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Operator: Good day and welcome to the Presidents Commission on Law Enforcement and the Administration of Justice Conference Call. Today's conference is being recorded. At this time, I would like to turn this conference over to Director Phil Keith. Please go ahead.

Phil Keith: Thank you, Chantal and good afternoon, and thank you, everyone, for joining us today. I call the President's Commission on Law Enforcement and the Administration of Justice to order. And on behalf of Attorney General Barr, we thank you for joining us today for this important Commission teleconference meeting. This week's hearings, we will focus on criminal justice issues in rural and tribal communities. And today we'll hear about a variety of challenges that occur in rural America and Indian Country.

For more than a year I've been conducting listening sessions throughout our great country for Attorney General Barr and working with our U.S. Attorneys. This series of rural listening sessions have provided me firsthand the challenges faced in these communities. And these challenges are far different than anything most of us experience on a day-to-day basis from two deputies covering 4,500 square miles to jurisdictions going in and out of tribal communities. It's a daunting task and the men and women that are doing this work has substantial challenges, and, in some cases, beyond the understanding of most. This week's hearings will truly be eye-opening for the Commissioners, working group members, staff, and the media on the call. At this time I'll ask our Executive Director Dean Kueter to conduct the roll call of Commissioners.

Dean Kueter: Thank you Mr. Chairman, and before we get started today, I would just like to remind everybody that the event is open to the press and for any members of the media on the call, if you have any questions or need clarification on anything, please contact Kristina Mastropasqua in the Justice Department's Office of Public Affairs. And with that, I will call roll. Commissioner Bowdich?

Male: He will be here momentarily.

Dean Kueter: Commissioner Clemmons.

James Clemmons: Here.

Dean Kueter: Commissioner Evans.

Christopher Evans: Here.

Dean Kueter: Commissioner Frazier. Commissioner Gaultieri. Commissioner Hawkins.

Gina Hawkins: I'm here, thank you.

Dean Kueter: Commissioner Lombardo.

Regina Lombardo: I'm here, thank you.

Dean Kueter: Commissioner MacDonald.

Erica MacDonald: Good afternoon, present.

Dean Kueter: Commissioner Moody.

Ashley Moody: I'm here, thank you.

Dean Kueter: Commissioner Parr.

Nancy Parr: I'm here.

Dean Kueter: Commissioner Price.

Craig Price: Good afternoon, I'm here.

Dean Kueter: Commissioner Ramsay.

Gordon Ramsay: Here.

Dean Kueter: Commissioner Rausch.

David Rausch: I'm here.

Dean Kueter: Commissioner Samaniego.

John Samaniego: I'm here.

Dean Kueter: Commissioner Smallwood.

James Smallwood: I'm here.

Dean Kueter: Vice-Chair Sullivan.

Katharine Sullivan: I'm here, thank you.

Dean Kueter: And Commissioner Washington.

Donald Washington: Here.

Dean Kueter: Mr. Chairman, that concludes the roll call.

Frederick Frazier: Hey Dean, this is Frazier. I'm on here.

Dean Kueter: Great. Thank you, sir.

Phil Keith: Thank you. Any other announcements, Dean?

Dean Kueter: No, sir. We are good to go.

Phil Keith: Thank you. All Commissioners should have the bios and testimony for this panel and as a reminder, we will be posting all of these materials on the Law Enforcement Commission website. Once again, we continue to acknowledge everyone's commitment, efforts, and contributions to meet the goals of this historic Commission. And on behalf of Attorney General Barr, we thank each of you.

As noted on previous calls, we encourage Commissioners to take notes during the testimony of the panels and we will be open for questions from commissioners after the last witness. Our first distinguished panelist is Mr. Ron Parsons, who is the United States Attorney for South Dakota.

I've had the pleasure of working very closely with U.S. Attorney Parsons and I am pleased that he can join us here today. He is a dedicated public servant and a tremendous advocate for law enforcement throughout the state of South Dakota, including nine Indian reservations. Thank you for joining us, Mr. Parsons. You are recognized.

Ron Parsons: Thank you, Chairman Keith, Vice-Chair Sullivan, and members of the Commission. It's a privilege to appear before you and be able to provide some perspective on rural and tribal America. We were lucky to host Chairman Keith at our Joint Sheriffs and Police Chiefs Conference in Deadwood, South Dakota, historic Deadwood, last year and so it's very pleasant to be talking with him again.

I've also had the opportunity to work with Vice-Chair Sullivan on many projects over the years and I wanted to say hello to you, Katie, as well. And I should recognize my friend and neighbor to the east, U.S. Attorney MacDonald. It's good to be with you, Erica.

But I am most proud to recognize my friend Craig Price, who is the Secretary of the South Dakota Department of Public Safety and member of your Commission. I had the chance to work with Craig very closely on public safety and law enforcement issues in South Dakota over the years. Great to be in front of you.

I am the 42nd United States Attorney for the District of South Dakota. We are a rural state primarily. We have one city. Some might not even say it qualifies as a city, but Sioux Falls, South Dakota is a midsize city in the southeast corner of the state. The rest of the state is primarily agricultural, rural, ranching, territory, and then we have the Badlands and mountains out west, the Black Hills.

And our state includes nine Indian reservations with whom we at the U.S. Attorney's Office work very closely with our tribal partners and those reservations are located throughout the state. Before I joined the Department of Justice, I worked in private practice in South Dakota for my entire career with the same law firm and represented people from all walks of life in South Dakota: ranchers, farmers, school districts, county governments, law enforcement officials, businesses large and small. I represented the state of South Dakota itself and I represented federally recognized Indian tribes.

I believe I have a breadth of experience in what is happening on the ground, at least in the Great Plains, in terms of law enforcement and in terms of what our needs are. We are a small state in terms of population but we are geographically large. And while a lot of us are collected in the southeast corner of the state, the rest of the state is very widely scattered. We are - we struggle sometimes to keep people in the counties where they were raised. It's a struggle for people to remain close to home. We are seeing some success in bringing people back, but the lack of population, the lack of a tax base, and the lack of resources affects us greatly and that's no more true than in the area of law enforcement.

If I had to summarize what the greatest problem is in rural South Dakota, the greatest crime problem, I could do it in one word. That is methamphetamine. In some parts of the country, opioids are the main problem, the main drug problem, the main crime problem. And here in South Dakota and rural America, in the Great Plains at least, methamphetamine is by far our greatest problem facing society and facing law enforcement. Nearly every serious crime that is committed in South Dakota has some connection to methamphetamine.

Whether you are talking about aggravated assaults or domestic violence or sexual abuse, child abuse or neglect, that are committed by people under the influence of meth or other drugs, or robberies, burglaries, fraud, and embezzlement that are done in order to get money to purchase meth, or drug trafficking itself, and the violence and the gun crime that's almost always associated with it.

When you scratch the surface of a crime in South Dakota, I think most of the Midwest, you are likely to find the residue of meth and we know that almost all of the meth is coming from Mexico

and Central America -- manufactured there, smuggled across our borders, and then distributed throughout our state and throughout the Indian reservations located within our state by local networks connected to the cartels.

We need money for treatment, we need money for prevention in rural America but if we could do one thing that would immediately improve the lives of every man, woman, and child in the state of South Dakota, it would be to eliminate the source of meth, to dismantle the drug trafficking cartels, and prevent that poison from coming into our communities. And that's the main message I wanted to send. Nothing dominates law enforcement experience more in South Dakota and I think a lot of rural America than methamphetamine trafficking.

In my experience, the second-largest source of illegal drugs in rural America is the United States Postal Service. Many of the drug trafficking prosecutions we have have a connection to the U.S. mail. People get on the internet or the dark web and order heroin or fentanyl or prescription pills from China or other places in the world, other places in the United States, and it comes in through the mail.

And yet in South Dakota, which is geographically immense state, we only have, I think, two postal inspectors assigned to cover the entire state. One on the eastern side of the Missouri River and one on the western side. In my view, increasing the number of postal inspectors would have a profound effect and impact on law enforcement's ability to combat the drug problem here in South Dakota, and I suspect most of rural America.

The tax base and the lack of resources affect law enforcement greatly all across the state of South Dakota, whether you are talking about county police forces, city police forces, or county sheriff's departments, or tribal police forces. All of them lack adequate resources, they lack adequate personnel, they lack adequate training and equipment, and they lack adequate jail or detention space. What we've been forced to do as much as we can is try to pool our resources between governmental entities.

And that can work very well. A cop is a cop. Law enforcement is a family. And when different law enforcement agencies work together, that when we see the best results. We are forced to do that here in rural America, including Indian Country. And when we do that, we can see great success. So one of the recommendations that I wanted to urge in particular was, anything that can be done to allow us to bridge divides between law enforcement agencies, make it easier for us to work together, I think it ought to be on the table and out to be considered. A good example of that is a recent agreement, a historic agreement in South Dakota between the South Dakota Highway Patrol and the Crow Creek Sioux Tribe.

And Commissioner Price was directly involved in this. The Crow Creek Sioux Tribe and the Highway Patrol entered a memorandum of understanding where the Highway Patrol would assist in the policing of the Crow Creek Tribe's annual powwow which is a major event in central South Dakota. Right alongside tribal officers, working hand-in-hand to enforce tribal law on the reservation. And anything that began to encourage those types of relationships and the pooling of resources, force multipliers I am all in favor of, and I think we all are.

Another good example of the state- federal partnership I really wanted to highlight as a best practice because it saves us so much time and money in the state of South Dakota, in terms of federal prosecutions, is the partnership that was created between the FBI lab and our state. It was between the Federal Bureau of investigation and our state forensic laboratory.

We were seeing in sexual assault cases and other cases where DNA was incredibly important an average wait time of between nine months and a year to get test results back. And that was unacceptable to us in South Dakota. So the FBI engaged in a partnership with the state's forensic laboratory. It's one of only a few such relationships in the country. I think Arizona has another one. We were able to reduce the wait time for lab results from about nine months to a year to about a month.

And few things have had more of a profound impact for victims in South Dakota in that arrangement. So my overall message is we need to do everything we can to increase resources but where resources can't be increased, to break down barriers to allow us to work together because when we work together, things happen. Just in closing, I guess I would say as the COVID-19 pandemic arose and people began to take precautions to respond to the disease, there was an Internet meme that appeared in our corner of the world that featured some of our beautiful wide-open spaces here in this part of the country with the caption, "South Dakota: social distancing since 1889".

It's ironic, though, that rural settings and distances between homes and communities somehow do seem to bring us close together. I've heard friends of mine who moved to larger urban areas and remarked about feeling isolated and alone in the middle of a bustling crowd.

Really it's just a matter - I guess distance is a matter of perspective and distances can be bridged and traversed and people of all types can be connected and really that's what law enforcement is about. Protecting everyone together. So I want to thank you for allowing me to relay my perspective today and I want to thank President Trump and Attorney General Barr, for allowing your work to be done and eager to take any of your questions when we move on to that section of the program. Thank you.

Phil Keith: And thank you, U.S. Attorney Parsons, for your commitment, and certainly for your service to law enforcement, and for your valued testimony here today. Our next distinguished panelist is Chief Michael Keller. He is the police chief of Andover, Kansas. Chief Keller has had an extraordinary law enforcement career and is the recipient of three bronze wreaths for valor, two bronze wreaths for merit for his act of dedication and bravery. He was also the recipient of a 2015 Officer of the Year Award. He serves on a number of boards and associations, including the President of the Kansas Association of the Chiefs of Police and is the Kansas representative for the State Association of Chiefs of Police for the International Association of Chiefs of Police. Chief Keller, thank you for joining us today, you are recognized.

Michael Keller: Thank you, Director Keith. Thank you, Vice-Chair Sullivan, and thank you Commissioners. Before I begin, I want to take an opportunity to recognize Commissioner Ramsay. I had the opportunity to attend the National Academy Session 222 in 2005 with then, Lieutenant Ramsay. And then for the last several years, I've had the opportunity to work closely with Chief Ramsay as he is the chief of our neighboring agency in the Wichita Police Department.

Commissioners, it is truly an honor and privilege to be speaking with you. Much of what I'm going to say about the challenges that rural law enforcement faces, you have already heard. There will be no surprises today. Therefore, in respect of your time, I am going to be as brief as possible emphasizing a few points and refer you to my written testimony for additional details. And at the end, I will make a few recommendations.

As Director Keith indicated, my name is Michael Keller, and I have been in law enforcement for over 40 years. I started my career in 1977 as a reserve officer in a small 12-member department before joining the Wichita Police Department in 1979. The Wichita Police Department is the single largest law enforcement agency in the state of Kansas. I retired from Wichita in 1999 after almost 21 years of service and now have been a chief of police for a smaller rural type agency for over 18 years.

I highlight this part of my resume because I believe it's important to demonstrate that I have experience and have seen the issues and challenges in law enforcement both from the large agency perspective as well as from the smaller rural agency. All law enforcement agencies have unique challenges individualized to their local agency and their respective communities. And then there are some significant law enforcement challenges that all our agencies face, both large and small.

But as you heard last week from Sheriff William Brueggemann from Nebraska, small rural law enforcement agencies generally have many of the exact same issues and challenges that the larger agencies have. We are all dealing with drugs, dealing with mental health issues, recruitment and retention problems, technology needs, training. But one of the significant constant differences in

the small, rural agencies is generally they do not have the funding and resources available like the larger agencies have to deal with these same challenges.

In 2019, under the guidance of Director Keith -- Director Keith spoke about earlier -- the COPS Office conducted a listening tour with rural law enforcement leaders in five states, South Dakota, Oklahoma, Utah, Iowa, and Montana. The purpose was to find out what the challenges rural law enforcement agencies face. And they published their findings in a study titled, [Concerns of Rural Law Enforcement -- What We Heard from the Field](#).

This study confirmed that rural law enforcement agencies share many of the same top issues and challenges that the larger agencies and communities have. However, as Sheriff Brueggemann pointed out last week, often they don't have the funding or resources to deal with those issues. The study also found that four of the top issues were -- for the rural agencies were -- the increase of opioid and methamphetamine use as your previous speaker talked about, basically drug use, recruitment and retention problems, expensive technology -- these are things like body-worn cameras, mobile computers, automated license plate readers and the list goes on -- and number four, the lack of resources for dealing with mental health issues.

Earlier this year, I, after being asked to be a part of the rural tribal law enforcement working group, under this Commission, I took it upon myself to survey about 20 rural police chiefs in Kansas and asked them very similar questions. What I found again was no surprise, that the rural law enforcement agencies in Kansas share many of the same issues and challenges of their peers from the other states. Recruitment and hiring. It is difficult to compete. It is difficult for our small

agencies to compete with the larger agencies on salary, benefits, and promotional opportunities, or assignments opportunities.

Number two, mental health resources. One rural city in Kansas reported a 61% increase on mental health-related calls in 2019 from the prior year. Number three, drugs, as been mentioned, the legalization of marijuana, the opioid epidemic, and methamphetamine use. Number four, inadequate funding for additional staffing, technology advancement, and training. And number five, a big one, a lack of quality training for their officers.

In my written testimony, I broke the most challenging issues for the smaller agencies into four critical areas and provided details on the challenges as well as some promising practices. These challenging areas that are the same as what's pointed out by the COPS Office study and by Sheriff Brueggemann last week include inadequate funding, lack of resources, mental health issues, and lack of resources, recruitment, hiring, and retention, and again the lack of quality training for our officers in the rural area.

Rather than go through each of the four challenging areas individually and repeat things that you've already heard, I'm going to go straight to my recommendations. Number one, considering that about half of our law enforcement agencies in the United States have fewer than 10 officers and approximately 70% of our agencies serve communities of less than 10,000 people, I recommend that federal grant applications, eligibility criteria, and factors determining the awards for these grants to be retooled so that the final allocation of federal grant funds are fairly and proportionately distributed between the large agencies and small rural agencies alike.

Number two, considering that the smaller rural agencies are dealing with mental health issues at the same rate of the larger agencies, but without the resources to deal with them, I recommend that additional resources be specifically directed to the small rural agencies for the purpose of dealing with the mentally ill, including a mandate or at least a strong encouragement that all law enforcement officers receive critical incident training or CIT training. Or at a very minimum, mental health response training for all officers.

Number three, considering that the smaller rural agencies cannot compete with the larger agencies in salaries, benefits, and advancement opportunities, I recommend that a federally funded grant program be established, similar to the doctors and teachers programs that are already in existence, to attract and retain quality police officers in rural communities, through hiring bonuses and/or student loan forgiveness programs.

Number four, considering that one of the top challenges facing the small rural agencies is obtaining quality training for our officers, I recommend that national, regional policing training centers in each of the 10 homeland security regions be established and properly funded, similar to what is currently being done in the State of Kansas with the single mission of meeting the unique and challenging needs of the small rural law enforcement agencies.

And finally, my last one, number five, to also assist with the issue of the lack of quality training for our small agencies, I recommend that the selection process for the federal training opportunities such as the FBI's National Academy, the federal law enforcement training center, or FLETC, and homeland security centers for domestic preparedness be retooled to ensure that the small rural agencies receive a fair and proportionate number of these training opportunities. That concludes

my remarks and recommendations. Thank you again for this opportunity to address this commission. And I will stand for questions following the other speakers. Thank you.

Phil Keith: Thank you, Chief Keller, for your valued testimony today and your leadership for law enforcement in our country for over four decades. Our next distinguished panelist is Chief John Letteney from Apex, North Carolina. Chief Letteney has been the Chief of Apex since 2012, having nearly four decades of law enforcement experience. He is currently the third vice president for IACP as well as a valued member of our respect for law enforcement and rural law working group. He has a Master's in Public Administration and is a graduate of the FBI National Academy. Chief Letteney, thank you for joining us today, and you are recognized.

John Letteney: Thank you, Chairman Keith. Good afternoon everyone. Chairman Keith, Vice-Chair Sullivan, Director Kueter, all of our working group members, and certainly our Commissioners. Thank you for the opportunity to provide this testimony for consideration as the commission for the rural and tribal law enforcement working group develops recommendations to improve law enforcement and the administration of justice. I want to go through my entire background and resume. You have it, but you see I have experience in urban areas, suburban areas, and rural areas.

But through this experience, I've seen the opportunities and challenges of providing effective, efficient, and professional law enforcement services. I hope that I bring a perspective that balances those different areas and experiences and cross-pollinates the ideas and best practices learned from one area to another. As I think law enforcement is unique and very diverse, we can all learn from the experiences of different areas in different agency types.

There is a variety of style. There is a variety of service delivery methods. And there is no one-size-fits-all or best way to engage our communities. The skills, the staffing, the access to supervisors, and so on, can be very limited in small rural areas, as can be the differences in community expectations, in public safety issues, and in engagement methods.

Yet, as you heard, training is often very generic and not community-specific. So I will briefly discuss seven basic areas of challenges and how they disproportionately affect smaller, rural, and even tribal agencies. There is much more detail in my written testimony I already provided. You will find that what I have to bring to the table is very similar to what you heard from Chief Keller and previous comments as well.

Law enforcement agencies serving in rural areas generally fall into a few categories. There are statewide agencies, such as state police, there are county agencies such as county police or county Sheriff, and there are certainly smaller local municipal type agencies.

For example, in North Carolina, approximately 300 of the 515 municipal law enforcement agencies are rural in nature with less than 20 officers. Several have fewer than 10. And since every municipality, no matter how small, is responsible for providing law enforcement services, some have a total sworn staff of one and that would be the chief. There are 100 Sheriff's offices, one in each county, and two county or metro police agencies. Most law enforcement in our state, like most states, can be classified as small or rural. And not all of these challenges are faced by all agencies, but there are common themes on providing service in these rural areas.

I'll start with technology and connectivity. Cell phone and internet in rural areas is generally less reliable, less available, and more costly than urban areas. And so much of modern police work relies on this good information flow and access to systems and databases.

Our computer age dispatch systems, our records management systems are generally individual. They don't integrate. They require support and are expensive, so many smaller agencies don't have modern systems at all. So, their functions are less efficient in the reporting of data like UCR or NIBRS may be lacking.

So in this area, I would recommend that technology providers develop needed infrastructure through grants or other incentives so that rural areas can take advantage of these efficiencies and opportunities. Continue to develop the FirstNet system as a cost-effective way for all agencies to communicate and encourage a systems approach to CAD and RMS so that multi-agency, regional or statewide solutions can be developed, implemented, and supported regardless of agency size or vendor.

Rural agencies also don't have necessary or up-to-date equipment. Generally, this is related to funding. But it may also be related to lack of personnel or expertise to adequately research task developed policy and implement new technologies or equipment. So, as a recommendation, I think we should develop research assistance programs, publish leading practices for specific equipment implementation and replacement, provide funding assistance, of course, and work with professional associations to further develop and distribute leading practices.

Speaking of funding, most small agencies compete for scarce resources with other important government services. In most states, law enforcement doesn't provide revenue. In those states that allow revenue, there is significant concern from communities about policing for profit rather than the altruistic goal of public safety. Elected or appointed officials may put pressure on police chiefs, command staff, or officers to increase traffic enforcement to address budget needs.

I'm aware of at least one state that encourages law enforcement agencies to increase enforcement of vehicle registration laws because their renewals and therefore their funding had been reduced. Mandate for annual training, certain services or equipment that are required to be provided or often unfunded and leaves these agencies scrambling for how to comply with those mandates within their existing budget.

Grant programs, as you've heard, are highly competitive and only a small percentage are available or awarded to small or rural agencies. Even then many cannot meet matching fund requirements or don't have the staff to actually manage or meet the reporting requirements. Rural agencies need funding for basic police things, not specific programs per se.

They need police personnel, vehicles, equipment, and training. So existing grant programs, to use Chief Keller's terms, should be retooled and focused on smaller rural agencies. Non-law enforcement services are also a significant problem across our profession. Police officers are called to many situations that are beyond the scope of traditional law enforcement. While certainly willing to serve and solve problems, police officers are always not best suited to effectively address all situations.

But they're called because no other system effectively addresses these underlying issues. Rural communities don't have the resources or diversion programs and this affects tribal agencies as well. The IACP Indian Country section has made this a topic for priority of their research. For example, in one rural North Carolina county area chief's report, they don't have adequate mental health care option.

Many officers are certified in crisis intervention teams, the CIT model, but they don't have the proper referral organizations to provide treatment for consumers. In other areas, agencies just don't have the training time, the staffing, or the funding to take advantage of the CIT program or may not have policy guiding the interaction with mental health consumers.

Homelessness, food security, drug treatment, and basic social services are not universally available resulting in either additional acts that might be crimes that could be avoided if needed assistance was provided. Or, the fact that without another solution the criminal justice system is used because people can't access other more appropriate systems. But we should be enhancing the ability of social service and mental health providers to address their needs in their community.

They should be responders like we are and should be accessed maybe through a 911 system so they can appropriately respond as they are called to assist. In policy, staffing, training, and some limited expertise may result in smaller agencies that don't have the time, staff, or expertise to develop policies to give proper guidance.

Through the Collaborative Reform Initiative Technical Assistance Center or CRITAC, through IACP's model policy center, through the Commission on Accreditation for Law Enforcement Agencies or

perhaps other member associations, there are opportunities available. But some are not cost effective and some are just not well advertised.

Our North Carolina League of Municipalities as a member driven organization and insurer provides a risk liability in certification programs specifically tailored to smaller law enforcement agencies which may help and serve as a model in other states as well. Recommendation there would be to develop a toolkit of available services and advertise those benefits.

Staffing, you've heard about - BJA reported that 7% of officers separated from agencies overall in one recent study, but the rate in agencies with smaller staffing, under 10 officers, was four times the rate of larger agencies. There are several staffing issues that could be helped with the recommendations you've already heard.

And while I have some recommendations on training education, you have heard them as well and I will not belabor that point. I'll refer you to my final recommendations for that. And I would add that through state Association and the IACP, new chief mentoring programs, new chief training programs should be researched, reinforced, and grant funded so that they could be made available to enhance our leadership development throughout our profession.

Issues that affect rural law enforcement affect all of our profession and our communities. While often attributed to former President John F. Kennedy but which originated in an economic conversation with a New England council which is the Chamber of Commerce, the phrase, a rising tide floats is all boats is applicable to the law enforcement profession as well.

If we invest in and support our rural and tribal agencies, our profession as a whole will improve and our communities will benefit. Once again, thank you for the opportunity to provide this testimony and that concludes my remarks.

Phil Keith: Thank you Chief Letteney for your valued remarks, certainly for your service to law enforcement. Our next distinguished panelist today is Ms. Cheryl Bogue, State's Attorney in rural Ziebach and Corson County in South Dakota.

She is most familiar with the challenges that face rural communities, particularly as they relate to prosecutors. She serves on a variety of task forces and boards and practices law in state, local, tribal, and federal courts. State's Attorney Bogue, thank you for joining us today. You're recognized.

Cheryl Bogue: Thank you Director Keith. Good afternoon to Commission members and I thank you for the opportunity to address your honorable Commission. This is a very important matter and a day-to-day struggle for those of us located in the rural communities.

I would reiterate the comments from the previous speakers, especially U.S. Attorney Ron Parsons who has very generously worked closely with most local prosecutors in the state of South Dakota and definitely the Sheriffs and individual Chiefs of Police.

As stated previously, Ziebach and Corson counties are about as rural as you can get. One of the biggest issues that we have had, that I've observed in my 29.5 years of being a state's attorney

out here is that we are so rural we must travel great distances not only to treatment facilities or transport prisoners to a regional jail facility but also just for backup.

One of the most critical issues that we have is substance abuse, as stated previously. Methamphetamine definitely in our rural community but also especially on the nine Indian reservations. I am a lifelong resident of the Cheyenne Indian reservation. I was born and raised just outside of Eagle Butte. My sheriff is my kindergarten through high school graduation classmate. I've known him literally my whole life.

His mother is a retired tribal judge for the Cheyenne River Sioux Tribe and we are all very interconnected here. I state that because my comments predominantly echo everyone else's. We need more funding. We need more funding for facilities. We need more funding for treatment. We need more funding for equipment, testing, training, and especially more boots on the ground, as we would say.

Several years past, the BIA which performs the law enforcement for the Standing Rock Sioux tribe had what they called a surge. And they brought in BIA officers and other officers from other areas of the country and really cracked down on crime at Standing Rock. And it made a tremendous difference. Until that time I don't think it was very clear to all of us in our rural area just what a difference additional manpower can make.

I've seen my Sheriff's department in Ziebach County grow from one off - one Sheriff elected and a part-time deputy to one full-time deputy and one part-time deputy. There's also a school liaison

police officer. And we have struggled each time to be able to scrape together the resources to hire. It is a tremendous problem.

Ziebach County in the past has utilized COP grants, as many other local communities have. I wish to speak to that specifically. Funding obtained through the federal system for personnel is usually very limited in time period, specifically three years. At the end of the three years the jurisdiction is faced with either letting go the needed personnel or trying to figure out another funding source. And there just isn't any.

And so I would encourage a retooling, as has been stated before, with approach to personnel so that we could extend that period of time out, either to address significantly the issue at hand or to be able to give enough time to the funding agency that they could be able to have funding available locally. I will also tell you though, I don't think that's really a possibility for our area.

The reservations themselves either have BIA law enforcement or they have a 638 contract and perform those duties normally performed by the Bureau of Indian Affairs themselves. For Cheyenne River, that means they have 15 officers for the whole reservation, which is all of Dewey and Ziebach counties. In my comments I think I stated that we have 11,000 approximately enrolled tribal members living at Cheyenne River.

The availability for backup in our very rural community is almost non-existent. As a result, both the tribal law enforcement and the sheriff's office and city police work very closely together. It is always very reassuring and is a great source of pride for all of us that all of our brother and sisters

in blue support one another. They are always on call whether they are or not being paid to do so. They're always on call and come immediately to the assistance.

The greatest difference is, you may wait 20 minutes for backup and that could be incredibly dangerous because we have not just our local people anymore in our community committing community crime. We have people from the outside namely bringing in drugs. We've had a very sharp increase in drug use across the board, specifically methamphetamine. It has increased domestic calls dramatically. Property crime. Violent crime.

We went from having, when I first started, an occasional assault where we have murders. We have violent assaults. We have unsolved murders that happen on a regular occurrence and it is quite frightening for the people in our community. We still see ourselves as a very small and safe community but the fact is, really it's not. And those issues will have to be addressed in order for things to go back the way they should be in a small community.

I would also like to state that I had contacted both tribal law enforcement and some of our rural agencies in the area that we work with all the time and asked them exactly those types of things that would be needed. What is most gratifying is that they do not expect that there will be federal funding for each individual agency which might end up being redundant and wasteful.

They do highly encourage that we increase funding for regional approaches. Right now we have the Safe Trails Task Force in our area. We have several of our officers on that from Corson and Ziebach counties on the task force, and they travel from community to community. They've received specialized training and they assist local law enforcement.

Increasing the funding to a regional approach would be very helpful especially in the areas of regional jail facilities. Right now Ziebach County transports prisoners 120 miles one way to house them in a jail. The JDC is located about 145 miles away or 106 one way. It is extremely difficult and expensive for the county to house prisoners. We still have the need to house people. We've just got to figure out how to make the mileage work.

We are a consortium of counties are coming together and trying to find the money to build a new facility or to rehab an existing one in one county. However that price tag is extremely high. As you know, building facilities is very expensive. And it would also be very difficult to manage. Basically to be contracting with the one county who's going to build it with a serious financial commitment from each county. That's very problematic on a strictly accounting process.

I would also encourage the Commission to consider funding regional mental health facilities and/or treatment. As we have found, substance abuse is very closely tied to the issues of poverty but especially mental illness. And it becomes a very tight revolving circle of substance abuse and a psychosis that requires inpatient treatment. We do not have any facility local. We must transport everyone to Rapid City Regional or, in Corson County, to Bismarck which is approximately 80 miles away from the county seat.

Those facilities have limited beds and oftentimes the individual is back out into the community without significant treatment. They go back to their normal behaviors which ended up having them cross paths with law enforcement. So, it would be very critical and very forward-thinking to

address mental health in a very comprehensive manner. I had written comments and it is not surprising that they all mimic the other speakers.

We all need funding in our rural areas. And I would like to basically state that in our area on the reservation we have 88% permanent unemployment. We have generational poverty. Very little, if any, economic development in our area. And so the lack of infrastructure creates a dramatic problem with the use. There really is no hope, and when there's no hope you're going to fall into patterns of lawlessness and substance abuse.

Federal funding to address the stabilization of the crime and the drug use in our area would greatly enhance the ability to attract businesses to the area. We do have businesses that wish to locate in our area. We have a very useful and appreciative laws - excuse me - employment base. But you can't convince anybody to move into an area where we have a high crime rate that is not addressed.

And so those issues would be greatly helped, not just for non-Indians, but for every enrolled tribal member at Cheyenne River and Standing Rock Indian reservation. And this would be true of all the Indian reservations in our state. I will reserve the rest of my comments to respond to questions, if there are any. I appreciate the opportunity to speak to the Commission, and I thank you for your time.

Phil Keith: Thank you for your service, Miss Bogue, and your leadership and valued testimony here today.

Commissioners, we are now open for questions for the witnesses. Commissioners with a question, please state your name prior to your question and direct the question to a specific panelist or the

entire panel. Just as a reminder to the Commissioners, your mics are hot at all times. Thank you and with that, Commissioners with questions for our panelists.

Craig Price: Mr. Keith, this is Craig Price

Phil Keith: Yes, sir. Yes, you're recognized.

Craig Price: I appreciate everybody's time, and I feel a strong connection with the panelists today for all the reasons stated. I appreciate their input and perspective. I don't really have a lot to add because they covered it so well as far as the issues and concerns and recommendations that we have here in Middle America.

The one thing that I would add is that having been a superintendent of the highway patrol for 8.5 years, very early on in my tenure we made a commitment that whenever an officer from any department, whether it be tribal, BIA, federal, local, PD, SO, whatever, if there's a call for assistance and they need additional law enforcement resources, we're going to respond.

And the state stepped up and said that they're going to be there with us in the event that something goes sideways. And I think there's a real concern for the line officers out there responding to these violent issues that are happening where they don't have jurisdiction. And if there's something that the Commission can do working with folks that would have some input and maybe some solutions to that, I think that it would only enhance the relationships that already exist.

Because out here if you don't have, you know, the general public doesn't care what uniform you wear. They don't care what badge you have on your chest. When they need help they expect somebody to show up and help them out. There's just not enough resources to go around. So, the better ways that we can work together and offer that support and really have those officers covered when they're working in different jurisdictions, that would be a significant benefit and impact to help further those relationships and cover those instances that come up where a large number of law enforcement resources might be needed.

U.S. Attorney Parsons talked about an MOU that we have with Crow Creek and that not only works at the powwow but it works throughout the year whenever there's an issue or crime happening on the reservation and they need troopers to come and help. It takes one call to the tribal chairman to authorize that. And those officers are responding under the authority of that MOU. And they're covered for those issues that might arise from having to use force where there might be tort claims or whatever that comes as a result of an issue that they deal with while they're on the reservation.

So, I would just add that component to the already excellent testimony by the other folks on the panel. So, I think you all for your time and appreciate the opportunity to comment on that.

Phil Keith: Thank you Commissioner. Other Commissioners?

Nancy Parr: This is Nancy Parr.

Phil Keith: Yes ma'am. You're recognized.

Nancy Parr: This is a question for Mr. Parsons. Mr. Parsons, you mentioned there at the very end of your testimony about the reduction in time that you were able to have with your items that are sent to the forensic lab. Could you talk a little bit about how that agreement was reached and how that - because that's a huge reduction from about a year to a month for waiting for analysis to come back. So, I would appreciate if you could just talk about that for a second.

Ron Parsons: Sure. And I do want to say that this is - the wait time is an issue that the Department of Justice has been working on over the last year or two. I was also a member of a working group to try to get overall wait times reduced. And we have already adopted the - I think the Department of Justice and the FBI specifically -- has adopted streamlining and ways to prioritize testing.

So, this is an issue that a lot of people have been working on with some success already. It was really, as I said born out of necessity and I wasn't at the U.S. Attorney's office at the time. But primarily we have general felony jurisdiction on Indian reservations. So, we have to deal with every sexual assault, every child abuse case. And we need quick DNA. And it was just unacceptable.

And so I credit FBI leadership in this region. Bob Perry who essentially is the top agent for both of the Dakotas out of the Minneapolis division of the FBI, got together with our state government. Craig Price might have been there too when this was happening. And really just said, hey, we can provide a certain amount of funding to you, to the state lab. That allowed the state lab to really get up and running, get the equipment it needed, and the personnel it needed in exchange for a commitment that you'll take all of our testing for South Dakota that we need you to take.

And it works so well that every, I think, test now goes to the South Dakota state forensic lab that we have in a federal case arising in Indian country in South Dakota rather than to the FBI lab. Arizona, I know, has a similar agreement in place. And of course by taking those out of the queue that also helps to reduce the wait time in all of the other districts. So, one of the things being on that task force, I wanted to make sure that this model was protected because it works so well for us.

And I think it ought to be available on a regional basis or district basis to have quicker testing. And it also helps us at trials. You know, a South Dakota jury is going to relate a lot more to a South Dakota doctor from the state lab who's available to get to trial on a moment's notice. Doesn't have to jump on a plane and deal with the scheduling that all of the lab technicians do at the national laboratory.

So, I think it's just a great system and just proves one size does not fit all. And where this could be implemented I'm all for it. We love it.

Nancy Parr: Thank you very much.

Phil Keith: Other Commissioners with questions?

Erica MacDonald: This is Erica MacDonald. May I ask a couple of questions?

Phil Keith: Yes ma'am. You're recognized.

Erica MacDonald: Okay, the first question I have, Ron, thank you so much for your testimony. I really appreciate all the panelists. My question is directed towards Ron. You know, like South Dakota in Minnesota here we're just awash in meth. And, especially in our rural areas, our out state metro — it's incomprehensible the amount of meth that is flowing and the source of our problems does relate to meth in many of our jurisdictions..

When it comes to our resources that we have in Indian country and the drug problem they're facing, you know, concurrent with the issues that have always been there with violent crime. Can you speak to the resources we have, the federal resources, and whether we can make recommendations about increasing resources for, you know, DEA presence, FBI presence, BIA, to address the meth problem that we have.

Ron Parsons: As my friend Cheryl Bogue mentioned, if it weren't for the drug task forces we would be in, you know, a lot bigger trouble. The way it works in South Dakota, we have the Sioux Falls area drug task force which is the larger metropolitan area in the state -- really the only metropolitan area. And federal, state, county, city law enforcement officers serve on that.

And when we're talking about the rest of the state we have two Northern Plains Safe Trails task forces. One in the Pierre area which also services about five or six of the Indian reservations located more in the central part of the state and then one in the western, in the Black Hills, which services the entire Black Hills as well as the Pine Ridge Indian Reservation.

The funding and the FBI runs those latter two task forces. If we did not have those and the federal dollars that help to support those, we would not be able to do virtually any large scale drug trafficking investigation. And so, and as State's Attorney's Bogue mentioned, local sheriffs serve on these task forces as well, deputy sheriffs, DCI investigators.

So the promotion of these task forces, where we're pooling our resources, pooling our information, pooling our talent, that's the only model that works in this part of the country. And if we could have five task forces instead of three, I would take it. We have a need for it. But thank God we have three.

Erica MacDonald: And that was going to be my follow up question. Based on your work, you serve on the sub-committee, the Native American Issues Sub-Committee for the Attorney General's Advisory Committee, and they fund your work with NAIS. Do you believe there's adequate resources for rural or do you think that we should be speaking to our federal agencies and seeking an allocation of resources that would better cover our rural and tribal areas?

Ron Parsons: No, it's sorely inadequate. It's terribly inadequate and there's duplication of agencies. There are really no DEA agents dedicated to Indian Country, at least in South Dakota. It's up to the FBI, the tribal police, and the local sheriffs with state DCI. So, we need more DEA agents. We need more postal inspectors who also serve on our drug task forces when they're available but we only have two.

With all the mail that's coming in, with marijuana and heroin and meth and prescription opioids hidden in the mail, we need more of everything. BIA is underfunded. FBI is underfunded in terms

of manpower in this part of the state. Everyone is. So, no, we need more of everything. And I hate to sound like a broken record but that's true and it will keep being true until we get more resources.

Erica MacDonald: I couldn't agree with you more. Thank you very much. Phil, if it's alright, I have one more question for all the panelists. Consistent with Ron's testimony regarding the postal service and it being kind of, frankly, an unwitting dupe in the amount of drugs that it's delivering into our communities. Does anybody have any creative recommendations or creative solutions to how we could work with postal and our other private carriers to eliminate this problem. And I know that more postal inspectors would be good but we need another solution to how we can prevent drugs from going in, especially from China and the dark web and having our mail delivery systems really be part of the conspiracy.

John Letteney: Well, this is John Letteney, and I will jump in. Thank you for that question and I agree 100% that there is a need for more resources in a variety of ways, but certainly to combat the drug problem. In our area, my K-9 unit is used fairly regularly to go to post offices, postal distribution centers, private carrier distribution centers when there is suspicion about a certain package. And it is not uncommon that in searching one, we find a dozen more where the dog hits on it.

Many times the postal inspectors will find packages that are suspicious to them for a variety of reasons. My understanding and I think the U.S. Attorneys can talk more about this, but the regulations around what gives them cause to call in for a sniff or to actually take a package off the line and open it are very restrictive and it's only done with certain weights or certain types. So there is so much more getting through just because it flies under the radar.

But perhaps looking at like a process and making some adjustments to what it would take to really have a more concentrated focus would be helpful. And of course, that takes more resources, more collaboration, more task forces. And at least from a local perspective, those relationships are in place, so we would be ready and willing to help, we just need more calls and more ability to further those investigations to the point where we can actually hopefully develop probable cause and hold someone accountable.

Phil Keith: Thank you. Other Commissioners with questions?

David Rausch: Director Keith, this is David Rausch.

Phil Keith: Yes, sir, you're recognized.

David Rausch: Thank you. I actually wanted to offer up an idea on that context that Commissioner Macdonald asked about and that is when 9/11 happened, our air system completely changed. TSA was created to check every individual that traveled, so why couldn't we do the same thing with packages. I don't know anything more terroristic than the drug problem that we have.

Methamphetamine has absolutely become king in the state of Tennessee and I'm sure as I hear elsewhere. And so my question is, why can't we create a TSA for packages, where every package is screened that comes into this country, that's moving throughout this country, just as people are screened. And then that way, it closes that down as an option. That's my suggestion. We've been told to think outside the box on this thing. I think there may be an opportunity there.

Phil Keith: Thank you, Commissioner. Other commissioners with questions or comments?

Katharine Sullivan: Chairman Keith, this is Katie Sullivan.

Phil Keith: You are recognized, Commissioner.

Vice-Chair Sullivan: Thank you. So this could be for any one of the panelists. Great to hear all of you, of course. Thank you Ron, I hope you are doing well in South Dakota. I wanted to talk about the fact that there is a big move right now by the federal government for telehealth and getting broadband out to underserved communities including rural. And this initiative really is coming from the White House for opportunity zone revitalization.

And I am wondering, it's so focused on health and whenever I get the opportunity to sit in the meeting I try to remind them that we can use these for public safety access as well. Is there a way that you think that public safety, police officers, law enforcement agencies, in rural communities can work with their health partners to combine or share tele type of services? And that's to any Commissioner that wants to answer and if it was confusing, I apologize.

Ron Parsons: This is Ron Parsons. Thanks for the question, Katie. Crime analysis and crime analysts are something that I think is feasible in terms of telework and help from federal partners, help from people in other places. And so I think we have some exporting of intelligence analysis by drug task forces but that is something that comes to mind that would work. When you are talking about

boots on the ground, teleboots don't work, unfortunately. So I'm struggling to think of some other areas where we could use those resources.

Katharine Sullivan: Well, you guys had brought up the mental health and substance abuse issues. And also, like just thinking about Alaska, for instance. They have a great telehealth program to get up to those very rural communities in Alaska, and our thought was that maybe a police officer could do an interview by, like a telephone or a kiosk or some kind of way, by FaceTime or like we are all doing now during COVID. They can take pictures potentially and preserve some evidence which might otherwise not be preserved because of the time that it takes to get somewhere geographically.

So I don't know. I just know that there's a big push right now by the federal government to expand broadband and these telehealth services. So I didn't know if there was a way that we could think of a recommendation that might combine some of the themes and issues that all of you are struggling with.

Ron Parsons: No, I think those are great ideas. It's definitely worth studying. And cell coverage is a problem in some parts of South Dakota. Though we are working hard, our senators are working hard to try to get us 5G compatible for the entire state. But there are large parts of South Dakota where it is a problem just to even get cell coverage.

John Letteney: I will jump in. This is John Letteney again. I think that idea has some merit for further research. The key, as I think several of us have talked about, is making sure that the technology exists and the cell service and so on to be able to access it, and typically that is one of the

roadblocks. I think in certain cases, it absolutely makes sense for a variety of reasons and it may be that an officer can use a remote access type of system to inquire, to start an investigation, to provide some outreach to maybe answer some questions, and there are others where it just wouldn't fit.

We use a remote system such as that to access our county magistrate to get warrants for example. So it saves officers driving into the courthouse or the jail to get a warrant or something like that and then drive back to serve it. So we are saving some time in that and there are some positive results of it.

When it comes to providing other services, like healthcare, intervention, maybe mental health services, I think it's better than nothing, but I also wonder what the comfort level of the healthcare system is in providing that service and is there a liability where they will not and will still say no, you police officer need to take this person to an intervention site or a place where they can get physical treatment. And I think we would have to look at that very closely. But I think the idea has merit.

Michael Keller: Director Keith, this is Mike Keller.

Phil Keith: Yes, Chief, you are recognized.

Michael Keller: Commissioner Sullivan, I wanted to add into there. One of the things I talked about, one of the top issues for rural law enforcement is a lack of training. And that training is -- trying to get that training out to the rural areas -- has been mentioned by others, a lot of our rural areas have

almost no internet access or very low. And if we did this increase in broadband, I would go a long way for a number of issues in rural.

If nothing else, not necessarily the health part, but if we were able to increase the broadband across the state and reach those rural areas, it will increase and improve connectability for our rural agencies. A lot of them don't have mobile laptops and equipment like that because they don't have access. And then also remote training would be a huge increase. So it's not related, but just that alone would have a huge impact on rural law enforcement.

Phil Keith: Thank you, Chief. Other Commissioners with questions? Other Commissioners with questions for our panelists? Hearing no further questions, let me close by thanking our panelists once again for your time and most valuable testimony, certainly the responses to questions from Commissioners. On behalf of the Attorney General and his leadership team of Rachel Bissex and Jeff Favitta and all the Commissioners, your contribution provided today are most sincerely appreciated and will assist this Commission in their deliberations and work.

Also, please check the President's Commission page for additional updates and documents and information on the main Justice website. We will update it regularly when information is available for posting. One small note for the Commissioners, tomorrow's call will be at 3:30 p.m. Tomorrow's call will be at 3:30 p.m. and focus on geographic issues, rural, and tribal communities. And on Thursday, we will go back to our regular 2 p.m. time and focus on the criminal justice system in Indian country.

We want to think again the FBI for the use of their teleconference network and support as well as the federal program staff supporting all of the work of the Commission. Are there any questions or comments from Commissioners? If there is no further business for us today, the President's Commission is adjourned. Thank you, Commissioners, for your continued dedication and commitment.

Male: Thanks, Phil.

Phil Keith: Thank you.

Operator: Thank you very much. This concludes today's call. Thank you for your participation. You may now disconnect your phone lines and have a great rest of the week.