



U.S. Department of Justice FY 2014 Budget Request

PUBLIC SAFETY IN INDIAN COUNTRY

\$389.5 million in Total Resources

FY 2014 Overview

The United States has a unique legal and political relationship with Indian tribes and Alaska Native communities as provided by the Constitution, treaties, court decisions and federal statutes. The Department of Justice in particular has an important legal and moral responsibility to prosecute violent crime in Indian country, because under current law, in much of Indian country, the Department alone has the authority to seek an appropriate sentence when a major crime has been committed. Federal investigation and prosecution of serious violent crime in Indian Country cannot be deferred to a local jurisdiction and therefore federal law enforcement is both the first and only avenue of protection for the victims of these crimes.

In addition to jurisdictional issues, many tribal nations face significant public safety challenges and are struggling to combat staggering rates of violent crime with inadequate resources. Unlike municipal police agencies, many tribes still lack basic technology to modernize their departments, such as laptops installed in police vehicles. The officer-to-population ratio still remains lower on Indian reservations than in other jurisdictions across the country. Tribal law enforcement has a unique challenge of patrolling large areas of sparsely populated land; there are over 55 million acres of Indian Country and 566 federally recognized tribes. Together with high rates of violent crime and substance abuse, tribal law enforcement also faces the pandemic of domestic violence and sexual assault against Native women. According to a nationwide survey by the Centers for Disease Control and Prevention, nearly half of all Native American women – 46% – have experienced rape, physical violence, or stalking by an intimate partner.

The FY 2014 President's Budget requests \$389.5 million in total resources for public safety initiatives in Indian Country, including \$369.5 million in discretionary funds and \$20 million from the Crime Victims Fund (a mandatory account). Investments include significant and versatile grant funding for addressing a range of criminal justice issues and additional resources for the Office of Tribal Justice (OTJ). OTJ is the primary point of contact in the Department for federally recognized tribes and advises the Department on legal and policy matters pertaining to Native Americans.

The Department is working to ensure that these resources are used as effectively and efficiently as possible. Rather than funding programs dictated by Washington, the Department has added flexibility to the grant application process, so that grants meet tribes' actual needs. Every United States Attorney's Office with Indian country jurisdiction now has a plan to address specific tribal public safety challenges, and each has met with tribes in their district. The Department has also launched a National Indian Country Training Initiative to ensure that federal prosecutors, as well as state and tribal criminal justice personnel, receive the training and support needed to address the challenges of Indian country prosecutions. While the Department will continue to make

efficient use of scarce funding, public safety is best enhanced when tribal officials have the resources they need to enforce tribal laws.

Key DOJ Resources

Community Oriented Policing Services (COPS)

- COPS requests **\$35.0 million in total resources** for Indian Country in FY 2014 to fund tribal law enforcement expenses, including the hiring of police officers, training, and purchasing new equipment, technology, and vehicles.

Office of Justice Programs (OJP)

- OJP requests total discretionary resources of **\$102.5 million** for Indian Country in FY 2014. This funding comes via the Flexible Tribal Grant 7 percent Set-Aside from all OJP programs (excepting the Crime Victims Fund and the Public Safety Officers' Benefits programs).
- OJP also requests **\$20 million** to support Tribal Assistance for Victims of Violence from the Crime Victims Fund. This funding is requested as part of Vision 21, a strategic planning initiative based on an 18-month national assessment by OJP that systematically engaged the crime victim advocacy field and other stakeholder groups in assessing current and emerging challenges—and opportunities—facing the field. The initiative is designed to address identified needs including the need for more victim-related data, research and program evaluation; holistic legal assistance for crime victims; resources for tribal victims; and capacity building to provide technology- and evidence-based training and technical assistance.

Office of Tribal Justice (OTJ)

- OTJ requests total resources of **\$1.6 million and 8 positions (6 attorneys)** for FY 2014.
- The request includes a program increase of **\$530,000 for 3 attorney positions**. This increase in staffing is in recognition of the workload and duties of OTJ. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in Indian Country each year. The Office of Tribal Justice (OTJ) is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. External coordination with the Departments of Interior, Health and Human Services, and Homeland Security, as well as the Congress is another of OTJ's duties. OTJ also provides legal expertise in Indian law to the Department in those matters that progress to the appellate level, or issues being considered for legislation.

Office on Violence Against Women (OVW)

- OVW requests total resources of **\$42.7 million** for Indian Country in FY 2014. Included in this amount is **\$35.3 million** for the Tribal Governments program, **\$3.6 million** for the Tribal Coalitions program, **\$2.3 million** for the Sexual Assault Services Program, **\$1.0 million** for Analysis and Research on Violence Against Indian Women, and **\$500,000** for a Sexual Assault Clearinghouse.
- OVW sets aside a percentage of funding from many of its programs for tribal governments and coalitions. The Tribal Governments Program is designed to enhance the ability of tribes to respond to violent crimes against American Indian women, enhance victim safety, and develop education and prevention strategies. The Tribal Coalitions Program builds the capacity of survivors, advocates, Indian women's organizations, and victim service providers to form nonprofit, nongovernmental tribal domestic violence and sexual assault coalitions to end violence against American Indian and Alaska Native women.
- On March 7, 2013, President Obama signed into law the Violence Against Women Reauthorization Act (VAWA 2013). The law contains provisions that significantly improve the safety of Native women and which allow federal and tribal law enforcement agencies to hold more perpetrators of domestic violence accountable for their crimes. Because the law was not passed until after final Administration budget decisions were made, however, the President's Budget does not request funding specifically authorized for the new tribal program in section 904 of VAWA 2013. The Administration will work with Congress to help federally recognized tribes obtain funding to strengthen their criminal justice systems and prosecute perpetrators of domestic violence, as provided in section 904.

Coordinated Tribal Assistance Solicitation

- In FY 2010, the Department launched the Coordinated Tribal Assistance Solicitation (CTAS), a streamlined solicitation process which encompasses most of DOJ's available Tribal government-specific grant programs. Through CTAS, the Department has awarded over \$346 million to hundreds of American Indian and Alaskan Native Communities. The Tribes are using these funds to enhance law enforcement; bolster adult and juvenile justice systems; prevent and control juvenile delinquency; serve sexual assault, domestic violence, and elder victims; and support other efforts to combat crime. The FY 2013 solicitation opened on December 11, 2012, and the application deadline was March 19, 2013.

FY 2014 Indian Country Funding Totals
(Amount in \$000's)

Component	FY 2012 Enacted			FY 2014 President's Budget		
	Pos	Agt/Atty	Amount	Pos	Agt/Atty	Amount
Bureau of Prisons	883	442	113,617	883	442	117,311
Civil Division	3	1	383	3	1	390
Community Oriented Policing Services*	0	0	35,000	0	0	35,000
Community Relations Service	0	0	125	0	0	124
Criminal Division	2	2	564	3	2	689
Environment and Natural Resources Division	27	18	5,761	29	24	6,409
Federal Bureau of Investigation	143	126	26,707	134	125	27,455
Office of Justice Programs*	0	0	56,423	0	0	102,473
Office of Tribal Justice**	0	0	0	8	6	1,616
Office on Violence Against Women*	0	0	42,675	0	0	42,725
United States Attorneys	207	144	34,608	207	144	35,273
<i>Total Resources (Discretionary)</i>	<i>1,265</i>	<i>733</i>	<i>\$ 315,863</i>	<i>1,267</i>	<i>744</i>	<i>\$ 369,465</i>
Office of Justice Programs, Crime Victims Fund***	0	0	0	0	0	20,000
Total Resources	1,265	733	\$ 315,863	1,267	744	\$389,465

* In FY 2012 and the FY 2014 President's Budget request, OJP, COPS, and OVW salaries and expenses are derived from within grant program funding. Therefore, the actual amount provided for grants to Indian country will be slightly less than the amounts displayed.

**In FY 2013 and prior years, OTJ was funded with reimbursable resources.

*** The \$20 million is proposed to be funded from the Crime Victims Fund, a mandatory account.