



Oregon

Kate Brown, Governor

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DATE: February 19, 2015

TO: Senate Judiciary Committee
Floyd Prozanski, Chair
Jeff Kruse, Vice-Chair
Ginny Burdick
Sara Gelser
Kim Thatcher

FROM: Eriks Gabliks, Director

SUBJECT: Senate Bill 343

Summary: The passage of Senate Bill 412 (SB 412) by the 2011 Legislative Assembly assigned the Department of Public Safety Standards and Training (DPSST) specific responsibilities for ensuring the tribal police officers affiliated with interested tribal governments may act as authorized officers as defined in the bill. There are a number of provisions of the legislation that are outside of DPSST's jurisdiction which also bear on whether tribal officers are considered authorized officers under Oregon law. However, DPSST has had no role in implementing or verifying those provisions. This testimony is limited to the areas which assigned DPSST specific responsibilities.

Tribal governments choosing to implement the provision of SB 412 are required to submit to DPSST a resolution regarding tribal insurance, a declaration that the tribal government has complied with the requirements of Sections 1 through 4 of the Act, and a copy of the public liability, property damage, and police professional liability insurance policies. All of these documents are kept on file at DPSST and are subjected to public inspection as required by law. DPSST requires all SB-412 compliant tribal law enforcement units submit annually an affidavit verifying compliance with these requirements, including a verification of the currency of the documents on file at DPSST.

Prior to certifying tribal public safety officers, DPSST ensures that tribal governments comply with all of the provisions of ORS 181.610 – 181.712. This includes, but is not limited to, reporting ALL personnel actions to DPSST within 10 days; reporting ALL convictions of tribal employees in certifiable positions on an ongoing basis, including convictions in tribal courts; and the submission of all required documents and scheduling of newly hired officers to attend a basic training course within 90 days of hire.

Effect of SB 343 on DPSST: To date, the following Oregon tribes have elected to comply with the provisions of SB 412:

Coos, Lower Umpqua, Siuslaw Tribal PD (December 21, 2011)
Umatilla Tribal PD (January 6, 2012)
Warm Springs Tribal PD (April 8, 2012)
Grande Ronde Tribal PD (May 30, 2012)
Columbia River Inter-Tribal Fish Commission PD (September 21, 2012)
Coquille Indian Tribal PD (December 21, 2012)
Burns Paiute Tribal PD (November 25, 2013)

As of the above listed dates, all tribal law enforcement officers employed by these departments have been or will be trained and certified in the same manner as all other police officers in the state of Oregon.

To date, there are a total of 75 police officers employed by these tribal police departments. These 75 officers are subjected to the same certification maintenance requirements, to include maintaining minimum moral fitness standards as defined by Oregon Administrative Rule.