

**TESTIMONY OF
JOSEPH PAVEL, VICE-CHAIRMAN
OF THE SKOKOMISH TRIBE OF WASHINGTON STATE
BEFORE THE HOUSE APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES
ON THE BIA, IHS AND EPA FY 2013 BUDGET REQUEST
MARCH 19, 2012**

I am Joseph Pavel, Vice-Chairman of the Skokomish Tribe of Washington State. I would like to thank the Subcommittee for the opportunity to present testimony on the FY2013 Interior and Related Agencies Budget.

Like all governments, the Skokomish Indian Tribe handles a number of everyday operational responsibilities as well as continuing the necessity of long-term planning activities. Daily the Tribe continues to strengthen the institutional and executive capacity to effectively manage the expansion of new programs. The Skokomish Indian Reservation is a rural community located at the base of the Olympic Peninsula with a population of over 1000 people. The 5300 - acre Reservation is a fraction of the 2.2 million acre of the Tribe's Treaty area. The Skokomish Tribe operates several departments including Administration, Community Development, Information Services, Early Childhood Education (includes the Skokomish Head Start program), Education, Health Clinic, Housing, Legal, Natural Resources, Public Safety, Public Works, and Tuwaduq Family Services. These departments provide a broad range of governmental services to our citizens.

I. BUREAU OF INDIAN AFFAIRS PROGRAMS

A. Law Enforcement. The Skokomish Tribe respectfully requests increased funding for our law enforcement programs within the Bureau of Indian Affairs.

The Tribal Council created the Skokomish Department of Public Safety in 1995. The department has grown from one (1) untrained officer, to six (6) Washington State certified/Washington State equivalency trained or BIA certified law enforcement officers. The SPSD provides land and water patrol, and emergency services 24/7 in Hood Canal Basin. It enforces tribal ordinances, treaty rights, court orders, and state/federal statutes. Our officers provide day-to-day law enforcement services on the Reservation. They are also responsible for patrolling the 2.2 million acres that make up our treaty protected fishing and hunting areas. SPSD not only services the Reservation but also roughly 10,000 neighboring county residents and 15,000 annual tourists.

Skokomish dispatch is cross linked with Mason County Dispatch. With only one scheduled per shift, Public Safety Officers patrol alone and respond alone to both misdemeanor and felony calls. Officers are placed in danger because back up from other agencies could be delayed in responding, if they are available at all. For natural disasters, SPSD officers are recognized as 1st Responders for the area. To be fully staffed at a baseline minimum for the area and scope of service that the Skokomish Department of Public Safety is tasked with, we need a total of eighteen (18) officers. Thus, we are almost 80% below what is needed to safely serve our

community. Currently, the Tribe contributes approximately \$200,000 per year to cover the BIA shortfall in funding for the Tribe's Public Safety Department. This funding comes from fuel taxes levied by the Tribe. In an effort to efficiently use our limited resources, the Tribe entered into a memorandum of understanding with the Mason County Sheriff's Office to use a provisional officer on an as-needed basis. This occurs when one of the 4 patrol officers is on leave or training.

The Tribe constantly looks for ways to efficiently use the funding available while improving services. Recently, the Tribe worked with the BIA Office of Justice Services (OJS), to receive technical assistance. The technical assistance came in the form of a monitoring process designed to evaluate the compliance of policy, standards, and professional practices of the Tribe's law enforcement program. The BIA evaluator used a Program Monitoring Instrument (PMI) which consists of standards that will be reviewed and evaluated to determine if the program is in compliance with each specific standard. The department has already used the initial recommendations to begin improving in areas of training, re-writing the standard operating procedures; and instituting community policing strategies. In the end, the Tribe will be able to document that we meet and/or exceed the standards of the BIA for public safety agencies.

We strongly support the \$500,000 request for Conservation Officers. These law enforcement professionals serve a vital role in ensuring that our fishermen are able to properly exercise their rights to the treaty-protected resources. The Tribe has to cover and manage a large area in fisheries related activities. Over the past few years we have experienced increased tension between treaty fishermen and non-Indian fishermen. While these conflicts have not escalated into serious physical harm, we fear without proper law enforcement presences that it will.

B. Tribal Courts. Having a fair and qualified judiciary is the bedrock of any government's justice system. Skokomish has long understood this. In 1963, the Skokomish Tribe was the first Tribe in the Northwest (and one of the first in the country) to institute a tribal court.

Today, Tribal Courts handle huge criminal, civil and juvenile dockets, which could not be handled by the already over burdened state and federal courts. At the close of 2011, Skokomish had 362 open cases compared to 447 open cases at the end of FY2010. These cases range from criminal cases to child welfare cases. With the use of the one-time funding award from the BIA in FY2011, we hired a Probation Officer. The Probation Officer has helped satisfy and close 83 cases and continually meets with probationers. This Probation Office has resulted in a great deal of success in clearing criminal cases and providing support for our tribal members to exit the criminal justice system. We fully utilized this funding until it was exhausted. Although we have many needs with our limited resources, the Council approved the use of Tribal funds for the continuation of the probation program. We believe it is beneficial to the members of the Tribe to have a probation program.

Thus, we urge Congress to support Tribal Courts and provide at least the \$1.1 million that the Administration has requested and encourage the BIA to fund and support Tribal probation officers for Tribal Courts.

II. INDIAN HEALTH SERVICE

The Skokomish Tribe strongly supports the \$4.422 billion budget request, an increase of \$115.9 million over the FY 2012 enacted level. We have a Tribally-operated Ambulatory Health Center located in a geographically challenged area and continue to face financial barriers that are not unique to the Skokomish Tribe, but unfortunately plague Indian Country as a whole. Our Contract Health (CHS) Funds continue to be taxed and we appreciate the proposed programmatic increase to CHS of \$20 million. We continually ask for CHS increases and we do know this need will always be in existence and especially with the rising cost of health care and the increased serious health issues our patients are experiencing such as cancer, diabetes, and heart disease. One proposal to address these costs is the NW Portland Area Indian Health Board's efforts to develop three regional health facilities in the Portland Area to send our Tribal members to for specialty health services not provided in our tribal clinics. This would reduce the CHS expenditures currently spent at local specialty providers.

Another way to reduce the burden on CHS is to focus on prevention and find innovative ways to make our community healthier. By investing in our member's health up front and focusing on prevention up front, we hope to offset the rising CHS costs. In this regard, we support adding additional funding for the Health Protection and Disease Prevention Program. One of the Skokomish Health Center's long term goals is to build a culturally sensitive wellness center to focus on prevention, medical and holistic healing programs.

Due to recent cuts in State Medicaid funding, we have experienced a growing strain on our substance abuse treatment resources. We urge additional funding to be available for treatment. In this regard, we currently do not have a recovery after care facility for our clients when they finish treatment. If a client lacks the resources and family support, they are left to return to their previous addiction environments, which is likely to reduce their chance of success at recovery.

Finally, related to mental health, we have identified a need for a youth mental health facility. While there are youth substance abuse treatment facilities, there are no facilities available to treat mental health issues for youth, who do not have any substance abuse issues. This recently hit home as we had a young teenage girl who had no substance abuse issues but was in need of in-patient mental health services. After exhausting all avenues to find a Tribal/IHS mental health facility to place this young lady in we were unable to locate one. The child is on the East Coast and will remain in a non-Tribal/IHS institution for lack of a facility available to bring her closer to home with her extended family on the Skokomish Reservation. This young lady has attempted suicide on several occasions at the facility where she is currently located. We urge Congress to direct the IHS to report on its effort to develop a youth behavioral health facility to meet the growing mental health needs of our Native youth.

III. TRIBAL HISTORIC PRESERVATION PROGRAMS

In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination. These programs conserve fragile places, objects and traditions crucial to tribal culture, history and sovereignty. As was envisioned by Congress, more tribes qualify for funding every year. Paradoxically, the more successful the program becomes, the less each tribe receives to maintain professional services, ultimately crippling the programs. In FY 2001, there were 27 THPOs with an average award of \$154,000. Currently there are 132 tribes operating the program, each receiving less \$51,000. We join the National Congress of American Indians and the National Organization of Tribal Historic Preservation Officers in supporting the requested \$15 million increase in funding for this program.

IV. ENVIRONMENTAL PROTECTION AGENCY

The Skokomish Tribe urges the Subcommittee to maintain funding for key environmental programs, in particular, funding for Puget Sound restoration efforts. This funding is critical to the collaborative efforts to restore the health of the Puget Sound, and in particular the Hood Canal—the Jewel of the Puget Sound. The program is vital to the Tribe’s efforts to manage and protect our treaty protected resources in the Hood Canal.

Conclusion. The Tribe thanks the Subcommittee for the opportunity to present testimony on these important issues.