

REPORT FROM THE PUBLIC SAFETY AND JUSTICE SUBCOMMITTEE

May 23, 2018

Tribal/Interior Budget Council

Committee Chair



PURPOSE OF THE WORKGROUP

1. **Analyze resources** in BIA and DOJ that support public Safety and justice, including courts, law enforcement, prosecution, legal services, victim services (HHS), detention, probation, and reentry services.
2. **Review funding methodologies** used by BIA / OJS and DOJ
3. Review **linkages** and existing **mechanisms** for collaboration between BIA OJS and DOJ programs
4. Consistent with TIBC's Recommendation to consolidate public safety funding at a single agency, **analyze which agency is best suited to administer a consolidated program** and **which funding streams** should be included
5. Assess whether **statutory changes** are required to address problems in either DOJ or BIA
6. **Identify Administration changes** that would address problems in either DOJ or BIA

MEETINGS / TELECONFERENCE CONDUCTED

- November 18, 2015: Workgroup Created
- March 11, 2016: Workgroup Teleconference
- March 22 – 23, 2016: Workgroup ID Chair
- April 5, 2016: Conference call with OJS – Mr. Cruzan
- April 13 – 15, 2016: Office visit to BIA OJS and DOJ
- May 10, 2016: Workgroup meeting
- Met at 2017 quarterly meetings

Appropriations Reviewed by Workgroup

- **BIA:** P/S & J Section of the BIA FY 2019 President's Budget – Overview of Programs and funding Methodology
- **DOJ** Indian country funding summary that correspond to DOJ's FY 19 Presidents Budget and House Commerce-Justice-Science bill

SUMMARY OF DOJ CHALLENGES

- **Time Limited:** Competitive grants don't work well. The time limitation leads to instability.
- **Heavy Administrative Burden:** There are 6 – 7 DOJ components that make grants.
- **Lack of Flexibility:** DOJ process doesn't give flexibility to use the money. It's very specific.
- **Funding is insufficient:** across the board, not enough funding.
- **Difficult and Laborious Application Process:** Even though CTAS is consolidated, the applications are extremely laborious.



Estimated Need (from NCAI Update)

BIA estimates in order to offer a basic level of service:

- \$1 billion for tribal law enforcement
- \$1 billion for tribal courts
- \$222.8 million for existing corrections facilities



Challenges to tribal public safety funding:

- 1) available funding falls well below the documented need;
- 2) funding is spread across multiple federal agencies with different programmatic and administrative requirements; and
- 3) DOJ funding is distributed via short-term, competitive grants that undermine program stability and hamper strategic planning.



Tribal funding for public safety, criminal justice, and victim services is spread across several agencies:

BIA - base funding for public safety & justice
→ approximately \$405M in FY 18

DOJ – competitive grants for specific purposes
→ approximately \$253M in FY 18

- HHS also has some grants for substance abuse, rehabilitation, violence prevention, and victim services.



Appropriations update - BIA

Public Safety and Justice	FY 2018 enacted	FY 2019 Admin Request	FY19 House Bill	FY19 Senate bill
Law Enforcement & Corrections	\$373.3 M	\$326.6M	\$378.6M	TBD
Tribal Courts	\$30.6M	\$22.1M	\$38.7M	TBD
Fire Protection	\$1.5M	\$1.4M	\$1.6M	TBD
Subtotal, Public Safety and Justice	\$405.5M	\$350.1M	\$418.9M	TBD

Appropriations update - DOJ



	FY 17	FY 18	FY19 Admin	House FY19
COPS Office	\$---	\$30M	\$10M	\$35M
Tribal Youth	\$---	\$5M	\$---	\$5M*
“Tribal Assistance”	7% (est. \$65M)	\$35M	\$93.8M	\$40M*
OVW Funding	est. \$50M	est. \$50M	Est \$50M	Est. \$50M
VOCA tribal funding	\$--	\$133M	\$115M	\$130M*
Approx. total	\$115M	\$253M	\$268M	\$260M

FY18 Tribal set-aside from the Crime Victims Fund

3% [\$133.1 million]
“to Indian tribes to
provide services to
victims of crime”



FY18 Tribal set-aside from the Crime Victims Fund



- Administered by the Office for Victims of Crime (OVC) at the Department of Justice
- DOJ must obligate the funds to tribal recipients by Sept. 30, 2018

Likely timeline

- DOJ consulted on this over the past year
- Series of telephonic consultations will be announced this week
- Expect a solicitation to be released in late June or early July
- Given the amount of funding available, we expect that all eligible tribes who apply will be funded
- Important to spread the word!



Likely parameters

- Will likely be a 3-5 year grant period
- Tribes will likely be able to request up to \$600,000
- Tribes will likely be able to use the funds broadly for to support victims



THANK YOU

- NEXT
- RECOMMENDATIONS
- INPUT
- July 10 Workgroup Meeting, before TIBC in Mystic Lake, MN