



Committee On Finance

Max Baucus, Ranking Member

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For Immediate Release

Tuesday, September 21, 2004

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Statement of U.S. Senator Max Baucus Hearing on "Indian Jails: A Clarion Call for Reform."

"Thank you Mr. Chairman. I appreciate your calling this important hearing. Mr. Chairman, the Bible tells that "God created man in his own image." That account teaches that every person reflects at least a little bit of the divine spark. It teaches that we owe at least a basic amount of respect to all human beings, no matter who they are, because of their humanity.

This April, we saw another image of man. The searing photos from Abu Ghraib prison in Iraq revolted every one of us. Because they showed us what can happen when people with power lose that basic respect for another's humanity. That's what's involved in prisoner abuse. Today, we will hear reports of mistreatment of American prisoners, right here in the United States. And while no one has alleged deliberate abuse, the deplorable conditions that the Inspector General documents also reflect a loss of that basic respect for prisoners' humanity.

The Inspector General's report paints a dismal picture of many prisons on Indian reservations. Facilities housing scores of inmates never have more than one or two staff on duty at a time. Juveniles killed themselves, because no one supervised them. And at the Blackfeet prison in Montana, every single officer has been assaulted in the past year. Some facilities have inadequate plumbing. Sewage floods the jails. Many facilities do not have kitchens. Many have no medical units. Some prisons do not even have adequate locks.

These conditions are unacceptable. They must be fixed. When cannot fight for human rights abroad, if we fail to protect them at home. In these facilities, we have failed. Today, we will hear about problems. And we will look for solutions.

As one way to address the funding deficiencies at the jails, I intend to introduce a proposal and work with Senator Grassley to give tribes the authority to issue tax credit bonds for the construction, maintenance, and operation of their detention facilities. These bonds give off tax credits rather than interest to their investors, allowing tribes with little resources to earn interest off the proceeds. This interest can provide a steady stream of income designed to maintain and staff the jails.

As our witnesses will tell today, prison funding can be a matter of life and death. The Inspector General will chronicle years of neglect by the Bureau of Indian Affairs. That neglect must end. The report will also make important recommendations for improvement. The Bureau should implement them immediately. Among other things:

- The Bureau of Indian Affairs must develop reporting protocols to identify serious incidents and problems with the facilities that require immediate assistance.
- The Bureau must establish clear channels of accountability.
- The Bureau must improve staffing immediately to avert further tragedies like those chronicled in the report.
- And the Bureau must make major improvements in detention facility standards and policies, maintenance, health care and social services, and personnel training and hiring practices.

We will also hear from the Bureau of Indian Affairs. I hope that they will offer concrete steps that can be taken to fix these problems. The Bureau has neglected its duty for too long. While funding shortfalls account for part of the problem, they are not the whole story. When the Bureau reportedly has in place no standardized procedures for reporting serious incidents like suicides and violent attacks on guards, how can the Bureau intelligently allocate the scarce resources it has?

We will also have a representative from the Department of Justice. The Department of Justice is responsible for making budget requests for the funding of Indian jail construction. I am eager to hear what the Department is doing to address the state of these facilities.

Finally, we will hear from two witnesses who have been personally touched by this crisis. It is my honor to introduce William Talks About Jr., Chairman of the Blackfeet Business Council, from my home state of Montana. Chairman Talks About is a friend of mine. And I am proud to have him here as a witness today. I know that the Bureau of Indian Affairs-run facility on the Blackfeet reservation has been one of the worst facilities in the country. I look forward, Mr. Chairman, to hearing your thoughts on how this situation can be improved, and what steps we in Congress need to take in order to make sure these conditions change.

Ms. Sohappy, I am deeply sorry for your loss. We are holding these hearings today, and plan to introduce our legislation in order to prevent the type of tragedy that you have had to endure. The Committee, and the country owe you a terrific debt for coming here today, and telling us your story.

We in government cannot fix every problem. But ensuring the basic human dignity of Americans is perhaps among our most solemn responsibilities. Today, and in the days ahead, let us rise to that duty. Let us do what we can to ensure that every person receives at least that basic amount of respect that we owe to every human being, every one of them created in the image of God.”

