



Associate Deputy Attorney General

Washington, D.C. 20530

RUSH TO

June 27, 1997

*+ return
Bruce/Carroll*

After however many weeks, DIT/DOI sent

MEMORANDUM

TO: Elena Kagan
Deputy Assistant to the President
for Domestic Policy

FROM: David W. Ogden
Associate Deputy Attorney General

SUBJECT: Law Enforcement in Indian Country

This over Friday night with the "request" that we issue it by Tuesday. Take a look at it.. I guess if it's fine with Lynn, it's fine with me, though it's unremittably bleak. (There's also one sentence I don't understand.) Let me know ASAP.

As we discussed, I am forwarding for your review a draft Presidential directive on law enforcement in Indian Country. It directs Attorney General Reno and Secretary Babbitt to analyze the public safety crisis in Indian Country and provide their findings and recommendations to the President no later than November 14, 1997. *It should also get their reprogramming proposal.*

With apologies for the extremely short notice, I am told that the signed Presidential directive and reprogramming proposal must be sent to the Hill no later than July 3, 1997 in order to be acted upon during the appropriations process. As a practical matter, this means that if at all possible the Presidential directive must be issued no later than July 1, 1997 in order to ensure that this effort can be funded. Our JMD staff has already been in contact with OMB Justice/GSA Branch Chief David Haun. They have incorporated his informal recommendations into their proposal and stand ready to do everything they can to help move this through the process as soon as the directive is signed. *Elena*

Ideally, we would highlight the issuance of the directive with an event involving the President. Those of us working on this issue have discussed the possibility of a radio address or White House event and are prepared to assist with whatever roll-out effort the DPC deems appropriate. Given the time exigencies, however, we recognize that constraints on the President's schedule will dictate our options. It may be better to announce

the directive through a press release, reserving a larger announcement for the issuance of the recommendations to the President next Fall. In any event, we are ready to assist in whatever kind of announcement is deemed appropriate.

Please call me if you have any concerns or questions about the directive or timing. Thank you for your assistance.

Attachment

cc: Seth P. Waxman
Acting Deputy Attorney General

Charles F.C. Ruff
Counsel to the President

Lynn Cutler
Deputy Assistant to the President and
Deputy Director of Intergovernmental Affairs

Anne Shields
Chief of Staff
Department of the Interior

MEMORANDUM FOR THE ATTORNEY GENERAL AND SECRETARY OF THE INTERIOR

SUBJECT: Law Enforcement in Indian Country

I am proud of this Administration's progress in reducing violent crime and improving public safety for our Nation's citizens. Our efforts are making an important difference. Nationwide, the violent crime rate has dropped approximately 17 percent since 1992, and the homicide rate has declined about 22 percent.

Unfortunately, during the same time period life has become much more violent for the 1.2 million Indian citizens who live on or near reservations. Indian Country homicide rates, for example, have risen dramatically -- over 80 percent, often surpassing the rates in large American cities. Numbers alone cannot convey the tragic impact of such violence on Indian families and their communities.]?

This and other information you have provided to me make it clear that we need to enhance available resources in Indian Country to address this growing problem. While some tribal governments have developed strong law enforcement programs, many others have encountered significant difficulty in doing so. On a number of reservations, the number of police officers and investigators has diminished to the point that many violent crimes occurring on Indian lands remain not only unsolved, but uninvestigated. Jails are grossly substandard. Many Indian citizens receive police, investigative, and detention services that lag far behind even this country's poorest jurisdictions.

As President, I recognize the federal government's obligation to act, arising from our long-standing trust relationship with Native Americans, and from federal statutes that set forth our law enforcement responsibilities in Indian Country. We cannot look to others to solve this problem. Until we address this problem with resolve, with adequate resources, and with seamless interagency cooperation, the scourge of guns, drugs, domestic violence, and juvenile crimes will continue.

For these reasons, I hereby direct the Attorney General and Secretary of the Interior to analyze the law enforcement crisis and develop a comprehensive proposal for improving public safety and criminal justice in Indian Country. Consistent with the spirit of my September 1994 memo on government-to-government relations and tribal self-governance, Indian tribal leaders should be asked to participate directly in the process of developing solutions. I further direct the Departments of Justice and Interior to submit their recommendations to me no later than November 14, 1997.

Recognizing the dire situation in Indian Country, I ask that you reach out to tribal leaders and others around the country to

work with us toward a viable solution. To this end, I pledge the full support of my Administration to achieving adequate and effective law enforcement services in Indian Country.

William J. Clinton