



# Newsy uncovers a broken justice system for sexual assault survivors on tribal lands

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**CINCINNATI** – Over the course of an 18-month investigation into prosecutions of sexual assault on tribal lands, Newsy reporters uncovered breakdowns in the federal and tribal criminal justice systems so severe that sexual perpetrators often received minimal or no punishment and survivors were left with little justice.

More than half of American Indian and Alaska Native women report having experienced sexual violence in their lifetimes, yet survivors face a unique set of hurdles when they seek justice for an assault on tribal lands. The Newsy investigation “A Broken Trust” takes a deeper look at the impact of a complex, centuries-old relationship between tribal nations and the federal government.

For the project, Newsy’s investigative team spent time with members of the Assiniboine and Sioux Tribes living on the Fort Peck Reservation in Montana and members of the Mandan, Hidatsa and Arikara Nation (also known as the Three Affiliated Tribes) on the Fort Berthold Reservation in North Dakota. From survivors to police to tribal leaders to federal officials, “A Broken Trust” gives a voice to the people involved in this complex system.

Documents, reports and dozens of interviews reveal how the federal government, which is legally required to protect tribal communities, has repeatedly failed to adequately fund and staff tribal justice systems and limited the tribes’ ability to prosecute and sentence sexual crimes to the fullest extent.

Among the investigation’s findings:

- U.S. Attorneys are responsible for prosecuting major crimes committed on reservations. Newsy found that in Montana, the U.S. Attorney’s office declined to prosecute 64% of sexual assault cases across all reservations from 2013-2018.
- Most tribal nations have no jurisdiction over those who are legally defined as “non-Indians.” And most tribal courts are limited to one-year sentences for any crime, including rape. Records obtained from the Fort Berthold tribal prosecutor’s office, in North Dakota, show their court handed down sentences for only three cases of sexual assault from 2013 to mid-2018. The sentences ranged from eight days to six months.
- The 2010 Tribal Law and Order Act allowed tribes to enhance sentencing up to three years, if they meet certain requirements. Yet only 16 of the 319 federally recognized tribal judicial systems have implemented the Tribal Law and Order Act’s enhanced sentencing.
- Even after the Fort Peck Reservation in Montana implemented enhanced sentencing, tribal prosecutors at Fort Peck didn’t file for enhanced sentencing in any sexual assault convictions from 2013 to 2018. The longest sentence was still one year.

“A Broken Trust” will air on Oct. 6 at 8 p.m. Eastern on Newsy’s cable channel. It also will be available on Newsy’s over-the-top streaming platforms and online at [newsy.com/brokentrust](http://newsy.com/brokentrust).

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