



U.S. Department of Justice FY 2017 Budget Request

PUBLIC SAFETY IN INDIAN COUNTRY

\$420 Million in Total Resources

FY 2017 Overview

The FY 2017 President's Budget requests \$420.3 million in total resources for public safety initiatives in Indian Country, or \$297.3 million not including Bureau of Prisons funding. Investments support activities across many Department of Justice (DOJ) components that address a range of criminal and civil justice issues facing Native American communities. A highlight is the Community Oriented Policing Services (COPS) Tribal Resources Grant Program, which facilitates tribal access to critical information sharing systems. The increase will support the department's Tribal Access Program for National Crime Information that was launched in August 2015 allowing tribes to more effectively serve and protect their tribal members by ensuring the exchange of critical data across systems, such as those managed by the Criminal Justice Information Services Division of the Federal Bureau of Investigation. The department is also requesting resources to strengthen the enforcement of environmental laws on tribal lands, and to support consultation with tribes and coordination of tribal policies through the Office of Tribal Justice (OTJ).

The passage of the Tribal Law and Order Act of 2010, the Violence Against Women Reauthorization Act of 2013 (VAWA 2013), and the department's commitment to working with tribes have resulted in an unprecedented increase in engagement, coordination, and action on public safety in Indian Country. The department has expanded its efforts in tribal communities, from law enforcement to litigation to programs.

Under both Acts, the department's responsibilities in Indian Country have expanded, and the priorities identified by the Attorney General have led to a number of new initiatives and the improvement of ongoing activities. Senior departmental leadership holds regular meetings with tribes through the Tribal Nations Leadership Council and has pursued interagency collaboration with the Departments of the Interior and Health and Human Services to promote compliance with the Indian Child Welfare Act. Each U.S. Attorney's Office with Indian Country jurisdiction has developed specific plans to address tribal public safety challenges in its district, and the Special Assistant U.S. Attorney Program was developed to train tribal prosecutors in federal criminal law, procedure, and investigative techniques, allowing those tribal prosecutors to serve as co-counsel on felony investigations and prosecutions originating in tribal communities. The Intertribal Technical Assistance Working Group of voluntary tribal representatives exchanges views, information, and advice about how tribes can best exercise special domestic violence criminal jurisdiction to combat domestic violence, and the Federal Victims in Indian Country Working Group identifies gaps in services to victims and develops proposed solutions.

The United States has a unique legal and political relationship with American Indian tribes and Alaska Native communities, as provided by the Constitution, treaties, court decisions, and federal statutes. The Department of Justice 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 has the authority to investigate and to seek an appropriate sentence when a major crime has been committed. Federal investigation and prosecution of serious violent crime in Indian Country is often the primary avenue of protection for the victims of these crimes.

Key DOJ Resources

Expanding Tribal Access to Critical Information Systems

The department's Tribal Access Program for National Crime Information allows federally recognized tribes greater ability to access and exchange data with national crime information databases for both civil and criminal purposes.

- The **COPS** request includes a program increase of **\$3.0 million** for the Tribal Resources Grant Program, which would facilitate tribal access to criminal justice information sharing systems and support the department's Tribal Access Program.

Enforcing Environmental Laws on Tribal Lands

Environmental violations in Indian Country have become an increasing area of concern for tribes and the department in recent years.

- The **Environment and Natural Resources Division** requests an increase of **\$1.5 million and four attorney positions** in FY 2017 for environmental enforcement on tribal lands. This request will support increased federal and tribal litigation of environmental violations in Indian Country. The rapid expansion of oil and gas extraction on Indian lands in the last decade has consequences affecting public health and the environment in Indian Country, and raises concerns about the quality of surface and drinking water.

Supporting Consultation with Tribes and Coordination of Tribal Policies

OTJ serves as the primary point of contact between the 566 federally recognized tribes and the department, and coordinates complex tribal matters, underlying policy, and emerging legislation among more than a dozen DOJ components active in Indian Country.

- **OTJ** requests an increase of **\$240,000 and one attorney position** to ensure that the department meets its Indian Country consultation and coordination responsibilities.

Grant Programs

The department's tribal-specific grant programs provide critical funding that allows tribes to enhance law enforcement; bolster justice systems; prevent and control juvenile delinquency and strengthen the juvenile justice system; serve sexual assault and elder victims; and support other efforts to combat crime.

- **COPS** requests **\$38.0 million in total resources** for Indian Country in FY 2017 to fund tribal law enforcement expenses, including the hiring of police officers, training, and purchasing new equipment, technology, and vehicles.
- The **Office of Justice Programs (OJP)** requests total discretionary resources of **\$111.0 million** for Indian Country in FY 2017 that would provide a consistent source of significant, tribal-specific grant funding flexibly directed at tribes' most important criminal justice priorities. This funding would come via the Flexible Tribal Grant Seven Percent Set-Aside from all OJP programs (excepting the Crime Victims Fund and the Public Safety Officers' Benefits programs). OJP also requests **\$25.0 million** to support tribal assistance for victims of violence from the Crime Victims Fund.
- The **Office on Violence Against Women (OVW)** requests total resources of **\$56.0 million** for Indian Country in FY 2017. **OVW** sets aside a portion of its funding from many of its programs for Tribal Governments and coalitions. The Tribal Governments Program, which requests **\$39.0 million** in total, 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, which requests **\$7.0 million** in total, 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.
- **OVW's** request also includes **\$5.0 million** to support tribal efforts to exercise special domestic violence criminal jurisdiction by providing grants to update criminal codes, provide counsel to indigent defendants, and support victims. VAWA 2013 contains provisions that significantly improve the safety of Native women and allow federal and tribal law enforcement agencies to hold more perpetrators of domestic violence accountable for their crimes. As a result, more than 20 non-Indians have been charged by tribal prosecutors – and more than 200 defendants have been charged under VAWA's enhanced federal assault statutes. This total includes more than 40 cases involving charges of strangulation or suffocation, which are often precursor offenses to domestic homicide. VAWA 2013 provides that tribes can begin exercising special domestic violence criminal jurisdiction any time after March 7, 2015.
- In addition, the budget request for **OVW** is proposing **\$3.5 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.

FY 2017 Indian Country Funding Totals
(Amount in \$000s)

Component	FY 2016 Enacted			FY 2017 President's Budget		
	Pos	Agts/ Attys	Amount	Pos	Agts/ Attys	Amount
Civil Division	3	1	\$284	3	1	\$295
Community Oriented Policing Services ¹	0	0	30,000	0	0	38,000
Community Relations Service	15	0	220	15	0	285
Criminal Division	3	2	723	3	2	731
Environment and Natural Resources Division	41	38	11,510	45	42	13,010
Federal Bureau of Investigation	163	124	30,614	163	124	30,943
Office of Justice Programs ¹	0	0	40,000	0	0	111,034
Office of Justice Programs, Crime Victims Fund ²	0	0	0	0	0	25,000
Office of Tribal Justice ³	7	5	1,390	8	6	1,630
Office on Violence Against Women ¹	0	0	53,089	0	0	56,034
United States Attorneys	114	85	19,781	118	87	20,342
<i>Total Resources, Excluding Bureau of Prisons</i>	346	255	\$187,611	355	262	\$297,304
Bureau of Prisons	883	442	121,439	883	442	\$123,017
Total, All Programs	1,229	697	\$309,050	1,238	704	\$420,321

¹ In FY 2016 and in the FY 2017 President's Budget, 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.

² The \$25 million is proposed to be funded from the Crime Victims Fund, a mandatory account.

³ Amounts requested for the Office of Tribal Justice in the Indian Country Fact Sheet are also captured in the department's Vulnerable People Fact Sheet.