

November 17, 2008

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
Reporting Agency: Oregon State Police**

Principal Contact: Major Craig Durbin
Oregon State Lottery
500 Airport Road Se
Salem, Oregon 97301
(503) 540-1406
(503) 540-1440

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

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

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

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

Tribal Gaming Section:

The Tribal Gaming Section has regular daily interactions with all gaming tribes in Oregon. Personnel also actively participate in monthly Oregon Association of Indian Gaming Commissions (OAIGC) meetings. Due to the nature of the Section's mission, they have had numerous occasions to increase their awareness of the cultures, beliefs, and governmental systems of Oregon's Native American tribes. Some of those opportunities are listed below:

Government-to-Government Public Safety Cluster: Meetings are held to discuss public safety issues affecting the Tribes and Other Entities within the State of Oregon

Regular meetings and visits with Tribal Gaming Commissions

January 4, 2008-Retirement Celebration for the Director of the Grand Ronde Gaming Commission

January 8, 2008-Oregon Association of Indian Gaming Commissions meeting hosted by the Confederate at Tribes of Warm Springs Gaming Commission at Kah-Nee-Ta High Desert Resort and Casino, Warm Springs, Oregon

January 23, 2008-Public preparedness planning with representatives of Spirit Mountain Casino, West Valley Fire Department, and Polk County Sheriffs Office

February 28, 2008-Representatives from the Klamath Tribal Regulatory Commission and from the National Indian Gaming Association, tour the office of the Oregon State Police Tribal Gaming Section

March 14, 2008-Invited and presented information to the Grand Ronde Gaming Commission

April 8, 2008-Business meeting with the Umatilla Tribal Gaming Commission held lengthy Bureau of Indian Affairs building

April 9, 2008-Oregon Association of Indian Gaming Commission's meeting hosted by the Cow Creek Band of Indians Gaming Commission and the Seven Feathers Casino, Canyonville, Oregon

May 6, 2008-Oregon Association of Indian Gaming Commission's meeting hosted by the Coquille Tribe Gaming Commission at the Mill Casino, Coos Bay, Oregon

May 14, 2008-Management of the Tribal Gaming Section, speak at the Regional Indian Gaming Conference, sponsored by the Federal Bureau of Investigation, on the role of the Oregon State Police Tribal Gaming Section

May 16, 2008-Various members of the Tribal Gaming Section attended the Tribal Information Day at the State Capitol

May 29th, 2008-Tour of Coquille Indian Tribal Council offices

June 16, 2008-Meeting with the Klamath Tribal Council to discuss the role of TGS and IGRA and distribute Pow Wow posters at the Council's request

June 20, 2008-On behalf of the Klamath Tribal Council deliver Pow Wow posters to the Department of Justice and the Legislative Commission on Indian Services

June 24, 2008-At the request of Wildhorse Gaming Resort and Casino the Tribal Gaming Section contacts the Sun River Police Department and the Department of Justice to facilitate event planning to be held at Sunriver Resort

July 9, 2008-Oregon Association of Indian Gaming Commissions meeting hosted by the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Gaming Commission at the Three Rivers Casino, Florence, Oregon

July 9, 2008-Coordinates fingerprint class and tour of the Identification Services Section of the Oregon State Police. Six of the nine Oregon Tribes participate

August 6, 2008-Oregon Association of Indian Gaming Commissions meeting hosted by the Confederated Tribe of Siletz Indians Gaming Commission at Chinook Winds and Casino, Lincoln City, Oregon

September 3, 2008-Oregon Association of Indian Gaming Commissions meeting hosted by the Warm Springs Gaming Commission at the Kah-Nee-Tah Desert Resort & Casino

September 4, 2008-Members of the Tribal Gaming Section attended Cultural Awareness Training and tour the Warm Spring Indian Reservation

October 2, 2008- Meeting with Tribal Members/Gaming Commissions hosted by the Governor's Consul in Salem, Oregon

October 7, 2008-Oregon Association of Indian Gaming Commission's meeting hosted by the Confederated Tribes of Grande Ronde at the Spirit Mountain Casino, Grande Ronde, Oregon

November 7, 2008-Oregon Association of Indian Gaming Commissions meeting hosted by the Confederated Tribes of the Umatilla Indian Reservation Gaming Commission, Umatilla, Oregon

Fish and Wildlife Division:

The role of the Fish and Wildlife Division in relation to Tribal Governments is to investigate violations of Native American archaeological laws; Coordinate with state and federal prosecutors and magistrates to bring defendants of archaeological crimes to justice; Provide Fish and Wildlife Division staff trained on the Endangered Species Act and tribal treaty rights, tribal sovereignty issues and the foundation of tribal sovereignty; Coordinate with tribal representatives on fish and wildlife issues before the Oregon Fish and Wildlife Commission and the Oregon State Legislature; Coordinate with the Columbia River Treaty Tribes on enforcement issues related to the Columbia River.

Activities:

Captain Markee was invited by the Governor's office to participate in meetings between the Governor's representatives, the Confederated Tribes of the Umatilla and the Umatilla County District Attorney.

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 about the state.

In March, the group met at the Long House on the University of Oregon campus in Eugene. The group discussed and toured the University's Museum of Natural and Cultural History. Dennis Griffin (SHPO) also provided an overview of state laws relating to museums, artifact curation, permits and ancestral remains.

In May, the group met at the State Medical Examiner's Office in Clackamas. There was considerable discussion on the production of a DVD by the Medical Examiner's Office to provide training to County or Deputy medical examiners concerning the inadvertent discovery of suspected Native American remains. The group also toured the Forensics Laboratory and the Medical Examiner's facility. In September, the group met at the Confederated Tribes of the Umatilla's Tamastlikt Cultural Institute east of Pendleton. The group continued discussion and made assignments to assist in the production of the State Medical Examiner's training DVD. Lieutenant Lane was unable to attend the meeting due to another priority commitment.

Lieutenant Lane continues as the main contact for the Department for persons 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 during the year. 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) is a member of the working group. He also works in the field with Warm Springs Tribal Enforcement Officers as part of his duties on the Deschutes River.

February - Lieutenant Lane attended training for future deputy medical examiners at the State Medical Examiner's Office in Clackamas. Also in attendance were Don Ivy, Coquille Indian Tribe and Sally Bird, Confederated Tribes of Warm Springs. Don and Sally spoke with the class on the procedures for found human remains suspected to be Native American and provided the tribal position paper. Lieutenant Lane spoke about OSP being the contact point for found human remains as directed by Oregon Revised Statutes. State Medical Examiner, Dr. Karen Gunson and Dr. Gino Gray attended.

March – Mr. Robert Kentta, Confederated Tribes of the Siletz assisted with a class to 5th graders in Newport with Sergeant Thompson and Sr. Trooper Torland. Sergeant Thompson and Sr. Trooper Torland spoke about fish and wildlife enforcement. Mr. Kentta spoke about Native American culture.

April – Sergeant Hand (Klamath Falls Area Command, Fish and Wildlife) attended a meeting in the Klamath Fall area that Oregon Department of Fish and Wildlife sponsored that was attended by Klamath Tribes tribal members. The meeting focused on the salmon introduction plan for the Klamath River Basin.

April – Sergeant Hoodenpyl (Tillamook Worksite, Fish and Wildlife) met with Kelly Dirkson of the Confederated Tribes of the Grand Ronde to discuss enforcement issues on tribal properties.

May – Sergeant Hoodenpyl provided a Power Point presentation to the Confederated Tribes of the Grand Ronde's Fish and Wildlife Committee concerning Oregon State Police Fish and Wildlife Enforcement.

May - Lieutenant Lane attended Tribal Information Day at the State Capitol and participated on a panel that provided training to and discussion with state employees on cultural resources protection. The panel consisted of Karen Quigley (Commission on Indian Services), Dennis Griffin (SHPO), Perry Chocktoot (Klamath Tribes), David Lewis (Confederated Tribes of the Grand Ronde) and Barbara Sams (Burns Paiute Tribe).

June - Sergeant Thompson (Newport Area Command, Fish and Wildlife) 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.

Other Contacts:

December 11, 2008- Terry Osbun of Archeological Investigations Northwest called Lieutenant Lane. He advised that near the Dalles Bridge a human bone fragment and a tooth had been located. Mr. Osbun advised that he had contacted SHPO and the Tribes.

January 13, 2008- Lieutenant Lane received a phone call from Detective Dave Williams of the Umatilla County Sheriff's Department. Detective Williams reported that a juvenile had located a human skull and then found bone fragments along a road. Teara Farrow and Jay Minthorne of the Confederated Tribes of the Umatilla responded. An anthropologist determined the skull and bones to be Native American. The Umatilla Tribe was to contact SHPO and Commission on Indian Services. The Umatilla District Attorney and the Umatilla County Medical Examiner were notified. The Tribe was to take possession of the bones. On January 14, Lieutenant Lane followed up with an e-mail to Susan White and Karen Quigley on the discovery.

On January 25, 2008-Lieutenant Lane received a phone call from Shane Baker of the Idaho Power Company that a piece of human mandible had been located near the Brownlee Reservoir. The company was repairing a line in a trench when the piece of mandible was located. The company had a permit from SHPO for the excavation. Mr. Baker was to make the needed notification to the Tribes. Lieutenant Lane followed up with an e-mail to Susan White and to Karen Quigley.

May - Sr. Trooper Brad Duncan and Lieutenant Randy Scorby (Fish & Wildlife Div. - both Baker City) made a three-day raft patrol on the Owyhee River from Rome to Birch Creek. They conducted enforcement contacts during the patrol. They also checked two archaeological sites that had been vandalized and looted in the past (either removing or defacing petroglyphs). One subject was warned for possession of Native American artifacts after he had unknowingly picked up a rock scraper.

On July 15, 2008-Sally Bird, Confederated Tribes of the Warm Springs reported to Lieutenant Lane that she had discovered an Indian artifact (stone bowl) advertised for sale on Craigslist (Craigslist has no policy prohibiting the sale of artifacts). After conducting investigative follow-up, Sergeant Allori (Portland F&W Division) contacted the listed seller of the bowl in Vancouver, WA. The seller later produced a receipt for the bowl, a pestle and projectile points purchased from a business in Portland. Further investigation of the business shows it to be legitimate. The business deals in various decorative items and conducts numerous estate sales and auctions. It is unknown if the purchased artifacts were in fact true artifacts. Lieutenant Lane furnished the information to SHPO and Ms. Bird. There is no additional investigation planned at this time.

On September 17, 2008-Lieutenant Lane received a voice mail for Dr. Karen Gunson, State Medical Examiner in regards to a small fragment of skull being discovered buried in a yard in the City of Dallas. The fragment was suspected as being Native American. Dr. Gunson made the needed notifications to the Confederated Tribes of the Grand Ronde, SHPO and Karen Quigley. The discovery of the partial skull was the subject of a front-page article in the Statesman Journal newspaper on October 1, 2008.

On October 6, 2008-Lieutenant Lane was contacted by Perry Chooktoot of the Klamath Tribe. He reported an ongoing issue with a landowner digging in the area Chiloquin impacting a known archaeological site. Lieutenant Lane provided the information to SHPO and to Sergeant Hand and Sr. Trooper Randall at OSP Klamath Falls for investigation.

Office of State Fire Marshal:

Community Education Services:

On January 17, 2008- Warm Springs Fire and Safety Training/Prevention Officer attended a Door-to-Door Smoke Alarm Workshop at Office of State Fire Marshal in Salem. As a result of the training, Warm Springs Fire and Safety applied to conduct a door-to-door smoke alarm campaign. They received 50 free ionization smoke alarms and \$250 to assist with their campaign. The campaign is scheduled for October 2008.

On March 13, 2008- Office of State Fire Marshal, the Community Education Services Program Manager and Program Coordinator participated at the Kick-Off State-Tribal Government-to-Government Cluster meeting and discussion about children, youth and communities. Attendees included Oregon Commission on Children and Families, Legislative Commission on Indian Services, Confederated Tribes of Grand Ronde, Confederated Tribes of Warm Springs, Confederated Tribes of Siletz, Klamath Tribes Social Services Department, Oregon Youth Authority, Coquille Indian Tribe, Oregon Housing, Department of Human Services, Legislative Commission on Indian Services, Confederated Tribes of Coos, Lower Umpqua and Siuslaw and House Representative Chuck Riley. The discussion revolved around a possible new cluster.

On August 27, 2008- Office of State Fire Marshal, Community Education Services Program Coordinator attended an Oregon Tribes/Oregon Department of Human Services, Senate Bill 770 Cluster meeting (*Health and Human Services Cluster*) giving a brief presentation on National Fire Protection Association's *First Nations Remembering When* (a fire and fall program for older adults). Present at the meeting were representatives from Confederated Tribes of Umatilla Indian Reservation, Coquille Indian Tribe, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Siletz, Confederated Tribes of Warm Springs, Northwest Portland Area Indian Health Board, ChristieCare and Oregon Department of Human Services.

As a result of the August 2008 *Health and Human Services Cluster* meeting, the Office of State Fire Marshal Community Education Services Program Coordinator will present *First Nations Remembering When* to approximately 20 staff members of Coquille Indian Tribe Community Health Center on October 30, 2008.

The Office of State Fire Marshal Community Education Services provided Warm Springs Fire and Safety with *Home Fire Safety is Up to You!* materials for Fire Prevention Week (October 5-11, 2008).

The Office of State Fire Marshal Community Education Services future plans include partnering with more Oregon tribes to present *First Nations Remembering When*. Community Education Services will invite tribes to an upcoming *Remembering When* train-the-trainer workshop scheduled in early 2009.

Emergency Planning and Response Section:

2008-Staff completed on line course in Building Partnerships with Tribal Communities

January 28, 2008-Met with Legislative Commission on Indian Affairs to provide information on services and resources available to OSFM for the Tribes of Oregon

March 18, 2008 - Attended the Public Safety Cluster meeting at Spirit Mountain providing an overview of the Emergency Planning and Response section of OSFM

June 26, 2008 - Attended the Public Safety Cluster meeting at the Umatilla Tribal Public Safety Building providing information about the campaign to ban the sale of Toy like lighters in Oregon

May 16, 2008-Attended the Tribal Information Day at the State Capitol and attended training session on sovereignty basics

June- Contacted the Confederated Tribes of Warm Springs and Umatilla regarding the 2008 Emergency Response Guidebook distribution for the tribes

July 23-24, 2008- Attended the Northwest Portland Area Indian Health Board Conference in Pendleton. During the conference spoke with Kenton Dick of the Burns Paiute Tribes concerning Hazardous Material Emergency Planning grant opportunities and Tribal Emergency Response Committee activities

Fire and Life Safety Services:

2008-Representative(s) of OSFM participate with Warm Springs Tribe at monthly county Fire Prevention Co-Op meetings

Jan 2, 2008-A deputy state fire marshal (DSFM) met with casino management and toured the new 7 story hotel at The Mill Casino and witnessed a test of the clean agent fire suppression system

Jan 4, 2008-DSFM conducted phone consultations with Kah-Nee-Ta staff regarding fire code issues at the resort

Jan 7, 2008 -A DSFM conducted a change order plan review and consultation with the contractor, building official, and Spirit Mountain Casino administrator

Jan 16, 2008-A DSFM witnessed another clean agent test at The Mill Casino for their computer room

Jan 25, 2008 -A DSFM consulted with casino staff regarding occupant loads at Kla-Mo-Ya Casino

Jan 31, 2008-A DSFM met with the plumbing contractor regarding floor penetrations at The Mill Casino Hotel

Feb 1, 2008-A DSFM met with the plumbing contractor at The Mill Casino to observe sealing of penetrations in the hotel floors

Feb 11, 2008-A DSFM consulted with casino staff regarding fire department access issues at Kla-Mo-Ya Casino

Feb 25, 2008-A DSFM witnessed another clean agent test at The Mill Casino. The contractor could not get the system to meet specifications

Feb 27, 2008-A DSFM met with a tribal representative, Spirit Mountain Casino administrator, and building official regarding the casino expansion project

Feb 28, 2008-A DSFM provided a code consultation regarding the Spirit Mountain Casino to the casino administrator, contractor, and building official

Mar 3-4, 2008-A DSFM provided a code consultation/analysis regarding placement of gaming machines to the Spirit Mountain Casino administrator, contractor, and building official

Mar 7, 2008-A DSFM met with members of the Warm Springs Fire Department regarding International Code Council certifications and met with the interim fire chief

Mar 25, 2008-A DSFM conducted a sprinkler inspection at Spirit Mountain Casino with the building official, contractor, and the casino administrator

Mar 26, 2008-A DSFM conducted a construction inspection on the Spirit Mountain Casino expansion project, and attended an occupancy classification meeting with the casino administrator, contractor, and building official

Apr 2, 2008-A DSFM conducted a construction inspection on the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

Apr 4, 2008-A DSFM consulted with the Chiloquin Fire Chief regarding a proposed addition to the Kla-Mo-Ya Casino and new hotel facility

Apr 7, 2008-A DSFM conducted a code consultation with the building official, contractor, and Spirit Mountain Casino administrator regarding the casino expansion project

Apr 10, 2008-A DSFM conducted a construction inspection on the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

Apr 15, 2008-A DSFM conducted a construction inspection in the kitchen portion of the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

Apr 16, 2008-A DSFM conducted a construction inspection on the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

Apr 25, 2008-A DSFM conducted a construction inspection on the Spirit Mountain Casino expansion project in areas 2 and 3 with the casino administrator, contractor, and building official

May 5, 2008-A DSFM conducted a final construction inspection on the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

May 8, 2008-A DSFM attended a follow-up meeting regarding the final construction inspections at Spirit Mountain Casino with the casino administrator, contractor, and building official

May 12, 2008-A DSFM conducted a plan review on a cedar plank house for the Confederated Tribes of Grand Ronde

May 13, 2008-A DSFM met with The Mill Casino staff and local fire department regarding fire suppression water supply requirements

May 14, 2008-A DSFM consulted with Klamath tribal representatives and contractor regarding fire department access and water supply for the new hotel and casino addition project

May 14, 2008-A DSFM attended a meeting with the architect and a Confederated Tribes of Grand Ronde representative regarding an elder craft center project

May 19, 2008-A DSFM consulted with Klamath tribal representatives, the contractor, the Klamath County Building Official, and the Chiloquin Fire Chief regarding fire department access and water supply for the new hotel and casino addition project

May 19, 2008-A DSFM attended a meeting with the architect and a Confederated Tribes of Grand Ronde representative regarding an elder craft center project

May 28, 2008-A DSFM met with The Mill Casino management staff and the local water board regarding fire suppression water supply requirements

May 28, 2008-A DSFM conducted a fire alarm system plan review for the Confederated Tribes of Grand Ronde elder craft center project

May 28-29, 2008-A DSFM and a supervising DSFM worked with the Tribal Police and the Federal Bureau of Investigation on the investigation of a double fatality fire on the Warm Springs reservation

May 29-30, 2008-A DSFM witnessed the flushing of the underground water supply to The Mill Casino Hotel. System did not pass

May 29, 2008-A DSFM attended a construction meeting regarding the Confederated Tribes of Grand Ronde elder craft center project with a tribal representative, the contractor, and building official

May 30, 2008-A DSFM conducted a plan review for the new Arrowhead Travel Plaza on the Umatilla Reservation

Jun 3, 2008-A DSFM witnessed two additional flushes of the underground water supply to The Mill Casino Hotel. System passed. Consulted with casino management staff regarding the need of an annual flush

Jun 4, 2008-A DSFM attended a construction meeting regarding the Confederated Tribes of Grand Ronde elder craft center project with a tribal representative, the contractor, and building official

Jun 5, 2008-A DSFM met with the Umatilla tribal planner regarding plan review comments for Arrowhead Travel Plaza

Jun 5 -12, 2008-A DSFM assisted with a sprinkler system inspection at the new Mill Casino Hotel and had consultations with casino management, architects, and engineers regarding correction of identified code deficiencies

Jun 19-20, 2008-A DSFM witnessed a final inspection of the fire alarm and sprinkler system at the Mill Casino Hotel project

Jun 27, 2008-A DSFM conducted a sprinkler waiver review for the Confederated Tribes of Grand Ronde elder craft center

Jun 28, 2008-A DSFM met with Mill Casino Hotel management regarding occupancy of hotel without necessary work being complete

Jun 30, 2008-A DSFM re-inspected the Mill Casino Hotel to confirm necessary work had been completed to allow occupancy

Jul 10, 2008-A DSFM consulted with Kah-Nee-Ta staff and OSP tribal gaming staff regarding fire code deficiencies at the casino

Jul 10, 2008-DSFM worked with the Bureau of Indian Affairs and members of the Warm Springs Fire Department on the "Mill" fire

Jul 28, 2008-A DSFM conducted a plan review on the porte-cochere addition to Spirit Mountain Casino

July 29-30, 2008-A DSFM conducted a plan review for the Confederated Tribes of Grand Ronde Nazarene church

Aug 15, 2008-A DSFM conducted plan reviews on the elder craft center and Nazarene church for the Confederated Tribes of Grand Ronde

Aug 26, 2008-A DSFM conducted a construction inspection and witnessed system tests at the Spirit Mountain Casino expansion project with the casino administrator, contractor, and building official

Sept 11, 2008-A DSFM conducted a final construction inspection on the Confederated Tribes of Grand Ronde elder craft center with a tribal representative, contractor, and building official

Sept 17, 2008-A DSFM conducted a construction inspection and code consultation on the Confederated Tribes of Grand Ronde cedar plank house with a tribal representative, contractor, and building official

Sept 23, 2008-A DSFM conducted a construction inspection at the Spirit Mountain Casino porte-cochere addition and an exit system evaluation on the casino rear exits with the casino administrator, contractor, and building official

Sept 30, 2008-A DSFM attended a planning meeting for a sports bar at Spirit Mountain Casino with a tribal representative, building official, and casino administrator

Sept 30, 2008-A DSFM and supervising DSFM consulted with the project foreman regarding fire code issues in the ceremonial plank house for the Confederated Tribes of Grand Ronde

Oct 2, 2008-A DSFM conducted a plan review for the Confederated Tribes of Grand Ronde cedar plank house

Oct 9, 2008-A DSFM conducted a code consultation for the Confederated Tribes of Grand Ronde tribal representative and building official regarding the construction of a fire station

Command Areas:

Oregon State Police Divisions throughout the State of Oregon have regular contact with the Tribal Governments to assist in enforcement roles. The fishery protection efforts along the Columbia River are a constantly maintained relationship. In addition, the command areas offer patrol assistance to the tribes with crash investigation, traffic safety, and marijuana eradication. The members of these command areas offer assistance with major crimes, the service of warrants, and archeological-based crimes.

Bend Area Command:

Bend Area Command and its worksites have had many opportunities to work in conjunction with members of the Warm Springs Police Department in 2008.

- The Oregon State Police Bend Area Command in cooperation with the 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 and coordinate meetings when deemed appropriate. Sgt. Seber of the Madras Worksite has personally met with Chief Carmen Smith of Warm Springs Police Department on several occasions in 2008. They have discussed general patrol operations and have made it clear that OSP can be used as a resource for a variety of incidents.
- Throughout the year, OSP has assisted Warm Spring Police Department with a variety of calls for service, as well as, general patrol services to ensure traffic safety. OSP members of the Madras Worksite were asked to spend part of their workweek specifically patrolling HWY 26 on the Warm Springs Reservation. Members have also been tasked with making contact with members of the Warm Springs Police Department on a regular basis to ensure good working relations.
- In February 2008, Troopers from the Bend Area Command assisted Warm Spring Police Department with the location and apprehension of a murder suspect that left the reservation. In September 2008, Warm Springs Police Department attended training at the Bend Area Command on the new Range 2000. OSP

members worked with Warm Springs Police Department in September of 2008 serving a federal search warrant in the Redmond area on multiple suspects.

- Lieutenant Scorby is the OSP Representative to the Lower Deschutes River Manager's Group. The Manager's Group is comprised of representatives from the Warm Springs Tribe, Bureau of Land Management, Oregon Parks & Recreation, Oregon Department of Fish & Wildlife, Oregon State Marine Board, and local governments. This group is responsible for implementing the Lower Deschutes River Management Plan in the lower Deschutes River Wild & Scenic Area. Senior Trooper Chuck Lindberg of the Madras worksite is a member of the Lower Deschutes Working Group, of which the Warm Springs Tribe is also a member.
- OSP is also a partner with the Cultural Resources Cluster Group. Fish and Wildlife Division members of the Bend Area Command have assisted with numerous investigations involving artifacts. Two recent investigations have been initiated to determine if artifacts were being sold. Local OSP members have also investigated two incidents involving the looting and/or desecration of known archaeological sites.

Pendleton Area Command:

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, the 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 UCDA 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. Since January of this year, there have been two reconstructions
- 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

Coos Bay Area Command:

There are two recognized Oregon Indian Tribes in the Coos Bay Area. They are the *Coos, Lower Umpqua & Siuslaw Tribes* and the *Coquille Tribe*. This command area assists with patrol assistance, fish & wildlife crimes, tribal police training, and facilities construction.

- 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 Game officers 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, a high activity area, would be a

place that 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 accommodation is possible, Tribal Police Department members are invited and do participate in training.
- 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.
- 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.
- During this past year, Coos Bay OSP members assisted other Coos County law enforcement personnel in constructing a classroom outbuilding on the shooting range. The Coquille tribe also uses this facility, and allows law enforcement to access this range through their property.

Springfield Command Area:

August 26, 2008-Attended quarterly Chief's Meeting sponsored by the Tribal Police at Three Rivers Casino in Florence Oregon

Klamath Falls Command Area:

July 8, 2008-Presentation to Tribal high school students on the subject of being a sworn officer with the Oregon State Police

Northern Command Center:

Receives calls from the Warm Springs Indian Tribe into the dispatch center for service for auto accident assistance as well as other calls

State Medical Examiners Officer:

Currently, the State Medical Examiner, Dr Karen Gunsun, is producing an instructional DVD on Ancient Native American Remains and the pertinent law protecting same to be distributed to all sheriffs, medical examiners and district attorneys in the state. Dr Gunsun has requested that all nine tribes offer suggestions and information related to this project. She has also requested input into a new chapter for the State Medical Examiners Office training manual for deputy medical examiners regarding the handling of Native American remains and the cultural issues associated with artifacts and remains. Both proposals were received with enthusiasm and the State Medical Examiners' office is moving forward with these projects. It is expected that a rough draft of the chapter and a draft

version of the DVD will be completed by the Nov 12-13 joint meeting of the cluster groups.

June 24-25, 2008- Hosted the Cultural Cluster group from the nine tribes of Oregon at the State Medical Examiners Office

Forensics Services Division:

Forensics Services Division participated in the Cultural Cluster Group.

August 12, 2008-Participated in training at the Family Violence Conference hosted by the Confederated Tribes of Umatilla Indian Reservation Domestic Violence program

Law Enforcement Data System Division:

The Law Enforcement Data System Division conducted Law Enforcement Data System audits in cooperation with the nine recognized tribes within the State of Oregon. This audit not only encourages compliance in the use the Law Enforcement Data System but also instructs the users of the Law Enforcement Data System on proper use and protocol of using this system.

This concludes the report for the Department of State Police. Please see attachments for additional information listed at the beginning of the report.

OREGON STATE POLICE PRIMARY CONTACTS:

The “key” contacts for the Department of State Police are those members primarily responsible for advancing the government-to-government relationship between the Department and the nine recognized tribes of Oregon. In addition, they are responsible for the coordination between the Tribal Governments and the Department of State Police concerning the agencies’ policies.

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

Craig Durbin, Major
500 Airport Road SE
Salem OR 97301
503 540 1406
503 540 1440 Fax

The following members are designated as Department representatives based on local service area or specialized service responsibility.

Tribal Gaming Section:

Joel Lujan, Lieutenant
3400 State Street NE Suite G-750
Salem OR 97301
503 378 6999 ext 223

Department of Fish & Wildlife:

Walt Markee, Captain
255 Capitol Street NE 4th Floor
Salem OR 97310
503 934-0221

Oregon Office of State Fire Marshall:

Nancy Orr, State Fire Marshall
4760 Portland Road NE
Salem OR 97305
503 378 3473

Southwest Region Command:
(Tribes: Coquille, Klamath, Cow Creek)

Randie Martz, Captain
4500 Rogue Valley Highway Suite A
Central Point OR 97502
541 776 6114

Northwest Region Command:
(Tribes: Coos, Grand Ronde, Siletz)

Cal Curths, Captain
3710 Portland Road NE
Salem OR 97301
(503) 934-0361

Eastern Region Command:
(Burns, Umatilla, Warm Springs)

Travis Hampton, Captain
63319 Jamison Road
Bend OR 97701
541 388 6213

State Medial Examiner:

Karen Gunsun, MD
13309 SE 84th Avenue Suite 100
Clackamas OR 97015
971 673 8200

Law Enforcement Data System:

Dan Malin, Auditor
3225 State Street
Salem OR 97309-5074
503 378 3055

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

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

The purpose of this policy is to formalize the government-to-government relationship that exists between Oregon Indian tribes and the State and to establish a process which can assist in resolving potential conflicts, maximize key 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.
 - A. The following position is designated as the primary Department representative for Oregon Indian tribes:

Primary contact: Operations Services Bureau Commander
 - B. The following positions are designated as Department representatives based upon local service area or specialized service responsibility:
Statewide Issues:

Fish & Wildlife/natural resources	Fish and Wildlife Division Director
Tribal Gaming	Gaming Enforcement Division Director
Department Policy & Procedures	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 Operations 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 Operations 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 Operations 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.

