



# Puyallup Tribe of Indians



**MR. DAVID Z. BEAN, PUYALLUP TRIBAL COUNCIL  
TESTIMONY OF THE PUYALLUP TRIBE OF INDIANS BEFORE THE  
HOUSE SUBCOMMITTEE ON COMMERCE, JUSTICE, AND SCIENCE  
AND RELATED AGENCIES  
FISCAL YEAR 2013**

**March 16, 2012**

Mr. Chairman, my name is *David Bean, Tribal Council Member for the Puyallup Tribe of Indians*. We thank the Committee for its past support of many tribal issues and for your interest today. I am pleased to present testimony related to the Department of Justice funding for Office of Justice Programs (\$81.3 million—a 7% set aside of all OJP funding and \$30 million for Tribal facilities construction); the Office of Community Oriented Policing (\$40 million COPS hiring and \$40 million Tribal Resource Grants); and the Office Violence Against Women Programs (\$40.5 million for Tribal programs).

**Introduction:** We look forward to working with the 112<sup>th</sup> Congress to insure that funding levels in the FY 2013 Budget are sufficient to meet to carry-out our public safety and justice responsibilities.

Briefly, the Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation encompasses most of the City of Tacoma, but the area is a “checkerboard” of tribal lands, Indian-owned fee land and non-Indian fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood and Federal Way). The Puyallup Tribe also provides services for 4,416 tribal members and over 25,000 additional Native Americans from over 355 federally recognized Tribes and Alaskan Villages.

The Puyallup Nation Law Enforcement Division currently has a Chief of Police, twenty-nine commissioned officers and two reserve officers to cover 40 square miles of reservation in addition to the usual and accustomed areas. The officers serve and protect the Puyallup Reservation seven days a week, twenty-four hours a day. Due to limited federal funding for law enforcement in Indian Country, only two officers are funded with federal funds. The remaining twenty-seven officers and nine detention officers are funded by the Tribe. The total cost of justice services, including facilities operations and maintenance, exceeds \$5.7 million per year. As stated earlier, these costs are paid for with Tribal earned income.

The Tribe works closely with state and local law enforcement authorities. We recognize that in this day and age, such inter-jurisdictional cooperation is essential. We are fortunate to have a good working relationship with the state, county and city agencies. The Puyallup Tribe has had intergovernmental agreements with Pierce County and the City of Tacoma for many years. Puyallup Tribal Police officers are cross-deputized, so that arrests can be made under city or county jurisdictions, then offenders are turned over to the local authorities to be processed.

I cannot emphasize enough how important cross-deputization agreements are to the Tribe. Currently, there are twenty-eight active gangs on the Reservation. Gang activities include, drug trafficking, weapons sales and turf wars which result in drive-by shooting. Inter-State 5 runs through the Puyallup Reservation and is known as a drug corridor. With the continuing increase in population, increase in gang related activities on the Puyallup Reservation and the increase in manufacturing of meth amphetamines in the region, the services of the Puyallup Nation Law Enforcement Division are exceeding maximum levels. This is highlighted by last year's cooperative efforts among the local Prosecutor's Office, local Police Agencies (including the Puyallup Tribe's), Washington State Department of Corrections and the F.B.I.'s South Sound Gang Task Force when 32 members of a notorious street gang were arrested and arraigned on charges ranging from car theft to attempted first-degree murder.

Without the large subsidy provided by the Tribe for public safety, we would not have a comprehensive program to address the law enforcement needs of our community. For that reason, it is so important that you continue to fund the Programs within the Department of Justice that support our efforts.

***U.S. Department of Justice - Office of Justice Programs*** - The Department Justice once again proposes bill language to provide for a 7% tribal set-aside from all discretionary OJP programs to address Indian Country public safety and tribal criminal justice needs. This level of funding would provide \$81.3 million for Tribal Justice Programs. The Puyallup Tribe of Indians joins with the National Congress of American Indians (NCAI) and other Tribes in urging Congress to include the 7% tribal set-aside in the FY 2013 bill language. The OJP programs set-aside is critical for tribes because it would provide a more flexible funding structure and would complement the DOJ Coordinated Tribal Assistance Solicitation (CTAS). The CTAS streamline grant application process allows tribes to submit a single application for multiple purpose areas. We believe that in order to achieve its intended success, the CTAS application needs to be accompanied by a streamlined funding mechanism.

***Puyallup Nation Law Enforcement/Justice Center:*** The Department of Justice program established to address detention facilities in Indian country has been historically underfunded. The Interior Department's recent Report "Master Plan for Justice Services in Indian Country" estimated that there is a \$8.4 billion need over the next ten (10) years to bring tribal and Bureau of Indian Affairs (BIA) detention centers up to current standards and relieve overcrowding. To address this need we request that Congress fund the Department of Justice - Detention Facilities Construction in Indian Country program at a minimum of \$30 Million for new construction in Indian Country.

This need is highlighted by our work at Puyallup. Through an exhaustive planning process, the Tribe identified a need for a Tribal Justice Center to provide a comprehensive holistic justice program where law enforcement, probation, court and detention could be housed in one location. This approach matches the efforts of the Department of Justice and the BIA to maintain open communications and cooperate to operate their programs in a way that complement and enhances each program. To achieve this goal, the Puyallup Tribe initiated the design and construction of a 46,697 sf. "Justice Center" to be located on the Puyallup Indian Reservation. The total construction cost of the Tribe's Justice Center is estimated at \$23.8

million. The Justice Center will provide necessary facilities for the delivery of judiciary services including a 17,465 sf. Adult Corrections Facility (43 bed), a 12,354 sf. Law Enforcement Command Center and a 16,878 sf. Judicial/Tribal Court Center. The Judicial/Tribal Court Center includes Courtrooms, Judges Chambers, Court Clerk, Prosecution, Probations and Public Defender.

A preliminary phasing plan was developed in order to meet budgetary constraints. Phase I involves the initial construction of the Corrections Facility at a cost of \$9 million. The Tribe was successful in securing F.Y. 2009 Department of Justice grant and supplemented this with Tribal funds to complete this Phase I. It is anticipated that ground breaking will occur in May 2012 and that construction will be completed in April, 2013.

Phase II will involve the construction of the 12,354 sf. Law Enforcement Command Center at a cost of \$6.1 million and Phase III will be the construction of the 16,878 sf. Judicial/Tribal Court Center at a cost of \$8.7 million. The total cost of the Tribe's Justice Center Phases II and III is estimated at \$14.8 million.

***Office of Violence Against Women (VAWA):*** The FY 2013 Budget requests \$412 million for the Office of Violence Against Women Act (VAWA). This request includes approximately \$40.5 million for tribal initiatives within the Office of Violence Against Women (OVW). Approximately \$35 million is being requested for disbursement through VAWA Tribal Grants Program, with additional funding directed towards tribal coalitions through VAWA (\$3.6 million); \$500,000 for the Indian Country Sexual Assault Clearinghouse for on-site training and technical assistance; and \$1 million to sustain funding for the Analysis and Research on Violence Against Indian Women.

These funds will be aimed at addressing the high victimization rates of American Indian and Alaskan Native women for the crimes of domestic violence, sexual assault, dating violence, and stalking on tribal lands. The devastating impact that violence against women has on our tribal communities cannot be ignored. It is estimated that in their lifetimes one in three Indian women will be raped and that six in ten will be physically assaulted. Because the protection of the health, safety and well-being of our communities begins with the protection of our women and children, and because the rate of sexual assault and domestic violence is higher in Indian Country than any other region in the country, we strongly support funding contained in the President's Budget for OVW programs.

***Community Oriented Policing Services (COPS):*** The FY 2013 Budget requests \$286 million for the Community Oriented Policing Services (COPS) programs, a \$91.1 million increase for hiring police officers and non-law enforcement personnel. Included in this amount is \$15 million specifically for hiring of Tribal law enforcement officers. While we appreciate the requested increase, the demonstrated need for additional law enforcement personnel in Indian Country is \$42 Million.

In our view, the demand on law enforcement services will increase as tribal governments continue to enhance civil and criminal justice administration. In particular at Puyallup, this demand is further impacted by the existing and growing "gang problem" within the boundaries of the Puyallup Reservation. Gang violence creates greater logistical problems for our Tribe

than other reservations due to our urban setting, where we must coordinate with five cities, including six separate local jurisdictions and contend with Interstate 5 traversing the Reservation. In an effort to combat these gang activities, the Puyallup Tribal Council created a Gang Task Force from the Tribal Police Department, representatives from various Tribal Services Divisions and community members. The Gang Task Force developed a gang policy that includes a four prong approach. They are: enforcement; intelligence; education; and physical-mental health. These programs are currently being implemented or being designed for use with supplies and staff being provided by the Tribe. What is needed to move forward is funding in each pronged approach.

The Budget also provides \$20 million for the COPS Tribal Resources Grant Program which allows tribes to purchase much needed equipment and supplies for community police services. Again, while we strongly support the increase of funds dedicated to necessary law enforcement resource, it is simply not sufficient. We request that the COPS Tribal Resources Grant Program be funded at \$40 million in FY 2013. Law enforcement officers must have the equipment and resources to do their jobs, if Indian communities are to live in safety and focus on health, education and economic development.