



**2024 Annual Convention
Ridgefield, Washington**

RESOLUTION #2024 – 33

“RESTORING HOPE FOR OUR INCARCERATED RELATIVES”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for natural, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and Tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, Indigenous children and juveniles were first mass incarcerated by the U.S. government in the 1800s and 1900s through Indian boarding schools, where they suffered physical and sexual violence and emotional abuse; and

WHEREAS, the historical, inter-generational trauma caused by the mass incarceration of and physical and sexual violence and emotional abuse against Indigenous youth, as well as the

separation and division of Indigenous families and communities and the destruction of Indigenous kinship systems, is felt deeply by Indigenous peoples today; and

WHEREAS, the human brain does not fully develop until age 25, and due to mental health afflictions associated with historical, inter-generational Indigenous trauma, such as in utero trauma and fetal alcohol syndrome, many Indigenous juveniles are especially unable to fully decipher the consequences of incorrect choices; and

WHEREAS, in 1997, when the since debunked myth of the juvenile “super predator” was embraced nationwide, the Washington Legislature passed laws that expanded the ability of state courts to try children as adults and instructed state courts to automatically assign juvenile adjudication “points”—so-called “juvenile points”—to lengthen state prison sentences; and

WHEREAS, due to systemic discriminatory state and local law enforcement practices, Indigenous juveniles are three times more likely than white juveniles to be referred into the Washington state criminal system, rather than to be deferred away from that system; and

WHEREAS, since 1997, as a result of incorrect choices that incarcerated Indigenous people made while under age 18 and discriminatory Indigenous juvenile state court adjudications, state court judges have automatically and disproportionately assigned “juvenile points” to lengthen Indigenous peoples’ adult prison sentences, thereby punishing them twice for the same mistake; and

WHEREAS, by 2023, as much as 41% of the Indigenous persons incarcerated by the Washington State Department of Corrections (DOC) suffer overly long sentences because of state court sentencing enhancements for mistakes they made while they were juveniles; and

WHEREAS, Indigenous people are the most disproportionately impacted by prior juvenile adjudications in Washington state, with as many as 422 Indigenous persons serving overly long sentences in the DOC by 2023, as a result of being automatically assigned “juvenile points” by state court judges; and

WHEREAS, overly long state prison sentences resulting from incorrect choices made by Indigenous persons when they were juveniles, diminish their hope for forgiveness, redemption, rehabilitation, return to their families, and reentry into their communities; and

WHEREAS, with the support of eight Washington Tribal governments and Indigenous organizations, the Washington State Legislature passed HB 1324 in 2023 to end the practice of assigning “juvenile points” to lengthen state prison sentences, but it did not do so retroactively; and

WHEREAS, in 2024, with the support of 23 Washington Tribal governments and Indigenous organizations, the Washington State House of Representatives passed HB 2065 to retroactively end the practice of assigning “juvenile points” to lengthen state prison sentences; and HB 2065 was passed out of a Washington State Senate Committee of jurisdiction; and

WHEREAS, on January 22, 2024, that inter-Tribal coalition wrote the Washington State Legislature to urge passage of HB 2065, explaining: “This legislation is about allowing for forgiveness and redemption in our state, bringing our people home to help restore our families and communities, and helping break the cycle of multi-generational trauma.”

WHEREAS, that inter-Tribal coalition further explained to the Washington State Legislature: “Our Tribal governments and Indigenous reentry organizations stand prepared to work with our state and community partners to achieve those rehabilitative goals.”

WHEREAS, on February 1, 2024, Confederated Tribes of the Colville Reservation Chairman Jarred-Michael Erickson proclaimed: “Of the 29 federally recognized Tribes in our state, no less than 23 Tribes have incarcerated members with one or more juvenile felony adjudications. My own community on the Colville Reservation has the most adult members in state prison on juvenile points, with 39 members incarcerated. A state policy that has such disproportionate impacts on Tribes must be reformed.”

WHEREAS, on February 21, 2024, Washington State Senator Claudia Kauffman (Nez Perce) and Representative Christopher Stearns (Navajo) proclaimed: “Our Tribal communities are the most disproportionately impacted by this failed state carceral policy... The evidence is clear: juvenile points are a quiet driver of racial disproportionality and inequity, particularly for our Tribes.”

WHEREAS, on February 23, 2024, eighteen current or past Washington State Supreme Court Justices and Judges urged the Washington State Legislature to give state court judges the discretion to resentence individuals with “juvenile points” sentencing enhancements, explaining: “Lengthy sentences for indigenous youth deepen the impact of generational trauma”; now

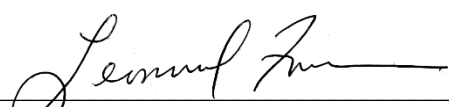
THEREFORE, BE IT RESOLVED, that ATNI calls upon the Washington State Legislature to pass legislation in 2025 to retroactively end the practice of assigning “juvenile points” to lengthen state prison sentences; and

BE IT FURTHER RESOLVED, that ATNI calls upon the Washington State Governor and Attorney General to formally, and if necessary, continually, request state legislation to retroactively end the practice of assigning “juvenile points” to lengthen state prison sentences; and

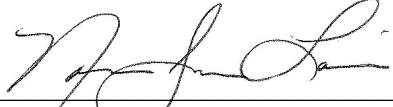
BE IT FINALLY RESOLVED, that ATNI shall monitor the political activity of members of the Washington State Legislature, as well as the Washington State Governor and Attorney General, until state legislation to retroactively end the practice of assigning “juvenile points” to lengthen state prison sentences is passed.

CERTIFICATION

The foregoing resolution was adopted at the 2024 Annual Convention of the Affiliated Tribes of the Northwest Indians, held at ilani Casino Resort, Ridgefield, Washington on September 29 – October 3, 2024 with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary