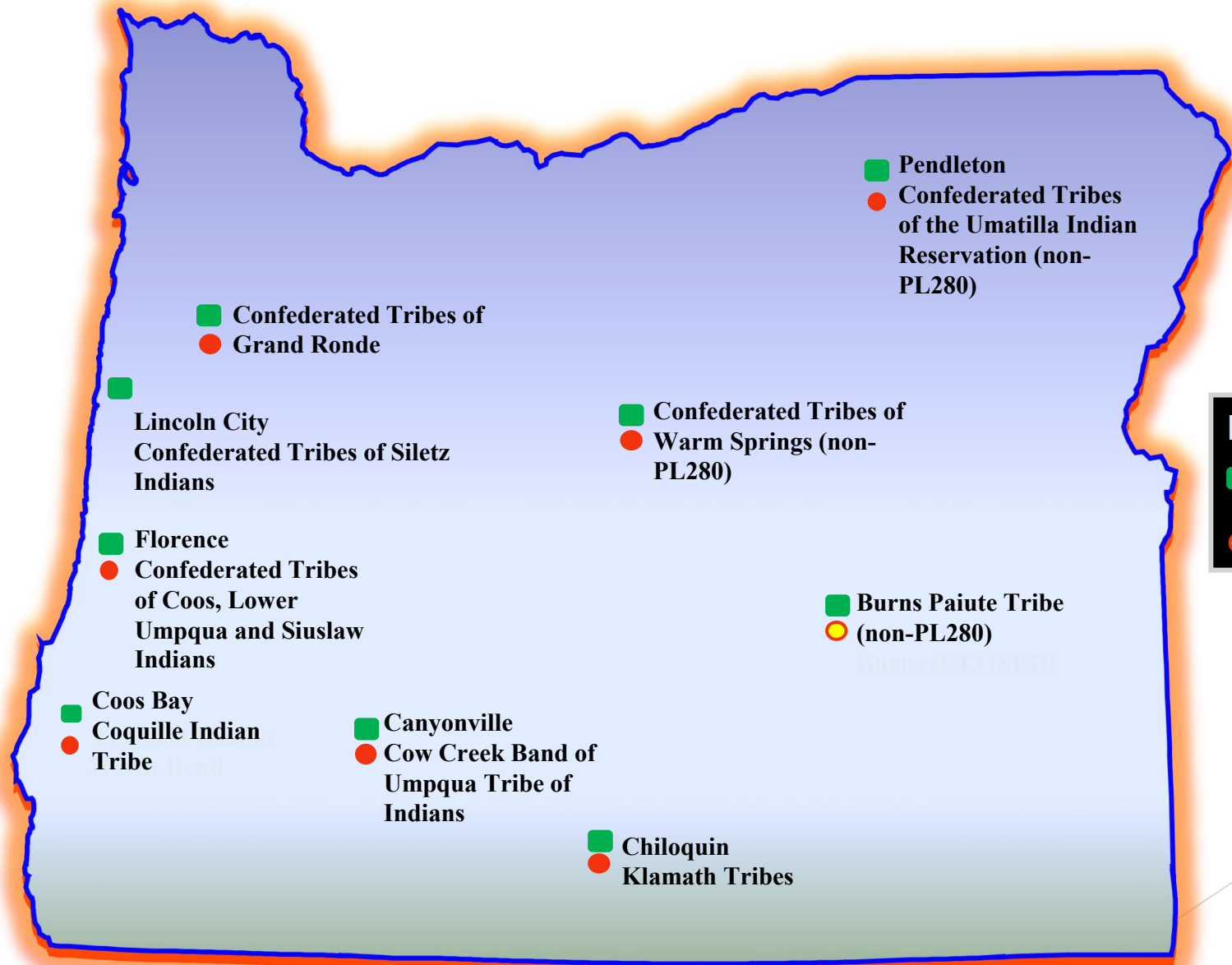


# Oregon State Police

Testimony in Support of House Bill 4102



# Oregon's Federally Recognized Tribes



■ Confederated Tribes of  
● Grand Ronde

■ Lincoln City  
Confederated Tribes of Siletz  
Indians

■ Florence  
● Confederated Tribes  
of Coos, Lower  
Umpqua and Siuslaw  
Indians

■ Coos Bay  
● Coquille Indian  
Tribe

■ Canyonville  
● Cow Creek Band of  
Umpqua Tribe of  
Indians

■ Chiloquin  
● Klamath Tribes

■ Pendleton  
● Confederated Tribes  
of the Umatilla Indian  
Reservation (non-  
PL280)

■ Confederated Tribes of  
● Warm Springs (non-  
PL280)

■ Burns Paiute Tribe  
● (non-PL280)

**Key**

- Tribe
- Tribal Police
- Bureau of Indian Affairs Police



# History of State/Tribal Government to Government Relations

- ▶ Governor's Executive Order EO 96-30

- The purpose of formalizing the government-to-government relationship that exists between Oregon's Indian tribes and the State is 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.



# History of State/Tribal Government to Government Relations

- ▶ 71<sup>st</sup> Oregon Leg. Assembly—2001 / SB 770 (ORS182.164) relating to Govt. to Govt. relations between the State of Oregon and American Indian tribes in Oregon
  - ▶ A state agency shall develop and implement a policy that:
    - ▶ **(a)** Identifies individuals in the state agency who are responsible for developing and implementing programs of the state agency that affect tribes.
    - ▶ **(b)** Establishes a process to identify the programs of the state agency that affect tribes.
    - ▶ **(c)** Promotes communication between the state agency and tribes.
    - ▶ **(d)** Promotes positive government-to-government relations between the state and tribes.
    - ▶ **(e)** Establishes a method for notifying employees of the state agency of the provisions of and the policy the state agency adopts under this section.
  - ▶ **(2)** In the process of identifying and developing the programs of the state agency that affect tribes, a state agency shall include representatives designated by the tribes.
  - ▶ **(3)** A state agency shall make a reasonable effort to cooperate with tribes in the development and implementation of programs of the state agency that affect tribes, including the use of agreements authorized by [ORS 190.110](#)



# OSP

## State/Tribal Government to Government Relations Policy

- ▶ OR Statute, Orders, and Policy – Contd.
  
- ▶ OSP Policy 500.11
  - In accordance with EO 96-30, State Police policy formalizes the government-to-government relationship that exists between Oregon Tribal Governments and the State that establishes a process 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.



# OSP

## State/Tribal Government to Government Relations Policy

- ▶ The Department under policy (500.11) designates an agency tribal liaison (Gaming and Employee Services Bureau Director) who participates and engages with Oregon's Nine Federally Recognized Tribes in Government-to-Government matters through planned events for training, regulatory, enforcement, and in consultation about matters of concern for the tribes.
  - ▶ OSP did not receive a position nor funding for Tribal liaison position and so it became an additional duty assigned to a sworn Bureau Commander
- ▶ The Department, beginning with the Superintendent's Office, is engaged with Oregon's Tribes through the various areas of the Department that include the Patrol Division, Criminal Division, Gaming Division, Fish & Wildlife Division, Criminal Justice Information Services, Oregon State Medical Examiner's Office, Office of State Fire Marshal, and the Forensics Division.



# OSP

## Current Tribal Coordination and Participation Overview


- ▶ Superintendent's Office and Department – Annual Tribal – State Summit
- ▶ Tribal Gaming Section– Criminal investigation of gaming crimes, threat assessment training, gaming regulation
- ▶ Criminal Division – Amber Alert Training and MMIP – listening tour and leg. report, major crimes investigations
- ▶ Fish and Wildlife Division – Cultural Investigations Task Force, Columbia Basin Law Enforcement Council, Natural Resources Cluster Group, natural resources investigations
- ▶ Gaming & Business Serv. Bureau – Public Safety Cluster Group, Governor's Office Tribal Meetings, gaming regulation in collaboration with Tribal Gaming Commissions
- ▶ Patrol Division – Coordination with tribal law enforcement agencies, criminal investigations of illegal removal and possession of archeological artifacts
- ▶ Medical Examiners Office – Repatriation of remains of Indigenous persons Ancestry
- ▶ OSFM – Coordination of fire conflagrations throughout state and on tribal lands



# Missing and Murdered Indigenous Persons (MMIP) Report

- ▶ HB 2625 (2019) - Directs Department of State Police to study how to increase and improve criminal justice resources relating to missing and murdered Native American (Indigenous) women in Oregon and report to appropriate committee or interim committee of Legislative Assembly no later than September 15, 2020
- ▶ Multi-agency / multi-disciplinary task force was created to study the problem
  - ▶ 13 listening sessions were planned, but due to COVID, six were conducted
- ▶ Report released in September of 2020





## OSP Missing and Murdered Indigenous Persons (MMIP) Report

- ▶ Listening Tours:
  - ▶ Confederated Tribes of Umatilla Indian Reservation, 12/17/19
  - ▶ University of Oregon Many Nations Long House, 01/14/20
  - ▶ Confederated Tribes of Warm Springs Indian Reservation, 01/28/20
  - ▶ Listening and Understanding Tour - 1/14/20
  - ▶ Oregon State University Native American Longhouse Eena Haws, 02/11/20
  - ▶ Burns Paiute Indian Reservation, 02/27/20



# OSP

## Missing and Murdered Indigenous Persons (MMIP) Report

### Listening tours – What we heard

- ▶ When a crime or missing persons reports was made, participants reported, based on their experience, they did not:
  - ▶ expect police to act
  - ▶ expect to be believed or to be taken seriously
  - ▶ always know where to report
  - ▶ expect prosecutors to prosecute offenders (tribal or non-tribal members)
  - ▶ receive communication or follow-up from police
  - ▶ get the opportunity for involvement in plea negotiations from prosecutor



# OSP

## Missing and Murdered Indigenous Persons (MMIP) Report - Conclusions

- ▶ There is a probability that the actual number of missing Native American (Indigenous) Women is greater than what is known to law enforcement.
- ▶ Crime data and information sharing between some tribal governments and local, state and federal partners/governments is not consistent; and in some instances, is not occurring.
- ▶ Confusing processes, communication breakdowns, and historical distrust of government, have led many in the Native American (indigenous) community to hold negative perceptions and emotions toward law enforcement and the outcomes of criminal investigations in tribal communities and urban areas.
- ▶ There is a lack of trust between their communities and government, to include law enforcement. **To increase reporting of missing persons and be effective in the investigation of missing and murdered persons, law enforcement must bridge the gap in trust with Native American (Indigenous) communities.**





## OSP Missing and Murdered Indigenous Persons (MMIP) Report - Recommendations

- ▶ Establish a partnership between Oregon law enforcement and the new federal task force, Operation Lady Justice, toward solving open and cold case missing persons investigations.
- ▶ Develop collaborative efforts and partnership to work across local, tribal and state borders to identify patterns and links between missing persons from tribal and non-tribal lands.
- ▶ Strengthen partnerships between law enforcement and Native American (Indigenous) communities.
- ▶ Develop and provide education for Oregon's law enforcement officers covering cultural awareness, the history of Native Americans (Indigenous persons) in Oregon, and the complexities between tribal and state law



# House Bill 4102 – Tribal Liaison

## Our Vision

- ▶ A centralized full-time, non-sworn OSP employee to serve as a point of contact for all nine federally recognized tribes and indigenous persons. This person will be based out of our headquarters in Salem, but travel as needed.
  - ▶ “One stop shop” across OSP’s broad agency footprint
- ▶ Improve/implement policies and procedures across OSP Divisions in working with tribes and indigenous persons
- ▶ Develop standard reporting protocols with each tribal government and urban indigenous communities – assist in making connections with federal, state and local law enforcement and prosecutorial services and negotiating jurisdictional issues
- ▶ Continue to work with local LE and the tribes, DPSST in providing training on complex cultural and jurisdictional issues
- ▶ Solicit input from Tribal partners to establish additional roles and responsibilities for this position on a routine basis



Questions?