

**STATEMENT
OF
CHARLES ADDINGTON
DIRECTOR
OFFICE OF JUSTICE SERVICES
BUREAU OF INDIAN AFFAIRS
UNITED STATES DEPARTMENT OF THE INTERIOR
BEFORE THE
SENATE COMMITTEE ON INDIAN AFFAIRS**

June 19, 2019

Good afternoon Chairman Hoeven, Vice Chairman Udall and Members of the Committee. My name is Charles Addington and I am the Director of the Office of Justice Services (OJS) in the Bureau of Indian Affairs (BIA) at the Department of the Interior (the Department).

Thank you for the opportunity to present this statement on behalf of the Department regarding the following bills: S. 288, Justice for Native Survivors of Sexual Violence Act; S. 290, Native Youth and Tribal Officer Protection Act; and S. 982, Not Invisible Act of 2019, and S. 1853, Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act. Each of these bills is discussed below.

S. 288

S. 288, Justice for Native Survivors of Sexual Violence Act, amends the Indian Civil Rights Act of 1968 (25 U.S.C. § 1304) to expand the definitions of domestic and dating violence to include not just “violence” but “any violation of the criminal law of the Indian tribe that has jurisdiction over the Indian Country where the violation occurs” that is committed by a Native victim’s intimate or dating partner. The bill also extends the criminal jurisdiction of tribal courts over non-Indians to cover crimes involving sex trafficking, stalking, and sexual violence. We support continued dialogue and efforts to address these serious offenses that often occur in Indian Country communities. We applaud the effort to equip tribes with additional tools to address domestic violence and sex crimes occurring within Indian Country.

S. 290

S. 290, Native Youth and Tribal Officer Protection Act, amends the Indian Civil Rights Act of 1968 (25 U.S.C. § 1304) to extend the criminal jurisdiction of tribal courts over non-Indians to cover crimes including violence against children committed by their caregivers and against officers who respond to calls involving the exercise of tribal criminal jurisdiction over non-Indians. S. 290 also calls on the Secretary of the Interior and the Secretary of Health and Human Services to coordinate with the Attorney General to ensure that Federal programs to support Tribal justice systems and the provision of victim services work together, and that training materials on recognizing and responding to domestic violence are available to the Bureaus that directly serve Indian Country (BIA, Bureau of Indian Education and the Indian Health Service). We look forward to working with the Committee to equip tribes with additional tools to address criminal offenses occurring within Indian Country.

S. 982

S. 982, Not Invisible Act of 2019, requires the Secretary of the Interior to designate an official within BIA OJS to coordinate interagency efforts to address the issue of missing, murdered, and trafficked Indians. The bill establishes a Joint Advisory Committee composed of members from BIA OJS; federal, state, local, and tribal law enforcement agencies; tribal judges and officials; health care practitioners; advocacy organizations; and Indian individuals who have been personally affected by violence or human trafficking. The Joint Advisory Committee will develop strategies, best practices, and recommendations for the Secretary of the Interior to better address violent crime in Indian Country. We applaud the intent of the bill, but would like to work with the Committee to ensure that the bill effectively improves coordination across all federal agencies.

S. 1853

S. 1853, the Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act, requires Federal law enforcement agencies to report on cases of missing or murdered Indians. The Department provides the following comments on the draft bill:

Section 101, entitled Federal Law Enforcement Database Reporting Requirements, addresses the collection of verifiable data, which continues to be a gap in identifying crime trends in Indian Country. The Department looks forward to working with the Committee on this important issue, and coordinating with other Federal partners to strengthen crime data reporting.

Section 201 establishes a demonstration program that allows the Director of BIA OJS to conduct or adjudicate personnel background investigations for law enforcement officers (LEOs). This would assist BIA in eliminating one of the biggest obstacles we face with regard to recruitment and result in the expedited hiring of qualified LEOs. I applaud the Committee for its efforts to assist BIA OJS on this critical issue.

We are also pleased that Section 204, BIA and Tribal Law Enforcement Officer Counseling Resources Interdepartmental Coordination, establishes and maintains mental health wellness programs for Indian Country LEOs. These much-needed resources would help ensure our most precious public safety resource, our staff, have access to the mental health resources needed when they experience occupational stress.

Section 202, Missing and Murdered Response Coordination Grant Program, establishes a grant program that will build capacity to better respond to missing and murdered cases of interest to Indian tribes. However, as drafted, entities eligible to apply for this grant program include “relevant Tribal stakeholder” which is defined in Section 2(14) and includes Indian tribes, tribal organizations, national or regional organizations that represent a substantial Indian constituency and have expertise in human trafficking, violence against women and children, or tribal justice systems. By using “relevant Tribal stakeholder”, grant eligibility is open to a variety of entities. National and regional organizations would be able to compete with Indian tribes for grant program funding. However, Indian tribes should not have to compete for this important federal grant funding with other entities who are not directly responsible for tribal citizens in Indian Country.

The Department supports the intent of S. 1853 and looks forward to working with the Committee on these and additional technical issues.

Conclusion

Mr. Chairman, thank you for the opportunity to provide testimony on these important matters. We can, and must, do more to address violence in Indian Country and shine a light on this crisis. Although we have implemented some sound strategies to enhance public safety in Indian Country, we have a lot of work ahead of us. I am encouraged by Congress's efforts to address these important issues through legislation. The Department will continue to work with the Committee and our federal, tribal and state partners to strengthen our efforts to keep our Indian Country communities safe.

I am happy to answer any questions you may have.