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HOUSE JOINT MEMORIAL 33
48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007
INTRODUCED BY
Ray Begaye

A JOINT MEMORIAL
URGING THE UNITED STATES CONGRESS TO AUTHORIZE NAVAJO NATION
PEACE OFFICERS TO INVESTIGATE ALL CRIMES COMMITTED WITHIN THE
BOUNDARIES OF NAVAJO RESERVATIONS AND TO AUTHORIZE NAVAJO
COURTS TO TRY AND TO PUNISH ALL OFFENDERS.

WHEREAS, the New Mexico legislature has heard the call of
its constituents, the Navajo people, who endure a high crime
rate, including felonies that are not prosecuted; and

WHEREAS, the criminal atmosphere surrounding the Navajo
people is causing a state of fear and sincere concern for the
public safety; and

WHEREAS, lack of knowledge and trust as well as cultural,
language and geographical barriers and limited human resources
have been obstacles to the adequate investigation and
prosecution of crimes committed within the Navajo reservation;

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1 and

2 WHEREAS, federal investigators and prosecutors have been
3 reported to be indifferent to Navajo people and communities,
4 and this alarms and concerns New Mexico state legislators; and

5 WHEREAS, the state of New Mexico and the Navajo Nation
6 have been engaged in a respectable government-to-government
7 relationship for many years and have solidified trust in each
8 other; and

9 WHEREAS, Section 29-1-11 NMSA 1978 authorizes tribal
10 peace officers to make arrests for violation of state law,
11 which allows tribal officers to gain considerable knowledge
12 about state and federal laws; and

13 WHEREAS, the New Mexico and Navajo attorneys general
14 regularly consult each other on law enforcement and other
15 legal matters; and

16 WHEREAS, the state of New Mexico no longer holds racial
17 attitudes that once placed a limitation on the duty of Navajo
18 peace officers; and

19 WHEREAS, the state of New Mexico calls upon the United
20 States to live up to its trust responsibility for Indian
21 tribes, the Navajo people and shared constituents;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
23 STATE OF NEW MEXICO that the United States congress be
24 requested to authorize Navajo Nation peace officers to
25 investigate crimes and to file complaints diligently in the

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1 Navajo tribal court; and

2 BE IT FURTHER RESOLVED that Navajo peace officers be
3 granted the power to cooperate with agencies of the state and
4 the United States to develop and carry on a complete
5 interstate, national and international system of criminal
6 identification and investigation and to furnish information
7 about offenders to any court, district attorney or police
8 officer of the state; and

9 BE IT FURTHER RESOLVED that the United States congress
10 revisit and review the jurisdictional limitations imposed upon
11 Native American law enforcement by the Indian Crimes Act, 18
12 U. S. C. 1151; and

13 BE IT FURTHER RESOLVED that the United States congress
14 provide funding for additional training for Navajo peace
15 officers and Navajo courts in microanalysis, handwriting,
16 toxicology, chemistry, photography, medicine, ballistics and
17 other sciences and skills relating to crime control and the
18 detection, apprehension, identification and prosecution of
19 criminals; and

20 BE IT FURTHER RESOLVED that copies of this memorial be
21 transmitted to the members of the New Mexico congressional
22 delegation, to the president and attorney general of the
23 Navajo Nation, to the speaker of the Navajo Nation council, to
24 the Navajo public safety committee of the Navajo Nation
25 council and to the interim Indian affairs committee of the New

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Mexico legislature.