

**TESTIMONY OF  
CHARLES ADDINGTON  
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BUREAU OF INDIAN AFFAIRS  
DEPARTMENT OF THE INTERIOR  
BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS  
FIELD HEARING  
ON  
"TO PROTECT AND SERVE: JOINT LAW ENFORCEMENT EFFORTS IN  
BUILDING SAFE TRIBAL COMMUNITIES AND STOPPING DANGEROUS DRUGS  
FROM ENTERING INDIAN COUNTRY."**

**MARCH 20, 2019**

Good afternoon Chairman Hoeven, Vice Chairman Udall and members of the Committee. My name is Charles Addington and I am the Director for the Office of Justice Services (OJS) in the Bureau of Indian Affairs (BIA) at the Department of the Interior (the Department). I am pleased to provide a statement on behalf of the Department on the topic of the Committee's oversight hearing focused on keeping dangerous drugs out of Indian Country.

Overview

The BIA has a service population of about 1.9 million American Indians and Alaska Natives who belong to 573 federally recognized tribes. The BIA supports 191 law enforcement programs with 34 BIA-operated programs and 157 tribally-operated programs. Approximately 70 percent of the total BIA OJS programs are contracted with tribes as authorized under Public Law 93-638, as amended, or compacted with tribes as authorized under Title IV of the Indian Self Determination and Education Assistance Act, as amended. Additionally, many tribes supplement OJS funding with funding from their tribe's treasury, grants from the Department of Justice (DOJ), or other sources. Under Public Law 83-280 and similar legislation, the remaining tribes rely on state and local law enforcement to combat crimes occurring on the reservation.

OJS provides a wide range of law enforcement services to Indian Country. These services include uniform police services, criminal investigations, detention program management, tribal courts, drug enforcement, internal affairs and officer training conducted by the Indian Police Academy. OJS is statutorily responsible for enforcing federal law and, with the consent of a tribe, tribal law within Indian Country. With this great responsibility, OJS takes every opportunity to enhance our abilities to protect our tribal citizens and communities.

Drug-related activity in Indian Country is a major contributor to violent crime and imposes serious health and economic hardships on Indian communities. The abuse of methamphetamine, heroin, and prescription drugs continues to have devastating effects on tribal families and communities and has put a strain on collective efforts to confront this issue. Furthermore, the abuse of these illicit drugs typically leads to impaired behavior that can result in violence and other criminal behavior. In Fiscal Year (FY) 2018, BIA and tribal law enforcement programs

reported a 47 percent increase in drug cases worked and a 26 percent increase in drug related arrests made on reservations throughout the nation.

Indian Country saw a substantial increase in methamphetamine seizures and marijuana eradications in FY2018, leading to a 385 percent surge in the overall seizure totals in 2018. The increase is contributed to the abundant amounts of illegal narcotics that are being distributed in Indian Country and the increased seizures by BIA Drug Agents and DOI Opioid Task Forces. Methamphetamine continues to be the most prevalent drug seized from drug operations in Indian Country. Field drug agents reported an increase in the heroin being sold in Indian Country. The abundance of methamphetamine being distributed by Mexican cartels has led to lower prices and easier access to methamphetamine. In FY2018, the number of heroin seizures reported increased by 190 percent, the number of crystal methamphetamine seizures increased by 342 percent, the number of powder methamphetamine seizures increased by 658%, the number of marijuana plants seized increased by 592 percent, and the number of processed marijuana increased 211 percent.

Opioid-related overdoses in some Indian Country communities have been linked to fentanyl, a Schedule II synthetic opioid originally developed to serve as both an analgesic (painkiller) and an anesthetic. The strong opioid properties of fentanyl have made it an attractive drug of abuse. The ease of with which fentanyl can be acquired compounded by its potent narcotic effects has drastically increased the risk of overdoses and deaths in our tribal communities.

The specific type of illicit drugs found in Indian Country varies by region and is largely influenced by what drugs are readily available in larger cities near reservations. While marijuana and methamphetamine are the illicit substances we see most widely abused, prescription drugs and heroin use have increased in many tribal communities. It has been our experience that most illicit drugs available throughout Indian Country are not manufactured on the reservations, but rather transported into Indian Country by independent dealers who travel to nearby cities, also known as border towns, to purchase the drugs primarily from well-organized Drug Trafficking Organizations (DTOs). While individual drug abusers generally engage in property crimes to support their addiction, drug traffickers often engage in violent crimes to facilitate their operations. Mexican DTOs, the principal wholesale suppliers and producers of most illicit drugs available in tribal communities, pose the greatest “organized” threat.

The primary illicit drug threats reported in the Great Plains Region are methamphetamine, marijuana and prescription pills. However, alcohol abuse continues to be the most significant challenge we encounter in the course of our work. It has been the BIA’s experience that the majority of the methamphetamine on the reservations in the Great Plains Region is coming from neighboring communities who have historically been supplied by sources in the Denver, Colorado and Minneapolis, Minnesota metropolitan areas.

Just in the month of January 2019, BIA Office of Justice Services made 5 drug related arrests during two separate incidents on the Standing Rock Reservation. In the first encounter, BIA Officers arrested 2 individuals found in possession of 75 grams of methamphetamine and \$7,500

in cash. During the second encounter, BIA Officers arrested 3 individuals found in possession of 96 grams of methamphetamine, 240 Oxycodone, Xanax and Hydromorphone pills, and \$9,872 and \$27,100 in wire transfer checks.

BIA OJS has a specialized national drug enforcement division specifically designed to investigate the distribution of illegal narcotics in Indian Country. In FY2018, the BIA Division of Drug Enforcement was comprised of 28 BIA Drug Enforcement Agents that are mostly assigned to federal, tribal or state Drug Task Forces across the United States. These partnerships allow us to employ a force multiplier approach to combat illicit drugs in Indian communities. In a few areas, tribal law enforcement has the ability to assign officers to these task forces. Teaming up with other law enforcement agencies has played a significant role in increasing our ability to address drug issues in Indian Country.

At the beginning of 2018, an intense effort was put forth by BIA Drug Enforcement Agents, tribal police officers and our federal and state law enforcement partners to tackle the drug epidemic on the reservation. The Department established DOI Opioid Task Forces that specifically target high-traffic drug areas throughout the year. BIA OJS successfully led these joint law enforcement efforts which resulted in 372 arrests and the seizure of approximately 3,287 pounds of illegal narcotics with an estimated street value of approximately \$9.8 million dollars.

Ultimately, most reservations remain economically depressed and thus lack the resources necessary to proactively address the overall drug threat they are experiencing. With that in mind, OJS has engaged in a number of wide-ranging, multipronged efforts to prevent the spread of these dangerous drugs in Indian Country.

#### Community Awareness Efforts

OJS has teamed up with federal, tribal, and local partners to begin conducting community outreach meetings in which community members are provided with opioid awareness training. In FY2018, 58 opioid community awareness events were conducted throughout Indian Country, reaching over 1,087 community participants. The Drug Enforcement Administration (DEA) has also partnered with OJS and provided numerous materials that are provided during these awareness meetings to educate members of the communities on opioids.

BIA OJS also implemented a 411Tip application that allows community members to report drug activity directly to BIA Drug Enforcement Agents through a smart phone app or text message. The new tools have been promoted through social media and 411Tip flyers placed in local communities.

#### Training Efforts

According to the BIA Indian Police Academy, in 2018 a total of 489 law enforcement officers received drug training from BIA OJS, a 20 percent increase over the number trained in 2017.

OJS Tribal Justice Support (TJS) coordinated with DOJ to develop a drug training curriculum and in March 2018 approximately 42 tribal prosecutors received training on trial skills associated with prosecuting opioid abuse and violent crimes.

In efforts to train approximately 300 more tribal court personnel, 10 additional training sessions will be held throughout Indian Country. This training will be similar to those received by state and federal prosecutors and will also focus on trial skills. This training is based on the National Institute for Trial Advocacy Training, modified for tribal courts which includes: best practices in charging specific crimes, opening statements, introduction of evidence, direct and cross-examination techniques, and closing arguments. Additionally, since October 30, 2017, OJS TJS has provided funding to tribes to train tribal court personnel on opioid awareness and opioid abuse. Over 200 tribal court personnel have taken advantage of these trainings.

#### Partnership Efforts

To equip BIA law enforcement officers with the tools they need to reverse the effects of an opioid overdose, OJS entered into a Memorandum of Understanding with the Indian Health Service (IHS) to train and equip BIA officers with Naloxone. The partnership with IHS has allowed BIA officers to carry and administer naloxone in an emergency situation. In 2015, IHS started providing hands-on training for opioid overdose rescue kits (also known as Narcan) containing the naloxone nasal spray and, following completion of the training, the rescue kits are issued by IHS to BIA officers. In 2017, IHS began training BIA officers to be Naloxone Trainers, allowing the BIA to take over and sustain its own training program. As of December 2018, IHS had trained 321 BIA Law Enforcement Officers as well as certified 48 BIA Law Enforcement Officers as naloxone trainers. In 2018, the BIA began working with IHS to expand the training out to tribal law enforcement programs. This partnership is already a proven success and has demonstrably saved lives in Indian Country as BIA officers have deployed Narcan during emergency responses to overdoses.

OJS is also collaborating with DEA on identifying the sources of heroin/fentanyl being distributed to Indian Country through a partnership with a DEA special laboratory. The special laboratory provides a more detailed analysis of the heroin seized in Indian Country investigations, giving drug investigators information on the type, mixture, level of potency and origin of the heroin.

OJS TJS is collaborating with the DOJ Office of Juvenile Justice and Delinquency Prevention to assist several communities in creating Juvenile Wellness Courts. OJS TJS has worked with tribal court personnel in Barrow, Alaska by providing one time funding for tribal court positions focusing on juveniles involved with illegal narcotics and opioids, and by advocating for the need to address the opioid epidemic among juveniles and young adults in Barrow.

#### Conclusion

Mr. Chairman, thank you for the opportunity to address the Committee regarding such an important matter. Although we have implemented some sound strategies to stop dangerous drugs from entering Indian Country, we have a lot of work ahead of us. The Department will

continue to work closely with our federal, tribal and state partners to strengthen our efforts in combatting these illegal drugs and preventing them from further devastating our Indian Country communities.

I will be happy to answer any questions you may have.