

December 14, 2006

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Salem, Oregon 97310

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RE: Annual Government-to-Government Report

AGENCY: Oregon State Police

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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**

Members of the Oregon State Police Management Team, including former Superintendent Ruecker, attended the 9<sup>th</sup> Annual Governor's State –Tribal Summit at Portland State University.

### **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. 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 these opportunities are listed below.

#### **Section personnel attended:**

- Government-to-Government Public Safety Cluster: These meetings are held to discuss public safety issues that affect the Tribes and other entities within the State of Oregon.
- Jan 4, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Cow Creek Band of Indians Gaming Commission at the Seven Feathers Casino, Canyonville, Oregon.
- Feb 1, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Coquille Tribe Gaming Commission at The Mill Casino, Coos Bay, Oregon.
- Feb 8, 2006 Meeting with representatives of the nine Federally Recognized Tribes at the State Capitol, Room 257, as part of the Tribal-State Task Force on Oregon State Police Tribal Gaming Section Billing System.
- Feb 10, 2006 Meeting with the Grand Ronde Gaming Commission to discuss Tribal Gaming Section staffing and billing.
- Mar 1, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians Gaming Commission at the Three Rivers Casino, Florence, Oregon.
- Mar 1, 2006 Meeting with representatives of the nine Federally Recognized Tribes at the Fire Hall in Florence, Oregon, as part of the Tribal-State Task Force on Oregon State Police Tribal Gaming Section Billing System.

- Mar 8, 2006 Meeting with the Umatilla Tribal Gaming Commission to discuss and resolve TGS budgeting and billing inquiries.
- Apr 8, 2006 Attended the Groundbreaking Ceremony for the new Three Rivers Casino hosted by the Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians Gaming Commission at the Three Rivers Casino, Florence, Oregon.
- Apr 12, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribe of Siletz Indians Gaming Commission at Chinook Winds Casino, Lincoln City, Oregon.
- Apr 12, 2006 Meeting with representatives of the nine Federally Recognized Tribes in Lincoln City, Oregon, as part of the Tribal-State Task Force on Oregon State Police Tribal Gaming Section Billing System.
- May 10, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Grand Ronde at The Spirit Mountain Casino, Grand Ronde, Oregon.
- May 12, 2006 Meeting with the Grand Ronde Tribal Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- May 19, 2006 Tribal Information Day at the State Capitol.
- May 31, 2006 Meeting with the Umatilla Tribal Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- May 31, 2006 Meeting with the Warm Springs Tribal Gaming Section regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget. This meeting was scheduled but did not take place at the request of the Tribal Council and was subsequently rescheduled after our arrival.
- Jun 7, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Umatilla Tribal Gaming Commission at the Wildhorse Casino, Pendleton, Oregon.
- Jun 8, 2006 Meeting with the Siletz Tribal Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- Jun 23, 2006 Meeting with the Burns-Paiute Tribal Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- Jun 23-24, 2006 Warm Springs Treaty Day Celebration and Pow Wow in Warm Springs.

- Jun 24, 2006 Annual Coquille Restoration Day Celebration at the Coquille Reservation Salmon Bake Site, upper portion of the Reservation beyond the Housing Authority offices.
- Jun 30, Jul 1, 2006 Umatilla Pow Wow at parade grounds of Wildhorse Casino, Pendleton Oregon.
- Jul 1, 2006 Tour the Confederated Tribes of the Umatilla Indian Reservation Tamastlikt Cultural Institute and Interpretive Center.
- Jul 12, 2006 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.
- Jul 18, 2006 Meeting with the Coquille Tribal Gaming Commission and the Confederated Tribes of Coos, Lower Umpqua and Suislaw Tribe of Indians Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- Aug 9, 2006 Meeting with Klamath Tribes, OSP and Klamath County SO to discuss and update community policing agreement.
- Aug 10, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Burns-Paiute Tribe Gaming Commission at the Old Camp Casino, Burns, Oregon.
- Aug 10, 2006 Meeting with the Klamath Tribal Gaming Commission regarding the proposed 2007-2009 OSP Tribal Gaming Section biennium budget.
- Sept 13, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Klamath Tribe Gaming Commission at the Tribal Center, Chiloquin, Oregon.
- Nov 8, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Coquille Tribe Gaming Commission at The Mill Casino, Coos Bay, Oregon.
- Nov 15, 2006 Attended the reception to review law enforcement agreements in place between the CTUIR, the State of Oregon, Federal agencies, Umatilla County, the City of Pendleton and surrounding local governments. This was hosted by the Confederated Tribes of the Umatilla Indian Reservation and was held at the Tamastlikt Cultural Institute.

- Dec 6, 2006 Oregon Association of Indian Gaming Commission meeting hosted by the Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians Gaming Commission at the Pier Point Inn, Florence, Oregon.

## **Fish and Wildlife Division**

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

- 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.
- Provide trained Fish and Wildlife Division staff knowledgeable about tribal sovereignty issues and the background of tribal sovereignty.
- Coordinate with tribal representatives on fish and wildlife issues before the Oregon Fish and Wildlife Commission.
- Coordinate with tribal representatives on fish and wildlife issues before the Oregon Legislature.
- As a member of the Columbia Basin Law Enforcement Council, coordinate with the Columbia River Treaty Tribes on enforcement issues related to the Columbia River.
- Providing Native American cultural training as part of the Division's Workforce Development Plan.

## **The following list summarizes activities related to the Fish and Wildlife Division relations with or connected to Native American tribal governments during 2006:**

Lieutenant Lane (Northwest Region Headquarters) continues to serve as the Oregon State Police representative to the Cultural Resources Cluster Group. The group meets two to three times per year at various locations about the state. The group has been working on a position paper addressing Treatment of Discovered Native American Remains. The group met in February at the Spirit Mountain Casino, in May at the Seven Feathers Casino, in September at the Deschutes County Services Building in Bend and in December prior to the annual Government to Government Summit at the Seven Feathers Casino in Canyonville. Lieutenant Lane was unable to attend December meeting due to other commitments.

Lieutenant Samuels (F&W Division) 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.

February - Sr. Trooper Canfield (Newport) discovered a shell midden near a state park in the Newport area. The Confederated Tribes of the Siletz environmental representative was notified and a subsequent inspection of the area by tribal representatives verified that the discovery was a midden.

February - Sr. Trooper Canfield was conducting a site tour with a Department of State Lands employee in Northern Lane County. When the site tour ended, Sr. Trooper Canfield took the opportunity to educate the person on shell middens. As they were looking at a shell midden in Northern Lane County, each noticed a very old bone fragment in the midden. Sr. Trooper Canfield contacted the Confederated Tribes of the Siletz to notify the tribe of their discovery.

March - Lieutenant Lane assisted the Union County Sheriff's Department with found human remains located in the Elgin area. A portion on a very old skull was located believed to have dug out from under a shed by animals. The skull was not believed to be involved with a crime. Lieutenant Lane simply referred the Sheriff's Department representative to the correct contacts. The Sheriff's Department representative contacted Teara Farrow of Confederated Tribes of Umatilla.

March - Lieutenant Scorby (Baker City), Sergeant Pond (Bend), and Sr. Trooper Lindberg (Madras) worked closely with the Confederated Tribes of Warm Springs on the Lower Deschutes River Managers Group (LDRMG) and the Lower Deschutes River Working Group to discuss issues and policies relating to management and safety on the Lower Deschutes River. Sr. Trooper Lindberg also works in the field with Warm Springs Tribal Enforcement Officers as part of his duties on the Deschutes River.

June - Lieutenant Lane, Sergeant Thompson and Trooper Boyd (both Newport) attended the annual Confederated Tribes of Siletz meeting with ODFW and OSP. The purpose of the meeting was to review tribal fish and wildlife issues. Sergeant Thompson continues to work with the Tribe on providing salvaged game animals and fish for tribal purposes.

September - Dave Ellis of Archaeological Investigations Northwest (Portland) reported to Lieutenant Lane that a root to a human tooth (prehistoric) had been discovered after analyzing material from an archaeological excavation to the west of The Dalles Bridge along the Columbia River. Mr. Ellis reported the discovery to SHPO (Dennis Griffin), to the Confederated Tribes of the Umatillas and Warm Springs and to the Oregon Commission on Indian Services (Karen Quigley).

November - Sr. Trooper Randall (Klamath Falls) presented a one hour archaeological investigation/familiarization class to 22 students at Oregon State University. The class was part of an overall class that the Fish and Wildlife Division provides during the fall term titled Fish and Wildlife Enforcement.

December – Lieutenant Lane (NW Region Hqs) received information from Katherine Koppel of Heritage Research. She advised that during an excavation at Turner Bridge in Douglas County that a small piece of possible human tooth enamel had been located. Katherine did not confirm the enamel as being human, but indicated it was suspicious in nature. The excavation was under permit number 931. Ms. Koppel advised she contacted tribal representatives, SHPO and the Commission on Indian Affairs and would follow-up with an e-mail to you and Karen Quigley.

### **Training:**

June - Lieutenant Randy Scorby (East Region - Baker City) and Sr. Troopers Pearson (The Dalles) and Anderson (Hood River) attended a two day cultural workshop for law enforcement sponsored by Columbia River Inter-Tribal Fisheries Enforcement (CRITFE) at Hood River. Agenda items for the workshop included tribal culture, fishing case history, the CRITFE Commission/Enforcement history and ARPA/Protecting cultural resources.

July - Trooper Brown (Pendleton) attended a cultural awareness training class in Umatilla which was also presented by CRITFE. Trooper Brown received training in artifact identification, as well as local, state and federal law relating to artifacts.

July - Troopers Brooks and Chambers (Special Investigations Unit – Salem) attended ARPA training in Portland.

### **Investigations:**

April - Trooper Halsey (Albany) contacted a business in Albany that had advertised a large sale of Native American artifacts. The original sale was reported to Lieutenant Lane by a retired OSP fish and wildlife trooper. The contact by Trooper Halsey revealed the seller did not have the proper information to offer the items for sale. The items for sale consisted of arrowheads, bowls and other items. There were no beads. The seller told Trooper Halsey that the artifacts had been obtained from other collections. Lieutenant Lane made contact with Kahanie Schultz, Confederated Tribes of the Grand Ronde in regards to the sale.

May - Troopers Duncan (Ontario) and Knapp (Enterprise) conducted a raft patrol on the Owyhee River in early May. During the patrol, they discovered an apparent and very recent illegal excavation at a tribal archaeological site near Birch Creek. They will review the river permits for that time period in an effort to locate possible suspects. The appropriate tribe will be contacted, and the investigation is continuing.

May - Troopers from The Dalles and Hermiston conducted joint boat patrols on the Columbia River with Columbia River Intertribal Fisheries Enforcement Officers. During one of these patrols, Trooper Gardner (Hermiston) and Officer Tegner (CRITFE) found two subjects digging artifacts in the closed entry area at the Old Town Umatilla Site. The two subjects were cited for Criminal Trespass II by Officer Tegner. One of the subjects had an outstanding warrant for DUII and was arrested by Trooper Gardner.

## **Oregon Emergency Management**

2006 training the agency (OEM) provided or participated in state-tribal relations.

- OEM staff participated in cultural awareness training sponsored by FEMA during Presidential declared disaster from December 2005/January 2006.
- May 2006            Participated in the Oregon Tribal Day at the Capitol Building, Salem.
- October 2006    Facilitated the Eastern Oregon Emergency Managers' Workshop in Pendleton. Invited tribes from Warm Springs, Burns Paiute, and CTUIR.

To keep employees advised about Government-to-Government law, OEM staff attends FEMA sponsored tribal awareness/government-to-government training.

Outlined below are activities, agreements, partnerships or other interactions with tribes in 2006 or that are anticipated in 2007.

- The CSEPP office has primary contact with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on a weekly basis. Provide liaison with, coordination and training with respect to all CSEPP issues and activities. The CTUIR does participate in all CSEPP activities.
- Named Tom Groat of CTUIR to be a member of the State Citizen Corps Advisory Committee representing Tribal interests.
- Assisted setting up a Homeland Security Citizen Corps Council with the Confederated Tribes of the Umatilla Indian Reservation through Tom Groat, the emergency manager for the tribe.
- Oregon Emergency Management continues to concentrate efforts to engage all tribes to fully participate in all Homeland Security activities.
- In mitigation, as a result of the December 2005/January 2006 severe storm/flood event, FEMA is contracting to help eight tribes complete their Natural Hazard Mitigation Plans. This will mean that all tribes in Oregon, except one, have approved FEMA plans.

- February 2006 Contacted coastal tribes on potential flood/wind damage as a result of recent winter storm disaster determining impacts and potential changes to tribal emergency plans.
- March 2006 In conjunction with FEMA team made site visits to Warm Springs, Coquille Tribe in Coos Bay, Siletz Tribe, and Grand Ronde Tribes in Polk County. The purpose was follow-up on potential flood damages and to determine the Hazard Mitigation Plan progress for disasters and conduct a briefing.

## **CRIMINAL JUSTICE SERVICES DIVISION**

Outlined below are activities, agreements, partnerships or other interactions with tribes in 2006 or that are anticipated in 2007.

- The Criminal Justice Services Division (CJSD) serves as staff to the Governor's Council on Domestic Violence. As part of their mission, the Council travels 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, 2006 the Governor's Council was invited to meet with the Klamath Tribe.
- Grant funds administered by CJSD are awarded on a competitive basis. Applications are reviewed by staff and members of various advisory boards or ad hoc work groups. In awarding FY 2006 Edward Byrne Memorial Justice Assistance Grant program funds, CJSD solicited the help of Guy Wallulatum, Director of Substance Abuse Programs, with the Confederated Tribes of Warm Springs to serve on our offender alcohol and drug treatment program peer review committee. The committee met on June 9, 2006 to discuss the applications, review scoring, and recommend programs for funding.
- In FY 2006, CJSD awarded homeland security grant funds to three tribes.
- CJSD has ongoing interaction with the following tribes in the administration of their respective grants: (1) Confederated Tribes of the Siletz Indians: \$59,339 for emergency preparedness and community training and education, (2) Confederated Tribes of the Umatilla Indian Reservation: \$6,474 for CERT equipment, planning, and training, (3) Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians: \$57,500 for a HazMat tabletop exercise and interoperable communications planning.

## **STATE FIRE MARSHAL**

Outlined below are activities, agreements, partnerships or other interactions with tribes in 2006 or that are anticipated in 2007.

- Representative(s) of OSFM participate in Warm Springs Tribe monthly Fire Prevention Co-Op meetings.
- Feb 8, 2006 Met with Mill Casino management and local fire department about water supply needs during period when water main is being worked on.
- Feb 23, 2006 Inspected remodeled area of the 7 Feathers Casino and tested the new alarm system.
- Apr 20, 2006 The Siletz Tribal Head Start and the Siletz Valley Charter School were inspected.
- May 17, 2006 Met with architect and the Mill Casino management to review preliminary plans for casino remodel and hotel expansion.
- June 13, 2006 Tested the alarm and fire sprinkler flow in the new addition and bingo hall at the 7 Feathers.
- June 15, 2006 The Mill Casino; inspected the new RV park and its office/laundry building and tested the fire alarm system.
- June 15, 2006 Contacted the Warm Springs Fire Chief to seek assistance with the fire and life safety inspection at Early Childhood Development Center.
- June 27, 2006 Inspected new construction at the Spirit Mountain Casino.
- July 5, 2006 Met with Warm Springs Fire Chief to discuss various fire prevention issues.
- July 6, 2006 Inspected the Siletz Community Health Center.
- Aug 9, 2006 Inspected the fire alarm and sprinkler system at the Spirit Mountain Casino.
- Aug 18, 2006 Contacted Lynn Hillman, Executive Director of the Grand Ronde Gaming Commission, to discuss fire protection statutes.
- Aug 21, 2006 Inspected new construction and fire alarm system at the Spirit Mountain Casino.
- Aug 21, 2006 Meeting with the Mill Casino management and contractor representatives to formulate plan for maintaining required exits during remodeling.

- Aug 22, 2006 Meeting with Lynn Hillman at OSFM regarding standards for fire department staffing under NFPA 1720.
- Aug 23, 2006 Meeting with Cow Creek Band, Umpqua Tribe, tribal representative to conduct a preliminary plan review of possible expansion for the hotel and casino.
- Aug 28, 2006 Assisted Warm Springs staff with fire extinguisher training at the Early Childhood Development Center.
- Sep 19, 2006 Final inspection of Spirit Mountain Casino new construction.
- Sep 19, 2006 Visit the Mill Casino to check on exits.
- Sep 25, 2006 Mill Casino – check to ensure that proper exits are being maintained during new construction and work with staff to identify exiting issues during demo/construction of the new hotel.
- Nov 6, 2006 Meeting with Spirit Mountain and tribal representatives to review plans on proposed entertainment center and restaurant.
- Nov 2006 Meetings with Mill Casino management staff to review latest plans for hotel expansion.

### **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.

### **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). Our Department has had requests from the Chief to work traffic to slow motorists down in the area. This has been well received by the Police Department and citizens. The Chief has been 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 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 and 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, day or night.
- Training opportunities have been extended to the Coquille Tribal Police members. When room is available, Tribal Police Department members have been invited to participate with our members at our 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.

### **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.
- Fish and Wildlife members have been working with the Cow Creek Band of the Umpqua Indians to identify and protect known Native American archeological sites.
- Seven Feathers Casino hosts the Douglas County "Major Crime Scene Investigator Seminar." Police officers from all over the United States attend.

### **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 January 11, 2006, the Klamath Falls Station Commander was invited to a meeting involving local residences and the Klamath Tribe. The meeting was to discuss what the meeting participants would like to see Chiloquin become in the coming years.
- On June 27, 2006, the Klamath Falls Station Commander attended a Career Day meeting at the Tribal Offices. This was the second consecutive year in attending this event. The meeting involves 6-8 leaders in the community as a panel and fielding career opportunity inquiries from high school students. Each leader is also asked to give a brief description of who they are and what led to where they are today.
- On October 4, 2006, staff attended the Equal Justice Committee meeting along with representatives from the Sheriff's Office, the local Police Department, the District Attorney's Office, Parole & Probation, and the Tribe. During the meeting, the Tribe is able to bring up issues that their members bring to them concerning how they were treated by police, parole & probation, and the DA's office.
- Relationships between the Oregon State Police, Klamath Tribe and other local public safety agencies continue to move forward with efforts to improve and expand the frequency of communications.
- The Klamath Falls Patrol Office continues to be responsive to the requests of the Klamath Tribe for law enforcement assistance when dealing with 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**

- There is a Tribal Gaming Section Governmental Auditor 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 has assisted 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 have responded to the Warm Springs Reservation to assist with major traffic crashes on the State Highway, recovered stolen vehicles on the State Highway, and have handled a variety of crimes that have been related to the Reservation.
- 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. These may include officer safety issues, upcoming events, and prioritization of activities needed for Jefferson County. In 2006, these meetings occurred on March 9, 2006; April 14, 2006; June 27, 2006; July 17, 2006; August 10, 2006; and October 10, 2006.
- 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. Subjects contacted trespassing on reservation property by troopers are informed and removed from reservation property throughout the recreation season.
- Fish & Wildlife members responded and recovered a deceased male that had been in the Deschutes River for approximately 14 days. The deceased male was recovered near Locked Gate during the Memorial Day weekend and believed to be a Warm Springs Tribal Member who was alleged to have committed suicide by jumping from a bridge into the river. The body was returned to the Warm Springs Tribe.

## **Pendleton Patrol Office**

The Pendleton Command Area currently has several agreements with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and is working 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 relationship 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. This agreement, though signed, is in the beginning stages with several logistical concerns to be addressed.
- The Department, the CTUIR, the Governor's Office, DOJ and UCDA have developed and signed an updated Fresh Pursuit Agreement. A review of the Extradition Agreement originally signed in 1981 has determined it is still applicable and 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 Administrators' Conference that meets monthly. The Department and Umatilla Tribal PD are also members of the Blue Mountain Enforcement Narcotics Team (BENT) board of directors.
- The Department continues to provide Lab Site Safety Officers to Umatilla Tribal PD whenever a methamphetamine lab is located within the Reservation.

- The Department continues to assist in providing Drug Recognition Experts (DRE) to Umatilla Tribal PD whenever needed.
- The Department continues to provide Crash Reconstructionists to Umatilla Tribal PD whenever needed.
- 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 Department met with the Tribe along with other criminal justice representatives on November 15, 2006 to celebrate the cooperation of the Law Enforcement agreements and receive a copy of the updated agreements. Also discussed was the progress we would like to continue to work toward in the future.

#### **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 don't hesitate to contact me at (503) 378-3720 ext. 4127.

Sincerely,

Craig Durbin, Captain  
Oregon State Police  
Gaming Enforcement Division

cc: Deputy Superintendent Timothy McLain  
Lt. Colonel 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) 378-3725 ext. 4127  
(503) 378-8282 Fax

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

### Statewide Issues:

Fish and Wildlife/Natural Resources:                      Captain Walt Markee  
255 Capitol Street NE, 4<sup>th</sup> Floor  
Salem, Oregon 97310  
Phone: (503) 378-3720

Tribal Gaming:    Lieutenant Al Bathke  
3400 State Street, Suite G-750  
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  
2525 Biehn Street  
Klamath Falls, Oregon 97601  
Phone: (541) 883-5713

## Department of State Police

CHAPTER: 500.11  
SUBJECT: STATE-TRIBAL GOVERNMENT TO GOVERNMENT RELATIONS  
REVISED: September 8, 1999  
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: 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.