

1 SENATE JOINT RESOLUTION NO. 5

2 INTRODUCED BY B. BROWN

3 BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

4
5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
6 MONTANA URGING THE UNITED STATES CONGRESS TO FULLY FUND PUBLIC SAFETY AND LAW
7 ENFORCEMENT AGENCIES, PROGRAMS, SERVICES, AND ACTIVITIES WITHIN MONTANA'S
8 RESERVATIONS.

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10 WHEREAS, the Constitution of the United States of America, through the Treaty and Supremacy
11 Clauses, acknowledges Indian nations and tribes as prior sovereigns; and

12 WHEREAS, through treaties, agreements, statutes, and executive orders, Indian nations and tribes
13 came under the protection of the United States while reserving original sovereign authority and self-government
14 over tribal members and territories; and

15 WHEREAS, through treaties, agreements, statutes, and executive orders, the United States undertook
16 a federal trust responsibility, among other responsibilities, to assist Indian nations and tribes in providing public
17 safety, law and order, and the administration of justice; and

18 WHEREAS, Montana's reservations have seen drug and alcohol abuse become an epidemic as
19 methamphetamine, heroin, fentanyl, and other drugs have overtaken tribal lands, causing violent crime,
20 domestic disturbance, and trouble among youth; and

21 WHEREAS, generations of Montana's Native Americans have mourned a missing or murdered family
22 member or loved one, experienced unacceptably high levels of violence, and been victims of violent crime at
23 rates much higher than national averages; and

24 WHEREAS, justice has eluded many Native American victims, survivors, and families, while criminal
25 jurisdiction complexities and insufficient funding have left many injustices unaddressed; and

26 WHEREAS, levels of federal funding for tribal public safety, law enforcement, and tribal courts have
27 consistently remained insufficient to fully fund the necessary public safety activities.

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1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
2 THE STATE OF MONTANA:

3 That the 68th Legislature of the State of Montana:

4 (1) urges the United States Congress to support full funding of public safety and law enforcement
5 agencies, programs, services, and activities within Montana's reservations;

6 (2) urges the United States Department of Justice to develop a plan to cooperatively administer its
7 Indian Country public safety, law enforcement, and administration of justice programs and services together
8 with the United States Department of the Interior;

9 (3) urges the United States Department of Justice to conduct government-to-government
10 consultation with Indian tribes to determine how best to provide the administration of programs and services
11 and to allocate appropriated funds to meet the various needs of tribal justice systems, including funding for
12 tribal law enforcement, courts, detention facilities, indigent counsel, victim services, juvenile justice,
13 rehabilitation and reentry programs, and crime prevention efforts;

14 (4) invites each of the tribal governments of the federally recognized Indian tribes in Montana to
15 adopt their own resolutions to the United State House of Representatives and the United States Senate urging
16 Congress to fully fund law enforcement and public safety programs and services on Montana's reservations and
17 further invites the tribal governments to send their resolutions to the Secretary of State by June 30, 2023, to be
18 collected and forwarded as a package to Congress;

19 (5) requests Governor Gianforte to write a letter to the United States House of Representatives
20 and the United States Senate providing similar support for Congress to fully fund Montana reservations' law
21 enforcement and public safety programs and services and further requests the Governor to provide the letter to
22 the Secretary of State by June 30, 2023, to be included with the package of resolutions for Congress.

23 BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the tribal
24 governments of each of the federally recognized Indian tribes in Montana on receipt of this resolution.

25 BE IT FURTHER RESOLVED, that the Secretary of State collect the tribal resolutions and letter from
26 the Governor by June 30, 2023, and, as soon as possible after that date, send those communications along
27 with a copy of this resolution as a single package to the Speaker of the United States House of
28 Representatives, to the Majority and Minority Leaders of the United States House of Representatives and the

1 United States Senate, to each member of the Montana Congressional Delegation, and to the tribal
2 governments of each of the federally recognized Indian tribes in Montana.

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