



# **2021**

## **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 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 that are directly related to the Tribal/State relationships during calendar year 2021.

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.

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# Oregon State Police Primary Contacts

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## **Fish and Wildlife Division**

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## **Criminal Investigations Division**

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## **Office of State Fire Marshal**

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## **Northwest Region**

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## **Public Safety Services Bureau**

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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 is conducted with fairness, integrity, security and honesty in accordance with the Tribal-State Gaming Compacts. The Tribal Gaming Section staff comprised of OSP Detectives, non-sworn Governmental Auditors and professional administrative support staff, has daily interaction with the eight Oregon Tribes currently operating a Casino in Oregon.

## **Criminal Investigations**

During 2021, the Oregon State Police (OSP), Tribal Gaming Section (TGS) Detectives conducted various criminal investigations relating to gaming and non-gaming crimes at casinos and tribal properties throughout Oregon. These investigations included criminal cases of, identity theft, counterfeiting, and computer crime. TGS detectives also assisted outside law enforcement agencies with investigations in which suspects and or victims had visited a tribal casino.

On numerous occasions, counterfeit currency discovered at various tribal casinos was sent to TGS for review in 2021. The Detectives meet and liaison with Justin Bourne, Special Agent in charge at the U.S. Secret Service in Portland, Oregon. This on-going partnership assists Detectives in determining the possible origin of the bills, suspect deconfliction and investigation reviews that are ongoing by OSP or U.S. Secret Service.

Detective Madsen continues to investigate a case involving "Spearfishing" at the Kla-Mo-Ya Casino. Spearfishing is a type of computer crime used to deceive a victim into providing valuable information or something of value. This investigation involved an out of state suspect who attempted to have a casino payroll employee deposit payroll funds into a false account that did not belong to the casino employee. This investigation is ongoing in collaboration with the Klamath County District Attorney's office.

In July 2021, Threat Assessment and Management Training was presented by Federal Bureau of Investigation (FBI) Behavior Analysis Unit (BAU) and OSP at (3) separate locations around the State of Oregon.

Chinook Winds Casino and Siletz Tribal Gaming Commission hosted the first event on July 13-14, 2021. The Seven Feathers Casino and Gaming Commission at the Seven Feathers Casino hosted the second event on July 15-16, 2021. The final presentations took place in La Grande, Oregon on July 19-20, 2021, and hosted by the Eastern Oregon University.

The attendees at these events consisted of mental health professionals, school district employees, Department of Human Services, Law Enforcement, emergency management, fire department personnel, Tribal Gaming Commissions, Tribal casino personnel and members from various Oregon Tribes. The training covered many aspects of threat management, provided case study examples and discussed how to manage these possible threats using various resources in a multiple disciplinary team model. Approximately 100 individuals attended the (3) separate trainings throughout the State.

On July 28-29, 2021, Detective Park and Madsen along with FBI Agent Gonzales gave a presentation on suspicious behavior and analysis of possible threats to surveillance and security staff at The Mill Casino. The presentation focus was on a case study regarding a possible threat that took place in 2018 at the Mill Casino and the investigative steps utilized to mitigate the possible threat / risk. The training was broken down into four different periods over two-days so various shifts could attend. In total (53) security and surveillance staff attended the training.

Detectives continue to conduct and review background investigations and background waiver requests by the Tribe on employees working in sensitive areas at tribal casinos and for Tribal Gaming Commissions. OSP Detectives maintain regular contact and continue to foster partnerships with Tribal Police, local law enforcement agencies, federal agencies and tribal gaming commissions in 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 2021, OSP Detectives attended and participated in the Oregon Surveillance Network (OSN) meetings. These meetings, held throughout the year, are a place where information can be shared with the membership and concerns of mutual interest are discussed and addressed.

### **Regulatory and Technical Compliance**

As reflected in the respective Tribal State Compacts, the relationship between the State and the Tribe rests on mutual trust and the recognition that each has a primary duty to protect the gaming public through separate, appropriate responsibilities during the life of current and future Compacts.

The OSP – Tribal Gaming Section (TGS) continues to work with the Tribal Gaming Commissions coordinating onsite monitoring for activities as related to Class III gaming at the gaming facilities. TGS currently has five Government Auditors that perform the monitoring activities for the eight Tribal Casinos in Oregon.

There were occasions throughout 2021, where Tribal Casinos closed for short periods of time, in response to the COVID-19 crisis. All Tribal Casinos are open. However, some have chosen to reduce their operating hours.

## **HIGHLIGHTS**

### **Confederated Tribes of Coos, Lower Umpqua and Siuslaw Gaming Commission** *Three Rivers Casino and Resort – Florence, Oregon*

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- Onsite monitoring activities.
- 13 Shipment Authorizations issued for transportation of 47 VLT Machines into gaming facility and 3 VLT machines removed from facility.
- OSP and DOJ worked with CTCLUSI to complete a Compact Amendment authorizing Sports Betting at the Tribal Casino.
- The MICS were completed and approved, which allowed CTCLUSI to begin Sports Betting December 2021.

**Coquille Gaming Commission**

*The Mill Casino – North Bend, Oregon*

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- Onsite monitoring activities.
- 21 Shipment Authorizations issued for transportation of 124 VLT machines into gaming facility and 22 VLT machines removed from facility.
- Continuing to work with DOJ and Gaming Commission on Compact negotiations for a request to allow off premise On Line Gaming.

**Cow Creek Gaming and Regulatory Commission**

*Seven Feathers Casino and Resort - Canyonville, Oregon*

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- Onsite monitoring activities.
- Tribal State Minimum Internal Controls (MICS) update all sections with the addition of sections for Security Department and Players Club.
- 12 Shipment Authorizations issued for transportation of 124 VLT machines into gaming facility.
- Assisted Gaming Commission with new game approvals and regulatory casino issues.

**Grand Ronde Gaming Commission**

*Spirit Mountain Casino – Grand Ronde, Oregon*

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- Onsite monitoring activities.
- 31 Shipment Authorizations issued for transportation of 186 VLT machines into gaming facility and 326 VLT machines removed from facility.
- Worked with Grand Ronde Gaming Commission for their On-Site mobile Sports Betting platform.
- OSP Tribal worked with DOJ discussing proposed Modernization of their Compact Amendment and completed a Memorandum of Understanding for recent sports integrity Compact language.

**Klamath Tribal Gaming Regulatory Commission**

*Kla-Mo-Ya Casino - Chiloquin, Oregon*

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- Onsite monitoring activities.

**Siletz Tribal Gaming Commission**

*Chinook Winds Casino and Resort – Lincoln City, Oregon*

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- Onsite monitoring activities.
- Tribal State Minimum Internal Controls (MICS) update all sections with the addition of sections for Security Department and Players Club.

- 24 Shipment Authorizations issued for transportation of 98 VLT machines into gaming facility and 124 VLT machines removed from facility.
- Continuing to work with DOJ and the Gaming Commission on the Siletz Compact Amendment request to allow Off-Premise On Line gaming.
- Worked with Siletz Tribal Gaming Commission for the approval of the new hybrid electronic table games.

### **Confederate Tribes of Umatilla Gaming Commission**

*Wildhorse Resort and Casino- Pendleton, Oregon*

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- Onsite monitoring activities.
- 10 Shipment Authorizations issued for transportation of 67 VLT machines into gaming facility and 41 VLT machines removed from facility.

### **Warm Springs Gaming Commission**

*Indian Head Casino – Warm Springs, Oregon*

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- Onsite monitoring activities.
- 4 Shipment Authorizations issued for transportation of 24 VLT Machines into gaming facility.

## **Oregon State Police Criminal Investigations Division**

The Criminal Investigations Division (CID) Missing Person Clearinghouse Manager attended several trainings covering topics concerning AMBER Alerts and Missing Child Investigations in Indian Country. CID and the OSP Northern Command Center Director are currently in discussions with the Project Coordinator for AMBER Alerts in Indian Country for NCJTC at Fox Valley Technical College, working to update/discuss our efforts to communicate with the Tribes in Oregon about AMBER Alerts.

Lieutenant Cord Wood participated in a series of meetings hosted by Operation Lady Justice, which was a Presidential DOJ task force assembled to research the issue of missing and murdered Native American women across the US.

## **Oregon State Police Training Section**

OSP Recruiters attended the Southern Oregon Trade Careers Expo, held at Seven Feathers Casino (Canyonville) in September 2021, which is open to local community members, including the Tribes.

## **Oregon State Athletic Commission**

Due to the COVID-19 Pandemic, the Oregon State Athletic Commission has not held any events in 2021.



# **Oregon State Police Fish and Wildlife Division**

The Oregon State Police Fish and Wildlife Division (OSPFWD) coordinates with tribal representatives, the Legislative Commission on Indian Services, the Oregon Department of Fish and Wildlife (ODFW), 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 2021, Lieutenant Schwartz (East Region) served as chair of the Columbia Basin Law Enforcement Council (CBLEC). CBLEC is comprised of law enforcement personnel from Washington, Oregon, the four Columbia River Tribes, Columbia River 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.

During the 2021 calendar year, Lieutenant Heuberger (Wildlife Section) attended Cultural Resources Cluster Group meetings along with Natural Resource Workgroup Meetings. Representatives from Oregon's nine federally recognized Tribes and multiple State agency representatives attend the meetings on a regular basis to discuss topics, share information and provide training related to Tribal Cultural resources and natural resources in Oregon. However, due to Covid-19, meetings were restricted to virtual teams meetings.

An OSP Cultural Investigations Task Force was established with the first meeting held in August. Kassandra Rippee, Coquille Indian Tribal Historic Preservation Officer, and Lieutenant Heuberger presented at the meeting covering a range of topics related to Tribal cultural resources investigations, damage to archaeological sites and inadvertent discovery of ancient human remains. The task force has been established to provide a platform to discuss and provide training in cultural investigations, case law, information sharing on active investigations and response to various cultural related crimes.

Additionally, throughout the year, multiple inadvertent discoveries of human remains were reported to Lieutenant Heuberger who is OSP's agency representative and contact person for inadvertent discoveries. Response and investigations were coordinated with Tribal representatives, regional Lieutenants and Troopers.

## **Northwest Region**

Trooper Morgan completed an investigation into a subject who had collected several arrowheads found on the surface of private property on Sauvie Island. The case was discussed with Senior Assistant Special Prosecutor Flanagan and the Columbia County DA. The investigation had been initiated by Kassandra Rippee, the Tribal Historic Preservation Officer and Archaeologist with the Coquille Indian Tribe.

Senior Trooper Dezso worked in conjunction with Washington Department of Fish and Wildlife (WDFW) to investigate a Portland wholesale dealer that was purchasing Dungeness crab from a tribal fisherman in Washington. The dealer was shipping the crab to various markets around the country but was not licensed for wholesale activities in Washington. When interviewed the dealer could not produce the legally required fish receiving records. A report was forwarded to ODFW and the dealer was cited in Oregon for failing to maintain records.

Sergeant Halsey investigated an inadvertent discovery at an active construction site in Albany near Bowman Park, along the Willamette River. Sergeant Halsey responded to the location and it was determined that the items dug up were funerary by representatives from the Grand Ronde and Siletz Tribes. Sergeant Halsey worked with representatives from several tribes to confirm the discovery.

Trooper Wilson and Trooper Chose assisted a Columbia River Inter-Tribal Enforcement Officer with an angling complaint at Tanner Creek on the Columbia River. Troopers contacted four anglers who were unlawfully angling for salmon in a closed area. The anglers identified themselves as tribal members. The anglers had caught six Chinook salmon with rods and a gaff. Tanner Creek was closed to all angling, including tribal members. The Inter-Tribal Enforcement Officer seized all six salmon and will be forwarding an enforcement report to the Inter-Tribal courts for consideration of charges.

Lieutenant Shugart worked with the Grand Ronde Tribe to set up protocols for giving the tribe seized big game animals to distribute to people in need in their community.

Trooper Jerome received a call of a wounded spike bull elk near the city of Yamhill. The owner of the property reported the elk and was insistent the spike had not been shot. The elk was taken to the Confederated Tribes of Grand Ronde for processing and donation at which time it was determined that the elk had been shot through the spine by an unknown firearm. The investigation is on-going.

Trooper Jerome and Grand Ronde Tribal Officer Ogle (recently retired OSP) conducted a Wildlife Enforcement Decoy in rural Yamhill County. Approximately one hour after legal shooting light a vehicle stopped on the paved roadway and fired at the WED one time. The shooter was cited for Take of Buck Deer and the rifle was seized as evidence.

Trooper Jerome and Grand Ronde Tribal Officer Ogle conducted a Wildlife Enforcement Decoy in rural Yamhill County. Shortly before legal light ended a vehicle stopped in the roadway and the passenger fired three shots from the vehicle with a .45 ACP 19-11. Upon contact the passenger did not have a hunting license or deer tag. The passenger was cited for Hunting with Artificial Light and the pistol was seized as evidence.

Trooper Jerome received a report that a landowner had been actively hunting a large 3x3 deer on his property, when an unknown subject pulled up and shot the deer from 100 yards away off a county road. The subject shot over a fence line posted with several No Trespassing signs. The subject then walked over the fence to recover the deer. The landowner then confronted the subject who fled from the landowner and was picked up by his father in a truck. The landowner obtained some photos and videos and posted them to local social media, which helped develop a suspect. Trooper Jerome contacted the suspect, who admitted to the crime. The shooter was cited for Hunting on Another's Cultivated or Enclosed Lands and Reckless Endangering x2 and the rifle was seized as evidence. The driver was also cited for Aiding in a Wildlife Offense. Trooper Jerome skinned the deer for a WED and the meat was donated to the Confederated Tribes of Grand Ronde.

Lieutenant Shugart, Sergeant Plummer, and Sr. Trooper Thomas attended the Tribal Natural Resources meeting with the Confederated Tribes of the Grand Ronde, to discuss upcoming

Tribal Big Game Hunting Seasons. The Confederated Tribes of the Siletz canceled their annual meeting due to concerns of COVID-19.

Sergeant McLeod assisted with a reported ancient archeological find with potential human remains being kept in the Portland Area. The investigation, which included representatives from several Tribes, revealed there were no archeological or human remains present.

Sergeant Warwick and Trooper Bernardi investigated a report of an inadvertent discovery of human remains and artifacts at a remote logging site east of the city of Mollalla, on Weyerhaeuser property. Representatives from the Grand Ronde Tribe, Siletz Tribe and Warm Springs Tribe also responded to the location. The remains were determined to be deer bones with some arrow heads at the location.

### **East Region**

Lieutenant Schwartz served as a voting member of the Lower Deschutes River (LDR) Manager's group throughout 2021. The LDR Manager's group is comprised of representatives of multiple agencies, including the Oregon Department of Fish & Wildlife, Bureau of Land Management, Wasco County, State Parks and the Confederated Tribes of the Warm Springs. Sergeant Vanderwerf serves and assists with the Interagency Implementation Team (IIT) which consists of members from each of these same agencies. Together, the LDR Manager's group and the IIT work together to ensure coordinated management of the Lower Deschutes Wild and Scenic River.

Sergeant Sater and Lieutenant Schwartz met with Confederated Tribes of the Umatilla Police and natural resources officers in January to discuss coordinated enforcement efforts throughout. Attendees also talked about differing roles and jurisdiction and lined out ways in which each agency could assist the other. Sergeant Sater plans on coordinating this meeting on an annual basis.

Lieutenant Schwartz and Wasco County Sheriff Lane Magill coordinated the annual Lower Deschutes Law Enforcement Coordination meeting in Maupin in early spring. The meeting was well attended by law enforcement members of OSP Fish & Wildlife Division, Wasco County Sheriff's, Confederated Tribes of the Warm Springs Natural Resources, and Bureau of Land Management. The group discussed and outlined enforcement efforts as well as conducted a meet & greet with local river guides.

Sergeant Sater received information regarding an active and unlawful archaeological theft complaint along the Columbia River, near Umatilla. Sergeant Sater collected evidence and conducted interviews with the suspects before contacting Confederated Tribes of the Umatilla officers (CTUIR), as well as Columbia River Intertribal Fisheries officers. With the assistance of CTUIR archaeologists, and Sergeant Sater, Intertribal officers cited the involved individuals for the offense(s).

East Region OSP F&W Troopers received information regarding an individual suspected of multiple hunting offenses near Maupin, OR. The investigation led to a search warrant at a ranch bordering the northern portion of the Confederated Tribes of the Warm Springs reservation. Law Enforcement officers from OSP F&W East Region, Confederated Tribes of the Warm Springs Natural Resources, and Wasco County Sheriff's office assisted with the search warrant service and investigation. The suspect was charged with multiple offenses.

Sergeant Sater attended a meeting with ODFW and Confederated Tribes of the Umatilla Indian Reservation regarding the Umatilla Wildlife Area. Sergeant Sater spoke about OSP F&W efforts to curb unlawful archeological digging that has been occurring within the wildlife area.

Members of the OSP Columbia Basin Team (Pendleton) provided assistance, including information sharing, to Confederated Tribes of the Umatilla (CTUIR) officers regarding trespass issues upon recently purchased CTUIR lands. The Columbia Basin Team also forwarded information to CTUIR officers regarding individuals suspected of hunting within the Umatilla reservation. Troopers and CTUIR officers are also working through an active investigation regarding the unlawful receiving of steelhead.

OSP Mid-Columbia Team members (The Dalles) continued to work with Columbia River Intertribal Fisheries Enforcement (CRITFE) officers surrounding fisheries enforcement on the Columbia River, Zone 6. Troopers and CRITFE officers assisted each other with fishery enforcement efforts and operations throughout 2021.

### **Southwest Region**

Senior Trooper Maher observed two subjects illegally removing items from the reservoir bed at Cottage Grove Lake. About five pounds of rocks, minerals, petrified wood and archaeologically significant items were seized and released to US Army Corps of Engineers (USACE) rangers. The subjects were warned for the unlawful removal of the items.

Senior Trooper Tague contacted the Klamath and Burns Paiute Tribes to discuss enforcement and restitution for recent cases. Also, Senior Trooper Tague advised the tribes of some issues currently happening in the area. Burns Piute Tribe requested to be notified of criminal cases so they can track them but appeared pleased with expected outcome from the current cases.

Senior Trooper Rice and Senior Trooper Tague responded to the report of vandalism near Hart Mountain. The vandalism was reported to possibly involve damage to petroglyphs. The spray-painted rocks were located and the damage documented. One rock did appear to have heavily weathered petroglyphs. The investigation is ongoing.

Senior Trooper Maher contacted two subjects illegally removing rocks, minerals and other archaeological items from the reservoir bed near the North Shore ramp area on Fall Creek Reservoir. One admitted seeing posted signs around the area but didn't think it pertained to their "rocks". Senior Trooper Maher seized approximately 10 to 15 pounds of the items they collected. The subjects were warned for the illegal removal. The seized items were returned to the USACE.

Senior Trooper Rice responded to an area on the Klamath River to investigate the report of possible ancient human remains. This was an inadvertent, surface discovery by archeologists conducting visual pedestrian surveys for Pacific Power. The Klamath Tribes responded to the scene as well. State Historic Preservation Offices (SHPO) and LCIS were notified of the find. No criminal activity was detected. The Klamath Tribes will be working with SHPO to determine the correct course of action.

Sergeant Tague and Senior Trooper Rice met with a member of the Klamath Tribes to tour some sensitive areas of cultural concern for the Tribes at the south end of Klamath Lake. There

have been multiple reports recently concerning possible looting in the area. The meeting identified areas to watch as well as possible training opportunities for local troops to improve knowledge on the topic and further strengthen enforcement efforts. Additional patrols of these areas will be conducted to deter criminal activity.

Human remains were discovered near Valley Falls, OR. Due to the level of exposure of the remains and the fact a bullet was located adjacent to the remains; it was suspected to be modern and the Oregon State Police Crime Lab was called to investigate. The next day the scene was being investigated, and it was determined to be ancient human remains. The site disturbance was immediately stopped and Sergeant Tague was notified. Notifications were made to required parties per the Inadvertent Discovery Plan. Sergeant Tague assisted as the remains were repatriated by the Klamath Tribes and Burns Paiute/Fort Bidwell Paiute Tribes.

A subject called in to surrender some items, and Sergeant Tague determined the subject had two human skulls. Klamath Criminal Division responded to the residence and took possession of the skulls. The skulls were determined to be ancient human skulls and tribes were contacted. Investigation is ongoing.

Senior Trooper Bachmeier responded to the Bureau of Land Management (BLM) office in Roseburg for an archaeological complaint. The day prior, an archaeologist with the BLM was at a known Native American archaeological site near the North Umpqua River. The archaeologist located some possible Native American bones and collected the bones to further analyze them back at the BLM office. Upon further inspection the bones were determined to be Native American. The BLM then made notification about the collection of the bones. Senior Trooper Bachmeier met with a representative from the Cow Creek Tribe and BLM at the Roseburg BLM office. The BLM and the Tribes are working together on the situation. OSP will continue to monitor.

Sergeant Tague received a complaint of a fence cut nine times along the edge of Crump Lake. A group of suspects have been identified as a group of archeological hunters.

Sergeant Tague interviewed an ODFW employee about some artifacts taken from the Klamath Hatchery. It appears the employee was not involved but may have thrown some items that had been left along the roadway with another employee. The investigation is open with no leads.

Sergeant Tague received a report of ATVs dragging tires on Crump Lake to uncover arrowheads. Lakeview Patrol Troopers responded to area but were unable to locate the subjects.

## **Oregon State Police Patrol Command Areas**

### **Southwest Region**

#### **Central Point Area Command:**

Nothing to report.

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

Nothing to report

Grants Pass Area Command:

Nothing to report.

Klamath Falls Area Command:

January 6, 2021, Senior Trooper Tague contacted the Klamath and Burns Paiute Tribes to discuss enforcement and restitution for a recent case. Also, Senior Trooper Tague advised the Tribes of some issues currently happening in the area. Burns Piute Tribe request to be notified of criminal cases so they can track them but pleased with expected outcome from the current case.

January 12, 2021, 8:37 am Sgt. Yaws to F&W Miller Island Rd for a meeting.

On April 29, 2021, Senior Trooper Rice responded to an area on the Klamath River (will not disclose exact location for security reasons) to investigate the report of possible ancient human remains. This was an inadvertent, surface discovery by archeologists conducting visual pedestrian surveys for Pacific Power. The Klamath Tribes responded to the scene as well. SHPO and LCIS were notified of the find. No criminal activity was detected. The Klamath Tribes will be working with SHPO to determine the correct course of action.

During month of June, Senior Trooper Rice exchanged multiple phone calls and text messages with a member of the Klamath Tribes to discuss ongoing issues with suspected looting at the south end of the Klamath Lake. Extra patrols will be conducted to address the issues.

June 10, 2021, Sergeant Tague and Senior Trooper Rice contact Perry Chocktoot about several ongoing areas of concern related to archeological theft. A site visit and walk through is scheduled for June 11, 2021.

On June 11, 2021, Sergeant Tague and Senior Trooper Rice met with Perry Chocktoot from the Klamath Tribe to tour some areas of concern for the Tribe at the south end of Klamath Lake. This meeting was a continuation of the above phone calls.

July 5, 2021, Sergeant Tague was notified by Sergeant Fenner (Criminal) that human remains originally suspected to be modern was determined to be ancient human remains by the Bend Crime Lab. The disturbance was stopped, and everyone was contacted.

July 6, 2021, Sergeant Tague took members from the Klamath Tribe and Bidwell Paiute Tribe to the site and assisted with repatriation of the remains. Another set of human remains was also located and repatriated.

October 12, 2021, Sergeant Tague presented to the State Culture Cluster about the enforcement actions in Lake County and solutions to prevent further destruction of state archeological resources.

### 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. Over the past year communication has increased with the implementation of the Tribal Police for the Cow Creek Band of Umpqua Tribe of Indians. Seven Feathers Resort and Casino has its own security, Tribal Police and contracts with the Douglas County Sheriff's Office for Law Enforcement services.

Police chief, Brett Johnson, (formerly of Medford PD), has been in the position for over a year now and has hired two Tribal Police Officers. They are currently hiring one more police officer.

### Springfield Area Command:

Nothing to report

## **East Region**

### Bend Area Command

The Oregon State Police Madras worksite, in cooperation with Jefferson County Sheriff's Office, Madras Police Department, Warm Springs Police Department and the Jefferson County District Attorney's Office, has the availability to work together on a variety of calls for service. Meetings are also held throughout the year when needed for the involved agencies to deal with a wide-ranging variety of issues. I have met on several occasions with members of the Warm Springs Police Department during 2021. Our agency has made it clear that we are available to assist in a variety of ways if the need arises.

Throughout 2021, the members of the Madras worksite have dedicated a significant amount of their patrol time to enforcing state laws on the highways that cross the Warm Springs Reservation.

Members of the Bend Area Command and Madras Worksite have assisted Warm Springs Police Department in the investigation of numerous incidences, including:

On January 30, 2021, OSP crash investigators assisted Warm Springs P.D. with a fatal vehicle crash on the reservation.

On February 19, 2021, Trooper Linberg was dispatched to a reported crash on Highway 26 near Milepost 106. Frontier Dispatch had aired an attempt to locate (ATL) on a white Ford Explorer westbound on Hwy 26 from Plateau Travel Plaza that had been involved in a hit and run. Warm Springs Police attempted to stop the vehicle on Highway 26 near Milepost 106. The vehicle attempted to Elude and crashed into a concrete barrier. The driver was arrested by Warm Springs PD for DUII, Attempt to Elude, and an outstanding warrant out of Jefferson County for FTA-DUII.

On April 22, 2021, Troopers were dispatched to a two vehicle crash occurred when the driver of a red Chevrolet Trailblazer, heading eastbound, fell asleep at the wheel and drove onto the westbound shoulder. The driver woke up and overcorrected back onto the roadway and into the eastbound lane where he collided with a silver Volkswagen. Both drivers were transported to the St. Charles Madras hospital by ground. The female passenger in the Trailblazer was declared

deceased at the scene. The two children in the Trailblazer had minor injuries and were transported to the St. Charles Madras hospital by ground.

On May 16, 2021, at approximately 9:54 PM Troopers were dispatched to a motor vehicle crash at MP 97 on US-26 in Jefferson County. The investigation determined that a silver Dodge Dakota was eastbound when he attempted to pass a red Subaru Legacy and struck a westbound white Toyota Camry. The drivers of the Toyota and Dodge were transported to Saint Charles Hospital in Bend with serious physical injuries. Driver of the Subaru was transported to Saint Charles Hospital in Madras with minor injuries. Dodge driver admitted to using cannabis prior to the crash. Following the investigation, he was issued criminal citations for DUUI, Reckless Driving, Reckless Endangering, Assault in the 3rd Degree, and Assault in the 4th Degree. The Troopers were assisted by ODOT, Warm Springs Fire & Safety, and Warm Springs Police Department.

On July 24, 2021, Trooper Reeves responded to a two vehicle, injury, crash on US Highway 26, near mile post 105. Operator #1 was traveling eastbound when he attempted to turn in front of unit #2. Operator #2 was unable to stop, causing unit #2 to impact the passenger side of unit #1. All occupants from unit #2 were transported to St. Charles Madras for their injuries. During the investigation, Trooper Reeves learned operator #2 was possible under the influence of alcohol. He later responded to the hospital to conduct a DUUI investigation on Operator #2. Hospital staff informed him the female driver had a blood alcohol level above .08 percent. The female driver consented to a law enforcement blood draw. The 67-year-old female driver was subsequently cited in lieu of custody and remained at the hospital for treatment of her injuries.

In August of 2021, Madras OSP units assisted Warm Springs P.D. with a four vehicle fatal crash on the reservation

On October 6, 2021, K9 Trooper Show responded to cover a Warm Springs Police officer who was on a traffic stop. During the stop he detected an odor of marijuana coming from the vehicle and observed a common method of concealing and smuggling bulk marijuana. The driver's explanation for his travel was unreasonable, and indicated clandestine criminal activity. Trooper Show used the language line to engage the driver in conversation. The driver consented to a search. The search revealed 50lbs of bulk marijuana in trash bags in the vehicle.

On October 23, 2021, Senior Trooper Prevett contacted a disabled vehicle parked in the eastbound "A" lane on Highway 26 near milepost 107. A caller reported to Warm Springs P.D. that the vehicle had hit a guard rail near milepost 104 but continued eastbound until it became disabled. Through subsequent investigation, the driver was taken into custody for Hit and Run Driving Under the Influence of Intoxicants and transported to the Jefferson County Jail.

The above-mentioned activities were in addition to approximately 50 hours of construction zone overtime that was worked by OSP units during a paving project on Highway 26. More than half of the hours worked were within the boundaries of the Warm Springs Indian Reservation.

#### The Dalles Area Command

On April 17, 2021, a Trooper out of OSP-The Dalles assisted Tribal Police on a possible domestic violence assault at Celilo Village. A female reported her ex-boyfriend burned her with a cigarette, hit and choked her. She said he took her phones, a computer charger, and her dentures. She



stated his sister also hit her. The ex-boyfriend left the scene, but his sister was interviewed. She stated the victim broke their window and her feet were injured in the process. They wanted the victim to be trespassed. The Tribal PD officer returned victim's dentures. He attempted to explain and gather further information from the victim. The victim became agitated and threw her dentures on the ground, which caused them to break. Because of that, she became even more agitated and took off in her vehicle at a high rate of speed. Tribal PD interviewed the neighbors. Tribal PD is the leading agency in this incident.

#### La Grande

Nothing to report for the La Grande Area Command.

#### Ontario

The Bureau of Indian Affairs has completely taken over policing the Burns Paiute Tribal reservation. A permanent Lieutenant has been appointed whom I recently met. Currently they are still doing 28-day rotations with BIA officers from other tribes. Two permanent officers are currently in training and will be assigned full time once their academy time is completed.

No significant events, trainings or meetings.

#### Pendleton Area Command

Nothing to report for Pendleton Area Command

#### Pendleton Criminal

Initiative Purpose:

The mission of BENT is to reduce drug use and related criminal activity within Umatilla County, the incorporated areas of Eastern Oregon by identifying, disrupting and dismantling drug trafficking organizations (DTO's). More specifically, to reduce substance abuse, drug related crimes (including violent person crimes), local drug production and drug trafficking into and out of Oregon through Umatilla County on public highways. Due to the geographical location and the remote areas in which we work, BENT consistently utilizes our initiative funding to collaborate with the surrounding investigative teams in an effort to work for one common goal of identifying and disrupting DTO's.

Threat Priorities:

We continue to see Methamphetamine as our number one drug threat. The availability of high-quality Methamphetamine continues to be more prevalent, which is evident by the continued drop in pricing at the wholesale level. Our opiate threat continues to rise with the emergence of Fentanyl. DTO's selling Heroin and Fentanyl are our second highest priority.

Structure and Participating Agencies:

Blue Mountain Enforcement Narcotics Team, hereafter referred to as "BENT," is located in Umatilla County. The lead agencies for this Initiative are the Pendleton Police Department and the Oregon State Police.

BENT is staffed with two full time supervisors, a Pendleton Police Criminal Sergeant and a Oregon State Police Criminal Sergeant. Additional staff includes nine full time narcotics Detectives/Agents (two Oregon State Troopers, one Pendleton Police Department Detective, one Hermiston Police Department Detective, one Milton-Freewater Police Department Detective, one Boardman Police Department Detective, one Morrow County Sheriff's Office Detective, one Umatilla Tribal Police Department Detective, one Drug Enforcement Agent and one Federal Bureau of Investigation Agent.

Investigative approach:

BENT is currently targeting middle to large scale poly drug trafficking organizations (DTO's) that operate within the state of Oregon, the United States of America and internationally. BENT's main focus is Methamphetamine and opiates to include Heroin, Fentanyl and Controlled Prescription Drugs (CPDS). While these drugs are the most commonly encountered in Umatilla County, BENT historically has targeted large scale Mexican National Marijuana growing operations that harvest and sell the finished product throughout the United State of America. Although we have observed a drastic decrease in the large-scale outdoor marijuana growing operation, we believe this is still a regional threat and continue to look at ways to identify DTO's operating said operation within our rural mountains.

This initiative supports active DTO related investigations and anticipates the disruption of those DTO related investigations. This initiative supports the National Drug Control Strategy as well as the Oregon/Idaho HIDTA Counter-Drug Strategy by emphasizing coordinated narcotics related investigations; cooperating with other HIDTA initiative efforts concerning controlled substances; and conducting investigations that assist in dismantling and disrupting identified drug trafficking organizations.

BENT will focus its coordinated efforts on any and all individuals affecting Umatilla County, the State of Oregon into and throughout the United States of America involved in the manufacture and distribution of controlled substances. BENT will strategically identify these drug trafficking organizations and disrupt or dismantle their operations. BENT expects to identify, disrupt and/or dismantle 4 DTO's during the calendar year of 2021.

In May of this year, BENT investigated a Drug Overdose (Len Bias case) that occurred on the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The CTUIR BENT Detective was the lead investigator for this case. Over the course of the investigation BENT successfully identified four tiers of drug suppliers finding the main supplier of the drug responsible for the overdose subsequently seizing 11,044 grams of methamphetamine, 849 grams of cocaine, 309 grams of fentanyl pills and two handguns.

## **Northwest Region**

### **McMinnville Area Command**

The McMinnville Area Command continues to foster a good working relationship with the Grand Ronde Tribal Police. We occasionally provide backup assistance to Tribal officers when requested and where we may be the closest assistance. We frequently provide patrol coverage on Highway 18 in the area of Spirit Mountain Casino. Tribal officers are often times the first to

arrive at a crash scene in the area and can be counted on to provide valuable assistance at those scenes.

#### Newport / Tillamook 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 and PL-280 land for the Confederated Tribes of Siletz Indians.

#### Portland Patrol Area Command

The Portland Area Command is responsible for patrolling Hwy 26 in Clackamas County and Wasco County until the Warm Springs Reservation starts. The Portland Patrol Office has in the past and continues upon request, to assist with calls for service on the Highway occurring on Tribal lands when asked by Warm Springs PD. We also, at their request assist with fatal investigations, as the PD does not have those types of resources. While I don't have exact numbers, this has been a common practice for years and will continue.

#### Albany Area Command

On July 12-13, 2021, one member of the Oregon State Police Albany Area command attended a Threat Assessment Threat Management training presented by the Federal Bureau of Investigation and the Oregon State Police. The training was sponsored by the Siletz Tribal Gaming Commission at the Chinook Winds Casino Resort in Lincoln City. The training was attended by a broad range of federal, state, county and local agencies including; law enforcement, human services, parole and probation, mental health, schools and others, including tribal police and related services. The result of this training for the Albany Area Command has been the formal organization of local Threat Assessment Threat Management teams in both Linn and Benton Counties.

## **Oregon State Fire Marshal**

The mission of the Oregon State Fire Marshal Office (OSFM) is to protect citizens, property, and the environment from fire and hazardous materials. The following is a summary of the various interactions between Tribal Governments and OSFM for 2021. The information shows involvement in the following areas: planning, inspections, meetings, education and consultations.

- OSFM attends the 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. Members of the OSFM participated on the Communication, Prevention and Investigation Working Committee to best address wildfire investigation, public information and risk reduction efforts in lands throughout Oregon. OSFM staff participated in the Incident Business Working Group to discuss best practices and determine shared policy to address when multiple agencies are responsible for costs related to wildfire suppression. OSFM staff participated in the Training Working Group, which works to determine which wildfire and incident management courses will be offered

within the state as well as makes student selections based on nominations from all geographic regions within the country. OSFM staff participated in the Incident Commander Council to help guide incident management within the region.

- One tribe supported their employees' participation on OSFM's Incident Management Teams and provided OSFM resources for large fire suppression through standing agreements.
- OSFM's Regional Mobilization Coordinators have reached out to the Tribes within their assigned regions to begin discussing issues relative to large fire mobilization; fostering strong relationships with our office and their mutual aid partners.
- The OSFM is in process of implementing a Community Risk Reduction Unit with the purpose to prepare communities for fire by identifying, defining, and prioritizing the risk to Oregon communities to reduce the fire occurrence and impact. Targeted efforts include improvement of structural resiliency to wildfire, enhancement of defensible space for homes and surrounding structures, adequate access and egress in the event of wildfire events and overall improvement of structural fire prevention efforts through community risk reduction efforts. Regional Fire Risk Reduction Specialists are beginning to build connections in their assigned areas with tribes as positions began to fill in 2021 and efforts will continue in 2022.
- Grand Ronde station opening – Chief Ruiz -Temple and team invited to the push ceremony. Partnerships.
- The OSFM Emergency Response Planner assisted several OSFM staff in connecting with tribal government staff. These connections included the new Fire Adapted Oregon program, the HazMat by Rail program, the Local Emergency Planning Committee program, and the Hazardous Materials Emergency Preparedness program. These connections included staff-to-staff introductions to fulfill specific requests, invitations to participate in training, invitations to apply for grants, and notifications of various local and state job openings.
- The OSFM Emergency Response Planner attended at least four Tribal Emergency Preparedness Coalition meetings in 2021, in order to share information and develop program connections with staff from several state agencies and the nine federally recognized Tribes.
- OSFM is the Agency Advocate for the Environmental Justice Task Force and the group consists of a representative for the Commission on Indian Affairs.

### **Grande Ronde**

3/16/2021 - Spoke with Chief of Police with accolades of assist at Echo Mt. for evacuations and area Events

- 6/22/2021 - Meet with Grand Ronde Fire Chief Steve Warden on Fire Department and Tribal/mutual aid and area information
- 8/5/2021 - Wildland Fire on Highway 18 about MM 18 Grand Ronde Tribal Police and Fire District on scene assisting with fire operations. Technical Assist (TA) TA which was accidental and catalytic converter failure.
- 9/16/2021 - Drop off to Grand Ronde FD 214's and resource manifests with fire prevention material
- 10/1/2021 - Grand Ronde Fire Station Opening Ceremony

### **Klamath**

- 4/28/2021 - Accompanied Chiloquin Fire and Rescue Chief Mike Cook on facility inspection of Klamath Tribal Wellness Center.

### **Siletz**

- 10/20/2021 - Siletz Community Health Clinic Fire Inspection

### **Warm Springs**

- 4/1/2021 - Inspected Warm Springs Head Start facility.
- 6/1/2021 - Fire Chief Karla Tias requested assistance on a Warm Springs fire investigation.
- 6/20/2021 - S-503 fire occurred on Warm Springs reservation and threatened structures in neighboring Juniper Flat fire district. Remained in communication with the Warm Springs fire chief, Karla Bagley Tias throughout the weekend.
- 8/24/2021 - Conducted a fire inspection for the Madras K-8 Academy.

## **Public Safety Services Bureau**

### **Dispatch:**

NCC/SCC provides the dispatch center support to the Area Command activities:

- Assist Tribal Police criminal investigations and serious motor vehicle crashes.
- Provider/and or received back-up assistance from Tribal Police when necessary.

### **Information Technology Division:**

The IT Division updated the Tribal Gaming Section DAE application with additions to the pick list for observation area within the activity detail section this year which took approximately 2 hours including meetings and development hours.

## **Central Records Section:**

June of 2021, we conducted a scan for Columbia River Inter-Tribal Police Department

August 2021 and October 2021, we conducted names scan for Siletz Tribal Gaming Commission

## **Criminal Justice Information Services Division:**

The Criminal Justice Information Services (CJIS) Division is responsible for the state repository of criminal justice record information and the Oregon Sex Offender Registration program as of July 2021. 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/Uniform Crime Reporting:**

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

Due to the Coronavirus pandemic, the CJIS Division did not hold its annual statewide training conference. However, the CJIS training unit was able to provide regional training events remotely via video conferencing where the following tribal representatives participated:

- Grand Ronde Tribal Police
- Siletz Tribal Police
- Columbia River Inter-Tribal PD
- Cow Creek Tribal Police
- Umatilla Tribal Police
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians PD

LEDS Auditors Dan Malin, Nick Harris and Leah Bernards conduct audits in cooperation with the federally 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 2021, audits were conducted (remotely) with the following tribal agencies:

### **Criminal Justice Audits**

- Umatilla Tribal Police Department

### **Information Technology Audits**

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

- Grand Ronde Tribal Police Department

#### Non-Criminal Justice (Applicant/Regulatory) Audits

- Siletz Tribal Gaming Commission
- Confederated Tribes of Coos, Lower Umpqua, Siuslaw Gaming Commission

The LEDS Help Desk team provides user assistance on proper access and entry of information, such as protection orders into the LEDS system, as well as record validations. In 2021, the LEDS Help Desk team processed 13 requests for assistance in the OERS system and 97 LEDS Help Desk Tickets from the following tribal agencies:

- Cow Creek Gaming Commission
- Burns Paiute Tribal Police Department
- Warm Springs Tribal Police Department
- Grande Ronde Tribal Police Department
- Confederated Tribes of the Umatilla Indian Reservation Police Department
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Police Department
- Klamath Indian Tribe
- Confederated Tribes of Siletz Indians
- Coquille Indian Tribe

In 2021, Meloni Morrison of the Oregon Uniform Crime Reporting (UCR) Unit assisted the following tribal agencies regarding their reporting of crime statistics:

- Grand Ronde Tribal Police Department
- Warm Springs Police Department
- Siletz Tribal Police Department
- Cow Creek Tribal Police Department

#### **Criminal Justice arrest/disposition 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 through November 1, 2021:

Arrest Fingerprints: 525  
CJIS Security Fingerprints: 29  
Court Dispositions: 956

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. The following tribal applicant background checks by category were processed from January 1 – November 1, 2021:

Gaming: 18  
Housing: 0  
Health & Family Services: 0  
Human Resources: 0

### **Sex Offender Registration:**

The Sex Offender Registration (SOR) Section supports tribal jurisdictions directly by providing education and technical assistance related to OSP's Sex Offender Registration Mobile (SORM) software application for registration, investigative, and as an ad hoc enforcement tool, coordination and research related to compliance enforcement operations ("sweeps"), as well as reaching out to and receiving calls from individual Tribal Police Officers regarding compliance enforcement on individual offenders.

SOR provides indirect support by pulling reports of offenders who live or may work on Oregon Tribal Land and are suspected of being out of compliance in one or both jurisdictions, researching potential whereabouts, and following up with partners at the US Marshals Service for coordination with Tribal law enforcement authorities.

In 2021, SOR staff worked primarily with Warm Springs Tribal Police Department, Grande Ronde Tribal Police Department, and the Confederated Tribes of the Umatilla Indian Reservation Police Department in the areas noted above.

In April of 2021, Warm Springs conducted a Tribal Police Department-led sweep operation. As part of the US Marshal follow-up work, OSP Research Analyst Beth Gordon assisted by performing a data comparison of offenders who were registered with Warm Springs to those in the Oregon Registry, conducted an audit of both rosters and provided research results, including: identification of non-compliant offenders for Oregon and Warm Springs, updated records for offenders who were in the Oregon Registry based on non-compliance status. Requested compliance checks, updated registration forms and assisted with instructing offenders to update their Oregon registration status. Coordinated assistance from USMS with contacting specific offenders regarding their International Megan's Law fail to report history.



## **Oregon State Medical Examiner's Office**

During 2021, the Oregon State Police Medical Examiner's Division continues 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 maintains transparent lines of communications and is deeply committed to adhering to ORS 97.745. The year proved challenging to the State Medical Examiner's Office and adherence to program standards, as the COVID-19 pandemic affected many aspects of our interaction and in-person collaboration with the nine federally recognized Oregon Indian tribes.

On Tuesday, August 3, 2021, the ME's Office collaborated with Oregon Tribal members in the repatriation of nine individuals of Native American ancestry temporarily stored at the Clackamas facility. This repatriation was originally scheduled for 2020 but was postponed due to ongoing concerns regarding COVID-19 and the danger of potentially passing on the virus through contaminated surfaces (i.e., external packaging). Also participating in this collaboration was the new Legislative Commission on Indian Services Director, Patrick Flanagan. All health and safety precautions were taken during the transition within the facility, and the cases were transferred into tribal custody in a respectful and proper manner.

In October 2021, staff from the Medical Examiner's Office had the opportunity to virtually train law enforcement agency personnel in the annual Oregon Medico-Legal Death Investigation Certification training course held on the Microsoft Teams platform. This was the first time the class was held remotely, as the in-house training was cancelled in 2020 due to COVID-19 restrictions. A substantial portion of this training includes 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. The individuals who received this training in 2021 are now equipped to return to their communities 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 2019, the State Medical Examiner's Office was awarded a National Institute of Justice-sponsored grant under the DNA Laboratory Efficiency Improvement and Capacity Enhancement Program to work toward identifying unidentified "cold" human skeletal remains cases. This in turn is expected to reduce the backlog of missing persons cases throughout Oregon and the nation. In 2021, the grant funds have been used consistently to extract DNA material from older skeletal remains in storage and use innovative techniques to produce investigative leads for law enforcement agencies. Because these grant funds can be used on both older and newer unidentified person cases from all over Oregon, our hope is to possibly resolve missing and

murdered Native American women cases that may reside in the state ME facility. Analysis is ongoing, and results are pending on numerous cases held at the Medical Examiner's office, some as old as 40+ years since initial recovery.

The full-time State Forensic Anthropologist position from the Oregon State Police Forensic Science and Pathology Bureau continues to be a liaison to Oregon Native American Tribal members. This individual is responsible for (in part) investigating, analyzing, and respectfully storing Native ancestral remains when in the stewardship of the Medical Examiner's Office during the repatriation process. In addition, the State Forensic Anthropologist supports the ongoing efforts of the Legislative Commission on Indian Services to explore the employment of a new State Physical Anthropologist position within their agency; this position would assist in the determination of discovered human remains as forensic or non-forensic, and the determination of non-forensic remains as Native American or as non-Native American. The Oregon State Medical Examiner's Office is eager to assist in the ongoing endeavor to create this much-needed position.

Lieutenant Craig Heuberger continues to be the Oregon State Medical Examiner's liaison to the nine federally recognized Native American tribes in Oregon. Lieutenant Heuberger 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

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

### 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  
Department Policy &  
Procedures

Gaming Enforcement Division Director  
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.