

OFFENDER	VICTIM	JX - NON PL-280	JX - PL 280 * (18 USC 1162 & 25 USC 1321(a))
INDIAN	INDIAN	TRIBAL only for all misd.; FEDERAL for felony 18 USC 1152, 1153, 2261, 2261A, 2262, 922(g)(8) or (9); Concurrent TRIBAL & FEDERAL for TLOA felonies – but see <i>Petite Policy</i>	CONCURRENT TRIBAL for misd. & TLOA felonies; STATE for all felonies & misd. (except regulatory); MAYBE FEDERAL 18 USC 1152, 1153 (ONLY if feds reassume jdx under TLOA & tribe has not punished defendant for 1152 type of offense); FEDERAL if 2261, 2261A, 2262, 922(g)(8) or (9)
INDIAN	NON-INDIAN	FEDERAL under 18 USC 1152, 1153, 2261, 2261A, 2262, 922(g)(8) or (9); <u>unless</u> defendant punished by Tribe for 1152 crime - and then no JX; TRIBAL for Misd. and TLOA felonies	CONCURRENT TRIBAL for misd. & TLOA felonies; STATE for all felonies & misd. (except regulatory); MAYBE FEDERAL 18 USC 1152, 1153 (ONLY if feds reassume jdx under TLOA & tribe has not punished defendant for 1152 type of offense); FEDERAL if 2261, 2261A, 2262, 922(g)(8) or (9)
NON-INDIAN	INDIAN	FEDERAL for felonies & misd. 18 USC 1152, 2261, 2261A, 2262, 922(g)(8) or (9).; TRIBAL <u>ONLY</u> if VAWA 2013 & otherwise not <u>U.S. v. Oliphant</u>	CONCURRENT TRIBAL for misd. & felony ONLY if under VAWA 2013; STATE for all felonies & misd. (except regulatory); FEDERAL if 18 USC 2261, 2261A, 2262, 922(g)(8) or (9)
NON-INDIAN	NON-INDIAN	STATE exclusively – unless certain federal laws apply- FEDERAL if 2261, 2261A, 2262, 922(g)(8) or (9), etc.	State exclusively – unless certain federal laws apply (e.g., RICO, theft of mail, treason, FEDERAL if 2261, 2261A, 2262, 922(g)(8) or (9), etc.)
INDIAN	VICTIMLESS	TRIBAL but could be FEDERAL in some cases (e.g., treason, theft of mail, RICO, etc.)	CONCURRENT TRIBAL and STATE (except regulatory); FEDERAL if feds reassumed jdx under TLOA and tribe has not punished for 1152 type of offense
NON-INDIAN	VICTIMLESS	STATE but could be FEDERAL in some cases (e.g., 18 USC 1152, treason, theft of mail, RICO, etc.)	STATE exclusively but could be FEDERAL if feds reassumed jdx under TLOA and it is an 18 USC 1152 offense
INDIAN or NON-INDIAN	TRIBE	FEDERAL 18 USC 1163; concurrent w/ TRIBAL only if INDIAN offender for misd.& TLOA felonies; STATE for non-Indians unless 18 USC 1163 applies = concurrent FEDERAL	STATE (unless regulatory); FEDERAL 18 USC 1163 concurrent; concurrent with TRIBAL for misd. & TLOA felonies only if INDIAN offender

Criminal Jurisdiction in California Indian Country under *Public Law 280, 18 U.S.C. § 1162*

Offender	Victim	Jurisdiction
Non-Indian	Non-Indian	State jurisdiction is exclusive of federal and tribal jurisdiction.
Non-Indian	Indian	California has jurisdiction exclusive of federal and tribal jurisdiction. There is no tribal jurisdiction.
Indian	Non-Indian	California has jurisdiction exclusive of federal government but tribe may have concurrent jurisdiction.
Indian	Indian	California has jurisdiction exclusive of federal government. Tribe may also exercise jurisdiction.
Non-Indian	Victimless	California has exclusive jurisdiction.
Indian	Victimless	There may be concurrent state and tribal jurisdiction. There is no state regulatory jurisdiction.