



**Testimony of
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Good morning Chairman McCain, Ranking Member Dorgan, and members of the Committee on Indian Affairs. I appreciate the opportunity to appear and provide testimony about the FBI and its work in Indian Country, especially as it relates to the protection of Indian children.

The FBI has a long history of service to the Native American people throughout the United States and dedicated Special Agents of the FBI's Indian Country Program work hard to deliver quality law enforcement service to tribal communities of all sizes. We remain strongly committed to our role in Indian Country and to our partnerships with tribal, local, state and federal agencies in Indian Country.

There are 561 federally recognized Indian Tribes in the United States and approximately 297 Indian Reservations with over one million Native American residents on or near reservation lands. The FBI has federal law enforcement responsibility on more than 200 of those Indian Reservations and federal criminal jurisdiction over acts directly related to Indian gaming regardless of jurisdiction status.

The FBI currently has 114 Special Agents addressing 2,076 Indian Country matters in 22 field offices. Eight FBI field offices account for nearly 90% of all Indian Country casework in

the FBI and the FBI's Indian Country resources are focused on reservations where the FBI has primary federal investigative authority. The FBI's priorities in Indian Country focus on the most serious crimes of violence, including homicide, child sexual and physical abuse, and violent assault. FBI investigations in these priority categories comprise over 70% of all FBI investigations in Indian Country. The challenges do not end there as crime related to gangs and drugs are on the increase, Indian gaming investigations remain important, and the FBI always stands ready to protect tribal communities from political corruption. The FBI in Indian Country is simultaneously addressing many different aspects of crime in Indian Country and remains fully engaged.

During the period covering fiscal years 2003 through 2006, the FBI initiated 1,658 investigations and made 537 arrests in matters involving Indian child sexual abuse. During the same period, the FBI initiated 134 investigations and made 39 arrests in matters involving Indian child physical abuse. This represents approximately 30% of all FBI investigations in Indian Country during that period. Crimes against Indian children have been, and will remain, a top priority for the FBI.

The FBI routinely receives reports of Indian child abuse from various local law enforcement agencies in Indian Country, including the Bureau of Indian Affairs, Office of Law Enforcement Services (BIA-OLES). In cases of Indian child abuse reports received by FBI field divisions, investigations are conducted either by FBI Special Agents or task force members working with the FBI on Indian Country Safe Trails Task Forces (STTF). In limited circumstances, the allegations may be referred to tribal, BIA, or other law enforcement agencies for investigation and presentation to tribal courts as deemed necessary.

Additionally, the FBI receives referrals of allegations of Indian child abuse from other

public service entities such as schools, medical professionals and child protective service organizations. Some of these referrals are the direct result of FBI participation on Multi-Disciplinary Teams (MDT) or Child Protection Teams (CPT) in Indian communities. There may be instances where child abuse complaints are received and investigated by other law enforcement agencies in Indian Country and the FBI is not made immediately aware of those allegations. However, the FBI and other law enforcement partners in Indian Country strive to ensure all allegations of child abuse are reported to us and immediately addressed.

Allegations of child abuse are documented in FBI investigative files if an investigation is initiated. In cases where the FBI refers the allegations to either tribal law enforcement or BIA-OLEs, the allegation may be documented in a complaint form or other communication. Child abuse allegations received by the FBI and documented in a format other than an investigative file represent child abuse reports with various dispositions, including unsubstantiated reports, referral to other investigative agencies, or immediate declinations of prosecution.

The Office for Victim Assistance (OVA) ensures that victims of federal crimes investigated by the FBI are afforded the opportunity to receive notification of investigation status and receive victim services. OVA employs 31 Victim Specialists dedicated to Indian Country, serving 38 Indian Nations. In addition to providing information on victim's rights and the criminal justice process, these Victim Specialists also provide on-scene crisis intervention, accompany agents to interviews, arrange forensic exams, and accompany victims to court proceedings. Victim Specialists establish working relationships with tribal councils to coordinate services and assure cultural understanding.

Our partnerships with Indian Country law enforcement and tribal communities are critical to successfully addressing Indian child abuse. There are several successful programs in

Indian Country that I would like to highlight.

Since FY 2004, the FBI has supported the Tribal Tele-Medicine Initiative in South Dakota, a joint effort by the FBI's Minneapolis Division, Midwest Children's Research Center, Indian Health Service, Department of Justice, Rosebud Sioux Tribe, Midwest Regional Children's Advocacy Center, and the National Children's Alliance. The goals of this initiative are to provide a means to introduce forensic pediatric specialists early into Indian Country child abuse investigations and to build stronger multidisciplinary teams in Indian Country. This program utilizes video conferencing capability, along with specialized audio and video equipment, to connect the examining physician in Indian Country with child abuse medical experts in an off-site location. This process not only allows expert medical evaluation of the child victim but also minimizes trauma to the child that may result from multiple medical examinations and interviews. Through this project, experienced medical and treatment personnel are also accessible to service areas and tribal facilities in rural or isolated communities.

The FBI also supports the Tohono O'Odham Reservation Children's House (TORCH), a joint effort between the Tohono O'Odham Nation Police Department (TOPD), FBI, and the Southern Arizona Children's Advocacy Center (SACAC), which serves to exponentially enhance the overall investigative effectiveness in addressing child sexual assaults. TORCH provides the child victims of sexual/physical abuse and their families with an immediate, safe, child-friendly and culturally sensitive environment that is conducive to effective forensic interviewing. These two efforts are directly aimed at improving the quality of child abuse investigations while minimizing additional trauma to the child victim.

In circumstances where the establishment of a permanent forensic center is not an option,

the FBI partners with other organizations to seek creative solutions to problems. One example is the FBI's use of the Childhelp Children's Mobile Advocacy Center of Northern Arizona during child abuse and sexual assault investigations. This mobile unit in Arizona travels to or near the victim's reservation to prevent the child and family from having to travel long distances to an advocacy and medical facility for interview and physical examination. By delivering the forensic interview and sexual assault examination capability to the child victim, the traumatic effect on the child and family is vastly reduced.

The FBI faces many unique obstacles in investigating crimes against children in Indian Country. Included among those are remote territories requiring substantial travel for investigation, long travel distances for access to technical expertise, reluctant witnesses due to close family structures in most tribal communities, and cultural sensitivities in tribal relations.

The FBI is fully committed to preparing Indian Country law enforcement, including FBI Special Agents, with the knowledge and skills required to address such important investigations. Pursuant to a mandate from Congress to provide training to Indian Country law enforcement officers, the FBI has trained nearly 5,500 Indian Country law enforcement officers and agents since 1997. This training is closely coordinated with the BIA's Indian Police Academy and together the FBI and BIA will offer 21 regional training conferences during FY 2006, including specialized training in child abuse, forensic interviewing of abused children, crime scene investigation, child sexual assault and abuse investigations.

The FBI is committed to protecting Native American children from abuse and what clearly constitutes a threat to the future of Indian children and their communities. We look forward to working with this committee to accomplish this worthwhile goal. I would now be happy to answer any questions.

