities, and a survey of the 70 facilities in Indian country.

In 1998 the Office of Law Enforcement Services, provided a complete list of 74 Indian country jail facilities. The list included detention centers, jails, and other correctional facilities, operated by tribal authorities or the BIA. The facilities are in 19 States and are affiliated with 55 tribes. Data were obtained by mailed questionnaires. Through

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follow-up phone calls and facsimiles, 68 of 70 facilities responded. See <<http://www.ojp.usdoj.gov/bjs/abstract/jic02.htm>>.

### **National Prisoner Statistics program (NPS-8).**

Capital punishment information is collected annually as part of the National Prisoner Statistics program (NPS-8). This data series is collected in two parts: data on persons under sentence of death are obtained from the department of corrections in each jurisdiction currently authorizing capital punishment; and information on the status of death penalty statutes is obtained from the Office of the Attorney General in each of the 50 States, the District of Columbia, and the Federal Government. Data collection forms and more detailed tables are available on the BJS website <[www.ojp.usdoj.gov/bjs/abstract/cp02.htm](http://www.ojp.usdoj.gov/bjs/abstract/cp02.htm)> and in the Correctional Populations in the United States — Statistical Tables, also on the website.

NPS-8 covers all persons under sentence of death at any time during the year who were held in a State or Federal nonmilitary correctional facility. Included are capital offenders transferred from prison to mental hospitals and those who may have escaped from custody. Excluded are persons whose death sentences have been overturned by the court, regardless of their current incarceration status.

The statistics reported in this report may differ from data collected by other organizations for a variety of reasons: (1) NPS-8 adds inmates to the population under sentence of death not at

sentencing but at the time they are admitted to a State or Federal correctional facility; (2) If inmates entered prison under a death sentence or were reported as being relieved of a death sentence in one year but the court had acted in the previous year, the counts are adjusted to reflect the dates of court decisions and (3) NPS counts are always for the last day of the calendar year and will differ from counts for more recent periods. See <[www.ojp.usdoj.gov/bjs/abstract/cp02.htm](http://www.ojp.usdoj.gov/bjs/abstract/cp02.htm)>.

### **Tribal Criminal History Improvement Pilot Program**

In 2004 BJS implemented the Tribal Criminal History Record Improvement Pilot Program (T-CHRI) which will provide support to federally recognized tribes and State criminal records repositories to promote participation in and improve the interface among tribal, State, and national criminal records systems. Criminal records are a chronological history describing offenders and their contacts with the criminal justice system. Such records include offender fingerprint identification and notations of arrest and subsequent dispositions. Criminal records may also include records of protection orders, sex offender registries, and other records of contacts with the justice system. Criminal record systems depend on up-to-date automated fingerprint identification systems to ensure that transactions are accurately identified to the proper individual and to ensure linkage of records across jurisdictions.

The goal of the T-CHRI Pilot grant program is to improve public safety

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in Indian country by enhancing the quality, completeness, and accessibility of criminal history record information and by ensuring the implementation of criminal justice and non-criminal justice background check systems.