

Tribal Narrative Profile (35%)

1. Describe the general form of your tribal government.

The Prairie Island Indian Community is a federally recognized Indian tribe organized under the Indian Reorganization Act of 1934. The reservation is located approximately 35 miles southeast of the Minneapolis / St. Paul metro area and 12 miles north from the city of Red Wing in Minnesota, and is literally situated on an island at the convergence of the Mississippi and Vermillion rivers. The tribe is governed under the terms and conditions of the Prairie Island Indian Community's Constitution and By-Laws adopted by tribal members on May 23, 1936, and approved by the Secretary of the Interior on June 20, 1936, as amended. The Constitution and By-laws provide that the Community Council (sometimes referred to as the "Tribal Council") shall be the governing body for the Community. A 5-member Tribal Council is elected to uphold the Tribal Constitution and by-laws, by the tribal members in the community every two years. The five-member Tribal Council consists of a President, Vice-President, Secretary, Treasurer, and Assistant Secretary/Treasurer. Several committees also play a key role in decision making processes. Committees such as: Housing, Enrollment, and Education. Tribal government departments include: Tribal Police Department, Land and Environment, Engineering, Legal, Education, Government Relations, Family Services, Tribal Court, Grants and Contracts, Finance, and Tribal Administration.

2. Briefly describe the tribal justice infrastructure as it relates to the following (if services are not available within the Tribe, please describe how they are accessed or provided):

a. Prevention and/or intervention initiatives and programs for members at-risk of involvement or already involved in the justice system (youth/adult):

Over the years, our Elders and Tribal Council's attention has increasingly focused on issues such as youth crime and violence, substance abuse, gangs, school dropouts, academic performance, and other issues associated with at-risk youth. We believe that at-risk youth and their families have multiple needs and interrelated problem behaviors that are not likely to be successfully addressed by single-response, stand-alone initiatives. We have structured our tribal government agencies into a community-based

collaborative focused on services integration that address clients' multiple needs by implementing a broad-based continuum of care and linking youth and families to a variety of services. Our Family Services agency works closely with our Education Department, our Tribal Court, and our Tribal Police Departments to coordinate intervention programs for our community members at-risk or involved in the justice system. This includes treatments plans for chemical dependency issues, a youth diversion program and afterschool programs including language and drum program and lacrosse where we have our tribal police visit the youth during these programs to better acquaint our youth with the officers and to foster our community policing initiative. Additionally, the Community exercise its sovereign right to banish individuals who are violating the Community's laws and exercising undue influence on young community members. Infractions involving alcohol and drug use are an especially pernicious problem that is often addressed through formal banishment proceedings.

b. Law enforcement, including any cross-jurisdictional agreements:

Prior to 2003 the tribe contracted with the City of Red Wing, MN for police services on the reservation. In late 2003 the Prairie Island Indian Community established the Prairie Island Tribal Police Department. Initially the department consisted of two Police Officers and a Chief of Police. In 2005 additional Police Officers were hired and trained, bringing the number of staff to seven. Since its inception the police department has established a strong relationship with the members of the community and visitors / tourists.

The department provides 24-hour coverage to the community with six patrol officers and a Chief of Police, handling approximately 4000 calls for service each year. Officers work a mixture of eleven and twelve hour shifts, typically alone, as the nearest assistance can take upwards of 20 minutes to arrive. All staff members are certified first responders or Emergency Medical Technicians and are trained to provide basic medical care as the closest ambulance service is stationed approximately 20-25 minutes away.

The Prairie Island Indian Community also has signed cooperative agreements with the City of Red Wing, Minnesota and the County of Goodhue, Minnesota. The agreement allows cross jurisdiction between all three entities, thus providing shared resources between the Tribe, the City, and the County. The cooperative agreements have been in place since the Tribal Police Department was established in 2003.

c. Courts:

In early 2000, the tribe established our Tribal Court. The tribal court caseload is predominantly child welfare cases with children under the custody of the Tribal Court and in out-of-home placement. The Tribal Court staff consists of a Chief Judge, a Chief Appellate Judge, 3 Associates Justices, and a Tribal Clerk of Court who provides basic services. The court pays for Court Reporter Services. The Tribal Court is located in the community center on the reservation and the court is funded through the Tribe's general fund at a rate of approximately \$170,000 a year. The Judges are on site only 2 to 4 times a month.

The tribe initiated the Tribal Court in by developing laws and ordinances pertaining to family and civil matter, thus recognizing and asserting Tribal sovereignty and jurisdiction within a Public Law 280 (PL280) state. Despite PL280, our Tribal Court continues to address many issues in the community and has a very close working relationship with adjoining State and local jurisdictions especially in our border counties of Goodhue and Dakota. This allows a free exchange of information to identify our community members and others residing in our community who are a danger to themselves and others and who are in need of detention and/or treatment services. Currently, the Tribal Court is strengthening tribal and non-tribal jurisdictional relationships by developing agreements and promoting resource commitments with other Tribal and State courts to enforce full-faith and credit orders, specifically, to locate and detain juvenile runaways. The court adjudicates the following ordinances and codes as seen in the chart below:

PIIC TRIBAL COURT ORDINANCES AND CODES AS OF 2012		
ALCOHOL & CONTROLLED SUBSTANCE	INVOLUNTARY CIVIL COMMITMENT	Title 1: Courts
COMMUNITY ADVISORY DATA PRIVACY	JUDICIAL DECISIONS TIME FRAME	Title 2: Rules of Civil Procedure
COMMUNITY CONDUCT	LIQUOR CONTROL	Title 3: Domestic Relations
CORPORATIONS & TRIBAL ENTITIES	NUCLEAR RADIATION CONTROL	Title 4: Rules of Appellate Procedure
ELECTION		<u>CODES:</u>
ENROLLMENT	PROBATE	Building Code
EQUAL OPPORTUNITY & INDIAN PREFERENCE	RECREATIONAL VEHICLE	Cigarette Code
EXPECTED CONDUCT	REFERENDUM	Commercial Code
FIREARMS	SALES & USE OF TAX	
FOOD SERVICE	TOBACCO	
FREEDOM OF INFORMATION	TRAFFIC	
GOVERNMENTAL RELATIONS	TRESPASS	
GUARDIANSHIP	TRESPASS NOTICE PROCEDURES	
HOTEL OPERATIONS & GUEST RELATIONS	WATER & WASTEWATER	
	WELFARE FUND	
	WORKMAN'S COMPENSATION	

The Tribal Court is currently making efforts to have the ability to address non-violent misdemeanor offenses.

d. Alternative dispute resolution:

Our community is faced sometimes with resolving complex disputes in a manner that is both loyal to our tradition and responsive to Anglo notions of due process. The resolution of a dispute in tribal court must always be administered with a dose of Anglo due process because of the need to have tribal judgments respected and enforced by outside court systems. With this in mind, we do promote and foster tribal customs and traditions as a manner of resolving disputes and reintegrating those values into modern Indian life. If there is a dispute, a community member can meet with Tribal Elders Committee. If a matter is not resolved with the Elders, our Tribal Court Clerk will meet with a community member to discuss options and hopefully find a resolution. If this is unsuccessful, the community member can meet with our Tribal Court judge for alternative dispute resolutions that may, if needed, incorporate mainstream Anglo due process.

e. Corrections, including juvenile detention facilities:

Our community does not have corrections or detention facilities. However, through our cooperative agreement with Goodhue County, Minnesota we utilize the Goodhue County Adult Correctional Facility for the detention of adult offenders. Since Goodhue County does not operate a juvenile facility, we utilize facilities owned by the State of Minnesota and the County of Dakota for detained juvenile offenders.

f. Services for victims/survivors of domestic violence, sexual assault, dating violence, and stalking:

Our Family Services Department consists of a Director, a State Licensed Drug Counselor, and two State Licensed Social Workers that devote most of their time to Indian Child Welfare and Out-of-home placements services. The Family Services coordinated with the Tribal Police and Tribal Court and provided Case Management services for victims/survivors of domestic violence and sexual assault. Through case management, we coordinate with outside providers for professional services as needed for our community members. We provided the community with resources and referrals for professional services.

g. Tribal reentry programs:

We currently do not have a formal tribal reentry program. When we have a tribal member that is returning from substance abuse treatment and/or incarceration, especially youth, we work with each individual through the Family Services Department's case management, resources, and referrals.

h. Sex offender registry obligations:

PIIC requires compliance by its community members (and spouses of members) that resides in the community, and is mandated by MN Statue to register in the sex offender registry. Non-compliance is grounds for banishment pursuant to tribal ordinance. We coordinate this with the Tribal Police Department and the Tribal Court on a case by case basis. Fortunately, there are extremely low numbers of such cases in our community.

3. Describe the significant tribal justice, community safety, juvenile delinquency, and victimization issues (e.g., child abuse, domestic violence, sexual assault, dating violence, and stalking) facing the Tribal Nation.

One of our tribal justice issues is increase in a transient population and police call volume within in our jurisdiction and our lack of capacity to adequately address the issue. Another significant community safety issue is that our tribal youth are gaining access to, abusing, and dealing drugs. Predominately prescription drugs, methamphetamine, and heroine. Additionally, we do not have any diversionary, formal probation, or community justice service programs in place. All of our justice service departments perform some form of probation service on a case by case basis but many forms of this type of service are not provided. Like many small, rural tribes, our staff wear many hats in order to keep our labor cost down. They do an excellent job but they are stretched pretty thin to be effective. Our small police force of 9 handled approximately 4,000 calls last year. Our Tribal Court heard over a little 300 cases. Our Family Services assisted over 200 cases.

1 Explain why these issues are the most pressing.

Our community has experienced several drug related deaths in the last few years. A majority of these deaths were people 20-30 years old. We are currently working with Tribal Elders, concerned community members, and our government officials and have identified this problem as our highest priority. Unfortunately, gangs have also encroached upon our community and are directly related to the illegal drug problems as gangs are key means for trafficking drugs into the community.

2 Ensure that the problems described are connected to the purpose areas for which the Tribe is applying.

Our CTAS project goals and objectives are aligned with as follows:

Purpose Area	Problem	Goals and Objectives
PA1: Public safety and community policing:	Problem: Increased traffic, transient population, and call volume within our jurisdiction.	Goal: To increase the Tribal Police Department's capacity to address a higher volume of calls and address related policing issues. Objective: To provide necessary police training and resources.
PA3: Justice systems and alcohol and substance abuse	Problem: The lack of diversionary, probation, or community service programs in place.	Goals: to develop a Community Juvenile Justice Component that is a cohesive part of the community justice services. Objective: To hire a Community Services Officer (CSO) and implement a CSO Department that provides diversionary, probation, or community services.
PA4: Corrections and correctional alternatives	Problem: The Prairie Island Indian Community (PIIC) is experience an increase in overcrowding in the use of its Public Safety Building (PSB) and a decline in our justice system cohesiveness.	Goal: To create a more cohesive justice environment. Objective: To build a multi-purpose justice center that would house all of our existing justice services departments.

goals and objectives to proactively address the most serious Tribal law enforcement and Tribal justice system issues which includes illegal drug/meth use and drug dealing within our community and the related effects that affect our public safety and judicial systems. These problems will to be addressed by

increasing the capacity of or Tribal law enforcement agency and Tribal Court system for safer communities, and to enhance our Tribal law enforcement's and Tribal Court's capacity to prevent, solve, control and better manage these types of crimes and justice issues.

4. Describe current and future plans to comprehensively address the Tribe's public safety, criminal and juvenile justice, or victimization issues (e.g. violent crime, drug-related crime, child abuse, elder abuse, and domestic violence, sexual assault, dating violence, and stalking)).

In 2009 the community invested in a Public Safety Building with offices and garage space for police staff and vehicles. Since that time, Tribal Court operations have been moved into the Public Safety Building in an effort to create a more cohesive relationship between public safety and the courts. The move has created several challenges previously mentioned. To address these challenges, in 2014 representatives from the Police Department and Courts met with several stakeholders to identify problems within the community. Our goal was to brainstorm long and short term solutions to these problems. The stakeholders included The Tribal Judge, Tribal Elders, Tribal Council, Family Services Department, Education Department, Community Leaders, and a group of parents and mental health professionals addressing teen depression and suicide. Discussions revealed that there is a need for a multi-purpose justice center that would house all of our existing departments and create a more cohesive justice environment. Additionally, we agreed that there was a need for a Community Services Officer (CSO) as a resource for The Tribal Court, Police Department, and Family Services Department, and our Education Department. The CSO would provide diversionary, probation, and community services such as truancy. Also, we discussed that this new Justice Center should have a dedicated Tribal Court Room and offices for Family Service, Probation, and Court Client Privacy.

Additionally, the Prairie Island Police Department and Tribal Court recently formed a partnership with the Tribal Elders, community leaders and concerned community parents, and Tribal Government

Officials to address a growing concern over methamphetamine, heroine, and prescription drug abuse use within and around the tribe and the related effect it has on families and the growing number of out-of-home child placements. This partnership has allowed us to define other concerns within the community, as well as allowing us

5. Additional information:

Few communities face the spectrum of potential dangers the Prairie Island Indian Community (PIIC) faces. Several critical infrastructure and key resources border the community, including the following:

1. Nuclear Reactors, Materials, and Waste: Most significant is the Prairie Island Nuclear Generating Plant (PINGP). The PINGP is located only 600 yards from PIIC. Moreover, PINGP stores spent nuclear fuel in dry cask storage containers at its facility. A 5.5-acre used fuel storage facility at PINGP now has 24 dry-storage containers. Each storage cask contains 40 spent fuel assemblies for a total of 960, which represents over 25 tons of nuclear waste.

2. Transportation Systems: The Canadian Pacific Railway transports approximately 22000 carloads of hazardous materials including anhydrous ammonia and chlorine through the community each year. Its mainline intersects the main road the only year-round passage on or off PIIC. 30 to 40 trains up to 10000 feet long block this passage for several minute intervals several times a day.

3: Single road access: PIIC is located on 2500-acres that are surrounded by the waters of the Mississippi River. As a result of the water around PIIC, there is one main road that leads into our community. In addition, the community operates a resort that attracts a large population that travel on the single, four lane undivided road. There was an average daily traffic count of 11,500 in 2003 and a projected count of 17,250 in 2025. Large numbers of vehicles and busses travel to and from PIIC each day carrying an average of 5000 people daily most visiting the PIIC for recreation. The combination of these assets and the population creates unique characteristics only add to the issues identified in this proposal.

Finally, since the establishment of the Tribal Court and our Tribal Police Department, we have been making adjustments to our general budgets and cutting other tribal services to allow for funding the Tribal Court and Public Safety departments. Because we are in a Public Law 280 state, we have NEVER been provided Bureau of Indians (B.I.A.) funding for either departments. Our last petition for funding from the B.I.A. was denied. According to Mr. Christopher B. Chaney, Deputy Bureau Director, Office of Law Enforcement Services of the U.S. Bureau of Indian Affairs (B.I.A.), the B.I.A. has no resources or funding to dedicate to our community. This due to Public Law 280 (PL280) and the extension of State law enforcement jurisdiction (see attached letter from Director Chaney of the Bureau of Indian Affairs). Additionally, despite the PL280 State law enforcement jurisdiction, we ironically do not receive State funding. We have repeatedly turned to our Senator and Congressman for funding assistance. Our last attempt, in early 2011, was not successful. We were visited by Senator Franken's Southern Field Representative Nat Arch, and provided only a print out of a web-site press release that announced Sen. Al Franken's office would not be able to submit request for funds on behalf his constituents after Senate Appropriations Committee Chairman Sen. Daniel Inouye said that the committee would not be accepting any requests for earmarks (see attached). Fortunately, we have been successful at obtaining some grant funding, but there are no guarantees that this funding will continue especially since President Obama issued a sequestration order March 1, 2013 canceling approximately \$85 billion in budgetary resources across the Federal Government. We hope to build up our police capacity as much as possible before federal funding is reduced or eliminated.