

**Remarks as Prepared for Associate Attorney General Tom Perrelli to the National
Congress of American Indians**

Niagara Falls, N.Y.

Hello everyone and thank you for giving me the opportunity to speak with you today. My name is Tom Perrelli, and I am the Associate Attorney General. I often remark about this being my sixth tour at the Department of Justice, and while my jobs at the Department have had somewhat wide-ranging responsibilities, very little has been as meaningful as my work in Indian Country. When I served as counsel to Attorney General Reno in the mid-1990s, I worked on and eventually chaired the Indian Country Law Enforcement Initiative that sought to bring additional resources and coordination to the our mutual efforts in Indian Country. And I worked with tribal leaders on the CIRCLE pilot project at Northern Cheyenne, Oglala Sioux, and Zuni Pueblo, a model project intended to provide a more comprehensive approach to improving public safety in Indian Country. I often talk about the CIRCLE Project as one of the most personally fulfilling parts of my career. I think it is fair to say that our efforts together led not only to increased resources for law enforcement and detention, which are of course important, but also for the treatment and prevention programs that make communities better. It is good to see so many friends in this room.

I want to talk today about how we can pick up on efforts like the CIRCLE project. My job today puts me up behind a podium, but I hope that this is the start of something much closer to a conversation. Tribal communities are facing great challenges, and have enormous opportunities. And while we at the Department of Justice have some resources that can help make your communities safer, we also know that it takes more than resources to fight and prevent crime. It takes real partnerships. At the Department of Justice, we are committed to more effectively partnering with tribal communities to improve public safety and the health of tribal communities.

Today I would like to talk about both sides of this, and talk a little bit about the past and present, and hopefully quite a bit about the future: I'd like to talk first about the resources that Department of Justice is, and has been, devoting to supporting your efforts. And then I'd like to talk about where we need to go from here, how I envision our relationship, and what I'm going to need from you.

First, let's talk about resources. We know that providing law enforcement services is expensive, and we know that it presents particular challenges when you're policing a large reservation with a small corps of officers. So our Office of Community Oriented Policing Services Program to date has provided more than \$330 million in assistance to law enforcement agencies in Indian Country. We know, too, that you don't always have the correctional facilities you need, so the President's American Recovery and Reinvestment Act dedicated \$225 million to providing correctional facilities on tribal lands. And we know that it is awfully hard to improve how you administer a law enforcement program when you don't have adequate measures of what is happening in your communities, so we are providing additional funds to improve the quality of tribal crime data gathering and information sharing. With the \$20 million

from the fiscal year 2009 omnibus appropriations bill for our Tribal Resources Grant Program, we hope that Indian Country law enforcement agencies will be able to give their officers better equipment, technology, and training.

I want to single out the resources coming out of our Office of Violence Against Women, which is coming up on its 15th anniversary and has played – and needs to play – a special role in Indian Country. All of us here know what violence against women has done to your communities. And again, I know that money alone is not going to solve problems. But OVW, thanks in part to the work of Lorraine Edmo, has distributed nearly \$62 million to assist tribal communities. It has also awarded more than \$86 million to grant projects reaching more than half of the Nation's 562 Indian Tribes. We're going to be asking more and more of Lorraine and her team. But I can't say enough about what OVW is doing, in particular in its effort to focus in on the communities that need it most.

That's the money side, but we are also working hard to put in place what I would call "structural" resources, that don't involve writing a check but do require the Department to stand shoulder-to-shoulder with you. During my work on President Obama's Transition Team, I was well aware of the NCAI's recommendations, and we have taken important steps towards those goals during these first few months. We look forward to working with you to pass a Tribal Law and Order Act of 2009. It shouldn't be a surprise that we have some suggestions and disagreements, but we need a bill like this, and we believe it will do a great deal of good if it is passed in the right form. In terms of structural resources, it would give new tools to tribal law enforcement that would undoubtedly help protect you and your neighbors.

The Department of Justice has also been committed to working with tribes to protect Indian communities from sex offenders and to enforce the Adam Walsh Act in Indian Country. We know that the issue is important and the sex offender registry is critical to keeping your children safe. So Attorney General Holder recently granted a one-year extension for tribes and states to comply with the Act's requirements, and our Office of Justice Programs is providing free access to the Tribe and Territory Sex Offender Registry System and is working with tribal lawyers to develop a Model Tribal Sex Offender Registration Code.

I'd like to mention one more structural resource that we're putting in place inside the Department. We support legislation to and intend to establish the Office of Tribal Justice, headed by my good friend and important advisor Tracy Toulou, as a separate and permanent component of the Department of Justice. The Department needs this voice on Indian Country issues on a permanent basis.

That brings me to the second aspect of our partnership: voices. As I said, our partnership depends on resources, both financial and structural. However, none of these resources will matter if we do not direct them properly and at the issues that matter. And while I believe that President Obama and Attorney General Holder – and I, frankly – have surrounded ourselves with tremendously talented staffs, I do not think that we can improve Indian Country law enforcement without acting as real partners with those who know the issue best. I have worked in Washington for a long time, and I know that federal officials are very capable of locking themselves in a room and coming out to present a plan that they say will save the world. We're

not going to do that, because it just doesn't work. We need to hear, and heed, your voices. It has been too long since that happened.

We're trying to make sure that your voices are heard in a number of ways. Attorney General Holder set the tone when he brought together state, local and tribal law enforcement officers to a summit almost immediately after he took office: to hear about what was happening on the ground in the communities, what the federal government was doing well, what it wasn't, and how we could work more effectively together across a wide range of areas.

The Attorney General will also continue to consult the Native American Issues Advisory Subcommittee, which consists of U.S. Attorneys whose districts include substantial Indian country, for policy advice on law enforcement issues in Indian country. That's important.

But I came to Niagara Falls today to tell you where we're going next, and to ask your help in helping us do better. I am pleased to announce that later this year, the Attorney General will convene a Tribal Nations Listening Conference to consult with tribal leaders on how to address the growing public safety crisis in Indian Country, and other important issues affecting tribal communities.

Although it has been a long time since the last one, the concept here isn't new. A National Listening Conference was sponsored jointly by the Departments of Justice and the Interior fifteen years ago, in 1994, and led to numerous initiatives, including major funding for tribal police, jails and courts. Both our current Deputy Attorney General, David Ogden, and I were personally involved in implementing those initiatives in the Department of Justice during the late 1990s. We have returned to the Department deeply committed to Indian Country justice issues. We know that if we do this right, we can have a major effect on tribal communities.

That's where you come in: We need to do this right, and we are going to need your help. A Listening Conference like the one the Attorney General will convene is only going to change the way we do business if we come out of it with concrete, specific proposals and take action. And while the Attorney General, the Deputy Attorney General, and I can convene the conference, engage in consultation (and I don't think there has ever been a tribal consultation with all three of the Department's highest ranking officials), and put the Department to work the next day, we want you to set the agenda. I know it would be easy for me to ask my colleagues inside the Department, like Lorraine and Tracy, to craft the initiatives. But that is not how this Tribal Nations Listening Conference is going to work.

So before we come together as a full body, we intend to hold smaller planning sessions to seek tribal representatives' input in setting the agenda. The Deputy Attorney General and I each plan to participate personally in those sessions and many others from the Department will be involved, but the work will be driven largely by tribal leaders and experts in the relevant areas. Some of the leaders and experts in these initial planning sessions will come from NCAI. With their input and guidance, we hope to begin a dialogue on a range of important issues. The Deputy Attorney General is eager to initiate critical dialogue on a host of Indian Country criminal justice issues, and I will seek your input on the Department's role in litigating cases related to Indian Country, civil rights, and how we work together under a variety of federal grant

programs. Together, we will engage tribal leaders on a true government-to-government basis on issues from law enforcement policy and personnel; communications and consultation; grants and technical assistance; detention facilities; federal prosecution in Indian country; tribal court development; domestic violence; drug courts and substance abuse; federal litigation involving tribes; and civil rights.

The Listening Conference is only the beginning. It will provide the foundation from which to take action. And taking action on criminal justice issues is exactly what the Department of Justice intends to do. I will work with the Deputy Attorney General to ensure that – drawing on the insights, guidance, and partnership of tribal leaders – we all make a meaningful difference together. I’m looking forward to working with you, once again.

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