U.S. Department of Justice
FY 2011 Budget Request

INDIAN COUNTRY
PUBLIC SAFETY INITIATIVES

$448.8 million in total resources

FY 2011 Overview

The FY 2011 President's Budget requests $448.8 million in total resources for initiatives in Indian Country. New investments include significant grant resources for addressing a broad range of criminal justice issues and additional FBI agents to help tribal communities combat illegal drug use, trafficking, and violent crime.

There are over 56 million acres of Indian Country and 564 federally recognized American Indian tribes. The Major Crimes Act provides federal criminal jurisdiction over certain specified major crimes, while tribal courts retain jurisdiction for conduct that might constitute a lesser offense. Thus, federal investigation and prosecution of felonies 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.

Many tribal law enforcement agencies face unique obstacles that often challenge their ability to promote and sustain community policing effectively. 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. Finally, tribal law enforcement has a unique challenge of patrolling large areas of sparsely populated land.

Data from the Bureau of Justice Statistics demonstrate that American Indians experience per capita rates of violence which are more than twice those of the United States resident population. Illegal drugs are also prevalent in Indian Country, which is used as the location for distributing and manufacturing illegal drugs due to its remote nature and lack of law enforcement.

Key DOJ Resources

Community Oriented Policing Services (COPS)

- COPS requests **$67,000,000 in total resources** to fund tribal law enforcement expenses, including the hiring of police officers, training, and purchasing new equipment, technology, and vehicles. Of that total, **$25,000,000** is for the Tribal Resources Grant Program, and **$42,000,000** is from a new 7% set-aside from the Universal Hiring Program. Because state and local funding is not available to many tribes for officers and technology, COPS has become one of the primary

resources available to tribal law enforcement agencies seeking to develop and maintain a basic community-policing infrastructure, as well as to improve and upgrade their antiquated equipment. Technology and equipment have been critical because most tribal police officers have large areas to patrol and these resources allow officers to stay in the field.

Community Relations Service (CRS)

- The FY 2011 President's Budget includes a program enhancement of **$176,000 in non-personnel funding** to allow CRS to promote improved communication and partnership between federal, state, local, and tribal law enforcement communities. This funding provides for additional training for CRS conciliators on Indian Country issues and for additional travel costs.

Federal Bureau of Investigation (FBI)

- FBI requests total resources of **$23,752,000 and 117 positions (110 agents)** for Indian Country activities in FY 2011.

- This amount includes an enhancement request of **$328,000 and 2 positions** to provide forensic support for Indian Country investigations. In addition, **$19 million is requested as a reimbursable program through the Department of the Interior to support 81 positions (45 agents)** investigating violent crimes within Indian Country. Because the requested funding is reimbursable, the $19 million is not included in the Department total above.

Office of Justice Programs (OJP)

- OJP requests total resources of **$140,682,000** for Indian Country in FY 2011.

- Included in this request is **$1,200,000** for the redesign and development of data collection programs for Indian Country. The President's Budget also proposes to make resources available for Indian Country **by requesting a new 7% set-aside from all discretionary OJP programs[1] totaling $139,482,000**.

Office of Tribal Justice (OTJ)

- The Department requests a total of $**1,822,000 and 8 positions (7 attorneys)** for OTJ.

- This amount includes an enhancement request of **$584,000 and 4 positions (3 attorneys)** to provide additional staffing to manage the increasing responsibilities of the Indian Country initiative. OTJ was established in 1985, in response to the overwhelming demand by Indian tribes for better coordination within the

[1] Excluding Public Safety Officers Benefits Program disability benefits and education assistance programs.

Department and among other federal agencies on law enforcement and public safety issues. The office has been funded through reimbursements from other Departmental components and staffed with detailees. The Department recognizes the need to institutionalize OTJ within the Intergovernmental Relations/External Affairs Decision Unit through base funding transfers. The requested program enhancement includes 3 attorneys and 1 program analyst to work on legal and grant issues.

Office on Violence Against Women (OVW)

- OVW requests total resources of **$47,920,000** for Indian Country in the FY 2011 President's Budget. Included in this amount is a total of **$3,000,000** for National Institute of Justice research on Violence Against Indian Women, **$500,000** for a Sexual Assault Clearinghouse that would give tribes access to sexual assault prevention training, and **$500,000** for Regional Summits that would provide training on the prosecution of cases involving violence against Indian women.

- OVW sets aside a percentage of funding from many of its programs for tribal governments and coalitions, including STOP (Services, Training, Officers, Prosecutors). The Grants to Indian Tribal Governments (GTTG) Program addresses the high victimization rates of American Indian and Alaska Native victims of domestic violence, sexual assault, and stalking that occur on tribal lands. The Tribal Coalitions Program helps nonprofit, nongovernmental tribal domestic violence and sexual assault coalitions to advance the goal of ending violence against American Indian and Alaska Native women.

United States Attorneys (USA)

- The USA is not requesting an enhancement for Indian Country in the FY 2011 President's Budget. Base resources dedicated to Indian Country for **FY 2011 are $31,965,000 and 192 positions (136 attorneys)**. Note, however, that the FY 2010 Appropriations Act provided an additional $6,000,000 and 50 positions (44 attorneys) for Assistant U.S. Attorneys to be dedicated to Indian Country. The USA FY 2011 President's Budget fully annualizes these positions.

FY 2011 Indian Country Funding Totals
(Amount in 000's)

Component	FY 2010 Enacted			FY 2011 President's Budget		
	pos	agt/atty	amount $0	pos	agt/atty	amount $0
Bureau of Prisons	791	396	125,778	791	396	128,294
Civil Division	3	1	777	3	1	788
Community Oriented Policing Services	0	0	45,000	0	0	67,000
Community Relations Service	0	0	0	0	0	176
Criminal Division	2	2	483	1	1	157
Environment and Natural Resources Division	24	15	6,077	24	15	6,267
Federal Bureau of Investigation	115	110	24,781	117	110	23,752
FBI-Interior Dept.*	0	0	0	[81]	[45]	[19,000]
Office of Justice Programs	0	0	75,000	16	0	140,682
Office of Tribal Justice	0	0	0**	8	7	1,822
Office on Violence Against Women	0	0	45,745	0	0	47,920
United States Attorneys	192	136	27,637	192	136	31,965
Total DOJ	**1,127**	**660**	**351,278**	**1,152**	**666**	**448,823**

*Represents reimbursable resources requested from the Department of the Interior.
**In FY 2010 and prior years, OTJ was funded with reimbursable resources.