

**A SUMMARY OF FEDERAL, STATE, AND TRIBAL JURISDICTION FOR CRIMES
OCCURRING IN INDIAN COUNTRY¹**

Jurisdiction is a complicated area of law. For nearly every rule there is an exception. With this caveat in mind, below is a chart summarizing criminal jurisdiction in Indian Country.

Offender	Victim	Jurisdiction
Indian	Indian	<ul style="list-style-type: none"> • Federal jurisdiction for felonies listed in Major Crimes Act (18 U.S.C. §1153).² • Tribal jurisdiction for misdemeanors.³
Indian	Non-Indian	<ul style="list-style-type: none"> • Federal jurisdiction for felonies listed in Major Crimes Act. • Federal jurisdiction for any other offenses not listed in the Major Crimes Act, unless the tribe has already punished the defendant. (The tribe can preempt federal jurisdiction by exercising jurisdiction first.) • Tribal jurisdiction for misdemeanors.
Non-Indian	Indian	<ul style="list-style-type: none"> • Federal jurisdiction for both felonies and misdemeanors.
Non-Indian	Non-Indian	<ul style="list-style-type: none"> • State jurisdiction for both felonies and misdemeanors.
Indian	Victimless Crime (drug dealing, DUI, prostitution, etc.)	<ul style="list-style-type: none"> • Primarily tribal jurisdiction. • Federal jurisdiction in some cases.
Non-Indian	Victimless Crime	<ul style="list-style-type: none"> • Primarily state jurisdiction. • Federal Jurisdiction in some cases.