

Red Cliff Band of Lake Superior Chippewa
Richard A. Peterson, Tribal Chairman
FY20 Testimony to House Appropriations Committee on Interior, Environment and Related Agencies

Department of Interior, Bureau of Indian Affairs, Office of Justice Services – Base Public Safety and Justice Funding, Criminal Investigations and Police Services

A requested increase of \$500,000 to fund tribal law enforcement activities by the Red Cliff Police Department.

Appendix 1-9 of the FY19 BIA Greenbook shows the Red Cliff Band of Lake Superior Chippewa (LE Office 114) received \$159,048 in FY17 Base Public Safety and Justice Funding. The 13 other tribes in D7 received an average \$319,953 under this program in FY17.

The other source of base funding for the Red Cliff P.D. is two funds received by the State of Wisconsin; Tribal Law Enforcement & County-Tribal Law Enforcement. State funds supporting tribal law enforcement activities at Red Cliff have continued to decline over a five year period (Figure 1) and are projected to be \$90,181 in FY20, a 32% decrease since 2015.

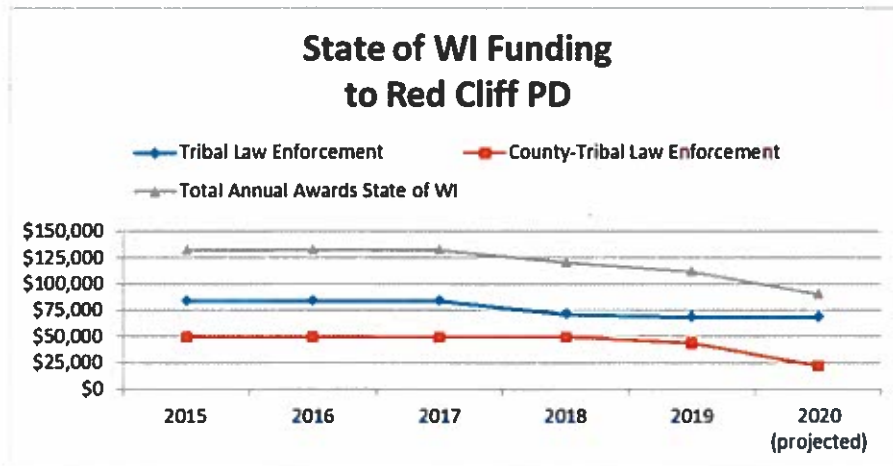


Figure 1: Base funds for Red Cliff P.D. are projected to decline 32% from FY15 levels in 2020.

Under current funding levels, Red Cliff is **unable to conform to 25 CFR §12.34**, which states **tribal officers must be paid at least the same salary as a Bureau of Indian Affairs officer performing the same duties**. This was revealed as a compliance issue during P.L. 93-638 contract monitoring report (Contract No A17AV00233).

An Overstretched Tribal Police Force

Data from FY2018 (Figure 2) shows that Red Cliff PD responded to **1,988 calls and conducted 600 investigations**. During FY18, Red Cliff P.D. **made 145 criminal referrals to the District Attorney and 130 arrests**. The projected FY20 base funding of \$249,229 (\$159,048 BIA; \$90,181

State of WI) will support 3 tribal officers to manage this workload and Red Cliff will not be able to comply with 25 CFR §12.34 at this funding level. By contrast, the neighboring community of Washburn, with a similar population as Red Cliff, has 5 full-time officers and made 51 arrests during the same time.

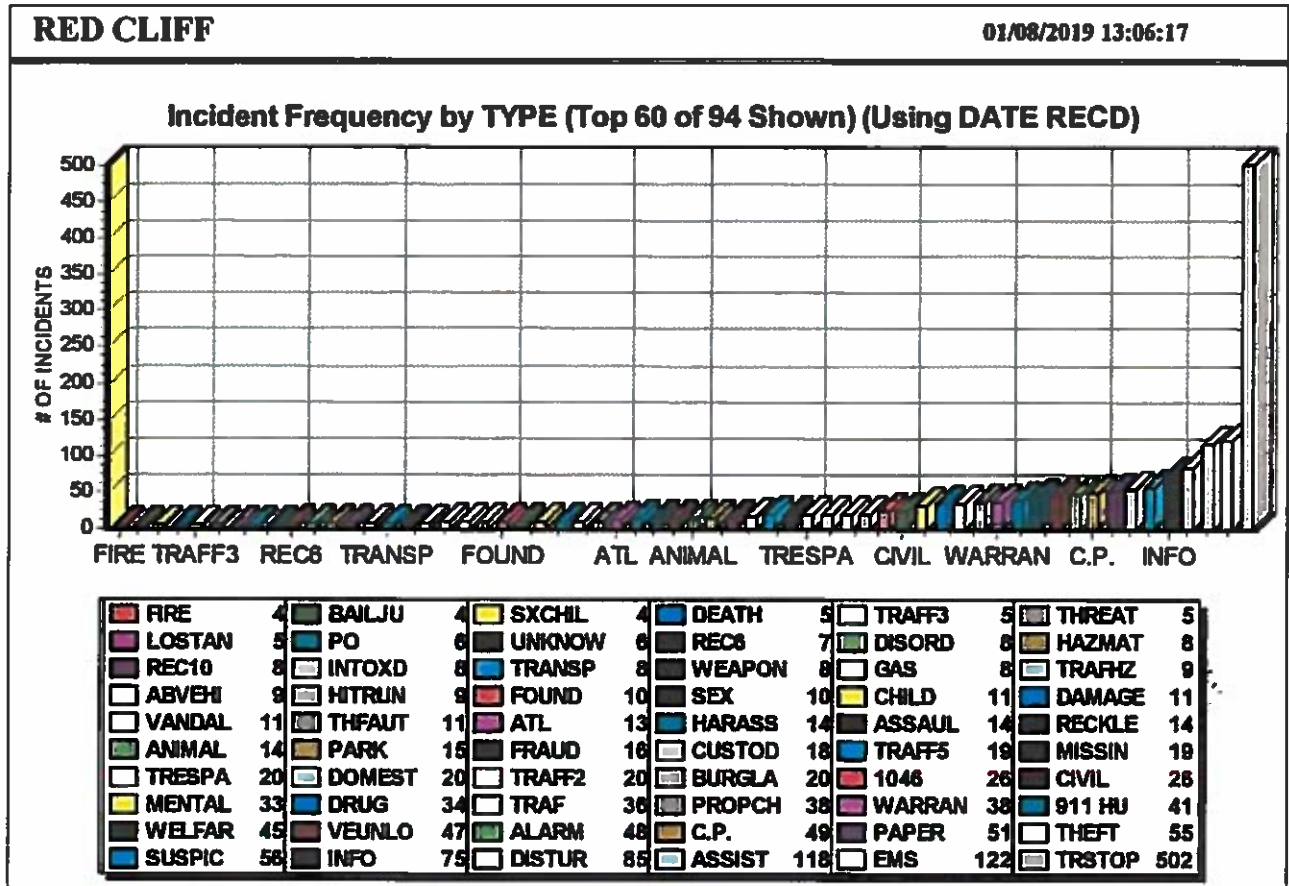


Figure 2: FY2018 incident report of the Red Cliff Police Department.

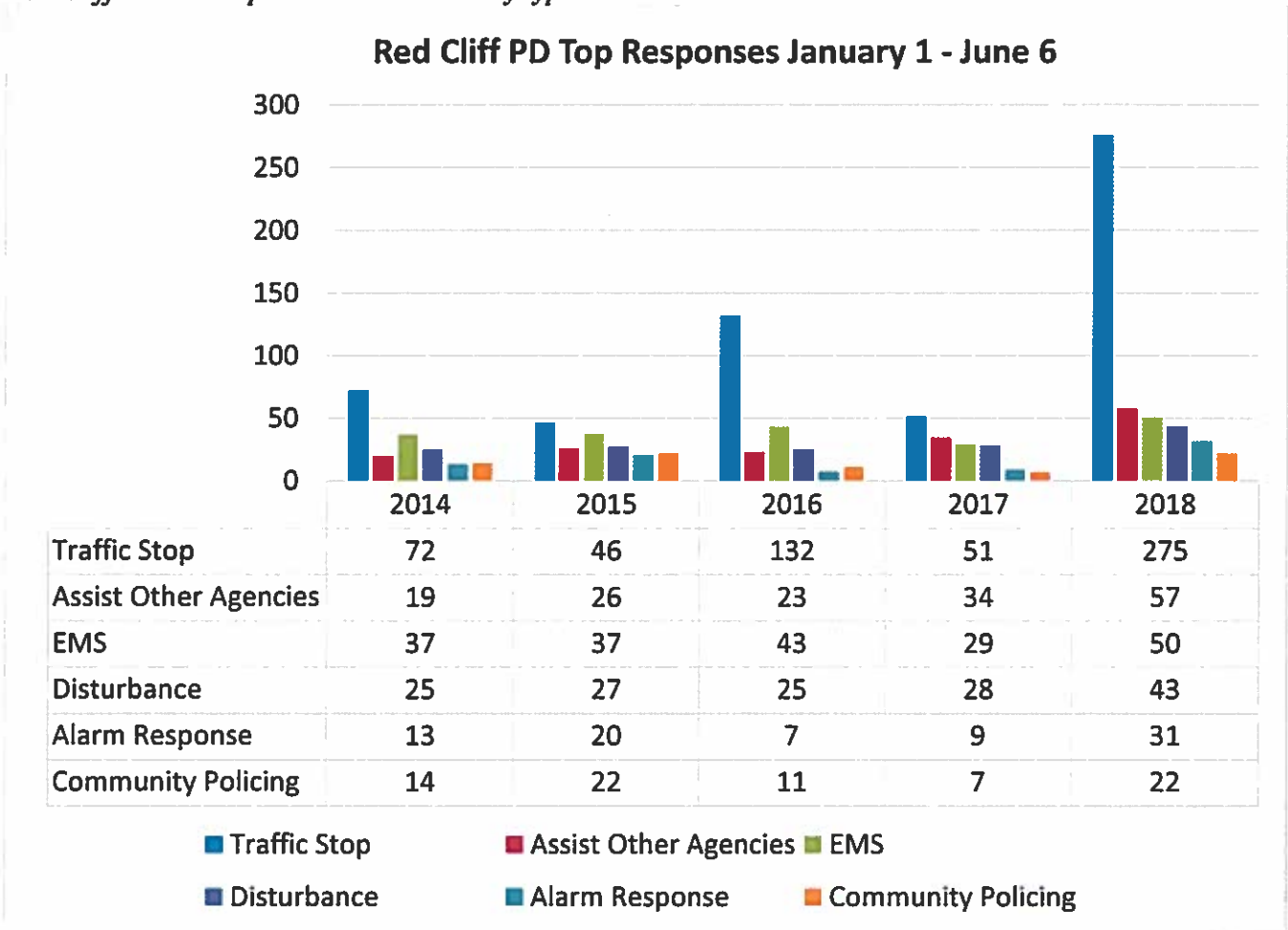
Accomplishments

Despite anemic funding levels, Red Cliff Police Department Red Cliff Police Department is dedicated to community based policing and has also established strong working relationships with State entities such as Dept. of Justice Division of Criminal Investigations (DCI) and with Federal agencies such as FBI and DEA. In August of 2017 Red Cliff PD initiated and conducted an investigation of methamphetamine trafficking and conspiracy to distribute within the boundaries of the Reservation and the surrounding communities. The investigation had the assistance from DCI, USPS and DEA. The proactive interdiction of the conspiracy ring had a phenomenal impact on the availability of methamphetamine in our community. This case was a direct example of law enforcement collaborating, sharing resources and having a common goal and ultimately achieving it. The said case came to fruition in May of 2018 with four (4) adults charged with federal indictments- two (2) were Red Cliff community members. All four (4) entered guilty pleas and are awaiting sentencing in Western District court, Madison, WI in the year 2019.

Without added funding, Red Cliff Police Department will be unable to continue to aggressively fight drug crime and simultaneously maintain a minimum level of policing to ensure public safety.

The chart below shows the increase in police activity by type made possible by the additional officers and funding in 2018.

Red Cliff Police Responses 2014 – 2018 by type



Increase in the Rate of Adult Drug Related Calls to Red Cliff Police Department

Red Cliff has seen significant issues arise from drug trafficking, manufacture and distribution. Statistics show a dramatic increase in the number of Adult Drug calls over the past 5 years with an increase of 175% over the last year alone.

Immediate Needs Affecting Children and Families

Red Cliff Police are also required to provide assistance to other legal and HHS divisions. Court staff report a steep increase in the effects of drug abuse on the family. Prior to 2014 Red Cliff normally saw 3 to 5 cases a year that required removing a child from their home. Out-of-home placements are increasing at an alarming rate as shown in Table 6. Children and families are at greater risk without a strong police presence.

Red Cliff Court Child Welfare Cases requiring out of home placements due to drug and alcohol abuse

<i>Number of child welfare cases involving children being removed from the home</i>	2014	2015	2016	2017	2018 YTD*
<i>Child Welfare Cases</i>	8	9	16	37	15
<i>Those cases due to AODA issues</i>	2	7	9	35	15
<i>Percentage due to AODA related issues</i>	25%	78%	56%	95%	100%

* Current as of November 1, 2018.

According to Associate Judge, Gwendolyn Topping, "There are a total of 74 open child welfare cases right now in the Red Cliff Tribal Court, by far the largest number of open cases the court has ever had. (June 11, 2018)"

A Vulnerable Community at Risk

As the population in Bayfield County ages, the trend shows a young, growing population in Red Cliff. According to our most recent census in 2010; the median age in Red Cliff is 29 while the median age in Bayfield County is 49. Bayfield County saw no growth in population from 2000 to 2010, remaining at 15,014 residents. Red Cliff grew from 1,749 to 2174, a 24% increase. Forty percent of Red Cliff residents are living below the poverty level and according to the Bureau of Indian Affairs Labor Reports, 50% of Red Cliff's residents are unemployed. A community of young, unemployed persons living in poverty is vulnerable and at high risk of becoming a target for drug dealers. The many community services, behavioral health, and prevention programs in Red Cliff are fighting a losing battle without adequate Police protection. An increased Police presence is critically needed on the reservation and is a proven, valuable resource at the County, State, and Federal levels.