

**Prepared Statement of Ben Nighthorse Campbell
Vice Chairman - Senate Committee on Indian Affairs
Oversight Hearing
“Contemporary Tribal Governments: Challenges in Law Enforcement Related to the Rulings
of the U.S. Supreme Court”**

July 11, 2002

Thank you Mr. Chairman and thank you for holding this important and timely hearing.

This is the second hearing we have held to analyze the impacts of recent Supreme Court decisions on Indian Tribes and residents of Indian reservations — Indians and non-Indians alike.

Dealing as it does with matters related to law enforcement, today’s hearing will hopefully shine a light on the very practical problems brought about by the high Court’s decisions.

As the Justice Department continues to report to us, on many reservations crime is on the rise — especially violent crime.

High crime on Indian lands leads to Indians and non-Indians being victimized.

High crime on Indian lands also creates an obvious disincentive for entrepreneurs — Indian and non-Indian — to invest, innovate, and create jobs and income.

And of most immediate concern to me – and to our nation – is Homeland Security and the need to collectively protect our borders and our citizens from people who mean us harm.

Just as Tribal law enforcement officers are often the first — and sometimes only — responders to crimes and other problems on Indian lands, in many areas of our nation they are the first line of defense against those who want to harm Americans because of who we are and what we believe.

Tribes are on the front lines in our efforts to defend our borders:

* the Tohono O’odham of Southern Arizona;

- * the St. Regis Mohawks of Upper New York;
- * the Blackfeet of Montana;
- * the Tribes along the California - Mexico border; and
- * the Tribes in the Seattle / Puget Sound area.

Against this backdrop, the Court has ruled that Tribes do not have jurisdiction over non-Indians who commit crimes on Indian lands.

This poses some pretty obvious problems for Tribes trying to arrest and prosecute offenders on Indian lands, but I believe we should look at this not as a “Tribal problem” only.

If large swaths of Indian lands and miles of America’s borders along Indian reservations are left ungoverned because Tribes lack jurisdiction over non-Indians, then we **all** have a problem.

This is a time of war and we are in this together Mr. Chairman and I think the faster we recognize that — and the quicker we work to create a “Seamless Web” of Federal, State and Tribal Law Enforcement, then we will have achieved something significant.

With that I look forward to hearing from our witnesses.

Thank you Mr. Chairman.