

We understand there is a new tribal police force system for the Oglala Sioux Tribe.

What is your viewpoint of how that is working out in the La Creek District in Martin, where you live?

MS. FLYE. As compared to a few years back when the BIA had the law and order system, it is a lot better in that when the law and order was under the BIA, most of the policemen were stationed in Pine Ridge. That is about 50 miles away from Martin. Any time we needed the help of the law, we had to call over to Pine Ridge; sometimes it was 2 hours, 3 hours and sometimes they never showed up. It was bad back then.

MS. HUBER. How it now?

MS. FLYE. It is a lot improved.

MS. HUBER. Why?

MS. FLYE. Because the police are right there, right in the community. They are right down the street when you need them.

MS. HUBER. Ms. Means, would you like to comment on how the tribal police system is working out in the Porcupine District?

MS. MEANS. Well, it is my personal view again after seeing when it was under the Bureau, the Bureau has the civil service, you know, and they use that too in hiring and firing people, and it is almost impossible to get somebody known to be a real pig fired. The Bureau usually transferred them to another reservation.

MS. HUBER. How is this system now?

MS. MEANS. Now, the tribal police, we get along with them good at Porcupine. We have a community police review board. If there is any trouble, they have a way to view the complaint and the grievances and the people on the police force, we know them and get along very well.

CHAIRMAN FLEMMING. Thank you very, very much for being with us, providing us with this testimony. We appreciate it.

Counsel will call the next panel of witnesses.

MS. HUBER. Could we have Sheriff Ed Cummings, Sheriff Bruce Madsen, Lt. Lee H. Antelope, and Lt. Ellsworth Brown, would you please come forward.

[Lieutenants Antelope and Brown and Sheriffs Cummings and Madsen were sworn.]

TESTIMONY OF LEE H. ANTELOPE, LIEUTENANT, OGLALA SIOUX TRIBAL POLICE, LA CREEK DISTRICT; ELLSWORTH C. BROWN, SR., POLICE LIEUTENANT, EAGLE NEST DISTRICT; ED CUMMINGS, SHERIFF, MARTIN, BENNETT COUNTY; AND ARNOLD BRUCE MADSEN, SHERIFF, JACKSON-WASHABAUGH COUNTY

CHAIRMAN FLEMMING. Thank you. We appreciate your being here.

MS. HUBER. We would like to begin by getting some background information. Sheriff Cummings, could you begin by identifying yourself and describing your position and the geographical area within your law enforcement jurisdiction?

MR. CUMMINGS. My name is Ed Cummings, Bennett County sheriff, Martin. And I am responsible for all the deeded or nontrust areas in Bennett County.

MS. HUBER. And how many square miles would that be?

MR. CUMMINGS. I have no idea. I don't know.

MS. HUBER. How many deputies or patrol officers do you have working under you?

MR. CUMMINGS. I have four deputies.

MS. HUBER. Could you briefly summarize the nature of your experience and training as a law enforcement officer?

MR. CUMMINGS. I have been involved in law enforcement in Bennett County since January of 1975. I spent 5 weeks at the criminal justice training center in Pierre for the law enforcement training sessions and a couple of kind of job-related training sessions.

MS. HUBER. So you have been a law enforcement officer essentially for 3 years?

MR. CUMMINGS. Yes, since 1975, January of '75.

MS. HUBER. You are an enrolled member of the Oglala Sioux Tribe; is that correct?

MR. CUMMINGS. That's correct.

MS. HUBER. Lieutenant Antelope, could you state your full name and position and the geographical area you cover?

MR. ANTELOPE. My name is Lee Antelope. I am a lieutenant of the La Creek District of the Oglala Sioux Tribal Police in Martin, and my responsibility is trust area in Bennett County at this time.

MS. HUBER. Is it fair to say that your responsibilities are for those areas that are not Sheriff Cumming's responsibility, with the checkerboard jurisdiction?

MR. ANTELOPE. Right.

MS. HUBER. And could you tell us briefly the nature of your experience and training as a law enforcement officer?

MS. HUBER. I have been in law enforcement just about 8 years. I worked for several sheriff's departments in New Mexico. I worked for the Bureau of Indian Affairs police in Rosebud, for the tribal police in Pine Ridge right now.

MS. HUBER. And when did you start working for the Oglala Sioux Tribe?

MR. ANTELOPE. Twenty-fifth of April, last year.

MS. HUBER. Have you had any kind of specialized investigative training?

MR. ANTELOPE. Altogether I have about 280 hours, mostly training from the FBI in investigative techniques and related training to investigation.

MS. HUBER. That is criminal investigation?

MR. ANTELOPE. Yes.

MS. HUBER. Are you a member of the Oglala Sioux Tribe?

MR. ANTELOPE. No, I am not.

MS. HUBER. What tribe are you a member of?

MR. ANTELOPE. Rosebud.

MS. HUBER. Lieutenant Brown, will you tell us your name and your position, please?

MR. BROWN. My name is Ellsworth C. Brown, Sr.

MS. HUBER. And your position?

MR. BROWN. I am a lieutenant from Eagle Nest District.

MS. HUBER. Is that on the Pine Ridge Reservation?

MR. BROWN. Yes, that is on the Pine Ridge Reservation in Wanblee.

MS. HUBER. Is that the area that Mr. Whirlwind Horse and Mr. Brown were discussing earlier?

MR. BROWN. Yes, it is.

MS. HUBER. How many patrol officers do you have working under you in the Eagle Nest District?

MR. BROWN. Well, I have two.

MS. HUBER. And could you tell us your experience and training as a law enforcement officer?

MR. BROWN. Well, after I got out of the service in '64, I worked for the Cheyenne River Sioux Tribal Police. And I quit there and it's been a number of years and then I come to Pine Ridge and I work on the tribal police force now. I have had about 5 years altogether.

MS. HUBER. And what kind of formal training have you had in law enforcement and investigative techniques?

MR. BROWN. Well, in the training, like Lieutenant Antelope said, we got 280 hours in investigation and supervision.

MS. HUBER. Sheriff Madsen, could you tell us your name and position, please?

MR. MADSEN. Arnold B. Madsen, Jackson-Washabaugh County Sheriff. And as far as law enforcement, I have been in it approximately 3-1/2 years now.

MS. HUBER. Was that when you were elected sheriff?

MR. MADSEN. Yes, it was.

MS. HUBER. What area do you cover?

MR. MADSEN. We have Jackson County and the non-Indians in Washabaugh County.

MS. HUBER. Is that the jurisdictional situation that Mr. Hogen described earlier with the organized and unorganized counties?

MR. MADSEN. Yes, it would be.

MS. HUBER. What formal training have you had as a law enforcement officer?

MR. MADSEN. I went for the 3 weeks certification school at DCI.

MS. HUBER. Tell us what DCI is?

MR. MADSEN. Division of Criminal Investigation in Pierre plus another week of orientation before I took over as sheriff. And we do take numerous courses in such—some college courses in criminal justice. And they have special courses anywhere from 1 and 2 days up to 1 week or 2 weeks that a fellow can take. Some of it's offered through the FBI to the DCI.

MS. HUBER. Have you taken any courses?

MR. MADSEN. None here lately, no.

MS. HUBER. And how many deputies do you have working for you?

MR. MADSEN. I have two of them working for me.

MS. HUBER. We have been discussing the recent decision in the *Oliphant* case as to the handling of non-Indian offenders who may commit offenses on reservation or trust land.

Lieutenant Brown, could you tell us how it's handled if you or one of your officers observe a non-Indian committing some sort of offense within Washabaugh County on the Pine Ridge Reservation?

MR. BROWN. Well, the one thing that happened was that about 8 months ago one of my officers went and stopped a vehicle for a DWI and when we turned it over to Sheriff Madsen—well, the State's attorney went and had my officer go ahead and make a citizen's arrest and then went to court up there in Kadoka and the person got convicted.

MS. HUBER. Did your officer testify in the State court?

MR. BROWN. Yes, he did.

MS. HUBER. Is this the usual way that it would be handled if one of your officers observes a non-Indian committing an offense?

MR. BROWN. Well, yes, that is what I and Sheriff Madsen was talking about. That is the way we worked it out. We didn't talk to anybody else but that is—

MS. HUBER. That is what you would do?

MR. BROWN. Yes.

MS. HUBER. What happens if, for example, you would stop an intoxicated driver who turns out to be a non-Indian? How do you handle that in terms of detaining the person?

MR. BROWN. Well, I would call Sheriff Madsen over and have him take the matter. Until he makes the arrest, I will be the one that signs the complaint.

MS. HUBER. What will you do with the driver in the meantime until Sheriff Madsen gets there?

MR. BROWN. Well, I will hold him right where we're at. We have a substation down there where we keep them. And it's just a matter of minutes before Sheriff Madsen can get there.

MS. HUBER. Would you like to comment on what Lieutenant Brown said as far as handling of non-Indian offenders, Sheriff Madsen?

MR. MADSEN. Yes. In our area, that is the way it works. And like I said, it's working real well between the tribal officers and myself.

MS. HUBER. Lieutenant Antelope, how does it work in Bennett County if you or one your officers observe a non-Indian committing an offense on Indian trust land?

MR. ANTELOPE. Well, up until now we have arrested the person and produced them at the sheriff's office at which time we sign a complaint and incarcerate them if it was a jailable offense.

MS. HUBER. What happens to the case in court?

MR. ANTELOPE. We take them to the county court or State court or whatever or the magistrate, see the magistrate for that matter and dispose of it that way.

Ms. HUBER. Does the State's attorney accept your arrest as a citizen's arrest and take the offender to court?

MR. ANTELOPE. Yes, he does.

Ms. HUBER. Are you satisfied with the system for handling of non-Indian offenders, the way it's working out in Bennett County?

MR. ANTELOPE. In Bennett County, it's all right. I have a little trouble with Shannon County which is the reservation itself. I have to go to Hot Springs to sign a complaint. I think I had one person pending on the court action for about 5 months. It was a simple speeding ticket. I never got it to court yet.

Ms. HUBER. It's not working as fast there.

Sheriff Cummings, would you like to comment on how it's working between you and Lieutenant Antelope as to non-Indian offenders arrested on trust land?

MR. CUMMINGS. I think it's about like Lee says, until now we have worked pretty well. Lately, we have been working pretty well together. I don't know of any single instance that the State's attorney has refused to accept a complaint from one of the tribal officers.

Ms. HUBER. Thank you.

Sheriff Madsen, would you describe the nature of the working relationship you have with the Oglala Sioux tribal police officers in Washabaugh County?

MR. MADSEN. Yes, I would say that we have a very good working relationship. We have had instances just in the past 2 or 3 weeks where we have had problems on State jurisdiction and subjects have gone back across the reservation line, and we just contact the tribal substation there in Kyle and they dispatch officers and they will come across on the State jurisdiction and give us a hand there if necessary.

So we just kind of work back and forth and, if Lieutenant Brown calls and needs some assistance I go down there and give him a hand in any way he needs it too.

Ms. HUBER. How are you in contact with each other?

MR. MADSEN. We have a radio. Our radio communication isn't the best, but like I say, we go through my dispatcher and she will contact the substation and they will get hold of him on the air in the radio system if we cannot get through your State system.

Ms. HUBER. Do you think it's desirable for your county sheriff's department to have a close working relationship with the tribal police?

MR. MADSEN. Definitely it is.

Ms. HUBER. Why is that?

MR. MADSEN. Kadoka is the county seat, and we are only about 7 miles from the reservation border and we have a little town, 25,035 population, 30 miles to the southwest of us. And that is only about 2-1/2 miles from the reservation line. Most of their trade comes in off the reservation, I would say. And like I said, there we can have problems because they have no law enforcement, and myself and my two deputies take care of both counties as far as law enforcement.

Ms. HUBER. So you have got a lot to do with the a small staff; is that right?

MR. MADSEN. Yes, we do at times. Like I said, it's very important that we have the close relationship with the tribal officers that we do have now.

Ms. HUBER. Why is it important?

MR. MADSEN. Well, we have had burglaries and such, break-ins, and we might get a suspect vehicle. Like I said, here in April we had a situation where some parties in Interior had seen the suspect vehicle and they give us a description and said it was headed south. We contacted the tribal officer in Kyle, their substation, and they in turn dispatched their officers and arrested the subjects for us. And they even brought them back across into State jurisdiction for us and we prosecuted them.

Ms. HUBER. Lieutenant Brown, would you like to comment on your views on the relationship between your district and Sheriff Madsen's department?

MR. BROWN. Well, there is times that I call for help and Sheriff Madsen is the first one there besides Lieutenant Antelope here. They both respond just about the same. The only thing is one of them is a few miles further than the other one, so I imagine they are breaking the speed limit a little bit, but they get there and give me a hand.

Ms. HUBER. Are you satisfied with the relationship you have with each other?

MR. BROWN. Yes, I am.

Ms. HUBER. Lieutenant Antelope, could you tell us about the relationship that your office has with the Bennett County sheriff, both in the past as to any problems you may have had and how things are working out at the present time?

MR. ANTELOPE. Well, in the past we had several personality problems. Some of my officers couldn't get along with some deputy sheriffs. There was a lot of nitpicking going on—nothing very important. The last maybe 2 months we have been working a lot closer together. We worked a couple good cases together and it seems to be working out real good now.

Ms. HUBER. During the times that your deputies and his deputies weren't getting along, did this create any law enforcement difficulties as opposed to personal difficulties?

MR. ANTELOPE. Not as much law enforcement. There was no difficulties there because we really didn't work that close together up until then. There was no communication for about a couple months, I guess.

Ms. HUBER. Sheriff Cummings, what do you have to say about the relationship of your sheriff's department with the tribal police both in the past and how it is now?

MR. CUMMINGS. Well, it goes back to what Mrs. Flye was saying a little while ago. They didn't have any police officers in La Creek Dis-

tract. I think this led to a lot of our problems when the tribe contracted the law enforcement. For years Bennett County had one law enforcement agency as we are combined and there is no city police in Martin. The sheriff's department does both the city and the county. I think this might have been some of our problem and that is what created the problem when the tribal police came in. I think, like Lee said, a personality conflict.

MS. HUBER. Is it fair to say perhaps a feeling arose in your department that you had been the only law in the county for a while, and what is this new operation doing?

MR. CUMMINGS. I believe that was probably a lot of it, yes. And like Lee said, in the last couple—3 months—he's eliminated a few and I've eliminated a few, and I think the two departments now can, with a few more changes from both sides, I think we can get along good in terms of law enforcement in Bennett County.

MS. HUBER. Do you see a need or an advantage for close working relationships between the sheriff's office and the tribal police?

MR. CUMMINGS. There is a definite need. Like I say, I have got four officers and Lee's got three or four officers at a time. There are situations when the one or two officers that are immediately available cannot handle the situation. I feel now for certain that if I call Lee here in town that Lee would come, and that if Lee needed some help in the county we would go help him. I think we have a good working relationship between the two.

MS. HUBER. Sheriff Cummings, I believe you were here earlier this afternoon. Indian representatives from the Pine Ridge Reservation and also from Martin expressed their views that the Bennett County Sheriff's Office does not always treat Indians fairly in its law enforcement practices? Do you see any validity to these allegations?

MR. CUMMINGS. No, I don't. Myself and my deputies and any law enforcement officer is sworn to uphold the law no matter who or what color. If we see a violation—I am sure Lee and Ellsworth and Sheriff Madsen—if there is a violation being committed, there is an arrest made. I don't believe we discriminate in who is arrested.

MS. HUBER. If there is no truth to these allegations, why do you think that some people in the Indian community nevertheless have the feeling or have the perception that the Bennett County sheriff isn't fair to Indians?

MR. CUMMINGS. There seems to have been, probably in the past 2 years, a hostility toward the Bennett County Sheriff's Office. Up to about 2 years ago we spent a lot of time in the Martin housing area, not particularly patrolling for whatever, giving people rides to town and give them rides home from town. About 2 years ago, several threats were made concerning our vehicles and our deputies about going into the housing project.

MS. HUBER. The housing project is on tribal land; is that right?

MR. CUMMINGS. That is right, under tribal jurisdiction. Since that time, I don't believe one of my vehicles has been in the housing project for approximately 2 years. There is still a lot of people in there. We still get calls from people, but we are unable to help them for the simple reason we don't have the jurisdiction. We refer them to Lee and Lee takes care of their problems.

MS. HUBER. If a member of the Indian community or for that matter if a member of the non-Indian community has a complaint to make about the conduct of one of your deputies, how would that be handled? Where would they take that complaint?

MR. CUMMINGS. Either to myself or to the State's attorney.

MS. HUBER. And what would happen then?

MR. CUMMINGS. Then whoever gets it is the one that does the checking. I think most of the complaints from the Indian people go to the State's attorney. Very few of them come to me. I hear about them through the State's attorney.

MS. HUBER. Do you know if there is any record kept of the number and disposition of any such complaints?

MR. CUMMINGS. I know of none, no record, no, unless the State's attorney has it.

MS. HUBER. It's handled more or less on an informal basis?

MR. CUMMINGS. Yes.

MS. HUBER. Would you see any advantage in terms of how the community views the sheriff's department for a more formalized complaint procedure, for example, through a human relations commission?

MR. CUMMINGS. I believe it would have its merits, yes.

MS. HUBER. Lieutenant Antelope, would you care to comment as to why some members of the Indian community believe that there is unfair law enforcement by the Bennett County Sheriff's Office?

MR. ANTELOPE. Well, I think it's more the attitude of some law enforcement officers towards some people. I don't think it has anything to do with getting down on somebody. I think it's more that somebody just chose the wrong attitude, and I think attitude has a lot to do with police work. If you are going to go up to somebody and poke them in the chest and ask him what the hell he thinks he is doing, you're making a mistake. Ninety percent of the people you can talk them out of doing something silly before they do it anyway.

MS. HUBER. Sheriff Madsen, could you comment on, if you can, what percentage of the offenses that you deal with are in some way related to alcohol?

MR. MADSEN. Well, I would have to say that the biggest share of the offenses that we deal with as far as arrests and stuff, I would say in the area of 90 to 95 percent of them are alcohol related.

MS. HUBER. And how in general do you handle a case of someone being intoxicated and on the street, that sort of conduct?

MR. MADSEN. In that case, since they done away with our public intoxication law here a few years back, if we run into a situation of an

intoxicated person, we will go and pick them up and we will put them in our jail for a period of 8 to 12 hours, as we call it, for protective custody and then they are released.

Ms. HUBER. What is your view of using statutes like disturbing the peace or disorderly conduct to deal with alcohol-related conduct?

MR. MADSEN: Well, those statutes would have their places in some instances but not for just any situation. If you were going to maybe incarcerate a party or put him in jail for protective custody and he got belligerent or violent with you, then you would have a charge, but normally there aren't that many of them charged with disorderly conduct in our office.

Ms. HUBER. Is that a matter of policy on your part?

MR. MADSEN. Well, I don't know if it's a matter of policy. I guess you would have to say yes, that is just pretty much the way we handle that.

Ms. HUBER. What is your thinking of that? Why do you use your discretion that way?

MR. MADSEN. Most of the time people in that situation need help, and it's not to be thrown in jail for 30 days or whatever for drying out. They need more help than that.

Ms. HUBER. Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. No questions.

CHAIRMAN FLEMMING. Mr. Nunez?

MR. NUNEZ. Lieutenant Antelope and Lieutenant Brown, I would like you to respond to this question.

It's apparent among many differing opinions that many of the witnesses this afternoon have felt that the police situation has improved on the Pine Ridge Reservation. And just to confirm this, it's my understanding that previously the Bureau of Indian Affairs were the police on the reservation and now they have established the tribal police in the last year or so. I assume you gentlemen are both members of this new force. I am curious, aside from changing the organizational pattern, how do you attribute the lessening of the tensions and the better relationships with the community?

MR. ANTELOPE. Well, I think there is more policemen over a bigger area in the communities. Each community, we just about know the people there and how they are going to react, and we are available. I mean, there is no such thing as having to wait for officers for 2 or 3 hours like you had before.

MR. NUNEZ. You're divided into districts?

MR. ANTELOPE. Yes, we are divided into nine districts.

MR. NUNEZ. And how does that compare with the past organization?

MR. ANTELOPE. In the past, most of the police officers were stationed in Pine Ridge or in Kyle. And from Pine Ridge to Martin it took them at least 45 minutes to get there if they had a call. And we got our response time on a call down to about 7 minutes.

MR. NUNEZ. In other words, you decentralized the police force and you put them in smaller units?

MR. ANTELOPE. Small detachments all over the reservation for the community and for each district.

MR. NUNEZ. There was one other question in this area. I understand you have also set up a police review board. How does that work?

MR. ANTELOPE. Well, the police review board is responsible for hiring the officers.

MR. NUNEZ. For hiring them?

MR. ANTELOPE. Yes, sir. If you want a job as a policeman in a certain district, you should be a resident of the district to start with. You should live there, and you apply to your review board for a job. The review board follows guidelines as to how they can hire you. If you do get hired, it has to be approved through headquarters in Pine Ridge, and all the paperwork is done there and fingerprinting and everything else is taken care of. A record and background check is made by the FBI for the officer, and it takes maybe 2 or 3 days to get somebody to work.

MR. NUNEZ. You are a supervisor of a police unit in an interesting system of hiring policemen, in that, basically, they are being hired by community people. Do you feel the system works out well?

MR. ANTELOPE. When I first heard of this review board idea, I felt that policemen can't work for the board, that was my idea. And in about 2 months after I seen the operation and was part of it, I changed my idea. It can be done and it's working this way. If a community member has a complaint against a police officer, he writes a statement to the review board. The chairman gives it to me. I investigate the allegation and turn it back to the review board. They make the decision.

MR. NUNEZ. Lieutenant Brown, do you concur with Lieutenant Antelope's feelings about this new system?

MR. BROWN. Yes, I do.

MR. NUNEZ. Do you have anything further to add to the workings of this new system?

MR. BROWN. Yes. The review board members, if they were required to go ahead and to have their backgrounds checked too, because there is one that I know on the board that I felt that wasn't qualified on the last review board. And in these situations here, it wasn't me that was griping. It was the officers that was griping because they said, "Why should we have our backgrounds checked when the review board members who are our bosses don't have theirs checked?"

So anyway, it's kind of a touchy situation there, but the only thing, we still can go ahead and work together if the board members will go ahead and meet with the officers and go over the penal codes and the regulations that we have so everybody will understand what is going on.

MR. NUNEZ. No further questions. Thank you.

CHAIRMAN FLEMMING. Dr. Witt?

DR. WITT. None.

CHAIRMAN FLEMMING. Counsel has a couple of additional questions.

MS. HUBER. I would like to ask Lieutenant Antelope and Lieutenant Brown some questions about how the investigation of major crimes offenses are handled.

Lieutenant Antelope, if an offense occurred in your district that falls under one of the 14 major crimes and it comes to your or one of your officer's attention, how is the matter handled?

MR. ANTELOPE. Well, we start making a decision or an appraisal if it is one of the 14 major crimes and call the Federal Bureau of Investigation as soon as possible and advise them of the situation. Then we do a preliminary investigation and try to get as much work done as we possibly can before they get there.

MS. HUBER. Where is the FBI? Are they on the reservation?

MR. ANTELOPE. No, they are stationed here in Rapid City.

MS. HUBER. So they have to come from Rapid City to Martin?

MR. ANTELOPE. Yes.

MS. HUBER. You say you do a preliminary investigation; what would that consist of?

MR. ANTELOPE. Protecting the crime scene, collecting any evidence I can collect.

MS. HUBER. What might that be?

MR. ANTELOPE. Anything. If it's a violent crime, we try to find the weapon, try to find who it belongs to, round up witnesses, start taking statements from people, try to develop a suspect as soon as possible, and try to make an arrest.

MS. HUBER. And you say you want to do as much of that as possible before the FBI can get to Martin from Rapid City?

MR. ANTELOPE. Right.

MS. HUBER. Why is that?

MR. ANTELOPE. Well, if you waste too much time doing anything, people like to get lost. They don't want to be involved. And evidence likes to get lost. I feel like I owe it to the agents when they come to have as much information as I possibly can have for them when they get there.

MS. HUBER. Once they get there, what do they do in relation to the investigation that you have already undertaken?

MR. ANTELOPE. They probably interview witnesses that I produce for them, or they collect additional evidence, take photographs, or whatever they have to do, take sketches, fingerprints.

MS. HUBER. Are you trained to take photographs and lift fingerprints?

MR. ANTELOPE. Yes.

MS. HUBER. What, if anything, do you think the FBI adds to what you already do or are able to do being right there?

MR. ANTELOPE. Well, their equipment is a lot better than mine. That is about it.

MS. HUBER. Lieutenant Brown, what do you have to say about that? If a major crime occurs up in your district, how do you handle it?

MR. BROWN. Well, we have the preliminary thing, like Lieutenant Antelope said, we contact the FBI. So far we have been pretty lucky in that we have all the witnesses there, and it isn't so hard for the FBI to go ahead and go from house to house. Because the population there in the community are a little bit leery of the FBI's because the way they went and represented themselves before.

MS. HUBER. Why is that? What is it about the FBI agents that creates this response?

MR. BROWN. Well, before they usually come in there and they pack weapons and surround the house and all that stuff, and this is the image that they went and made for themselves. But so far now lately, well, we go over there and there is no weapons showing or anything like that, and even some of the agents are invited into the house and they do their interviewing right there. And the relationship between us and the special agents with the community is getting better. I think they are being accepted a little bit more. That isn't all the community, but, you know, it's the ones that they go visit—well, they are not afraid of the FBI anymore.

MS. HUBER. Do you feel that you have sufficient experience and training to be able to handle the investigation of a serious felony offense, a crime of violence?

MR. BROWN. Oh, yes, I think I do.

MS. HUBER. And when the FBI responds, what do they do with the investigation that you have already initiated?

MR. BROWN. Well, they take the evidence that I collect and they take some of the photos or they go ahead and take the photos themselves and all the sketches that they make there. So far they have commented that we done a good job of getting all the evidence and all that stuff. It's making their job easier.

MS. HUBER. What do you feel that their efforts add to what you do or you have already done?

MR. BROWN. Well, for the things that we have missed are the things that they are teaching us when they go and do their investigation. The officers I have sent out with them, well, then they go right ahead and help them take the fingerprints and photographs. They are learning right along with them. That is, the new men I have on the force.

MS. HUBER. The FBI is assisting in training your men in investigative techniques?

MR. BROWN. Yes.

MS. HUBER. As you may know, the FBI is cutting the number of its agents in its Rapid City office. Do you have any fears that you and your officers won't be able to take up the slack with the reduced force of the FBI?

MR. BROWN. Well, I think we can handle the situation. The only thing that we need would be some technical advice as to how to go ahead and dispose of the person that we have in custody at the time.