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## **METHAMPHETAMINE IN INDIAN COUNTRY: AN AMERICAN PROBLEM UNIQUELY AFFECTING INDIAN COUNTRY**

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### **INTRODUCTION**

Methamphetamine is an American problem, infiltrating and devastating our communities throughout the United States. Unfortunately, however, this drug has disproportionately devastated Native American Tribal communities (there are over 560 independent sovereign Tribal governments and communities in the United States). Mexican drug cartels have been purposefully targeting rural Native American Reservations, both for the sale of meth and as distribution hubs (over 70% of Meth is now estimated to be smuggled from Mexico). Native Americans now experience the highest meth usage rates of any ethnic group in the nation.

Some of the reasons drug cartels have targeted Native communities are the complex nature of criminal jurisdiction on Indian reservations, and because Tribal governmental police forces have been historically under funded and understaffed. However, given this new challenge, Tribal leaders have been at the forefront of new and creative solutions and approaches that many other communities may find helpful in their struggles. Attached you will find the following:

#### **INCLUDED:**

- (1) The Scope of the Problem**
- (2) Creative Solutions from Indian Country**
- (3) Tribal Leader Contacts for Press**

### **THE SCOPE OF THE PROBLEM**

#### **HIGHEST NATIONAL USE RATES**

**Nationally Native Americans (American Indians/Alaskan Natives and Native Hawaiians) Have The Highest Rates Of Methamphetamine Abuse.** In studies of “past year methamphetamine use” Native communities have the highest use rates, 1.7% for American Indians/Alaskan Natives and 2.2% for Native Hawaiians. This rate is substantially higher than other ethnicities: whites (0.7%), Hispanics (0.5%), Asians (0.2%) and African-Americans (0.1%).<sup>1</sup>

**Reservation and Rural Native Communities Meth Abuse Rates Have Been Seen As High As 30%.** In May 2006, the White Mountain Apache Tribe in Arizona testified in front of the Senate Indian Affairs Committee that 30% of their Tribal employees recently tested positive for meth use.<sup>2</sup>

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<sup>1</sup> Office of Applied Studies, Substance Abuse and Mental Health Services Administration. (09/16/05). *Methamphetamine Use, Abuse, and Dependence: 2002, 2003, and 2004. The National Survey on Drug Use and Health Report (NSDUH)*.

<sup>2</sup> Vigil, Donna, Director, Division of Health Programs, White Mountain Apache Tribe. Oral testimony offered to the U.S. Senate Committee on Indian Affairs. "Hearing: Indian Youth Suicide." (May 17, 2006).

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This is particularly disturbing as Tribal employees are often the community leaders, and because of testing limitations, this number is actually believed to be an underestimate of use.

### **METH CAUSES DRAMATIC INCREASES IN VIOLENT CRIME, SUICIDE, AND CHILD NEGLECT**

**74% Of Tribal Police Forces Rank Meth as Greatest Drug Threat.** The Bureau of Indian Affairs Office of Law Enforcement Services surveyed Tribes with whom they work closely on law enforcement (surveys were sent to 150 Tribal law enforcement agencies, 96 responded) [the “BIA Law Enforcement Study”]. 74% of Tribes indicated that meth is the drug that poses the greatest threat to their community.

**40% Of Violent Crime Attributable to Meth.** An informal survey of the seven FBI offices located primarily in Indian Country estimated that approximately 40-50% of violent crime cases investigated in Indian Country involve meth in some capacity.<sup>3</sup> This is particularly disconcerting since Indian Country already experiences a violent crime rate 2 ½ times the general population.<sup>4</sup>

**64% Of Tribal Police Indicate An Increase In Domestic Violence And Assault/Battery.** 64% of the BIA Study respondents indicated increases in domestic violence and assault/battery as a result of increases in methamphetamines in their community.

**80-85% Of The Indian Families In Child Welfare Systems Are Estimated To Have Drug Or Alcohol Abuse Issues.** The National Indian Child Welfare Association (NICWA) estimates that 80-85% of the Indian families in child welfare systems have drug or alcohol abuse issues. The recent increase in child related meth cases in Indian Country, however, seems to be in child neglect cases rather than child abuse.

Nationwide 48% of Tribal law enforcement respondents in the BIA Law Enforcement Survey reported an increase in child neglect/abuse cases due to recent increases in meth use.

For example, the Yavapai-Apache Nation in Arizona estimates that approximately 90% of their open child welfare cases are related to methamphetamine. In California, the California Indian Legal Services (CILS) estimates nearly every single case they work with in which an Indian child is taken from their home, one or both of the parents is using methamphetamine, or the baby itself was born exposed to methamphetamine.<sup>5</sup>

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<sup>3</sup> FBI Indian Country Unit Presentation, The Federal/Tribal Meth Summit sponsored by the Department of Justice, Attorney General’s Advisory Committee, Native American Issues Subcommittee of United States Attorneys (Oct. 13, 2005).

<sup>4</sup> The rate of violent criminal offenses according to the U.S. Department of Justice is 215.6 crimes per 100,000 inhabitants in non-metropolitan areas, whereas the violent crime rate in Indian Country is 101/1,000 inhabitants according to the Bureau of Justice Statistics (BJS) report, *American Indians and Crime, 1992-2002*. Also, the BJS report states that American Indians experience 1 violent crime for every 10 residents over the age of 12 and the rate of violent crime victimizations among Indians 25-34 was more than 2 ½ times the rate for all persons the same age.

<sup>5</sup> CILS works with dozens of California tribes and has handled thousands of cases involving the involuntary placement of Indian children, probably more cases than any other organization or law firm in the country.

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### **INDIAN COUNTRY TARGETED BY INTERNATIONAL METH DEALERS**

**Spread of Addiction on Indian Reservations Fueled by Mexican Drug Cartels.** Mexican drug cartels are partially responsible for the recent surge in meth use in Indian Country. These drug cartels have targeted reservation communities because of the rural terrain, history of community addiction, and limited law enforcement resources.<sup>6</sup> It is now estimated that over 70% of meth in the United States is being imported, primarily from Mexico.

### **TRIBAL POLICE FORCES UNDER-FUNDED AND UNDERSTAFFED**

**90% Of Tribal Police Indicated That They Needed Additional Drug Investigation Training.** In the same BIA Office of Law Enforcement Services Survey, 90% of Tribal Police forces surveyed indicated that they needed additional drug investigation training.

**Officers Covering Areas Size of Connecticut.** Many reservations are the same size or bigger than many states. The Cheyenne River Reservation in South Dakota is approximately the size of Connecticut. The Navajo Nation in Arizona and New Mexico is approximately the size of West Virginia. Many Tribes, like the Rosebud in South Dakota just average 2-3 officers per shift. In Rosebud they cover on average 400 miles per shift per officer. Its not difficult to imagine how hard it would be for 2-3 officers to cover an area the size of a small state.

**There is an Alarming 42% Unmet Law Enforcement Officer Need in Indian Country.** As a whole, Indian Country has approximately 2,555 law enforcement officers, yet would need 4,409 officers to provide minimal acceptable service levels as compared to similarly situated off-reservation communities.<sup>7</sup> This is an alarming gap of a 42% unmet need.

### **LIMITED HEALTH CARE/METH TREATMENT RESOURCES**

**69% Of Tribal Respondents in the BIA Study Indicated That They Had No Tribal Sponsored Meth Rehab Centers.** There are very limited treatment resources or facilities available in Indian Country. Therefore when law enforcement or intervention efforts increase, there is often insufficient treatment resources to absorb or address the increase in individuals wishing to obtain assistance.

**Indian Health Services (IHS) are Funded at Less Than 60% of the Level Needed To Provide Basic Adequate Health Care Services.** Limited health and treatment resources are already overtaxed in Indian Country. Meth treatment costs substantially more than most other addiction treatments and last substantially longer, often over a year.

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<sup>6</sup> Tirado, Michelle. "Deadly Addiction: Methamphetamine in Indian Country." *American Indian Report*. June 2006.

<sup>7</sup> Based on the FBI's 2004 Uniform Crime Report (UCR) and recent BIA/OLES preliminary data. This gap is based on the UCR rate of 3.3 officers/1,000 inhabitants for rural areas under 10,000.

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**Annual Meth Treatment Dollars Depleted By March.** Addiction treatment in Indian Country is often outsourced, utilizing the annual mental health dollars provided to tribes through an Indian Health Services formula. Even without methamphetamine in a community, these dollars are usually insufficient to meet the treatment and mental health needs of a community. For communities dealing with meth, these allocations are grossly inadequate. Most communities are running out of their annual treatment and mental health funds just a few months into the year, leaving them unable to provide any kind of treatment to anyone, including such pressing needs as teen suicide mental health assistance, for the entire remainder of the year. For example, last year the IHS Portland Area Office, spent 90% of its behavioral health budget on treating meth.

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**CREATIVE SOLUTIONS FROM INDIAN COUNTRY**

**NATIONAL INDIAN COUNTRY INITIATIVES**

**NCAI National Indian Country Tribal Meth Initiative Task Force.** Tribal leaders take their governmental responsibilities to serve and protect their communities very seriously. As such they asked NCAI to create the Meth in Indian Country Initiative Task Force for Tribal leaders struggling with Meth in their communities. Representatives from all walks of Tribal government are members of the Task Force including Chairpersons, Chiefs of Police, substance abuse counselors, and local educators.

**White House Indian Country Federal Meth Initiative Task Force.** In addition to the Tribal Leader Task Force, the White House runs the sister Task Force for Federal government agencies with responsibilities in Indian Country, including but not limited to: The Department of Justice, the Office of National Drug Control Policy, the Federal Bureau of Investigations, the Border Patrol, the Drug Enforcement Agency, Indian Health Services, Health and Human Services, and the Substance Abuse and Mental Health Services Agency.

**NCAI National Media and Education Campaign.** The NCAI Task Force is working closely with Health and Human Service-Office of Minority Health, the Department of Interior-Bureau of Indian Affairs-Office of Justice Services, and the Office of National Drug Control Policy, the Partnership for A Drug Free America, and Scholastic to create a comprehensive Indian Country anti-meth media and education campaign. Included in the campaign will be radio and print ads, and educational materials such as elementary school “readers.”

**TRIBAL INITIATIVES**

**Culturally Creative Approaches**

**Banishment.** The Lummi Nation of Washington has exercised one of the most basic and fundamental rights of sovereign tribal nations to keep methamphetamine dealers out of their communities. The tribe has banished several meth dealers from the reservation. The Yavapai-Apache Nation in Arizona has employed similar strategies.

**“Meth Walks.”** A number of Tribes, including the Crow Nation in Montana, have instituted Meth Walks or Meth Rides whereby the children in the community either walk or ride horseback through the towns chanting “no more meth,” taking a stand up to their neighbors and community members who they often know are involved with the making or selling of methamphetamines.

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**Cherokee Children's Marbles Game.** For Cherokee children in Oklahoma, the traditional game of Cherokee marbles has been passed down for generations, but in the past 2 years it has taken on a different meaning. At public elementary and middle schools across 14 counties, a demonstration program called Use Your Marbles, Don't Use Methamphetamine sets up the game as a strategy to prevent use of methamphetamine.

**Cultural Immersion in Lieu of Punishment.** On the Rocky Boy Indian Reservation in Montana Tribal courts are "sentencing" youth offenders to time before their elders in lieu of incarceration. The elders assign the youth set amounts of time they must spend on a variety of different cultural endeavors and lessons. The parents are also responsible for follow-through of the assignments.

### **Cooperative Law Enforcement Approaches**

**Tribal Anti-Meth Criminal Codes.** Like several states' criminal codes, many Tribes' criminal codes had not yet caught up with the times. Tribes across the country, like the Navajo Nation in Arizona and New Mexico and the Osage Nation in Oklahoma are now updating their tribal laws to include meth and its pre-cursors as banned substances.

**Cooperative Tribal Criminal Jurisdiction Agreements.** The Flandreau Santee Sioux Tribe's lands are situated within the City of Flandreau, South Dakota, creating a difficult overlapping jurisdiction scenario. After years of struggling to find a solution the Tribe entered into a joint power agreement with the City of Flandreau. The result has been a single police department governed by a Public Safety Commission composed of tribal and city representatives. The department consolidates resources, delivers law enforcement services for the City of Flandreau and for all the tribe's trust lands, while training officers to deal respectfully and responsibly with all citizens, Native and non-Native.

**Inter-Jurisdictional Task Forces/Memorandums of Understanding.** Local and regional inter-jurisdictional task forces and Memorandums of Understanding between Tribal, federal, state, and local law enforcement agencies have been integral to successful public safety efforts and most major recent methamphetamine interdiction efforts. These cooperative agreements are particularly important in light of the difficult criminal jurisdictional patchwork that continues to exist within our communities.

For example, recently the Lighthorse Police of the Chickasaw Nation in Oklahoma worked together with the DEA, the Oklahoma Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Highway Patrol, the Bureau of Indian Affairs, and the Bureau of Alcohol, Tobacco, Firearms and Explosives on Operation 700 Ranch Round-Up, which has resulted in one of the biggest methamphetamine busts in the region. Satan's Disciples, a violent street gang from Chicago, had set up shop in southern Oklahoma and northeastern Texas. Together the task force seized more than 15 pounds of methamphetamine, confiscated \$161,000 in cash, 49 weapons, and over 50 people have been arrested so far.

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**MEDIA: TRIBAL METH CONTACTS**

Each of these tribal leaders is well versed in all aspects of the effect of meth in their communities. However, we have listed some topics that may be of more specific interest and some of the Tribal Leaders that may have more information on that specific subject.

**Banishment/Creative Approaches**

Councilman Darrell Hillaire  
Lummi Nation (Washington)  
Tribal Council Member  
360-384-2334

Vice-Chairwoman Carole Lankford  
The Confederated Salish and Kootenai Tribes  
(Montana)  
Tribal Council Vice-Chair  
406-675-2700

**Border Smuggling**

Chairwoman Vivian Juan-Saunders  
Tohono O'odham (Arizona)  
Tribal Chairwoman  
520-383-2028

**Meth Activity of Mexican Cartels**

Councilman Robert Moore  
Rosebud Sioux Tribe (South Dakota)  
Tribal Council Member  
605-441-5624

**High use rates**

Chairwoman Kathleen Kitcheyan  
San Carlos Apache Nation (Arizona)  
Tribal Chairwoman  
928-475-2361 ext 222

**“Meth Walks”/Local grassroots solutions**

April Flores  
Crow Nation (Montana)  
Coordinator of Meth Free Crow Nation  
406-638-3336

**Holistic Picture**

Ada Bends  
Crow Nation (Montana)  
Crow Housing  
Cultural/Substance Abuse Counselor/  
Meth Free Crow Nation  
406 638 2665 ext129

**Multi-Jurisdictional Task Forces**

Doug Noseep  
Northern Arapaho Tribe (Wyoming)  
Wind River Chief of Police  
307-332-3112

**NCAI METH TASK FORCE**  
**NATIONAL MEDIA & EDUCATION CAMPAIGN**  
**PROPOSED PROJECTS**

**COMMUNITY: RADIO & PRINT ADS**

AUDIENCE: Reservation communities; adults; young adults; teens

PARTNERS: Partnership for A Drug Free America (PDFA)

FUNDERS: HHS (\$50k), DOI-BIA (\$100k), ONDCP (\$150k)

DETAILS: The Task Force is working with PDFA to create an Indian Country specific radio and print ad campaign. PDFA has developed a number of anti-drug campaigns for Indian country in the past and a number of anti-meth campaigns. The Task Force met about this project at the NCAI Annual Convention. PDFA will be consulting a smaller working group of the Task Force and be holding a series of focus groups with youth and adults over the next few months.

**COMMUNITY: METH TOOL KITS**

AUDIENCE: Reservation communities

PARTNERS: Montana State University Extension Service; Crow Nation

FUNDERS: TBD

DETAILS: Montana State University Extension Service has created a complete and comprehensive Tool Kit for non-Indian communities. It is now working with the Crow Nation to customize it for Crow. They are interested in working with other Tribes to do the same for them. The Task Force is also a part of a larger working group within HHS, and we are working with One Sky Center towards a similar end.

**HIGH SCHOOL: FORMER METH USERS SPEAKER PROGRAM**

AUDIENCE: High School Students

PARTNERS: TBD; Special Counsel Tom Heffelfinger

FUNDERS: TBD

DETAILS: Consistently Meth Task Force leaders have indicated that having former users come speak has been highly effective in their communities. This idea is in its early stages, but we would like to help facilitate the creation of a Speakers Group of former meth users to speak with high school students.

**JUNIOR HIGH: COMIC BOOK**

AUDIENCE: Elementary and Junior High School Students (especially boys)

PARTNERS: Chickasaw Nation Ambassador to the U.S., Charles Blackwell; Scholastic

FUNDERS: TBD

DETAILS: Young boys do not always read books as often as young girls. An effective way of targeting them has been found to be comic books. Comic books are often read numerous times by a number of different family members. We hope to create a comic book which tells a positive story of being a Native youth, and within that story weave in themes of healthy living and respect for yourself and your community.

**ELEMENTARY SCHOOL: BOOK FOR READING CLASS**

AUDIENCE: Early Elementary Students

PARTNERS: Scholastic

FUNDERS: TBD, Possibly DOJ

DETAILS: Scholastic creates a series of books for reading classes, many of which have a learning theme to them, such as anti-smoking. We would like to create a reading book for elementary students which tell a positive story of being a Native youth, and within that story weave in themes of healthy living and respect for yourself and your community.