

Tribal Warrant Fairness Act
Senator Cortez Masto and Senator Mullin

In November 2023, following a lengthy study, the Not Invisible Act Commission transmitted their report, *Not One More*, which focused on recommendations to the Secretary of the Interior and the Attorney General to combat the epidemic of missing persons, murder, and trafficking of American Indians and Alaska Natives. One area the Commission specifically focused on was law enforcement and investigative resources, specifically the ability to identify and respond to missing, murdered, and trafficked persons.

The Commission found that federal law has set limitations on Tribal law enforcement. One such limitation is the inability and lack of authority for the United States Marshal Service (USMS) to assist Tribal law enforcement with warrants for arrest and searching for missing children, as the USMS would with state, federal, and local law enforcement entities. The USMS is authorized to assist law enforcement entities through 28 U.S.C § 566(e)(1)(B) and (D) and 34 U.S.C. § 41503(a) and (c). However, these statutes do not include Tribal law enforcement nor Indian Tribes, ultimately limiting the USMS ability to execute Tribal arrest warrants.

The Tribal Warrant Fairness Act would grant the USMS the authority to execute arrest warrants on behalf of Tribal law enforcement and allow the USMS to assist Tribal law enforcement in searching for missing children.

The bill would...

- Allow for a more rapid apprehension of violent suspects
- Grant the authority to the USMS to act on an individual who has a violent felony arrest warrant from Tribal courts and poses a threat to public safety outside of Tribal Lands, particularly in areas where Tribal law enforcement resources are vastly limited
- Allow the USMS to assist Tribal law enforcement in searching for missing children.
- Allow the participation of Tribal law enforcement in the Fugitive Apprehension Task Forces

Granting the USMS the authority to execute warrants on behalf of tribal police and assist Tribal police in the search for missing children will improve public safety, enhance interagency cooperation, and close jurisdictional gaps that often hinder law enforcement efforts on Tribal lands.