

NEWS RELEASE- FOR IMMEDIATE RELEASE

UTE INDIAN TRIBE SECURES MAJOR VICTORY AGAINST TRESPASSING STATE AND COUNTY OFFICERS

Ft. Duchesne, UT July 12, 2017

On July 11, 2017, the United States Court of Appeals for the Tenth Circuit issued a decision in *Vance Norton, et al, v. Ute Indian Tribe*, one of a series of cases in which the Ute Tribe and the family of Todd Murray are seeking to hold now-Uintah County Sheriff Vance Norton accountable for allegedly trespassing onto the Ute Reservation and shooting Todd Murray, an unarmed Ute Indian, in the head from point blank range; and to hold Norton's associates accountable for allegedly trespassing onto the Reservation and destroying evidence and taking other actions to cover up Norton's shooting of Murray.

The Tenth Circuit decision provides a significant victory for the Ute Indian Tribe in strengthening the jurisdiction of the Ute Indian Tribal Court to hear and resolve claims involving non-members and affirming the civil regulatory authority of the Ute Indian Tribe to enforce its Tribal Trespass Ordinance, Ordinance 13-005, against non-members who come onto the Uintah and Ouray Reservation without lawful authorization from the Tribe.

The Tenth Circuit decision comes about six months after the Murray family obtained a decision in the Federal Circuit Court which held:

But for the destruction of the cited evidence, Jones may have shown that Murray was, in fact shot by Norton.

Slip. Op. at 34.

Both the Federal Court of Claims in January and the decision today from the Tenth Circuit stem from the shooting death of Todd Murray in 2007, after Norton unlawfully chased Mr. Murray down more than 25 miles inside the Ute Tribe's Uncompahgre Reservation. Norton admits he shot at Mr. Murray, and the Tribe and the Murray family allege that Norton intentionally shot and killed Mr. Murray or otherwise caused Mr. Murray's death. The first officer at the scene also testified that Murray appeared to be unarmed, but Norton, as the only surviving eyewitness to the killing, claimed that after he shot at Mr. Murray, Mr. Murray shot himself. After the shooting, and in violation of multiple Utah and federal laws and their own policies, law enforcement officers destroyed evidence and failed to collect evidence. They failed or refused to do such basic things as test Norton's gun, hands, or clothing to see if any had Murray's blood on them or had other indicia that Norton had been in close proximity to Murray at the time of the shooting (as Murray's family alleges) or far away (as Norton alleges), or collect and preserve guns or clothing for subsequent testing. The officers also took multiple vials of blood from Mr. Murray, blood which they then did not log into evidence, and took numerous inappropriate and ghoulish pictures of Mr. Murray after he died, including one which shows an officer inserting his finger into the gunshot hole in Mr. Murray's head.

The officers' photos of the crime scene show Mr. Murray lying alone on a rock outcrop, bleeding from a close-range gunshot wound, without a single police officer providing medical assistance to Mr. Murray or even providing human comfort to him. Instead officers stand at a distance, smiling and chatting, while Norton was allowed to wander through the crime scene, taking pictures and, he claims, finding evidence to support his story.

Unfortunately, after Norton was alleged to have unlawfully chased, shot, and killed a member of the Ute Tribe, the voters in Uintah County chose to then elevate him to County Sheriff, a position in which he remains despite the pending claims related to his actions and despite the Federal Court of Claims' conclusion that "But for the destruction of the cited evidence, Jones may have shown that Murray was, in fact shot by Norton."

Instead of attempting to defend his actions on the merits in the Ute Court, Norton responded to the Tribe's law suit by suing the Ute Tribe and Murray's family in the U. S. District Court in Utah, and making unsupported and unseemly claims about the deceased Mr. Murray, and arguing among other things that even if he had shot Mr. Murray in the head without provocation, the Ute Court could not do anything about it. In its decision today, the Tenth Circuit disagreed. It held that Norton and the office state and local law enforcement officers are required to return to the Ute Court, which will then create a record regarding the actions of Norton and the other officers and whether their actions do in fact come within the Ute Court's jurisdiction.

Debra Jones, the mother of Todd Murray responded to the decision by saying:

I am pleased that the Court of Appeals has sent this matter back to the Tribe's Court, where it should be; that it rejected Norton's claim that because he is a state officer, he does not have to answer for his on-Reservation action. I look forward to finally having my day in Court in front of a fair and neutral tribal court judge.

I am eternally grateful for the Ute tribe for assisting me in seeking justice for my son and also to set precedence that we will not tolerate this kind of action to any of our tribal members.

About the Ute Indian Tribe-The Ute Indian Tribe resides on the Uintah and Ouray Reservation in northeastern Utah. Three bands of Utes comprise the Ute Indian Tribe: the Whiteriver Band, the Uncompahgre Band and the Uintah Band. The Tribe has a membership of more than three thousand individuals, with over half living on the Uintah and Ouray Reservation. The Ute Indian Tribe operates its own tribal government and oversees approximately 1.3 million acres of trust land which contains significant oil and gas deposits. The Tribal Business Committee is the governing council of the Tribe.