



OFFICE OF THE TRIBAL CHIEF PHYLISS J. ANDERSON
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January 10, 2018

Dear Tribal Members, Employees, and Friends:

I wish to announce an important effort currently underway that will greatly help our Tribal law enforcement efforts against domestic violence-type crimes and to put in place harsher penalties for certain types of crimes committed on the Reservation. I truly believe that a primary responsibility of our Tribal government is to do all we can to maintain the safety and protection of our Tribal people and communities.

Within the past few years, there have been changes under federal law that recognizes the Tribe's right to improve its laws in order to fight criminal activity on the Reservation. In 2013, amendments were made to the federal Violence Against Women Act (VAWA), which recognizes tribes' power to exercise "special domestic violence criminal jurisdiction" over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country.

Another federal law, the Tribal Law and Order Act (TLOA), recognizes a tribe's right to amend its laws to impose harsher criminal penalties (jail time and/or fines) against criminal defendants who commit certain types of crimes that warrant such penalties. Our current law limits the maximum penalty to a jail term of up to 6 months and/or a fine of up to \$500.00. Increasing maximum penalties for serious crimes could help address the problem of repeat offenders and to provide additional protection for victims of those crimes.

With the amendments to our Constitution and Bylaws approved by the Choctaw people in 2013, the Tribe is now able to improve the Criminal Code to provide for harsher penalties, when warranted, as recognized under TLOA.

To that end, I am sending to the Tribal Council proposed changes to our criminal laws and procedure that, if enacted, will permit the Tribe to implement the provisions of VAWA and TLOA. I look forward to working with the Council to enact the will of our Tribal members and provide new laws to address domestic violence on the Reservation as well as put laws in place for those crimes that deserve tougher criminal penalties. Other tribes have had success implementing changes to their criminal laws under VAWA and TLOA, and our Tribal members have provided constitutional authority for our Tribal government to take significant steps to reduce crime on our Reservation as well.

The proposed changes to the Tribal Code were the work of a task force of several representatives from various departments of the Tribal government, including: Tribal Criminal Court, Choctaw Supreme Court, Family Violence and Victim's Services, Tribal Court Services, Department of Public Safety, Policy Development Officer, and the Attorney General's office. This task force reviewed, drafted, and approved the recommended changes and I am thankful for their input and participation.

If the Tribal Council approves the amendments, there will be a specific date in the future scheduled for implementing the changes. During that time, I will keep you updated on the progress for implementation of the new laws, and community outreach will be provided on what the changes will be before the laws are fully implemented.

Many Blessings,

A handwritten signature in black ink that reads "Phyllis J. Anderson". The signature is written in a cursive style with a large, prominent initial "P".

Phyllis J. Anderson
Tribal Chief

cc: Hilda Nickey, Vice-Chief
Richard Isaac, Secretary-Treasurer
Berdie Steve, Tribal Council Coordinator
Rae Nell Vaughn, Chief of Staff
Division Directors
Melissa Carleton, Acting Attorney General
O. Joseph Williams, Legal Counsel