



Child Sex Trafficking and Exploitation in Indian Country

Jurisdictional Issues: Trafficking and Exploitation in Tribal Communities

Offender	Victim	Jurisdictional Considerations
Non-Indian	Non-Indian	State jurisdiction is exclusive of federal and tribal jurisdiction.
Non-Indian	Indian	Federal jurisdiction under 18 U.S.C. § 1152 is exclusive of state and tribal jurisdiction.
Indian	Non-Indian	<p>If listed in 18 U.S.C. § 1153, there is federal jurisdiction, exclusive of the state, but probably not of the tribe.</p> <p>If the listed offense is not otherwise defined and punished by federal law applicable in the special maritime and territorial jurisdiction of the United States, state law is assimilated.</p> <p>If not listed in 18 U.S.C. § 1153, there is federal jurisdiction, exclusive of the state, but not of the tribe, under 18 U.S.C. § 1152.</p> <p>If the offense is not defined and punished by a statute applicable within the special maritime and territorial jurisdiction of the United States, state law is assimilated under 18 U.S.C. § 13.</p>
Indian	Indian	<p>If the offense is listed in 18 U.S.C. § 1153, there is federal jurisdiction, exclusive of the state, but probably not of the tribe.</p> <p>If the listed offense is not otherwise defined and punished by federal law applicable in the special maritime and territorial jurisdiction of the United States, state law is assimilated. See section 1153(b).</p> <p>If not listed in 18 U.S.C. § 1153, tribal jurisdiction is exclusive.</p>
Non-Indian	Victimless	State jurisdiction is exclusive, although federal jurisdiction may attach if an impact on individual Indian or tribal interest is clear.
Indian	Victimless	There may be both federal and tribal jurisdiction. Under the Indian Gaming Regulatory Act, all state gaming laws, regulatory as well as criminal, are assimilated into federal law and exclusive jurisdiction is vested in the United States.



Waiver and Disclaimer of Liability

This training is designed to provide you with information, tools, and skills that you can apply in your work. Not all of the material presented in this class may be applicable in your particular jurisdiction. Laws vary from one jurisdiction to another and both technology and laws are dynamic and ever changing. Before implementing any aspect of this training, consult with your supervisor and local prosecutor. Always follow your agency's policy and guidance.

Printed and electronic material provided to you is intended to help you learn and apply the information presented. These materials are not intended to be all-inclusive or exhaustive. The use of specific investigative methodologies, hardware devices and software tools demonstrated in the training is not an endorsement by Fox Valley Technical College or other sponsors or funders of the training, nor a guarantee that their use is appropriate in all circumstances. Before using these tools, check with your supervisors and prosecutor's office, if applicable, to be sure they are valid and appropriate in your jurisdiction. Software and other material may be subject to copyright protection and may require licensing or permission before use.

The opinions expressed by presenters in their oral or written material are theirs alone, and do not necessarily represent those of Fox Valley Technical College, or other sponsors or funders of the training.