

# FREQUENTLY ASKED QUESTIONS



On July 9, 2020, the U.S. Supreme court ruled 5-4 in a decision that addresses and resolves significant jurisdictional issues raised in *McGirt v. Oklahoma*. The Supreme Court today kept the United States' sacred promise to the Muscogee (Creek) Nation of a protected reservation. The decision honors our ancestors by maintaining our established sovereignty and territorial boundaries.

The Nation and the State are committed to ensuring that offenders face justice for the crimes for which they are accused. We have a shared commitment to maintaining public safety and long-term economic prosperity for the Nation and Oklahoma.

## McGirt/Murphy Decision FAQs

### 1. What does the McGirt/Murphy ruling mean for the Muscogee (Creek) Nation?

The Supreme Court ruled that Congress created a reservation with the Muscogee (Creek) Nation through multiple treaties and never disestablished that reservation.

### 2. Does this ruling change the boundaries of the state of Oklahoma?

No. Oklahoma's boundaries are not changed by today's ruling. The Muscogee (Creek) treaty territory remains part of Oklahoma.

### 3. Are we still considered citizens of Oklahoma?

Yes, everyone living within the boundaries of those treaty territories, Indian and non-Indian, remains a citizen of Oklahoma.

### 4. What does this decision mean for non-Natives and property ownership if they live within the boundaries of the Muscogee (Creek) Nation (or other tribal nations)?

Today's decision does not affect anyone's property ownership. All existing contracts, leases, and title to property remain as they were before today's Supreme Court ruling.

### 5. Who will prosecute crimes that occur within the Muscogee (Creek) Nation?

Generally, any Indian, not just Muscogee (Creek) citizens, can be subject to criminal prosecution by the Creek Nation or the Federal Government for any crime occurring anywhere within the Reservation boundaries. The State will be able to prosecute crimes where both the offender and victim are non-Indian and where the crime occurs anywhere within the Reservation boundaries, not just on land owned by the Tribe or a Tribal citizen.

### 6. Does this ruling place convictions in question and will Indian people who are in State prison automatically be released?

No, individuals in prison will not be automatically released. In fact, this ruling will impact few convictions. Any person whose conviction might be affected will either remain in prison or face re-prosecution and re-incarceration by tribal or federal authorities. Any challenges to convictions will be evaluated on the merits. Please remember there are many other laws that could prevent a state prisoner from being retried.

### 7. Will this ruling change any existing agreements between the Muscogee (Creek) Nation and the State of Oklahoma?

No. All existing agreements between the Muscogee (Creek) Nation and the State will remain in effect.

## How Crime will be Affected

<b>Native on Native Crime</b>	Tribal for misdemeanors and/or Federal Court for Major crimes, felonies, and misdemeanors
<b>Native on Non-Native Crime</b>	Federal court for Major crimes, felonies and misdemeanors. Some misdemeanors may also be tribal
<b>Non-Native on Non-Native Crime</b>	State courts for felonies and misdemeanors and/or Federal Court for some felonies
<b>Non-Native on Native Crime</b>	Federal Court
<b>Native Victimless Crime</b>	Tribal and Federal Courts
<b>Non-Native Victimless Crime</b>	State and Federal Courts (no change)

