

PROTECT Act

U.S. Senators Steve Daines (R-MT) and Tina Smith (D-MN)

The opioid and fentanyl epidemic has touched every community in the United States, but nowhere is this crisis more acute than in Indian Country. For decades, drug traffickers have exploited the complexity of criminal jurisdiction in Indian Country, which has contributed to American Indians and Alaska Natives being:

- 2½ times more likely to become victims of violent crime than other demographic groups
- More likely to die of an overdose than any other demographic group.

Complex criminal jurisdiction inhibits law enforcement response and causes many cases to go unprosecuted because unlike states and municipalities, Tribal Nations are not allowed to prosecute offenders for many drug crimes that occur on reservations. Tribal Nations need more authority to fight back against this crisis and defend their Nations.

The Protection for Reservation Occupants against Trafficking and Evasive Communications Today (PROTECT) Act would expand the successful Special Tribal Criminal Jurisdiction (STCJ) program to allow participating Tribal Nations to prosecute non-Native offenders for drug crimes and gun crimes committed in furtherance of drug trafficking and other STCJ crimes. More than 30 Tribal Nations currently use the Special Tribal Criminal Jurisdiction to prosecute non-Native perpetrators of domestic and sexual violence, human trafficking, stalking, and more. This highly successful program empowers Tribes to fight back against those who seek to exploit complex criminal jurisdiction and upholds Tribal sovereignty.

The PROTECT Act would also grant Tribal courts parity with state courts to execute warrants for electronic material and allow offenders prosecuted under Special Tribal Criminal Jurisdiction to be incarcerated through the Bureau of Prisons Tribal Prisoner Program. Each of these reforms are essential to stopping drug traffickers from exploiting Tribal lands and communities.