



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

Josh Kaul  
Attorney General

Room 114 East, State Capitol  
PO Box 7857  
Madison WI 53707-7857  
(608) 266-1221  
TTY 1-800-947-3529

January 15, 2020

SENT VIA US MAIL

Sheriff Wesley Revels  
Monroe County Sheriff's Department  
112 S Court Street  
Sparta, WI 54656-2185

Dear Sheriff Revels:

Thank you for submitting an application for the annual County-Tribal Law Enforcement Grant for 2020. As you are aware, these grants help provide critical funding for a variety of law enforcement services to Native American communities.

Your agency has been approved for an award of \$20,943. Payment will follow. In awarding these grants, the Wisconsin Department of Justice seeks to provide continuity of program funding to the extent possible. We calculated your award total using a formula that factors in population, tribal unemployment rates, and county violent crime rates.

The Wisconsin Department of Justice looks forward to a collaborative working relationship with you. If you have any questions about this program, please contact Mark Snider, Bureau of Budget and Finance, directly at (608) 266-5377.

Sincerely,

Joshua L. Kaul  
Attorney General

JLK:EJW:alm

cc: Ho Chunk Police Department Chief Lemieux  
Ho Chunk Nation Department of Justice Tribal Attorney Lentz

01-21-20A10:08 RCVD





**HO-CHUNK NATION LEGISLATURE**  
*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE**  
**APPROVAL OF THE CY2020 COUNTY/TRIBAL LAW**  
**ENFORCEMENT AGREEMENT FOR MONROE COUNTY**

**RESOLUTION 12-03-19 M**

- WHEREAS,** on November 1, 1994, the United States Secretary of Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation (“Nation”) is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) grants the Ho-Chunk Nation Legislature (“Legislature”) the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and
- WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and
- WHEREAS,** Article V, Section 2(t) of the Constitution grants the Legislature the power to enact laws governing law enforcement on lands within the jurisdiction of the Nation; and

**Executive Offices**

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615  
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**WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

**WHEREAS,** the Wisconsin State Legislature enacted a County/Tribal law Enforcement Program under Wisconsin Statute Section 165.90, which empowers counties that have one or more federally recognized Indian Reservations within, or partially within, its boundaries to enter into an agreement with the Indian Tribe regarding law enforcement in accordance with Wisconsin Statute Section 59.54(12); and

**WHEREAS,** the County of Monroe and the Ho-Chunk Nation are eligible to participate in the CY2020 County/Tribal Law Enforcement Program for such funds by virtue of jointly submitting a program plan to the Wisconsin Department of Justice;

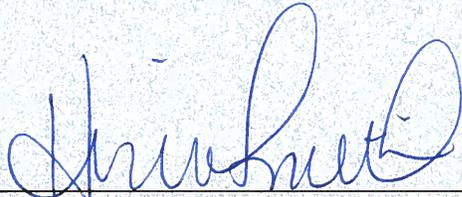
**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, hereby supports the CY2020 Cooperative County/Tribal Law Enforcement Agreement between Monroe County and the Ho-Chunk Nation for the purpose of developing and establishing a cooperative law enforcement program between the Monroe County Sheriff's Department, other applicable local law enforcement organizations, and the Ho-Chunk Nation; and

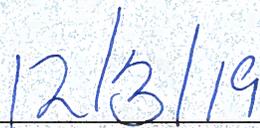
**BE IT FURTHER RESOLVED** that this support is subject to pending area meeting approval; and

**BE IT FURTHER RESOLVED** that the Legislature authorizes the President or the Vice President of the Nation to sign said Agreement.

#### CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **12** constituting a quorum were present at a meeting duly called and convened and held on the **3<sup>rd</sup> day of December, 2019**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **12 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) through (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

  
\_\_\_\_\_  
Rep. Hinu Smith, Tribal Secretary

  
\_\_\_\_\_  
Date





# MONROE COUNTY ADMINISTRATION DEPARTMENT

**Tina Osterberg, CPA**  
**County Administrator**  
124 N Court Street  
Sparta, WI 54656

Email: [Tina.Osterberg@co.monroe.wi.us](mailto:Tina.Osterberg@co.monroe.wi.us)  
Phone: 608-269-8944  
Fax: 608-366-1809

November 19, 2019

Lieutenant Jeffrey Spencer  
Justice Center Building  
112 S Court Street Rm 500  
Sparta WI 54656

RE: Monroe County 2020 Cooperative County/Tribal Law Enforcement Agreement

Dear Lieutenant Spencer:

This letter is to inform you of my approval of the Monroe County 2020 Grant year Cooperative County/Tribal Law Enforcement Agreement between Monroe County and the Ho-Chunk Nation.

Sincerely,

Tina Osterberg  
Monroe County Administrator

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**COOPERATIVE COUNTY/TRIBAL  
LAW ENFORCEMENT AGREEMENT  
BETWEEN  
MONROE COUNTY  
AND  
HO-CHUNK NATION, A FEDERALLY-RECOGNIZED  
INDIAN TRIBE  
FOR GRANT YEAR 2020**

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**COOPERATIVE COUNTY/TRIBAL LAW ENFORCEMENT AGREEMENT**

**BETWEEN**

**MONROE COUNTY**

**AND**

**HO-CHUNK NATION, A FEDERALLY RECOGNIZED INDIAN TRIBE**

**I. MISSION STATEMENT**

This Cooperative County/Tribal Law Enforcement Agreement (“Agreement”) is made in order to promote the general welfare of Monroe County residents, including the Ho-Chunk Communities, by providing enhanced law enforcement services, improving the ability for protection of life and property, preserving the peace, and maintaining order.

**II. LEGAL AUTHORITY**

Monroe County (“County”) is authorized by Wisconsin Statutes Section 165.90 to enter into a County/Tribal Law Enforcement Agreement. A resolution of the Monroe County Board of Supervisors authorizes the Monroe County Sheriff’s Office to make this joint application. The Ho-Chunk Nation (“Nation”) is authorized to enter into agreements with state, local and federal governments pursuant to Article V, Section 1 (i) of the Ho-Chunk Constitution.

**III. DESCRIPTION OF PROPOSED COOPERATIVE COUNTY/TRIBAL LAW ENFORCEMENT PROGRAM.**

1. The Ho-Chunk Nation has a police department. However, the Nation primarily relies on Monroe County to provide law enforcement services on Ho-Chunk Nation lands. Cooperatively, the Ho-Chunk Nation and Monroe County make application for funding assistance as provided by Wisconsin Statutes Section 165.90. Funding obtained will be used to provide law enforcement and other related services to the Ho-Chunk Communities.

2. Area to be served: Monroe County consists of approximately 951 square miles. Ho-Chunk trust lands in Monroe County include the Blue Wing Community, as well as tribal family homesteads and Ho-Chunk enterprise and governmental properties such as Ho-Chunk Cinema, Whirling Thunder, Ho-Chunk Housing & Community Development Agency, Ho-Chunk Housing & Public Works, Ho-Chunk Nation Health Offices, Ho-Chunk Property and Procurement, Ho-Chunk Distribution Center, Whitetail Crossing Convenience Store and Casino, Ho-Chunk Textiles, Ho-Chunk Transportation Services, and Blue Wing Head Start. This comprises a total of 677.6 acres of tribal trust lands and 433.5 acres owned by the tribe in fee. Approximately 450 Ho-Chunk members reside in the county (*Ho-Chunk Nation Enrollment Office, 2019*). Although implementation of the program will primarily serve Ho-Chunks on trust

lands, it will also enhance law enforcement services for, and contribute to the well-being of, the residents of the entire County.

#### **IV. NEED FOR FUNDING**

In 1953, with the passage of Public Law 280, the federal government granted criminal jurisdiction over Ho-Chunk Nation members who commit major crimes on Ho-Chunk Nation lands to the State of Wisconsin. Although the Nation possesses police powers which are inherent to Indian tribes, it is unable to assume criminal jurisdiction over all incidents occurring on Ho-Chunk Nation lands. Consequently, Monroe County assumed a key law enforcement role on Ho-Chunk Nation lands.

As the population in the area has increased in recent years, including on Ho-Chunk Nation lands, such as the Blue Wing Community, so has the need for law enforcement services.

The increase in the need for law enforcement services has, in turn, increased the need for funding to pay for such services. The County is obligated to provide necessary law enforcement services. The funding provided by this grant will supplement existing funding levels and assist Monroe County in meeting this commitment to the Ho-Chunk Nation.

#### **V. GOVERNMENTAL UNIT THAT WILL ADMINISTER AID AND METHOD OF DISBURSEMENT**

1. The Monroe County Sheriff's Office will administer the funds received for law enforcement and related purposes. A budget for program expenditures has been developed and incorporated into this Agreement.

2. Disbursements shall be made in accordance with the established practices of Monroe County and the Monroe County Sheriff's Office. Disbursements shall be made only for services or materials requested by the Monroe County/Tribal Law Enforcement Commission in accordance with this Agreement.

#### **VI. TYPES OF LAW ENFORCEMENT SERVICES TO BE PERFORMED ON HO-CHUNK NATION LANDS AND WHO WILL PERFORM THEM**

The intent of this Agreement is to enhance the provision of all necessary law enforcement and emergency services to the Ho-Chunk Community. The Monroe County Sheriff's Office will perform enforcement services, maintain public safety, protect life and property, provide community education and perform other duties mandated by state and federal laws.

The ultimate goal of the Monroe County Sheriff's Office will be to preserve the peace, prevent and detect crime, and arrest violators of the law. The Monroe County Sheriff's Office will work with the Ho-Chunk Community and the Police Department toward creating a better understanding between the Community and the law enforcement agency. Furthermore, the Ho-Chunk Nation/Police Department and its members shall work, cooperate, assist, and collaborate

with the Monroe County Sheriff's Office in order to provide the most professional and effective law enforcement services possible for the Ho-Chunk Nation.

The Monroe County/Tribal Law Enforcement Commission has identified and agreed upon areas to be addressed as follows:

1. Enhancement of communication and services between the Nation and the Monroe County Sheriff's Office.

a. Monroe County Sheriff's Office shall make reports at the District II monthly meetings (Usually Tuesday of the second full week or when requested)

b. The County/Tribal Law Enforcement Commission shall meet as needed (preferably once per month).

2. Community focus targeting drug and alcohol education with input from and presentations by drug enforcement officers of the Monroe County Sheriff's Office, Ho-Chunk Nation Police Department and the Nation's Programs including, but not limited to:

a. Improve parental awareness and involvement.

b. Drug and alcohol enforcement with particular focus on cocaine, opiates and underage drinking.

3. Presentations on juvenile-related issues by the Juvenile Officer of the Monroe County Sheriff's Office and financial sponsorship of activities as agreed upon by the County/Tribal Law Enforcement Commission.

4. Training for personnel of the Monroe County Sheriff's Office to increase awareness of Ho-Chunk culture and unique needs of the Ho-Chunk Community as they pertain to law enforcement including:

a. Ho-Chunk Nation Traditional Trial Courts and Clan Mothers

b. Ho-Chunk Nation Culture and Traditions

c. Ho-Chunk Nation Child and Family Services Division

d. Indian Civil Rights Act

e. Ho-Chunk Nation Constitution.

5. Continuation of response to and investigation of crimes on Ho-Chunk Nation lands, increased patrol of Ho-Chunk Nation lands and additional patrol of Ho-Chunk Nation lands through the use of overtime during peak activity periods.

6. The Monroe County Sheriff's Office shall provide the Chief of Police with incident summaries on Ho-Chunk Nation lands on a quarterly basis.

7. The Sheriff or his designee shall attend the quarterly meetings of the six County/Tribal Law Enforcement Commission and any other meeting as requested.

8. The Monroe County Sheriff's Office with the assistance of the Ho-Chunk Nation will actively seek alternate sources of funding to support the Cooperative County/Tribal Law Enforcement Agreement. The alternate sources of funding may be Local, State, and Federal Grants.

9. As may be requested by the Ho-Chunk Nation Health and Social Services Department, accompany an agent of the Department when conducting

- a child welfare or elder welfare investigation.
- a child safety or an elder safety investigation
- An assessment of an adult between the ages of 18-59 who may be incapable of caring for himself/.herself, who poses a serious threat to the safety of the Department representative.

10. As may be requested by the Ho-Chunk Nation Department of Justice, a County Officer observing or involved in an incident which violates a tribal law shall testify in relevant court proceedings. Every reasonable effort will be made to accommodate the officer's schedule and availability by requesting telephonic or video appearances by the officer whenever possible.

11. Enforcement of the Ho-Chunk Nation Public Nuisance Act. Information about offending Tribal Members residing on Ho-Chunk Nation trust lands shall be referred to the Ho-Chunk Nation Department of Justice/Police Department for prosecution in Ho-Chunk Tribal Court.

12. Enforcement of the Ho-Chunk Animal Control Ordinance which incorporates the use of the County Animal Control Officer. Information about offending Tribal Members residing on Ho-Chunk Nation trust lands shall be referred to the Ho-Chunk Nation Department of Justice/Police Department for prosecution in Ho-Chunk Tribal Court.

13. Enforcement of any other Ho-Chunk laws or ordinances as required to maintain public safety. Information about offending Tribal Members residing on Ho-Chunk Nation trust lands shall be referred to the Ho-Chunk Nation Department of Justice/Police Department for prosecution in Ho-Chunk Tribal Court.

14. The Monroe County Sheriff's Office will inform the Ho-Chunk Nation Law Enforcement Commission of any available employment opportunities in the Ho-Chunk Nation Tribal Newsletter (Hocak Worak Newsletter).

15. Motor vehicle crash statistical data for Monroe County reported on a quarterly basis to Ho-Chunk Chief of Police pertaining to the following:

- a. Occupant restraint citations and warnings
- b. Child passenger restraint citations and warnings
- c. Operating While Intoxicated citations and warnings

16. The Monroe County Sheriff's Department is committed to working with the Ho-Chunk Chief of Police and will assist, whenever possible, with the organization of the Ho-Chunk Police Department.

17. The Monroe County Liaison or his designee will notify the Ho-Chunk Chief of Police of any major activity requiring administrative notification, occurring on Ho-Chunk lands, Ho-Chunk facilities, or involving Ho-Chunk tribal members.

18. The Sheriff's Department shall adhere to the U.S. Attorney's Policy on Tribal Member Use of Eagle Feathers. (Issued October 12, 2012).

19. Through designated Deputies the Monroe County Sheriff will work diligently with representatives of the Ho Chunk Nation Department of Housing/HHCDA on complaints, calls, or significant requests for services from housing units the Nation oversees. The Ho chunk Department of Housing and HHCDA may then request through the appropriate liaison or Chief of Police, any pertinent information pertaining to incidents occurring within the Nation's housing units. This coincides with Wisconsin State Statute on Open Records Requests 19.35(1).

20. The Monroe County Sheriff's Office will do referrals to the Ho-Chunk Nation Domestic Abuse Program. This would apply to Tribal Members residing on Ho-Chunk Nation trust lands in the event there is a domestic abuse situation. This information shall be shared with the individuals involved whether or not the information is requested. The Ho-Chunk Nation shall provide the Monroe County Sheriff's Office with information and details regarding this program and provide the appropriate materials to be distributed. Nothing in this paragraph shall abrogate the parties' obligation to comply with Section 968 of the Wisconsin Statutes. Continued participation and collaboration on the Community Coordinated Response Team by Monroe County and Ho-Chunk Nation Health and Human Services on issues of domestic violence.

## **VII. SUPERVISION AND CONTROL OVER LAW ENFORCEMENT OFFICERS PARTICIPATING IN THE PROGRAM**

The Monroe County Sheriff or his designee shall exercise daily supervision and control over Monroe County law enforcement officers participating in this program.

## **VIII. METHOD BY WHICH COUNTY AND HO-CHUNK NATION INPUT INTO PROGRAM PLANNING WILL BE ASSURED**

1. Program planning shall be done and monitored by the Monroe County/Tribal Law Enforcement Commission (“Commission”).

2. This Commission is comprised of members of the Ho-Chunk Nation Community and the Monroe County Sheriff or his designee.

3. This Commission shall meet regularly to review the law enforcement services provided to Ho-Chunk Nation members to ensure law enforcement needs on Ho-Chunk Nation lands are fulfilled.

**IX. RECORD-KEEPING PROCEDURES AND TYPES OF DATA COLLECTION**

1. The Monroe County Sheriff’s Office Administrative Staff shall maintain an adequate record-keeping system which will be accountable for the financial receipts and expenditures for this law enforcement program.

2. Documentation shall be maintained by the officers pertaining to actual time spent on law enforcement related incidents. This documentation shall contain written reports on all matters of serious nature.

3. The Monroe County Sheriff’s Office shall maintain records on any and all other information which pertains to law enforcement activity upon Ho-Chunk Nation lands.

4. The Sheriff or his designee shall provide an oral and written report including financial and statistical information and shall be given at the District II monthly meetings and to the Ho-Chunk Nation Police Department. The Ho-Chunk Nation Law Enforcement Commissioner for Monroe County shall inform the Sheriff or his designee of the appropriate time and place to deliver this report.

**X. OTHER INFORMATION**

The Monroe County Sheriff and Ho-Chunk Nation stand ready to provide any necessary information requested by the Wisconsin Department of Justice.

**XI. 2019 GRANT PROGRAM**

**EXPENDITURES**

1. \$19,460.77 (As of October 19<sup>th</sup>, 2019)

Activity Data: From January 1, 2019 to October 19<sup>th</sup>, 2019 while on grant specific time.

Traffic Contacts	134
Criminal Calls	16
Building Checks	644

Miscellaneous	114
Property Damage Accident	5
Personal Injury Accident	3

**ACCOMPLISHMENTS:**

1. Continued to grow a good working relationship with Ho-Chunk Police

**XII. 2020 GRANT GOALS**

1. Send more Deputies to PL-280 Training
2. Attempt to have Community Service Event (i.e.: Bike rodeo, or safety talk) and/ or coordinate for more involvement in other community service events
3. Cultural Awareness training for the Sheriff's Office

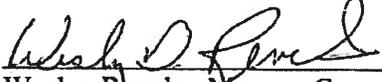
**MONROE COUNTY/HO-CHUNK TRIBAL LAW ENFORCEMENT GRANT  
BUDGET – 2020**

Please find below the proposed expenditures for the grant.

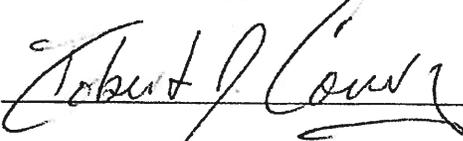
Officer's Salary, Mileage and Benefits \$ 19,943.00

Annual Training – Liaison and Ho-Chunk Nation Commissioner for County  
\$ 1,000.00

**TOTAL GRANT ALLOCATION** \$ 20,943.00

  
\_\_\_\_\_  
Wesley Revels, Monroe County

11/11/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief Deputy Robert Conroy, Monroe County

11-12-19  
\_\_\_\_\_  
Date