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. Access 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

<table>
<thead>
<tr>
<th>Public Safety and Justice</th>
<th>FY 2018 enacted</th>
<th>FY 2019 Admin Request</th>
<th>FY19 House Bill</th>
<th>FY19 Senate bill</th>
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<tbody>
<tr>
<td>Law Enforcement &amp; Corrections</td>
<td>$373.3 M</td>
<td>$326.6M</td>
<td>$378.6M</td>
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<tr>
<td>Tribal Courts</td>
<td>$30.6M</td>
<td>$22.1M</td>
<td>$38.7M</td>
<td>TBD</td>
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<tr>
<td>Fire Protection</td>
<td>$1.5M</td>
<td>$1.4M</td>
<td>$1.6M</td>
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<tr>
<td>Subtotal, Public Safety and Justice</td>
<td>$405.5M</td>
<td>$350.1M</td>
<td>$418.9M</td>
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## Appropriations update - DOJ

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