

TESTIMONY TO THE SENATE INDIAN AFFAIRS COMMITTEE

ON

DRUG SMUGGLING AND GANG ACTIVITY

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EASTERN SHOSHONE TRIBE

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Good afternoon. My name is Ivan D. Posey and I currently serve as the Chairman for the Eastern Shoshone Tribe on the Wind River Indian Reservation (WRIR) in Wyoming.

I would like to offer my thanks for allowing me to testify today before this distinguished committee which includes our own Senator from Wyoming, John Barrasso.

I provided written testimony to this committee on April 5, 2006 on the Problem of Methamphetamines in Indian Country. Due to airline problems I couldn't make it in person. In that testimony I addressed the devastating effects the drug had on our Social Services, Health Care, Education and Law Enforcement agencies. Today I will explain what we have learned and what we still need to address concerning the illegal activities that had a major impact on our communities.

The reservation was established by the Fort Bridger Treaty of 1868 between the Eastern Shoshone and the United States Government. The reservation is occupied by two federally recognized Indian Tribes, the Eastern Shoshone and the Northern Arapaho and is the only reservation in the State of Wyoming. Located in west central Wyoming, the

reservation is comprised of 2.2 million acres and is spread out upon a large rural geographical area consisting of 3,500 square miles . The Northern Arapaho Tribe is composed of approximately 9,000 enrolled members and the Eastern Shoshone Tribe is composed of approximately 4,000 enrolled members The majority of the reservation residents however live in the small communities of Crowheart, Fort Washakie, Ethete and Arapaho.

The majority of the reservation land base is within Fremont County, Wyoming. Fremont County leads Wyoming in substance use and violent crime, and has consistently higher than national averages in violent crime, and substance use, substance abuse effects (morbidity and mortality).

The examination of drug smuggling and gang activity in Indian Country systematically translates into identification of the social, economic, justice vulnerabilities and rural locations that most tribal nations face. It is these vulnerable areas that allows outside influences to target reservations and conduct organized illegal activities.

This is how the Wind River Reservation was systematically targeted by the Sagaste-Cruz drug ring from 2000 to 2005 before a coordinated law enforcement effort broke up the ring in 2005. The drug ring was able to identify the vulnerabilities of the reservation and used them as strengths in their illegal activities. Like many reservations, the WRIR suffers from high unemployment (63-75%), poverty (68% receive some form of public aid), substandard housing, and substance abuse. The primary law enforcement serving the WRIR during Sagaste-Cruz era was the Bureau of Indian Affairs (BIA) and operated with an average patrolling force of seven officers in the 2000-2005 time span. In

relation, the Shoshone and Arapaho Tribal Court and Prosecutors Office report that 98% of all criminal, juvenile, minor-in-need of care (abuse/neglect), and involuntary commitment for mental health treatment cases are substance abuse related. With these factors combined with our large land base and the complicated maze of legal jurisdictions created the basis in which Sagaste-Cruz admitted himself when he wrote a “drug distribution” business plan. The plan was simple, introduce a drug to a highly addictive population with a understaffed law enforcement, the allure of easy money, and become entrenched in the community through family and interpersonal relationships.

It is a common plan used by organized gangs that are in the drug trade and one that you heard this past July with the testimony of Hermis John Mousseau of the Oglala Sioux Tribal Council. It was not until the coordination and collaboration between the tribes, local law enforcement, BIA Law Enforcement, US Marshals, FBI, DCI, and the US Attorneys Office that investigations yielded any information that lead to the eventual raids and convictions. The BIA Law Enforcement created a drug team to work throughout the reservations in Wyoming and Montana to continually address illegal drug activity. This is directed by Doug Noseep who is a member of the Eastern Shoshone Tribe and who was the Police Chief for the WRIR when the drug busts of 2005 occurred.

What is sometimes overlooked is the impacts this activity had on our other tribal programs such as social services, health and recovery and our school systems. Some families were devastated and children were removed and placed in relative custody. Some still remain in relative custody years later. The effects of this terrible era touched many families on the WRIR and many knew the people personally who were involved in the illegal activity.

The community rallied to learn more about methamphetamine addiction and the process it takes to make it. This was done through conferences which were held on a yearly basis and open to the communities. These efforts were supported by law enforcement and various tribal programs from the local to national level. I personally feel these efforts were highly effective. What it takes to continually address these issues and concerns is collaboration and relationships.

It is collaboration and commitment from the Montana and Wyoming Tribes to open a treatment facility in Sheridan, Wyoming to address our substance abuse treatment needs for our tribes. This effort will assist the tribes to send our clients to a more closer location and it will focus on methamphetamine addiction.

The Eastern Shoshone Tribe is working towards the establishment of a Wind River Basin-wide Law Enforcement Model that would aid in decreasing the demand that is expected of the BIA Police for the Wind River Agency. The model was in response to the continued need for additional law enforcement officers on the WRIR. This year we were down to 6 officers to patrol our vast reservation area. Some calls to the police department for assistance went unanswered at times due to the lack of officers on duty. I am sure other reservations face the same problem. This model will be tribal driven.

The basis of the model would be to increase the coordination and communication between all the law enforcement agencies in the Basin through memorandums of understanding and cross-deputization agreements while also adding a tribal law enforcement force to aid in manpower. Although the process is still in the early stages, all law enforcement agencies are in agreement to proceed with this process. Our

communities within the WRIR may have officers assigned to those specific locations such as a town or municipality may have. I am very encouraged with the response of all involved to develop and address law enforcement needs collectively. The tribe has established a Wind River Law Enforcement Commission to act as the facilitators in communicating and coordinating the efforts and has recently been notified by the BIA Region V Office in Billings, Montana that it intends to use the model for a pilot program for other reservations when implemented.

Although there have been many efforts and coordination in the aftermath of the drug busts of 2005 the threat of history repeating itself still lingers. With the continued lack of law enforcement facing many reservations and many of the conditions I spoke of earlier still existing, reservations can once again become targets for illegal drug activity.

We need to learn from the lessons of the past and move cautiously forward without letting our guard down. Indian country still needs our law enforcement agencies and tribal courts adequately funded, our health systems needs to be effective when delivering the needed services to our tribal members, and we need to continually educate ourselves about these illegal activities that have devastating effects to our communities

Prevention, education and rehabilitation efforts still need to be strengthened. Our communities need to assist those who are returning from treatment facilities with long term after care programs. We need re-entry programs to work with those returning from the prison systems.

With increased emphasis on trust responsibility and treaty obligations from the federal government and support from our Elders through prayer we will all make our

tribal communities safer for all our citizens.

Thank you.