

**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**WHEREAS,** the Tribal Council is alarmed at the number of unsolved homicides and other major crimes on the Fort Apache Indian Reservation and the lack of adequate law enforcement efforts by the Trustee United States evidenced by its failure to assign a sufficient number of agents from the Federal Bureau of Investigation on a full-time basis to investigate major crimes on the reservation; and

**WHEREAS,** the Tribal Council has had a long standing complaint with the U.S. Attorney's Office in respect to prosecution of major crimes on the reservation and the lack of coordination between the U.S. Attorney's Office, the Bureau of Indian Affairs Law Enforcement, the Federal Bureau of Investigations and Tribal Police to insure the expeditious investigation of major crimes; and

**WHEREAS,** the Tribal Council has observed over the years that crimes only involving Indians appear to be the last investigated and insufficient personnel are committed by the FBI to investigate and bring the perpetrators to justice whereas in a recent vehicular manslaughter case, where the victim was non-Indian, the U.S. Attorney's Office, FBI, Arizona Department of Public Safety and BIA Law Enforcement responded instantly, including but not limited to blockading a section of Route 260 and transporting the Indian defendant within 24 hours to Phoenix to face formal charges for vehicular manslaughter; and

**WHEREAS,** in contrast, and as the most recent example of disparate investigation of Indian crime victims, is the unsolved homicide of tribal member Jimmie Altaha, who was tragically murdered September, 1992; there, the response time by the FBI reflected little professional interest in the case, precipitating Tribal Council Resolution No. 10-91-259 adopted October 3, 1991, which requested the Federal Bureau of Investigation commit forensic and laboratory crime experts and additional agents to the Fort Apache Indian reservation to investigate the Jimmie Altaha murder; and

**WHEREAS,** the Jimmie Altaha case remains unsolved and federal interest in the case appears to be lacking; and

- WHEREAS,** there may be as many as eleven (11) unsolved homicides on the reservation and the Tribal Council has reason to believe that these are not being actively investigated at this time to the dismay and emotional distress of the survivors of the victims; and
- WHEREAS,** the lack of interest and assignment of adequate personnel by the Federal Bureau of Investigation to investigate crimes on the reservation is not confined to the Fort Apache Reservation but is a problem throughout Arizona Indian Country; and
- WHEREAS,** the White Mountain Apache Tribe and other tribes in Arizona and throughout the United States have the right to adequate federal law enforcement protection; and
- WHEREAS,** the lack of adequate law enforcement encourages self-help and other anti-social behavior which is not in the best interests of the people of the White Mountain Apache Tribe and contributes generally to a feeling of helplessness and lawlessness as crimes remain unpunished and suspect offenders remain at large; and
- WHEREAS,** the Tribal Council is advised that according to FBI statistics, the rate of homicide and crime on the Fort Apache Indian Reservation may exceed that of some large urban areas in the east; and
- WHEREAS,** recently the U.S. Attorney in Phoenix demonstrated that it has the capability of coordinating large numbers of U.S. Marshalls, FBI agents and BIA Law Enforcement Personnel during a recent seizure of gaming machines on reservations throughout Arizona but has failed to muster and implement comparable measures to resolve unsolved homicides and prosecute major crimes on reservations; and
- WHEREAS,** the Tribal Council concludes that the Tribal Law and Order Committee should be directed to review the number of unsolved major crimes and homicides on the Fort Apache Indian Reservation, to collect and corroborate information on the lack of response by federal law enforcement officials on said cases and to prepare testimony for the Senate Select Committee on Indian Affairs and the House Interior Committee in preparation of a Tribal Council request for an oversight hearing by Congress on the adequacy of federal law enforcement efforts on the reservation; and

**WHEREAS,** the Tribal Council concludes that a special prosecution unit should be formed by the U.S. Attorney's Office with a minimum of five (5) prosecutors to prosecute major crimes on reservations throughout Arizona; further, that said unit should include employment of Native American speaking investigators to insure accurate and adequate collection of data from reservation victims, witnesses, and suspects as the lack of Native American FBI agents and federal investigators contributes to the ostensible failure and inability of the FBI to obtain information from Native American persons regarding major crimes committed on reservation; and

**WHEREAS,** funding should be approved to establish and assign additional FBI agents to the Fort Apache Indian Reservation who have experience in major crimes rather than white-collar crimes so that experienced field personnel and not persons awaiting retirement or who are being detailed to reservations for disciplinary or other reasons are assigned to reservations.


**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Law and Order Committee to collect data regarding the number of unsolved major crimes including homicides on the Fort Apache Indian Reservation, to prepare congressional testimony with the assistance of the Tribal Legal Department, and to coordinate meetings with the BIA Law Enforcement, the Federal Bureau of Investigation and the U.S. Attorney's Office for the express purpose of carrying out and resolving the current and ongoing problem of insufficient federal law enforcement presence on the Fort Apache Indian Reservation as outlined in this resolution.

**BE IT FURTHER RESOLVED** by the Tribal Council that it further directs the Tribal Law and Order Committee to make recommendations and reports to the Tribal Council on a regular basis as to its findings and recommendations.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby directs the Whiteriver Police Department, BIA Law Enforcement, the Indian Health Service, and other federal and tribal departments and agencies to cooperate fully with the Tribal Law and Order Committee and to assist the Committee in compiling data base statistics of unsolved major crimes on the reservation for the purposes enumerated herein to the extent permitted by applicable federal privacy laws and law enforcement policies.

**BE IT FURTHER RESOLVED** by the Tribal Council that the Tribal Law and Order Committee is directed to develop a budget appropriate to carry out the directives of this resolution for presentation to the Tribal Council.

The foregoing resolution was on December 02, 1992, duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

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FORT APACHE INDIAN AGENCY  
WHITERIVER, ARIZONA