

December 11, 2007

Kelly Skye  
Governor's Office  
106 State Capitol  
Salem, Oregon 97310

Karen M. Quigley  
Legislative Commission on Indian Services  
State Capitol  
Salem, Oregon 97310

RE: Annual Government-to-Government Report

AGENCY: Oregon State Police

KEY CONTACT: Captain Craig Durbin  
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The following constitutes the Oregon State Police State-Tribal Government-to-Government relations report to the Governor on the activities of this agency under Sections 1 to 4 of Senate Bill 770, which was passed by the 2001 Legislature.

Please find attached with this report a copy of Chapter 500.11 of the Oregon State Police Policies Rules and Procedures Manual entitled, STATE-TRIBAL GOVERNMENT-TO-GOVERNMENT RELATIONS. The purpose of this policy is to formalize the government-to-government relationship that exists between Oregon Indian tribes and the Oregon State Police. This policy also establishes a process which is used to 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.

The above-referenced policy identifies key contacts within the Department by position. I have provided an additional key contact list that contains actual names and phone numbers.

The following is a summary of the various interactions between tribal governments and representatives of the Oregon State Police. The report is divided into interactions at the Headquarters/Division level and interactions at the Field Office level:

## **HEADQUARTERS/DIVISIONS INTERACTIONS WITH TRIBAL GOVERNMENTS**

- September 12, 2007 Superintendent McLain and members of the Oregon State Police Management Team were introduced to the Oregon Commission on Indian Services council.
- Members of the Oregon State Police Management Team, including Superintendent McLain, attended the 10<sup>th</sup> Annual Governor's State-Tribal Summit hosted by the Confederated Tribes of Warm Springs at Kah-Nee-Ta High Desert Resort and Casino, Warm Springs, Oregon.

### **Tribal Gaming Section**

The Tribal Gaming Section has regular daily interactions with all the gaming tribes in Oregon. Personnel also actively participate in monthly Oregon Association of Indian Gaming Commission (OAIGC) meetings. The Section continues to strive to increase their awareness of the cultures, beliefs and governmental systems of Oregon's Native American tribes through training and contacts. Some of these opportunities are listed below.

#### **Section personnel attended or presented:**

- Government-to-Government Public Safety Cluster Meetings: These meetings are held to discuss public safety issues that affect the Tribes and other entities within the State of Oregon.
- Feb 14, 2007 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Grand Ronde at The Spirit Mountain Casino, Grand Ronde, Oregon.
- February 16, 2007 Presentation to Grand Ronde Gaming Commission of Monthly Monitoring.
- February 21, 2007 Presentation to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) CTUIR Tribal Gaming Commission of Monthly Monitoring.
- February 27 and 28, 2007 Members attend training sponsored by Oregon Surveillance Network.
- March 6, 2007 Presentation to Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians.

- March 7, 2007 Presentation to Siletz Tribal Gaming Commission of Monthly Monitoring. Walk through of the expansion to their gaming facility.
- March 8, 2007 Presentation to Cow Creek Gaming & Regulatory Commission and Coquille Tribal Gaming Commission of Monthly Monitoring.
- March 8, 2007 Tribal Gaming business meeting with Confederated Tribes of the Cow Creek Band of The Umpqua Tribe of Indians at the Seven Feathers Casino, Canyonville, Oregon.
- March 16, 2007 Presentation to the Warm Springs Gaming Commission of Monthly Monitoring.
- April 10, 2007 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Warm Springs Gaming Commission at Kah-Nee-Ta High Desert Resort and Casino, Warm Springs, Oregon.
- May 2, 2007 Oregon Association of Indian Gaming Commission meeting hosted by the Klamath Tribe Gaming Commission at the Tribal Center, Chiloquin, Oregon.
- May 8<sup>th</sup> – Visit by Members of the Warm Springs Gaming Commission to our office in Salem. Tour of office including how backgrounds of employees are processed, security of files sent to our office, introduction of employee's.
- May 18, 2006 Tribal Information Day at the State Capitol.
- June, 2007 Mandatory viewing of DVD on the History of the Klamath Tribes for all members of Tribal Gaming Section. DVD first obtained during Tribal Information Days at State Capitol.
- June 27, 2007 Mandatory in-service for Section members regarding State/Tribal Compacts and cultural awareness.
- July 11, 2007 Tribal Gaming business meeting and OAIGC with Confederated Tribes of the Cow Creek Band of The Umpqua Tribe of Indians at the Seven Feathers Casino, Canyonville, Oregon.
- July 18, 2007 Visit to the Government offices of Kla-Mo-Ya Casino, to obtain extra DVD's on history of Klamath Tribes.

- August 3, 2007 Presentation to the Klamath Indians Tribal Council and Planning Committee regarding the Tribal Gaming Section role and mandate, including an overview of work with Klamath Tribal Regulatory Commission.
- August 19, 2007 Attend Competition Pow Wow of the Confederated Tribes of the Grand Ronde at Grande Ronde, Oregon.
- September 5, 2007 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians Gaming Commission, Florence, Oregon.
- September 12, 2007 Attend Grand Ronde Tribal Council Swearing in Ceremony.
- October 9, 2007 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of the Grand Ronde at the Grand Ronde Casino, Grande Ronde Oregon.
- October 24, 2007 Emergency Preparedness meeting with Gaming Facility, Gaming Commission and West Valley Fire Department. Walk through of new expansion.
- November 8, 2007 Government to Government Summit hosted by the Confederated Tribes of Warm Springs Gaming Commission at Kah-Nee-Ta High Desert Resort and Casino, Warm Springs, Oregon.

### **Fish and Wildlife Division**

The following list briefly summarizes the role of the Fish and Wildlife Division as related to tribal governments:

- Lieutenant Lane (Northwest Region Headquarters) continues to serve as the Oregon State Police representative to the Cultural Resources Cluster Group. The group meets two or three times per year at various locations around (about) the state. During 2007 the group completed a tribal position paper addressing Treatment of Inadvertently Discovered Native American Remains. The group met in May at the Mill Casino in North Bend. Lieutenant Lane was unable to attend this meeting due a schedule conflict. Lieutenant David Gifford (Southwest Region Headquarters) attended in his (my) absence. The group met again in August at State Parks Headquarters in Salem. The final meeting of the group was in November at the Kah-Nee-Ta Resort the day prior to the Government to Government Summit. Captain Markee attended the meeting with Lieutenant Lane. They both attended the Summit the next day.

- Lieutenant Lane continues as the main contact for the Department for people reporting the inadvertent locating of Native American remains. This is related to his participation in the Cultural Resources Cluster Group.
- Lieutenant Samuels (F&W Division - GHQ) and Lieutenant Lane continue to participate in the Columbia Basin Law Enforcement Council "CBLEC". CBLEC meets quarterly except in November and December. Columbia River Inter-Tribal Fisheries Enforcement also participates in the Council. This provides the opportunity for participants to confer with managers from the Tribal Fisheries Enforcement agency on matters that may concern tribes conducting tribal fisheries on the Columbia River or its tributaries.
- Lieutenant Scorby (Baker City) continues as a member of the Lower Deschutes River Manager's Group. The Confederated Tribes of Warm Springs is an active participant in the group. Sr. Trooper Lindberg (Madras Worksite) also works in the field with Warm Springs Tribal Enforcement Officers as part of his duties on the Deschutes River.
- April - Sergeant Thompson (Newport Area Command Fish and Wildlife) and Oregon Department of Fish and Wildlife employees met with the natural resources management employees of the Confederated Tribes of the Siletz. The fish and wildlife harvest agreement between the Tribe and ODFW was discussed with the primary discussion centering on shellfish permits.
- June - Sergeant Thompson (Newport), Lieutenant Lane and Oregon Department of Fish and Wildlife biologists met with natural resource advisors of the Confederated Tribes of the Siletz at the Siletz Tribal Center. The meeting primarily centered on hunting, fishing and shellfish issues with ODFW biologists. There were no law enforcement issues.
- November – Mr. Robert Kentta, Cultural Resources Director for the Confederated Tribes of the Siletz assisted Lieutenant Lane with a class to approximately 20 Oregon State University students on archaeological investigations and cultural resources. Mr. Kentta discussed the importance of Native American cultural resources to the class. The class was a part of an ongoing Fish and Wildlife Enforcement class provided to OSU students by the Fish and Wildlife Division. Mr. Kentta's participation was greatly appreciated.
- Newport Area Command, Fish and Wildlife Division continue to provide salvaged big game meat to the Confederated Tribes of the Siletz when possible.

### **Training:**

- September - Northwest Region Fish and Wildlife Division conducted regional in-service training at the Boy Scouts of America's Camp Pioneer along the edge of the Mt. Jefferson Wilderness. Mr. Robert Kentta, Confederated Tribes of the Siletz conducted a one hour class on cultural resource protection and the importance of cultural resources. Mr. Kentta's class was very good and provided a good refresher to the troopers

attending. Thanks go to Mr. Kentta for taking his time to speak with us and donate his personal time.

### **Investigations:**

- January – Lieutenant Lane received a voice mail from Dave Ellis; Archeological Investigations NW. Mr. Ellis reported that they had been conducting a permitted excavation. After completing their excavation they discovered they had located what was identified as a human rib fragment. Mr. Ellis advised that he reported the discovery to the Confederated Tribes of the Warm Springs and Umatilla, SHPO and the Legislative Commission on Indian Services.
- March – Lieutenant Lane received a phone of reported Native American human remains on the coast that were starting to become exposed due to natural elements. Manager of the site advised that SHPO and the Confederated Tribes of Siletz had been notified and were to be meeting this same day to discuss the exposure.
- May – Lieutenant Lane received information via a voice mail from Susan White in regard to a possible Native American skull being discovered at Multnomah Falls on May 13. Ms. White had complete information on discovery of the skull and she handled the needed notifications. The State Medical Examiner's office was involved in identifying the skull.
- September - Nancy Nelson (SHPO) called Lieutenant Lane and reported that human remains had been found by people pulling weeds near Klamath Falls. Ms. Nelson described the remains as the top of a jaw bone, with teeth not being worn and a wisdom tooth present. The Klamath County Sheriff's Office was advised by the museum director and the Klamath Tribe were aware and responded to the location. Perry Cheetock (Klamath Tribe) took possession of the remains. Susan White (SHPO) was notified. Ms. White related that the Klamath Tribe had claimed the remains and would rebury them. Sr. Trooper Paul Randall (F&W Klamath Falls) was also advised of the report. It was later reported by Ms. Nelson that the bones found had been determined to be animal.
- September - Terry Osburn, Archaeological Investigations, Portland contacted Lieutenant Lane by phone and advised that a prehistoric tooth had been discovered at a state authorized excavation site in the Columbia Gorge. The tooth was identified as being human. Mr. Osburn advised that Tribal, CIS and SHPO notifications had been made.

### **CRIMINAL JUSTICE SERVICES**

Outlined below are activities, agreements, partnerships or other interactions with tribes in 2007.

- The Criminal Justice Services (CJS) serves as staff to the Governor's Council on Domestic Violence. As part of their mission, the Council continues to travel throughout the state conducting public hearings on the issue of domestic violence. Several of these hearings are intended for underserved populations and include tribal nations.
- On June 8, 2007 Council members were indeed invited and participated in a forum with the Klamath Tribe.
- Grant funds administered by CJS are awarded on a competitive basis. Statewide Request for Proposals are directed to the criminal justice community at the local, state and tribal levels to reduce drug use and violent crime and improve the effectiveness of the criminal justice system. CJS requests that all grant funded staff receive cultural competency training and meet the service needs of the culturally and otherwise diverse populations targeted with all federal funds. Additionally, CJS has met with some of the tribal leaders to discuss barriers that may prevent tribes from applying for federal funds. Applications are reviewed by staff and members of various advisory boards or ad hoc work groups.

## **STATE FIRE MARSHAL**

Outlined below are activities, agreements, partnerships or other interactions with tribes in 2007. The State Fire Marshal were involved in the following:

- Representative(s) of OSFM participate with Warm Springs Tribe at monthly county Fire Prevention Co-Op meetings.
- Jan 31, 2007 Met with tribal representatives and contractor(s) regarding expansion project at Spirit Mountain Casino.
- Feb 1, 2007 Met with tribal representatives and contractor(s) regarding expansion project at Spirit Mountain Casino.
- Feb 1, 2007 Inspected Grand Ronde pre-school.
- Feb 2 & 12, 2007 Conducted fire inspections at Kah-Ne-Ta Resort.
- Feb 13, 2007 Community Right to Know staff received a request for information about hazardous materials users and waste generators in Klamath & Lake Counties. The information was used by consultants who were developing the Klamath Tribes hazard mitigation plan.

- Feb 2 & 5, 2007 Provided Fire Code consultations regarding Spirit Mountain Casino expansion project.
- Mar 27, 2007 Inspected Warm Springs Elementary School.
- April 11, 2007 Met with tribal representatives and contractor(s) regarding expansion project at Spirit Mountain Casino.
- April 20, 2007 Met with casino management and reviewed construction on The Mill Casino.
- April 23, 2007 Met with The Mill Casino management regarding fire sprinklers and water supply.
- May 1, 2007 Construction inspections at Spirit Mountain Casino expansion project.
- May 1 & 2, 2007 Code consultation and inspections at 7 Feathers.
- May 15, 2007 Code consultation and meeting for 7 Feathers project.
- May 17, 2007 Inspected new clean agent systems for the new casino security/gaming observation space in the Spirit Mountain Casino expansion project.
- May 23 & 25, 2007 Code consultations for 7 Feathers project.
- May 24, 2007 Conducted a fire and life safety inspection of the Warm Springs Early Childhood Education Center.
- May 29, 2007 Consultation with the Chiloquin Fire Department and Kla-mo-ya Casino regarding fire prevention issues.
- May 31, 2007 Meeting with tribal representatives and contractor for 7 Feathers project.
- June 4, 2007 Fire Code consultation with the Confederated Tribes of Grand Ronde.
- June 5, 2007 Inspected new clean agent systems for the new casino security/gaming observation space in the Spirit Mountain Casino expansion project. Code consultation and construction meeting for 7 Feather project.
- June 6 & 7, 2007 Code consultation and inspection at 7 Feathers.
- June 12 & 13, 2007 Code consultations and construction meeting for 7 Feathers project.

- June 14, 25, & 28, 2007 Final inspections of installed fire and life safety systems in 7 Feathers restaurant and casino renovation project
- June 26 & 27, 2007 Conducted fire prevention training and public education campaign training for staff at Warm Springs Fire Dept.
- July 2, 2007 Fire and life safety inspection at 7 Feathers casino.
- July 5, 2007 Consultation with the Warm Springs Early Childhood Education Center regarding their inspection.
- July 25 & 26, 2007 Conducted inspections and code consultations at Spirit Mountain Casino.
- Aug 29 & 30, 2007 Code consultations with the Confederated Tribes of Grand Ronde regarding their new plank house.
- Sept 11, 2007 Met with The Mill Casino management regarding exiting and standpipe issues.
- Sept 18, 2007 Inspection and code consultation at "Playworld" at Spirit Mountain Casino.
- Oct 2, 2007 Consultation with Confederated Tribes of Siletz. They explained and demonstrated their plank house so we could better advise the Confederated Tribes of Grand Ronde regarding their plank house.
- Oct 15, 2007 Met with The Mill Casino management regarding fire code issues and reviewed new construction.
- Nov 6, 2007 A number of OSFM staff attended a break-out session at the DOJ public law conference regarding the legal status of Indian tribes. The presentation provided an overview of the history of the tribes' legal status and an up-to-date review of Indian tribes in Oregon.
- Nov 7, 2007 Provided safety training to High Lookee Lodge staff and Warm Springs fire prevention staff regarding fire safety in assisted living facilities. Inspected tribal health clinic for Confederated Tribes of Grand Ronde.
- Nov 19 & 27, 2007 Inspections and consultations on the Spirit Mountain Casino expansion project.

- Nov 30, 2007 Inspection with building official for granting of temporary certificate of occupancy for a portion of the Spirit Mountain Casino expansion project.
- Dec 5, 2007 Code consultation and construction meeting for a proposed water treatment plant for the Cow Creek Band of Umpqua Indians.
- Deputy state fire marshal staff spent a combined total of 72 hours conducting plan reviews related to the various tribal construction projects conducted during 2007 in addition to their activities listed above.

### **State Medical Examiners Office**

The State Medical Examiners Office works with the Warm Springs Tribal Police to investigate suspicious or unusual deaths occurring on the reservation. Although the office does not have jurisdiction on the reservation, they need a forensic pathologist to do the autopsy on certain cases. For years the tribal police have contacted the Examiner's office to do these autopsies and provide court testimony when necessary. The same service is provided for Umatilla Tribal Police but with much less frequency.

The State Medical Examiners Office has offered the Oregon Tribes the opportunity to participate in their statewide newsletter regarding found human remains. This will be informative to all the Deputy ME's within Oregon and will assist with notification to SHPO and the Tribes by law enforcement in Oregon.

### **University Patrol Office – Corvallis**

- The University Patrol Office on the Oregon State University campus has an officer assigned as a liaison with the Native American Cultural Center. Tribes from all over America are represented in the center. This has provided the opportunity to share information on the role of the State Police at the University as well as answering questions regarding career opportunities.

### **Newport Patrol Office**

- There is a Tribal Gaming Section Detective located in this office. As outlined in the Tribal/State compacts, the primary duties of this Detective are to monitor tribal gaming operations for the State of Oregon as considered necessary to ensure the gaming operation honesty, integrity, fairness, safety and security. The Detective is also to conduct criminal investigations associated with their assigned gaming facility.
- The Newport Patrol Office enjoys an excellent working relationship with the Siletz Tribal Police Department and their Chief. We have a lot of interaction with the Tribal Police Department assisting with back-ups on domestics, warrants, etc. The Tribal Police Department assists with our Department with the highway that runs through Siletz

(SR-229). The Newport office continues to work traffic to slow motorists down in the area. This has been well received by the Police Department and citizens. The Chief is invited to participate in the Local Public Safety Coordinating Council and is included in local law enforcement administrators' monthly meetings.

- The Newport office assists with enforcement issues surrounding the Siletz Pow Wow and the annual Indian Salmon Bake in Depoe Bay.
- The Newport Area Commander and members of the Lincoln County Interagency Narcotics Team have provided education and public forums in Siletz at the request of the Tribe on drug related problems, including methamphetamine lab recognition and hazards.
- The Fish and Wildlife Division donates a lot of seized wildlife to the Tribe.
- Siletz Tribal Police are part of the interagency agreements in Lincoln County.

### **Coos Bay Patrol Office**

There are two recognized Oregon Indian Tribes in the Coos Bay Area. They are the Coos, Lower Umpqua & Siuslaw Tribes and the Coquille Tribe. The majority of our contacts have been with the Coquille Tribe. Listed below are interactions that we have had during the past year.

- The Coos Bay Office and Coquille Tribal Police provide reciprocal assistance during times when backup is needed. Our officers, during emergencies, respond to the tribal housing area until one of the tribal officers can arrive. The housing area is adjacent to a state highway.
- The Coquille Tribe has timber holdings on Hwy. 42, east of Myrtle Point. Fish and Wildlife Troopers have responded to this location at the request of Tribal Police to investigate Fish and Wildlife crimes.
- The Coquille Tribal Police Chief has offered their office building to our officers for their use. It was felt that their office, near Charleston and a high activity area, would be a place where officers could come and do reports or take a break. His office and all his equipment is at our disposal anytime during day or night.
- Training opportunities have been extended to the Coquille Tribal Police members. When room is available, Tribal PD members have been invited to participate with our members at our training. Tribal PD members attended our 2007 Patrol Tactics training, which covered Officer Involved shootings and Critical Incidents.

- A Coos Bay Detective serves on an interagency Major Crime Response Team, and attends investigator meetings with Tribal Police officers, sharing information that may be pertinent to ongoing criminal investigations.
- The Coos Bay Lieutenant attends Local Area Chief's meetings and discusses issues that arise with Tribal Police Chief and other Chiefs of the local jurisdictions. In 2007, all interagency cooperative agreements were updated and signed by all agency heads, including the Chiefs of both Tribal Agencies.

### **Roseburg Patrol Office**

- There is a Tribal Gaming Section Detective located in this office. As outlined in the Tribal/State compacts, the primary duties of this Detective are to monitor tribal gaming operations for the State of Oregon as considered necessary to ensure the gaming operation honesty, integrity, fairness, safety and security. The Detective is also to conduct criminal investigations associated with their assigned gaming facility.
- The Roseburg Area Command continues to maintain a strong working relationship with the Cow Creek Band of the Umpqua Indians. The Cow Creek Band has no tribal police, so law enforcement services to tribal members continues to be shared by City, County and State agencies.
- Seven Feathers Casino is located just off Interstate 5 at Canyonville. The Douglas County Sheriff and the Roseburg State Police share responsibility for emergency response to the casino.

### **Klamath Falls Patrol Office**

- There is a Tribal Gaming Section Detective who conducts monitoring compliance of the Kla-Mo-Ya Casino in Chiloquin. As outlined in the Tribal/State compacts, the primary duties of this Detective are to monitor tribal gaming operations for the State of Oregon as considered necessary to ensure the gaming operation honesty, integrity, fairness, safety and security. The Detective is also to conduct criminal investigations associated with their assigned gaming facility.
- On April 1, 2007, KFPO Assisted Security at the Kla-Mo-Ya Casino on how to report incidents of found contraband.
- Communication between the Oregon State Police, Klamath Tribe and other local public safety agencies continue to be open and responsive.
- The Klamath Falls Patrol Office and local agencies continue to work on a Cooperative Agreement for response to criminal incidents at the Kla-Mo-Ya Casino.

## **East Region Headquarters, Criminal Investigative Division**

- Criminal Investigation Division members participate with the Umatilla Tribal Police on the Umatilla Tribal Major Crime Team.

## **Bend Patrol Office**

- A Tribal Gaming Section Governmental Auditor and Criminal Detective are located in this office. As outlined in the Tribal/State compacts, the primary duties of this Auditor are to monitor tribal gaming operations for the State of Oregon as considered necessary to ensure the gaming operation honesty, integrity, fairness, safety and security. Tribal Gaming Section detectives also conduct criminal investigations associated with the tribal gaming facility.
- Our members assigned to the Bend Patrol office work along side the Warm Springs reservation and have frequent contacts with the Warm Springs Police Officers.
- The Warm Springs Police Chief regularly attends the Central Oregon Law Enforcement Services Meeting in Redmond as part of a drug team. This meeting includes all the Agency Department leaders from Deschutes/Jefferson/Crook County.
- The Madras Patrol Office assists the Warm Springs Police department with a variety of calls for service, as well as, general patrol services to ensure traffic safety. Moreover, the Oregon State Police responds to the Warm Springs Reservation to assist with major traffic crashes on the State Highway.
- The Madras Patrol Office participates in “Department Head” meetings with the Jefferson County Sheriff’s Office, Madras Police Department, Culver Police Department, Warm Springs Police Department, and the Jefferson County District Attorney’s Office. The meetings are to discuss various topics and include the opportunity for agencies to share information about day-to-day operations to assist agencies in attendance.
- Fish & Wildlife members conduct river patrols on the Deschutes river adjacent to the Warm Springs Reservation. On occasion they work with the Warm Springs Tribal Police to assist in law enforcement operations to better serve their customers.

## **The Dalles Patrol Office**

- The Dalles Patrol office attended a meeting at the Celilo Village long house with the Warm Springs and Yakima tribes. This was kind a community meeting to discuss jurisdiction and legal issues concerning the village.

## **Burns Patrol Office**

- The Burns Patrol office participates in a Major Crime Team agreement that includes tribal police.
- The Lieutenant meets with the Burns Paiute Chief on a regular basis.
- In April OSP signed a policing agreement with the tribe.

## **Pendleton Patrol Office**

The Pendleton Area Command has several agreements with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and continues to work on others.

- Major Crime Team Agreement between the Umatilla Tribal Police Department, Umatilla County Sheriff's Office, Oregon State Police and other criminal justice agencies as required by Federal, State or Tribal law and deemed necessary. This agreement is separate from the Major Crime Team Agreement with all other law enforcement agencies in Umatilla and Morrow Counties. The development of this agreement was established due to the unique jurisdictional issues that occur involving felony crimes with both Tribal and non-Tribal members.
- A policy and procedures agreement with the CTUIR that defines the working relationships between the CTUIR and the Department with regards to Native American Ancestral Remains which are discovered either intentionally or accidentally. The policy and procedure, revised in 1994, offers a basic definition of the cooperative working relationship between the Department and the CTUIR when remains are located off the reservation. The resolution is established within the mandates of the Native American Graves Protection and Repatriation Act.
- The Department and CTUIR have developed a Deputization Agreement for sworn Department personnel to become deputized with Tribal authority.
- The Department, the CTUIR, the Governor's Office, DOJ and Umatilla County DA have developed and signed an updated Fresh Pursuit Agreement. In this agreement, the Fresh Pursuit language was defined and the Extradition Agreement from 1981 was determined to remain in full force.
- The Department and Umatilla Tribal PD continue to be part of the Umatilla/Morrow County Cooperative Policing Agreement.
- The Department and Umatilla Tribal PD continue to be part of the Umatilla/Morrow County Law Enforcement Administrator's meeting, which meets on a monthly basis.

- The Department and Umatilla Tribal PD continue to provide assistance to each other with Clan Lab Site Safety Officers whenever a methamphetamine lab is located.
- The Department continues to provide Drug Recognition Experts (DRE) to Umatilla Tribal PD if needed.
- The Department continues to provide Crash Reconstructionists to assist Umatilla Tribal PD, whenever needed.
- The Department and Umatilla Tribal PD are members of the Blue Mountain Enforcement Narcotics Team (BENT) board of directors and usually meet on a monthly basis.
- The Department and Umatilla Tribal PD are members of the Intergovernmental Agreement for Mutual Aid and Interagency Cooperation among Law Enforcement Agencies located in Umatilla County.
- The Department was represented at the dedication ceremony for the newly built CTUIR Public Safety and Emergency Operations Center.

#### **Ontario Patrol Office – Burns Worksite**

- The Burns Patrol Office and the Burns Paiute Tribal Police are both participants in the Harney County Cooperative Policing Agreement.
- The Tribe also participates with the Department in the Harney County Multi-Disciplinary Child Abuse Team, the Harney County Child Fatality Review team and the Harney County Commission on Children and Families.
- The Burns Paiute Tribal Police also participates with the Department as members of the Local Public Safety Coordinating Council and serves on the Council's Alcohol Dependency and Juvenile Crime Committees.

#### **Arlington Patrol Office**

- The north central area of Oregon and Zone 6 of the Columbia River is mainly comprised of the four treaty tribes: Yakima, from Central Washington to the Columbia River; Warm Springs, Central Oregon; Umatilla, Northeastern Oregon; and Nez Perce, Western Idaho. Contacts with tribal members are usually associated with monitoring area fisheries and with assisting Inter-Tribal police with operations and patrols.

- The Warm Springs Tribe has the responsibility to manage 24,304 acres of wildlife habitat in Wheeler County, which was purchased by the Bonneville Power Administration. The management duties include setting hunting seasons and limits. Oregon State Police personnel have been partners with the Warm Springs Tribe, Oregon Department of Fish and Wildlife, the National Park Service and local agencies to discuss issues and adopt rules to enhance the habitat and wildlife.
- The Columbia River Inter-Tribal Fisheries Enforcement Department is located in Hood River and is primarily responsible for enforcement of tribal fisheries in Zone 6 on the Columbia River. The Arlington, Hood River, Hermiston and The Dalles Patrol Office continues to work with the Inter-Tribal police in providing staff, flights, boat patrols and other enforcement and aid in strategic planning as needed.

In conclusion, the Department of Oregon State Police has embraced and remains committed to complying with the provisions of the Governor's Executive Order 96-30 and Senate Bill 770. The various Divisions and Offices of the Department will continue to advance opportunities to participate in intergovernmental agreements and interactions that foster mutual gain and cooperation.

If you have any questions regarding this report, please do not hesitate to contact me at (503) 934-0228.

Sincerely,

Craig Durbin, Captain  
Oregon State Police  
Gaming Enforcement Division

cc: Superintendent Timothy McLain  
Deputy Superintendent Greg Willeford  
Department Key Contacts

## OREGON STATE POLICE KEY CONTACTS

The key contacts of the Department of State Police 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.

The primary Oregon State Police representative for Oregon Indian Tribes is:

Craig Durbin, Captain  
255 Capitol Street NE, 4<sup>th</sup> Floor  
Salem, Oregon 97310  
(503) 934-0228  
(503) 378-8282 Fax

The following members are designated as Department representatives based upon local service area or specialized service responsibility:

### Statewide Issues:

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Tribal Gaming: Lieutenant Joel Lujan  
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Salem, Oregon 97301  
Phone: (503) 378-6999 ext. 223

Department Policy & Procedures: Captain Cindy Kok  
255 Capitol Street NE, 4<sup>th</sup> Floor  
Salem, Oregon 97310  
Phone: (503) 378-3720

### Local Issues:

Cow Creek Band of Umpqua Indians: Lieutenant Doug Ladd  
Area Commander - Roseburg  
761 NE Garden Valley Road  
Roseburg, Oregon 97470  
Phone: (541) 440-3334

Confederated Tribes of Warm Springs  
Indian Reservation: Lieutenant Carl Rhodes  
Area Commander - Bend  
63319 Jamison Street  
Bend, Oregon 97701  
Phone: (541) 388-6213

Confederated Tribes of Umatilla  
Indian Reservation: Lieutenant Greg Sherman  
Area Commander - Pendleton  
700 SE Emigrant  
P.O. Box 5  
Pendleton, Oregon 97801  
Phone: (541) 278-4090

Burns Paiute Tribe: Lieutenant Rich Pileggi  
Area Commander - Ontario  
325 Goodfellow Street  
Ontario, Oregon 97914  
Phone: (541) 889-6469

Fort McDermitt Paiute Tribe: Lieutenant Rich Pileggi  
Area Commander- Ontario

Coos, Lower Umpqua & Siuslaw Tribes: Lieutenant Steven Smartt  
Area Commander - Coos Bay  
155 North Schoneman  
Coos Bay, Oregon 97420  
Phone: (541) 888-2677

Coquille Tribe: Lieutenant Steve Smartt  
Area Commander- Coos Bay

Confederated Tribes of Grand Ronde: Lieutenant Marti West  
Area Commander - McMinnville  
1502 N. Highway 99W  
McMinnville, Oregon 97128  
Phone: (503) 472-0294

Confederated Tribes of Siletz Indians: Lieutenant Kelly Collins  
Area Commander - Newport  
52 NE 73<sup>rd</sup> Street  
P.O. Box 947  
Newport, Oregon 97365  
Phone: (541) 265-5354

Klamath Tribes: Lieutenant Stephen Nork  
Area Commander- Klamath Falls  
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## Department of State Police

CHAPTER: 500.11  
SUBJECT: STATE-TRIBAL GOVERNMENT TO GOVERNMENT RELATIONS  
SUPERSEDES: N/A  
PAGES: 4

### 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.

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.

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

1. Recognizes 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. That advances the government-to-government relationship by notifying Department members of Executive Order #96-30.

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

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

## RELATED LAWS/REFERENCES

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

## RULE

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

The following position is designated as the primary Department representative for Oregon Indian tribes:

Primary contact: Public Safety Services Bureau Commander

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

### Statewide Issues:

Fish & Wildlife/Natural Resources	Fish and Wildlife Division Director
Tribal Gaming	Gaming Enforcement Division Director
Department Policy & Procedures	Chair of Policy & Procedures Advisory Committee

### Local Issues:

Cow Creek Band of Umpqua Tribe	Station Commander-Roseburg
Confederated Tribes of Warm Springs	Station Commander-Bend
Confederated Tribes of Umatilla	Station Commander-Pendleton
Burns Paiute Tribe	Station Commander-Ontario

Fort McDermitt Paiute Tribe	Station Commander-Ontario
Coos, Lower Umpqua & Siuslaw Tribes	Station Commander-Coos Bay
Coquille Tribe	Station Commander-Coos Bay
Confederated Tribes of Grand Ronde	Station Commander-McMinnville
Confederated Tribes of Siletz	Station Commander-Newport
Klamath Tribes	Station Commander-Klamath Falls

2. The listed Department representatives, or a designee, shall communicate with Oregon tribal governments that are located in their individual service areas for the purpose of working together to achieve mutual goals, identify policy issues and to discuss issues of mutual concern or interest.
3. In the development of issues of mutual concern, the Department representatives shall make reasonable efforts to design solutions and develop programs to achieve mutual goals in relation to Department policy.
4. Department representatives shall consider the use of cooperative agreements with Indian tribal governments as provided for in ORS 190.110 or other tools to achieve mutual cooperation when it is appropriate to do so.
5. Department representatives and designated supervisors shall attend periodic training in tribal culture, relations, and legal status designed to create an awareness of the unique nature of the tribal governments and an understanding of, and sensitivity to, Native American Issues.
6. The Public Safety 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.
7. All members of the Department will consider impacts on Oregon tribal governments when developing policy and if appropriate shall consult with tribal representatives to discuss issues.
8. Station Commanders designated as Department representatives shall establish mutually agreeable meeting schedules with local tribal representatives.

## PROCEDURE

1. The Public Safety 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.
  - A. The Police Services Bureau Commander will coordinate the periodic tribal cultural training for Department representatives and designated supervisors. Each Department representatives shall designate those supervisors under their command that should attend this training.
  - B. The annual report to the Superintendent required by this policy shall be an Executive Summary.
2. The statewide annual meeting will serve as a means for Department representatives to further establish contacts with designated tribal government representatives, schedule additional meetings and develop appropriate protocols of communication on issues of mutual concern.