



2017
Government-to-Government
Agency Report

Oregon State Police

Introduction

In 2001, the Oregon State Legislature passed Senate Bill 770. Section I through Section IV required state agencies in Oregon to report annually to the Governor on activities pertaining to the relationship between the State Government and Tribal Governments.

This report, from the **Department of State Police**, contains those activities which are directly related to the Tribal/State relationships during calendar year 2017.

Attached is a copy of the Oregon State Police Policies, Rules, and Procedures, Chapter 500.11, State-Tribal Government-to-Government Relations, in accordance with the requirements of ORS 182.164.

The purpose of this policy is 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 intergovernmental relations, and enhances the 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 of State Police by position. This report contains a current key contact list of the names and telephone numbers of these individuals.

This report contains a summary of the various interactions between Tribal Governments and the representatives of the Oregon State Police.

Table of Contents

Executive Summary	Page 4
Oregon State Police Primary Contact	Page 6
Oregon State Police Gaming and Employee Services Bureau	Page 7
Oregon State Athletic Commission	Page 11
Oregon State Police Fish and Wildlife Division	Page 12
Oregon State Police Command Areas	Page 15
• Southwest Region	Page 15
• Northwest Region	Page 17
• East Region	Page 17
Office of State Fire Marshal	Page 21
Criminal Justice Information Services Division	Page 22
State Medical Examiner's Office	Page 24
Policy 500.11	Page 26

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 gaming license applicants, and other investigations
- Regulatory auditing, monitoring, and investigations related to Class III gaming activities. Participating in gaming compact negotiation, Minimum Internal Control Standards (MICS) negotiations and regular meetings with the Oregon Association of Indian Gaming Commissions
- Background Investigations of gaming vendors and contractors and meetings with Tribal Gaming Commissions regarding vendors

Oregon State Athletic Commission

- Regulated one mixed martial arts event at Wildhorse Resort & Casino and three mixed martial arts events at Chinook Winds Casino

OSP Fish and Wildlife Division

- Investigations which protect or 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
- Provided and/or received 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 Regulatory Commissions

State Medical Examiner's Office

- Conducted training and provided information in the recovery of human skeletal remains including proper protocol when a possible Native American gravesite is discovered
- Continue to work with Cultural Resources Cluster regarding the discovery of ancient Indian remains
- Provided specific training in the recovery of human skeletal remains including information on the nine federally-recognized Oregon tribes, their cultural history, and the Medical Examiner's commitment to following proper protocol when a possible Native American gravesite is discovered

Training – ORS 182.166

- On November 1-2, 2017, Oregon State Police attended the 2017 Fall Gathering and Learning Session for state agencies and the Annual State-Tribal Summit, hosted by The Confederated Tribes of the Siletz Indians and The Legislative Commission on Indian Services, at Chinook Winds Casino Resort in Lincoln City.
- September 2017, the Department in partnership with the Oregon Department of Justice, the Offices of The United States Attorneys Oregon District, the Department of Public Safety Standards and Training, the Confederated Tribes of Umatilla Indian Reservation, and the Confederated Tribes of Warm Springs sponsored training titled "Indian Country Criminal Jurisdictional Training for Law Enforcement Officers."

Oregon State Police Primary Contacts

Gaming and Employee Services Bureau

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Tribal Gaming Section

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Fish and Wildlife Division

Jeff Samuels, Captain
3565 Trelstad Ave SE
Salem, OR 97317
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Criminal Investigations Division

Jonathan Harrington, Captain
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Salem, OR 97317
503-934-0230

Office of State Fire Marshal

Jim Walker, State Fire Marshal
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Salem, OR 97317
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Southwest Region

Theodore Phillips, Captain
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541-776-6114

Northwest Region

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Eastern Region

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State Medical Examiner

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Criminal Justice Information Services Division

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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 is to ensure that all Class III Tribal gaming activities 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 Oregon Tribes, which include the Confederated Tribes of the Grand Ronde Community of Oregon (Grand Ronde), Burns Paiute Tribe (Burns), Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians (Coos), Coquille Tribe of Indians (Coquille), Cow Creek Band of Umpqua Tribe of Indians (Cow Creek), Klamath Tribes (Klamath), Confederated Tribes of the Siletz Indians of Oregon (Siletz), Confederated Tribes of the Umatilla Indian Reservation (Umatilla), and the Confederated Tribes of the Warm Springs Indian Reservation (Warm Springs). The Tribal Gaming Section is comprised of OSP detectives, non-sworn field agents and professional administrative support staff.

Criminal Investigations

In 2017, the Oregon State Police (OSP) Tribal Gaming Section (TGS) detectives conducted various criminal investigations relating to gaming and non-gaming crimes at Tribal casinos and Tribal properties in Oregon. These investigations included criminal cases of cheating, theft, criminal trespass, counterfeiting, and drug-related activity.

Several investigations conducted by detectives involved the fraudulent and unlawful use of credit cards and checks that were uttered at Tribal casinos. The manipulation of credit cards and checks also involved stolen identities which were used by the suspects to complete the fraudulent transactions. These cases have been submitted to the local District Attorneys in the various jurisdictions. One such case concluded this year, resulting in a 24-count identity theft indictment and subsequent conviction. One suspect received a 94-month prison sentence. The other received a 47-month prison sentence. In addition, probation and \$39,000 restitution order was imposed.

Numerous cases involving the use of counterfeit currency were discovered at various Tribal casinos. Some of the counterfeit currency was forwarded to the Tribal Gaming Section for review and follow-up investigation. The TGS detectives met regularly with Justin Bourne, Special Agent in Charge of the U.S. Secret Service in Portland, to assist in determining the possible origin of the counterfeit bills, to de-conflict suspect information and coordinate ongoing investigations by OSP and U.S. Secret Service. During 2017, Special Agent Bourne conducted several counterfeit currency training sessions for Oregon tribes. The desire was to assist Tribal casinos and their employees on the identification and procedures involving counterfeit currency.

Two separate cheating investigations were conducted by Detective Bischoff and Detective Park involving the table game of Pai-Gow Poker. In the first case, the detectives identified and located one suspect who was taken into custody and subsequently indicted. The outcome of this case is pending. The other investigation

resulted in an indictment. The suspect in this case was located and taken into custody at her home. This case is also pending final adjudication.

Detective Park is working on an investigation into the illegal duplication of video lottery terminal tickets.

In August 2017, Detective Park coordinated with the Oregon State Police Explosives Section, Sergeant Kevin Delgrande and Detective Mike Blank, to provide a joint training session for Tribal Gaming facility personnel at the Three Rivers Casino in Florence. The training was presented to Tribal security staff and surveillance personnel from across Oregon. Topics included identification and disposal of suspicious devices, a presentation of the types of equipment deployed by the explosives unit and proper protocols used when suspicious devices are encountered. Detective Park also co-presented with the Oregon Surveillance Network Chairman and Surveillance Director of the Chinook Winds Casino, Abe Martin. The presentation was multi-faceted and consisted of the following topics: criminal investigations, a case study involving a casino player's points criminal investigation, and identifying suspicious behaviors.

The OSP detectives continue to conduct and review background investigations for licensing employees who work in sensitive areas at Tribal casinos and for Tribal Gaming Regulatory Commissions. OSP detectives maintain regular contact and continue to foster partnerships with Tribal police, local law enforcement agencies, federal agencies and Tribal Gaming Commissions during the course of their work. These partnerships continue to provide Oregon Tribes with the latest intelligence information and resources available to assist in prevention and detection of criminal-related activity at casinos.

During 2017, OSP detectives attended the Oregon Surveillance Network (OSN) meetings. These meetings are held throughout the year, where information is jointly shared with the membership and concerns of mutual interest are discussed and addressed.

Regulatory and Technical Compliance

Throughout 2017, the Tribal Gaming Section (TGS) field agents conducted regular monitoring activities consisting of on-site visits to all the Tribal gaming facilities in Oregon. These monitoring activities include observations and physical auditing of all aspects of Class III gaming operations at the Tribal gaming casinos.

The TGS compliance managers and TGS field agents participated in numerous Compact Compliance Review (CCR) audits and follow-up reviews during the year. These audits included, a Compact Compliance Review (CCR) with the Siletz, Umatilla and Coos Tribes. TGS was also invited to participate with the Umatilla Tribe on their quarterly regulatory audit.

During 2017, TGS conducted a review of the newly adopted Minimum Internal Control Standards (MICS) for the Grand Ronde Tribe and CCR follow-up for the Klamath Tribes and the Warm Springs Tribes.

TGS field agents also monitored the shipment and removal of several hundred Video Lottery Terminals (VLT) at all the Tribal Casinos throughout the state.

During 2017, the State of Oregon completed Tribal/State Compact amendment with the Confederated Tribes of the Grand Ronde Community of Oregon. The compact amendment was reviewed and signed by the Governor and subsequently approved by the U.S. Department of Interior.

In February 2017, the Tribal Gaming Section hosted the Oregon Association of Indian Gaming Commissions (OAIGC) meeting at the Public Safety Academy in Salem, Oregon. During this meeting, TGS Compliance Managers presented an overview of the Compact Compliance Review process and explained all phases of the process. This presentation was intended to inform the Tribal Gaming Commissions about the joint planning process, the scope of the Compact Compliance Reviews, the reporting practices that are used to document observations and an explanation of the state's role for enhancing their respective regulatory compliance oversight of gaming operations.

In May 2017, the Tribal Gaming Section met with the Burns Paiute Tribal Council in Burns, Oregon. The purpose of the meeting was to meet new Tribal Council members and provide historical information about the events that preceded the closing of the casino in Burns.

In June 2017, the Tribal Gaming Section conducted a Review of the Tribal/State Minimum Internal Control Standards (MICS) that were jointly approved and adopted by TGS and the Grand Ronde Gaming Commission. All provisions of the MICS were reviewed for accuracy and to ensure they were tethered to the appropriate Tribal MICS and casino's policies and procedures.

TGS is currently working with the Umatilla Tribe on the approval process for adopting their new MICS.

Key activities conducted during 2017 include:

March 2017

- Conducted a joint planning meeting with Siletz Gaming Commission to prepare for Joint CCR
- Attended GLI Roundtable in Las Vegas for machine regulation and casino gaming training

April 2017

- Conducted a joint Compact Compliance Review with Siletz Gaming Commission at Chinook Winds Casino.

May 2017

- Conducted the final Compact Compliance Review with the Klamath Tribe and

scheduled the 6-month follow up to be completed in late November 2017

June 2017

- Attend National Indian Gaming Commission training held at Grand Ronde Casino
- Conducted the 6-month MICS review with Grand Ronde Gaming Commission

July 2017

- Completed the final Compact Compliance Review meeting with the Siletz Gaming Commission
- Completed the final Compact Compliance Review meeting with Warm Springs Gaming Commission
- Conducted a joint planning meeting with Umatilla Gaming Commission in preparation for upcoming Joint CCR

August 2017

- Conducted a joint Compact Compliance Review with Umatilla Gaming Commission at Wildhorse Resort and Casino

September 2017

- Conducted the final Compact Compliance Review meeting with the Umatilla Gaming Commission

October 2017

- Conducted a joint planning meeting with Coos Gaming Commission in preparation for Joint CCR

November 2017

- Attended the 2017 Fall Gathering and Learning Session for state agencies, hosted by The Confederated Tribes of the Siletz Indians and The Legislative Commission on Indian Services

Vendor Investigations

During 2017, the OSP Vendor Investigation Section detectives completed multiple vendor background investigations on companies contracting with Oregon 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 vendors or contractors desiring to provide Class III products and services to Oregon Tribes.

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

The Vendor Investigations Section provided Oregon Tribes with an updated list of those vendors which are approved to provide services and products to Class III gaming facilities in 2017.

Training

- September 2017 the Department in partnership with the Oregon Department of Justice, the Offices of The United States Attorneys Oregon District, the Department of Public Safety Standards and Training, the Confederated Tribes of Umatilla Indian Reservation, and the Confederated Tribes of Warm Springs sponsored training titled “Indian Country Criminal Jurisdictional Training for Law Enforcement Officers.” The training was offered in Salem at DPSST, Umatilla Indian Reservation, and at the Warm Springs Indian Reservation.

The training agenda comprised the following topics of instruction:

- General Criminal Overview
- Federal/State/Tribal Jurisdiction
- Tribal Law and Order Act
- Tribal Domestic Violence Protection Orders
- Native American Human Remains Protocol
- Open Discussion

Oregon State Athletic Commission

In 2017, Oregon State Athletic Commission regulated one mixed martial arts event at Wildhorse Resort & Casino in Pendleton and three mixed martial arts events at Chinook Winds Casino in Lincoln City. The Commission has a meeting scheduled with Seven Feathers Casino to discuss a 2018 mixed martial arts event to be held at their casino in Canyonville.

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 Legislative Commission on Indian Services, 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.

In May 2017, Captain Samuels, Lieutenant Heuberger, Lieutenant Howell and Sergeant Allori attended an ad hoc meeting of Natural Resources State Agencies. The purpose of this meeting was to improve collective outreach and collaboration with Tribal nations. The agenda included sharing policies, procedures and lessons learned when working with Tribal governments.

Throughout 2017, Lieutenant Howell (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-Tribal 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.

Throughout September, several Fish & Wildlife Division supervisors attended training provided by the U.S. Attorney's Office and Oregon Department of Justice, regarding criminal jurisdiction related to Tribal lands and general jurisdiction overview. The training was well attended by several agencies.

Northwest Region

In June, Sergeant Hoodenpyl (NW Region), along with Oregon Department of Fish & Wildlife (ODFW) representatives, attended an annual meeting with the Confederated Tribes of Siletz Indians regarding big game tag harvest numbers. Attendees discussed relevant agreements between parties, as well as enforcement issues.

Lieutenant Thomas, Sergeant Hoodenpyl, Senior Trooper Kehr, Trooper Jerome, and ODFW, met with the Confederated Tribes of Grand Ronde for an annual Tribal hunting coordination meeting. Tribal hunting rights, the Tribal hunting program and Tribal hunting seasons were discussed, as well as Tribal Police and State Police enforcement and coordination.

Over the course of the 2017 calendar year, Sergeant Chris Allori (NW Region) met with state agency representatives from Oregon's nine federally-recognized tribes in five

separate meetings with the Cultural Resources Cluster Group and the Natural Resources Workgroup hosted by the Legislative Commission on Indian Services.

- March 1, 2017 – Cultural Cluster Group Meeting
- March 2, 2017 – Meet with representatives from the nine federally recognized tribes in Oregon and representatives from the Oregon Medical Examiner's Office
- May 18/19, 2017 – Cultural Cluster Group Meeting
- April 24, 2017 – Natural Resources Workgroup Meeting
- September 20, 2017 - Natural Resources Workgroup Meeting

East Region

In May, Lieutenant Schwartz and Sergeant Vanderwerf attended a meeting with Washington Department of Fish & Wildlife members and Columbia River Inter-Tribal Fisheries Enforcement (CRITFE) members to discuss operations, working relationships and to share information regarding fisheries enforcement on the Columbia River. Sergeant Vanderwerf, and other The Dalles members, worked closely with CRITFE personnel throughout the year to coordinate efforts and address enforcement concerns along the Mid-Columbia River.

Senior Trooper Jewett continued to take part as the OSP representative board member of the Pine Creek Ranch throughout 2017. Senior Trooper Jewett attended meetings with other board members and assisted with enforcement concerns. Lieutenant Schwartz also attended one of the board meetings. The Pine Creek Ranch is located near Clarno on the John Day River, and is managed by the Warm Springs Tribe.

In February and May, Lieutenant Schwartz attended multi-agency meetings in Bend regarding archaeological enforcement intelligence sharing. This group has met at least twice per year for the past several years in an ongoing effort to better communicate.

The Dalles Fish & Wildlife members conducted multiple joint operations with Washington Department of Fish & Wildlife personnel and Columbia River Inter-Tribal Enforcement members throughout 2017. The operations consisted of joint-vessel patrols as well as observations of areas closed to angling and/or fishing.

Lieutenant Schwartz, along with Sergeant Kipper, Sergeant Lea and Sergeant Vanderwerf took part in the Lower Deschutes Manager group meetings and tours throughout the year. The meetings, attended by representatives with state, federal and Tribal (Warm Springs) agencies, met on several occasions to discuss management of the scenic Deschutes River. The group also toured parks and access points along the Deschutes in preparation for the 2017 Solar Eclipse.

Southwest Region

In June, Sergeant Yaws received information from a member of the Klamath Tribe about new construction by a business in the Chiloquin area. Information indicated the construction was occurring on a site with archaeological significance to the Tribe. Sgt. Yaws conducted an investigation, photographed and documented the work, and

maintained contact with the construction manager and the Klamath Tribe. With the assistance of DOJ and the State Historical Preservation Office, the construction was delayed and an archaeological survey was completed of the area before construction was allowed to resume.

Throughout the summer, Senior Trooper Tague checked the Crump Lake area. Due to high water levels there was minimal activity regarding archaeological objects and no violations were documented.

Special Investigations Unit

In July, members of the Division's Special Investigations Unit (SIU) investigated the partial destruction of a sacred rock in the Klamath basin. The investigation was completed and forwarded to the Department of Justice (DOJ) prosecutor for criminal and/or civil consideration. Perry Chocktoot, with the Klamath Tribe, was contacted for his input during the investigation.

Oregon State Police Command Areas

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. Both of the tribes have their own, independent Tribal Police Departments, each employing 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 during a variety of investigations, during local training opportunities, and while serving together on various local committees.

In 2017, Coos Bay Troopers were assisted by Coquille Indian Tribe's police K-9 narcotic units on an OSP traffic stop that resulted in the seizure of 10.8 pounds of Methamphetamine. They have assisted on numerous vehicle and residential search warrants and various articles seized in the course of patrol, criminal and fish and wildlife cases.

The Coos Bay Office and Coquille Tribal Police provide reciprocal assistance during times when backup is needed. Our Troopers and Coos County Sheriff's Office, 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 is not already in place, and Fish and Wildlife 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. OSP Fish and Wildlife Troopers have assisted both tribes with criminal investigations involving theft of 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 is located in 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's on CAPE-related stops and during other narcotics investigations and search warrants.

The Coos Bay Lieutenant and Sergeants attend monthly south coast Chiefs and Sheriffs meetings and discuss various issues that arise with the Chiefs, Sheriffs, District Attorneys, along with other federal, state, county and local law enforcement partners including the Coquille Tribal Police Chief and the Lieutenant 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 Three Rivers Casino in Florence (Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indian Tribe). The security officers are often able to provide surveillance video footage that the Troopers can use as evidence in criminal investigations.

In 2017, OSP responded to a disorderly conduct and use of force case on Highway 101 between two portions of The Mill Casino property. That subject's offense began on casino property and Tribal security assisted in the apprehension and detention of the suspect. Video from the casino was valuable in the after-action review of the incident and for criminal reports.

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.

In the past several 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. In 2017, we sent one Trooper to assist with that festival.

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

The Coquille Tribal Police Department often facilitates the use of conference rooms at The Mill Casino Hotel in North Bend to accommodate and host various law enforcement trainings and community meetings. The Coquille Indian Tribe has also worked together with the Oregon State Police to set up direct billing at The Mill Casino Hotel. This arrangement is frequently utilized by OSP Tribal Gaming personnel and OSP Evidence Technicians and is available for any OSP employees who may have need to overnight in the Coos Bay / North Bend area.

The Coos Bay Area Command office houses an Oregon State Police Tribal Gaming Compliance Auditor II who works with both local tribes regularly as well as other statewide Tribal audits.

Roseburg Area Command:

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

During 2017, Seven Feathers Casino implemented a plain-clothes armed security unit. The priority is to respond to armed subjects creating a threat within the Seven Feather Resort and Casino complex.

Seven Feathers Resort and Casino hosts numerous law enforcement conferences throughout the year.

Northwest Region

McMinnville Area Command

The McMinnville Area Command works with the Grand Ronde Tribal Police when needed. OSP Troopers from the McMinnville Area Command provide routine patrol coverage on Highway 18 in the area of the Spirit Mountain Casino and respond to calls for service as needed.

Newport Area Command

The Newport Area Command continues to work closely with the local law enforcement agencies to respond to calls for service at Chinook Winds Casino and Resort.

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 as well as the local District Attorney's Offices.

The Oregon State Police Madras Worksite Supervisor also meets regularly in a local leadership forum which includes members from the Jefferson County Sheriff's Office, Madras Police Department, Warm Springs Police Department and the Jefferson County District Attorney's Office. Meetings include a wide-ranging variety of issues and are held in the spirit of information sharing and cooperative policing.

On multiple occasions this reporting period, the Oregon State Police Bend Area Command worked in cooperation with Warm Springs Police Department and Tribal authorities. Members of the Oregon State Police dedicated a significant amount of their patrol time to enforcing state laws on the highways that cross the Warm Springs Reservation. This included multi-agency saturation patrols and tactical plans on Super Bowl Sunday, Thanksgiving, and Labor Day holiday weekends where Warm Springs Police Department and members of the Oregon State Police participated in traffic saturation patrols.

In August 2017, the Oregon State Police worked cooperatively with Warm Springs Police Department during the Nena Springs Fire and in a joint tactical plan to deal with large volumes of traffic and emergency management issues associated with the 2017 Solar Eclipse event.

Pendleton Area Command:

The Pendleton Area Command Lieutenant attends monthly agency head meetings which are attended by the Umatilla Tribal Police Chief. Topics of mutual public safety concern are discussed.

On 3-8-17, Pendleton Area Command Troopers investigated a rollover motor vehicle crash on HWY 331 within the Umatilla Reservation. Troopers worked cooperatively with Tribal emergency services.

On 3-28-17, Pendleton Area Command Troopers investigated a fatal motor vehicle crash on HWY 11 near milepost 8. The deceased driver of the vehicle was identified as a Tribal member belonging to an out-of-state tribe. The Umatilla Tribal Police responded to the scene to assist in identifying and making appropriate notifications to the out-of-state tribe.

On 5-25-17, Pendleton Area Command Troopers investigated a rollover motor vehicle crash on HWY 331 and I84 within the Umatilla Reservation. Troopers were assisted at the scene by Tribal emergency services.

On 8-28-17, Pendleton Area Command Troopers responded to a commercial motor vehicle fire on I84 near milepost 228. The fire was extinguished by Umatilla Tribal Fire.

On 9-7-17, five members of the Pendleton Area Command attended Indian Country Jurisdictional training with the Umatilla Tribal Police Department at the Umatilla Reservation.

The Dalles Area Command:

The Dalles Area Command works cooperatively with multiple 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 June 8, 2017, members of The Dalles Area Command responded to an officer-involved shooting on the Warm Springs Reservation. Officers, deputies, detectives, federal agents and Troopers from several different agencies conducted the investigation that included on-scene investigation and interviews of the officers and deputies involved as well as the suspect and witnesses.

East Region - Criminal Investigations Division (CID)**Bend Area Command**

The Bend Area Command shares a cooperative relationship with the Warm Springs Indian Reservation. The Oregon State Police and Warm Springs Police Department routinely meet with leadership from other law enforcement to discuss any issues which may arise during the course of the year.

On June 8, 2017, Bend Major Crimes Section detectives, patrol Troopers from Bend and The Dalles, and OSP Crime Lab personnel responded to assist the FBI regarding an officer-involved shooting investigation on the Warm Springs Reservation. Three Warm Springs Police Officers and a Wasco County Deputy Sheriff discharged their firearms at a male suspect who drove his vehicle toward the officers while they were attempting to affect his arrest for multiple burglaries in the area. The suspect fled on foot after crashing the vehicle. An air support unit monitored the suspect's movements and reported information to officers. The suspect was subsequently apprehended without further incident. There were no initial injuries reported and the investigation is currently continuing. The FBI is the lead agency and the use of force review is being conducted by an Assistant United States Attorney. The United States Attorney's Office subsequently determined the actions of the law enforcement officers were lawful and justified and the suspect is being prosecuted for crimes related to the attempted assault on federal officers.

On September 27, 2017, members of the CODE Team, with the assistance of the FBI and DEA, executed eight federal search warrants in Jefferson and Deschutes County in relation to a long-term drug investigation. A total of ten individuals were arrested on federal warrants while three were arrested on state charges as a result of the investigation. Multiple federal arrest warrants are still outstanding and the suspects are being actively sought. Seizures from this case to date are in excess of 28 pounds of methamphetamine and 1.5 pounds of heroin. An investigation is continuing and further arrests and warrants are anticipated.

The Dalles Area Command

On June 8, 2017, members of The Dalles Area Command Patrol Division and Criminal Division assisted the FBI on an officer-involved shooting on the Warm Springs Indian

Reservation. The officers involved were from the Warm Springs Police Department and Wasco County Sheriff's Office.

Pendleton Area Command

The Pendleton Area Command Criminal Investigation Division (CID) works with the Umatilla Tribal Police Department upon their request. The Criminal Division is made up of both the Major Crime Section (MCS) and the Drug Enforcement Section (DES). The MCS is an active member of the Umatilla / Morrow County Major Crime Team which Umatilla Tribal Police is a member. The Blue Mountain Enforcement Narcotics Team is supervised by a member of the Oregon State Police DES and has a Umatilla Tribal Police detective assigned to the team.

On August 8, 2017, member of the Blue Mountain Enforcement Narcotic Team (BENT) attempted to contact a suspect at the Wildhorse Resort & Casino parking lot. The suspect had an outstanding felony warrant for a parole violation on a weapons charge. When members of BENT attempted to contact the subject, the subject eluded them in his vehicle. During an attempt to elude in the parking lot, the suspect hit a bystander's vehicle and the exterior wall of the hotel, causing minor damage. The Umatilla Tribal Police Department was notified and took a report of the crash. The suspect was arrested several days later in Pendleton, OR.

In April of 2017, Umatilla Tribal Police assigned a full-time detective to BENT to fill a position which was vacated in 2016 due to staffing issues.

On September 7, 2017, Pendleton Area Command CID conducted a death investigation at the Dead Man's Pass Rest area (I-84 MP 28 EB). A report was received that a subject had exited a restroom, walked a short distance and collapsed. Pendleton patrol Troopers responded to the scene along with Umatilla Tribal Police Department and Umatilla Fire EMS. Interviews of the witnesses and the reporting party did not indicate any foul play. An inspection of the restroom and the adjacent area did not reveal any evidence of foul play. The on-scene Umatilla Tribal Police Department investigator is also a Deputy Medical Examiner and pronounced the victim deceased and released the body. The Umatilla Tribal Police Department processed the vehicle.

Ontario Area Command

Ontario CID received information from an inmate that his 2-to-3-year-old son was raped prior to his incarceration. An interview was conducted with the inmate. During the course of the interview, it was revealed the inmate had schizophrenia. The investigator was unable to determine if the allegation of the rape actually occurred or if it was a manufactured event due to his illness. The information was passed on to the Warm Springs Police Department for additional investigation. The subsequent investigation revealed there was no evidence to substantiate the claim.

Oregon State Fire Marshal

The mission of the Oregon State Fire Marshal Office is to protect citizens, property, and the environment from fire and hazardous materials.

In 2017, the Oregon State Fire Marshal Office (OSFM) assisted the Tribes in Oregon through planning, inspections, investigations, meetings, education and consultation.

2017 activities included:

Monthly

Pacific Northwest Wildfire Coordinating Group (PNWCG) The PNWCG is established to further interagency coordination of wildland fire and fuels management for local, Tribal, state and federal agencies to enhance firefighter safety and protect life, property, and natural resources.

January 2017

- Worked to understand the ability of OSFM to mobilize Tribal Fire Departments utilizing the Conflagration Act

February 2017

- Fire inspection for Confederated Tribes of Grand Ronde Head Start

March 2017

- Child care facility fire inspection for Klamath Tribes
- Child care facility fire inspection for Warm Springs Head Start and Early Childhood Education Center

April 2017

- Fire inspection for Confederated Tribes of Grand Ronde Head Start
- Tribes attended the Hazmat Rail Emergency Response, Training, and Planning presentation and workshops
- Fire Prevention Co-op meeting with Burns Paiute Tribe
- Burns Paiute Tribe attended a basic fire cause class
- Grant County Eclipse preparation meeting with Burns Paiute Tribe

May 2017

- Confederated Tribes of Grand Ronde attended the SERC/LEPC conference regarding the Moiser case study presentation
- Access and water supply plans review for Confederated Tribes of Grand Ronde Tribal Museum
- Pre-season Fire Meeting with Burns Paiute Tribe

July 2017

- Harney County Chamber Eclipse preparation meeting with Burns Paiute Tribe
- Fire hydrant flow test for Confederated Tribes of Grand Ronde
- Tribes attended the Disaster Resilience Symposium
- Finalized agreement with BIA to provide structural protection services on Warm Springs Reservation via Oregon Fire Service Mobilization Plan when their resources and mutual aid are exhausted
- Retrieved old record for Old Camp Casino, Burns Paiute Tribe
- Grant County Emergency Management eclipse preparation meeting with Burns Paiute Tribe
- Technical advice regarding firefighting water supply on a new Tribal Hotel locate at

the KLA-MO-YA facility, Klamath Tribes

August 2017

- Mobilized twice to provide structural protection services and overhead team support at Warm Springs during Nena Springs Fire
- Nena fire investigation, determined origin and cause
- Code consult to Confederated Tribes of Umatilla regarding Chlorine Storage

September 2017

- Fire inspection for Confederated Tribes of Grand Ronde Head Start
- Columbia River Inter-Tribal Fish Commission and Confederated Tribes of Siletz Indians participated in 24 hours of ICS 300 & 400 training
- Assisted Klamath Tribes in fire origin and cause, Chiloquin Tribal Elder Congregate

October 2017

- Fire inspection for Confederated Tribes of Siletz, Medical Center
- Fire investigation on Paiute Reservation in cooperation with the Burns Paiute Tribe

November 2017

- Colville Tribal Office of Public Safety participated in a 16-hour liaison officer training course

December 2017

- Developing Hazmat Rail Emergency Response Plans in which the tribes will be heavily involved in the planning process

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.

In November 2016, Major Tom Worthy and Tricia Whitfield attended an FBI-sponsored CJIS Division Tribal and State Regional Conference along with members from the following Oregon tribes: Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians of Oregon; Confederated Tribes of the Umatilla Indian Reservation; and Confederated Tribes of the Warm Springs Reservation. The conference objective was to promote awareness of and continuing improvements toward understanding challenges that may prevent or deter Tribal agencies from accessing the FBI CJIS Division systems such as: National Crime Information Center, Next Generation Identification, National Data Exchange, National Instant Criminal Background Check System, Uniform Crime Reporting, and the Law Enforcement Enterprise Portal (LEEP).

CJIS Systems Access/Training/Audit:

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

During 2017, LEDS Training specialists Kendele Miyasaki and Russ Hoskins provided regional training sessions on the appropriate use and access to LEDS, to three Tribal agencies where representatives participated from the following Tribal agencies:

- Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
- Siletz Tribal Gaming
- Coquille Gaming

A statewide training conference was held at Sunriver where the following Tribal representatives participated:

- Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians Police Department
- Confederated Tribes of Grand Ronde Police Department
- Cow Creek Gaming

The LEDS Training unit processed training transactions throughout the calendar year 2017. The transaction types and their numbers are as follows:

- Training Certificates Issued: 7
- Training Materials Issued: 4

LEDS Auditors Dan Malin and Leah Bernards conduct 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 2017, audits were conducted with the following Tribal agencies:

Criminal Justice Audits

- Grande Ronde Tribal Police Department
- Coquille Tribal Police Department

Non-Criminal Justice (Applicant/Regulatory) Audits

- Grande Ronde Gaming Commission
- Coquille Gaming Commission
- Cow Creek Gaming Commission

Criminal Justice record reporting and Non-Criminal Justice 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 Computerized Criminal History (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 2017:

Arrest Fingerprints: 316
CJIS Security Fingerprints: 25
Court Dispositions: 490
Livescan Devices Tested: 14

OSP was contacted on two separate occasions in 2017 regarding how to order blank fingerprint cards. These cards are furnished by the FBI at no cost and the requests were redirected to the FBI for ordering.

The Regulatory Unit processes non-criminal justice agency 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, Regulatory Manager, assisted the Klamath Tribe's Human Resources Department with their research into potentially using a third-party contractor to outsource their administrative functions where criminal justice records are involved. The following Tribal applicant background checks by category were processed in 2017:

Gaming: 1,915
Health & Family Services: 150
Human Resources: 61

Oregon State Medical Examiner's Office

During 2017, the Oregon State Police Medical Examiner's Division continued to work closely with tribes regarding the inadvertent discovery of Native American human remains and the subsequent repatriation of these remains to the appropriate Tribal members.

The Medical Examiner's Division is maintaining transparent lines of communications and enthusiastically adhering to ORS 97.745.

In March of 2017, Tribal representatives met with Medical Examiner personnel at the Clackamas facility to collaborate on addressing the language in ORS 97.745, and address specific challenges with determining the origin of unaffiliated non-contemporary skeletal remains found in Oregon. A new internal policy was reviewed by all participants which allows for more thorough documentation of the process of repatriation when the Medical Examiner's Office is involved. This policy also specifically focuses on the timely return of Native American remains that are inadvertently discovered on Oregon land.

In September of 2017, the Medical Examiner's Office had the opportunity to train Eugene Police Department detectives and evidence technicians in the recovery of human skeletal remains. A large portion of this training includes information on the 9 federally-recognized Oregon tribes, their cultural history, and the Medical Examiner's commitment to following proper protocol when a possible Native American gravesite is discovered. The individuals who received this training are now equipped to return to their community with a better understanding of how the Medical Examiner's office operates, how the law is interpreted, and the respectful actions we must take to protect these heritage sites. This type of training will continue and all efforts will be made to provide this educational opportunity in the future.

In October of 2017, Medical Examiner personnel participated in the Legislative Commission on Indian Services (LCIS) meeting by presenting a historical perspective on the relationship the Oregon State Police Medical Examiner Division has had with Tribal leadership in the past, and consideration of the relationship moving forward. LCIS Tribal chairs or vice-chairs from the Siletz, Cow Creek, Klamath, Coquille, Grand Ronde, Umatilla, Warm Springs, Coos, Lower Umpqua & Siuslaw tribes were present, as well as other Tribal Council members, Senators Ferrioli and Roblan, and other state agency presenters.

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. Sergeant Allori 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.



DEPARTMENT OF STATE POLICE

STATE-TRIBAL GOVERNMENT TO GOVERNMENT RELATIONS

Effective Date: October 28, 2016	Supersedes Date: September 8, 1999	Policy Number: 500.11
Reference/Laws/Statutory Authority: Office of the Governor, Executive Order #96-30; ORS 190.110		
Applies to: <input checked="" type="checkbox"/> All Personnel <input type="checkbox"/> All Management <input type="checkbox"/> Sworn Personnel <input type="checkbox"/> Non Sworn Personnel <input type="checkbox"/> Other <input style="width: 600px; height: 15px;" type="text"/>		
Issuing Authority: Superintendent of State Police		No. Pages 4

I. PURPOSE

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 inter-governmental relations and enhance an exchange of ideas and resources for the greater good of all of Oregon's citizens, whether Tribal members or not.

II. 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 can not 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.

A. The State recognizes the sovereign status of Oregon Indian tribes and the Department establishes the following policy:

1. Recognizes Oregon Indian Tribal governments are interested in 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.
- B. The Department of State Police will work cooperatively with other State agencies to accomplish the goals of Executive Order #96-30.
- C. 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.

III. PROCEDURE

- A. The Gaming and Employee Services Bureau Commander, or a designee, shall assist the Superintendent to coordinate and accomplish the requirements of this policy and the goals of Executive Order #96-30.
1. The Gaming and Employee Services Bureau Commander 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.
 2. The annual report to the Superintendent required by this policy shall be an Executive Summary.
- B. 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.

IV. DEFINITION

NONE

V. RULES

- A. 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.

1. The following position is designated as the primary Department representative for Oregon Indian tribes:
 - a) Primary contact: Gaming and Employee Services Bureau Commander.
2. 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	Chair of Policy & Procedures Advisory Committee

Local Issues:

Cow Creek Band of Umpqua Tribe	Area 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

- B. The listed Department representative, 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 to discuss issues of mutual concern or interest.

1. 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.
 2. 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.
 3. 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.
- C. The Gaming and Employee Services Bureau Commander shall provide annually to the Superintendent 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.
- D. 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.
- E. Area Commanders designated as Department representatives shall establish mutually agreeable meeting schedules with local Tribal representatives.