



# TRIBAL/LOCAL/STATE/ AND FEDERAL COLLABORATION

# Historical Roadblocks

- Misunderstanding of Public Law 280
- Lack of state law recognizing tribal justice systems
- Large number of Reservations and Rancherias (capabilities and needs differ)
- non-Indian populations outnumbering Indian populations 10-1 due to economic development on many Reservations




# More Roadblocks

- Lack of funding for tribal justice systems
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# Types of enforcement varies with tribes capabilities

- No services
  - Tribal/casino security
  - Tribal enforcement (tribal codes only)
  - Deputized by county
  - Deputized by the DOI's Bureau of Indian Affairs
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# Wholesale Attempt with Tribal/ County/State Collaboration

- 2000 with CA Senate Bill 911
- Bill would have given CA Peace Officer Status to qualified tribal police officers
- State AG hosted negotiation meetings between tribal leadership and Sheriff's
- Largest areas of contention: hiring & training requirements, CLETS access, and liability (tort claims)
- Unable to work out issues surrounding liability... bill died



# What's Next?

- Concurrent jurisdiction: Federal and State
- Entered into a deputation agreement with the BIA's Office of Justice Services for issuance of Special Law Enforcement Commissions to Sycuan's police officers




# Collaboration for Prosecution

- US Attorney's Office – major applicable federal offenses
- Central Violations Bureau (US District Court) – petty federal offenses
- Tribal Court – traffic offenses, regulatory issues, conservatorships



# Collaboration for Prosecution

- District Attorney's Office – MOU for prosecution of state offenses (830.8 PC)
  - Booking into county jail
  - Issuing of misdemeanor citations
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# Collaboration with County and Federal Agencies

- County-wide law enforcement interoperable radio communications system: rework of policy to allow access
  - Impetus: off-reservation pursuit
- Information sharing
  - Access to law enforcement databases (NCIC, NLETS, and CLETS)
  - U.S. DOJ's Tribal Access Program (TAP)

# Collaboration with Federal/ State Agencies for Law Enforcement Database Access

- No state access because state law doesn't define tribal police departments as "public agencies"
- 2010 work around pilot program by US DOJ for access into NCIC and NLETS
- CA Attorney General's Office, BIA Office of Justice Services and tribes collaborate for resolve

# Collaboration with Federal/ State Agencies (continued)

## CLETS

- Access approved for Sycuan's BIA commissioned officers including access to regional and county systems
  - Automated Regional Justice Information System (ARJIS)
  - SD Law
  - Cal Photo
  - Net RMS, county-wide records management system

# CLETS Policies, Procedures, and Procedures

- **1.9.4 Non-Federal, Non-State, and Non-Local Governmental Employees**
  - All persons who are not federal, state, or local governmental employees, who are exercising law enforcement powers as part of a Criminal Justice and/or Law Enforcement Agency, as defined in the PPP Glossary, shall meet all of the California Peace Officer Standards and Training (POST) mandated requirements to be a California peace officer, in addition to those requirements set forth in sections 1.9.2 and 1.9.3. Such law enforcement officers shall also be deputized by a federal, state, or local law enforcement agency and provide copies of the relevant deputation agreements at the time of application for CLETS access to CADOJ.



# A must for good faith collaboration

- Establishing an identity based off of department's capabilities
- Holding to **strict** hiring and training standards
- Operational transparency
  - not just with the community you serve, but just importantly with your local, state, and federal partners.

# Contact Information

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