

**Hearing Before the United States House of Representatives
Committee on Natural Resources
Subcommittee on Indian and Insular Affairs**

**Hearing on “Opportunities and Challenges for Improving Public Safety in Tribal
Communities”**

November 14, 2023

**Testimony of Lloyd Goggles
Chairman of the Northern Arapaho Business Council**

I. Introduction

Chairwoman Hageman, Ranking Member Leger Fernandez, members of the Subcommittee, thank you for inviting me to speak on behalf of the Northern Arapaho Tribe about this very important issue.

My name is Lloyd Goggles. I am an enrolled member of the Northern Arapaho Tribe from the Wind River Reservation. I was elected Chairman of the Business Council in 2022.

I have approximately 15 years of experience in law enforcement. I am a former United States Marine, a Wyoming National Guardsman, Tribal police officer, municipal police officer, and a Tribal judge. Accordingly, I have been exposed to law enforcement and public safety issues both inside and outside of the Tribe.

The Wind River Reservation is shared between the Northern Arapaho and Eastern Shoshone people. We have approximately 10,600 enrolled Northern Arapaho members, most who live on the reservation. Additionally, there are also about 3,500 enrolled Shoshone people. In addition to the members that occupy the land, we also have non-members who live on the Wind River Reservation.

As Chairman of the Business Council, I view public safety as paramount to the wellness of our people.

There is no doubt that Tribal law enforcement grapples with numerous obstacles, from limited resources to jurisdictional issues, that directly impact public safety. We have issues with funding, with drugs, with disgruntled residents, and with non-members who do not respect Tribal laws and the Tribe’s jurisdiction. Many of these issues are exacerbated by a lack of cultural knowledge by nonmembers.

And yet, even with these hurdles, I believe a bright future is emerging and that there are several opportunities for improvement. Moving forward, we should prioritize law enforcement’s

community engagement, cultural awareness, and increased collaboration between agencies at the federal, state, municipal, and tribal levels.

And that is what I will talk about today— both the challenges and the opportunities for improvement in critical areas relating to public safety, including (1) recruitment and retention, (2) jurisdiction, and (3) other community issues.

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II. Recruitment and Retention

a. Law Enforcement

Neither the Northern Arapaho Tribe nor the Wind River Reservation have an independent Tribal police force. Instead, we rely heavily on the coordinated efforts of the Bureau of Indian Affairs (BIA) Wind River Agency and their police force. The BIA has approximately 32 officers dedicated to the region and function as our primary law enforcement agency.

BIA officers are helpful in patrolling and ensuring the public's safety, but they have their limits. To truly encourage improvements to public safety, the Tribe needs a strong Tribal law enforcement agency to work with BIA and other law enforcement departments.

We do have the Tribal Fish and Game Department, which is a Tribal government entity. However, the Fish and Game force is severely understaffed. There are only three officers in the department. These individuals are responsible for patrolling and monitoring roughly 2.2 million acres of reservation land. To patrol adequately, the Fish and Game force needs at least 12 officers.

This recruitment effort requires increased funding, so that we can hire and train officers. However, funding has been a major hurdle for the Tribe in the past. Formerly, we had the Tribal Highway Safety patrol and a Drug Liaison position, but both have been eliminated due to a lack of funding. Those positions were important and helped fill the gaps left by BIA. The loss of these positions means we are unable cover integral components of regular law enforcement.

b. Tribal Judges and Prosecutors

The judicial and legal systems also play a vital role in public safety by ensuring the fair and equitable administration of justice. Every day, our Tribal judges make critical decisions on cases involving criminal offenses that impact the lives of our residents. So, it is necessary that we have enough trained judges to carry out these duties. Likewise, quality prosecutors are needed to ensure public safety—they play an important role in ensuring fair outcomes, and tribal prosecutors are also uniquely situated in understanding both the law of the Tribe as well as the Tribe's tradition and customs.

Right now, we have four tribal judges: a chief judge and three associate judges. We have one tribal prosecutor. In a recent BIA report, all of the judges were deemed to be unqualified. Likewise, our prosecutor is talented and does the best she can, but needs more structural support to succeed.

Much of the problem here stems from simple economics. Tribal judges make far less than they would in other markets. They receive no retirement or health benefits. Their advanced degrees are highly sought after, and the Tribe is unable to meet their economic needs. The Tribe needs to be able to compete economically to attract, train, and retain that talent.

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III. Jurisdictional Challenges

Generally, we have a good working relationship with all law enforcement entities, whether it be federal, state, county, or municipal government bodies. But there are areas where we can increase collaboration and simplify jurisdictional processes in a way that provides for more efficient use of resources.

Some of the areas on the reservation have “checkerboard” jurisdiction, which present challenges by way of logistical inefficiencies and confusion.

Sometimes officers are simply unsure who to call. This can frustrate officers, who often do not have the time or capacity to figure out jurisdictional confusions. Consequently, sometimes the law goes unenforced. To prevent this, BIA officers should continue to work closely with tribal law enforcement, tribal leaders, and other relevant agencies to coordinate efforts. Some options to improve this issue include better utilization of Special Law Enforcement Commission cards and cross deputization.

The confusion and lack of enforcement results in some non-members on the reservation having a lack of respect for the rule of law. These non-members believe they do not need to follow the laws set by our Tribal government bodies. This results in higher numbers of violations – everything from simple speeding to far more sinister crimes within our community.

This is a direct challenge to our sovereignty as a Tribe that we cannot tolerate. We must have a system that respects both the rights of the people, whether members or non-members, as well as the legitimacy of law at all levels of government, including the Tribe.

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IV. Community Solutions

In addition to improvements with recruitment and jurisdiction, there are also opportunities for progress in community policing and providing more economic opportunities to residents.

Public safety requires law enforcement to interact with and understand the people being served. BIA officers should engage actively with tribal communities to build trust and create strong relationships. Their increased presence in the community during non-emergency times will improve circumstances for everyone during times of need. As of now, we see BIA officers only when their presence is requested. This was not always the case. I remember a time when the presence of BIA officers was more visible and regular; we should return to that model.

I also suggest that all BIA personnel receive more training on the specific cultural, historical, and social aspects of the tribes they serve. Understanding these aspects will help officers work more effectively and engender greater trust and understanding by both sides.

Lastly, I must also mention economic conditions on the reservation, something I work on every day to help address. Poor economic conditions can aggravate social pressures; this includes crime. Sadly, some tribal members suffer under poor economic conditions, exacerbated by a lack of opportunity. Distressed people sometimes act in a distressed manner. The harder we work to address economic conditions on the reservation and among tribal members generally, the fewer problems we will face, socially and criminally. To accomplish this, we must make sure that federal government institutions are fulfilling their responsibilities and economic opportunities exist to help uplift tribal members.

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V. Conclusion

Public safety on Native American land is a shared responsibility that transcends borders, cultures, and backgrounds. We must work together to ensure a safer and more just community for everyone.

Throughout my life and career, I have viewed this problem from many angles. At an early age, the elders from my community inspired me to serve. Since then, I have always been a public servant and aspired to have a good rapport with the people I served. I remember a time when there was a more collaborative working relationships between various law enforcement agencies, when there was more enthusiasm about serving the communities, and when law enforcement was viewed in a more positive light.

Logistical issues and cultural differences do present challenges for us. But the future still holds promise, and we can make progress towards a safer and more prosperous future so long as we continue to focus on community engagement, cultural awareness, and collaboration between all parties.

Thank you. I look forward to answering your questions and working with you in the future.

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