

STATEMENT  
OF  
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BEFORE THE  
  
COMMITTEE ON INDIAN AFFAIRS  
UNITED STATES SENATE

CONCERNING  
“Addressing the Harmful Effects of Dangerous Drugs in Native  
Communities”

PRESENTED ON  
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**STATEMENT OF SPECIAL AGENT ANDREW C. HANSON**  
**WYOMING DIVISION OF CRIMINAL INVESTIGATION**

United States Senate  
Committee on Indian Affairs

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*“Addressing the Harmful Effects of Dangerous Drugs in Native Communities”*

Chairman Barrasso, Vice Chairman Tester, and Members of the Committee, it is truly an honor to appear before you today to discuss the ever growing issues surrounding “Dangerous Drug” use, sales, and distribution in Native Communities, specifically the Wind River Indian Reservation. I am Andrew Hanson, a Special Agent for the Wyoming Division of Criminal Investigation, Wyoming Attorney General’s Office. I have spent my entire life and law enforcement career working on or near Native Communities, specifically Wind River. I have friends and family members that live in or near Native Communities. In the fall of 2005 I was assigned to the Northwest Enforcement Team as a Task Force Officer for a local law enforcement agency. In October 2006, I was hired as a full time Special Agent by the Wyoming Division of Criminal Investigation and was assigned to the Northwest Enforcement Team. As a Special Agent assigned to the Northwest Enforcement Team-my duties and responsibilities include investigating violations of both State and Federal Controlled Substances Acts.

**What is the Wyoming Division of Criminal Investigation?**

The Wyoming Division of Criminal Investigation (DCI) provides criminal investigative assistance and services throughout the State of Wyoming through our five Regional Enforcement Teams. These teams are comprised of full time Wyoming Division of Criminal Investigation Special Agents, and Task Force Officers who are temporarily assigned to the Regional Enforcement Teams from local agencies within the boundaries of the Regional Enforcement Teams. A typical Task Force Officer assignment to a Regional Enforcement Team is from three to five years, though some

have been much longer. There are twenty eight Special Agents from the Division of Criminal Investigation and thirty one Task Force Officers from local law enforcement agencies currently working on Regional Enforcement Teams across Wyoming.

The Division of Criminal Investigation has original jurisdiction to conduct investigations involving violations of the Wyoming Controlled Substance Act and violations involving organized criminal activity across jurisdictional boundaries. The Division of Criminal Investigation will also investigate violations of computer crimes and suspected violations involving the sexual exploitation of children. When other crimes are involved, the Division of Criminal Investigation must be requested to investigate by a municipal, county, state or federal law enforcement agency, county or district attorney or upon the direction of the Governor.

The Division of Criminal Investigation, Regional Enforcement Team whose area of responsibility encompasses the Wind River Indian Reservation, is the DCI Northwest Enforcement Team. The DCI Northwest Enforcement Team provides services in a five county region in the northwest corner of Wyoming that covers 23,507 square miles, with a combined population of 94,892 people. The DCI Northwest Enforcement Team has two offices, one in Powell and one in Riverton. The team is currently comprised of four Division of Criminal Investigation Special Agents, four Task Force Officers (with an additional Task Force Officer position currently under consideration in the Riverton office), one Intelligence Analyst, and one Bureau of Indian Affairs Special Agent assigned to the team. There are three special agents and two task force officers staffing the Powell office and one special agent, two task force officers, and the Bureau of Indian Affairs Special Agent currently working in the Riverton office. It is the DCI Northwest Enforcement Team, Riverton office that conducts the majority of the investigations into drug crimes on the Wind River Indian Reservation.

### **Scope of the problem**

Drug enforcement continues to be behind the trends when it comes to keeping up with the ever changing skills, tactics and methods that are being utilized by those who are distributing controlled substances. This is because of the fluid nature of the “drug business”. This is not a problem that is unique to native communities, but

rather it holds true anywhere that a market, and appetite, exists for illicit controlled substances.

Having worked a significant number of drug cases on and around the Wind River Indian Reservation, I have obtained a unique perspective that I would like to share with the Committee. Our society is very mobile. It is because of this mobility that we must look at the drug problem as not being just on the Wind River Indian Reservation, but also present in the communities of Lander, Riverton and others nearby. The distributors of controlled substances do not recognize or respect borders, tribal sovereignty or state and federal laws; however law enforcement officers must. And it is because of this, that jurisdictional issues arise. State agents and law enforcement officers are often unable to conduct criminal investigations on the Wind River Indian Reservation because they do not possess proper authority. Currently, the Northwest Enforcement Team has only two Agents located in Riverton, myself included, who have this authority. However, there have been times in the past that every member of the DCI Northwest Enforcement Team was in possession of the proper credentials. Unfortunately, Agents and Task Force officers sometimes transfer or return to their home agencies where they are no longer able to keep up with the renewal requirements for the necessary credentials. We also require that federal agents with the Bureau of Indian Affairs who are on the team to obtain State of Wyoming law enforcement credentials so that they have state jurisdiction off of the reservation as well. This is because we recognize that it is nearly impossible to conduct a criminal drug investigation that remains exclusively in native communities.

### **Recent Trends and Tactics**

Due to combined federal, state and local law enforcement efforts from 2004 through 2006, the presence of Methamphetamine had diminished substantially for several years. During that time, we would occasionally have cases that involved Methamphetamine, however we focused most of our investigations primarily upon Marijuana and prescription narcotics due to the lack of Methamphetamine trafficking. In 2012, Methamphetamine began to return to the communities on and around the Wind River Indian Reservation and this time, it was available in significantly larger quantities. In order to clandestinely gather evidence for drug investigations, we often purchased dangerous drugs from distributors. Before the past year, these transactions to gather evidence could be accomplished at a cost of no more than five thousand dollars. However, during this past year, these transactions have escalated in cost to upwards of twenty thousand dollars.

Through the course of our investigations, we have determined that the majority of the Methamphetamine has been coming to the reservation from the Denver, Colorado and Salt Lake City, Utah areas. We do not believe that any major “drug cartels” are currently focused on the reservation, but instead, the Methamphetamine that ends up on the reservation is transported there by individuals who may or may not have loose affiliations with smaller criminal organizations.

This phenomenon is explained by the forces of supply and demand. There is sufficient demand on and around the Wind River Indian Reservation to support a market. And despite that market’s distance from the metropolitan areas where the supply originates, suppliers nevertheless serve the market because they are apparently aware of the issues that make apprehension difficult. These issues include the jurisdictional problems noted above and the low population density which sometimes makes surveillance difficult. Even though the casinos have brought revenue, growth and jobs to Wind River, they also provide a “safe haven” for those involved in the distribution of controlled substances. This “safe haven” is not only used by locals, but often times, individuals that travel from other nearby Wyoming communities to distribute controlled substances. Please make no mistake, prescription controlled substances and Heroin, as well as Marijuana, are having a significant impact on native communities. Methamphetamine, although also significant, is not the sole dangerous drugs being trafficked on the reservation.

In June of 2008, three young women lost their lives to overdoses. They had been given a prescription controlled substance called Methadone, which is a very powerful narcotic pain killer and is also prescribed on occasion for Heroin dependency. In this case, two of the young women crushed the Methadone and snorted it, and the other ingested the drug orally. According to public reports of the incident, nearly twenty four hours passed before anyone noticed or reported the deaths.

Prescription controlled substances such as Methadone, Hydrocodone, Oxycodone and OxyContin are, like Heroin, opioids. In our communities we have seen a link between the addiction to these prescription controlled substances and Heroin abuse as well as alcohol abuse. As the price increases for prescription controlled substances, the demand for Heroin has been increasing. According to the National Institute on Drug Abuse, deaths due to prescription controlled substance abuse in the Denver region rose from approximately five to eleven persons per one hundred thousand in 2012. According to the Fremont County Coroner’s office, opioids are the most common drug found in drug related deaths in Fremont County.

## **“The Wyoming Example”**

On April 5, 2006, former United States Attorney for the District of Wyoming and the current Governor of Wyoming, Matthew H. Mead, presented this committee with what he called “The Wyoming Example”. In Governor Mead’s testimony he provided details on two successful investigations that highlighted the partnership between state, federal and tribal agencies in Wyoming. It should be noted that Wyoming’s approach to drug enforcement is unique in that local, state, federal and tribal officials communicate regularly and work closely together to conduct investigations into drug crimes. The “The Wyoming Example” for combined drug enforcement on the Wind River Indian Reservation has proven time and time again to be successful. The Wyoming Division of Criminal Investigation, in conjunction with the Bureau of Indian Affairs, the Federal Bureau of Investigation, the Drug Enforcement Administration and local law enforcement agencies still continue to work together and conduct drug investigations. It is only through this type of inter-agency cooperation that we can continue to combat the drug problem successfully.

Recently, Eastern Shoshone Tribal Officials have approached the Wyoming Division of Criminal Investigation for the purpose of adding an additional Task Force Officer to the DCI Northwest Enforcement Team. Should this happen, the State of Wyoming would likely fund a portion of this position along with the Eastern Shoshone Tribe. It is our understanding that this will be the first time a tribal officer would be a part of a state sponsored drug enforcement task force. This officer will have law enforcement authority statewide, through the task force. This clearly demonstrates the level of commitment that Wyoming and the Eastern Shoshone Tribe have to continued support of “The Wyoming Example” and drug enforcement in our communities.

## **Challenges faced by law enforcement**

During the day to day drug enforcement operations on the Wind River Indian Reservation, law enforcement is faced with many challenges. Some of these challenges include lack of personnel and jurisdictional issues.

The challenges surrounding the lack of personnel are certainly not unique to law enforcement in native communities. Even though the majority of the drug investigations that occur on the Wind River Indian Reservation are led by the Wyoming Division of Criminal Investigation, that agency has other areas of responsibility throughout the state. The Bureau of Indian Affairs Agent that is

assigned to the Wind River Indian Reservation also has other areas of responsibility in Idaho and Utah native communities. This means that even though we do as much enforcement activity as possible on the Wind River Indian Reservation as we can, it is by no means a “full time” endeavor.

Often times, when an investigation requires additional personnel for officer safety reasons, we are required to wait until the additional personnel can be brought into this area to assist the agents that are working the case. This can be problematic due to the dynamic and fluid nature of a drug transaction. Unfortunately, often times we are unable to have personnel in place and our opportunity to conduct the transaction is lost. As is the nature of any for-profit business, the first person through the door with the money gets to purchase the product. If it is not law enforcement clandestinely making that purchase, then evidence is lost. The particular drugs are, of course, consumed by users.

The lack of available personnel is exacerbated by the fact that we simply do not have enough law enforcement agents who have jurisdictional authority to engage in enforcement actions and conduct criminal investigations in native communities. In order for a state law enforcement officer or agent to work cases in Native Communities they must obtain a Special Law Enforcement Commission (SLEC) through the Bureau of Indian Affairs. This process requires that the officer or agent attend a three day training conducted by the United States Attorney’s Office in conjunction with the Bureau of Indian Affairs. At the conclusion of the training, the officer or agent then must pass an examination. After successfully passing the test, the officer or agent must then undergo an adjudicated background check. This process often takes several months to complete. Last year we had a task force officer attend the SLEC training in Idaho. As of today, his background is not complete, and he does not have authority on the Wind River Indian Reservation. Additionally, the officer has since left the Northwest Enforcement Team and is working on another team, in another part of Wyoming and no longer has Indian Country responsibility.

When a new task force officer is assigned to the Northwest Enforcement Team he or she must wait until the first available SLEC class is held. Again, this can often be months or years before the task force officer can attend the class because the classes are simply not held very often. Keep in mind, the typical task force officer assignment is from three to five years. The SLEC process can effectively hamper a task force officer’s effectiveness on the team for a year or more.

## **What can be done to help eliminate the drug problem on the Wind River Indian Reservation?**

Besides demand reduction through socio-economic improvements, the drug problem on the Wind River Indian Reservation can be addressed with additional success through supply interdiction by law enforcement agents. Additional agents, tasked specifically with drug enforcement duties on the Wind River Indian Reservation, would help. One way to obtain such additional agents would be through funding to allow the Drug Enforcement Administration (DEA) to establish resident agents assigned to the Wind River Indian Reservation area. In lieu of, or addition to, resident agents, a DEA Tactical Diversion Unit to help combat prescription medication crimes could periodically be assigned to the reservation. The Federal Bureau of Investigation has Resident Agents that are assigned to work cases on the Wind River Indian Reservation. But their primary focus is violent crimes. The nearest Drug Enforcement Administration Post is over one hundred twenty miles away from the Wind River Indian Reservation and is manned by only two resident Agents. Unfortunately, these two DEA Agents are spread thin and do not have the time or the resources to work in native communities full time.

As I stated earlier, the agents and task force officers of the Division of Criminal Investigation, would be more effective if they all had the necessary jurisdictional authority to fully participate on reservation operations. Improvements in credentialing could be made a cost-effective priority.

### **Conclusion**

It has truly been my pleasure, and privilege to speak before you today.