



2015  
Government-to-Government  
Agency Report

Oregon State Police

# Introduction

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In 2001, the Oregon State Legislature passed Senate Bill 770, Section I through Section IV, requiring state agencies within the State of Oregon to report to the Governor activities pertaining to the relationship between State Government and Tribal Governments. The following constitutes that report from the Department of State Police.

Attached with this report is a copy of Chapter 500.11 of the Oregon State Police Policies, Rules, and Procedures Manual titled, State-Tribal Government-to-Government Relations. This policy set out to formalize the government-to-government relationship that exists between Oregon Indian tribes and the Oregon State Police. The policy also establishes a process to assist in the resolution of potential conflicts, maximizes key inter-governmental relations, and enhances an exchange of ideas and resources for the greater good of all of Oregon's citizens, whether tribal members or not.

The above-referenced policy identifies 'key' contacts within the Department by position and provides an additional key contact list that contains names and telephone numbers of these individuals.

The following is a summary of the various interactions between Tribal Governments and the representatives of the Oregon State Police.

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# Executive Summary

## **OSP Gaming and Employee Services Bureau – Tribal Gaming Section**

- Criminal Investigations relating to gaming and non-gaming crimes at casinos, background investigations of casino employee applicants, and investigation training
- Regulatory auditing, monitoring, and investigating of casino activities, as well as approving new casino games and related technology. Participating in gaming compact negotiation and regular meetings with the Oregon Association of Indian Gaming Commissions
- Background Investigations of gaming vendors and contractors, providing training on vendor licensing, and meeting with Tribal Gaming Commissions regarding vendors

## **Oregon State Athletic Commission**

- Regulate mixed martial arts competitions at Wildhorse Casino and Resort and Chinook Winds Casino
- Working with the Confederated Tribes of the Warm Springs Reservation on an agreement to regulate events on the reservation

## **OSP Fish and Wildlife Division**

- Investigations to protect and restore Tribal archaeological resources, natural resources, cultural artifacts and human remains
- Meetings to discuss and coordinate fish and wildlife management and enforcement with Tribal representatives
- Attendance at Tribal cultural training and celebrations

## **OSP Command Areas**

- Meetings with Tribal Police and other local agencies to discuss local issues, coordinate efforts, and attend training
- Assist Tribal Police with criminal investigations and serious motor vehicle crashes
- Obtain surveillance video footage from Tribal casino personnel to assist with OSP investigations
- Receive back-up assistance from Tribal Police when necessary
- Participate with Tribal Police on local criminal and narcotic enforcement teams

## **Oregon State Fire Marshal**

- Assist the Tribes in Oregon through planning, safety inspections, fire and arson investigations, attend Public Safety Cluster and other meetings, education and consultation

## **Criminal Justice Information Services Division**

- Maintain repository of criminal justice records including arrests by Tribal Police and court dispositions
- Process fingerprint-based background checks for Tribal agencies
- Provide Law Enforcement Data System access, support, training and audits to Tribal Police and Gaming Commissions

**State Medical Examiner's Office**

- Work with Cultural Resources Cluster regarding the discovery of ancient Indian remains
- Coordinate with Tribes for proper preparation of ancient remains for reburial
- Attend ceremony and reburial of ancient remains at Chemawa Indian School and Cemetery that had previously been held securely at State Medical Examiner's Office

# Oregon State Police Primary Contacts

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## **Gaming and Employee Services Bureau**

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503-378-3725

## **Tribal Gaming Section**

James Rentz, Lieutenant  
4190 Aumsville Hwy SE  
Salem, OR 97317  
503-378-5135

## **Fish and Wildlife Division**

Jeff Samuels, Captain  
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Salem, OR 97310  
503-934-0221

## **Office of State Fire Marshal**

Jim Walker, State Fire Marshal  
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Salem, OR 97305  
503-378-3473

## **Southwest Region**

Theodore Phillips, Captain  
4500 Rogue Valley Highway, Suite A  
Central Point, OR 97502  
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## **Northwest Region**

Jeff Hershman, Captain  
3710 Portland Road, NE  
Salem, OR 97301  
503-934-0361

## **Eastern Region**

Robert Edwards, Captain  
63319 Jamison Road  
Bend, OR 97701  
541-388-6213

## **State Medical Examiner**

Karen Gunson, MD  
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Clackamas, OR 97015  
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## **LEDS / Identification Services**

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Salem, OR 97301  
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# Oregon State Police Gaming and Employee Services Bureau -Tribal Gaming Section

The role of the Oregon State Police Tribal Gaming Section, in relation to the Tribal Governments, is to ensure that all Class III Tribal gaming activities on Tribal lands are conducted with fairness, integrity, security and honesty in accordance with the Tribal State gaming compacts. The Tribal Gaming Section staff has daily interaction with all of the Gaming Tribes throughout the year, which include the Confederated Tribes of the Grand Ronde Community, Burns Paiute Tribe, Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians, Coquille Tribe of Indians, Cow Creek Band of Umpqua Tribe of Indians, Klamath Tribes, Confederated Tribes of the Siletz Indians of Oregon, Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of the Warm Springs Indian Reservation. The Tribal Gaming Section is comprised of OSP detectives, non-sworn field agents and professional administrative support staff.

## **Criminal Investigations:**

In 2015, OSP Tribal Gaming Section Detectives conducted various criminal investigations relating to gaming and non-gaming crimes at multiple casinos and tribal properties throughout Oregon. The investigation types varied and included cheating, theft, criminal trespass, counterfeiting, drug related activity and assisting outside agencies. Detectives also conducted numerous backgrounds on employees working in sensitive areas at the casinos and commissions. Detectives maintain regular contact and partnerships with tribal police, local law enforcement agencies, federal agencies and tribal gaming commissions in the course of their work. The partnerships the detectives have made help provide assistance to the Tribes in bringing the latest intelligence information and resources available to assist in prevention and detection of criminal related activity at casinos. Detectives also regularly attend Oregon Surveillance Network meetings held at tribal casinos throughout the year.

In June, Det. Park presented training on Credit Card Fraud at the 2015 National Indian Gaming Commission Regional Training Conference in Lincoln City.

## **Regulatory and Technical Compliance:**

In 2015, OSP Tribal Gaming Section Field Agents conducted monthly monitoring during on-site visits at all of the Tribal casinos in Oregon. Monthly monitoring consists of monitoring and auditing the Class III gaming operation at the Casinos. Agents also participated in monitoring casino activities in cooperation with Tribal Gaming Commissions by invitation. Compact Compliance Reviews were jointly conducted with Tribal Gaming Commissions of Confederated Tribes of the Umatilla Indian Reservation, Cow Creek Band of Umpqua Tribe of Indians, and Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians. Technical compliance was also ensured by field agents who conducted reviews and approved new games being introduced into the casinos. Members reviewed new gaming technology and standards being introduced to the Oregon Tribal Casinos to ensure compliance with Tribal-State

Compacts and Minimum Internal Control Standards for each unique Tribe.

Compliance Managers participated directly in open negotiations with the Klamath Tribes regarding the Tribal/State Class III gaming compact, as well as limited compact negotiations with the Cow Creek Band of Umpqua Tribe of Indians and Confederated Tribes of the Grand Ronde Community. Compliance Managers also worked extensively with several tribes on revisions to the Tribal/State Minimum Internal Control Standards.

Agents conducted two investigative audits at Tribal casinos in 2015. They also presented sensitive audit findings and other compliance matters on three occasions to Tribal representatives. In June, Tribal Gaming Section members met with the Burns Paiute Tribal Council regarding reopening their casino.

Tribal Gaming Section members attended regular meetings of the Oregon Association of Indian Gaming Commissions (“OAIGC”) during 2015, including a retirement celebration for a founding gaming commission member of the Confederated Tribes of the Warm Springs Indian Reservation. The OSP Tribal Gaming Section hosted the February OAIGC meeting. Tribal Gaming Section members also attended Tribal cultural and training events in 2015 including cultural tours at Cow Creek, The Museum at Warm Springs, Umatilla history presentation and Tamástslíkt Cultural Institute, Tribal Days at the State Capitol, and Oregon’s 7th annual First Nations Pow-Wow.

### **Vendor Investigations:**

In 2015, OSP Vendor Investigation Section Detectives completed multiple vendor background investigations on companies contracting with the compacted Tribes for Class III Gaming products and services. Vendor background investigations allow for an evaluation by the Tribes of the competence, integrity, background, character, and nature of the true ownership of the vendor.

The Vendor Investigation Section provided training at the 2015 National Indian Gaming Commission Regional Training Conference in Lincoln City regarding vendor licensing background investigations, along with an overview of how some of the large vendors have restructured as a result of mergers and acquisitions.

The Vendor Investigation Section also met individually on five occasions with the Cow Creek Gaming & Regulatory Commission, Confederated Tribes of the Umatilla Indian Reservation Tribal Gaming Commission, and Warm Springs Tribal Gaming Regulatory Authority to discuss vendor licensing topics relevant to their casinos.

## Oregon State Athletic Commission

In 2015, OSAC regulated mixed martial arts competitions at Wildhorse Casino and Resort and Chinook Winds Casino. The commission also worked with the Confederated Tribes of the Warm Springs Reservation on an agreement to regulate events on the reservation.

# Oregon State Police Fish and Wildlife Division

The role of the Oregon State Police Fish and Wildlife Division (OSPFWD) in relation to the Tribal Governments is to investigate violations of Native American archaeological resource protection laws in coordination with state prosecutors, federal prosecutors and magistrates to bring defendants of archaeological crimes to justice. Additionally, to provide a staff trained on the Endangered Species Act, Tribal treaty rights, and Tribal sovereignty issues. The OSPFWD coordinates with Tribal representatives, the Oregon Fish and Wildlife Commission and Oregon Department of Fish and Wildlife, other State Natural Resource Agencies, Oregon Department of Justice, Governor's Office and the Oregon State Legislature on issues related to fish and wildlife and other cultural and natural resources.

Throughout 2015, Lieutenant Schwartz (Fisheries Section) continued to serve as a member of the Columbia Basin Law Enforcement Council (CBLEC). CBLEC is comprised of law enforcement personnel from Washington, Oregon, the four Columbia River Tribes, Inter Tribe Fisheries Enforcement, and federal officers. CBLEC provides a venue for representatives to address enforcement concerns and coordinate effort focusing on treaty and non-treaty fisheries occurring in the upper Columbia River. Lieutenant Rhodes (East Region) and Sergeant Kipper (The Dalles) also participated in CBLEC meetings.

Lieutenants' Schwartz (Fisheries Section) and Thomas (NW Region) along with Sergeants' Hoodenpyl (Tillamook) and Allori (Portland) worked closely with the Oregon Department of Fish and Wildlife and members of The Confederated Tribes of Grande Ronde regarding the implementation of tribal hunting and angling seasons. OSPFWD offered suggestions and provided input on tribal issued permits, regulations and relevant information throughout multiple meetings.

Sergeant Allori (Portland) represented the Department as part of the Cultural Resources Cluster Group, which is attended by representatives of each of the federally recognized tribes of Oregon, and other state agency representatives. The Cluster Group met on multiple occasions throughout the year.

During the first half of 2015, Major Lujan and Captain Samuels attended ongoing meetings in Portland, between the members of the Confederated Tribes of Warm Springs Reservation, ODFW, Governor's Office and Oregon Attorney General's Office. These meetings were facilitated/mediated by U.S. Federal Court Judge Leavy regarding off-reservation hunting.

On the evening of February 19, 2015, Troopers responded to a request from the Klamath County Sheriff's Office to assist at the site of a search warrant where the subject was found to be in possession of thousands of archaeological objects. This was in the Bonanza area east of Klamath Falls. Investigation resulted in the seizure of many artifacts. Sergeant Hand (Klamath Falls) contacted Perry Chocktoot from the Klamath Tribes who reviewed the items to provide input on what they were and their significance. The items were later transported to Southern Oregon University by

Sergeant Hand for review and input from Professor Dr. Mark Tveskov who is renowned for his archaeological experience.

On March 10, 2015, Senior Trooper Harris (Coos Bay) contacted two suspicious persons near a known archaeological site in Coos Bay. During the investigation, Senior Trooper Harris discovered one of the individuals in possession of 21 potential artifacts. Senior Trooper Harris arrested the subject on an outstanding warrant, commercial clamming offenses, and for Removing Archaeological Objects without a Permit. Archaeologists from the Coquille Indian Tribe and the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians inspected the 21 potential artifacts and determined that 10 were Archaeological Objects, 10 were rocks, and 1 was a suspected deer tooth/jaw section.

On May 14, 2015, Sergeant Allori (Portland) attended the 40<sup>th</sup> Anniversary Celebration of the Legislative Commission on Indian Services held at the Oregon State Capitol.

On June 1, 2015, Sergeant Thompson (Newport), along with Oregon Department of Fish & Wildlife representatives, attended an annual meeting with the Confederated Tribes of Siletz Indians regarding big game tag harvest numbers. Attendees also discussed shellfish management and relevant agreements between parties, as well as enforcement issues.

Throughout the spring and summer, Troopers from the SW Region conducted multiple investigations and saturations involving the unlawful collection of Native American artifacts from the Crump, Hart, Goose and Abert Lake areas. OSPFWD worked closely with the Department of State Lands and the Klamath Tribes throughout these investigations. Additionally, Lieutenant Gifford (SW Region) worked with State Lands to draft necessary Administrative Rules prohibiting the collection of artifacts from Hart and Crump Lakes.

On September 18, 2015, Major Hampton and Captain Samuels meet with members of The Klamath Tribes at their office in Chiloquin, along with members of the US Attorney's Office, and law enforcement officers from BLM and USFWS to discuss tribal hunting, fishing and trapping contacts with Klamath members on former reservation lands.

On September 30, 2015, Lieutenant Gifford attended the 2015 Diversity Conference. One of the presentations attended was presented by Dr. David Lewis, a member of The Confederated Tribes of Grand Ronde, entitled, "Who are the Tribal Peoples of Oregon." The presentation provided history and information on the nine federally recognized tribes in Oregon.

In September and October of 2015, Sergeant Hand worked with representatives from the Klamath Tribe, the Burns – Paiute Tribe, the State Historical Preservation Office, the State Medical Examiner's Office, and others regarding the discovery of some human remains in the Paisley area on private property that had been exposed due to stream erosion. Consultation with the State Medical Examiner's Office determined the remains were Ancient Native American in origin. After multiple phone calls and emails tribal representatives were allowed to access the property and made arrangements for

re-internment. Tribal representatives were very complimentary of the role Sergeant Hand played in getting this matter taken care of in a timely and professional manner. The landowner also sent a thank you letter to Sergeant Hand for his service in helping to get this matter resolved.

In 2014, a Pendleton Area Command Fish and Wildlife Trooper observed what he believed to be Native American artifacts for sale in the window of a local second hand store. The items are a ceremonial shield and ceremonial staff which are adorned with Eagle Feathers. Upon contacting the business owner, the Trooper learned they were obtained as part of a "storage locker" contents purchase and the original owner may have been unable to pay his storage bill and lost the contents of the locker. The items were seized by OSPFWD and there was no criminal liability on the part of the business owner. The items remained in the Pendleton Area Command evidence locker and were scheduled for disposal. Because of the possible cultural significance of the items, the Pendleton Area Command contacted the Umatilla Tribal Police Chief in September 2015 to see if the tribe may want the items. The Pendleton Area Command was then contacted by the Cultural Resources Protection Program Manager at CTUIR. The Cultural Resources Protection Program Manager took custody of the items and is working with their Cultural Resources Committee to identify the items and return them to the rightful owner.

On September 29, 2015, Senior Trooper Lindberg (Madras) assisted Warm Springs Conservation Officer McMullen with a commercial crayfish operation on the Metolius Arm of Lake Billy Chinook. Following investigation, Senior Trooper Lindberg and Officer McMullen determined that a non-tribal individual was utilizing an invalid, previously issued tribal permit to commercially take and sell crayfish from the Metolius Arm, where only tribal members are allowed to take crayfish. Additionally, investigation revealed that a tribal member was also involved with the activity but was not present at the time of taking and was not the permit holder. The investigation was concluded by the Warm Springs Conservation Officer issuing citations.

# Oregon State Police Command Areas

## Northwest Region

The Salem Area Command leadership routinely attends the Polk County Law Enforcement Administrators meeting which is held monthly. A representative from the Grand Ronde Tribal Police usually attends these meetings. The LEA includes representatives from all the local agencies in Polk County, the District Attorney and State and Federal law enforcement agencies.

On March 18, 2015, Lieutenant Shugart, from the McMinnville Area Command, attended an active shooter exercise at the Grand Ronde Community Center. This was a table top exercise and forum to discuss tactical interagency law enforcement response in the event of an active shooter incident at the Grand Ronde. It included discussion on the appropriate citizen and victim response to an active shooter. This event was hosted by the Confederated Tribes of Grand Ronde and was attended by several local law enforcement agencies along with the Grand Ronde Police Department.

In May 2015, troopers from the Newport Area Command responded to a disturbance at the Winema Wayside. Investigation determined that an adult female had fled a vehicle and had been chased down by a male attacker. The male attacker left in the vehicle after the assault. It was determined the vehicle was stolen and information was broadcasted to partner law enforcement agencies to assist in locating the suspect/stolen vehicle. The suspect vehicle was subsequently located and stopped in Grand Ronde by an Officer from the Grand Ronde Tribal Police. The driver was taken into custody for Unauthorized Use of a Motor Vehicle, and Kidnapping II.

In July 2015, troopers from the McMinnville Area Command assisted the Grand Ronde Tribal Police with a DUII investigation. During the processing at the Grand Ronde Police Department the subject became combative. The OSP trooper worked cooperatively with the Grand Ronde Tribal Police Officer to assist in a search warrant for the suspect's blood. The suspect was lodged on Felony charges of DUII and Driving While Suspended.

In August 2015, members of the Oregon State Police Newport Area Command assisted with traffic control during the 2015 Nesika Illahee Pow-Wow in Siletz, Oregon. The parade traveled over a section of SR Highway 229 as well as city streets within Siletz. The parade is an annual event organized by the Confederated Tribes of Siletz.

In September 2015, members from the McMinnville Area Command assisted the Grand Ronde Tribal Police with a motor vehicle crash involving a bicycle that occurred within Grand Ronde. The crash resulted in the death of a juvenile female. The Oregon State Police assisted with reconstruction of the accident scene.

## **Southwest Region**

### **Coos Bay Area Command:**

There are two recognized Oregon Indian Tribes on the south coast within the Coos Bay Area Command. They are the Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians and the Coquille Indian Tribe. While we interact with both tribes often, we seem to interact more often with the Coquille Indian Tribe.

Both of the tribes have their own, independent Tribal Police Departments with DPSST certified police officers. The Troopers from the Coos Bay Area Command interact with the Tribal Police Officers from both agencies on a frequent basis on a variety of investigations and during local training opportunities.

The Coos Bay Office and Coquille Tribal Police provide reciprocal assistance during times when backup is needed. Our troopers, during emergencies, respond to the Kilkich tribal housing area until one of the tribal officers can arrive. The housing area is adjacent to State Route 240 (HWY 540) Cape Arago Highway.

The Confederated Tribes Qaxas (KA-HAS) reservation housing is located five blocks away from the Coos Bay Area Command office. In the past, the Coos Bay Area Command Troopers have responded to assist The Confederated Tribes Police Department and the North Bend Police Department with calls for service on the Qaxas tribal housing property.

The Coquille Tribe has timber holdings on Highway 42, east of Myrtle Point. Fish and Wildlife Troopers have responded to this location at the request of the Tribal Police to investigate Fish and Wildlife crimes. The Confederated Tribes are also planning to manage some timberlands on the south coast, if it's not already in place, and Fish and Game Troopers will also be available to respond to these areas upon request for assistance.

A Coos Bay Area Command Detective serves on an interagency Major Crimes Response Team, and attends investigator meetings with Tribal Police Officers, sharing information that may be pertinent to ongoing criminal cases. In the spring of 2015, OSP assisted tribal archeologists at a reported illegal dig in a tribal artifact area of concern near the Powers State Airport in southern Coos County. OSP Fish and Wildlife Troopers have assisted both tribes with criminal investigations involving theft cultural artifacts from tribal ancestral areas.

Another Coos Bay Area Command Detective serves on the South Coast Interagency Narcotics Team (SCINT). The office for this team was recently re-located to a building on the Coquille Indian Tribe's Kilkich reservation lands in Coos Bay. Troopers often utilize the Coquille Tribal Police's narcotics detection K-9 on CAPE related stops and during other narcotics investigations and search warrants. The Coos Bay Lieutenant and Sergeant and the Gold Beach Worksite Sergeant attend monthly south coast Chief's & Sheriff's meetings and discuss various issues that arise with the Chief's, Sheriff's, DA's and other federal, state, county and local law enforcement partners

including the Coquille Tribal Police Chief and the Sergeant from the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Police Department.

Troopers from the Coos Bay Area Command often interact with the casino security officers from The Mill Casino in North Bend (Coquille Indian Tribe) and with casino security officers from the recently opened Three Rivers Casino in Coos Bay (Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indian Tribe). The security officers are often able to provide surveillance video footage that the Trooper can use as evidence in criminal investigations.

Troopers from the Coos Bay Area Command often interact in the field with police officers from both tribal police departments when responding to mutual aid requests, when handling emergency criminal calls for service for the sheriff's department, and during routine traffic stops.

The past two years, Troopers from the Coos Bay Area Command assisted Troopers from the Florence Worksite during saturation patrols at the Rhododendron Festival. During this saturation, the Troopers interact often with the police officers from the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indian Tribe Police Department. The Confederated tribes have also offered the Troopers the ability to utilize their police department at the original Three Rivers Casino in Florence whenever needed for investigations, interviews or simply for breaks.

The Coquille Tribal Police Department has also offered Troopers the use of their police department facilities whenever needed.

The Coos Bay Area Command office houses an Oregon State Police Tribal Gaming Compliance Manager.

### **Roseburg Area Command:**

There is only one recognized Oregon Indian Tribe in the Roseburg Area Command. It is the Cow Creek Band of Umpqua Tribe of Indians.

There is little to no direct communication with the tribe. Seven Feathers Resort and Casino has its own security and contracts with the Douglas County Sheriff's Office for Law Enforcement services.

In the aftermath of the UCC shootings Seven Feathers reserved rooms for first responders to include members of OSP on the day and days after the shooting.

### **Springfield Area Command:**

The Springfield Area Command has had no contact/interaction with the tribes. Florence Police Department has been the primary agency to respond to the casino in Florence operated by the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon.

The Area Commanders from Central Point, Grants Pass, Coos Bay, Klamath Falls and OSU reported they have no information to add for this report.

## **East Region**

### **Bend Area Command:**

The Bend Area Command works cooperatively with the Warm Springs Indian Reservation and meets regularly in local leadership forums to discuss law enforcement issues with Warm Springs Police Department.

The Bend Area Command is a member of Central Oregon Law Enforcement Services (COLES). COLES participates with Warm Springs Tribal Police in this local leadership forum. The purpose of COLES is to create coordinated law enforcement programs between member agencies. To set out operational directives, management, supervision, resource allocation, and staffing for each coordinated local multi-agency law enforcement program. COLES meets on a monthly basis. The membership consists of local agency heads from Deschutes, Crook and Jefferson Counties comprising of City, County, State and Federal law enforcement agencies and District Attorney's Offices.

On December 15<sup>th</sup>, 2014, OSP and Jefferson County Sheriff's Office assisted Warm Springs Police Department with locating a stolen vehicle taken from the Warm Springs Indian Reservation. When Officers located and attempted to stop the vehicle the occupants fled ultimately crashing in the rural community of Gateway. Three suspects were arrested in connection with the stolen vehicle. During the pursuit, a passenger of the stolen vehicle brandished and discharged a hunting rifle.

On June 27<sup>th</sup>, 2015, Warm Springs Police Department assisted OSP and Jefferson County Sheriff's Office with a pursuit and arrest of a felon in possession of firearms. The vehicle pursuit was initiated after a law enforcement officer attempted to make a traffic stop. The vehicle operator fled eventually crashing east of Madras on Hwy 26 while attempting to avoid spike strips. Further investigation revealed the subject to be a felon in possession of firearms.

On July 6<sup>th</sup>, 2015, OSP assisted Warm Springs Police Department with a fatality commercial motor vehicle (semi-truck) versus vehicle crash on Warm Springs Indian Reservation.

On September 14, 2015, OSP assisted Warm Springs Police Department with an armed barricaded subject with a hostage on the Warm Springs Indian Reservation. At the request of the FBI, Oregon State Police assisted Warm Springs Police with securing the area while FBI SWAT Team responded to the area.

On October 18, 2015, OSP assisted Warm Springs Police Department with a car versus pedestrian motor vehicle crash within the interior of the Reservation boundaries. At the request of the FBI, OSP Crash Reconstructionist responded to assist with documenting roadway evidence, and scene mapping for purposes of the ongoing investigations.

### **The Dalles Area Command:**

The Dalles Area Command works cooperatively with multiple tribal entities who share jurisdiction of the Columbia River to include Columbia Basin Law Enforcement Council (CBLEC), which is comprised of representatives from natural resource enforcement agencies in Washington, Oregon, as well as the four Columbia River Treaty Tribes (Warm Springs, Umatilla, Yakama and Nez Perce).

On September 12, 2015 at approximately 11:30 PM, Trooper Yoder was conducting a traffic stop on US 26 near milepost 79 westbound. As Trooper Yoder was seated in his patrol vehicle completing a citation an eastbound Dodge Intrepid, operated by a 74 year old male, crossed the centerline and struck Trooper Yoder's parked patrol car head on. Trooper Yoder was not injured, but his vehicle was disabled. Warm Springs Police Department responded to the crash scene within 20 minutes and conducted an investigation into the crash. Warm Springs Police Department cited the offending driver for failing to maintain lane and documented their investigation in a police report.

### **The Pendleton Area Command:**

The Pendleton Area Command corresponds with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on a monthly basis during meetings with local law enforcement agency heads. The CTUIR Tribal Chief attends those meetings and we discuss items of mutual concern regarding public safety in Umatilla County and on Tribal Grounds.

### **The Ontario Area Command:**

Members of the Ontario Area Command out of the Burns worksite share information and coordinate law enforcement services with the Burns Paiute Tribal Police in an effort to work cooperatively.

May of 2015, OSP was asked to assist with an armed individual that had possibly gone to a higher vantage point above the Burns Paiute Reservation. As the incident unfolded, it was learned that the male was actually off the reservation and in the community of Burns. Local authorities along with the FBI completed the investigation.

### **East Criminal Investigation Division:**

Oregon State Police Bend and local law enforcement agencies from Deschutes, Crook and Jefferson Counties work cooperatively with Warm Springs Police Department on the Central Oregon Major Crime Team (MCT) a multi-agency workgroup overseen by COLES. The primary purpose of the MCT is the timely assemblage of skilled investigative personnel to positively affect the outcome of any major incident in an agreement of mutual assistance for major incident investigations. The team consists of District Attorney's, and Detectives from City, County, State, and Federal law enforcement Officials within Central Oregon.

On May 11, 2015, Burns Paiute Tribal Police Department Chief Carmen Smith requested Oregon State Police conduct a criminal investigation in regards to an alleged sexual assault involving a female tribal member reportedly occurring while in custody at the Malheur County Jail. The investigation remains active.

On June 7, 2015, Crook County Sheriff's Office learned a family member was taking a gunshot victim to Pioneer Memorial Hospital by private vehicle, so sheriff's deputies and Oregon State Police responded to both the home and the hospital. Crook County Sheriff Jim Hensley identified the victim who was shot in the incident reported just after 8 p.m. Sunday while at his home in Prineville. The victim who was at the hospital when deputies arrived was later flown by air ambulance to St. Charles Bend, where he was treated in critical condition. The Central Oregon Major Crimes Team was activated to assist with the investigation, the Tri-County Major Crime team includes members of the Crook and Deschutes County sheriff's offices, the Crook County District Attorney's Office, Oregon State Police, and Bend, Redmond and Warm Springs Police departments.

On September 3, 2015, Central Oregon Major Crime Team received an activation request regarding a homicide investigation in Crook County. The Crook County Sheriff's Department is the lead agency who responded to the initial calls; they activated the MCT team, and requested OSP assist with coordinating and managing the investigation. The case determined a local drug dealer was murdered after selling fake methamphetamine to another male. After learning the methamphetamine he purchased was fake, the male and two friends found the drug dealer on a roadway, where the suspect shot at the victim multiple times with a .45 handgun, and the victim sustained a fatal gunshot wound to the head. The drug dealer called police claiming his vehicle was stolen hours after the shooting, the suspect vehicle had already been recovered near the crime scene. The suspect eventually confessed to shooting the victim, and all individuals involved in the incident have been identified and interviewed. Multiple search warrants were requested and executed on vehicles, residences, and persons, with the assistance of the Tri-County Central Oregon Emergency Response Team (CERT). The suspect was arrested and lodged for murder, and more indictments are expected as this case will be presented to the Crook County Grand Jury in the near future. Central Oregon MCT includes members of the Crook, Jefferson, and Deschutes County sheriff's offices, the Crook County District Attorney's Office, Oregon State Police, and Bend, Redmond, Prineville, and Warm Springs police departments.

Members of the Oregon State Police assigned to Central Oregon Drug Enforcement Team (CODE) assisted members of the Warm Springs Tribal Police Department on a drug investigation of a suspect believed to be delivering drugs to a tribal member who lived off the reservation in Jefferson County, Oregon. As a result of the investigation, on September 28, 2015, the suspect was stopped by patrol in Deschutes County, Oregon and over 5 pounds of methamphetamine was seized. An investigation is continuing by Warm Springs Tribal Police and CODE as this investigation is still active.

# Oregon State Fire Marshal

It is the mission of the Oregon State Fire Marshal Office to protect citizens, property, and the environment from fire and hazardous materials. In 2015 the Oregon State Fire Marshal Office (OSFM) assisted the Tribes in Oregon through planning, inspections, investigations, meetings, education and consultation.

January 20, 2015 - Attended Public Safety Cluster meeting

January 2015 – Fire prevention COOP meeting with Warm Springs prevention staff

February 2, 2015 Assisted with the underground Hydro/Visual inspections for the Confederated Tribes of the Coos, Umpqua, and Siuslaw Indians

February 6, 2015 – Assisted OSP Arson, Tribal Police, and Tribal Fire with an origin and cause investigation of a residential structure fire on the Confederated Tribes of the Umatilla Indian Reservation

February 9, 2015 – Assisted with a fire investigation at the Grand Ronde Tribal housing

March 25, 2015 – Two fire and life safety inspections, a medical clinic and a child development center, for the Coquille Tribe of Indians

March 2015 – Fire and life safety inspections for Confederated Tribes of the Siletz Indians: Tenas Illahee child care, Siletz Tribe Head Start, and Siletz Valley School

April 16, 2015 - Smokey Presentations with Warm Springs crews

April 23, 2015 - Conducted fire investigation at Burns-Paiute Reservation

April 27, 2015 - Assisted with the final walk through inspection of the new casino for the Confederated Tribes of the Coos, Umpqua, and Siuslaw Indians

May 19, 2015 - Attended RFPA Summit meeting at the Burns- Paiute Reservation

May 2015 – Assisted building official for new construction inspection of the Grand Ronde new employee services building, and conducted a sprinkler inspection and fire alarm battery test for Grand Ronde housing

June 20, 2015 – Attended Public Safety Cluster meeting

June 2015 – Assisted with logistical needs and training for Warm Springs Pi Um Sha festival

August 4, 2015 – Attended Public Safety Cluster meeting

August 5, 2015 – Provided Public Safety Cluster Chair Gary Sims with “Save the Date” flier for the 2016 Fire Prevention Workshop in Feb. 2016 for distribution to Tribes

August 5, 2015 – Provided Public Safety Cluster Chair Gary Sims with “Accepting presentation proposals for 2016 OR Fire Prevention Workshop” Feb. 2016 for distribution to Tribes

August 17, 2015 – Provided Public Safety Cluster Chair Gary Sims with “Play safe! Be safe!” information for Eugene and Bend workshops for distribution to Tribes

August 19, 2015 - Public Safety Cluster Chair Gary Sims with “NFPA 1035 Juvenile Firesetter Intervention Specialist I” training in Bend for distribution to Tribes

August 2015 - Analytics and Intelligence assisted Warm Springs Fire Department with questions about completing National Fire Incident Reporting System reports for documenting exposures.

August 2015 – Contract fire with Warm Springs. Mobilized 8 taskforces on August 13, 2015 – August 19th, 2015. The Oregon Blue Incident Management Team served in Unified Command with Oregon Team 1.

September 18, 2015 – Visited Kah-Nee-Ta Resort – Warm Springs, OR to meet with staff regarding meeting / exhibit space for Fire Prevention Conference in Feb. 2016 (MarieKay Williams)

October, 2015 – Assisted a representative of the Grande Ronde Tribe interested in safety information regarding bicycle safety. We referred her to Ruth Harshfield at Safe Kids Oregon and to the Oregon Dept. of Transportation Safety’s Bicycle Safety program.

October 9, 2015 – Provided Public Safety Cluster Chair Gary Sims with reminder notice of the upcoming trainings in Eugene and Bend for the “Play safe, Be safe” and NFPA 1035 Training.

October 14, 2015 - Member of the Coquille Indian Tribe Head Start attending the “Play safe, Be safe” training (Eugene)

October 15, 2015 - Fire Chief of Umatilla Tribal Fire attending the “Play safe, Be safe” training (Bend)

October 21, 2015 - Attended fire prevention COOP meeting with Warm Springs prevention staff

October 22, 2015 - Fire investigation request at a Warm Springs Indian Reservation school

OSFM worked with the Bureau of Indian Affairs on the OSFM fire response contract in conjunction with the Attorney General.

# Criminal Justice Information Services Division

The Criminal Justice Information Services (CJIS) Division is responsible for the state repository of criminal justice record information. The agency provides criminal justice information to local, state, tribal and federal law enforcement agencies for enforcement and criminal justice purposes via the Law Enforcement Data System (LEDS). Additionally, this access is allowed to agencies authorized for non-criminal justice licensing and employment needs. CJIS is the designated agency for the exchange of Oregon criminal offender information statewide and nationally via the FBI's Identification Division. Uniform Crime Reporting by all law enforcement agencies is required through OSP for compilation and use within our state and for nationwide crime stat purposes.

## **CJIS Systems Access/Training/Audit:**

LEDS system access, services and support, and training and outreach are provided to all tribal agencies.

LEDS Training specialists Kendele Miyasaki and Russ Hoskins provided regional training sessions in Hillsboro in April 2015 where representatives participated from the following tribal agencies:

- Columbia River Inter-Tribal Enforcement
- Grand Ronde Gaming Commission

A statewide training conference was held in Portland where the following tribal representatives participated:

- Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians Gaming Commission
- Columbia River Inter-Tribal Enforcement
- Confederated Tribes of Grand Ronde Police Department
- Coquille Gaming Commission
- Warm Springs Police Department

LEDS Auditor Dan Malin conducts audits in cooperation with the recognized Tribes within the State of Oregon. The audit process not only encourages compliance, but also provides instruction to users regarding the proper use and protocol of the LEDS system. In 2015 audits were conducted with the following tribal agencies:

- Siletz Tribal Gaming Commission
- Columbia River Intertribal Fisheries Commission
- CTCLUSI Police Department
- CTCLUSI Tribal Gaming Commission

## **Fingerprint Arrest Reporting and Applicant Background Check Services:**

CJIS provides criminal arrest and applicant fingerprint-based services to Tribal Police agencies and Tribal Gaming Commissions. Contacts with these agencies are intermittent and generally deal with record reporting, error resolution, or answering questions they may have regarding any of our services.

The CCH Unit is responsible for ensuring that information received for criminal arrest and dispositions are entered into the Oregon criminal history repository for all law enforcement agencies statewide. The information on these cards is used to populate the criminal history files in both LEDS and the National Crime Information Center (NCIC). The CCH Unit has as-needed contact with Tribal Police agencies to correct any errors that may be noted on submissions. Likewise the ABIS Unit has occasional contact with Tribal agencies for any hard copy or electronic fingerprint submission issues that may arise in order to assist in resolution. The OSP Livescan Coordinator will provide periodic notices throughout the year for record table revisions for agency livescan and/or record management systems updates and offers assistance when needed regarding livescan vendor or equipment issues in order to support their efforts toward problem resolution. The following tribal submissions were received for entry into the Oregon CCH repository in 2015:

Arrest Fingerprints: 145  
Court Dispositions: 105

The Regulatory Unit processes applicant fingerprint-based background checks for employment and licensing related purposes. Typical contact includes returning rejected fingerprints, calling livescan operators regarding questions or errors that may require resolution on an as-needed basis and calling agencies regarding billing for fingerprint based background checks. Linda King and Lisa Miller worked with the Human Resources Department of the Klamath Tribe as they set up their fingerprint based background check program in May 2015. The following tribal applicant background checks by category were processed in 2015:

Gaming: 1,991  
Health & Family Services: 203  
Human Resources: 36

## Oregon State Medical Examiner's Office

The Oregon State Medical Examiner's Office continues to work with the Cultural Resources Cluster regarding challenges when ancient Indian remains are inadvertently discovered on Oregon land. Over the years, many sets of ancient remains have been transported to the State Office and held securely in our facility. In March of 2015, the Cultural Resources Cluster determined an ideal location for the re-burial and repatriation of all existing Native American remains housed at the Medical Examiner's Facility. The Chemawa Indian School and Cemetery near Salem, Oregon was deemed appropriate as the repatriation location.

On Tuesday, April 28<sup>th</sup>, 2015, representatives from several of the nine federally-recognized Native American tribes in Oregon gathered and prepared for burial the Native American skeletal remains held at the ME's Office. Tribal members were afforded seclusion by means of a large portable shelter erected on the North side of the building, in order to properly and privately prepare remains for burial. Medical Examiner personnel (Eugene Gray, Jeff McLennan, Dr. Nici Vance) assisted tribal representatives to make the preparation site respectful by restricting access to and from the shelter to only those directly associated with the repatriation and reburial. Rosie Johnson of the Confederated Tribes of Warm Springs led the effort in traditionally preparing each set of remains for reburial.

On Wednesday April 29<sup>th</sup>, 2015, the ceremony and reburial of all Native American remains was held at Chemawa Cemetery. Dr. Karen Gunson, Oregon State Medical Examiner attended the ceremony and represented the Oregon State Medical Examiner Division. Ultimately, over 70 prehistoric and historic Native American individuals were repatriated at the common gravesite.

The OSP Medical Examiner's Office continues to work with the Cultural Resources Cluster regarding repatriation issues, and is now drafting policy that will specifically focus on the timely return of Native American remains that are inadvertently discovered on Oregon land.

Sergeant Chris Allori, Oregon State Police Fish and Wildlife Division, continues to be the Oregon State Medical Examiner's liaison to the nine federally-recognized Native American tribes in Oregon; he consistently communicates with the tribes regarding repatriation issues and the continued implementation of Oregon Revised Statutes dealing with the inadvertent discovery of Native American human remains and artifacts.

# Policy

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|---|-----------------------------------|---|
|  | <b>Department of State Police</b> | CHAPTER: 500.11<br>SUBJECT: STATE-TRIBAL<br>GOVERNMENT-TO-<br>GOVERNMENT RELATIONS<br>REVISED: September 8, 1999<br>SUPERSEDES: N/A<br>PAGES: 4 |
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## **POLICY**

There are nine federally-recognized Indian tribal governments located in the State of Oregon. These Indian tribes have a unique legal status as sovereign governments. The importance of recognizing the relationship that exists between the Tribes and State government agencies cannot be underestimated. As sovereigns, the Tribes and the State must work together to develop mutual respect and trust for the sovereign interests of both parties.

The purpose of this policy is to formalize the government-to-government relationship that exists between Oregon Indian tribes and the State and to establish a process which can assist in resolving potential conflicts, maximize key intergovernmental relations, and enhance an exchange of ideas and resources for the greater good of all of Oregon's citizens, whether tribal members or not.

The State recognizes the sovereign status of Oregon Indian tribes and in furtherance of this, the Department of State Police establishes the following policy statement which:

1. Recognizes that Oregon Indian tribal governments are interested in the development of State policy that affects tribal interests and recognizes the desirability of dialogue between tribal governments; the federal government as trustee, where appropriate; and the State, with regard to those State policies;
2. Identifies key personnel of the Department as "key contacts" responsible for coordination with tribal governments;
3. Establishes a process for the identification of those Department policies by designated tribal representatives and key contacts;
4. Promotes dialogue between the Department and tribal governments on those state policies; and
5. Advances the government-to-government relationship by notifying Department members of Executive Order #96-30.

The Department of State Police will work cooperatively with other State agencies to accomplish the goals of Executive Order #96-30.

This policy is not intended to create a forum for resolution of all issues between the Tribes and the Department, nor is it meant to replace presently existing lines of communications.

**RELATED LAWS/REFERENCES**

Office of the Governor, Executive Order #96-30; ORS 190.110

**RULE**

- 1. The key contacts of the Department are those members primarily responsible for advancing the government-to government relationships between the Department and Oregon Indian tribes and for coordination with tribal governments on agency policies.

- A. The following position is designated as the primary Department representative for Oregon Indian tribes.

**Primary Contact:**

Operations Services Bureau Commander

- B. The following positions are designated as Department representatives based upon local service area or specialized service responsibility.

**Statewide Issues:**

Fish & Wildlife/Natural Resources      Fish and Wildlife Division Director

Tribal Gaming      Gaming Enforcement Division Director

Department Policy & Procedures      Policy & Procedures Advisory Committee Chair

**Local Issues:**

Cow Creek Band of Umpqua Tribe      Station Commander-Roseburg

Confederated Tribes of Warm Springs      Station Commander-Bend

Confederated Tribes of Umatilla      Station Commander-Pendleton

Burns Paiute Tribe      Station Commander-Ontario

Fort McDermitt Paiute Tribe      Station Commander-Ontario

Coos, Lower Umpqua, & Siuslaw Tribes      Station Commander-Coos Bay

|                                    |                                 |
|------------------------------------|---------------------------------|
| Coquille Tribe                     | Station Commander-Coos Bay      |
| Confederated Tribes of Grand Ronde | Station Commander-McMinnville   |
| Confederated Tribes of Siletz      | Station Commander-Newport       |
| Klamath Tribes                     | Station Commander-Klamath Falls |

2. The listed Department representatives, or a designee, shall communicate with Oregon tribal governments that are located in their individual service areas for the purpose of working together to achieve mutual goals, identify policy issues, and discuss issues of mutual concern or interest.
3. In the development of issues of mutual concern, the Department representatives shall make reasonable efforts to design solutions and develop programs to achieve mutual goals in relation to Department policy.
4. Department representatives shall consider the use of cooperative agreements with Indian tribal governments as provided for in ORS 190.110 or other tools to achieve mutual cooperation when it is appropriate to do so.
5. Department representatives and designated supervisors shall attend periodic training in tribal culture, relations, and legal status designed to create an awareness of the unique nature of the tribal governments and an understanding of, and sensitivity to, Native American issues.
6. The Gaming Enforcement Division Director shall annually provide the Superintendent with a report on the Department's accomplishments and achievements derived from the advancement of Executive Order #96-30. A copy will be provided to each of the tribal public safety key contacts.
7. All members of the Department will consider impacts on Oregon tribal governments when developing policy and, if appropriate, shall consult with tribal representatives to discuss issues.
8. Station Commanders designated as Department representatives shall establish mutually agreeable meeting schedules with local tribal representatives.

**PROCEDURE:**

1. The Gaming Enforcement Division Director, or a designee, shall assist the Superintendent to coordinate and accomplish the requirements of this policy and the goals of Executive Order #96-30.
  - A. The Gaming Enforcement Division Director will coordinate the periodic tribal cultural training for Department representatives and designated supervisors. Each Department representative shall designate those supervisors under their command that should attend this training.

- B. The annual report to the Superintendent required by this policy shall be an Executive Summary.
- 2. The Statewide Annual Meeting will serve as a means for Department representatives to further establish contacts with designated tribal government representatives, schedule additional meetings, and develop appropriate protocols of communication on issues of mutual concern.