

**WRITTEN TESTIMONY OF THE ROSEBUD SIOUX TRIBE
COUNCILMEMBER SHERE WRIGHT-PLANK**

**BEFORE THE U.S. HOUSE APPROPRIATIONS SUBCOMMITTEE ON
INTERIOR, ENVIRONMENT, AND RELATED AGENCIES**

FISCAL YEAR 2025 PUBLIC SAFETY & TRIBAL PRIORITIES

Honorable Members of the U.S. House Appropriations Subcommittee on Interior, Environment, and Related Agencies,

My name is Shere Wright-Plank, and I have the honor of serving as a member of the Rosebud Sioux Tribal Council in South Dakota. Unfortunately, President Scott Herman was not able to attend today's hearing and I have been charged by the Tribe to state our serious needs to the esteemed committee.

Today, I stand before the Committee to present our Fiscal Year 2025 appropriations priorities, focusing on matters of public safety and justice that are paramount to our tribal community.

The Rosebud Sioux Tribe has recently declared an Indian Country Law Enforcement Emergency, underscoring the urgent need for heightened attention and resources to address the pressing issues we face. We have actively advocated for this cause, promoting the enactment of NCAI Resolution NO 23-066, which calls on Congress and the President to undertake an Emergency Indian Country Law Enforcement Initiative.

Through engagements such as the Tribal Nation Leader Summit with Attorney General Garland, the DOJ Office of Justice Program, and the BIA Office of Justice Services Meeting, we have gained critical insights. It is evident that the current funding allocated to the Bureau of Indian Affairs (BIA) and Tribal Police, approximately \$565 million, falls significantly short of meeting the real law enforcement needs in Indian Country.

At the Rosebud Sioux Tribe, where we currently have 15 Tribal Police Officers, we urgently require an additional 20 officers and detention personnel to effectively manage community policing and address the escalating rates of violent crime. Our community is in the grip of a profound public safety and public health crisis driven by drug trafficking, violent crime, and inadequate law enforcement protection. The Rosebud Sioux Tribe has half the Tribal Police Officers, with twice Tribal Population, and three times the violent crime that Rosebud suffered back in 2000.

The Great Plains Region, North Dakota, South Dakota and Nebraska, is facing a public safety and public health emergency resulting from drug trafficking, violent crime and lack of adequate protection of our communities, reflected in the following:

- A severe increase in serious violent crimes, drug-related crime, and drug distribution related violent crimes;
- Native Americans suffer the highest level of fatal opioid drug overdoses;

- Native American methamphetamine abuse and related crimes occur at 3x the national average and drastic increases in hard drugs including fentanyl and heroin;
- homicide rates per 100,000 population at the highest levels in America;
- the Rosebud Sioux Tribe suffers the highest levels of suicide in America; and
- The Rosebud Sioux Tribe has experienced severe increases in aggravated assaults, sexual assaults, and firearms related incidents

The Rosebud Sioux Tribe, in alignment with the 1868 Treaty, implores Congress to fulfill its commitment to ensuring the peace and safety of our community by fully funding Tribal Law Enforcement, Public Safety, and Tribal Administration of Justice under Public Law 93-638. We acknowledge the diligence of this Committee in understanding the legal obligations and the historical context that necessitate federal funding to support and nurture Indian reservation economies.

Our Tribe, with nearly 40,000 tribal members and approximately 30,000 residing on the Reservation, grapples with the repercussions of the public safety crisis daily. While we strive for economic development, the pervasive issue of drug and alcohol abuse continues to hinder our progress.

The Rosebud Sioux Tribe Law Enforcement Services (RST LES) is charged with ensuring law & order within the boundaries of Rosebud Reservation and to trust lands in Mellette, Trip, Lyman, and Gregory counties. RST LES responds to over 20,000 calls for service every year. RST LES serves an area of approximately one million acres or roughly 1560 square miles with only twenty-five patrol officers and five criminal investigators. The national average of officer to person ratio is 3.5 officers per every 1000 persons; whereas, the RST LES officer to person ratio is one officer per every 1000 person.

Our RST LES are overwhelmed, and our Tribal Court faces a staggering caseload and backlog, necessitating urgent attention and resources. Additionally, our outdated Tribal Detention facility is operating at capacity, further exacerbating the crisis.

The Rosebud Sioux Tribe declared a state of emergency due to the Methamphetamine, Opioid and Fentanyl epidemic plaguing the Rosebud Reservation. The RST LES responds to a high volume of violent crimes in which illegal narcotics, alcohol or both are a contributing factor around 95% of the time. RST LES administration has repeatedly called for a request in base funding. An increase in funding would be utilized to hire twenty more sworn and certified officers and acquire twenty additional patrol units. The additional officers and patrol units will significantly reduce response time and provide RST LES personnel with more time to investigate open cases.

As stated last year by our President, Scott Herman, the BIA Law Enforcement should be at least at \$1.2 billion. As with last year's delayed FY '24 appropriations the funding remains "100% underfunded." While the county grapples with increased drug and human trafficking, Tribes remain a gap in that enforcement effort, a gap that the Federal Government is obligated to close.

Rosebud reiterates that funding for BIA Tribal Police and Justice Systems should be Increased as Follows:

- \$1.2 Billion for BIA Office of Justice Services and Tribal Police Officers;
- \$150 Million to Redress Murdered and Missing Indian Persons;
- \$300 Million for BIA Detention and Public Safety Construction Program; and
- \$400 Million for Tribal Courts, Tribal Prosecutors, and Probation Officers and diversion programs.

Specifically, the Rosebud Sioux Tribe requires an increase in the Tribal Police Budget of \$3.5 Million for FY 2025 for 20 Tribal Police and Detention Officers.¹ In addition, the Rosebud Sioux Tribe needs \$500,000 for our Tribal Courts given our high annual caseload.

The Rosebud Sioux Tribe, with the Yankton Sioux Tribe, has also advocated for a regional BIA Law Enforcement Academy for the upper plains to help recruit much needed officers. Artesia is too far from the communities that the officers intend to serve. Sending these recruits such a distance, for an extended period, removes them from the communities they intend to serve and the families they want to protect. A regional academy hosted at the State Law Enforcement Center in Pierre, South Dakota would allow recruits to remain near to their families and communities while joint classes with State officers would build relationships between our law enforcement agencies. This year our advocacy efforts at the State level for support of a regional academy achieved unanimous passage in both the House and Senate of House Concurrent Resolution (HCR) 6011, “Urging the Bureau of Indian Affairs (BIA) law enforcement to establish a law enforcement training academy in South Dakota.” Following the Resolution, the South Dakota Attorney General immediately offered Tribal governments in the State slots for their officers to train at the State Academy, but they will still need BIA training to complete. We now ask Congress to include report language with funding to provide BIA Training officers to this new regional academy in Pierre. It can start as an BIA addendum to state training and grow, but it must start.

But Law Enforcement isn’t our only barrier to economic development.

The Rosebud Sioux Tribe requests your help to secure funding for the replacement of the Indian Health Service (I.H.S.) Rosebud Hospital which serves the Rosebud Sioux Tribe. Our Rosebud Hospital is just worn out, it can’t keep out the heat during the summer or the cold during the winter, and you know Rosebud has extreme heat—up to 110 degrees in the summer and 20 degrees below zero in the winter. Our Hospital, which is 30 years old, is outdated and has lost functionality: no surgical unit, no Ob-Gyn unit and our Emergency Room was closed by CMS for poor health care in 2016. With the loss of Hospital functionality, we have lost medical staffing and our patient confidence and loyalty.

Due to the poor health care provided to Rosebud Sioux tribal members, our people have endemic poor health status. The Robert Wood Johnson, County-by-County Health

¹ (20 Tribal Police Officers x \$125,000/officer = \$2.5 Million plus \$1 Million indirect costs)

Assessment shows that Rosebud Sioux Reservation ranks at the bottom of poor health status, poor health care and poor health indicators: Specifically, Rosebud ranks 58 to 61 out of 61 South Dakota Counties studied, where 1 is the top and 61 the bottom of the scale. The life expectancy of a Rosebud Sioux man is 47 years while in contrast an American man's life expectancy is 78 years. Rosebud is the poorest Indian tribe in the United States with the poorest health status in the country, we need urgent help to address the debilitating and fatal health care disparities affecting our people.

The Rosebud Sioux Tribe requests that Congress require the Indian Health Service to acknowledge that the United States of America promised to provide "competent physician led health care" in our 1868 Treaty, as the Federal Court of Appeals ruled in *Rosebud Sioux Tribe v. U.S.A., Secretary HHS, et al.*, 9 F.4th 1018 (8th Cir. 2021). To require I.H.S. to comply with this federal court judgment, the Rosebud Sioux Tribe respectfully requests that Congress include report language in the FY 2025 Appropriations Report, that is:

"I.H.S. is directed to fully fund and staff Rosebud Sioux Hospital and Service Unit, and the Indian health care facilities of sister Sioux Nation tribes signatory to the 1868 Treaty, as necessary to provide competent physician-led health care, including mental health care, to tribal members in accord with Rosebud Sioux Tribe v. U.S.A., 9 F.4th 1018 (8th Cir. 2021) and the mandate of 1868 Sioux Nation Treaty."

The Federal Court intended to assign a measure of accountability to the Indian Health Service to require "competent physician-led health care" be provided to our tribal members, yet the I.H.S. has not acted and has not convened with Rosebud to develop a treaty-based health care plan

As such, the Tribe Requests:

- Support Administration FY 2025 Request for \$8 Billion for Indian Health Service;
- \$300 Million for I.H.S. Drug and Alcohol Treatment and Rehabilitation;
- \$5 Million for Alcohol and Drug Treatment Programs at the Rosebud Sioux Tribe;
- \$300 Million for Rosebud Sioux I.H.S. Hospital Replacement.

In closing, I express gratitude for the Committee's continued support and urge prioritization of funding for our public safety and justice priorities. The Rosebud Sioux Tribe stands ready to collaborate and work tirelessly to address the pressing challenges facing our community. Together, we can ensure that our people have access to the safety and justice they deserve.



2024 South Dakota Legislature
House Concurrent Resolution
6011
ENROLLED

AN ACT

A CONCURRENT RESOLUTION, Urging the Bureau of Indian Affairs (BIA) law enforcement to establish a law enforcement training academy in South Dakota.

WHEREAS, the state of South Dakota recognizes the critical role played by tribal law enforcement agencies in ensuring public safety and upholding the rule of law for all citizens; and

WHEREAS, BIA law enforcement is tasked with maintaining law and order within certain tribal communities in the state, playing a crucial role in fostering secure and thriving environments for Native American residents; and

WHEREAS, the state of South Dakota values collaboration between state and federal entities to enhance public safety initiatives and strengthen the capabilities of law enforcement agencies; and

WHEREAS, the establishment of a BIA law enforcement training academy in South Dakota would provide an opportunity to enhance the skills and training of law enforcement personnel serving Native American communities, thereby contributing to the overall safety and well-being of tribal members; and

WHEREAS, South Dakota is home to nine tribal nations, each with its unique heritage and law enforcement needs, making it an ideal location for a BIA law enforcement training academy that can tailor its programs to the specific challenges and nuances of the region; and

WHEREAS, the state of South Dakota is committed to supporting initiatives that promote professionalism, cultural sensitivity, and excellence in law enforcement to better serve and protect all residents: