

Oneida Tribe of Indians of Wisconsin

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Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

RESOLUTION # 10-27-89-B

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a Treaty Tribe recognized by the laws of the United States, and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and
- WHEREAS, the U.S. Senate currently is debating federal death penalty legislation (S. 32, S.36, and Title II of S. 1225) which would resurrect a federal death penalty for 24 crimes including first degree murder; and,
- WHEREAS, proposed death penalty legislation will more likely be applied to first degree murder cases, yet two thirds to three quarters of all first degree murder cases prosecuted in the federal system involve Indian defendants thereby disproportionately subjecting Indian defendants to a death penalty; and,
- WHEREAS, in those states without a death penalty or a limited version and where state law will govern, Indians will be subject to a death penalty in circumstances where a non-Indian would not face that ultimate punishment; and
- WHEREAS, a death penalty being applied in Indian Country will not deter further criminal behavior because almost all Indian murder cases arise between family members and acquaintances in the "heat of passion" where the defendant and decedent at the time of death were both intoxicated; and,
- WHEREAS, a death penalty will not address the roots of criminal behavior in Indian communities but alcohol rehabilitation and treatment programs, and education of Indian youth to prevent alcohol abuse will attack the problem and prevent further Indian murders; and,
- WHEREAS, states have the authority to determine whether to impose the death penalty within their jurisdictions but Indian tribal governments do not; Congress must therefore act as trustee on behalf of tribal governments who overwhelmingly oppose the death penalty; and,


WHEREAS, a death penalty goes against the cultural beliefs and traditions of Indian people who value life and place greater emphasis on restitution by making the family and community whole again; and,

NOW, THEREFORE BE IT RESOLVED: That the Oneida Tribe Of Indians of Wisconsin hereby resolves its opposition to any legislation before Congress that includes a federal death penalty that impacts American Indians disproportionately and discriminates against American Indians by virtue of federal law and jurisdiction to prosecute first degree murder cases in Indian Country; and

BE IT FURTHER RESOLVED: That the Oneida Tribe of Indians of Wisconsin strongly urges the members of the United States Senate to vote in favor of an amendment to be offered by Senator Joseph Biden, Chairman of the Judiciary Committee that would prohibit the death penalty from being imposed in Indian Country through 18 U.S.C. Sections 7, 1152, and 1153.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members, of whom 5 members constitutes a quorum. 9 members were present at a meeting duly called, noticed and held on the 27 day of October 1989; that the foregoing resolution was duly adopted at such meeting by a vote of 8 members for; 0 members against, 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Amelia Cornelius, Tribal Secretary
Oneida Tribe of Indians of Wisconsin