



Tribal Crime Data Collection Activities, 2023

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The Tribal Law and Order Act (TLOA) of 2010 requires the Bureau of Justice Statistics (BJS) to (1) establish and implement a tribal crime data collection system, (2) consult with Indian tribes to establish and implement this data collection system, and (3) report annually to Congress on the data collected and analyzed in accordance with the act.¹ The act specifies data collection and analysis of crimes committed on federally recognized reservations, in tribal communities, and on identified trust lands, commonly referred to as Indian country. In 2020, there were 334 federally and state-recognized American Indian reservations in the United States, with an estimated 5.1 million persons living on these reservations or in Alaska Native villages.^{2,3}

¹See Public Law 111-211, 124 Stat. 2258 § 251(b).

²For more information about federally recognized tribes, reservations, and Alaska Native village statistical areas, see *Tribal Data Collection Activities, 2012* (NCJ 239077, BJS, October 2012).

³See U.S. Census Bureau (n.d.). Redistricting Data Program. <https://www.census.gov/data/datasets/2020/dec/2020-census-redistricting-summary-file-dataset.html>.

Jurisdiction over crimes committed in Indian country varies by the type and seriousness of the crime, whether the offender or victim is a tribal member, and the location of the offense. Due in part to Public Law 83-280, commonly referred to as P.L. 280, federal, state, or local criminal justice agencies have concurrent jurisdiction with tribal agencies over some crimes committed in Indian country involving American Indians.

In the 16 states where P.L. 280 applies, the law permits the federal government to transfer mandatory jurisdiction over major crimes in Indian country to these states, and it permits the states to acquire optional jurisdiction, in whole or in part, over Indian country within their boundaries.⁴ Six states have established mandatory jurisdiction over crimes in Indian country, and 10 states have established optional jurisdictions.⁵

⁴See P.L. 83-280, August 15, 1953, codified as 18 U.S.C. § 1162, 28 U.S.C. § 1360, and 25 U.S.C. §§ 1321–1326.

⁵Federal jurisdiction in Indian country is established under the General Crimes Act (18 U.S.C. § 1152), the Major Crimes Act (18 U.S.C. § 1153), and the Assimilative Crimes Act (18 U.S.C. § 13).

HIGHLIGHTS

- From fiscal year (FY) 2016 to FY 2022, BJS awarded seven grants totaling \$2.2 million to tribes to improve and automate their criminal history records and databases.
- The total number of tribally operated law enforcement agencies in the United States increased 32%, from 178 in 2008 to 234 in 2018.
- Ninety-two percent of American Indian and Alaska Native (AIAN) youth surveyed between 2008 and 2018 reported ever using any drug in their lifetime, and 88% reported ever drinking alcohol.
- Among AIAN persons admitted to state prison in 2014 across 34 states, about 8 in 10 (84%) had been arrested for a violent offense at least once in their criminal history.
- In FY 2021, federal law enforcement agencies arrested 2,522 AIAN persons, U.S. district courts sentenced 1,392, and federal prisons admitted 1,484 and released 1,440.

More than 300 tribes are in P.L. 280 jurisdictions. In the 19 states with federally recognized tribes where P.L. 280 does not apply, the federal government exercises criminal jurisdiction for major crimes committed in Indian country. In 2022, in *Oklahoma v. Castro-Huerta*, 597 U.S. ___, the Supreme Court held that the federal government and states have concurrent jurisdiction to prosecute crimes committed by non-Indian persons against Indian persons in Indian country.

This report meets the TLOA requirement that BJS report annually to Congress on its tribal data collection activities and statistical findings. It summarizes:

- funding to enhance tribal participation in national records and information systems
- tribal data collection activities from August 2022 to July 2023, including the Survey of Jails in Indian Country (SJIC) and the new Census of Tribal Law Enforcement Agencies (CTLEA) and Census of Tribal Court Systems (CTCS)
- statistical findings on tribal law enforcement agencies, jails, and detention facilities
- statistical findings on American Indian and Alaska Native (AIAN) persons admitted to state prison in 2014, AIAN persons in the federal criminal justice system, and alcohol and drug use among AIAN youth in custody
- information on the BJS Tribal Crime and Justice webpage.

Funding to enhance tribal participation in national records and information systems

Since 2009, BJS has focused on improving tribal participation in national record and information systems by expanding tribal eligibility for funding under the National Criminal History Improvement Program (NCHIP) and the National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP). Initiated in 1995, NCHIP provides grants to states, territories, and federally recognized tribes to improve the quality, timeliness, and accessibility of criminal history records and related information. NARIP, enacted after the April 2007 shooting at Virginia Polytechnic Institute and State University, provides grants to states and tribes to help them automate and submit complete records to NICS on persons who are prohibited from purchasing or possessing a firearm under federal or state law.

From fiscal year (FY) 2016 to FY 2022, BJS awarded seven grants totaling about \$2.2 million to tribes to improve and automate criminal history records and databases:

- The Quinault Indian Nation received NARIP funds in FY 2021 and FY 2022 to (1) improve the completeness, automation, and transmittal of records to state and federal systems used by NICS, (2) form a NICS Record Improvement Advisory Council and develop regular oversight mechanisms, (3) create parallel systems for prosecutors and the police department and develop a plan for entry of historical orders and dispositions, and (4) evaluate, process, and provide a report of project success, lessons learned, and next steps in the nation's criminal record improvement strategy.
- The Tulalip Tribes of Washington received NARIP funds in FY 2016, FY 2018, and FY 2021 to automate tribal law enforcement and court records and improve their NICS and federal criminal history record reporting.

Under NCHIP, tribes may submit applications individually or as part of a multitribal consortium. BJS encourages states and tribes to strive to improve the integration of records, regardless of the funding source for records improvements. Challenges in doing so remain among tribal justice agencies, including the following:

- Many tribes do not have the means to transmit records to national systems, either through their own infrastructure or their state's.
- Some tribes have not yet converted their manual records to electronic versions.
- Many tribes are unable to submit qualifying records to the National Crime Information Center's Protection Order File.
- The FBI reports continued problems with tribes flagging protection orders related to firearm purchase prohibitions.

Federally recognized tribes are eligible to apply for NARIP funding to attain complete records directly related to NICS checks. NARIP was developed to improve the completeness, automation, and transmittal of records to state and federal systems used by NICS. These include criminal history records and other information that may disqualify an individual from possessing or receiving a firearm under federal law.

Tribal data collections and reporting

New Census of Tribal Law Enforcement Agencies and Census of Tribal Court Systems

In FY 2022, BJS awarded \$1.5 million to the National Opinion Research Center at the University of Chicago (NORC) to develop and conduct the CTLEA and CTCS.⁶ The CTLEA will collect data from tribally operated law enforcement agencies in the lower 48 states; the Bureau of Indian Affairs (BIA) police agencies; and the Alaska State Police, which operates the Village Public Safety Officer (VPSO) program in Alaska Native villages. The CTCS will collect data from tribal court systems in the lower 48 states, judicial forums in Alaska Native villages, and Code of Federal Regulations Courts operated by the BIA.

TLOA requires that BJS consult with Indian tribes to establish and implement a new data collection system. BJS has pursued ongoing outreach and engagement with tribes and stakeholders, and has used these vehicles to gather feedback to help shape program objectives. The key program objectives include:

- identifying and updating a list of known federally recognized tribal law enforcement agencies and tribal court systems operating in the United States
- consulting and conducting stakeholder engagement with tribal leaders, justice professionals and practitioners, tribal organizations, and federal partners
- coordinating a tribal justice expert panel and meeting to provide input and advice and assisting in the revision and development of the CTLEA and CTCS questionnaires
- completing web-based survey data collections for the CTLEA and CTCS
- conducting a feasibility study for creating a directory of tribal reservations, justice agencies, and resident populations.

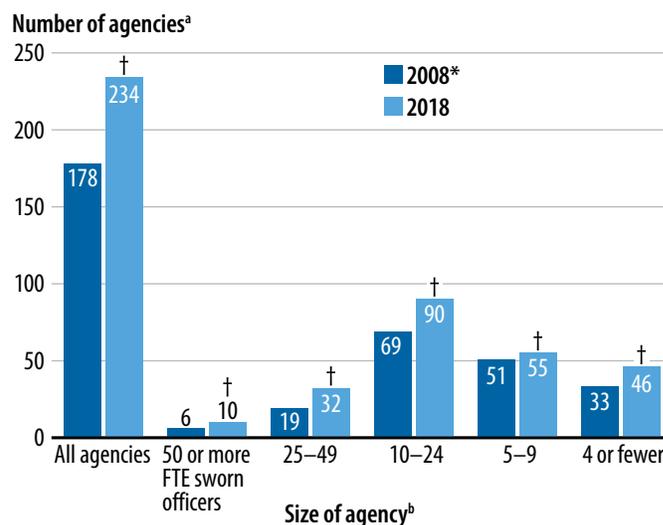
⁶See <https://bjs.ojp.gov/funding/awards/15pbjs-22-gk-00680-bjsb>.

2019 Census of Tribal Law Enforcement Agencies data and report released

The 2019 CTLEA was BJS's first statistical collection specific to tribal law enforcement agencies. It collected data on the administration and operational characteristics of tribally operated law enforcement agencies, BIA police departments, and the Alaska State Troopers' VPSO program.

In 2018, a total of 234 tribally operated law enforcement agencies in the United States were authorized to issue citations or arrest persons for violating regulations or laws on reservations (**figure 1**). (See *Tribal Law Enforcement in the United States, 2018* (NCJ 306022, BJS, July 2023) at <https://bjs.ojp.gov/document/tleus18.pdf>.)

FIGURE 1
Number of tribally operated law enforcement agencies in the United States, by size of agency, 2008 and 2018



Note: For standard errors see appendix table 4 in *Tribal Law Enforcement in the United States, 2018* (NCJ 306022, BJS, July 2023) at <https://bjs.ojp.gov/document/tleus18.pdf>.

*Comparison year.

†Difference with comparison year is significant at the 95% confidence level.

^aIncludes tribally operated agencies that employed at least one full-time sworn officer with general arrest powers, the authority to issue citations, or both in 2018.

^bBased on the number of full-time-equivalent (FTE) sworn officers (the number of full-time sworn officers plus half the number of part-time sworn officers).

Source: Bureau of Justice Statistics, *Census of State and Local Law Enforcement Agencies, 2008*; and *Census of Tribal Law Enforcement Agencies, 2019*.

TABLE 1**Number of tribally operated law enforcement agencies and full-time sworn personnel, by size of agency, 2008 and 2018**

Size of agency ^a	Number of agencies ^b		Percent change	Number of full-time sworn personnel		Percent change
	2008*	2018		2008*	2018	
All agencies	178	234 †	31.5%	2,999	3,834 †	27.8%
50 or more FTE sworn officers	6	10 †	66.7	871	927	6.4
25–49	19	32 †	68.4	607	1,054 †	73.6
10–24	69	90 †	30.4	1,062	1,353 †	27.4
5–9	51	55 †	7.8	361	366	1.4
4 or fewer	33	46 †	39.4	98	134 †	36.7

Note: Details may not sum to totals due to rounding. For standard errors see appendix table 4 in *Tribal Law Enforcement in the United States, 2018* (NCJ 306022, BJS, July 2023) at <https://bjs.ojp.gov/document/tleus18.pdf>.

*Comparison year.

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^aBased on the number of full-time-equivalent (FTE) sworn officers (the number of full-time sworn officers plus half the number of part-time sworn officers).

^bIncludes tribally operated agencies that employed at least one full-time sworn officer with general arrest powers, the authority to issue citations, or both in 2018.

Source: Bureau of Justice Statistics, Census of State and Local Law Enforcement Agencies, 2008; and Census of Tribal Law Enforcement Agencies, 2019.

The 10-year period from 2008 to 2018 saw increases in the number of tribally operated law enforcement agencies and their officers. Agency counts rose 32% overall (from 178 to 234). The number of agencies employing 50 or more full-time equivalent (FTE) sworn officers (from 6 to 10 agencies) increased 67%, while those with 4 or fewer FTE sworn officers (from 33 to 46 agencies) increased 39% (table 1). During this period, the total number of full-time sworn personnel in tribally operated law enforcement agencies rose 28%, from 2,999 to 3,834 officers.⁷

Offenses reported by tribal law enforcement agencies

The FBI's Uniform Crime Reporting (UCR) Program collects data on crimes reported by state, local, tribal, and federal law enforcement agencies. Starting in 2009, BJS worked with the BIA's Office of Justice Services, the FBI, and tribes to increase tribal reporting to the UCR. The number of tribal law enforcement agencies that reported 12 consecutive months of data to the UCR varied from a low of 12 agencies in 2008 to a peak of 168 agencies in 2011. In 2020, the final year in which agencies could report summary data to the UCR, 116 tribal agencies reported 12 months of offense information and had data published in the *Crime in the United States* report.

In 2021, the FBI transitioned from the UCR to the National Incident-Based Reporting System (NIBRS) to collect more detailed, incident-level crime data from law enforcement agencies. In 2021, 132 tribal law

enforcement agencies reported 12 months of data to NIBRS. The number of tribal law enforcement agencies reporting 12 consecutive months of crime data varies from year to year.⁸

Tribal jails and detention facilities

The SJIC is BJS's annual national data collection on jails and detention facilities in Indian country. The SJIC includes Indian country facilities operated by tribal authorities or the BIA. The survey collects jail facility-level data on midyear inmate populations, conviction status, offense types, average daily population, peak population, capacity occupied, and staffing. Findings from the most recent SJIC are available in *Jails in Indian Country, 2022* (NCJ 306307, BJS, May 2023) at <https://bjs.ojp.gov/document/jic22.pdf>.

The number of persons held for violent offenses increased 6% from midyear 2021 to midyear 2022, from 900 to 950 inmates (table 2). The share of persons held for violent offenses accounted for about 40% of all persons held in Indian country jails at midyear 2021 and midyear 2022. During the 10-year period from 2012 to 2022, the number of persons held for violent offenses increased 34%, from 710 to 950 inmates.

From midyear 2021 to midyear 2022, the number of persons held for domestic violence increased by 20 (from 380 to 400). The number held for aggravated or simple

⁷The number of FTE sworn officers is the number of full-time sworn officers plus half the number of part-time sworn officers.

⁸For this reason, aggregated yearly crime counts cannot be used for in-depth analysis of trends and comparisons of violence and property crimes in this report. To access 2008 through 2020 data, visit <https://bjs.ojp.gov/tribal-crime>.

TABLE 2**Number of persons held in Indian country jails, by demographic and criminal justice characteristics, midyears 2012–2022**

Characteristic	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Total^a	2,364	2,290	2,380	2,510	2,540	2,820	2,870	2,890	2,020	2,180	2,250
Sex											
Male	1,840	1,730	1,790	1,870	1,860	2,130	2,150	2,190	1,540	1,600	1,650
Female	530	560	590	640	680	690	710	710	480	580	600
Age group											
Juvenile ^b	250	210	190	210	170	230	210	160	140	140	150
Male	170	130	130	140	110	150	130	100	90	90	100
Female	80	80	60	70	60	80	70	60	50	50	60
Adult	2,120	2,080	2,190	2,300	2,370	2,590	2,660	2,740	1,880	2,040	2,100
Male	1,660	1,600	1,670	1,730	1,750	1,980	2,020	2,090	1,450	1,510	1,560
Female	450	480	530	570	620	610	640	650	430	530	540
Conviction status											
Convicted	1,350	1,290	1,210	1,380	1,400	1,480	1,570	1,490	1,070	1,030	1,060
Unconvicted	1,020	1,000	1,170	1,130	1,130	1,340	1,300	1,400	950	1,150	1,190
Most serious offense											
Violent offense	710	720	650	760	760	770	840	790	850	900	950
Domestic violence	320	350	280	330	350	340	440	360	340	380	400
Aggravated/simple assault	200	230	220	240	260	250	250	280	360	340	330
Rape/sexual assault	40	50	40	40	30	40	40	40	40	40	40
Other violent	160	110	110	150	120	140	110	110	110	140	190
Nonviolent	1,650	1,570	1,730	1,760	1,780	2,050	2,040	2,090	1,160	1,280	1,300
Burglary	...	40	40	50	40	50	60	40	30	30	30
Larceny-theft ^c	...	30	20	30	50	40	40	60	20	30	30
Public intoxication ^d	...	380	470	440	470	510	470	510	230	220	170
DWI/DUI ^e	230	200	220	180	170	190	150	160	100	150	160
Drug	120	100	130	140	210	240	300	280	220	270	240
Other unspecified ^f	1,300	820	850	920	840	1,020	1,020	1,040	560	570	660

Note: Data are as of the last weekday in June. Some counts were imputed for nonresponse or rounded to the nearest 10. Details may not sum to totals due to rounding. Data may differ from previously published statistics in the Jails in Indian Country series due to imputation and rounding.

...Not collected.

^aTotal midyear populations for 2015 and 2018–2022 were imputed for nonresponse and rounded to the nearest 10.

^bPersons age 17 or younger.

^cExcludes motor vehicle theft.

^dIncludes drunk and disorderly conduct.

^eDriving while intoxicated or driving under the influence of alcohol or drugs.

^fBJS began collecting data on burglary, larceny or theft, and public intoxication through this survey in 2013. As a result, the category of other unspecified offenses in prior years is not comparable to 2013 through 2022. Other unspecified may include motor vehicle theft and other property crimes, public order offenses, civil infractions, and other unspecified offenses.

Source: Bureau of Justice Statistics, Annual Survey of Jails in Indian Country, 2012–2022.

assault declined by 10 (from 340 to 330), and the number held for rape or sexual assault did not change (40).

The number of female inmates increased by 20 (from 580 to 600) from midyear 2021 to midyear 2022. The share of female inmates increased from 22% in 2012 to 27% in 2022. The number of female and male inmates increased at similar rates from midyear 2021 to midyear 2022, both rising 3%.

From midyear 2021 to midyear 2022, the number of juveniles (persons age 17 or younger) held in Indian country jails increased by 10 (from 140 to 150). However, the number of juveniles held in Indian country jails

decreased by 100 from midyear 2012 (250) to midyear 2022 (150). Juveniles have made up 6% to 8% of all inmates every year from 2014 to 2022, down from 10% at midyear 2012.

Alcohol and drug use among AIAN youth in custody from 2008 to 2018

The National Survey of Youth in Custody (NSYC) is part of BJS's National Prison Rape Statistics Program and collects data on sexual victimization as required by the Prison Rape Elimination Act of 2003. The NSYC administers two questionnaires to youth: (1) the main

survey about sexual victimization in the juvenile facility and (2) an alternative survey with questions about drug and alcohol use prior to entering custody. Youth are randomly assigned one of the questionnaires so that, at the time of the interview, the content of the survey remains unknown to facility staff and the survey interviewers.

In July 2023, BJS released *Drug and Alcohol Use Reported by Youth in Juvenile Facilities, 2008–2018 – Statistical Tables* (NCJ 305814, BJS, July 2023). The report describes patterns of drug and alcohol use among youth in juvenile facilities before they entered custody.

Ninety-two percent of AIAN youth surveyed between 2008 and 2018 reported ever using any drug in their

lifetime, and 88% reported ever drinking alcohol (figure 2). About half of AIAN youth reported ever using inhalants (50%), hallucinogens (51%), or opiates nonmedically (53%) (not shown in figure).

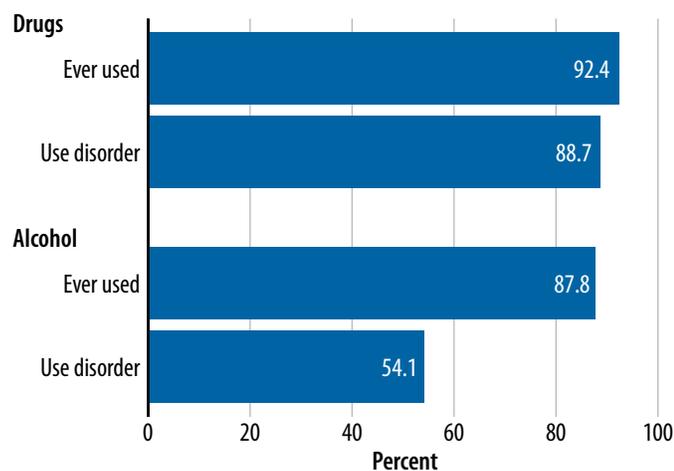
Based on criteria from the *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition*, about 9 in 10 (89%) AIAN youth in juvenile facilities surveyed between 2008 and 2018 met the criteria for substance use disorder (SUD), and more than 6 in 10 (63%) met the criteria for severe SUD. AIAN youth were more likely to meet the criteria for either SUD or alcohol use disorder (90%) than white youth (68%) (not shown in figure).

Arrest history of persons admitted to state prison in 2014

For the first time, BJS used prison records from the National Corrections Reporting Program and criminal history data to analyze the characteristics of persons admitted to state prison in the United States. BJS randomly sampled about 90,900 persons admitted to state prison in 2014 to represent the approximately 369,200 persons admitted to state prison that year in the study’s 34 states. AIAN persons made up about 1.6% of this population. These 34 states accounted for 73% of all persons admitted to state prison that year nationwide.⁹

⁹Arrest History of Persons Admitted to State Prison in 2009 and 2014 (NCJ 305022, BJS, April 2023) at <https://bjs.ojp.gov/document/ahpasp0914.pdf>.

FIGURE 2
Prior drug and alcohol use and use disorder among American Indian and Alaska Native youth in juvenile facilities, 2008–09, 2012, and 2018



Note: For standard errors see appendix tables 4 and 13 in *Drug and Alcohol Use Reported by Youth in Juvenile Facilities, 2008–2018 – Statistical Tables* (NCJ 305814, BJS, July 2023) at <https://bjs.ojp.gov/document/dauryjf0818st.pdf>.

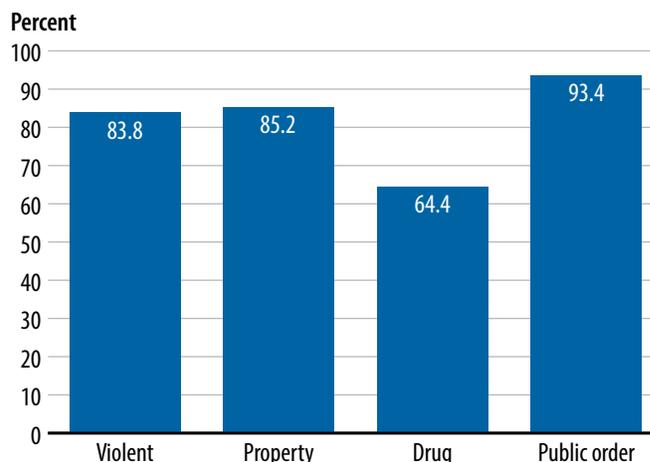
Source: Bureau of Justice Statistics, National Survey of Youth in Custody, 2008–09, 2012, and 2018.

Among AIAN persons admitted to state prison in 2014 across 34 states, about 8 in 10 (84%) had been arrested for a violent offense at least once in their criminal history, while nearly two-thirds (64%) had at least one prior arrest for a drug offense (figure 3). Eighty-five percent of AIAN persons admitted to prison in 2014 had at least one prior arrest for a property offense, including 39% for burglary, 63% for larceny, and 27% for fraud or forgery (table 3). Prior arrests include arrests in a person’s criminal history and the arrest that resulted in their imprisonment.

AIAN persons in the federal criminal justice system

BJJ’s Federal Justice Statistics Program (FJSP) provides annual data on workload, activities, and outcomes associated with federal criminal cases. It acquires information on cases processed in the federal justice system, including arrests, prosecutorial decisions, court dispositions, and sentencing outcomes. The FJSP collects and standardizes data from the U.S. Marshals Service, the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, and the Federal Bureau of Prisons. (See *Federal Justice Statistics, 2021* (NCJ 305127, BJS, December 2022) at <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/fjs21.pdf>.) The FJSP includes information on a person’s race but not their tribal membership.

FIGURE 3
Prior arrest offenses of American Indian and Alaska Native persons admitted to state prison in 2014



Note: Estimates are based on persons admitted to prison across the 34 states in the study. Data on race or Hispanic origin were reported for over 99% of cases. Prior arrests include arrests in a person’s criminal history and the arrest that resulted in their imprisonment. Details may not sum to totals because a person may have been arrested more than once for different types of offenses and each arrest may have involved more than one offense. Percentages exclude missing data. Some juvenile offenses may not be accounted for in the analysis for persons not prosecuted as an adult or due to state laws and practices regarding record sealing or expungement. See table 3 for estimates and standard errors.

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2014; and Criminal History of State Prisoners Admitted in 2014 data collection.

TABLE 3
Estimates and standard errors for figure 3: Prior arrest offenses of American Indian and Alaska Native persons admitted to state prison in 2014

	Violent					Property					Public order	
	Total violent ^a	Homicide	Rape/sexual assault	Robbery	Assault	Total property ^b	Burglary	Larceny/motor vehicle theft	Fraud/forgery	Drug		
Estimate												
All persons admitted	73.7%	4.5%	12.5%	23.9%	55.8%	81.1%	41.2%	59.5%	31.6%	70.6%	88.3%	
American Indian/Alaska Native ^c	83.8	6.5	14.8	20.2	72.2	85.2	39.1	62.7	27.1	64.4	93.4	
Standard error												
All persons admitted	0.19%	0.07%	0.13%	0.19%	0.22%	0.17%	0.22%	0.22%	0.20%	0.20%	0.13%	
American Indian/Alaska Native ^c	0.87	0.59	0.94	1.19	1.09	0.90	1.35	1.28	1.16	1.26	0.53	

Note: Estimates are based on persons admitted to prison across the 34 states in the study. Data on race or Hispanic origin were reported for over 99% of cases. Prior arrests include arrests in a person’s criminal history and the arrest that resulted in their imprisonment. Details may not sum to totals because a person may have been arrested more than once for different types of offenses and each arrest may have involved more than one offense. Percentages exclude missing data. Some juvenile offenses may not be accounted for in the analysis for persons not prosecuted as an adult or due to state laws and practices regarding record sealing or expungement.

^aIncludes other violent offenses that are not shown separately.

^bIncludes other property offenses that are not shown separately.

^cExcludes persons of Hispanic origin (e.g., “white” refers to non-Hispanic white persons and “black” refers to non-Hispanic black persons).

Source: Bureau of Justice Statistics, National Corrections Reporting Program, 2014; and Criminal History of State Prisoners Admitted in 2014 data collection.

Among AIAN persons adjudicated in the federal criminal justice system during FY 2021 (the most recent data available):

- 2,522 were arrested and booked by federal law enforcement agencies, down 5% from 2,643 in FY 2020 (table 4)
- 1,392 were convicted in U.S. district courts in FY 2021, up 12% from 1,248 in FY 2020
- 1,484 were admitted to federal prison, including 901 from U.S. district courts and 583 who violated community supervision
- 1,440 were released from federal prison in 2021, down 18% from 1,749 in 2020.

From FY 2012 to FY 2021, the number of AIAN persons arrested by a federal law enforcement agency increased 2%, while the number convicted in federal courts increased 3%. The number of AIAN persons arrested in FY 2021 was the lowest since 2012.

The ratio of convictions to arrests was the highest since 2014, due to the relatively greater increase in federal arrests than convictions from 2014 to 2021. In FY 2020, a total of 47 AIAN persons were convicted in U.S. district courts for every 100 arrested, while in FY 2021, a total of 55 were convicted per 100 arrested.

The percentage of AIAN persons convicted in U.S. district courts who were admitted to prison on a new court case decreased from 79% in FY 2012 to 65% in FY 2021. Also between FY 2012 and FY 2021, the percentage of AIAN persons admitted to prison for other commitments, including persons returned to prison for violations of community supervision, decreased to 39%, the lowest since 2014.

The number of AIAN persons released from federal prison decreased 14% across 10 years, from 1,683 in FY 2012 to 1,440 in FY 2021. The ratio of prison releases to admissions was the same in FY 2012 and FY 2021, at 97 AIAN persons released from federal prison for every 100 admitted.

TABLE 4
American Indian and Alaska Native persons in the federal justice system, fiscal years 2012–2021

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Percent change, 2020–2021	Percent change, 2012–2021
Arrests	2,482	2,882	2,648	2,943	3,189	3,260	3,231	3,372	2,643	2,522	-5%	2%
Convictions ^a	1,355	1,429	1,417	1,367	1,357	1,607	1,469	1,562	1,248	1,392	12%	3%
Prison admissions	1,735	1,740	1,715	1,615	1,790	1,939	1,822	1,904	1,245	1,484	19%	-14%
U.S. district court commitments	1,074	1,087	1,071	935	975	1,113	1,002	1,016	704	901	28	-16
Other commitments ^b	660	649	640	680	815	826	820	888	541	583	8	-12
Prison releases	1,683	1,737	1,763	1,753	1,839	1,769	1,895	1,982	1,749	1,440	-18%	-14%
Conviction-to-arrest ratio	0.55	0.50	0.54	0.46	0.43	0.49	0.45	0.46	0.47	0.55	17%	0%
U.S. district court commitment-to-conviction ratio ^a	0.79	0.76	0.76	0.68	0.72	0.69	0.68	0.65	0.56	0.65	16%	-18%
Prison-release-to-prison-admission ratio ^c	0.97	1.00	1.03	1.09	1.03	0.91	1.04	1.04	1.40	0.97	-31%	0%

^aBased on persons convicted in U.S. district courts only.

^bIncludes persons admitted to prison for violations of community supervision.

^cBased on all prison admissions.

Source: Bureau of Justice Statistics, Federal Criminal Case Processing Statistics, based on data from the U.S. Marshals Service, Justice Detainee Information System; U.S. Sentencing Commission, Monitoring File; and Federal Bureau of Prisons, SENTRY database, fiscal years 2012–2021.

Tribal Crime and Justice webpage

BJS's Tribal Crime and Justice webpage presents information on and updates to BJS's tribal data collections.¹⁰ It links to the latest information on victimization, law enforcement, courts, corrections, and funding for criminal justice data improvements. It includes tables on violent and property offenses known to tribal law enforcement by state from 2008 to 2020, based on data from the UCR.

¹⁰See <https://bjs.ojp.gov/topics/tribal-crime-and-justice>.

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Tribal Crime Data Collection Activities

American Indians and Crime



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Alexis R. Piquero, PhD, is the director.

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