In the recent case of Reehalio Carroll, who is charged for the murder of Sister Marguerite Bartz, Carroll was taken into custody by the FBI while he was held in Navajo jails pursuant to the order issued by Judge Carol Perry. The federal government did not honor the Navajo Nation extradition laws.

"I refused to turn Carrol over because he was held on a valid tribal court order. An extradition procedure would have authorized the release to the federal government," Martin said. "I told the federal judge in the Carrol case that the Navajo Nation is a sovereign government with our own laws and courts of competent jurisdiction."

"Unfortunately, the Navajo Nation Council, President Shirley and the Navajo courts must inform Congress of Navajo sovereignty, particularly with crimes," she added. "We don’t have problems with the states of New Mexico, Arizona and Utah. The states inform us of arrest warrants and provide documents that support our extradition protocol. The relationships with the states have been working."

Yazzie’s legislation proposes defendants who commit crimes on the Navajo Nation are subject to Navajo laws and if a federal offense requires federal action, then federal agencies need to honor the Navajo extradition protocol, not the process where the FBI wants to take defendants when they want to.
“I’m not questioning the jurisdiction of the federal government,” Martin said. “It’s how we get there is what concerns me. I hope that there is some compromise with the federal laws and Navajo laws.”

“The Navajo extradition statutes were enacted in January 1956,” Martin added. “In October 1967, the Navajo Chairman ordered that every Navajo accused will be brought before a judge for an extradition hearing and that is codified. In 1994, the solicitor of the Navajo Judicial Branch further clarified the extradition procedure which is how both entities should be operating.”

The IGR committee accepted Yazzie’s legislation with a 7-0 vote.

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